

**CITY OF FORT COLLINS  
TYPE 1 ADMINISTRATIVE HEARING**

**FINDINGS AND DECISION**

HEARING DATE: May 4, 2023

PROJECT NAME: Rudolph Farms Infrastructure Project

CASE NUMBER: FDP 220010

APPLICANT Bill Maher  
REPRESENTATIVE: Norris Design  
244 N College Avenue #150  
Fort Collins, CO 80524

OWNER: PNE Prospect Road Holdings LLC  
900 Castleton Road Ste 118  
Castle Rock, CO 80109

HEARING OFFICER: Lori Strand

**PROJECT DESCRIPTION & BACKGROUND:** The Rudolph Farms Infrastructure Project consists of the construction and installation of streets, bridges, utilities, landscaping along roadways and within certain public areas, regional trail connections, a local trail spur, and stormwater and drainage improvements, and the establishment of natural habitat buffer zones within a 115-acre area generally located at the northeast corner of Interstate 25 and East Prospect Road (the “**Project**”). The 115-acre area includes parcel numbers 8715300008, 8715300012, 8715000009, 8715300013, 8715300010, and 8715300009, and is addressed 1100 SE Frontage Road (the “**Property**”).

The Property is zoned Urban Estate (UE), General Commercial (CG), and Industrial (I). All three zone districts require Administrative (Type 1) Review to establish a “minor public facility” use. *See* City of Fort Collins Land Use Code (“**LUC**”) §§ 4.2(B)(2)(b)1, 4.21(B)(2)B, and 4.28(B)(2)(b)2, respectively. The Project includes an interconnected series of stormwater drainageways and detention ponds that will serve the public roadway infrastructure proposed for the Property. These stormwater improvements will be constructed within tracts (as depicted on the utility plans and subdivision plat for the Project) and are considered “minor public facilities”; as such, Administrative (Type 1) Review of the consolidated project development plan and final plan for the Project (the “**Application**”) is required.

The Property is subject to the Prospect / I-25 Overall Development Plan which was originally approved in 1996 and subsequently amended in 2021 and 2023.

Contemporaneously with the Application, Applicant is seeking the City’s approval of the Rudolph Farm subdivision plat to establish 13 lots, rights-of-way, and 17 tracts for open space, drainage, utility, and access purposes.

No occupied structures are being proposed as part of the Project.

The surrounding zoning and land uses are set forth below:

	North	South	East	West
<b>Zoning</b>	Low Density Mixed Use Neighborhood (LMN)	Larimer County	Kitchell Estates, County R-2 zoning	General Commercial
<b>Land Use</b>	Fox Grove single-family detached residential subdivision.	Outdoor Storage	Large lot single-family detached dwellings	Interstate 25

There are *no* requests for modifications of standards or for alternative compliance.

Additional background on the Project and analysis of its compliance with the LUC are provided in the Development Review Staff Report, a copy of which is attached to this decision as **ATTACHMENT A** (the “**Staff Report**”) and is incorporated herein by reference.

The Staff Report recommends approval of FDP220010 with one condition.

**SUMMARY OF DECISION:**    Approved with one condition.

**ZONE DISTRICTS:** Industrial (I), General Commercial (CG), Urban Estate (UE)

**HEARING:** This matter was heard as an Administrative (Type 1) Review virtual hearing conducted on Thursday, May 4, 2023. The Hearing Officer opened the virtual hearing at approximately 5:30 P.M and reviewed the Rules of Conduct and Order of Proceedings with Applicant and other attendees of the virtual hearing.

EVIDENCE: Prior to or at the hearing, the Hearing Officer accepted the following documents as part of the record:

1. The Staff Report (18 pages). The Staff Report includes staff's analysis of the Project against applicable criteria of the LUC, and concludes that all criteria are met *except that* several outside approval agencies have provided letters of intent or preliminary approval of the Project as shown in the Application but, along with certain City departments, have not finally determined that the Project complies with applicable design standards, requirements, and specifications as required by LUC § 3.3.5. The Staff Report recommends a condition of approval to ensure LUC § 3.3.5 is met prior to recordation of the final plan for the Project.
2. Applicant's Project Narrative (1 page).
3. Landscape Plan (27 sheets).
4. Utility, Canal Culvert, Grading, Rain Garden, Street, Detail, and Drainage Plans (152 sheets).
5. Rudolph Farm subdivision plat (8 sheets).
6. Final Drainage Report for Rudolph Farm by Northern Engineering, dated February 21, 2023 (293 pages) documenting stormwater impacts associated with the Project. The report concludes, among other things, that: the drainage design for the Project complies with the City of Fort Collins Stormwater Criteria Manual, the Timnath Stormwater Master Plan, and the Mile High Flood Control District Criteria Manual; the floodplains associated with the Property will not be altered by the Project; and the Project's drainage and stormwater management measures comply with all applicable state and federal regulations governing stormwater discharge.
7. Letter from SWCA Environmental Consultants to Kirk Longstein, Senior Environmental Planner, City of Fort Collins, dated March 31, 2023 (1 page), summarizing the prairie dog removal and mitigation measures planned for the Project which include non-lethal removal as the preferred option and lethal removal with payment-in-lieu fee for eradication as the alternative option.
8. Canal Buffer Mitigation Exhibit, dated January 2023 (1 page).
9. Letter from City of Greeley Water and Sewer Department, dated March 10, 2023 (1 page), confirming that Greeley finds the general concept and approach for the Project acceptable and stating that remaining items can be worked out prior to final approval of construction drawings. The letter also states that Greeley will require a crossing agreement [for the Project's water and sewer lines to cross Greeley's water line] prior to final approval.
10. Letter of Intent from Lake Canal Company of Colorado to Brandy Bethurem Harras, City of Fort Collins, dated March 9, 2023 (1 page), confirming that the company is working with Applicant toward mutual acceptance of the plans and engineering for the ditch crossings, encroachments, and responsibilities for maintenance, repair, and replacement of the ditch through the Property. The company confirmed it agrees with the Project moving forward with the development process, noting that its final acceptance will be in the form of fully executed crossing, discharge, and/or maintenance agreements.
11. Letter from New Cache Reservoir Company (a.k.a. Timnath Reservoir Inlet Canal), dated March 14, 2023 (1 page), confirming that the company finds the general concept and approach for the Project acceptable and stating that remaining items

