

**CITY OF FORT COLLINS
TYPE 1 ADMINISTRATIVE HEARING
FINDINGS AND DECISION**

HEARING DATE: June 11, 2015

PROJECT NAME: March, Olive & Pharris LLC Law Offices

CASE NUMBER: PDP140008

APPLICANT: MaOLPH LLC
Brad March
110 East Oak Street, Suite 200
Fort Collins, CO 80524

OWNER: Joshi and Pass Ltd.
1401 Linden Lake Road
Fort Collins, CO 80524

HEARING OFFICER: Kendra L. Carberry

PROJECT DESCRIPTION: This is a request for approval of a Project Development Plan (PDP) for the law offices of March, Olive & Pharris, LLC, located on the east side of South College Avenue between Pitkin and Lake Street. The PDP changes the use of an existing structure from a single-family residential to office, removes and replaces 3 trees, adds fencing, increases the number of off-street parking spaces to 10, and adds 5 bicycle parking spaces.

SUMMARY OF DECISION: Approved with conditions

ZONE DISTRICT: Community Commercial (C-C)

HEARING: The Hearing Officer opened the hearing at approximately 5:00 p.m. on June 11, 2015, in Conference Room A, 281 North College Avenue, Fort Collins, Colorado.

EVIDENCE: During the hearing, the Hearing Officer accepted the following evidence: (1) Planning Department Staff Report; (2) application, plans, maps and other supporting documents submitted by the applicant; and (3) an email dated July 21, 2014, with an attached letter, from Cynthia McCrery (the formally promulgated policies of the City are all considered part of the record considered by the Hearing Officer).

TESTIMONY: The following persons testified at the hearing:

From the City: Noah Beals, Kimberly Schutt, Martina Wilkinson

From the Applicant: Brad March

From the Public: Jim Wurst, Cynthia McCrery, Paul Matonis, Neil Wiler, Tom Peck

FINDINGS

1. Evidence presented to the Hearing Officer established the fact that the hearing was properly posted, legal notices mailed and notice published.
2. The PDP complies with the applicable General Development Standards contained in Article 3 of the Code.
 - a. The PDP complies with Section 3.2.1, Landscaping and Tree Protection, because: 3 of the 6 existing trees are preserved and protected; pavers will be installed in the new parking area; a 3' metal fence with ivy extends the full length of each parking stall along the north and south property line; and juniper bushes are being replanted in the front of the building.
 - b. The PDP complies with Section 3.2.2, Access, Circulation and Parking, because: all access points currently established will be maintained; the PDP includes 10 parking spaces, less than the maximum; and the PDP includes 5 new bicycle spaces.
 - c. The PDP complies with Section 3.2.4, Site Lighting, because no changes are proposed to the existing site lighting.
 - d. The PDP complies with Section 3.2.5, Trash and Recycling Enclosures, because space in the existing garage will be used as the trash and recycling storage area.
 - e. The PDP complies with Section 3.4.7, Historic and Cultural Resources, because the Landmark Preservation Commission and History Colorado found that the property would qualify for their respective historic designations, and the Historic Preservation Planner determined that the PDP complies with applicable historic preservation standards.
 - f. The PDP complies with Section 3.5.3, Commercial Buildings – Relationship of Buildings to Streets, Walkways, and Parking, because the PDP includes a widened walkway connecting the primary entrance to the sidewalk, and the vehicle use areas are on the side and rear of the building.
3. The PDP complies with the applicable standards contained in Article 4 of the Code for the Community Commercial (C-C) zone district.
 - a. The PDP complies with Section 4.26(A) and (B), Permitted Uses, because an office use is permitted in the C-C zone district.
4. A 1978 recorded agreement between the owners of the properties of 1304, 1312, and 1318 South College Avenue and the City (the "1978 Agreement") provided that, if the use of 1312 South College Avenue changed to a nonresidential use, the driveway access on South College Avenue would be eliminated and the property would take access from a shared driveway on the property of 1318 South College Avenue. The 1978 Agreement also required that existing landscaping be preserved unless otherwise approved by the City. The PDP will remove one tree identified in an exhibit to the 1978 Agreement to be preserved, and the PDP continues access from the existing driveway on 1312 South College Avenue. However, the evidence presented at the

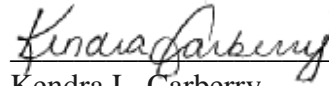
hearing demonstrates that a quiet title action concerning the 1978 Agreement is pending in the Larimer County District Court, Case No. 2014CV30549, and the parties to that case are ready to settle the case by terminating the 1978 Agreement, pending this decision. The evidence also demonstrated that the City has no objection to the removal of the tree, and even with the 1978 Agreement in effect, the tree is eligible for removal with City approval.

DECISION

Based on the foregoing findings, the Hearing Officer hereby enters the following rulings:

1. The PDP is approved as submitted with the following conditions:
 - a. The approval shall be effective only upon a court order, in the case known as Joshi and Pass Ltd., *et al.* v. Swan Lake Trust, *et al.*, Case No. 2014CV30539, Larimer County District Court, terminating the 1978 Agreement;
 - b. The landscape plan shall be revised to include the 3' metal fence and ivy extending along the north side of the parking stall labeled Parking Stall 1; and
 - c. The parking table on sheet S1 shall be revised to reflect the correct number of off-street parking spaces (10).

DATED this 15th day of June, 2015.


Kendra L. Carberry
Hearing Officer



ITEM NO PDP140008

MEETING DATE June 11, 2015

STAFF Noah Beals

ADMINISTRATIVE HEARING OFFICER

STAFF REPORT

PROJECT: March, Olive & Pharris LLC Law Offices
Project Development Plan, #PDP140008

APPLICANT: MaOIPH LLC
Contact: Brad March
110 East Oak Street, Suite 200
Fort Collins, CO 80524

OWNER: JOSHI and PASS LTD
1401 Linden Lake Road
Fort Collins, CO 80524

PROJECT DESCRIPTION:

This is a request for approval of Project Development Plan (PDP) March, Olive & Pharris LLC Law Office, PDP140008. The project is located on the east side of S College Ave between Pitkin and Lake Street.

The project changes the use of an existing structure from single family dwelling to office. With this change, the number of off-street parking spaces increases to 10. Additionally, 5 bicycle parking spaces are included. The site is zoned Community Commercial (C-C), and office use is permitted subject to an administrative (Type 1) review (Land Use Code Section 4.18(B)(2)(c)).

RECOMMENDATION: Staff recommends the approval of Project Development Plan (PDP) March, Olive & Pharris LLC Law Office, PDP140008, with the following conditions that the Final Plan is not approved until:

- A decree from the court, in the case known as Joshi and Pass LTD et.al. v. Swan Lake Trust et.al. 2014CV30539 District Court, Larimer County, Colorado, terminates the 1978 agreement.
- The landscape plan illustrates the 3ft metal fence and ivy extending along the north side the parking stall labeled Parking Stall 1.
- The parking table on sheet S1 is revised with the correct number of off-street parking spaces

EXECUTIVE SUMMARY:

The March, Olive & Pharris LLC Law Office Project Development Plan complies with the applicable requirements of the City of Fort Collins Land Use Code (LUC), more specifically:

- The Project Development Plan is in compliance with the process located in Division 2.2 – Common Development Review Procedures for Development Applications of Article 2 – Administration.
- The Project Development Plan is in compliance with the relevant standards located in Article 3 – General Development Standards.
- The combined Project Development Plan is in compliance with the relevant standards located in Division 4.18 Community Commercial District (C-C) of Article 4 – Districts.

COMMENTS:

1. **Background:**

Historically the following approvals have been granted to the property:

- L.C. Moore's First Addition (annexation and plat) – July 1921

The surrounding zoning and land uses are as follows:

Direction	Zone District	Existing Land Use
North	Community Commercial (C-C)	Commercial Use: The Healing Path
South	Community Commercial (C-C)	Commercial Use: Multi-Tenant Business Building
East	Community Commercial (C-C)	Public Right-of-Way: Alley
	Community Commercial (C-C)	Residential: Single Family Dwellings
West	Community Commercial (C-C)	Public Right-of-Way: S College Ave/US Highway 287
	College Campus, Not zoned	Colorado State University

Zoning History (most recent to past):

- During the citywide rezoning in 1997, the property was rezoned to Community Commercial (C-C). This zoning remains in effect today.
- The property was rezoned to High Density Residential (RH) sometime between 1976 and 1986.

- The City Zoning Code was update in 1965 with new zone districts. At that time, the property was rezoned to Low Density Residential (RL).
- In 1929, upon adoption of City Zoning Code the property was zoned "A" Residence.

2. Compliance with Article 4 of the Land Use Code – Community Commercial (C-C):

The project complies with all applicable Article 4 standards as follows:

A. Section 4.26(A) and (B) – Permitted Uses

- The purpose of the C-C zone district is to encourage a combination residential and non-residential uses. The office use is consistent with the purposes and is a permitted use within this district.

3. Compliance with Article 3 of the Land Use Code – General Development Standards

The project complies with all applicable General Development Standards; with the following relevant comments provided:

A. Division 3.2 – Site Planning and Design Standards

1) 3.2.1 Landscaping and Tree Protection:

- The existing landscaping includes the typical elements associated with a single family dwelling. The project is preserving 3 of the 6 existing trees. However, with an increase in parking area and new public right-of-way dedication the landscaping changes include the removal of 3 trees and some grass areas.
- To reduce the impact of the new parking area it is surfaced with a product called grasscrete. Grasscrete is a paver system that allows for vegetation to grow in designed voids in the pavers. For this project the vegetation is intended to be a deep rooted fescue.
- Parking areas are required to provide a landscape setback of 5 ft. from an interior property line. This project has new parking areas that extend within 1 foot or less of the interior property lines. To meet the alternative compliance of this landscape requirement, the project has included a 3 ft. high metal fence with ivy to be planted along the fence. The fence and ivy extend the full length of each parking stall along the north and south property line.
- Additionally, the project is replanting some juniper bushes in front of the building. Previous caretakers of the property removed bushes that were in this location.

