

Planning & Zoning Commission Hearing: May 16, 2024

I-25 & Mulberry Annexation (ANX220004), and Zoning

Summary of Request

This is a request for annexation and zoning of 46.92 acres northeast of the I-25 & Mulberry interchange. Proposed zoning for the annexation includes 17.29 acres of General Commercial (CG) on the southern/western portion of the site and 29.63 acres of Industrial (I) zoning on the central/eastern portion of the site. The size of proposed zoning is consistent with land use guidance provided by the Structure Plan Map and the I-25 Subarea and East Mulberry Plans.

The annexation and zoning require review and a recommendation to City Council by the Planning and Zoning Commission at a public hearing. City Council previously approved the annexation initiating resolution at their April 16, 2024, meeting.

Zoning Map



Next Steps

The Planning and Zoning Commission’s recommendation will be forwarded to City Council for their consideration of the annexation and zoning ordinances. First Reading is anticipated May 21, 2024.

Site Location

The site is located northeast of the I-25 and Mulberry Street interchange.

Current Larimer County Zoning

Industrial Light (IL), Commercial Corridor (CC)

Proposed Fort Collins Zoning

General Commercial (CG), Industrial (I)

Property Owner

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Applicant/Representative

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Staff

Kai Kleer, City Planner

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Staff Recommendation

Staff recommends approval of the annexation and zoning, and that this property be included in the Non-Residential Sign District and Lighting Context Area LC2.

1. Project Introduction

A. PROJECT DESCRIPTION

This is a request to annex and zone 46.92 acres northeast of the I-25 & Mulberry interchange.

1. The annexation of this area is consistent with the policies and the Intergovernmental Agreement (IGA) between Larimer County and the City of Fort Collins managing the City’s Growth Management Area (GMA).
2. The area meets all criteria included in Colorado Revised Statutes for voluntary annexation to the City of Fort Collins.
3. The requested General Commercial (CG), and Industrial (I) zone districts are in conformance with the policies and land use guidance found in City Plan, the Structure Plan Map and the I-25 and East Mulberry Subarea Plans.

On April 16, 2024, City Council passed an initiation resolution accepting the annexation petition based on compliance with State law and initiating annexation proceedings. Prior to City Council consideration of the annexation and zoning ordinances, a public hearing and recommendation from the Planning and Zoning Commission is required.

B. ANALYSIS

The requested annexation does not create an enclave, though it is located within the East Mulberry Enclave.

1. Surrounding Zoning and Land Use

| | North | South | East | West |
|-----------------|--------------------------------------|--|--|--|
| Zoning | Larimer County Light Industrial (IL) | General Commercial (CG) | Larimer County Manufactured Home Park (MHP) & Commercial Corridor (CC) | Larimer County Commercial Corridor (CC) |
| Land Use | Vehicle Services & Modification | Equipment Rental, Hotel, Fuel Sales, Emissions Testing | Manufactured Housing Community | Miscellaneous retail & light industrial uses |

