

Planning & Zoning Board: October 21, 2021

**Sun Communities, The Foothills PDP**

**Summary of Request**

This is a proposed Project Development Plan (PDP), #PDP20001. The plan would develop a 52-acre property near the southeast corner of S. College/Trilby Rd. with 201 manufactured homes, 15% of which will be affordable housing as defined in the Land Use Code.

**Zoning Map**



**Next Steps**

If approved, the applicant will be eligible to submit a Final Development Plan to finalize engineering and other details and record all plan documents; the applicant could then apply for construction and building permits.

**Site Location**

Located at 6750 South College Avenue – southeast of the intersection of S. College Avenue and E. Trilby Road.

**Zoning**

Low Density Mixed-Use Neighborhood (LMN) District

**Property Owner**

College Avenue Properties, LLC  
6261 S. Potomac Way  
Centennial, CO 80111

**Applicant/Representative**

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**Staff**

Clark Mapes, City Planner

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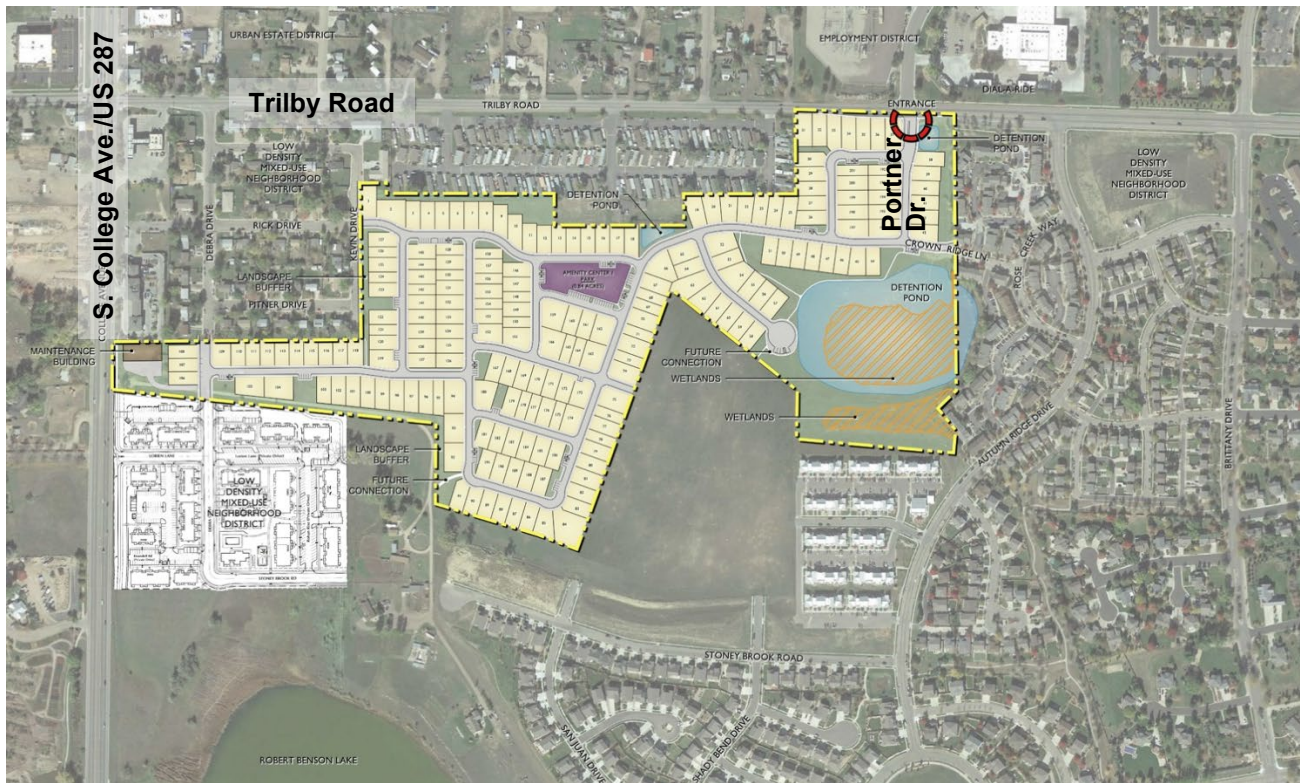
**Staff Recommendation**

Approval of one Modification of a Standard, and approval of the PDP.

## 1. Project Introduction

### A. PROJECT DESCRIPTION

This PDP is for a proposed manufactured home development. The plan plats the property as one 52-acre lot with a single owner. Within the single lot, 201 sites are laid out in three general reference layouts: perpendicular sites (nominally 55' wide x 105' deep), parallel sites (105' wide x 65' deep), and small-lot sites (40' wide x 105' deep).



- Two stand-alone modifications of standards in the Land Use Code were previously approved on October 15, 2020. The first one permits one housing type (manufactured home park) instead of four housing types minimum under the standard for a site larger than 30 acres in the LMN zone district.

The second modification was approved for a modified cross-section design for the streets, which are to be privately owned and maintained with the exception of a short north-south segment of Debra Drive in the western part of the plan which spans a current gap between existing segments of the street and completes Debra Drive as a public street. The modification allows for streets with no on-street parking.

- The plan is an Affordable Housing Project as defined. At least 15% of the homes are to be deed restricted for at least 20 years to meet applicable affordability requirements.
- Each home site will contain three parking spaces, with one being a tandem space. Garages are offered as an option. In addition, visitor parking spaces are located throughout the development, in the form of head-in parking bays along streets.
- The plan includes a neighborhood center with two non-residential uses as required by the LMN zoning. The uses are a neighborhood support/recreation facility and a small (160 sq. ft.) retail convenience store within a clubhouse building.

- The clubhouse building is on a block with pool, sports courts, ramada, and landscaping. Other small “pocket park” spaces are dispersed throughout the plan.
- Street trees line the streets in parkway strips.
- The plan includes a maintenance building.
- Two wetlands occur in the southeastern part of the site. Most of this wetland complex will remain and be improved. A path/walkway system skirts the wetland open space.
- The plan provides South College Avenue street frontage improvements along the short (120') frontage of this property, including dedication of right-of-way, and piping of the existing drainage swale and a ditch lateral to allow for a sidewalk.
- The plan includes off-site agreements with abutting property owners regarding access, drainage, and the ditch lateral. Letters of Intent are provided that were created through an iterative process, and the necessary documents will be completed as part of Final Plan documentation.

