PROJECT: Prospect / I-25, Overall Development Plan - #20-03

APPLICANT: Dallas Horton
  c/o Cathy Mathis
  VF Ripley Associates, Inc.
  401 West Mountain Avenue, Suite 201
  Fort Collins, CO. 80521

OWNER: Mary A. Horton and Prospect Interchange LLC
  c/o Realtec
  255 East Monroe Drive
  Fort Collins, CO. 80525

PROJECT DESCRIPTION:

This is a request for approval of an Overall Development Plan (ODP) for land uses permitted in the C - Commercial, I - Industrial, and UE - Urban Estate Zoning Districts. The proposed uses are 350,000 square feet of commercial (on 31 acres), 1,600,000 square feet of industrial (on 84 acres), and approximately 40 single-family residential dwelling units (on 20 acres) on a total of 135.53 acres. The property is located at the northeast corner of East Prospect Road and Interstate 25. It is zoned C - Commercial, I - Industrial, and UE - Urban Estate.

RECOMMENDATION: Approval

EXECUTIVE SUMMARY:

The Prospect / I-25, ODP complies with the applicable review criteria in the Land Use Code (LUC), including the C, I, and UE District standards, general development standards, street connectivity standards; and, the adopted Master Street Plan and the I-25 Subarea Plan.

There are existing transportation and storm drainage deficiencies associated with development on this property. The ODP request may be reviewed and approved at this time, with the knowledge that subsequent Final Plans for the Prospect / I-25 property cannot be approved, and building permits issued, until the Adequate Public Facilities requirements of Section 3.7.3 of the LUC are satisfied.
COMMENTS:

1. Background:

The surrounding zoning and land uses are as follows:

N: C, FA1; ..... undeveloped land in Larimer County
S: C; ............ approved ODP in the City of Fort Collins (Paradigm Properties)
    C; ............ existing residential and commercial uses in Larimer County
E: UE; ........... proposed high school site in the City of Fort Collins (Poudre R-1 School District)
    FA1;......... existing single-family residential in Larimer County (Kitchell Estates)
W: C, E; ......... approved ODP in the City of Fort Collins (Interstate Land)

The subject property was annexed as a portion of the Galatia Annexation in January, 1991.

The property is currently unplanned and undeveloped.

2. Land Use:

**Compliance with the City of Fort Collins Land Use Code:**

As set forth in Section 2.3.2(H), an ODP shall comply with the following criteria:

a. Section 2.3.2(H)(1) - Consistency with zone district standards (Article 4) and general development standards (Article 3)

   This is a request for approval of an Overall Development Plan (ODP) for land uses permitted in the C - Commercial, I - Industrial, and UE - Urban Estate Zoning Districts. The proposed uses are commercial, industrial, and single-family residential on 135.53 acres. The property is located at the northeast corner of East Prospect Road and Interstate 25. It is zoned C, I, and UE Districts.

   The proposed land uses are consistent with the permitted uses in the C, I, and UE Districts.

b. Section 3.4.1(E) - Establishment of Buffer Zones

   The Prospect / I-25, ODP provides for the establishment of buffer zones to the Cache La Poudre Reservoir Inlet Ditch and the Lake Canal Co. Ditch, both located in the southerly portion of the ODP.
Section 3.6.1 - Compliance with the Master Street Plan

The Prospect / I-25, ODP is in compliance with the City's Master Street Plan in that it provides for the arterial and collector streets as shown on the plan.

East Prospect Road, along the south property line, is identified as a 2-lane minor arterial street.

d. Section 3.6.3(A) through (F) - Street Pattern and Connectivity Standards

There are street connections being proposed from the Prospect / I-25, ODP to East Prospect Road and the Frontage Road; and, from the property into the undeveloped properties to the east and the north. The locations and spacing of the proposed access points to and from the site are consistent with the requirements for the street connections as set forth in this section of the LUC.

e. Section 3.6.4 - Transportation Level of Service Requirements

The Traffic Operations and Engineering Departments have reviewed the Transportation Impact Study that was submitted to the City for review and have determined that the vehicular, pedestrian and bicycle facilities proposed with the Prospect / I-25, ODP are consistent with the standards contained in Part II of the City of Fort Collins Multi-modal Transportation Level of Service Manual.

Consistency with the I-25 Subarea Plan:

The I-25 Subarea Plan, Land Use Plan identifies the area on the Prospect / I-25, ODP as Commercial Corridor, Industrial District, Urban Estate Uses. The proposed land uses are consistent with the adopted plan. Future site specific development plans for this site will be subject to the Development Standards for the I-25 Corridor as set forth in the City's LUC. The proposed street network on the ODP is in conformance with the Recommended Roadway Network in the adopted plan.

