

**CITY OF FORT COLLINS  
TYPE 1 ADMINISTRATIVE HEARING  
FINDINGS AND DECISION**

HEARING DATE: December 15, 2021

PROJECT NAME: Office & Light Industrial on Technology Parkway (5041 Technology Parkway)

CASE NUMBER: PDP 200016

APPLICANT: Jason Messaros  
BHA Design, Inc.  
1603 Oakridge Drive, STE 100  
Fort Collins, CO 80525

OWNER: Harmon Technology Park LLC  
2723 S. State St STE 250  
Ann Arbor, MI 48104-6188

HEARING OFFICER: Marcus McAskin

**PROJECT DESCRIPTION:** This is a request for a Project Development Plan (“PDP”) to construct a 52,000 square foot commercial/industrial building on an approximate 5-acre site located at the southwest corner of Precision Drive and Technology Parkway, just north of Fossil Ridge High School (parcel # 8604000003) (the “Subject Property”). The Subject Property is proposed to be platted as LOT 1, FIFTY FORTY-ONE TECHNOLOGY PARKWAY, CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO.

The Subject Property is bounded on three sides by an existing road network which includes Precision Drive, Technology Parkway, and Rock Creek Drive. The project includes 155 parking spaces and 28 bicycle spaces.

This project requests a modification of certain standards under 3.5.3(C)(2) – *Orientation to Build-to Lines for Streetfront Buildings*. The proposed modification would allow for parking to be located between the east side of the commercial/industrial building and Technology Parkway.

**BACKGROUND:** The PDP application is summarized in the Development Review Staff report (attached to this Decision as **ATTACHMENT A** and incorporated herein by reference).

The zoning and land uses for properties in the vicinity of the Subject Property are as follows:

	<b>North</b>	<b>South</b>	<b>East</b>	<b>West</b>
<b>Zoning</b>	Harmony Corridor (HC)	Low Density Mixed-Use Neighborhood (LMN)	Harmony Corridor (HC)	Harmony Corridor (HC)
<b>Land Use</b>	Unimproved	Fossil Ridge High School	Harmony Technology Park, Third Filing – Commercial/Industrial Flex (sister building)	Unimproved

**SUMMARY OF DECISION:** Approved.

**ZONE DISTRICT:** Harmony Corridor (H-C).

**HEARING:** This matter was heard as the first (of three) virtual hearings conducted on December 15, 2021. The Hearing Officer opened the virtual hearing at approximately 5:30 P.M and reviewed the Order of Proceedings with the Applicant and members of the public present.

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

1. Development Review Staff Report prepared for Office & Light Industrial on 5041 Technology Parkway (PDP #200016). A copy of the Staff Report is attached to this decision as **ATTACHMENT A** and is incorporated herein by reference.
2. Vicinity Map.
3. Project Information and Design Narrative for 5041 Technology Parkway (3 pages).
4. Site Plan for Office & Light Industrial on Technology Parkway (5041 Technology Parkway) (6 pages).
5. Architectural Elevations for Office & Light Industrial on Technology Parkway (5041 Technology Parkway) (5 pages).
6. Utility Plans for Office & Light Industrial on Technology Parkway (5041 Technology Parkway) (13 pages).
7. Photometric Plan for Office & Light Industrial on Technology Parkway (5041 Technology Parkway) (2 pages).
8. Modification of Standard Request for Office & Light Industrial on Technology Parkway (5041 Technology Parkway) (3 pages).
9. Plat for Office & Light Industrial on Technology Parkway (5041 Technology Parkway) (2 pages).
10. Informal Comments during Conceptual Review dated July 6, 2020 for Office & Light Industrial on Technology Parkway (5041 Technology Parkway), from Todd Sullivan, Development Review Coordinator of the City of Fort Collins (21 pages).

11. Round 1 Comments on Office & Light Industrial on Technology Parkway (5041 Technology Parkway), PDP 200016 dated November 17, 2020, from Kai Kleer, City Planner for the City of Fort Collins (11 pages).
12. Round 2 Comments on Office & Light Industrial on Technology Parkway (5041 Technology Parkway), PDP 200016 dated October 29, 2021, from Kai Kleer, City Planner for the City of Fort Collins (9 pages).
13. Confirmation of Publication of Notice of Hearing (Ad# 0005032188) ordered December 3, 2021 and published on December 6, 2021 in *The Coloradoan*.
14. Copy of Written Notice of Public Hearing dated November 24, 2021 (per Development Review Staff Report the Written Notice of Public Hearing was distributed to 107 addresses).
15. 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.
16. Rules of Conduct for Administrative Hearings.
17. Administrative (Type 1) Order of Proceedings.

TESTIMONY: The following persons participated in the virtual hearing:

From the City: Kai Kleer, City Planner  
 Leslie Spencer, Community Development  
 Marc Virata, City Engineer  
 Spencer Smith, City Traffic Operations

From the Applicant: Jason Messaros  
 Greg Copp (owner representative)  
 Ian Shuff  
 Tony Willcomm

From the Public: Christine Phelps  
 3126 Indigo Circle South  
 Fort Collins, CO 80528

The public comment portion of the hearing was opened at approximately 6:22 PM and was closed at approximately 6:25 PM.

