

ORDINANCE NO. 006, 2014
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 KECHTER FARM 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 City Council has considered the zoning of the property which is the subject of this ordinance, and has determined that 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 Kechter Farm Annexation to the City of Fort Collins, Colorado, in the Low Density Mixed Use ("L-M-N") Zone District, which property is more particularly described as:

A portion of land lying in the South 1/2 of the Northeast 1/4 of Section 8, Township 6 North, Range 68 West and the Southeast 1/4 of Section 8, Township 6 North, Range 68 West of 6th Principal Meridian, County of Larimer, State of Colorado being more particularly described as follows:

Considering the North line of the South 1/2 of the Northeast 1/4 of Section 8, Township 6 North, Range 68 West of 6th Principal Meridian, County of Larimer, State of Colorado as bearing N 89°39'17" E, with all bearings contained herein relative thereto;

COMMENCE at the Northwest corner of the South 1/2 of the Northeast 1/4 of Section 8, Township 6 North, Range 68 West of 6th Principal Meridian, County of Larimer, State of Colorado; thence S 00°43'20" W along the West line of said South 1/2 for a distance of 562.71 feet to the POINT OF BEGINNING; thence leaving said West line S 89°16'36" E for a distance of 116.49 feet; thence N 45°30'20" E for a distance of 6.88 feet; thence N 00°17'17" E for a distance of 1.18 feet; thence S 89°42'43" E for a distance of 71.00 feet; thence S 00°17'17" W for a distance of 1.83 feet; thence S 44°29'40" E for a distance of 6.78 feet; thence S 89°36'13" E for a distance of 202.42 feet; thence N 44°54'01" E for a distance of 6.85 feet; thence N 00°17'17" E for a distance of 1.90 feet; thence S 89°42'43" E for a distance of 71.00 feet; thence S 00°17'17" W for a distance of 1.28 feet; thence S 45°01'43" E for a distance of 6.55 feet; thence N 89°39'17" E for a distance of 202.56 feet; thence N 44°58'17" E for a distance of 6.82 feet; thence N 00°17'17" E for a