**B. SITE CHARACTERISTICS**

**1. Development Status/Background**

The subject property is 51.6 acres in size and is currently unplatted. The property was annexed into the City on February 16, 2010 as part of the Southwest Enclave Annexation, Phase Three. The property includes two parcels (9613200003, 9613100001). A single-family house built in 1968 and associated outbuildings are currently located on the western portion of the site adjacent to S. College Avenue.

**2. Surrounding Zoning and Land Use**

	North	South	East	West
<b>Zoning</b>	Low Density Mixed-Use Neighborhood (LMN) District; Low Density Residential (RL) District; Limited Commercial (CL) District	Low Density Mixed-Use Neighborhood (LMN) District	Low Density Mixed-Use Neighborhood (LMN) District	Low Density Mixed-Use Neighborhood (LMN) District
<b>Land Use</b>	Manufactured Home Park (LMN Zone; Pleasant Grove) Residential (RL Zone, Trilby Heights); single-family Commercial (CL Zone); commercial uses along S. College Ave.	Residential; single-family and multifamily  (Lakeview on the Rise, vacant Land Bank parcel, Provincetowne PUD Third Filing)	Residential; single-family and multifamily  (Provincetowne PUD Second Filing)	Commercial along S. College Ave.  And single family residential (Trilby Heights)

**C. OVERVIEW OF MAIN CONSIDERATIONS IN STAFF’S REVIEW**

The plans were developed and issues clarified through five rounds of plan responses to comments and questions.

A fundamental question about the private street network was answered with approval of the modification allowing streets to be privately owned and maintained, with a modified street cross-section. The primary desire was to eliminate typical on-street parallel parking to allow for narrower streets, to leave more land for homes. Secondly, the standard streetscape was also modified with narrower parkway strips and head-in visitor parking, creating divergences which the sidewalks must then skirt around. In Final Plans, the sidewalks

will have angled or radiused corners around the parking bays. The next fundamental question for development of the property was the framework of streets—particularly whether to connect and extend all existing streets stubbed to the property as required by a standard. The plan provides connections in all four directions. Two existing street stubs are not directly extended because equivalent functional connections are provided by the network of streets, sidewalks, and walkways.

Easements and agreements with other property owners have been unique considerations needing clarification through plan iterations.

About 5 1/2 acres of wetlands exist on the site, and these have required careful evaluation and incorporation into the plan with grading, stormwater treatment, and habitat feature considerations.

The landscaping and water service for irrigation were unique considerations requiring clarification under the Land Use Code and Fort Collins/Loveland Water District requirements because the single family detached dwellings are not on their own individual lots. In the plan, front yard areas have some plantings to be irrigated by home owners, and rear yard areas will not have plantings.

## 2. Comprehensive Plan

### A. SOUTH COLLEGE CORRIDOR PLAN (2009)

The South College Corridor Plan was adopted in 2009 in conjunction with the Southwest Enclave Annexation process.

Relevant to this proposal is the Plan's integration of the Colorado Department of Transportation (CDOT) Access Control Plan for S. College Avenue. As a state highway, College Avenue is under CDOT's jurisdiction. As the number of access points out to S. College Avenue is consolidated over time, long-term plans encourage construction of parallel streets to provide circulation alternatives for local residents and businesses, connecting to existing public streets where possible. The South College Corridor Plan suggests that enhancing circulation along the rear of properties abutting South College Avenue and reducing reliance on the State Highway are important considerations for any redevelopment in this area (pg. 33).

Additionally, the South College Corridor Plan identifies the subject site as residential use.

The proposed plan for a manufactured home park on this site aligns with the guidance in the South College Corridor Plan. It is a residential use, and parallel street connectivity is proposed with the connection of Debra Drive across the western portion of the site. The proposal for primary access from Trilby Road, rather than S. College Avenue, is consistent with the plan.

### B. CITY PLAN (2019)

City Plan is the City's comprehensive plan for land use, transportation, and transit. Several principles and policies are relevant to the evaluation of the current proposal.

- Principle LIV 2 – Promote infill and redevelopment.
- Principle LIV 5 – Create more opportunities for housing choices.
  - Policy LIV 5.2 - SUPPLY OF ATTAINABLE HOUSING Encourage public and private sectors to maintain and develop a diverse range of housing options, including housing that is attainable (30% or less of monthly income) to residents earning the median income. Options could include ADUs, duplexes, townhomes, mobile homes, manufactured housing and other “missing middle” housing types.
- Principle LIV 6 – Improve access to housing that meets the needs of residents regardless of their race, ethnicity, income, age, ability or background.



The place type assigned to this site is also relevant to evaluation of the current proposal. This site is assigned a “mixed neighborhood” place type in the City Plan Structure Map. Principal land uses envisioned in this neighborhood type are a wide range of housing types, and neighborhood-serving commercial and retail uses. Densities for this place type are expected to be in the 5-20 dwelling units per acre range.

The proposal for redevelopment of this site aligns well with the guidance contained in City Plan. Because this proposal increases the amount of available and affordable housing in the community, it supports City Plan principles that encourage a diverse range of housing options that are attainable (30% or less of monthly income) to residents earning the median income. It also increases housing choices by proposing the development of a new manufactured home park, adding to the inventory of this important type of naturally occurring affordable housing.

### C. ADDITIONAL RELEVANT PLANS

Several other adopted policy documents are relevant to this proposal in addition to the land use/comprehensive plans summarized above. City Plan has incorporated these additional documents by reference. Key points are summarized below.

City Council’s 2020 Strategic Plan identified housing affordability as one of the City’s guiding themes and principles. In particular, the section dedicated to Neighborhood Livability and Social Health (NLSH) Policy 1.8 states that the City should “Preserve and enhance manufactured housing communities as a source of affordable housing and create a safe and equitable environment for residents.”