The virtual hearing on this matter was closed at approximately 6:34 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. As required by City Council Ordinance 079, Series 2020 (the “**City Ordinance**”), the Hearing Officer, in consultation with City staff, determined that it was desirable to conduct the hearing by remote technology so as to provide reasonably available participation by parties-in-interest and by the public, consistent with the requirements of the City Ordinance, because meeting in person would not be prudent for some or all persons due to a public health emergency.
3. 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. Except for LUC Section 3.5.3(C)(2), for which a Modification of Standard is requested, the Application complies with the applicable General Development Standards contained in Article 3 of the LUC.
  - C. The Application complies with the exception standard in Section 3.5.3(C)(2)(d)(1) because the plan requires modification from LUC Section 3.5.3(C)(2) in order to form an outdoor plaza between the building and the sidewalk, and the proposed landscaping and other proposed site improvements are designed to increase pedestrian interest, comfort, and visual continuity.
  - D. Further, the proposed Modification of Standard to Section 3.5.3(C)(2) of the LUC will not be detrimental to the public good and satisfies criteria set forth in Section 2.8.2(H)(1) of the LUC. Specifically, the Hearing Officer finds that the proposed Modification of Standard will promote the general purpose of Standard 3.5.3(C)(2) equally well or better than would a plan which complies with such standard, because:
    1. A comprehensive network of internal pedestrian walkways is proposed on the Subject Property, including the proposed pedestrian plaza connecting the southeast and northeast corners of the building to the existing street sidewalk system. The plaza areas contain pedestrian and bicycle amenities such as benches, bike racks, pergolas, landscaping, and enhanced paving.
    2. The proposed building setback along Precision Drive matches the contextual setback of the sister building to the east.
    3. The Application proposes increased landscaping buffering along Technology Parkway designed to provide visual interest and year-round screening of parking from public view.

4. The Application proposes tighter spacing between landscape islands designed to allow for a greater number of canopy shade trees to be installed.
- E. The Modification of Standard to Section 3.5.3(C)(2) of the LUC is approved to permit vehicle parking to be located between Technology Parkway and the eastern façade of the proposed building on the Subject Property.
- F. The Application complies with relevant standards contained in Division 4.26, Harmony Corridor District (H-C) of Article 4 of the Land Use Code.
4. The Application's satisfaction of the applicable Article 2, 3 and 4 requirements of the Land Use Code is sufficiently evidenced by the Staff Report attached hereto as **ATTACHMENT A** and the testimony and materials presented at the hearing.

DECISION

Based on the findings set forth above, the Hearing Officer hereby **approves** the Office & Light Industrial on Technology Parkway (PDP 200016).

DATED this 29th day of December, 2021.



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Marcus McAskin  
Hearing Officer

**ATTACHMENT A**

Staff Report  
Office & Light Industrial (5041 Technology Parkway)  
PDP 200016

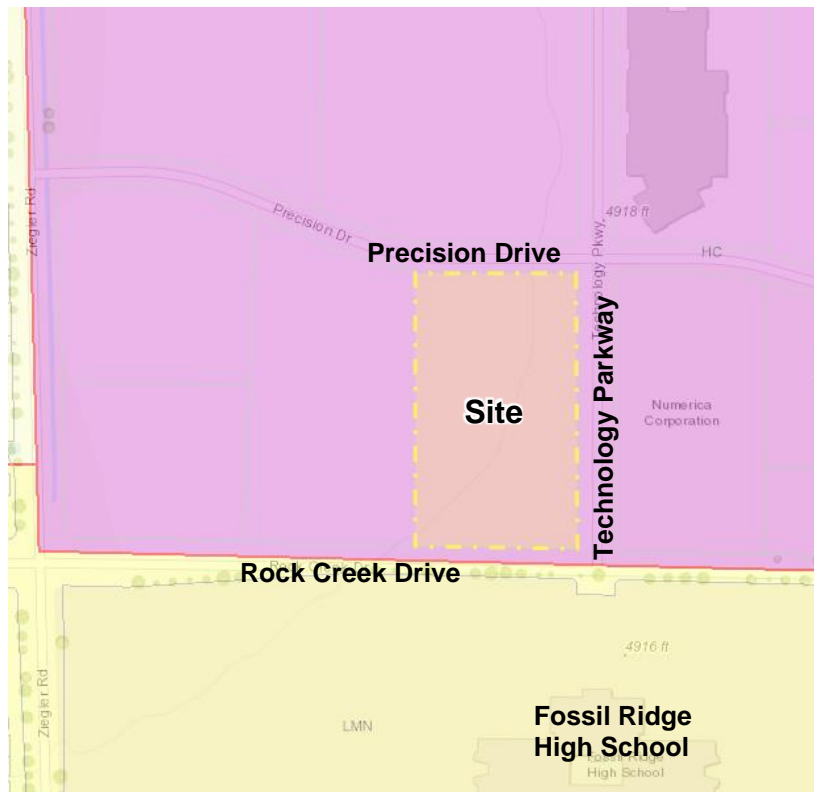
Administrative Hearing: December 15, 2021

## Office & Light Industrial on Technology Parkway, Project Development Plan – PDP200016

### Summary of Request

This is a request for a Project Development Plan (PDP) to construct a 52,000 square foot commercial/industrial building. The 5-acre site is bound on three sides by an existing road network which includes Precision Drive, Technology Parkway and Rock Creek Drive. Access into the site is proposed from each respective street frontage. The project includes 155 parking spaces and 28 bicycle spaces. The site is within the Harmony Corridor (HC) zone district and is subject to an Administrative (Type 1) Review. The project requests one modification of standard to 3.5.3.(C)(2) – Building Orientation.

### Zoning Map (ctrl + click map to follow link)



### Next Steps

If approved by the decision maker, the applicant will be eligible to submit a Final Development Plan. Subsequent rounds of review will be required to finalize site engineering and any necessary corrections to the plan before the applicant can apply for site and building permits.

### Site Location

The site is located at the southwest corner of Precision Drive and Technology Parkway, just north of Fossil Ridge High School (parcel # 8604000003).

### Zoning

Harmony Corridor (H-C),

### Property Owner

Harmony Technology Park LLC  
2723 S State St STE 250  
Ann Arbor, MI 48104-6188

### Applicant/Representative

Jason Messaros  
BHA Design Inc.  
1603 Oakridge Drive, STE 100  
Fort Collins, CO 80525

### Staff

Kai Kleer. City Planner

### Contents

1. Project Introduction .....	2
2. Public Outreach .....	4
3. Article 2 – Applicable Standards.....	5
4. Article 3 - Applicable Standards.....	9
5. Article 4 – Applicable Standards:.....	16
6. Findings of Fact/Conclusion .....	16
7. Recommendation.....	17
8. Attachments .....	17
9. Links.....	17

### Staff Recommendation

Approval of Project Development Plan and Modification of Standard

## 1. Project Introduction

### A. PROJECT DESCRIPTION

- This is a request to construct a commercial/industrial building on Parcel C of the Harmony Technology Park Overall Development Plan (ODP). The proposed speculative commercial/industrial-use building complies with the Primary Use requirements of Parcel C.
- The site contains 5 acres and is located at the northwest corner of Rock Creek Drive and Technology Parkway and zoned H-C, Harmony Corridor.
- The proposed building is 52,000 square feet and can be divided various sizes ("flex space") beginning at 3,500 square feet up to the entire building depending on tenant needs.
- The one-story building is 21 feet at the tallest point.
- There are six at-grade overhead doors on the west side for loading and high-bay storage.
- Primary access would be from Technology Parkway and secondary access would be from both Precision Drive and Rock Creek Drive
- The site is rectangular in shape and generally slopes from the northwest to southeast.
- The request for Modification to Section 3.5.3(C)(2) – *Orientation to Build-to Lines for Streetfront Buildings* has been evaluated and recommended for approval.

