

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

**FINDINGS AND DECISION**

HEARING DATE: April 8, 2024

PROJECT NAME: Heartside Hill Community Facility Project Development Plan

CASE NUMBER: PDP # 230016

APPLICANT  
REPRESENTATIVE: Cathy Mathis  
TB Group  
444 Mountain Avenue  
Berthoud, CO 80513

OWNER: Heartside Hill, LLLP  
1303 W Swallow Road, Building 11  
Fort Collins, CO 80526

HEARING OFFICER: Lori Strand

**PROJECT DESCRIPTION & BACKGROUND:** The Owner owns approximately 0.64-acres of land generally located at the northeast corner of Brittany Street and E. Trilby Road and legally described as Lot 1, Block 3, Heart of the Rockies Third Subdivision<sup>1</sup> (the “**Subject Property**”). The Owner requests approval of the Heartside Hill Community Facility Project Development Plan (the “**PDP**”) to establish the use of the Subject Property as a community facility and child care center as set forth in the site plan and related documents for the PDP (the “**Project**”).

The Subject Property is located within the Heartside Hill Overall Development Plan (the “**ODP**”). The ODP covers approximately 10.78 acres of land. Consistent with the ODP, the Heart of the Rockies Church currently operates immediately north of the Subject Property (the “**Church Lot**”), and multi-family (the “**Heartside Hill Apartments**”) and single-family residential uses have been approved for land to the south and north/northeast (respectively) of the Subject Property.

The Project is comprised of two phases: Phase 1 is an approximately 4,012 s.f. community facility and Phase 2 is the approximately 8,249 s.f. child care center with accessory play yard. The community facility is intended to primarily serve as a clubhouse for the Heartside Hill Apartments and provide auxiliary space for the adjacent Heart of the Rockies Church.

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<sup>1</sup> There is a pending lot line adjustment referred to as the Heart of the Rockies Fourth Subdivision. If approved by the City, the acreage and legal description of the Subject Property will change in accordance with said Fourth Subdivision.

Vehicular access to the Subject Property will be from an existing curb cut on Brittany Street that connects to a private drive within the southern portion of the ODP. Per the Development Review Staff Report, attached hereto and incorporated herein as ATTACHMENT A (the “**Staff Report**”), and testimony of Ms. Puga, City Planner, at the public hearing on this Project, public access over the private drive was previously established.

The Subject Property is zoned Low Density Mixed-Use Neighborhood (L-M-N). Community facilities and child care centers are listed as permitted uses in the L-M-N zone district, subject to administrative (Type 1) review. See Division 4.5 of the City of Fort Collins Land Use Code (“**LUC**”).

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

The zoning and land uses of the Subject Property and surrounding area are shown on page 5 of the Staff Report.

Additional background on the Project and analysis of the PDP’s compliance with the LUC and consistency with the City’s comprehensive plan are provided in the Staff Report.

The Staff Report recommends approval of the PDP.

SUMMARY OF DECISION:    Approved with one condition.

ZONE DISTRICT:    Low Density Mixed-Use Neighborhood (L-M-N)

HEARING: This matter was heard at a virtual public hearing conducted on Monday, April 8, 2024. The Hearing Officer opened the hearing at approximately 5:30 P.M and reviewed the Rules of Conduct and Order of Proceedings with the Owner, representatives, 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. The Staff Report (23 pages). The Staff Report includes links to a Developed Impervious Area Memorandum and the City of Fort Collins Community Development and Neighborhood Services Heartside Hill Community Facility, PDP230016, comments on the PDP.
2. Project narrative.
3. Site plan (3 sheets).
4. Landscape plan (4 sheets).
5. Architectural elevations (4 sheets).
6. Lighting plan (2 sheets).
7. Civil plans (7 sheets).
8. Memorandum dated December 6, 2023, from Kim Iwanski, Director of Housing Development, CARE Housing, to City of Fort Collins re: Heartside Hill

Community Center Phase 1 and Transportation Impacts (2 pages). This memorandum provides information requested by the City regarding the use of and anticipated trips generated by the community facility. This memorandum states that the facility will primarily serve as a clubhouse for the residents of the adjacent Heartside Hill Apartments and provide auxiliary space for the adjacent Heart of the Rockies Church. This memorandum states that the facility will not add traffic beyond the traffic accounted for in the ODP. This memorandum also states that the trip generation for the proposed child care center was included in the transportation impact study prepared for the ODP (reference documents listed below as item nos. 9 and 10).

9. Heartside Hill Transportation Impact Study, dated November 2021 (109 pages).
10. Heartside Hill Transportation Impact Study, dated November 2022/July 2022) (107 pages).
11. *Unexecuted* Shared Use of Parking and Trash Receptacle Memorandum of Agreement, between Heart of the Rockies Christian Church (Disciples of Christ) and Care Housing, Inc. (“Parking and Trash MOA”) (3 pages).
12. Letter, dated March 20, 2024, from Robert N. Brite Jr., Treasurer of Christian Church (Disciples of Christ) Central Rocky Mountain Region, to John Gerwel, Engineering Development Review, City of Fort Collins, stating (among other things) that the Church has agreed to work with CARE Housing on sharing parking spaces and a trash enclosure in the Church parking lot (“Church Letter re: Parking and Trash”). The letter states that it “is not a commitment to any specific terms or obligations [but, rather] serves as an expression of [the Church’s] willingness to work with CARE Housing in its role as developer of Heartside Hill through this process.”
13. Heartside Hill Overall Development Plan (3 sheets).
14. Heart of the Rockies Fourth Subdivision (3 sheets).
15. Heart of the Rockies Third Subdivision (3 sheets).
16. Applicant virtual hearing power point presentation (12 pages).
17. City staff virtual hearing power point presentation (40 pages) and updated City staff virtual hearing power point presentation (40 pages).
18. Two written public comments from John Graham, PhD, regarding Trilby Road access and inquiring whether a new traffic study would be required for the Project.
19. Steven Gilchrist, Civil Engineer II, Traffic Operations, City of Fort Collins, email in response to John and Karen Graham (reference document listed above as item no. 19 above). Mr. Gilchrist explains that the transportation impact study for the ODP (reference documents listed above as item nos. 9 and 10) included anticipated trips that would be generated by the child care center use; Mr. Gilchrist noted that as the Project moves forward with the child care center, the City will review the proposal to make sure it is consistent with the ODP. With regard to the community facility use, Mr. Gilchrist said that information provided by the Owner with this PDP (reference document listed above as item no. 8) led the City to conclude that the community facility is not expected to generate additional traffic beyond the anticipated trips that were included in the transportation impact study for the ODP.
20. Written public from Jesse Albertson asking for additional information on the proposed uses.

21. Email correspondence from Lori Strand, Hearing Officer, requesting copies of the ODP, the current and pending plats, and any written correspondence or documentation from the City Traffic Engineer confirming that the transformation impact study for the ODP adequately covered the uses proposed by the PDP. The email correspondence also requests that Ms. Puga provide additional information regarding the proposed uses during the virtual public hearing.
22. Confirmation of order for published notice of virtual public hearing on the Project in the Fort Collins Coloradoan. Published notice appeared on March 29, 2024.
23. Copy of March 22, 2024 mailed notice of virtual public hearing on the Project.
24. Administrative (Type 1) Hearing: Order of Proceedings.
25. Administrative (Type 1) Hearings: Rules of Conduct.
26. The City's Comprehensive Plan, the LUC, 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 testified or participated during the virtual hearing:

From the City:           Katelyn Puga, City Planner, City of Fort Collins  
                                   Em Myler, City Development Liaison - Ms. Myler participated to provide instruction regarding how to provide public testimony.  
                                   Steve Gilchrist, Civil Engineer II, Traffic Operations, City of Fort Collins

From the Applicant: Steve Keuhneman, Executive Director of CARE Housing  
                                   Cathy Mathis, TB Group  
                                   Ian Shuff, Project Architect, Alm2s

No members of the public spoke during the public comment portion of the hearing.