- [Affordable Housing Strategic Plan \(2015\)](#): sets a goal to facilitate the development of about 188 affordable housing units per year through 2019, which would result in approximately 6% of all units as designated affordable housing. The overall goal is to have 10% of the City’s housing stock composed of designated affordable units by 2040.
- [Affordable Housing Redevelopment Displacement Mitigation Strategy \(2014\)](#): Though this document primarily concerns itself with the closure of existing manufactured home parks and preventing displacement of residents, the document also suggests that the City could encourage the development of new manufactured housing parks “both as an efficient source of affordable housing and to increase the number of mobile home sites available for potential relocation from existing mobile home parks when they redevelop” (pg. 25).

## 3. Public Outreach

### A. NEIGHBORHOOD MEETINGS

Two neighborhood meetings were held for the previous 2020 request for stand-alone modifications of standards. The applicants’ concept was discussed at those meetings. The concept was also discussed at the October 2020 Planning and Zoning Commission hearing on the modifications.

Then for this PDP, two neighborhood meetings and a Q&A session were held online.

### B. PUBLIC COMMENTS:

More than 30 comments were received on the previous modification proposal; these are attached because the comments were generally pertinent to the whole proposed plan.

Additional communication for the plan hearing has consisted of only one phone call, and notes are attached.

Comments have been almost unanimously in opposition of the proposed plan. Comments generally involve some similar prevailing concerns including perceptions of affordable housing hindering house prices in the area; additional traffic making streets unsafe in nearby existing development; loss of wildlife use of the property including hawks and prairie dogs; school capacity; drugs and police activity at nearby affordable housing; noise.

## 4. Article 2 – Applicable Standards

### A. PROJECT DEVELOPMENT PLAN PROCEDURAL OVERVIEW

#### 1. Conceptual Review – CDR190071

A conceptual review meeting was held on August 29, 2019.

#### 2. Neighborhood Meeting

Pursuant to *LUC Section 2.2.2 – Step 2: Neighborhood Meetings*, a neighborhood meeting is required for Planning and Zoning Commission (Type 2) projects. Two virtual online neighborhood meetings were held on May 28, 2020 and December 2, 2020. Notes are attached.

#### 3. First Submittal – PDP210001

The first submittal of this project was completed on January 6, 2021.

#### 4. Notice (Posted, Written and Published)

Posted Notice: May 18, 2020, Sign # 541

Written Hearing Notice: October 7, 2021, 512 addresses mailed.

Published Hearing Notice: Scheduled for October 10, 2021.

### B. DIVISION 2.8 – MODIFICATION OF STANDARDS

The Land Use Code is adopted with the recognition that there will be cases where circumstances in a given development plan may warrant a design solution that does not comply with a standard as written.

Accordingly, the code includes a provision for 'Modification of Standards' under certain criteria.

In this case, staff included one modification, for an LMN zone district standard requiring a small neighborhood park. The plan provides multiple park spaces totaling over 2.5 acres with a variety of features, rather than a single, simpler 1-acre park which would comply with a standard as written.

The modification criteria in Land Use Code Division 2.8.2(H) provide for evaluation of modification requests, 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).

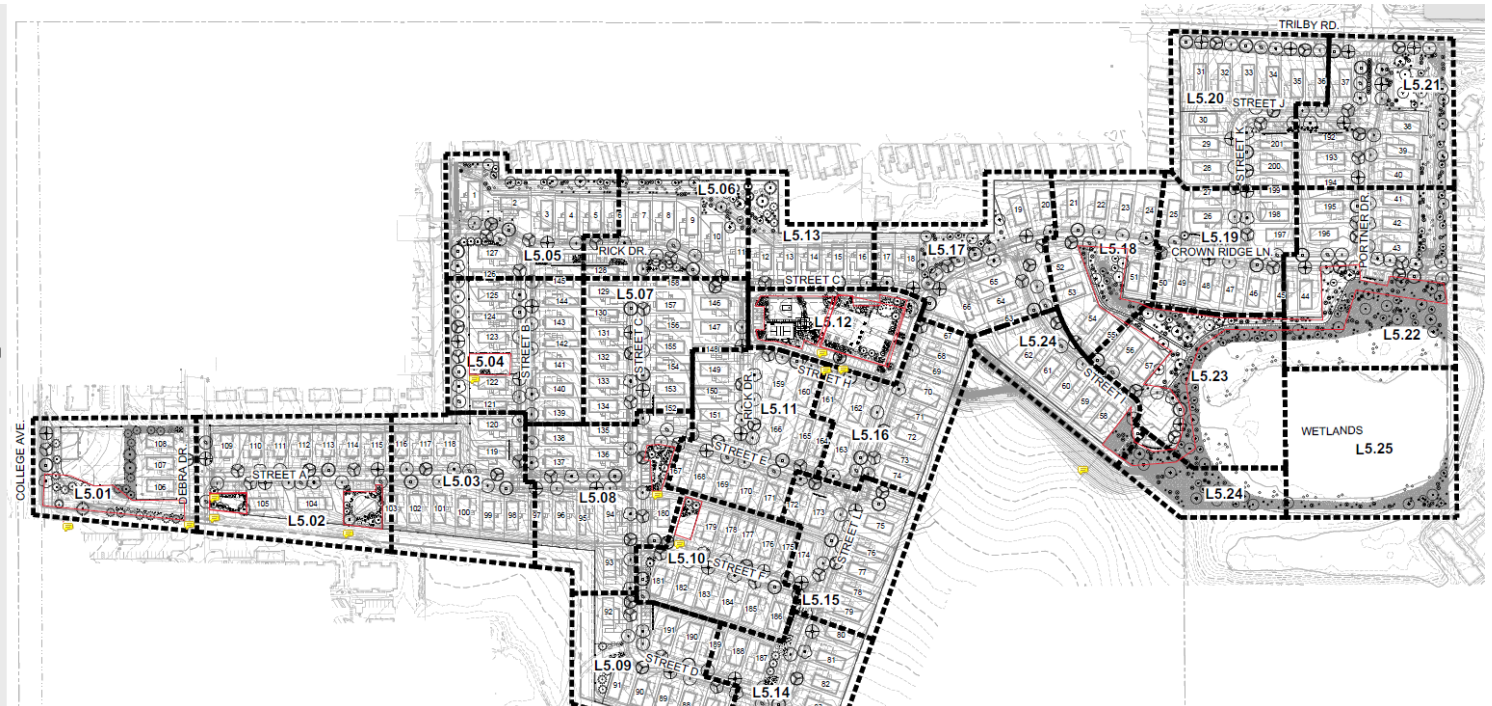
## 1. Modification of a Standard Requiring Park Space Close to Homes – 4.5(D)(6) *Small Neighborhood Parks*

For developments 10 acres or larger, this subsection requires a park at least one acre in size to be located within 1/3 mile of at least 90% of the dwellings. Parks must be highly visible and safe, formed by the street-block-lot pattern, observable from streets, and not leftover perimeter or rear areas in the plan. They must be easily accessible by pedestrians and open to the public.