### B. SITE CHARACTERISTICS

#### 1. Development Status/Background

This site was annexed as part of the Harmony Farm Annex in 1994 and was master planned as part of the Harmony Technology Park ODP. The ODP has gone through seven amendments which are described below.

- Harmony Technology Park ODP (155 acres), August 1997
- Harmony Technology Park ODP, First Amendment, September 2000
- Harmony Technology Park, ODP, Second Amendment, May 2004
  - The Second Amendment added three residential properties and increased the total acreage of the ODP from 267.19 acres to 270.19 acres. This amendment also included consolidating Tracts 2, G, H and I into a single Tract G, and slightly increasing the amount of land area for secondary uses from 7.5 to 8.25 acres.
- Harmony Technology Park, ODP, Third Amendment, March 2008.
  - The third amendment added approximately 3-acres to the master plan area and adjusted the location of primary and secondary uses.
- Harmony Technology Park, ODP, Fourth Amendment, December 2011
  - The fourth amendment shifted the primary uses from Parcel I in exchange for secondary uses from Parcel K. The remaining difference in secondary uses result in a slight adjustment to Parcel G to keep an overall balance.
- Harmony Technology Park ODP, Fifth Amendment, January 2013
  - The fifth amendment shifted the primary uses to Parcel G from Parcel M in exchange for secondary uses shifting to Parcel M from Parcel G. There was no net change in the acreage of primary or secondary uses.



- Harmony Technology Park ODP, Sixth Amendment, March 2013
  - The sixth amendment consolidated the location of secondary uses to Parcels C, D and S and return Timberwood Drive back to its original approved location.
- Harmony Technology Park ODP, Seventh Amendment, July 2014
  - The seventh amendment relocated the east/west road connection between Ziegler Road and Technology Parkway from Intel's south boundary to align with Precision Drive.

An ODP amendment was not proposed in association with this project.

## 2. Surrounding Zoning and Land Use

	North	South	East	West
<b>Zoning</b>	Harmony Corridor (HC)	Low Density Mixed-Use Neighborhood (LMN)	Harmony Corridor (HC)	Harmony Corridor (HC)
<b>Land Use</b>	Unimproved	Fossil Ridge High School	Harmony Technology Park, Third Filing – Commercial/Industrial Flex (sister building).	Unimproved

## C. OVERVIEW OF MAIN CONSIDERATIONS

The plan has gone through two rounds of review to address the building's relationship to the street which is covered in greater detail under the modification request section of this report.

## D. 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. While the Harmony Corridor Plan is the primary guiding document for this area of the community, the proposal for development of this site also aligns well with the guidance contained in City Plan:

- Policy LIV 3.6 - CONTEXT-SENSITIVE DEVELOPMENT. Ensure that all development contributes to the positive character of the surrounding area. Building materials, architectural details, color range, building massing, and relationships to streets and sidewalks should be tailored to the surrounding area.
- Policy EH 4.1 - TARGETED EMPLOYMENT AND MIXED-USE AREAS Create and maintain plans for targeted employment areas (Downtown, Midtown, Harmony Corridor, I-25 interchange areas and Mulberry Corridor) to support investment, development and redevelopment in these areas to create new places for employment to grow. Encourage and support higher-intensity employment uses through land use policies and investment in infrastructure and services, such as transit, that support these employment areas.

City Plan designates the site of the current PDP as a "Mixed Employment District" place type on the Structure Plan Map and further describes the Place Type as follows:

### Principal Land Use

Professional offices; research and development facilities or laboratories; light-industrial uses; hospitals, clinics, nursing and personal-care facilities; corporate headquarters; vocational, business, or private schools and universities; and other similar uses

### **Supporting Land Use**

Multifamily residential, hotels, sit-down restaurants, convenience shopping centers, childcare centers, athletic clubs and other similar uses

**Density:** Varies

### **Key Characteristics/Considerations**

Provide dedicated opportunities for a range of employment and other supportive uses in a walkable campus or mixed-use setting.

The integration of supporting uses, including high-density residential, is supported in Employment Districts to improve access to services.

Supported by direct pedestrian and bicycle linkages from surrounding districts and neighborhoods, as well as high-frequency bus and/or BRT.

### **Typical Types of Transit**

Varies by location, density and surrounding context, but most will be served by fixed-route or BRT service at frequencies of 15 minutes or better.

The proposed plan aligns with the land uses and characteristics as described by the Mixed -Employment District.

## **E. HARMONY CORRIDOR PLAN**

The parcel is located within the Basic Industrial and Non-retail Employment Activity Center which is designated for primary uses. The proposed land uses, office, light industrial and research and development, are all primary uses as per the Harmony Corridor Plan and City's Land Use Code.

## **2. Public Outreach**

### **A. NEIGHBORHOOD MEETING**

A neighborhood meeting was not held for this project.

### **B. PUBLIC COMMENTS:**

Staff has not received any comments for this proposal. Any comments received between the public notice period and hearing will be forwarded to the Administrative Hearing Officer for their consideration.

### 3. Article 2 – Applicable Standards

#### **A. PROJECT DEVELOPMENT PLAN PROCEDURAL OVERVIEW**

##### **1. Preliminary Design Review – PDR200011**

A preliminary design review meeting was held on July 1, 2020.

