

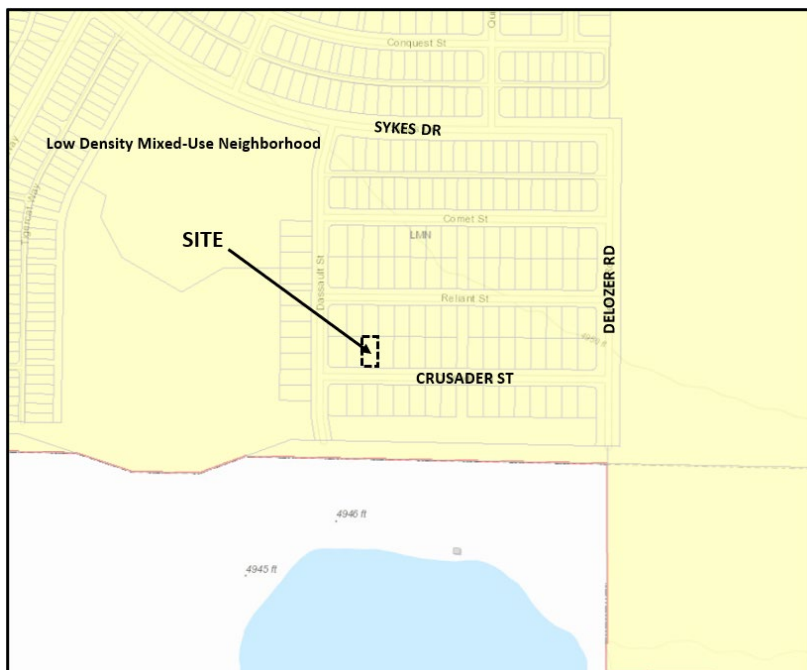
Administrative Hearing: June 3, 2021

2914 Crusader Street Extra Occupancy #FDP200025

Summary of Request

This is a combined Project Development Plan/Final Development Plan to add Extra Occupancy as a permitted use in an existing single-family dwelling for up to four occupants which includes the owner.

Zoning Map



Next Steps

If approved by the Hearing Officer, the applicant will be eligible to apply for a building permit and Certificate of Occupancy.

Site Location

2914 Crusader Street in the Mosaic neighborhood. Parcel #8708157014.

Zoning

Low Density Mixed-Use Neighborhood (L-M-N).

Property Owner

Nicholas G. Scott
2914 Crusader St
Fort Collins, CO 80524

Applicant/Representative

Same as Owner

Staff

Will Lindsey, Associate City Planner

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Staff Recommendation

Approval of FDP200025

1. Project Introduction

A. PROJECT DESCRIPTION

- The proposal is to add Extra Occupancy for up to four occupants as a use of the single-family dwelling at 2914 Crusader Street.
- The applicant is requesting a modification to the standard for the minimum parking requirement for an owner-occupied extra occupancy.
- The existing house, driveway and garage accommodate the proposed extra occupancy.
- The property provides and exceeds the required habitable floor area for the proposed four occupants which includes the owner. 1,800 sq. ft. are required (350 sq. ft. per occupant in addition to a minimum of 400 sq. ft. for the owner); 2,649 sq. ft. are provided.
- The property is within the Low Density Mixed Use Neighborhood (LMN) zoning district, which permits the use subject to Administrative Review and hearing by a Hearing Officer.

B. DEVELOPMENT STATUS/BACKGROUND

1. Subject Property

The house was built in 2019 within the 2016 East Ridge Second Filing.

2. Surrounding Zoning and Land Use

	North	South	East	West
Zoning	Low Density Mixed-Use Neighborhood (L-M-N)	Low Density Mixed-Use Neighborhood (L-M-N)	Low Density Mixed-Use Neighborhood (L-M-N)	Low Density Residential (RL)
Land Use	Single-family dwellings on the adjacent block face	Single-family dwellings on the same block face	Single-family dwellings on the same block face	Single-family dwellings on the same block face

C. OVERVIEW OF MAIN CONSIDERATIONS

The main considerations in this case were the provision of on-site vehicle parking and on-site bicycle parking. The applicant is utilizing the parking arrangement allowed by the code, wherein a lot with less than 65 feet of street frontage may have one of the required parking spaces aligned in a manner that does not provide direct access to the abutting street – commonly referred to as “tandem parking” (see attached site plan and details below). Additionally, the applicant is requesting a modification to the vehicle parking requirement for owner-occupied extra occupancies, which is detailed on pages 3-6 of this staff report.

D. CITY PLAN

The City’s comprehensive plan (2019 *City Plan*) was updated with the participation of thousands of community members and embodies the vision and values of the community for the future. It does not specifically address issues of occupancy.

A significant theme in the plan is encouraging more housing options in general. For example, Policy LIV 5.6 on p. 42 states: “EXISTING NEIGHBORHOODS: Expand housing options in existing neighborhoods (where permitted by underlying zoning) by encouraging: Infill development on vacant and underutilized lots; Internal ADUs such as basement or upstairs apartments; Detached ADUs on lots of sufficient size; and Duplexes,

townhomes or other alternatives to detached single-family homes that are compatible with the scale and mass of adjacent properties.”

The Structure Plan (the future land use map component of *City Plan*) designates this part of the Mosaic neighborhood as a “Mixed Neighborhood” place type, which is characterized by a mixture of housing types. The following excerpt from p.98 in *City Plan* gives a sense of the main ideas for land uses in a Mixed Neighborhood place type:

Principal Land Use

Single-family detached homes, duplexes, triplexes, and townhomes

Supporting Land Use

ADUs, small scale multifamily buildings, small-scale retail, restaurants/cafes, community and public facilities, parks and recreational facilities, schools, places of worship

Key Characteristics/Considerations (Existing Neighborhoods)

- *While many existing Mixed-Neighborhoods may consist predominantly of single-family detached homes today, opportunities to incorporate ADUs or other attached housing options of a compatible scale and intensity may be feasible in some locations.*
- *The introduction of larger townhome or multifamily developments into existing single-family neighborhoods should generally be limited to edge or corner parcels that abut and/or are oriented toward arterial streets or an adjacent Neighborhood Mixed-Use District where transit and other services and amenities are available.*
- *Where townhomes or multifamily buildings are proposed in an existing neighborhood context, a transition in building height, massing and form should be required along the shared property line or street frontage.*
- *As existing neighborhoods change and evolve over time, rezoning of some areas may be appropriate when paired with a subarea or neighborhood planning initiative. See the Priority Place Types discussion on page 107 for more details about changes in existing neighborhoods over time.*
- *While reinvestment in existing mobile home parks is encouraged, redevelopment of existing parks is not.*

2. Land Use Code Article 2

A. BACKGROUND

This project was submitted on October 30, 2020. The project required two rounds of staff review because of the need for revisions to the original site plan and the requested modification after initial plan submittal.

B. PROJECT DEVELOPMENT PLAN PROCEDURAL OVERVIEW

1. Conceptual Review – CDR200060

A conceptual review meeting was held on July 16, 2020.

2. First Submittal

The PDP was submitted on October 30, 2020

3. Neighborhood Meeting

Pursuant to *LUC Section 2.2.2 – Step 2: Neighborhood Meetings*, a neighborhood meeting is not required for Administrative Hearing (Type 1) projects and no meeting was held.

4. Notice (Posted, Written and Published)

Posted Notice: November 13, 2020, Sign #582.
Written Hearing Notice: May 20, 2021, 379 addresses mailed.
Published Hearing Notice: Scheduled for May 21, 2021.

C. DIVISION 2.8 – MODIFICATION OF STANDARDS

The applicant requests one modification of a standard as noted previously in this report.

The Land Use Code is adopted with the recognition that there will be instances where a project would support the implementation of City Plan, but due to unique and unforeseen circumstances would not meet a specific standard of the Land Use Code as stated. The modification process and criteria in Land Use Code Division 2.8.2(H) provide for evaluation of these instances on a case-by-case basis, as follows:

Land Use Code Modification Criteria:

“The decision maker may grant a modification of standards only if it finds that the granting of the modification would not be detrimental to the public good, and that:

(1) the plan as submitted will promote the general purpose of the standard for which the modification is requested equally well or better than would a plan which complies with the standard for which a modification is requested; or

(2) the granting of a modification from the strict application of any standard would, without impairing the intent and purpose of this Land Use Code, substantially alleviate an existing, defined and described problem of city-wide concern or would result in a substantial benefit to the city by reason of the fact that the proposed project would substantially address an important community need specifically and expressly defined and described in the city's Comprehensive Plan or in an adopted policy, ordinance or resolution of the City Council, and the strict application of such a standard would render the project practically infeasible; or

(3) by reason of exceptional physical conditions or other extraordinary and exceptional situations, unique to such property, including, but not limited to, physical conditions such as exceptional narrowness, shallowness or topography, or physical conditions which hinder the owner's ability to install a solar energy system, the strict application of the standard sought to be modified would result in unusual and exceptional practical difficulties, or exceptional or undue hardship upon the owner of such property, provided that such difficulties or hardship are not caused by the act or omission of the applicant; or

(4) the plan as submitted will not diverge from the standards of the Land Use Code that are authorized by this Division to be modified except in a nominal, inconsequential way when considered from the perspective of the entire development plan and will continue to advance the purposes of the Land Use Code as contained in Section 1.2.2.

Any finding made under subparagraph (1), (2), (3) or (4) above shall be supported by specific findings showing how the plan, as submitted, meets the requirements and criteria of said subparagraph (1), (2), (3) or (4).”

1. Modification to Section 3.2.2(K)(1)(j)

Description of Standard & Proposed Modification

At the time that the plan was submitted in Fall 2020, Extra Occupancy Rental Homes had a minimum parking space requirement of 0.75 parking spaces per tenant, rounded up to the nearest whole parking space, plus one additional parking space if the home is owner-occupied. This would require a total of 4 on-site parking spaces be provided for this project (Calculation: 0.75 spaces per tenant x 4 tenants = 3 vehicle parking spaces + 1 additional vehicle parking space = 4 vehicle parking spaces total).

The plan proposes a modification to the standard by requesting that the requirement for 1 additional parking space for an owner-occupied extra occupancy be removed, thereby reducing the required

number of parking spaces from 4 to 3 (Calculation: 0.75 spaces per tenant x 4 tenants = 3 vehicle parking spaces).

