

# **AGENDA**

OF THE

COUNCIL OF THE CITY OF FORT COLLINS, COLORADO

May 15, 2001

## **Proclamations and Presentations**

**5:30 p.m**

- A. Presentation of a Proclamation to City Council by Representatives of the Greeley Independence Stampede Proclaiming June 23, 2001, as "Fort Collins Day at the Greeley Stampede."
- B. Presentation of Awards to "Friends of Preservation".
- C. Proclamation Proclaiming May 19, 2001 as "Forget-Me-Not Day".
- D. Proclamation Proclaiming the Month of May, 2001 as "Foster Care Month".

## **Regular Meeting**

**6:00 p.m.**

### PLEDGE OF ALLEGIANCE

- 1. CALL MEETING TO ORDER.
- 2. ROLL CALL.
- 3. CITIZEN PARTICIPATION (limited to 30 minutes)
- 4. CITIZEN PARTICIPATION FOLLOW-UP:

This is an opportunity for the Mayor or Councilmembers to follow-up on issues raised during Citizen Participation.

- 5. AGENDA REVIEW: CITY MANAGER

## 6. CONSENT CALENDAR

The Consent Calendar consists of Item Numbers 7 through 20. This Calendar is intended to allow the City Council to spend its time and energy on the important items on a lengthy agenda. Staff recommends approval of the Consent Calendar. Anyone may request an item on this calendar to be "pulled" off the Consent Calendar and considered separately. Agenda items pulled from the Consent Calendar will be considered separately under Agenda Item #27, Pulled Consent Items. The Consent Calendar consists of:

- 1) Ordinances on First Reading that are routine;
- 2) Ordinances on Second Reading that are routine;
- 3) Those of no perceived controversy;
- 4) Routine Administrative actions.

## CONSENT CALENDAR

7. Consideration and approval of the Council Meeting minutes of the adjourned meeting of April 9, 2001 and the Special Organizational meeting of April 10, 2001.
8. Second Reading of Ordinance No. 80, 2001, Appropriating Prior Year Reserves and Unanticipated Revenue in the General Fund for Promotion of Convention and Visitor Activities and for Cultural Development and Programming Activities.

This Ordinance, which was unanimously adopted on First Reading on May 1, 2001, appropriates 2000 lodging tax receipts dedicated to the Convention and Visitors Bureau, Cultural Development and Programming (CDP), Visitor Events, and Tourism Capital. In addition, it appropriates unexpended 2000 appropriations for CDP, Visitor Events, and Tourism Capital and unanticipated revenue received in 2001 for Visitor Events.

9. Hearing and Second Reading of Ordinance No. 81, 2001, Authorizing the Issuance of Variable Rate Economic Development Revenue Bonds for the Residence at Oakridge Project.

On February 15, 2000, Council adopted Resolution 2000-32 indicating its willingness to issue tax-exempt private activity bonds for the Residence at Oakridge Project. On February 6, 2001, Council adopted Resolution 2001-18 extending the time for the Project to complete the financing. The financing team has completed the negotiations required to issue the bonds. This Ordinance, which was unanimously adopted on First Reading on May 1, 2001, authorizes the issuance of variable rate economic development revenue bonds for the Oakridge Project.

10. Second Reading of Ordinance No. 84, 2001, Authorizing the Conveyance of a Temporary Construction Easement for the Construction of Road Improvements Relating to the Widening of South Shields Street Adjacent to the Colina Mariposa Natural Area.

The City of Fort Collins owns the Colina Mariposa Natural Area on the southeast corner of Shields Street and Trilby Road as part of the City's Natural Areas program. The County is proposing to widen a portion of Shields Street adjacent to Colina Mariposa (which is still in the County) in coordination with road widening work that is being done by the Registry Ridge development. The road improvements involve widening the existing narrow two-lane road to provide bike lanes. Ordinance No. 84, 2001, which was unanimously adopted on First Reading on May 1, 2001, authorizes the conveyance of a temporary construction easement relating to the widening of south Shields Street.

11. Second Reading of Ordinance No. 85, 2001, Authorizing the Lease of a Portion of Running Deer Natural Area to Hageman Earth Cycle, Inc.

This Ordinance, which was unanimously adopted on First Reading on May 1, 2001, authorizes the City Manager to enter into a lease agreement with Hageman Earth Cycle, Inc. for up to 5 years on approximately 16-acres of land owned by the City. The lease agreement allows Hageman to continue operations of the landscape materials and composting business that has been in operation on the site for approximately 10 years.

12. Second Reading of Ordinance No. 86, 2001, Amending the Zoning Map of the City of Fort Collins By Changing the Zoning Classification for that Certain Property Known as the Speights PUD Rezoning.