They may consist of multi-use turf areas, walking paths, plazas, pavilions, picnic tables, benches or other features for various age groups to enjoy.

The plan does not include a park one acre in size, but rather, it provides multiple smaller park spaces including a clubhouse building on a central block with a pool, sports courts, ramada, and landscaping. Other ‘pocket parks’ are dispersed throughout the plan; a path traverses wetland open space area in the southeast corner of the plan; and a walkway connects through an open landscaped area to College Avenue on the west.

Staff considered 2.84 acres of outdoor space to be pertinent as park space, not counting 19,000 sq. ft. of the pool/clubhouse area on the central block. That measurement is provided for the record below, with red outlines. An easier-to-see slide will be available at the hearing.



Applicants have not requested a modification for this standard, but staff includes it as a pro forma finding because there is not an individual space that complies with a strict reading of the standards for a small park.

### Staff Findings:

Staff finds that the granting of the modification would not be detrimental to the public good and that the plan satisfies criterion (1), “equal or better”.

**Detriment to the public good.** The parks, path, and walkways in the plan provide visual relief, focal points, and opportunities for passive recreation consistent with the requirements of the standard.



**Criterion (1), “equal or better”.** To comply with the standard, the plan could provide a single park one acre in size with turf and walking paths.

The variety of amenities in the 2.84 acres as measured by staff, and 19,000 square feet of clubhouse and pool space on the central amenity block, all combine to provide park space that meets the purposes equally well or better than a plan with a single 1-acre park to strictly comply with the standard as written.

The tradeoff of dispersing nearly three acres of space throughout the proposed plan, rather than consolidating into a single 1-acre park space to meet the standard, serves residents throughout the development and invites walking with more convenience in all parts of the plan.

A City neighborhood park, Water’s Way park near Benson Lake, exists approximately 1/3-1/2 mile to the south of the property. Street and sidewalk access is indirect and incomplete at this time, but is likely to be improved with future development on some of the intervening property.

## 5. Land Use Code Article 3


### A. DIVISION 3.2 - SITE PLANNING AND DESIGN STANDARDS

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
<p><b>3.2.1 – Landscaping and Tree Protection</b></p>	<p>The standards in this Section require a development plan to demonstrate a whole approach to landscaping that enhances the appearance and function of the neighborhood, streetscapes, walkways, other outdoor spaces, and buildings.</p> <p>Note that the attached landscape plans for the 52-acre site comprise a total of 40 plan sheets, which staff separated into multiple files for easier reference.</p> <p>The main plan components are:</p> <ul style="list-style-type: none"> <li>• Street trees in parkway strips.</li> <li>• Drought tolerant grass seeding in the parkway strips.</li> <li>• Complete landscaping at a neighborhood center block, small pocket parks, a small dog park, and walkway connections.</li> <li>• Wetland and wetland buffer tree and shrub plantings.</li> <li>• Seed mixes for stormwater detention ponds, natural habitat buffer zones, wetlands, and upland areas.</li> <li>• Privacy fences, split rail fences, and swimming pool fencing.</li> <li>• Front yard plantings of ornamental trees and shrubs in cobble mulch on home sites.</li> <li>• Gravel mulch with no planting in rear and side yard areas of the home sites.</li> </ul> <p>Irrigation plans for all landscaping will be included in final plans.</p>	<p>Complies</p>
<p><b>3.2.1(F) – Tree Mitigation</b></p>	<p>This Section requires that developments retain significant existing trees to the extent reasonably feasible. The plan removes a large number of existing tree stems that have grown inadvertently throughout the site. The existing trees are generally low-value species in fair or fair-minus condition, many of which do not warrant mitigation.</p> <ul style="list-style-type: none"> <li>• For those that do, 59 mitigation trees are included in the plan to offset the loss of existing trees, based on evaluation and recommendations by Forestry staff.</li> </ul>	<p>Complies</p>

<p><b>3.2.2 – Access, Circulation and Parking – General Standard</b></p>	<p>This Section requires that development projects accommodate the movement of vehicles, bicycles, and pedestrians safely and conveniently, both within the development and to and from surrounding areas.</p> <ul style="list-style-type: none"> <li>• The plan framework is an interconnected network of streets and blocks which provides for most of the access and circulation needs of the development.</li> <li>• In addition, the plan provides a walkway connection to College Avenue, and walkway stubs to potential future development on properties to the south, west, and east.</li> </ul>	<p>Complies</p>
<p><b>3.2.2(K)(1)(d) and (b) – Required Number of Off-Street Parking Spaces</b></p>	<p>Two off-street parking spaces are required for each dwelling unit in a mobile home park. (The terminology has not been updated in this subsection to incorporate a recent change to the term ‘manufactured home community’.)</p> <ul style="list-style-type: none"> <li>• Each home site will contain three parking spaces, one of which is tandem, and in addition, visitor parking spaces are located throughout the development.</li> </ul>	<p>Complies</p>
<p><b>3.2.4 – Site Lighting</b></p>	<p>This Section requires adequate exterior lighting for safety, security, enjoyment and function of the proposed plan with full cutoff fixtures ensuring no light spillover or glare.</p> <ul style="list-style-type: none"> <li>• Lighting plans provide pole mounted area lights along the private streets; post-top pedestrian lights in pocket park spaces; and bollard pedestrian lights in pocket park spaces and the neighborhood center block.</li> <li>• Fixtures are full cutoff, with 3000k color temperature lamps.</li> <li>• Photometric plans indicate no light spillage into the buffer zones per requirements.</li> </ul>	<p>Complies</p>

**B. DIVISION 3.4 – NATURAL RESOURCES STANDARDS**

The purpose of this Section is to ensure that when property is developed consistent with its zoning designation, the way in which the proposed physical elements of the development plan are designed and arranged on the site will protect any natural habitats and features both on the site and in the vicinity of the site.

