



Development Review Center
Planning Services
281 North College Avenue
PO Box 580
Fort Collins, CO 80522-0580
970-221-6689
fcgov.com/DevelopmentReview

NOTICE OF HEARING DECISION

December 26, 2019

Dear Public Hearing Attendee:

This letter is being sent to you because you signed in at a recent Administrative Hearing for the **Woodspring Suites, Project Development Plan #PDP190006**. Attached to this letter you will find a copy of the Type 1 Administrative Hearing Decision approving the project.

This final decision of the Administrative Hearing Officer may be appealed to the City Council, in accordance with Chapter 2, Article II, Division 3 of the City Code, within 14 calendar days of the decision dated (December 23, 2019) by the Hearing Officer. The deadline to file an appeal is 5:00 p.m. on January 6, 2020. An Appeal Form and Guidelines explaining the appeal process, including the Code provisions noted above, can be found online at fcgov.com/cityclerk/appeals.php, or may be obtained in the City Clerk's Office at 300 Laporte Avenue.

As previously mentioned, this decision letter was sent because you signed in at the public hearing. There may be an instance where someone may have attended the hearing but did not sign in and therefore will not receive this letter. Please feel free to share this information with them. Additionally, you may contact the Neighborhood Services Department, at 970-224-6046 or neighborhoodservices@fcgov.com. Neighborhood Services is available to assist residents who have questions about the review process, hearing officer decisions or how to appeal a decision to City Council. Thank you for participating in the development review process.

Sincerely,

Kai Kleer, AICP | City Planner
970.416.4284 kkleer@fcgov.com

The City of Fort Collins will make reasonable accommodations for access to City services, programs, and activities and will make special communication arrangements for persons with disabilities. Auxiliary aids and services are available for persons with disabilities. V/TDD: Dial 711 for Relay Colorado.

Esta es una notificación sobre la reunión de su vecindario o sobre una audiencia pública sobre el desarrollo o proyecto en la propiedad cerca de donde usted es el dueño de propiedad. Si usted desea que esta notificación sea traducida al español sin costo alguno, favor enviar un correo electrónico en español a la siguiente dirección electrónica: translate@fcgov.com.

HEARING TIME AND LOCATION

Thursday, December 12, 2019
5:30 P.M.
281 N College Avenue
Conference Rooms A, B and C

PROPOSAL NAME & LOCATION

Woodspring Suites Hotel - Project
Development Plan #190006

This site abuts the east side of I-25 and is located approximately 500 feet SE of the I-25 & E Mulberry Rd. interchange.

PROPOSAL DESCRIPTION

- The proposal is to construct an extended stay hotel located at 847 SE Frontage Road, parcel #8715205001.
- The proposal consists of a 48,660 square foot, 4-story building that contains 122 units.
- Parking will be located on the rear side of the site and contain 121 spaces.
- The project will also include an amenity space for guests, landscaping, trash enclosure and community gateway feature.

ZONING INFORMATION

- Property is in the General Commercial (C-G) Zone District.
- The proposal is a permitted use in this district and is subject to an Administrative Hearing.

HELPFUL RESOURCES

- Hearing Notice, Plans, and Staff Report: fcgov.com/ReviewAgendas
- Appeals Process: www.fcgov.com/appeals
- Appeal Guidelines: <http://www.fcgov.com/cityclerk/pdf/appeal-guidelines.pdf>
- Information About the Review Process: fcgov.com/CitizenReview

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

HEARING DATE: December 12, 2019

PROJECT NAME: Woodspring Suites (PDP #190006)

CASE NUMBER: PDP #190006

APPLICANT: Matthew Vos
Tallgrass Hospitality, LLC
250 N. Water, Suite 300
Wichita, KS 67202

OWNER: IBP 14 Corporation
1610 Cottonwood Point Drive
Fort Collins, CO 80524

HEARING OFFICER: Marcus A. McAskin

PROJECT DESCRIPTION: This is a request for approval of a Project Development Plan (“PDP”) (the “Application”) for property located at 847 SE Frontage Road, Fort Collins, Colorado (the “Site”).

The Site is currently undeveloped.

The Applicant/Owner desires to construct a four-story, 48,660 square foot, 122-room extended-stay hotel on the Site (the “Project”). The Project also includes a 121-space parking lot located between the rear of the building and I-25, landscaping improvements, and an outdoor amenity space for seating, a fenced dog relief area, and bike shelters.

The Project is within the General Commercial (C-G) zone district and is subject to an Administrative Hearing (Type 1) review.

The Applicant/Owner requests a Modification of Standard from Section 3.9.4(B)(1) of the Fort Collins Land Use Code (“LUC”). Section 3.9.4(B)(1) requires a landscaped buffer of 80 feet between the building or parking lot edge and the I-25 right-of-way. Section 3.9.4(B)(1) also requires that the landscaped buffer consist of informal clusters of deciduous and evergreen trees and shrubs planted in an offset pattern, with one (1) tree and 10 shrubs per 25 lineal feet of frontage. The Site’s I-25 frontage is approximately 610 lineal feet; therefore, Section 3.9.4(B)(1) requires 25 trees and 244 shrubs within the Project’s landscaped buffer.

The Project proposes a Modification of Standard to allow a varying landscaped buffer of 10 to 56 feet along the Site’s I-25 frontage, with 30 trees and 199 shrubs proposed within the reduced landscaped buffer.