2) 3.2.2 Access, Circulation and Parking:

- All access points currently established are maintained. The project includes driveway and sidewalk that extend to S College Ave. These improvements seek to enhance the safety conditions of the sidewalk and driveway by widening both.
- Parking conditions of the site change. The garage structure is converted into office use and surface parking stalls are added. A total of 10 parking stalls are provided, with one of these being a van accessible handicap space.
- At the time of submittal the parking requirements of the Land Use Code did not include a minimum number of parking spaces. It did include and a maximum number of spaces. The maximum number of spaces is based on the total square footage of the buildings, it allows 3 parking space for 1,000 square feet. The square footage of the building is approximately 4,000 square feet. This project only includes 10 spaces, which is less than the maximum of 12.
- The project includes 5 new bicycle spaces located on the north side of the building.

3) 3.2.4 Site Lighting:

- The project includes no changes to the existing site lighting.

4) 3.2.5 Trash and Recycling Enclosures:

- To meet the trash and recycling enclosure requirement, space in the existing garage structure has been designated as the trash and recycling storage area.

B. Division 3.4.7 – Historic and Cultural Resources

1) 3.4.7(A) & (B) Historic:

- The Landmark Preservation Commission found the property would qualify for designation.
- History Colorado has also found the property would qualify for National and State Register listing.
- The Historic Preservation Planner reviewed the plans for compliance with the applicable historic preservation standards and found the project to be in compliance with the applicable historic preservation standards.

C. Division 3.5.3 – Commercial Buildings

1) 3.5.3 Relationship of Buildings to Streets, Walkways, and Parking

- Commercial buildings are required to have a connecting walkway from the main entrance of the building to the public sidewalk. As mentioned before the sidewalk location will not change with this project, but the sidewalk will be widened. The sidewalk provides direct connection from the public sidewalk to the main entrance of the building.
- In promoting multi-modal transportation, commercial buildings are required to be built within a certain distance to the public right-of-way. Additionally, vehicle use areas are prohibited between the building façade and the public right-of-way. Since this is an existing structure, the build-to-line is not applicable, but the prohibition of vehicle use area between the building and the public right-of-way is. This project introduces new vehicle use areas. The new areas are to the side and the rear of the buildings, in compliance with the standard.

3. 1978 Agreement

- A. The 1978 Agreement was signed by the owners of the properties of 1304, 1312, and 1318 S College Ave and the City Manager, at that time. In summary the agreement conditioned the change of use of 1312 S College Ave. It stipulated that if 1312 S College changed to a nonresidential use that the driveway access on S College Ave would be eliminated and the property would take access from a shared driveway on the property of 1318 S College Ave. The agreement also identified existing landscaping that should be preserved.

The project as shown would not meet the conditions of the 1978 Agreement. Specifically, it removes a tree that was identified to be preserved and continues access from the existing driveway. After reviewing the project, City staff does not object to the access of the property continuing from the existing driveway and the removal of the tree.

4. Findings of Fact/Conclusion

After evaluating the request for the Project Development Plan, March, Olive & Pharris LLC Law Office, Staff makes the following findings of fact:

- A. The combined PDP/FP complies with all applicable administrative standards contained within Article 2 of the Land Use Code.
- B. The combined PDP/FP complies with all applicable General Development Standards contained in Article 3 of the Land Use Code.
- C. The combined PDP/FP complies with all applicable district standards of Section 4.18 of the Land Use Code, C-C — Community Commercial District.

RECOMMENDATION:

Staff recommends approval of the of Project Development Plan, March, Olive & Pharris LLC Law Office,- #PDP140008, with the following conditions that the Final Plan is not approved until:

- A decree from the court, in the case known as Joshi and Pass LTD et.al. v. Swan Lake Trust et.al. 2014CV30539 District Court, Larimer County, Colorado, terminates the 1978 agreement.
- The landscape plan illustrates the 3ft metal fence and ivy extending along the north side the parking stall labeled Parking Stall 1.
- The parking table on sheet S1 is revised with the correct number of off-street parking spaces

ATTACHMENTS:

1. Plan set
2. Planning Objectives
3. Emails from Citizens
4. 1978 Agreement

MaOIPh, LLC (Cover Sheet)

PORTIONS OF LOTS 3 AND 4, BLOCK 2, L.C. MOORE'S FIRST ADDITION, SITUATE IN THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 7 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO (1312 SOUTH COLLEGE AVENUE)

CONTACT INFORMATION

PROJECT TEAM:

DEVELOPER/APPLICANT

Brad March
MaOIPh, LLC
110 E. Oak Street, Suite 200
Fort Collins, CO 80524

PLANNER/
LANDSCAPE ARCHITECT

Northern Engineering Services, Inc.
Roger Curtiss, PE,
301 N. Howes Street, Suite 100
Fort Collins, Colorado 80521
(970) 221-4158

SITE ENGINEER

Northern Engineering Services, Inc.
Roger Curtiss, PE,
301 N. Howes Street, Suite 100
Fort Collins, Colorado 80521
(970) 221-4158

SURVEYOR

Northern Engineering Services, Inc.
Eric Smith, PLS
301 North Howes Street, Suite 100
Fort Collins, Colorado 80521
(970) 221-4158



NORTHERN
ENGINEERING



NORTHERN
ENGINEERING



NORTHERN
ENGINEERING

UTILITY CONTACT LIST: *

UTILITY COMPANY	PHONE NUMBER
GAS-----Xcel Energy-----	Stephanie Rich (970) 225-7857
ELECTRIC-----City of Fort Collins Light & Power--	Justin Fields (970) 224-6150
CABLE-----Comcast-----	Don Kapperman (970) 567-0425
TELECOM-----CenturyLink-----	William Johnson (970) 377-6401
WATER-----City of Fort Collins Utilities-----	Shane Boyle (970) 221-6339
WASTEWATER--City of Fort Collins Utilities-----	Shane Boyle (970) 221-6339
STORMWATER- City of Fort Collins Utilities-----	Wes Lamarque (970) 416-2418

* This list is provided as a courtesy, reference only. Northern Engineering Services assumes no responsibility for the accuracy or completeness of this list. In no way shall this list relinquish the Contractor's responsibility for locating all utilities prior to commencing any construction activity. Please contact the Utility Notification Center of Colorado (UNCC) at 811 for additional information.

PROJECT BENCHMARKS:

PROJECT DATUM: NGVD29 UNADJUSTED (OLD CITY OF FORT COLLINS DATUM)

BENCHMARK #1:
City of Fort Collins Benchmark 7-00
Located on a street light pole base at the southeast corner of Stover St. and Elizabeth St.
Elevation = 4985.85

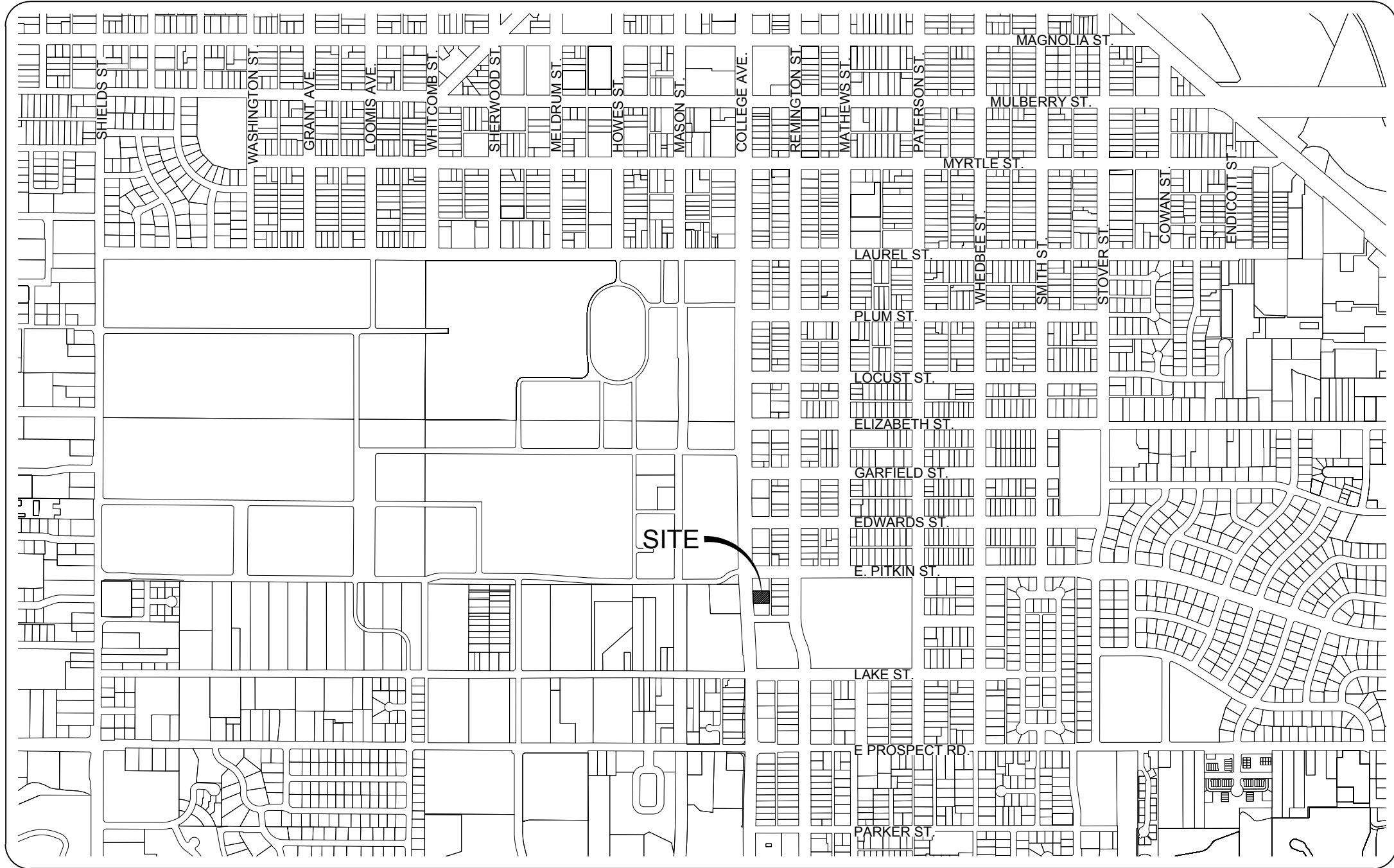
BENCHMARK #2:
City of Fort Collins Benchmark S402
Located close to the intersection of West Prospect Street and the Colorado and Southern Railroad. More specifically the benchmark is located 279.9 feet north of the centerline of the west bound lanes of Prospect Road and 32.5 feet west of the near rail of Colorado and Southern Railroad.
Elevation = 4994.37

NOTE: If NAVD88 datum is required for any purpose, the following equation should be used: NAVD88 = NGVD29 Unadjusted + 3.18'

ORIGINAL FIELD SURVEY BY:

Original Field Survey by:
Northern Engineering Services
Project No. 946-001
Date: July 31, 2013

APRIL 2015



VICINITY MAP

1" = 1000'



SHEET INDEX

C1	COVER SHEET
E1	EXISTING CONDITIONS & DEMOLITION PLAN
S1	SITE PLAN
L1	LANDSCAPE PLAN
D1	CONSTRUCTION DETAILS

LEGAL DESCRIPTION

DESCRIPTION PER LAND TITLE GUARANTEE COMPANY #FC25114901-7, DATED 03-26-2013:

LOTS 3 AND 4, BLOCK 2, L.C. MOORE'S FIRST ADDITION TO THE CITY OF FORT COLLINS, EXCEPT THAT PORTION CONVEYED BY DEED RECORDED APRIL 18, 1959 IN BOOK 1090 AT PAGE 501, COUNTY OF LARIMER, STATE OF COLORADO.