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
<p><b>3.4.1 (C), (D), and (E) – Natural Habitats</b></p>	<p>If a development site contains, or is within 500 feet of, a natural habitat or feature, then an Ecological Characterization Study (ECS) is required. An EC was completed by ERO Resources in October 2020, prior to the Project Development Plan submittal. The report highlights several resources on and near the property that warrant protection or mitigation, including: two wetlands, an unnamed ditch lateral, and a raptor nest located offsite. Other than these features, the remainder of the site is dominated by non-native grasses.</p> <p>Below is the map of the resources from the ECS.</p>  <p>6750 College Avenue Ecological Characterization Study</p> <ul style="list-style-type: none"> <li>Potential Red-tailed Hawk Nest</li> <li>Photo Point</li> <li>Flow Direction</li> <li>Ditch</li> <li>Swale</li> <li>Upland Vegetated Swale</li> <li>Active Prairie Dog Colony</li> <li>Low-Quality Wetland (0.386 ac)</li> <li>Moderate-Quality Wetland (5.177 ac)</li> <li>Ordinary High Water Mark (0.032 ac)</li> <li>Project Area Boundary</li> </ul> <p>Figure 2 Existing Conditions Image Source: Google Earth ©, July 2019 Prepared for: Sun Communities, Inc. File: 10761.Figure 2.mxd (GS) March 27, 2020</p> <p><b>Wetlands.</b> Wetlands cross the site from west to east and total 5.56 acres, mostly in the southeast corner of the site. They are considered non-jurisdictional (not regulated by the US Army Corps of Engineers), but are still protected by City standards for land development.</p> <p>A large (4.52 ac) naturally occurring wetland is identified as wetland 1. A nearby wetland in the southeast corner, within a man-made detention pond, is identified as wetland 2.</p> <p>A poorly maintained drainage swale for runoff from adjacent development forms a low-quality wetland extension of wetland 1.</p> <p>The development proposes to permanently impact the .39-acre low-quality western extension of Wetland 1 and 1.12 acres of the main medium-quality portion of Wetland 1 for a total 1.51 ac of permanent wetland impacts. 1.51 ac of mitigation wetlands is proposed as an extension of the existing Wetland 1. Wetland 2 is not impacted.</p>	<p>Complies, with Conditions for Final Plans</p>

**Ditch Lateral.** A small lateral from the Loudon Ditch traverses the south edge of the western extension of the site, and was determined to serve as a wildlife corridor for raccoons, skunks, muskrat and other urban adapted species that are not sensitive to human presence. The ditch has some low-quality fringe wetlands.

Portions of the ditch are piped in the plan to allow for City-required streetscape improvements along College Avenue and landscaping improvements in the area.

**Prairie Dog Colony.** 24 acres of active prairie dog colony are present on site and are to be removed. The code regulates colonies as a natural resource that warrants protection or mitigation if removed in development plans.

**Raptor Nest.** A raptor nest is located off site, southwest of the project site, in a mature cottonwood. The species utilizing the nest is currently unknown, however depending on the species and usage of the nesting site, a buffer zone implemented during the construction phase could extend onto the subject property.

**Standards require:**

- **In General.** To the maximum extent feasible, the development plan must be designed and arranged to be compatible with and to protect natural habitats and features and the plants and animals that inhabit them and integrate them within the developed landscape of the community by: (1) directing development away from sensitive resources; (2) minimizing impacts and disturbance through the use of buffer zones; (3) enhancing existing conditions; or (4) restoring or replacing the resource value lost to the community when a development will result in the disturbance of natural habitats or features.
- **Regarding the Wetlands.** Boundary delineation is required in an ECS. Buffer zones are required, and mitigation of any disturbed or lost wetlands is required.
- **Regarding the Prairie Dog Colony.** Allowable options for a developer are: relocation to another property with approval from the land owner; trap and donate (euthanize and donate to raptor center or similar organization); and euthanize with a payment in lieu where the payment is directed to the city's Natural Areas Department for management of prairie dogs on City owned conserved properties.
- **Regarding the Ditch.** Standards require a buffer distance for ditches that serve as wildlife corridors is 50' measured from the top of bank or edge of wetlands, whichever is greater.
- **Regarding the Raptor Nest.** The raptor nest will not be disturbed, but a survey to identify the species and usage will be required as part of Final Development Plan approval. Additionally, a pre-construction survey will be required and a buffer zone setback could potentially be required during the breeding, nesting and nestling rearing period should the nest prove to be active during the construction phase. Buffering distance would be species-dependent and follow recommended guidelines of Colorado Parks and Wildlife (CPW) and LUC 3.4.1(N)(5).



**The plan provides:**

- **Regarding the Wetlands.** The plan delineates existing and proposed wetland boundaries. It provides required mitigation of disturbed wetlands at a 1:1 ratio. The majority of Wetland 1, the highest value ecological feature on site, is protected, and an impacted portion is being mitigated.

Hydrology is the primary factor that supports wetland function, followed by vegetation and soils. Stormwater runoff is the main source of hydrology for Wetland 1 and that will continue to be the case with the proposed development. Initial treatment of the runoff via bioretention and other water quality methods is provided prior to entering the mitigation wetland and the main, medium-quality portion of Wetland 1, so that the wetland is not serving as the primary stormwater treatment itself. This is expected maintain and possibly improve the wetland hydrology.

The existing wetland, mitigation wetland, and resultant buffer zone will be of higher quality than what exists today through weed mitigation, and increased species and structural diversity. The landscaping emphasizes native plants, a diverse vegetation structure to enhance opportunities for species' nesting, breeding, and where needed, screening to buffer the surrounding areas visually and from noise. Site design has been adjusted in plan iterations to minimize impacts to wetlands. These plantings are separate from the tree protection and mitigation requirements under LUC Section 3.2.1.

