

AGENDA ITEM SUMMARY

July 18, 2017

City Council

STAFF

Kai Kleer, Associate Planner
 Ted Shepard, Chief Planner

SUBJECT

First Reading of Ordinance No. 099, 2017, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the Blehm-Homestead 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 the property included in the Blehm-Homestead enclave annexation into the Urban Estate (UE), zone district and Residential Neighborhood Sign District.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

BACKGROUND / DISCUSSION

The requested zoning for this enclave 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	Zone District	Existing Land Use
North	Low Density Residential, Low Density Mixed-Use Neighborhood	Single-Family Residential and Multi-Family Residential
East	Low Density Mixed-Use Neighborhood	Single-Family Residential and Multi-Family Residential
South	Low Density Mixed-Use Neighborhood	Single-Family Residential, School
West	Low Density Mixed-Use Neighborhood, Urban Estate	Single-Family Residential, Greenhouse, and Church

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 abutting Low Density Mixed-Use Neighborhood district. Uses permitted in the UE district are intended to be low-density and large-lot housing that acknowledges the existing subdivisions which have been already been developed. A cluster development option that allows shifting density to preserve open space is an option under UE zoning.

Because of the subject enclave's overwhelmingly residential use and character the property is recommended as an addition to the Residential Neighborhood Sign District.

CITY FINANCIAL IMPACTS

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

BOARD / COMMISSION RECOMMENDATION

This item was unanimously passed by the Planning and Zoning Board by a 5-0 vote; however, the item was pulled from the consent calendar by two adjoining neighbors of the Blehm-Homestead Annexation. Several issues regarding potential development, density that the proposed Urban Estate zoning would allow, possibility of future road connections and the potential traffic impacts cause by redevelopment were expressed. While the annexation and zoning of the property does not qualify as development, questions posed by the two community members were answered during the subsequent discussion of the item and can be found in the attached Planning and Zoning Board, June 15, 2017, Minutes.

PUBLIC OUTREACH

An outreach process is not required by Colorado Revised Statutes or the City of Fort Collins Land Use Code. However, on February 23, 2017, City staff held a stakeholder meeting to answer questions and inform residents of any changes that may result from annexing into the City. Representatives from Planning Services, Light and Power, and Utilities were present to explain any potential difference in electrical rates, fees, services, zoning and infrastructure.