OWNER'S CERTIFICATION

OWNER:

By: _____ Date: _____

NOTARIAL CERTIFICATE

STATE OF COLORADO)
COUNTY OF LARIMER)^{ss}

The foregoing instrument was acknowledged before me this ____ day of _____, 20____.

My commission expires: _____

Witness my hand and official seal

Notary Public _____

DIRECTOR OF PLANNING

PLANNING CERTIFICATE

Approved by the Director of Community Development and Neighborhood Services (CDNS) of the City of Fort Collins, Colorado on this ____ day of _____ A.D., 20____.

Director of CDNS _____

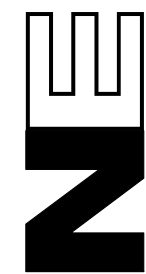
CALL UTILITY NOTIFICATION CENTER OF COLORADO



CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

NORTHERN
ENGINEERING

PHONE: 970.221.4158 FAX: 970.221.4159
www.northernengineering.com



200 South College Avenue, Suite 10
Fort Collins, Colorado 80524

DATE: 04/27/15
SCALE: N.A.
REVIEWED BY: R. Curtiss

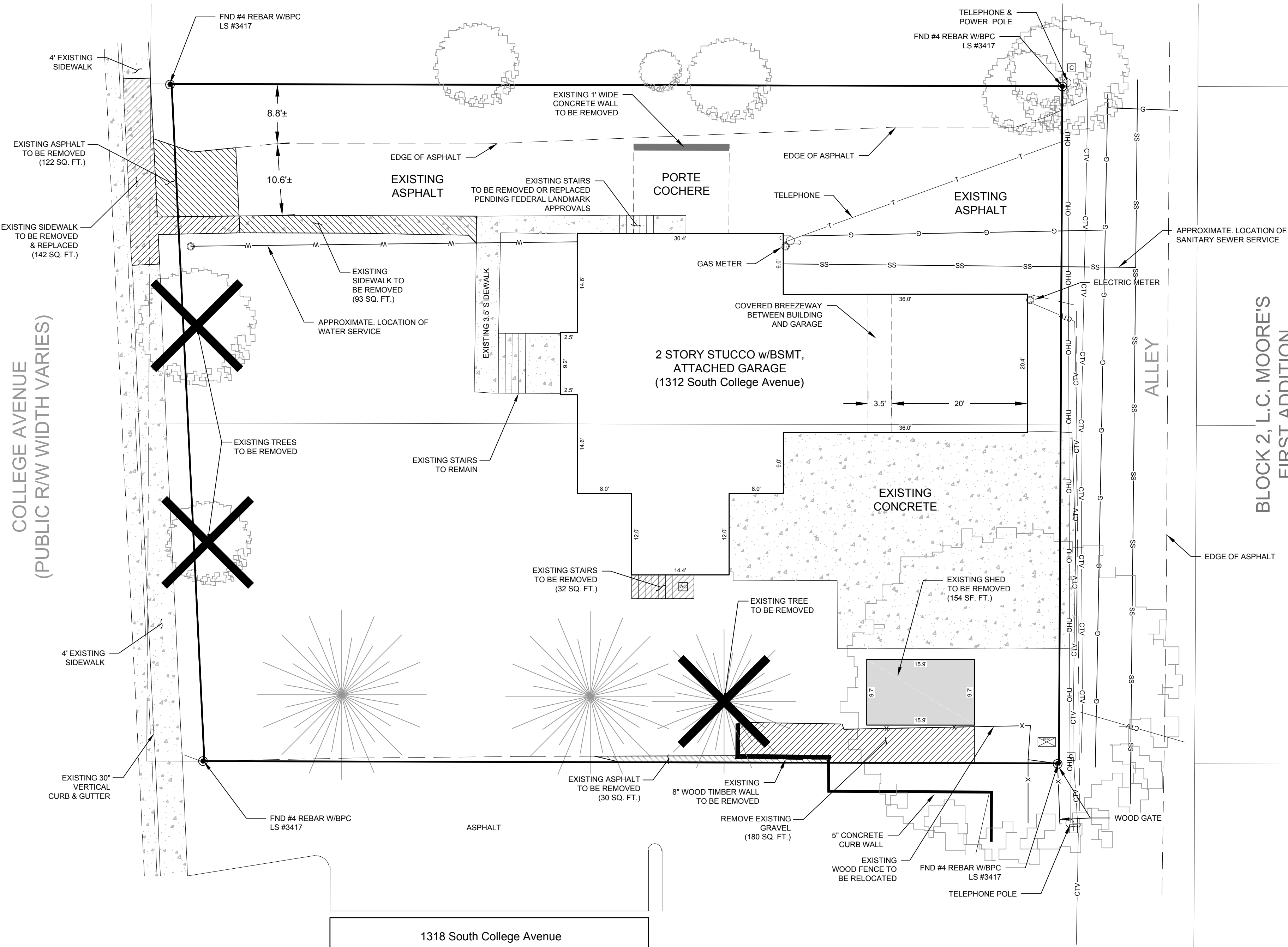
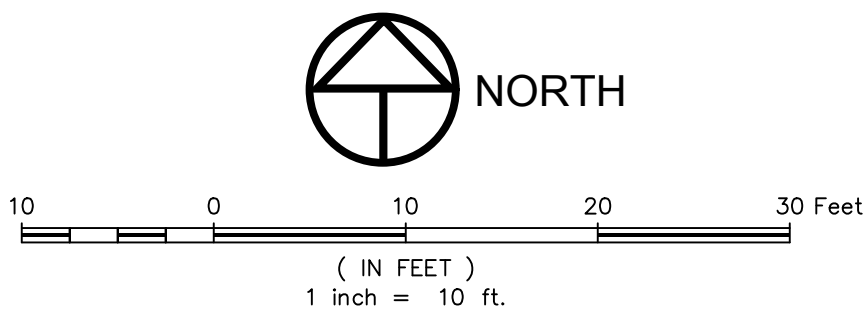
PROJECT: 1032-001
DESIGNED BY: N.A.
DRAWN BY: N.A.

COVER SHEET
MaOIPh, LLC
1312 SOUTH COLLEGE AVENUE
FORT COLLINS, COLORADO

Sheet
C1
Of 5 Sheet

MaOIph, LLC (Existing Conditions and Demolition Plan)

PORTIONS OF LOTS 3 AND 4, BLOCK 2, L.C. MOORE'S FIRST ADDITION, SITUATE IN THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 7 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO (1312 SOUTH COLLEGE AVENUE)



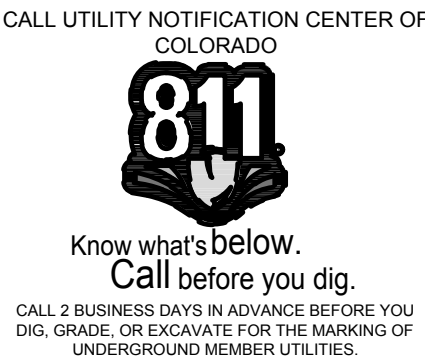
New Impervious Area within Property Boundary					
	Description	Area (sq. ft.)	Material	Percent Impervious	Adjusted Area
ADDITIONAL IMPERVIOUSNESS	New Parking (North of the Building)	541	Grass Pavers	60%	324.6
	New Parking (South of the Building)	964	Grass Pavers	60%	578.4
	Front Sidewalk from Public ROW to Existing Building	137	Concrete	90%	123.3
	Emergency Access Drive	115	Grass Pavers	60%	69
REMOVED IMPERVIOUSNESS	Storage Shed (9.7x15.9')	154	Roof Top	90%	138.6
	Existing Stairs (3.5'x9.2')	32	Concrete	90%	28.8
	Existing Walk from Public ROW to Existing Building	93	Concrete	90%	83.7
	Existing Asphalt (Southern Property Line)	30	Asphalt	100%	30
	Existing Gravel (Southern Property Line)	180	Gravel	40%	72
Total Additional Impervious Area					742.2

New Impervious Area within College Avenue Public Right-of-Way					
	Description	Area (sq. ft.)	Material	Percent Impervious	Adjusted Area
ADDITIONAL IMPERVIOUSNESS	Additional Sidewalk (Along College Avenue)	347	Grass Pavers	90%	312.3
	Drive Approach and Concrete Apron to ROW	314	Grass Pavers	90%	282.6
REMOVED IMPERVIOUSNESS	Sidewalk Removal (Along College Avenue)	142	Grass Pavers	90%	127.8
	Asphalt Removal for Proposed Drive Approach	122	Grass Pavers	100%	122
Total Additional Impervious Area					345.1