- can be worked out prior to final approval of construction drawings. The letter also states that the company will require crossing agreements and a discharge agreement prior to final approval.
12. Email from Boxelder Sanitation District to Andy Reese, Kimley-Horn, dated May 4, 2023 (1 page), stating that the district has reviewed the fifth round of drawings for the Project and all remaining issues are minor in nature and that the district has no objections with Applicant proceeding with the City review process.
  13. Email from East Larimer County Water District to Andy Reese, Kimley-Horn, dated May 3, 2023 (1 page), stating that the district has reviewing the fifth round of drawings for the Project and all remaining issues are minor in nature and that the district has no objections with Applicant proceeding with the City review process.
  14. Letter from Erick M. Fuhrman, Town Engineer of the Town of Timnath, dated March 24, 2023 (1 page), stating that the Town has reviewed the plans and reports for the Project for compliance with the Town's Drainage Master Plan and that modeling provided by Applicant addresses the Town's concerns. The letter states that as long as said modeling is incorporated into the final documents for the Project, the documents will comply with the Town's Project Master Plan. The letter states that the Town had no objection to the Project proceeding through the City's public hearing process.
  15. Legal descriptions and depictions of four proposed easement areas (8 pages in total). Related easement agreements or other details regarding the easements (including purposes and grantors) are not included in the record.
  16. Unexecuted Prospect / I-25 Overall Development Plan 2<sup>nd</sup> Amendment for the Property, dated January 1, 2023 (the "**ODP**").<sup>1</sup>
  17. Ecological Characterization Study for the Northeast Prospect and I-25 Mixed-Use Development Project, Larimer County, Colorado, dated May 2022, prepared by SWCA Environmental Consultants (the "**Project ECS**") (38 pages). The study was required due to the Project's proximity to Boxelder Creek, Lake Canal, and the Cache la Poudre Inlet Ditch, which are defined natural habitats and features of the City. The study states that it was based on conceptual development plans for a mixed-use development consisting of residential, commercial, and retail infrastructure on approximately 83 acres of currently undeveloped land and prepared in accordance with LUC §3.4.1(D)(1).
  18. Applicant Administrative Hearing Presentation (13 slides).
  19. Staff Administrative Hearing Presentation by Kai Kleer, Fort Collins City Planner (17 slides).
  20. Confirmation of Publication of Notice of Hearing (Ad# 0005679529) published on April 27, 2023 in *The Coloradoan* (1 page).
  21. Copy of Written Notice of Virtual Public Hearing dated April 19, 2023 (2 pages).
  22. Email from Katie Claypool to Hearing Officer, dated May 4, 2023, with list of Applicant representatives to be in attendance during May 4<sup>th</sup> virtual hearing (4 pages).

---

<sup>1</sup> Kai Kleer, Senior City Planner, testified during the virtual hearing that the unexecuted version of the ODP provided in the packet is the finally-approved 2<sup>nd</sup> amendment to the ODP and that City staff determined that the Application complies with the ODP.

23. Email correspondence between Hearing Officer and Kai Kleer, dated May 1, 2023 through May 4, 2023 regarding additional information on scope of project subject to Administrative (Type 1) Review and referral agency comments (4 pages).
24. Administrative (Type 1) Order of Proceedings and Rules of Conduct.
25. The City's Comprehensive Plan, the Land Use Code, and the formally promulgated ordinances and polices of the City are all considered part of the record considered by the Hearing Officer.

TESTIMONY: The following persons provided testimony during the May 4<sup>th</sup>, 2023 virtual hearing:

From the City: Kai Kleer, Senior City Planner  
 Steve Gilchrist, City Traffic Operations  
 Kirk Longstein, City Environmental Planner

From Applicant: Bill Maher, Norris Design  
 Savanah Benedick-Welch, Norris Design  
 Clint Hinebaugh, SWCA Environmental Consultants  
 Andy Reese, Kimley-Horn  
 Ruth Rollins, Traffic Engineer

From the public: Pete Adams  
 Alexander Clayton  
 Christopher Kavanagh  
 Kira Schmitt  
 Tim Connors

The virtual public hearing on Rudolph Farms Infrastructure Project FDP 220010 was opened at approximately 5:30 P.M. The public comment portion of the hearing was opened at approximately 6:25 P.M. The public hearing on the Project was closed at approximately 7:20 P.M.

#### FINDINGS

1. Evidence presented to the Hearing Officer established the fact that notice of the virtual public hearing was properly posted, mailed, and published.
2. Based on testimony provided at the public hearing and a review of the materials in the record of this case, the Hearing Officer concludes as follows:
  - A. The Application complies with the applicable procedural and administrative requirements of Article 2 of the Land Use Code.
  - B. The Application complies with the applicable General Development Standards set forth in Article 3 of the LUC *except that* several outside approval agencies and City departments have not finally determined that the Project complies with applicable design standards, requirements, and specifications as required by LUC § 3.3.5.

- C. Subsections 3.4.1(E) and (N) of the LUC require Hearing Officer approval of natural habitat buffers and limits of development, respectively. Note 9 of the ODP states that the ODP shows the general location and approximate size of all natural areas, habitats and features within its boundaries and the proposed rough estimate of the natural area buffer zones required by Subsection 3.4.1(e) of the LUC. Note 9 further states that detailed mapping of a site's natural areas, habitats and features will be provided at the time of individual project development plan submittals. Per Section 3.4.1 of the LUC, an ecological characterization study was required for the Project; the Project ECS (referenced above as document #17) was prepared by Applicant and submitted as required by Section 3.4.1. The plan documents for the Project (including those referenced above as documents #3 and #4) and the Project ECS show a 100-foot natural habitat buffer along Boxelder Creek and 50-foot natural habitat buffers along Lake Canal and the Cache la Poudre; these distances comply with the buffer zone distances set forth in the “Buffer Zone Table” in Section 3.4.1. The plan documents and Project ECS also establish a temporary limit of disturbance buffer from one active red-tailed hawk nest in accordance Subsection 3.4.1(N)(5)(c). The Hearing Officer finds that the natural habitat buffers and temporary limit of disturbance buffer as shown in the plan documents comply with the LUC and ODP requirements.
- D. The Application complies with the applicable Industrial (I), General Commercial (CG), and Urban Estate (UE) zone district standards contained in Article 4 of the LUC.
- E. The Application complies with the Prospect / I-25 Overall Development Plan 2<sup>nd</sup> Amendment.
- F. The Application’s satisfaction of the requirements of LUC Articles 2, 3, and 4 and the ODP is sufficiently documented in the Staff Report and by the testimony of City staff and Applicant’s representatives during the May 4<sup>th</sup>, 2023 virtual hearing.

