

# AGENDA ITEM SUMMARY

## FORT COLLINS CITY COUNCIL

ITEM NUMBER: 10

DATE: April 17, 2007

STAFF: Ken Waido  
Clark Mapes

### SUBJECT

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Items Relating to Adoption of the North College Corridor Plan.

### RECOMMENDATION

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Staff recommends adoption of the Ordinances on Second Reading.

### EXECUTIVE SUMMARY

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- A. Second Reading of Ordinance No. 049, 2007, Amending the Zoning Map of the City of Fort Collins by Changing the Zoning Classification for that Certain Property Known as the Conifer Street Rezoning.
- B. Second Reading of Ordinance No. 050, 2007, Amending Division 4.19 of the Land Use Code by Adding Large Retail Establishments to the List of Permitted Uses.

The updated North College Corridor Plan (*NCCP*) was adopted by Resolution 2007-032 on March 20, 2007. Ordinance No. 049, 2007, unanimously adopted on First Reading on March 20, 2007, rezones nine parcels of land containing approximately 4.1 acres located along the north side of Conifer Street and just west of Redwood Street to conform with the updated *NCCP*.

The Plan recommends a specific change to Permitted Uses in the Community Commercial-North College zone district (C-C-N zone). The change would add Large Retail Establishments to the C-C-N zone. Ordinance No. 050, 2007, unanimously adopted on March 20, 2007 adopts this change to the Land Use Code.

### ATTACHMENTS

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1. Copy of First Reading Agenda Item Summary - March 20, 2007.

## AGENDA ITEM SUMMARY

### FORT COLLINS CITY COUNCIL

ITEM NUMBER: 27 A-E

DATE: March 20, 2007

STAFF: Ken Waido  
Clark Mapes

#### **SUBJECT**

Items Relating to Adoption of the North College Corridor Plan.

#### **RECOMMENDATION**

Staff recommends adoption of the Resolutions and the Ordinance on First Reading.

The Planning and Zoning Board voted 6-0 to recommend adoption of the North College Corridor Plan and the proposed amendments to City Plan.

The Transportation Board and Natural Resources Advisory Board voted unanimously to recommend adoption of the North College Corridor Plan.

#### **EXECUTIVE SUMMARY**

- A. Resolution 2007-032 Adopting the Updated North College Corridor Plan as an Element of the Comprehensive Plan of the City.
- B. Resolution 2007-033 Amending Figure GM-8 of the City Plan Principles and Policies to Comport with the North College Corridor Plan.
- C. Resolution 2007-034 Amending the City's Structure Plan Map to Comport with the North College Corridor Plan.
- D. Hearing and First Reading of Ordinance No. 049, 2007, Amending the Zoning Map of the City of Fort Collins by Changing the Zoning Classification for that Certain Property Known as the Conifer Street Rezoning.
- E. First Reading of Ordinance No. 050, 2007, Amending Division 4.19 of the Land Use Code by Adding Large Retail Establishments to the List of Permitted Uses.

The proposed update to the North College Corridor Plan (NCCP) has been developed by City staff with extensive public input over the past year. The main elements of the Plan are an updated vision, goals, policies, Framework Plan map, and recommended actions with possible funding sources.

Several related items are being proposed in conjunction with the proposed updated Plan:

- Based on the NCCP, a minor amendment to the City Structure Plan is needed to change the land use designation along the north side of Conifer Street, east of North College Avenue and west of Redwood Street from Industrial to Community Commercial. Accordingly, to further implement this minor change, a corresponding rezoning is proposed.
- The NCCP recommends an amendment of City Plan's Targeted Redevelopment and Infill map to add more area near North College and Downtown. The area is located east of Redwood Street, south of Conifer Street, north of East Vine Drive, and extending slightly further east of the proposed realignment of Lemay Avenue.
- The Plan recommends a specific change to Permitted Uses in the Community Commercial-North College zone district (C-C-N zone) which is being proposed in conjunction with the Plan adoption hearing. The change would add Large Retail Establishments to the C-C-N zone.

## BACKGROUND

In 1995, the City of Fort Collins adopted the *North College Corridor Plan* as an element of the City's Comprehensive Plan. Implementation of the Plan included the creation of new zoning districts now known as the C-C-N, Community Commercial-North College District and the C-N, Commercial-North College District.