FACWet, a Functional Assessment of Colorado Wetlands methodology developed by the Colorado Department of Transportation, will be used for the first time on a City development to ensure that not only is the correct acreage of mitigation wetland provided, but also that the mitigation wetland has the proper function and wetland type.

- **Regarding the Prairie Dog Colony.** Burrowing owls are an aspect of prairie dog colonies, and surveys using Colorado Parks and Wildlife methodology will be completed prior to any removal efforts. Relocation will be explored but is highly unlikely; therefore trap and donate efforts will be the first method of removal, followed by euthanization. Additionally, a payment-in-lieu fee for will be made to facilitate prairie dog conservation and habitat improvement elsewhere on Natural Areas Department properties.
- **Regarding the Ditch.** The minor loss in habitat value from piping the ditch will be mitigated through native landscaping with pockets of pollinator gardens in the ditch area and several other areas of the plan.
- **Regarding the Raptor Nest.** Final Plans will include provisions for completing the required surveys to determine usage of the nest, and implementation of any buffering or mitigation if found to be necessary in the surveys.

### C. DIVISION 3.5 - BUILDING STANDARDS

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
<b>3.5.2(C) Housing Model Variation</b>	<p>This standard requires at least four different building models for single-family dwelling units.</p> <ul style="list-style-type: none"> <li>The plan provides 16 building designs for the homes.</li> </ul>	Complies
<b>3.5.2(D) Building Placement in Relation to Streets</b>	<p>This standard requires buildings to be placed along streets such that walkways lead to entrances without crossing any vehicular use area.</p> <ul style="list-style-type: none"> <li>The plan simply places dwellings directly fronting onto street sidewalks.</li> </ul>	Complies
<b>3.5.2(F) Garage Doors</b>	<p>This standard is to prevent residential streetscapes from being dominated by protruding garage doors, and to allow the active, visually interesting features of homes to dominate the streetscape. Garage doors must be recessed from the face of the home or a porch, and must not comprise more than 50% of the frontage of a dwelling.</p> <ul style="list-style-type: none"> <li>The plan indicates garages as an option (shown on typical home site plans in the Site Plan set). Applicants understand that the garages are to be recessed from porches or front walls of the homes, and that this requirement will be implemented in building permits.</li> <li>Notes will be added to Final Plans to ensure compliance.</li> <li>The doors would comprise less than 50% of the building frontage for any of the building designs, as required.</li> </ul>	Complies

### D. DIVISION 3.6 - TRANSPORTATION AND CIRCULATION

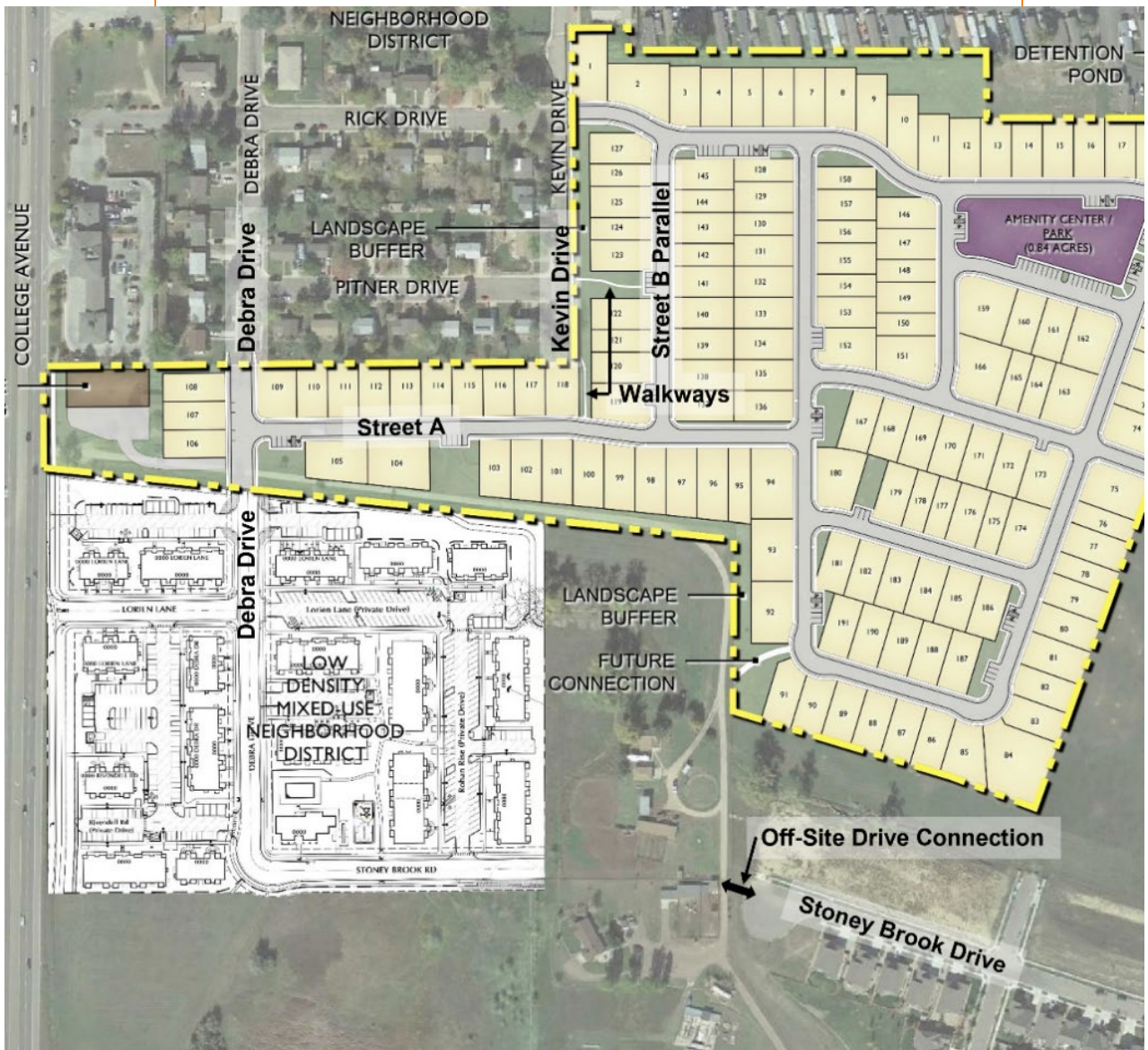
This Section is intended to ensure that the transportation system is in conformance with adopted transportation plans and policies established by the City.

