

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

HEARING DATE: January 30, 2020

PROJECT NAME: Rennat Subdivision PDP

CASE NUMBER: PDP #190011

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

OWNER: Post Modern Development
144 N. Mason Street, Suite 4
Fort Collins, CO 80524

HEARING OFFICER: Marcus A. McAskin

PROJECT DESCRIPTION:

The Rennat Subdivision Project Development Plan (the “PDP”) proposes 205 dwelling units on an approximately 57.8-acre parcel of land located at 6015 S. Timberline Road (Parcel No. #8607100008), west of the S. Timberline Road and Zephyr Road intersection (the “Property”).

Currently located on the Property is a single-family home, a wireless telecommunications facility, open grass pastures, mature coniferous and deciduous tree groves, landscaping around the interior and perimeter of the Property, and, in the western portion of the Property, a drainage area and wetlands.

Approximately 56.6 acres of the Property is zoned Low Density Mixed-Use Neighborhood (L-M-N) and approximately 1.22 acres of the Property is zoned Neighborhood Commercial (N-C). For the L-M-N parcel, the PDP proposes 84 single-family detached units with front-loaded garages, 67 single-family detached units with rear-loaded garages, 25 single-family attached units with rear-loaded garages, and 12 single-family attached units with front-loaded garages. For the N-C parcel, the PDP proposes 17 single-family attached units.

The PDP includes stormwater detention and wetland habitat, a ditch corridor landscape habitat, and soft-path trail connections to a future off-site multi-use trail.

Primary access to the property will be served by a connection to Zephyr Road and Rosen Drive.

The project includes a proposal to plat the Property consistent with the PDP.

The PDP is subject to an Administrative Hearing (Type 1) review.

The Applicant/Owner requests Alternative Compliance approval per Land Use Code (“LUC”) Section 3.6.3(H) to provide two pedestrian trail connections at the northern boundary of the PDP as an alternative to providing local street connections at intervals not to exceed 660 feet as required by LUC Section 3.6.3(F).

The Applicant/Owner also requests a Modification of Standard to LUC Section 4.5(D)(2)(c) to add single-family attached units with front-loaded garages to the list of housing types that may be used to satisfy the Section 4.5(D)(2)(a)3 requirement that the PDP provide a minimum of four (4) housing types in the portion of the Property zoned L-M-N.

BACKGROUND:

Applicable project background is detailed in the Planning Department Staff Report prepared for this Application, a copy of which is attached to this decision as **ATTACHMENT A** and is incorporated herein by reference.

The surrounding zoning and land uses are set forth below:

	North	South	East	West
Zoning	Low Density Mixed-Use Neighborhood (L-M-N)	Low Density Mixed-Use Neighborhood (L-M-N), and Medium Density Mixed-Use Neighborhood (M-M-N)	Neighborhood Commercial (N-C)	Public Open Lands (P-O-L)
Land Use	Hansen Farm Subdivision	Multi-family Residential (The Crowne on Timberline)	Vacant, and future Hansen Farm Tracts	Union Pacific Railroad/Power Trail

SUMMARY OF DECISION: Approved with conditions.

ZONE DISTRICTS: Low Density Mixed-Use Neighborhood (L-M-N) applicable to approximately 56.6 acres.

Neighborhood Commercial (N-C) applicable to approximately 1.22 acres.

HEARING: The Hearing Officer opened the hearing at approximately 6:30 p.m. on Thursday, January 30, 2020 in the City Hall Council Chambers located at 300 Laporte Avenue.

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

1. Planning Department Staff Report prepared for Rennat – PDP 190011. A copy of the Staff Report is attached to this decision as **ATTACHMENT A** and is incorporated herein by reference.
2. City Environmental Planning Staff Report by S. Blochowiak, dated January 16, 2020, regarding compliance with LUC Section 3.4.1(E).
3. Ecological Characterization Study prepared by Professional Wetlands Consulting, Inc.
4. Rennat Subdivision plat (6 sheets).
5. Applicant Request for Modification to LUC Section 4.5(D)(2)(c).
6. Rennat Subdivision PDP site plan set (20 sheets).
7. Rennat PDP Solar Lot Plant (1 sheet).
8. Rennat Property Traffic Impact Study (178 pages).
9. Rennat Subdivision Utility Plans (28 sheets).
10. Rennat Subdivision PDP Vicinity Map.
11. Copy of memorandum to City Manager from Real Estate Services Manager, dated November 7, 2010, regarding Notice of Alignment for Drainage at Southridge Golf Course.
12. Copy of written notice of hearing mailed on January 16, 2020.
13. Affidavit of Publication dated January 17, 2020, evidencing proof of publication of Notice of Hearing in the *Fort Collins Coloradoan* on January 17, 2020.
14. Copy of power point presentation presented during the hearing by Pete Wray, City Planner.
15. Copy of power point presentation presented during the hearing by Cathy Mathis, representative of applicant.
16. Copy of correspondence between Martina Wilkinson, City Traffic Engineer, and Catherine Carabetta regarding traffic in the vicinity of Timberline and Zephyr Road.
17. Copy of correspondence between Martina Wilkinson, City Traffic Engineer, and Yanna Walters regarding traffic concerns in the vicinity of the Rennat subdivision.

18. Copy of memorandum from Kurt Friesen, Park Planning & Development Director, to Pete Wray, Senior City Planner, Community Development & Neighborhood Services, dated January 22, 2020, regarding the location of proposed Fossil Lake Neighborhood Park.
19. Rules of Conduct for Administrative Hearings.
20. Administrative (Type 1) Hearing: Order of Proceedings.
21. Copy of sign-in sheet from January 30, 2020 hearing.
22. The City's Comprehensive Plan, Land Use Code, and the formally promulgated ordinances and polices of the City are all considered part of the record considered by the Hearing Officer.

TESTIMONY: The following persons testified at the hearing:

- | | |
|---------------------------------|--|
| From the City: | Pete Wray, City Planner
Kelly Smith, City Environmental Planner
Martina Wilkinson, City Traffic Engineer |
| From the Applicant: | Cathy Mathis, TB Group
Danny Weber, PE, Northern Engineering |
| From the Public: | Judy Cuthbertson, 1512 Fairway 7 Court, Fort Collins, CO
80525 |
| From the Public
(via email): | Catherine Carabetta, 1418 Cactus Court, Fort Collins, CO
80525
Yanna Walters, Prairie Hill Drive, Fort Collins, CO 80525 |

FINDINGS

1. Testimony of Pete Wray and 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 Land Use Code.
 - B. The Application complies with LUC Section 3.4.1(E) on the condition that the Applicant/Owner develops a monitoring and mitigation plan that is approved by the City Environmental Planner for the approximately 8-acre emergent wetland located in the western portion of the PDP.