### DECISION

Based on the findings set forth above, the Hearing Officer hereby approves the Application, including the natural habitat buffers and temporary limit of disturbance buffer as shown in the plan documents, subject to the following condition of approval:

- A. Prior to recordation of the final plan documents for the Project, Applicant shall demonstrate to the satisfaction of the City of Fort Collins Community Development and Neighborhood Services Department (the “**Department**”) that the Project complies with all applicable design standards, requirements, and specifications as required by Section 3.3.5 (Engineering Design Standards) of the LUC. Without limiting the foregoing, Applicant shall provide written documentation in a form satisfactory to the Department from Eastern Larimer County Water District, Boxelder Sanitation District, the City of Greeley, Lake Canal Company of Colorado, the Town of Timnath, the City of Fort Collins Light & Power, and the City of Fort Collins Stormwater and Engineering Services departments that such entities

and City departments have approved final engineering and construction plans and any crossing, discharge, and/or easement agreements required by such entities and departments.

DATED this 16<sup>th</sup> day of May, 2023.

*Lori Strand*

---

Lori Strand  
Hearing Officer

**ATTACHMENT A**

Development Review Staff Report



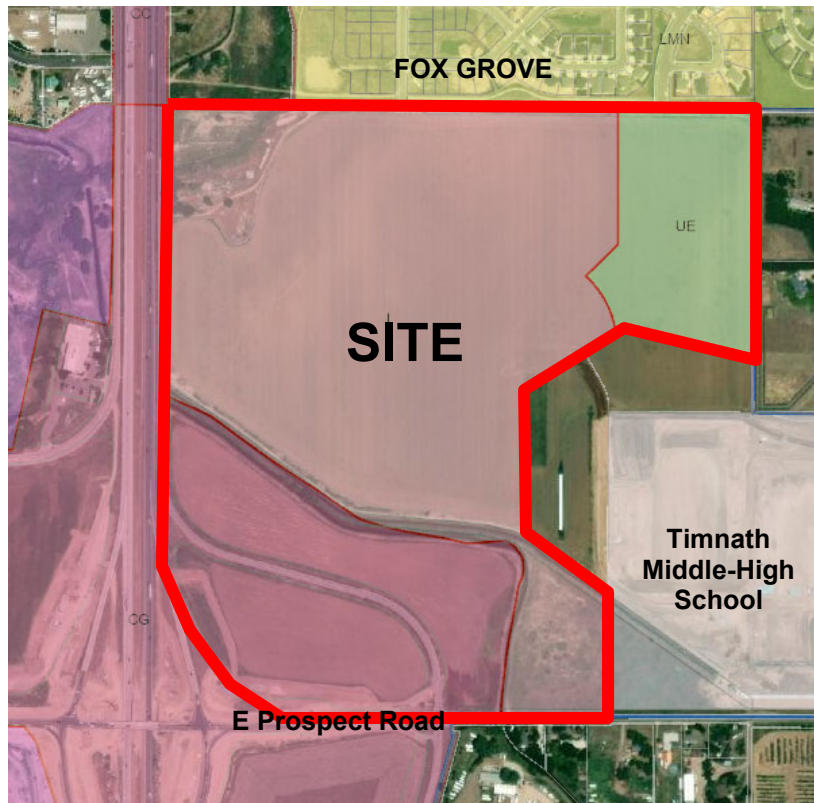
Administrative Hearing – May 4, 2023

## Rudolph Farms Infrastructure Project, FDP220010

### Summary of Request

This is a request to establish minor public facilities as part of an infrastructure project at the NE corner of Prosect and I-25, parcel numbers 8715300008, 8715300012, 8715000009, 8715300013, 8715300010, and 8715300009 addressed as 1100 SE Frontage Road. The proposal includes an infrastructure plan with a road network, landscaping, preliminary drainage, and utilities. This project is located within the Industrial (I), General Commercial (CG) and Urban Estate (UE) Zone districts and is subject to a Type 1 Development Review.

### Zoning Map



### Next Steps

If approved, the applicant will be required to submit plans that satisfy the recommended condition prior to recordation of Final Plan documents.

### Site Location

This site is located at the NE corner of Prosect and I-25, parcel numbers 8715300008, 8715300012, 8715000009, 8715300013, 8715300010, and 8715300009 addressed as 1100 SE Frontage Road.

### Zoning

Industrial (I), General Commercial (CG), and Urban Estate (UE)

### Property Owner

PNE Prosect Road Holdings LLC  
900 Castleton Road Ste 118  
Castle Rock, CO 80109

### Applicant/Representative

Bill Mahar  
Norris Design  
244 N College Avenue #150  
Fort Collins, CO 80524

### Staff

Kai Kleer, Senior City Planner

### Contents

1. Project Introduction .....	2
2. Public Outreach .....	3
3. Article 2 – Applicable Standards .....	3
4. Land Use Code Article 3 .....	4
5. Land Use Code Article 4 .....	11
6. Findings of Fact/Conclusion .....	13
7. Recommendation .....	18
8. Attachments .....	18

### Staff Recommendation

Conditional Approval

# 1. Project Introduction

## A. PROJECT DESCRIPTION

- This is a proposal to construct streets, bridges, utilities, natural habitat buffer zones, landscaping, regional trail connection, local trail spur, and drainage facilities within a 115-acre area located at the northeast corner of I-25 and East Prospect Road.
- The project also proposes creating a 13-lot subdivision with no associated land uses proposed.
- If constructed, this project would provide minor public facilities to support the construction of the public roadway network and additional support infrastructure that would support future development within the boundary of the development plan. So far, conceptual site plans for a car wash, industrial spec building, and self-storage facility have been presented to the City of Fort Collins for preliminary review.
- The project is the first phase of the 2023 Prospect/I-25 Overall Development Plan.