Applicant Justification

The applicant's justification for the Modification to 3.2.2(K)(1)(j) specifically addresses Criteria 4. The applicant's justification is attached. Relevant points are:

Criteria 4

"...The project modification will better promote the general purpose of the standard for which the modification is requested. Nominally the vehicle count will remain the same regardless of whether the 4th occupant is an owner or renter as the owner doesn't own second vehicles, boats, or use a garage space as storage... The plan as submitted meets criteria number 4 and will not nominally diverge from the intended standards of the Land Use Code and will consequentially enhance and improve the purposes of the Land Use Code as contained in Section 1.2.2..."

Staff's Analysis of Modification Request

Staff finds that the requested Modification of Standard to Section 3.2.2(K)(1)(j) to reduce the required minimum vehicle parking space for an owner-occupied extra occupancy from 4 spaces to 3 spaces would not be detrimental to the public good and is justified by criteria 1 and 4 in Land Use Code Section 2.8.2. The purpose of the standard is to ensure that development provides a minimum number of vehicle parking spaces appropriate for the proposed use type. In this case, the site is a residential lot less than 65 feet in-width, which allows one vehicle be parked in a manner where it does not have direct access to an abutting street (i.e., tandem parking space). The strict application of this standard would require the addition of a fourth parking space for the property owner/tenants with unobstructed access to the street, which is not possible to achieve due to the current lot width and the City Code prohibition against paving more than 40% of a residential front yard area. Re

Staff finds that the modification would not be detrimental to the public good for a number of reasons. First, the Mosaic Development was planned to accommodate a variety of residential uses, including extra occupancy. As part of that plan the existing infrastructure includes a street network which provides a parking and circulation system appropriate for the subdivision and all its uses. Second, extra occupancies must demonstrate that they can accommodate the minimum number of parking spaces on-site at all times. The proposed number of parking spaces is in alignment with the current code standard, which is explained further below, and can be provided on-site. Any additional short-term parking needed would be able to utilize the existing on-street parking available. Third, single-family dwellings which typically house families often have a number of vehicles equal to or greater than number of occupants but are not required to provide on-site parking spaces equal to the number of occupants. The majority of dwellings along Crusader Street are permitted single-family uses, many of which utilize a combination of on-site and on-street parking to accommodate vehicles. When taking the above factors into consideration, the proposed modification does not result in a parking outcome that is out of character for the neighborhood and would not be detrimental to the public good.

Staff finds that the plan addresses Criterion 1, "...the plan as submitted will promote the general purpose of the standard for which the modification is requested equally well or better than would a plan which complies with the standard for which a modification is requested...." This is due to the fact that on January 5, 2021 the City Council passed and adopted Ordinance No. 161, 2020 which made various amendments to the Fort Collins Land Use Code. Several of the amendments added clarifying language and changes to the Extra Occupancy standards, one of which was the removal of the requirement for one additional parking space if the extra occupancy is owner-occupied:

"For each extra occupancy, there shall be 0.75 (¾) parking space per occupant, rounded up to the nearest whole parking space. If the lot upon which such parking spaces are to be situated has more than sixty-five (65) feet of street frontage length on any one (1) street or abuts an alley, then each such parking space shall have direct access to the abutting street or alley and shall be unobstructed by any other parking space. If such lot has less than sixty-five (65) feet of street frontage length on any one (1) street

and does not abut an alley, then one (1) of the required parking spaces may be aligned in a manner that does not provide direct access to the abutting street.”

Considering these adopted changes to the parking requirements the requested modification would equally meet the intent of the current vehicle parking standard for Extra Occupancy which will apply to all extra occupancy uses moving forward. Additionally, the current standard removes a barrier to owner-occupied extra occupancies thereby promoting better on-site management and oversight of the extra occupancy by the property owner, which would not be possible if the applicant did not request the modification.

Staff find that the plan also addresses Criterion 4, “...nominal, inconsequential way when considered from the perspective of the entire development plan...” due to the fact that the proposed modification, which reduces the parking calculation by one vehicle parking space, is minor enough in nature that it in no way detracts from the overall plan or the intent of the Land Use Code Parking Standards for Extra Occupancies.

In conclusion, the modification of a standard to subsection 3.2.2(K)(1)(j) to reduce the required minimum vehicle parking space for an owner-occupied extra occupancy from 4 spaces to 3 spaces would not be detrimental to the public good and meets the applicable requirements of subsections 2.8.2(H)(1) and 2.8.2(H)(4).

3. Land Use Code Article 3

Because the plan involves existing development which comports with the Land Use Code standards, only a few standards specific to Extra Occupancy pertain in this case.

A. DIVISION 3.2 – SITE PLANNING AND DESIGN STANDARDS

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
3.2.2 – Access, Circulation and Parking – General Standard	<p>This code Section requires secure, convenient, efficient parking and circulation improvements that add to the attractiveness of the development.</p> <ul style="list-style-type: none"> The existing subdivision development provides a parking and circulation system consistent with the standard. The plan provides specific required parking per the subsections noted below, and the modification to the standard as detailed on pages 3-6 	Complies with Modification Requested
3.2.2(C)(4) – Bicycle Parking Space Requirements	<p>This plan is required to provide 1 bicycle parking space per bed.</p> <ul style="list-style-type: none"> The plan proposes the installation of an outdoor fixed bicycle parking rack that will accommodate 7 bicycle, which one more spot than is required (minimum of 6 bicycle parking spaces) with the necessary footprint of 5 feet wide by 2.5 feet deep as well as 5 feet behind for bicycle maneuverability. The applicant is not seeking a modification to the bicycle parking standard to align with the current requirement of 1 bicycle parking space per occupant. 	Complies

3.2.2(K)(1)(j) – Required Number of Off-Street Spaces	<p>Extra occupancy rental house uses are required to provide 0.75 parking spaces per tenant, rounded up to the nearest whole parking space, plus one (1) additional parking space if the extra occupancy rental house is owner-occupied. 4 spaces are required in this case, and the applicant has requested a modification.</p> <ul style="list-style-type: none"> • 3 dedicated parking spaces would be provided. Per the code, if such lot has less than sixty-five (65) feet of street frontage length on any one (1) street and does not abut an alley, then one (1) of the required parking spaces may be aligned in a manner that does not provide direct access to the abutting street. 	Modification Requested
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B. DIVISION 3.8 – SUPPLEMENTARY REGULATIONS

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
3.8.16 – Occupancy Limits – Increasing the Number of Persons Allowed	<p>Subsection (E)(1) states <i>“with respect to single-family and two-family dwellings, the number of persons allowed under this Section may be increased by the issuance of a certificate of occupancy for use as an extra occupancy rental house in zones allowing such use.”</i></p> <p>The proposed plan is to increase the occupancy of a single-family dwelling. If approved the applicant will submit a building permit application. Upon compliance with any building code, the approval of this application, and a final inspection a new certificate of occupancy will be issued.</p>	Complies via the proposed plan in the LMN zone
3.8.28 – Extra Occupancy Rental House Regulations	<p>This Section contains requirements for extra occupancy in single-family detached dwellings. 350 square feet of habitable floor space is required for each tenant plus an additional 400 square feet if the dwelling is owner-occupied.</p> <ul style="list-style-type: none"> • 1,800 sq. ft. are required for the proposed use. <ul style="list-style-type: none"> ○ 1,400 sq. ft. for the proposed four tenants plus 400 sq. ft. since the dwelling is proposed to be owner occupied. ○ 2,649 sq. ft. of habitable space is provided in the existing dwelling. <p>No more than 25% of parcels on a block face may be approved for extra occupancy rental house use.</p> <ul style="list-style-type: none"> • No other Extra Occupancy Rental Houses are approved on the block face. 	Complies

4. Land Use Code Article 4

A. DIVISION 4.5 – LOW DENSITY MIXED-USE NEIGHBORHOOD DISTRICT (LMN)

The LMN zone district was created in 1997 as part of the City’s comprehensive plan and has been re-established in subsequent updates.

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
<p>4.5(A) - Purpose</p>	<p>This Section states: <i>Purpose. The Low Density Mixed-Use Neighborhood District is intended to be a setting for a predominance of low density housing combined with complementary and supporting land uses that serve a neighborhood and are developed and operated in harmony with the residential characteristics of a neighborhood. The main purpose of the District is to meet a wide range of needs of everyday living in neighborhoods that include a variety of housing choices, that invite walking to gathering places, services and conveniences, and that are fully integrated into the larger community by the pattern of streets, blocks, and other linkages. A neighborhood center provides a focal point, and attractive walking and biking paths invite residents to enjoy the center as well as the small neighborhood parks. Any new development in this District shall be arranged to form part of an individual neighborhood.”</i></p>	<p>Complies as a part of the overall East Ridge development</p>
<p>4.5(B) - Permitted Uses</p>	<p>Extra occupancy rental houses with four or more tenants are permitted with review and a public hearing by an administrative hearing officer.</p>	<p>Complies</p>

5. Findings of Fact/Conclusion

In evaluating the request 2914 Crusader St Extra Occupancy #FDP200018, staff makes the following findings of fact and conclusions:

1. The Project Development Plan/Final Development Plan complies with the applicable procedural and administrative requirements of Article 2 of the Land Use Code.
2. The Modification of Standard to Section 3.2.2(K)(1)(j) proposed with this Project Development Plan meets the application requirements of Section 2.8.2(H)(1) and (4), and the granting of the modification would not be detrimental to the public good.
3. The plan complies with pertinent standards located in Article 3 – General Development Standards if the Modification of Standard request is approved.
4. The plan complies with Division 4.5 - Low Density Mixed-Use Neighborhood in Article 4.

6. Recommendation

Staff recommends that the Hearing Officer approve 2914 Crusader Street #FDP200025 with the Modification of Standard to Sections 3.2.2(K)(1)(j) based on the aforementioned Findings of Fact and supporting explanations found in the staff report.

7. Attachments

1. Applicant Narrative
2. Site Plan
3. Modification Request
4. Public Comments
5. Opposition Petition
6. Staff Presentation

PROJECT INFORMATION AND DESIGN NARRATIVE

October 26th, 2020

Project Name:

- 2914 Crusader Street Extra Occupancy

Past Meeting Dates

- TBD-Conceptual Review

General Information

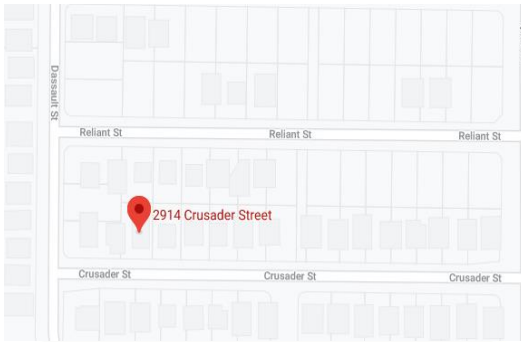
- Address: 2914 Crusader Street, Fort Collins CO 80524
- Legal Description: LOT 14, BLOCK 29, EAST RIDGE SECOND FILING, FTC (20160047573)
- Parcel number: **8708157014**
- Prop Tax Schedule: **1662587**
- Area: .11 acres; Dimensions: 50 x 99.5 ft
- Existing Zoning is LMN
- Current Land Usage: Single Family Residence
- Proposed Land Usage: Extra Occupancy
- 3 off-street parking spaces provided
- Existing 2-story building with basement.