- C. The Application complies with LUC Section 3.6.3(B) on the condition that all building permits for residences on lots that are located on dead-end roads exceeding 660 feet in length and without a code-compliant secondary point of access shall require the installation of a residential fire sprinkler system.
- D. The proposed Alternative Compliance plan to provide two pedestrian trail connections at the northern boundary of the PDP as an alternative to providing local street connections at intervals not to exceed 660 feet at the northern boundary of the PDP as required by Section 3.6.3(F) accomplishes the purposes of LUC Division 3.6 equally well or better than would a plan which complies with the standards of LUC Section 3.6.3(F). The Alternative Compliance plan will reduce the number of ditch bridge crossings, reduce impacts to the natural resource buffer along this corridor, foster nonvehicular access, and enhance neighborhood connectivity.
- E. The Application complies with LUC Section 3.6.4 on the condition that the extension of Zephyr Road west of S. Timberline Road to Rosen Drive to the south and the signalization of the Zephyr Road and S. Timberline Road intersection are completed prior to issuance of any temporary or final certificates of occupancy within the PDP.
- F. The Modification of Standard to LUC Section 4.5(D)(2)(c) to add single-family attached units with front-loaded garages to the list of housing types that may be used to satisfy the requirement that a minimum of four (4) housing types be provided in the portion of the Property zoned L-M-N: (i) will not be detrimental to the public good, (ii) will promote the general purpose of LUC Section 4.5(D)(2) equally well or better than would a PDP which complies with LUC Section 4.5(D)(2)(c), and (iii) will not diverge from LUC Section 4.5(D)(2)(c) except in a nominal, inconsequential way when considered from the perspective of the entire PDP and will continue to advance the purposes set forth in LUC Section 1.2.2. With respect to foregoing, the Hearing Officer specifically finds:
 - i. The addition of single-family attached units with front-loaded garages as an acceptable housing type for purposes of satisfying the requirements of LUC Section 4.5(D)(2)(a)3 advances the intent of Section 4.5(D)(2) and the purposes of LUC Section 1.2.2 by providing a greater variety of housing types, offering more choices for potential homeowners, and improving the quality and character of the PDP.
 - ii. The PDP's placement of single-family attached units with front-loaded garages at the ends of blocks will break up repetitive rows of housing and monotonous streetscapes.

- iii. A single-family attached unit with a front-loaded garage will be recognizably different from the three other housing types included in the PDP and will offer visual and functional variety in the types of housing planned for the PDP.
 - iv. The 12 lots with this housing type represent approximately 6.5% of the total lots within the L-M-N portion of the PDP (and 5.8% of the total lots within the PDP), which is a nominal and inconsequential divergence from LUC Section 4.5(D)(2)(c).
 - v. Inclusion of this housing type complies with the intent of LUC Section 4.5(D)(2) by not decreasing the number of housing types required by Section 4.5(D)(2)(a)3, while providing a greater mix and options for residents within the development.
- G. Except for LUC Section 3.6.3(F), which standard is recommended for Alternative Compliance, the Application complies with the applicable General Development Standards contained in Article 3 of the LUC.
 - H. Except for LUC Section 4.5(D)(2)(c), which standard is recommended for a Modification of Standard, the Application complies with the applicable L-M-N and N-C district standards contained in LUC Article 4.
3. 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 and the testimony and materials presented at the hearing.

DECISION

Based on the findings set forth above, the Hearing Officer hereby enters the following ruling:

- A. The buffer zones required by Section 3.4.1(E) and depicted on the Rennat Subdivision PDP plan set are approved.
- B. The Alternative Compliance plan for LUC Section 3.6.3(F) to provide two pedestrian trail connections at the northern boundary of the PDP as an alternative to providing local street connections at intervals not to exceed 660 feet at the northern boundary of the PDP is approved.
- C. The Modifications of Standard to LUC Section 4.5(D)(2)(c) to add single-family attached units with front-loaded garages to the list of housing types that may be used to satisfy the requirement that a minimum of four (4) housing types be provided in the portion of the Property zoned L-M-N is approved.

D. The PDP #190011 is approved for the Property, subject to the following conditions of approval:

1. A provision shall be included in the development agreement for the project that requires the Applicant/Owner to prepare, obtain the City Environmental Planner's approval of, and implement a monitoring plan for the approximately 8-acre emergent wetland located in the western portion of the PDP. The plan shall describe how the wetland will be supported hydrologically in accordance with the performance standards set forth in LUC Section 3.4.1(E) and success criteria set forth in the development agreement. The development agreement shall require that Applicant/Owner complete monthly monitoring of at least eight (8) total and equally distributed monitoring plot locations of both vegetation transects and groundwater monitoring piezometers for a minimum of one (1) growing season pre-construction and for a minimum of three (3) years post-construction, or until the natural habitat buffer zone is accepted by the City Environmental Planner. The plan shall also include a contingency mitigation plan if the altered hydrology is found to be insufficient to support the wetland. Acceptance by the City Environmental Planner will be based on whether monitoring demonstrates that the project adequately protects the wetlands and satisfies the performance standards set forth in LUC Section 3.4.1(E) and success criteria set forth in the development agreement.
2. All building permits for residences on lots that are located on dead-end roads exceeding 660 feet in length and without a code-compliant secondary point of access shall require the installation of a residential fire sprinkler system.
3. Temporary and final certificates of occupancy shall not be issued prior to completion of the extension of Zephyr Road west of S. Timberline Road to Rosen Drive to the south and the signalization of the Zephyr Road and S. Timberline Road intersection.

DATED this 12th day of February, 2020.



Marcus A. McAskin
Hearing Officer

ATTACHMENT A

Staff Report
Rennat – PDP 190019

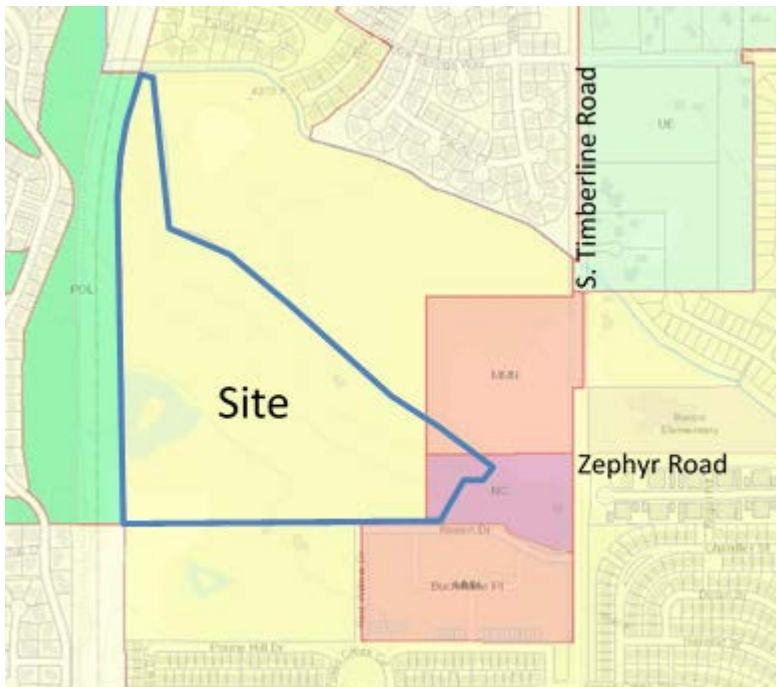
Administrative Hearing: January 30, 2020