## B. SITE CHARACTERISTICS

### 1. Development Status/Background

The property has historically been used for dry-land farming and remains undeveloped. The subject property was annexed into the City of Fort Collins as part of the Galatia Annex in 1991. The original annexation and zoning of the property was part of Annexation Ordinance 131, 1990 and was approved by City Council on January 15, 1991.

In 1996 an Overall Development Plan (ODP) was approved and later amended in 2021 and 2023. The ODP is intended to provide a general framework of streets, paths, drainage facilities, and natural habitat features for developments that are anticipated to build out over multiple phases. A copy of the 2023 Overall Development Plan can be found attached to this report.

The site is part of the approved Rudolph Farm Metro District. More information can be found by visiting, <https://www.fcgov.com/business/metro-districts>.

### 2. Surrounding Zoning and Land Use

	North	South	East	West
<b>Zoning</b>	Low Density Mixed Use Neighborhood (LMN)	Larimer County	Kitchell Estates, County R-2 zoning	General Commercial
<b>Land Use</b>	Fox Grove single-family detached residential subdivision.	Outdoor Storage	Large lot single-family detached dwellings	Interstate 25

## 2. Public Outreach

### A. PUBLIC COMMENT

City staff has received a comment expressing the desire for the Vixen and Carriage Parkway to connect into E Prospect Road.

## 3. Article 2 – Applicable Standards

### A. DIVISION 2.2 – PROCEDURAL OVERVIEW

#### 1. Neighborhood Meeting – Not Applicable

Because this project is subject to a Type 1 (Administrative Hearing) a neighborhood meeting is not required and was not held for this project.

#### 2. First Submittal – FDP220010

The first submittal of this project was completed on May 27, 2022.

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

Posted Notice: June 3, 2022, Sign # 597

Published Hearing Notice: April 27, 2023 – AD# 0005679529

**4. Land Use Code Article 3**

**A. DIVISION 3.3 – ENGINEERING STANDARDS**

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
<b>3.3.1(C) – Public Sites, Reservations and Dedications.</b>	<p>An applicant shall be required to dedicate rights-of-way for public streets, drainage easements and utility easements as needed to serve the area being developed and/or platted. In cases where any part of an existing road is abutting or within the tract being developed and/or subdivided, the applicant shall dedicate such additional rights-of-way as may be necessary to increase such roadway to the minimum width required under this Land Use Code for such street.</p> <p>This project proposes a comprehensive network of streets, drainageways, and access and utility easements that will serve future and abutting development within the area. The extension of Carriage Parkway and Vixen Drive will be part of the public street system while all other infrastructure will be owned and maintained by the associated metro district. Areas of the site abutting East Prospect Road provide additional right-of-way to comply with current road design standards.</p>	Complies
<b>3.3.5 – Engineering Design Standards</b>	<p>The project must comply with all design standards, requirements, and specifications for the following services as certified by the following agencies:</p> <p><b>Water Supply: Eastern Larimer County Water District (ELCO)</b></p> <p>Eastern Larimer County Water District has reviewed the proposed plan and indicates that the proposed water services lines will need to cross the City of Greely’s 60” water line, Lake Canal, and Timnath Reservoir Inlet Canal.</p> <p>The crossings will require permits and agreements that will be the responsibility of the developer. Letters of intent have been received by all respective parties which preliminarily agree with the proposed crossings and will require final engineering prior to recordation of Final Plan. ELCO has provided a letter of support that can be found attached to this report.</p> <p><b>Sanitary Sewer: Boxelder Sanitation District</b></p> <p>Similarly to Eastern Larimer County Water District, the Boxelder Sanitation District has reviewed the proposed plan and indicates that the proposed sewers will need to cross the City of Greely’s 60” water line, Lake Canal, and Timnath Reservoir Inlet Canal. The crossings will require permits and agreements that will be the responsibility of the developer. Letters of intent have been received by all respective parties which preliminarily agree with the proposed crossings and will require final engineering prior to recordation of Final Plan. Boxelder Sanitation District has provided a letter of support that can be found attached to this report.</p>	Condition Recommended

**Mass Transit – City of Fort Collins Transportation Planning (FC Moves)**

The project proposes the construction of Carriage Parkway which is identified as a 2-lane collector street on the City’s Master Street Plan. Carriage Parkway will eventually become a future transit route according to the 2019 Fort Collins Transit Master Plan. FC Moves has reviewed the project and anticipates the construction of bus stations when future development happens.

**Fire Protection: Poudre Fire Authority**

All proposed street travel lanes and fire hydrants are within the specifications of Poudre Fire Authority.

**Flood Hazard Areas: City of Fort Collins Floodplain Division**

All floodplains and floodways have been depicted on the plans in accordance with Floodplain standards.

**Walks/Bikeways: City of Fort Collins Parks Department**

The project proposes a private walkway system that fulfills the recommendations in the North Front Range Metropolitan Planning Organization’s Regional Active Transportation Corridor. These improvements include a multi-modal path on the west side of the site, a reserved area for future I-25 underpass, and connection into the Fox Grove trail system on the northwest side of the site. Secondary local pathways provide direct connection from the regional trail spur to the Poudre School District Timnath Middle/High School site.

**Irrigation Companies: Lake Canal, Timnath Reservoir Inlet Canal aka New Cache Reservoir Company.**

Both irrigation companies have reviewed and provided a letter of intent that generally agrees with the proposed improvements to the site. Prior to recording the final plan these agreements will need to be fully executed. Each respective party will be a signatory on the plat and utility plan.

**Electricity: City of Fort Collins Light & Power**

City of Fort Collins Light and Power has reviewed the streetlight and underground infrastructure proposed to serve future development within the area and agrees with the technical design proposed. Light and Power will require crossing agreements prior to the recordation of Final Plan. A letter of intent from each respective party can be found attached to this report.

**Storm Drainage: City of Fort Collins Stormwater, Town of Timnath, and New Cache Irrigation Company**

This project is proposing to outfall into the Timnath Reservoir Inlet Canal (TRIC). Downstream improvements to the TRIC are needed prior to approval. Prior to final recording the project will be required to provide fully engineered plans that include on-site and off-site improvements to allow for this design. Each respective party will be a signatory on the plat and utility plan.

