

AGENDA ITEM SUMMARY

FORT COLLINS CITY COUNCIL

ITEM NUMBER: 6 A-B

DATE: January 17, 2006

STAFF: Steve Olt

SUBJECT

Items Relating to the McClelland's Creek PD & PLD Annexation and Zoning.

RECOMMENDATION

Staff recommends adoptions of these Ordinances on Second Reading.

EXECUTIVE SUMMARY

- A. Second Reading of Ordinance No. 002, 2006, Annexing Property Known as the McClelland's Creek PD & PLD Annexation.
- B. Second Reading of Ordinance No. 003, 2006, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the McClelland's Creek PD & PLD Annexation.

This is a request to annex and zone 11.93 acres located on the east side of Lake Ranch Road, approximately 1/8th mile south of Kechter Road between Ziegler Road to the west and Strauss Cabin Road to the east. McClelland's Creek runs along the east side of the property. The property is undeveloped and is in the FA-1 Farming District in Larimer County. The requested zoning in the City of Fort Collins is LMN - Low Density Mixed-Use Neighborhood.

Staff is recommending that this property be included in the Residential Neighborhood Sign District. A map amendment will not be necessary to place this property on the Residential Neighborhood Sign District Map.

Ordinance Nos. 002 and 003, 2006, were unanimously adopted on First Reading on January 3, 2006.

ORDINANCE NO. 002, 2006
OF THE COUNCIL OF THE CITY OF FORT COLLINS
ANNEXING PROPERTY KNOWN AS THE
MCCLELLAND'S CREEK PD & PLD ANNEXATION
TO THE CITY OF FORT COLLINS, COLORADO

WHEREAS, Resolution 2005-126, finding substantial compliance and initiating annexation proceedings, has heretofore been adopted by the Council of the City of Fort Collins; and

WHEREAS, the Council does hereby find and determine that it is in the best interests of the City to annex said area to the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the following described property, to wit:

A parcel of land being a portion of Lot 4 of the Staley/Poudre School MLD 00-S1535 as recorded November 15, 2000 as Reception No. 2000078405 of the Records of Larimer County, located in the North 1/2 of the Northeast 1/4 of Section 9, Township 6 North, Range 68 West of the 6th Principal Meridian, County of Larimer, State of Colorado, and being more particularly described as follows:

BEGINNING at the North 1/4 Corner of Section 9 and assuming the North line of the NE1/4 of Section 9 to bear South 88°28'48" East, a distance of 2656.31 feet, with all other bearings herein relative thereto;

Thence South 00°00'42" West along the West line of the NE1/4 of said Section 9 a distance of 860.50 feet to the North line of said Lot 4 and the POINT OF BEGINNING; thence South 90°00'00" East along the North line of said Lot 4 a distance of 814.83 feet to a point of departure from the North line of said Lot 4; thence South 53°51'25" East a distance of 97.43 feet; thence South 64°07'21" East a distance of 56.23 feet; thence South 58°09'31" East a distance of 67.94 feet; thence South 46°57'57" East a distance of 89.74 feet; thence South 41°12'39" East a distance of 49.33 feet; thence South 33°06'23" East a distance of 105.14 feet; thence South 37°16'39" East a distance of 90.91 feet; thence South 47°31'56" East a distance of 29.50 feet; thence South 57°01'37" East a distance of 62.90 feet; thence South 63°11'35" East a distance of 37.02 feet; thence South 71°57'32" East a distance of 50.98 feet; thence South 79°08'46" East a distance of 29.88 feet; thence South 67°58'43" East a distance of 29.85 feet; thence South 50°32'59" East a distance of 20.19 feet to the South line of said Lot 4; thence North 88°26'41" West along the South line of said Lot 4 a distance of 1441.68 feet to the West line of the NE1/4 of said Section 9; thence North 00°00'42" East along the West line of the NE1/4 of said Section 9 a distance of 453.76 feet to the North line of said Lot 4 and the POINT OF BEGINNING.

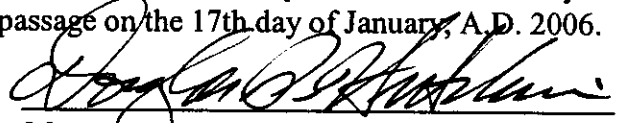
Said parcel of land contains 11.926 acres, more or less (\pm), and is subject to any rights-of-way or other easements of record or as now existing on said described parcel of land.

is hereby annexed to the City of Fort Collins and made a part of said City, to be known as the McClelland's Creek PD & PLD Annexation, which annexation shall become effective in accordance with the provisions contained in Section 31-12-113, C.R.S., including, without limitation, all required filings for recording with the Larimer County Clerk and Recorder.

Section 2. That, in annexing said property to the City, the City does not assume any obligation respecting the construction of water mains, sewer lines, gas mains, electric service lines, streets or any other services or utilities in connection with the property hereby annexed except as may be provided by the ordinances of the City.