In 1997, the City Council adopted *City Plan* as the City's new Comprehensive Plan, with an update in 2004. The 2004 *City Plan* update called for the update of the *North College Corridor Plan* to deal with a list of issues and changes that had accumulated over the years.

The primary objective of the NCCP is to tailor *City Plan* principles to the specific circumstances of the corridor. If adopted, the updated Plan will remain an element of *City Plan*.

The updated Plan is divided into chapters covering the following topics:

- Chapter 1 – Introduction
- Chapter 2 – Issues
- Chapter 3 – Vision
- Chapter 4 – Goals
- Chapter 5 – Framework Plan
- Chapter 6 – Implementation Actions & Financing, Some Details

Presented below is a brief summary of each chapter.

### Chapter 1 - Introduction

The Introduction sets the context for the 2007 update to the 1995 version of the *North College*

*Corridor Plan*, describing the Plan area, the Plan's relationship with *City Plan*, and the transportation role of North College Avenue, and brief historical background of the corridor.

## Chapter 2 - Issues

The second chapter lays the foundation for the updated Plan by describing the major issues that have emerged over the years that have led to this update and are addressed in the Plan. These key issue areas are:

- Identity and Community Design
- North College Avenue Itself
- Retrofitting Streets Into the Corridor
- Existing Development
- Land Use and Business Mix
- River and Connections to Downtown
- Transportation
- Drainage & Utilities
- Financing

All of the above issues interrelate and overlap and all have contributed to the state of the corridor today.

## Chapter 3 - Vision

In general, the vision includes the following for the "urban evolution" of the corridor:

- more efficient use of land
- higher values
- more complete public infrastructure, and
- more economic activity;

while keeping the strong sense of civic ownership that led to this Plan.

The Vision addresses the issues listed in the previous Issues chapter, with sketches and photos.

This update, thus, is geared to giving the area an overall positive identity and renewed sense of place, taking advantage of the corridor's proximity of the Poudre River and the Downtown, establishing new street patterns, and dealing with existing uses while fostering changes to a more desirable business mix, dealing with infrastructure shortcomings and drainage issues, and finding financial resources for needed capital improvements.

## Chapter 4 - Goals

The Goals are intended to organize, guide, and stimulate efforts to implement the vision and address issues. Goals are categorized to correspond to the facets of the Vision. Also, the Plan states:

“There is one overarching goal which does not fit any one category: ‘Improve Public,

Consumer, and Investor Perception of "North College."

Goals in all categories significantly contribute to this goal in particular, as it involves a number of interrelated elements: development and redevelopment projects, property upgrades, street improvements, beautification efforts, maintenance, an image and identity program, utilities to support all of the above, and financing and administration of all the above."

The Goals are as follows:

## LIST OF GOALS

### The Highway Itself -- North College Avenue/SH 14/US 287

- Improve the safety, image and identity of North College Avenue.
- Find Context Sensitive Solutions (CSS) with the CDOT for street design, as needed to reflect unique circumstances and the City's vision and goals.

### More Complete Street Network

- Evolve a more complete pattern of streets, drives, and alleyways forming interconnected blocks of development serviced by public access and utilities, behind highway frontage.
- Adapt the pattern and details of new streets to fit circumstances and facilitate development projects consistent with the vision and goals.

### Connections to Downtown Across the Poudre River Corridor

- Capitalize on the river corridor as an attractive, more active connection with downtown, eliminating perceptions of an edge and a separation.

### Community Appearance and Design

- Establish a distinct image and identity along the highway with streetscape improvement.
- Build up a distinct image and city character in evolving places along the corridor
- Highlight exceptional gateway locations
- Promote the positive attributes of the whole North College corridor area with a unique image and identity program.

### Land Uses and Activity

- Strengthen market underpinnings and economic activity .
- Support and complement the Downtown core.
- Maximize multiple story buildings.

### Financing and Administration

- Solve drainage system needs where required to allow street and development projects.
- Leverage and stimulate further investment with infrastructure projects.
- Leverage City investments with additional financing derived from land value, as needed to make necessary infrastructure feasible.
- Foster a positive investment climate for projects that contribute to the vision and goals.
- Assemble key properties where needed to allow development projects and urban upgrading to proceed.