**Streets/Pedestrians: City of Fort Collins Engineering Services**

All streets are generally designed to the specifications of Larimer County Urban Area Street Standards. City of Fort Collins Engineering Services will require several technical corrections prior to Final Plan approval. These technical corrections will include but are not limited to:

- Redesign of the future south flowline for Prospect Road so that all design elements meet minimum LCUASS criteria, or a variance request approved by the City Engineer prior to recording.
- Provision of the ultimate Prospect Road four-lane arterial design, including ultimate cross sections.
- Removal of irrigation easements from the plat.
- Revisions to the utility plans that reflect the approved variance for utility depth.
- Addition of a note to the utility plans stating that the pavement will be reinforced at the two locations where a utility depth variance was approved, and that the detailed design for the pavement reinforcement will be addressed in the pavement report prior to construction.

Staff recommends that prior to recordation of Final Plan documents that all design standards, requirements, and specifications shall be met in accordance with each reviewing agency.

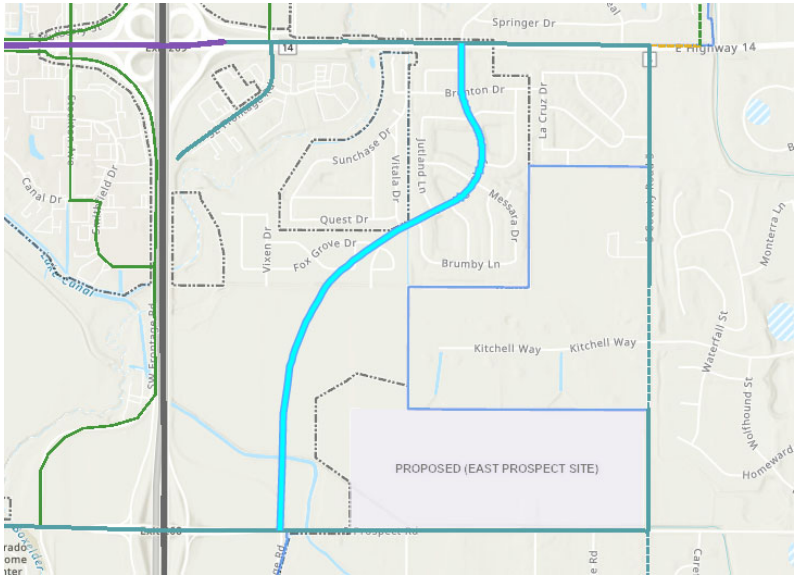
## B. DIVISION 3.4 – CULTURAL RESOURCE PROTECTION STANDARDS

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
<b>3.4.1 – Natural Habitats and Features</b>	<p>The General Standard requires, to the maximum extent feasible, the development plan 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.</p> <p>As part of the project an Ecological Characterization Study was completed. This study identified a red-tailed hawk nest, three prairie dog colonies, Boxelder Creek, Lake Canal, and Timnath Reservoir Inlet Canal as natural resources within the site.</p> <p>The applicant proposes meeting LUC 3.4.1 (E) performance standards by the following measures:</p> <ul style="list-style-type: none"> <li>• A prairie dog mitigation plan that provides options for lethal and non-lethal removal should construction happen. A prairie dog memo can be found attached to this report.</li> <li>• Conducting a burrowing owl survey prior to construction.</li> <li>• Provide an adaptive management plan, restoration plan, a weed management plan and a monitoring plan to accompany the mitigation summary exhibit attached to the landscaping plan.</li> <li>• Preservation of an existing tree that contains a red-tailed hawk.</li> </ul>	Complies
<b>3.4.8 – Parks and Trails</b>	<p>All development plans shall provide for, accommodate, or otherwise connect to, either on-site or off-site, the parks and trails identified in the Parks and Recreation Policy Plan Master Plan that are associated with the development plan.</p> <p>As mentioned earlier in the report, the plan is providing a regional trail spur along the west side of the site, a local trail that follows the north side of the Lake Canal, and easement for a future I-25 underpass, and greater sidewalk widths along Prospect Road. These elements fulfill the requirements of the Parks and Trails Master Plan as well as the recommendations from the North Front Range Metropolitan Planning Organizations Active Modes Plan.</p>	Complies