The virtual public hearing on the Project was closed at approximately 6:40 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. The PDP complies with the ODP. The ODP contemplates that the Subject Property will be used for community building and child care uses.
3. Based on testimony provided at the virtual public hearing and a review of the materials in the record of this case, the Hearing Officer concludes as follows:
  - A. The PDP complies with the purposes of the LUC set forth in LUC Section 1.2.2, including being consistent with the City Plan.
  - B. The PDP complies with the applicable procedural and administrative requirements of Article 2 of the LUC.

- C. Except as otherwise provided in this Finding 3.C, the PDP complies with the relevant standards contained in Article 3 of the LUC as more specifically set forth in the Staff Report. The Hearing Officer finds that the Parking and Trash MOA and the Church Letter re: Parking and Trash (reference documents listed as item nos. 11 and 12, respectively, in the “EVIDENCE” section above) do not sufficiently guarantee the long-term use by the Owner and successor owners of the Subject Property of the parking spaces and the trash and recycling area within the Church Lot. Therefore, the Hearing Officer finds that LUC Sections 3.2.2(K)(2) and 3.2.5 have not been met. To satisfy these zoning standards, the shared parking and trash/recycling area agreement should be signed by the fee owners of the Subject Property (the benefiting property) and the Church Lot (the burdened property), should run with the land, and should not be terminable unless and until the owner of the benefitted property demonstrates to the City that applicable zoning standards can be met without reliance on the shared parking and trash/recycling area agreement.
- D. The PDP complies with the relevant standards contained in Division 4.5, Low Density Mixed-Use Neighborhood District (L-M-N), of Article 4 of the LUC.

DECISION

Based on the findings set forth above, the Hearing Officer hereby approves the Heartside Hill Community Facility Project Development Plan (PDP) #230016 subject to the following condition of approval:

- The current fee owners of the of the Subject Property and the Church Lot must execute and record against the Subject Property and the Church Lot an agreement that provides for the long term use by the Owner and successor owners of the Subject Property of parking spaces and the trash and recycling area within the Church Lot in a form acceptable to the Fort Collins City Attorney’s Office. The PDP and the future final development plans must include notes referring to the recorded agreement.

DATED this 22<sup>nd</sup> day of April 2024.

*Lori B Strand*

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Lori Strand  
Hearing Officer

**ATTACHMENT A**

Staff Report  
Heartside Hill Community Facility Project Development Plan  
(PDP #230016)

# Development Review Staff Report

Administrative Hearing: April 8, 2024

## PDP230016, Heartside Hill Community Facility Project Development Plan

### Summary of Request

This is a request for a Project Development Plan (PDP) for development of the Heartside Hill Community Facility and Child Care Center generally located at the northeast corner of Brittany Street and E. Trilby Road on an approximately 0.64-acre property. The proposed community facility and childcare center is a collaborative project including Heart of the Rockies Christian Church and Heartside Hill, LLLP, with CARE Housing. The community facility and child care center are intended to serve the residents in the Heartside Hill affordable housing neighborhood.

The project proposes a phased development for the two uses on the site. Phase 1 includes a 4,012 square foot community facility and Phase 2 includes an 8,249 square foot child care center. The site is zoned Low Density Mixed-Use Neighborhood (L-M-N) and community facility and child care land uses in the LMN zone district are both subject to an Administrative Hearing (Type 1) review.

### Zoning Map



### Next Steps

If approved by the Hearing Officer, the applicant will be eligible to apply for a Final Development Plan (FDP).

### Site Location

The project is located at the northeast corner of the intersection of Brittany Street and E Trilby Road. The site shares a property boundary with the Heart of the Rockies Church.

**Parcel #:** 9612434001

### Zoning

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

### Property Owner

Community at Heart, LLC  
1303 W Swallow Road, Building 11  
Fort Collins, CO 80526

### Applicant/Representative

Cathy Mathis  
TB Group  
444 Mountain Avenue  
Berthoud, CO 80513

### Staff

Katelyn Puga, City Planner

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### Staff Recommendation

Approval of the Project Development Plan

## 1. Project Introduction

### A. PROJECT SUMMARY

This is a request for a Project Development Plan (PDP) to allow for a community facility and child care center to be developed on a vacant property approximately 0.64 acres in size (Block 3, Lot 1) located in the LMN zone district. The property is located generally northeast of Brittany Street and E. Trilby Road, and directly south of the Heart of the Rockies church property. A portion of the development site is currently occupied by the playground area for the church use. The Heartside Hill multi-family development is located directly south of the site. A future phase for a community building at this site was considered as part of the Overall Development Plan for the Heartside Hill development. The community facility and childcare center intend on serving the surrounding Heartside Hill neighborhood.

The PDP proposes to develop the site as a community facility and childcare center that includes two proposed phases:

- Phase 1: Community Facility (4,012 sq.ft.)
- Phase 2: Child care center (8,249 sq.ft.) including a play yard (6,958 sq.ft.) to serve the child care center.

The total proposed building square footage at full build-out (Phase 1 and Phase 2) is approximately 12,261 square feet. The proposed site plan includes improvements related to parking, stormwater detention, pedestrian circulation, and landscaping.

- Access to the development would be from Brittany Street to the west, which connects to the southern private drive that serves the overall Heartside Hill and Heart of the Rockies developments. There are no changes proposed to overall access to the site with this development proposal.
- Parking for the community facility and childcare center is proposed to be shared with the existing parking spaces provided with both the church property and the multi-family development. A Memorandum of Agreement demonstrates an agreement between the property owners to share this parking to satisfy parking requirements for the proposed uses. The applicant has demonstrated that the existing church lot provides sufficient parking for all uses on site. The agreement has been provided to the City and is included in the attachments to this staff report.
- The site would incorporate new landscaping beds surrounding the proposed perimeter of the building foundations and play yard to meet the tree-stocking requirements of the Land Use Code. A seed mix and landscape bed is proposed along the private drive during Phase 1 as an interim landscape treatment until Phase 2 is constructed.
- A community-designed painted art mural is proposed for the south building elevation of the Phase 1 community facility building to provide interest and character as an interim condition prior to the construction of the child care center building in Phase 2.

Site planning and development documents, studies, and relevant exhibits are attached to this report, and an index to these can be found on page 22.