SURROUNDING ZONING AND LAND USES:

Direction	Zone District	Existing Land Uses
North	Community Commercial (C-C)	Interstate 25 northbound offramp.
South	General Commercial (C-G)	Powersport Dealer (Interstate Honda).
East	General Commercial (C-G)	Emission Testing Center (Air Care Colorado), Powersport Dealer (Interstate Honda), Manufacturing and Distribution Facility (Otter Products), Commercial Retail (Motion & Flow).
West	Community Commercial (C-C)	Interstate 25.

SUMMARY OF DECISION: Approved with conditions.

ZONE DISTRICT: General Commercial District (C-G)

HEARING: The Hearing Officer opened the hearing on Thursday, December 12, 2019, in Conference Room A, 281 North College Avenue, Fort Collins, Colorado, at approximately 5:30 p.m.

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

- (1) Development Review Staff Report for Woodspring Suites, PDP #190006. A copy of the Staff Report is attached to this decision as **ATTACHMENT A** and is incorporated herein by reference;
- (2) Vicinity & Zoning Map;
- (3) Site & Landscape Plan;
- (4) Modification Request;
- (5) Modification Request Exhibit;

- (6) Elevations;
- (7) Utility Plan;
- (8) Drainage Report;
- (9) Traffic Impact Study;
- (10) Poudre Fire Authority Auto Turn Exhibit;
- (11) Window Details;
- (12) Erosion Control Report;
- (13) Public Comment, email dated December 6, 2019, from Les Kaplan;
- (14) The PowerPoint presentation prepared by City Staff for the December 12, 2019 hearing;
- (15) The PowerPoint presentation prepared by the Applicant for the December 12, 2019 hearing;
- (16) Plat of Interchange Business Park, approved November 27, 2000 and recorded on February 1, 2001 at Reception No. 2001007054 in the Larimer County property records;
- (17) Plat of Interchange Business Park, Second Filing, being a replat of Lots 15 and 16, Interchange Business Park, approved by the City of Fort Collins on April 19, 2010;
- (18) Written Notice of Public Hearing dated November 27, 2019;
- (19) Confirmation of Publication dated November 27, 2019 evidencing proof of publication of Notice of Hearing in the *Fort Collins Coloradan* on November 27, 2019;
- (20) Confirmation of sign posting, including a picture of the sign, as posted on the Site (Sign # 492); and
- (21) Administrative (Type 1) Hearing: Order of Proceedings; and
- (22) Rules of Conduct for Administrative Hearings.

In addition, the City's Comprehensive Plan, the LUC, 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, City Planner
 Dave Betley, Manager, Civil Engineering

From the Owner/
 Applicant: Matthew Vos, Tallgrass Hospitality, LLC
 Kevin Dailey, Nationwide Hotel Management Company, LLC

Emily Felton, P.E., Kimley-Horn and Associates, Inc.

From the Public
(in attendance):

Les Kaplan (no address provided)
Dennis Sinnett, 1610 Cottonwood Pt., Fort Collins, CO 80524

From the Public
(via written
comment):

Les Kaplan

FINDINGS

1. Evidence presented to the Hearing Officer establishes 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 LUC.
 - B. The Modification of Standard to LUC §3.9.4(B)(1) to reduce the required landscaped buffer between the building or parking lot edge and the I-25 right-of-way from 80 feet to a varying range of 10 to 56 feet, and to reduce the number of required shrubs from 244 to 199: (i) will not be detrimental to the public good, (ii) will promote the general purpose of LUC §3.9.4(B)(1) equally well or better than would a plan which complies with LUC §3.9.4(B)(1), and (iii) by reason of exceptional physical conditions and other extraordinary and exceptional situations unique to the Site, the strict application of LUC §3.9.4(B)(1) would result in unusual and exceptional practical difficulties and exceptional and undue hardship upon the Owner. With respect to the foregoing, the Hearing Officer specifically finds:
 1. The Project's incorporation of 5 more trees than required by LUC §3.9.4(B)(1) (for a total of 30 tightly spaced trees), sandstone walls, boulders, and shrubs within the reduced landscaped buffer along I-25 and the enhanced landscaping and curvilinear sandstone wall feature at the southwestern portion of the Site will sufficiently mitigate the visual impacts of the Project and create a landscaped appearance that promotes the purpose of LUC §3.9.4(B)(1) equally well or better than would a plan which complies with LUC §3.9.4(B)(1).
 2. The anticipated condemnation by the Colorado Department of Transportation ("CDOT") of approximately 22,000 square feet of the western portion of the Site creates an extraordinary and exceptional situation unique to the Site.
 3. The triangular shape of the Site creates an exceptionally challenging physical condition for development. This condition was created when the Site was

originally platted by Larimer County and prior to annexation to, and adoption of LUC §3.9.4(B)(1) by, the City of Fort Collins.