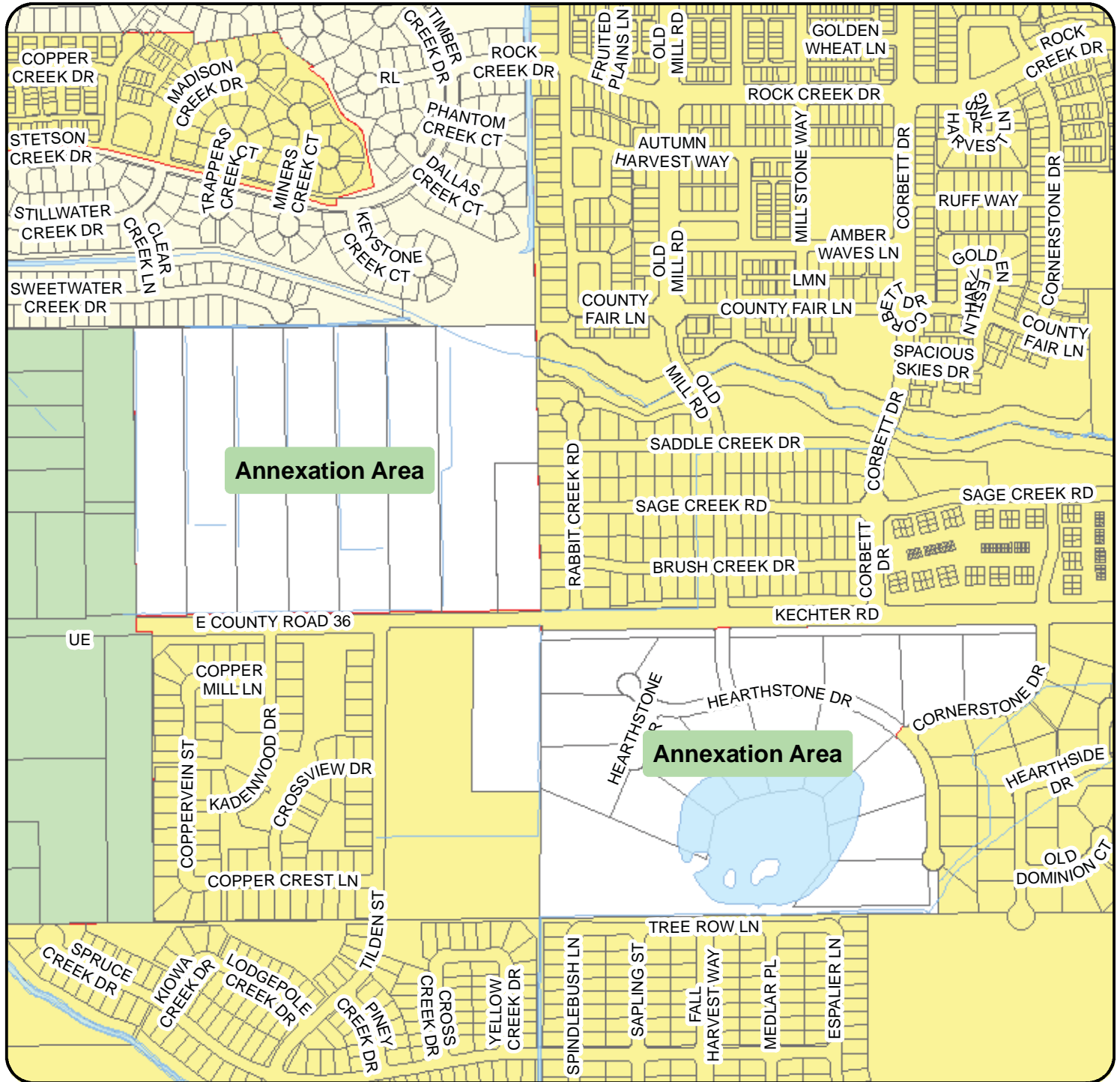
ATTACHMENTS

1. Zoning Map (PDF)
2. Structure Plan Map (PDF)
3. Planning and Zoning Board minutes, June 15, 2017 (draft) (PDF)

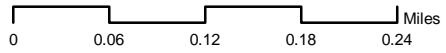
Blehm-Homestead Enclave

Zoning

ATTACHMENT 1



Scale 1 inch equals 634 feet



CITY OF FORT COLLINS
GEOGRAPHIC INFORMATION SYSTEM MAP PRODUCTS

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Legend

- Water
- Low Density Mixed-Use Neighborhood (LMN)
- Low Density Residential (RL)
- Urban Estate (UE)

