

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

HEARING DATE: December 18, 2017

PROJECT NAME: Boardwalk Office

CASE NUMBER: PDP170032

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

OWNER: Michael Trinen JFK, LLC
3701 Ashmount Drive
Fort Collins, CO 80525

HEARING OFFICER: Kendra L. Carberry

PROJECT DESCRIPTION: This Project Development Plan (PDP) includes a 2-story, 7,351 square foot office building on 0.54 acres within the Landings Office Park PUD subdivision.. The PDP includes 19 parking spaces, with 6 shared parking spaces as indicated on the Landings Office Park PUD.

SUMMARY OF DECISION: Approved

ZONE DISTRICT: Employment (E)

HEARING: The Hearing Officer opened the hearing at approximately 5:30 p.m. on December 18, 2017, in Conference Room A at 218 North College Avenue, Fort Collins, Colorado.

EVIDENCE: During the hearing, the Hearing Officer accepted the following evidence: (1) Planning Department Staff Report; (2) the application, plans, maps and other supporting documents submitted by the applicant; and (3) a copy of the public notice. The Land Use Code (the "Code") and the formally promulgated policies 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: Clay Frickey

From the Applicant: Cathy Mathis, Stan Arnett

From the Public: Linda Battello

FINDINGS

1. Evidence presented to the Hearing Officer established the fact that the hearing was properly posted, legal notices mailed and notice published.
2. The PDP complies with the applicable General Development Standards contained in Article 3 of the Code:
 - a. The PDP complies with Section 3.2.1(D)(1)(c), Tree Planting Standards – Full Tree Stocking, because the PDP meets the minimum tree stocking standards.
 - b. The PDP complies with Section 3.2.1(D)(2), Tree Planting Standards – Street Trees, because the PDP includes 3 trees along Boardwalk Drive and 2 trees along JFK Parkway. The trees along JFK Parkway exceed the spacing required because of a bus stop and right-in, right-out access point.
 - c. The PDP complies with Section 3.2.1(D)(3), Minimum Species Diversity, because the PDP includes 26 trees with no tree comprising more than 27% of the total.
 - d. The PDP complies with Section 3.2.1(E)(3)(b)(2), Water Conservation, because the landscaping will use 13.1 gallons per square foot annually.
 - e. The PDP complies with Section 3.2.1(E)(4), Parking Lot Perimeter Landscaping, because the PDP screens parking areas from abutting uses and the street and provides 1 tree every 25' along public streets.
 - f. The PDP complies with Section 3.2.1(E)(5), Parking Lot Interior Landscaping, because the PDP landscapes 7.3% of the interior parking lot area.
 - g. The PDP complies with Section 3.2.2(C)(4)(b), Bicycle Parking Space Requirements, because the PDP includes 3 bicycle parking spaces in fixed racks and 1 enclosed space near the entrance to the building.
 - h. The PDP complies with Section 3.2.2(C)(5), Walkways, because the walkways connect the main entrance to JFK Parkway and Boardwalk Drive, and tie into the walkways of the adjacent Landings Office Park PUD and Landings Bay development.
 - i. The PDP complies with Section 3.2.2(C)(6), Direct On-Site Access to Pedestrian and Bicycle Destinations, because the sidewalks connect to both JFK Parkway and Boardwalk Drive, which facilitates pedestrians reaching destinations nearby, and the site directly ties into the bike lane along JFK Parkway, which allows cyclists to reach nearby destinations.
 - j. The PDP complies with Section 3.2.2(D)(1), Access and Parking Lot Requirements, because the PDP includes an extensive sidewalk network around the building, separated from vehicle use areas by a curb.

- k. The PDP complies with Section 3.2.2(E), Parking Lot Layout, because the parking lot layout has adequate circulation routes, orientation and landscaped islands and avoids points of conflict.
- l. The PDP complies with Section 3.2.2(J), Setbacks, because the average setback of the parking lot along Boardwalk Drive exceeds 15', and on the JFK Parkway side, the parking lot is set back at least 24'.
- m. The PDP complies with Section 3.2.2(K)(2), Nonresidential Parking Requirements, because the 19 spaces are sufficient, and the site will share 6 parking spaces as shown on the Landings Office Park PUD.
- n. The PDP complies with Section 3.2.2(K)(5), Handicap Parking, because the parking lot includes 1 van-accessible handicap parking space.
- o. The PDP complies with Section 3.2.3, Solar Access, Orientation, Shading, because the building is designed and located to minimize the casting of shadows on adjacent properties and could accommodate future active and/or passive solar installations.
- p. The PDP complies with Section 3.2.4, Site Lighting, because the lighting plan includes appropriate lighting levels and design standards.
- q. The PDP complies with Section 3.2.5, Trash and Recycling Enclosures, because the trash and recycling enclosure: abuts a storage area; allows walk-in access without having to open the main service gate; is screened from public view; and is built on a concrete pad.
- r. The PDP complies with Section 3.5.1, Building and Project Compatibility, because the building size, height, bulk, mass, scale and mechanical equipment screening are compatible.
- s. The PDP complies with Section 3.5.3(C)(1), Orientation to a Connecting Walkway, because the building opens onto a connecting walkway that connects to both JFK Parkway and Boardwalk Drive.
- t. The PDP complies with Section 3.5.3(C)(2), Orientation to Build-to Lines for Streetfront Buildings, because the building setback ranges from 10' to 27', which is similar to the setbacks seen on the buildings in the nearby Landings Bay office development.
- u. The PDP complies with Section 3.5.3(D), Variation in Massing, because: the building includes horizontal massing; no horizontal plane exceeds a 1:3 height-width ratio; and changes in massing relate to building features such as doors and windows, which are integral to the interior spaces of the building.
- v. The PDP complies with Section 3.5.3(E), Character and Image, because: the building includes façade treatments and base and top treatments; walls break up their mass with windows, change in materials and fenestration patterns to provide a human scale; each entrance is clearly defined by canopies; extruded bays with a pre-cast concrete sill on

top of masonry define a clear building base; and sloped roofs and lap siding define the top of the building.

w. The PDP complies with Section 3.6.6, Emergency Access, because an emergency access easement runs through the large parking lot on the north side of the site.

3. The PDP complies with the applicable requirements contained in Article 4 of the Land Use Code:

a. The PDP complies with Section 4.28(B)(2)(c), Permitted Uses, because offices are a permitted use in the Employment District.

b. The PDP complies with Section 4.27(D)(4)(a), Dimensional Standards – Maximum Building Height, because the building is less than the 4-story maximum building height.

ANALYSIS

Concerns raised by the public at the hearing were primarily focused on traffic. Though the last traffic study for this PUD was outdated (from 1995), the City testified that the PDP will not cause a significant increase in traffic, even using today's data.

DECISION

Based on the foregoing findings and analysis, the Hearing Officer hereby enters the following rulings:

1. The PDP is approved as submitted.

DATED this 20th day of December, 2017.



Kendra L. Carberry
Hearing Officer