

# Development Review Staff Report

Administrative Hearing: November 7, 2022

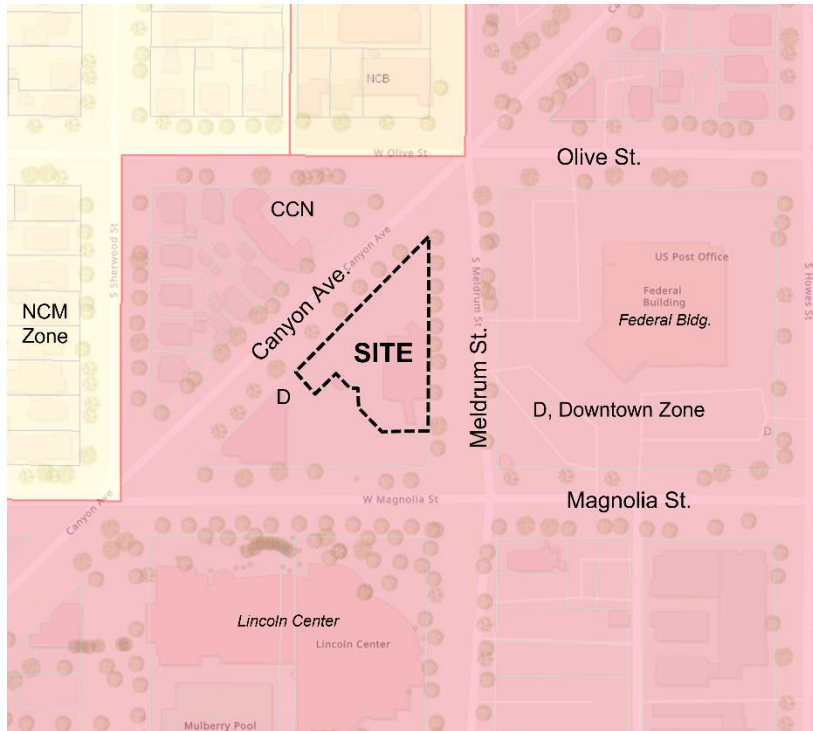
**Canvas Credit Union, #FDP220009**

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## Summary of Request

This is a request for a combined Project Development Plan/Final Development Plan to demolish and redevelop the existing Canvas Credit Union with a new building and reconfigured drive-through facilities and landscaping, and reduced parking.

## Zoning Map



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## Next Steps

If approved by the Hearing Officer, the applicant will then be eligible to proceed to filing of final plans and then to a building permit.

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## Site Location

319 S. Meldrum Street, southeast corner of Meldrum and Canyon Streets.

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## Zoning

Downtown District (D), Canyon Avenue Subdistrict

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## Property Owner

Matt Larson  
9990 Park Meadows Drive  
Lone Tree, CO 80124

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## Applicant/Representative

Joseph Keresey  
Service First Permits  
414 14<sup>th</sup> St.  
Denver, CO 80202