Rennat – PDP190011

Summary of Request

This is a request for a Project Development Plan (P.D.P.) to subdivide the 57.8-acre Rennat property at 6015 S Timberline Rd (parcel #8607100008). The P.D.P. includes 205 dwelling units, with a mix of 151 single-family detached (front/rear loaded garages), and 54 single-family attached (front/rear loaded garages). Primary access to the property will be served by a connection to Zephyr Road and Rosen Drive. A future development phase not part of this P.D.P. includes the proposed neighborhood park, split between the Rennat and Hansen properties. The property is within the Low Density Mixed-Use Neighborhood (LMN), and Neighborhood Commercial (N-C) Zone Districts. The project would be developed in one phase and is subject to review by an Administrative Hearing Officer (Type 1) Review.

Zoning Map (ctrl + click map to follow link)



Next Steps

If approved by the decision maker, the applicant will be eligible to submit for Final Development Plan which must be consistent with the Project Development Plan and any associated conditions. The Final Plan submittal is subject to additional review and can be approved, approved with conditions or denied based on the consistency with the Project Development Plan. After final review and approval all documents can be submitted for recordation and the project will be eligible to apply for a building permit.

Site Location

Located at 6015 S. Timberline Road, west of the S. Timberline Road/Zephyr Road intersection.

Zoning

Low Density Mixed-Use Neighborhood (L-M-N), and Neighborhood Commercial (N-C) Zone Districts

Property Owner

Post Modern Development
144 N. Mason Street, Suite 4
Fort Collins, CO 80524

Applicant/Representative

TB Group
Cathy Mathis
444 Mountain Avenue
Berthoud, CO 80513

Staff

Pete Wray, Senior City Planner
p. (970) 221-6754 e. pwray@fcgov.com

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Staff Recommendation

Staff recommends approval of the P.D.P., with conditions.

1. Project Introduction

A. PROJECT DESCRIPTION

- PDP to subdivide 57.8-acres located at 6015 S Timberline Rd (parcel #8607100008).
- 205 dwelling units, with a mix of 151 single-family detached (front/rear loaded garages), 54 single-family attached (front/rear loaded garages).
- Primary access to the property will be served by a connection to Zephyr Road and Rosen Drive.
- A future development phase not part of this P.D.P. includes the proposed neighborhood park, split between the Rennat and Hansen properties.
- The P.D.P. includes stormwater detention and wetland habitat, ditch corridor landscape habitat, and soft-path trail connections to future multi-use trail off-site.
- The property is within the Low Density Mixed-Use Neighborhood (LMN), and portion of the Neighborhood Commercial (N-C) Zone Districts, subject a (Type 1) Review.
- Request for Modification of Standard to *Section 4.5 (D) (2) (c) – Mix of Housing*.
- Staff Recommendation for two conditions of approval for *Section 3.4.1(E)(1) - Buffer Zone Performance Standards, and Section 3.6.3(B) – Street Pattern and Connectivity Standards – General Standard*
- Rennat property annexed February 7, 2017.

B. SITE CHARACTERISTICS

1. Development Status/Background

The site currently includes:

- existing Rennat family house
- Open grass pastures
- wireless telecommunications facility
- Mature coniferous and deciduous tree groves and landscaping around the interior and perimeter of the site.
- Drainage area and wetlands located on west edge of property.
- Lot slopes from its high point along northern edge of property to the southwest and wetland area.

2. Surrounding Zoning and Land Use

	North	South	East	West
Zoning	Low Density Mixed-Use Neighborhood (L-M-N)	Low Density Mixed-Use Neighborhood (L-M-N), and Medium Density Mixed-Use Neighborhood (M-M-N)	Neighborhood Commercial (N-C)	Public Open Lands (P-O-L)
Land Use	Hansen Farm Subdivision	Multi-family Residential (The Crowne on Timberline)	Vacant, and future Hansen Farm Tracts	Union Pacific Railroad/Power Trail

C. OVERVIEW OF MAIN CONSIDERATIONS

The main considerations for staff review of the P.D.P. include: the alignment of Zephyr Road from S. Timberline Road to Rosen Drive, mix of housing types and model variety, mid-block pedestrian connections, natural habitat buffer requirements, emergency access, and central gathering area and amenities within future neighborhood center. This Project Development Plan has gone through 4 rounds of staff review.

Other key issues that have been explored and addressed are;

- Proposed single-family attached dwelling, less than 30% secondary use in neighborhood center
- Street and pedestrian connections to future neighborhood center
- Size of future neighborhood park
- Coordination of lateral irrigation ditch with street and pedestrian crossings, future park
- Distance of single-family attached dwelling building entrances to street
- Storm drainage requirements

Staff has evaluated the request under the applicable sections of the Land Use Code and finds that all issues have been addressed in compliance with the code with exception to Mix of Housing Types, Buffer Zone Performance Standards, and Emergency Access.

2. Comprehensive Plan

A. CITY PLAN (2019)

City Plan, the community's comprehensive plan, last updated in 2019, provides more general city-wide policy direction for future development. The City Structure Plan map identifies the Hansen Farm P.D.P. future land uses as Mixed-Use Neighborhoods, and Neighborhood Mixed-Use District, establishing a basis for the same zoning. Related Policies:

- Policy LIV 4.1 – New Neighborhoods
- Policy LIV 4.2 – Compatibility of Adjacent Development
- Policy LIV 4.3 – Neighborhood Services and Amenities
- Policy LIV 5.1 – Housing Options
- Policy CR 2.1 – Recreation Opportunities
- Policy T 6.1 – Connected Bicycle Facilities
- Policy T 7.4 – Pedestrian Connection

B. FOSSIL CREEK RESERVOIR AREA PLAN

The Fossil Creek Reservoir Area Plan (FCP), an element of City Plan, was adopted in 1998 and represents a more specific policy plan for the area. The plan provides general direction for future annexation, zoning, and development in the plan area. The FCP provides key policies relative to the Rennat P.D.P (see attachment Related Policies for more information). Related Policies:

- FC-LUF-3 Mixed-Use Neighborhoods.
- FC-LUF-9 Neighborhood Commercial Center
- FC-T-3 Street Connectivity and Pedestrian Linkages
- FC-T-6 Off-Street Bicycle Trails
- FC-PSCF-1 Parks

The P.D.P. is consistent with the related policies from the *Fossil Creek Reservoir Area Plan* and *City Plan*. The P.D.P. provides L-M-N and N-C land uses, densities, and housing types consistent with current zoning and policies of approved plans. The P.D.P. provides natural habitat buffering, a future neighborhood park and passive open space. The P.D.P. provides a network of local streets and access to South Timberline Road, a future 4-lane arterial street, and connections to future regional trail system.

