

MINUTES

CITY OF FORT COLLINS • BOARDS AND COMMISSIONS



Planning & Zoning Commission REGULAR MEETING

August 21, 2025 – 6:00 PM

Council Chambers, City Hall 300 Laporte Ave

Also via Zoom

1. CALL TO ORDER: 6:00 PM

2. ROLL CALL

- a. Board Members Present – Adam Sass (Chair), Russell Connelly (Vice Chair), York, Shirley Peel, Ted Shepard
- b. Board Members Absent – Julie Stackhouse and Kent Bruxvoort
- c. Staff Members Present – Frickey, Kidwell, Myler, Yatabe, Mapes, Schumann, Kleer, Gilchrist
- d. Guest(s) –

3. AGENDA REVIEW

Clay Frickey, Planning Manager, provided a review of the agenda.

4. PUBLIC PARTICIPATION

None.

5. CONSENT AGENDA

Miranda Spindel requested the Moor Annexation item be pulled for discussion due to concerns regarding the proposed zoning of the property.

Laura Larson also requested the Moor Annexation item be pulled for discussion.

Kay Lannen requested the Academy of Arts and Knowledge item be pulled for discussion due to concerns about playground noise.

- **CONSIDERATION AND APPROVAL OF THE MINUTES OF JUNE 25, 2025**

The purpose of this item is to approve the minutes from the June 25, 2025 meeting of the Planning and Zoning Commission.

- **ENCLAVE AT REDWOOD SUBDIVISION – FDP250007**

DESCRIPTION: This is a request for a combination Major Amendment/Final Development Plan to replat Enclave at Redwood into fourteen (14) separate lots, and ten (10) tracts. There are no proposed changes to the Site, Landscape, Drainage, or Utility Plans approved with the Enclave at Redwood Final Development Plan. This is located in the Low Density Mixed Use Zone District and is subject to a Type 2, Planning & Zoning Commission review.

STAFF: Clark Mapes, City Planner

PROPERTY OWNER: Brian Bratcher, DR Horton
9555 Kingston Ct.
Englewood, CO 80112

APPLICANT: Tenae Beane
Ripley Design, Inc.
236 Linden St. Ste. A
Fort Collins, CO 80524

Commissioner York made a motion, seconded by Commissioner Peel, to approve the Consent Agenda as amended. Yeas: Connelly, Shepard, York, Peel, and Sass. Nays: None.

THE MOTION CARRIED.

6. DISCUSSION AGENDA

- **MOOR ANNEXATION – ANX250001**

DESCRIPTION: This is a request to annex and zone 3.368 acres of land generally located at parcel 9710200008. The annexation is subject to a series of hearings including a (Type 2) Review and public hearing by the Planning & Zoning Commission and recommendation to City Council. A specific project development plan proposal is not included with the annexation application. This project is related to Conceptual Review CDR240025, previously known as 2000 Laporte Avenue Annexation.

STAFF: Arlo Schumann, Planner

PROPERTY OWNER: RRT Investments LLC
6316 Jocelyn Hollow Rd.
Nashville, TN 372053520

APPLICANT: Cathy Mathis
TB Group
444 Mountain Avenue
Berthoud, CO 80513

STAFF OVERVIEW

Arlo Schumann, City Planner, stated this is a request for a recommendation to City Council for a voluntary annexation and zoning of 3.36 acres located northeast of the intersection of Taft Hill Road and Laporte Avenue. He noted the annexation is contiguous with municipal boundaries and meets the State annexation requirements. He stated the proposal is for the site to be zoned Low-Density Mixed-Use Neighborhood (LMN).

Schumann showed an aerial image of the site and discussed the surrounding parcels and their zoning. He noted the Structure Plan map identifies the site and its immediate surroundings as the Suburban Neighborhood place type, which has a principal land use of single unit detached homes with a density of two to five principal units per acre. Other uses include recreational facilities, schools, places of worship, and ADU's.

Schumann discussed the Northwest Subarea Plan guidance for the area which calls out LMN and RL zoning and limited commercial areas. He also noted staff is recommending the site be placed in the residential sign district and lighting context area 1 (LC1). He stated staff finds the property meets the State law eligibility requirements to qualify for a voluntary annexation and that the requested LMN zoning is consistent with the City's Structure Plan and Northwest Subarea Plan. Additionally, the annexation is consistent with the policies and agreements between Larimer County and the City of Fort Collins. He noted City Council accepted the annexation petition on July 15, 2025.

