



AGENDA ITEM SUMMARY

City Council

STAFF

Kai Kleer, City Planner
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SUBJECT

Resolution 2022-082 Setting Forth Findings of Fact and Determinations Regarding the Peakview Annexation No. 1.

EXECUTIVE SUMMARY

The purpose of this item is to determine substantial compliance and initiate annexation proceedings for the Peakview Annexation No. 1. The Applicant has submitted a written petition requesting the annexation and proposed zoning. The Peakview Annexation No. 1 totals 5.7-acres and is located generally northeast of the East Mulberry Street and Greenfields Court intersection.

The requested zoning for this annexation is General Commercial (C-G), Neighborhood Commercial (N-C), and Medium Density Mixed-Use Neighborhood (M-M-N), in compliance with the City of Fort Collins Structure Plan and the East Mulberry Corridor Plan. No project development plan proposal was submitted in conjunction with the annexation application.

This annexation request is in conformance with the State of Colorado Revised Statutes as they relate to annexations, the City of Fort Collins City Plan, and the Larimer County and City of Fort Collins Intergovernmental Agreement Regarding Growth Management.

STAFF RECOMMENDATION

Staff recommends adoption of the Resolution.

BACKGROUND / DISCUSSION

The Peakview property has been under review by Larimer County for several years for a Planned Land Development and Preliminary Plat. The developers of Bloom Filing One (including property west of the Peakview site) would like to build the arterial street improvements for Greenfields Drive later this fall, part of which is within the Peakview development currently in the county. The Peakview project is anticipated to be gaining final county approval of the Preliminary Plat also this fall. The ability of having the arterial right-of-way be under one jurisdiction at the time of construction simplifies the issue of posting of collateral and of construction inspections. This annexation will allow the future arterial right-of-way to all be under city jurisdiction prior to construction.

The Peakview Annexation No. 1 includes street right-of-way only. A petition for the future Peakview Annexation No. 2, which includes the remainder of the property to the east, will be accepted by the City after Larimer County approval of the associated Peakview development plan (see attached annexation sequence map). The Peakview Annexation No. 1 has a total contiguous perimeter (2,646.37 feet) of 40%,

which satisfies the one-sixth (1/6) area required. Contiguity is gained from the Springer-Fisher and Whitham Farms Annexations.

The proposed Resolution makes a finding that the petition substantially complies with the Municipal Annexation Act, determines that a hearing should be established regarding the annexation, and directs that notice be given of the hearing. The hearing will be held at the time of First Reading of the annexation and zoning ordinances. The proposed zoning of a property to be annexed is not a requirement under § 31-12-107, C.R.S., and discussion of zoning issues should be reserved for the zoning review that will occur concurrent to the first reading for the annexation. At least 30 days prior notice of the hearing is required by state law.

The property is located within the Fort Collins Growth Management Area (GMA). According to policies and agreements between the City of Fort Collins and Larimer County contained in the Intergovernmental Agreement for the Fort Collins Growth Management Area, the City agrees to consider annexation of property in the GMA when the property is eligible for annexation according to State law.

CITY FINANCIAL IMPACTS

The annexation and zoning will not result in any initial direct significant financial/economic impacts. Electric service will be transferred from Poudre Valley REA to Fort Collins Light and Power. Future development will also trigger the transition of law enforcement from Larimer County Sheriff to Fort Collins Police Services. Water utility services will continue to be provided by the East Larimer Water (ELCO) District, and wastewater utility service by the Boxelder Sanitation District.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

The Planning and Zoning Commission will conduct a public hearing on the annexation and zoning request on August 18, 2022. The Commission’s recommendation will be forwarded to Council as part of the First Reading of the annexation and zoning ordinances on September 20, 2022.

PUBLIC OUTREACH

There was no public outreach for this initiating Resolution, as this Resolution simply accepts the Annexation Petition and provides a schedule for upcoming Council hearings, with a schedule and notification requirements that comply with State Statutes.

ATTACHMENTS

1. Resolution for Consideration
2. Vicinity Map
3. Petition
4. Applicant Narrative
5. Annexation Map
6. Structure Plan Map
7. East Mulberry Corridor Plan Map
8. Existing Zoning Map
9. Sequence Map