Owner

Nick Scott is the existing owner and there are no proposed changes to the ownership as part of this proposal.

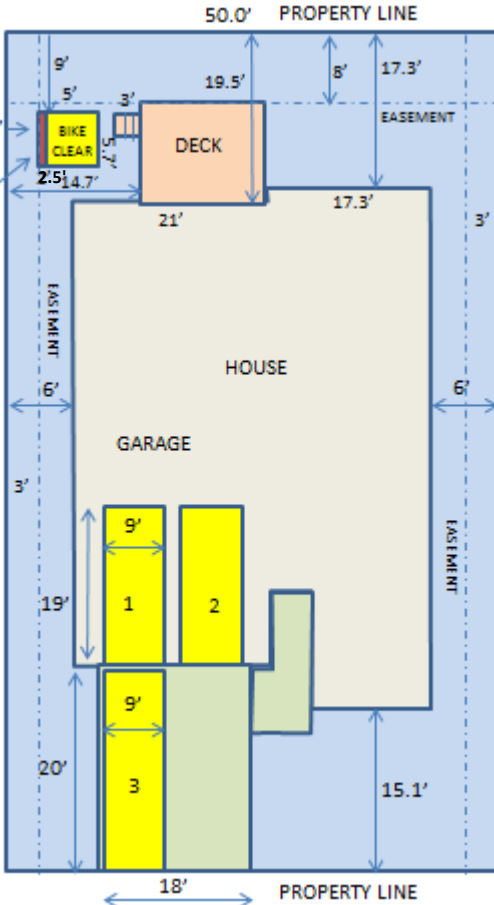
Description

The proposal is to convert an existing single-family house into an extra occupancy rental house. The neighborhood is LMN. No house modifications are required for this project. 6 wall mount bike racks have already been installed and the existing parking meets the 4 person extra occupancy requirement.



Vicinity Map

160 80 0 160 Feet



0 25 feet



PARKING SPACES (LUC 3.2.2)			
Parking Space #	Stall Description	Dimensions	Notes
1	90 deg standard	9' x 19'	garage west side
2	90 deg standard	9' x 19'	garage east side
3	90 deg standard	9' x 20'	driveway lane

Floor Plan:

1st Floor 1,873 sf
 Basement 1550 sf
 Total 3,423 sf

LAND USE TABLE	
Existing Zoning:	LMN-Low Density Mixed Use Residential
Existing Land Use:	Single Family Residence
Proposed Land Use:	Extra Occupancy Housing for Four Tenants
Total Building Square Footage	3,423 sf
Minimum Required Habitable Square Footage	1800 sf
Total Habitable Area:	2649 sf
Total Car Parking Provided	3 spaces
Total Bicycle Parking Provided	7 spaces
Site Area:	
Lot Area	4,975 sf
House & Detached Garage Footprint:	1,873 sf
Front Yard Total Area:	1000 sf
Parking Drive Areas:	360 sf
Existing Driveway Area in Front Yard:	360 sf
Increased Driveway Area in Front Yard:	0
Total Driveway Area in Front Yard:	360 sf

Planning Certification

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

Director of Community Development and Neighborhood Services

Owner Certification

By _____

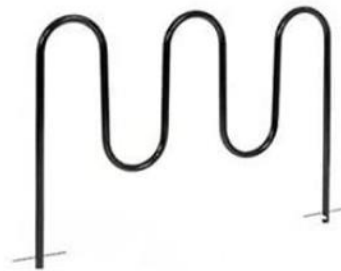
State of Colorado)
 County of Larimer)

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

Witness my hand and official seal.

My Commission Expires: _____

Notary Public



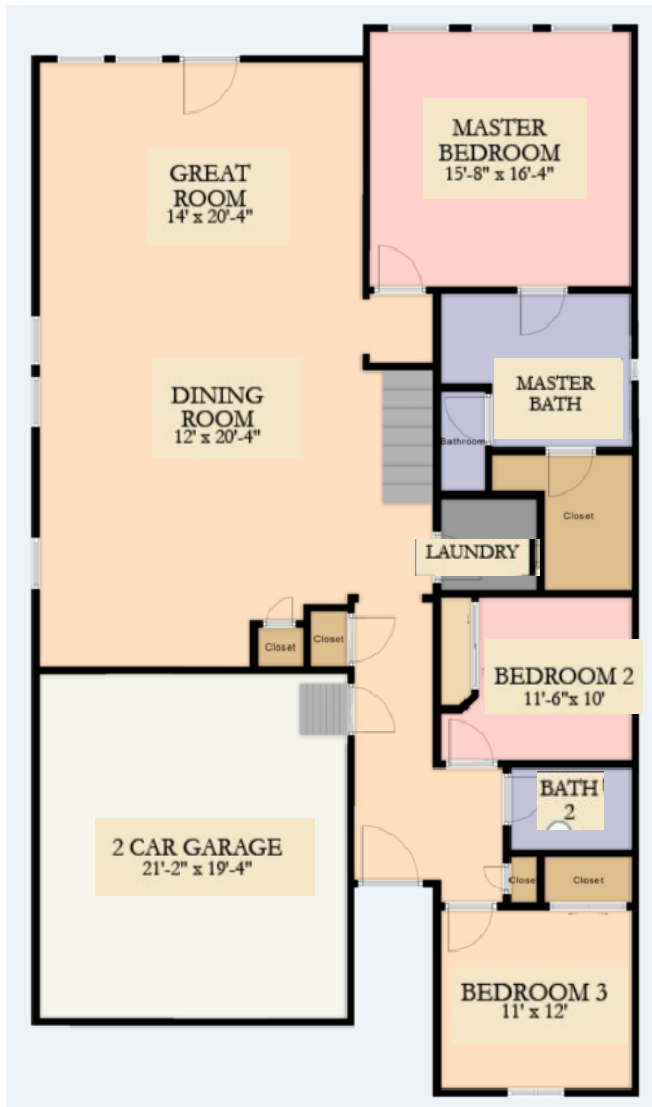
7 BIKE WAVE RACK
 (IN-GROUND CONCRETE SET)

SITE PLAN

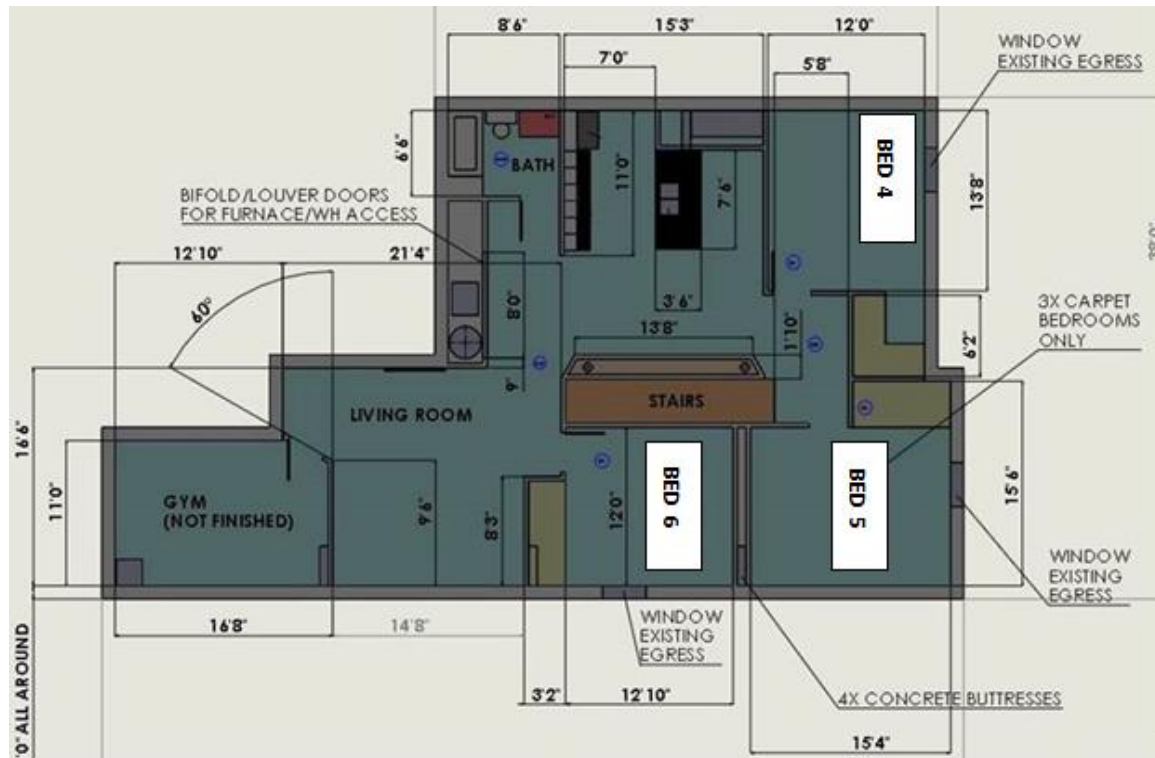
2914 CRUSADER STREET
 EXTRA OCCUPANCY RENTAL
 FORT COLLINS, CO 80524

SITE PLAN NOTES:

1. EXISTING LANDSCAPE AND TREES TO REMAIN
2. NO EXTERIOR ALTERATIONS WILL BE MADE TO BUILDINGS
3. REFER TO THE SUBDIVISION PLAT AND UTILITY PLANS FOR EXACT LOCATIONS, AREAS AND DIMENSIONS OF ALL EASEMENTS, LOTS, TRACTS, STREETS, WALKS AND OTHER SURVEY INFORMATION
4. THE PROJECT SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE FINAL PLANS, AMENDMENTS TO THE PLANS MUST BE REVIEWED AND APPROVED BY THE CITY PRIOR TO THE IMPLEMENTATION OF ANY CHANGES TO THE PLANS.
5. ALL CONSTRUCTION WITH THIS DEVELOPMENT PLAN MUST BE COMPLETED IN ONE PHASE UNLESS A PHASING PLAN IS SHOWN WITH THESE PLANS.
6. SIGNAGE AND ADDRESSING ARE NOT PERMITTED WITH THIS PLANNING DOCUMENT AND MUST BE APPROVED BY SEPARATE CITY PERMIT PRIOR TO CONSTRUCTION. SIGNS MUST COMPLY WITH CITY SIGN CODE UNLESS A SPECIFIC VARIANCE IS GRANTED BY THE CITY.
7. FIRE HYDRANTS MUST MEET OR EXCEED Poudre Fire Authority STANDARDS. ALL BUILDINGS MUST PROVIDE AN APPROVED FIRE EXTINGUISHING SYSTEM.
8. ALL BIKE RACKS PROVIDED MUST BE PERMANENTLY ANCHORED.
9. THE PROPERTY OWNER FOR EACH RESIDENTIAL LOT IS RESPONSIBLE FOR SNOW REMOVAL ON ALL STREET SIDEWALKS ADJACENT TO EACH RESIDENTIAL LOT.
10. PRIVATE CONDITIONS, COVENANTS, AND RESTRICTIONS (CC&R'S), OR ANY OTHER PRIVATE RESTRICTIVE COVENANT IMPOSED ON LANDOWNERS WITHIN THE DEVELOPMENT, MAY NOT BE CREATED OR ENFORCED HAVING THE EFFECT OF PROHIBITING OR LIMITING THE INSTALLATION OF XERISCAPE LANDSCAPING, SOLAR/PHOTO-VOLTAIC COLLECTORS (IF MOUNTED FLUSH UPON ANY ESTABLISHED ROOF LINE), CLOTHES LINES (IF LOCATED IN BACK YARDS), ODOR-CONTROLLED COMPOST BINS, OR WHICH HAVE THE EFFECT OF REQUIRING THAT A PORTION OF ANY INDIVIDUAL LOT BE PLANTED IN TURF GRASS.
11. ANY 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 TO CITY OF FORT COLLINS STANDARDS AT THE DEVELOPER'S EXPENSE PRIOR TO THE ACCEPTANCE OF COMPLETED IMPROVEMENTS AND/OR PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY.



TOP FLOOR – 1873 SF
 (Habitable Area: 1502 SF)



BASEMENT – 1550 SF
 (Habitable Area: 1147 SF)

Modification Request *for*

2914 Crusader Street, Fort Collins, CO 80524

Land Use Code Extra Occupancy Rental House regulations for parking:

Parking = 0.75 parking spaces per boarder, rounded up to the nearest whole parking space, plus 1 additional space if the house is owner occupied. Each parking space must have unobstructed access to a street or alley unless the lot has less than 65 feet of street frontage length and does not abut an alley, in which case one of the required parking spaces may be provided in a manner that does not provide direct access to the street. In all instances, no more than 40% of the area of the front yard can be used for parking

Description of Project

The proposal is to convert an existing single-family house into an extra occupancy rental house. The neighborhood is LMN. No house modifications are required for this project. A 7-bike outdoor wave rack shall be installed and existing parking meets the 4 unrelated person extra occupancy requirement. Owner is petitioning for an allowance to the existing parking regulation currently favoring a 4th unrelated renter over the homeowner residing at the property as the 4th person. The modification request stipulates that the owner not be required to provide an additional whole parking space in addition to the 0.75spaces required per boarder parking criteria to meet and not exceed the total 3 parking space limit.

Reason for Modification Request

The project modification will better promote the general purpose of the standard for which the modification is requested. Nominally the vehicle count will remain the same regardless of whether the 4th occupant is an owner or renter as the owner doesn't own second vehicles, boats, or use a garage space as storage. During my time managing the boarding home rental the homeowner has been able to demonstrate proficiency in overseeing the chauffeuring of vehicles to ensure that all vehicles remain off street, being able to address neighbor concerns, attend HOA functions, and facilitate proper maintenance of the landscaping and house exterior

The plan as submitted meets criteria number 4 and will not nominally diverge from the intended standards of the Land Use Code and will consequentially enhance and improve the purposes of the Land Use Code as contained in [Section 1.2.2](#).

Justification

Per conversations with the neighbors and the city the primary concern raised regarding an extra unrelated occupant centers around on street parking. While my current tenants have remained cooperative in coordination to avoid parking on street I am not able to monitor and hold them accountable if they deviate from my request and park on street when I do not reside on site. Granting of a modification would substantially alleviate any foreseeable risk of an on street parking situation as the house would have the same number of cars regardless of whether owner or nonhomeowner occupied. Moreover, per extra occupancy standards the city allocates 3 parking spots (1 tandem driveway spot) to the homesite, though in practice the second tandem driveway parking spot has been used as a nominal 4th spot, allowing for all vehicles to be parked in the garage and driveway, completely removed from the street. Granting the modification will ensure that no street parking of vehicles, an attractive landscape, and more harmonious relationship with the neighborhood is maintained.

From: [Karl & Betty Plumlee](#)
To: [Will Lindsey](#)
Subject: [EXTERNAL]
Date: Tuesday, November 17, 2020 12:31:21 PM

582. Sign

I am referring to this sign referring to rentals at this residence. I am vehemently opposed to this matter. I am the older person on this block, close to 80. I grew around tenements in Maryland and I do not wish to have this in my neighborhood.

There will be problems with cars at the curb and generally more traffic confusion. I am VERY disappointed at this prospect of a rental property with several people. Please do not let this happen. I fear a domino affect. This is upsetting.

Elizabeth Plumlee
3033 Crusader Street.

From: [Scott Selch](#)
To: [Will Lindsey](#)
Cc: [Susan Gutowsky](#)
Subject: [EXTERNAL] 2914 Crusader Street development proposal
Date: Monday, November 16, 2020 10:35:06 AM

Mr. Lindsey,

This communication is in regards to a development proposal at 2914 Crusader Street to allow high occupancy at this address. I am highly opposed to allowing properties in this planned neighborhood to be used in this manner for the following reasons:

- 1) The City of Fort Collins approved this neighborhood as designed with very narrow streets, all the extra street parking required for this type of business creates hazards to residents (mainly children, it basically turns the street into a one way street.)
- 2) The City of Fort Collins approved this neighborhood with High Density areas (condos, paired homes, and apartments), the area proposed is in the single family home area does not fit in this plan.
- 3) Although not proven, it appears the property allows very short term rentals, almost like a short term vacation rental, mostly people in transition with lack of any back-ground checks.

I know this sounds like a NIMBY type of complaint - but it is not. I feel the City of Fort Collins approves these planned neighborhoods with high density areas in mind (apartments, condos) and to let this occur in the single family home area seems out of line with the overall plan.

Thanks for your time,

P. Scott Selch
720.837.3005
3045 Crusader St, Fort Collins, CO, 80524
psscottselch@gmail.com

From: [Konnie Selch](#)
To: [Will Lindsey](#)
Subject: [EXTERNAL] 2914 Crusader Street proposal
Date: Monday, November 16, 2020 10:00:34 AM

Hello Will - in reference to the above property request for extra occupancy, this property has created all sorts of issues on my block, from parking issues, more than the proposed 4 tenants occupying the property, to the owner mocking doing background checks on proposed tenants. It appears as though there are people coming in and out of the house with the potential for short term leasing.

This is a highly desirable family subdivision with kids playing in and around streets. I have no issue with rentals in the neighborhood as there are several however the type of individuals the owner is renting to does not fit well in this area. I would encourage you to do some research, contact our HOA or others before approving this request.

Konnie Selch
720-339-1061
3045 Crusader St.

Sent from my iPhone

From: [Brooke Christopher](#)
To: [Will Lindsey](#)
Subject: [EXTERNAL] Against 2914 Crusader St Proposal
Date: Monday, November 16, 2020 9:15:38 AM

Will,

I am writing to you to express the great concern I have about the proposal to make 2914 Crusader St. a non-owner occupied extra-rental house up to 4 occupants. We along with many other families have moved to this low-density neighborhood for exactly that reason, to have a neighborhood for families to grow up in a low density environment. There are already numerous houses on our street breaking the "U plus 2" occupancy limits set by the City of Fort Collins and by approving this proposal you would be setting a precedent for these others to make our community a haven for non-occupant rentals. This comes with additional traffic with tenants who may not be alert to all the kids in the neighborhood, and has already led to near vehicle/pedestrian (children) accidents. This also leads to an overcrowding of our streets with tenant parking, making it hard for single-family traffic to maneuver down streets that aren't really wide enough to accommodate much street parking. I am also concerned that these tenants are not being properly vetted with background checks, with children everywhere!!0

This is a brand new low-density development and it is why so many families have chosen the neighborhood to raise their kids. There are many townhomes and condos being built in this neighborhood as well that are specifically designed for a more tenant focused occupancy, with dedicated parking lots and off-street parking. The single family homes are intended for just that purpose, single families. I'm urging you to decline this proposal for the safety and overcrowding of this brand new single-family/low-density neighborhood.

Sincerely,
A concerned resident.

[Sent from Yahoo Mail for iPhone](#)

From: [Courtney Harrington](#)
To: [Development Review Coordinators](#); [Will Lindsey](#)
Subject: [EXTERNAL] Concerns Related to Development Proposal at 2914 Crusader St
Date: Monday, November 16, 2020 1:52:43 PM

Hello Will,

I am writing to share my thoughts in regards to a development proposal associated with the property at 2914 Crusader St located in the Mosaic development (sign #582). I own a home in the Mosaic development — in fact, I live down the street from 2914 Crusader St — and I am opposed to the proposal for extra-occupancy at 2914 Crusader St for the reasons that I will enumerate here.

In recent months, the development has grown considerably due to several deceitful and clandestine rental properties, and consequently, parking has become a major nuisance, both for the home owners neighboring those rental properties and for all Mosaic development residents as they navigate between parked vehicles going to and from their homes. This neighborhood has limited parking available along the streets and was not designed with extra-occupancy in mind. The fact that renters frequently park illegally and/or inconsiderately along the streets in Mosaic illustrates the severity of the parking issue (in front of fire hydrants, pedestrian walkways, and the community mailbox clusters; underneath stop signs, thereby impeding driver visibility in and around intersecting streets; in front of neighboring yards for periods of time that extend far beyond the city's 48-hour rule; etc). As it pertains to this development proposal, the renters currently living at 2914 Crusader St are notable offenders of these types of parking violations and are particularly inconsiderate when it comes to parking their vehicles in the neighborhood.

In addition to the congestion related to parking, the HOA provides several amenities that home owners within the development must afford by paying HOA dues. Renters do not pay HOA dues, and there is currently no mechanism for the HOA to track the usage of these amenities by renters, thereby placing the burden of HOA expenses incurred by rental properties on homeowners.