LEGEND:	
PROPERTY BOUNDARY	---
EXISTING LOT LINE	---
EXISTING FENCE	---
EXISTING OVERHEAD UTILITY	---
EXISTING TELEPHONE	---
EXISTING GAS	---
EXISTING SANITARY SEWER	---
EXISTING WATER	---
EXISTING ELECTRIC	---
EXISTING CABLE/TELEVISION LINE	---
EXISTING EDGE OF ASPHALT	---
EXISTING ELECTRIC VAULT	---
EXISTING WATER METER	---
EXISTING GAS METER	---
EXISTING TELEPHONE PEDESTAL	---
EXISTING CABLE PEDESTAL	---
AIR CONDITIONER UNIT	---
EXISTING ELECTRIC METER	---
EXISTING TREES (TO REMAIN)	---
EXISTING TREES (TO BE REMOVED)	---
APPROXIMATE LIMITS OF CONCRETE/ ASPHALT & GRAVEL REMOVAL	---

FIELD SURVEY BY:
ORIGINAL FIELD SURVEY:
NORTHERN ENGINEERING SERVICES
DATE: July 31, 2013

- NOTES:
- THE SIZE, TYPE AND LOCATION OF ALL KNOWN UNDERGROUND UTILITIES ARE APPROXIMATE WHEN SHOWN ON THESE DRAWINGS. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE EXISTENCE OF ALL UNDERGROUND UTILITIES IN THE AREA OF THE WORK. BEFORE COMMENCING NEW CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ALL UNDERGROUND UTILITIES AND SHALL BE RESPONSIBLE FOR ALL UNKNOWN UNDERGROUND UTILITIES.
 - CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING DEMOLITION, REMOVAL, REPLACEMENT, AND DISPOSAL OF ALL FACILITIES AND MATERIAL.
 - ALL SYMBOLS ARE ONLY GRAPHICALLY REPRESENTED AND ARE NOT TO SCALE.
 - CONTACT THE PROJECT SURVEYOR FOR ANY INQUIRIES RELATED TO THE EXISTING SITE SURVEY.
 - CONTRACTOR IS ENCOURAGED TO PERFORM DEMOLITION IN A MANNER THAT MAXIMIZES SALVAGE, RE-USE, AND RECYCLING OF MATERIALS. THIS INCLUDES APPROPRIATE SORTING AND STORING. IN PARTICULAR, DEMOLISHED CONCRETE, ASPHALT, AND BASE COURSE SHOULD BE RECYCLED IF POSSIBLE. THE CITY OF FORT COLLINS STREET DEPARTMENT OPERATES A CRUSHING OPERATION THAT WILL ACCEPT CONCRETE MATERIAL AT NO COST FOR CRUSHING AND RE-USE AS RECYCLED AGGREGATE. THIS OPERATION IS LOCATED AT 1380 HOFFMAN MILL ROAD AND CAN BE REACHED AT (970) 482-1249.



UTILITY NOTE:
THE LOCATION OF UNDERGROUND UTILITIES AS SHOWN ARE BASED ON UTILITY MAPS AS MADE AVAILABLE TO THE SURVEYOR AND ABOVE GROUND FIELD MARKINGS INDICATING UNDERGROUND UTILITIES. ADDITIONAL UTILITY LINES MAY EXIST. THE EXACT LOCATION OF ANY UNDERGROUND UTILITIES SHOWN AND THE LOCATION OF ANY ADDITIONAL UNDERGROUND UTILITIES SHOULD BE DETERMINED BY CONTACTING "ONE CALL" FOR A UTILITY LOCATE.

No.	Revisions:	By:	Date:

SECTION:	TOWNSHIP:	RANGE:
13	7 N	69 W of the 6th PM

NORTHERN ENGINEERING

PHONE: 970.221.4198 FAX: 970.221.4199
200 South College Avenue, Suite 10
Fort Collins, Colorado 80524

DATE:	SCALE:	REVIEWED BY:
04/27/15	1" = 10'	R. Curtis
PROJECT:	DESIGNED BY:	DRAWN BY:
1032-001	C. Snowden	C. Snowden

EXISTING CONDITIONS & DEMOLITION PLAN

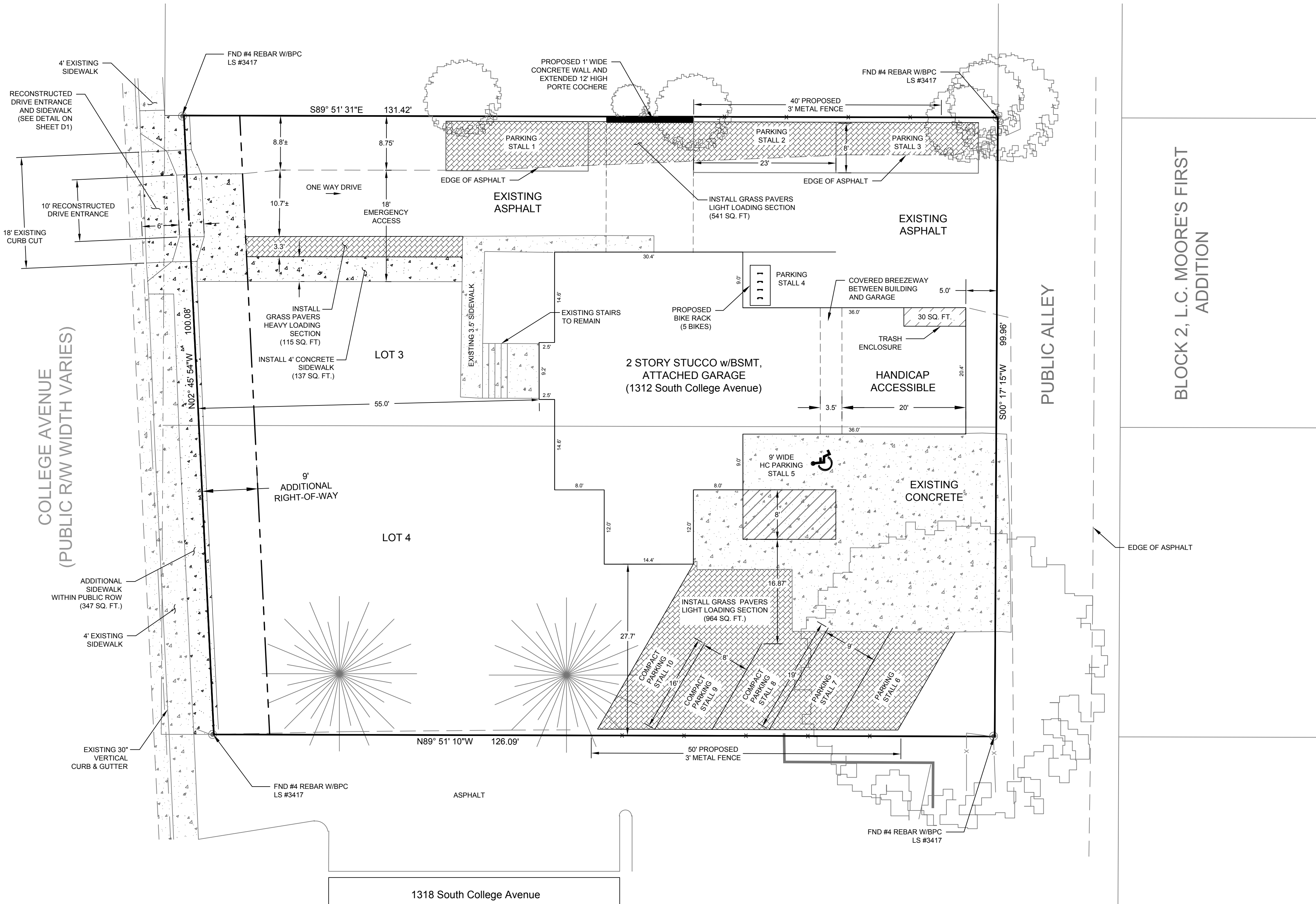
MaOIph, LLC

1312 SOUTH COLLEGE AVENUE

FORT COLLINS, COLORADO

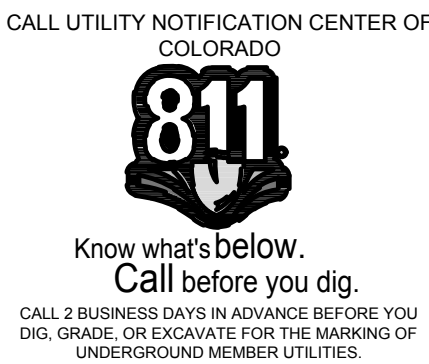
MaOIph, LLC (Site Plan)

PORTIONS OF LOTS 3 AND 4, BLOCK 2, L.C. MOORE'S FIRST ADDITION, SITUATE IN THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 7 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO
(1312 SOUTH COLLEGE AVENUE)



LEGEND:

PROPERTY BOUNDARY	---
EXISTING LOT LINE	---
PROPOSED ROW LINE	---
EXISTING FENCE	-X-
EXISTING OVERHEAD UTILITY	---OHU---
EXISTING TELEPHONE	---T---
EXISTING GAS	---G---
EXISTING SANITARY SEWER	---SS---
EXISTING WATER	---W---
EXISTING ELECTRIC	---E---
EXISTING CABLE/TELEVISION LINE	---CTV---
EXISTING EDGE OF ASPHALT	---
PROPOSED METAL FENCE	-X-
EXISTING ELECTRIC VAULT	⊠
EXISTING WATER METER	⊙
EXISTING GAS METER	⊙
EXISTING TELEPHONE PEDESTAL	⊙
EXISTING CABLE PEDESTAL	⊙
AIR CONDITIONER UNIT	⊙
EXISTING ELECTRIC METER	⊙
EXISTING TREES (TO REMAIN)	⊙
EXISTING CONCRETE	⊙
PROPOSED CONCRETE	⊙
PROPOSED GRASS PAVERS	⊙



UTILITY NOTE:
THE LOCATION OF UNDERGROUND UTILITIES AS SHOWN ARE BASED ON UTILITY MAPS AS MADE AVAILABLE TO THE SURVEYOR AND ABOVE GROUND FIELD MARKINGS INDICATING UNDERGROUND UTILITIES. ADDITIONAL UTILITY LINES MAY EXIST. THE EXACT LOCATION OF ANY UNDERGROUND UTILITIES SHOWN AND THE LOCATION OF ANY ADDITIONAL UNDERGROUND UTILITIES SHOULD BE DETERMINED BY CONTACTING "ONE CALL" FOR A UTILITY LOCATE.