3. Public Outreach

A. NEIGHBORHOOD MEETING

Pursuant to *Section 2.2.2 – Step 2: Neighborhood Meetings*, a neighborhood meeting is not required for Administrative (Type 1) projects. Therefore, a neighborhood meeting was not held for this project.

B. PUBLIC COMMENTS:

Staff received a few public comments since the hearing notice on January 16. Concerns and comments included:

- Traffic on Timberline
- Timing of expansion of Timberline to a 4-lane arterial street in area
- How will project mitigate traffic
- Road safety

4. Article 2 – Applicable Standards

A. BACKGROUND

This project was submitted on August 14, 2019.

B. PROJECT DEVELOPMENT PLAN PROCEDURAL OVERVIEW

1. Conceptual Review - PDR190002

A preliminary design review meeting was held on March 27, 2019. The original proposal consisted of 246 lots, with a combination of single-family detached and single-family attached dwellings, future neighborhood park tract and storm drainage wetland area.

2. First Submittal - PDP190011

As previously mentioned, the first submittal of this project was completed on August 14, 2019. The second submittal of the PDP was on October 18, third submittal on December 4, and fourth submittal on January 7, 2020.

3. Neighborhood Meeting

Not applicable pursuant to *2.2.2 – Step 2: Neighborhood Meetings*.

4. Notice (Posted, Written and Published)

Posted Notice (PDP190011): August 19, 2019, Sign # 513

Written notice: January 16, 2010, 455 letters sent

Published Notice: July 16, 2020, Coloradoan confirmation #0004007825

C. DIVISION 2.8 – MODIFICATION OF STANDARDS

The applicant requests one modification of a standard as mentioned in this report.

The Land Use Code is adopted with the recognition that there will be instances where a project would support the implementation of City Plan, 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 Description

The applicant requests a Modification to Section 4.5 (D) (2) (c) – *Mix of Housing*, to add a fourth housing type (single-family attached – front loaded garage) to list of required housing types.

2. Applicant's Justification

The Applicant requests that the modification be approved and provides the following justification based upon the following two Criterion:

Criterion 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.

Criterion 4: The plan as submitted will not diverge from the standards of the Land Use Code 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.

The applicant's modification request and justification are attached to this staff report.

The applicant states that:

The Land Use Code currently does not have a provision for a product that is single-family attached and front loaded. Allowing this to be used as a product type gives the project four different building types.

The number of lots is minimal (14) compared to the rest of the development and represents 6.6% of the total.

The lots requesting the modification are located at the ends of blocks providing variety and visual interest along the street frontage by breaking up the rows of single-family detached homes. The purpose of the standard for which the modification is sought "... 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." The Rennat property is providing a network of both on-street and off-street pedestrian and bike paths throughout the site and that being allowed to use this housing type promotes a diverse choice for the residents who will be moving here.

Further, we feel that the granting of the modification would not be detrimental to the public good.

3. Staff's Analysis of Modification Request

Staff finds that the request for the Modification of Standard to Section 4.5 (D) (2) (c) is justified by the applicable standards in 2.8.2(H)(1):

The plan as submitted **will not be detrimental to the public good**. For projects over 30 acres, four housing types are required. The intent of providing a greater variety of housing types is to avoid a predominance of a single housing type and design and offer more choices for homeowners living in the neighborhood. With the addition of the proposed fourth housing type, this should contribute to the vitality and quality of life in the area by supporting the overall mix of housing choices in the vicinity of the project.

The plan 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, because the applicant is providing the required minimum number of housing types. While the inclusion of the single-family attached dwelling with front loaded garages represents a new housing type not currently listed in the LUC, it is similar to the two choices listed for single-family detached dwellings with front or rear-loaded garages. The purpose of the standard is maintained with the modification of standard equally well or better than a plan which complies with the standard. The difference between a front-loaded and rear-loaded home product is recognizable and provides both visual and functional variety that contributes to the L-M-N District's purpose of contributing to a variety of home choices in the neighborhood.

Staff finds that the request for the Modification of Standard to Section 4.5 (D) (2) (c) is justified by the applicable standards in 2.8.2(H)(4):

The plan as submitted will not diverge from the standards of the Land Use Code except in a **nominal, inconsequential way** when considered from the perspective of the entire development plan. A mix of permitted housing types shall be included in any individual development plan, to the extent reasonably feasible, depending on the size of the parcel, in order to promote such variety. The 25 lots with this housing type represent 12% of the total lots within the P.D.P which is nominal. Inclusion of the proposed fourth housing type complies with the standard by not decreasing the number of housing types required, while providing a greater mix and options for residents within the development, which fulfills the L-M-N District's purpose of contributing to a variety of residential housing products.

5. Article 3 - Applicable Standards

A. DIVISION 3.2 - SITE PLANNING AND DESIGN STANDARDS

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
<p>3.2.1 - Landscaping and Tree Protection</p>	<p>The intent of this Section is to require a fully developed landscape plan that addresses relationships of landscaping to the circulation system and parking, the building, abutting properties, and users of the site in a manner appropriate to the neighborhood context.</p> <p>The plan provides the following main components:</p> <ul style="list-style-type: none"> • Street Trees. All local public streets will be landscaped with street trees. These parkways will be also landscaped with irrigated turf. • West portion of Property (Tract A). Along the west boundary of the P.D.P. an approximate 100-foot natural habitat buffer is established along the edge of the existing wetlands and drainage area. This Tract includes a soft path for public access and naturalistic landscaping within the buffer area. • Tract C – Neighborhood Park. Tract C includes a portion of potential future neighborhood park. This future park will be designed by the City Parks Department and include typical neighborhood park elements and amenities associated with this type of park. • Tract UJ – Along the north boundary and edge of existing irrigation lateral ditch, an approximate 50-foot natural habitat buffer is established between the single-family lots and ditch corridor. This buffer will include naturalized plantings and tree groupings. • This standard requires that existing significant trees be preserved to the extent reasonably feasible. Upon inspecting the site, the City Forester has determined that for the 17 trees to be removed, 30 mitigation trees are required. While the reason for removal of the trees is due to land development, the existing trees are rated as fair, fair minus, poor, mostly dead, dead or hazard. This is due to lack of irrigation and neglect over the decades. 	<p>Complies</p>