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## Staff

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## Staff Recommendation

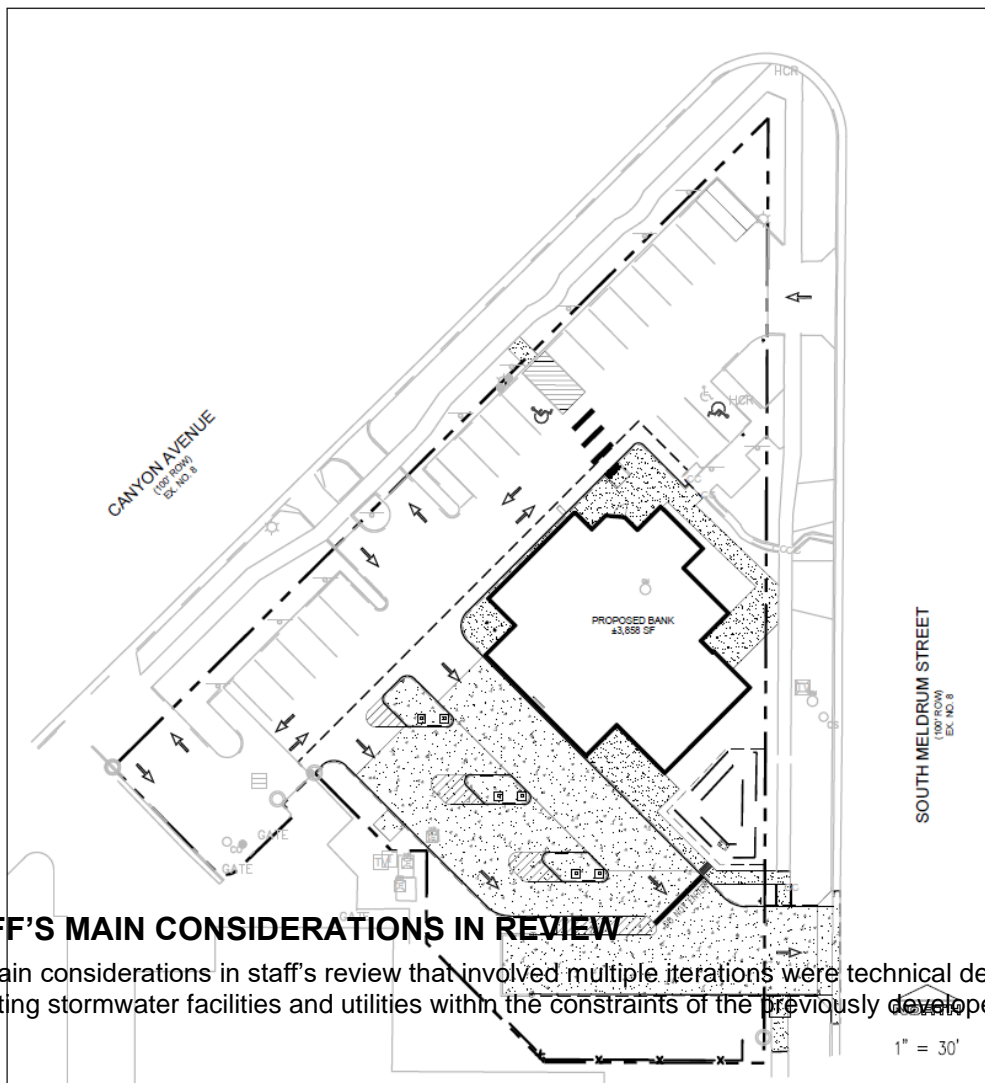
Approval of the modification request and approval of the PDP.

## 1. Project Introduction

### A. PROJECT DESCRIPTION

The plan demolishes the existing Canvas Credit Union building and its three drive-thru stations and places a new 3,858 sq. ft. Canvas building essentially in its place, with three reconfigured drive-thru kiosks.

- Existing sidewalks and landscaping remain.
- Drive-thru lanes are reconfigured with 3 new kiosks.
- Parking is existing, with 13 spaces of the existing 33 spaces to be removed leaving 20 spaces in the plan.
- A Modification of a Standard is requested for the parking because the code has a standard for maximum parking based on building square footage, and for the proposed building the number is 14.
- Landscape area along Meldrum St. is increased including the addition of a stormwater filtration area as required.
- A crosswalk across the existing parking is added from the Canyon Ave. sidewalk to the building.
- The project is proceeding to hearing as a Final Development Plan because it was submitted as a combined PDP/FDP.



