

CITY COUNCIL COMMUNICATION



Meeting Date: February 14, 2006

Item Number: RS-11E

Subject: Request for City Council to refer the West Union II properties into the Longmont Planning Area amendment and annexation review process (File #3434)

Type of Item: General Business

Time for Presentation: 5 minutes

Presented By: Brien Schumacher, Principal Planner, 303-651-8764, *BMEN*
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Suggested Action: Provide direction indicating whether City Council authorizes a referral to substantially process a Longmont Planning Area amendment and annexation applications

Background

In March of 2005, City Council authorized the referral for annexation and a Longmont Planning Area amendment for seven properties comprising approximately 350 acres. Since that referral several other property owners have expressed an interest in being part of the West Union annexation and neighborhood planning process.

Proposal description

Jim and Judy Docheff, Frank and Gloria Flores, Ron and Tammy Dick, and Chris Adrian are requesting that City Council refer for substantive review annexations comprising approximately 70 acres (Docheff – 31.6 acres, Flores – 6.6 acres, Dick – 23.4 acres, Adrian (Rider property) – 8.6 acres). In conjunction with the annexation request, an amendment to the Longmont Planning Area (LPA) would also be required to determine appropriate land uses and transportation and public facility requirements.

The Docheff, Flores and Dick properties are on the northern end of the West Union annexation (at the northwest end of Union Reservoir). The Adrian (Rider) property is at the southeast corner of the West Union annexations. The appropriate zoning for the annexations would be determined as part of the annexation and LPA amendment review process.

Process

All Longmont Planning Area (LPA) amendment and annexation requests are referred to Council for consideration of processing of LPA amendment and annexation applications. The attached



“Annexations and Exceptional Benefit Document” can be used as a reference for Council’s review of annexation requests. If Council finds that a basis for substantive review exists (e.g., exceptional benefit), then the application is referred for processing through the Development Review Committee (DRC), Planning and Zoning Commission, and City Council. If Council decides not to refer the LPA amendment and annexation request for substantive review, staff will conduct only the statutory procedural review of the annexation petition, and no development review processing will occur, and no LPA amendment or annexation ordinance will be prepared.

Annexation Exceptional Benefit

The applicants’ description of their proposals provides an analysis of community benefits these annexations will provide, including the following:

1. Providing the City with land use authority of properties in Weld County in proximity to Union Reservoir and along County Line Road;
2. Providing an opportunity for collaboration on land use planning and cost sharing on mutual infrastructure improvements;
3. Providing alternative transportation improvements, including a north-south collector street as an alternative to County Line Road.

Preliminary Analysis

The properties are currently used for rural residential and agriculture uses and are zoned Weld County agricultural. The annexations can meet the state statute one-sixth contiguity requirement with the existing City limits along the west, south and/or east boundaries of the property.

Consistent with the Coordinated Planning Agreement between the City and Weld County, these properties are eligible for annexation to the City. Since they are eligible for annexation, the property owners have approached the City for consideration of this annexation request prior to approaching Weld County with a development proposal within the I-25 MUD (mixed use development) area.

The West Union properties are currently outside of the Longmont Planning Area (LPA). There is a conceptual parks, greenway and open space land use designation around Union Reservoir as part of the eastern buffer. There is also a greenway designation along Spring Gulch. Union Reservoir includes the planned expansion area and the Union Reservoir Recreation Area is designated a district park. County Line Road is designated an arterial street. Weld County Road 26, which extends from County Line Road along the south side of Union Reservoir and continues further east is currently not designated on the Longmont Area Comprehensive Plan (LACP). Weld County Road 28, which goes along the north side of Union Reservoir and continues further east is also not currently designated on the LACP.

Proposed land uses for these annexations and the other properties that will comprise the West Union annexations include a variety of residential densities to create a mixed development pattern that includes residential uses, open space, greenways and trail connections (as shown on the attached conceptual plan). Weld County Road 26 would be designated as a collector or arterial street depending on projected traffic volumes. A north-south collector street is also proposed that would connect Weld County Road 26 with 17th Avenue at County Line Road. As

part of the LPA amendment review, staff would assess the proposed land use designations and transportation connections.

