

# AGENDA ITEM SUMMARY

## FORT COLLINS CITY COUNCIL

**ITEM NUMBER:** 36 A-C

**DATE:** April 20, 1999

**STAFF:** Bob Blanchard

### **SUBJECT:**

Items Relating to the Wykoff-Larimer First Annexation and Zoning.

### **RECOMMENDATION:**

Staff and the Planning and Zoning Board recommend adoption of the Resolution and the Ordinances on First Reading.

### **EXECUTIVE SUMMARY:**

- A. Resolution 99-50 Setting Forth Findings of Fact and Determinations Regarding the Wykoff-Larimer First Annexation.
- B. First Reading of Ordinance No. 67, 1999, Annexing Property Known as the Wykoff-Larimer First Annexation to the City of Fort Collins.
- C. First Reading of Ordinance No. 68, 1999, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Wykoff-Larimer First Annexation.

This is a request for the voluntary annexation of 6.69 acres of land located north of County Road 38E, west of Taft Hill Road. The site is currently zoned FA1 - Farming in Larimer County. The requested zoning is LMN-Low Density Mixed Use Neighborhood. This zoning requires an amendment of the City Structure Plan from Rural Open Lands and River Corridor to Low Density Mixed Use Residential. Neither staff nor the Planning and Zoning Board support the Structure Plan Amendment. The recommended zoning is RF - Residential Foothills.

**APPLICANT:** Bret Larimer  
1600 West Horsetooth Road  
Fort Collins, CO 80526

**OWNERS:** Rex W. and Amender F. Wykoff  
2916 W. County Road 38E  
Fort Collins, CO 80526

**BACKGROUND:**

The Wykoff-Larimer First Annexation is a voluntary annexation consisting of 6.69 acres. The property is located north of County Road 38 E, approximately .75 miles west of Taft Hill Road. The site is currently zoned FA1 - Farming in Larimer County.

A combined Annexation Impact Report for this annexation as well as the adjacent annexation to the south was forwarded to the Board of County Commissioners on March 2, 1999.

This is a voluntary annexation, located within the Urban Growth Area (UGA) of the City of Fort Collins. The City may annex property located within the UGA provided that the property has 1/6 contiguity with the existing City limits. The Wykoff-Larimer First Annexation complies with this requirement. The property has 728 feet of its total boundary of approximately 2,256 feet contiguous to existing City limits. This exceeds the minimum 383 feet required to achieve 1/6<sup>th</sup> contiguity.

Contiguity to existing City limits is gained from the common boundary to the north which was annexed to the City in July, 1987 as the Overland Hills Annexation.

The surrounding zoning and land uses are as follows:

- N: POL - City owned open space
- E: FA1 - Farming (County)
- S: FA1 - Farming (County), Proposed Wykoff-Larimer Second Annexation
- W: FA1 - Farming (County)

**Structure Plan Amendment**

The requested zoning of LMN - Low Density Mixed Use Neighborhood, is inconsistent with the City Structure Plan designation for this site (Rural Open Lands and Stream Corridors). Before considering the requested LMN zoning, a Structure Plan amendment to Low Density Mixed Use Residential is required. The applicant has submitted application for the amendment which is attached.

The subject property, as well as the proposed annexation to the south (which is designated Rural Open Lands and Stream Corridors and Urban Estates) is near the western edge of the Urban Growth Area. The applicant has submitted justification for the Plan amendment citing City Plan Principles and Policies which focus on the concept of creating a compact development pattern within the City and the benefit derived from that type of development. Specifically, the applicant has referred to Principles and Policies pertaining to minimizing auto dependency, reducing vehicle miles traveled, providing for a variety of housing types and densities, preservation of natural areas, new neighborhoods and Low Density Mixed Residential next to open lands.

Neither the Planning and Zoning Board nor staff supports the request for a Structure Plan amendment based on many of the same Principles and Policies supporting the retention of the Rural Open lands and Stream Corridors designation on the subject property (as well as the Rural Open Lands and Stream Corridors and Urban Estates to the south). These include:

*HSG 1.1: The City will encourage a variety of housing types and densities.....*

This Policy recognizes that there should be a variety of lot sizes, housing types and residential densities. The provision of low density housing, which would implement the Rural Open Lands and Stream Corridors and Urban Estates Plan designations at the edge of the City meets this requirement.

*NOL 1.2: The City will conserve and integrate natural areas into the developed landscape by directing development away from sensitive areas and using innovative planning, design and management practices....*

Retention of the existing Structure Plan designations and the implementation of appropriate zone districts (Residential Foothills and Urban Estates) provide the best opportunity for the conservation of the natural areas associated with the combined annexations including the area adjacent to and north of Spring Creek.

*AN 1.1 ...In a Residential District, Low Density Mixed-Use Neighborhoods will be located around a Medium Density Mixed-Use Neighborhood which has a Neighborhood Commercial Center or Community Commercial District as its Core. This provides nearby access to most things a resident or household needs on an everyday basis.*

The subject property is located near the edge of the City and Urban Growth Area. While there is a convenience commercial development at the corner of County Road 38E and Taft Hill Road, the property is located approximately two road miles from the nearest designated or developed Neighborhood Commercial area. This distance does not fit the description of Low Density Mixed Use Residential areas being in close proximity to commercial developments.

#### Zoning:

The property is currently zoned FA1 – Farming in Larimer County. The requested zoning is LMN-Low Density Mixed Use Neighborhood. However, this zoning is not consistent with the City Structure Plan which designates the property Rural Open Lands and Stream (see attached Structure Plan map).

