

ORDINANCE NO. 091, 2023  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
AMENDING THE BOUNDARY OF THE FORT COLLINS HISTORIC LANDMARK AT  
401 SMITH STREET, THE LOOMIS-JONES PROPERTY,  
PURSUANT TO CHAPTER 14 OF THE CODE OF THE CITY OF FORT COLLINS

WHEREAS, it is a matter of public policy that the protection, enhancement and perpetuation of sites, structures, objects, and districts of historic, architectural, archeological, or geographic significance, located within the City, are a public necessity and are required in the interest of the prosperity, civic pride and general welfare of the people; and

WHEREAS, it is the policy of the City Council that the economic, cultural and aesthetic standing of this City cannot be maintained or enhanced by disregarding the historic, architectural, archeological and geographical heritage of the City and by ignoring the destruction or defacement of such cultural assets; and

WHEREAS, the Loomis-Jones Property, located at 401 Smith Street in Fort Collins (the Property) was designated as a Fort Collins landmark by Ordinance No. 136, 2008, adopted on December 2, 2008, for the Property's significance to Fort Collins under Standards 1 – Events/Trends and 3 – Design/Construction, contained in Municipal Code Section 14-22(a); and

WHEREAS, the Property owners have requested an amendment to the existing designation, specifically a modification to the boundary to exclude all but the eastern 108 feet of the lot, upon which the historic property is situated; and

WHEREAS, on April 19, 2023, the Historic Preservation Commission determined that the amendment to the Property's landmark boundary is consistent with the City's Policies in Municipal Code 14-1 and Purposes in Municipal Code 14-2 and would not result in adverse effects to the Property provided any structure constructed on the portion of the Property removed from the original landmark designation boundary by this Ordinance is twenty-six feet or less in height; and

WHEREAS, City Historic Preservation staff do not have any records of any historic preservation loans or grants made based on the originally designated property; the current owners acquired the property on February 13, 2023, which transfer of ownership would have required satisfaction of any City historic preservation liens, and so no amendments are needed to any grant or loan agreements as a result of this boundary change; and

WHEREAS, the amendment of the landmark designation boundary will continue to further the City's prosperity, civic pride, and general welfare fostered by historic preservation and is in the best interest of the City.

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 boundary of the landmark Property located in the City of Fort Collins, Larimer County, Colorado, described as follows, to wit:

NORTH 53 FEET OF LOT 4, BLOCK 164, CITY OF FORT COLLINS  
ALSO KNOWN BY STREET AND NUMBER AS 401 SMITH STREET  
CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO

be amended to read as follows:

NORTH 53 FEET & E 108 FEET OF LOT 4, BLOCK 164, CITY OF FORT COLLINS  
ALSO KNOWN BY STREET AND NUMBER AS 401 SMITH STREET  
CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO

Section 3. That the criteria contained in Chapter 14, Article IV of the City Code will continue to serve as the standards by which alterations, additions and other changes to buildings and structures located upon the above-described Property will be reviewed.

Section 4. That any subdivision plat that includes land that was included in the original landmark designation but by this Ordinance would no longer lie within the Property's landmark boundary, anticipated to be addressed off Magnolia Street, shall include a requirement for any structure built on the lot not to exceed a height of twenty-six feet.

Section 5. That in compliance with Section 14-36 of the City Code, the City shall, within fifteen days of the effective date of this Ordinance, record among the real estate records of the Larimer County Clerk and Recorder a certified copy of this Ordinance designating the property.

Introduced, considered favorably on first reading and ordered published this 20th day of June, 2023, and to be presented for final passage on the 18th day of July, 2023.

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Mayor

ATTEST:

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Deputy City Clerk

Passed and adopted on final reading this 18th day of July, 2023.

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Mayor

ATTEST:

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Deputy City Clerk