

**CITY OF FORT COLLINS
TYPE 1 ADMINISTRATIVE HEARING**

FINDINGS AND DECISION

HEARING DATE: January 22, 2018

PROJECT NAME: Mountain’s Edge (PDP)

CASE NUMBER: PDP#160045

APPLICANT: Lorson South Land Corp.
c/o The Birdsall Group
444 Mountain Avenue
Berthoud, CO 80513

OWNER: Lorson South Land Corp.
c/o Mr. Jeff Mark
212 N. Wahsatch Avenue, Suite 301
Colorado Springs, CO 80903

HEARING OFFICER: Marcus A. McAskin

PROJECT DESCRIPTION: The Mountain’s Edge Project Development Plan (PDP) proposes 14 single family detached dwellings and 106 townhomes divided among 20 buildings, for a total of 120 dwelling units on 18.52 acres located at the northeast corner of W. Drake Road and S. Overland Trail (the “Subject Property”).

The Subject Property is described with particularity in the preliminary plat reviewed by the Hearing Officer and is located in the Southwest Quarter of the Southwest Quarter of Section 21, Township 7 North, Range 69 West of the 6th P.M., City of Fort Collins. The Subject Property is zoned L-M-N, Low Density Mixed-Use Neighborhood.

The existing Holiday Twin Drive-In Theatre borders the Subject Property to the north and the Brown Farm Subdivision borders the Subject Property to the east.

Specifically, the PDP proposes:

- Four 4-plexes (16 units)
- Eleven 5-plexes and (55 units); and
- Five 7-plexes (35 units)

for a total of 106 townhomes. The 14 single family lots are arranged along the eastern boundary of the Subject Property, bordering the Brown Farm Subdivision.

Primary access is proposed from Overland Trail at the new intersection of Bluegrass Drive which would be extended west from its current terminus in the Brown Farm Subdivision. The other street

proposed for dedication to the City is Crown View Drive (58’ ROW). All other roadways will be private streets or alleys to serve rear-loaded garages. There is a note on the plat which confirms that all responsibilities and costs of operation, maintenance and reconstruction of private streets and/or drives shall be borne by the property owner(s) or through a property owners’ association.

The plat and site plan show no lots located southwest of Dixon Creek which would comprise approximately 5.07 acres (identified as Tract E on the plat and Tract K on the site plan) which would include a natural habitat buffer, a stormwater detention pond along with passive open space.

The proposed plat grants a public access easement across Tract E. The site plan depicts proposed five foot (5’) soft surface trails within the passive open space area (identified as Tract K).

As part of its PDP submittal, the Applicant is requesting two Modifications of Standard:

- 1) Modification of Standard to Land Use Code (“LUC”) Section 3.5.2(D)(1)(b), *Relationship of Dwellings to Streets and Parking – Orientation to a Connecting Walkway*. This standard requires that all dwellings are connected to the public street sidewalk by a connecting walkway that does not exceed 200 feet or by a major walkway spine that does not exceed 350 feet; and
- 2) Modification of Standard to LUC Section 3.5.2(E)(2), *Setbacks from Nonarterial Street*. This standard requires that buildings be setback at least 15 feet from nonarterial streets. All proposed buildings except Building 12 comply with this standard. Specifically, Building 12 is set back from Crown View Drive by 14.7 feet, a deviation of 0.3 feet from the applicable LUC standard.

BACKGROUND: The surrounding zoning and land uses are as follows:

Direction	Zone District	Existing Land Uses
North	County (FA:1)	Holiday Twin Drive-In Theatre
South	Low Density Residential (R-L)	Quail Hollow P.U.D. 3 rd Filing Subdivision
East	Low Density Residential (R-L)	Brown Farm 7 th Filing Subdivision
West	Public Open Lands (P-O-L)	Pineridge Natural Area

Based on information set forth in the Staff Report, the Subject Property was annexed to the City of Fort Collins on June 7, 2016.