There are two zoning districts which could implement the Structure Plan designation: UE-Urban Estate and RF – Residential Foothills, especially when this annexation is considered together with the proposed annexation to the south. Staff is recommending the RF zoning district.

The purpose of the RF zoning district is for low density residential areas located near the foothills. In addition to the location of the property near the foothills, the presence of Spring Creek bisecting the property subject to the combined annexations and the designation of the northern portion as Rural Open Lands and Stream Corridors lends itself to a district that allows the clustering of residential units while maintaining an overall low density. The minimum lot area in the RF zoning district is 100,000 square feet (2.29 acres).

However, the Planning and Zoning Board can approve a development plan where lot sizes are reduced in order to cluster development on a portion of the property with the remainder permanently

preserved as public or private open space provided the overall density for the entire property is not greater than one unit per net acre. There are specific development standards in the Land Use Code for reviewing RF cluster plans. While the cluster plan would allow a higher density within the actual development than anticipated by the Urban Estate Structure Plan designation, the potential for clustering development and maintaining the area north of Spring Creek in permanent open space clearly implements the intent of the Structure Plan.

**PLANNING AND ZONING BOARD RECOMMENDATION:**

On February 4, 1999, the Planning and Zoning Board, by a vote of 4-0, recommended that the Council approve the request for annexation, deny the request for a City Structure Plan amendment and approve the zoning of RF – Residential Foothills.

RESOLUTION 99-50  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
SETTING FORTH FINDINGS OF FACT AND DETERMINATIONS  
REGARDING THE WYKOFF-LARIMER FIRST ANNEXATION

WHEREAS, annexation proceedings were heretofore initiated by the Council of the City of Fort Collins for property to be known as the Wykoff-Larimer First Annexation; and

WHEREAS, following Notice given as required by law, the Council has held a hearing on said annexation.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS:

Section 1. That the Council hereby finds that the petition for annexation complies with the Municipal Annexation Act.

Section 2. That the Council hereby finds that there is at least one-sixth (1/6) contiguity between the City and the property proposed to be annexed; that a community of interest exists between the property proposed to be annexed and the City; that said property is urban or will be urbanized in the near future; and that said property is integrated with or is capable of being integrated with the City.

Section 3. That the Council further determines that the applicable parts of said Act have been met, that an election is not required under said Act and that there are no other terms and conditions to be imposed upon said annexation.

Section 4. That the Council further finds that notice was duly given and a hearing was held regarding the annexation in accordance with said Act.

Section 5. That the Council concludes that the area proposed to be annexed in the Wykoff-Larimer First Annexation is eligible for annexation to the City and should be so annexed.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins held this 20th day of April, A.D. 1999.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

ORDINANCE NO. 67, 1999  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
ANNEXING PROPERTY KNOWN AS THE  
WYKOFF-LARIMER FIRST ANNEXATION  
TO THE CITY OF FORT COLLINS, COLORADO

WHEREAS, Resolution 99-24, finding substantial compliance and initiating annexation proceedings, has heretofore been adopted by the Council of the City of Fort Collins; and

WHEREAS, the Council does hereby find and determine that it is in the best interests of the City to annex said area to the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the following described property, to wit:

A TRACT OF LAND SITUATE IN THE WEST ½ OF SECTION 33, TOWNSHIP 7 NORTH, RANGE 69 WEST OF THE 6<sup>TH</sup> P.M., COUNTY OF LARIMER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE WEST LINE OF THE NORTHWEST ¼ OF SAID SECTION 33 AS BEARING N 00°00'00" E AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO: BEGINNING AT THE NORTHWEST 1/16 CORNER OF SAID SECTION 33; THENCE ALONG THE EAST LINE OF THE SOUTHWEST ¼ OF THE NORTHWEST ¼ OF SAID SECTION 33, S 00°14'35" W 400.00 FEET; THENCE N 89°43'41" W 728.45 FEET; THENCE N 00°00'00" E 400.00 FEET TO THE NORTH LINE OF THE SOUTHWEST ¼ OF THE NORTHWEST ¼ OF SAID SECTION 33; THENCE ALONG SAID NORTH LINE N 89°43'41" E 728.45 FEET, MORE OR LESS, TO THE POINT OF BEGINNING. SUBJECT TO ALL RIGHT OF WAY, EASEMENTS, OR RESTRICTIONS AS NOW IN USE OR ON RECORD.

SAID TRACT OF LAND CONTAINS 6.69 ACRES, MORE OR LESS, GROSS.

be, and hereby is, annexed to the City of Fort Collins and made a part of said City, to be known as the Wykoff-Larimer First Annexation.

Section 2. That, in annexing said property to the City, the City does not assume any obligation 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 hereby annexed except as may be provided by the ordinances of the City.

Section 3. That the City hereby consents, pursuant to Section 37-45-136(3.6), C.R.S., to the inclusion of said property into the Municipal Subdistrict, Northern Colorado Water Conservancy District.

Introduced, considered favorably on first reading, and ordered published this 20th day of April, A.D. 1999, and to be presented for final passage on the 4th day of May, A.D. 1999.

