



SUBMITTAL REQUIREMENTS:
REZONING PETITION

Petitioner:

Thompson Thrift Residential
Name

111 Monument Circle, Suite 1500
Address
Indianapolis, IN 46204
City, State, Zip

Name

Address

City, State, Zip

Owner:

Name
JOHN JAMES NIFOROS II AND MARLENA
NIFOROS AS CO-PERSONAL
REPRESENTATIVES OF THE ESTATE OF
TONIA L. NIFOROS, DECEASED

705 14th Street SE 303
Address
Loveland, Colorado 80537
City, State, Zip

Name

Address

City, State, Zip

To the City Council of the City of Fort Collins, Colorado.

I (We), the undersigned, do hereby respectfully petition and request that the City Council amend the zoning ordinance of the City of Fort Collins by changing the zoning of the hereinafter described parcel, containing 17.2 acres, more or less, from Industrial zoning district to M-M-N zoning district:

Legal Description: See legal description (Exhibit A) attached.
Reason for Request: See rezone justification narrative (Exhibit B) attached.

Please attach listing of names and addresses of all persons owning land (as per Larimer County Assessor's office on date of request) within 800 feet of any portion of the area under petition for rezoning.

Respectfully submitted,

[Signature] BCOL #3885050.

Province of British Columbia
State of Colorado)
Nanaimo) ss.
County of Larimer)

The forgoing instrument was acknowledge before me this 12th day of April, 2022,
BY Martina Niforos for the purpose therein set forth.

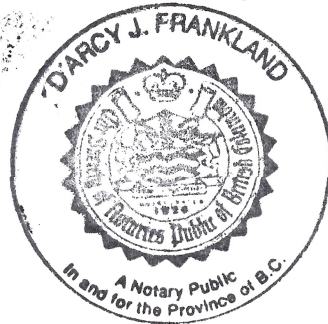
My commission expires n/a - don-expiring.

[Signature]

Notary Public

D'Arcy J. Frankland
Notary Public
440 - 10th Avenue
Campbell River, B.C.
V9W 4E3

Please return to the City of Fort Collins Community Development and Neighborhood Services Department.



WITNESSED AS TO SIGNATURE ONLY.
NO ADVICE SOUGHT OR GIVEN

D'Arcy J. Frankland
Notary Public

The Landing at Lemay Rezone

Exhibit B - Request for Zoning Map and Structure Plan Amendment
April 20, 2022

Project Team

Developer/Applicant

Monica Unger
Thompson Thrift Residential
111 Monument Circle, Ste 1500
Indianapolis, IN 46204

Planner/Landscape Architect

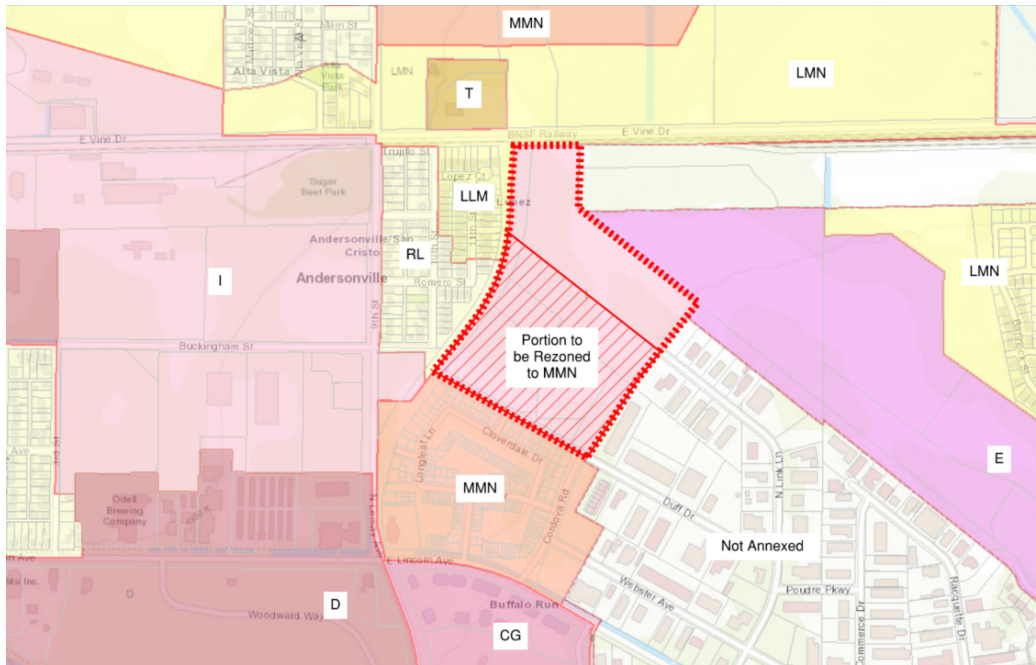
Russell Lee
Ripley Design, Inc.
419 Canyon Ave, Suite 200
Fort Collins, CO 80521