<p>3.2.2 - Access, Circulation and Parking</p>	<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.</p> <ul style="list-style-type: none"> As noted, there are eight public streets. The extension of Zephyr Drive west of S. Timberline Road intersection will be the primary access point into the site. As Zephyr Drive connects to Rosen Drive on the south edge of P.D.P, this will provide a second point of access. Fallen Branch Drive will connect to the Hansen Farm project to the north. The local street network serving most of the site includes Zephyr Road, Misty Meadow Drive, Dancing Cattail Drive, Croaking Toad Drive, Flying Mallard Drive, Windy Willow Drive, Fallen Branch Drive, and Autumn Breeze Court. The other internal connections include private alleys and street-like private drive, providing access to the rear-loaded garages or guest parking spaces for the P.D.P. <p>The pedestrian and bicycle network will be a combination of public sidewalks and private walkways, and undesignated on-street bicycle circulation. This network will connect to the following:</p> <ul style="list-style-type: none"> Perimeter public sidewalk and on-street bike lane along S. Timberline Road; Connections to future multi-use trail along the Mail Creek Ditch corridor along the north boundary of Hansen Farm P.D.P., to be built by the City with available funding; And extension of Zephyr Drive to Rosen Drive (Collector Street with bike lanes). There are three potential neighborhood destinations, including, neighborhood park and neighborhood commercial center identified as future tracts. Direct street and sidewalk connections are provided with this P.D.P. to these future destinations. A stormwater detention pond and passive open space includes sidewalk connections from the local street network and internal paths within this area. For the 151 single family detached units, there will be a two-car driveway and garage per unit, requiring a total of 612 spaces. The P.D.P. provides a total of 612 spaces in compliance. For the 45 single family attached units, the standard requires compliance on a per bedroom-per unit basis. Number of Spaces Required: 45 2-bedroom units x 1.75 spaces = 78 The P.D.P. provides 78 spaces in garages in compliance with standard. In addition, the local public streets that surround the single-family attached townhome units allow on-street parking. These on-street parking spaces were not credited toward meeting the minimum requirement. 	<p>Complies</p>
<p>3.2.3 – Solar Access and Shading</p>	<p>This standard requires 65% of the single family lots be oriented to within 30 degrees of an east-west line to preserve the potential for solar exposure.</p> <ul style="list-style-type: none"> The P.D.P. includes 141 solar oriented lots out of a total of 205 lots, comprising 68%. This percentage exceeds the minimum requirement of 65%, in compliance with this standard. 	<p>Complies</p>

B. 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
<p>3.4.1 Natural Habitats and Features</p>	<p><i>The decision maker (Administrative Hearing Officer) “shall determine the buffer zone for each natural habitat or feature contained in the project site. The buffer zones may be multiple and noncontiguous. The general buffer zone distance is established according to the buffer zone table, but the Hearing Officer shall reduce or enlarge any portion of the general buffer zone distance, if necessary, in order to ensure that the performance standards set forth are achieved.”</i></p> <p>The locations of onsite natural habitats and features is informed by an Ecological Characterization Study (ECS) provided July 2019. The property vegetation is dominated by hayfield plants and non-native grasses. Onsite features include one ditch lateral, cottonwood trees, one large wetland and small pocket wetlands.</p> <p>Where the proposed project site and landscape encroaches into the general buffer zone standard setbacks, the natural habitat buffer zone design is expanded elsewhere to offset the encroached areas. The largest and highest ecological value feature, the 8-acre emergent wetland, is protected in place with a buffer that averages 100-feet in distance. Historically, the wetland’s hydrology was supported by flood irrigation supplied by the irrigation ditch. The hydrologic regime will be altered since flood irrigation will no longer occur. However, the stormwater design will supplant the flood irrigation and be treated and prior to reaching the wetlands. As a condition of approval, staff is requiring a robust monitoring plan that describes how the wetlands will be supported hydrologically, and a contingency mitigation plan if the altered hydrology is found to be insufficient to support the wetlands Hydrology is the most important environmental factor supporting a wetland habitat. The proposed PDP provides natural habitat and feature protections and enhancements.</p> <p>Staff has determined this proposal satisfies the applicable standards set forth in this section of the LUC, with a proposed condition of approval (see below) to ensure the project can meet LUC 3.4.1(E) buffer zone standards. Generally, a project development plan development agreement (DA) includes requirements for a minimum of three years of wetland monitoring post-construction and after issuance of Development Construction Permit (DCP). City Environmental Planner recommends wetland monitoring begin prior to issuance of DCP for this potential development project should it proceed and due to the uncertainty of hydrologic regime maintenance for the high-quality palustrine emergent wetland at the site.</p> <p>Condition of Approval No. 1:</p> <p>The Rennat project will complete monthly monitoring of at least 8 total and equally distributed monitoring plot locations of both vegetation transects and groundwater monitoring piezometers for a minimum of one (1) growing season pre-construction and minimum of two (2) years post-construction, or until the natural habitat buffer zone is accepted by the City Environmental Planner, for the project to demonstrate wetlands protection and meeting performance standards success criteria.</p>	<p>Conditionally Complies</p>