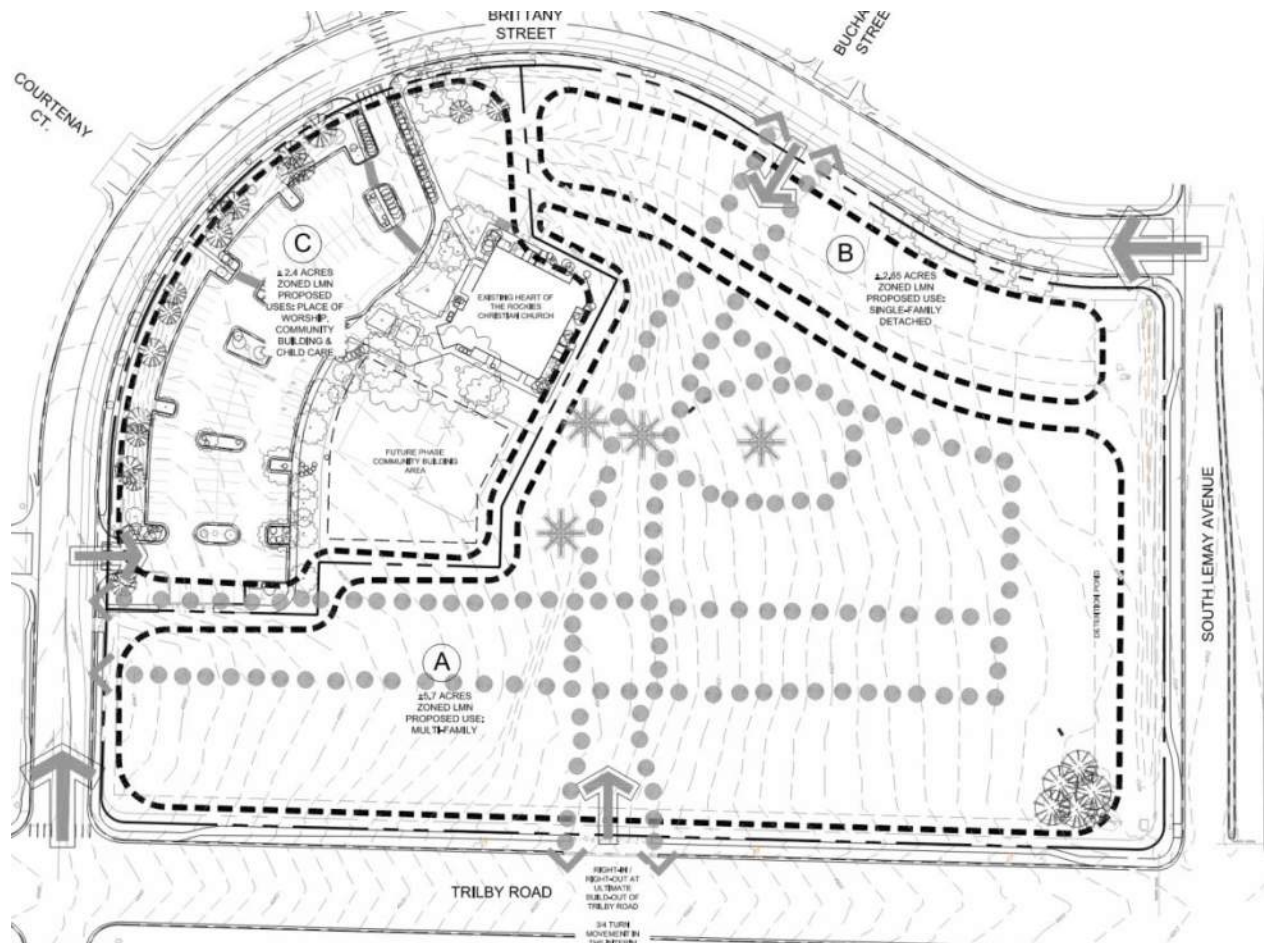


## B. DEVELOPMENT BACKGROUND & CONTEXT

The site of the proposal was annexed into the City by the Fuqua Annexation in 1980 and subsequently zoned Low Density Planned Residential Zoning District (later becoming the current zoning of LMN with a Land Use Code update). The Foothills Channel is located along the south property boundary, and the Rendezvous Trail is located to the southeast. The 10.78-acre Heart of the Rockies Second Subdivision and Project Development Plan (PDP) was approved in 1999 and created two-lots, with the church being the first and only building phase that took place. The first phase was completed and includes the main church building and related parking on the site. Plans for the second building phase for lot two were never submitted. The vacant property has since been through various Development Review processes and approvals related to the Heartside Hill Overall Development Plan.

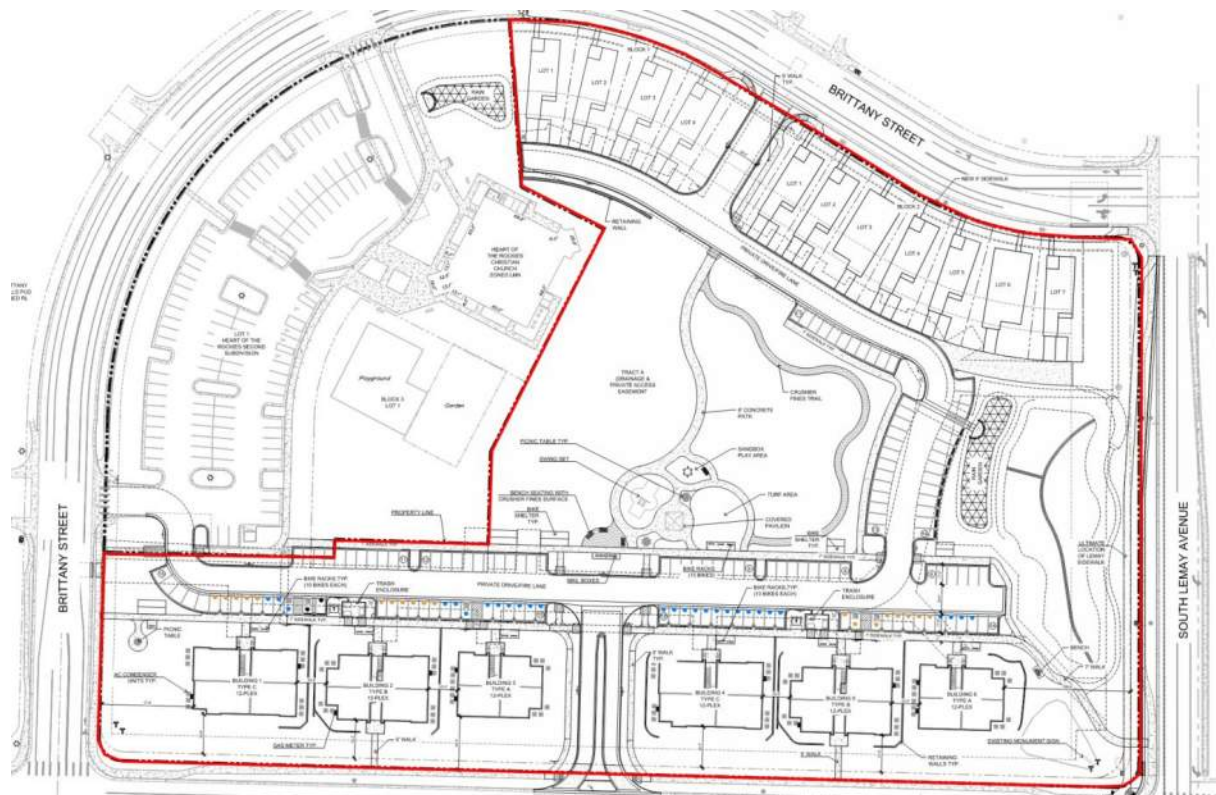
### Heartside Hill Overall Development Plan

An Overall Development Plan (ODP) for the multi-family and single-family detached residential development was proposed on approximately 6.57 acres of land. The ODP also included the existing church site and the site for the proposed community facility as a future phase of development.



