



**Planning, Development and
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SECOND NEIGHBORHOOD INFORMATION MEETING

PROJECT: The Gateway at Prospect Road Overall Development Plan and Addition of Permitted Use.

LOCATION: Northwest quadrant of I-25 and East Prospect Road

DATE: August 10, 2016

APPLICANT: Tim McKenna, Fort Collins/I-25 Interchange Corner LLC

CONSULTANTS: Jim Birdsall, The Birdsall Group
Kristin Turner, The Birdsall Group
Nick Haws, Northern Engineering
Matt Delich, Delich and Associates

CITY STAFF: Ted Shepard, Chief Planner
Martina Wilkinson, Traffic Operations Engineer

Project Description

As proposed, the project consists of developing the vacant land located generally at the northwest quadrant of I-25 and East Prospect Road. This area includes 177 acres and was formerly known as Interstate Lands Overall Development Plan. The site is zoned, from east to west, C-G, General Commercial, E, Employment, L-M-N, Low Density Mixed-Use Neighborhood, and U-E, Urban Estate.

The purpose of an Overall Development Plan (O.D.P.) is to establish general planning and development control parameters for projects that will be developed in phases, with multiple submittals, while allowing sufficient flexibility to permit detailed planning in subsequent submittals. Approval of an O.D.P. does not establish any vested right to develop property in accordance with the plan.

The request also includes an Addition of Permitted Use (A.P.U.) for Phase One of the O.D.P. to allow multi-family dwellings with greater than 12 units per building; and with buildings exceeding 14,000 square feet in size in the L-M-N zone. Per the City's Land

Use Code, multi-family is permitted in the L-M-N zone but capped at the aforementioned parameters. Therefore, the applicant is requesting an Addition of Permitted Use to allow multi-family apartments in buildings that are larger than would otherwise be permitted on 12.4 acres in the L-M-N zone.

Unless otherwise noted, all responses are from the applicant or consulting team.

Questions, Comments, Concerns

1. In reviewing the Transportation Impact Study (T.I.S.), I see where the “short term” is defined as five years out which take us to 2021. My concern is that widening Prospect Road to four lanes will not take place in five years. And, there is a need for a separate Prospect eastbound right-turn lane to turn south on I-25.
 - A. Yes, that is correct. The City requires the T.I.S. to consider two timeframes: the short term is five years to 2021 and the long term is 20 years out to 2035. In addition, the project itself will be phased. Phase One will include the residential portion of the site and the gas/convenience store. The short range analysis factors in the Phase One extent of the O.D.P. as opposed to a Project Development Plan (P.D.P.). In the short term, the developer will be required to improve their frontage to the four-lane arterial standard and build the required auxiliary turn lanes. But, in the short term, Prospect will not be widened to four lanes as a larger public capital project between the Poudre River and I-25.
2. Could you expand on the Prospect / I-25 interchange?
 - A. This interchange is the least improved of the five interchanges serving Fort Collins. Operationally, this interchange is under the jurisdiction of the Colorado Department of Transportation (CDOT) and they are aware of the existing deficiencies. We are aware of the congestion due to the eastbound through lane being combined with eastbound to southbound right turn. The City, Poudre School District, CDOT and Timnath have been in discussions regarding the funding and timing of the long term improvements required at this interchange.
3. What are the traffic impacts associated with Phase One?
 - A. The T.I.S. analysis for the ODP is a high level analysis and indicates that traffic generated by Phase One will result in mostly acceptable Levels Of Service (LOS, rated A – D on a scale of A – F) at the affected intersections with the recommended construction of the necessary turn lanes. A more detailed T.I.S. will be required for a site specific development plan for phase one with specifics related to LOS and the applicant has to meet City standards for LOS, or request a variance if standards are not met.