Land Use Data	
Existing Zoning	Single Family Residential
Proposed Land Use	Office/Commercial

Net Site Area	
Site Coverage	Areas (sq. ft.)
Building Coverage	2098
Drives & Parking	3326
Landscape	4549
Walks	374
Grass Pavers	1623
Public ROW	901
Total	12870

Parking			
Type	Dimension (feet)	Required	Provided
Standard (Diagonal)	19(L) x 9(W)	NA	6
Standard (Parallel)	23(L) x 8(W)	NA	6
Compact (Diagonal)	16(L) x 8(W)	NA	3
Handicap	19(L) x 9(W)	1	1
Total		1	16

Bicycle Parking	
Provided	5

No.	Revisions:	By:	Date:

SECTION: 13	TOWNSHIP: 7 N	RANGE: 69 W of the 6th PM
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NORTHERN ENGINEERING
200 South College Avenue, Suite 10
Fort Collins, Colorado 80524
PHONE: 970.221.4198 FAX: 970.221.4199
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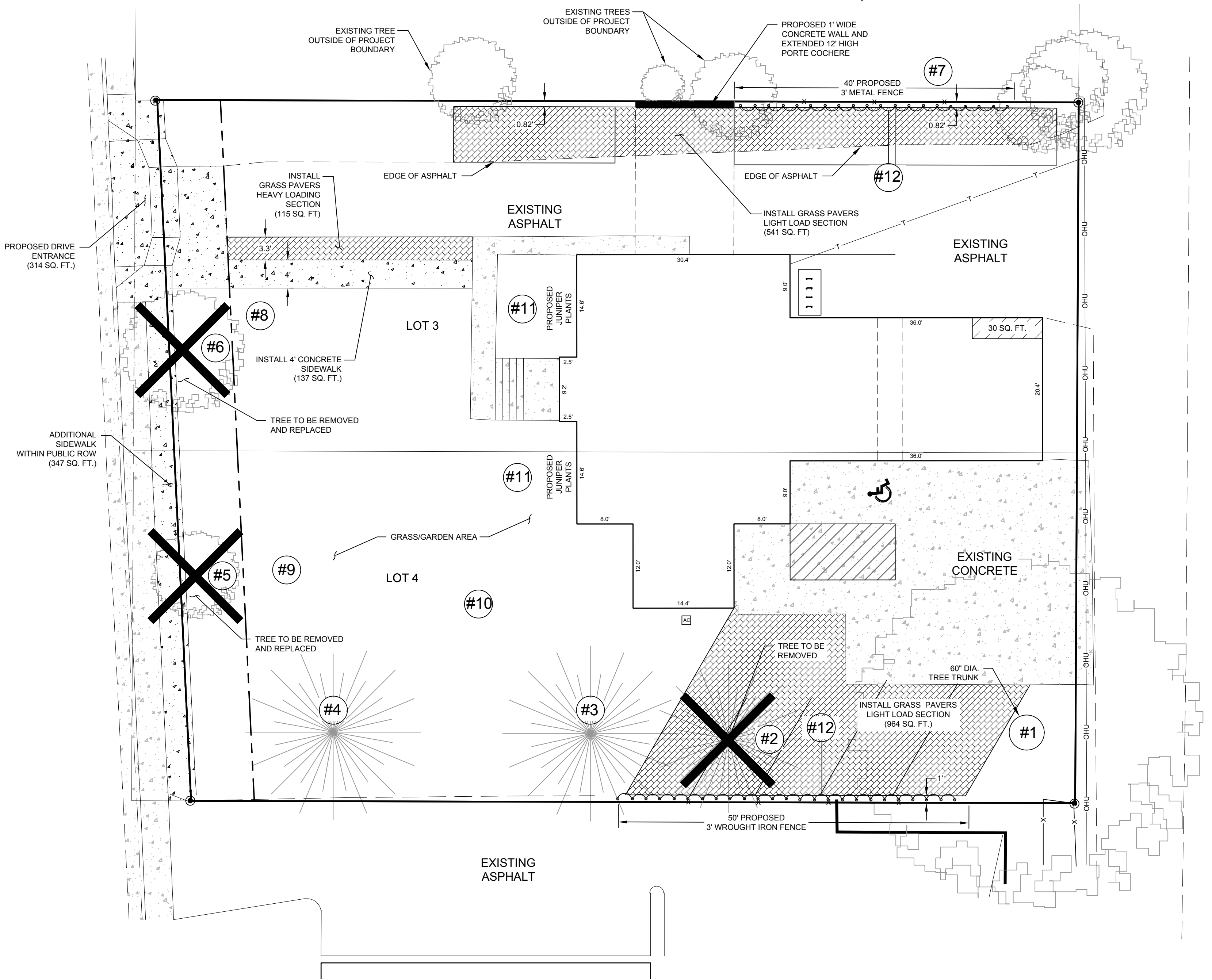
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PROJECT: 1032-001	DATE: 04/27/15	DESIGNED BY: C. Snowden	SCALE: 1" = 10'	REVIEWED BY: R. Curtiss
DRAWN BY: C. Snowden				

SITE PLAN
MaOIph, LLC
1312 SOUTH COLLEGE AVENUE
FORT COLLINS, COLORADO

MaOlPh, LLC (Landscape)

PORTIONS OF LOTS 3 AND 4, BLOCK 2, L.C. MOORE'S FIRST ADDITION, SITUATE IN THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 7 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO
(1312 SOUTH COLLEGE AVENUE)



NOTE:

- Landscape Note: West of building is grass/garden area.
- Existing Zoning - Community Commercial District.
- Damaged curb, gutter and sidewalk existing prior to construction, as well as streets, sidewalks, curbs and gutters, destroyed, damaged or removed due to construction of this project, shall be replaced or restored in like kind at the Developer's expense prior to the acceptance of completed improvements and/or prior to the issuance of the Certificate of Occupancy. The limits of the repairs will be identified in the field by the City Engineering Inspector prior to and over the course of the project and will not be shown on the plans.
- Fort Collins Land Use Code 3.2.1

(G) **Tree Protection Specifications.** The following tree protection specifications should be followed to the maximum extent feasible for all projects with protected existing trees.

- Within the drip line of any protected existing tree, there shall be no cut or fill over a four-inch depth unless a qualified arborist or forester has evaluated and approved the disturbance.
- All protected existing trees shall be pruned to the City of Fort Collins Forestry standards.
- Prior to and during construction, barriers shall be erected around all protected existing trees with such barriers to be of orange fencing a minimum of four (4) feet in height, secured with metal T-posts, no closer than six (6) feet from the trunk or one-half (1/2) of the drip line, whichever is greater. There shall be no storage or movement of equipment, material, debris or fill within the fenced tree protection zone.
- During the construction stage of development, the applicant shall prevent the cleaning of equipment or material or the storage and disposal of waste material such as paints, oils, solvents, asphalt, concrete, motor oil or any other material harmful to the life of a tree within the drip line of any protected tree or group of trees.
- No damaging attachment, wires, signs or permits may be fastened to any protected tree.
- Large property areas containing protected trees and separated from construction or land clearing areas, road rights-of-way and utility easements may be "ribboned off," rather than erecting protective fencing around each tree as required in subsection (G)(3) above. This may be accomplished by placing metal t-post stakes a maximum of fifty (50) feet apart and tying ribbon or rope from stake-to-stake along the outside perimeters of such areas being cleared.
- The installation of utilities, irrigation lines or any underground fixture requiring excavation deeper than six (6) inches shall be accomplished by boring under the root system of protected existing trees at a minimum depth of twenty-four (24) inches. The auger distance is established from the face of the tree (outer bark) and is scaled from tree diameter at breast height as described in the chart below.

LEGEND:

PROPERTY BOUNDARY	---
EXISTING LOT LINE	---
PROPOSED ROW LINE	---
EXISTING FENCE	---
EXISTING OVERHEAD UTILITY	OHU
EXISTING TELEPHONE	T
EXISTING GAS	G
EXISTING SANITARY SEWER	SS
EXISTING WATER	W
EXISTING ELECTRIC	E
EXISTING CABLE/TELEVISION LINE	CTV
EXISTING EDGE OF ASPHALT	---
PROPOSED METAL FENCE	X
EXISTING ELECTRIC VAULT	⊞
EXISTING WATER METER	W
EXISTING GAS METER	G
EXISTING TELEPHONE PEDESTAL	T
EXISTING CABLE PEDESTAL	C
AIR CONDITIONER UNIT	A
EXISTING ELECTRIC METER	E
EXISTING TREES (TO REMAIN)	○
EXISTING TREES (TO BE REMOVED)	⊗
EXISTING CONCRETE	▨
PROPOSED CONCRETE	▨
PROPOSED GRASS PAVERS	▨

CALL UTILITY NOTIFICATION CENTER OF COLORADO



Know what's below.
Call before you dig.

CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

UTILITY NOTE:
THE LOCATION OF UNDERGROUND UTILITIES AS SHOWN ARE BASED ON UTILITY MAPS AS MADE AVAILABLE TO THE SURVEYOR AND ABOVE GROUND FIELD MARKINGS INDICATING UNDERGROUND UTILITIES. ADDITIONAL UTILITY LINES MAY EXIST. THE EXACT LOCATION OF ANY UNDERGROUND UTILITIES SHOWN AND THE LOCATION OF ANY ADDITIONAL UNDERGROUND UTILITIES SHOULD BE DETERMINED BY CONTACTING "ONE CALL" FOR A UTILITY LOCATE.