Civil Engineer

Danny Weber
Northern Engineering
301 N Howes St #100
Fort Collins, CO 80521

Introduction

The applicant, Thompson Thrift Residential, requests an amendment to the City Structure Plan and an amendment to the Zoning Map to rezone a portion of the 26.5-acre property located at the southeast corner of Vine Drive and Lemay Avenue. The southern 17.1-acres are proposed to be rezoned to the Medium Density Mixed-Use Neighborhood District (M-M-N), and the remaining portion of the property will maintain the Industrial District (I) zoning.



This property currently lies vacant and underutilized. The purpose of the rezone is to develop a multi-family project that embodies the highest and best use for the subject property that will more closely

Figure 1 - Zoning Map



MINIMAL RISK. PAINLESS PROCESS. BEAUTIFUL SPACES.

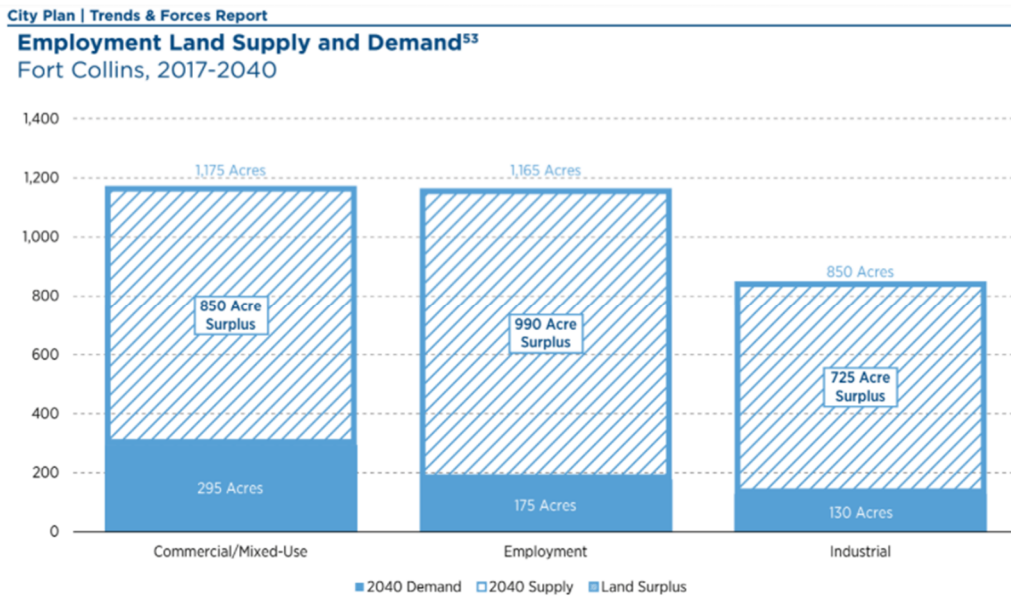
o: 970.224.5828 | w: ripleydesigninc.com

RIPLEY DESIGN, INC. | 419 Canyon Avenue, Suite 200 | Fort Collins, CO 80521

align with adjacent development patterns and goals identified by the City. The City Plan anticipates that Fort Collins is likely to add 70,000 new residents by 2040, and studies completed by the City have shown that the demand for housing will exceed the City’s capacity by around 2,000 units by 2040.