4. Do the findings you just mentioned include the gas/convenience store?
 - A. Yes.
5. What about the future employment and commercial Phases?
 - A. We expect that future Phases will be responsible for submitting an updated T.I.S. to account for conditions that are being experienced at that time. This would include all the improvements done for Phase One and the increase in background traffic.
6. How does all this factor into Adequate Public Facilities (APF)? Without Prospect being widened to four lanes, or without a separate eastbound to southbound right-turn lane from Prospect to I-25, does Phase One comply with the A.P.F. standards?
 - A; Response from City of Fort Collins Traffic Engineer: The Adequate Public Facilities standard, as locally adopted Ordinance, cannot be applied to an intersection that is outside the jurisdiction of the City. The interchange is under the control of CDOT. As mentioned, we coordinate with CDOT on operational aspects of the all the City's interchanges on a continual basis.
7. It seems to me that if the City is successful in working with CDOT on jointly constructing a round-about at the easterly site access and the Frontage Road, then it shouldn't be too much of a stretch to expect the City and CDOT to work together to build the necessary improvements to the I-25 / Prospect interchange.
 - A. Response form City Traffic Engineer: CDOT is in the process of designing a new interchange. We estimate that they are at about 30% design. But, at this time, there is no project funding. The City is looking at improvements to all four quadrants in conjunction with CDOT, the Poudre School District and Timnath.
8. I find that response to not be very comforting.
 - A. Response from City Traffic Engineer: While the response may seem to indicate that improvements are a long way off, please note that multiple jurisdictions are actively working together to try to develop an improvement plan that can be funded from various sources and improvements can move forward.
9. For those of us who live in Sunrise Acres (north of the subject parcel), we have a hard time getting out of our subdivision on Greenfields at the East Mulberry intersection. With the road closures on Prospect, there is heavy traffic on Mulberry and we need more green time to make a left turn to go west on Highway 14.

A. Larimer County is in the process of improving that intersection. Once construction is complete on Prospect, the heavy traffic on Mulberry should be reduced.

10. Overall, Prospect needs four lanes, not two, to handle the traffic that is coming in from around the region. I'm concerned about the 100 acres that PSD has east of I-25 and Timnath's plans for growth.

A. Response from City Traffic Engineer: As mentioned, the City will require the developer to dedicate the necessary public right-of-way and construct the public improvements along their frontage to the four-lane arterial standards. In addition, we have the ability to require the necessary off-site improvements as identified in the T.I.S. to mitigate the impacts caused by the proposed development. But, widening Prospect from the Poudre River to I-25 is a much larger capital project that involves multiple jurisdictions and will require a large capital outlay. The burden of widening Prospect Road as a four-lane arterial does not fall on one particular development. Funds for this widening have not been approved by the City.

11. I live in Boxelder Estates and we are experiencing too much traffic associated with all the construction on Prospect. As we drive east on Prospect, we need a left turn arrow to go north on Summitview from. With so little green time, it takes several cycles to get through the intersection.

A. Response from City: We understand that with all the traffic that is re-routed due to construction projects on Prospect, there is undue delay for left turns at the major intersections. When Prospect reopens, we can analyze signal timing. As traffic engineers, we are responsible for keeping traffic moving on a system-wide basis. This means that the legs of the intersections that carry the most volume get the most green time at the signal. Obviously, the east-west traffic on Prospect carries more volume than Summitview so to keep the city-wide system at optimum efficiency, Summitview green time is impacted. Another reason we allocate more green time for the legs with the most volumes is that it reduces the number of rear-end collisions.

12. A lot of us in Boxelder Estates are elderly. It's unnerving to have to make a right turn on red to go west from Summitview to Prospect. We have to accelerate rapidly because of the speed of the drivers on Prospect. My car is small and it takes a bit of time to get up to speed after I make the right turn and the looks (and hand gestures) I get from drivers are rude.