##### **2. Neighborhood Meeting**

Pursuant to *LUC Section 2.2.2 – Step 2: Neighborhood Meetings*, a neighborhood meeting was not required or held.

##### **3. First Submittal – PDP200016**

The first submittal of this project was completed on October 30, 2020. The PDP required 2 rounds of staff review.

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

Posted Notice: November 17, 2020, Sign #583

Written Hearing Notice: December 1, 2021; 107 addresses mailed.

Published Hearing Notice: December 6, 2021

## B. DIVISION 2.8 – MODIFICATION OF STANDARDS

The applicants are requesting a Modification of Standard to Section 3.5.3(C)(2) - *Orientation to Build-to Lines for Streetfront Buildings*.

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

### Land Use Code Modification Criteria:

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

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

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

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

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

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

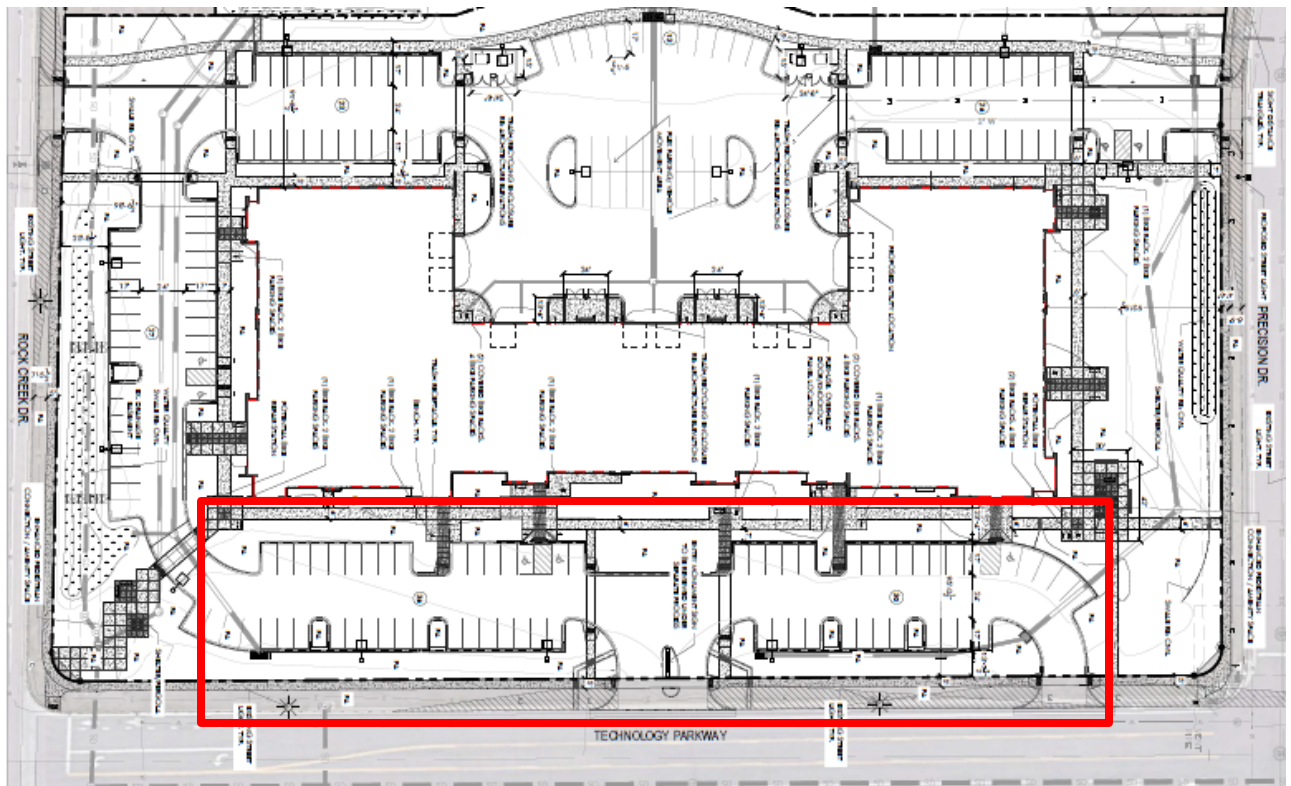
### 1. Modification to 3.5.3(C)(2) - Orientation to Build-to Lines for Streetfront Buildings Standard

3.5.3(C)(2) states that, “Build-to lines based on a consistent relationship of buildings to the street sidewalk shall be established by development projects for new buildings and, to the extent reasonably feasible, by development projects for additions or modifications of existing buildings, in order to form visually continuous, pedestrian-oriented streetfronts with no vehicle use area between building faces and the street.”

- a) To establish "build-to" lines, buildings shall be located and designed to align or approximately align with any previously established building/sidewalk relationships that are consistent with this standard. Accordingly, at least thirty (30) percent of the total length of the building along the street shall be extended to the build-to line area. **If a parcel, lot or tract has multiple streets, then the building shall be built to at least two (2) of them according to (b) through (d) below, i.e. to a street corner. If there is a choice of two (2) or more corners, then the building shall be built to the corner that is projected to have the most pedestrian activity associated with the building.**

### Overview

The proposed modification would allow for parking to be located between the east side of the building and Technology Parkway (area highlighted by red box below).



### Summary of Applicant Justification

The applicant provides the following justification based on a "equal to or better than" modification criterion.

- The buffer along the Technology Parkway frontage is has been increased to 13.5 ft. wide from the 10 ft required minimum.
- Planting within the setback area includes a continuous mass of year-round interest in planting. Additional buffering is provided with the inclusion of landscaped islands above and beyond the minimum required 1 per 15 space minimum along the Technology Parkway frontage.
- Strong pedestrian connectivity is provided at the north end of the frontage with direct pedestrian link between the building and Technology Parkway with no vehicular crossing. This pedestrian way is integrated into a large pedestrian focused amenity area featuring a pergola / canopy with tables, chairs, seat walls, and bike racks.
- Additional connectivity is provided at the center of the site with two connecting walkways. The south

end of the Technology Parkway frontage includes an enhanced pavement, raised table-top pedestrian crossing. Architectural elements are provided within amenity zones at the north and south pedestrian connection areas.