**Heartside Hill Residential Project Development Plan & Final Development Plan**

A PDP for the residential development that included both single-family and multi-family uses was approved in September 2022. The PDP and FDP were approved to allow construction of 72 multi-family dwelling units and 11 single-family dwelling units. The proposal included parking and a neighborhood park area to serve the residential development. Construction has begun for the development of the streets and access that serves the residential development.



**Heartside Hill Fourth Filing and Minor Amendment**

A Minor Amendment and Minor Subdivision were submitted for review in November 2023, to make lot line adjustments to account for the location of the existing church modular building to remain on site (previously shown as removed in PDP and FDP plans). Changes proposed included minor landscaping changes, minor lot line adjustments, addition of a retaining wall and changes to the adjacent rain garden. This minor amendment is currently under review.



**Surrounding Zoning and Land Uses**

	Zoning	Land Uses
<b>North</b>	Low-Density Mixed-Use District (LMN) & Residential Low District (RL)	Heart of the Rockies Church and Brittany Knolls single-family detached dwellings
<b>South</b>	Low-Density Mixed-Use District (LMN)	Discovery Fellowship Church and Eagle Tree Condominiums (south of E. Trilby Rd.)
<b>East</b>	Low-Density Mixed-Use District (LMN) & Residential Low District (RL)	Heartside Hill Park, Multi-family and single-family detached dwellings. Paragon Point residential neighborhood on east side of Lemay Avenue
<b>West</b>	Low-Density Mixed-Use District (LMN) & Residential Low District (RL)	Brittany Knolls single-family detached dwellings

View of PDP project location shown below as the yellow outlined area:



### **C. OVERVIEW OF MAIN CONSIDERATIONS**

The original Development Plan for the Heart of the Rockies had considered future development of this property. The Overall Development Plan for Heartside Hill considered it to specifically be developed as a future community facility land use. Some of the main considerations of the project during review of this PDP included:

- Architectural design and compatibility with the nearby developments and residential neighborhoods
- Shared access and parking across the sites
- Landscape design
- Phasing plan

Other general considerations were related to pedestrian safety, access to nearby amenities, and the overall site layout.

#### **Architecture & Compatibility Standards**

The overall design and compatibility of the two-phased building with surrounding buildings and neighborhood character were a priority for the design of the site. With the site at the center of various types of housing and adjacent to the Heart of the Rockies Church, it was important that the architectural design incorporates the style, material and colors of the surrounding neighborhood buildings. The applicant incorporated a gable roof style for the building to align with the architectural style of the single-family and multi-family neighborhoods. The material and color selections draw from the same materials incorporated in the multi-family and church designs in the following ways:

- The plan incorporates a tan colored stucco that draws from the stucco color for the Heart of the Rockies church.

- The plan incorporates a stone veneer that is similar to the stone veneer used for the adjacent Heartside Hill multi-family development.
- The gray color scheme used primarily draws from the main colors incorporated into the Heartside Hill multi-family development.

Incorporating elements of the surrounding neighborhood into the proposed architecture of the community facility and child care center demonstrates a complimentary design to the existing neighborhood context.

### **Shared Access Across Sites**

The location of the property is situated at the center of the Heartside Hill development. As a building that will serve the adjacent community, it was important to ensure that shared access across lots be provided to ensure adequate parking, pedestrian connections, vehicular and emergency access, and trash access. These site elements are provided on the adjacent Heart of the Rockies Church property and positioned in a way that provides convenient and accessible access for pedestrian and vehicular access, parking, and trash collection and storage for the Heartside Hill community facility use. As an infill site there is limited room for additional parking spaces, access, and trash enclosures. To ensure that the community facility and the child care center has access to these required site elements, the applicant has proposed and provided a Memorandum of Agreement between the Heart of the Rockies Church as property owner of Lot 1, Block 1 Heart of the Rockies Second Subdivision (6501 Brittany Street) and CARE Housing, Inc as the managing partner for Heartside Hill, LLLP, owner of the proposed Heartside Hill Community Building for Lot 1, Block 3 Heart of the Rockies Third Subdivision. Heart of the Rockies Christian Church also has an ownership interest in the Heartside Hill Community Facility and has provided the city with a Letter of Intent to demonstrate both parties desire to share and jointly utilize the parking and trash receptacles for this development.

### **Phasing Plan**

The applicant has proposed to phase the development of the community facility and the child care center. For the review, City Staff considered this as an important consideration to ensure that the interim conditions of the site prior to Phase 2 construction still meet the Land Use Code requirements while contributing to the overall quality of the development. As an interim solution, the applicant has proposed to include a landscaping bed along the south side of the site, adjacent to the sidewalk until construction for the second phase begins. In addition to landscaping, to provide architectural interest to the south side of the Community Center building, the applicant has proposed a community mural to be incorporated to the south façade of the facility. The mural will be required to be completed with the construction of the first phase on the site.

## D. CITY PLAN (2019)

City Plan - The City's comprehensive plan (2019 City Plan) was developed with the participation of thousands of community members and "articulates the community's vision and core values, and establishes the overall policy foundation" to provide "high-level direction" towards achieving a shared community vision of growth and transportation throughout the City. A basic aspect of the vision pertinent to this project proposal is the unique character and sense of place in Fort Collins.

The subject property is consistent with the "Mixed-Neighborhood place type" land use designation, which is the overlying land use designation for the LMN zone district.

City Plan provides guidance that the Structure Plan is not intended to be used as a stand-alone tool; rather, it should be considered in conjunction with the accompanying principles, goals, and policies contained in City Plan as a tool to guide future growth and development. Key principles and policies relevant to the project include the following:

### **PRINCIPLE LIV 2: Promote Infill and Redevelopment:**

*POLICY LIV 2.1 - REVITALIZATION OF UNDERUTILIZED PROPERTIES. Support the use of creative strategies to revitalize vacant, blighted or otherwise underutilized structures and buildings, including, but not limited to: Infill of existing surface parking lots—particularly in areas that are currently, or will be, served by bus rapid transit (BRT) and/or high-frequency transit in the future.*

*Staff Analysis: The development of a vacant property that serves the needs of the adjacent community would revitalize a vacant property to be used by the surrounding community.*

### **PRINCIPLE LIV 3: Maintain and enhance our unique character and sense of place as the community grows:**

*POLICY LIV 3.1 - PUBLIC AMENITIES. Design streets and other public spaces with the comfort and enjoyment of pedestrians in mind ...such as plazas, pocket parks, patios, children's play areas, sidewalks, pathways...*

*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.*

*Staff Analysis: The careful design of the community facility and child care center ensures that it enhances the quality of the adjacent neighborhoods by providing the community with access to services at a location that is well centered and integrated into the neighborhood. The architectural design of the building draws from nearby architectural styles of the residential neighborhoods in size, scale, and materials.*

*Staff Analysis: The project is building upon the connections for pedestrians to enjoy the nearby amenities, including the adjacent community park. The project utilizes a similar architectural style as the nearby buildings to create a context-sensitive development. The placement of the community facility aligns with the placement of other non-residential buildings in this area, at the center of a neighborhood.*

**PRINCIPLE LIV 4 – Enhance neighborhood livability:**

*POLICY LIV 4.2 - COMPATIBILITY OF ADJACENT DEVELOPMENT. Ensure that development that occurs in adjacent districts complements and enhances the positive qualities of existing neighborhoods. Developments that share a property line and/or street frontage with an existing neighborhood should promote compatibility by: Continuing established block patterns and streets to improve access to services and amenities from the adjacent neighborhood; Incorporating context-sensitive buildings and site features (e.g., similar size, scale and materials); and Locating parking and service areas where impacts on existing neighborhoods—such as noise and traffic—will be minimized.*

The Land Use Code's purpose statement, per Section 1.2.2(A)-(O), is to ensure that all growth and development that occurs is consistent with the code, and City Plan, and addresses a range of community issues and design elements. By incorporating the specific requirements within the Code, a plan demonstrates its fulfillment of this purpose statement.

