

Planning & Zoning Commission Hearing: December 19, 2024

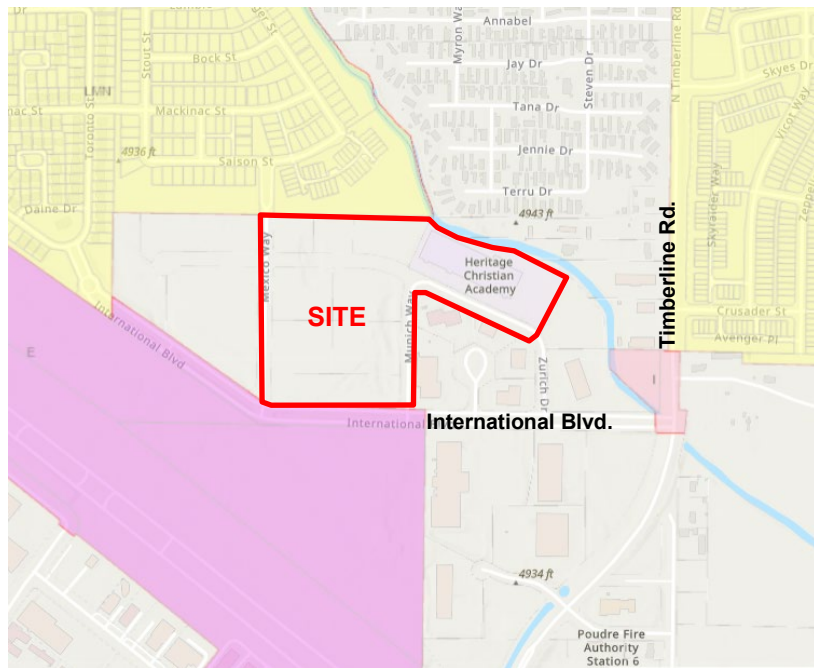
Heritage Annexation (ANX240001) and Zoning

Summary of Request

This is a request for a recommendation to City Council for the annexation and zoning of 24.84 acres northeast of the intersection of International Boulevard and Mexico Way within the East Mulberry Enclave. Proposed zoning is Employment (E), which is consistent with recent updates to the Structure Plan Map and the East Mulberry Plan.

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 November 19, 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 January 7, 2025.

Site Location

The site is located northeast of International Boulevard and Mexico Way.

Current Larimer County Zoning

Industrial Light (IL)

Proposed Fort Collins Zoning

Employment (E)

Property Owner

Friends of Christian Education Foundation  
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Fort Collins, CO 80524

Applicant/Representative

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Staff

Ryan Mounce, City Planner

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Staff Recommendation

Staff recommends approval of the annexation and zoning, and that the property be included in the Non-Residential Sign District and Lighting Context Area LC1.

# 1. Project Introduction

## A. PROJECT DESCRIPTION

This is a request to annex and zone 24.84 acres northeast of International Boulevard and Mexico Way. The site currently contains one building housing the Heritage Christian Academy and several light-industrial businesses while a majority of the site is vacant. Basic infrastructure for the site is already present, developed as part of the Industrial Business Park International PUD in Larimer County.

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, achieving greater than 1/6 site perimeter contiguity with Fort Collins city limits.
3. The requested Employment (E) zone district is in conformance with the policies and land use guidance found in the City Plan Structure Plan Map and the East Mulberry Subarea Plan.

On November 19, 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.

An Overall Development Plan (ODP) application has also been submitted for the site proposing a phased school campus for the site for the use of Heritage Christian Academy. These future development phases are proposed to include new administrative, classroom, and recreation/sports field uses as part of a larger school campus expansion. It is anticipated a hearing for the ODP application will be brought forward in early 2025 following the annexation process.

## B. ANALYSIS

While the requested annexation creates a new enclave to its west, this area is already part of the much larger East Mulberry Enclave and the entire area is already completely surrounded by Fort Collins city limits and eligible for involuntary annexation.