- The unique mix of uses for this building require accommodation of a variety of vehicle types and movements with overhead door access on the west face of the building and office/client access on the north, south and east faces. The principal mode of transportation to and from this facility is by automobile requiring parking near building entries.
- Equal proximity of parking to each potential entry location is necessary for business viability and to accommodate a variety of tenants.
- Limiting vehicle movements and parking proximity to one or more sides of the building negatively impacts lease ability and functionality of the facility.

### **Staff Findings**

The general purpose of the standard at issue is to create a positive urban relationship between buildings and streets.

For a building to comply with the standard the building envelope would be required to be brought to the corner of Precision Drive and Technology Parkway.

Staff finds that the requested Modification of Standard to Section 3.5.3(C)(2) to allow for vehicle parking to be located between Technology Parkway and the eastern façade of the building and would not be detrimental to the public good and is justified by Criterion 1 in Land Use Code Section 2.8.2.

Staff finds that the requested Modification addresses Criterion 1, “equal to or better than” a plan meeting the standard because of several mitigating elements that include:

- A comprehensive network of internal pedestrian walkway which includes an amenitized pedestrian plaza connecting the southeast and northeast corners of the building to the street sidewalk system. The plaza areas contain pedestrian and bicycle amenities such as benches, bike racks, pergola, landscaping, and enhanced paving.
- a building setback along Precision Drive that matches the contextual setback of the sister building to the east.
- An increased landscape setback with generous layering of landscaping along Technology Parkway that provides visual interest and year-round screening of parking from public view.
- Tighter spacing between landscape islands which allow for greater amount of canopy shade trees.

Staff recommends approval of the Modification of Standard.

## 4. Article 3 - Applicable Standards

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

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
<b>3.2.1 – Landscaping and Tree Protection</b>	<p>The standards of this section require that a development plan demonstrate a comprehensive approach to landscaping that enhances the appearance and function of the neighborhood, buildings, and pedestrian environment. The proposed plan provides the following:</p> <p>The PDP provides the following:</p> <ul style="list-style-type: none"> <li>• Full tree stocking which proposes combination of 125 deciduous, evergreen, and ornamental trees.</li> <li>• Twenty-three street trees proposed at adequate spacing and quantities.</li> <li>• Foundation shrubs are provided around all sides with the exception of the loading zone.</li> </ul>	Complies
<b>3.2.1(E)(4) – Parking Lot Perimeter Landscaping</b>	<p>The parking lot perimeters are required to be landscaped in setback areas by meeting the following minimum standards:</p> <ol style="list-style-type: none"> <li>a. 1 tree per 25 lineal feet is required within perimeter parking lot landscaping along any street frontage.</li> <li>b. 1 tree per 40 lineal feet along a lot line.</li> <li>c. Perimeter landscaping along a street may be located in and should be integrated with the parkway in the street right-of-way.</li> <li>d. Screening from the street that consists of a wall, fence, planter, earthen berm, plant material or a combination of such elements, each of which shall have a minimum height of thirty (30) inches. Such screening shall extend a minimum of seventy (70) percent of the length of the street frontage of the parking lot and seventy (70) percent of the length of any boundary of the parking lot that abuts any nonresidential use. Openings in the required screening shall be permitted for such features as access ways or drainage ways. Where screening from the street is required, plans submitted for review shall include a graphic depiction of the parking lot screening as seen from the street. Plant material used for the required screening shall achieve required opacity in its winter seasonal condition within three (3) years of construction of the vehicular use area to be screened.</li> </ol> <p>The plan provides sufficient perimeter parking lot landscaping which includes:</p> <ul style="list-style-type: none"> <li>• Increased dimension of landscape area between the street and parking.</li> <li>• Tighter spacing of landscape islands and tree spacing.</li> <li>• A variety of shrubs, grasses, and perennials that provide year-round visual interest and screening.</li> <li>• Trees at appropriate spacings and placement that avoids utility conflicts.</li> <li>• At least 70% screening of parking along the length of Rock Creek Drive and Technology Parkway.</li> </ul>	Complies
<b>3.2.1.(E)(5) – Parking Lot Interior Landscaping</b>	<p>Ten (10) percent of the interior space of all parking lots with one hundred (100) spaces or more shall be landscape areas.</p> <p>The PDP proposes interior parking lot landscaping which exceeds the 10 percent requirement. As previously mentioned, the PDP includes tighter spacing of landscape islands, canopy shade trees, shrubs, and grasses as part of a mitigation package that addresses the modification to 3.5.3(C)(2).</p>	Complies