The City currently owns a conservation easement on the entire Dick property which limits the use of the property until such time as the reservoir expansion occurs. Expansion plans indicate that approximately one-half of this property would be affected by the reservoir expansion. If these properties are referred through the review process, the staff would discuss options regarding land uses for the Dick property and potential release of a portion of the conservation easement on the property.

Metro Vision 2030

This property is not part of the urban area for the City according to the Metro Vision 2030 tracking system. As of September 30, 2005, the City is within its suggested land use allocation target (7 square miles in Weld County) for the Metro Vision 2030 plan and currently has 0.34 square miles of urban area in Weld County. The Longmont city limits include 25.65 square miles, with 3.4 square miles within Weld County. If City Council approves the annexation, the acreage of any approved site specific development plan or recorded final plat within the annexation would be added to the amount of urban area that the City is tracking (assuming that other developments do not use this allocation of urban area first).

Services and infrastructure improvements

The City would provide water, sewer, electric, and fire and emergency service to the annexations. There is currently adequate utility capacity to provide services to these annexations. The City will analyze the fire and emergency service needs in conjunction with the annexation review process.

The annexations would be responsible for complying with the City's raw water policy, including transfer of historic water at time of annexation, and satisfaction of water deficits at time of final subdivision plat. Water service to the properties would be provided from two separate pressure zones. The majority of the properties are currently within the Longs Peak Water District and those properties south of Weld County Road 26 are within the Left Hand Water District. The City and applicants would need to comply with the existing agreements between Longs Peak and Left Hand water districts and the City where expansion of water service into their districts by the City is addressed.

Currently, the City is the designated sanitary sewer service provider for these properties as noted in the Areawide Water Quality Management Plan (208 Plan Area) of the North Front Range Water Quality Planning Association. Sewer service would be from a connection with the existing sewer interceptor G along Spring Gulch east of County Line Road. Participation would be required for existing water and sewer main(s) adjacent to or within these properties at the time of subdivision. The applicants would need to extend utility service lines (including electric lines) to and through the properties to provide service consistent with City regulations. The applicants would also be responsible for undergrounding existing electric lines adjacent to or within these properties and for electric service territory transfer.

City Council has discussed previously plans for expansion of Union Reservoir. Based on Council's direction, annexation and development of these properties would not be inconsistent

with the planned reservoir expansion plans. The reservoir elevation increase is anticipated to be approximately 13 feet. Plans for expansion of the reservoir would need to take into account recommendations of the City's Wildlife Management Plan for habitat protection.

Development of this property would need to comply with adopted fire code standards. This property is within the 5 minute, 59 second response time for City fire and emergency service from Fire Station No. 3. The City also has a mutual aid agreement with Mountain View Fire Protection District regarding fire and emergency response. An environmental assessment would also be required in conjunction with the annexation review.

Street access to these properties is proposed from the planned collector street connection at the County Line Road and 17th Avenue intersection, from Weld County Road 26, and from the realigned Weld County Road 28. Access points with County Line Road will need to be consistent with the preliminary design for widening of County Line Road. Traffic signals are anticipated at the County Line Road and 9th Avenue/Weld County Road 26 and County Line Road and 17th Avenue/planned collector street intersections. Weld County Road 26 is planned to be rerouted to align with the Council Line Road and 9th Avenue intersection. Access and street improvements and reimbursements for existing improvements will need to be consistent with street standards, the traffic congestion benchmark, and the recommendations of the transportation impact study for these annexations.

Drainage and greenway improvements would be constructed along Spring Gulch. The Spring Gulch drainage improvements between County Line Road and Highway 119 is an unfunded project in the City's 2006-2010 Capital Improvement Program (CIP). The projected cost for all of the storm drainage improvements is approximately \$11 million. Part of the property lies within 100-year Spring Gulch No.2 floodplain. The City has a preliminary drainage study for this floodplain. This study includes necessary improvements for Spring Gulch No.2 to remove areas from the 100-year floodplain. Drainage improvements may be needed upstream (at the County Line Road crossing) and downstream (at the railroad tracks crossing) to reduce the floodplain on the properties. If these annexations are referred through the review process, the City will discuss with the applicants the timing and participation in the drainage improvements.