COMMISSION QUESTIONS

Chair Sass asked about the role of the Commission in terms of providing a recommendation on annexations. Assistant City Attorney Brad Yatabe replied the Land Use Code specifies that annexations are controlled by State statutes which were analyzed in the staff report. Additionally, the associated zoning is also part of the recommendation and is analyzed in the staff report as well. He stated the Commission should principally examine alignment with City Plan.

Commissioner York asked how long the site has been an enclave. Schumann replied it is not an enclave as there is unincorporated property to the north. He added that this annexation would create an enclave of the gas station and two properties on the west side of Taft Hill Road.

Commissioner Peel asked how the Subarea Plans are supposed to be considered in this

type of situation, given the Sanctuary on the Green ruling. Assistant City Attorney Yatabe replied the District Court order directed that Subarea Plans are considered to be more than advisory and there must be compliance with the Plans.

Commissioner Peel requested a summary of why this annexation is in compliance with the Northwest Subarea Plan. Schumann replied the framework map identifies the area as LMN.

Chair Sass asked about a comment related to the property having previously been a landfill and noted any work would need to be done per CDPHE standards if applicable. Schumann replied that work would be part of the development plan.

PUBLIC PARTICIPATION

Kathy Fieseler, 1950 Laporte Avenue, stated her property borders the entire east side of the subject property. She ceded her remaining time to Jennifer Beccard.

Jennifer Beccard, Fort Collins resident, stated the Fieselers have lived at their home for 44 years and expressed concern that the project will significantly impact their property. She opposed the LMN zoning and recommended Low-Density Residential (RL) or Urban Estate (UE) zoning stating those zones would better align with the Northwest Subarea Plan and the neighborhood. She stated the project is contemplating a four-story building and noted there are no four-story buildings anywhere in the area. She also stated the site is in a floodplain and frequently floods. Additionally, she expressed concern about traffic and safety in the area.

Raygina Kohlmeier, 273 North Sunset Street, expressed concern about the proposed zoning stating it is not appropriate for the surrounding area. She also commented on the insufficient drainage situation along Laporte Avenue that was only recently addressed. She questioned whether the existing infrastructure could support additional development without negative flooding, noise, lighting, and traffic impacts.

Val Vogeler, 520 North Taft Hill Road, described the neighborhood as being quite rural and suggested LMN zoning is not appropriate for the subject property. She expressed concern about flooding, safety, and traffic impacts.

Pastor Dee Highland of the church just north of the subject property stated a four-story building would not be bothersome given the height of existing trees. He expressed concern about the floodplain and drainage issues.

Miranda Spindel, owner of the property just to the north of the proposed annexation. She stated any future development of the property will directly impact the neighborhood. She stated the framework plan provides guidance, is not regulatory, and is intended to be used together with the Northwest Subarea Plan guidelines. She noted the District Court did make a ruling establishing that the Northwest Subarea Plan is regulatory, and when the Land Use Code and the Subarea Plan conflict, the more stringent guidelines take precedence. She stated there was a conceptual review for a 78,000 square foot, four-story building which is completely out of alignment with the Northwest Subarea Plan. She suggested the property would be better designated as UE or RL.

Bill Bertschy, 430 Peterson, commented on the Spring Creek flood and resulting work on

changing floodplain designations and correcting flood mitigation deficiencies. He stated much of the natural drainage in the northwest part of the city was taken out by development with the idea that flow would go into irrigation ditches, which has proven to be inadequate. He also expressed concern about the impact of LMN zoning on the neighborhood character.

Jiayi Shou, 1948 Laporte Avenue, concurred with the concerns raised by previous speakers regarding flooding, neighborhood character, and traffic, and opposed the proposed LMN zoning. She stated a four-story building will negatively impact the neighborhood and views from Puente Verde Natural Area.

Laura Larson, 320 North Impala, echoed the concerns of Ms. Shou and Ms. Spindel. She stated the proposed project does not conform to the Northwest Subarea Plan and is in direct opposition to the majority of the guidelines outlined in the Plan. She stated the property should be zoning either RL or UE and reiterated the Northwest Subarea Plan is regulatory in nature.

Sam Coutts, 236 Linden Street, expressed support for the annexation application and stated plans, policies, and studies that have been completed should be relied upon. He stated it is clear that the framework plan and Structure Plan have the area designated as LMN.

