

AGENDA ITEM SUMMARY

March 7, 2017

City Council

STAFF

Kai Kleer, Planning Technician
Ted Shepard, Chief Planner

SUBJECT

Second Reading of Ordinance No. 031, 2017, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Mail Creek Crossing Second Annexation to the City of Fort Collins, Colorado, and Approving Corresponding Changes to the 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 2017-017.

This Ordinance, unanimously adopted on First Reading on February 21, 2017, zones 43.698 acre, 11-parcel enclave into the City of Fort Collins. The initiating resolution was adopted on January 17, 2017. The subject properties are located on the east edge of South Timberline Road and are bisected by Kechter Road.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

ATTACHMENTS

1. First Reading Agenda Item Summary, February 21, 2017 (w/o attachments) (PDF)
2. Ordinance No. 031, 2017 (PDF)

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SUBJECT

First Reading of Ordinance No. 031, 2017, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Mail Creek Crossing Second Annexation to the City of Fort Collins, Colorado, and Approving Corresponding Changes to the 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 2017-017.

The purpose of this item is to zone 43.698 acre, 11-parcel enclave into the City of Fort Collins. The initiating resolution was adopted on January 17, 2017. The subject properties are located on the east edge of South Timberline Road and are bisected by Kechter Road.

STAFF RECOMMENDATION

Staff recommends the adoption of the Ordinance on First Reading.

BACKGROUND / DISCUSSION

The requested zoning for this annexation is Urban Estate (UE), which is consistent with the City of Fort Collins *Structure Plan and the Fossil Creek Reservoir Area Plan*.

Context

The surrounding zoning and land uses are as follows:

Direction	one District	Existing Land Use
North	Low Density Residential (RL)	Single-Family Residential
South	Urban Estate (UE), Low Density Mixed-Use Neighborhood (LMN)	Single-Family Residential
East	Urban Estate (UE), Low Density Mixed-Use Neighborhood (LMN)	Single Family Residential
West	Low Density Residential (RL), Low Density Mixed-Use Neighborhood (LMN)	Agriculture, Single Family Residential

Fossil Creek Reservoir Plan

The parcels are located within the Fossil Creek Reservoir Area Plan, a joint plan between the City of Fort Collins and Larimer County and adopted in 1998. The planning area covers 5,062 acres of the southeast region of Fort Collins within the GMA. The objectives of the Plan are to:

1. *Build a self-supporting group of neighborhoods with a full complement of parks, schools and community facilities linked by open space systems and consistent with the County's Master Plan and Fort Collins' City Plan, Principles and Policies.*
2. *Provide for protection of sensitive wildlife habitat around the Reservoir as well as provide standards for such habitat conservation.*
3. *Provide neighborhood centers as a focal point for neighborhood activity. Provide a Neighborhood Commercial Center to serve surrounding neighborhoods including a grocery store or supermarket and other neighborhood oriented retail services.*
4. *Link the area to other districts and neighborhoods, encourage walking and bicycling, and accommodate transit service to the Neighborhood Commercial Center and other neighborhood centers.*
5. *Complement, but not compete with, development in the Harmony Corridor.*
6. *Provide a "Transfer of Density units" (TDU) program in which development units may be transferred from the region between Fort Collins and Loveland to the Receiving Area portion of the Fossil Creek Reservoir Area Plan.*
7. *Achieve higher densities where they are appropriate and feather to lower densities as development nears Fossil Creek Reservoir.*

Zoning

The proposed zoning for the subject annexation is Urban Estate (UE). The district allows for a limited number of uses when compared to the adjacent Low Density Mixed-Use Neighborhood district. Uses permitted in the UE district are intended to be low-density and large-lot housing that acknowledge the existing subdivisions which have been already been developed.

CITY FINANCIAL IMPACTS

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

BOARD / COMMISSION RECOMMENDATION

The Planning and Zoning Board will conduct a public hearing on the annexation and zoning request on February 16, 2017. The Board's recommendation will be provided to Council in the Read-Before packet on February 21, 2017.

PUBLIC OUTREACH

An outreach process is not required by Colorado Revised Statutes or the City of Fort Collins Land Use Code. However, on November 15, 2016, City staff held a stakeholder meeting to answer questions and inform residents of any changes that may result from being annexed into the City. Representatives from Planning and Light and Power were present to explain any potential difference in electrical rates, services, zoning and future public improvements.