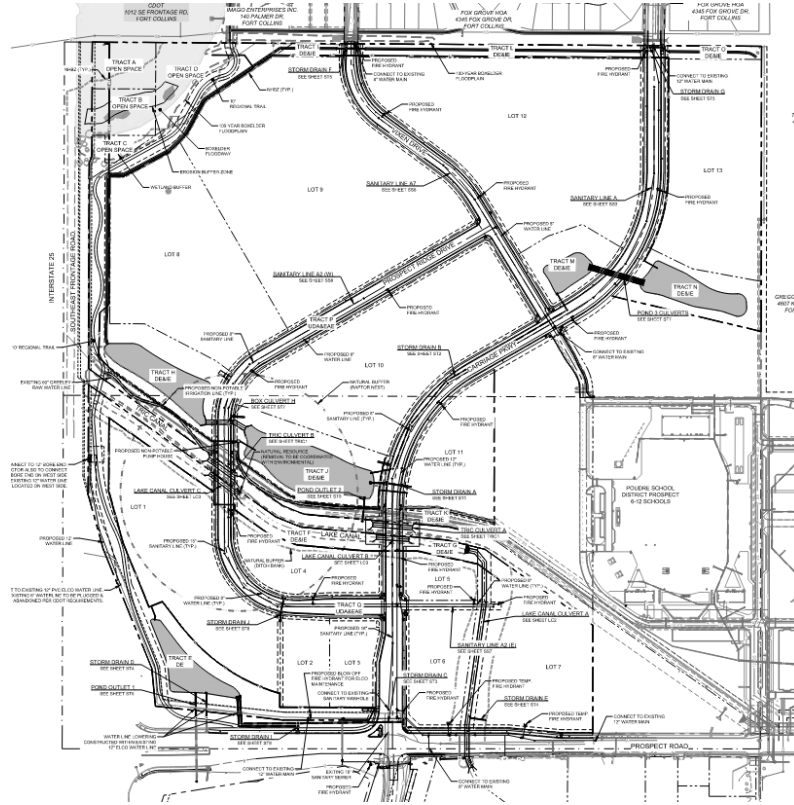


### C. DIVISION 3.6 – TRANSPORTATION & CIRCULATION

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
<p><b>3.6.1 – Master Street Plan</b></p>	<p>All development plans shall provide for or accommodate the streets and transportation facilities identified on the Master Street Plan that are associated with the development plan.</p> <p>The project demonstrates compliance with the Master Street Plan by providing the extension of Carriage Parkway. Carriage Parkway is depicted as a 2-lane Collector and can be seen in the image below.</p> 	<p>Complies</p>
<p><b>3.6.2 - Streets, Streetscapes, Alleys, and Easements</b></p>	<p>Public streets, public alleys, private streets, street-like private drives and private drives shall be designed and implemented in a manner that establishes a transportation network that protects the public health, safety, and welfare. Rights-of-way and/or easements for the transportation system shall be sufficient to support the infrastructure being proposed. The transportation network shall clearly identify construction and maintenance responsibilities for the proposed infrastructure. All responsibilities and costs for the operation, maintenance, and reconstruction of private streets, street-like private drives 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>The project proposes a framework of both public and private streets which include Vixen Drive and Carriage Parkway (public) and Prospect Ridge Drive (private). In addition to the creation of a public/private street system the project will also improve the section of E Prospect Road that borders the southern portion of the site.</p>	<p>Complies</p>



All streets have been reviewed by engineering services and meet all applicable design requirements of Larimer County Urban Area Street Standards.



**3.6.3 – Street Pattern and Connectivity Standards**

The local street system of any proposed development shall be designed 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). The local street system shall provide multiple direct connections to and between local destinations such as parks, schools and shopping. 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 neighborhood.


The project provides a high level framework of public and private streets for future development. The street system provides intra and inter-neighborhood connections to knit development together and extend the existing street network into and through the site. The plan provides a vehicular connection into the Poudre School District site as well as a stubbed trail connection that runs along the north side of the canal.

The local street system will need to be further developed for Lots 8,9,10,12, and 13 and will be reviewed under future Project Development Plan submittals.

Complies

### D. 3.9 DEVELOPMENT STANDARDS FOR THE I-25 CORRIDOR

The purpose of this Section is to provide standards to implement the model standards outlined in the "Development Standards for the I-25 Corridor" and the "Fort Collins I-25 Corridor Subarea Plan," in addition to the standards contained elsewhere in this Land Use Code.

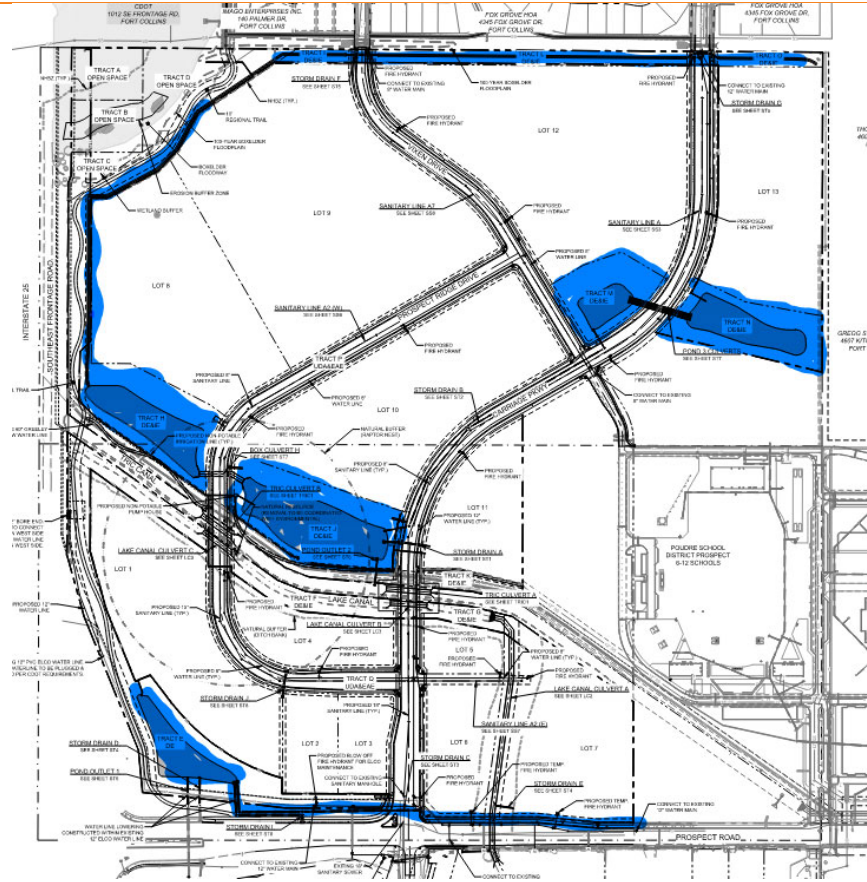
Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
<p><b>3.9.4 - Site Perimeter Landscaping Abutting the I-25 Right-of-Way</b></p>	<p>This project provides site perimeter landscaping abutting the I-25 Right-of-way that will serve future development. It is anticipated that this landscaping will be maintained by a common ownership group as the project builds out.</p> <p>In compliance with the standards of this section the plan provides an 80 foot buffer-yard which contains berming, a minimum of 8 trees and 8 shrubs per 100 lineal feet and at least 50% of trees as evergreen.</p> 	<p>Complies</p>

**5. Land Use Code Article 4**

**A. DIVISION 4.28 – INDUSTRIAL DISTRICT (I)**

The Industrial District is intended to provide a location for a variety of work processes and workplaces such as manufacturing, warehousing and distributing, indoor and outdoor storage, and a wide range of commercial and industrial operations. The Industrial District also accommodates complementary and supporting uses such as convenience shopping, childcare centers, and housing. While these Districts will be linked to the City's transportation system for multiple modes of travel, some may emphasize efficient commercial trucking and rail traffic as needed. Industrial and manufacturing processes used in this District may, by necessity, be characteristically incompatible with residential uses.