distance of 2.04 feet; thence S 89°42'43" E for a distance of 91.00 feet; thence S 00°17'17" W for a distance of 1.17 feet; thence S 45°01'43" E for a distance of 6.55 feet; thence N 89°39'17" E for a distance of 202.56 feet; thence N 44°58'17" E for a distance of 6.82 feet; thence N 00°17'17" E for a distance of 1.93 feet; thence S 89°42'43" E for a distance of 71.00 feet; thence S 00°17'17" W for a distance of 1.28 feet; thence S 45°01'43" E for a distance of 6.55 feet; thence N 89°39'17" E for a distance of 202.56 feet; thence N 44°58'17" E for a distance of 6.82 feet; thence N 00°17'17" E for a distance of 17.45 feet; thence S 89°42'43" E for a distance of 62.00 feet; thence N 89°39'17" E for a distance of 114.78 feet to the boundary of Kinard Junior High School Annexation; thence along said annexation boundary the following courses and distances: thence S 00°17'17" W for a distance of 80.60 feet to the beginning of a tangent curve, concave to the Northeast and having a radius of 519.99 feet, a chord bearing of S 30°27'06" E and a chord distance of 531.58 feet; thence Southeasterly along the arc of said curve for a distance of 557.96 feet, through a central angle of 61°28'46" to the end of said curve; thence S 59°37'25" E for a distance of 149.72 feet to the beginning of a non-tangent curve, concave to the Southeast and having a radius of 566.99 feet, a chord bearing of N 51°28'41" E and a chord distance of 444.72 feet; thence Northeasterly along the arc of said curve for a distance of 456.99 feet, through a central angle of 46°10'49" to the beginning of a tangent curve, concave to the South and having a radius of 386.99 feet, a chord bearing of N 87°45'14" E and a chord distance of 176.55 feet; thence Easterly along the arc of said curve for a distance of 178.11 feet, through a central angle of 26°22'14" to the beginning of a tangent curve, concave to the North and having a radius of 430.99 feet, a chord bearing of S 84°41'54" E and a chord distance of 84.68 feet; thence Easterly along the arc of said curve for a distance of 84.81 feet, through a central angle of 11°16'30" to the end of said curve; thence N 89°39'51" E for a distance of 231.39 feet to the boundary of Fossil Lake Annexation No. 3; thence leaving said Kinard Junior High School Annexation boundary S 00°16'47" W along said Fossil Lake Annexation No. 3 boundary for a distance of 242.20 feet; thence leaving said Fossil Lake Annexation No. 3 boundary N 89°43'04" W for a distance of 354.73 feet; thence S 00°16'47" W for a distance of 457.21 feet; thence S 51°11'51" W for a distance of 185.49 feet; thence S 37°57'47" E for a distance of 53.54 feet; thence S 33°50'51" E for a distance of 53.54 feet; thence S 29°48'30" E for a distance of 251.66 feet; thence S 32°23'50" E for a distance of 42.66 feet; thence S 41°24'21" E for a distance of 39.96 feet; thence S 50°24'39" E for a distance of 39.96 feet; thence S 59°24'58" E for a distance of 39.96 feet; thence S 68°25'17" E for a distance of 39.96 feet; thence S 77°25'36" E for a distance of 39.96 feet; thence S 86°30'32" E for a distance of 42.27 feet; thence S 89°35'08" E for