SUMMARY OF DECISION: Approved with conditions.

ZONE DISTRICT: Low Density Mixed-Use Neighborhood District (L-M-N)

HEARING: The Hearing Officer opened the hearing at approximately 6:40 p.m. on Monday, January 22, 2018, in City Council Chambers, 300 Laporte Avenue, Fort Collins, Colorado, following the conclusion of the hearing for the Saint Elizabeth Ann Seton Catholic Church Expansion matter (MJA #170001).

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

- (1) Vicinity Map
- (2) Applicant's Planning Objectives
- (3) Site Plan
- (4) Landscape Plan
- (5) Architectural Elevations 4-Plex
- (6) Architectural Elevations 5-Plex
- (7) Architectural Elevations 7-Plex
- (8) Plat
- (9) Traffic Impact Study
- (10) First Neighborhood Meeting Summary
- (11) Second Neighborhood Meeting Summary
- (12) Neighborhood Meeting Comment Cards Summary
- (13) PowerPoint Presentation prepared by City Staff for the January 22, 2018 public hearing
- (14) PowerPoint Presentation prepared by the Applicant for the public hearing
- (15) Written Statement from the Owners and Manager of the Holiday Twin Drive-In (Wesley and Stephanie Webb, Owners; and Joshua Cisar, Manager) (sent to City Planner Ted Shepherd via email dated January 19, 2018)
- (16) Planning Department Staff Report prepared for Mountain's Edge Project Development Plan (PDP #160045), a copy of which is attached to this decision as **ATTACHMENT A** and is incorporated herein by reference
- (17) Rules of Conduct for Administrative Hearings
- (18) Confirmation of Publication dated evidencing proof of publication of Notice of Hearing in the Fort Collins Coloradoan on January 15, 2018
- (19) Notice of Public Hearing dated January 8, 2018, and Corrected Notice of Public Hearing dated January 11, 2018.

In addition, the City's Comprehensive Plan, the Land Use Code, and the formally promulgated polices of the City are all considered part of the record considered by the Hearing Officer in this proceeding.

TESTIMONY: The following persons testified at the January 22nd hearing:

From the City: Clark Mapes, Senior City Planner
Martina Wilkinson, PE, Assistant City Traffic Engineer

From the Applicant/Owner: Mr. Jeff Mark
Lorson South Land Corp.
Kristin Turner, The Birdsall Group
Stephanie Thomas, PE, Northern Engineering

From the Public: Heather Reid, 3024 Garrett Drive
Robert Hayes, 2920 Mount Royal Court
Calvin Erickson, 2931 Skimmerhorn Street
Jacque Niedringhaus, 2818 Calendar Court
Steve Mecklenburg, 2442 Compass Court
James Eddy, 1040 Meadowbrook Drive
Larry Johnson, 2639 Pasquinel Drive
Kirsten Hartman, 2627 Pasquinel Drive
Jeanne Patton, 2430 Yorkshire Drive
Natalie Shrewsbury*, 2403 Compass Court
Margaret Counts*, 2424 Compass Court

* on sign-in sheet but did not provide testimony at the hearing.

FINDINGS

1. 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, including rebuttal testimony provided by the Applicant and City Staff in response to issues raised during the public comment portion of the 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 Modification of Standard to Section 3.5.2(D)(1) and (1)(b) that is proposed with this PDP meets the applicable requirements of Section 2.8.2(H)(1), in that the granting of the Modification would not be detrimental to the public good and 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. Specifically, the Hearing Officer finds that the PDP proposes a pedestrian network that allows for travel in multiple directions and will be safe, direct, continuous, under 350 feet, and well-landscaped. In addition, the Staff Report attached as **ATTACHMENT A** documents that there is considerable market acceptance for the proposed pedestrian network. Fronting dwelling units on central greens or common areas is becoming a primary characteristic of townhome development. The Hearing Officer agrees that the proposed lot layout proposed in the PDP will enhance neighborhood character by eliminating garage-dominated streets. The variation in the proposed pedestrian routes, while slightly under 35 feet in width, will not be detrimental to the public good and will function equally well or better than a plan that otherwise would have provided distances under 200 feet, or walkways that would have satisfied the definition of *Major Walkway Spine*, as set forth in the LUC.

