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City Council Chambers
City Hall West
300 LaPorte Avenue
Fort Collins, Colorado

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Carrie Daggett
City Attorney

Darin Atteberry
City Manager

Delynn Coldiron
City Clerk

**Adjourned Meeting
January 14, 2020
6:00 p.m.**

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● **CALL MEETING TO ORDER**

● **ROLL CALL**

- 1. Items Relating to the Montava Planned Unit Development Master Plan and Overlay. (staff: Clay Frickey, Tom Leeson, Rebecca Everette; 3 hour discussion)
 - A. Public Hearing and First Reading of Ordinance No. 014, 2020, Approving the Montava PUD Master Plan and Montava PUD Overlay, ODP 180002.
 - B. Resolution 2020-004 Amending the City's Mountain Vista Subarea Plan.
 - C. Resolution 2020-005 Amending the City's Master Street Plan.
 - D. Resolution 2020-006 Amending the City's Parks and Recreation Policy Plan.

Context: This is the first of three items related to the Montava Planned Unit Development (PUD) included in the Council Agenda:

- This Agenda Item No. 1 presents the Montava PUD Overlay and Master Plan as well as amendments to relevant policy plans for Council consideration;
- Agenda Item No. 2 presents a Development Agreement Extending Vested Property Rights for the Montava PUD Overlay and Regarding Certain Terms of Development for Council's consideration; and
- Agenda Item No. 3 presents a Development Agreement to Secure Public Benefits for Development of the Montava Metropolitan District for Council consideration.

Purpose: The purpose of this item is to consider the Montava PUD Overlay and Master Plan for approval. City Council is the decision maker on this application and three associated amendments to plans adopted by City Council. The PUD Overlay creates a zoning overlay that provides a framework for how Montava will develop over time based on the Master Plan. Each phase of Montava will require development applications for a project development plan (PDP) and a final plan that City staff will review for compliance with the Land Use Code (LUC), PUD Master Plan documents, and all applicable plans adopted by City Council. Each development application will be subject to review by the applicable decisionmaker as articulated in the PUD Master Plan documents with City Council acting as the appeal body.

Process: The City Council hearing for this item will follow the process outlined below. Public comment on all four items will be taken at one time:

- Overview of project by City staff
- Applicant presentation (suggested time: 45 minutes)
- Analysis of project by City staff (20 minutes)
- Public comment (on all four items)
- City Council deliberation

Overview: Montava is a proposed development to be located on approximately 999 acres in northeast Fort Collins. Currently, the land operates as an agricultural use.

Montava proposes a New Urbanist community. "New Urbanism" is a planning concept that promotes walkable communities with a mix of uses and different housing types. To achieve the goals of New Urbanism and the vision of the Mountain Vista Subarea Plan, Montava proposes the following:

- A series of phased developments organized by transect zones rather than the underlying zoning
- An interconnected network of streets and trails that accommodate all modes of travel
- Unique design standards for Montava
- Sites for schools, parks, and civic uses
- Integration of nature throughout the project, including a public Natural Area, ditch restoration, habitat enhancements, and stormwater improvements

The current zoning on the Montava site would not allow for the type of community outlined above. To achieve the community Montava envisions, the applicant is seeking approval for a PUD Overlay. PUD Overlays encourage coordinated master planning of large, multi-phased development projects:

- Modified design standards, densities, and land uses prescribed in the Land Use Code
- Phasing plans for how the property will develop over time
- Extended vesting for development standards proposed in the PUD Overlay and Master Plan

In exchange for this flexibility, applicants must demonstrate the development provides public benefits beyond a typical development and mitigates potential impacts on surrounding neighborhoods. Staff finds that the regulations proposed by Montava are unique and innovative to Fort Collins and responsive to City Plan policies related to vibrant, mixed neighborhoods. All the proposed standards work in concert to create a comprehensive framework for development along with public improvements and amenities commensurate with the scope of development. Absent a PUD Master Plan for this area,

northeast Fort Collins would likely develop in a piece-meal fashion, with little coordination among property owners.