Proposed Plan

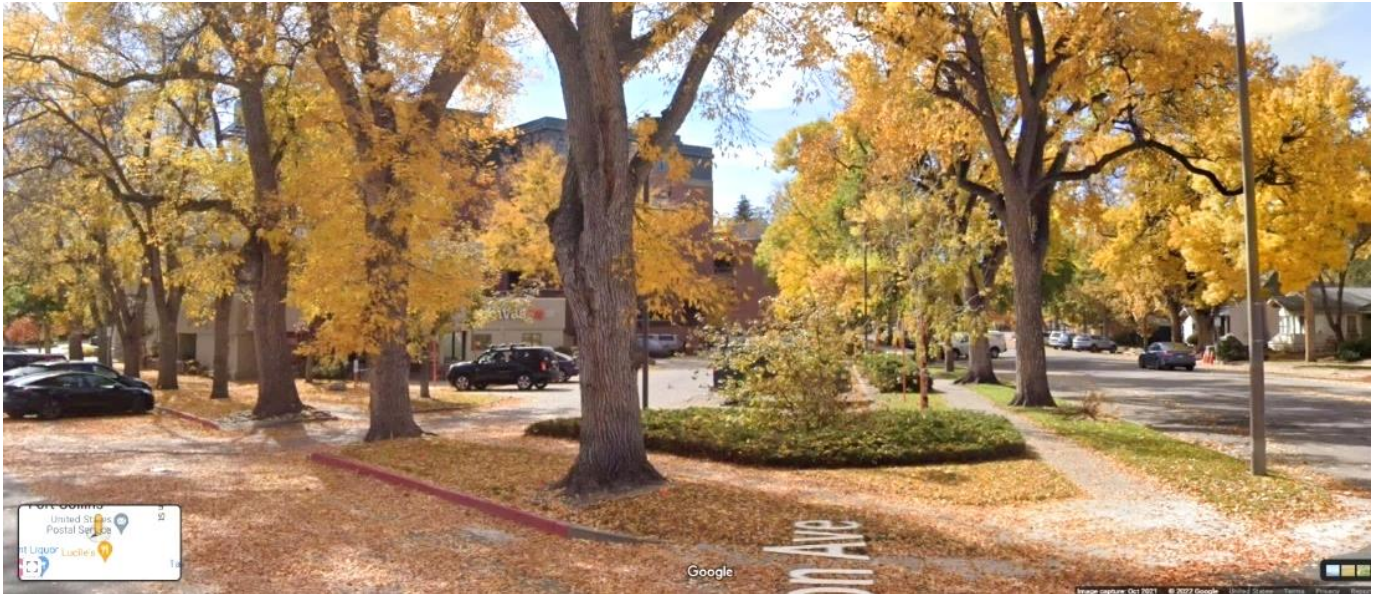
### B. STAFF'S MAIN CONSIDERATIONS IN REVIEW

The main considerations in staff's review that involved multiple iterations were technical design issues related to retrofitting stormwater facilities and utilities within the constraints of the previously developed downtown site.

**C. SITE CHARACTERISTICS**

The site is within the classical downtown grid pattern of streets and blocks from the original Town Site Annexation and plat in the early 1900’s. That original grid plat includes one special diagonal street, Canyon Avenue, which forms the western side of the triangular site.

The defining features are the established continuous sidewalk system and mature street trees that line it. Within this original town pattern, many of the uses and buildings in the Canyon Avenue area have changed through the continuum of the past 100 years or so, from the original development of residential lots with houses, to a mix of office, institutional, and commercial uses in this Canyon Avenue area.



*View looking S-SW over the point of the triangular block at Meldrum (left) and Canyon (right)*

**D. SURROUNDING ZONING AND LAND USE**

	North	South	East	West
<b>Zoning</b>	Downtown Innovation Subdistrict	Downtown Innovation Subdistrict	Downtown Innovation Subdistrict	Downtown Innovation Subdistrict
<b>Land Use</b>	Office buildings	Office buildings and a restaurant as a mixed use	Federal building block with offices and post office	Office building and rental houses

## 2. Compatibility with Comprehensive Plan

### A. DOWNTOWN PLAN

The 2017 Downtown Plan (DTP) is an element of the Comprehensive Plan. It describes varying Subdistricts within Downtown, with the Canvas site in the Canyon Avenue Subdistrict. Canyon Avenue is a prominent feature of the west side of Downtown because of its special angled orientation which creates large 6-way intersections and triangular blocks. Office and financial uses are among the main uses existing and envisioned for the area.