- C. The Modification of Standard to Section 3.5.2(E) that is proposed with this PDP meets the applicable requirements of Section 2.8.2(H)(4), in that the granting of the Modification would not be detrimental to the public good and the plan as submitted will not diverge from the standards of the LUC except in a nominal and 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. Specifically, the Hearing Officer finds that the PDP proposes a nominal 0.3 foot decrease in the front yard setback of Building 12 from Crown View Drive which is properly characterized as a nominal or inconsequential deviation when analyzed in the context of the overall PDP. In addition, the Hearing Officer finds that approval of the PDP will continue to advance the purposes of the LUC as set forth in Section 1.2.2, including specifically subsections 1.2.2(J) and (N) of the Code:

*(J) improving the design, quality and character of new development; and
(N) ensuring that development proposals and sensitive to natural areas
and features.*

- D. The Application complies with the applicable Low Density Mixed Use (L-M-N) District standards contained in Article 4, of the Land Use Code, including Section 4.5(B)(2) which permits detached and attached single family residences. Section 4.5(D)(1)(a) of the LUC establishes a minimum density of three (3) dwelling units per net acre of residential land for developments containing 20 acres or less and Section 4.5(D)(1)(b) of the LUC establishes a maximum density of nine (9) dwelling units per gross acre of residential land, with certain density bonuses available to affordable housing projects containing ten (10) acres or less, not relevant to the PDP under consideration. The Hearing Officer finds that compliance with the relevant Article 4 Standards is addressed in the Staff Report attached hereto as **ATTACHMENT A**. The Application proposes a density of 6.48 dwelling units per gross acre and a net density of 8.98 dwelling units per net acre, therefore satisfying the density requirements of the L-M-N zone district.

3. The Application's satisfaction of the applicable Article 2, 3 (as modified) and 4 requirements of the Land Use Code 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 Mountain Edge Project Development Plan (PDP#160045) is approved for the Subject Property as submitted, subject to conditions set forth below.
- B. The Article 3 Modifications (Request for Modification of Section 3.5.2(D)(1) and (1)(b) and Section 3.5.2(E)(2) of the Land Use Code) are approved for the Subject Property.
- C. The Applicant shall submit a final plan for the Subject Property within three (3) years of the date of this decision. If Applicant fails to submit a final plan to the City within said three (3) year period, this PDP approval shall automatically lapse and become null and void in accordance with Section 2.2.11(C) of the Code.
- D. In accordance with Section 2.2.11(C) of the Code, the PDP shall not be considered a site specific development plan and no vested rights shall attach to the PDP.
- E. At the time of final plan submittal, the design of the private alley crossings of Ridgetop Drive and Precipice Drive ("Crossings") must provide a break in the continuity of the roadway and not in the pedestrian access way. The Crossings must be well-marked using any or all of the following: pavement treatments, signs, striping, lighting, and traffic calming techniques.

DATED this 31st day of January, 2018.



Marcus A. McAskin
Hearing Officer

ATTACHMENT A

Staff Report
Mountain's Edge
Project Development Plan
PDP #160045

(17 pages – attached)

PROJECT NAME

MOUNTAIN'S EDGE #PDP160045

STAFF

Ted Shepard, Chief Planner

PROJECT INFORMATION

PROJECT DESCRIPTION: This is a request for 106 townhomes divided among 20 buildings and 14 single family detached dwellings for a total of 120 dwelling units on 18.52 acres located at the northeast corner of W. Drake Road and S. Overland Trail. The number of townhomes per building would be four 4-plexes, eleven 5-plexes and five 7-plexes. The 14 single family lots are arranged along the east property line. Primary access would be from Overland Trail at the new intersection of Bluegrass Drive which would be extended west from its current terminus in the Brown Farm Subdivision. The other public street is Crown View Drive. All other roadways would be private alleys to serve rear-loaded garages. There would be no lots southwest of Dixon Creek which would comprise 5.17 acres which would include a natural habitat buffer, a stormwater detention pond along with passive open space. The parcel is zoned L-M-N, Low Density Mixed-Use Neighborhood.