C. 3.5 – BUILDING STANDARDS

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings										
<p>3.5.2 - (C)Housing Model Variety</p>	<p>This standard requires that single family attached projects that consist of more than five buildings must feature three distinctly different building designs. Buildings are considered similar unless they vary significantly in footprint size and shape (architectural style). Further, no similar buildings can be placed next to each other. With 27 single family attached (2-plex) buildings, the P.D.P. provides the following four building footprints and three shapes as determined by their architectural style in Table below:</p> <table border="0" data-bbox="483 594 1101 800"> <tr> <td style="text-align: center;">Sizes:</td> <td style="text-align: center;">4 Architectural Styles/Footprints:</td> </tr> <tr> <td style="text-align: center;">2-plex</td> <td style="text-align: center;">Style A</td> </tr> <tr> <td style="text-align: center;">2-plex</td> <td style="text-align: center;">Style B</td> </tr> <tr> <td style="text-align: center;">2-plex</td> <td style="text-align: center;">Style C</td> </tr> <tr> <td style="text-align: center;">2-plex</td> <td style="text-align: center;">Style D</td> </tr> </table> <ul style="list-style-type: none"> • The four styles are characterized by distinctive architecture and building footprint sizes. For the 27 single-family attached (2-plex) buildings, the four styles are distributed among all the single-family attached (paired lots) that include either front-loaded garages, or rear-loaded garages. As noted on the Site Plan, there are no similar buildings, as differentiated by both footprint size and shape (architectural style), placed next to each other, in compliance with this standard. 	Sizes:	4 Architectural Styles/Footprints:	2-plex	Style A	2-plex	Style B	2-plex	Style C	2-plex	Style D	<p>Complies</p>
Sizes:	4 Architectural Styles/Footprints:											
2-plex	Style A											
2-plex	Style B											
2-plex	Style C											
2-plex	Style D											
<p>3.5.2 (D) (E) - Relationship of Dwellings to Streets and Parking</p>	<p>This standard requires that all dwellings are connected to the public street sidewalk by a connecting walkway (as specifically defined) that does not exceed 200 feet or by a major walkway spine (as specifically defined) that does not exceed 350 feet.</p> <ul style="list-style-type: none"> • All the 27 single family attached building front entrances face a public street, or street-like private drive and connect directly to the street sidewalk with a distance less than 200 feet distance, in compliance with this standard. • Setbacks from Non-arterial Streets. This standard requires that buildings be setback at least 15 feet from nonarterial streets. All the single-family attached buildings are setback from the public street by at least 20 feet with front-loaded garages, in compliance with this standard. 	<p>Complies</p>										

D. 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
<p>3.6.1 – Master Street Plan</p>	<p>This criterion requires the P.D.P. to conform to the Master Street Plan. The following street, and its classification, is included on the Master Street Plan:</p> <ul style="list-style-type: none"> Zephyr Road - two-lane collector <p>The P.D.P. indicates the widening of this roadway is in compliance with the Master Street Plan. (The Master Street Plan does not address streets below the collector classification.) For informational purposes, the P.D.P. indicates the extension of Zephyr Road west of S. Timberline Road intersection, connecting to the adjacent property to the south. In general, the Rennat P.D.P. demonstrates overall compliance with City Plan in that development is served by a network of public streets, which provide safe and convenient internal and external connectivity.</p>	<p>Complies</p>
<p>3.6.3 (B) - Street Pattern and Connectivity Standards</p>	<p>Section 3.6.3 (B) is the general standard that requires the local street system to provide for safety, efficiency and convenience for all modes both within the neighborhood and to destinations outside the neighborhood.</p> <ul style="list-style-type: none"> The proposed east-west collector, including proposed local street stub-outs, provides internal connections to future development south of the project site. Space for pedestrian and bicycle trail connections are provided along the north and west perimeter of the P.D.P. to link to the future Power Trail adjacent to Hansen Farm subdivision. This trail is a key component of the Parks and Trails Master Plan and is expected to serve most areas along the City’s south eastern edge between Fossil Creek Reservoir on the south and Poudre River on the north. The proposed P.D.P. includes primary access from the extension of Zephyr Road off S. Timberline Road. A secondary access is shown from the extension of Fallen Branch Drive to the north. These streets will need to be coordinated with the Hansen Farm development to the north for timing of construction and completion of access to the Rennat P.D.P. The connection of Zephyr Road to Rosen Drive to the south will provide additional access to the P.D.P. Approval of the Rennat P.D.P. (including Site Plan) in and of itself, allows the creation of a non-compliant street system in which a dead-end network of roads is established with only one connection to Zepher Road. Dead-end roads exceeding 660 feet in length are not permitted per fire code and Larimer County Urban Area Street Standards (LCUASS) standards. Poudre Fire Authority (PFA) and (LCUASS) standards requires emergency access to all lots. Due to the overall length of Misty Meadows Drive as it extends west to a dead-end cul-de-sac, including any other street exceeding 660 feet from Zephyr Road, without a second point of access provided, a residential fire sprinkler system is required on all dwelling units not specifically exempted. Staff is recommending a condition of approval as follows: <p>Condition of Approval No. 2:</p> <p>Until such time a code compliant secondary point of access is provided to Rennat Subdivision via road connections through north or south properties back to S. Timberline Road, any building permit (except for lots within 660 feet and therefore specifically exempted) will require the installation of a residential fire sprinkler system in any residence.</p>	<p>Conditionally Complies</p>

<p>Section 3.6.3 (E)</p>	<p>This section requires that all development plans contribute to developing a local street system that will allow access to and from the proposed development, as well as access to all existing and future development within the same square mile section from at least three arterial streets.</p> <ul style="list-style-type: none"> It is notable that this square-mile section in south east Fort Collins does not have access to three arterial streets. The existing rail corridor to the west combined with existing development limits connections to arterial streets in the area. South Timberline Road is a 4-lane arterial and Kechter Road is a Minor Arterial on the Master Street Plan near this P.D.P. Additional local-street connections to the south are shown on the P.D.P. This standard acknowledges that such constraints may exist and allows for flexibility in that such street connections to three arterials would be rendered infeasible by unusual topographic features, existing development or a natural area or feature. Therefore, the P.D.P. meets this standard to the extent reasonably feasible. 	<p>Complies</p>
<p>Section 3.6.3. (E)</p>	<p>Section 3.6.3. (E) requires that all development plans contribute to developing a local street system that will allow access to and from the proposed development, as well as access to all existing and future development within the same square mile section from at least three arterial streets.</p> <ul style="list-style-type: none"> It is notable that this square-mile section in south east Fort Collins does not have access to three arterial streets. The existing rail corridor to the west combined with existing development limits connections to arterial streets in the area. South Timberline Road is a 4-lane arterial and Kechter Road is a Minor Arterial on the Master Street Plan near this P.D.P. Additional local-street connections to the south are shown on the P.D.P. This standard acknowledges that such constraints may exist and allows for flexibility in that such street connections to three arterials would be rendered infeasible by unusual topographic features, existing development or a natural area or feature. Therefore, the P.D.P. meets this standard to the extent reasonably feasible. 	<p>Complies</p>
<p>Section 3.6.3. (F)</p>	<p>Section 3.6.3. (F) requires that the P.D.P. incorporate and continue all sub-arterial streets stubbed to the boundary or provide for future public street connections along each boundary that abuts potentially developable land at maximum intervals of 660 feet.</p> <ul style="list-style-type: none"> The proposed P.D.P provides local-street connections to the south, where future development can occur. Street connections to existing streets to the west are precluded due to existing development pattern of South Ridge, and Union Pacific Rail corridor. The P.D.P. includes two street connections to the Hansen Farm subdivision, Zephyr Road and Fallen Branch Drive. As an alternative to providing two additional local street connections to the north, the P.D.P. provides two pedestrian trail connections meeting Alternative Compliance criteria for equal to or better than a plan that meets the standard. This plan will reduce the number of ditch bridge crossings and impacts to natural resource buffer along this corridor. The plan fosters nonvehicular access and enhances neighborhood connectivity. 	<p>Complies</p>