The DTP mainly addresses topics related to potential future reimagining of the Canyon Avenue street itself, to capitalize on urban design opportunities created by the strong diagonal corridor link with the heart of Downtown.

The first goal listed for the Canyon corridor is “Increase Parking Throughout Corridor”. This is pertinent to the modification requested for the proposed Canvas development, which notes that parking is at a premium in the area.

Otherwise, the DTP mainly addresses potential for redevelopment for larger new multi-story buildings in the area, which is a key aspect of the subdistrict.

## 3. Land Use Code Article 2 – Applicable Sections

### A. DEVELOPMENT PLAN PROCEDURAL OVERVIEW

#### 1. Conceptual Review – CDR 210094

A conceptual review meeting was held on May 16, 2022.

#### 2. Neighborhood Meeting

Not required for this project and not held.

#### 3. Submittal

The project was submitted on May 27, 2022, and routed to all reviewing departments.

Four rounds of review – three revisions of the plans – followed the initial submittal.

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

Posted notice: June 3, 2022, Sign #685

Written notice: October 24, 2019, 451 letters sent.

## **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.

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

The applicant requests a modification of a parking requirement standard as described below.

The criteria for modification requests are in Land Use Code Division 2.8.2(H) 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 3.2.2(K)(2) Required Number of Parking Spaces

This subsection limits parking for financial services uses to a maximum of 3.5 spaces per 1,000 square feet of floor area.

The proposed building is 3,858 square feet, so in this case a maximum of 14 spaces is allowed under the standard.

The site has 33 existing parking spaces. The plan removes 13 of these spaces.

The request is to allow 20 existing spaces to remain, as opposed to blocking off or demolishing the paving of 6 more spaces. The spaces would not be needed or used for any other function.

### Summary of Applicant Justification

The applicant's modification request is attached. It explains that the modification would not be detrimental to the public good, and meets criteria (1) and (4) – “equal to or better than”, and “nominal and inconsequential from the perspective of the whole plan”.

### Staff Findings

Staff finds that the modification would not be detrimental to the public good, and meets criteria (1) and (4) -- “equal-to or better than” and “nominal and inconsequential from the perspective of the whole plan”.

**Not Detrimental to the Public Good.** Keeping 20 of the existing parking spaces will not negatively affect any notable public aspects of the development because the parking is well-assimilated into the context of the sidewalks and landscaping which will remain. In other words, its impacts are mitigated.

To the contrary, there is benefit to the public because the building includes a Community Room for meetings and events, and the parking supports that function. It *avoids* detriment to the public good by reducing pressure on street parking in the area, which is already at a premium as noted in the Downtown Plan as the first goal for the Canyon Avenue Subdistrict mentioned above.

Staff notes that the area is an area of focus for the City's Parking Services department in monitoring and managing street parking.

**“Equal or Better”.** There is no tangible function or visual benefit in removing parking, and there is tangible benefit in allowing the spaces to remain, as explained above.

**“Nominal and Inconsequential”.** The entire plan is an update of the existing credit union with no new negative impacts. The extent of parking will not be noticeable as being excessive, because it is fully assimilated into the urban context, and the plan reduces it.

Per the code criteria, staff believes the plan as submitted will provide sufficient functionality for the site versus demolition which would reduce parking to a bare minimum from the perspective of functionality. The

“excess” stalls will help in keeping Canvas customer parking on the site instead of competing for valuable public space.