### Community Support/Dealing with Change

- Continue the broad public support which prompted this Plan and much of the progress in the corridor since 1992, will continue.
- Increase collaboration and mutual understanding among multiple owners and City Departments.
- Public support, civic discussions, and citizen initiative will continue to lead to financing solutions and other property agreements to implement goals.

### Chapter 5 - Framework Plan

Chapter 5 presents the revised *Framework Plan* map. The map illustrates the general, preferred land use and transportation framework for development and redevelopment projects in the North College corridor, consistent with the vision and goals.

Its land use pattern is a guide for zoning regulations; and its recommended street network will be required or encouraged as part of (re)development projects.

The *Framework Plan* map includes one minor change to a current land use designation, along the north side of Conifer Street, east of North College Avenue and west of Redwood Street. The map shows a change from Industrial to Community Commercial designation.

The Framework Plan also shows a "New Vine Drive Influence Area" extending east from the North College Corridor, along the proposed realignment of Vine Drive, to the proposed realignment of Lemay Avenue. These proposed realignments involve major transportation implications which directly affect the North College Corridor.

### Chapter 6 - Implementation Actions & Financing, Some Details

The final chapter, *Implementation Actions & Financing*, is to provide a basis for crucial conversations on the next generation of projects and efforts to accomplish the vision, goals, policies, and Framework Plan of the updated *North College Corridor Plan*. In order for the Plan to be implemented, it requires a broad acceptance and collaboration among multiple property and business owners, City departments, and other agencies. The chapter lists the implementation actions, and identifies why the action is necessary, who should be responsible for the action, when the action

needs to be undertaken, and how the action could be financed.

### Public Process

The public process for the update to the *North College Corridor Plan* consisted of two major general open houses and monthly updates at meetings of the North Fort Collins Business Association (NFCBA), including two meetings devoted to review and discussion of the Plan. The open houses were conducted on May 31, 2006, and November 1, 2006. The monthly meetings with the NFCBA were conducted throughout 2006 and into 2007.

A series of eight property-owner focus group meetings were held in July and August of 2006, along with a few additional individual meetings, visits, and phone calls. The primary purpose of these meetings was to inform owners of the plan, discuss a vision and goals, and explore needs for new streets, utilities, and redevelopment involving groups of properties.

In addition, the plan's progress was reviewed by the Transportation Board and the Natural Resources Advisory Board.

### RELATED ITEM: PROPOSED CHANGES TO CITY PLAN

Proposed changes to *City Plan* are a change to the *City Structure Plan* map, and a change to the *Targeted Redevelopment Areas* map.

### Structure Plan Change

The vision for North College emphasizes cross streets leading to and from North College Avenue to foster active, attractive, pedestrian-friendly places. Properties along the north side of Conifer Street offer a very good opportunity to achieve this in conjunction with development along the south side of Conifer, which is already zoned C-C-N. The Industrial zone allows a number of land uses that would be incompatible with the vision due to low visual quality, low levels of human activity, and low levels of improvement (e.g., junk yards, outdoor storage, warehouses.)

### Targeted Infill and Redevelopment Areas Map

During development of the update to the *NCCP*, the influences of the proposed realignment of Vine Drive were integrated into the Plan as a major factor. The Plan update process highlighted the magnitude of changes introduced by the proposed realignment of "New Vine Drive" through the middle of the largest area of undeveloped land in and adjacent to the corridor. The effects of the realigned arterial street are further magnified by two major water lines proposed to parallel the roadway, and a major channel or pipe to carry stormwater flows.

Influences of these facilities are tied to the entire stretch from North College Avenue to Lemay Avenue. Influences include extraordinary costs and significant impacts on land use and transportation. Specifically, some of the influences of the realigned Vine depend on how and when it intersects with Lemay Avenue, and on the required replacement of the existing Vine/Lemay intersection with a completely new intersection based on realignment of both streets into open land to accommodate a full size arterial intersection.