### 1. Surrounding Zoning and Land Use

	North	South	East	West
<b>Zoning</b>	Low Density Mixed-Use Neighborhood (LMN), Larimer County Open (O)	Employment (E), Larimer County Industrial Light (IL)	Larimer County Industrial Light (IL)	Larimer County Industrial Light (IL)
<b>Land Use</b>	Single Unit Dwellings, Single-Unit Attached Dwellings & Manufactured Housing Community	Employment/Light Industrial Businesses & Undeveloped Land	Light Industrial Businesses	Retail/Light Industrial Businesses & Undeveloped Land

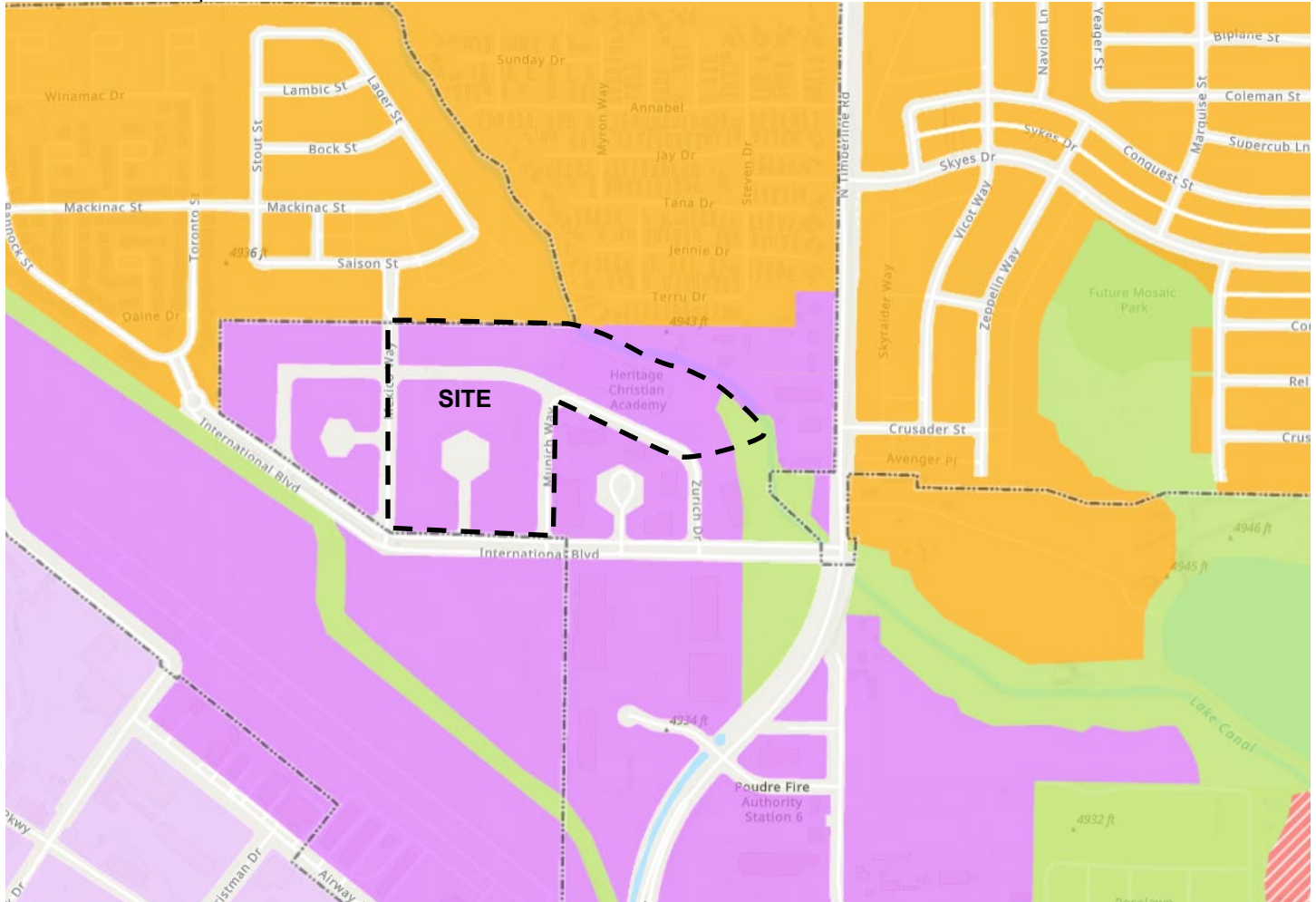
The Heritage Annexation gains contiguity with City limits along its northern edge with the Timbervine Neighborhood (RDC Annexation, 1998) and along its southern edge fronting International Boulevard (Airpark Village Annexation, 2006). The annexation is approximately 24.84 acres in size, including street right-of-way, or 21.26 acres of privately owned land. The annexation site has a total perimeter of 5,569 feet and a contiguous perimeter with City limits of 1,783 feet. The contiguous perimeter is 32% of the overall perimeter, exceeding the one-sixth (16%) required by State Statute.