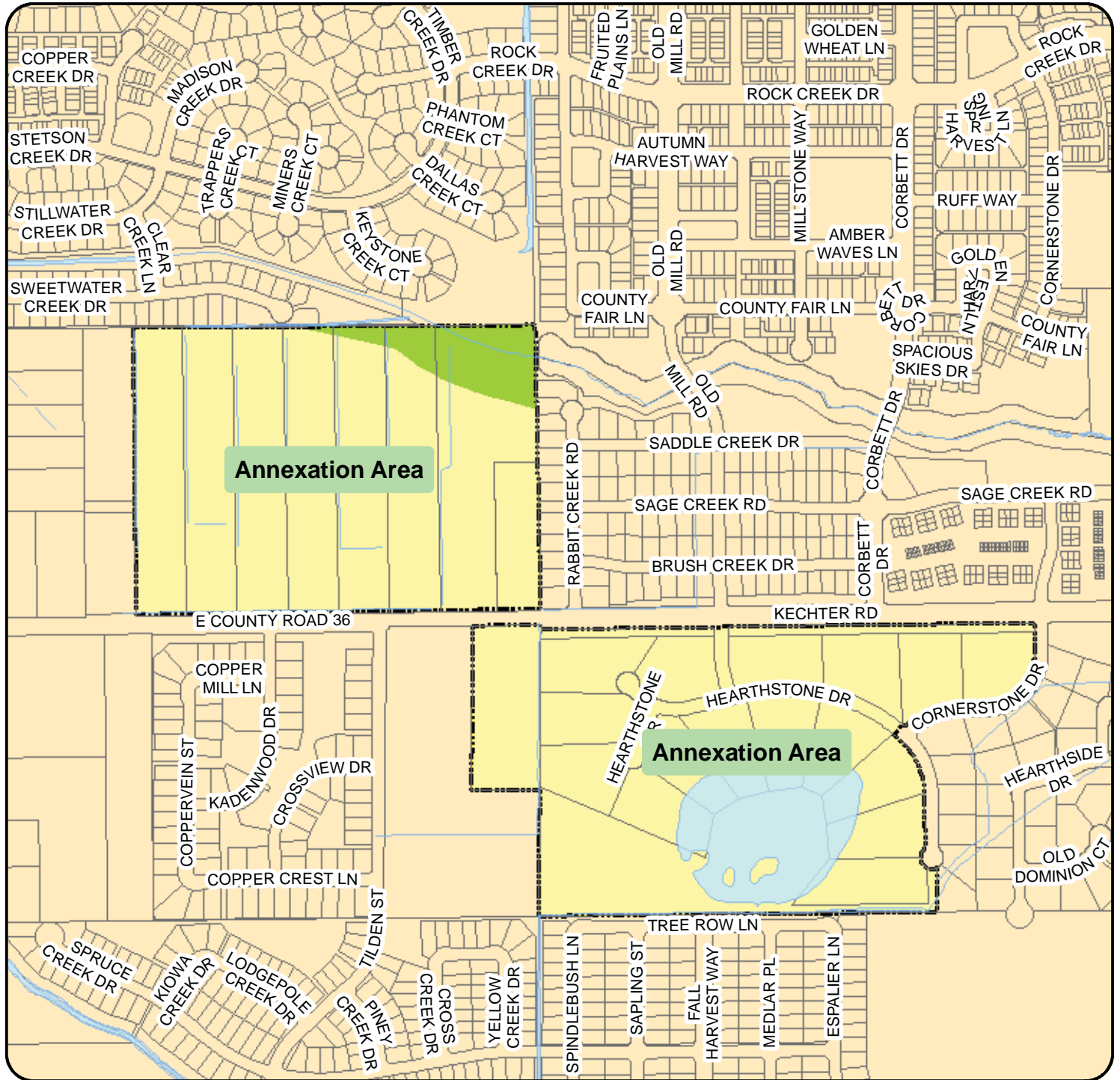


Printed: June 15, 2017

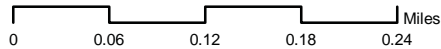
Blehm-Homestead Enclave

Structure Plan

ATTACHMENT 2



Scale 1 inch equals 634 feet



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Legend

Water

City Limits

Structure Plan

Land Use

Urban Estate

Low Density Mixed-Use Neighborhoods

Open Lands, Parks and Stream Corridors



Printed: June 15, 2017

showing parking lot usage. Mr. Berland confirmed that there is some data indicating one parking space per apartment with a reduction in parking requirements as time goes on and residents continue to age in place. Vice Chair Hansen also asked whether the fire easement at the rear of site plan will afford PFA the necessary space required; Mr. Hess confirmed that an arrangement has been made with PFA (“alternative compliance means”) to implement alternate measures in lieu of meeting standard requirements. He also clarified that there will be a stop sign exclusively for a fire lane. Member Hobbs asked about the plan to administer parking spaces for the building. Mr. Berland responded that the parking garage will have a barrier to separate various parking areas, and each unit will have parking rights via a sticker on their car and a device to open the parking gates. Member Carpenter asked to review non-emergency access points; Mr. Hess showed a slide of the proposed traffic flow pattern, which will include travel through the Whole Foods parking lot, and he also clarified the location of visitor parking spots.