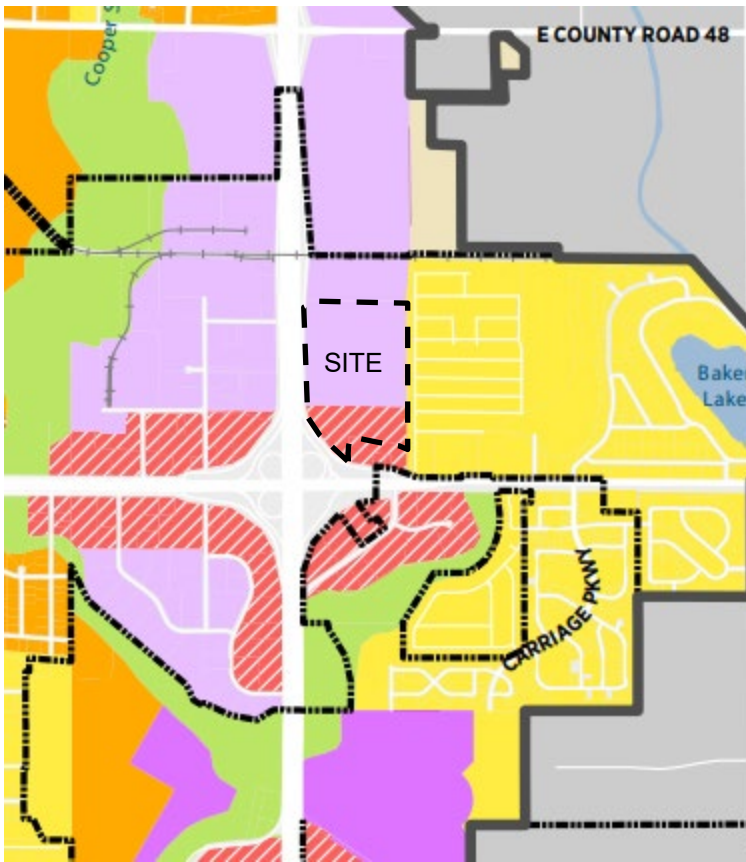
The I-25 & Mulberry annexation achieves required contiguity (minimum 16% site perimeter), as described below:

The I-25 and Mulberry Annexation is approximately 47-acres in size and has a total contiguous perimeter with Fort Collins city limits of 3,811 feet or 62% which satisfies the one-sixth (16%) required by State Statute. Contiguity is gained from the East Gateway Annexation (2018), Interchange Business Park Third Annexation (2006), and I-25 Third Annexation (2017).

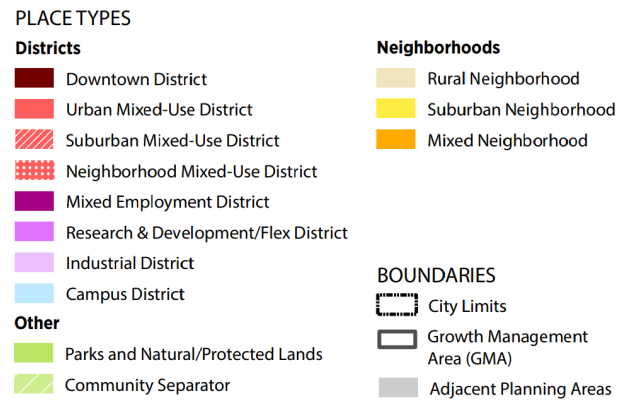
Structure Plan Map

The Structure Plan Map found in City Plan provides the broadest land use guidance applicable to the site and potential zoning via Place Type designations. Place Types describe the general land-uses, densities, and transportation characteristics for an area to help guide potential zoning when properties are annexed into the City.

The Structure Plan Map indicates opportunity for both the ‘Suburban Mixed-Use’ and ‘Industrial’ place types for the site, indicating a mix of mixed-use and industrial development potential are appropriate. This designation follows similar land use patterns nearby, including commercial uses to the south, and a mix of commercial and industrial development at the northwest and southwest corners of the interchange.



Structure Plan Map



The characteristics of these Place Types include:

Suburban Mixed-Use:

Principal Land Use: Retail, restaurants, office, and other commercial services. Supporting Land Use: High-density residential, entertainment, childcare centers, and other supporting uses. Densities and building heights will vary; building heights will generally be between one and five-stories but may be higher in some locations.

Mixed-use districts provide opportunities for a range of retail and commercial services, office and employment, multifamily residential, civic, and other complementary uses in a compact, pedestrian and transit-supportive setting. Suburban Mixed-Use Districts help meet the needs of surrounding neighborhoods and populations beyond. Although largely auto-oriented today, the integration of higher-density residential and a broader mix of retail/restaurants, office and entertainment uses is encouraged to help reinvigorate underutilized centers, expand housing options where transit exists or is planned, and improve access to services and amenities in both existing and new districts.

The Suburban Mixed-Use Place Type is most commonly associated with the City’s commercial zoning districts, including the General Commercial (CG) District proposed for portions of the annexation.