Tree/Planting Legend:

Tree No.	Species	Location	Size	Condition	Action	Quantity	Seperation
1	Lanceleaf Cottonwood	Southeast Corner	64" dia.	Fair/Good	Preserve	1	N.A.
2	Spruce	East tree	16" dia.	Fair	Remove/Rep.	1	N.A.
3	Spruce	Middle tree	28" dia.	Fair/Good	Preserve	1	N.A.
4	Spruce	West tree	20" dia.	Fair	Preserve	1	N.A.
5	Ash	College Ave. Frontage	4" dia	Dying	Remove/Rep.	1	N.A.
6	Walnut	College Ave. Frontage	11" dia.	Dead	Remove/Rep.	1	N.A.
7	A elm and S elm(8)	Northeast Property Line	12" dia.	Poor	Remove/Wild	2	N.A.
8	Honey locust	College Ave. Frontage	2" cal	N.A.	Replacement	1	N.A.
9	Honey locust	College Ave. Frontage	2" cal	N.A.	Replacement	1	N.A.
10	American Yellowwood	Front Lawn	2-1/2" cal	N.A.	Replacement	1	N.A.
11	Juniper	Building Front	1 gallon	N.A.	New	2	N.A.
12	Ivy	Fenceline North & South		N.A.	New	45	24"

** All Tree pruning and removal work shall be performed by a business holding a current City of Fort Collins Arborist License where required by Code

New Impervious Area within Property Boundary					
	Description	Area (sq. ft.)	Material	Percent Impervious	Adjusted Area
ADDITIONAL IMPERVIOUSNESS	New Parking (North of the Building)	541	Grass Pavers	60%	324.6
	New Parking (South of the Building)	964	Grass Pavers	60%	578.4
	Front Sidewalk from Public ROW to Existing Building	137	Concrete	90%	123.3
	Emergency Access Drive	115	Grass Pavers	60%	69
REMOVED IMPERVIOUSNESS	Storage Shed (9.7x15.9')	154	Roof Top	90%	138.6
	Existing Stairs (3.5x9.2')	32	Concrete	90%	28.8
	Existing Walk from Public ROW to Existing Building	93	Concrete	90%	83.7
	Existing Asphalt (Southern Property Line)	30	Asphalt	100%	30
	Existing Gravel (Southern Property Line)	180	Gravel	40%	72
	Total Additional Impervious Area				742.2

New Impervious Area within College Avenue Public Right-of-Way					
	Description	Area (sq. ft.)	Material	Percent Impervious	Adjusted Area
ADDITIONAL IMPERVIOUSNESS	Additional Sidewalk (Along College Avenue)	347	Grass Pavers	90%	312.3
	Drive Approach and Concrete Apron to ROW	314	Grass Pavers	90%	282.6
REMOVED IMPERVIOUSNESS	Sidewalk Removal (Along College Avenue)	142	Grass Pavers	90%	127.8
	Asphalt Removal for Proposed Drive Approach	122	Grass Pavers	100%	122
	Total Additional Impervious Area				345.1

Tree Diameter at Breast Height (inches)	Auger Distance From Face of Tree (feet)
0-2	1
3-4	2
5-9	5
10-14	10
15-19	12
Over 19	15

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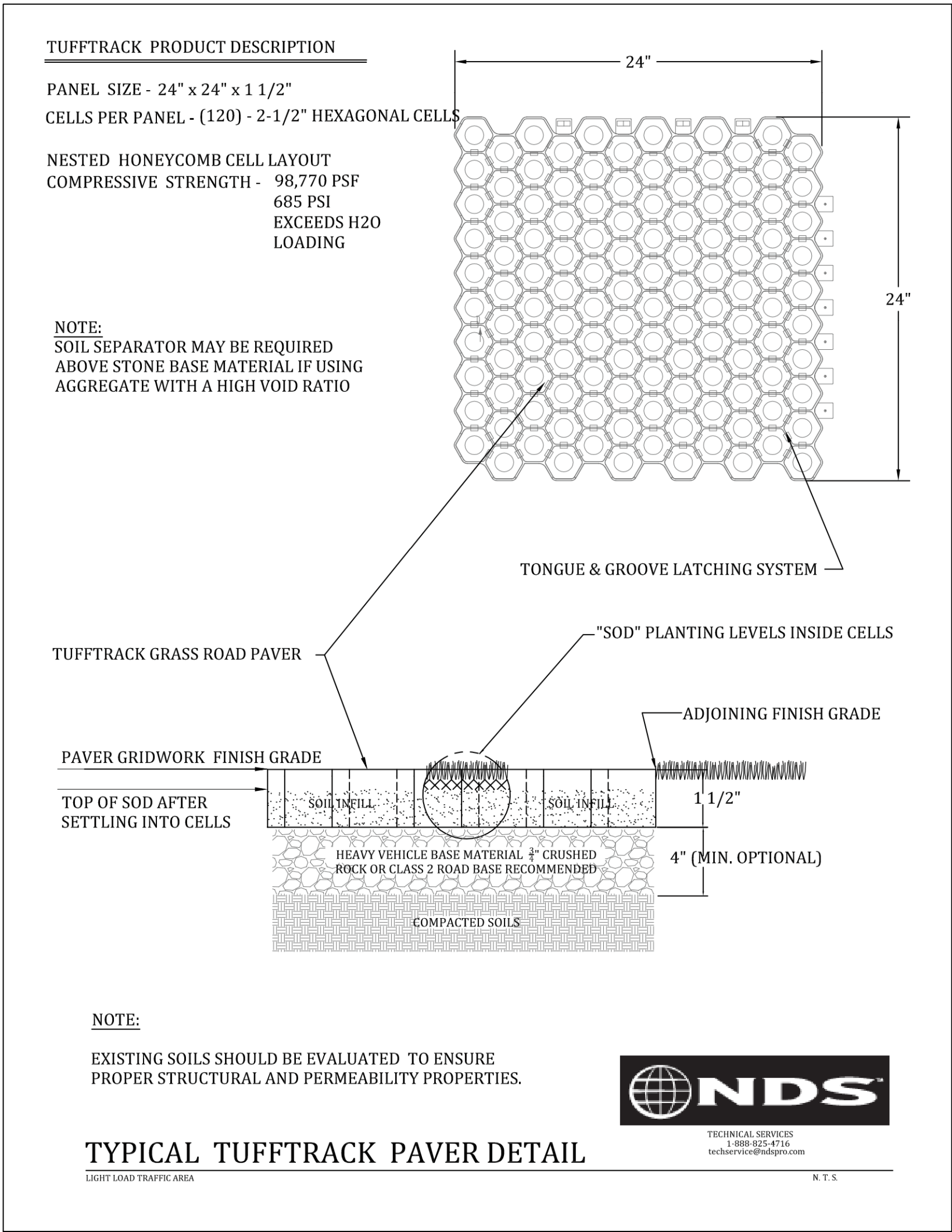
DATE: 04/27/15
PROJECT: 1032-001
DESIGNED BY: C. Snowden
DRAWN BY: C. Snowden
REVIEWED BY: R. Curtis

LANDSCAPE PLAN
MaOlPh, LLC
1312 SOUTH COLLEGE AVENUE
FORT COLLINS, COLORADO

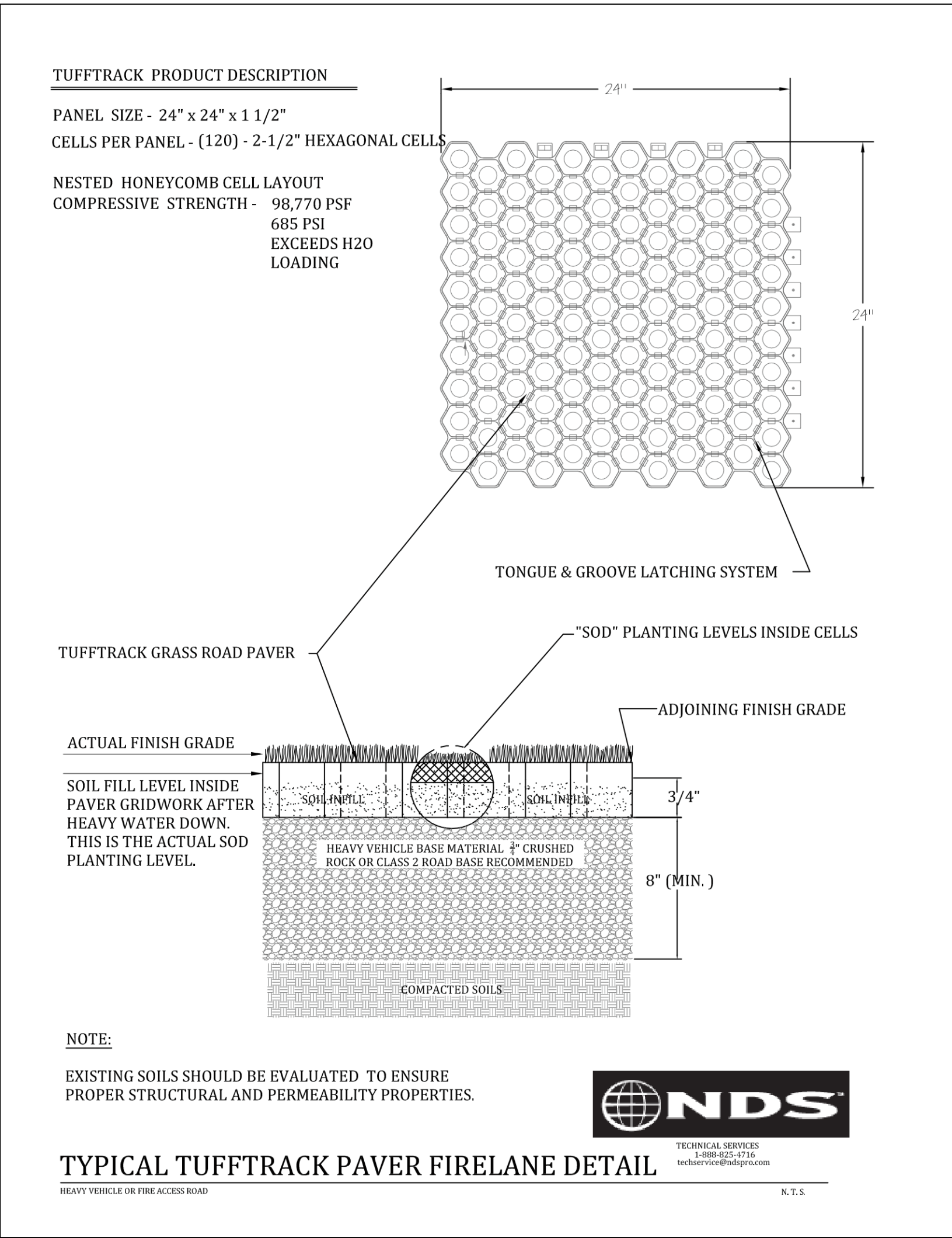
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MaOIPh, LLC (Construction Details)