Applicable Standard	Summary of Requirement and Analysis	Staff Findings
<p><b>4.28(B) - Permitted Uses</b></p>	<p>Minor public facilities is defined by Article 5 – Terms and Definitions as, “ structures or facilities, such as electrical generating and switching stations, substations, underground vaults, poles, conduits, water and sewer lines, pipes, pumping stations, natural gas pressure-reducing stations, repeaters, antennas, transmitters and receivers, valves and stormwater detention ponds, that are not occupied by persons on a daily basis except for periodic inspection and maintenance, are capable of operation without daily oversight by personnel and do not generate daily traffic. Such facilities also include similar structures for fire protection, emergency service, parks and recreation and natural areas. Minor public facilities shall not include outdoor storage and wireless telecommunications equipment or facilities.”</p> <p>The project proposes an interconnected series of stormwater drainageways and detention ponds that would serve the public roadway infrastructure that is proposed for the stie. These facilities are contained within multiple Tracts which are depicted on the utility plan and plat. A general outline of these areas are depicted below.</p>	<p>Complies</p>



The project is a permitted use within the Industrial zone district subject to an Administrative, Type 1 review.

**4.28(E)(1) – Prospect Road Streetscape Program**

This project falls into the planning area for the Prospect Road Streetscape Program.

Key design requirements of the Interchange and Prospect Gateway styles include:

- 50-foot setback zone w/ 10 foot minimum parkway and 8' sidewalk.
- Double row of plantings along Prospect Road and ditch lines. Plantings should include two rows of trees or large shrubs. The row closest to Prospect should be a row of street trees planted in the parkway strip - just at tighter spacing (20 feet or less). The second row may be canopy trees, ornamentals, evergreens, or large shrubs.

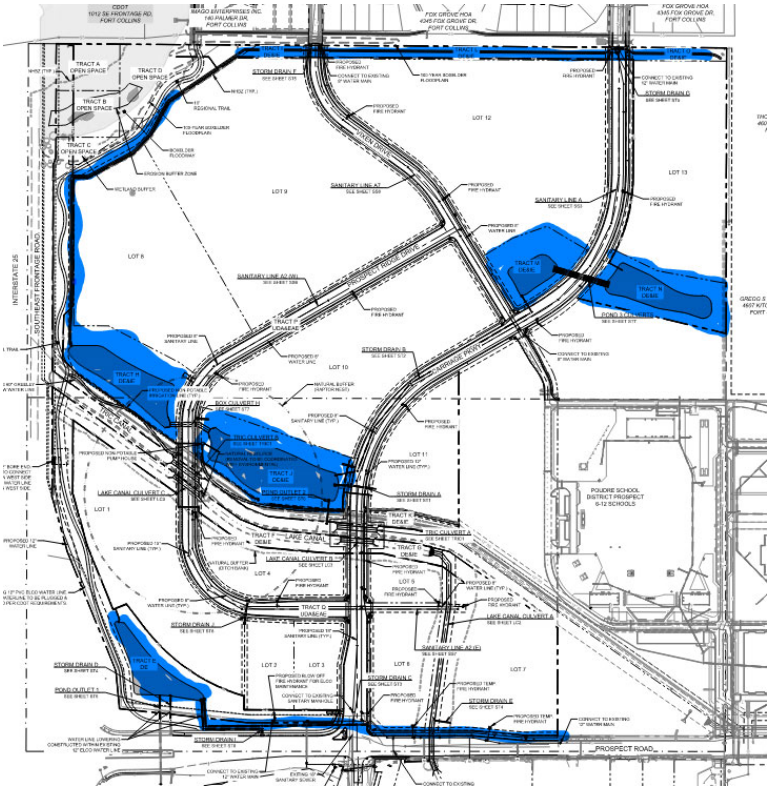
The project proposes a 10 foot parkway, 10' sidewalk, and street trees consistent with the standards of the streetscape program. A note has been added to the plan that landscaping within the 50' area behind the sidewalk will be completed at time of future development for Lots 6&7 and will be reviewed as part of a future Project Development Plan.

Complies

**B. DIVISION 4.21 – GENERAL COMMERCIAL (C-G)**

The General Commercial District is intended to be a setting for development, redevelopment and infill of a wide range of community and regional retail uses, offices and personal and business services. Secondly, it can accommodate a wide range of other uses including creative forms of housing.

While some General Commercial District areas may continue to meet the need for auto-related and other auto-oriented uses, it is the City’s intent that the General Commercial District emphasize safe and convenient personal mobility in many forms, with planning and design that accommodates pedestrians.

Applicable Standard	Summary of Requirement and Analysis	Staff Findings
<p><b>4.21(B) - Permitted Uses</b></p>	<p>Minor public facilities is defined by Article 5 – Terms and Definitions as, “ structures or facilities, such as electrical generating and switching stations, substations, underground vaults, poles, conduits, water and sewer lines, pipes, pumping stations, natural gas pressure-reducing stations, repeaters, antennas, transmitters and receivers, valves and stormwater detention ponds, that are not occupied by persons on a daily basis except for periodic inspection and maintenance, are capable of operation without daily oversight by personnel and do not generate daily traffic. Such facilities also include similar structures for fire protection, emergency service, parks and recreation and natural areas. Minor public facilities shall not include outdoor storage and wireless telecommunications equipment or facilities.”</p> <p>The project proposes an interconnected series of stormwater drainageways and detention ponds that would serve the public roadway infrastructure that is proposed for the stie. These facilities are contained within multiple Tracts which are depicted on the utility plan and plat. A general outline of these areas are depicted below.</p> 	<p>Complies</p>