<b>3.2.2 – Access, Circulation and Parking</b>	<p>This standard requires that development projects accommodate the movement of vehicles, bicycles, pedestrians, and transit throughout the project and to and from surrounding areas safely and conveniently and contribute to the attractiveness of the neighborhood. In compliance, the PDP includes the following:</p> <ul style="list-style-type: none"> <li>• Detached street sidewalk system along Precision Drive, Technology Parkway, and Rock Creek Drive.</li> <li>• A series of internal walkways which are interconnected and provide circulation around all four sides of the site.</li> <li>• Curb cuts and ramps in safe and convenient locations.</li> <li>• The parking and circulation system is complete and capable of serving a variety of tenants ranging from light industrial to office.</li> </ul>	Complies									
<b>3.2.2(C)(4) – Bicycle Parking Space Requirements</b>	<p>Bicycle parking requirements for commercial uses are 1/4000 square feet of building space with 80% mounted to fixed racks and 20% enclosed and for industrial uses 4 spaces for employees.</p> <p>The Plan proposes bike parking in excess of both standards by providing 28 spaces with 20 located on fixed racks and 8 enclosed.</p>	Complies									
<b>3.2.2(C)(5) (a, b) – Walkways and Street Crossing</b>	<p>This standard requires that walkways within the site be located and aligned to connect areas or points of pedestrian origin or destination and where walkways cross a street or internal roadway, crossings must emphasize and place priority on the pedestrian through several mitigating elements such as pavement treatments, striping, signals, lighting, refuge areas and landscaping.</p> <p>The Plan provides walkways consistent with the standard of this section using decorative concrete, landscape bulb-outs and pedestrian lighting.</p> <p>The site features 9 internal walkways that lead to primary building entrances and street intersections.</p>	Complies									
<b>3.2.2(C) (6,7) – Direct On/Off-Site Access to Pedestrian and Bicycle Destinations</b>	<p>These standards require that the on-site/off-site pedestrian and bicycle circulation system be designed to provide for direct connections to major pedestrian and bicycle destinations, including, trails, parks, schools, Neighborhood Centers, Neighborhood Commercial Districts, and transit stops that are located either within the development or adjacent to the development.</p> <p>The site provides a shared pedestrian and bicycle circulation system. The most notable pedestrian and bicycle destinations within the vicinity is Stop 1424 Rock Creek &amp; Front Range High School bus station. The PDP provides all necessary internal and external connections for the greater area. This project will also provide an approximately 500 foot segment of sidewalk between Technology Parkway and Ziegler Road.</p>	Complies									
<b>3.2.2(C)(8) – Transportation Impact Study</b>	<p>The Transportation Impact Memo finds that all level of service requirements for the City of Fort Collins are met.</p> <p>Based on the anticipated traffic generation, signalization of the Harmony/Technology Parkway intersection is not warranted. Traffic Engineering Staff has reviewed the memo and have accepted the conclusions.</p>	Complies									
<b>3.2.2(K)(2) - Nonresidential Parking Requirements</b>	<p>Nonresidential uses shall provide a minimum number of parking spaces and will be limited to a maximum number of parking spaces as defined by the standards defined below.</p> <table border="1" data-bbox="467 1696 1351 1890"> <thead> <tr> <th>Use</th> <th>Min</th> <th>Max</th> </tr> </thead> <tbody> <tr> <td>General Office</td> <td>1/1000 sq. ft.</td> <td>3/1000 sq. ft.</td> </tr> <tr> <td>Industrial: Employee Parking</td> <td>.5 / employee</td> <td>.75 / employee</td> </tr> </tbody> </table>	Use	Min	Max	General Office	1/1000 sq. ft.	3/1000 sq. ft.	Industrial: Employee Parking	.5 / employee	.75 / employee	Complies
Use	Min	Max									
General Office	1/1000 sq. ft.	3/1000 sq. ft.									
Industrial: Employee Parking	.5 / employee	.75 / employee									



	<p>Based on a building square footage of 52,000 sq. ft. the required parking ranges from 52 min to 156 max. Industrial-use parking standards are less stringent and cannot be calculated based on the speculative nature of the building. The PDP proposes the following in compliance with parking standards:</p> <ul style="list-style-type: none"> <li>• 147 standard spaces</li> <li>• 8 accessible spaces</li> <li>• 155 – total</li> </ul>	
<p><b>3.2.2(K)(5) – Handicap Parking</b></p>	<p>Handicap-accessible spaces must have a stall width of 13 feet and be placed as close as possible to the nearest building entrance. Parking standards require a minimum amount of 6 handicap spaces based on the total spaces in the lot.</p> <p>The PDP complies with this standard by providing 8 spaces located in convenient areas adjacent to entryways around the site.</p>	<p>Complies</p>
<p><b>3.2.2(L) – Parking Stall Dimensions</b></p>	<p>Land Use Code Section 3.2.2(L) details parking stall and drive-aisle requirements for parking lots. The parking provided in this PDP is designed primarily for residents and qualifies as a “long term” parking use as outlined in Section 3.2.2(L)(3).</p> <p>The proposed project meets the parking stall and drive-aisle dimensions required in the Land Use Code for all parking stalls by providing the following:</p> <ul style="list-style-type: none"> <li>• 90°: 147, 9’x17’ spaces (9’x17’ when abutting a 6’ walkway or landscape)</li> <li>• Drive aisles are 24 feet in all locations.</li> </ul>	<p>Complies</p>
<p><b>3.2.4 – Site Lighting</b></p>	<p>This standard requires that exterior lighting not adversely affect the properties, neighborhood, or natural features adjacent to the development. Further, the standard requires exterior lighting to be examined in a way that considers the light source, level of illumination, hours of illumination and need.</p> <p>The PDP provides 40 light fixtures that provide lighting around building entryways, sidewalks, parking, streets, and internal drives. Pole mounted luminaires are limited to 23 feet in height. Lighting in all needed areas of the site and complies with the requirements of this section using fully shielded, down-directional, 3,000 Kelvin or less fixtures and do not exceed the lumen limit of 0.1 when measured 20 feet beyond the property boundary.</p> <p>As a note the lighting plan is being evaluated under prior code. New lighting standards took effect on March 16, 2021, after the submittal of this project’s submittal on October 30, 2020.</p>	<p>Complies</p>
<p><b>3.2.5 – Trash and Recycling Enclosures</b></p>	<p>The purpose of this standard is to ensure the provision of areas, compatible with surrounding land uses, for the collection, separation, storage, loading and pickup of trash, waste cooking oil, compostable and recyclable materials.</p> <p>The PDP proposes two trash enclosures located at the rear of the site. Each enclosure contains an equal distribution of trash and recycling capacity and 4 foot person door. Enclosures are constructed tilt-up concrete and feature powder-coated steel gates. Colors are neutral and match the overall theme of the development.</p>	<p>Complies</p>

### B. 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>This standard requires the applicant to dedicate rights-of-way for public streets, drainage easements and utility easements as needed to serve the area being developed. In cases where any part of an existing street is abutting or within the property being developed, the applicant must dedicate such additional rights-of-way to meet the minimum width required by Larimer County Urban Area Street Standards and the City of Fort Collins Land Use Code. The PDP complies with this standard by:</p> <ul style="list-style-type: none"> <li>• All abutting streets and easements have been dedicated and/or constructed to current standards.</li> <li>• Technology Parkway: 85-foot public right-of-way w/ 9-foot utility easement.</li> <li>• Precision Drive: 66-foot public right-of-way w/ 9-foot utility easement.</li> <li>• Rock Creek Drive 33-foot half right-of-way w/ 9-foot utility easement.</li> </ul>	Complies

