

AGENDA ITEM SUMMARY

February 5, 2019

City Council

STAFF

Kai Kleer, Associate Planner
Ted Shepard, Chief Planner
Brad Yatabe, Legal

SUBJECT

Second Reading of Ordinance No. 008, 2019, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Kechter Enclave Annexation to the City of Fort Collins, Colorado, and Approving Corresponding Changes to the Residential Neighborhood Sign District Map.

EXECUTIVE SUMMARY

This item is a quasi-judicial matter and if it is considered on the discussion agenda it will be considered in accordance with the procedures described in Section 1(d) of the Council's Rules of Meeting Procedures adopted in Resolution 2018-034.

This Ordinance, unanimously adopted on First Reading on January 15, 2019, zones the property included in the Kechter Enclave Annexation into the Low Density Mixed-Use Neighborhood (L-M-N) zone district and Neighborhood Sign District.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

ATTACHMENTS

1. First Reading Agenda Item Summary, January 15, 2019 (PDF)
2. Ordinance No. 008, 2019 (PDF)

AGENDA ITEM SUMMARY

City Council

January 15, 2019

STAFF

Kai Kleer, Associate Planner
Ted Shepard, Chief Planner
Brad Yatabe, Legal

SUBJECT

First Reading of Ordinance No. 008, 2019, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Kechter Enclave Annexation to the City of Fort Collins, Colorado, and Approving Corresponding Changes to the Residential Neighborhood Sign District Map.

EXECUTIVE SUMMARY

This item is a quasi-judicial matter and if it is considered on the discussion agenda it will be considered in accordance with the procedures described in Section 1(d) of the Council's Rules of Meeting Procedures adopted in Resolution 2018-034.

The purpose of this item is to zone the property included in the Kechter Enclave Annexation into the Low Density Mixed-Use Neighborhood (L-M-N) zone district and Neighborhood Sign District.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

BACKGROUND / DISCUSSION

The requested zoning for this annexation is L-M-N, Low Density Mixed-Use Neighborhood, which conforms to the larger surrounding area known Kechter Farm Subdivision.

Context

The surrounding zoning and land uses are as follows:

DIRECTION	ZONE DISTRICT	LAND USE
NORTH	Low Density Mixed-Use Neighborhood (L-M-N)	Single-Family Residential (Kechter Farm Subdivision); Kinard Junior High School
SOUTH	Low Density Mixed-Use Neighborhood (L-M-N)	Single-Family Residential (Kechter Farm Subdivision)
EAST	Low Density Mixed-Use Neighborhood (L-M-N)	Single-Family Residential Fossil lake PUD
WEST	Low Density Mixed-Use Neighborhood (L-M-N)	Single-Family Residential (Kechter Farm Subdivision)

Zoning

The proposed zoning for the subject annexation is Low Density Mixed-Use Neighborhood (L-M-N). The City of Fort Collins Land Use Code describes this zone district as follows:

“Purpose. The Low Density Mixed-Use Neighborhood District is intended to be a setting for a predominance of low density housing combined with complementary and supporting land uses that serve a neighborhood and are developed and operated in harmony with the residential characteristics of a neighborhood. The main purpose of the District is to meet a wide range of needs of everyday living in neighborhoods that include a variety of housing choices, that invite walking to gathering places, services and conveniences, and that are fully integrated into the larger community by the pattern of streets, blocks, and other linkages. A neighborhood center provides a focal point, and attractive walking and biking paths invite residents to enjoy the center as well as the small neighborhood parks. Any new development in this District shall be arranged to form part of an individual neighborhood.

Typically, Low Density Neighborhoods will be clustered around and integral with a Medium Density Mixed-Use Neighborhood with a Neighborhood Commercial Center at its core. For the purposes of this Division, a neighborhood shall be considered to consist of approximately eighty (80) to one hundred sixty (160) acres, with its edges typically consisting of major streets, drainageways, irrigation ditches, railroad tracks and other major physical features.

Existing development aligns with this purpose statement.

Fossil Creek Reservoir Area Plan

The enclave annexation is contained within the Fossil Creek Reservoir Area Plan which was adopted in 1998 and covers an almost 8 square mile area in southeast Fort Collins. The creation of the sub-area plan was a joint effort between the City of Fort Collins and Larimer County and is an element of the Larimer County Land Use Plan. The Plan states:

“The Land Use Framework Plan balances urban development with conservation of natural resources and compatibility with existing development in the area. Mixed-use Neighborhood development is concentrated in the northern portion of the area. The area around and south of the reservoir is largely identified as a resource management area targeted primarily for implementing strategies to protect the area from development. Estate Residential development will provide the transition from the more intensive development in the north to rural residential in the south...”

“FC-LUF-3 Mixed-Use Neighborhoods (Low Density Mixed-Use Neighborhood). These neighborhoods will consist of a mix of housing types near parks, schools, and a neighborhood center. The density will be a minimum overall average of either 3 or 5 units per acre, with an overall maximum of 8 dwelling units per acre, and maximum of 12 units per acre for any single phase. This residential classification will require design and development standards agreed upon by both Larimer County and the City of Fort Collins.”

According to the Fossil Creek Reservoir Framework Plan, the subject parcel should be placed into the Low Density Mixed-Use Neighborhood (L-M-N), zone district. The proposed zoning complies with the Subarea Plan.

CITY FINANCIAL IMPACTS

There are no financial impacts as a result of the proposed annexation and zoning.