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Mayor

ATTEST:

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City Clerk

Passed and adopted on final reading this 4th day of May, A.D. 1999.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

ORDINANCE NO. 68, 1999  
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 WYKOFF-LARIMER FIRST 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 2.8 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 Council has considered the zoning of the property which is the subject of this ordinance, and has determined that the 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 be, and the same hereby is, changed and amended by including the property known as the Wykoff-Larimer First Annexation to the City of Fort Collins, Colorado, in the Residential Foothills (RF) Zone District, which property is more particularly described as situate in the County of Larimer, State of Colorado, to wit:

A TRACT OF LAND SITUATE IN THE WEST ½ OF SECTION 33, TOWNSHIP 7 NORTH, RANGE 69 WEST OF THE 6<sup>TH</sup> P.M., COUNTY OF LARIMER, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE WEST LINE OF THE NORTHWEST ¼ OF SAID SECTION 33 AS BEARING N 00°00'00" E AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO: BEGINNING AT THE NORTHWEST 1/16 CORNER OF SAID SECTION 33; THENCE ALONG THE EAST LINE OF THE SOUTHWEST ¼ OF THE NORTHWEST ¼ OF SAID SECTION 33, S 00°14'35" W 400.00 FEET; THENCE N 89°43'41" W 728.45 FEET; THENCE N 00°00'00" E 400.00 FEET TO THE NORTH LINE OF THE SOUTHWEST ¼ OF THE NORTHWEST ¼ OF SAID SECTION 33; THENCE ALONG SAID NORTH LINE N 89°43'41" E 728.45 FEET, MORE OR LESS, TO THE POINT OF BEGINNING. SUBJECT TO ALL RIGHT OF WAY, EASEMENTS, OR RESTRICTIONS AS NOW IN USE OR ON RECORD.

SAID TRACT OF LAND CONTAINS 6.69 ACRES, MORE OR LESS, GROSS.



Section 2. That the Sign District Map adopted pursuant to Section 3.8.7(E) of the Land Use Code of the City of Fort Collins be, and the same hereby is, changed and amended by showing that the above-described property is included in the Residential Neighborhood Sign District.

Section 3. That the City Engineer 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 20th day of April, A.D. 1999, and to be presented for final passage on the 4th day of May, A.D. 1999.

\_\_\_\_\_  
Mayor

ATTEST:

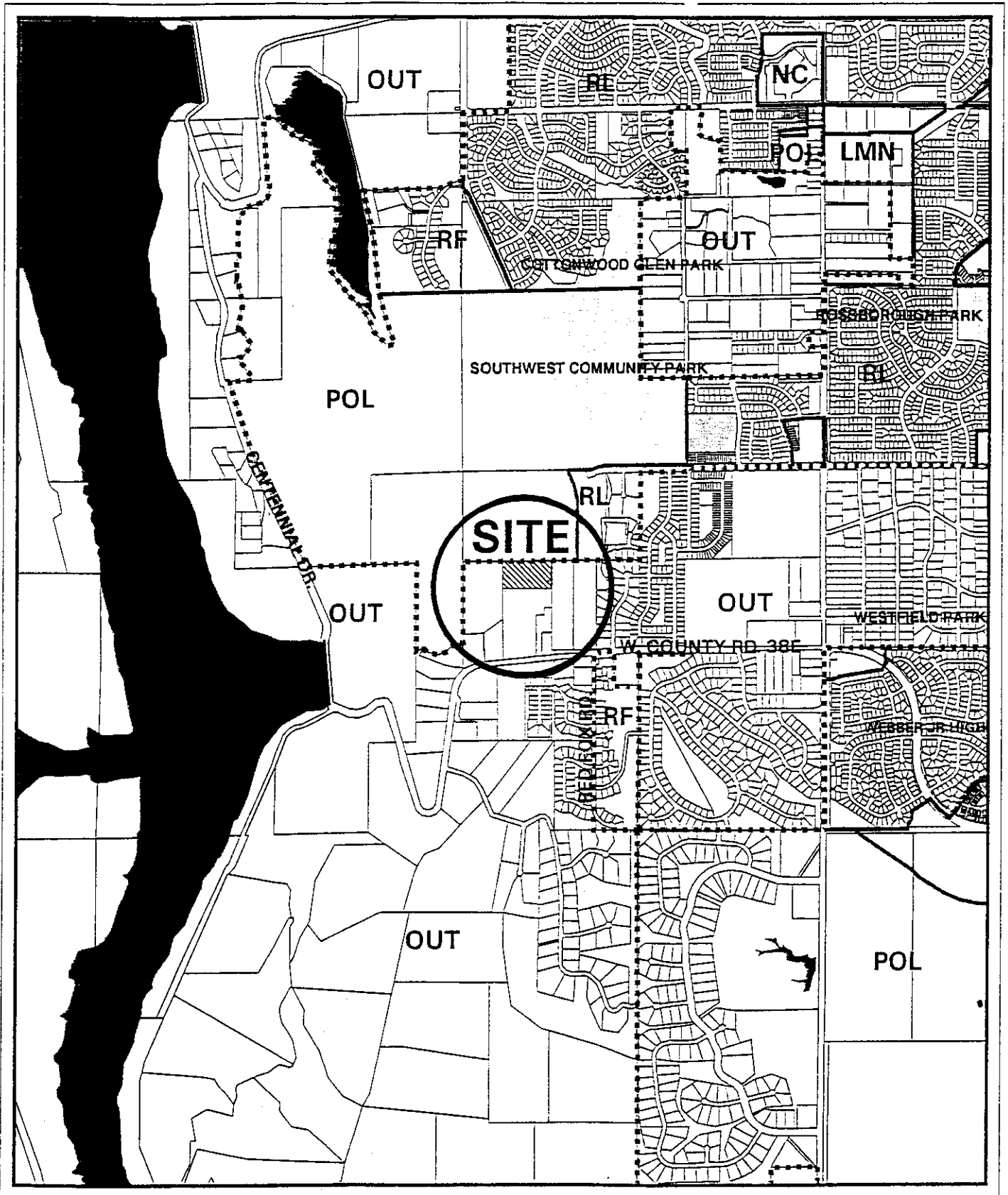
\_\_\_\_\_  
City Clerk

Passed and adopted on final reading this 4th day of May, A.D. 1999.