This is a request to rezone 1.02 acres located on the east side of Timberline Road between Bighorn Road and Caribou Drive, and west of Stoney Creek Drive. The site is currently divided into two lots and a tract. Lot 6 is the existing Countryside Animal Hospital, Lot 7 is vacant, and Tract A is a City-owned storm drainage channel. The requested zoning for this property is LMN - Low Density Mixed-Use Neighborhood. The surrounding properties are zoned LMN - Low Density Mixed-Use Neighborhood (to the south), RL - Low Density Residential (to the east), and E - Employment (to the north and west). Ordinance No. 86, 2001, was unanimously adopted on First Reading on May 1, 2001.

13. Items Relating to the City's Fiscal Year 2001-2002 Community Development Block Grant and Home Investment Partnerships Programs.

A. Second Reading of Ordinance No. 87, 2001, Appropriating Unanticipated Revenue and Authorizing the Transfer of Appropriations Between Program Years in the Community Development Block Grant Fund.

- B. Second Reading of Ordinance No. 88, 2001, Appropriating Unanticipated Revenue in the Home Investment Partnerships Fund.

Ordinance No. 87, 2001 and Ordinance No. 88, 2001, were unanimously adopted on First Reading on May 1, 2001, and appropriate funds to be received for the CDBG and HOME programs, and transfer into the federal 2001-2002 fiscal year programs unexpended program funds from prior year CDBG programs.

14. Second Reading of Ordinance No. 90, 2001, Amending the Zoning Map of the City of Fort Collins by Changing the Zoning Classification for That Certain Property Known as the Poudre Development Parcel Rezoning.

This is a request to rezone the Poudre Development parcel from T, Transition, to C-C-R, Community Commercial – Poudre River. The parcel is 21.7 acres in size and located on the east side of the Poudre River bounded by Linden Street, Buckingham Street and First Street. Buckingham Park forms the southeast border of the site. The parcel was zoned T, Transition, upon the adoption of City Plan in March of 1997. Ordinance No. 90, 2001, was unanimously adopted on First Reading on May 1, 2001.

15. First Reading of Ordinance No. 93, 2001, Appropriating Unanticipated Revenue and Authorizing the Transfer of Appropriations for the Local and Regional Transportation Demand Management Programs the Regional Vanpool Program and Transportation Planning.

The \$91,000 is unspent 2000 Regional TDM program funds. In April 2001, the North Front Range Transportation and Air Quality Planning Council approved expenditures of these funds on SMART*Trips* marketing and business outreach activities, the purchase of a van for the Van*GO* program, and support of MPO administrative expenses.

The \$16,529 CMAQ funds will be used to pay for accounting support of the 12 City CMAQ projects – TDM, air quality, and alternative fuel activities. The funding for the CMAQ projects is through a contract with the Colorado Department of Transportation, and the funding for these projects was approved by Council at its February 20, 2001 meeting.

16. First Reading of Ordinance No. 94, 2001, Designating the Nix Farm, 1745 Hoffman Mill Road, as a Local Landmark Pursuant to Chapter 14 of the Code of the City of Fort Collins.

The owner of the property, the City of Fort Collins, is initiating this request for local landmark designation for the Nix Farm. The property contains two residences, a ramp barn, and an equipment/animal shed. These buildings and structures have architectural significance to Fort Collins, as excellent examples of both Craftsman and vernacular, farm-related architecture. The

ramp barn in particular is highly significant as a rare example of this specialized barn construction technique. Additionally, the Nix Farm buildings and site have historical significance to Fort Collins, for their representation of and association with the agricultural development of Fort Collins.

17. First Reading of Ordinance No. 95, 2001, Authorizing the Conveyance of a Non-Exclusive Utility Easement to QWest Corporation and Appropriating Unanticipated Revenue in the Conservation Trust Fund Trail Acquisition and Development Project.

The Poudre River Trail west of Shields Street is located on land owned by the City of Fort Collins for the trail. QWest will be crossing perpendicular to the trail with a new telecommunication line. The new line will be bored under the trail.

18. Resolution 2001-70 Adopting the Recommendation of the Cultural Resources Board Regarding Fort Fund Disbursements.

On November 30, 1998 revised guidelines for the Cultural Development and Programming and Tourism accounts (Fort Fund) were adopted and approved through the City Manager's office. The revised guidelines created a three-tiered funding system for organizations that apply for grants from Fort Fund. Tier #1 was established as an annual programming fund for organizations whose primary purpose is to present three or more public events annually. These groups may apply for funding from Tier #1 each April. Tier #2 allows organizations that are not eligible for Tier #1 support to apply for funding of events that are not fund-raising in nature and do not generate more than \$2,500 in proceeds after expenses. Tier #3 allows organizations that are not eligible for Tier #1 support to apply for funding of events that generate more than \$2,500 in proceeds after expenses and are fund-raising in nature. Applications for support from Tier #2 and Tier #3 are accepted each January and June.

19. Resolution 2001-71 Approving the Preliminary Report of the Director of Community Planning and Environmental Services for Harmony Half Acres Special Improvement District No. 92, Determining the Number of Annual Installments, the Interest Rate to Be Charged on Unpaid Installments, the Property to Be Assessed for the Improvements, the Assessment Method and the Date When the Council Will Hold a Hearing and Consider the Ordering by Ordinance of the Proposed Improvements.