13. Northbound Summitview to westbound Mulberry (left turn movement) is dangerous due to the diagonal geometry of the intersection, and the fact that east-west trucks have a hard time slowing down and stopping at the red light.
- A. Response from City: We are aware of the conditions of this intersection which is under the jurisdiction of the CDOT.
14. When do you think widening Prospect to four lanes will be funded? It's not part of the current round of capital projects and was not voted in for the next round. That means it will have to be approved in the following round.
- A. Response from City: You are correct. As an unfunded project, it's difficult to predict when the project would be approved. It has to be approved as a project first and then funded as revenue becomes available. Based on this timeframe, the widening will not occur in the short term.
15. How many apartments are planned and is there any interest from the multi-family market in its development?
- A. We are planning on 278 apartments and we are receiving significant interest from the development community.
16. Are there any similar projects where we could see the scale and size of the project?
- A. The apartments at Timberline and Drake are roughly comparable. The new apartments that are under construction on South Timberline Road across from the Bacon Elementary School are similar. In addition, the apartments at the Foothills Mall along Stanford Road are similar but are not fully constructed yet. And, the recently approved apartments at Bucking Horse are comparable but are not yet under construction.
17. What do the colors on the map represent?
- A. The green is Boxelder Creek (and floodplain), the yellow is residential (Urban Estate and Low Density Mixed-Use Neighborhood zone districts) and the red is commercial (Employment and General Commercial zone districts).
18. How big are the lot sizes in the residential area?
- A. In the Urban Estate, the minimum lot size is one-half acre, or less if located within a cluster plan where one-half of the U-E ground is preserved as open space. In the Low Density Mixed-Use Neighborhood (L-M-N), because we are over 30 acres, we are required to have a minimum of four housing types. These can be single family detached, single family detached with alleys, duplexes, townhomes, and multi-family. The density range in the L-M-N is no less than

4.00 dwelling units per net acre at the low end and no greater than 9.00 dwelling units per gross acre at the high end. Therefore, there will be a variety of lot sizes in the L-M-N.

19. Will your proposed multi-family buildings in the L-M-N be three stories?

A. Yes. Three story multi-family buildings are already allowed in the L-M-N zone.

20. I live west of the project on a large lot in the County. Three-story apartments don't conform to our area. I'm concerned that the apartment folks will trespass on my property and I have animals. I'm concerned about liability. I'm concerned that the new development will impact my well. And, I'm concerned that the new development will cause flooding on my property.

A. We will be using potable water from Elco, not groundwater. We are required by the City's Stormwater Utility to not route any stormwater from our property onto your property.

B. Response from City Planner: Please note that the property was included in the City's Growth Management Area and was annexed in 1989 as the Interstate Lands Annexation containing 192 acres. At that time, the parcel was zoned H-B, Highway Business (157 acres) and R-P, Planned Residential (35 acres) with both zone districts conditioned that any application for development be processed as a Planned Unit Development under the Land Development Guidance System.

Then in 1997, the property was rezoned in the following manner: C, Commercial (44.7 acres); E, Employment (104 acres); L-M-N, Low Density Mixed-Use Neighborhood (15.7 acres); U-E, Urban Estate along the western edge as a buffer. This rezoning was part of a city-wide rezoning to implement the City's new comprehensive plan, City Plan, and the new Land Use Code which created new zone districts and replaced the old districts and the P.U.D. system.

About 20 years ago, the landowner at the time sold a parcel of land along the western edge of the O.D.P. to the Cooper Slough Association / Boxelder Estates H.O.A. for a buffer. This rectangular strip ranges in width between 100 and 125 feet for a length of about 2,100 feet and contains approximately 5.18 acres. This conveyance essentially precludes any street connection between the O.D.P. and Boxelder Estates.

Then, in 2000, the size of the four zone districts was adjusted as part of a rezoning to reflect changing market conditions. The effect of the rezoning was primarily to reduce the size of the E zone by 43 acres and increase the size of the L-M-N zone by 53 acres. This rezoning affected 65 acres.

In 2003, a Final Plan was approved on four acres along the Frontage Road for the Harley Davidson dealership.

In 2004, an Overall Development Plan was approved that showed various configurations for the four zone districts in the following manner: U-E (21 acres); L-M-N (68.6 acres); Employment (60.9 acres); and Commercial (26.9 acres).