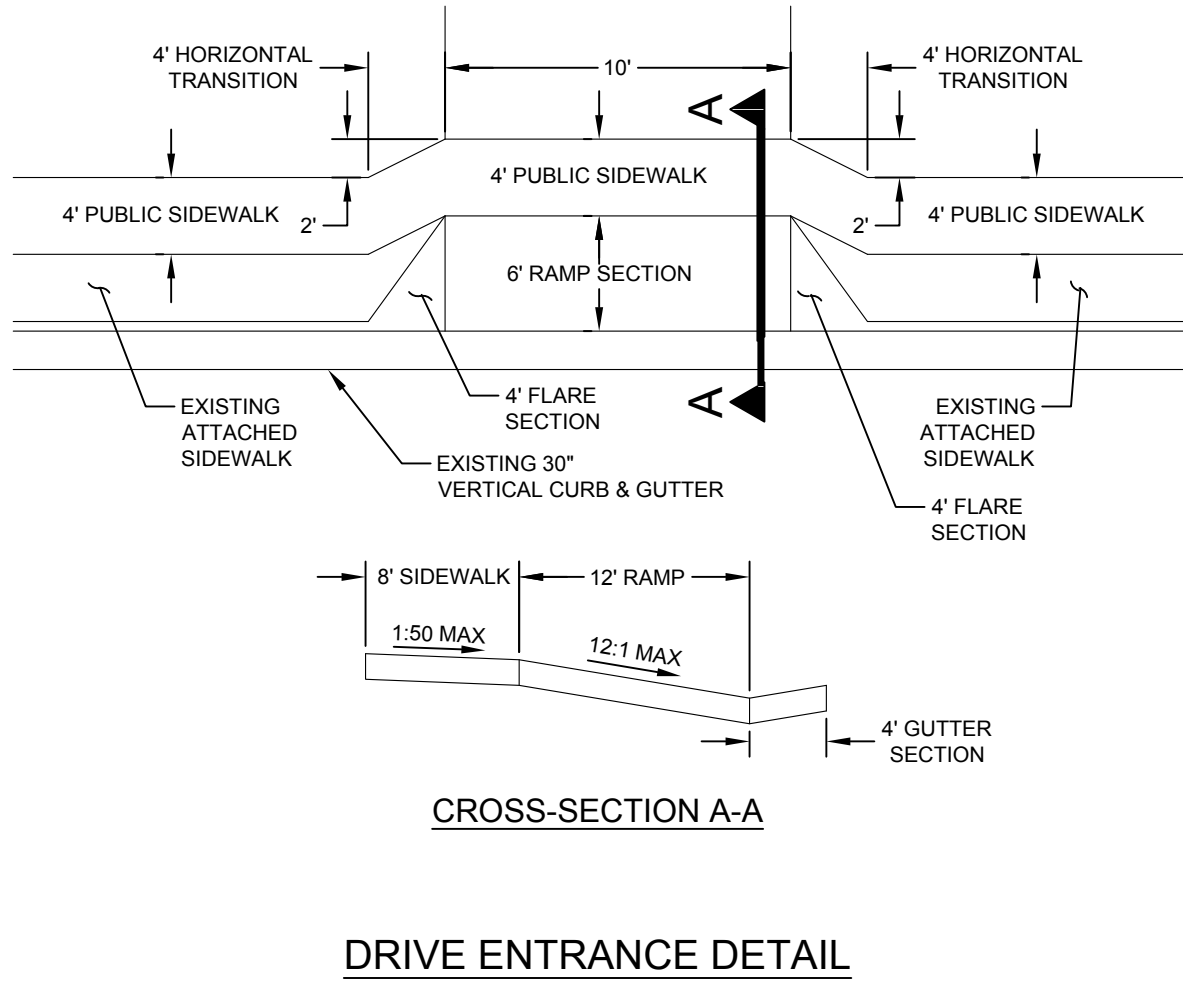
PORTIONS OF LOTS 3 AND 4, BLOCK 2, L.C. MOORE'S FIRST ADDITION, SITUATE IN THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 7 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO (1312 SOUTH COLLEGE AVENUE)



GRASS PAVER DETAIL - LIGHT LOADING SECTION



GRASS PAVER DETAIL - HEAVY LOADING SECTION



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No.	Revisions:	By:	Date:

SECTION: 13	TOWNSHIP: 7 N	RANGE: 69 W of the 6th PM
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**NORTHERN
ENGINEERING**

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PROJECT: 1032-001	DATE: 04/27/15	DESIGNED BY: C. Snowden	REVIEWED BY: R. Curtiss
DRAWN BY: C. Snowden	SCALE: N.A.		

CONSTRUCTION DETAILS

MaOIph, LLC

1312 SOUTH COLLEGE AVENUE

FORT COLLINS, COLORADO

Statement of Planning Objectives

APPLICANT MARCH, OLIVE AND PHARRIS, LLC / MAOLPH, LLC

Address: 1312 S. College Avenue, Lots 3 and 4, Block 2, Moore 1st Addition

Proposed Use: Office

Previous Use: Residential

Zoning district: C-C

Architectural design: Two story Italian Renaissance Revival and garage

Site circulation: Current access off College (to be removed based on 1978 agreement). Access to be taken off entry at 1318 College per 1978 agreement with parking stalls at south boundary of property and egress off alley. See attached site plan.

Compatibility surrounding area: Historic structure to be retained

Trees: On site trees, Cottonwood, southeast corner, four pine trees at south boundary, two street trees.

1978 Agreement and landscape plan – tree at North boundary of property removed, scrub at north boundary to be removed/cleaned. Based on discussions with the City Forrester, the cottonwood at the SE corner of the property and westerly most spruce will be evaluated by a licensed arborist. The street trees will be removed and replaced.

Fire sprinklers: none

Narrative: The subject property at 1312 South College Avenue is located between Pitkin and Lake Streets in the L.C. Moore Subdivision. The original home, built in 1922, remains on the property and the use of the property was residential up until the death of the prior owner. The property was sold for use as a dentist's office in 2013 and proposals were submitted to the City to remove the garage and expand the existing structure. Based on a number of complications, these proposals proved unworkable. In 1978, an agreement was entered between the City and the three owners between Pitkin and the park facing College Avenue. By the agreement, if the use of the property was changed to commercial, the existing drive was to be removed and access was to be taken off of the existing access point for 1318 South College Avenue (building to the south). The 1978 agreement also provided a landscape chart, which while follow partially has been varied. The home on the property would be capable of designation for landmark status based on both its age, significance and prominent occupants.

It is proposed that the property would be converted to commercial use, the existing drive removed in accord with the 1978 agreement and access taken from the 1318 South College access point, parking along the southerly boundary of the property and egress at the alley. Removal of the existing drive (from street to intersection with sidewalk at entry of the house)

would reduce impervious surface and pervious pavers would be installed in the rear parking areas at the south property line. Impact on storm water would add less than 1,000 square feet of additional impervious surface. An existing fire hydrant is located at the boundary of the adjoining southerly property and the park. In preliminary discussions, Ron Gonzales of the Poudre Fire Authority, has indicated fire access is adequate from College Avenue and no sprinkler system is required.

The footprint of the building, including the garage, would not be altered and the existing building would be rehabilitated. The *porte cochere* wall would be extended from its current location to the north boundary of the property to open up the asphalted area off the entry to the garage as the primary entry of the property. Existing trees, including the two street trees and the large spruce pines would if feasible remain, as would the cottonwood (which is not shown on the attached topographic survey) at the southeast corner of the property. The north boundary of the property has become overgrown and likely would be cleared out in the future. The asphalt drive at the northeast boundary likely would be replaced in the distant future with concrete. The tree that was shown on the 1978 plan at the north boundary of the property could, but is not proposed to, be replaced. The building is not sprinklered; PFA has advised that fire sprinklers are not required and that access from College Avenue is adequate. The existing garage would be turned into usable space to provide ADA alternate access, with new doors, presumably at the westerly garage door, with and retention of the garage door look at the easterly garage door. An ADA restroom would be added in the garage structure.

It would be intended that, if the proposed project is accepted and viable, the property would be historically designated through the Landmark Preservation Commission.

Attachments:

- Application Form
- Filing Fee, Sign Posting Fee and APO label Fee
- Legal Description of Property
- List of names of all partners
- Site Plan Drawing
- Site photos (historic and current)
- 1978 agreement
- Paver information
- Two (2) State Highway Access Permit Applications
- CD containing all documents

Noah Beals
City Planner
City of Fort Collins

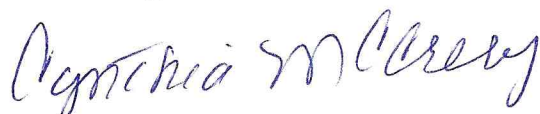
I am writing as a follow up to our conversation on June 25, 2014 regarding Development Proposal #148 for 1312 South College Avenue. I own the property to the south at 1318 South College Avenue. The potential purchasers of the 1312 South College Avenue property are applying to change to RH Zone from RL Zone. The 1312 South College Avenue property has been a private residence in the past, with an accessway to South College Avenue. According to an agreement made in 1978, if the current zoning is changed, the current accessway would be abandoned and the 1312 South College Avenue property would potentially use the 1318 accessway to South College Avenue. This is contained in a recorded agreement dated March 17, 1978, Book 1842, Pages 0507-0512.

In the cited agreement, the 1312 South College Avenue property is referred to Lots 3 and 4, and the 1318 South College Avenue property is referred to as Lots 5 and 6. To quote from a portion of #2 of the cited agreement "If the use of Lots 3 and 4 is changed, the present accessway to College Avenue shall be terminated and access to these lots shall be taken through the accessway to Lots 5 and 6 or an extension of that accessway. A different use of these lots shall not be made until the City's Department of Engineering Services has approved the location and plan for the new accessway to these lots."

The finding of Matthew Delich of Delich & Associates, traffic & transportation engineer is: The current accessway to Lots 5 and 6 is approximately 12 feet wide. It serves as an access to/from the parking lot behind the 1318 South College Avenue building. At best, it meets the needs of the occupants of 1318 South College Avenue. The site plan provided by the new owners of 1312 South College Avenue shows diagonal parking on the north side of the current accessway to Lots 5 and 6, with no "extension of that accessway." If the cited agreement is valid, then an appropriate "extension of that accessway" would be to widen it by 12 feet within the 1312 South College Avenue property. This will allow sufficient width for two-way vehicle movement on the accessway. The wider accessway will be more functional for both properties.