4. The difficulties and hardship that would accrue to the Owner if LUC §3.9.4(B)(1) was strictly applied would be the result of CDOT's condemnation of a significant portion of the Site and the unique physical conditions of the Site (including its unusual triangular shape), and not the result of an act or omission of the Owner or Applicant.
- C. LUC §3.2.2(D)(2) requires, in relevant part, that "[u]nobstructed vehicular access to and from a public street shall be provided for all off-street parking spaces." The Hearing Officer finds that the Staff Report attached as **ATTACHMENT A** does not provide staff analysis or findings regarding this specific LUC requirement. The Hearing Officer finds that LUC §3.2.2(D)(2) may not be satisfied given that the Plat of Interchange Business Park, approved November 27, 2000 and recorded on February 1, 2001 at Reception No. 2001007054 in the Larimer County property records ("IBP Plat") did not dedicate the roadways within the boundaries of the IBP Plat as public right-of-way. Specifically, the Statement of Ownership, Subdivision and Dedication in the IBP Plat dedicated the roads laid out in the IBP Plat for "private use". No material was included in the hearing packet evidencing the Applicant's perpetual right to use the Southeast Frontage Road, which provides the only means of ingress and egress to the Site. The Hearing Officer finds that the applicable requirements of LUC §3.2.2(D)(2) shall be deemed satisfied, provided Applicant complies with the requirements of condition number (1) below.
- D. Except for LUC §3.9.4(B)(1), which standard is recommended for a Modification of Standard, and except for LUC §3.2.2(D)(2), which standard may be satisfied if condition number (1) below is satisfied, the Application complies with the applicable General Development Standards contained in Article 3 of the LUC.
- E. The Application complies with the applicable General Commercial (C-G) district standards contained in Article 4 of the LUC, including Section 4.21(B)(2) which permits lodging as a permitted use, subject to administrative review.
3. The Application's satisfaction of the balance of the applicable Article 2, 3, and 4 requirements of the LUC 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 enters the following ruling:

- A. The Modification of Standard to LUC §3.9.4(B)(1) to allow a varying landscaped buffer of 10 to 56 feet along the Site's I-25 frontage, with 30 trees and 199 shrubs within the landscaped buffer, is approved.
- B. Woodspring Suites, PDP #190006, as submitted, is approved for the Site, subject to satisfaction of the following conditions of approval:

- (1) The Applicant shall provide documentation to the City of Fort Collins to evidence Applicant's right to utilize the Southeast Frontage Road, as shown and laid out on the IBP Plat, for continuing access to and from the Site. Such documentation shall be in the form of a perpetual access easement benefitting the Site and granted by Interchange Business Park, LLC, a Colorado limited liability company or its successor(s) or assign(s), or other documentation sufficient to demonstrate to the satisfaction of the City that the Site has unobstructed access to and from a public street, as required by LUC §3.2.2(D)(2).
- (2) The Landscape Plan (Sheet 7 of the "Preliminary Development Plans") shall be revised as necessary to clearly identify the varying landscaped buffer of 10 to 56 feet along the Site's I-25 frontage.
- (3) A note is included on the PDP and Final Development Plan (FDP) that states: "All freestanding signs shall be ground signs and shall be limited to a maximum height of fourteen (14) feet along and perpendicular to I-25 and twelve (12) feet along and perpendicular to all other streets. Such ground signs shall be subject to all other requirements in LUC §3.8.7."
- (4) Prior to and as a condition of the signature of the Director of Community Development and Neighbor Services on the Project Development Plan (PDP), the Applicant shall resolve/correct any and all minor technical issues on the PDP as directed by City Staff.

DATED this 23rd day of December, 2019.



Marcus A. McAskin
Hearing Officer

ATTACHMENT A

Staff Report
Woodspring Suites
Project Development Plan
PDP #190006

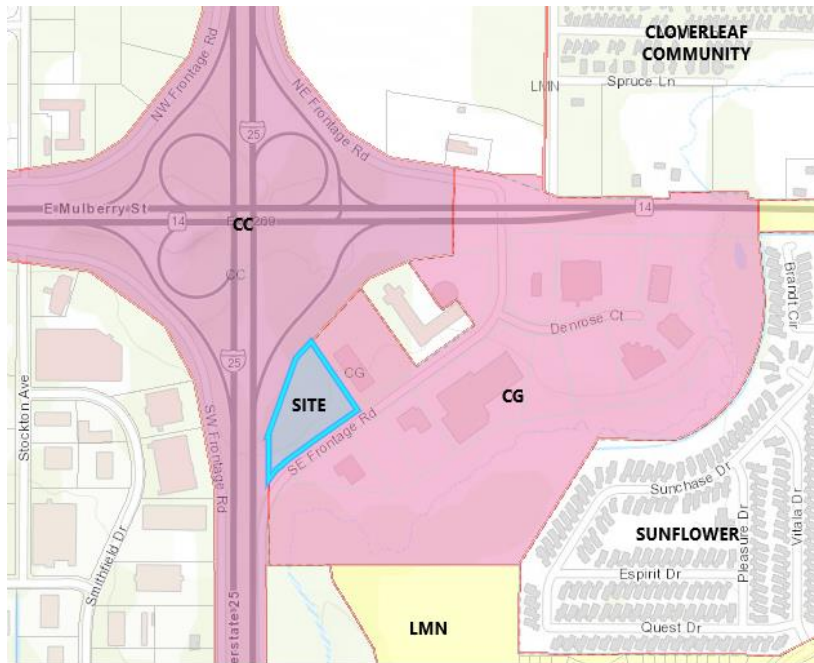
Administrative Hearing: December 12, 2019

Woodspring Suites – Hotel

Summary of Request

This is a request for a four-story, 48,660 square foot, 122-room extended-stay hotel located on Lot 1 of the Interchange Business Park Second Filing. The proposal includes landscaping, a 121-space parking lot located between the rear of the building and the interstate, 34 bike parking spaces, outdoor seating, and a small amenity space with fenced dog area. The project will require a Modification of Standard and is located within the General Commercial (C-G) zone district and requires Administrative (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 a Final Development Plan. Subsequent rounds of review will be required to finalize site engineering and corrections to the plan before the applicant can apply for a site permit.