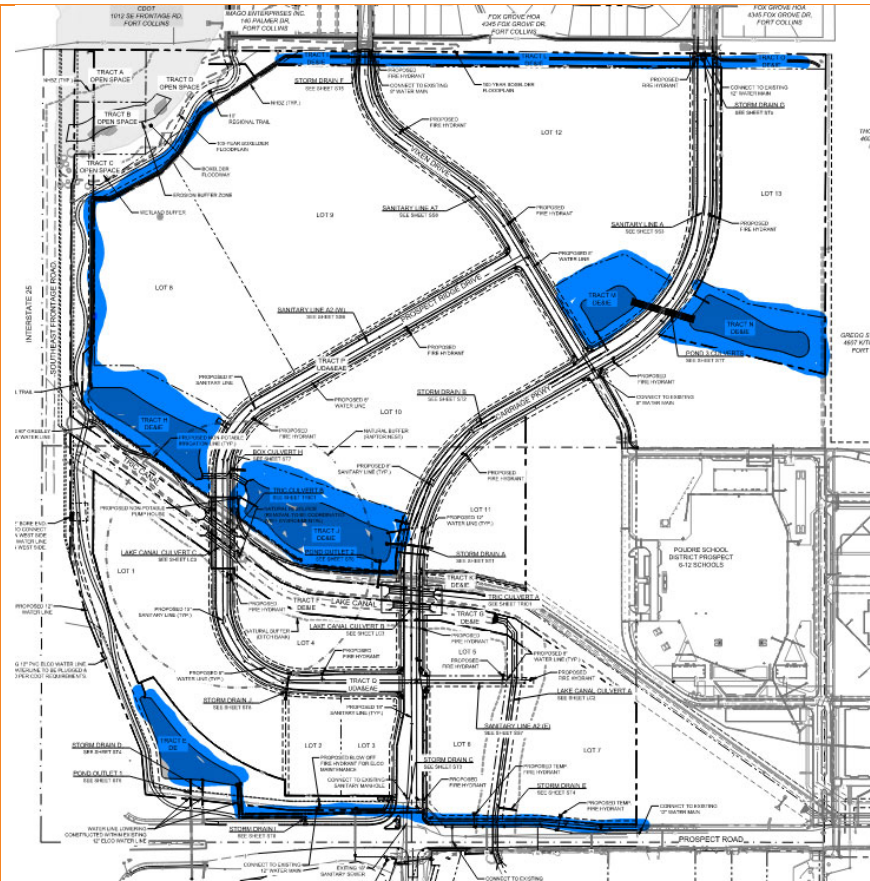


	<p>The project is a permitted use within the General Commercial zone district subject to an Administrative, Type 1 review.</p>	
<p><b>4.21(E)(1) – Prospect Road Streetscape Program</b></p>	<p>This project falls into the planning area for the Prospect Road Streetscape Program.</p> <p>Key design requirements of the Interchange and Prospect Gateway styles include:</p> <ul style="list-style-type: none"> <li>• 50-foot setback zone w/ 10 foot minimum parkway and 8' sidewalk.</li> <li>• Double row of plantings along Prospect Road and ditch lines. Plantings should include two rows of trees or large shrubs. The row closest to Prospect should be a row of street trees planted in the parkway strip - just at tighter spacing (20 feet or less). The second row may be canopy trees, ornamentals, evergreens, or large shrubs.</li> </ul> <p>The project proposes a 10 foot parkway, 10' sidewalk, and street trees consistent with the standards of the streetscape program. A note has been added to the plan that landscaping within the 50' area behind the sidewalk will be completed at time of future development for Lots 6&amp;7 and will be reviewed as part of a future Project Development Plan.</p>	<p>Complies</p>

**C. DIVISION 4.2 – URBAN ESTATE (U-E)**

The Urban Estate District is intended to be a setting for a predominance of low-density and large-lot housing. The main purposes of this District are to acknowledge the presence of the many existing subdivisions which have developed in these uses that function as parts of the community and to provide additional locations for similar development, typically in transitional locations between more intense urban development and rural or open lands.

Applicable Standard	Summary of Requirement and Analysis	Staff Findings
<p><b>4.2(B) - Permitted Uses</b></p>	<p>Minor public facilities is defined by Article 5 – Terms and Definitions as, “ structures or facilities, such as electrical generating and switching stations, substations, underground vaults, poles, conduits, water and sewer lines, pipes, pumping stations, natural gas pressure-reducing stations, repeaters, antennas, transmitters and receivers, valves and stormwater detention ponds, that are not occupied by persons on a daily basis except for periodic inspection and maintenance, are capable of operation without daily oversight by personnel and do not generate daily traffic. Such facilities also include similar structures for fire protection, emergency service, parks and recreation and natural areas. Minor public facilities shall not include outdoor storage and wireless telecommunications equipment or facilities.”</p> <p>The project proposes an interconnected series of stormwater drainageways and detention ponds that would serve the public roadway infrastructure that is proposed for the stie. These facilities are contained within multiple Tracts which are depicted on the utility plan and plat. A general outline of these areas are depicted below.</p>	<p>Complies</p>



The project is a permitted use within the Urban Estate zone district subject to an Administrative, Type 1 review.



## 6. Findings of Fact/Conclusion

In evaluating the Rudolph Farms Infrastructure Project, staff makes the following findings of fact:

- A. The FDP complies with the applicable procedural and administrative requirements of Article 2 of the Land Use Code.
- B. The FDP conditionally complies with pertinent standards located in Article 3 – General Development Standards
- C. Staff recommends a condition of approval that prior to the recording of Final Plan documents, the applicant shall demonstrate compliance with all applicable design standards, requirements, and specifications in accordance with each reviewing agency as described under 3.3.5 – Engineering Design Standards of this report.
- D. The FDP complies with pertinent standards located in Article 4; Division 4.2 – Urban Estate zone district.
- E. The FDP complies with pertinent standards located in Article 4; Division 4.21 – General Commercial zone district.
- F. The FDP complies with pertinent standards located in Article 4; Division 4.28 - Industrial zone district.

## 7. Recommendation

Staff recommends conditional approval of the Rudolph Farms Infrastructure Project, FDP220010.

## 8. Attachments

1. Project Narrative
2. Landscape Plan
3. Utility Plan
4. Plat
5. Drainage Report
6. Stormwater Management Plan
7. Prairie Dog Memo
8. Canal Mitigation Exhibit
9. Letter of Intent – Greely Water
10. Letter of Intent - Lake Canal
11. Letter of Intent – New Cache Reservoir
12. Poudre School District Easement
13. Timnath Reservoir Inlet Canal Easement 1
14. Timnath Reservoir Inlet Canal Easement 2
15. Timnath Reservoir Inlet Canal Easement 3
16. Overall Development Plan – 2023
17. Ecological Characterization Study
18. Boxelder Sanitation District
19. ELCO Water District
20. Town of Timnath

## 9. Links

No links