Conifer Street and the stretch of North College Avenue from Conifer south are currently designated as an Enhanced Travel Corridor at the time of this Plan. However, the proposed realignment of Vine Drive has launched conversations about whether that designation may shift from Conifer Street to the New Vine Drive, with implications for the North College Corridor.

Another consideration in expanding the "North College Redevelopment and Infill Area" eastward along realigned Vine Drive came from market analysis done in 2005 as an input to the *NCCP*. That analysis highlighted a very important need to increase residential development in the trade area. While the introduction of "New Vine" has raised questions about a greater potential for non-residential uses, the proposed area to be added is still envisioned as a good opportunity for residential development directly tied to the North College corridor by the new roadway.

For all these reasons and more, inclusion of the area on the Infill and Redevelopment Map is integral and essential to the North College corridor. Inclusion on the map generally means there is an increased policy basis for the City to help fund extra-ordinary infrastructure needs due to deficiencies in existing infrastructure, and to provide special features or assistance needed to accommodate the impacts of major changes which are envisioned.

#### **RELATED ITEM: PROPOSED CONIFER STREET REZONING**

This is a proposal to rezone nine parcels of land containing approximately 4.1 acres located along the north side of Conifer Street and just west of Redwood Street. The requested zoning change is from the Industrial District (I) to the Community Commercial-North College, District (C-C-N).

The three property owners who are affected, support the change.

#### **Land Use Code Requirements for Rezoning**

The regulations covering rezonings in the City of Fort Collins are contained in Division 2.9 of the *Land Use Code*. Section 2.9.4 (H) (2) indicates the following:

*Mandatory Requirements for Quasi-Judicial Rezoning.* Any amendment to the Zoning Map involving the zoning or rezoning of six hundred forty (640) acres of land or less (a quasi-judicial rezoning) shall be recommended for approval by the Planning and Zoning Board or approved by the City Council only if the proposed amendment is:

- (a) consistent with the City Comprehensive Plan and/or
- (b) warranted by changed conditions within the neighborhood surrounding and including the subject property.

Section 2.9.4 (H) (3) of the *Land Use Code* indicates the following:

*Additional Considerations for Quasi-Judicial Rezoning.* In determining whether to recommend approval of any such proposed amendment, the Planning and Zoning Board and City Council may consider the following additional factors:



- (a) whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land, and is the appropriate zone district for the land;
- (b) whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment, including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, wetlands and natural functioning of the environment;
- (c) whether and the extent to which the proposed amendment would result in a logical and orderly development pattern.

### **Justification for the proposed rezoning**

The proposed rezoning is being made in conjunction with the update to the *North College Corridor Plan* to help implement its vision and goals, along with the related change to the City Structure Plan. The justification matches the justification for the Structure Plan change. As noted previously, the vision for North College emphasizes cross streets leading to and from North College Avenue to foster active, attractive, pedestrian-friendly places. Properties along the north side of Conifer Street offer a very good opportunity to achieve this in conjunction with development along the south side of Conifer, which is already zoned C-C-N. The Industrial zone allows a number of land uses that would be incompatible with the vision due to low visual quality, low levels of human activity, and low levels of improvement (e.g., junk-yards, outdoor storage, warehouses.)

Therefore, the justification for this rezoning lies within the *North College Corridor Plan*, specifically its Framework Plan map, which shows the subject area to be appropriate for inclusion in the Community Commercial District on the City's Structure Plan Map.

### **Consistency with City Plan, The City's Comprehensive Plan**

As indicated above, any request to rezone less than 640 acres is considered a quasi-judicial rezoning and the first "criterion" for approving the request is consistency with the City's Comprehensive Plan. The main consideration in this regard is the City Structure Plan map, which sets the basic land use framework showing how Fort Collins should grow and evolve. Since the Structure Plan map is proposed for amendment as part of the update to the *North College Corridor Plan*, the proposed rezoning is a consistent part of the same package.

### **Findings of Fact**

In evaluating the request for rezoning, staff makes the following findings of fact:

- A. In 1997, the City adopted *City Plan* as City's the new Comprehensive Plan. And in 2004 an update to *City Plan* was adopted by the City Council. The 2004 *City Plan* update did call for the update of the *North College Avenue Corridor Plan* to deal with a list of issues that had accumulated since the initial adoption of the Plan.