Site Location

Located at the southeast edge of the I-25 and E Mulberry Street interchange and addressed as 847 SE Frontage Road.

Zoning

General Commercial (C-G)

Property Owner

IBP 14 Corporation
1610 Cottonwood Point Drive
Fort Collins, CO 80524

Applicant/Representative

Emily Felton
Kimley-Horn
425 S Ulster Street STE 1500
Denver, CO 80237

Staff

Kai Kleer, City Planner

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Staff Recommendation

Approval of Modification and Project Development Plan

1. Project Introduction

A. PROJECT DESCRIPTION

- This is a request for a Project Development Plan (PDP) to develop a 122-room extended-stay hotel located at 847 SE Frontage Road. The property is triangular due to its adjacency to the I-25 northbound offramp. Access is provided to the site using SE Frontage Road which provides connection between East Mulberry Street to the east and East Prospect road to the south.
- The lot is approximately 2.8-acres, although the limits of development comprise 2.3-acres because it is anticipated that the Colorado Department of Transportation has plans to acquire approximately 22,000 square feet of the site for the future expansion of the interchange and highway.
- The 64-foot, four-story building is placed in the eastern corner of the site and is situated to address the Frontage Road with a drop-off location that leads to an architectural entryway feature.
- The plan provides an outdoor amenity space in the center of the site with benches for seating, a fenced dog relief area, bike shelters, berm and landscaping.
- The parking lot consists of 121 spaces that are located between the building and I-25. The perimeter of the parking area adjacent to the highway contains 36” dry-stacked sandstone walls, trees, shrubs, sandstone boulders, and landscape features.
- Modification of Standard is required for section 3.9.4(B)(1) – Site Perimeter Landscaping Abutting the I-25 Right-of-Way. The project proposes a buffer that is approximately 10-12 feet for approximately 55% of the site perimeter and varies from 19-56 feet for the remainder of the site. Section 3.9.4(B)(1) requires an 80-foot landscape minimum.

B. SITE CHARACTERISTICS

1. Development Status/Background

The property is part of Interchange Business Park (2000) which was platted and developed in Larimer County and later annexed as part of the 2005 Interchange Business Park Third Annexation. This Project Development Plan is one of the two remaining undeveloped parcels within the original 17-lot business park.

The site was first platted in 2001 as Lot 15 of the Interchange Business Park and in 2010 was replatted to create a new lot for Air Care Colorado emissions testing facility to the east.

2. Surrounding Zoning and Land Use

	North	South	East	West
Zoning	Community Commercial (C-C)	General Commercial (C-G)	General Commercial (C-G)	Community Commercial (C-C)
Land Use	Interstate 25 northbound offramp	Powersport Dealer (Interstate Honda)	Emission Testing Center (Air Care Colorado), Powersport Dealer (Interstate Honda), Manufacturing and Distribution Facility (Otter Products), Commercial Retail (Motion & Flow)	Interstate 25

C. OVERVIEW OF MAIN CONSIDERATIONS

A primary consideration of the plan has been the applicant's request for a Modification of Standard to 3.9.4(B)(1) – *Site Perimeter Landscaping Abutting the I-25 Right-of-Way*. This standard requires any site perimeter adjoining the I-25 right-of-way provide a landscape buffer of at least 80-feet between the building or parking lot edge and the I-25 right-of-way. The plan proposes a minimum landscape buffer dimension of 10 feet and a maximum of 56 feet. The 10-foot buffer runs along more than half the interstate abutting site perimeter

During the review process, staff found that a unique set of circumstances warrants support of this modification. Circumstances include:

- Colorado Department of Transportation is expected to acquire approximately 22,000 square feet of the western portion of the development site.
- Existing conditions – the lot was originally platted in the County prior to the adoption of Division 3.9 – Development Standards for the I-25 Corridor.

The main site planning issues requiring multiple iterations to get to the Administrative hearing have been building placement on site; providing adequate parking lot screening and site buffering from interstate travel lanes and off ramp; architecture; amenity space configuration; enclosed bike parking areas for guests; and defining the limits of development based on Colorado Department of Transportation's planned land acquisition.

2. Comprehensive Plan

A. NORTHERN COLORADO I-25 CORRIDOR PLAN – REGIONAL COMMUNITIES (2001) AND I-25 SUBAREA PLAN (2003)

In 2001 the City of Fort Collins adopted the Northern Colorado I-25 Corridor Plan in conjunction with Larimer County, Weld County, Town of Berthoud, Town of Timnath, Town of Johnstown, Town of Windsor, City of Loveland and the Colorado Department of Transportation. This joint planning effort encompassed an area of 60 square miles, measuring roughly one-mile on either side of I-25 for 32 miles. The basic elements of this Plan were for the jurisdictions to collaborate on a unified vision for the Corridor, particularly regarding the visual and physical community separation; retaining individual characteristics and identities; and addressing aspects of the built and natural environment.

After adoption of the regional plan in 2001, the City of Fort Collins followed up with its own I-25 Subarea Plan in 2003, covering the area along I-25 between Larimer County Road 54 (Richards Lake Road) and CR 32 (aka Carpenter Road and Colorado State Highway 392).