21. What are the two current construction projects on Prospect that are causing the full road closure?

A. The two projects are related to the improvements being constructed by the Boxelder Basin Regional Stormwater Authority (BBRSA). First, Boxelder Creek is being routed under Prospect by the installation of the new culverts. This involves a new bridge which is being designed for the ultimate four-lane arterial cross-section. Second, since the culverts are sized to only carry approximately the 10-year storm, an overflow channel, or weir, is being excavated to handle the amount of flood water associated with the 100-year storm. This overflow channel will be between 85 feet and 100 feet wide and about ten feet deep and may carry flows in more frequent events due to local tributaries. These two projects are being constructed in conjunction with the new Grays Lake flood control reservoir that has been built upstream on Boxelder Creek. The entire system-wide project is designed to prevent flooding in areas along Boxelder Creek in Larimer County, Timnath and Fort Collins.

22. And these are the improvements being constructed with the new annual stormwater service fee assessed on our properties?

A. Yes, all residential properties within the BBRSA are assessed an annual fee of \$60.00 to cover all the new construction, and, as time goes on, to cover the long term maintenance of the facilities. In addition, for any new construction in the BBRSA that results in new impervious surface, there is a stormwater system development fee based on the amount new impervious surface area that is created.

23. Can you describe the details of the A.P.U. for the multi-family in the L-M-N?

A. Yes, as mentioned, multi-family, per se, is a permitted use in the L-M-N but is capped in the following manner: no greater than 12 units per building; no greater than 14,000 square feet per building; and on an individual phase that is no greater than 12.00 dwelling units per gross acre of land. Our proposal would increase the number of units per building to exceed 12, increase the size of the building to exceed 14,000 square feet, and to increase the density to greater than 12.00 dwelling units per gross acre.

24. By how much would you exceed these limits?

A. Our buildings would be a mix of 24-plex and 36-plex structures. The size of the buildings has not yet been determined but will exceed 14,000 square feet. And, we estimate that our phase of multi-family in the L-M-N will come in around 13 dwelling units per gross acre.

25. Would the multi-family phase cause the overall 77-acre L-M-N area to reach a density that exceeds the maximum allowable 9.00 dwelling units per gross acre?

A. No, our overall L-M-N density on the entire 77 acres, plus the multi-family, would not exceed 9.00 dwelling units per gross acre.

26. I don't support the request for the A.P.U. The expectation under zoning is that the property will develop as L-M-N, not M-M-N. How do you justify this request?

A. We see a multi-family component as adding to the mix of housing types for a mixed-use neighborhood. With close proximity to I-25, we do not want to develop the ground as an isolated truck stop with highway-oriented uses like you see along the interstates in other jurisdictions. We see value in developing a neighborhood that offers a wide range of housing for a variety of people in a wide range of incomes. We see the multi-family component has a part of the highest and best use for this portion of the site.

27. You cannot use an economic benefit argument as a justification for an A.P.U.

A. Understood.

28. An L-M-N neighborhood is supposed to have an L-M-N neighborhood center. I don't see the gas/convenience store as being an L-M-N neighborhood center. I don't see any amenities. The development appears isolated from the City.

A. We see multi-family as adding diversity to the neighborhood. We recognize that we are separated from the City but this is primarily due to the Poudre River floodplain, natural areas and existing County subdivisions. The parcel, however, is inside the Growth Management Area, and was then annexed and zoned, and then master planned as Interstate Lands Overall Development Plan. We see the land as being a unique parcel that is near I-25 and major employment areas. There are other neighborhoods in the City where the neighborhood center is a gas/convenience store.

29. But I still don't see a walkable neighborhood center. Access from the L-M-N to the gas/convenience store is via a round-about which is difficult to cross as a pedestrian. It looks to me like the gas/convenience store will be highway oriented, not neighborhood oriented. And, it's located in the commercial zoned area, not in the L-M-N. You still need an L-M-N neighborhood center.