a distance of 50.00 feet; thence S 89°35'11" E for a distance of 23.94 feet to the aforesaid boundary of Fossil Lake Annexation No. 3; thence S 00°24'49" W along said annexation boundary for a distance of 145.50 feet; thence leaving said annexation boundary N 89°35'08" W for a distance of 112.25 feet to the beginning of a tangent curve, concave to the Northeast and having a radius of 400.00 feet, a chord bearing of N 59°38'25" W and a chord distance of 399.34 feet; thence Northwesterly along the arc of said curve for a distance of 418.11 feet, through a central angle of 59°53'26" to the end of said curve; thence N 29°41'42" W for a distance of 235.09 feet to the beginning of a tangent curve, concave to the Southwest and having a radius of 600.00 feet, a chord bearing of N 43°57'30" W and a chord distance of 295.66

feet; thence Northwesterly along the arc of said curve for a distance of 298.73 feet, through a central angle of 28°31'37" to the end of said curve; thence N 58°13'19" W for a distance of 367.48 feet; thence S 70°29'49" W for a distance of 92.96 feet to the beginning of a non-tangent curve, concave to the Northwest and having a radius of 479.00 feet, a chord bearing of S 22°27'15" W and a chord distance of 155.21 feet; thence Southwesterly along the arc of said curve for a distance of 155.90 feet, through a central angle of 18°38'52" to the end of said curve; thence S 31°46'41" W for a distance of 210.69 feet to the beginning of a tangent curve, concave to the Northwest and having a radius of 1367.00 feet, a chord bearing of S 33°28'42" W and a chord distance of 81.13 feet; thence Southwesterly along the arc of said curve for a distance of 81.14 feet, through a central angle of 3°24'03" to the end of said curve; thence N 54°49'16" W for a distance of 61.63 feet; thence N 56°41'38" W for a distance of 171.79 feet; thence N 32°35'48" E for a distance of 10.98 feet; thence N 55°48'39" W for a distance of 131.53 feet; thence S 39°52'00" W for a distance of 69.86 feet; thence S 53°22'15" W for a distance of 69.69 feet; thence S 61°28'24" W for a distance of 69.69 feet; thence S 74°53'28" W for a distance of 96.45 feet; thence N 89°49'26" W for a distance of 70.59 feet; thence N 78°09'57" W for a distance of 71.60 feet; thence N 66°54'29" W for a distance of 73.04 feet; thence N 64°06'35" W for a distance of 175.32 feet; thence N 64°06'35" W for a distance of 53.00 feet; thence N 64°06'35" W for a distance of 80.49 feet; thence N 58°02'45" W for a distance of 87.99 feet; thence N 46°06'36" W for a distance of 85.22 feet; thence N 34°03'21" W for a distance of 89.70 feet; thence N 25°28'04" W for a distance of 70.00 feet; thence N 25°03'19" W for a distance of 18.00 feet; thence N 21°33'42" W for a distance of 62.75 feet; thence N 05°28'46" W for a distance of 46.86 feet; thence N 87°51'05" W for a distance of 35.85 feet to the boundary of Poudre School District and Timberline P.U.D. Annexation; thence N 00°43'20" E along said annexation boundary and the aforesaid West line of the South 1/2 for a distance of 720.55 feet to the Point of Beginning, containing 56.34 acres, more or less.