Lastly, the owner of the property at 2914 Crusader St, Nicholas Scott, clearly lacks respect for HOA rules and city law, evidenced by the fact that he brought renters into his home before seeking an extra-occupancy variance through the appropriate City of Fort Collins channels. Furthermore, he has set the precedent of someone who is inattentive to the impact his actions have on the home owners neighboring him and as someone who believes he can bully whomever opposes his proposal in order to achieve a favorable outcome (I have many anecdotes that I could share with you on this point, as I've been witness to several uncouth gestures, remarks, and threats made towards neighbors who oppose the development proposal). Far beyond any other reason, I most vehemently oppose the development proposal for this reason. He should not be given favor for what was originally done out of an intent to deceive, nor should he be given favor to continue doing something that negatively impacts the neighborhood and against which there is a substantial quorum of neighbors in opposition.

Thank you for your consideration.

Courtney Hazelton-Harrington

From: [Emily Morgan](#)
To: [Will Lindsey](#)
Subject: [EXTERNAL] Development Proposal 582
Date: Wednesday, December 16, 2020 2:57:33 PM

Dear Mr. Lindsey,

I write in support of development proposal #582 by Nick Scott for extra occupancy. As a homeowner in the neighborhood, I recognize this as a thoughtful proposal that adheres to all requirements (city and HOA) and does not negatively impact the quality of life in the neighborhood. Mr. Scott has ensured, through his plan, that his tenants have access to off-street parking, an issue which seems to be of the utmost concern to some neighbors who do not support this proposal.

More significantly, I felt compelled to write in support of this proposal after comments from fellow neighbors during a meeting of our HOA. Reading between the lines, these homeowners are not interested in any sort of diversity in our neighborhood. One neighbor spoke about wanting and expecting to have neighbors with kids. A rental of the type Mr. Scott proposes most likely appeals to college students and/or young professionals, both populations that struggle to find affordable housing in Fort Collins. I wholeheartedly support anything that creates opportunities for young people to live and work in Fort Collins.

Fort Collins is unfortunately not a diverse city; we have quite a ways to go there. Affordable housing is a frequently discussed issue, and Mr. Scott's proposal is one solution to offering affordable housing *and* adding to the diversity of our neighborhood. I do not wish to live in a neighborhood filled with people just like me, and that seems to be the main concern of my neighbors, though I don't think they would admit it outright.

While I recognize these comments are not in direct response to the black and white issues of the proposal, I believe they are worthy of consideration.

Sincerely,
Emily J. Morgan
3039 Sykes Drive
Fort Collins, CO 80524
(646) 729-3726

From: [Kevin Harrington](#)
To: [Will Lindsey](#)
Cc: [Justin Moore](#); [Development Review Coordinators](#); [Kevin Harrington](#)
Subject: [EXTERNAL] Development Review #582 / 2914 Crusader Street
Date: Monday, November 16, 2020 1:34:09 PM

Will Lindsey,

I live on Crusader Street within the Mosaic development, a couple of houses adjacent to 2914 Crusader Street, where currently there is an active "development review." I, like many other neighborhood families, oppose the extra-occupancy, and I am urging you to disapprove the proposal for extra occupancy. I and my family oppose the extra occupancy for several reasons.

Crusader Street is technically located in what Fort Collins has determined to be an LMN zone, whereas "single family homes", "paired homes", and "condo" structures have been established. There are reasons to prevent rental-apartment living in the single-family row of homes.

As an opponent to the application for variance in occupancy at 2914 Crusader Street, I believe the majority of my neighbors are in agreement on denying the development proposal #582, but here are my personal views and experiences with Nicholas Scott.

Parking is an issue, and in spite of the proposal, Nicholas Scott has continued to occupy too many parking locations on the streets. Vehicles associated with 2914 Crusader St continue to park on the street and on adjacent streets to avoid detection, and typically at least three vehicles are not parked in the garage and driveway of 2914 Crusader, but rather on the street. This is problematic, and given there are two other homes reported for over-occupancy and these other homes distribute their vehicles in some of the same locations, this is impacting other homeowners. There is the 50-foot frontage of each home lot and the streets are narrow. When one resident has guests for an evening, the street is packed, whereas when vehicles are parked on both sides of the street, two vehicles passing in opposite directions cannot pass without ducking into some homeowners driveway opening.

Background checks are not being adequately performed for an apartment rental complex. In past conversations with Nicholas Scott revealed that his method of vetting his renters is collecting drivers licenses from his renters; of which many are from other states. No other measure is taken to vet the character of the individuals who rent rooms. This is problematic for the families with small children and the safety of the children.

The neighborhood is governed by an HOA, under which the covenants state that all homes (addresses) shall be used for single-family living. Theoretically this would preclude any business activity which encompasses apartment complex living within the neighborhood governed by the HOA. Additionally, there is no provision for these renters to contribute to the HOA for use of the facilities within the community.

All of the neighborhood families moved into the community for the single-family living. None of the single-family homeowners expected to see a home become a business opportunity for an apartment complex.

Furthermore, and equally important, Nicholas Scott has threatened various individuals, with either direct threats, harassment, and/or intimidation. I personally have been the subject of threats, on-going harassment, and further intimidation, albeit other neighbors have reported the same experience of character with Nicholas Scott. I can affirm it is I who turned in Nicholas Scott and three other homeowners who have violated the over-occupancy rules governed by the city of Fort Collins. I would invite you to review the FC Police logs for evidence of Nicholas Scott's character related to his rental property. Should you require more evidence on this particular topic, please contact me directly. There is no evidence that Nicholas Scott will adhere to the proposed development review in the future, given past performance of Nicholas Scott failing to adhere to police who've visited Nicholas Scott at 2914 Crusader.

Lastly, the proposal indicates that Nicholas Scott would not occupy the residents at 2914 Crusader Street, thus the single-family home is no longer used as defined by the HOA bylaws and the city of FC would be allowing Nicholas

Scott to run an apartment complex in a single-family neighborhood. Despite the proposal indicating Nicholas Scott would not occupy 2914 Crusader Street, Nicholas Scott has requested approval from neighbors to rent a room for himself; essentially allowing Nicholas Scott to remain in the neighborhood, if not in his own home, without detection.

Respectfully,

Kevin Harrington
(603) 767-8090

> 50' lot frontage and narrow streets here are ill-suited to extra occupancy.

> the 50' lot frontage and narrow streets here are ill-suited to extra occupancy.

>

>

> - My family moved to this neighborhood because it is a single-family neighborhood. I have small children. Allowing extra occupants, those who are unvetted and have little interest in the well-being of the neighbors and neighborhood, increase the risk to children by illegally parking in the street and creating hazards between drivers and children. There are other risks as well. I don't know of any neighbors who think this proposal will support the atmosphere in the neighborhood.

>

> - My impression of Mr. Scott's character is not good. He has a threatening demeanor and has threatened other neighbors in front of me and my children. Since he has lived in this property in the past, with 5 rooms rented out, I don't believe he would abide by the specifications in the proposal.

>

>

> I appreciate your consideration and can be reached at 913-205-0641 or this email address for further comment or clarification.

>

> Richard Knox

From: [REDACTED]
To: [Will Lindsey](#)
Subject: [EXTERNAL] Development Review sign 582
Date: Monday, November 16, 2020 9:34:30 AM

Hello Will,

I am a neighbor in close proximity to this proposal. What are my options to contest/protest/object to this proposal?

Several other neighbors are in agreement. This is not a good direction for this single family street. I suspect you will be fielding more emails and calls related to proposal 582

If I can formally oppose anonymously, I'd prefer to. Mr Gregory has previously made threats of harm to persons that reported his "U plus 2" violation.

You should be aware Mr. Gregory has approached a neighbor to straw rent a room to circumvent the "U plus 2" ordinance. In addition, it is believed Mr Gregory did not/ has not properly submitted leases for current tenants of his single family home, to the city of Fort Collins. Again in defiance of the ordinance has it currently stands.

Surrounding Development Proposal 582 are 4-5 families with no less than 10 children living and playing near by. The increased traffic has caused parking issues, cars traveling too fast, and blind spots with the increase in street parking. In fact a child was nearly hit by a car backing out of their driveway. The driver couldn't see the child because of cars parked on the street created a blind spot. The kids crashed and required stitches.

Lastly it is concerning to those of us with small children that there is little to no tracking/reporting of tenants living in Mr Gregory's single family home. I'm thinking of sex offenders as an example. In fact Mr Gregory shared with me that he asked a previous renter to leave that had "mental problems". That tenant had an ambulance/fire truck called to the property on numerous occasions before being evicted.

Thank you for your time. Please share how I can formally lodge my object to this proposal.

From: [REDACTED]
To: [Will Lindsey](#)
Subject: [EXTERNAL] FDP 200025 - sign 582
Date: Sunday, November 15, 2020 12:54:14 PM

Hello Will,

I am a neighbor in close proximity to this proposal. What are my options to contest/protest/object to this proposal?

Several other neighbor or in agreement. This is not a good direction for this single family street. I suspect you will be fielding more emails and calls related to proposal 582

If I can formally oppose anonymously, I'd prefer to. Mr Gregory has previously made threats of harm to persons that reported his "U plus 2" violation.

You should be aware Mr. Gregory has approached a neighbor to straw rent a room to circumvent the "U plus 2" ordinance. In addition, it is believed Mr Gregory did not/ has not properly submitted leases for current tenants of his single family home, to the city of Fort Collins. Again in defiance of the ordinance has it currently stands.

Surrounding Development Proposal 582 are 4-5 families with no less than 10 children living and playing near by.. The increased traffic has caused parking issues, cars traveling too fast, and blind spots with the increase in street parking.

Lastly it is concerning to those of us with small children that there is little to no tracking/reporting of tenants living in Mr Gregory's single family home. I'm thinking of sex offenders as an Iexample. In fact Mr Gregory shared with me that he asked a previous renter to leave that had "mental problems".

Thank you for your time. Please share how I can formally lodge my object to this proposal.

From: [REDACTED]
To: [Will Lindsey](#)
Subject: [EXTERNAL] FDP 200025 - sign 582
Date: Sunday, November 15, 2020 1:12:33 PM

Hello Will,

I am a neighbor in close proximity to the development proposal at 2914 Crusader Street, sign 582. What are my options to contest/ protest/object to this proposal?

Several other neighbors are in agreement. This is not a good direction for this single family street. I suspect you will be fielding more emails and calls related to proposal sign 582

If I can formally oppose anonymously, I'd prefer to. Mr Gregory has previously made threats of harm to persons that reported his "U plus 2" violation.