\_\_\_\_\_  
Mayor

ATTEST:

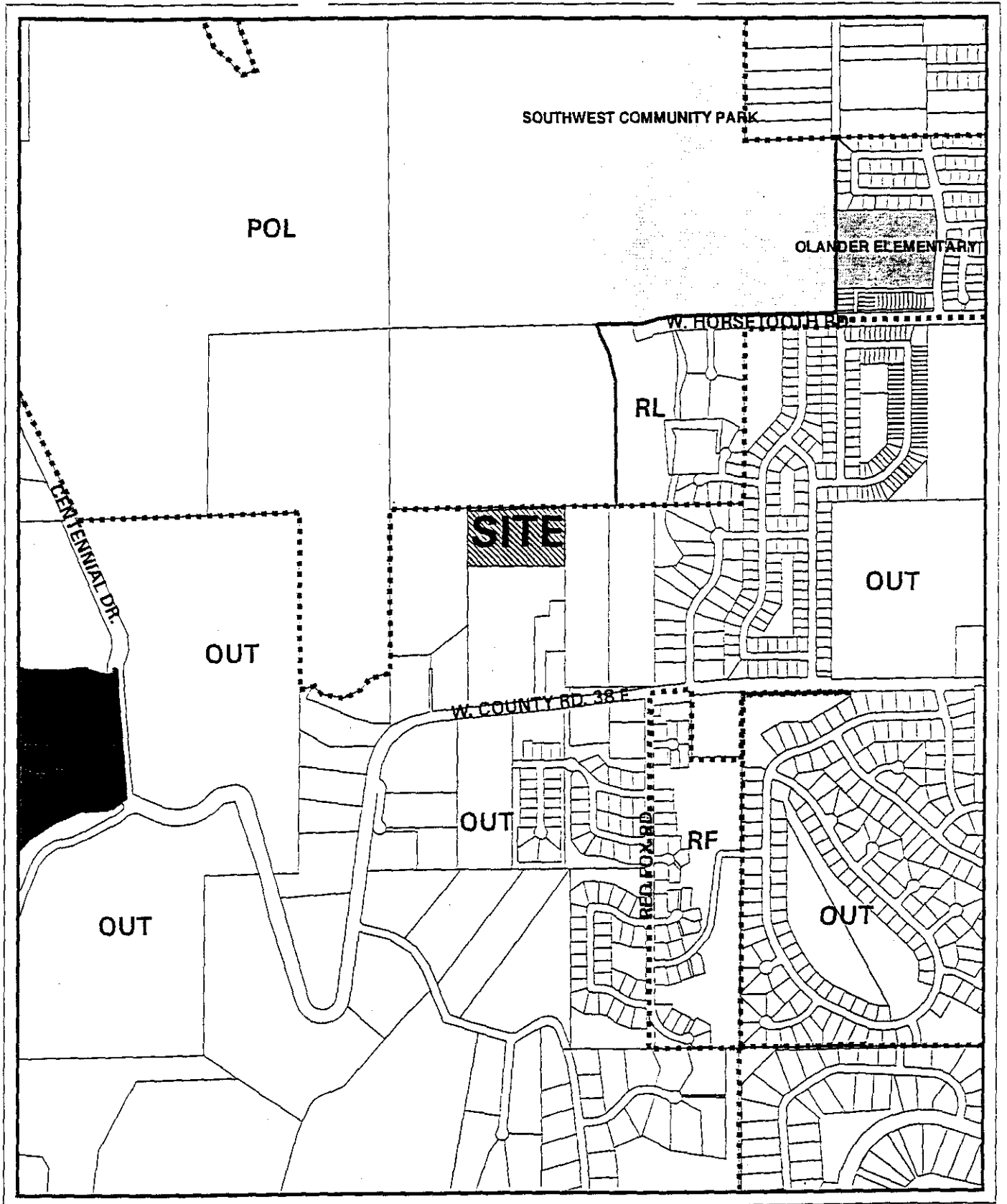
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City Clerk



