



REGULAR MEETING AGENDA

FORT COLLINS CITY COUNCIL

October 3, 2006

Doug Hutchinson, Mayor
Karen Weitkunat, District 2, Mayor Pro Tem
Ben Marvel, District 1
Diggs Brown, District 3
Kurt Kastein, District 4
Kelly Ohlson, District 5
David Roy, District 6

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

Cablecast on City Cable Channel 14
on the Comcast cable system

The City of Fort Collins will make reasonable accommodations for access to City services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call 221-6515 (TDD 224-6001) for assistance.

Proclamations and Presentations 5:30 p.m.

- A. Proclamation Declaring "Diligence" as the Community Character Focus of the Month for October.
- B. Proclamation Proclaiming the month of October as National Arts and Humanities Month.
- C. Proclamation Declaring the month of October as Disability Awareness Month.

Regular Meeting 6:00 p.m.

PLEDGE OF ALLEGIANCE

1. CALL MEETING TO ORDER.
2. ROLL CALL.

3. CITIZEN PARTICIPATION (limited to 30 minutes)

Individuals who wish to address the Council on items not specifically scheduled on the agenda must first be recognized by the Mayor or Mayor Pro Tem. **Before speaking, please sign in at the table in the back of the room.** The timer will buzz once when there are 30 seconds left and the light will turn yellow. The timer will buzz again at the end of the speaker's time. Each speaker is allowed 5 minutes. If there are more than 6 individuals who wish to speak, the Mayor may reduce the time allowed for each individual.

- State your name and address for the record
- Applause, outbursts or other demonstrations by the audience is not allowed
- Keep comments brief; if available, provide a written copy of statement to City Clerk

4. CITIZEN PARTICIPATION FOLLOW-UP:

This is an opportunity for the Mayor or Councilmembers to follow-up on issues raised during Citizen Participation.

5. AGENDA REVIEW: CITY MANAGER

Consent Calendar

The Consent Calendar consists of Items 6 through 26. This Calendar is intended to allow the City Council to spend its time and energy on the important items on a lengthy agenda. Staff recommends approval of the Consent Calendar. Anyone may request an item on this calendar to be "pulled" off the Consent Calendar and considered separately. Agenda items pulled from the Consent Calendar will be considered separately under Item No. 34, Pulled Consent Items. The Consent Calendar consists of:

- Ordinances on First Reading that are routine;
- Ordinances on Second Reading that are routine;
- Those of no perceived controversy;
- Routine administrative actions.

6. Postponement of Second Reading of Ordinance No. 133, 2006, Authorizing the Grant of an Access, Drainage, and Utility Easement from the City to The Greens at Collindale Homeowners Association to November 7, 2006.

D. Geisler Development and Packard Enterprise, Inc. is developing The Greens at Collindale PUD, First Replat, located on South Lemay Avenue adjacent to Collindale Golf Course, which is owned by the City of Fort Collins. The proposed access, drainage, and utility easement will relocate and provide a necessary detention area for the development. The Greens at Collindale Homeowners Association has requested that the developer put funds into an escrow account to ensure completion of improvements associated with the easement. The developer does not believe this is necessary. A postponement of Second Reading until November 7, 2006 is requested as the developer and the Homeowners Association have not yet reached an agreement on this issue.

18. First Reading of Ordinance No. 153, 2006, Appropriating Prior Year Reserves and Unanticipated Revenue in Various Funds and Authorizing the Transfer of Appropriated Amounts Between Funds or Projects.

The purpose of this annual "clean-up" ordinance is to combine dedicated revenues or reserves that need to be appropriated before the end of the year to cover the related expenses that were not anticipated and, therefore, not included in the 2006 budget. The unanticipated revenue is primarily from fees, charges, rents, contributions and grants that have been paid to City departments to offset specific expenses.

19. First Reading of Ordinance No. 154, 2006, Appropriating Unanticipated Revenue in Street Oversizing Contributions-in-Aid in the Street Oversizing Fund for the Drake and Zeigler Road Improvements, Phase 2.