You should be aware Mr. Gregory has approached a neighbor to straw rent a room to circumvent the "U plus 2" ordinance. In addition, it is believed Mr Gregory did not/ has not properly submitted leases for current tenants of his single family home, to the city of Fort Collins. Again in defiance of the ordinance as it currently stands.

Neighbors to Development Proposal 582 include 4-5 families with no less than 10 children living and playing near by. The increased traffic has caused parking issues, cars traveling too fast, and blind spots with the increase in street parking.

Lastly it is concerning to those of us with small children that there is little to no tracking/reporting of tenants living in Mr Gregory's single family home. I'm thinking of sex offenders as an example. In fact Mr Gregory shared with me that he asked a previous renter to leave that had "mental problems".

Thank you for your time. Please share how I can formally lodge my object to this proposal.

From: [Mary Carlson](#)
To: [Will Lindsey](#)
Subject: [EXTERNAL] Project No. FDP 200025
Date: Sunday, November 22, 2020 5:43:00 PM

Good Evening Mr. Lindsey,

I'm writing to you in regards to the FDP for the extra occupancy rental located at 2914 Crusader Street in the Mosaic neighborhood. I live down the street from this property and would very much like to see this request denied. My name is Mary Carlson and I am the owner of 215 Dassault St. There are already far too many cars parked along the street that impact other homeowners. Many of them end up parking along the dead end section of Dassault, essentially blocking the emergency turn around. We have already had to call the police department for renters blocking our driveway. To make matters worse, this problem has been amplified by the unapproved rental across the street from the property in question.

When choosing a neighborhood to move to in Fort Collins, my family specifically chose a neighborhood that was further from the university and did not have high density zoning or short term rentals. I hope you will consider how this impacts the other residents as well as the precedence this will set for the rest of the neighborhood. I am happy to provide pictures or anything else that you think would aid in making your decision. Feel free to call or email me if you have any questions, my cell is 970-396-0514.

Sincerely,
Mary

From: [REDACTED]
To: [Will Lindsey](#)
Subject: [EXTERNAL] Proposal 582
Date: Sunday, November 15, 2020 8:34:31 PM

To Whom It May Concern:

I am writing in regards to the multi-family zoning proposal 582.

Our family, which includes young children, moved to this neighborhood to get out of the “city lifestyle” for a more family friendly environment. The Mosaic neighborhood offers a wide variety of housing options including single family homes, condos, paired homes, and townhouses. The current proposal is a few houses away from our home, which is in the section of single family homes. This proposal will take away from the spirit of the neighborhood, which is already meant to provide different housing options, and we want to preserve the single family home sector of this neighborhood.

We feel this proposal is going to have a direction impact on our family, our safety, and the overall feel of the street we live on. In actuality, it has already affected our experience in the neighborhood. Mr. Gregory has had multiple tenants living there for at least a year or more, which adds additional cars and increased people in the neighborhood. One of the previous tenants had multiple 911 calls, which we are unsure of the exact nature of the calls, but the ambulance and firetrucks were coming on a regular basis. This is extremely concerning considering the possibility of future tenants and how the neighborhood will be impacted.

We prefer to remain anonymous in this matter due to past altercations with Mr. Gregory and other neighbors. Mr. Gregory has threatened other neighbors regarding this issue and we do not want to get involved.

We strongly reject this proposal and hope you consider all the other families and homeowners that feel the same as we do.

Best regards.

From: [REDACTED]
To: [Will Lindsey](#)
Subject: [EXTERNAL] Re: Against 2914 Crusader St Proposal
Date: Monday, November 16, 2020 4:55:27 PM

Thank you Will.

[Sent from Yahoo Mail for iPhone](#)

On Monday, November 16, 2020, 11:35 AM, Will Lindsey <wlindsey@fcgov.com> wrote:

Hello [REDACTED]

Thank you for your email regarding the Development Proposal for 2914 Crusader Street (Sign # 582). Your email in opposition will be attached to the staff report which will be reviewed by the Administrative Hearing officer at the time of the public hearing for this project.

Other ways to voice your concerns and/or opposition are to:

- Attend the Administrative Hearing. Residents will be able to attend the hearing via Zoom web conferencing.
- If the project is approved, there is an appeal period afterwards when residents can file an appeal of the Administrative Hearing officer's decision.

I appreciate you taking the time to submit your comments and concerns regarding the proposal. If you have any additional comments or questions please do not hesitate to contact me.

All the best,

Will Lindsey | Associate Planner

City of Fort Collins

281 N. College Avenue

970-224-6164

WLindsey@fcgov.com

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COVID19 Resources

For all residents: <https://www.fcgov.com/eps/coronavirus>

For businesses: <https://www.fcgov.com/business/>

Want to help: <https://www.fcgov.com/volunteer/>

From: [REDACTED]
Sent: Monday, November 16, 2020 9:15 AM
To: Will Lindsey <wlindsey@fcgov.com>
Subject: [EXTERNAL] Against 2914 Crusader St Proposal

Will,

I am writing to you to express the great concern I have about the proposal to make 2914 Crusader St. a non-owner occupied extra-rental house up to 4 occupants. We along with many other families have moved to this low-density neighborhood for exactly that reason, to have a neighborhood for families to grow up in a low density environment. There are already numerous houses on our street breaking the "U plus 2" occupancy limits set by the City of Fort Collins and by approving this proposal you would be setting a precedent for these others to make our community a haven for non-occupant rentals. This comes with additional traffic with tenants who may not be alert to all the kids in the neighborhood, and has already led to near vehicle/pedestrian (children) accidents. This also leads to an overcrowding of our streets with tenant parking, making it hard for single-family traffic to maneuver down streets that aren't really wide enough to accommodate much street parking. I am also concerned that these tenants are not being properly vetted with background checks, with children everywhere!!0

This is a brand new low-density development and it is why so many families have chosen the neighborhood to raise their kids. There are many townhomes and condos being built in this neighborhood as well that are specifically designed for a more tenant focused occupancy, with dedicated parking lots and off-street parking. The single family homes are intended for just that purpose, single families. I'm urging you to decline this proposal for the safety and overcrowding of this brand new single-family/low-density neighborhood.

Sincerely,

A concerned resident.

[Sent from Yahoo Mail for iPhone](#)

From: [Kevin Harrington](#)
To: [Will Lindsay](#)
Subject: [EXTERNAL] Re: Development Review #582 / 2914 Crusader Street
Date: Monday, November 16, 2020 4:09:08 PM

Hello Will,

Since you've added the opposition message I've sent to the staff report, I'd ask you to consider the attached note left on my door step from Nicholas Scott be added to the staff notes for review. This is just one sample of evidence I've collected from Nicholas Scott.

Thanks,

Kevin

Dear Miserable, Pathetic, Piece of Shit,

We're writing to inform you that per
LMN zoning law 25% of any
house row shall be granted Extra Occupancy
Permits. The neighborhood can not
be turned into an apartment complex!

All you've done is cost your neighbors
\$1460 in permit fees, cost the city
even more in taxpayer dollars, and
in the end achieved nothing except
sowing hatred and discord towards
yourself within the community.

You're a cancer. Get a Life Loser!

www.thegroupinc.com

TheGroup

On Nov 16, 2020, at 3:43 PM, Will Lindsey <wllindsey@fcgov.com> wrote:

Hello Mr. Harrington,

Thank you for your email regarding the Development Proposal for 2914 Crusader Street (Sign # 582). Your email in opposition will be attached to the staff report which will be reviewed by the Administrative Hearing officer at the time of the public hearing for this project.

Other ways to voice your concerns and/or opposition are to:

- Attend the Administrative Hearing. Residents will be able to attend the hearing via Zoom web conferencing.
- If the project is approved, there is an appeal period afterwards when residents can file an appeal of the Administrative Hearing officer's decision.

I appreciate you taking the time to submit your comments and concerns regarding the proposal. If you have any additional comments or questions please do not hesitate to contact me.

All the best,

Will Lindsey | Associate Planner
City of Fort Collins
281 N. College Avenue
970-224-6164
WLindsey@fcgov.com

Tell us about our service, we want to know!

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COVID19 Resources
For all residents: <https://www.fcgov.com/eps/coronavirus>
For businesses: <https://www.fcgov.com/business/>
Want to help: <https://www.fcgov.com/volunteer/>

-----Original Message-----

From: Kevin Harrington <kevinharrington@mac.com>
Sent: Monday, November 16, 2020 1:34 PM
To: Will Lindsey <wllindsey@fcgov.com>
Cc: Justin Moore <jmoore@fcgov.com>; Development Review Coordinators <DRCoord@fcgov.com>; Kevin Harrington <kevinharrington@mac.com>
Subject: [EXTERNAL] Development Review #582 / 2914 Crusader Street

Will Lindsey,

I live on Crusader Street within the Mosaic development, a couple of houses adjacent to 2914 Crusader Street, where currently there is an active "development review." I, like many other neighborhood families, oppose the extra-occupancy, and I am urging you to disapprove the proposal for extra occupancy. I and my family oppose the extra occupancy for several reasons.

Crusader Street is technically located in what Fort Collins has determined to be an LMN zone, whereas "single family homes", "paired homes", and "condo" structures have been established. There are reasons to prevent rental-apartment living in the single-family row of homes.

As an opponent to the application for variance in occupancy at 2914 Crusader Street, I believe the majority of my neighbors are in agreement on denying the development proposal #582, but here are my personal views and experiences with Nicholas Scott.

Parking is an issue, and in spite of the proposal, Nicholas Scott has continued to occupy too many parking locations on the streets. Vehicles associated with 2914 Crusader St continue to park on the street and on adjacent streets to avoid detection, and typically at least three vehicles are not parked in the garage and driveway of 2914 Crusader, but rather on the street. This is problematic, and given there are two other homes reported for over-occupancy and these other homes distribute their vehicles in some of the same locations, this is impacting other homeowners. There is the 50-foot frontage of each home lot and the streets are narrow. When one resident has guests for an evening, the street is packed, whereas when vehicles are parked on both sides of the street, two vehicles passing in opposite directions cannot pass without ducking into some homeowners driveway opening.

Background checks are not being adequately performed for an apartment rental complex. In past conversations with Nicholas Scott revealed that his method of vetting his renters is collecting drivers licenses from his renters; of which many are from other states. No other measure is taken to vet the character of the individuals who rent rooms. This is problematic for the families with small children and the safety of the children.

The neighborhood is governed by an HOA, under which the covenants state that all homes (addresses) shall be used for single-family living. Theoretically this would preclude any business activity which encompasses apartment complex living within the neighborhood governed by the HOA. Additionally, there is no provision for these renters to contribute to the HOA for use of the facilities within the community.