VICINITY MAP

12/04/98

# #57-98 Wykoff-Larimer - Segment 1 Annexation & Zoning and Structure Plan Amendment

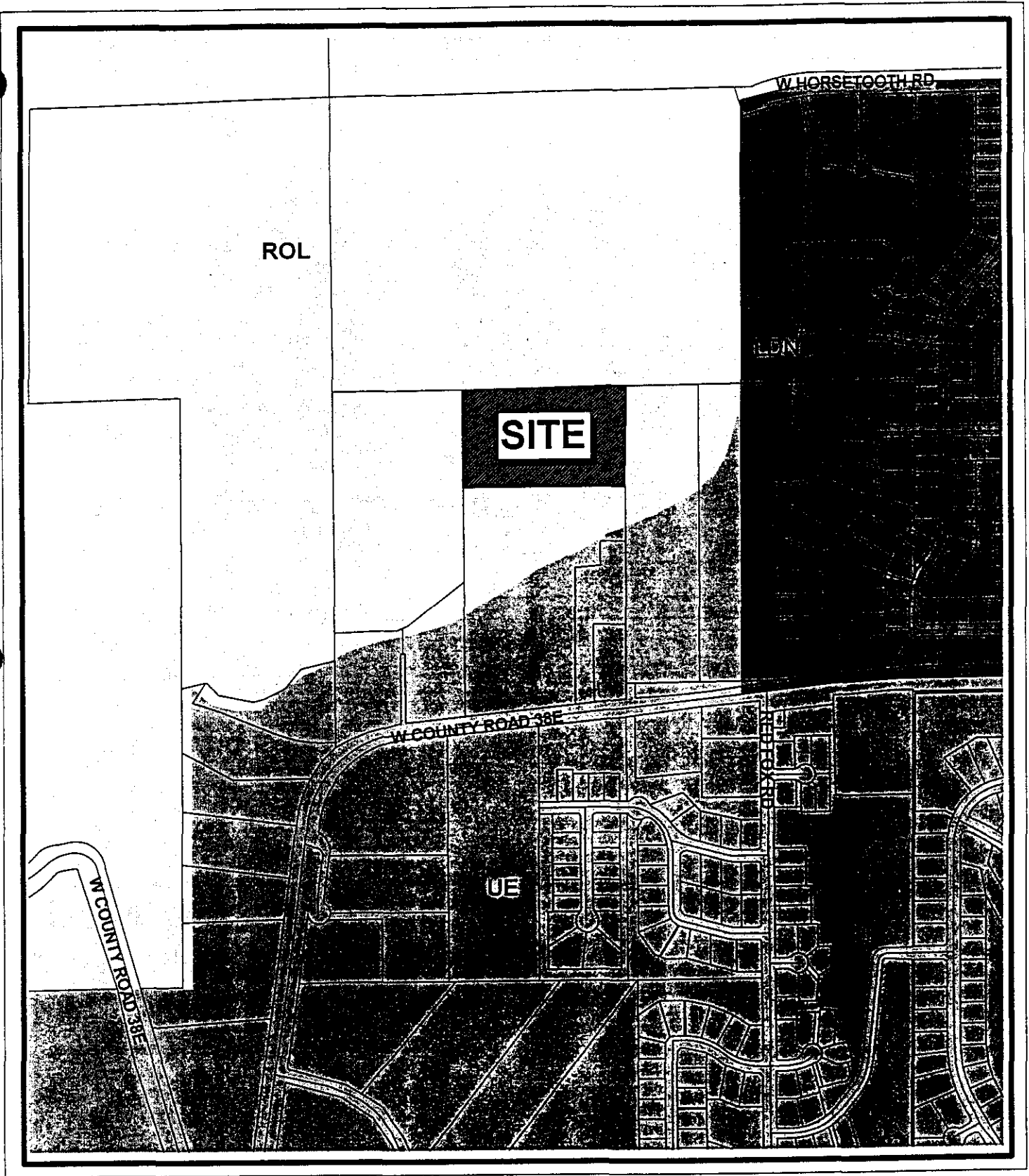


VICINITY MAP

11/30/98

# #57-98 Wykoff-Larimer - Segment 1 Annexation & Zoning and Structure Plan Amendment

1" = 1000'



Vicinity Map

1" = 600'

# Wykoff-Larimer Segment 1 Annexation & Zoning Structure Plan Map

ROL - Rural/Open Lands

UE - Urban Estate

RDIN - Rural District



1/5/19

This unofficial copy was downloaded on Aug-17-2019 from the City of Fort Collins Public Records Website: <http://citydocs.fcgov.com>

For additional information or an official copy, please contact City Clerk's Office City Hall West 300 LaPorte Avenue Fort Collins, CO 80521 USA

# **BRET LARIMER, LTD.**

1600 W. Horsetooth Road

(970) 226-1499

Ft. Collins, CO 80526

January 21, 1999

## **APPLICATION FOR ANNEXATION AND AMENDMENT OF STRUCTURE PLAN (or MODIFICATION OF STANDARDS)**

**PROJECT:** Wykoff-Larimer Annexation and Zoning, SEGMENT 1 and 2

**APPLICANT:** Bret Larimer, Ltd.  
1600 W. Horsetooth Road  
Fort Collins, CO 80526

**OWNERS:** Rex W. and Amender F. Wykoff  
2916 W. County Road 38E  
Fort Collins, CO 80526

### **PROJECT DESCRIPTION:**

Application is for the voluntary annexation of two segments of a parcel of land, totaling approximately 20.67 acres, into the City Limits. The sites are located West of Taft Hill Road and North of County Road 38E. The sites are currently zoned FA1/agricultural dry land.

Segment one involves a request for the annexation of approximately 6.69 acres +- into the City Limits. This segment satisfies the parameters for annexation, specifically, it is at least 1/6 contiguous to the City Limits. If approved, then segment two is a request for annexation of approximately 14.47 acres +- (including R.O.W.) into the City Limits. This segment also then satisfies the parameters outlined for annexation. It is requested that these segments be annexed in their respective series simultaneously. L-M-N (low-density mixed use) zoning is requested at time of annexation, requiring an amendment to the structure plan map.

### **APPLICANT SUMMARY:**

There are two issues relevant to this application:

- 1) Annexation
- 2) Initial zoning upon annexation.

**ANNEXATION:** Given this land is located within the Urban Growth Area, it is, basically, a prerequisite that annexation occur prior to application for improvement.

**INITIAL ZONING UPON ANNEXATION:** Presently, the Structure Plan map suggests P-O-L (Public Open Lands) zoning for the northern portion of the combined segments, and U-E (Urban Estate) zoning for the southern portion of the combined segments. Whereas, the intent of the applicant

is not to question, or in any way challenge the City's objectives, the goal is to reach a mutually beneficial relationship which reinforces the core values of our community's Comprehensive Plan. To accomplish this task, the opportunity should be made available to improve a close-in property, which will benefit the community immensely. As it stands, if the property segments are zoned either R-F, and/or U-E upon annexation, it will render residential development practically infeasible. As such, there will be no reason to continue with the quest for annexation, and the City will be left without benefit. It is therefore in the communities best interest to explore reasonable alternatives to alleviate the obstacles preventing improvement. Approval of an amendment to the Structure Plan map, or a Modification of Standards, is the only viable choice.

