

ORDINANCE NO. 019, 2023
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 LANDING AT LEMAY 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, the City has received a request to rezone an approximately seventeen-acre property located within the City east of the intersection Lemay Avenue and Duff Drive (hereinafter, “The Landing at Lemay Rezoning”) from the Industrial (I) zone district to the Medium Density Mixed-Use Neighborhood (M-M-N) zone district; 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 City Council has considered The Landing at Lemay Rezoning and has determined that said property should be rezoned as hereinafter provided; and

WHEREAS, the City Council has further determined that The Landing at Lemay Rezoning, in consideration of the conditions of approval set forth in this Ordinance and a related Structure Plan Map amendment request, is consistent with the City's Comprehensive Plan and is warranted by changed conditions within the neighborhood surrounding and including The Landing at Lemay Rezoning; and

WHEREAS, to the extent applicable, the City Council has also analyzed the proposed rezoning against the considerations as established in Section 2.9.4(H)(3) of the Land Use Code; and

WHEREAS, the Planning and Zoning Commission at its December 15, 2022, regular meeting recommended that Council approve The Landing at Lemay Rezoning and the requested amendment of the Structure Plan Map on a 5-1 vote; and

WHEREAS, the City Council finds that The Landing at Lemay Rezoning is in the best interest of the City.

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

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 approval of The Landing at Lemay Rezoning is conditional upon City Council approving the requested amendment to the Structure Plan Map related to The Landing at Lemay Rezoning on second reading. The Structure Plan Amendment is necessary for The Landing at Lemay Rezone to comply with the Comprehensive Plan. If such Structure Plan Map amendment is not approved on second reading, this Ordinance shall be null and void.

Section 3. That The Landing at Lemay Rezoning is conditional upon the following:

- (A) Residential development within the boundaries of The Landing at Lemay Rezoning shall achieve 15 combined points from the Energy, Renewables, and Water Sub-Categories of the 2021 Residential Metro District Points System.
- (B) Residential development within the boundaries of The Landing at Lemay Rezoning shall achieve 5 combined points from the Neighborhood Livability Category of the 2021 Residential Metro District Points System.

No final plan for residential development within the boundaries of The Landing at Lemay Rezoning shall be approved unless the above two conditions have been satisfied.

Section 4. That the Zoning Map adopted by Division 1.3 of the Land Use Code is hereby amended by changing the zoning classification from Industrial (“I”) Zone District to Medium Density Mixed-Use Neighborhood (“M-M-N”) Zone District, for the following described property in the City known as The Landing at Lemay Rezoning:

PARCEL 1:

A TRACT OF LAND SITUATE IN THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 7 NORTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, LARIMER COUNTY, COLORADO WHICH CONSIDERING THE WEST LINE OF THE SAID NORTHWEST 1/4 AS BEARING SOUTH 02° 04' 03" WEST AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO IS CONTAINED WITHIN THE BOUNDARY LINES WHICH BEGIN AT A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN RAILROAD WHICH BEARS SOUTH 02° 04' 03" WEST 80.00 FEET, AND AGAIN SOUTH 89° 36' 37" EAST 977.15 FEET FROM THE NORTHWEST CORNER OF SAID SECTION 7 AND RUN THENCE SOUTH 89° 36' 37" EAST 265.85 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE:

THENCE SOUTH 02° 04' 03" WEST 420.81 FEET;

THENCE SOUTH 89° 36' 58" EAST 58.51 FEET;

THENCE SOUTH 50° 01' 54" EAST 914.21 FEET TO THE MOST NORTHERLY CORNER OF FORT COLLINS CENTER - SECOND FILING;

THENCE ALONG THE BOUNDARY LINE OF SAID SECOND FILING, SOUTH 39° 58' 06" WEST 658.00 FEET TO THE NORTHWEST CORNER OF FORT COLLINS BUSINESS CENTER - THIRD FILING;

THENCE NORTH 50° 01' 54" WEST 150.00 FEET;

THENCE SOUTH 33° 06' 53" WEST 350.16 FEET;

THENCE NORTH 87° 55' 57" WEST 294.16 FEET;

THENCE NORTH 02° 04' 03" EAST 38.81 FEET;

THENCE NORTH 87° 55' 57" WEST 204.00 FEET;

THENCE NORTH 02° 04' 03" EAST 62.53 FEET;

THENCE NORTH 87° 55' 57" WEST 503.00 FEET;

THENCE NORTH 02° 04' 03" EAST 24.72 FEET TO A POINT ON THE PROPOSED EASTERLY LINE OF LEMAY AVENUE;