**Structure Plan Map**

The Structure Plan Map found in City Plan provides the broadest land use and zoning guidance applicable to the site 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 the ‘Research & Development/Flex’ place type for the annexing site and surrounding properties to the east, west, and south.

**Structure Plan Map**



**PLACETYPES**

**Districts**

- Downtown District
- Urban Mixed-Use District
- Suburban Mixed-Use District
- Neighborhood Mixed-Use District
- Mixed Employment District
- Research & Development/Flex District
- Industrial District
- Campus District

**Other**

- Parks and Natural/Protected Lands
- Community Separator

**Neighborhoods**

- Rural Neighborhood
- Suburban Neighborhood
- Mixed Neighborhood

**BOUNDARIES**

- City Limits
- Growth Management Area (GMA)
- Adjacent Planning Areas

The land use characteristics of the Research & Development/Flex Place Types include:

*Principal Land Use Employment uses that include administrative, engineering, and/or scientific research, design or experimentation; offices; breweries; manufacturing; warehouses; wholesaling; and business incubator space.*

*Supporting Land Use Limited distribution and logistics, convenience retail, commercial services, outdoor storage and other uses related to the principal uses.*

Place Types represent flexible guidance to inform zoning based on the history and surrounding context of a site within general zoning categories. This place type is categorized as one of the City's Employment Districts alongside Employment, Industrial, and Campus (CSU) Designations. While City Plan discusses the potential for a future specific R&D/Flex zone district, at present, the most analogous zone districts to this Place Type remain either the Employment (E) or Industrial (I) Zone Districts.

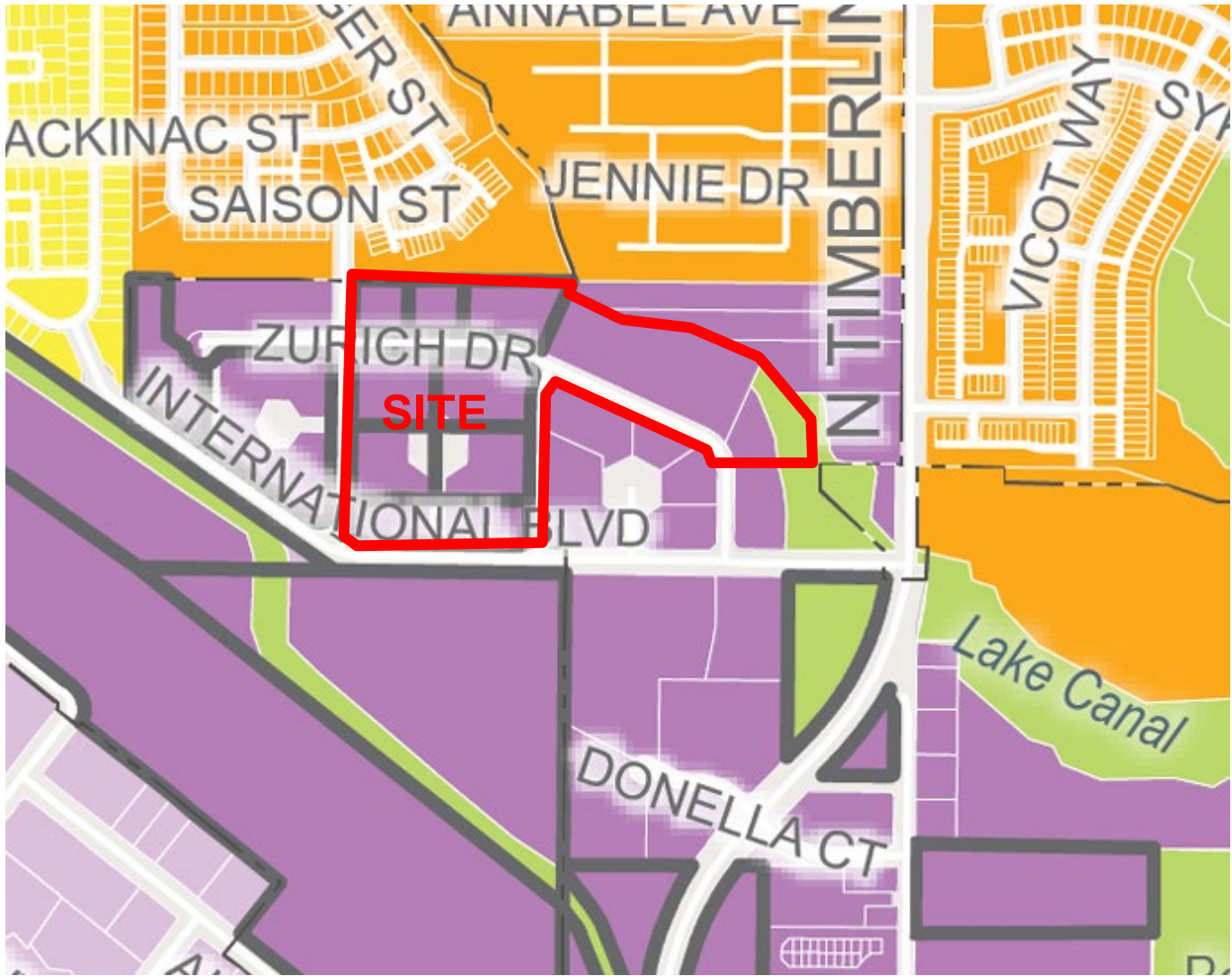
In City Plan, the R&D/Flex District is discussed as a hybrid between these two zone districts, permitting a wide range of employment uses alongside secondary or supporting land-uses with the ability to allow some characteristics of Industrial zoning, such as outdoor storage yards. This mix of Employment (E) or Industrial (I) zoning is reinforced by the only other development area of the community carrying the R&D/Flex designation on the Structure Plan Map: The Prospect Park Business and Industrial Park located southeast of Prospect and Timberline Roads. This area features a variety of employment, light industrial, and institutional uses within both Employment (E) and Industrial (I) zoned land.