- B. The update of the *North College Avenue Corridor Plan* is also proposed as an element of the City's Comprehensive Plan and the *Framework Plan* map in the Plan shows the subject area changing from the "Industrial" classification to the "Community Commercial-North College" classification.
- C. The requested rezoning is consistent with the City's Comprehensive Plan, and thus meets the requirement of Division 2.9 of the *Land Use Code* Section 2.9.4 (H) (2), by directly implementing the *North College Corridor Plan*.

#### **RELATED ITEM: PROPOSED CHANGE TO C-C-N ZONE**

This is a proposed revision to Division 4.19, the Community Commercial-North College Zone District (C-C-N) of the *Land Use Code*. The revision would add "Large Retail Establishments" to the list of permitted uses in the C-C-N Zone District, Section 4.22(B) of the *Land Use Code*, subject to review by the Planning and Zoning Board.

In 2000, the City Council added Supermarkets to the zone district, finding that large-footprint uses can be appropriate in the zone if they provide responsive design and needed infrastructure. The reasoning was that large uses bring a special ability to deal with costly infrastructure needs in the corridor, and size impacts can be adequately addressed in the design process and the public process of development review.

The proposed realignment of Vine Drive introduced another change following the C-C-N zoning, by introducing a large scale traffic facility through the center of the largest contiguous area of C-C-N zoning.

Then, market analysis done in 2005 as an input into the updated *NCCP*, indicated that a large "destination retail" establishment(s) would be a crucial boost in helping rejuvenate the economic vitality of the North College corridor. A "big box" retail establishment could fill the need for a destination retail use to draw customers into the corridor.

Changed conditions and new information combined with public discussion in the Plan process have led to the proposed change to allow the use.

#### **ATTACHMENTS**

1. Existing City Structure Plan Map, Conifer Street area.
2. Proposed City Structure Plan Map, Conifer Street area.
3. Existing Zoning Map, Conifer Street area.
4. Proposed Zoning Map, Conifer Street area.

ORDINANCE NO. 049, 2007  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
AMENDING THE ZONING MAP OF THE  
CITY OF FORT COLLINS BY CHANGING THE ZONING  
CLASSIFICATION FOR THAT CERTAIN PROPERTY KNOWN  
AS THE CONIFER STREET REZONING

WHEREAS, Division 1.3 of the Fort Collins Land Use Code (the "LUC") establishes the Zoning Map and Zone Districts of the City; and

WHEREAS, Division 2.9 of the LUC establishes procedures and criteria for reviewing the rezoning of land; and

WHEREAS, on March 20, 2007, the City Council approved, through the adoption of Resolution 2007-032, an updated North College Corridor Plan, which updated Plan includes a Framework Plan map; and

WHEREAS, the Framework Plan map identifies nine parcels of land located along the north side of Conifer Street and just west of Redwood Street as being suitable for designation as "Community Commercial" on the City's Structure Plan Map, which designation would allow for the inclusion of active, attractive, pedestrian-friendly places at the time that such properties are developed; and

WHEREAS, this same date, the City Council has adopted Resolution 2007-034 amending the City's Structure Plan Map to reflect this change; and

WHEREAS, in accordance with the foregoing amendment to the Structure Plan, the Council has considered the rezoning of the property which is the subject of this ordinance, and has determined that said property should be rezoned as hereafter provided; and

WHEREAS, to the extent applicable, the Council has also analyzed the proposed rezoning against the considerations set forth in Section 2.9.4(H)(3) of the Land Use Code.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS:

Section 1. That the Zoning Map adopted by Division 1.3 of the Land Use Code is hereby amended by changing the zoning classification from "I", Industrial Zone District, to "CCN", Community Commercial - North College Zone District, for the following described property in the City known as the Conifer Street Rezoning:

