

Appeal of P&Z approval of group home at 636 Castle Ridge Court

City of Fort Collins
City Council

3/7/2023 hearing

Representation

Kurt/Laurie Johnson
612 Castle Ridge Ct

Jesus Martin/Angie Lee
637 Castle Ridge Ct

Steve/Kathy Chacho
631 Castle Ridge Ct

Troy/Carrie Tafoya
5213 Castle Ridge Pl

Barbara Schwerin
601 Castle Ridge Ct

Tracey Stefanon/Ken Patrick
Lily Patrick
642 Castle Ridge Ct

Lawrence Mauch/Karen Kotecki
625 Castle Ridge Ct

Representation (cont'd)

**Tom/Debbie Graff
624 Castle Ridge Ct**

**Steve/Beth Williams
5301 Highcastle Ct**

**Gregg Lesartre
619 Castle Ridge Ct**

**Tony/Sarah Doing
5206 Castle Ridge Pl**

**Michael Leuzze
5225 Castle Ridge Pl**

**Dan Clawson
5219 Castle Ridge Pl**

**Douglas/Katie Salter
613 Castle Ridge Ct**

**Brad Sisson
600 Castle Ridge Ct**

Appeal– Section 3.5.1 (J) of the Fort Collins Land Use Code

Operational/Physical Compatibility Standards. Conditions may be imposed upon the approval of development applications to ensure that new development will be compatible with existing neighborhoods and uses. Such conditions may include, but need not be limited to, restrictions on or requirements for:

1. Hours of operation and deliveries
2. location on a site of activities that generate potential adverse impacts on adjacent uses such as noise and glare;
3. placement of trash receptacles;
4. location of loading and delivery zones;
5. light intensity and hours of full illumination;
6. placement and illumination of outdoor vending machines;
7. location and number of off-street parking spaces.

Issue at Hand

- This particular project at this particular location
 - Recognize group homes are allowed
- P&Z failed to apply conditions necessary to ensure neighborhood compatibility
- Need Council to apply such conditions and implement a staged approach to optimal number of residents

Applying the Code

- A given location can be either
 - Advantageous
 - Worthy to consider exceptions
 - Neutral
 - Careful case by case consideration for exceptions
 - Challenged
 - Extraordinary reason for exceptions, focus on conditions

Advantageous Example: Seneca House

- Recently approved for 10 residents
- Operated at 8 residents for several years
- Demonstrated compatibility
- Key built-in advantages related to neighborhood compatibility
 - parking, circulation, street design, location



Advantageous: Seneca House Street



- Seneca St is city “secondary” street
 - Designed to support on-street parking on both sides, plowed
- Seneca House has no neighbors to west
 - Lower impact to others
- BUT ... Castle Ridge is narrow/private street
 - Constrained already; not designed for parking on both sides



Advantageous: Seneca House driveway



- Castle Ridge single entrance/exit
- Seneca circular layout
 - Obvious to visitors/contractors
 - Better circulation
 - More space



Seneca House Impact

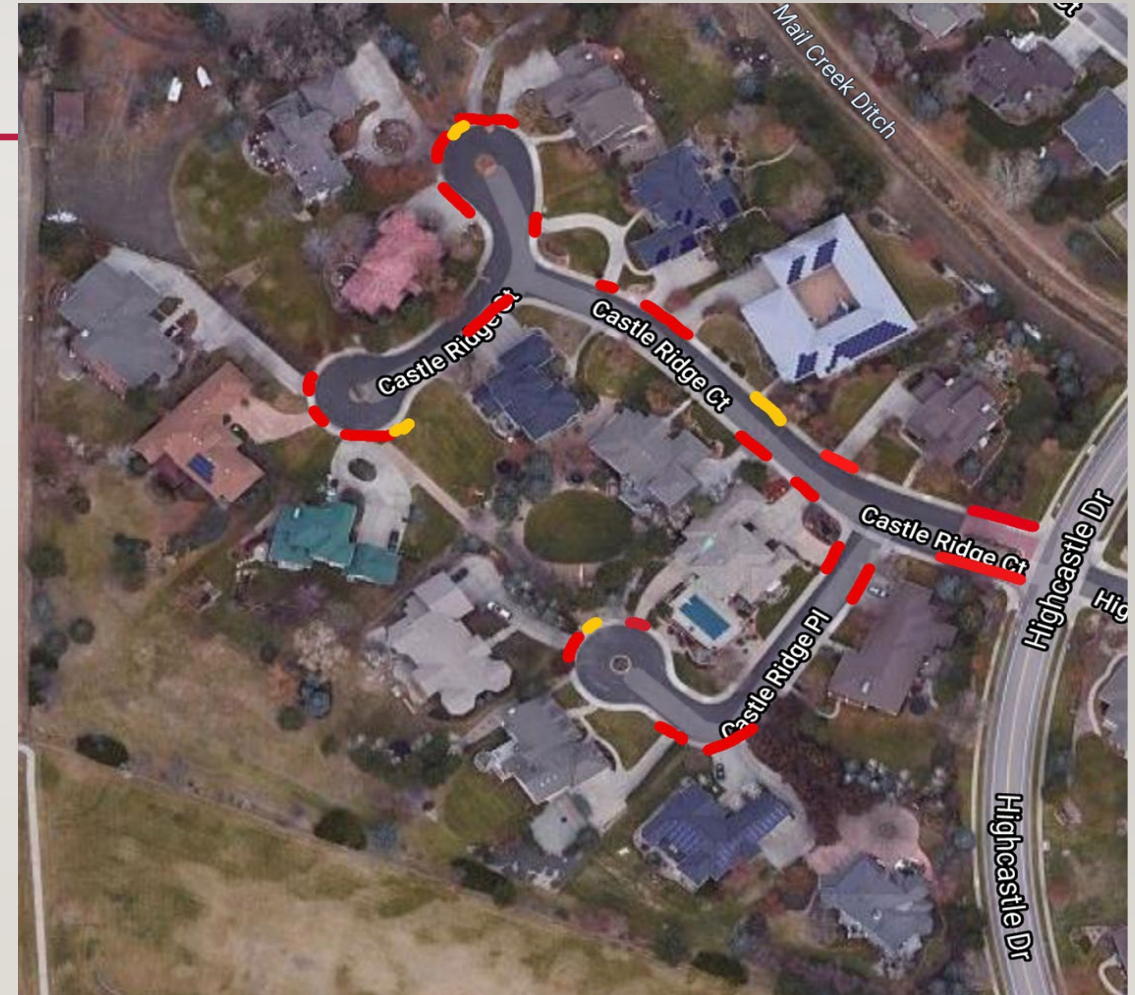
- Email in packet from 3/22 hearing – Seneca House operating at 8 residents:
 - “Sometimes we run out of on-site parking but we have so much on-street parking that it is never an issue. We are in a unique situation because there is a middle school across the street and our northern neighbor’s house faces Craig St.”