This applicant team is also sensitive to the value associated with industrial land within the City, and has conducted a third-party market study to analyze the stock of industrial lands in northeast Fort Collins. Based on the study completed in 2021, “within Fort Collins and a mile from the site there are approximately 50 acres of vacant industrial properties, plus an approximate 135 acres Employment Zone on the abandoned airport runway. In total this equates to 185 acres available for industrial/light industrial within the city, near the proposed development site”. The study concluded that within the immediate area, as well as in the City as a whole, there is ample availability for future industrial development.

The graphic below, taken from the City Plan, shows the total vacant land by use-type available today (on top of the box), the amount of land projected to be developed by 2040 (in the blue at the bottom), and the amount of land that is projected to still be vacant (i.e. “surplus” by 2040 (amount in the center). (Confirming source.)



As can be seen, despite projecting that the land currently set aside for residential development will be exhausted by 2040, there is projected to be a “surplus” of vacant land set aside for these other three categories, which includes industrial. Any additional residential development will need to come from one of the other areas.



MINIMAL RISK. PAINLESS PROCESS. BEAUTIFUL SPACES.

o: 970.224.5828 | w: ripleydesigninc.com

RIPLEY DESIGN, INC. | 419 Canyon Avenue, Suite 200 | Fort Collins, CO 80521

This letter has been provided to illustrate the rezone's compliance with the City of Fort Collins Land Use Code standards, City Plan Policies, and overall compatibility with the surrounding land uses and infrastructure.

Request for Zoning Map Amendment

This request for a Zoning Map Amendment is justified in accordance with the following section of the City of Fort Collins Land Use Code.

Fort Collins LUC Section 2,9.4(H)

- (2) *Mandatory Requirements for Quasi-judicial Zonings or 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's Comprehensive Plan; and/or*
 - (b) *warranted by changed conditions within the neighborhood surrounding and including the subject property.*
- (3) *Additional Considerations for Quasi-Judicial Zonings or 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 the natural functioning of the environment;*
 - (c) *whether and the extent to which the proposed amendment would result in a logical and orderly development pattern.*

1. The Zoning Map amendment is consistent with the City's Comprehensive Plan (*City Plan adopted in 2019*)

Strategy LIV-1d. Update the East Mulberry Corridor Plan to reflect land use and policy directions established as part of City Plan. Include a full assessment of annexation impacts as part of the plan update, or as a stand-alone effort, to help inform the annexation process and long-term service provision.

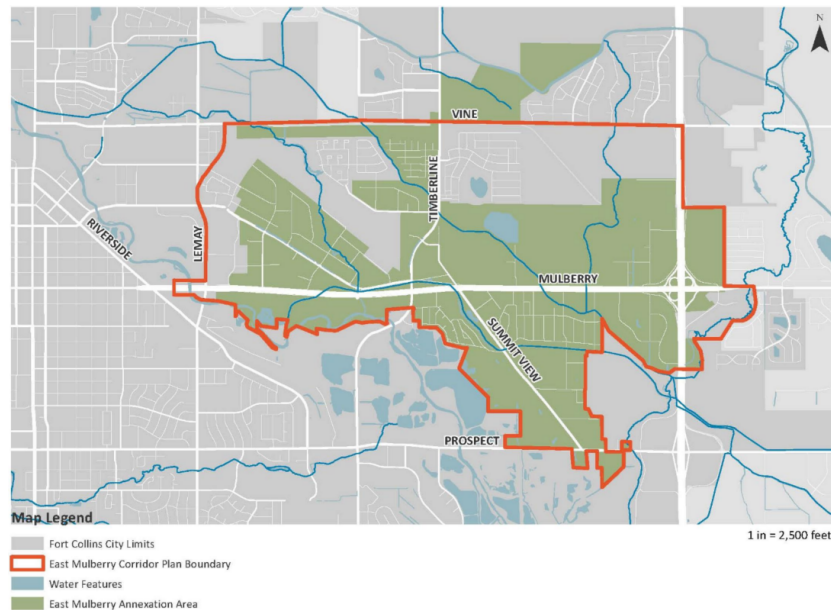
Analysis:

The Landing at Lemay property lies within the East Mulberry Corridor Area. The previous Corridor Plan was adopted in 2002, and City staff is currently in process of updating the plan to better reflect the evolving needs of northeast Fort Collins. The City held meetings



in 2020 and 2021 with City Council members as well as local businesses and residents to gain input on the revisions that will be made to the Plan. Feedback received was that there is a community interest in preserving Industrial properties which were most accessible from I-25 and East Mulberry.

The subject property lies about 1 mile north of East Mulberry Street and would require traffic to pass by several existing residential developments, placing a lower value on preserving this property for industrial uses given its distance from Mulberry. The green areas shown on the map below depict areas proposed to be annexed into the City as part of the East Mulberry Plan project. This illustrates the considerable potential for future industrial properties which will better align with the community interest.



Policy LIV 1.6 - Adequate Public Facilities Utilize the provision of public facilities and services to direct development to desired location, in accordance with the following criteria:

- *Direct development to locations where it can be adequately served by critical public facilities and services such as water, sewer, police, transportation, schools, fire, stormwater management and parks, in accordance with adopted levels of service for public facilities and services.*

Analysis:

The subject property is bordered by developed properties to the south and west, providing an existing network of public utilities in the immediate vicinity. The proposed M-M-N zoning for this property will allow for a logical extension of the existing street and utility framework established by the multi-family development to the south, and the newly constructed Lemay Ave to the west will provide adequate vehicular and pedestrian circulation to surrounding areas. Transfort also has an existing bus stop approximately ½ mile south of the property which offers stops each hour. Additionally, the applicant has



MINIMAL RISK. PAINLESS PROCESS. BEAUTIFUL SPACES.

o: 970.224.5828 | w: ripleydesigninc.com

RIPLEY DESIGN, INC. | 419 Canyon Avenue, Suite 200 | Fort Collins, CO 80521

agreed to take over the maintenance of the landscape within their adjacent Lemay Avenue overpass right of way to the back of walk to support this public facility.

Policy LIV 4.2 - Compatibility of Adjacent Development *Ensure that development that occurs in adjacent districts complements and enhances the positive qualities of existing neighborhoods. Developments that share a property line and/or street frontage with an existing neighborhood should promote compatibility by:*

- *Incorporating context-sensitive buildings and site features (e.g., similar size, scale and materials); a*
- *Locating parking and service areas where impacts on existing neighborhoods—such as noise and traffic—will be minimized.*

Analysis

The adjacent zoning districts include M-M-N zoning to the south and Low-Density Mixed-Use Neighborhood District (L-M-N) and Low Density Residential (R-L) zoning to the west. To the north and east are properties zoned Employment (E) and Industrial (I). Rezoning the subject parcel to M-M-N will provide a more appropriate transition between the lower density residential properties to the south/west and the higher intensity industrial and employments areas to the north/east. The architectural character associated with the future multi-family development on this site will be more sensitive to the context of these adjacent residential uses than what would likely be developed on an industrial-zone property.

The Lemay overpass flattens out at the southern half of the site. The subject property is visible from Andersonville at this point. A multi-family development provides a more logical transition to the industrial to the east rather than having industrial uses 100'-200' from residential houses.

A neighborhood meeting was held with the residents from the Andersonville neighborhood. At that meeting the applicant asked if the neighbors preferred multifamily versus industrial and residents in attendance expressed a preference for multifamily.

Policy Liv 5.3 – Land for Residential Development

Use density requirements to maximize the use of land for residential development to positively influence housing supply and expand housing choice.

Analysis:

City Plan has identified the need for increased housing supply and emphasizes a broader mix of housing types and densities to support the changing population and housing market (page 29). This need for housing stock is a result of an increase of jobs in Fort Collins and a housing market that has not been able to keep up with the rising demand. City Plan identifies the greatest need for housing supply to be for higher density products such as multifamily and attached units. Rezoning to M-M-N will allow for the subject property to directly contribute to these City goals.