APPLICANT: Lorson South Land Corp.
c/o The Birdsall Group
444 Mountain Avenue
Berthoud, CO 80513

OWNER: Lorson South Land Corp.
c/o Mr. Jeff Mark
212 N. Wahsatch Avenue, Suite 301
Colorado Springs, CO 80903

RECOMMENDATION: Staff recommends approval of the two Requests for Modification of Standard and approval of the P.D.P., subject to one condition.

EXECUTIVE SUMMARY

- The P.D.P. complies with the applicable criteria of the Low Density Mixed-Use Neighborhood zone district as stated in Article Four.
- The project complies with the applicable criteria of the General Development Standards of Article Three, with two exceptions.
- A Request for Modification of Standard to Section 3.5.2(D)(1) and (1)(b) relates to the length and character of the interior connecting walkways.
- A Request for Modification of Standard to Section 3.5.2(E) relates to a slight decrease in the front yard setback of Building 12 from Crown View Drive.
- One condition of approval is recommended that addresses the design of the internal private alley crosswalks.

COMMENTS:

1. Background:

The surrounding zoning and land uses are as follows:

N: FA:1 (County); Drive-in Movie Theatre
S: R-L; Quail Hollow P.U.D. 3rd Filing Subdivision
E: R-L; Brown Farm 7th Filing Subdivision
W: P-O-L Pineridge Natural Area

The parcel was annexed on June 7, 2016.

2. Compliance with Article Four, Section 4.5, L-M-N Standards:

A. Section 4.5(B)(2) – Permitted Uses

The P.D.P. includes two land uses – single family detached and single family attached. Both are permitted in the L-M-N zone subject to Administrative (Type One) Review.

B. Section 4.5(D)(1) – Density

The P.D.P. features 120 dwelling units on 18.52 acres for a gross density of 6.48 dwelling units per gross acre. Tract K includes Dixon Creek and the area to the southwest all of which is designated as a Drainage, Utility and Access Easement. As an unbuildable tract, this area is deducted from the gross acreage resulting in a net acreage of 13.35 acres. Net density, therefore, equals 8.98 dwelling units per net acre.

In compliance with the standard, the gross density is under the maximum allowed (9.00 d.u./a) and the net density exceeds the required minimum net density (3.00 d.u./a)

C. Section 4.5(D)(2) – Mix of Housing

This standard requires that for projects that are 20 acres or larger, three housing types are required. Since the project is under 20 acres, this standard is not applicable. With 18.52 acres, and for informational purposes, the project features two housing types distributed in the following manner:

Single Family Attached	106	88%
Single Family Detached	14	12%
<hr/>		
Total	120	100%

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:

4-plex	4 Buildings
5-plex	11 Buildings
7-plex	5 Buildings
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Total	20 Buildings

D. Section 4.5(D)(6) – Small Neighborhood Parks

This standard requires that for projects 10 acres or larger either a public neighborhood park or a private park, at least one acre in size, be located within one-third of a mile (1,760 feet), as measured along street frontage, of 90% of the dwellings. The P.D.P. includes a private park on Tract C which contains 1.67 acres. Improvements include a pergola, grills, picnic tables, seat wall, benches and pet stations. This area complies with the standards relating to location, access, facilities, ownership and maintenance and storm drainage.