Industrial:

Principal Land Use: Industrial land uses such as manufacturing, assembly plants, primary metal and related industries; vehicle-related commercial uses; warehouses, outdoor storage yards and distribution facilities; and flex space for small, local startups as well as large national or regional enterprises. Supporting Land Use: Restaurants,

convenience retail and other supporting services. Densities and building heights vary.

Employment districts encourage and support a variety of employment opportunities in Fort Collins—ranging from those oriented toward education, research, entrepreneurship, and business incubators, to those that endeavor to turn knowledge into products, processes, and services, to those oriented toward industrial, manufacturing and logistics.

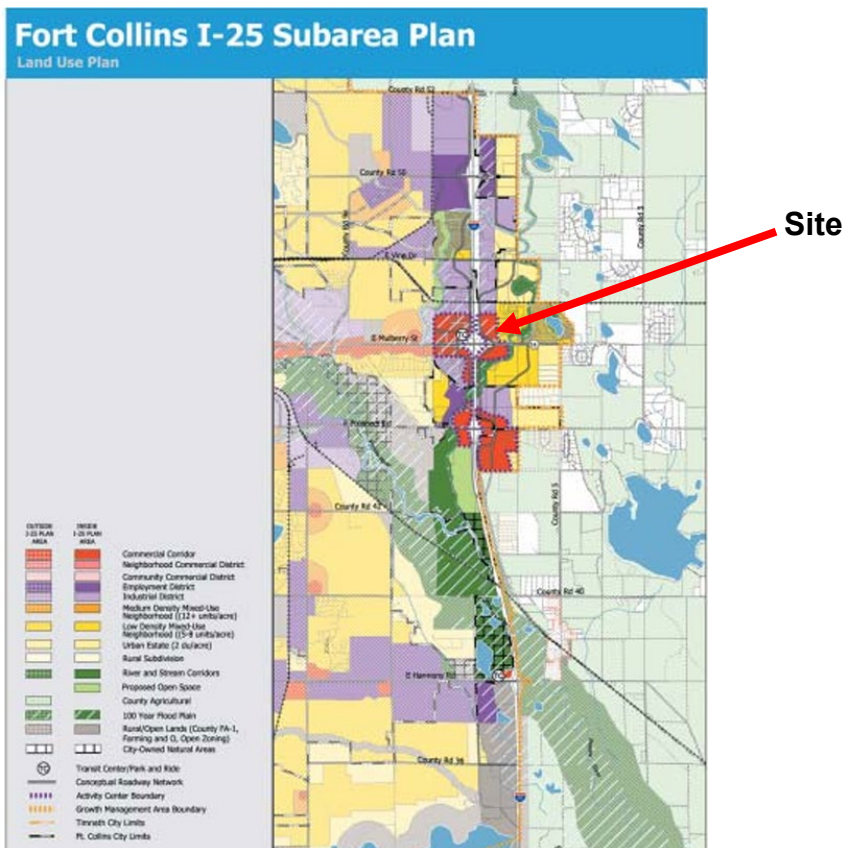
The Industrial Place Type typically corresponds to the Industrial (I) Zone District, which is proposed for the site.

While the proposed zoning is consistent with the Structure Plan Map Place Types in composition and approximate size (acres), notably, the boundary and shape differ. This is due to CDOT’s proposed realignment of the Frontage Road which will shift the street inward into the site and parallel to the interstate versus its current position directly adjacent and parallel to the interstate. The proposed zoning boundaries follows this new alignment and staff support the new zoning boundaries which will create a more logical and orderly pattern for development versus what is illustrated on the Structure Plan Map before the CDOT roadway realignment was known.

The Structure Plan map also encourages the use of more specific land use guidance for sites when subarea and neighborhood plans have been approved. At this location, both the East Mulberry Plan and the I-25 Subarea Plan provide guidance.

I-25 Subarea Plan

The I-25 Subarea Plan was adopted in 2003 and establishes transportation and land-use guidance for the entire I-25 corridor through the community. The Land Use Plan identifies the site as a commercial corridor with adjacent industrial zoning to the north. The Plan also identifies the area around the I-25 & Mulberry interchange as an Activity Center, which will require enhanced design and land use considerations during development of the site and the Land Use Code’s supplemental I-25 Subarea Plan standards.