The immediate vicinity to the site also features a mix of employment office, light industrial/industrial flex, and retail businesses to the west, east, and south. Combined with a large are of existing Employment (E) zoning to the southwest, the overall context also supports the proposed Employment (E) zoning. Staff also feels Employment (E) zoning represents the more compatible designation, versus Industrial (I) given the proximity of residential neighborhoods to the north and northeast.

In addition to the guidance provided by the Structure Plan Map, City Plan also encourages the use of more specific guidance found in neighborhood and subarea plans. The site is also covered by the recently updated East Mulberry Plan, which also provides land use and policy guidance for the area.

### **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 annexation 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 guidance for the Research & Development/Flex District Place Type.



Similar to the Structure Plan analysis described above, the land use guidance provided by the East Mulberry Plan is consistent with the proposed Employment (E) zoning. The R&D/Flex and by extension Employment (E) zoning supports the goal and purpose statements for this area by providing opportunities for both primary employment and secondary, supporting land uses that can compatibility transition from the more industrial Airpark southwest of the site to the more residential areas north and northeast of the site.

The East Mulberry Plan describes the purpose of areas designated under the R&D/Flex designation as follows:

*The R&D Flex District is one of the most flexible place type designations and supports a wide range of light industrial, employment, and commercial/retail land uses. Application of the R&D place type is supportive of Plan goals to remain a viable place for business and industry and promote additional neighborhood services and retail. This is particularly relevant for large portions of the Transitional / Mixed-Use Character Area which forms a bridge between established industrial development and new residential neighborhoods. The flexibility and range of uses within this place type make it ideal to accommodate a variety of future functions and land uses serving the needs of industrial and residential users while applying more modern buffering and compatibility development standards.*

Based on the context of the site and its surroundings as well as guidance provided by the City Plan Structure Plan Map and the East Mulberry Plan, staff supports the proposed Employment (E) zoning.

**Sign District**

Given the proposed Employment (E) zoning, staff recommends 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 generally correspond to the City’s zone districts. The corresponding table identifies the general categorization between lighting context areas and zoning districts in the community.