Public Input (3 minutes per person)

Brad March, 1312 S. College Avenue, stated his support of this project. He provided some history of the project location’s origins, and he complimented the development team.

Bob Cooper, 2209 Mathews, has a concern with the residential parking zones and their tendency to creep into surrounding neighborhoods.

Board Questions and Deliberation

Member Hobbs asked whether a maximum number of parking passes will be issued (no more than 154 total passes); Mr. Berland confirmed that, due to the finite amount of parking, only 154 will be issued in order to avoid over-leasing the parking spaces. Member Carpenter asked if anything in the future would change the age restriction; Chair Schneider clarified that this criteria is not being used as a justification for a modification, so this point is moot. Vice Chair Hansen questioned the adequacy of offering only 6 visitor spots; Mr. Berland responded that, once leasing begins, they will be able to better determine the specific parking needs.

Member Hobbs made a motion that the Planning and Zoning Board approve the Spring Creek Place Apartments PDP#160020, based upon the findings of fact presented at the work session, the materials contained in the staff report, and the board discussion on this item. Member Whitley seconded. Vote: 5:0.

Project: Blehm-Homestead Enclave Annexation

Project Description: This is a City-initiated request to annex and zone an approximately 109-acre, 28-parcel enclave into the City of Fort Collins. The parcels became an enclave with the annexation of the Kechter Farm Annexation on May 16, 2014. As of May 17, 2017, the City became authorized to annex the enclave in accordance with State Statue 31-12-106. The enclaved parcels are located to the north and south of Kechter Road between S. Timberline and Ziegler Roads. During and after outreach efforts, city staff has not received objections from residents of the Blehm-Homestead Enclave Annexation. The City of Fort Collins recommends placing the enclaved property into the Urban Estate (UE), zone district.

Recommendation: Approval

Secretary Cosmas reported that one citizen letter was received representing 6 families that are opposed to the proposed stormwater fees to be charged; this group is aware that this topic is not under the purview of the Planning and Zoning Board.

Staff Presentation and Analysis

Planner Kleer gave a brief overview of this annexation, adding that Urban Estate (UE) zoning is being recommended. He also provided some history of the parcel.

Public Input (3 minutes per person)

Todd Gibson, 2614 Sage Creek Road and President of the adjacent Sage Creek neighborhood, asked if this property would be developed as apartments in the future and what the future traffic impacts may be, since the area has a significant number of families.

Pete Miller, 2309 Sweetwater Creek Drive, also inquired about future development plans and what housing density would be for the UE zoning. He also asked if that zoning designation could change over time and what that process would be. He understood that this area would eventually be developed as a single parcel, and he is questioning whether that is still true.

Staff Response

Planner Kleer responded by saying that an annexation does not necessarily indicate future development, adding that the City is actively annexing enclaves at this time. Future development under the UE zoning would permit two units/acre (low density), and Residential Low Density (RL) would permit 4 units/acre. He stated that it is unlikely that the zoning would change in the future, and Chief Planner Shepard added that there is a specific rezoning process for any zoning changes for any property. A rezone would require an amendment to the structure plan, neighborhood meetings, P&Z Board recommendation, and then to City Council for two readings. He added that, while individual properties can be developed, there are plans at this time for future development for this enclave.

Board Questions and Deliberation

Member Hobbs asked about issues from surrounding neighborhoods related to the master street plan or arterial system; Chief Planner Shepard responded that, because the Blehm lots are so long and narrow, there is a street that could be used to serve the more remote parts of those lots to avoid any developing UE density. Planning Director Gloss added that, regarding potential future development, Staff has been approached by one property owner who is interested in redeveloping his property; he would still have to go through the established process for rezoning and development.