One of the most pertinent findings of the Subarea Plan is that the Interchange Business Park at the southeast quadrant of I-25 and State Highway 14, is designated as an Activity Center. The Plan States:

“The Commercial Corridors classification is intended to provide for a wide range of community regional; retail uses, as well as offices, business and personal services... While this classification is typically the location for highway business and auto-related uses, it also presents opportunities over time to transform existing developed areas into mixed-use (including residential), multi-modal centers, concurring with the overall community vision for Fort Collins.”

Land Use Code Section 3.9 was established to implement the Subarea Plan.

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:

One email has been received expressing support for this project and is attached. Any communication received between the public notice period and hearing will be forwarded to the Hearing Officer to be considered when making a decision on the project.

4. Article 2 – Applicable Standards

A. BACKGROUND

This project was submitted on March 29, 2019. The project required four rounds of staff review largely because of clarification of potential land acquisition by Colorado Department of Transportation following the initial plan submittal.

B. PROJECT DEVELOPMENT PLAN PROCEDURAL OVERVIEW

1. Conceptual Review - CDR190012

A conceptual review meeting was held on February 7, 2019.

2. First Submittal - PDP190006

The first submittal of this project was completed on March 29, 2019.

3. Neighborhood Meeting

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

4. Notice (Posted, Written and Published)

Posted Notice: March 27, 2019, Sign # 492

Written Hearing Notice: November 28, 2019, 425 addresses mailed.

Published Hearing Notice: November 27, 2019, Coloradoan Confirmation #0003922474

C. DIVISION 2.8 – MODIFICATION OF STANDARDS

The applicant requests one modification of a standard as noted previously 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. Applicant's Justification

The applicant's justification does not specifically address any of the aforementioned modification criteria. However, it is staff's opinion that the applicant's justification most closely addresses Criteria 1 and 3. The applicant's justification is attached. Salient points are:

“... As mentioned, the taking combined with the compliance as stated in Code Section 3.9.4(B)(1), effectively reduces our developable area down to approximately 1.20 acres. To restore the site's developable area to support our proposed hotel, we will need to be granted a Request for Modification to waive the 80' buffer requirements as stated in Code Section 3.9.4(B)(1) and allow the buffer along the Interstate to be reduced to about 5'.

To satisfy the intent, and in the spirit of the 80' buffer requirement, our intent is to provide within the 5' buffer, a gravity stacked stone wall all along the westerly and, southern most portion of the site property line. The stone wall would be at a height of only 3' to avoid the requirement of a structural foundation / footing which would interfere with underground utilities. Please refer to accompanying renderings..."

"As the wall terminates at the southern end of the property, it would transition to a curvilinear design, integrating a tiered planting area and offering a display platform to introduce artistic sculpture pieces to reside, adjacent to the facilities entrance drive, accented and highlighted by subtle low level landscape luminaires."

2. Staff's Analysis of Modification Request

Staff finds that the requested Modification of Standard to Section 3.9.4(B)(1) to reduce the required buffer from 80 feet to a varying width of 10-56 feet would not be detrimental to the public good and is justified by criteria 1 and 3 in Land Use Code Section 2.8.2.

Staff finds that the plan addresses Criterion 1, "as good or better", by providing a similar amount of landscape material that would typically be required within the 80-foot buffer. The plan proposes the installation of 30 trees, 5 more than what is required and many of which are upsized, and 199 shrubs within a varying landscape perimeter abutting I-25.

Staff finds the measured frontage of the I-25 perimeter to be 610 feet, which would require the addition of approximately 45 more shrubs under the standard. Although the plan would require additional shrubs distributed along the perimeter, to meet the metric of this standard, it is staff's opinion that the reliance on trees over shrubs provides for acceptable long-term screening and community appearance at this activity center.

Staff finds that the Modification request satisfies Criterion 3 "unusual and practical difficulties", due to the developable area being reduced from 2.8 acres to 2.3 acres after Colorado Department of Transportation acquires a .5-acre portion of the site. The attached Modification Exhibit illustrates the strict application of the 80-foot buffer standard from the new right-of-way line which shows a reduction in developable area from 2.3-acres to 1.2-acres. The resulting lot area and irregular shape of the site creates unusual and practical difficulties for commercial development to be located on the site.

Staff also took into consideration that the 80-foot standard was established in 2003, after the original subdivision of Interchange Business Park in 2001.

In conclusion, the modification of a standard to subsection 3.9.4(B)(1) to provide a perimeter landscape predominately 10 feet in depth rather than 80 feet per standard would not be detrimental to the public good and meets the applicable requirements of subsections 2.8.2(H)(1) and (3). This is because the proposed combination of sandstone walls, tightly spaced trees, and shrub plantings in wall features in the south entryway area provide a landscape buffer and image that mitigates the visual impacts of the development to an adequate degree in the particular context of the area. This creates a landscape appearance that is as good as that of a plan with a deeper landscape setback area in meeting the purposes of the standards. Because the standard 80-foot landscape perimeter would combine with a forced CDOT acquisition of property to reduce developable area of the site from the lot size of 2.8 acres to 1.2 acres, an unusual practical hardship is created that would make the project completely infeasible. The fact that CDOT's acquisition was confirmed partway through the development review process, requiring major redesign, is a contributing factor.