Section 2. 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 Kechter Farm Annexation to the City of Fort Collins, Colorado, in the Urban Estate ("U-E") Zone District, which property is more particularly described as:

A portion of land lying in the Southeast 1/4 of Section 8, Township 6 North, Range 68 West of 6th Principal Meridian, County of Larimer, State of Colorado being more particularly described as follows:

Considering the North line of the South 1/2 of the Northeast 1/4 of Section 8, Township 6 North, Range 68 West of 6th Principal Meridian, County of Larimer, State of Colorado as bearing N 89°39'17" E, with all bearings contained herein relative thereto;

COMMENCE at the Northwest corner of the South 1/2 of the Northeast 1/4 of Section 8, Township 6 North, Range 68 West of 6th Principal Meridian, County of Larimer, State of Colorado; thence S 00°43'20" W along the West line of said South 1/2 for a distance of 562.71 feet; thence leaving said West line S 89°16'36" E for a distance of 116.49 feet; thence N 45°30'20" E for a distance of 6.88 feet; thence N 00°17'17" E for a distance of 1.18 feet; thence S 89°42'43" E for a distance of 71.00 feet; thence S 00°17'17" W for a

distance of 1.83 feet; thence S 44°29'40" E for a distance of 6.78 feet; thence S 89°36'13" E for a distance of 202.42 feet; thence N 44°54'01" E for a distance of 6.85 feet; thence N 00°17'17" E for a distance of 1.90 feet; thence S 89°42'43" E for a distance of 71.00 feet; thence S 00°17'17" W for a distance of 1.28 feet; thence S 45°01'43" E for a distance of 6.55 feet; thence N 89°39'17" E for a distance of 202.56 feet; thence N 44°58'17" E for a distance of 6.82 feet; thence N 00°17'17" E for a distance of 2.04 feet; thence S 89°42'43" E for a distance of 91.00 feet; thence S 00°17'17" W for a distance of 1.17 feet; thence S 45°01'43" E for a distance of 6.55 feet; thence N 89°39'17" E for a distance of 202.56 feet; thence N 44°58'17" E for a distance of 6.82 feet; thence N 00°17'17" E for a distance of 1.93 feet; thence S 89°42'43" E for a distance of 71.00 feet; thence S 00°17'17" W for a distance of 1.28 feet; thence S 45°01'43" E for a distance of 6.55 feet; thence N 89°39'17" E for a distance of 202.56 feet; thence N 44°58'17" E for a distance of 6.82 feet; thence N 00°17'17" E for a distance of 17.45 feet; thence S 89°42'43" E for a distance of 62.00 feet; thence N 89°39'17" E for a distance of 114.78 feet to the boundary of Kinard Junior High School Annexation; thence along said annexation boundary the following courses and distances: thence S 00°17'17" W for a distance of 80.60 feet to the beginning of a tangent curve, concave to the Northeast and having a radius of 519.99 feet, a chord bearing of S 30°27'06" E and a chord distance of 531.58 feet; thence Southeasterly along the arc of said curve for a distance of 557.96 feet, through a central angle of 61°28'46" to the end of said curve; thence S 59°37'25" E for a distance of 149.72 feet to the beginning of a non-tangent curve, concave to the Southeast and having a radius of 566.99 feet, a chord bearing of N 51°28'41" E and a chord distance of 444.72 feet; thence Northeasterly along the arc of said curve for a distance of 456.99 feet, through a central angle of 46°10'49" to the beginning of a tangent curve, concave to the South and having a radius of 386.99 feet, a chord bearing of N 87°45'14" E and a chord distance of 176.55 feet; thence Easterly along the arc of said curve for a distance of 178.11 feet, through a central angle of 26°22'14" to the beginning of a tangent curve, concave to the North and having a radius of 430.99 feet, a chord bearing of S 84°41'54" E and a chord distance of 84.68 feet; thence Easterly along the arc of said curve for a distance of 84.81 feet, through a central angle of 11°16'30" to the end of said curve; thence N 89°39'51" E for a distance of 231.39 feet to the boundary of Fossil Lake Annexation No. 3; thence leaving said Kinard Junior High School Annexation boundary S 00°16'47" W along said Fossil Lake Annexation No. 3 boundary for a distance of 242.20 feet; thence leaving said Fossil Lake Annexation No. 3 boundary N 89°43'04" W for a distance of 354.73 feet; thence S 00°16'47" W for a distance of 457.21 feet; thence S 51°11'51" W for a distance of 185.49 feet; thence S 37°57'47" E for a distance of 53.54 feet; thence S 33°50'51" E for a distance of 53.54 feet; thence S 29°48'30" E for a distance of 251.66 feet; thence S 32°23'50" E for a distance of 42.66 feet; thence S 41°24'21" E for a distance of 39.96 feet; thence S 50°24'39" E for a distance of 39.96 feet; thence S 59°24'58" E for a distance of 39.96 feet; thence S 68°25'17" E for a distance of 39.96 feet; thence S 77°25'36" E for a distance of 39.96 feet; thence S 86°30'32" E for a distance of 42.27 feet; thence S 89°35'08" E for a distance of 50.00 feet; thence S 89°35'11" E for a distance of 23.94 feet to the aforesaid boundary of Fossil Lake Annexation No. 3; thence S 00°24'49" W along said annexation boundary for a distance of 145.50 feet to the POINT OF BEGINNING; thence continue S 00°24'49" W along said East line for a

