

ORDINANCE NO. 100, 2022
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 PEAKVIEW ANNEXATION NO. 1 TO THE
CITY OF FORT COLLINS, COLORADO,
AND APPROVING CORRESPONDING CHANGES TO THE RESIDENTIAL
NEIGHBORHOOD SIGN DISTRICT MAP AND LIGHTING CONTEXT AREA MAP

WHEREAS, on October 4, 2022, the City Council adopted on second reading Ordinance No. 099, 2022, annexing to the City of Fort Collins the property known as the Peakview Annexation No. 1 (the “Property”); and

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, pursuant to Land Use Code Section 2.9.2, the City Planning and Zoning Commission, at its meeting on August 18, 2022, unanimously recommended zoning the Property to be known as the Peakview Annexation No. 1 (the “Property”) as General Commercial (“C-G”) Zone District; Medium Density Mixed-Use Neighborhood (“M-M-N”) Zone District; and Neighborhood Commercial (“N-C”) Zone District, as more particularly described below and determined that the proposed zonings are consistent with the City’s Comprehensive Plan; and

WHEREAS, the City Council has determined that the proposed zonings of the Property are consistent with the City’s Comprehensive Plan; and

WHEREAS, to the extent applicable, the City Council has also analyzed the proposed zonings against the applicable criteria set forth in Section 2.9.4(H)(3) of the Land Use Code and finds the proposed zonings to be in compliance with all such criteria; and

WHEREAS, in accordance with the foregoing, the City Council has considered the zonings of the Property as described below, finds it to be in the best interests of the City, and has determined that the 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 City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. 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 following portion of the Property in the General Commercial ("C-G") Zone District as more particularly described as:

COMMENCING AT THE NORTHWEST CORNER OF THE EAST 1/2, OF THE SOUTHWEST 1/4 OF SAID SECTION 9;

THENCE ON THE WEST LINE OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 9, S00°14'19"W A DISTANCE OF 1981.03 FEET TO THE POINT OF BEGINNING;

THENCE S89°59'11"E A DISTANCE OF 135.68 FEET;

THENCE S14°51'36"E A DISTANCE OF 44.23 FEET, TO A POINT OF CURVE;

THENCE ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF 03°07'00" AND AN ARC LENGTH OF 1.09 FEET, TO A POINT OF REVERSE CURVE;

THENCE ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 129.00 FEET, A CENTRAL ANGLE OF 08°04'32" AND AN ARC LENGTH OF 18.18 FEET, TO A POINT OF TANGENT;

THENCE S19°49'08"E A DISTANCE OF 108.53 FEET, TO A POINT OF CURVE;

THENCE ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 179.00 FEET, A CENTRAL ANGLE OF 01°22'20" AND AN ARC LENGTH OF 4.29 FEET, TO A POINT OF TANGENT;

THENCE S21°11'28"E A DISTANCE OF 91.99 FEET, TO A POINT OF CURVE;

THENCE ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 49.00 FEET, A CENTRAL ANGLE OF 62°31'40" AND AN ARC LENGTH OF 53.47 FEET, TO A POINT OF REVERSE CURVE;

THENCE ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 541.00 FEET, A CENTRAL ANGLE OF 05°46'51" AND AN ARC LENGTH OF 54.58 FEET, TO A POINT OF COMPOUND CURVE;

THENCE ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 291.00 FEET, A CENTRAL ANGLE OF 09°27'22" AND AN ARC LENGTH OF 48.03 FEET, TO A POINT OF COMPOUND CURVE;

THENCE ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 29.00 FEET, A CENTRAL ANGLE OF 17°32'15" AND AN ARC LENGTH OF 8.88 FEET, TO A POINT OF TANGENT;

THENCE S50°56'41"E A DISTANCE OF 28.81 FEET, TO A POINT OF CURVE;

THENCE ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF 09°31'31" AND AN ARC LENGTH OF 3.32 FEET, TO A POINT OF REVERSE CURVE;

THENCE ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 283.00 FEET, A CENTRAL ANGLE OF 25°29'51" AND AN ARC LENGTH OF 125.94 FEET, TO A POINT OF TANGENT;

THENCE S34°58'22"E A DISTANCE OF 155.19 FEET, TO A POINT OF CURVE;

THENCE ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 217.00 FEET, A CENTRAL ANGLE OF 48°41'45" AND AN ARC LENGTH OF 184.43 FEET, TO A POINT OF NON-TANGENT ON THE NORTHERLY RIGHT-OF-WAY LINE OF MULBERRY STREET;

THENCE ON SAID NORTHERLY RIGHT-OF-WAY LINE, N89°11'21"W A DISTANCE OF 161.98 FEET TO A POINT OF NON-TANGENT CURVE;