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
3.2.1 – Landscaping and Tree Protection	<p>This Code Section requires 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"> • Tightly spaced landscape buffer along I-25. • 103 trees consisting of deciduous and coniferous species, most of which have been upsized beyond all minimum size requirements. • 586 shrubs consisting of combination of grasses, coniferous and deciduous plants. • 217 herbaceous perennials. • Amenity space for hotel guests in the center of the site. The space provides seating, fenced dog area, berm, and landscaping. • Planter boxes located in the hardscape areas of the entryway features. 	Complies
3.2.2 – Access, Circulation and Parking	<p>This Code Section requires secure, convenient, efficient parking and circulation improvements that add to the attractiveness of the development. The plan provides on-site walkways, curbcuts, sidewalk ramps, and a clearly delineated parking lot layout in compliance with standards.</p>	Complies
3.2.2(C)(4)(b) – Bicycle Parking Space Requirements	<p>Bike parking is required at a 1 space to 4-unit ratio. 60% of all spaces must be enclosed, while the remaining 40% can be satisfied by using fixed racks. The requirement for the proposed 122 units is 31 spaces with 19 enclosed and 13 fixed. The plan provides 20 enclosed and 14 fixed which satisfies this requirement.</p>	Complies
3.2.2(K)(2) – Nonresidential Parking Requirements	<p>Nonresidential uses must provide a minimum number of parking spaces and are limited to a maximum depending on the land use. The required minimum for the proposed use is 0.5/unit while the maximum is 1/unit. The 122-unit hotel proposes 121 parking spaces, satisfying this requirement.</p>	Complies
3.2.4 – Site Lighting	<p>Project lighting is primarily located attached to the building and within the parking lot. The photometric plan demonstrates compliance with minimum lighting levels meeting or exceeding code requirements for commercial buildings. Additionally, all proposed lighting is fully shielded and down-directional, meeting color temperature requirements of 3,000K or less.</p>	Complies
3.2.5 – Trash and Recycling Enclosures	<p>All commercial structures must provide adequately sized, conveniently located and easily accessible area for the waste disposal needs of the development.</p> <p>The Plan provides a direct pathway from the rear portion of the building to the enclosure, a separate person door, and adequately sized trash and recycling containers.</p>	Complies

B. DIVISION 3.3 – ENGINEERING STANDARDS

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
3.3.1(C) – Public Sites, Reservations and Dedications	<p>An applicant is required 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 road is abutting or within the tract being developed, the applicant must dedicate such additional rights-of-way as may be necessary to increase such roadway to the minimum width required by Larimer County Urban Area Street Standards and the City of Fort Collins Land Use Code.</p> <p>The project will dedicate both onsite and offsite easements prior to final recordation and as required by the City’s Engineering Services department.</p>	Complies

C. 3.4 ENVIRONMENTAL, NATURAL AREA, RECREATIONAL AND CULTURAL RESOURCE PROTECTION STANDARDS

The purpose of this Section is to ensure that when property is developed consistent with its zoning designation, the way in which the proposed physical elements of the development plan are designed and arranged on the site will protect the natural habitats and features 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. Boxelder Creek which runs through the eastern edge of the Interchange business park is identified as a natural feature, however, because the SE Frontage Road is located in between this feature and the proposed development site the typically required Ecological Characterization Study was waived.</p> <p>The applicant provided a Phase 1 Environmental Site Assessment which found that neither Recognized Environmental Conditions nor Controlled Recognized Environmental Conditions were identified in connection with the site. The detailed assessment can be found attached to this report.</p>	Complies

D. 3.5 – BUILDING STANDARDS

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

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
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<p>3.5.1(B)(C)(E)(F) – Building Project and Compatibility</p>	<p>This standard is designed to ensure compatibility of new buildings with the surrounding context. In this case, there are a variety of buildings in the immediate vicinity including a vehicle emission center, motorcycle dealership, manufacturing distribution facility, and commercial supply building.</p> <p>Absent any established character, the standard requires that new buildings set an enhanced standard of quality for future projects or redevelopment in the area.</p> <p>The building will set an enhanced standard of quality with the combination of the following features:</p> <ul style="list-style-type: none"> • Stone applied to the building base/first floor and that that extends to the fourth floor accenting the location of the sloped roof knee braces and on building ends. • Warm body colors of such as buff, latte, taupe and brown. • Canopy features overhanging windows in center module of the building which are designed to complement the sloped roof features and wood knee brace. • Building top that features a strong three-dimensional cornice with intervening sloped roof that overhangs strategic features of the building. 	<p>Complies</p>
<p>3.5.3 – Mixed – Use, Institutional and Commercial Buildings</p>	<p>Nonresidential buildings must provide significant architectural interest and shall not have a single, large, dominant building mass. The street level shall be designed to comport with a pedestrian scale in order to establish attractive street fronts and walkways. Walkways shall be designed principally for the purpose of accommodating pedestrians while secondarily accommodating vehicular movement. Buildings shall be designed with predominant materials, elements, features, color range and activity areas tailored specifically to the site and its context.</p> <p>The plan provides a street level design that is pedestrian friendly, with an entryway feature, walkways, landscaping and amenity features specifically feature to the site and the context of the area. The building breaks up massing by the use of several receding and projecting wall planes, entryway features, and use of materials that highlight the aforementioned elements.</p>	<p>Complies</p>
<p>3.5.3(C)(1) – Orientation to a Connecting Walkway</p>	<p>The building is placed so that primary building entrances open directly onto the SE Frontage Road sidewalk without intervening vehicle use areas between the entrance and sidewalk, as required.</p>	<p>Complies</p>
<p>3.5.3(C)(2) – Orientation to Build to Lines for Streetfront Buildings</p>	<p>The front building entry feature along the SE Frontage Road is placed no more than 15 feet (9 feet) from the right-of-way, an adjoining collector street, consistent with the Standard. Project parking is located to the side and rear of the building and is not located between the building face and the street.</p>	<p>Complies</p>
<p>3.5.3(D) – Variation in Massing</p>	<p>Variation in building mass is required to avoid the appearance of a single, large, dominant building mass.</p> <p>The proposed building achieves a variation in massing by creating three distinct building segments, and within each segment utilizing a series of projecting and recessing elements.</p> <p>The first of the primary building segment includes a front section designed to provide a clear front and rear entryway by using canopies, overhanging roof elements, building material composition, and window awnings in a distinct pattern.</p> <p>The second segment involves the remaining east-west orientation of the building that is both wider and offset approximately eight feet to the north, with a series of smaller projections and recesses associated with the location of building entrances and window and balcony pattern above.</p> <p>Within each of the building’s primary segments, the location of the smaller projections and recesses also correspond roof planes over building entrance areas.</p>	<p>Complies</p>