All of the neighborhood families moved into the community for the single-family living. None of the single-family homeowners expected to see a home become a business opportunity for an apartment complex.

Furthermore, and equally important, Nicholas Scott has threatened various individuals, with either direct threats, harassment, and/or intimidation. I personally have been the subject of threats, on-going harassment, and further intimidation, albeit other neighbors have reported the same experience of character with Nicholas Scott. I can affirm it is I who turned in Nicholas Scott and three other homeowners who have violated the over-occupancy rules governed by the city of Fort Collins. I would invite you to review the FC Police logs for evidence of Nicholas Scott's character related to his rental property. Should you require more evidence on this particular topic, please contact me directly. There is no evidence that Nicholas Scott will adhere to the proposed development review in the future, given past performance of Nicholas Scott failing to adhere to police who've visited Nicholas Scott at 2914 Crusader.

Lastly, the proposal indicates that Nicholas Scott would not occupy the residents at 2914 Crusader Street, thus the single-family home is no longer used as defined by the HOA bylaws and the city of FC would be allowing Nicholas Scott to run an apartment complex in a single-family neighborhood. Despite the proposal indicating Nicholas Scott would not occupy 2914 Crusader Street, Nicholas Scott has requested approval from neighbors to rent a room for himself; essentially allowing Nicholas Scott to remain in the neighborhood, if not in his own home, without detection.

Respectfully,

Kevin Harrington
(603) 767-8090

From: [Richard Knox](#)
To: [Will Lindsey](#)
Subject: [EXTERNAL] Sign 582 2914 Crusader Street
Date: Monday, November 16, 2020 9:03:02 AM

Mr. Lindsey,

I am an owner and neighbor of this property (I live at 2933 Crusader Street) and I strongly oppose this proposal. Please do not approve it. Why?

- Despite being a LMN neighborhood, the 50' lot frontage and narrow streets here are ill-suited to extra occupancy. The neighborhood has learned this during the last year from Mr. Scott and two other owners who rented rooms in violation of FTC regulations. Specifically, extra renters are unable to park their vehicles on their own properties and routinely park in front of neighbors houses or at one dead-end street nearby.

- I have no knowledge of Mr. Scott's intentions for the future. However, there are routinely one or two vehicles parked in the street in front of his house (violating the 40% frontage requirement) and other renters at his property have parked their vehicles near by at the dead end street. In the past, Mr. Scott has lived at this property and it is my impression he intends to in the future.

- Our neighborhood has a HOA with some communal facilities. There is no method for extra renters to contribute to the HOA, while making use of the facilities.

- My family moved to this neighborhood because it is a single-family neighborhood. I have small children. Allowing extra occupants, those who are unvetted and have little interest in the well-being of the neighbors and neighborhood, increase the risk to children by illegally parking in the street and creating hazards between drivers and children. There are other risks as well. I don't know of any neighbors who think this proposal will support the atmosphere in the neighborhood.

- My impression of Mr. Scott's character is not good. He has a threatening demeanor and has threatened other neighbors in front of me and my children. Since he has lived in this property in the past, with 5 rooms rented out, I don't believe he would abide by the specifications in the proposal.

I appreciate your consideration and can be reached at 913-205-0641 or this email address for further comment or clarification.

Richard Knox

Petition Against Development Review #582

We, the homeowners of the Mosaic development, stand in opposition to the development proposal (sign #582) requesting extra-occupancy at the property, 2914 Crusader Street (parcel #708157014), and petition the city to disapprove the proposal for the following reasons:

We uphold and abide by the rules and covenants established by the East Ridge Homeowner's Association (HOA), to which Nicholas Scott's proposal is in direct conflict, as the HOA covenants (Article 3, Section 3.5) mandate that all housing be used as a single-family residence. Furthermore, the request to accommodate as many as four unrelated tenants at the 2914 Crusader St residence per the development proposal violates the "U plus 2" city ordinance (Article 5, Section 5.1).

We disapprove of the high-volume traffic and parking-related disputes that have arisen as a result of the renters residing at 2914 Crusader St. Mosaic development was designed to be a secluded, low-density, single-family neighborhood ("LMN" zoning) suitable for raising children and devoid of the typical high-volume traffic accommodated by apartment complexes, student housing, and extra-occupancy rental properties. The Mosaic development does not accommodate the additional parking required for multiple renters or rental properties, and despite the clause suggesting "3 off-street parking spaces are provided" per the proposal submitted by the homeowner of 2914 Crusader St (Nicholas Scott), the tenants continue to park on Crusader St and neighboring streets, effectively dispersing their vehicles throughout the neighborhood and impeding neighboring homes from utilizing their allotted on-street parking. Furthermore, the tenants at 2914 Crusader St are notable offenders of parking violations such as parking underneath stop signs and in front of fire hydrants, pedestrian walkways, and community cluster mailboxes, which in all instances is out of compliance with city code (Fort Collins, Colorado traffic code, Part 12).

The Mosaic development offers other multi-unit housing options (condominiums and duplexes) that are designed to serve the purpose of multi-member living (non-single-family) and these housing alternatives provide the additional parking spaces.

We do not condone the behavior used by Nicholas Scott to garner approval for an extra-occupancy permit, including deception, intimidation, physical threats, and harassment of any and all neighbors who oppose his development proposal. The clause "non-owner occupied" per the submitted proposal is exemplary of deception, as Nicholas Scott has made his intent to remain a resident at the property evident, although the harassment and physicality is more alarming to the Mosaic development homeowners.

For these reasons, we implore the city to disapprove this pending development proposal and all subsequent applications for extra-occupancy permitting within the Mosaic development.

	Name (printed)	Signature	Street Address	Telephone
1	KEVIN HARRINGTON	<i>[Signature]</i>	2938 CRUSADER	603-767-8090
2	Judith Harrington	<i>[Signature]</i>	2938 Crusader	
3	COURTNEY HAZELTON HARRINGTON	<i>[Signature]</i>	2938 CRUSADER	603-767-0162
4	RICHARD KNOX	<i>[Signature]</i>	2933 Crusader	913-205-0641
5	MICHELLE KNOX	<i>[Signature]</i>	2933 crusader	—
6	Kristian Houck	<i>[Signature]</i>	2927 Crusader St	703-625-7933
7	Heather Johnston	<i>[Signature]</i>	221 DASSAULT ST	(704)661-1560
8	Ben Johnston	<i>[Signature]</i>	221 Dassault St	980-253-9052
9	Bill Mc Cadden	<i>[Signature]</i>	2902 LUXEMBOURG ST	717-891-7860
10	Alex Carlson	<i>[Signature]</i>	215 Dassault St.	303 746 1680
11	Mary Carlson	<i>[Signature]</i>	215 Dassault St.	970-396-0514
12	Robert Crow	<i>[Signature]</i>	315 Crusader	970 692 1724
13	Chris Brest	<i>[Signature]</i>	239 DASSAULT	907 229 5254
14	RMAX SCHULZE	<i>[Signature]</i>	2939 CRUSADER ST	973-687-4967
15	Robert Schulze	<i>[Signature]</i>	2939 Crusader St	862 216 7760
16	William C Bowland	<i>[Signature]</i>	2926 Crusader St	970-402-9607
17	Christopher E. Harrington	<i>[Signature]</i>	2938 Crusader St.	603-988-4118
18	ELIZABETH PLUMMER	<i>[Signature]</i>	3033 CRUSADER ST.	410 707 0486
19	Matt Nolan	<i>[Signature]</i>	2945 Crusader St	303-229-2898
20	Helen Malmsie	<i>[Signature]</i>	3039 Crusader St	650-255-6340
21	Kenneth Selan	<i>[Signature]</i>	3045 Crusader St	720-339-1061
22	P. Scott Selan	<i>[Signature]</i>	3045 Crusader St	720-837-3005
23	Robin Nolan	<i>[Signature]</i>	2945 Crusader St	443-226-7896
24	Ryan Miller	<i>[Signature]</i>	227 DASSAULT	816-769-3420
25	Mary Miller	<i>[Signature]</i>	227 DASSAULT	785-766-2194
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City Staff Information:

Will Lindsey

Associate City Planner

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Leslie Spencer

Community Development

970-416-4288

lspencer@fcgov.com

Please email your name and full address to Leslie to receive the decision report.

Alyssa Stephens

Public Engagement Specialist

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astephens@fcgov.com

If you have any technical issues, please contact Alyssa.

As required by City Council Ordinance 079, 2020, a determination has been made that it is desirable to conduct a remote hearing to provide reasonably available participation by parties—and-interests and the public, because meeting in person would not be prudent.

Providing Public Comment on Zoom

- Please sign in with your **first name** and **last name (or last initial)**.
- The Hearing Officer will call for public comment on each item after a short presentation from staff and/or applicants.
- Use the “Raise Hand” button at the bottom of your screen to let us know you would like to speak.
- OR, if you are listening to the meeting through a telephone, please dial *9 on your phone to raise your hand.
- We will call on you and let you know when you are able to unmute yourself.
- State your name and address when you speak.

Order of Proceedings

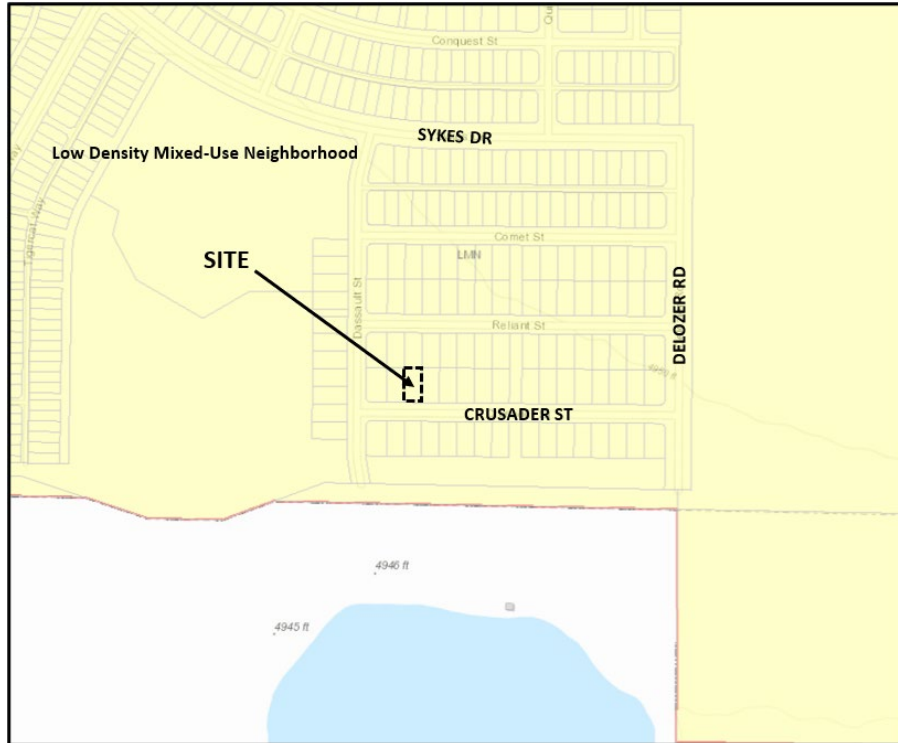
1. Project Introduction (staff)
2. Applicant Presentation
3. Staff Presentation
4. Staff Response to Applicant Presentation
5. Public Testimony
6. Applicant Response
7. Staff Response
8. Decision
 - Within 10 business days, Hearing Officer issues written decision
 - May approve, approve with conditions, or deny the development application