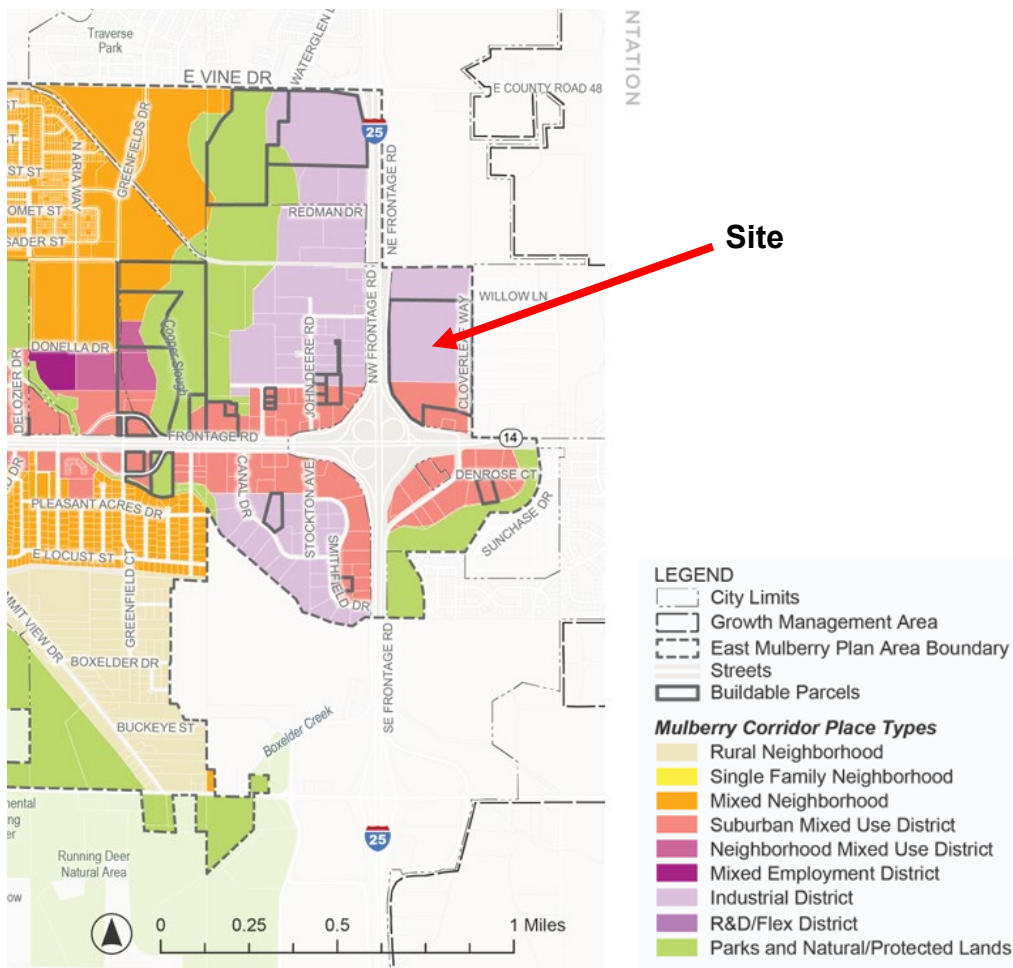


The I-25 Subarea Plan designated the total site for commercial zoning rather than a mix of commercial and industrial zoning as proposed. The commercial zoning is in part due to the possibility the area could host a regional or community shopping center. Little interest in a retail center of this scale has been discussed for the site in the 20+ years since adoption of the I-25 Subarea Plan, and internally, staff no longer feel the site is as well suited towards this goal given shifts in land-use, transportation, and the commercial/retail market. Much of the potential retail activity originally envisioned for this location has shifted further west along Mulberry Street to the proposed Bloom and Peakview Developments near Mulberry Street & Greenfields Court.