Arterial street improvements are planned for Ziegler Road, from Environmental Drive south to Horsetooth Road (approximately 4,500 linear feet). These street improvements will include realigning and constructing Ziegler Road to a minor arterial street standard, relocating a portion of the Fossil Creek Inlet Ditch ("FCRID") to accommodate the arterial roadway, the construction of a bridge over the Foothills Channel, the construction of a bridge over the FCRID, and the construction of an outfall channel from the existing Rigden Pond to the Poudre River. In order to facilitate the roadway construction in 2007, the relocation of the FCRID and the construction of the bridge structures need to be completed this winter, prior to irrigation season.

In meeting City requests for off-site improvements, developers are able to choose between actually building the improvements or paying the City an equivalent amount that the City then spends when it determines it is most appropriate to do so. These payments are referred to as the "contributions-in-aid-of-construction." This appropriation of the contributions-in-aid-of-construction will allow engineering and bid documents to be prepared and construction of the structures and ditch relocation to be awarded prior to the 2007 construction season. Staff has coordinated this project with the planned construction of a new trunk sewer line to be constructed by the City's water and wastewater utility. This is the second phase of the Drake Road and Ziegler Road Improvement Project. The first phase consisted of roadway improvements on Drake Road from Timberline to Environmental Drive.

20. First Reading of Ordinance No. 155, 2006, Temporarily Suspending the Operation and Enforcement of the Land Use Code and Zoning Map Regarding the Usage of the "Ricker Building" as an Emergency Daytime Severe Winter Weather Shelter for the Homeless.

Local health and human service agencies have asked the City to assist in providing a facility to house a temporary emergency daytime shelter for the homeless in the event of severe winter weather. This Ordinance allows for the use of the facility at 220 North Howes Street as an emergency severe weather shelter until April 30, 2007.

21. First Reading of Ordinance No. 156, 2006, Amending Section 4.17(B)(2)(c) of the Land Use Code to Add a Permitted Use to the R-D-R, River Downtown Redevelopment Zone District.

This is a request for a text amendment to the Land Use Code to add *Health Clubs* as a permitted use in the River Downtown Redevelopment Zone District. The new use is proposed as being subject to Administrative Review (Type One).

22. Items Relating to the Front Range Second Rezoning and Structure Plan Amendment.

- A. Resolution 2006-101 Amending the City's Structure Plan Map.
- B. Hearing and First Reading of Ordinance No. 157, 2006, Amending the Zoning Map of the City of Fort Collins by Changing the Zoning Classification for that Certain Property Known as the Front Range Second Rezoning.

This is a request for a City Structure Plan amendment and rezoning of 45 acres located along the west side of South College Avenue from Trilby Road to Skyway Drive.

The 45 acres are part of a larger, 58-acre land area. The current City Structure Plan and zoning map both designate an integrated pattern of NC, Neighborhood Commercial, and MMN, Medium Density Neighborhood, and C, Commercial Corridor, for this land area. This request would revert the 45-acre subject area to C, Commercial zoning, and thereby consolidate the whole 58-acre area into C, Commercial zoning. (The difference of 13 acres is already zoned Commercial.)

23. Items Relating to the New Dawn Fort Collins (Rigden Farm) Rezoning and Structure Plan Amendment.

- A. Resolution 2006-102 Amending the City's Structure Plan Map.
- B. Hearing and First Reading of Ordinance No. 158, 2006, Amending the Zoning Map of the City of Fort Collins by Changing the Zoning Classification for that Certain Property Known as the New Dawn Fort Collins Rezoning.

This is a request to amend the City Structure Plan and zoning map on a 3.9 acre parcel located at the southeast corner of Iowa Drive and Limon Drive, in the Rigden Farm development. The current City Structure Plan designation is Neighborhood Commercial Center, with zoning the corresponding NC - Neighborhood Commercial District. The applicant proposes a Structure Plan amendment on 3.9 acres to Medium Density Mixed-Use Neighborhood.

24. First Reading of Ordinance No. 159, 2006, Authorizing the Acceptance of a Donation of Real Estate from Everline LLC, and Appropriating Unanticipated Revenue to the Natural Areas Fund.

The property to be donated is a 72.195 acre parcel known as Tract B, Fossil Lake PUD, First Filing, Fort Collins, Colorado. The current owner and donor is Everline, LLC, a subsidiary of the Everitt Companies. The owner of this tract purchased and developed approximately 200 acres of land along the north shore of Fossil Creek Reservoir. The subject parcel, Tract B, abuts the Fossil Creek Reservoir shoreline and is subject to a conservation easement granted to Larimer County by the Everline LLC in 1999.