

RESOLUTION 85-199
OF THE COUNCIL OF THE CITY OF FORT COLLINS
WAIVING THE OFF-SITE STREET IMPROVEMENTS REQUIREMENT
FOR DEVELOPMENT IN THE URBAN GROWTH AREA
(KNOWN AS WISE ACRE PUD WAIVER)

WHEREAS, the Urban Growth Agreement provides that in order for sites to develop within the Urban Growth Area certain phasing criteria need to be met; and

WHEREAS, the Larimer County Commissioners may waive phasing criteria for development in the Urban Growth Area provided that:

1. Such requested waiver is approved by the governing body of the adjoining municipality after said body has substantiated the required findings.
2. The waiver will not result in unplanned expense for provision of public services, improvements or facilities.
3. The waiver is consistent with the intent and purpose of the County and City's comprehensive plans or policies.
4. The waiver application contains material indicating there are exceptional circumstances applying to the piece of property that do not generally apply to the remaining property in the Urban Growth Area.
5. The waiver application contains material indicating approval may be granted without substantial detriment to the intent and purposes of the Supplementary Regulations applying to the area.
6. The waiver application contains material indicating approval would not impair the public health and safety by creating undesirable traffic conditions, sanitary conditions or adverse environmental influences in the area.

and;

WHEREAS, the intent of the waiver process is to give priority to in-fill development; and

WHEREAS, the developer of Wise Acre PUD requests a waiver of the off-site street improvements requirement; and

WHEREAS, the Wise Acre PUD waiver request meets the criteria set forth above for waivers.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS that the Wise Acre PUD off-site street improvement waiver be, and the same hereby is, granted on condition that the developer of the Wise Acre PUD pay the requisite urban growth agreement waiver fee and off-site

road improvement fee which total One Thousand Four Hundred Dollars (\$1,400.).

Passed and adopted at a regular meeting of the City Council held this 5th day of November, A.D. 1985.

Barbara A. Puttner
Mayor

ATTEST:

Wanda H. Krizek
City Clerk