

RESOLUTION 2011-078
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING FINDINGS OF FACT REGARDING THE APPEAL OF THE
JUNE 16, 2011, PLANNING AND ZONING BOARD APPROVAL OF
THE AMENDED CSURF CENTRE FOR ADVANCED TECHNOLOGY
OVERALL DEVELOPMENT PLAN

WHEREAS, on June 16, 2011, the Planning and Zoning Board (the "Board") approved an Amended Overall Development Plan for the CSURF Centre for Advanced Technology (the "Amended ODP"); and

WHEREAS, on June 30, 2011, a Notice of Appeal of such decision of the Board was filed in the Office of the City Clerk by representatives of Windtrail on Spring Creek Homeowners' Association, Sundering Townhomes Homeowners' Association, Hill Pond on Spring Creek Homeowners' Association, Hill Pond Condominium Homeowners' Association, and Windtrail Townhomes Homeowners' Association, alleging that the Board had improperly interpreted and applied relevant portions of the Land Use Code; and

WHEREAS, on August 23, 2011, after notice given in accordance with Chapter 2, Article II, Division 3, of the City Code, the City Council considered said appeal, reviewed the record on appeal, heard presentations by parties in interest to the appeal, and, after discussion, upheld the decision of the Board approving the Amended ODP; and

WHEREAS, City Code Section 2-56(e) provides that no later than the date of its next regular meeting after the hearing on an appeal, the City Council shall adopt, by resolution, findings of fact in support of its decision on the appeal.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS that, pursuant to Section 2-56(e) of the City Code, the City Council hereby makes the following findings of fact and conclusions:

1. That the grounds for appeal as stated in the Notice of Appeal conform to the requirements of Section 2-48 of the City Code.
2. That, in reaching its decision to approved the Amended ODP, the Board properly interpreted and applied the relevant provisions of the Land Use Code, and that said decision is hereby upheld.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins this 6th day of September, A.D. 2011.

Loren Weikert
Mayor

ATTEST:

Kanda H. Grayson
City Clerk