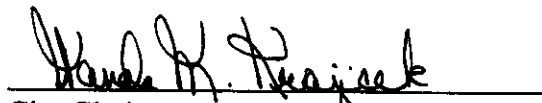
Section 3. That the City hereby consents, pursuant to Section 37-45-136(3.6), C.R.S., to the inclusion of said property into the Municipal Subdistrict, Northern Colorado Water Conservancy District.

Introduced, considered favorably on first reading, and ordered published this 3rd day of January, A.D. 2006, and to be presented for final passage on the 17th day of January, A.D. 2006.



Mayor

ATTEST:



City Clerk

Passed and adopted on final reading this 17th day of January, A.D. 2006.

Mayor

ATTEST:

City Clerk

ORDINANCE NO. 003, 2006
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 MCCLELLAND'S CREEK PD & PLD ANNEXATION TO THE
CITY OF FORT COLLINS, COLORADO

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, in accordance with the foregoing, the Council has considered the zoning of the property which is the subject of this ordinance, and has determined that the said 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 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 McClelland's Creek PD & PLD Annexation to the City of Fort Collins, Colorado, in the Low Density Mixed-Use Neighborhood (LMN) Zone District, which property is more particularly described as situate in the County of Larimer, State of Colorado, to wit:

A parcel of land being a portion of Lot 4 of the Staley/Poudre School MLD 00-S1535 as recorded November 15, 2000 as Reception No. 2000078405 of the Records of Larimer County, located in the North 1/2 of the Northeast 1/4 of Section 9, Township 6 North, Range 68 West of the 6th Principal Meridian, County of Larimer, State of Colorado, and being more particularly described as follows:

BEGINNING at the North 1/4 Corner of Section 9 and assuming the North line of the NE1/4 of Section 9 to bear South 88°28'48" East, a distance of 2656.31 feet, with all other bearings herein relative thereto;

Thence South 00°00'42" West along the West line of the NE1/4 of said Section 9 a distance of 860.50 feet to the North line of said Lot 4 and the POINT OF BEGINNING; thence South 90°00'00" East along the North line of said Lot 4 a distance of 814.83 feet to a point of departure from the North line of said Lot 4; thence South 53°51'25" East a distance of 97.43 feet; thence South 64°07'21" East a distance of 56.23 feet; thence South 58°09'31" East a distance of 67.94 feet; thence South 46°57'57" East a distance of 89.74 feet; thence South 41°12'39" East a distance of 49.33 feet; thence South 33°06'23" East a distance of 105.14 feet; thence South

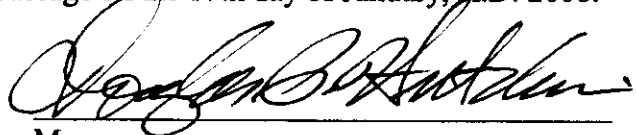
37°16'39" East a distance of 90.91 feet; thence South 47°31'56" East a distance of 29.50 feet; thence South 57°01'37" East a distance of 62.90 feet; thence South 63°11'35" East a distance of 37.02 feet; thence South 71°57'32" East a distance of 50.98 feet; thence South 79°08'46" East a distance of 29.88 feet; thence South 67°58'43" East a distance of 29.85 feet; thence South 50°32'59" East a distance of 20.19 feet to the South line of said Lot 4; thence North 88°26'41" West along the South line of said Lot 4 a distance of 1441.68 feet to the West line of the NE1/4 of said Section 9; thence North 00°00'42" East along the West line of the NE1/4 of said Section 9 a distance of 453.76 feet to the North line of said Lot 4 and the POINT OF BEGINNING.

Said parcel of land contains 11.926 acres, more or less (\pm), and is subject to any rights-of-way or other easements of record or as now existing on said described parcel of land.

Section 2. 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 above-described property is included in the Residential Neighborhood Sign District.

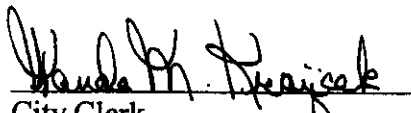
Section 3. That the City Manager is hereby authorized and directed to amend said Zoning Map in accordance with this Ordinance.

Introduced, considered favorably on first reading, and ordered published this 3rd day of January, A.D. 2006, and to be presented for final passage on the 17th day of January, A.D. 2006.



Mayor

ATTEST:



City Clerk

Passed and adopted on final reading this 17th day of January, A.D. 2006.

Mayor

ATTEST:

City Clerk

AGENDA ITEM SUMMARY
FORT COLLINS CITY COUNCIL

ITEM NUMBER: 14 A-C

DATE: January 3, 2006

STAFF: Steve Olt

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SUBJECT

Items Relating to the McClelland's Creek PD & PLD Annexation and Zoning.

RECOMMENDATION

Staff recommends approval of the annexation and requested zoning of LMN - Low Density Mixed-Use Neighborhood.

The Planning and Zoning Board voted 6 - 0 to recommend approval of the annexation; and, the Board voted 6 - 0 to recommend that the property be placed in the LMN - Low Density Mixed-Use Neighborhood Zoning District.

The Planning and Zoning Board voted 6 - 0 to recommend that this property be included in the Residential Neighborhood Sign District.