## 2. Public Outreach

A neighborhood meeting is not required for an Administrative Hearing (Type 1) project. A neighborhood meeting was not held for the Heartside Hill Community Facility PDP. Notice of the Hearing will be sent to properties within 1000 feet of the project at least fourteen (14) days prior to the hearing date.

## 3. Land Use Code Article 1 – General

### A. PURPOSE (§1.2.2)

LUC §1.2.2 lists a wide range of over-arching, high-level objectives (i.e., “reducing energy consumption and demand”) that are further developed in Articles 2, 3, 4, and 6 of the Land Use Code to ensure that proposed development meets the overall purpose to “improve and protect the public health, safety, and welfare” of the community.

As they may apply to the subject property and proposed project, the following sections of this report describe design elements of the proposed development plan that provide evidence of and the degree to which compliance would be achieved relative to the specific and enumerated standards within the Land Use Code.

The requirements, standards, and criteria contained in Articles 2, 3, 4, and 6 of the Land Use Code have been crafted to fulfill and implement the stated purpose of this Code in §1.2.2, thereby ensuring that this project complies with the overall stated purpose.

### B. CODE CONFLICTS (§1.7.2)

The Land Use Code contains a provision in §1.7.2 that clarifies that in the event of conflicts with one code requirement with another, or with any other applicable standard – including those external to the Code, that “the more specific” [1<sup>st</sup> test] or “more stringent” [#2 test] standard, limitation, or requirement shall govern or prevail to the extent of the conflict.” As it relates specifically to conflicts internal to the Land Use Code, there is an exception listed in this subsection to reference §3.1.2, which states that, in such an event, an Article 4 standard would prevail over one in Article 3.

## 4. Land Use Code Article 2 – General Procedures

### A. PROJECT DEVELOPMENT PLAN PROCEDURAL OVERVIEW (DIVISION 2.4)

#### 1. Conceptual Design Review – CDR230055

A conceptual design review meeting was held on July 20, 2023.

#### 2. First Submittal – PDP230016

The Project Development Plan was submitted on December 13, 2023.

#### 3. Neighborhood Meeting

Pursuant to *LUC Section 2.2.2 – Step 2: Neighborhood Meetings*, a neighborhood meeting is not required for an Administrative Hearing (Type 1) project. A neighborhood meeting was not held for the Heartside Hill Community Facility PDP.

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

Posted Notice: February 28, 2024, Sign #754.

Written Hearing Notice: March 22, 2024, 442 addresses mailed.

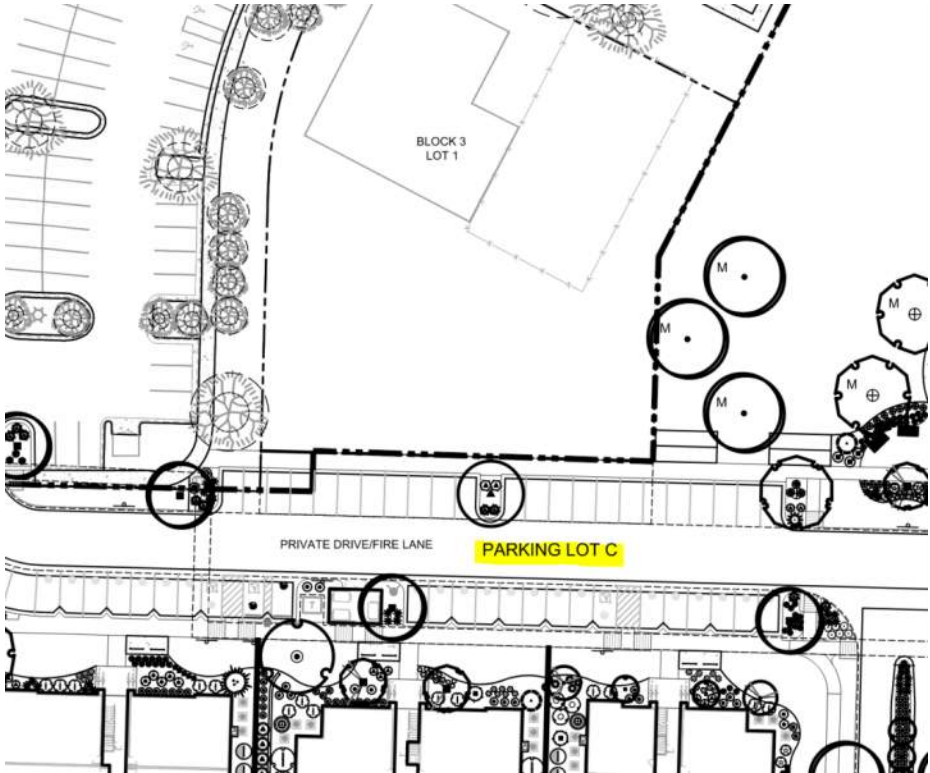
Published Coloradoan Hearing Notice: Scheduled for **Day, Month, Year**



**5. Land Use Code Article 3 – General Development Standards**

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

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
<p><b>3.2.1 – Landscaping and Tree Protection</b></p> <p><b>3.2.1(D) Tree Planting Standards</b></p> <p><b>3.2.1(D)(1)(c) Full Tree Stocking</b></p>	<p>The standards of this section require that a development plan demonstrates 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> <ul style="list-style-type: none"> <li>• Full tree stocking is provided within 50 feet of all high-use or high-visibility sides of the buildings. The proposal includes landscape areas which extend at least seven (7) feet from the building.               <ul style="list-style-type: none"> <li>○ Standard is met by providing a total of 15 trees total onsite across both Phase 1 and Phase 2 of the landscaping plan that meet spacing requirements.</li> <li>○ 5 trees are proposed to be planted in Phase 1 for the community facility and 10 trees are proposed to be planted in Phase 2 for the child care center.</li> <li>○ Planting beds are provided around the building and play yard. A landscape shrub bed is provided in Phase 1 along the south sidewalk frontage. This plant bed would be removed and replaced during Phase 2 construction with the final landscape plan design.</li> </ul> </li> </ul>	<p>Complies</p>
<p><b>3.2.1(E)(4) – Parking Lot Perimeter Landscaping</b></p>	<p>The parking lot perimeter landscaping requirements for spaces to the south and west of the buildings were met with the original Heart of the Rockies development and the Heartside Hill ODP landscaping plan.</p> <ul style="list-style-type: none"> <li>• There are no proposed changes to the existing and planned landscaping in the adjacent parking lots with this proposal.</li> </ul>	<p>Complies</p>