Member Hobbs made a motion that the Planning and Zoning Board recommend to City Council approval of the Blehm-Homestead Enclave Annexation, including the zoning classification of Urban Estate and that the property would be placed in the residential neighborhood sign district, based upon the findings of fact presented at the work session, the materials contained in the staff report, and the board discussion on this item. Member Carpenter seconded. Vote: 5:0.

The Board took a short recess at 7:55pm; they reconvened at 8:00pm.

Project: 6020 S. College Storage PDP

Project Description: This is a request to develop an enclosed mini-storage facility, on approximately 3.3 acres. The parcel is located generally at the southwest corner of Skyway Drive and South College Avenue. The proposed project includes an enclosed three story mini self-storage building with a basement, totaling approximately 108,000 square feet in size. All self-storage functions will be conducted

ORDINANCE NO, 099, 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 BLEHM-HOMESTEAD
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, pursuant to Land Use Code Section 2.9.2, the City Planning and Zoning Board, at its meeting on June 15, 2017, unanimously recommended rezoning the property that is the subject of this Ordinance as set forth below and determined that the proposed zoning 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, the City Council has determined that the proposed zoning of the Blehm-Homestead Annexation property, as described below (the "Property") 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 Blehm-Homestead Annexation to the City of Fort Collins, Colorado, in the Urban Estate ("U-E") Zone District, which property (the "Property") is more particularly described as:

TRACT 1:

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 5, 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 SOUTH QUARTER CORNER OF SAID SECTION 5, AND CONSIDERING THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 5 TO BEAR S89°29'46"W, SAID LINE BEING MONUMENTED ON ITS EAST END BY A 3-1/4" ALUMINUM CAP STAMPED LS 33642, AND ON ITS WEST END BY A 2-1/2" ALUMINUM CAP STAMPED LS 17497, 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 SOUTHWEST QUARTER OF SAID SECTION 5, N00°49'51"W, A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING;

THENCE ALONG THE NORTH LINE OF KECHTER ANNEXATION NO. 3 TO THE CITY OF FORT COLLINS, S89°29'46"W, A DISTANCE OF 1,783.56 FEET TO A POINT ON THE EAST LINE OF THORLAND ANNEXATION NO. 2 TO THE CITY OF FORT COLLINS;

THENCE ALONG SAID EAST LINE AND ALONG THE EAST LINE OF THORLAND ANNEXATION NO. 1 TO THE CITY OF FORT COLLINS, N00°18'28"W, A DISTANCE OF 1,263.21 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 1,772.13 FEET TO A POINT ON THE WEST LINE OF THE RUFF ANNEXATION TO THE CITY OF FORT COLLINS;

THENCE ALONG SAID WEST LINE AND ALONG THE WEST LINE OF THE HH-36 ANNEXATION TO THE CITY OF FORT COLLINS, S00°49'51"E, A DISTANCE OF 1,252.47 FEET TO THE POINT OF BEGINNING.

CONTAINING 51.336 ACRES, MORE OR LESS, AND BEING SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD OR THAT NOW EXIST ON THE GROUND.

TRACT 2:

A TRACT OF LAND LOCATED IN THE NORTH 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 NORTH QUARTER CORNER OF SAID SECTION 8, AND CONSIDERING THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 8 TO BEAR N89°30'22"E, SAID LINE BEING MONUMENTED ON ITS WEST END BY A 3-1/4" ALUMINUM CAP STAMPED LS 33642, AND ON ITS EAST 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 WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 8, S00°43'32"W, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID WEST LINE, ALSO BEING THE WEST LINE OF THE HH-36 ANNEXATION TO THE CITY OF FORT COLLINS, S00°43'32"W, A DISTANCE OF 20.00 FEET;