## 4. Land Use Code Article 3 - Applicable Standards

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

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
<b>Landscaping and tree protection standards</b>  <b>Section 3.2.1</b>	<p>This Section requires a fully developed landscape plan that addresses relationships of landscaping to sidewalks, parking and walkways, the building, abutting properties, and users of the site in a manner appropriate to the neighborhood context.</p> <p>The plan provides the following main components:</p> <ul style="list-style-type: none"> <li>• A new street parkway with turfgrass and street trees.</li> <li>• Mulched planting beds around the building.</li> <li>• Parking lot landscaping, including perimeter screening.</li> <li>• Existing trees that are damaged and in poor condition are replaced per a tree inventory and mitigation plan.</li> <li>• All landscaping is coordinated with utilities throughout the entire site.</li> </ul>	Complies
<b>Access, circulation and parking standards</b>  <b>Section 3.2.2</b>	<p>This Section requires convenient, efficient parking and circulation that adds to the attractiveness of the development.</p> <ul style="list-style-type: none"> <li>• The plan provides walkways, a new driveway access on Meldrum St., and a clearly delineated parking lot layout in compliance with standards.</li> <li>• The plan includes a request for a Modification of a Standard for the number of existing parking spaces that is proposed to remain, as explained under the Land Use Code Article 2 heading previously in this report.</li> </ul>	Complies with one modification for subsection 3.2.2(K(2)).
<b>Bicycle parking:</b>  <b>subsection 3.2.2(c)(4) -</b>	<p>This subsection requires 4 bike parking spaces minimum based on the use and size of the building.</p> <ul style="list-style-type: none"> <li>• 5 spaces are provided in a fixed rack, and space is available in the vestibule and in several rooms within the building for one bicycle.</li> </ul>	Complies
<b>Site Lighting</b>  <b>Section 3.2.4</b>	<p>This Section sets limits for exterior lighting using technical parameters. Limits include 1) photometric parameters for light on the ground measured in footcandles, within the site and off-site as spillover, and 2) technical ratings for Backlight, Uplight and Glare (BUG).</p> <ul style="list-style-type: none"> <li>• The PDP includes a thorough detailed lighting plan that provides lighting within all limits.</li> </ul>	Complies
<b>Trash and Recycling</b>  <b>Section 3.2.5</b>	<p>This Section requires trash and recycling enclosures to be adequate, convenient, and accessible as appropriate for the proposed use.</p> <ul style="list-style-type: none"> <li>• A trash and recycling enclosure is provided. The design is complementary to the overall plan with matching brick masonry and metal doors.</li> </ul>	Complies

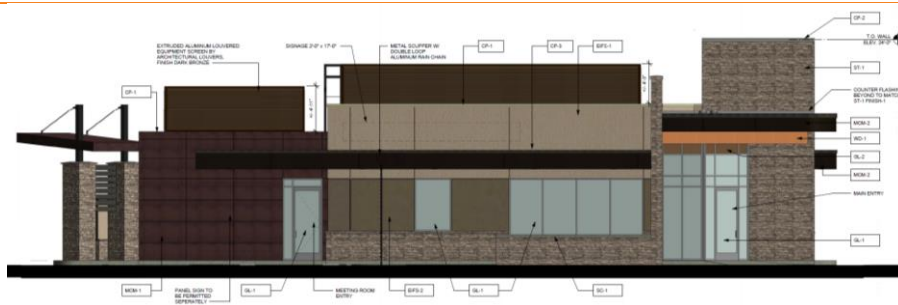
**B. DIVISION 3.3 - ENGINEERING**

<b>Applicable Code Standard</b>	<b>Summary of Code Requirement and Analysis</b>	<b>Staff Findings</b>
<b>Plats and Easements</b>  <b>Section 3.3.1</b>	This section requires dedication of rights-of-way for public streets and easements for drainage and utilities as needed to serve the development. <ul style="list-style-type: none"> <li>• Easement dedications are provided with the plan as needed.</li> </ul>	Complies