Policy SC 4.2 - Design for Active Living *Promote neighborhood and community design that encourages physical activity by establishing easy and equitable access to parks and trails, providing interesting routes that feature art and other visually interesting elements, and*



locating neighborhoods close to activity centers and services so that active modes of transportation are a desirable and convenient choice.

Analysis:

According to City Plan, a key characteristic of the Mixed Neighborhood Place Type (which aligns with M-M-N zoning) are properties which are located within walking or biking distance of services and amenities. The subject property is located within ½ mile walk or biking distance of several breweries, restaurants, and grocery stores, and is approximately 1 mile from Old Town Fort Collins which will encourage active living.

2. The Zoning Map amendment is warranted by changed conditions within the neighborhood surrounding and including the subject property.

In addition to being consistent with with the City's Comprehensive Plan, the proposed rezone is warranted by the following changed conditions within the surrounding neighborhood.

- The Capstone property which lies directly south of the subject property received approval to rezone from I to M-M-N in 2015 and has since been developed as a multi-family project, setting the precedent for compatible multi-family projects in the area.
- The airport is no longer in operation. Concerns raised by City staff in the 2003 consideration of a rezoning to M-M-N for the Capstone property included concerns about locating residential areas too close to the airport. With the closure of the airport, this concern is no longer an issue.
- Woodward recently constructed a new campus on the 100+ acre property at the southwest corner of the Lincoln and Lemay intersection, located less than ½ mile from the subject property. This property was rezoned to be within the Innovation Subdistrict, which is part of the Downtown District. The Innovation Subdistrict was created to promote development that supports employment and industrial uses, which enabled Woodward to accommodate their new office/manufacturing campus that is anticipated to retain and/or create between 1,400 and 1,700 primary jobs. The loss of 17.2 acres of I-zoned property is more than offset by the increase in industrial use and jobs realized by the Woodward project. The Woodward development would also benefit from adjacent housing and continue to promote City Plan Policy SC4.2 by placing market rate housing within ½ mile of this major employer. This would encourage pedestrian and bike transportation to work, reducing carbon emissions and promoting the City's climate action goals.

3. The Zoning Map amendment is compatible with existing and proposed uses surrounding the subject land and is the appropriate zone district for the land.

The rezone will be compatible with existing land uses for the following reasons:

- The properties to the west are zoned R-L and L-M-N which have a lower intensity than the properties to the east which are unincorporated, but are developed as industrial. Rezoning the subject property to M-M-N will provide a more natural transition between land uses.



- The northern 9.3-acres of the subject property will remain as industrial-zoned land and will maintain future employment opportunities within the City of Fort Collins. The industrial-zone district also accommodates uses such as convenience shopping, child care centers and housing which will support the multi-family use proposed for the subject property. This remaining industrial-zoned area will still have adequate circulation, with direct access to Vine Drive to the north, a 2-lane collector street at this location which transitions to a 2-lane arterial street as it approaches I-25 to the east.
4. The Zoning Map amendment would not result in significantly adverse impacts on the natural environment, including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment;

No significant adverse impacts are anticipated on the natural environment for the following reasons:

- There are no significant natural features identified on the subject property or adjacent properties. Additionally, a multi-family development within the M-M-N zone district would typically be a lower intensity use than a development within an industrial-zoned property would, therefore reducing any potential environment impact for the surrounding areas.
 - The proposed rezone will provide housing opportunities in a location which will have access to a multitude of employment and service areas within a 2-mile radius. Providing housing in areas that are within close proximity to jobs, healthcare, recreation, retail, and restaurants significantly cuts down the amount of time residence must spend in their cars, thus reducing their environmental impact.
5. The Zoning Map amendment will result in a logical and orderly development pattern.