3.5.3(E)(1-6) – Character and Image	The plan uses similar building materials and colors/shades found in the nearby context.	Complies
3.5.3(E) – Façade Treatment	The building façade features distinct building bays distinguished by window and fenestration patterns and projecting and recessed elements that add architectural interest, variety, and are of human-scale proportions. In addition, all four of the building sides are consistent in their use of materials and architectural interest.	Complies
3.5.3(E)(4) – Entrances	Building entrances are clearly defined by sheltering elements including metal canopies and building overhangs along the commercial frontage.	Complies
3.5.3(E)(6) – Base and Top Treatments	The building features a darker-colored masonry base with a ledge, while the building top includes standing seam pitched metal roof with wood knee braces that vary in height in correlation with projecting or recessed elements of the building wall plane, satisfying requirements of this code section.	Complies

E. 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
3.6.4 – Transportation Level of Service Requirements	<p>Traffic Operations and Engineering Departments have reviewed the plan’s Transportation Impact Study and determined pedestrian and bicycle facilities proposed are consistent with the City of Fort Collins Multi-Modal Transportation Level of Service Manual.</p> <p>Note that the Traffic Impact Study recommends restriping the northbound approach of the Frontage Road to State Highway 14 (East Mulberry Street) to provide additional capacity and reduce queue lengths. The City supports this recommendation though continued coordination with Colorado Department of Transportation to determine whether re-striping is an option. A determination will be required during Final Plan submittal of this project.</p>	Complies
3.6.6 –	<p>This section is intended to ensure that emergency vehicles can gain access to, and maneuver within, the project so that emergency personnel can provide fire protection and emergency services without delays.</p> <p>The plan demonstrates the appropriate on-site emergency access easement in compliance with the 2018 International Fire Code. The drive aisle that circulates through the parking lot provides for a 24-foot emergency access easement and is shown on the Site Plan.</p>	Complies

F. 3.7 COMPACT URBAN GROWTH

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
3.7.3 – Adequate Public Facilities	<p>This section requires that any approval of a development is conditioned on the provision of all services necessary to serve the new development. This includes transportation, water, wastewater, storm drainage, fire and emergency services, electrical power and any other public facilities and services as required.</p> <p>The project is located in the Boxelder Sanitation district, East Larimer County Water District (ELCO), Fort Collins Light and Power, Poudre Fire Authority and Fort Collins Stormwater Districts. Each party has commented on the project and have demonstrated existing infrastructure capable of serving the proposed project at the developer’s expense.</p>	Complies

G. 3.9 DEVELOPMENT STANDARDS FOR THE I-25 CORRIDOR

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

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
3.9.3 – Building Placement Standards	<p>The minimum setback of any building on a lot, tract or parcel of land adjoining the I-25 right-of-way shall be two hundred five (205) feet from the centerline of I-25.</p> <p>The building is currently placed approximately 290 feet away from the centerline of I-25.</p>	Complies
3.9.4(A) – Parking Lot Perimeter Landscaping	<p>At least 75% of the perimeter of all parking areas must be screened from nearby streets (SE Frontage Road), public rights-of-way (Interstate 25), and nearby uses (Air Care Colorado) by using at least one of the following methods:</p> <ol style="list-style-type: none"> 1. A berm at least three (3) feet high with a maximum slope of 3:1 in combination with evergreen and deciduous trees and shrubs; 2. A hedge at least three (3) feet high, consisting of a double row of shrubs readily capable of growing to form a hedge, planted three (3) feet on center in a triangular pattern; 3. A decorative fence or wall between three (3) and four (4) feet in height in combination with landscaping including, without limitation, evergreen and deciduous trees and shrubs. <p>The plan demonstrates compliance with the third method by providing a 36" dry-stacked sandstone wall in combination with landscaping and a tightly spaced row of trees and groupings of shrubs along the property's interstate frontage.</p>	Complies
3.9.4(B) – Site Perimeter Landscaping Abutting the I-25 Right-of-Way	<p>Developments with a site perimeter that adjoins the I-25 right-of-way must provide a landscape buffer of at least 80 feet between the parking lot edge and I-25 right-of-way. The buffer requires informal clusters of deciduous and evergreen trees and shrubs planted in an offset pattern consisting of one tree and ten shrubs per twenty-five lineal feet of frontage.</p> <p>The site perimeter abutting I-25 right-of-way after Colorado Department of Transportation's acquisition is approximately 610 linear feet. This would require plan to provide approximately 25 trees and 245 shrubs.</p> <p>The plan Provides 30 trees and 199 shrubs along the buffer-yard perimeter abutting I-25.</p> <p>Staff finds that the perimeter landscaping is appropriate and that the higher number of trees, in this circumstance, compensates for the lower number of shrubs</p> <p>A modification has been requested for this standard under code Section 2.8.2, discussed earlier in this report.</p>	Modification Requested