**C. DIVISION 3.5 - BUILDINGS**

<b>Applicable Code Standard</b>	<b>Summary of Code Requirement and Analysis</b>	<b>Staff Findings</b>
<b>Building and Project Compatibility</b>  <b>3.5.1</b>	This Section requires the physical and operational characteristics of proposed buildings and uses to be compatible when considered within the context of the surrounding area.  The context of the surrounding area comprises a wide range of buildings of different scales, styles, materials, vintages, and character generally. The context currently include the existing building on the site as well.  Staff finds the plan to be compatible given the history of compatibility of the current Canvas building and site; and the forms and materials being consistent with other buildings in the area.	Complies
<b>Commercial Buildings</b>  <b>Section 3.5.3</b>	This Section promotes the design of an urban environment that is built to pedestrian scale.  Standards require buildings to be placed in direct relation to street sidewalks to establish attractive street fronts and walkways with no intervening parking lots or drives; building design with variation in massing; base and top treatments; building façade articulation; and clearly defined entrances. <ul style="list-style-type: none"> <li>• The plan places the building alongside the Meldrum sidewalk with direct walkway access to both the meeting room and the main entry without crossing any vehicular use areas.</li> <li>• The entries are covered with projecting roof elements that shelter and define them, with greater enhancement to define the main entry.</li> <li>• Massing is highly articulated and reinforced by varied materials including stone, architectural metal panels, and synthetic stucco.</li> </ul>	Complies





The applicants provide an explanation of their intent for the degree of massing variation and material variation:

*The color palette was selected to represent the natural aspects of the state. The overall building has a singular mass with the Zebrawood metal panels (dark brown). The entry elements are stacked with stone creating a defining vertical element. Along with the Zebrawood panels, these two elements ground the building and anchor the entry and Community spaces. The intent is to include the fenestration in the darker EIFS banding and to top it with the lighter EIFS. We believe the articulation of all these elements and colors create the impression of a Grounded / Anchored financial institution, that is Colorado / Native, while allowing the building as a whole to feel integrated into the neighborhood due to its 'lightness'.*

**D. DIVISION 3.6 - TRANSPORTATION & CIRCULATION**

<b>Applicable Code Standard</b>	<b>Summary of Code Requirement and Analysis</b>	<b>Staff Findings</b>
<p><b>Streets, Streetscapes, and Easements</b>   <b>Section 3.6.2</b></p>	<p>This Section contains requirements for street system design including conformance with the <i>Larimer County Urban Area Street Standards (LCUASS)</i> for street design including streetscapes. It also requires easements for utilities, access, drainage or other public purposes as required by the City Engineer.</p> <p>Because the street system and streetscapes are established and will remain, the only pertinent standards require replacement of any damaged curb, gutter and sidewalk, whether existing or due to construction activity.</p> <ul style="list-style-type: none"> <li>• The plan includes notes to assure repair of any damage.</li> <li>• The plan includes needed easements for utilities and drainage.</li> </ul>	<p>Complies</p>
<p><b>Transportation Level of Service</b>   <b>Section 3.6.4</b></p>	<p>This Section requires a Transportation Impact Study (TIS) unless the proposed development is deemed to have a nominal impact, in which case a TIS may be waived by the Traffic Engineer and a memo on traffic impacts may be provided in lieu of a TIS.</p> <ul style="list-style-type: none"> <li>• A letter was provided and accepted by Traffic Operations staff.</li> <li>• The letter analyzes the impacts of replacing a 5,300 sq. ft. bank with 3 drive-thru lanes with a 3,858 sq. foot bank with 3 drive-thru lanes.</li> <li>• It concludes that the impact is less than the current land use and no further analysis is necessary.</li> </ul>	<p>Complies</p>
<p><b>Emergency Access</b>   <b>Section 3.6.6</b></p>	<p>This Section is to ensure that emergency vehicles can gain access to and maneuver within the project so that emergency personnel can provide fire protection and emergency services without delays.</p> <p>Staff finds that the streets provide adequate emergency access.</p>	<p>Complies</p>

**5. Land Use Code Article 4 – Applicable Standards:**

**A. SUMMARY**

Article 4 of the Land Use Code contains standards for the various zoning districts throughout the City. The subject property is zoned Downtown (D), Division 4.16 of the Land Use Code.