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EXECUTIVE SUMMARY

- A. Resolution 2006-001 Setting Forth Findings of Fact and Determinations Regarding the McClelland's Creek PD & PLD Annexation and Zoning.
- B. Hearing and First Reading of Ordinance No. 002, 2006, Annexing Property Known as the McClelland's Creek PD & PLD Annexation.
- C. Hearing and First Reading of Ordinance No. 003, 2006, Amending the Zoning Map of the City of Fort Collins and Classifying for Zoning Purposes the Property Included in the McClelland's Creek PD & PLD Annexation.

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This is a request to annex and zone 11.93 acres located on the east side of Lake Ranch Road, approximately 1/8th mile south of Kechter Road between Ziegler Road to the west and Strauss Cabin Road to the east. McClelland's Creek runs along the east side of the property. The property is undeveloped and is in the FA-1 Farming District in Larimer County. The requested zoning in the City of Fort Collins is LMN - Low Density Mixed-Use Neighborhood.

Staff is recommending that this property be included in the Residential Neighborhood Sign District. A map amendment will not be necessary to place this property on the Residential Neighborhood Sign District Map.

APPLICANT: The Everitt Companies
 c/o Stanley Everitt
 3030 South College Avenue
 Fort Collins, CO 80525

OWNER: McCreek, LLC
 3030 South College Avenue
 Fort Collins, CO 80525

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BACKGROUND

The applicant, Stanley Everitt, on behalf of the property owners, McCreek, LLC, has submitted a written petition requesting annexation of 11.93 acres. The property is located on the east side of Lake Ranch Road, approximately 1/8th mile south of Kechter Road between Ziegler Road to the west and Strauss Cabin Road to the east. McClelland's Creek runs along the east side of the property. The property is undeveloped and is in the FA-1 Farming District in Larimer County. The requested zoning in the City of Fort Collins is LMN - Low Density Mixed-Use Neighborhood. The surrounding properties are currently zoned FA-1 Farming in Larimer County to the east, LMN - Low Density Mixed-Use Neighborhood in the City to the north, LMN - Low Density Mixed-Use Neighborhood in the City to the south, and LMN - Low Density Mixed-Use Neighborhood in the City to the west. This is a 100% voluntary annexation.

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The property is located within the Fort Collins Urban Growth Area. According to policies and agreements between the City of Fort Collins and Larimer County contained in the Intergovernmental Agreement for the Fort Collins Urban Growth Area, the City will agree to consider annexation of property in the UGA when the property is eligible for annexation according to State law. This property gains the required 1/6 contiguity to existing city limits from common boundaries with the Staley Annexation (May, 2001) to the north, the Fossil Lake Annexation No. 1 (March, 2002) to the west, and the Swift Addition to Fossil Lake PUD Annexation (July, 2003) to the south.

The surrounding zoning and land uses are as follows:

- N: LMN in the City of Fort Collins; existing elementary school, future park
- E: FA-1 in Larimer County; undeveloped
- S: LMN in the City of Fort Collins; existing single-family residential
- W: LMN in the City of Fort Collins; existing single-family residential

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The requested zoning for this annexation is the LMN - Low Density Mixed-Use Neighborhood Zoning District. There are several uses permitted in the District, subject to either administrative review or review by the Planning and Zoning Board. The City's adopted Structure Plan, a part of the Comprehensive Plan, suggests that Low Density Mixed-Use Neighborhoods are appropriate in this location.

Staff is recommending that this property be included in the Residential Neighborhood Sign District, which was established for the purpose of regulating signs for non-residential uses in certain geographical areas of the City that may be particularly affected by such signs because of their

predominantly residential use and character. A map amendment will not be necessary to place this property on the Residential Neighborhood Sign District Map.

Findings:

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1. The annexation of this area is consistent with the policies and agreements between Larimer County and the City of Fort Collins contained in the Intergovernmental Agreement for the Fort Collins Urban Growth Area.
 2. The area meets the eligibility requirements included in State law to qualify for a voluntary annexation to the City of Fort Collins.
 3. On November 29, 2005, the City Council approved a resolution that accepted the annexation petition and determined that the petition was in compliance with State law. The Resolution also initiated the annexation process for the property by establishing the date, time and place when a public hearing would be held regarding the readings of the Ordinances annexing and zoning the area.
 4. The requested LMN – Low Density Mixed-Use Neighborhood Zoning District is in conformance with the policies of the City's Comprehensive Plan.
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STAFF RECOMMENDATION:

Staff recommends approval of the annexation and requested zoning of LMN - Low Density Mixed-Use Neighborhood.

Staff is recommending that this property be included in the Residential Neighborhood Sign District. A map amendment will not be necessary to place this property on the Residential Neighborhood Sign District Map.

PLANNING AND ZONING BOARD RECOMMENDATION:

The Planning and Zoning Board, at its regular monthly meeting of December 8, 2005, voted 6 - 0 to recommend approval of the annexation. The Board voted 6 - 0 to recommend that the property be placed in the LMN - Low Density Mixed-Use Neighborhood Zoning District.

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The Planning and Zoning Board voted 6 - 0 to recommend that this property be included in the Residential Neighborhood Sign District.