THENCE ALONG SAID EASTERLY LINE, NORTH 38° 58' 00" EAST 680.12 FEET;

AND AGAIN ALONG THE ARC OF A 1125.00 FOOT RADIUS CURVE TO THE LEFT A DISTANCE OF 652.52 FEET, THE LONG CHORD OF WHICH BEARS NORTH 22° 21' 01" EAST 643.41 FEET. AND AGAIN NORTH 05° 44' 03" EAST 427.39 FEET TO THE POINT OF BEGINNING,

EXCEPTING THEREFROM, THE PARCELS CONVEYED IN INSTRUMENTS RECORDED OCTOBER 17, 1986 UNDER RECEPTION NO. 86060308, NOVEMBER 13, 1986 UNDER RECEPTION NO. 86066341, MARCH 6, 1988 UNDER RECEPTION NO. 88025752 AND MARCH 28, 2016 UNDER RECEPTION NO. 20160018392, COUNTY OF LARIMER, STATE OF COLORADO.

PARCEL 2:

A TRACT OF LAND BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 7 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF LARIMER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 7 AS BEARING NORTH 00° 33' 51" EAST AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 7; THENCE ALONG SAID WEST LINE, NORTH 00° 33' 51" EAST, 993.59 FEET; THENCE, SOUTH 89° 26' 09" EAST, 794.24 FEET, SAID POINT ALSO BEING ON THE NORTH LINE OF THAT TRACT OF LAND DESCRIBED AT RECEPTION NO. 20070066749;

THENCE ALONG THE NORTH AND WEST LINES OF SAID TRACT THE FOLLOWING 2 COURSES AND DISTANCES: SOUTH 89° 26' 09" EAST, 26.74 FEET; THENCE, SOUTH 00° 33' 51" WEST, 14.55 FEET TO A POINT ON THE WEST LINE OF SAID TRACT; THENCE SOUTH 60° 52' 44" EAST, 100.36 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE NORTHERLY LINE OF THAT TRACT OF LAND DESCRIBED AT RECEPTION NO. 86066341;

THENCE ALONG THE NORTHERLY AND EASTERLY LINES OF SAID TRACT THE FOLLOWING 4 COURSES AND DISTANCES:

SOUTH 89° 26' 09" EAST, 115.85 FEET; THENCE, SOUTH 00° 33' 51" WEST, 38.31 FEET; THENCE SOUTH 89° 26' 09" EAST, 294.18 FEET; THENCE, SOUTH 31° 36' 41" WEST, 162.07 FEET; THENCE DEPARTING SAID EASTERLY LINE, NORTH 60° 52' 44" WEST, 371.65 FEET TO THE POINT OF BEGINNING,

EXCEPTING THEREFROM, THE PARCELS CONVEYED IN INSTRUMENT RECORDED MARCH 28, 2016 UNDER RECEPTION NO. 20160018392, COUNTY OF LARIMER, STATE OF COLORADO.

PARCEL 3:

A TRACT OF LAND BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 7 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF LARIMER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 7 AS BEARING NORTH 00° 33' 51" EAST AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 7; THENCE ALONG SAID WEST LINE, NORTH 00° 33' 51" EAST, 993.59 FEET; THENCE, SOUTH 89° 26' 09" EAST, 794.24 FEET TO THE POINT OF BEGINNING, SAID POINT ALSO BEING ON THE NORTH LINE OF THAT TRACT OF LAND DESCRIBED AT RECEPTION NO. 20070066749; THENCE ALONG THE NORTH AND WEST LINES OF SAID TRACT THE FOLLOWING 2 COURSES AND DISTANCES: SOUTH 89° 26' 09" EAST, 26.74 FEET; THENCE, SOUTH 00° 33' 51" WEST, 14.55 FEET TO A POINT ON THE WEST LINE OF SAID TRACT; THENCE DEPARTING SAID WEST LINE, NORTH 60° 52' 44" WEST, 30.44 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM, THE PARCELS

CONVEYED IN INSTRUMENT RECORDED MARCH 28, 2016 UNDER RECEPTION NO. 20160018392, COUNTY OF LARIMER, STATE OF COLORADO.

Section 3. That the Residential Neighborhood Sign District Map adopted pursuant to Section 3.8.7.1(M) 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 4. 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 subject to The Landing at Lemay Rezoning is included in the LC1 Lighting Context Area.

Section 5. 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 7th day of February, 2023, and to be presented for final passage on the 21st day of February, 2023.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading this 21st day of February, 2023.

Mayor

ATTEST:

City Clerk