#### DENSITY CALCULATIONS (in the R-F and U-E zone districts)

Following are the density calculations for the R-F and U-E zone districts, and how they apply to this overall parcel.

Parcel = 20 acres (Gross)  
          = 11 acres (Net)

#### Residential Foothills (R-F)

Given the natural areas buffer zones, R-F will permit the following two options:

- 1) 1 lot per 2.29 acres = Total of about 5 lots sprawled out on 20 acres  
(equivalent to .25 dwelling units per acre)
- 2) Clustering incentive = overall density not to exceed 1 unit per Net  
acre, or 10 total units in this case.  
(equivalent to .50 dwelling units per acre)

Staff has requested that the residential portion of this parcel be limited to the south six acres. This would theoretically reduce cluster dwelling density to a total of 6 units clustered on six acres. Overall density would then be equivalent to .30 dwelling units per acre given the total acreage.

Division 4.2.(E)(2)(b) of the City Land Use Code stipulates that 3-5 units per Net acre are required in a clustered development within the R-F zone district. Therefore, a desirable development alternative conducive to our community vision and goals is eliminated. If this parcel is zoned R-F, the only alternative would be option 1 above. Obviously, the limited density will render any residential improvement infeasible in this circumstance.

#### Urban Estate (U-E)

Given the properties natural areas buffer zones, U-E will permit the following options:

- 1) Two units per Net Acre (1/2 acre lot minimum)= Total of about 9 lots sprawled out on twenty acres (equivalent to .45 dwelling units per acre).
- 2) Clustering incentive (50% of property set aside for open space) = Total of two units per net acre or 20 units clustered on 10 acres. Given the staffs recommendation of only permitting residential development on the South six acres, the cluster of 20 units on six acres will produce the equivalent of 3.33 dwelling units per acre, but also renders 70% of the parcel open and unimproved.

It is apparent that neither of the above alternatives satisfies the principles of the compact urban growth model, nor do they permit an economically feasible avenue with regard to development opportunity. Those facts direct us to explore other options. One option is to zone this parcel L-M-N (low density mixed use). This will permit enough density to render residential improvement feasible, while reinforcing the City's Principles and Policies. This option will require an amendment to the Structure Plan map. Another option is to zone this parcel U-E (Urban Estate). This option will be consistent with the Structure Plan map, but will require a Modification of Standards with regard to density limits. This modification of standards will have to be initiated at the time of voluntary annexation to guarantee economical feasibility.

**PRINCIPLES AND POLICIES (applicable to this issue):** Given the complexity of this issue, and the time restraints confronting board members, all applicable principles and policies reinforcing our position will be listed below, however, only a few will be highlighted at this time. The applicant will provide staff or board members with interpretation of the others upon request.

Principle LU-1, Policy LU-1.1  
 Principle LU-3, Policy LU-3.2  
 Principle LU-4, Policy LU-4.1, 4.5  
 Principle T-1  
 Principle T-4 Policy T-4.2  
 Principle T-5 Policy T-5.1, 5.2  
 Principle T-9 Policy T-9.1  
 Principle ECON-1, Policy ECON-1.1, 1.2, 1.4  
 Principle HSG-1, Policy HSG-1.1, 1.2, 1.4  
 Principle HSG-2, Policy HSG-2.2, 2.3, 2.5, 2.7  
 Principle ENV-1, Policy ENV-1.1, 1.21  
 Principle NOL-1, Policy NOL-1.1, 1.2, 1.4, 1.7  
 Principle GM-2  
 Principle GM-5, Policy GM-5.1  
 Principle AN-1, Policy AN-1.1  
 Principle AN-2, Policy AN-2.1  
 Principle AN-3, Policy AN-3.1  
 Principle LMN-1 Policy LMN-1.3  
 Principle RD-2, Policy RD-2.1, 2.2  
 Principle RD-5, Policy RD-5.1, 5.4

**Land Use** • This project is consistent with the City Plan's core values, vision, and goals by promoting compact urban form while protecting open spaces.

**Transportation** • This project is consistent with City Plan's goal to reduce the dependency of the automobile by providing close and easy access to recreational areas, open spaces, and schools.

**Community Appearance and Design** • This project is consistent with the City Plan's goal of providing Compatibility with surrounding development.

**Economic Sustainability and Development-** This project is consistent with the City Plan's goal of pursuing a balanced and sustainable economic development program.

**Environment-**This project is consistent with the City Plan's goal of reducing pollution by providing close access to recreation, and supporting a higher density in mixed use neighborhoods.

**Natural Areas and Open Lands** - This project is consistent with the City Plan's goal of protecting natural areas and open lands given approximately 50 % of the site will be left natural.

**Growth Management** - This project is consistent with the City Plan's goal of phasing of infrastructure to secure future access to additional annexation.

**New Neighborhoods** - This project is consistent with the City Plan's goal of Policy LMN-1.3 regarding the relationship and transition at Edges of the City.

**CONCLUSION:** Basically, there are three choices that may be followed with respect to the annexation of this property:

- 1) Approve annexation with L-M-N zoning, and amend Structure Plan map.
- 2) Approve annexation with U-E zoning, and Modify the Standards regarding density to allow 5 units per Net acre of entire parcel.
- 3) Approve annexation with R-F zoning rendering development infeasible, in which case the annexation petition may be withdrawn by the applicant.