THENCE ALONG THE SOUTH LINE OF SAID HH-36 ANNEXATION, N89°30'22"E, A DISTANCE OF 2,161.74 FEET TO THE NORTHWEST CORNER OF THE HOMESTEAD

ANNEXATION TO THE CITY OF FORT COLLINS;
THENCE ALONG THE WESTERLY BOUNDARY OF SAID HOMESTEAD ANNEXATION THE
FOLLOWING THIRTEEN (13) COURSES:

1. 23.56 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 15.00 FEET, A CENTRAL ANGLE OF 90°00'00", AND A CHORD WHICH BEARS S45°29'38"E A DISTANCE OF 21.21 FEET;
2. S00°29'38"E, A DISTANCE OF 115.00 FEET;
3. 345.58 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 220.00 FEET, A CENTRAL ANGLE OF 90°00'00", AND A CHORD WHICH BEARS S44°30'22"W A DISTANCE OF 311.13 FEET;
4. S89°30'22"W, A DISTANCE OF 100.00 FEET;
5. 268.62 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 380.00 FEET, A CENTRAL ANGLE OF 40°30'08", AND A CHORD WHICH BEARS S69°15'18"W A DISTANCE OF 263.06 FEET;
6. 21.12 FEET ALONG THE ARC OF A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 15.00 FEET, A CENTRAL ANGLE OF 80°39'36", AND A CHORD WHICH BEARS S89°20'02"W, A DISTANCE OF 19.42 FEET;
7. S39°39'51"W, A DISTANCE OF 60.00 FEET;
8. 38.70 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 749.38 FEET, A CENTRAL ANGLE OF 02°57'32", AND A CHORD WHICH BEARS S48°51'24"E A DISTANCE OF 38.69 FEET;
9. 261.83 FEET ALONG THE ARC OF A COMPOUND CURVE TO THE RIGHT HAVING A RADIUS OF 319.98 FEET, A CENTRAL ANGLE OF 46°53'00", AND A CHORD WHICH BEARS S23°56'08"E, A DISTANCE OF 254.59 FEET
10. S00°29'38"E, A DISTANCE OF 223.46 FEET;
11. 32.18 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 36°52'12", AND A CHORD WHICH BEARS S17°56'28"W A DISTANCE OF 31.62 FEET;
12. 131.29 FEET ALONG THE ARC OF A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 150°26'53", AND A CHORD WHICH BEARS S38°50'53"E, A DISTANCE OF 96.69 FEET;
13. S00°29'38"E, A DISTANCE OF 193.85 FEET TO A POINT ON THE NORTH LINE OF THE KINARD JUNIOR HIGH SCHOOL ANNEXATION TO THE CITY OF FORT COLLINS;

THENCE ALONG SAID NORTH LINE AND ALONG THE NORTH LINE OF KECHTER FARM SECOND ANNEXATION TO THE CITY OF FORT COLLINS, S89°39'21"W, A DISTANCE OF 1,758.96 FEET TO THE SOUTHEAST CORNER OF KECHTER ANNEXATION NO. 3 TO THE CITY OF FORT COLLINS;

THENCE ALONG THE EASTERLY BOUNDARY OF SAID KECHTER ANNEXATION NO. 3 THE FOLLOWING FOUR (4) COURSES:

1. N00°43'32"E, A DISTANCE OF 559.09 FEET;
2. S89°31'04"W, A DISTANCE OF 300.15 FEET;
3. N00°44'36"E, A DISTANCE OF 725.89 FEET;
4. N89°29'46"E, A DISTANCE OF 299.94 FEET TO THE POINT OF BEGINNING.

CONTAINING 57.906 ACRES, MORE OR LESS, AND BEING SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD OR THAT NOW EXIST ON THE GROUND.

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 Blehm-Homestead 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 18th day of July, A.D. 2017, and to be presented for final passage on the 15th day of August, A.D. 2017.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading on the 15th day of August, A.D. 2017.

Mayor

ATTEST:

City Clerk