

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

HEARING DATE: March 9, 2017

PROJECT NAME: Country Club Corners Sixth Filing
(Country Club Corners Car Wash)

CASE NUMBER: PDP170003

APPLICANT: Shelley La Mastra
Russell + Mills Studios
141 S. College Avenue, Ste. 104
Fort Collins, CO 80524

OWNER: C-Three, LLC
2500 S. Timberline Road
Fort Collins, CO 80525

HEARING OFFICER: Kendra L. Carberry

PROJECT DESCRIPTION: This is a request for Project Development Plan/Final Plan ("PDP") for a car wash with a drive-through building and parking lot area with vacuum stalls. The PDP is located on an internal lot in the Country Club Corners shopping center. The PDP includes a replat of existing lots and easements, resulting in three lots, with the car wash to be located on Lot 1. The on-site detention pond will be regraded and reseeded.

SUMMARY OF DECISION: Approved

ZONE DISTRICT: Service Commercial District (CS)

HEARING: The Hearing Officer opened the hearing at approximately 5:30 p.m. on March 9, 2017, in the Conference Room A, 281 North College Avenue, Fort Collins, Colorado.

EVIDENCE: During the hearing, the Hearing Officer accepted the following evidence: (1) Planning Department Staff Report; and (2) the application, plans, maps and other supporting documents submitted by the applicant.

TESTIMONY: The following persons testified at the hearing:

From the City: Clark Mapes

From the Applicant: Craig Russell, Jim Houck, Jason Claeys

From the Public: Chris Sheafor

FINDINGS

1. Evidence presented to the Hearing Officer established the fact that the hearing was properly posted, legal notices mailed and notice published.
2. During the City's initial presentation, the Hearing Officer disclosed that she currently represents the Health District of Northern Larimer County (the "District"), which occupies the property immediately to the south of the PDP. The Hearing Officer further stated on the record that if the District had any objections to the PDP, the Hearing Officer would not be able to issue a decision in this case. At the hearing, a representative of the District testified that the District had no objections to the PDP, so the hearing proceeded.
3. 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, Landscaping and Tree Protection, because the PDP includes: perimeter screening of vehicle use areas with shrub beds and trees; canopy trees where appropriate; turf grass and shrub beds in appropriate locations around the building and along drives; and native dryland seeding of the large detention pond.
 - b. The PDP complies with Section 3.2.2(C)(4)(b), Bicycle Parking Space Requirements, because the PDP includes 4 bicycle parking spaces.
 - c. The PDP complies with Section 3.2.2(K), Parking Requirements, because the PDP includes 23 spaces, with one handicap space.
 - d. The PDP complies with Section 3.2.4, Site Lighting, because all light fixtures are down-directional, full cutoff to prevent glare, and foot-candle levels comply with stated limits.
 - e. The PDP complies with Section 3.2.5, Trash and Recycling Enclosures, because the PDP includes a trash and recycling enclosure, with dumpsters screened from public view by a screen wall to match the building architecture.
 - f. The PDP complies with Section 3.5.1, Building Project and Compatibility, because: the PDP uses the same exterior materials as existing buildings in the center; the building's position flanking the entry drive complements an existing building across the drive to the north; the building features windows and pilasters on the side facing the tree-lined main entry drive; the vehicle use area for vacuuming and circulation is consistent with the character and context of the area; and the PDP provides extensive landscaping around vehicle use areas.
 - g. The PDP complies with Section 3.6.4, Transportation Level of Service Requirements, because the traffic was anticipated with the original development of this shopping center, so the Traffic Impact Study requirement was waived by the City's Traffic Operations Department.

4. The PDP complies with the applicable Service Commercial Zoning District Standards contained in Article 4 of the Code.

a. The PDP complies with Section 4.22(B), Permitted Uses, because a car wash is a permitted use in the Service Commercial District, subject to administrative review.

ANALYSIS

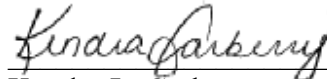
During the hearing, concerns were raised related to the access easements surrounding the PDP site, as well as the future of the detention pond. Staff and the Applicant explained that this is the first step in cleaning up the access and easement issues for the entire site. In addition, staff and the Applicant clarified that the detention pond would be used for storm drainage now, but could be redesigned or removed in the future if a new storm drainage system is installed. Staff and the Applicant adequately addressed each of the concerns raised, and as such, the Hearing Officer does not find that these issues would in any way affect the approval of the PDP.

DECISION

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

1. The PDP is approved as submitted.

DATED this 14th day of March, 2017.



Kendra L. Carberry
Hearing Officer