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings								
<p><b>3.2.1(E)(5) – Parking Lot Interior Landscaping</b></p>	<p>All parking lot landscaping that is proposed to serve the site has been approved with previous plans.</p> <ul style="list-style-type: none"> <li>The parking spaces that will be utilized on the church site have existing interior parking lot landscaping. The landscaping for the parking spaces located on the south side of the site frontage was approved with the Heartside Hill Residential Development Final Development Plan (FDP) shown in the exhibit below and met the requirements for parking lot interior landscaping as shown in the table below for Lot C.</li> <li>The following interior landscape parking areas were provided with the Heartside Hill Residential Development FDP:</li> </ul> <table border="1" data-bbox="461 667 1333 825"> <thead> <tr> <th>Parking Lot</th> <th>Overall size (sq ft)</th> <th>Min. 6% required (sq ft)</th> <th>Provided (sq ft)</th> </tr> </thead> <tbody> <tr> <td><b>Lot C 47 spaces</b></td> <td>17,825</td> <td>1,070</td> <td>2,243</td> </tr> </tbody> </table> 	Parking Lot	Overall size (sq ft)	Min. 6% required (sq ft)	Provided (sq ft)	<b>Lot C 47 spaces</b>	17,825	1,070	2,243	<p>Complies</p>
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Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
<b>3.2.1(F) – Tree Preservation Mitigation</b>	<p>This standard requires that developments provide on-site mitigation in the form of a defined number of replacement trees if existing significant trees are removed. The number of mitigation trees is determined by City Forestry staff based off existing tree species, breast diameter, and health/condition. Mitigation values can range between 1 and 6 for a tree that is removed. Dead, dying, and certain invasive species are exempt from this standard.</p> <p>The site for the community facility and child care center contains several mature trees that were originally planted when the Heart of the Rockies project was originally approved.</p> <ul style="list-style-type: none"> <li>In coordination with City Forestry staff, the landscape plan provides 10 mitigation trees throughout the site for the removal of 7 trees for the development of the community facility. These mitigation trees are included in the attached landscape plan.</li> </ul>	Complies
<b>3.2.2 – Access, Circulation and Parking – General Standard</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>A 7-foot pedestrian walkway adjacent to the Private Drive located to the south of the site. This walkway provides a direct connection from the community facility to the community park to the east of the site and the overall pedestrian circulation that connects directly to Brittany Drive east of the site.</li> <li>The existing sidewalk adjacent to the Heart of the Rockies Church and parking lot provides direct pedestrian access to the community building and child care center along the west side of the site.</li> </ul>	Complies
<b>3.2.2(C)(4) – Bicycle Parking Space Requirements</b>	<p>This standard requires that a child care center provide a minimum of one bicycle space per 3,000 square feet with a minimum of 4 spaces. A child care center only requires fixed bicycle racks. Fixed spaces may be uncovered, and the placement of the bicycle facilities must be adequately convenient and easily accessible to building entrances and walkways.</p> <ul style="list-style-type: none"> <li>The proposed development would require 4 fixed spaces. In compliance, the PDP provides 10 fixed spaces. Bicycle rack locations are located along the sidewalk that serves as a connection to the entrance of the building.</li> </ul>	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> <ul style="list-style-type: none"> <li>As previously mentioned, the plan provides two main walkway connections – the 7-foot pedestrian walkway that parallels the private drive, and the existing 6 ft. wide walkway that connects the site north to the church, and west to Brittany Street.</li> </ul>	Complies
<b>Section 3.2.2(K)(2)(a,b,c) – Parking</b>	<p>There are three proposed land uses that will utilize the existing parking spaces approved and developed with the existing Heart of the Rockies Church and the Heartside Hill Residential Development:</p> <p>A total of 102 parking spaces are required for all uses combined. 107 spaces are provided.</p>	Complies

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings																		
	<p>Since parking spaces for the community facility and child care center are located within the existing church site parking lot, the applicant has provided a Memorandum of Agreement to ensure that the non-residential uses will share parking across lot lines.</p> <table border="1" data-bbox="440 468 1325 909"> <thead> <tr> <th><i>Land Use</i></th> <th><i>Parking Spaces Required</i></th> <th><i>Parking Spaces Provided</i></th> </tr> </thead> <tbody> <tr> <td><i>Community Center</i></td> <td><i>1 Space per 4 seats = 38</i></td> <td><i>38 spaces</i></td> </tr> <tr> <td><i>Child Care Center</i></td> <td><i>3 Spaces per 1,000 SF = 25</i></td> <td><i>25 spaces</i></td> </tr> <tr> <td><i>Church (Place of Worship)</i></td> <td><i>1 Space per 4 Seats = 41</i></td> <td><i>41 spaces</i></td> </tr> <tr> <td><i>ADA Spaces</i></td> <td></td> <td><i>5 spaces</i></td> </tr> <tr> <td><b>TOTAL</b></td> <td><b>102 Required</b></td> <td><b>107 Proposed</b></td> </tr> </tbody> </table>	<i>Land Use</i>	<i>Parking Spaces Required</i>	<i>Parking Spaces Provided</i>	<i>Community Center</i>	<i>1 Space per 4 seats = 38</i>	<i>38 spaces</i>	<i>Child Care Center</i>	<i>3 Spaces per 1,000 SF = 25</i>	<i>25 spaces</i>	<i>Church (Place of Worship)</i>	<i>1 Space per 4 Seats = 41</i>	<i>41 spaces</i>	<i>ADA Spaces</i>		<i>5 spaces</i>	<b>TOTAL</b>	<b>102 Required</b>	<b>107 Proposed</b>	
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<p><b>3.2.2(K)(5) – Handicap Parking</b></p>	<p>All accessible dimensional requirements are met. Parking standards require a minimum of 5 accessible spaces based on the total spaces in the parking areas provided.</p> <ul style="list-style-type: none"> <li>A total of 5 accessible spaces are provided in the existing parking lot that was developed for the Heart of the Rockies church. These spaces are directly adjacent to the community facility building.</li> </ul>	<p>Complies</p>																		
<p><b>3.2.4 – Exterior Site Lighting</b></p>	<p>The purpose of this Section is to ensure adequate exterior lighting for the safety, security, enjoyment, and function of the proposed land use; conserve energy and resources; reduce light trespass, glare, artificial night glow, and obtrusive light; protect the local natural ecosystem from damaging effects of artificial lighting; and encourage quality lighting design and fixtures.</p> <p>The lighting standards require compliance with the applicable Lighting Context Area which determines the limitations for exterior artificial lighting. The Lighting Context Area for the Low Density Mixed Use Neighborhood zone district is LC1. Compliance is based on the specific requirements for the LC1 context area:</p> <ul style="list-style-type: none"> <li>Light Trespass Limitations. The project complies with the light trespass levels along all measurement boundaries. The maximum illumination values permitted along site boundary is 0.1 measured 10 feet from the property line. The proposed lighting plan is in compliance with this maximum.</li> <li>Based on the LC1 context area, the project is also reviewed for maximum allowable BUG ratings (Backlight, Uplight and Glare). All BUG ratings are met for the project.</li> <li>All proposed lighting is fully shielded and down-directional, meeting color temperature requirements of 3,000K or less.</li> </ul> <p>The photometric plan demonstrates compliance with minimum and maximum lighting requirements for the LC1 context area and will ensure the site is in compliance with the updated lighting standards.</p>	<p>Complies</p>																		

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
<b>Section 3.2.5 – Trash and Recycling Enclosures</b>	<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> <ul style="list-style-type: none"> <li>• A Memorandum of Agreement has been executed to allow for the shared use of the existing trash enclosure that serves the Heart of the Rockies Church. The applicant has demonstrated that the existing trash enclosure is adequately sized to serve all three uses.</li> <li>• The project demonstrates that the existing trash and recycling enclosure is adequately sized, conveniently located, accessible and fully screens trash. Walk-in access is provided for the enclosure. A trash and recycling detail sheet has been provided with the plans.</li> </ul>	Complies

**B. 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>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 on-site easements required for access, utilities, and emergency access were dedicated with the Heart of the Rockies Third Subdivision.</li> <li>• Any additional access required for this project to utilize the Church of the Rockies site will be included in the Memorandum of Agreement or is already dedicated by the subdivision plat.</li> <li>• No right-of-way dedication was required for this project as that was already dedicated with previous subdivision plats.</li> </ul>	Complies

### C. DIVISION 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 both on the site and in the vicinity of the site.

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
3.4.1 – Natural Habitats	<p>This section applies if any portion of the development site is within five hundred feet of an area or feature identified as a natural habitat on the City’s Natural Habitats and Features Inventory Map.</p> <ul style="list-style-type: none"> <li>No portion of the development site is within five hundred feet of an area or feature on the City’s Natural Habitats and Features Inventory Map. This section does not apply, and an Ecological Characterization Study (ECS) was not required.</li> </ul>	N/A

### D. DIVISION 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. Building design requirements are discussed again related to additional code language in Section 3.8.30 which is covered later in this staff report.