A. We understand the requirement for an L-M-N neighborhood center.

30. In general, I'm not seeing any neighborhood amenities.

A. As noted, we intended to pursue the conveyance of a parcel to the City Parks Department for a future public neighborhood park. In addition, the Parks Planning Department has identified a portion of our northeast area as logical segment for the future regional bike trail. Our goal is to develop the commercial area for neighborhood oriented businesses and services. As mentioned, we don't want to replicate the highway oriented land uses found at the I-25 and Highway 14 interchange.

31. I'm concerned that Phase One represents a five year build out and we would still experience congestion and failing levels of service for certain turn movements at I-25 and Prospect.

A. We understand your concerns. The T.I.S., at this stage, is intended to provide a broad analysis at the appropriate level for an Overall Development Plan. As noted, the big picture issues have been identified. With each subsequent phase that is submitted for a Project Development Plan, a new T.I.S. will be required that provides analysis at a more refined level of detail.

32. Does the City keep data on accident statistics?

A. Response from City: Yes, keeping track of accident statistics is very important to us. We continually analyze crash data city-wide as one of our core functions.

33. I would like to remind everyone that an A.P.U. in the L-M-N zone goes on to City Council for consideration. It is my opinion that the request for an A.P.U. is speculative and for purposes of the developer trying to enhance the marketability of the property.

A. As we have mentioned, for an O.D.P. that is 177 acres in size, having a multi-family component enriches the mix of housing on a city-wide basis.

34. Do you already have a buyer lined up for the multi-family?

A. No, we do not.

35. Where exactly is the A.P.U. parcel and how big is it?

A. It is at the south end of the area zoned L-M-N, closest to Prospect Road. It is about 12.4 acres in size.

36. What will be the density on the L-M-N as a result of the A.P.U.?

A. The density will be about 13.00 dwelling units per gross acre which is slightly over the maximum allowed in any on phase in L-M-N of 12.00 d.u./a.

37. Will there be a buffer between the apartments and the existing homes to the west?

A. Yes, we estimate that the closest house will be about 130 feet away from the nearest apartment building. Other houses will be further away by a distance ranging from 793 feet to 875 feet.

38. What will be the size of the lots on the very west edge of the site?

A. This area is zoned Urban Estate. As a result, this area will have our largest lots. As noted, in the U-E, lots must be a minimum of one-half acre. Or, lots can be smaller but only if arranged within a Cluster Development where one-half of the land area is preserved as open space and the other half is the clustered lots that can be smaller than one-half acre.

39. I live to the west and in my opinion; our large lots will need more of a transition than what you are describing.

A. We are aware of your concerns. As you know, Boxelder Estates purchased from the previous owner a swath of land about 40 feet in width along their eastern edge. This buffer will contribute to making a transition and also precludes any street connections.

40. I live on three acres. Multi-family doesn't conform to our neighborhood character.

41. When was the property annexed into the City?

A. 1983.

42. When do you think you will break ground?

A. The first thing we have to do is apply to F.E.M.A. for an amendment to their floodplain maps based on the improvements being done by the Boxelder Creek Flood Control Project. This requires a process known as a Letter of Map Revision (LOMR). This could take us into 2018. We can be submitting our Phase One plans and having our plans reviewed by the City somewhat concurrently to the F.E.M.A. process. So as you can see, it may be at some point in 2018 when we can break ground on Phase One.

43. Will the requested density associated with the A.P.U. in the L-M-N zone be capped?

A. Response from City Planner: Yes, all requested A.P.U. metrics will be capped and not open-ended. This is what was done for the multi-family project in Bucking Horse which was also an A.P.U.

44. I live in Sunrise Acres to the north. Is the proposed public neighborhood park still indicated to be north of the ditch? If so, I'm concerned about trespassing.

A. No, we are now discussing with Parks Planning about conveying a parcel that is south of the ditch and just north of the proposed multi-family parcel. This parcel would be about four acres and is centrally located within the larger residential area. This would be a public neighborhood park.

