

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

HEARING DATE: May 24, 2017

PROJECT NAME: East Ridge Filing Three Project Development Plan

CASE NUMBER: PDP170006

APPLICANT: Russell + Mills Studios
141 S. College Ave
Fort Collins, CO 80525

OWNER: Hartford Companies
1218 W. Ash Street, Suite A
Windsor, CO 80550

HEARING OFFICER: Kendra L. Carberry

PROJECT DESCRIPTION: This is a request for consideration of a Project Development Plan (PDP) to develop Filing Three, a portion of the East Ridge Overall Development Plan (ODP), located at the southeast corner of Timberline Road and East Vine Drive. The PDP includes 209 single-family attached residences on approximately 33.4 acres, with 139 on-street parallel parking spaces and 418 garage spaces (2 per dwelling unit), a pool facility and a regional multi-use path along Timberline Road. The PDP includes three requests for Modifications of Standard: relationship of dwellings to streets, side and rear yard setbacks, and temporary street turnaround.

SUMMARY OF DECISION: Approved

ZONE DISTRICT: Low Density Mixed-Use Neighborhood (LMN)

HEARING: The Hearing Officer opened the hearing at approximately 6:00 p.m. on May 24, 2017, in the Community Room at 215 North Mason Street, 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 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: Pete Wray, Marc Ragasa

From the Applicant: Craig Russell, Patrick McMeekin

From the Public: N/A

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, Landscaping, because: all public streets will be landscaped with street trees, including the external streets, consistent with the Larimer County Urban Area Street Standards; and the PDP provides canopy street trees at 30'-40' spacing along all street parkway landscaping areas and separated from street light locations.
 - b. The PDP complies with Section 3.2.2, Access, Circulation and Parking, because: the PDP is well designed with regard to safety, efficiency and convenience for vehicles, bicycles, pedestrians and transit; the PDP includes an interconnected walkway system emphasizing bicycle and pedestrian circulation; the PDP includes street design enhancements including medians, consolidated driveway curb cuts, alleys, shared driveways and traffic calming measures; the PDP includes an off-street pedestrian and bicycle circulation system that connects to a central park, wetland area and regional multi-use path along Timberline Road; all 209 single-family dwellings provide a two-car garage (total of 418 spaces); and the PDP includes 139 on-street parallel parking spaces.
 - c. The PDP complies with Sections 3.2.3(C) and (F), Solar Orientation, because 81% of the lots are at this orientation.
 - d. The PDP complies with Section 3.3.1(B) and (C), Plat Standards, because: all lots gain access to a public street; the general layout of lots, roads, driveways, utilities, drainage facilities and other services enhances an interconnected street system within and between future neighborhoods and preserves natural features; and dedications are platted for drainage and utility easements and public access easements for the off-street walkways.
 - e. The PDP complies with Section 3.5.1, Project Compatibility, because the PDP provides direct street and pedestrian connections to Timberline Road and future adjacent residential neighborhoods.
 - f. The PDP complies with Section 3.6.4, Transportation Level of Service (LOS) Requirements, because: the PDP is served by a network of public streets providing both internal and external connectivity; the PDP plans improvements to Timberline Road including widening, curb, gutter, sidewalk and auxiliary turn lanes; and any future proposals will require additional mitigation.

3. The PDP complies with the applicable requirements of the LMN District, contained in Article 4 of the Code.

a. The PDP complies with Section 4.5(B)(2), Permitted Uses, because both single-family attached residential and neighborhood support recreation facilities are permitted uses in the LMN District subject to Administrative Review.

b. The PDP complies with Section 4.5(D)(1), Density, because the PDP includes 209 single-family attached residences on 33.4 acres for a gross density of 6.26 dwelling units per gross acre, and with several parcels deducted from the gross acreage in accordance with Section 3.8.18 (Residential Density Calculation), the results is a net acreage of 20.4 acres and a net density of 10.2 dwelling units per acre.

c. The PDP complies with Section 4.5(D)(2), Mix of Housing, because the ODP contains four housing types: single-family detached (front-loaded garage), single-family detached (alley), single-family attached, and multi-family.

d. The PDP complies with Section 4.5(E)(1)(a), Streets and Blocks – Street System Block Size, because no block exceeds 12 acres.

e. The PDP complies with Section 4.5(E)(1)(b), Streets and Blocks – Mid-Block Pedestrian Connections, because for each block face that is longer than 700', a mid-block bicycle and pedestrian connection is provided at intervals that do not exceed 650'.

4. The First Modification of Standard (Section 3.5.2(D), Relationship of Dwellings to Streets and Parking) meets the applicable requirements of Section 2.8.2(H) of the Code.

a. This Modification affects Block 2, Lots 1-60, where there is a physical hardship, because Block 2 is exceptionally narrow due to the locations of the BNSF Rail tracks and buffer setback to the north, and the proximity of Barnstormer Street to the south, and as a result, these building entrances facing north are precluded from having a direct sidewalk connection to East Vine Drive.

b. The PDP includes building entrance walkway connections to Barnstormer Street with enhanced landscaping, including a buffer along the north property line adjacent to the BNSF tracks.

c. Based on the foregoing, granting the Modification would not be detrimental to the public good.

5. The Second Modification of Standard (Section 3.5.2(E) (3), Side and Rear Yard Setbacks) meets the applicable requirements of Section 2.8.2(H) of the Code.

a. This Modification affects the dwelling units in Block 1, Lots 1-20; Block 2, Lots 1-75; Block 3, Lots 1-14.

b. The PDP is equal to a compliant plan in that it provides sufficient parking along strategic locations on the private drives, and along adjacent public streets in Blocks 1-3, to

satisfy parking demand, and the proposed alley design, without parallel parking in front of the garages, is enhanced with additional landscaping and planting islands and the off-set private drive centerline results in an improved aesthetic appearance and environment for users in these alley areas.

c. Based on the foregoing, granting the Modification would not be detrimental to the public good.

6. The Third Modification of Standard (Section 3.6.2(E), Streets, Streetscapes, Alleys and Easements) meets the applicable requirements of Section 2.8.2(H) of the Code.

a. The PDP includes a private drive connection from Barnstormer Street to Vicot Way in lieu of the temporary turnaround that would normally be provided by the cul-de-sac, because the cul-de-sac would constrain the eastern portion of the single-family attached lots along Barnstormer Street.

b. The PDP is equal to or better than a compliant plan because: the private drive allows adequate access; City engineering staff has approved this this change; and emergency access is maintained.

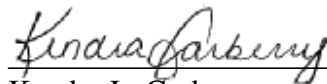
c. Based on the foregoing, granting the Modification would not be detrimental to the public good.

DECISION

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

1. The PDP and three Modifications of Standard are approved as submitted.

DATED this 8th day of June, 2017.



Kendra L. Carberry
Hearing Officer