The rezone will result in a logical and orderly development pattern for the following reasons:

- The property directly to the south was rezoned as M-M-N in 2015, so the proposed zoning will provide a logical extension of that zone district to the north.
- The transition between the proposed M-M-N zone and the existing industrial zone is defined by extending the centerline of Link Lane across the subject property to create a clearly defined boundary.
- The proposed rezone would place a medium-density use along the newly-constructed Lemay Avenue, a 4-lane collector street. This complies with the City Plan which promotes placement of townhome or multifamily developments along arterial streets where transit and other services and amenities are available (page 98).

Request for Structure Plan Amendment



MINIMAL RISK. PAINLESS PROCESS. BEAUTIFUL SPACES.

o: 970.224.5828 | w: ripleydesigninc.com

RIPLEY DESIGN, INC. | 419 Canyon Avenue, Suite 200 | Fort Collins, CO 80521

This request for a Structure Plan Amendment is justified in accordance with the following section of the City Plan.

City Plan (page 221) states: *a plan amendment will be approved if the City Council makes specific findings that:*

- *The existing City Plan and/or any related element thereof is in need of the proposed amendment; and*
- *The proposed amendment will promote the public welfare and will be consistent with the vision, goals, principles and policies of City Plan and the elements thereof.*

1. *The existing City Plan and/or any related element thereof is in need of the proposed amendment;*

The Structure Plan Map needs to be amended in order to rezone approximately 17.2-acres of land. The resulting M-M-N zone will be able to accommodate a multi-family housing project and create an appropriate land use transition between industrial development and single-family neighborhoods.

Since the current Structure Plan was adopted in 2018, additional conversations have occurred regarding the best suited locations for industrial properties, and City Staff has identified the areas closest to East Mulberry Street and I-25 as the lands which would be most appropriate. This parcel is outside those parameters.

Additionally, the need for more housing has increased considerably in the last 2 years. Based on the monthly report issued by the Fort Collins Board of Realtors, the median home price in Fort Collins increased by over 14.5% for townhomes/condos in the last year alone. Meanwhile, the number of days on the market decreased by 31.5% from 89 to just 61.

The Fort Collins Housing Strategic Plan was since released in 2021, reinforcing the urgency for increased housing supply. The tables from page 27 of the Strategic Plan illustrate that there is a shortage of affordable housing for both the rental and ownership markets. For the rental market, housing shortages are reported for residents with up to 80% AMI (Area Median Income) and up to 150% AMI for the ownership market. The evolving needs in the City are a clear indication that there is a need for action.

2. *The proposed amendment will promote the public welfare and will be consistent with the vision, goals, principles and policies of City Plan and the elements thereof.*

The proposed Structure Plan Map amendment is part and parcel with the rezoning request. See arguments above to show how the amendment is supported by City Plan Principles and Policies.



Statement of Public Benefit

Thompson Thrift is committed to providing a high caliber community to the City of Fort Collins. In addition to meeting the requirements of the land use and building code, the future development will commit to providing the following benefits to the community which go above and beyond the typical requirements.

Energy Efficiency

- **Energy Efficient Thermostats.** Install smart thermostats in all apartments for energy savings
- **Water Efficient Fixtures.** Thompson Thrift will provide efficient water fixtures that surpass code standards and are WaterSense Certified including 1.5 GPM showerheads and a 1.28 GPF toilet that is WaterSense certified.
- **Submetering of Units.** Thompson Thrift will commit to submetering indoor water on individual units within the community to help with water management and leak detection.
- **Efficient Hot Water Systems.** Thompson Thrift is willing to provide an on-demand hot water unit in-lieu of a water tank, provided it is a natural gas system. This system will limit wasted energy.
- **Water Efficient Irrigation.** Thompson Thrift is willing to install efficient irrigation systems for all residential sprinkler systems, WaterSense Certified (WS) pressure reducing heads, weather-based irrigation controller, flow sensors, and master valves.
- **Water Efficient Landscaping.** Thompson Thrift is willing to install water efficient landscaping for residential front yards to help with water usage. We are willing to commit to a water budget of 10 gallon or less per square foot basis within residential front yards. We will work with our design team and landscape architect to consider plant and tree selection.