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
<b>3.6.2 – Streets, Streetscapes, Alleys and Easements</b>	<p>This Section requires transportation network improvements for public health, safety and welfare, with requirements in accordance with the <i>Larimer County Urban Area Street Standards</i>, and requires necessary easements for utilities and access.</p> <p>It specifically requires plans to clearly identify construction and maintenance responsibilities for the proposed infrastructure. All responsibilities and costs for the operation, maintenance and reconstruction of private streets, and private drives shall be borne by the property owners. The City shall have no obligation to operate, maintain or reconstruct such private streets, street-like private drives and private drives nor shall the City have any obligation to accept such private streets, street-like private drives and private drives.</p> <p>As noted previously in the beginning of this report, modifications were granted for streets to be privately owned and maintained, with a modified street cross-section. The one exception is a segment of Debra Drive to connect a gap in that public street.</p> <p>The primary desire was to eliminate typical on-street parallel parking to allow for narrower streets, to leave more land for homes. Secondly, the standard streetscape was also modified with narrower parkway strips and head-in visitor parking, which the sidewalks then skirt around, in a number of locations.</p>	Complies

	<p>Final Plans will be accompanied by a Development Agreement that defines all responsibilities for the street network including owner responsibilities for the private street network in perpetuity.</p> <p>The plan includes a plat providing needed right-of-way dedications and easements.</p>	
<p><b>3.6.3(F) and (H) – Street Pattern and Connectivity</b></p>	<p>This Section requires design of the local street system in development plans to be safe, efficient, convenient and attractive, considering use by all modes of transportation that will use the system, (including, without limitation, cars, trucks, buses, bicycles, pedestrians and emergency vehicles).</p> <p>The local street system must provide multiple direct connections to and between local destinations. Local streets must provide for both intra- and inter-neighborhood connections to knit developments together, rather than forming barriers between them. The street configuration within each parcel must contribute to the street system of the larger neighborhood.</p> <ul style="list-style-type: none"> <li>The plan provides an internal street and block network to comply with this general standard as well as related standards pertaining to streets and blocks in other code sections.</li> </ul> <p>Subsection 3.6.3(F) requires development plans to connect and extend streets that are stubbed to the boundary of the plan by previous development, while subsection 3.6.3(H) allows for Alternative Compliance to <i>not</i> extend and connect a street stub in a given instance.</p> <p>The plan provides:</p> <ul style="list-style-type: none"> <li>Extension of Debra Drive to complete a gap, with access to the north and south in the western part of the plan.</li> <li>Extension of Rick Drive which is stubbed to the property line on the west.</li> <li>Connection of Portner Drive to Trilby Road on the north, aligned with Portner Drive across Trilby to the north.</li> <li>Extension of Crown Ridge Drive which is stubbed to the property line on the east.</li> <li>A new street stub, Street F on the plan, to potential future development on the east.</li> </ul>	<p>Complies</p>

- Where Kevin Drive is stubbed on the north side of the plan, a walkway connection to Kevin Drive's sidewalk, a parallel Street B, and a walkway connection aligned with Pitner Drive provide alternative connectivity to direct extension of Kevin Drive per se. The alternative accomplishes the purposes of the Section as well or better than directly extending Kevin Drive.

The Kevin Drive area is shown below, along with Stoney Brook Drive off-site south of the property.



- South of the property, the plan provides an off-site drive connection between Stoney Brook Drive and a gravel driveway that traverses the western extension of the property and currently connects to S. College Avenue for access to two large semi-rural residential properties. The plan eliminates that existing College access to the gravel driveway, and the new drive connection to Stoney Brook helps compensate with access in addition to access provided by the new Debra Drive connection.



<p><b>3.6.4 – Transportation Level of Service Requirements</b></p>	<p>This Section contains requirements for the transportation needs of proposed development to be safely accommodated by the existing transportation system, or that appropriate mitigation of impacts will be provided by the development in order to meet adopted Level of Service (LOS) standards. A Transportation Impact Study (TIS) was required under this Section to evaluate the traffic generation and distribution added by the development.</p> <ul style="list-style-type: none"> <li>The plan included a detailed 145-page TIS evaluating existing and projected background traffic and total peak hour traffic. The TIS was accepted by traffic staff.</li> </ul> <p>The main issue noted is that some functions at the College/Trilby intersection do not meet Fort Collins operational criteria in the afternoon peak hour. The study notes that a City capital improvement project will occur in the near future. The geometry used for the study was suggested by City staff based on preliminary capital project planning.</p> <p>The study notes that in the short range (2025), some pedestrian level of service categories can not be achieved due to a lack of sidewalks and street connections. As the area develops and becomes more urban in the future, it is expected that there will be sidewalks along existing and future streets.</p> <p>Otherwise, the study concludes that the traffic generated by the plan can be accommodated within acceptable levels of service.</p>	<p>Complies</p>
<p><b>3.6.6 – Emergency Access</b></p>	<p>This Section requires adequate access for emergency vehicles and persons rendering fire protection and emergency services.</p> <p>Poudre Fire Authority staff participated in plan review and finds that the straightforward arrangement of buildings along streets provides the needed access.</p>	<p>Complies</p>

**6. 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 a sweeping update of the City’s comprehensive plan that resulted in the original *City Plan* document and the Land Use Code.