THENCE ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS N41°03'41"E, HAVING A RADIUS OF 283.00 FEET, A CENTRAL ANGLE OF 13°57'58" AND AN ARC LENGTH OF 68.98 FEET, TO A POINT OF TANGENT;

THENCE N34°58'22"W A DISTANCE OF 155.19 FEET, TO A POINT OF CURVE;

THENCE ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 217.00 FEET, A CENTRAL ANGLE OF 12°12'50" AND AN ARC LENGTH OF 46.26 FEET, TO A POINT OF COMPOUND CURVE;

THENCE ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF 19°54'23" AND AN ARC LENGTH OF 6.95 FEET, TO A POINT OF TANGENT;

THENCE N67°05'34"W A DISTANCE OF 29.69 FEET, TO A POINT OF CURVE;

THENCE ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 29.00 FEET, A CENTRAL ANGLE OF 07°34'05" AND AN ARC LENGTH OF 3.83 FEET, TO A POINT OF REVERSE CURVE;

THENCE ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 189.00 FEET, A CENTRAL ANGLE OF 15°18'19" AND AN ARC LENGTH OF 50.49 FEET TO A POINT OF COMPOUND CURVE;

THENCE ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 409.00 FEET, A CENTRAL ANGLE OF 17°14'40" AND AN ARC LENGTH OF 123.10 FEET, TO A POINT OF COMPOUND CURVE;

THENCE ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 54.00 FEET, A CENTRAL ANGLE OF 43°02'58" AND AN ARC LENGTH OF 40.57 FEET, TO A POINT OF COMPOUND CURVE;

THENCE ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 79.00 FEET, A CENTRAL ANGLE OF 50°07'19" AND AN ARC LENGTH OF 69.11 FEET, TO A POINT OF TANGENT;

THENCE S05°14'45"E A DISTANCE OF 94.32 FEET, TO A POINT OF CURVE;

THENCE ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 10.00 FEET, A CENTRAL ANGLE OF 35°00'00" AND AN ARC LENGTH OF 6.11 FEET, TO A POINT OF NON-TANGENT REVERSE CURVE;

THENCE ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS S56°47'06"E, HAVING A RADIUS OF 10.12 FEET, A CENTRAL ANGLE OF 38°04'04" AND AN ARC LENGTH OF 6.73 FEET, TO A POINT OF NON-TANGENT REVERSE CURVE;

THENCE ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS S85°00'07"W, HAVING A RADIUS OF 517.00 FEET, A CENTRAL ANGLE OF 05°14'12" AND AN ARC LENGTH OF 47.25 FEET, TO A POINT OF TANGENT;

THENCE S00°14'19"W A DISTANCE OF 11.14 FEET, TO A POINT OF NON-TANGENT CURVE;

THENCE ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N89°37'29"E, HAVING A RADIUS OF 30.51 FEET, A CENTRAL ANGLE OF 28°12'43" AND AN ARC LENGTH OF 15.02 FEET TO A POINT OF NON-TANGENT ON THE NORTHERLY RIGHT-OF-WAY LINE OF SAID MULBERRY STREET;

THENCE ON SAID NORTHERLY RIGHT-OF-WAY LINE, N89°11'21"W A DISTANCE OF 154.79 FEET, TO A POINT ON THE WEST LINE OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 9;

THENCE ON SAID WEST LINE, N00°14'19"E A DISTANCE OF 623.34 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 148,324 SQUARE FEET OR 3.4050 ACRES.

Section 3. 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 following portion of the Property in the Medium Density Mixed-Use Neighborhood ("M-M-N") Zone District as more particularly described as:

BEGINNING AT THE NORTHWEST CORNER OF THE EAST 1/2, OF THE SOUTHWEST 1/4 OF SAID SECTION 9;

THENCE ON THE NORTH LINE OF SAID EAST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 9, S88°55'11"E A DISTANCE OF 42.00 FEET;

THENCE S00°14'19"W A DISTANCE OF 827.07 FEET, TO A POINT OF CURVE;

THENCE ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 84.00 FEET, A CENTRAL ANGLE OF 11°15'25" AND AN ARC LENGTH OF 16.50 FEET, TO A POINT OF TANGENT;

THENCE S11°01'07"E A DISTANCE OF 41.76 FEET, TO A POINT OF CURVE;

THENCE ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 116.00 FEET, A CENTRAL ANGLE OF 11°15'25" AND AN ARC LENGTH OF 22.79 FEET, TO A POINT OF TANGENT;

THENCE S00°14'19"W A DISTANCE OF 75.11 FEET, TO A POINT OF CURVE;