3. Transportation:

Primary access points to the property will be via future streets to and through the site from East Prospect Road, the Frontage Road, undeveloped property to the north, and the Waterdale and Clydesdale residential developments to the north and northeast. The ODP shows the proposed major access points (graphically shown with arrows) to the property. The actual local street locations and alignments will be further determined with site specific project development plans.

4. Adequate Public Facilities:
Actual physical development on the Prospect / I-25, ODP property at this time would result in a reduction in the levels of transportation services in the area because of deficiencies associated with the Interstate 25 & Prospect Road interchange, the Frontage Road, East Prospect Road east of Timberline Road, the East Prospect Road & Summit View Drive intersection, and possibly intersections to the east. In Section 3.7.3 - Adequate Public Facilities in the LUC, under Section 3.7.3(C)(2)(b) it states:

"No site specific development plan or Building Permit shall be approved or issued in a manner that will result in a reduction in the levels of service below the adopted level of service standards for the affected facility."

Section 3.7.3(E)(1)(a) states:

"For transportation facilities, at a minimum, the city shall require that, at the time of issuance of any Building Permit issued pursuant to a site specific development plan, all necessary facilities and services, as described in Section (D)(1) above, are either:

1. in place and available to serve the new development in accordance with the development agreement, or

2. funding for such improvements has been appropriated by the city or provided by the developer in the form of either cash, nonexpiring letter of credit, or escrow in a form acceptable to the city."

Several years ago, the existing two-cell box culvert under I-25 at Boxelder Creek was replaced with a four-cell box culvert. Two of these cells were plugged to keep the capacity of the culvert the same until such time downstream improvements could be made. The City has recently remapped the floodplains and is revising the stormwater master plan; however, the downstream improvements envisioned when the two extra culvert cells were installed and plugged have not been made. The capital improvements needed to allow the safe removal of the plugs are not yet allocated. For these reasons, the City will not recommend that the plugs be removed at this time. Section 3.7.3(E)(1)(c) states:

"For storm drainage facilities, the city shall require that all necessary facilities and services, as described in Section (D)(4) above, are in place and available to serve the new development in accordance with the approved drainage and erosion control report, utility plans and development agreement for such development. The timing of installation of such facilities and service shall be as follows:

1. Where multiple building permits are to be issued for a project, twenty-five
(25) percent of the building permits and certificates of occupancy may be issued prior to the installation and acceptance of the certification of the drainage facilities. Prior to the issuance of any additional permits, the installation and acceptance of the certification of the drainage facilities shall be required.

2. For projects involving the issuance of only one (1) building permit and certificate of occupancy, the installation and acceptance of the certification of the drainage facilities shall be required prior to the issuance of the certificate of occupancy."

The City’s LUC states that a site specific development plan shall mean and be limited to a final plan as approved pursuant to this Land Use Code. Therefore, the Prospect / I-25, ODP may be reviewed and approved by the Planning and Zoning Board at this time, with the knowledge that subsequent Final Compliance plans for the Prospect / I-25 property cannot be approved by the City until the aforementioned Adequate Public Facilities requirements are satisfied. The ODP notes that certain transportation-related infrastructure features in the area are found to be deficient or substandard to the current City urban development standards (Project Notes 5 - 8). It further notes that the property owner/applicant will work with the Colorado Department of Transportation and the City of Fort Collins with respect to improvements to the transportation systems in the area (Project Note 9). The ODP also notes that it is acknowledged that there is no acceptable drainage outfall (designed or constructed) and that the property owner/applicant will continue to work with the City and other appropriate agencies to resolve stormwater and floodplain issues (Project Note 13). Also, Project Note 12 states that:

"Per LUC Section 3.7.3(E)(1), all transportation, water and wastewater, storm drainage, emergency services, and electric power facilities shall meet the minimum requirements for Adequate Public Facilities at the time of site specific Project Development Plans."

5. Neighborhood Information Meeting:

A neighborhood information meeting was held on November 19, 2003, at the Environmental Learning Center & Visitor's Center for the Prospect / I-25, ODP development proposal. There were 22 residents and interested citizens present, as well as 3 people representing the development, 3 City staff members, and 1 Poudre School District representative. The most immediate and significant concerns expressed by the neighbors were the possibility of street connections between this development and the existing neighborhoods to the north, compatibility of potential adjacent land uses with the neighborhoods, and proposed or necessary improvements to existing streets in the area.

A copy of the notes taken at the neighborhood information meeting, with the attendance
FINDINGS OF FACT/CONCLUSIONS:

In evaluating the request for the Prospect / I-25, ODP, staff makes the following Findings of Fact:

? The request is in compliance with the applicable criteria and standards in the Land Use Code.

? The request is supported by the I-25 Subarea Plan and Design Standards.

RECOMMENDATION:

Staff recommends that the Planning and Zoning Board approve the Prospect / I-25, Overall Development Plan - #20-03.