The City Comprehensive Plan is a new concept for all, and there are a lot of considerations to be made when making changes. The core values of sustainability, fairness, fulfillment, and choices establish the connecting themes for City Plan, and are a foundation for the next twenty years. Growth will occur in those twenty years, and the decisions we make today will help define that growth. Remember, the Community Vision is to make change work. To make change work for this project, it will require one of the first two choices stated above.



**PLANNING AND ZONING BOARD MINUTES**  
**FEBRUARY 4, 1999**  
**6:30 P.M.**

Council Liaison: Scott Mason	Staff Liaison: Bob Blanchard
Chairperson: Glen Colton Vice Chair: Sally Craig	Phone: (H) 225-2760 (W) 679-3201 Phone: (H) 484-9417

The meeting was called to order at 6:30 p.m. by Chairperson Colton.

**Roll Call: Weitkunat, Gavaldon, Craig, Colton. Members Davidson, Meyer and Carpenter were absent.**

**Staff Present: Blanchard, Eckman, Deines, Wamhoff, McCallum, Schlueter, Shepard and Olt.**

**Agenda Review:** Director of Current Planning Blanchard reviewed the Consent and Discussion Agenda's:

1. Minutes of the November 19, 1998 Planning and Zoning Board Hearing.
2. Resolution PZ99-3 Easement Vacation
3. #46-98 Howell Building - Project Development Plan.
4. #57-98 Wykoff - Larimer First Annexation & Zoning.
5. #57-98A Wykoff - Larimer Second Annexation & Zoning.
6. Recommendation to City Council Regarding the Larimer County Regional Road and Park Capital Expansion Fees.
7. #66-93G Windtrail Park P.U.D., Amended Preliminary and Final.

Director Blanchard pulled items 4 and 5 for discussion.

Item 7 was moved to the Consent Agenda.

**Member Gavaldon moved to approve Consent items 1, 2, 3, and 7. Member Weitkunat seconded the motion. The motion was approved 4-0.**

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**Project:** Wykoff - Larimer Annexation and Zoning First, #57-98  
Wykoff - Larimer Annexation and Zoning Second, #57-98A

**Project Description:** First: Request for the voluntary annexation of 6.69 acres of land located north of County Road 38E, west of Taft Hill

Road. The site is currently zoned FA1, Farming in Larimer County. The requested zoning is LMN, Low Density Mixed Use Neighborhood. This zoning requires an amendment of the City Structure Plan from Rural Open Lands and River Corridor to Low Density Mixed Use Residential.

**Second:** Request for voluntary annexation of 14.47 acres of land located north of County Road 38E, west of Taft Hill Road. The site is currently zoned FA-1 Farming in Larimer County. The requested zoning requires an amendment of the City Structure Plan from Rural Open Lands and River Corridor and Urban Estates to Low Density Mixed Use Residential.

**Staff Recommendation:** Recommend approval of the annexation. Recommend denial of the Structure Plan amendment; and, Recommend approval of the RF, Foothills Residential zoning.

#### Hearing Testimony, Written Comments and Other Evidence

Bob Blanchard, Director of Current Planning gave the staff presentation and recommendation on both items. Director Blanchard showed slides of the property and surrounding areas; and, stated that the applicant has requested a Structure Plan amendment and subsequent zoning of LMN, Low Density Mixed Use Neighborhood.

Brett Larimer, 1600 West Horsetooth Road and co-applicant of the request gave the applicant's presentation. Mr. Larimer stated that he agrees that the property does meet the contiguity requirements, but did not agree with the staff's recommendation for zoning of the property. Mr. Larimer indicated that he is requesting a zoning of LMN, Low Density Mixed Use Neighborhood. He felt that if it is left with a staff recommendation of RF, Foothills Residential, would only give the property a density of 5 lots sprawled on about 20 acres, given the boundaries and restrictions of the natural areas. He stated that about 50% of the 20 acres is a developable parcel, which fits more into the clustering context than the sprawl context for this particular parcel.

Mr. Larimer stated that they were not going to be unavailable to discuss with Natural Areas about selling the northern section of Spring Creek, since they have offered them an incentive to do so for a natural separation for the public open lands there. He stated that they are not opposed to that, but at this time there is no incentive to do that. Staff has limited them and gave them the ultimatum of saying that if they choose not to sell the property north of Spring Creek, then the property will be zoned RF. RF will never get enough density, only 6 homes will be offered if the land is to be developed under

the RF zoning district, and that makes it totally unfeasible. With current impact fees and the water/sewer cost to extend the mains and get the infrastructure done, it is unfeasible to consider residential development on this parcel.

Mr. Larimer entered into the record a picture of the property. The picture indicated that Olander Elementary School was just north of the property. Mr. Larimer stated that the property was within ½ mile of Olander Elementary and that the property provided contiguity and connectivity to the school from this property and other properties in the area. This was a parcel that was close to a major recreational area, Horsetooth Reservoir, and he felt the area was defined as a neighborhood center and argued that only 6 lucky families would get to live here. Mr. Larimer noted the density of the surrounding neighborhoods being higher and stated that there should be 40 units clustered on this property.

Mr. Larimer closed by saying that the annexation would help the city, but it has to be made feasible for the other parties involved. He asked the Board to consider his request to zone the property LMN.

#### Public Input

None.

Member Craig asked about utilities and what was available out there.

Mr. Larimer replied there was water in 38E and sewer at Highlands West. The city has the sewer in Highlands West and Fort Collins Loveland Water District down 38E.