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
3.5.1(A) and (B) – Building Project and Compatibility, Purpose and General Standard	<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. The standards in this section are intended to complement the more specific requirements in Article 4, which are addressed in Section 6 of this report. For reference, the Land Use Code definition of “compatibility” in Article 5 has been included below:</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>Overall, staff finds that the design of the PDP is compatible with the existing context surrounding the site.</p> <ul style="list-style-type: none"> <li>The building is positioned in a location of the neighborhood that has similar land uses. The buildings are located internal to the existing neighborhood and provide a substantial setback from the existing single-family housing. The position of the play yard provides a transition between the multi-family housing to the south of the project and the child care &amp; community center building.</li> </ul>	Complies

	<ul style="list-style-type: none"> <li>• Landscaping along the site perimeter contributes to the transition between the project and nearby developments.</li> <li>• Additionally, multiple layers of parking lot, drive aisle, and trees help screen and soften views towards the project from Brittany St, S Lemay Ave, and E Trilby Rd.</li> </ul>	
<p><b>3.5.1 (C)– Building Size, Height, Bulk, Mass, Scale</b></p>	<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> <ul style="list-style-type: none"> <li>• The overall design of the building in height and size is articulated in a way that is proportional to the nearby church building and residential neighborhoods.           <ul style="list-style-type: none"> <li>○ The height of the building is approximately 26-feet with the highest point of the building being nearest to the church, which is taller than the proposed building. This building will also be substantially shorter than the adjacent multi-family building across the private drive on the south side of the property.</li> <li>○ The mass of the building for the community facility (Phase 1) varies so that there are varying heights along each façade and varying proportions of materials throughout the design to add additional interest.</li> <li>○ The mass of the building for the child care center (Phase 2) provides additional massing using bays along the south elevation with canopy details to further subdivide and articulate the massing of the south elevation of the building. The incorporation of these architectural details provides a visually interesting view of the building façade as viewed from the sidewalk that connects the community facility and child care center to the park and residential areas of the Heartside Hill neighborhood.</li> <li>○ Other various building elements help articulate and subdivide the buildings using a combination of gable roof forms and parapets, awnings, varied height in materials, and various sizes of windows that help the buildings relate to a pedestrian scale. Together these elements provide building designs that are proportional to the mass and scale of existing development in the vicinity.</li> </ul> </li> </ul>	<p>Complies</p>
<p><b>3.5.1 (D)– Privacy Considerations</b></p>	<p>Elements of the development plan shall be arranged to maximize the opportunity for privacy by the residents of the project and minimize infringement on the privacy of adjoining land uses.</p> <ul style="list-style-type: none"> <li>• As noted above, the placement of the building and the overall design theme of the site plan is conceived with the idea of positioning the buildings farther from residential units in the existing Brittany Knolls neighborhood while also considering the adjacent multi-family buildings located south of the development.</li> <li>• Clustering the building near the church strategically provides an overall transition between land uses without infringing on the privacy of the residential neighborhoods.</li> </ul>	<p>Complies</p>

<p><b>3.5.1 (E)– Building Materials</b></p>	<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> <ul style="list-style-type: none"> <li>• Primary building materials are stucco, fiber cement lap siding, split face CMU and stone veneer.</li> <li>• The proposed materials are similar to the materials found in other developments in the vicinity of the site:             <ul style="list-style-type: none"> <li>○ 30 year high-profile architecture asphalt shingles are similar to new multi-family development.</li> <li>○ Synthetic stone veneer – Coronado Stone Urbana Split – emulates the Split Face CMU on the existing Heart of the Rockies Church.</li> <li>○ Synthetic Stone Veneer – Coronado Stone Old World Ledge – Huran is similar to new multi-family development.</li> <li>○ 3-coat Portland Cement Based Stucco System is similar to the existing Heart of the Rockies Church</li> <li>○ Horizontal Fiber Cement Lap Siding is similar to the new multi-family development.</li> </ul> </li> </ul>	<p>Complies</p>
<p><b>3.5.1 (F)– Building Color</b></p>	<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> <ul style="list-style-type: none"> <li>• The color schemes for the building incorporates the colors used in both the adjacent Heart of the Rockies church and the Heartside Hill Residential Development:             <ul style="list-style-type: none"> <li>○ The plan incorporates a tan colored stucco that draws from the stucco color for the Heart of the Rockies church.</li> <li>○ The plan incorporates a stone veneer that is a gray color that is similar to the stone veneer used for the adjacent Heartside Hill multi-family development.</li> <li>○ The gray color scheme used primarily draws from the main colors incorporated into the Heartside Hill multi-family development.</li> </ul> </li> </ul>	<p>Complies</p>