### C. 3.4 ENVIRONMENTAL, NATURAL AREA, RECREATIONAL AND 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 the natural habitats and features and historic resources 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</b>	The site is not within 500 feet of an identified natural habitat or feature; therefore, the standards of this section do not apply.	N/A
<b>3.4.7 – Historic and Cultural Resources</b>	<p>This standard is intended to ensure that development is compatible with and protects historic resources and that the design of new structures is compatible with and protects the integrity of historic resources located within the area of adjacency.</p> <p>According to the requirements in 3.4.7(B), there are no historic resources within 200 feet of the subject site, therefore, Section 3.4.7 is not applicable to this project.</p>	N/A
<b>3.4.8 – Parks and Trails</b>	<p>This standard requires compliance of development plans with the Parks and Recreation Policy Plan to ensure that the community will have a fair and equitable system of parks, trail and recreation facilities as the community grows.</p> <p>The areas parks have been fully constructed in accordance with the Parks and Recreation Master Plan (2021)</p>	Complies

### D. 3.5 BUILDING STANDARDS

The purpose of this Section is to ensure that the physical and operational characteristics of proposed buildings and uses are compatible when considered within the context of the surrounding area.

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
<b>3.5.1(A) and (B) – Building Project and Compatibility, Purpose and General Standard</b>	<p>This section is designed to ensure compatibility of new buildings with the surrounding context. Absent any established character, the standard requires that new buildings set an enhanced standard of quality for future projects or redevelopment in the area.</p> <p><i>Compatibility shall mean the characteristics of different uses or activities or design which allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include height, scale, mass, and bulk of structures. Other characteristics include pedestrian or vehicular traffic, circulation, access, and parking impacts. Other important characteristics that affect compatibility are landscaping, lighting, noise, odor, and architecture. Compatibility does not mean "the same as." Rather, compatibility refers to the sensitivity of development proposals in maintaining the character of existing development.</i></p> <p>The character of the surrounding architectural context can be described as follows:</p> <p>East: Numerica Corporation is a “sister” building and features near identical architectural character.</p> <p>North: Wilmarc Medical, a medical manufacturing company, features modern architectural design and is constructed of tilt-up concrete, aluminum framed windows, and architectural metal. The building is approximately 29 feet in height.</p> <p>West: Undeveloped</p> <p>South: Fossil Ridge High School is a high school campus with generous building setbacks and is institutional in design with red and tan brick façade. Recessed elements of the building utilize a gray corrugated metal siding.</p> <p>In conformance with the General Standard of this section, the architectural character of the area is a mix of industrial, commercial, and institutional building styles. The proposal provides an almost identical design to its sister property across technology parkway and blends into the greater area by utilizing similar materials and colors.</p>	Complies
<b>3.5.1 (C)– Building Size, Height, Bulk, Mass, Scale</b>	<p>Buildings shall either be similar in size and height, or, if larger, be articulated and subdivided into massing that is proportional to the mass and scale of other structures, if any, on the same block face, abutting or adjacent to the subject property, opposing block face or cater-corner block face at the nearest intersection.</p> <p>Articulation of accent details, recesses and projections are used consistently throughout all faces of each respective building design. These elements help subdivide the massing and create appropriate proportions that are consistent or exceed the design in the surrounding area.</p>	Complies
<b>3.5.1 (E)– Building Materials</b>	<p>This section addresses building materials, glare, and windows. Building materials shall either be similar to the materials already being used in the neighborhood or, if dissimilar materials are being proposed, other characteristics such as scale and proportions, form, architectural detailing, color, and texture, shall be utilized to ensure that enough similarity exists for the building to be compatible, despite the differences in materials.</p> <p>Exterior materials consist of, 4” nominal brick veneer, tilt-up concrete panel, anodized aluminum storefront systems, and steel. These elements combined provide an adequate design for the area that is predominately commercial in character.</p>	Complies

<b>3.5.1 (F)– Building Color</b>	<p>Color shades shall be used to facilitate blending into the neighborhood and unifying the development. The color shades of building materials shall draw from the range of color shades that already exist on the block or in the adjacent neighborhood.</p> <p>The adjacent buildings consist of red, tan, white, grey, and black. The proposal includes red, tan, and grey which complement the colors of the adjacent properties.</p>	Complies
<b>3.5.3(C)(2)(a) – Orientation to Build-to Lines for Streetfront Buildings</b>	<p>To establish "build-to" lines, buildings shall be located and designed to align or approximately align with any previously established building/sidewalk relationships that are consistent with this standard. Accordingly, at least thirty (30) percent of the total length of the building along the street shall be extended to the build-to line area. If a parcel, lot or tract has multiple streets, then the building shall be built to at least two (2) of them according to (b) through (d) below, i.e. to a street corner. If there is a choice of two (2) or more corners, then the building shall be built to the corner that is projected to have the most pedestrian activity associated with the building.</p> <p>The applicant has requested a Modification of Standard which is covered earlier in this report.</p>	Modification Requested
<b>3.5.3(C)(2)(b-d)</b>	<p>Building orientation standards require that the building be brought to a street corner (Precision Drive &amp; Technology Parkway) and be setback no greater than 15 feet from the right-of-way.</p> <p>The location of the east façade in relation to the street is interrelated to the modification request.</p> <p>The northern façade is proposing a plaza, courtyard and patio between the street and the building which allows for an exemption to the build-to line. The standard states, "Exceptions to the build-to line standards shall be permitted in order to form an outdoor space such as a plaza, courtyard, patio or garden between a building and the sidewalk. Such a larger front yard area shall have landscaping, low walls, fencing or railings, a tree canopy and/or other similar site improvements along the sidewalk designed for pedestrian interest, comfort and visual continuity."</p> <p>The plan provides a 90 foot setback area that includes landscaping, bike repair station, bike racks, boulders, seating, steel pergola, and a 36" brick wall to match the building. These elements are incorporated into three separate areas along the Precision Drive frontage. Each area is further defined by surrounding landscaping that includes trees, shrubs and grasses.</p>	Complies
<b>3.5.3(D)(1-2) – Variation in Massing</b>	<p>A single, large, dominant building mass shall be avoided in new buildings and, to the extent reasonably feasible, in development projects involving changes to the mass of existing buildings.</p> <p>The building provides adequate horizontal massing at 20-50 foot intervals. Each building module provides approximately 5 feet of façade articulation. Articulation of façade is used for building entrances in several areas and provides flexibility in building design to distinguish future tenants.</p>	Complies
<b>3.5.3(E)(1-7) – Character and Image</b>	<p>These sections focus on architectural detail of commercial buildings and provide standards for site specific design, façade treatments, entrances, awnings, and base and top treatments.</p> <p>The PDP provides a design that incorporates predominate characteristics shared by all buildings within the context of the site which include:</p> <ul style="list-style-type: none"> <li>• Changes in wall plane, use of commercial window systems, and change in colors that subdivide the façade into human scale proportions</li> <li>• Entryways that are defined by overhanging steel awnings.</li> <li>• A building base that is treated and the building consists of light color tilt-up concrete that anchors space below windows and a variation of materials and colors along the length of the façade.</li> <li>• A roofline treatment includes stepped parapets.</li> </ul>	Complies