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
<p><b>4.5(A) - Purpose</b></p>	<p>This Section states:</p> <p><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> <ul style="list-style-type: none"> <li>The project adds a housing choice and is designed in a neighborhood pattern consistent with the intent for neighborhood development in the LMN zone.</li> </ul>	<p>Complies</p>
<p><b>4.5(B) - Permitted Uses</b></p>	<p>Manufactured housing communities are a permitted use in the Low Density Mixed-Use Neighborhood (LMN) Zone, subject to Planning &amp; Zoning Commission review.</p>	<p>Complies</p>
<p><b>4.5(D)(1) – Residential Density</b></p>	<p>Density standards limit development plans within a range of 4 to 12 dwelling units per acre.</p> <ul style="list-style-type: none"> <li>The plan proposes 7 units per acre.</li> </ul>	<p>Complies</p>
<p><b>4.5(D)(2) – Mix of Housing</b></p>	<p>This standard requires a mix of housing types in development plans depending on acreage. To the maximum extent feasible, housing types, block dimensions, garage placement, lot sizes and lot dimensions must be varied significantly to avoid repetitive rows of housing and monotonous streetscapes.</p> <p>The plan comprises only one housing type -- manufactured housing community -- as approved in a stand-alone modification of the standard on October 15, 2020.</p> <ul style="list-style-type: none"> <li>The plan provides block dimensions, home site dimensions, and garage placements that vary significantly.</li> </ul>	<p>Complies via a Modification of the standard previously granted</p>

<b>Applicable Code Standard</b>	<b>Summary of Code Requirement and Analysis</b>	<b>Staff Findings</b>
<b>4.5(D)(3) – Neighborhood Centers</b>	<p>LMN zone district standards requirements convenient access to ‘Neighborhood Centers’ for development plans over 40 acres. A neighborhood center consists of at least two non-residential uses with an outdoor gathering space. Standards call for centers to be integrated into a neighborhood pattern with access from the local street network.</p> <ul style="list-style-type: none"> <li>The plan provides a neighborhood center on the ‘Central Amenity Block’ with a neighborhood support/recreation facility that contains a clubhouse with a 160 sq.ft. convenience retail store inside. The clubhouse building contains approximately 3,740 sq. ft. of indoor space which includes but is not limited to a great room, kitchen, and fitness center in addition to the small store/sundry shop. Outdoors, adjacent to the great room and fitness center, is a swimming pool and patio with ramadas. The block also has a picnic pavilion and sports courts.</li> </ul>	Complies
<b>4.5 (D)(6) Small Neighborhood Parks</b>	This standard and staff’s findings are explained previously in this report regarding Article 2, Division 2.8 of the code.	Complies via a Modification of the Standard
<b>4.5(E)(1) – Street System Block Size</b>	<p>LMN zone district standards include a standard that requires the local street system to limit block size to 12 acres maximum.</p> <ul style="list-style-type: none"> <li>The plan layout is a street and block pattern with no blocks over 12 acres.</li> </ul>	Complies
<b>4.5(E)(2) – Street System Block Size</b>	<p>This standard requires a mid-block pedestrian connection along any block face longer than 700 feet.</p> <ul style="list-style-type: none"> <li>The street and block pattern forms blocks faces less than 700 feet long.</li> </ul>	Complies

## 7. Findings of Fact/Conclusion

In evaluating the request for The Foothills Project Development Plan #PDP210001, staff makes the following findings of fact:

- The Modification of a Standard for subsection 4.5(D)(6) – *Small Neighborhood Parks* meets the application requirements of Section 2.8.2(H)(1), and the modification would not be detrimental to the public good.
- The Project Development Plan complies with the applicable procedural and administrative requirements of Article 2 of the Land Use Code.
- Project Development Plan complies with pertinent standards located in Article 3 – General Development Standards with two modifications of standards.
- Project Development Plan complies with pertinent standards located in Division 4.5 Low Density Mixed-Use Neighborhood in Article 4 – Districts, with one modification of a standard.
- Staff supports the request for the modification of a standard for subsection 4.5(D)(6), *Small Neighborhood Parks*, to allow the plan to provide park, path, and walkway space totaling approximately 2.8 acres, along with 19,000 square feet of clubhouse and swimming pool space, dispersed into multiple spaces rather than consolidated into a single 1-acre park.

The modification would not be detrimental to the public good and the request satisfies criterion (1) in subsection 2.8.2(H), “equal or better”, because the park, path, walkway, clubhouse, and pool space combine to meet the purposes of the standard.

## 8. Recommendation

Staff recommends that the Commission make a motion to approve the Modification of a Standard for subsection 4.5(D)(6); and then make a motion to approve The Foothills Project Development Plan #PDP210001 based on the Findings of Fact and supporting explanations found in the staff report, with the following conditions:

1. **Off-Site Drainage Easement:** Prior to Final Plan approval, the applicant shall obtain the final executed off-site drainage easement from the Land Bank Property, subject to approval by the Fort Collins City Council. Easement shall include all agreements of the negotiated outcomes, and result in the Development meeting all City Stormwater Criteria.
2. **Ditch and Access Road Agreement:** Prior to Final Plan approval, the applicant shall execute a final signed agreement with the owners of the ditch lateral regarding piping of the ditch and corresponding access to the ditch owners’ properties at 6824 and 6916 South College Avenue, with access to be provided from Stoney Brook Road.
3. **Affordable Housing Phasing:** As part of the Development Agreement and Final Plans, a commitment to phasing of permits for deed-restricted units shall be included such that the minimum 15% affordable units are included concurrently and proportionally throughout the construction process.
4. **Final Plan Documents:** Final Plans shall incorporate all updated provisions that are on some but not all PDP documents or are otherwise included at the hearing, e.g., the walkway between Street B and Kevin Drive, the Stoney Brook Road connection off-site, the clubhouse plan and elevations, and angled or radiused corners where sidewalks deviate around head-in parking, along with any other inconsistencies among plans and hearing documents.



## 9. Attachments

1. Applicants Narrative
2. Site Plan Set
3. Landscape Plan Set
4. Architectural Set
5. Civil Plan Set
6. Plat
7. Lighting Plans
8. Traffic Impact Study (TIS)
9. Environmental Characterization Study (ECS)
10. Neighborhood Meeting Notes and Public Comment
11. Public Comments from Previous Stand-Alone Modification Process
12. Stoney Brook Drive Off-Site Connection
13. Letter of Intent – Agreement to Negotiate Ditch Piping and Access Drive Changes
14. Sidewalk Corners Angled or Radiused
15. Powerpoint for Worksession