In addition, passive open space and a stormwater detention pond is provided on Tract K which contains 5.17 acres. This is Dixon Creek and the area to southwest bounded by Overland Trail and West Drake Road. This area includes soft walking paths. All the dwellings are within one-third of a mile of both the private park and the open space.

E. Section 4.5(E)(1)(a) – Streets and Blocks – Street System Block Size

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:

Public Streets:	Bluegrass Drive	
	Crown View Drive	
Private Alleys:	Knolls End Drive	Precipice Drive
	Downs Way	Crest Top Drive
	Ridgetop Drive	Upland Drive

As noted, the P.D.P. includes two new public streets; the extension of Bluegrass Drive (east-west) and Crown View (north-south). All other roadways are private alleys. The largest block is defined by Overland Trail on the west, Bluegrass Drive on the south, Crown View Drive on the east and Knolls End Drive on the north. This block is approximately 10.5 acres and thus below the allowable maximum.

F. Section 4.5(E)(1)(b) – Streets and Blocks – Mid-Block Pedestrian Connections

This standard requires that if any block face is over 700 feet long, then walkways connecting to other streets must be provided at approximately mid-block or at intervals of at least every 650 feet, whichever is less.

The block face along Overland Trail is 1,255 feet in length. Overland Trail is classified as a 4-lane arterial on the Master Street Plan in which case mid-block crossings are discouraged. The block face along Crown View Drive is 772 feet in length and is broken up with a private alley (Precipice Drive) and five connecting walkways.

3. Compliance with Applicable Article Three General Development Standards:

A. Section 3.2.1 – Landscaping

This standard requires that residential development demonstrate a comprehensive approach to landscaping that enhances the appearance of the neighborhood and pedestrian environment and provides visual screening, and creates privacy. The P.D.P. complies in the following manner:

- **Street Trees.** All public streets will be landscaped with street trees, including the external streets; the east side of Overland Trail and the north side of Drake Road. Along Drake Road, due to the overhead, high-voltage power lines, the street trees are reduced in size from shade trees to ornamental trees to preclude any conflicts as the trees mature.
- **East Property Line.** Along the east edge of the detention pond on the north of Lot One, there will be no common six-foot-high solid fencing behind the drainage tract. Instead, clusters of trees will be planted in a naturalistic manner. Along the east edge of the detention pond south of Lot 14, again, there will be no perimeter fencing and no landscaping as this area is the Dixon Creek outfall and the intent is to keep this area as natural as possible and undisturbed.
- **Tract C – Private Park.** Tract C doubles as a stormwater detention pond. The side slopes are 4:1 which allows for easy access and maintenance and the bottom is relatively flat for functionality. The turf will be an upland mix. The sides of the pond are landscape with a mix of deciduous, ornamental and evergreen trees.
- **Tract K – Dixon Creek and Open Space.** As noted, this area is 5.17 acres. Dixon Creek is intermittent and will remain undisturbed. The stormwater detention pond south of Lot 14 will be re-seeded with a native seed mix. Outside of Dixon Creek,

clusters of trees will be spaced in a random fashion to contribute to the naturalistic character and complement the soft walking paths.

- Overland Trail – North of Bluegrass Drive. Between Bluegrass Drive and the north property line, there are four buildings that front onto and one that sides onto Overland Trail. These buildings are setback 20 feet from the property line (which is the back of the six-foot wide, detached sidewalk). Within this setback, there are walkways to unit entries and landscaping with irrigated turf.
- South Side of Bluegrass Drive. There are two buildings (11 units) on the south side of Bluegrass Drive that are rear-loaded and served by a private alley. Between this alley and Bluegrass Drive, there is a landscape tract (Tract I) that is approximately 12,000 square feet in size and provides buffering for the 11 garages. This area is densely landscaped to mitigate the appearance of garages facing a public street.

B. Section 3.2.1(F) – Tree Mitigation

This standard requires that existing significant trees be preserved to the extent reasonably feasible. Upon inspecting the site, the City Forester has determined that of the 40 trees to be removed, 53 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.