STAFF RESPONSE

Schumann acknowledged the points that were made, but noted many of them are not related directly to the annexation. He stated there was a conceptual review plan; however, that was purely conceptual and there are no development plans being reviewed. In terms of the proposed zoning, Schumann stated the framework map that is in the Northwest Subarea Plan does speak to zoning a property RL if it is five acres in size or less and adjacent to an existing single-family neighborhood. He stated he was unsure that a single unincorporated neighboring property is in the spirit of zoning the site RL.

Clay Frickey, Planning Manager, noted the specific stipulation that the City would zone parcels RL is for parcels that are currently zoned Farming in the County, and this property is zoned RR2 Residential and CC for Commercial; therefore, this property would not be eligible for being zoned RL per the guidance of the Northwest Subarea Plan.

COMMISSION QUESTIONS

Commissioner Shepard requested additional information regarding the references to floodplain. Schumann replied there is a City floodway and a City floodplain, both predominantly on the north half of the property. He noted the applicant and property owner are well aware of those issues and that was part of the discussion during the conceptual review.

Commissioner York asked if an outfall project recently completed in the area to help mitigate flooding. Schumann replied there are several recent projects and future planned projects in the area and noted floodplain staff members are in contact with the applicants regarding floodway issues. Frickey noted there was some recent work done to improve the outfall situation in the northwest part of the community; however, it remains under the City's floodplain and floodway.

Commissioner Shepard stated his understanding is that the West Vine Drainage Basin is a

joint capital project between the County and the City which extends from Soldier Canyon Dam to the outfall on the Poudre. He noted the project is a work in progress. He stated many of the comments were accurate that much of the natural drainage swales were farmed over.

Frickey noted the flooding issues are not directly tied to the annexation and zoning and stated that upon development, stormwater staff would review any project for compliance with all floodplain regulations.

Commissioner Peel asked if the Subarea Plan would be considered as part of the development review process for any proposed project. Schumann replied in the affirmative and reiterated there are no current developments being proposed.

Commissioner Peel asked if neighbors would have another opportunity to weigh in on concerns. Schumann replied in the affirmative.

Commissioner Shepard asked if a four-story building is permitted in the LMN zone district. Schumann replied in the affirmative.

Chair Sass asked how many land use categories are in the Northwest Subarea Plan. Schumann replied there are more than three types; however, there are three that are categorized as residential.

Chair Sass noted the Subarea Plan showed the property as being LMN.

Assistant City Attorney Yatabe stated the principal review of a zoning focuses on consistency with the City's Comprehensive Plan and/or whether the zoning is warranted by changed conditions within the neighborhood. He noted the Land Use Code does list additional considerations that may be taken into consideration, though they are not mandatory: whether and the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land, whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment, and whether and the extent to which the proposed amendment would result in a logical and orderly development pattern.

Commissioner Shepard asked if a map amendment can be conditioned. Assistant City Attorney Yatabe replied in the affirmative.

Commissioner Shepard asked about a reference to the Fieseler property having a 25-foot-wide natural habitat buffer. Schumann replied he did not have much detail at this time; however, he stated the existing trees are considered a riparian forest so there would be applicable buffering in considering that a natural feature, which would be part of the environmental compliance portion of the development review process.

Commissioner Shepard asked about the location of the Laporte access and whether it is considered to be too close to Taft Hill. Steve Gilchrist, Traffic Operations, replied that will need to be closely examined as was referenced in the conceptual review.

Assistant City Attorney Yatabe noted the zoning is part of a quasi-judicial process; therefore, the Commission is confined to considering the information that is being presented and what is on the record.

Chair Sass asked if the Structure Plan is a controlling document for this area. Frickey replied the Structure Plan is a component of City Plan and provides specific guidance on the suggested zone districts for properties annexed into the City. He noted the proposed LMN zoning is consistent with the Structure Plan map designation in City Plan.

Chair Sass asked if the Structure Plan would need to be amended to zone the property UE. Frickey replied the UE zone district would be more appropriate in a different Structure Plan designation and stated LMN is more consistent with the Structure Plan map than UE.

Commissioner Shepard noted that the Commission cannot consider many of the concerns raised by the public participants, though he acknowledged there are challenges with the site in terms of access, drainage, and natural feature buffering. He also noted a shadow analysis, among other Code provisions, will be required to be addressed during the development review process.

COMMISSION DELIBERATION

Commissioner Peel stated she agrees with the staff recommendation from a pure annexation and zoning perspective. Additionally, she stated she hopes the applicant and neighborhood can work together to develop a project that fits within the area. Chair Sass concurred.

Commissioner Shepard asked if the Commission would be interested in adding a condition to the zoning to not allow four-story buildings on the property. He specifically cited height, mass, bulk, and scale, as well as shadowing of the greenhouse buildings on the Fieseler property.