9. Decision is mailed to applicant and any person who provided testimony at public hearing

10. Appeal Process

- Appeals are filed with the City Clerk's Office
- Written appeal must be received within 14 calendar days of the decision
- Filing fee of \$100.00
- City Clerk will schedule appeal for City Council

**2914 Crusader Street –
Extra Occupancy Rental House
Combined Final/Project Development
Plan
FDP 200025
Type I Administrative Hearing
June 3, 2021**



Neighborhood:

Mosaic Neighborhood

Zone District:

Low Density Mixed-Use (L-M-N)

Land Use:

Current Use: *Single-Family Dwelling*

Proposed Use: *Extra Occupancy Rental House*

- *4 tenants maximum proposed (includes the owner)*



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Tigercat Way

Tigercat Way

Tigercat Way

Tigercat Way

Tigercat Way

Dassaugh St

Comet St

Reliant St

Crusader St

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Crusader St

Crusader St

Crusader St

Crusader St

Delozier Rd

Delozier Rd

Delozier Rd

Lennar at Mosaic at The Monarch Collection

2914 Crusader St, Fort
Collins, CO 80524



- ***Habitable space - 3.8.28***

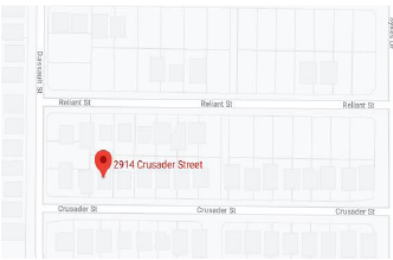
- 350 sf required per tenant + 400 sf if owner occupied
- 4 tenants x 350 = 1,400 sf + 400 owner = 1,800 sf
- **662.25 sf provided per tenant (2,649 sf total)**

- ***Vehicle parking – 3.2.2(K)(1)(j)***

- 0.75 spaces required per tenant + 1 space if owner occupied
- 4 tenants x 0.75 = 3 + 1 owner = 4 vehicle spaces
- **3 spaces provided (each 9 ft x 19 ft) – Modification Requested**

- ***Bicycle parking - 3.2.2 (C)(4)***

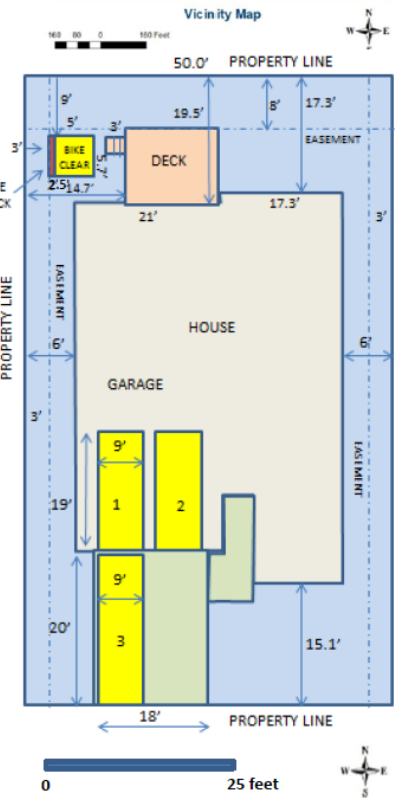
- 1 fixed bicycle space per bed required
- 6 potential beds x 1 = 6 spaces
- **7 spaces provided (fixed outdoor bicycle wave rack)**



PARKING SPACES (LUC 3.2.2)			
Parking Space #	Stall Description	Dimensions	Notes
1	90 deg standard	9' x 19'	garage west side
2	90 deg standard	9' x 19'	garage east side
3	90 deg standard	9' x 20'	driveway lane

Floor Plan:
 1st Floor 1,873 sf
 Basement 1550 sf
 Total 3,423 sf

Proposed Site Plan



LAND USE TABLE	
Existing Zoning:	LMN-Low Density Mixed Use Residential
Existing Land Use:	Single Family Residence
Proposed Land Use:	Extra Occupancy Housing for Four Tenants
Total Building Square Footage	3,423 sf
Minimum Required Habitable Square Footage	1800 sf
Total Habitable Area:	2649 sf
Total Car Parking Provided	3 spaces
Total Bicycle Parking Provided	7 spaces
Site Area:	
Lot Area	4,975 sf
House & Detached Garage Footprint:	1,873 sf
Front Yard Total Area:	1000 sf
Parking Drive Areas:	360 sf
Existing Driveway Area in Front Yard:	360 sf
Increased Driveway Area in Front Yard:	0
Total Driveway Area in Front Yard:	360 sf

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

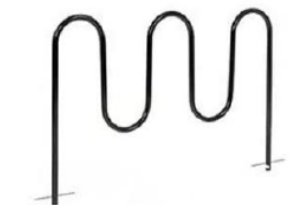
 Director of Community Development and Neighborhood Services

Owner Certification

 By _____
 State of Colorado)
 County of Larimer)

The foregoing instrument was acknowledged before me this _____ day of _____, A.D., 20____
 by _____
 Witness my hand and official seal.
 My Commission Expires: _____

 Notary Public



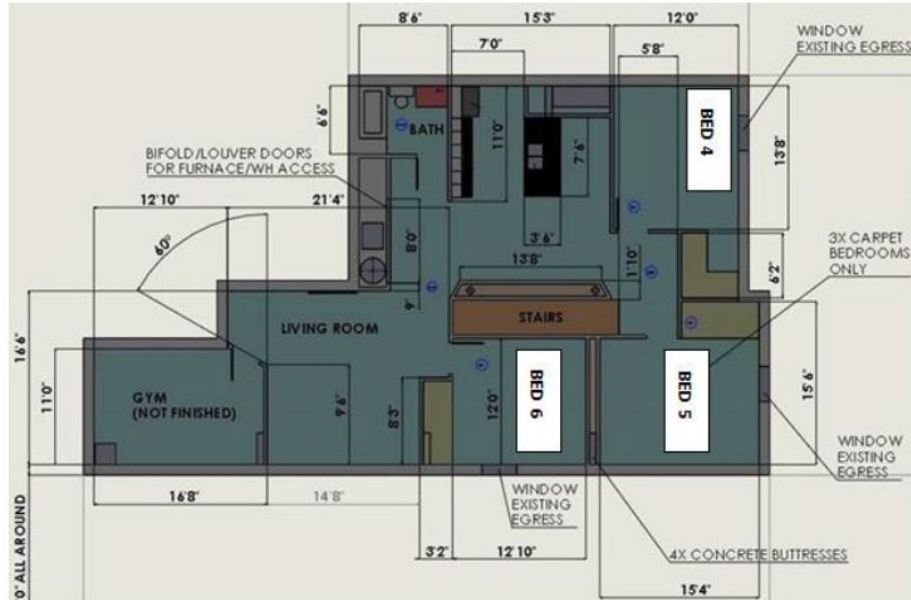
7 BIKE WAVE RACK
 (IN-GROUND CONCRETE SET)

SITE PLAN
 2914 CRUSADER STREET
 EXTRA OCCUPANCY RENTAL
 FORT COLLINS, CO 80524

Floor Plans



TOP FLOOR – 1873 SF
(Habitable Area: 1502 SF)



BASEMENT – 1550 SF
(Habitable Area: 1147 SF)

Modification Request to 3.2.2(K)(1)(j) – Required Number of Off-Street Spaces

“Extra Occupancy Rental Houses: For each extra occupancy rental house, there shall be 0.75 ($\frac{3}{4}$) parking space per tenant, rounded up to the nearest whole parking space, plus one (1) additional parking space if the extra occupancy rental house is owner-occupied. If the lot upon which such parking spaces are to be situated has more than sixty-five (65) feet of street frontage length on any one (1) street or abuts an alley, then each such parking space shall have direct access to the abutting street or alley and shall be unobstructed by any other parking space. If such lot has less than sixty-five (65) feet of street frontage length on any one (1) street and does not abut an alley, then one (1) of the required parking spaces may be aligned in a manner that does not provide direct access to the abutting street.”

Modification to Section 3.2.2(K)(1)(j)

- January 5, 2021 City Council adopted Ordinance No. 161, 2020 which made various amendments to the Fort Collins Land Use Code.
- Several of the amendments added clarifying language and changes to the Extra Occupancy standards
- Removed requirement for 1 additional parking space if the extra occupancy is owner-occupied: *“For each extra occupancy, there shall be 0.75 (¾) parking space per occupant, rounded up to the nearest whole parking space.”*

Criterion 1: “equally well or better”

- Proposed: 0.75×4 occupants = 3 off-street parking spaces
- Consistent with the current standard which does not differentiate between occupants and owners.
- Removes a barrier to owner living on-site thereby promoting better management of the rental.

Criterion 4: “nominal, inconsequential”

- Minor in nature when considered from the perspective of the whole plan
- Does not detract from the overall plan or the intent of the LUC Section.

Staff finds the Final/Project Development Plan:

- The Project Development Plan/Final Development Plan complies with the applicable procedural and administrative requirements of Article 2 of the Land Use Code.
- The Modification of Standard to Section 3.2.2(K)(1)(j) proposed with this Project Development Plan meets the application requirements of Section 2.8.2(H)(1) and (4), and the granting of the modification would not be detrimental to the public good.
- The plan complies with pertinent standards located in Article 3 – General Development Standards if the Modification of Standard request is approved.
- The plan complies with Division 4.5 - Low Density Mixed-Use Neighborhood in Article 4.

Staff recommends that the Hearing Officer approve 2914 Crusader Street #FDP200025 with the Modification of Standard to Sections 3.2.2(K)(1)(j) based on the aforementioned Findings of Fact and supporting explanations found in the staff report.

City Staff Information:

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Please email your name and full address to Leslie to receive the decision report.

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