distance of 133.62 feet; thence leaving said annexation boundary S 89°58'57" W for a distance of 20.54 feet; thence S 11°25'21" W for a distance of 260.00 feet; thence N 78°34'39" W for a distance of 150.00 feet; thence S 11°25'21" W for a distance of 45.30 feet; thence N 78°34'39" W for a distance of 53.00 feet; thence N 80°44'59" W for a distance of 204.79 feet; thence N 83°58'56" W for a distance of 97.74 feet; thence S 82°34'51" W for a distance of 89.76 feet; thence S 78°22'07" W for a distance of 100.00 feet; thence S 81°54'52" W for a distance of 109.00 feet; thence S 88°26'56" W for a distance of 109.07 feet; thence S 07°14'48" E for a distance of 63.27 feet; thence S 19°34'55" W for a distance of 144.16 feet; thence S 74°00'16" W for a distance of 182.79 feet; thence N 56°34'16" W for a distance of 182.04 feet; thence N 03°57'47" W for a distance of 169.59 feet; thence N 25°04'54" E for a distance of 63.27 feet; thence N 63°13'21" W for a distance of 87.09 feet; thence N 58°02'05" W for a distance of 109.07 feet; thence N 51°29'52" W for a distance of 109.07 feet; thence N 45°09'46" W for a distance of 111.92 feet thence N 32°44'55" W for a distance of 62.13 feet to the beginning of a non-tangent curve, concave to the Northwest and having a radius of 1433.00 feet, a chord bearing of S 72°44'15" W and a chord distance of 765.23 feet ; thence Southwesterly along the arc of said curve for a distance of 774.63 feet, through a central angle of 30°58'19" to the end of said curve; thence S 44°03'21" W for a distance of 14.30 feet; thence S 00°18'42" E for a distance of 6.76 feet; thence S 89°41'18" W for a distance of 53.00 feet; thence N 00°18'42" W for a distance of 6.76 feet; thence N 44°47'27" W for a distance of 14.27 feet; thence N 89°16'05" W for a distance of 143.03 feet; thence N 89°16'27" W for a distance of 51.92 feet to the boundary of Westchase Annexation No. 2; thence N 00°43'49" E along said annexation boundary for a distance of 66.00 feet; thence leaving said annexation boundary S 89°16'11" E for a distance of 193.74 feet; thence N 45°12'33" E for a distance of 14.01 feet; thence N 00°18'42" W for a distance of 7.34 feet; thence N 89°41'18" E for a distance of 45.49 feet; thence S 45°58'29" E for a distance of 24.47 feet to the beginning of a non-tangent curve, concave to the Northwest and having a radius of 1367.00 feet, a chord bearing of N 61°39'57" E and a chord distance of 1219.35 feet; thence Northeasterly along the arc of said curve for a distance of 1263.88 feet, through a central angle of 52°58'26" to the end of said curve; thence along a tangent curve, concave to the Northwest and having a radius of 1367.00 feet, a chord bearing of N 54°49'16" E and a chord distance of 81.13 feet; thence Northeasterly along the arc of said curve for a distance of 81.14 feet, through a central angle of 3°24'03" to the end of said curve; thence N 31°46'41" E for a distance of 210.69 feet to the beginning of a tangent curve, concave to the Northwest and having a radius of 479.00 feet, a chord bearing of N 22°27'15" E and a chord distance of 155.21 feet; thence Northeasterly along the arc of said curve for a distance of 155.90 feet, through a central angle of 18°38'52" to the end of said curve; thence N 70°29'49" E for a distance of 92.96 feet ; thence S 58°13'19" E for a distance of 367.48 feet to the beginning of a tangent curve, concave to the Southwest and having a radius of 600.00 feet, a chord bearing of S 43°57'30" E and a chord distance of 295.66 feet; thence Southeasterly along the arc of said curve for a distance of 298.73 feet, through a central angle of 28°31'37" to the end of said curve; thence S 29°41'42" E for a distance of 235.09 feet to the beginning of a tangent curve, concave to the Northeast and having a radius of 400.00 feet, a chord bearing of S 59°38'25" E and a chord distance of 399.34 feet; thence Southeasterly along the arc of said curve for a distance of 418.11 feet, through a central

angle of 59°53'26" to the end of said curve; thence S 89°35'08" E for a distance of 112.25 feet to the Point of Beginning, containing 31.51 acres, more or less.

Section 3. That, in accordance with Section 2.9.4(I) of the Land Use Code, the aforesaid zoning is conditioned upon compliance with that certain Intergovernmental Agreement Regarding Cooperation on Managing Urban Development, originally adopted May 1, 1980, and amended November, 2000 ("IGA"), and the Larimer County Land Use Code Supplementary Regulations, Section 15.2.2 *et seq*, and the General Development Plan ("GDP") and Planned Development zoning approved by Larimer County on December 10, 2012. Accordingly, this zoning will only be applicable if and to the extent that the development contemplated by the GDP is actually constructed in accordance with the GDP. If it is not so constructed, and if such deviation from the GDP is substantial enough to require a Major Amendment under the provisions of the Land Use Code, then this conditional zoning will no longer be applicable, and the property will be required to be processed through such applications under the Land Use Code as would be required if the property were zoned U-E and L-M-N without conditions. Furthermore, the portion of the property within the L-M-N zone district designated as "Commercial" (in the northeastern corner of the property) shall, in any event, be required to obtain approval by the City of a Project Development Plan pursuant to the Land Use Code.

Section 4. 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 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, and ordered published this 7th day of January, A.D. 2014, and to be presented for final passage on the 6th day of May, A.D. 2014.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading on the 6th day of May, A.D. 2014.

Mayor

ATTEST:

City Clerk