<p><b>3.5.1 (H)– Land Use Transition, 3.5.1 (I)– Outdoor Storage Areas and Mechanical Equipment, and 3.5.1 (J)– Operational and Physical Compatibility Standards</b></p>	<p>The remaining elements of Section 3.5.1 address potential compatibility issues that can arise when different uses are proposed near or adjacent to one another. These sections require separation of incompatible uses through the implementation of buffer yards, careful location of loading docks and storage areas, and restriction on hours of operation among other techniques.</p> <ul style="list-style-type: none"> <li>• The proposed community facility land use is compatible with church use that is located directly next to the proposal. The community facility is setback a considerable amount from the existing single-family neighborhood. Other site design elements as part of the Overall Development Plan for the Heartside Hill Residential development such as stormwater detention, park and open space provide additional buffers between the community facility use and the nearby residential units.</li> <li>• Section 3.5.1(I) requires that HVAC equipment, areas for trash collection, conduit, meters, and other similar equipment be integrated into the development. Visual disturbances must be minimized, and screening must be of a similar material to the overall development. Rooftop mechanical equipment must be screened from public view from both above and below by integrating it into building and roof design to the maximum extent feasible.       <ul style="list-style-type: none"> <li>○ The site plan shows the location of all ground HVAC units will be screened with a solid wood screened fence and planting for additional screening of equipment. No rooftop equipment is proposed.</li> </ul> </li> </ul>	<p>Complies</p>
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<p><b>3.5.3 - Mixed-Use, Institutional and Commercial Buildings</b></p>	<p>Section (C) provides standards related to the Relationship of Buildings to Streets, Walkways and Parking.</p> <ul style="list-style-type: none"> <li>• The proposal is meeting these standards related to the relationship of building to streets, walkways, and parking with the following site design elements:           <ul style="list-style-type: none"> <li>○ This site is located at an internal block within the primary street network (northeast of Brittany Street and E. Trilby Rd) for the neighborhood. It is located north of a private drive that serves the multi-family development and the church. The overall development plan designated the nearest road to this site to be a private drive. Since it is not classified as a street, the build-to-line standards will not apply to this site.</li> <li>○ The building is positioned so that the entrance of the community facility and child care center faces and opens directly onto a walkway for pedestrians on the west side of the site.</li> </ul> </li> </ul> <p>Section (D) provides standards related to Variation in Massing.</p> <ul style="list-style-type: none"> <li>• The proposal is meeting variation in massing standards by using the following elements in the architectural design:           <ul style="list-style-type: none"> <li>○ The building is designed in a way so that a single, large, dominant building mass is avoided. The south elevation of the building is the largest part of the building in mass.               <ul style="list-style-type: none"> <li>▪ The south building elevation is broken down into smaller masses by varying the building materials, window placement and sizes, and two large awnings that divide the parapet roof line into smaller portions.</li> </ul> </li> <li>○ In addition, the varying height of the building as viewed from the west 26 ft. 2 in.), and south elevations (17 ft. 1 in.) contribute to the variation in massing.</li> </ul> </li> </ul> <p>Section (E) provides standards related to Character and Image</p> <ul style="list-style-type: none"> <li>• The proposal is meeting the character and image standards by using the following elements in the architectural design:           <ul style="list-style-type: none"> <li>○ The building contributes to the community by drawing from the materials, colors, and roof pitch of the adjacent developments including the Heart of the Rockies Church, the Heartside Hill multi-family and the single-family Brittany Knolls neighborhood.</li> <li>○ The proposed building provides unique architectural details to contribute the character of the area through use of materials and variations on the façade using awnings, varying window sizes, and material heights and proportions.</li> <li>○ Every façade of the building incorporates architectural interest to the façade through the use of a change in materials, windows and roof planes or awnings and canopies.</li> <li>○ Entrances are clearly defined through the use of overhead canopy's and change in material using the wood lap siding to accent entrance areas on the building. A gable roof over the entrance also enhances these sections of the building.</li> <li>○ All facades have a distinguishable base and top through the use of a variety of materials at the base and cornice treatment, stepped parapets, and sloping roofs at the top of the building.</li> </ul> </li> </ul>	<p>Complies</p>
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## E. DIVISION 3.6 - TRANSPORTATION AND CIRCULATION

This Section is intended to ensure that the transportation network of streets, alleys, roadways, and trails is in conformance with adopted transportation plans and policies established by the City.

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
<b>3.6.2 – Streets, Streetscapes, Alleys And Easements</b>	<p>This Section is intended to ensure that the various components of the transportation network are designed and implemented in a manner that promotes the health, safety and welfare of the City. It details minimum requirements for private streets and private drives when they are proposed as part of a development project.</p> <ul style="list-style-type: none"> <li>An existing private drive is proposed as the primary circulation and access for the project. All easement and design requirements in 2.6.2(N) are provided as needed to serve the community facility and child care center.</li> </ul>	Complies
<b>3.6.3(A-F) – Street Pattern and Connectivity Standards</b>	<p>This standard requires the development be designed to be safe, efficient, convenient, and attractive, considering use by all modes of transportation.</p> <ul style="list-style-type: none"> <li>As discussed above the proposal uses the existing private drive for primary access into and through the site with connections from these private drives to Brittany St. and E Trilby Rd.</li> <li>All internal sidewalks on-site connect to the local street network.</li> </ul>	Complies
<b>3.6.4 – Transportation Level of Service Requirements</b>	<p>A Transportation Impact Study (TIS) was submitted with the Overall Development Plan. A memorandum was submitted to the city with the Heartside Hill Community Facility PDP to demonstrate conformance to the TIS for the overall development in terms of trip generation (see attached).</p> <ul style="list-style-type: none"> <li>The TIS analyzed the anticipated traffic for the Heartside Hill overall development and concluded that the impact from the added traffic is nominal and meets city standards. The operation at the surrounding intersections including Brittany St. and S Lemay Ave. will continue to meet an acceptable level of service. Bike and pedestrian Level of Service in the area will also be acceptable.</li> <li>The memorandum provided with this project further demonstrates the development meets all traffic related requirements in the Land Use Code because users of the site will be residents of the nearby Heartside Hill Residential development.</li> </ul>	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> <ul style="list-style-type: none"> <li>The project has been reviewed by Poudre Fire Authority (PFA) and currently meets the needs and requirements of PFA regulations. Emergency access easements are provided with the project.</li> </ul>	Complies

## F. DIVISION 3.7 - COMPACT URBAN GROWTH

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
<b>3.7.3 – Adequate Public Facilities</b>	The proposed project provides adequate service design for water, wastewater, storm drainage, fire and emergency services, and electric facilities. There are no special needs or requirements necessary to serve the development.	Complies

### Land Use Code Article 4 – Applicable Standards:

## G. DIVISION 4.5 – LOW DENSITY MIXED-USE NEIGHBORHOOD (L-M-N)

The Low Density Mixed-Use Neighborhood District is intended to be a setting for a predominance of low density housing combined with complementary and supporting land uses that serve a neighborhood and are developed and operated in harmony with the residential characteristics of a neighborhood. The main purpose of the District is to meet a wide range of needs of everyday living in neighborhoods that include a variety of housing choices, that invite walking to gathering places, services and conveniences, and that are fully integrated into the larger community by the pattern of streets, blocks, and other linkages. A neighborhood center provides a focal point, and attractive walking and biking paths invite residents to enjoy the center as well as the small neighborhood parks. Any new development in this District shall be arranged to form part of an individual neighborhood.

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
<b>4.5(B)(2) – Permitted Uses</b>	The proposed use is for a community facility and child care center. The community facility and child care land uses in the LMN zone district are both subject to an Administrative Hearing (Type 1) review.	Complies

## 6. Findings of Fact/Conclusion

In evaluating the request for the Heartside Hill Community Facility, PDP230016, Staff makes the following findings of fact:

1. By demonstrating compliance with the specific standards and regulations of the Land Use Code through the submittal materials for the Project Development Plan, this project satisfies and aligns with the purpose and spirit of the Code, as stated in Section 1.2.2.
2. The Project Development Plan complies with the applicable procedural and administrative requirements of Article 2 of the Land Use Code.
3. The Project Development Plan complies with the Heartside Hill Overall Development Plan, ODP210005.
4. The Project Development Plan complies with relevant standards located in Article 3 – General Development Standards.
5. The Project Development Plan complies with relevant standards located in Division 4.5 – Low Density Mixed Use Neighborhood (L-M-N) in Article 4.

## 7. Recommendation

Staff recommends that the Hearing Officer approve the Heartside Hill Community Facility Project Development Plan, PDP230016 based on the Findings of Fact and supporting explanations found in the staff report and hearing materials.

## 8. Attachments

1. Project Narrative
2. Site Plan
3. Landscape Plan, Tree Mitigation
4. Architectural Elevations, Materials, Trash Enclosure Details, and 3D Views
5. Lighting Plan
6. Utility Plans
7. Traffic Impact Study Memorandum
8. Memorandum of Agreement & Letter of Intent
9. Staff Report

### Relevant Links

- Drainage Report:  
<https://records.fcgov.com/PlanningDevelopment/DocView.aspx?id=18684579&dbid=0&repo=FortCollins>
- Round 2 Staff Review Comments:  
<https://records.fcgov.com/PlanningDevelopment/DocView.aspx?id=18927266&dbid=0&repo=FortCollins>