BOARD / COMMISSION RECOMMENDATION

The Planning and Zoning Board voted 7-0 to recommend approval of the proposed zoning and placement into the Residential Neighborhood Sign District, December 20, 2018. This unanimous action was taken as part of the Board's consent agenda; therefore, no minutes of the meeting are provided.

PUBLIC OUTREACH

An outreach process is not required by Colorado Revised Statutes or the City of Fort Collins Land Use Code. City staff held a stakeholder meeting, September 26, 2018, to answer questions and inform those affected by the Kechter Farm Enclave and Strauss Cabin Enclave, of any changes that may result from being annexed into the City.

In addition to the neighborhood meeting, Planning and Neighborhood Services use two strategies to reach the greater community and encourage participation, they are:

1. Posting "Development Proposal Under Review" sign(s) that provides a contact phone number and project number to connect any interested party directly to staff. Staff is then available to answer any questions they may have.
2. An email newsletter called "This Week in Development Review" is sent to nearly 1,000 people weekly summarizing project submittals (such as the enclave annexation), hearings and other development review related events that happen throughout the City of Fort Collins.

As a result of the posted notice, staff received several phone calls to inquire if the site was being developed. At the time of those conversations City records indicated that the property was part of a conservation easement. However, after reviewing the development plan that was approved and recorded by the County, the property is not part of the Kechter Farm Conservation Easement and can be developed, subject to the rules and regulations of the City of Fort Collins.

ATTACHMENTS

1. Zoning Map (PDF)
2. Structure Plan Map (PDF)
3. Fossil Creek Reservoir Area Land Use Framework Plan (PDF)

ORDINANCE NO, 008, 2019
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 ENCLAVE ANNEXATION TO THE
CITY OF FORT COLLINS, COLORADO,
AND APPROVING CORRESPONDING CHANGES TO THE RESIDENTIAL
NEIGHBORHOOD SIGN DISTRICT MAP

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, pursuant to Land Use Code Section 2.9.2, the City Planning and Zoning Board, at its meeting on December 20, 2018, unanimously recommended zoning the property to be known as the Kechter Enclave Annexation (the "Property") as more particularly described below as Low Density Mixed-Use Neighborhood (L-M-N) zone district, and determined that the proposed zoning is consistent with the City's Comprehensive Plan; and

WHEREAS, the City Council has determined that the proposed zoning of the Property, as described below is consistent with the City's Comprehensive Plan; and

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

WHEREAS, in accordance with the foregoing, the City Council has considered the zoning 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.

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

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

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 in the Low Density Mixed-Use Neighborhood ("L-M-N") Zone District the Property more particularly described as:

A TRACT OF LAND LOCATED IN THE EAST HALF OF SECTION 8, TOWNSHIP 6 NORTH, RANGE 68 WEST OF THE SIXTH P.M.; COUNTY OF LARIMER, STATE OF COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 8, AND CONSIDERING THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 8 TO BEAR S00°24'33"W, BASED UPON GPS OBSERVATIONS AND THE CITY OF FORT COLLINS COORDINATE SYSTEM, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE ALONG SAID EAST LINE, S00°24'33"W, A DISTANCE OF 827.41 FEET;
THENCE N89°35'27"W, A DISTANCE OF 30.00 FEET TO THE POINT OF INTERSECTION OF THE WEST LINE OF FOSSIL LAKE ANNEXATION NO. 3 AND THE EASTERLY LINE OF THE KECHTER FARM ANNEXATION, SAID POINT BEING THE **POINT OF BEGINNING**;

THENCE ALONG THE BOUNDARY OF SAID KECHTER FARM ANNEXATION THE FOLLOWING FIFTEEN (15) COURSES:

1. N89°35'27"W, A DISTANCE OF 23.94 FEET;
2. N89°35'22"W, A DISTANCE OF 50.00 FEET;
3. N86°30'46"W, A DISTANCE OF 42.27 FEET;
4. N77°25'50"W, A DISTANCE OF 39.96 FEET;
5. N68°25'31"W, A DISTANCE OF 39.96 FEET;
6. N59°25'12"W, A DISTANCE OF 39.96 FEET;
7. N50°24'53"W, A DISTANCE OF 39.96 FEET;
8. N41°24'35"W, A DISTANCE OF 39.96 FEET;
9. N32°24'04"W, A DISTANCE OF 42.66 FEET;
10. N29°48'44"W, A DISTANCE OF 251.66 FEET;
11. N33°51'05"W, A DISTANCE OF 53.54 FEET;
12. N37°58'01"W, A DISTANCE OF 53.54 FEET;
13. N51°11'37"E, A DISTANCE OF 185.49 FEET;
14. N00°16'33"E, A DISTANCE OF 457.21 FEET;
15. S89°43'18"E, A DISTANCE OF 354.73 FEET TO A POINT ON THE WEST LINE OF SAID ANNEXATION NO. 3;

THENCE ALONG SAID WEST LINE, S00°16'33"W, A DISTANCE OF 187.68 FEET;
THENCE CONTINUING ALONG SAID WEST LINE, S00°24'33"W, A DISTANCE OF 827.37 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 365,884 SQUARE FEET (8.400 ACRES), MORE OR LESS

Section 3. That the Sign District Map adopted pursuant to Section 3.8.7.1(E) 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 Residential Neighborhood Sign District.

Section 4. 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 15th day of January, A.D. 2019, and to be presented for final passage on the 5th day of February, A.D. 2019.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading on the 5th day of February, A.D. 2019.

Mayor

ATTEST:

City Clerk