<p>3.6.4 – Transportation Level of Service Requirements</p>	<p>A Transportation Impact Study was completed by the applicant and reviewed by staff, dated July 2019. The study assessed the impacts of the Rennat Property on the street system in the vicinity of the proposed development in the short range (2024) and long range (2040) futures. The following conclusions are noted:</p> <ul style="list-style-type: none"> • Current roadway function in the area of the Rennat PDP site meets technical standards for operations, although several areas are seeing challenging peak hour congestion. • Site traffic associated with buildout of Rennat is expected to be 159 morning peak hour trip ends, and 213 afternoon peak hour trip ends and 2,030 trips per day. • The following improvements are required to be in place with the Rennat development. (Many of these improvements are anticipated to be constructed with the adjacent Hansen development, however, should Hansen not construct the improvements the requirement will fall to Rennat to build them): <ul style="list-style-type: none"> • Zephyr Road will be extended to the west to provide connectivity to both the currently unbuilt Hansen Farm development as well as existing Crowne at Timberline and Linden Park developments. This will create a 4-legged intersection at Timberline. • Addition of southbound right turn and northbound left turn lanes, and appropriate east- and westbound lanes at the Timberline - Zephyr intersection. • Signalization of the Timberline – Zephyr intersection. • Although Rennat does not have any frontage along Timberline, the development does impact the arterial, some of which is not yet built to a 4-lane cross-section. Those sections that still need to be widened to a 4-lane arterial section are funded and in process to be completed by the City within a similar timeframe to the Rennat development. Upon completion of the City project, Timberline will be a full 4-lanes to Trilby Road, including the Kechter intersection. • The Rennat development will provide all internal required pedestrian and bicycle facilities. The adjacent Hansen development is also completing improvements. Finally, the City project along Timberline will complete the missing sidewalks along the western side of Timberline. The new signal at the Timberline/Zephyr intersection will provide safe crossing of Timberline Road for students attending Bacon Elementary School. With those improvements, acceptable levels of service are met to area schools, churches, and neighborhoods. <p>In summary, the increase in traffic due to the proposed Rennat development will be managed by a series of improvements (from Rennat, other developments, and the City), including new lanes, a traffic signal and roadway widening along Timberline. Pedestrian facilities are being improved, especially with the completion of a sidewalk along the current gap on Timberline, and signalization at Zephyr that will accommodate walking routes to elementary school. Upon completion, the Transportation Level of Service requirements will be met.</p>	<p>Complies</p>
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6. Article 4 – Applicable Standards:

A. DIVISION 4.5 – LOW DENSITY MIXED-USE NEIGHBORHOODS (L-M-N)

The Low Density Mixed-Use Neighborhood (L-M-N) District’s primary purpose 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.

The proposed single-family dwelling is permitted use, subject to Administrative Review in this district.

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings																								
4.5 (B) Permitted Uses	The P.D.P. includes two land uses – single-family detached and single-family attached dwellings. Both are permitted in the L-M-N zone subject to Administrative (Type One) Review.	Complies																								
4.5 (D) (1) – Density	<p>The P.D.P. features a total of 205 dwelling units (D.U.) on 56.6-acres.</p> <ul style="list-style-type: none"> • Within the L-M-N zone there are 188 dwelling units for a gross density of 3.49 D.U. per gross acre. • The net density equals 5.10 D.U./net acre. In compliance with the standard, the gross density is under the maximum allowed (9.00 D.U./acre, and the net density exceeds the required minimum net density of 3.00 D.U./acre. 	Complies																								
4.5 (D) (2) – Mix of Housing	<p>This standard requires that for projects that are 30 acres or larger, four housing types are required. The L-M-N tracts total 56.6-acres. The overall L-M-N tracts features three housing types, with a Request for Modification of Standards to Section 4.5 (D) (2) to add a fourth housing type (see Request for Modification of Standards section above).</p> <p>Table 1 - Mix of Housing</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-bottom: 10px;"> <thead> <tr> <th style="width: 30%;">Housing Type</th> <th style="width: 20%;">Lot Size</th> <th style="width: 20%;"># of Dwelling Units</th> <th style="width: 30%;">% of Total</th> </tr> </thead> <tbody> <tr> <td>Single-Family Detached (front-loaded garages)</td> <td>(6,000-8,000 Sf)</td> <td style="text-align: center;">84</td> <td style="text-align: center;">44.6 %</td> </tr> <tr> <td>Single-Family Detached (rear-loaded garages)</td> <td>(3,825 SF)</td> <td style="text-align: center;">67</td> <td style="text-align: center;">35.6 %</td> </tr> <tr> <td>Single-Family Attached (rear-loaded garages)</td> <td></td> <td style="text-align: center;">25</td> <td style="text-align: center;">13.3 %</td> </tr> <tr> <td>Single-Family Attached (front-loaded garages) <small>(See Request for Modification of Standards)</small></td> <td></td> <td style="text-align: center;">12</td> <td style="text-align: center;">6.5 %</td> </tr> <tr> <td>Total:</td> <td></td> <td style="text-align: center;">188</td> <td style="text-align: center;">100 %</td> </tr> </tbody> </table> <p>Single Family Attached Dwellings are defined as dwellings that are attached to one or more dwellings or buildings, with each dwelling located on its own separate lot. These units are often referred to as townhomes. In the case of this P.D.P., units are arranged in the following manner related to how garages are loaded: 2-plex, F-load (12 Buildings), 2-plex, R load (25 Buildings).</p>	Housing Type	Lot Size	# of Dwelling Units	% of Total	Single-Family Detached (front-loaded garages)	(6,000-8,000 Sf)	84	44.6 %	Single-Family Detached (rear-loaded garages)	(3,825 SF)	67	35.6 %	Single-Family Attached (rear-loaded garages)		25	13.3 %	Single-Family Attached (front-loaded garages) <small>(See Request for Modification of Standards)</small>		12	6.5 %	Total:		188	100 %	Complies
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Total:		188	100 %																							

