

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

FINDINGS AND DECISION

HEARING DATE: January 10, 2019

PROJECT NAME: Allied Building Products

CASE NUMBER: PDP 180015

APPLICANT: Deanne Fredrickson
Baseline Engineering
4007 S. Lincoln Ave., Suite 405
Loveland, CO 80637

OWNER: Gypro Properties LLC
c/o Golden Commercial Group
15400 W. 64th Avenue Unit 9E #11
Arvada, CO 80007

HEARING OFFICER: Marcus A. McAskin

PROJECT DESCRIPTION: This is a request to develop Lot Two of the Centerpoint Plaza Subdivision, located at 2145 Midpoint Drive in the City of Fort Collins (the “Subject Property”). The Applicant is seeking approval to build a 6,600 square foot material storage building and storage yard on the Subject Property. Specifically, the Applicant is proposing to build a lean-to structure and storage yard to support the existing operations of Allied Building Products to the south (existing Allied Building Products facility located on Lot 3, Centerpoint Plaza Subdivision). The proposed lean-to structure will remain open on the east side and site access will be limited, strictly for the purpose of material pick-up and delivery. Two points of access are proposed from a private drive that runs along the west side of the property and from Midpoint Drive along the north. The Subject Property is approximately 1.87 acres and the proposed use (lean-to building and storage yard) will be constructed as a single phase. The property is located in the Employment (E) zone district. The application also includes a new connecting walkway provided on the west side of the Subject Property, a new sidewalk (along Midpoint Drive), and landscaping improvements.

BACKGROUND: The Subject Property was annexed as part of the East Prospect Street First Annexation in 1973. In 2003, the Centerpoint Plaza Subdivision was approved and consists of three lots totaling 6.43 acres. To date, the Subject Property has remained undeveloped.

The surrounding zoning and land uses are as follows:

Direction	Zone District	Existing Land Uses
North	Employment (E)	Self-Storage
South	Employment (E)	Warehouse (Allied Building Products)
East	Employment (E)	Larimer County Community Corrections
West	Employment (E)	Professional Office

SUMMARY OF DECISION: Approved.

ZONE DISTRICT: Employment (E).

HEARING: The Hearing Officer opened the hearing on Thursday, January 10, 2019, in Conference Rooms A-D, 281 North College Avenue, Fort Collins, Colorado, at approximately 7:45 p.m., following the conclusion of the public hearings held on the following two applications: PDP 180009 (Waterfield 4th Filing) and PDP 180013 (Breeze Thru Headquarters).

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

1. Project Vicinity Map.
2. Planning Department Staff Report prepared for Allied Building Products (PDP180015). A copy of the Staff Report is attached to this decision as **ATTACHMENT A** and is incorporated herein by reference.
3. Zoning Map.
4. Applicant’s Project Narrative.
5. Applicant’s Planning Objectives.
6. Allied Building Products Site Plan.
7. Allied Building Products Landscape Plan.
8. Allied Building Products Architectural Elevations.
9. Confirmation of Publication dated January 3, 2019 evidencing proof of publication of Notice of Hearing in the Fort Collins Coloradan on January 3, 2019.
10. Notice of Public Hearing dated December 27, 2018.
11. The PowerPoint presentation prepared by City Staff for the January 10, 2019 hearing.
12. Administrative (Type 1) Hearing: Order of Proceedings.
13. Rules of Conduct for Administrative Hearings.
14. The City’s Comprehensive Plan, Code, and the formally promulgated polices of the City are all considered part of the record considered by the Hearing Officer.

TESTIMONY: The following persons testified at the hearing:

From the City: Kai Kleer, Associate Planner

From the Applicant: Deanne Fredrickson
Baseline Engineering

From the Public: None

FINDINGS

1. Evidence presented to the Hearing Officer established the fact that notice of the public hearing was properly posted, mailed and published.
2. Based on testimony provided at the public hearing and a review of the materials in the record of this case, the Hearing Officer concludes as follows:
 - A. The Application complies with the applicable procedural and administrative requirements of Article 2 of the Code.
 - B. The Application complies with the relevant standards of Article 3 – General Development Standards.
 - D. The Project Development Plan complies with relevant standards located in Division 4.27 - Employment District (E) of Article 4 – Districts. The Project Development Plan complies with the relevant standards in Division 4.27(D)(4) – Dimensional Standards (the maximum allowable height in the E zone is four stories. The proposed building is one story.
3. The Application’s satisfaction of the applicable Article 2, 3 and 4 requirements of the Land Use Code is sufficiently detailed in the Staff Report, a copy of which is attached as **ATTACHMENT A** and is incorporated herein by reference.

DECISION

Based on the findings set forth above, the Hearing Officer hereby approves the Allied Building Products Project Development Plan (PDP #180015) for the Subject Property in the form submitted.

DATED this 21st day of January, 2019.



Marcus A. McAskin
Hearing Officer

ATTACHMENT A

Staff Report
Allied Building Products
(PDP #180015)

PROJECT NAME

ALLIED BUILDING PRODUCTS #PDP180015

STAFF

Kai Kleer, Associate Planner

PROJECT INFORMATION

PROJECT DESCRIPTION: This is a request to develop Lot Two of the Centerpoint Plaza Subdivision. The proposal is to build a 6,600 SF material storage building and storage yard to support the existing operations of Allied Building Products to the south. The structure will remain open on the east side and site access will be limited, strictly for the purpose of material pick-up and delivery. Two points of access are proposed from a private drive that runs along the west side of the property and from Midpoint Drive along the north. The parcel is 1.87 acres and will be constructed as a single phase. The property is located at 2145 Midpoint Drive and zoned E, Employment.