C. Section 3.2.2 – Access, Circulation and Parking – General Standard

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.

As noted, there are two public streets. Bluegrass will be the primary access point and intersect with Overland Trail and extend east to tie into the existing street stub in Brown Farm 7th Filing. Crown View will be an internal north-south street and is stubbed to the north property line for future extension (if needed). All other internal streets are private alleys and are intended to provide access to the rear-loaded garages or guest parking spaces for the 106 single family attached units.

D. Section 3.2.2(C)(5)(a,b) – Walkways and Street Crossings

The site features a network of connecting walkways which are necessary to provide pedestrian access for the single family attached units that do not front on streets. These walkways are direct, continuous and logically connect the units to the public streets. There are four crosswalks on Ridgetop Drive and three on Precipice Drive. These seven crosswalks are important components of the internal pedestrian walkway network. While the design of these crosswalks is typically provided at Final Plan, Staff recommends the

following condition of approval in order to emphasize pedestrian access and safety and to ensure full compliance with the standard:

At the time of submittal for Final Plan, the design of the private alley crossings of Ridgetop Drive and Precipice Drive must provide a break in the continuity of the roadway and not in the pedestrian access way. Such crossings must be well-marked using any or all of the following: pavement treatments, signs, striping, lighting, and traffic calming techniques.

E. Section 3.2.2(C)(6) – Direct On-Site Access to Pedestrian and Bicycle Destinations

As mentioned, the pedestrian and bicycle network will be a combination of public sidewalks and private walkways. This network will connect to the following:

- Perimeter public sidewalks along Overland Trail and Drake Road;
- Planned transit stop along Overland Trail;
- Existing sidewalks on Bluegrass Drive in Brown Farm;
- Future extension of Crown View to the north (if and when needed).

F. Section 3.2.2(C)(7) – Off-Site Access to Pedestrian and Bicycle Destinations

There are no neighborhood destinations, such as a public park or regional bike trail, that would require connectivity and off-site improvements by Mountain’s Edge P.D.P. Instead, the aforementioned on-site improvements are sufficient to tie the project into the surrounding area.

G. Section 3.2.2(K)(1)(a) - Parking

For the 14 single family detached units, there will be a two-car driveway and garage per unit.

For the 106 single family attached units, the standard requires compliance on a per bedroom-per unit basis. The P.D.P. complies in the following manner:

Number of Spaces Required:

17 2-bedroom units x 1.75 spaces	=	30
89 3-bedroom units x 2.00 spaces	=	178
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Total	=	208

The P.D.P. provides the following:

Garage spaces	=	172
Driveway spaces	=	20
On-street spaces	=	26
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Total	=	218

In addition, 19 guest parking spaces are provided, 15 on Knolls End (north) and four on Crest Top (south). Since guest parking is an important attribute for single family attached developments, these 19 spaces are not credited toward meeting the minimum requirement.

H. Section 3.2.2(K)(2)(b) – Single Family Attached Projects with Internal Streets

Note that 26 on-street parallel parking spaces are counted. Where single family attached dwellings front on an internal street, parking on such street may be counted to meet the minimum parking requirement. Only Crown View qualifies as an internal street and only the west side is eligible with single family detached dwellings on the east side. Based on this frontage, an additional 26 spaces are provided.

In summary, the P.D.P. complies with the minimum parking requirements.

I. Section 3.2.3 – Solar Access and Shading

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. Only Lots 10 and 14 (14%) qualify. The Alternative Compliance provision of Section 3.2.3(F) allows for parcels that are not appropriately shaped or oriented to be allowed without a Modification of Standard as long as the proposed plan enhances neighborhood continuity and connectivity, fosters non-vehicular access and preserves existing natural or topographic conditions on the site.