The Downtown Zone District is divided into subdistricts, with the subject site being within the Canyon Avenue Subdistrict. The overall Downtown zone is intended to encourage a mix of activity in the area while providing for high quality development that maintains a sense of history, human scale and pedestrian-oriented character.

**B. DIVISION 4.16 – DOWNTOWN DISTRICT (D)**

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
<b>4.16 (B) Street Frontage Types</b>	<p>The Downtown Zone District has a map that defines Street Frontage Types on a street-by-street basis (Figure 18.1).</p> <p>The map is then followed by a table with requirements for the street Frontage Types (Figure 18.2). Standards in the table address:</p> <ul style="list-style-type: none"> <li>• Setback metrics measured from back of curb to building</li> <li>• Sidewalk configuration</li> <li>• 'Build-To Range' metrics measured from the setbacks</li> <li>• Primary building entrance location</li> <li>• Clearly defined primary building entrance that faces both streets by facing north toward the point of the triangular block.</li> <li>• Authentic durable high quality ground floor architectural materials</li> <li>• At least 25% window area along the ground floor</li> </ul> <p>In this case, the site has two Frontage Types -- 'Green Edge' along Meldrum Street and 'Mixed Use' along Canyon Avenue.</p> <p>Staff finds that the plan provides the required dimensions and features, with the caveat that the applicants and staff do not understand the Build-To Range standard well enough to determine how it would be possible for any plan to comply with the stated metrics. This is explained further on the next page.</p> <p>Rather, staff finds that the proposed plan meets the intent of the Street Frontage standards for buildings to be placed to provide architectural presence along the streets, with landscaping between buildings and sidewalks in the 'Green Edge' and 'Mixed Use' Street Frontage Type areas.</p> <p>Staff considered whether a Modification of Standards should be included to address the inability to find compliance with the metrics. But because it is unclear what compliance would look like, staff is proposing to simply find compliance with the apparent intent.</p> <p>In this case, the building placement is determined by the established infrastructure so that the new building is in essentially the same location on the site as the existing building to be removed.</p> <p>Staff would support this placement regardless of interpretation of the metrics.</p>	Complies

**Block Frontage Build-To Range Metrics – Further Explanation.**

In the 'Green Edge' Frontage Type, metrics require a minimum building Setback of 24 feet; and then also require the building to be placed in a 'Build-To Range' measured 10-20 feet from the setback, for 50% of the Block Frontage. I.e., the building would have to be placed between 34 and 44 feet from the back of curb for 50% of the Block Frontage.

In the 'Mixed Use' Frontage Type the minimum building setback is 19 feet, and the required 'Build-To Range' 5-10 feet measured from the setback for 75% of the Block Frontage.

The intent of stating both a 24-foot setback and a Build-To requirement measured from the setback has not been understood.

Similarly, the intent for 50% of the Block Frontage metric has not been understood—typically that would refer to the length of a block face bounded by streets.

Staff will propose a code revision to clarify the intent and the metrics as part of the Land Use Code maintenance and update process.

## 6. Findings of Fact/Conclusion

In evaluating the request for the Canvas Credit Union Final Development Plan # PDP190009, staff makes the following findings of fact:

1. The PDP complies with process requirements located in Division 2.2 – Common Development Review Procedures for Development Applications of Article 2 – Administration.
2. Staff supports the Modification of a Standard for subsection because it would not be detrimental to the public good and meets criteria 2.8.2(H) (1) and (4).
3. The PDP complies with relevant standards located in Article 3 – General Development Standards with the modification mentioned above.
4. The PDP complies with pertinent standards located in Division 4.16, Downtown Zone District in Article 4.

## 7. Recommendation

Staff recommends that the Hearing Officer approve the Modification of a Standard for subsection 3.2.2(K)(2), recommends approval of Canvas Credit Union #FDP#220009 based on the Findings of Fact and supporting explanations found in the staff report.

## 8. Attachments

1. Plan Set with all Plans
2. Modification Request – Number of Parking Spaces
3. Traffic Letter