Chairperson Colton asked about Mr. Larimers claim that only 5 units could be built on this property.

Director Blanchard replied that he did not agree. He stated that if the entire parcel is zoned Residential Foothills, there are two options. You can develop the entire parcel at 1 home per 2.29 acres, 100,000 s.f., which would give you about 6 units. The other option, is to develop as a residential cluster plan at a density of 1 home per net acre. For discussion purposes, a 3 acre buffer on each side of Spring Creek is subtracted and would leave a net acreage at 1 home per acre, so the property would net around 17 homes.

Director Blanchard cautioned the Board that until a decision on the natural areas that are mapped is made, we really can't talk in terms of actual numbers and be confident about it.

Mr. Larimer responded that until a development proposal is filed, the actual net as opposed to gross acreage of this parcel cannot be physically determined. By his interpretation of the current Land Use Code for the natural area buffer zone, approximately 10 to 11 acres of this property would be in the buffer zone, leaving only a net acreage of 10 acres. If the cluster option is looked at, you have to have 50% of your land open anyway, so the net residential development acreage is already reduced to 10 acres. In addition, the staff report recommended that they don't build on the north side of Spring Creek because they want it for public open lands, which would limit him further to just 6 acres, or 6 net acres at 1 unit per net acre, that would be 6 units clustered on 6 acres on a 20 acre parcel. That does not make residential development feasible.

Mr. Larimer felt that if the city wants annexation, they should be competitive with what the County would allow on the property – in allowing at least the density that the FA-1 would allow, which was 2 units per acre or 40 units on that parcel overall. The new City Plan does not allow for that under the RF or the UE, so the only alternative he has is to apply for the LMN residential district.

Director Blanchard clarified that we do not know if the property on the north would be purchased so it should not enter into the discussion tonight. Secondly, if the property is developed as an RF Cluster Plan, then the applicant would be required to dedicate the property.

Director Blanchard stated that he and Mr. Larimer disagree in how the code is interpreted for this situation.

Member Weitkunat asked if Director Blanchard felt the two parcels to the east were compatible with this property.

Director Blanchard replied he did.

Member Gavaldon agreed with staff's recommendation.

**Member Gavaldon moved to recommend approval of Wykoff - Larimer, First Annexation, #57-98. Member Craig seconded the motion. The motion was approved 4-0.**

**Member Gavaldon moved to recommend denial of the requested amendment to the Structure Plan Map for the Wykoff - Larimer Annexation, #57-98. Member Craig seconded the motion.**

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Member Craig commented that she supports the motion. Everyone knows she is for the "green". In reading everything that staff has provided, they are trying very hard to give this piece of property monetary value, but keeping the green and the transition as was wanted by everyone who put the Structure Map together.

Chairperson Colton also would support the motion for denial of the change to the Structure Plan. He believed that this was a real important part of the city Structure Plan to recognize some areas with larger urban estates as well as open space.

**The motion was approved 4-0.**

**Member Gavaldon moved to recommend approval of the RF, Residential Foothills zoning for Wykoff - Larimer First, #57-98. Member Weitkunat seconded the motion.**

Member Weitkunat felt that RF was the appropriate zoning based on its location and proximity to the foothills and its access to rural open lands and stream corridors in that area. She felt it was extremely appropriate for where it is located and it does meet the intent and purposes of the city structure map. She felt that clustering can occur and accomplish the purposes. She felt that in the long run Mr. Larimer would end up with the units that he needs.

**The motion was approved 4-0.**

**Member Gavaldon moved to recommend approval of the Wykoff - Larimer Annexation, #57-98A. Member Weitkunat seconded the motion.**

**The motion was approved 4-0.**

**Member Gavaldon moved to recommend denial of the requested Structure Plan Map amendment for the Wykoff - Larimer Annexation, #57-98A.**

**The motion was approved 4-0.**

**Member Gavaldon moved to recommend approval of the RF, Residential Foothills zoning for the Wykoff - Larimer Annexation, #57-98A.**

**The motion was approved 4-0.**

**Project:** Recommendation to City Council Regarding the Larimer County Regional Road and Park Capital Expansion Fees.

**Project Description:** Larimer County has asked that the City of Fort Collins adopt a parallel set of fees for development which occurs within the City. Two fees would be added to the City's current fees. They would include a Regional Road Capital Expansion Fee and a Regional Park Fee in Lieu of Land Dedication.

Marc Engemoen, Public Works Director for Larimer County gave the presentation for this item.

**Public Input**

None.

**Board Questions and Comments:**

Member Gavaldon asked about needing more road improvements on County Road 17 when there was just work done on it recently.

Mr. Engemoen replied that several years ago there was a project to put bike lanes on that road. That project was funded by the North Front Range Metropolitan Planning Organization. Those were funds specifically earmarked for bicycle improvements that added the 8 foot bike shoulders to that particular roadway. The improvements that would be necessary in the future, for a road that is already carrying approximately 10,000 or 11,000 vehicles per day, would be adding two more vehicle lanes as well as continuing to have the 8 foot bicycle lanes.

Member Gavaldon asked about County Roads 32, 38 and 402 going east. He questioned the roads being only 5 to 7 miles long before you are in Weld County and was Weld County going to partner in keeping the roads consistent with our upgrades to 4 lanes.

Mr. Engemoen replied that the 2015 traffic models indicate that those roads will be carrying 15,000 cars per day. The capacity of a two-lane road is significantly less than that. If we really want to have a level of service that is safe, we will have to widen those roads to 4 lanes. He hoped that in the next "x" number of years, we will be able to work closely with Weld County to encourage them to look at how they can creatively find a