The present accessway for Lots 5 & 6 is sufficient for 1318 South College functioning as a 2 way access. To add another business at 1312 South College with 3 attorneys, their assistants, receptionist and their clients will more than double the demand on this accessway. I believe it would be very unsafe to add this much additional traffic. I agree with Matthew Delich that the accessway needs to be widened by 12 feet to the north on the 1312 South College property. The only other solution would be to keep the present accessway on the north side of 1312 South College. If this was done, there would not be an issue of having to cut down any trees as well. It would be my preference to have the 1312 South College property utilize the existing access on the north side of their property. Thank you for giving me the opportunity to express my concerns regarding this matter.

Sincerely,

A handwritten signature in blue ink that reads "Cynthia McCree". The signature is written in a cursive, flowing style.

Recorded MAR 17 1978 at 3:40 P.
Indexing No. 239961

AGREEMENT

THIS AGREEMENT is made and entered into this 7th day of February, 1978, by and between THE CITY OF FORT COLLINS, COLORADO, a municipal corporation, hereinafter sometimes designated as the "City", and ROBERT L. SIBLERUD, DONALD Z. SMITH, SHIRLEY V. SMITH, NICHOLAS F. CHENOWETH and ANNEMARIE CHENOWETH, hereinafter sometimes designated as "Owners",

WITNESSETH:

WHEREAS, the Owners are the owners of property in the City described as Lots 1 through 6, inclusive, Block 2, L. C. Moore's First Addition to the City of Fort Collins, Colorado; and

WHEREAS, the Owners have petitioned to the City to change the zoning classification for such property from R-L, Low Density Residential District to a district which will permit a more concentrated use to be made of the property; and

WHEREAS, the evidence which has been presented to the City Council and the City Planning and Zoning Board indicates that the uses which can be made of the property within the present zoning classification of R-L, Low Density Residential may not be desirable uses but it also appears to the City Council that a more intense use of the property could have a

6548 1006120081

detrimental impact on traffic conditions on College Avenue which abuts the Owners' property and on other property which adjoins the Owners' property; and

WHEREAS, because of such adverse effects of a rezoning, the City is reluctant to grant the Owners' request for different zoning; and

WHEREAS, the Owners have agreed to certain restrictions concerning the use of their property which would minimize the adverse impacts from a rezoning and the City Council is of the opinion that the restrictions provided in this agreement will adequately protect against adverse impacts from a rezoning and justify the requested rezoning of the Owners' property.

NOW, THEREFORE, in consideration of the premises and the terms of this agreement, it is agreed as follows:

1. Landscaping. A plat is attached hereto indicating the landscaping of substance which now exists on the Owners' property. Such landscaping serves to protect the adjoining single-family residential area to the east of the Owners' property, buffers the noise from traffic on College Avenue and other streets, and enhances the visual impact of the Owners' property. The Owners agree not to remove any of such landscaping indicated on the exhibit attached hereto without approval of the City. (This provision shall not

prevent the removal of any landscaping which is diseased or otherwise in any condition which poses a threat to other landscaping or improvements on the property.

2. Access from College Avenue. Redevelopment of the Owners' property to more intense uses could increase the traffic hazards on College Avenue. Presently Lots 1 and 2 of L. C. Moore's First Addition have no curb cuts from College Avenue. Lots 3 and 4 have one curb cut from College Avenue, and Lots 5 and 6 have one curb cut from College Avenue. The parties agree that there shall be no curb cuts on College Avenue for Lots 1 and 2, and these lots shall continue to obtain their access from other public ways. The Owners of Lots 5 and 6 anticipate renovation of the improvements now on those lots or construction of new improvements on those lots, and it is agreed that an accessway to these lots will be established on College Avenue at the northwest corner of Lot 5. This accessway will be constructed in such manner that it can provide access to Lots 3 and 4 as well as Lots 5 and 6. The location and design of this accessway will be submitted to the City's Department of Engineering Services for approval before installation and no certificate of occupancy will be granted by the City for the improvements on Lots 5 and 6 until the plans and location of this accessway are approved. Lots 3 and 4 are currently occupied as the

site of a single-family residence and so long as this use of these lots continues, the present accessway from College Avenue to this property shall be used. If the use of Lots 3 and 4 is changed, the present accessway to College Avenue shall be terminated and access to these lots shall be taken through the accessway to Lots 5 and 6 or an extension of that accessway. A different use for these lots shall not be made until the City's Department of Engineering Services has approved the location and plans for the new accessway to these lots.

3. Miscellaneous. If any of the Owners desire to remove landscaping provided for in paragraph 1 above, application for permission to remove such landscaping shall be made to the City's Planning Department and submitted by that department for approval to the City Planning and Zoning Board. The Owners shall have the right to appeal any decision of the City's Planning and Zoning Board to the City Council, which shall have the final authority in authorizing removal of any landscaping.

4. Effect. This agreement shall run with the land and shall be binding upon the Owners, their heirs, personal representatives, successors and assigns. This agreement shall be effective only if the zoning under the City's zoning ordinance is changed from its present R-L, Low Density Residential zoning.

IN WITNESS WHEREOF, the parties hereto have signed this agreement the day and year first hereinabove written.

THE CITY OF FORT COLLINS,
COLORADO

ATTEST:

[Signature]
City Clerk

BY

[Signature]
City Manager

OWNERS:

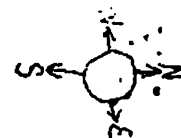
[Signature]
ROBERT L. SIBLERUD

[Signature]
DONALD Z. SMITH

[Signature]
SHIRLEY V. SMITH

[Signature]
NICHOLAS F. CHENOWETH

[Signature]
ANNEMARIE CHENOWETH



1318 S. College

1312 S. College

1304 S. College

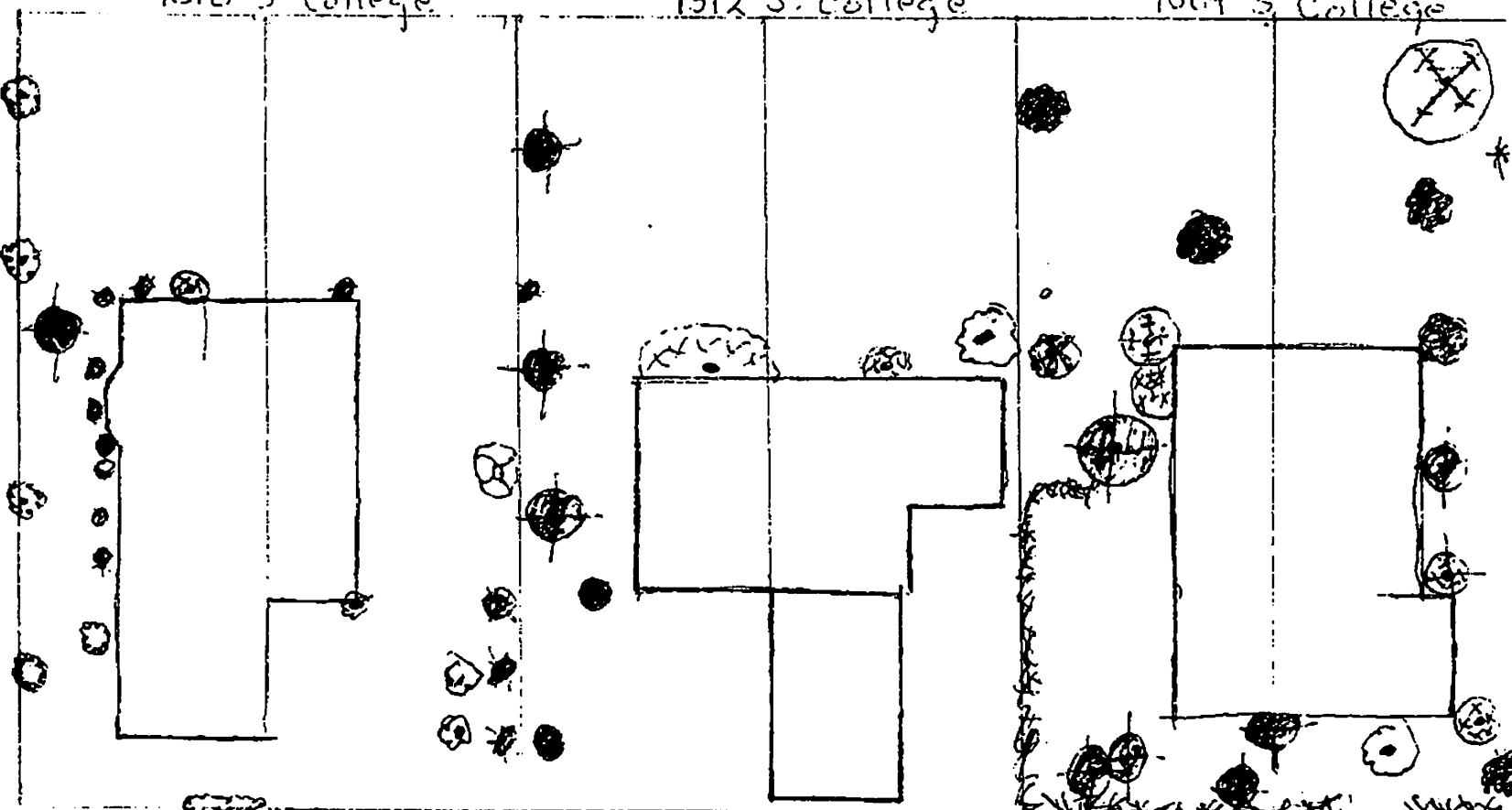


EXHIBIT
Agreement between The City of Fort
Collins, Sibley, Smith, and
Chenoweth dated 2/17/88

- Colorado Blue Spruce
- ⊗ Elm
- ⊗ Pfitzer
- xxx Lilac
- ⊗ Snowball
- Cotton Wood
- ⊗ Magnolia Pine
- Flowering Crab
- ⊗ Linden