The annexations would be responsible for arterial landscaping improvements along County Line Road and greenway improvements along Spring Gulch. Based on the potential number of residential units there may be a need for a neighborhood park to be planned in this area. Staff would need to assess the impact these annexations would have on the neighborhood and community park facility standards, as well as appropriate trail linkages in this area, and the recommendations of the Wildlife Management Plan.

School facilities

The St. Vrain Valley School District (SVVSD) indicated that if the LPA amendment and annexations are referred through the review process, the SVVSD will analyze the potential elementary and secondary school impacts based on existing and project school facilities and determine whether additional school facility sites would be required.

Council Options

Several options are presented to City Council for consideration of this request.

1. Authorize staff to accept and process applications for the West Union II LPA amendment and annexations finding that it would be in the interest of the City to consider this request. Referring the applications through the review process does not obligate the Council to approve the LPA amendment or annexations.
2. Do not authorize staff to accept and process applications for the West Union II LPA amendment and annexations finding that it would not be in the interest of the City to consider this request at this time.

Attachments

1. Annexations and Exceptional Benefit Document
2. Letter from Dale Bruns dated February 3, 2006
3. Property map showing properties proposed for annexation
4. Conceptual land use map

Annexations and Exceptional Benefit Document: A Tool for City Council
(March 30, 1999)

Annexation is a discretionary act. Based on City Council's intention to "raise the bar" for what the City of Longmont will require of new annexations, annexation petitions are referred to City Council to evaluate their exceptional benefit to the City. This document is a tool to assist City Council in its discussions of what might constitute exceptional benefit on a case-by-case basis. It does not limit Council's discretion in any matters relating to annexation. City Council's referral of an annexation petition that claims exceptional benefit to the City does not require City Council to approve the annexation application.

In general terms, the concept of exceptional benefit to the City might encompass the following:

- Meeting community needs that land already annexed to the City can't possibly meet
- Providing more than minimum requirements
- Providing community benefits that may be off-site (such as open space)
- Maximizing existing investments in public improvements (including schools)
- Minimizing changes to existing delivery of services (including schools)
- Conforming to the City's phasing requirements for public improvements and service delivery
- Incorporating innovative and quality site design

These general concepts of what might contribute to exceptional benefit are not mutually exclusive nor are they comprehensive. They also may not be sufficient. They provide City Council a way to think about the different approaches one might take in considering exceptional benefit. In considering proposed annexations that claim exceptional benefit, City Council might consider how the benefit package is creative, innovative, and demonstrates thinking "outside the box." The *Longmont Area Comprehensive Plan (LACP)* provides considerable guidance about aspects that contribute to Longmont's quality of life. The LACP is a source for ideas of ways annexations might be able to provide exceptional benefit to the City.

In addition to the general concepts listed above, City Council might wish to use the following general statements in framing its discussions about proposed annexations that claim exceptional benefit to the City of Longmont:

1. Addresses land use balance concerns
2. Meets specific community needs that can not be met by existing development and/or can't be met by planned development in existing annexations
3. Provides more than the minimum amount of affordable housing units (residential)
4. Assists in providing housing units affordable to potential employees (non-residential)
5. Provides economic benefits to the community over and above what a comparable use or business would provide
6. Preserves additional wildlife habitat and/or environmental resources and preserves areas that can contribute to their greater protection

Annexations and Exceptional Benefit Document: A Tool for City Council
(March 30, 1999)

7. Preserves additional areas along the St. Vrain River Corridor over and above what is normally required
8. Dedicates additional land (may be off-site) to the public beyond the City's current requirements, i.e., more than right-of-way, school sites, park sites, primary greenways, etc.
9. Gives development rights to the City for property (may be off-site) shown as open space on the *Longmont Area Comprehensive Plan (LACP)* or for property that can contribute to Longmont's remaining a free-standing community
10. Located in neighborhoods where urban development already is occurring
11. Located adjacent to already developed land or adjacent to land with recorded final plats and improvement agreements (MOAPIs)
12. Promotes infill and redevelops areas by encouraging more appropriate urban development
13. Conforms to the City's phasing requirements for constructing public improvements and the delivery of services
14. Maximizes existing investments in public improvements (including schools)
15. Minimizes changes to the existing delivery of services (including schools)
16. Preserves structures or settings that embody a sense of time and place unique to the City and/or preserves significant aspects that contribute to the City's heritage
17. Incorporates quality and innovative design that will enhance and benefit the community
18. Incorporates site design to encourage transit usage
19. Implements traffic demand management
20. Integrates site with the surrounding transportation network and does not include cul-de-sacs
21. Phases residential development as needed to meet the City's purposes (such as voluntarily offering to limit the number of dwelling units built during a specific time period)

As mentioned earlier, annexation is a discretionary act. This document is a tool to assist City Council in its discussions. It does not limit Council's discretion in any matters concerning annexation. City Council may consider different or additional standards of exceptional benefit on a case-by-case basis. Council also may modify this document to make it a more useful tool.