Table 3.2.4-1 Lighting Context Area		
Lighting Context Area	Land Use	Corresponding Zone Districts
LC0	Natural Area/Conservation Easement	P-O-L (City Natural Areas)
LC1	Single Family/Multi-Family/Light Industrial/Employment/ Portions of Harmony District	P-O-L (City Parks); R-U-L; U-E, R-F; N-C-L; R-C; L-M-N; M-M-N; I; E; T
LC2	Commercial/Industrial/ Portions of Harmony District/High Density Residential	C-N; C-C; C-C-N; C-C-R; C-G; C-L; H-C; I, R-D-R, D, H-M-N
LC3	Portions of Downtown, 24-Hour Emergency Medical Sites	D, M-M-N

Staff is recommending Lighting Context area LC1 for the site, similar to other areas of the community zoned as Employment (E). Specifically, LC1 is defined as:

LC1 - Low ambient lighting. The vision of human residents and users is adapted to low light levels. Lighting may be used for safety and convenience, but it is not necessarily uniform or continuous. Typical locations include low and medium density residential areas, commercial or industrial areas with limited nighttime activity, and the developed areas in parks and other natural settings.

## 2. Public Outreach

### A. NEIGHBORHOOD MEETING

A neighborhood meeting was held September 5, 2024, to jointly share information and discuss the proposed annexation and Overall Development Plan. 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 ODP or future development issues rather than the annexation. Traffic (pick-up/drop-off times) and transportation access to this area of the community being limited solely to International Boulevard and potential bottlenecks at its intersection with Timberline Road were key concerns raised.

## 3. Article 2 – Section 2.5.2 – Employment (E) - Applicable Standards

### A. PURPOSE

The requested zoning for the entire property is Employment (E), which is consistent with the City of Fort Collins Structure Plan Map and the East Mulberry Subarea Plan. The Land Use Code describes the Employment District as follows:

*Purpose. The Employment District is intended to provide locations for a variety of workplaces including light industrial uses, research and development activities, offices and institutions. This District also is intended to accommodate secondary uses that complement or support the primary workplace uses, such as hotels, restaurants, convenience shopping, child care and housing.*

*Additionally, the Employment District is intended to encourage the development of planned office and business parks; to promote excellence in the design and construction of buildings, outdoor spaces, transportation facilities and streetscapes; to direct the development of workplaces consistent with the availability of public facilities and services; and to continue the vitality and quality of life in adjacent residential neighborhoods.*

### B. LAND USE

A project development plan has not been submitted although an Overall Development Plan is under review for the site. Future Project Development Plans and land uses will be subject to the list of permitted land uses in Section 2.5.2 – Employment.

## 4. Article 6 – Administration & Procedures - Applicable Standards

### A. BACKGROUND

The annexation was submitted on August 2, 2024. A companion submittal for review of an Overall Development Plan (ODP240001) for the same site was submitted September 20, 2024.

### B. ANNEXATION PROCEDURAL OVERVIEW

#### 1. Conceptual Design Review

A conceptual review meeting was held to discuss the annexation and associated Overall Development Plan on March 8, 2024.

#### 2. First Submittal (ANX240001)

As previously mentioned, the first submittal of this project was completed on August 2, 2024.

#### 3. Neighborhood Meeting

A joint annexation and Overall Development Plan neighborhood meeting was conducted on September 5, 2024. A meeting summary and link to the meeting recording is attached to this report.

#### **4. Notice (Posted, Written and Published)**

Posted Notice (ANX240001): August 6, 2024 (Sign #786)

Written notice: December 4, 2024, 484 letters sent.

Published Notice: December 3, 2024.

#### **5. Findings of Fact/Conclusion**

In evaluating the request for the Heritage Annexation, ANX240001, 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 Employment (E) zone district is consistent with the City of Fort Collins Structure Plan Map 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 November 19, 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 Employment zoning.

#### **6. Recommendation**

Staff recommends approval of the annexation and the requested zoning of Employment (E), consistent with the Structure Plan Map 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 Area.

#### **7. Attachments**

1. Vicinity Map
2. Annexation Petition
3. Statement of Principles & Policies
4. Annexation Map
5. Requested Zoning Map
6. September 5, 2024 Neighborhood Meeting Summary
7. Staff Presentation