The loss of a larger commercial zoning site may be appropriately backfilled by the proposed Industrial zoning, which is consistent with the Structure Plan Map and the much more recent East Mulberry Plan, as well as the consistency of other quadrants of the interchange which feature mixed commercial/industrial zoning.

East Mulberry Plan

The East Mulberry Plan was adopted in December 2023 and updated the original 2002 East Mulberry Corridor Plan. The update provides renewed land use and policy guidance for the Mulberry corridor, including the subject property. The Plan's land use framework shifted from one based on zoning to place types to match the City Plan Structure Map, and the land use guidance illustrated below matches the current Structure Plan Map with indications for a mix of Suburban Mixed-Use and Industrial place types.



Similar to the Structure Plan analysis described above, the land use guidance provided by the East Mulberry Plan matches the proposed (CG) and (I) zoning in size but differs in shape due to more recent knowledge of CDOT's plan to alter the alignment of the I-25 Frontage Road. Staff supports the requested zoning boundary changes to match this shift in roadway alignment to create a more logical and orderly pattern of development.

Further, the proposed CG and I zoning promotes policy guidance related to the I-25 Interchange Character Area, specifically:

1.N.1 Preserve existing agricultural and industrial businesses through land use guidance and zoning upon annexing into the City of Fort Collins. See Section 4 of the Plan for more specific recommendations related to existing agricultural and industrial businesses around the I-25 Interchange.

3.N.1 Collaborate with CDOT to redesign and reconstruct the I-25 & Mulberry interchange, incorporating design enhancements that align with Fort Collins' character.

7.N.3 Enhance the safety, aesthetics, and functionality of the I-25 interchange.

The CG and I zoning allows for a combination of commercial and industrial services and businesses to occupy the site while working with CDOT to realign the Frontage Roads in anticipation of the future redesign of the I-25 & Mulberry interchange. The altered shape of the commercial zoning adjacent to the highway mirrors existing zoning on other quadrants of the interchange and may serve to enhance the aesthetics by limiting certain lower quality industrial activities (i.e. outdoor storage) from public visibility.

Sign District

Given the proposed commercial and industrial zoning, staff recommend the property be placed in the Non-Residential Sign District.

Lighting Context Area

On March 26, 2021, the City of Fort Collins adopted new exterior lighting standards and established Lighting Context Areas that correspond to the City's zone districts. The corresponding districts identified by Table 3.2.4-1 of the City's lighting code is LC2 for the General Commercial and Industrial zone districts, accordingly, staff recommends placement of the property into the LC2 Lighting Context Area.

LC2 - Moderate ambient lighting. Areas of human activity where the vision of human residents and users is adapted to moderate light levels. Lighting may typically be used for safety and convenience, but it is not necessarily uniform or continuous. Typical locations include high density residential areas, shopping and commercial districts, industrial parks and districts, City playfields and major institutional uses, and mixed-use districts.

2. Public Outreach

A. NEIGHBORHOOD MEETING

A neighborhood meeting was held September 22, 2022, to jointly share information and discuss the proposed annexation and associated Overall Development Plan for the site. All other notification requirements as required by state and local law have been met.

A majority of questions and concerns discussed at the meeting related to future transportation access and development potential of the associated Overall Development Plan. Key topics related to annexation include:

- Zoning boundaries in relation to the proposed realignment of the Frontage Road
- Whether the Cloverleaf Mobile Home Park would also be annexed into the City?

3. Article 2 – Applicable Standards

A. BACKGROUND

This project was submitted on October 21, 2022, for annexation and zoning. A companion submittal for review of an Overall Development Plan (ODP220002) was submitted jointly with the annexation petition.

The project is in compliance with Section 2.12 Annexation requirements.

B. PROJECT DEVELOPMENT PLAN PROCEDURAL OVERVIEW

1. Conceptual Design Review

A conceptual review meeting was held to discuss the annexation and associated Overall Development Plan on June 10, 2022.

2. First Submittal (ANX220004)

As previously mentioned, the first submittal of this project was completed on October 21, 2022.