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Baseline Engineering
4007 S Lincoln, Suite 405
Loveland, CO 80637

OWNER: Gypro Properties LLC
c/o Golden Commercial Group
15400 W. 64th Avenue Unit 9E #11
Arvada, CO 80007

RECOMMENDATION: Staff recommends approval of the Project Development Plan.

EXECUTIVE SUMMARY

- This is an accessory building to the existing principle wholesale distribution building and is a permitted use in the Employment (E) zone subject to Administrative Review.
- The P.D.P. complies with the standards of the Employment zone.
- The P.D.P. complies with the applicable General Development Standards of Article Three.

COMMENTS

1. Background:

The surrounding zoning and land uses are as follows:

Direction	Zone District	Use
North	Employment (E)	Self-Storage
South	Employment (E)	Warehouse (Allied Building Products)
East	Employment (E)	Larimer County Community Corrections
West	Employment (E)	Professional Office

The property was annexed as part of the East Prospect Street First Annexation in 1973. In 2003, the Centerpoint Plaza Subdivision was approved consisting of three lots totaling 6.43 acres. The lot associated with this development application has remained undeveloped and contains a private drive which currently serves Allied Building Products and adjoining lot to the west.

3. Article Four – Employment Zone District:

The P.D.P. complies with the following applicable development standards in Employment zone district:

A. *Section 4.27(D)(4) – Dimensional Standards:*

The maximum allowable height in the E zone is four stories. The proposed building is one story.

4. Article Three – General Development Standards:

A. Section 3.2.1 – Landscaping and Tree Protection:

The key attributes of the Landscape Plan are as follows:

- Street trees will be provided in the parkway along Midpoint Drive generally at intervals that are less than 40 feet which exceeds the standard.
- Behind the sidewalks, between the walk and the building/loading area, additional landscaping is provided primarily in the form of shrub beds and foundation plantings. The northern most shrub bed is designed to fully screen the material storage and vehicle use area year-round with a combination of evergreen and deciduous plant material.
- Trees and shrubs are provided along the east edge next to an existing fence, and along the west edge of the proposed storage shed. Additional trees are provided on the southern portion of the lot in between the proposed building and existing Allied Building Products warehouse.

B. Section 3.2.1(F) – Tree Mitigation:

The site has been inspected by the City Forestry Department. Trees that are scheduled to be removed and found to have value. All trees to be removed have been appraised and assigned a mitigation value. The Landscape Plan reflects the mitigation of five (5) trees which will be replaced at a 1:1 or 1:2 ratio.

C. Section 3.2.2 – Access, Circulation and Parking:

As would be expected for a material storage building and yard with a secured perimeter, there are limited aspects related to access, circulation and parking. There two access points and one located off an internal private drive and another along Midpoint Drive on the north end of the site. An emergency access easement is dedicated internal to the site to ensure unobstructed circulation for emergency responders.

D. Section 3.2.2(C)(5) – Walkways:

A new direct-connecting walkway that links the entrance of the existing Allied Building Products to Midpoint Drive.

E. Section 3.2.4 – Site Lighting:

All lighting is wall-mounted with the exception of a single light fixture on the southernmost portion of the storage yard. All fixtures will feature LED and specified at the lower color range of 3000-degrees Kelvin in order to minimize glare. Fixtures will be fully shielded and down-directional. Illumination is specifically designed to not spillover into any adjacent site.

F. Section 3.5.1(I) Outdoor Storage Areas/Mechanical Equipment.

All outdoor storage taking place on site will be setback 20 feet from the public right-of-way meeting minimum requirements. The overall design of the street fronting portion of the project has been designed in a way that uses high quality fencing and evergreen/deciduous plants to provide year-round screening from adjacent properties and public streets.

G. 3.5.3(E) – Character and Image

The proposal includes façade treatments that meets the standards of this section. The north, west and south walls feature a stone veneer at the base of the building with columns of stone that interrupt the façade at 20-foot intervals. Above the stone veneer base the building includes an ivory corrugated wall system, pitched roof and 12” overhangs.

H. 3.6.6 - Emergency Access

Emergency access will be provided through an updated emergency access easement that passes through the private drive and terminates on the southern paved area of the material storage area. Signs will be used to ensure the area remains free from obstructions.

I. Section 3.8.11 – Fences and Walls

The 6-foot fencing provided along Midpoint Drive will be built in a way that integrates brick columns with wrought-iron fencing. The proposed fencing complements the established character of the area.

6. Findings of Fact/Conclusion:

In evaluating the request for Allied Building Products Project Development Plan, Staff makes the following findings of fact:

1. Wholesale distribution and the accessory building as proposed is a permitted use in the Employment (E) zone district, subject to Administrative Review (Type One).
2. The P.D.P. complies with the development standards of the E zone district
3. The P.D.P. complies with the applicable standards of Article Three – General Development Standards.

RECOMMENDATION

Staff recommends approval of the Allied Building Products Project Development Plan, PDP180015.

ATTACHMENTS

1. Vicinity Map
2. Zoning Map
3. Applicant's Project Narrative
4. Applicant's Planning Objectives
5. Site Plan
6. Landscape Plan
7. Architectural Elevations