The City also has a series of policy plans that support the existing zoning pattern. As part of its PUD Overlay application, the applicant seeks amendments to three plans: The Mountain Vista Subarea Plan, Master Street Plan, and Parks and Recreation Policy Plan. These Plans align with the current zoning of the Montava site. Montava proposes amendments to these Plans so that Montava is in alignment with all applicable plans.

Staff recommends approval of the Montava PUD Overlay and Master Plan with the following conditions:

- **Council approval of the proposed amendments to the Mountain Vista Subarea Plan, Master Street Plan, and Parks and Recreation Policy Plan;**
 - **Developer compliance with conditions included in Ordinance No. 014, 2020 applicable to existing oil and gas wells on the property; and**
 - **Developer compliance with conditions included in Ordinance No. 014, 2020 regarding parks and recreation.**
2. First Reading of Ordinance No. 015, 2020, Adopting a Development Agreement Extending the Term of Vested Rights for the Montava PUD Overlay and Regarding Certain Terms of Development Within the Montava PUD Overlay. (staff: Tom Leeson; 5 minute staff presentation; 30 minute discussion)

The purpose of this item is for Council to consider the development agreement regarding the Montava Planned Unit Development (PUD) Overlay to extend the term of vested rights from three years to twenty-five years and to adopt certain terms regarding development within the Montava PUD Overlay. The Council process for considering this item is as follows:

- City staff presentation
 - Applicant presentation (suggested time: 10 minutes)
 - Public comment
 - Council deliberation
3. Resolution 2020-007 Approving a Development Agreement to Secure Public Benefits for Development of the Montava Planned Unit Development Master Plan. (staff: Josh Birks; 10 minute staff presentation; 1 hour discussion)

The purpose of this item is to consider approval of the “Development Agreement to Secure Public Benefits for Montava Planned Unit Development Master Plan” (Public Benefits Agreement). The Public Benefits Agreement is between the City and HF2M, Inc., a Texas corporation and real estate developer (Developer). The Developer is seeking to develop approximately 999 acres of land in northeast Fort Collins (Montava Property) as a planned unit development (PUD) under the City’s Land Use Code to be known as the Montava PUD Master Plan (Montava PUD). The City Council is considering at this meeting in Agenda Item No. 1, Ordinance No. 014, 2020, which, if adopted, will approve the Montava PUD.

In connection with its development of the Montava Property, in 2018 the Developer submitted to the City its application to organize Montava Metropolitan District Nos. 1-7 (Metro Districts). At a public hearing on September 25, 2018, the City Council adopted Resolution 2018-083 approving the “Consolidated Service Plan for Montava Metropolitan District Nos. 1-7,” the document which outlines and governs the Metro Districts’ powers and authority (Service Plan).

The Metro Districts have been organized by the Developer primarily for the purpose of financing many of the public improvements needed to develop the Montava Property, such as streets, utilities and parks. However, the Service Plan also provides that before the Metro Districts can impose a property tax mill levy or borrow any money to finance the construction of these public improvements, the Developer must enter into an agreement with the City to secure the provision of certain “Public Benefits.” These Public Benefits are described in the Service Plan as: (i) large-scale comprehensive

master planning; (ii) new urbanism; (iii) agri-urban development; (iv) zero energy ready homes; (v) non-potable water system; and (vi) affordable/workforce housing. The proposed Public Benefits Agreement, which is attached as Exhibit D to the Resolution, sets forth the terms and conditions by which the Developer's provision of these Public Benefits is secured as contemplated in the Service Plan. Staff has reviewed the Public Benefits Agreement to ensure it conforms to the Service Plan.

The Council process for considering this item is as follows:

- City staff presentation
 - Applicant presentation (suggested time: 10 minutes)
 - Public comment
 - Council deliberation
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- **OTHER BUSINESS**
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- **ADJOURNMENT**