Challenged Example Castle Ridge

The Problem

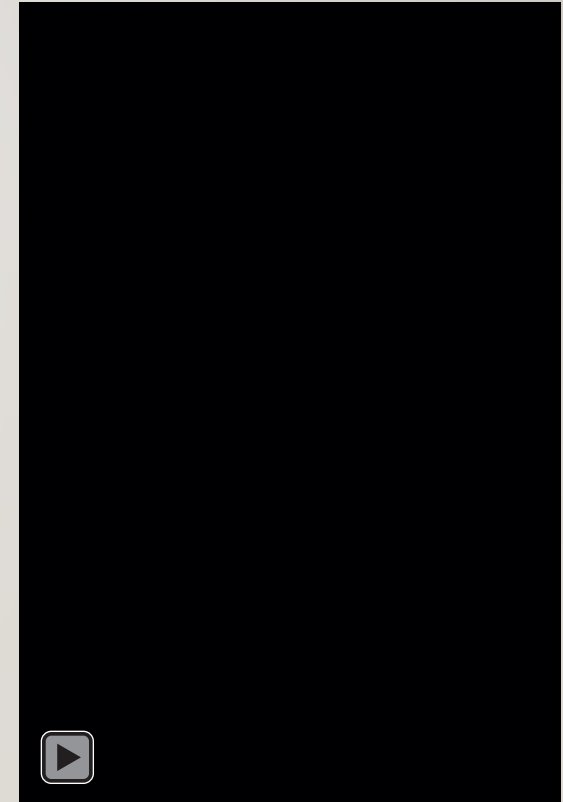
- LIMITED STREET PARKING
 - Driveways (red) fire hydrants (yellow) and entrance/exit leave very limited street parking
- LOCATION IN NEIGHBORHOOD
 - Middle of street at narrowest point - chokepoint
- DRIVEWAY
 - Long and narrow – parking 5 cars in the driveway is highly unlikely and impossible without musical cars
- LIKELY PARKING IN FRONT AND ACROSS
 - Visitors, deliveries, services likely to park in front of and across the street from subject property creating one lane chokepoint
 - Downstream properties



Challenged Example Castle Ridge

The Problem

- CHOKEPOINT CREATED
 - Cars are parked on both sides of street, street becomes one lane
- NARROW STREET OUT OF CODE
 - Variance predicated on 3-car garages
 - City rejected the private street
 - Sidewalks blend into curbs
 - No snow plowing
- 17 OTHER RESIDENCES
 - Visitors, deliveries, services, maintenance, and potential need for emergency services



Solution 1: Apply Conditions

City Council is authorized under Municipal Code Sec. 2-56 (Council decision on appeal) and Land Use Code Sec. 3.5.1 (J) (Operational/Physical Compatibility Standards) to apply conditions of approval on an appeal from a decision of the P&Z Commission.

Solution 1: Conditions to 3.5.1 (J)*

Regardless of number of residents

The following conditions are necessary to ensure neighborhood compatibility:

- hours of operation and deliveries (3.5.1 (J)(1)) – *Limit deliveries and visits in time*
- location on a site of activities that generate potential adverse impacts on adjacent uses such as noise and glare (3.5.1 (J)(2))
 - *Deliveries made off-street, required professionals to park off-street*
 - *Limit on-street parking*
- placement of trash receptacles (3.5.1 (J)(3))– *Limit number and size of receptacles*
- location of loading and delivery zones (3.5.1 (J)(4))– *Require off-street loading*
- location and number of off-street parking spaces (3.5.1 (J)(7))
 - *Require adequate off-street parking*
 - *Prohibit on-street/on-site van/bus parking*

*Specifics on conditions are contained in the written statement



Solution 2: Number of Residents Risk Management

- 10 vs. 8 residents there is a difference
- Each resident has private services – example result in 25% increase for 10 vs. 8



Solution 2: Risk Management

- Far too risky to approve 10 residents up front without hard data
 - Can't go backwards
- Start at a lower amount of residents
 - Apply conditions
 - Gather data
 - Assess at subsequent Type 2 review via 2-year study period

Summary

- Challenged location requires increased scrutiny
- Two-pronged approach can lead to optimal point for all parties
 - Conditions necessary to ensure neighborhood compatibility
 - Stage number of residents, assess via data-driven approach
- Upholding P&Z approval would set unintended precedent

636 Castle Ridge Court

Questions?