

AGENDA ITEM SUMMARY
FORT COLLINS CITY COUNCIL

ITEM NUMBER: 14

DATE: June 6, 2006

STAFF: Ted Shepard

SUBJECT

Second Reading of Ordinance No. 082, 2006, Amending the Zoning Map of the City by Changing the Zoning Classification for that Certain Property Known as the Willow Brook Parcel F Rezoning.

RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

EXECUTIVE SUMMARY

Ordinance No. 082, 2006, unanimously adopted on First Reading on May 16, 2006, rezones a .28 acre parcel created by the curving alignment of Rock Creek Drive platted as part of the Willow Brook Subdivision. The parcel will be rezoned from L-M-N, Low Density Mixed-Use Neighborhood, to U-E, Urban Estate and made a part of Lot One of Sunrise Ridge First Filing.

AGENDA ITEM SUMMARY
FORT COLLINS CITY COUNCIL

ITEM NUMBER: 17
DATE: May 16, 2006
STAFF: Ted Shepard

SUBJECT

First Reading of Ordinance No. 082, 2006, Amending the Zoning Map of the City by Changing the Zoning Classification for that Certain Property Known as the Willow Brook Parcel F Rezoning.

RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

EXECUTIVE SUMMARY

This is a request to rezone a .28 acre parcel from L-M-N, Low Density Mixed-Use Neighborhood, to U-E, Urban Estate. The parcel is a remnant created by the curving alignment of Rock Creek Drive platted as part of the Willow Brook Subdivision. This curvature is necessary in order to create a future intersection of Rock Creek Drive with Strauss Cabin Road that is not in conflict with the steep grades associated with the Fossil Creek Reservoir Inlet Ditch. Upon rezoning, it is proposed that Parcel F be made a part of Lot One of Sunrise Ridge First Filing.

BACKGROUND

Surrounding Zoning and Land Uses:

The surrounding zoning and land uses are as follows:

- | | | |
|----|--------|---|
| N: | H-C; | Existing and developing multi-family (Brookfield Subdivision – marketed as Morningside Townhomes) |
| S: | L-M-N; | Existing stormwater detention pond for Willow Brook Subdivision (marketed as Observatory Village) |
| E: | U-E; | Existing semi-rural single family detached (Proposed Sunrise Ridge First Filing) |
| W: | L-M-N; | Existing Single Family Attached (Willow Brook Subdivision – marketed as Observatory Village) |

Article Four – Urban Estate Zone District:

The platting of Northern Lights Drive and Rock Creek Drive has created a triangular-shaped parcel that is now isolated from the Willow Brook Subdivision. The parcel, however, borders the Sunrise Ridge First Annexation which is zoned Urban Estate. The parcel now has more in common, and has the potential to become a part of the Sunrise First Subdivision than to become part of Willow Brook. As stated in the Land Use Code:

“(A) Purpose. The Urban Estate District is intended to be a setting for a predominance of low-density and large-lot housing. The main purposes of this District are to acknowledge the presence of the many existing subdivisions which have developed in these uses that function as parts of the community and to provide additional locations for similar development, typically in transitional locations between more intense urban development and rural or open lands.”

Structure Plan:

The *City Structure Plan*, an element of the City’s Comprehensive Plan, is a map that sets forth a basic framework, showing how Fort Collins should grow and evolve over the next 20 years. The map designates the parcel as “Low Density Mixed-Use.” The parcel to the east is designated as “Urban Estate.”

The City’s Structure Plan Map was adopted primarily to guide the zoning of properties located outside the city limits but within the Growth Management Area (GMA). To a lesser degree, the Map also guides the rezoning of parcels located within the city limits. The Map, however, was never intended to be parcel-specific, especially to a level of exactitude that would govern a parcel the size of .28 acre.

Under a sub-heading titled “How to Use the City Structure Plan Map,” *City Plan* states:

“...the map is only intended to serve as a general guide for future land use decisions. It is not a zoning map. Many of the boundaries on the map are generalized for illustrative purposes, and in actuality may vary somewhat when applied “on the ground” as a result of natural and man-made features or as a result of varying conditions or circumstances.”