Chair Sass stated those would all be standards of approval that would need to be modified should a proposal come forward with a four-story building. Frickey stated the LMN zone only permits three-story buildings unless there is an affordable housing component, which allows for a larger building.

Commissioner York thanked the public participants for their input, but reiterated this decision is only about the annexation and zoning. He supported recommending Council approve the annexation and proposed LMN zoning.

Vice Chair Connelly concurred and stated staff's recommendation is appropriate. He stated this is only the beginning of the process and noted any project would need to meet all applicable criteria.

Commissioner Shepard stated the Northwest Subarea Plan contains contradictory themes and there is some incongruity within the document that speaks to character and the definition of low-density. He added that the framework plan is quite black and white in terms of designating zoning. He suggested the Subarea Plan needs to be made more consistent with additional outreach at some point in the future. Commissioner York concurred the Subarea Plan could be improved.

Chair Sass noted this will move through the development review process and many further discussions will occur. He stated the zoning makes sense for the site.

Commissioner Shepard encouraged multiple neighborhood meetings on any future project. He commented on it possibly being beneficial to look at a designation between LMN and

UE. Frickey noted LMN zoning allows between four and twelve dwelling units per acre and UE allows two.

Commissioner Shepard stated he is persuaded by the framework plan which calls for LMN zoning, but stated a twelve dwelling unit per acre development plan would likely not satisfy the applicable compatibility and buffering requirements.

Commissioner Peel made a motion, seconded by Commissioner York, that the Fort Collins Planning and Zoning Commission recommend that City Council approve the Moor Annexation ANX250001, and zone the property Low-Density Mixed-Use Neighborhood district finding the property meets the State law requirements for annexation, and the annexation is consistent with the intergovernmental agreement for the Fort Collins Growth Management Area between Larimer County and the City of Fort Collins. Placement into the Low-Density Mixed-Use Neighborhood (LMN) zone district is consistent with City Plan, including the Structure Plan map and the Northwest Subarea Plan, and placement into the residential neighborhood sign district and the LC1 lighting context area is consistent with the City's sign and lighting standards. This decision is based upon the agenda materials, the information presented during the work session and this hearing, and Commission discussion. This Commission hereby adopts the information, analysis, findings of fact, and conclusions contained in the hearing staff report. Yeas: York, Shepard, Peel, Connelly, and Sass. Nays: none.

THE MOTION CARRIED.

- **ACADEMY OF ARTS & KNOWLEDGE – SPA250003**

DESCRIPTION: This is a Site Plan Advisory Review (SPAR) request to expand the existing school at 4800 Wheaton Drive (parcel #8606207901) to include 4,790 sq. ft. of the second floor. The school currently occupies the first floor of the building. Building renovations include the first-floor kitchen, second floor classroom buildout, bathrooms and outdoor play area. The site is located in the Harmony Corridor (HC) zone district and is subject to a Site Plan Advisory Review (SPAR) review and will go to the Planning and Zoning Commission for review.

STAFF: Arlo Schumann, Planner

PROPERTY OWNER: Aurora Charter School BC
4424 Innovation DR
Fort Collins, CO 80523

APPLICANT: Academy of Arts and Knowledge
4800 Wheaton Dr.
Fort Collins, CO 80525

- **PROSPECT RIDGE MULTIFAMILY – PDP230015**

DESCRIPTION:

This is a request for a Project Development Plan to develop 228 multifamily residential units at the NE corner of the Prospect Rd and I-25 interchange. (parcel # 8715306001). The applicant proposes 228 multifamily dwelling units across six 4-story buildings. The plan includes 314 parking stalls and an amenity/clubhouse building at the NE corner of the site. Access would be primarily taken from a new local street and the future Carriage Pkwy to the east of the site. The site is directly east of Interstate 25 and directly north of E Mulberry St. The property is within the General Commercial District (C-G) zone district, and the project would be subject to a Planning & Zoning Commission (Type 2) Review.

STAFF:

Kai Kleer, Sr Planner

**PROPERTY
OWNER:**

PNE Prospect Road Holdings LLC
900 Castleton Road Ste 118
Castle Rock, CO 80109

APPLICANT:

Andy Reese
Kimley-Horn & Associates
3801 Automation Way, Suite 210
Fort Collins, CO 80521

7. OTHER BUSINESS

8. ADJOURNMENT

a. 10:34 PM

Minutes approved by the Chair and a vote of the Commission on XX/XX/XX

Signature:_____