February 3, 2006

Mayor Julia Pirnack and City Council Members
City of Longmont
Civic Center Complex
Longmont, CO 80501

**RE: ANNEXATION REFERRAL AND LONGMONT PLANNING AREA AMENDMENT
REQUEST FOR PROPERTIES WEST OF UNION RESERVOIR**

Dear Mayor Pirnack and Members of Council:

This letter is a request for you to authorize the City of Longmont Development Review Committee to accept and review annexation applications for four properties on the west side of Union Reservoir owned by Ron and Tammy Dick, Frank and Gloria Flores, Jim and Judy Docheff, and Chris Adrian (parcel acquired from Dudley Rider). Together these parcels comprise approximately 70 acres. Accompanying the annexation referral is a concurrent request for an expansion to the Longmont Planning Area (LPA) boundary to bring these properties within the LPA. The Dick, Flores, and Docheff properties will complete the area necessary to allow an internal road connection to Weld County Road 28, and the addition of Rider/Adrian property creates a more logical parcel boundary north of the McLane Western site. The addition of these properties to those you previously approved for annexation referral in March, 2005, will allow a comprehensive land planning effort for the entire west side of Union Reservoir.

As you know, the Council recently approved the annexation and zoning of 1,500 acres of land adjacent to Union Reservoir that consists of properties purchased by the City of open space or to allow for the expansion of the reservoir. As noted in your Council communication, one of the benefits of this annexation is to establish the contiguity necessary to provide additional development options to property owners who meet state statutes for annexation. This is indeed the case for these parcels on the west side of Union Reservoir.

If these properties are annexed, the intent is to develop the properties with a variety of residential densities. The goal of the design is to create a mixed development pattern that includes a variety of land use components: residential uses, open space and buffering along the western edge of the reservoir (flood easements and embankments), and a possible open space/trail connection between the Jim Hamm Pond nature area and Union Reservoir Recreation area. The design contemplates partnering between the landowners and the City to allow mutually beneficial integration of critical infrastructure components.

The annexation and inclusion within the LPA of these properties on the west side of Union Reservoir will provide exceptional benefit to the City in several important ways:

- 1. The annexation and zoning of these properties will give the City greater authority over future development of lands adjacent to Union Reservoir and along County Line Road, a major entryway into Longmont.*

Bringing these properties on the west side of Union Reservoir into Longmont will establish the City as the land use authority of any future subdivision and development that might occur on these parcels. This obviously provides a better situation for the City than if the properties were to remain in Weld County.

2. *The annexation presents the opportunity for the City and the property owners to collaborate on possible cost sharing and mutual infrastructure needs.*

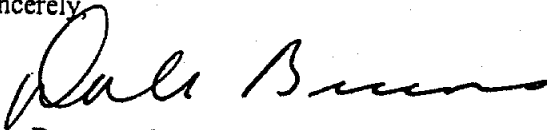
As mentioned in a previous letter to Council, these landowners are very willing to engage in a dialog with the City on possible joint opportunities for cost sharing and mutual infrastructure needs. These mutual efforts may actually reduce the cost of the reservoir enlargement. We believe that a high quality development can be built in conjunction with the City's reservoir expansion program.

3. *A proposed internal road parallel to County Line Road provides a public safety benefit.*

Initial concept planning for the subject properties includes construction of an internal road running north-south, paralleling County Line Road, which could eliminate and/or consolidate access points onto what will become a major arterial roadway on the east side of Longmont. This creates a public safety benefit for all future City residents traveling along County Line Road by providing reduced traffic-turning conflicts.

Thank you for your consideration. I will be available at the City Council meeting to answer any questions.

Sincerely,



Dale Bruns, on behalf of the property owner

Attachment: Property Plan