<p>3.9.5(A) – Roof Form</p>	<p>The commercial building design standards require all commercial buildings with a footprint of greater than 10,000 square feet to have at least two of the following features:</p> <ol style="list-style-type: none"> 1. Parapet walls featuring three-dimensional cornice treatment that at no point exceeds one-third ($\frac{1}{3}$) of the height of the supporting wall 2. Overhanging eaves, extending at least three (3) feet beyond the supporting walls. 3. Sloping roofs not exceeding the average height of the supporting walls, with an average slope greater than or equal to one (1) foot of vertical rise for every one (1) foot of horizontal run. 4. Three (3) or more roof slope planes. <p>The proposed building provides a combination of three-dimensional cornice treatment that projects approximately 8-inches from the wall plane and provides several pitched metal roof features that highlight recesses and projections of the building façade.</p>	<p>Complies</p>
<p>3.9.5(B) – Building Form/Façade Treatment</p>	<p>Buildings that face public streets, adjoining developments or connecting pedestrian frontage must be articulated, fenestrated and proportioned to human scale along at least 60 percent of the façade using features such as windows, entrances, arcades, arbors or awnings.</p> <p>The proposed building provides ground-floor windows along the entire first floor of the building. A 10x26 foot entryway feature is also located on both the front and rear of the building, which communicates clear entrances to the building.</p>	<p>Complies</p>
<p>3.9.12 – Corridor Activity Center Design Standards</p>	<p>Since this project is located within the limits of the Corridor Activity Center, specific design standards relating to building materials, roof pitch and building height, and signs are required.</p> <p>The plan demonstrates the required use of stone along the first floor and entryway feature, provides a building height of less than the maximum of 90 feet, and will require approval through separate permit for any proposed onsite signs.</p> <p>To ensure future compliance with the sign requirement of this section a note will be added to the plan set that states, “Subject to the requirement contained within the Corridor Activity Center Design Standards, All freestanding signs shall be ground signs and shall be limited to a maximum height of fourteen (14) feet along and perpendicular to I-25 and twelve (12) feet along and perpendicular to all other streets. Such ground signs shall be subject to all other requirements in Section 3.8.7.”</p>	<p>Complies</p>

6. Article 4 – Applicable Standards:

A. DIVISION 4.21 – GENERAL COMMERCIAL (C-G)

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

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

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
4.21(B)(2) – Permitted Uses	The proposed 'Lodging' land use is a permitted use subject to Type 1 review. Lodging is defined in Article 5 as a hotel/motel.	Complies
4.21(D) – Land Use Standards	<p>The maximum building height permitted within this district is 4 stories, however, pursuant to 3.9.12 the maximum building height for a project located within an I-25 Activity Center is 90-feet.</p> <p>When measuring in feet, building height is measured from the finished ground level to the highest point of the roof surface. This plan demonstrates a 64-foot height which complies with this requirement.</p> <p>When measuring in stories, commercial building cannot have more than 25 feet from floor to floor. The plan demonstrates a floor to floor height of less than 25 feet for each story.</p> <p>When comparing the proposed project to either standard, the building meets both standards.</p>	Complies

7. Findings of Fact/Conclusion

In evaluating the request for the Woodspring Suites – Hotel Project Development Plan, PDP190006, staff makes the following findings of fact:

- The Modification of Standard to Section 3.9.4(B)(1) proposed with this Project Development Plan meets the application requirements of Section 2.8.2(H)(1) and (3), and the granting of the modification would not be detrimental to the public good.
- The Project Development Plan complies with process located in Division 2.2 – Common Development Review Procedures for Development Applications of Article 2 – Administration.
- The Project Development Plan complies with relevant standards located in Article 3 – General Development Standards.
- The Project Development Plan complies with relevant standards located in Division 4.21, General Commercial (C-G) of Article 4, provided that Modification of Standard to 3.9.4(B)(1) is approved.

8. Recommendation

Staff recommends approval of Modification of Standard to Section 3.9.4(B)(1), and approval of Woodspring Suites – Hotel, PDP190016 based on the aforementioned Findings of Fact.

9. Attachments

1. Vicinity & Zoning Map
2. Site & Landscape Plan
3. Modification Request
4. Modification Exhibit
5. Modification Renderings
6. Elevations
7. Utility Plan
8. Drainage Report
9. Traffic Impact Study
10. Poudre Fire Authority Auto Turn Exhibit
11. Window Details
12. Erosion Control Report
13. Public Comment