Based on this role and function of the Structure Plan Map, and because the site is only .28 acre, the Map does not require an amendment in this case.

Article Three – Map Amendment:

Section 2.9.2(H)(2) states:

“Any amendment to the Zoning Map shall be recommended for approval only if the proposed amendment is warranted by changed conditions within the neighborhood surrounding and including the subject property.”

Staff finds the change in condition is the establishment of the Rock Creek Drive alignment. Normally, Rock Creek Drive would be extended due east without deviation and intersect with Strauss Cabin Road. This is impossible due to the steep grades of the Fossil Creek Reservoir Inlet Ditch. Based on this topography, the alignment is required to be shifted to the southeast. This creates a triangular-shaped remnant parcel bounded by Rock Creek Drive, Northern Lights Road and the westerly property line of Sunrise Ridge First Annexation.

Findings of Fact:

In evaluating the request to rezone Willow Brook Parcel F from Low Density Mixed-Use Neighborhood to Urban Estate, staff makes the following findings of fact:

- A. The shape and size of the Parcel F is man-made due to the City's requirement of Willow Brook Subdivision to dedicate a right-of-way for a collector road to their easterly property line. Rock Creek Drive is expected to continue southeast with the pending Sunrise Ridge First Filing and intersect with Strauss Cabin Road. This intersection is planned to avoid a conflict with the steep grades associated with the Fossil Creek Reservoir Inlet Ditch
- B. The rezoning complies with the procedures and standards of Section 2.9, Amendment to Zoning Map, of the Land Use Code. Specifically, the rezoning is warranted by a change in conditions due to the platting of two public streets and the curving alignment of Rock Creek Drive.
- C. The request for Urban Estate zoning does not require an amendment to the City's Structure Plan Map.

PLANNING AND ZONING BOARD RECOMMENDATION:

The Planning and Zoning Board voted 6-0 on March 16, 2006, to recommend approval of Willow Brook Parcel F Rezoning, #8-99I.

COPY

ORDINANCE NO. 082, 2006
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING THE ZONING MAP OF THE
CITY OF FORT COLLINS BY CHANGING THE ZONING
CLASSIFICATION FOR THAT CERTAIN PROPERTY KNOWN
AS THE WILLOW BROOK PARCEL F REZONING

WHEREAS, Division 1.3 of the Fort Collins Land Use Code (the "Land Use Code") establishes the Zoning Map and Zone Districts of the City; and

WHEREAS, Division 2.9 of the Land Use Code establishes procedures and criteria for reviewing the rezoning of land; and

WHEREAS, in accordance with the foregoing, the Council has considered the rezoning of the property which is the subject of this ordinance, and has determined that the said property should be rezoned as hereafter provided; and

WHEREAS, the Council has further determined that the proposed rezoning 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 Council has also analyzed the proposed rezoning against the considerations as established in Section 2.9.4(H)(3) of the Land Use Code.

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

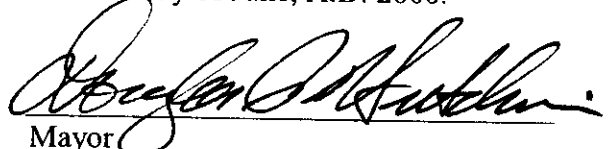
Section 1. That the Zoning Map adopted by Division 1.3 of the Land Use Code is hereby amended by changing the zoning classification from "LMN", Low Density Mixed Use Neighborhood Zone District, to "UE", Urban Estate Zone District, for the following described property in the City known as the Willow Brook Parcel F Rezoning:

Parcel F, Willow Brook Subdivision, County of Larimer, State of Colorado.

Section 2. That the Sign District Map adopted pursuant to Section 3.8.7(E) of the Land Use Code be, and the same hereby is, changed and amended by showing that the above-described property is included in the Residential Neighborhood Sign District.


Section 3. 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 16th day of May, A.D. 2006, and to be presented for final passage on the 6th day of June, A.D. 2006.



Mayor

ATTEST:



City Clerk / Chief Deputy

Passed and adopted on final reading on the 6th day of June, A.D. 2006.

Mayor

ATTEST:

City Clerk