### E. 3.6 TRANSPORTATION AND CIRCULATION

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
<b>3.6.4 – Transportation Level of Service Requirements</b>	<p>A Transportation Impact Memo was submitted and has been accepted by City Engineering staff. The project meets all short and long term level of service standards as required by the City.</p> <p>The memo concludes that with full development of the PDP the future vehicular Level of Service at key intersections will be acceptable. In addition, acceptable level of service is achieved for pedestrian, bicycle, and transit modes based upon the measures in the Multi-Modal Transportation Level of Service Manual.</p>	Complies
<b>3.6.6 – Emergency Access</b>	<p>This standard states, " all developments shall provide adequate access for emergency vehicles and for those persons rendering fire protection and emergency services by complying with Article 9, Fire Department Access and Water Supply, of the Uniform Fire Code as adopted and amended pursuant to Chapter 9 of the City Code. All emergency access ways, easements, rights-of-way or other rights required to be granted pursuant to the Uniform Fire Code must include not only access rights for fire protection purposes, but also for all other emergency services."</p> <p>The project has been reviewed by Poudre Fire Authority (PFA) and is found to meet aerial access, water supply, and general access requirements.</p>	Complies

### F. 3.7 COMPACT URBAN GROWTH

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
<b>3.7.3 – Adequate Public Facilities</b>	<p>This section requires that any approval of a development is conditioned on the provision of all services necessary to serve the new development. This includes transportation, water, wastewater, storm drainage, fire and emergency services, electrical power and any other public facilities and services as required.</p> <ul style="list-style-type: none"> <li>The project is served by Fort Collins Water Utilities (FCLWD), Fort Collins Light and Power, and the Poudre Fire Authority. Each party has commented on the project and have demonstrated existing infrastructure capable of serving the proposed project at the developer's expense.</li> </ul>	Complies

**5. Article 4 – Applicable Standards:**

**A. DIVISION 4.26 – HARMONY CORRIDOR DISTRICT (H-C)**

The Harmony Corridor District is intended to implement the design concepts and land use vision of the Harmony Corridor Plan - that of creating an attractive and complete mixed-use area with a major employment base.

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
<b>4.26(B) – Permitted Uses</b>	All proposed commercial and industrial land listed on the site plan are permitted subject to administrative review. Uses include the following: <ul style="list-style-type: none"> <li>• Offices, financial services and clinics.</li> <li>• Child care centers.</li> <li>• Print shops.</li> <li>• Food catering or small food product preparation.</li> <li>• Adult day/respite care centers.</li> <li>• Small animal veterinary clinics.</li> <li>• Small animal veterinary hospitals.</li> <li>• Research laboratories.</li> <li>• Light industrial uses.</li> <li>• Workshops and custom small industry uses.</li> </ul>	Complies
<b>4.21(D-E) – Land Use &amp; Development Standards</b>	In compliance with the standards of both sections, the plan proposes: <ul style="list-style-type: none"> <li>• A one-story building (6-story maximum height)</li> <li>• Less than 80,000 square foot building which is subject to a Type 1 review.</li> <li>• Compliance with the ODP that creates an integrated pattern of streets, outdoor spaces (stormwater detention), building style and land use.</li> <li>• With the exception of the loading dock, industrial or R&amp;D activity is carried out entirely within the enclosed building.</li> </ul>	Complies

**6. Findings of Fact/Conclusion**

In evaluating the request for PDP200016 – Office & Light Industrial on Technology Parkway, Staff makes the following findings of fact:

- A. The PDP is in compliance with land use and development standards of the Harmony Corridor Plan.
- B. The PDP complies with the Harmony Technology Park Overall Development Plan.
- C. The PDP is a permitted use and complies with the applicable land development standards of the Harmony Corridor zone district in accordance with Article Four.
- D. The request for Modification to Section 3.5.3(C)(2) is found to comply with the requirements for granting a Modification per Section 2.8.2(H) in that:
  - a. The granting of the Modification would not be detrimental to the public good.
  - b. 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 by providing a comprehensive approach to the internal pedestrian network, onsite amenities, plazas, and landscaping.

## 7. Recommendation

Staff recommends approval of the Modification of Standard to Section 3.5.3(C)(2), and approval of the Office & Light Industrial on Technology Parkway, PDP200016.

## 8. Attachments

1. Vicinity Map
2. Project Narrative
3. Site and Landscape Plan Set
4. Architectural Elevations
5. Utility Plan
6. Photometric Plan
7. Modification Request to 3.5.3(C)(2)
8. Plat
9. Preliminary Design Review - Staff Comments
10. Round 1 - Staff Comments
11. Round 2 - Staff Comments

## 9. Links

The documents available at the following links provide additional information regarding the development proposal under review and are incorporated by reference into the hearing record for this item:

1. [Drainage Report](#)
2. [All Submittal Documents](#) (enter PDP200016 into search bar)