LOT 2, A MINOR SUB OF CONIFER INDUSTRIAL PARK

LOT 3, A MINOR SUB OF CONIFER INDUSTRIAL PARK

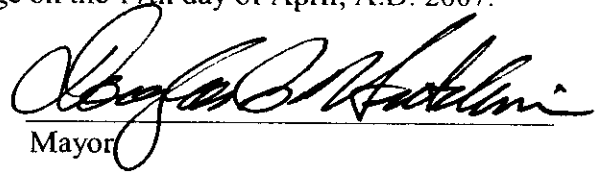
LOT 13, BLK 5, REPLAT EVERGREEN PARK

Plus the following parcel:

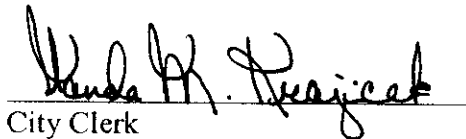
Portion of the West half of Section 1, Township 7 North, Range 69 West of the Sixth Principal Meridian, Described as follows; Beginning at the Southeast corner of Lot 13 Block 5 of the Replat of Evergreen Park, City of Fort Collins; Thence North 165.57 feet; Thence South 89 degrees 44 minutes 22 seconds East 574.64 feet; Thence South 66 degrees 15 minutes 38 seconds West 308.11 feet; Thence along a curve to the left having a central angle of 23 degrees 44 minutes 22 seconds a radius of 500.00 feet and an arc length of 190.59 feet; Thence West 107.41 feet to the True Point of Beginning.

Section 2. The City Manager is hereby authorized and directed to amend said Zoning Map in accordance with this Ordinance.

Introduced, considered favorably on first reading, and ordered published this 20th day of March, A.D. 2007, and to be presented for final passage on the 17th day of April, A.D. 2007.

  
Mayor

ATTEST:

  
City Clerk

Passed and adopted on final reading on the 17th day of April, A.D. 2007.

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Mayor

ATTEST:

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City Clerk

ORDINANCE NO. 050, 2007  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
AMENDING DIVISION 4.19 OF THE LAND USE CODE  
BY ADDING LARGE RETAIL ESTABLISHMENTS TO THE LIST  
OF PERMITTED USES

WHEREAS, Division 4.19 of the Land Use Code ("LUC") contains regulations applicable to properties in the City that are placed in the Community Commercial - North College ("C-C-N") District; and

WHEREAS, the updated North College Corridor Plan (the "Plan"), as approved by the City Council through the adoption of Resolution 2007-032 on March 20, 2007, recommends that certain additional properties in the North College area be placed in the C-C-N District; and

WHEREAS, a market analysis conducted in conjunction with the update of the Plan has indicated that the inclusion of large "destination retail" establishments as permitted uses in the C-C-N district would be instrumental in rejuvenating the economic vitality of the North College Corridor; and

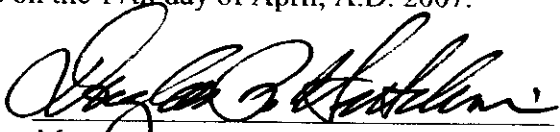
WHEREAS, the Planning and Zoning Board reviewed this proposed amendment to Division 4.19 of the LUC on March 15, 2007 and recommended that such amendment be adopted.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS that Division 4.19(B)(3)(c) of the Fort Collins Land Use Code is hereby amended as follows:

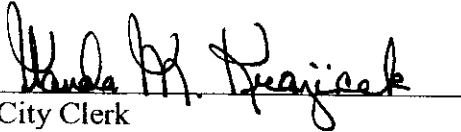
(c) **Commercial/Retail Uses:**

1. Convenience retail stores with fuel sales, provided that they are at least three thousand nine hundred sixty (3,960) feet (three quarters [ $\frac{3}{4}$ ] of a mile) from any other such use and from any fueling station.
2. Unlimited indoor recreational uses and facilities.
3. Day shelters, provided they do not exceed ten thousand (10,000) square feet and are located within one thousand three hundred twenty (1,320) feet (one-quarter [ $\frac{1}{4}$ ] mile) of a Transfort route.
4. Supermarkets.
5. Large retail establishments.

Introduced, considered favorably on first reading, and ordered published this 20th day of March, A.D. 2007, and to be presented for final passage on the 17th day of April, A.D. 2007.

  
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Mayor

ATTEST:

  
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City Clerk

Passed and adopted on final reading on the 17th day of April, A.D. 2007.

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Mayor

ATTEST:

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City Clerk