45. Will you be putting any of the ditches into a pipe to gain more ground?

A. No, we are not thinking about putting any ditches into a pipe.

46. We need to be realistic that a City-funded Prospect Road widening capital project will not happen in the short term (2021). Such a project would likely have to be put to the voters as part of a package to renew one of the sales taxes that is dedicated to transportation improvements. And then, if approved by the voters as part of a sales tax capital projects package, it would then have to wait for revenues to come in. As a result, it may be at least 10 years out or longer before Prospect could be widened to four lanes.

A. Response for City Traffic Engineer: That is correct. It is unlikely that Prospect will be widened to four lanes by 2021. Large capital projects that benefit the City's arterial system as a whole are generally funded by one of the dedicated sales taxes specifically earmarked for transportation improvements. As you mentioned, these funding sources expire after their term and must be renewed by the voters. These projects are intended to address existing deficiencies and are not considered the obligation of any one particular development proposal. Please note that dedicated sales tax revenue is just one funding source. Other sources include the City's Street Oversizing Fund, and grants from the Metropolitan Planning Organization, State of Colorado and the federal government. Oftentimes, multiple funding sources are consolidated to move a project up on the priority list.

47. I'm concerned about the future development of PSD property on the east side of I-25. This is a 100-acre parcel that PSD has indicated could be used for schools serving grades K through 12 as well as a district-wide athletic facility. PSD is seeking voter approval this Fall for a bond issue that would fund these planned schools and facilities.

A. Response from City Traffic Engineer: We are in discussions with PSD. We have been told that the schools planned for this parcel will draw primarily from students who already reside east of I-25. We are also aware that the planned athletic facility would be the new French Field and draw participants district-wide.

48. With the Boxelder Buffer now owned by the H.O.A., does this mean there will be no road connection?

A. Yes, that's correct – no road connection.

49. Could you tell me how much new traffic we can expect on Summitview as a result of this project?

A. Our trip assignment estimate in the short term is shown as Figure 7 in our T.I.S. Based on our assumptions, we see most of the trips using Prospect and the Frontage Road versus Summitview. For example we estimate for southeast flow, there will be six trip ends in the a.m. and 17 trip ends in the p.m. during the peak hours. For the northwest flow, there will be 16 a.m. and 10 p.m. trip ends during the peak hours. Please note, however, that it may be more accurate to measure the delay at the Prospect / Summitview intersection.

50. Will the Frontage Road be widened?

A. No, but the intersections will add capacity with the auxiliary turn lanes as recommended in the T.I.S.

51. Will there be only one access onto the Frontage Road?

A. Yes, that's correct due to the constraints of Boxelder Creek.

52. Do you have an idea about the alignment of the proposed regional trail?

A. Within our O.D.P., and between Prospect and Mulberry, this trail will generally follow the alignment of Boxelder Creek and the two ditches. The alignment of this trail is loosely based on the preliminary concept per the Parks 2013 Trails Master Plan.

53. Is the applicant involved at all in the current construction on Prospect?

A. Yes, but only to the extent that we have conveyed 42 feet along our frontage to the City of Fort Collins for the project.

54. Are you intending to sell the land for a profit?

A. Yes.

55. I see a big benefit in providing a safe sidewalk along Prospect from your project to the Summitview intersection to tie into the existing trail along Prospect west of Summitview. Since your project does not extend west to Summitview, there is a gap. It seems like pedestrians, runners and bike riders from your project would want to safely gain access to this trail without having to deal with unimproved frontage along Prospect.

A. Thank you for this comment and this something we may consider for their first phase.

56. Will there be sufficient sanitary sewer capacity to serve the site as proposed?

A. Yes, we have had conversations with the Boxelder Sanitation District and they have indicated that there is capacity available. As you know, their treatment plant is just south of Prospect.

57. Will there be any commercial development south of Prospect?

A. The large vacant land south of Prospect is owned by Colorado State University Research Foundation. We do not know their plans for the property except to say that they typically hold land for the long term for the various needs of the University.