Property owners in the Harmony Half Acres Subdivision have petitioned the City to create a Special Improvement District (SID) for street, lighting, drainage, and curb-and-gutter improvements in their neighborhood.

Creation of an SID leads to a construction project in which the property owners are assessed for the cost of constructing the improvements that benefit their neighborhood. The first steps in creating this SID have already been taken. The property owners have submitted petitions asking for

creation of the district. Resolution 2001-14, approved by the Council on February 6, 2001, accepted the petitions and directed the Director of Community Planning and Environmental Services to draw up plans and an estimate of the improvements.

At the regular municipal election on April 3, 2001 a ballot-issue relating to the issuance of bonds as a method of financing the improvements was submitted to the eligible electors in the proposed District. The ballot-issue was approved by a vote of 18-4.

With the passage of the ballot issue, the petitioning property owners have asked to proceed with formation of the District. The next step in creating a District is consideration of Resolution 2001-71 adopting the plans, specifications, estimated cost, and the method of assessment for the SID.

20. Routine Easements.

- A. Easement for construction and maintenance of public utilities from Charles Chiappinelli and Megan and Steven Schneebaum to install a pad transformer to underground existing overhead electric system, located at 310 South Whitcomb. Monetary consideration: \$100. Staff: Patti Teraoka.
- B. Drainage and utility easement dedication from Darrell Knudson, located in Pineview PUD Phase I and II. Monetary consideration: \$10. Staff: Helen Matson.
- C. Deed of dedication for easement from Melody Homes, Inc., for a temporary turnaround, located between Shields Street and College Avenue, south of Trilby Road. Monetary consideration: \$10. Staff: Sheri Wamhoff.

**\*\*\*END CONSENT\*\*\***

21. Consent Calendar Follow-up.

This is an opportunity for Councilmembers to comment on items adopted or approved on the Consent Calendar.

22. Staff Reports.

23. Councilmember Reports.

**Committees that have met since May 1 include:**

*Legislative Review Committee*

*NFRT&AQPC*

**ITEMS NEEDING INDIVIDUAL CONSIDERATION**

24. Resolution 2001-72 Approving and Adopting the Transfort Service Plan as an Element of the Transfort Strategic Operating Plan.

The Transfort Strategic Plan is a plan for the development of transit services in the Fort Collins urban growth area through 2010. Staff is asking City Council to adopt the Service Plan Element of the Transfort Strategic Plan as the city's guide to the implementation of transit services over the next nine years. After City Council adopts the Service Plan element of the Transfort Strategic Plan, staff and consultants will prepare an Operations Plan to assist staff in the implementation of the new service designs. Any service changes made in the Operations Plan, requiring new resources, will be addressed by Council during the budget process(es).

25. First Reading of Ordinance No. 92, 2001, Amending the Zoning Map of the City of Fort Collins by Changing the Zoning Classification for that Certain Property Known as the Timberline Lane Rezoning.

The parcel consists of approximately .75± acres located south and adjacent to Timberline Lane, and west and adjacent to Timberline Road. The site contains one mobile home with a detached garage.

Staff has recommended approval on the basis that the request generally complies with the comprehensive plan (*City Plan*); the *City Structure Plan*, an element of the City's comprehensive plan; and, the *Harmony Corridor Plan*. Consistency with the comprehensive plan is sufficient for approval of the request; however, the Planning and Zoning Board found that the request does not meet all applicable criteria of Section 2.9.4 (H) of the Land Use Code. The Board determined that the request is not warranted by changed conditions within the neighborhood surrounding and including the subject property, and the proposed zone change is not compatible with existing and proposed land uses. On May 1, this item was postponed to this date and time at the request of the petitioner, J.D. Padilla.

26. Second Reading of Ordinance No. 91, 2001, Amending the Zoning Map of the City of Fort Collins by Changing the Zoning Classification for that Certain Property Known as the Ridgewood Hills Rezoning.

The area consists of approximately 14 acres and 50+ parcels of land. The area is located south and adjacent to Trilby Road and includes properties fronting upon Yuma Court, Yuma Place and "Yuma Court" extended (private street). The area currently contains a mix of single family detached homes, duplexes, townhomes, a daycare center and one undeveloped lot. This area was inadvertently zoned RL in March of 1997 when the City was comprehensively rezoned. This is a staff initiated request that is viewed as needed to correct an oversight.

Staff and the Planning and Zoning Board have recommended approval on the basis that the request complies with the comprehensive plan (*City Plan*) and the *City Structure Plan*, an element of the City's comprehensive plan. The most significant issue, from a neighborhood perspective, has been the impacts of LMN zoning upon the future development of the vacant tract of land in the southeast corner of Trilby Road and Avondale Road. Ordinance No. 91, 2001, was adopted by a 6-1 vote on May 1, 2001.

27. Pulled Consent Items.
28. Other Business.
29. Adjournment.