THENCE ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 166.00 FEET, A CENTRAL ANGLE OF 06°41'42" AND AN ARC LENGTH OF 19.40 FEET, TO A POINT OF TANGENT;

THENCE S06°56'01"W A DISTANCE OF 85.38 FEET, TO A POINT OF CURVE;

THENCE ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 134.00 FEET, A CENTRAL ANGLE OF 06°41'42" AND AN ARC LENGTH OF 15.66 FEET, TO A POINT OF TANGENT;

THENCE S00°14'19"W A DISTANCE OF 182.11 FEET, TO A POINT OF CURVE;

THENCE ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 84.00 FEET, A CENTRAL ANGLE OF 09°54'53" AND AN ARC LENGTH OF 14.54 FEET, TO A POINT OF TANGENT;

THENCE S09°40'35"E A DISTANCE OF 22.45 FEET;

THENCE N89°03'37"W A DISTANCE OF 47.12 FEET, TO A POINT ON THE WEST LINE OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 9;

THENCE ON SAID WEST LINE, N00°14'19"E A DISTANCE OF 1320.69 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 57,671 SQUARE FEET OR 1.3239 ACRES.

Section 4. 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 following portion of the Property in the Neighborhood Commercial ("N-C") Zone District as more particularly described as:

COMMENCING AT THE NORTHWEST CORNER OF THE EAST 1/2, OF THE SOUTHWEST 1/4 OF SAID SECTION 9;

THENCE ON THE WEST LINE OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 9, S00°14'19"W A DISTANCE OF 1320.69 FEET TO THE POINT OF BEGINNING;

THENCE S89°03'37"E A DISTANCE OF 47.12 FEET;

THENCE S09°40'35"E A DISTANCE OF 29.90 FEET, TO A POINT OF CURVE;

THENCE ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 116.00 FEET, A CENTRAL ANGLE OF 09°54'53" AND AN ARC LENGTH OF 20.07 FEET, TO A POINT OF TANGENT;

THENCE S00°14'19"W A DISTANCE OF 102.11 FEET, TO A POINT OF CURVE;

THENCE ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 166.00 FEET, A CENTRAL ANGLE OF 06°23'15" AND AN ARC LENGTH OF 18.51 FEET, TO A POINT OF TANGENT;

THENCE S06°37'34"W A DISTANCE OF 78.77 FEET, TO A POINT OF NON-TANGENT CURVE;

THENCE ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 134.00 FEET, A CENTRAL ANGLE OF 09°33'20" AND AN ARC LENGTH OF 22.35 FEET, TO A POINT OF COMPOUND CURVE;

THENCE ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1033.00 FEET, A CENTRAL ANGLE OF 09°59'32" AND AN ARC LENGTH OF 180.15 FEET, TO A POINT OF COMPOUND CURVE;

THENCE ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 84.00 FEET, A CENTRAL ANGLE OF 11°47'15" AND AN ARC LENGTH OF 17.28 FEET, TO A POINT OF TANGENT;

THENCE S24°42'34"E A DISTANCE OF 43.84 FEET, TO A POINT OF NON-TANGENT CURVE;

THENCE ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS S64°54'15"W, HAVING A RADIUS OF 108.19 FEET, A CENTRAL ANGLE OF 10°37'19" AND AN ARC LENGTH OF 20.06 FEET, TO A POINT OF NON-TANGENT;

THENCE S14°51'36"E A DISTANCE OF 50.10 FEET;

THENCE S13°42'52"E A DISTANCE OF 50.01 FEET;

THENCE S14°51'36"E A DISTANCE OF 36.74 FEET;

THENCE S14°51'36"E A DISTANCE OF 3.39 FEET;

THENCE N89°59'11"W A DISTANCE OF 135.68 FEET, TO A POINT ON THE WEST LINE OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 9;

THENCE ON SAID WEST LINE, N00°14'19"E A DISTANCE OF 660.34 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 45,758 SQUARE FEET OR 1.0505 ACRES.

Section 5. That the Sign District Map adopted pursuant to Section 3.8.7.1(M) of the Land Use Code of the City of Fort Collins is hereby changed and amended by showing that only the Property zoned as "M-M-N" is included in the Residential Neighborhood Sign District.

Section 6. That the Lighting Context Area Map adopted pursuant to Section 3.2.4(H) of the Land Use Code of the City of Fort Collins is hereby changed and amended by showing that the Property zoned as "M-M-N" is included in the LC1 Lighting Context Area and the Property zoned as "N-C" and "C-G" are included in the LC2 Lighting Context Area.

Section 7. 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 20th day of September, A.D. 2022, and to be presented for final passage on the 4th day of October, A.D. 2022.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading this 4th day of October, A.D. 2022.

Mayor

ATTEST:

City Clerk