ATTACHMENTS

1. Zoning Map(PDF)

ORDINANCE NO. 031, 2017
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 MAIL CREEK CROSSING SECOND ANNEXATION TO THE CITY
OF FORT COLLINS, COLORADO, AND APPROVING CORRESPONDING
CHANGES TO THE 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, the City Council has determined that the proposed zoning of the Mail Creek Crossing Second Annexation property as described below is consistent with the City's Comprehensive Plan and/or is warranted by changed conditions within the neighborhood surrounding and including the subject property; 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 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 the property known as the Mail Creek Crossing Second Annexation to the City of Fort Collins, Colorado, in the Urban Estate ("U-E") Zone District, which property is more particularly described as:

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 5
AND THE NORTHWEST QUARTER 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:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 8, AND CONSIDERING
THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 8 TO BEAR

S00°00'47"E, SAID LINE BEING MONUMENTED ON ITS NORTH END BY A 2-1/2" ALUMINUM CAP STAMPED LS 17497, AND ON ITS SOUTH END BY A 3-1/4" ALUMINUM CAP STAMPED LS 34995, BASED UPON GPS OBSERVATIONS AND THE CITY OF FORT COLLINS COORDINATE SYSTEM, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE ALONG THE EAST LINE OF THE WILLOW SPRINGS ANNEXATION TO THE CITY OF FORT COLLINS (ALSO BEING THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 5), N00°12'29"W, A DISTANCE OF 1,308.79 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTH HARMONY ANNEXATION TO THE CITY OF FORT COLLINS;

THENCE ALONG SAID SOUTH LINE, N89°50'37"E, A DISTANCE OF 696.69 FEET TO THE NORTHWEST CORNER OF THORLAND ANNEXATION NO. 1 TO THE CITY OF FORT COLLINS; THENCE ALONG THE WEST LINES OF THORLAND ANNEXATION NO. 1 AND THORLAND ANNEXATION NO. 2, S00°13'11 "E, A DISTANCE OF 1,334.56 FEET TO THE SOUTHWEST CORNER OF SAID THORLAND ANNEXATION NO. 2;

THENCE ALONG THE SOUTH LINES THORLAND ANNEXATION NO. 2 AND KECHTER ANNEXATION NO. 3, N89°29'46"E, A DISTANCE OF 291.72 FEET;

THENCE ALONG THE WEST LINES OF KECHTER ANNEXATION NO. 3 AND THE KECHTER CROSSING ANNEXATION, S00°02'21"E, A DISTANCE OF 1,280.47 FEET TO A POINT ON THE NORTH LINE OF THE MAIL CREEK CROSSING ANNEXATION;

THENCE ALONG SAID NORTH LINE, S89°38'35"W, A DISTANCE OF 501.01 FEET TO THE SOUTHEAST CORNER OF THE LIEBL ANNEXATION;

THENCE ALONG THE EAST AND NORTH BOUNDARIES OF SAID LIEBL ANNEXATION THE FOLLOWING EIGHT (8) COURSES:

1) N00°00'47"W, A DISTANCE OF 240.81 FEET; 2) S89°40'43"W, A DISTANCE OF 242.34 FEET;

3) 104.72 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF

40.00 FEET, A CENTRAL ANGLE OF 150°00'00", AND A CHORD WHICH BEARS N75°19'17"W A DISTANCE OF 77.27 FEET;

4) S89°40'43"W, A DISTANCE OF 121.25 FEET; 5) N00°00'47"W, A DISTANCE OF 185.16 FEET;

6) S89°40'43"W, A DISTANCE OF 20.00 FEET; 7) S00°00'47"E, A DISTANCE OF 278.90 FEET;

8) S89°40'43"W, A DISTANCE OF 30.00 FEET TO A POINT ON THE EAST LINE OF THE WILLOW SPRINGS ANNEXATION TO THE CITY OF FORT COLLINS (ALSO BEING THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 8);

THENCE ALONG THE EAST LINE OF SAID WILLOW SPRINGS ANNEXATION, N00°00'47"W, A DISTANCE OF 1,140.57 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM:

ALL OF THAT TRACT OF LAND DESCRIBED IN THE KINGDOM HALL ANNEXATION TO THE CITY OF FORT COLLINS; ALSO BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 8;

THENCE S45°21'22"E, A DISTANCE OF 42.32 FEET TO THE POINT OF BEGINNING;

THENCE N00°12'29"W, A DISTANCE OF 530.00 FEET; THENCE N89°29'46"E, A DISTANCE OF 318.48 FEET;

THENCE S00°10'32"E, A DISTANCE OF 530.00 FEET;

THENCE S89°29'46"W, A DISTANCE OF 318.18 FEET TO THE POINT OF BEGINNING.

CONTAINING A TOTAL OF 1,903,475 SQUARE FEET (43.698 ACRES), MORE OR LESS

Section 3. That the Sign District Map adopted pursuant to Section 3.8.7(E) of the Land Use Code of the City of Fort Collins is hereby changed and amended by showing that the property known as the Mail Creek Crossing Second Annexation and 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 21st day of February, A.D. 2017, and to be presented for final passage on the 7th day of March, A.D. 2017.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading on the 7th day of March, A.D. 2017.

Mayor

ATTEST:

City Clerk