3. Neighborhood Meeting

A joint annexation and Overall Development Plan neighborhood meeting was conducted on September 22, 2022. A summary and link to the meeting recording is attached to this report.

4. Notice (Posted, Written and Published)

Posted Notice (ANX220004): October 26, 2022 (Sign #714)

Written notice: May x, 2024, 93 letters sent.

Published Notice: May x, 2024.

4. Article 4 – Division 4.21 – General Commercial (C-G) Applicable Standards

A. PURPOSE

The requested zoning for the south and western portions of this annexation is General Commercial (C-G), which is consistent with the City of Fort Collins Structure Plan Map and the I-25 & East Mulberry Subarea Plans. The Land Use Code describes the General Commercial zone district as follows:

***Purpose.** The General Commercial District is intended to be a setting for development, redevelopment, and infill of a wide range of community and regional retail uses, offices, and personal and business services. Secondly, it can accommodate a wide range of other uses including creative forms of housing. While some General Commercial District areas may continue to meet the need for auto-related and other auto-oriented uses, it is the City's intent that the General Commercial District emphasize safe and convenient personal mobility in many forms, with planning and design that accommodates pedestrians.*

B. LAND USE

A project development plan has not been submitted. Future development and land uses will be subject to the list of permitted land uses in Division 4.21 – General Commercial.

5. Article 4 – Division 4.28 – Industrial (I) Applicable Standards

A. PURPOSE

The requested zoning for the central and eastern portions of this annexation is Industrial (I), which is consistent with the City of Fort Collins Structure Plan Map and the I-25 & East Mulberry Subarea Plans. The Land Use Code describes the Neighborhood Commercial zone district as follows:

Purpose. *The Industrial District is intended to provide a location for a variety of work processes and work places such as manufacturing, warehousing and distributing, indoor and outdoor storage, and a wide range of commercial and industrial operations. The Industrial District also accommodates complementary and supporting uses such as convenience shopping, child care centers and housing. While these Districts will be linked to the City's transportation system for multiple modes of travel, some may emphasize efficient commercial trucking and rail traffic as needed. Industrial and manufacturing processes used in this District may, by necessity, be characteristically incompatible with residential uses.*

B. LAND USE

A project development plan has not been submitted. Future development and land uses will be subject to the list of permitted land uses in Division 4.28 – Industrial.

6. Findings of Fact/Conclusion

In evaluating the request for the I-25 & Mulberry Annexation, ANX220004, staff makes the following findings of fact:

1. The property meets the State law eligibility requirements to qualify for a voluntary annexation to the City of Fort Collins.
2. The requested placement into the General Commercial (CG) and Industrial (I) zone districts is consistent with the City of Fort Collins Structure Plan Map, the I-25 Subarea Plan, and the East Mulberry Plan.
3. The annexation of this area is consistent with the policies and agreements between Larimer County and the City of Fort Collins contained in the Intergovernmental Agreement for the Fort Collins Growth Management Area.
4. On April 16, 2024, City Council accepted the annexation petition and began annexation proceedings by approving a resolution determining the annexation petition is in compliance with State law.
5. The requested placement into the Non-Residential Sign Districts, as well as the LC2 Lighting Context Area, is consistent with the City of Fort Collins sign and lighting standards as it relates to General Commercial and Industrial zoning.

7. Recommendation

Staff recommends approval of the annexation and the requested zoning of General Commercial (CG) and Industrial (I), consistent with the Structure Plan Map, the I-25 Subarea Plan, and the East Mulberry Plan.

Staff recommends that the property be placed within the Non-Residential Sign District.

Staff recommends that the property be placed into the LC2 Lighting Context Areas as dictated in Land Use Code Section 3.2.4.

8. Attachments

1. Vicinity Map
2. Annexation Petition
3. Annexation Map
4. Requested Zoning Map
5. Statement of Principles & Policies
6. Structure Plan Map
7. I-25 Subarea Plan Map

8. East Mulberry Plan Map
9. Existing Zoning Map
10. Staff Presentation