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings				
<p>4.5 (3) (a) – Access to Neighborhood Center</p>	<p>This standard requires that projects greater than 40 acres shall be located within ¼ mile of either a neighborhood center contained within the project, or an existing neighborhood center located in an adjacent development, or an existing or planned Neighborhood Commercial District commercial project, which distance shall be measured along street frontage, and without crossing an arterial street.</p> <ul style="list-style-type: none"> • The P.D.P. identifies a future park in Tract C (3 +/- acres) on the site plan. As part of this P.D.P., the City Parks Department has included a letter of intent to develop this tract as a future public neighborhood park, contingent on available funding. This potential neighborhood park location at the corner of Zephyr Road and Misty Meadow Drive is visible from these streets and has direct access from the neighborhood. A potential for a larger size future public neighborhood park will need to be coordinated with the adjacent Hansen Farm property owner to serve the surrounding -LM-N neighborhoods. • In addition, passive open space and a stormwater detention pond is provided on Tract A which contains 20.7-acres. This area includes soft walking paths. All dwellings are within one-third of a mile of both the proposed future public park and the passive open space, in compliance with this standard. 					
<p>4.5 (EE) (1) (a) – Streets and Blocks</p>	<p>This standard requires that the local street system provide an interconnected network of streets such that blocks do not exceed 12 acres. The internal roadway network consists of the following local streets:</p> <table border="1" data-bbox="410 989 1354 1430"> <tbody> <tr> <td data-bbox="410 989 630 1346">Public Streets</td> <td data-bbox="630 989 1354 1346"> <p>Zephyr Road (Collector) Misty Meadow Drive Dancing Cattail Drive Croaking Toad Drive Flying Mallard Drive Windy Willow Drive Fallen Branch Drive Autumn Breeze Court</p> </td> </tr> <tr> <td data-bbox="410 1346 630 1430">Private Alley/Drive</td> <td data-bbox="630 1346 1354 1430"> <p>Not Named</p> </td> </tr> </tbody> </table> <p>As noted, the P.D.P. includes eight new public streets identified above. The one other roadway is a private alley and drive. The largest block is defined by Dancing Cattail Drive to the south, Croaking Toad Drive to the west, Misty Meadow Drive to the north, and Flying Mallard Drive to the east, containing 32 dwelling lots. This block is approximately 4.3-acres and thus below the allowable maximum. The other blocks are smaller, due to separation from streets or pedestrian connections between lots.</p>	Public Streets	<p>Zephyr Road (Collector) Misty Meadow Drive Dancing Cattail Drive Croaking Toad Drive Flying Mallard Drive Windy Willow Drive Fallen Branch Drive Autumn Breeze Court</p>	Private Alley/Drive	<p>Not Named</p>	
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Private Alley/Drive	<p>Not Named</p>					

B. DIVISION 4.23 – NEIGHBORHOOD COMMERCIAL DISTRICT (N-C)

Purpose. The Neighborhood Commercial District is intended to be a mixed-use commercial core area anchored by a supermarket or grocery store and a transit stop. The main purpose of this District is to meet consumer demands for frequently needed goods and services, with an emphasis on serving the surrounding residential neighborhoods typically including a Medium Density Mixed-Use Neighborhood. In addition to retail and service uses, the District may include neighborhood-oriented uses such as schools, employment, day care, parks, small civic facilities, as well as residential uses.

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
4.23 (B) - Permitted Uses	The P.D.P. includes one land use – single-family attached dwelling (rear-loaded garage), permitted in the N-C zone subject to Administrative (Type One) Review.	Complies
4.23 (D) (1) – Density	Within the N-C Zone, there are 17 dwelling units on 1.22-acres for a gross density of 13.9 D.U./acre, with no minimum or maximum density requirements.	Complies
4.5 (D) (2) – Secondary Uses	<p>All residential permitted uses, except mixed use dwellings in multistory mixed use buildings, shall be considered secondary uses in this zone district and, for projects containing five (5) or more acres, together shall occupy no more than thirty (30) percent of the total gross area of any development plan.</p> <ul style="list-style-type: none"> • The P.D.P. includes 1.22-acres of the N-C zone, with the larger remaining portion of 9.07-acres included in the adjacent Hansen Farm property to the east. • The P.D.P. portion of the N-C district of 1.22-acres and represents 13.4 % of the overall N-C area. The P.D.P. includes single-family attached dwellings as a secondary use, less than the maximum allowed of 30% in conformance with this standard. 	Complies
4.23 (E) (1) (b) – Central Feature or Gathering Place	<p>An outdoor open space or plaza with amenities needs to be centrally located in the District. The P.D.P. includes 1.22-acres of the N-C zone, with the larger remaining portion of 9.07-acres included in the adjacent Hansen Farm property to the east.</p> <ul style="list-style-type: none"> • The P.D.P. includes a centrally located plaza with pedestrian amenities of landscaping, benches and common turf area. This feature provides a direct connection to the future Hansen Farm N-C district. 	Complies

7. Findings of Fact/Conclusion

In evaluating the request for the Rennat Project Development Plan, PDP190011, staff makes the following findings of fact:

- A. The P.D.P. is consistent with related policies in the Fossil Creek Reservoir Area Plan, an element of City Plan, and City Plan;
- B. The P.D.P. complies with the process located in Division 2.2 – Common Development Review Procedures for Development Applications of Article 2 – Administration;
- C. The P.D.P. complies with the applicable standards located in Division 4.5, Low Density Mixed-Use Neighborhood of Article Four – Districts, if the request of Modification of Standard to Section 4.5 (D) (2) (c) is approved;
- D. The Modification complies with process located in Division 2.2 – Common Development Review Procedures for Development Applications of Article 2 – Administration. The Modification of Standard to Section 4.5 (D) (2) (c) is justified by the applicable standards in 2.8.2(H) (1) (4).
- E. The P.D.P. complies with the applicable standards located in Division 4.23, Neighborhood Commercial of Article Four – Districts.
- F. The P.D.P. complies with the applicable standards located in Article 3 - General Development Standards of Article Three, with two conditions of approval recommended by staff:

Condition of approval No. 1:

Natural Habitat Buffer Zone: The Rennat project will complete monthly monitoring of at least eight total and equally distributed monitoring plot locations of both vegetation transects and groundwater monitoring piezometers for a minimum of one (1) growing season pre-construction and minimum of two (2) years post-construction, or until the natural habitat buffer zone is accepted by the City Environmental Planner, for the project to demonstrate wetland protection and meet performance success criteria.

Condition of approval No. 2

Until such time a code compliant secondary point of access is provided to the Rennat Subdivision via road connections through northern or southern properties, connecting the project to South Timberline Road, any building permit (except for lots within 660 feet of Zephyr Road and therefore specifically exempted) will require the installation of a residential fire sprinkler system in any residence.

8. Recommendation

Staff recommends approval of the Rennat, PDP190011 with conditions.

9. Attachments

1. Vicinity Map
2. Site/Landscape Plan Set
3. Utility Plan
4. Plat
5. Solar Access Plan
6. Traffic Impact Study (July 2019)
7. Ecological Characterization Study
8. Environmental Staff Review Recommendation
9. Request for Modification of Standards
10. Letter of Intent for Storm Drainage Outfall
11. Staff Hearing Presentation