Neighborhood Livability

- **Incorporation of Commercial Use.** Thompson Thrift will provide a food truck plaza with designated parking areas for trucks and outdoor seating for the public.
- **Acquisition and Extension of Cordova Road.** With the future development of the subject property, an additional parcel will be acquired by Thompson Thrift in order to construct the extension of Cordova Lane. While not required by the Land Use Code or necessary for the development of a future multifamily project in this location, the acquisition and construction of Cordova Road will allow for enhanced connectivity through the area and to future developments to the north.



- **Landscape Maintenance within the Lemay Avenue Right-of-Way.** The new Lemay overpass aligns with the western property boundary of the subject property and includes a widened right-of-way to accommodate the grading of the overpass. The future development of the subject property intends to provide maintenance of the landscape area within the Lemay right-of-way adjacent to the development. This will significantly reduce the City's maintenance burden and provide a visually appealing transportation corridor along Lemay.
- **Connection to Future Trail Systems.** A new public trail is proposed in the 2013 Paved Recreational Trail Master Plan to extend along International Boulevard to the east. The Master Streets Plan indicates that Industrial Boulevard is planned to extend to Cordova Road in the future which would provide the right-of-way needed to connect our property to the future proposed trail.

Thompson Thrift will work with City staff during the PDP process to provide a trail connection within their property that would allow for the future connection of this proposed trail into the subject property.

- **Increased Buffering on the East Side of the Property.** With the rezone of the subject property from Industrial to MMN, the existing properties located to the east would be subject to a 30' landscape buffer (Division 4.28(E)(3)(a)3.) if they were to redevelop in the future after being annexed into the City. Thompson Thrift will provide a minimum setback of 30' along the Cordova Road ROW in order to alleviate the need for the property owners east of Cordova to be required to install the increased landscape buffer.

Highest and Best Use

- With the current zoning, the envisioned use for this parcel would be light industrial similar to the uses located within the industrial area to the east. This site has unique conditions that add significant costs. Those conditions are related to utilities, roadway improvements and floodplain.

The applicant has analyzed 8 recently sold or under contract light industrial parcels within Fort Collins and Loveland. The average acreage price of those parcels is \$234,000. With an estimated two million dollars in site, utility and road work required to bring this parcel to developable pad sites, on top of the price of the raw land, the acreage price would be \$370,528. That acreage costs does not make the parcel economically viable for a light industrial use. However, that land cost would be viable for a multi-family project which the applicant believes is the highest and best use for the property. (Sales data provided on the next page)



Property Address	Property City	Property Type	Land Area AC	Land Area SF	Sale Price	Sale Date	Sale Status	Price Per AC Land	Price Per SF Land	Property Name	Secondary Type	
450 W 66th St	Loveland	Land	6.20	270,072	\$1,625,000	8/23/2022	Sold	\$262,097	\$6.02	Longview Business Park	Industrial	
6205 Draft Horse Dr	Loveland	Land	12.88	561,053	\$3,081,000	4/1/2022	Sold	\$239,208	\$5.49	Crossroads Business Park	Industrial	
Airpark North	Loveland	Land	13.31	579,784	\$2,841,672	3/28/2022	Sold	\$213,499	\$4.90	South of E CR 30 & West of I-25	Industrial	
Us-287	Loveland	Land	5.02	218,671	\$1,095,000	6/29/2021	Sold	\$218,128	\$5.01	Big Horn RV Storage Development Site	Industrial	
Airpark North	Loveland	Land	29.87	1,301,137	\$4,975,000	3/1/2021	Sold	\$166,555	\$3.82	South of E CR 30 & West of I-25	Industrial	
975 Madison Ave	Loveland	Land	10.10	439,752	\$1,425,000	12/30/2020	Sold	\$141,155	\$3.24	Great Western Sugar Factory Site	Industrial	
Lemay & Buckingham Land	Fort Collins	Land	26.94	1,173,506	\$7,040,826		Under Contract	\$261,352	\$6.00	Lemay and Buckingham Development Opportunity	Industrial	
Lemay & Buckingham Land	Fort Collins	Land	18.50	805860	\$6,854,760		Under Contract	\$370,528	\$8.51			
Average Land Price								\$234,065.10	\$5.37			