Staff finds that Mountain's Edge complies with these criteria by connecting to Brown Farm with Bluegrass Drive, provides an internal network of walkways, and preserves the area of Dixon Creek and the area to the southwest.

J. Section 3.4.1 – Natural Habitats and Features

As mentioned, the predominant natural feature is Dixon Creek. This is an intermittent stream and natural stormwater outfall that also acts as the outlet for Dixon Reservoir, located upstream within the Pine Ridge Natural Area. An Ecological Characterization Study was provided to evaluate the quality of the resource and establish a Natural Habitat Buffer Zone. Consequently, as measured from the top of northeast bank, a 50-foot wide buffer zone is preserved. Disturbed areas will be re-seeded with an approved native seed mix. The entire area southwest of Dixon Creek will remain undisturbed save for soft walking paths and naturalistic plantings.

K. Section 3.5.1(H) – Building and Project Compatibility – Land Use Transition

As noted, Brown Farm 7th Filing Subdivision is located along the entire eastern edge of the project. This subdivision was approved in 1979 and consists solely of single family detached homes. There are three abutting lots south of Bluegrass Drive on Mount Royal Court and 11 abutting lots north of Bluegrass Drive on Compass Court. On the west side of the shared property line, Mountain's Edge places four single family detached lots south and

ten lots north of Bluegrass Drive. While the lots in Mountain's Edge are slightly narrower than the existing lots in Brown Farm, there are two stormwater detention ponds at the north and south ends. Based on this layout, Mountain's Edge is found to provide a compatible transition relative to Brown Farm 7th Filing.

Behind the 14 single family lots, there is a separate, 10-foot wide drainage tract, which, in turn, is bounded by the shared property line with the existing lots in Brown Farm. This drainage tract will be owned in common by the Mountain's Edge H.O.A. and contributes to buffering between the existing and proposed development. To discourage backyard encroachments that would impede drainage, each rear lot line will be bounded by a common, four-foot high, three-rail, vinyl fence equipped with wire mesh.

Then, to provide privacy for Brown Farm residents, the drainage tract will be bounded on the east by a common, six-foot high, solid, wood fence that will replace the existing individual fences. This perimeter privacy fence will include masonry columns at the property corners of the Brown Farm lots. Note, however, that this fence will not be extended beyond the lots to the two stormwater detention pond. This contributes to the two ponds acting as open space buffers.

L. Section 3.5.2(C)(2) – Housing Model Variety and Variation Among Buildings

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 20 single family attached buildings, the P.D.P. provides the following three building footprints and three shapes as determined by their architectural style:

3 Sizes:	3 Architectural Styles	
4-plex	Style A	Colorado Craftsman
5-plex	Style B	Colorado Mountain
7-plex	Style C	Colorado Modern Farmhouse

The three styles are characterized by distinctive architecture and are allocated to each of the three building sizes in the following manner:

MOUNTAIN'S EDGE HOUSING MIX				
	4-PLEX	5-PLEX	7-PLEX	TOTAL
CRAFTSMAN STYLE A	1	4	2	7
MOUNTAIN STYLE B	0	4	1	5
MODERN FARMHOUSE STYLE C	3	3	2	8
TOTAL	4	11	5	20

As can be seen by the table, for the 20 buildings, the three styles are distributed among all three sizes of buildings, with one exception, resulting in eight different combinations in compliance with the standard. Also in compliance with the standard, 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.

M. Section 3.5.2(D)(1) – Relationship of Dwellings to Streets and Parking – Orientation to a Connecting Walkway

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.

Of the 20 single family attached buildings, all but five buildings comply. For Buildings 4,6,8,13 and 15, their internal locations cause one or more of the following conditions:

- The length of the connecting walkways exceeds 200 feet by a range of 220 to 285 feet; or
- The connecting walkways cross a private alley; or
- The connecting walkways provided do not meet the definition of major walkway spine:

The two key definitions are as follows:

“Connecting Walkway shall mean (1) any street sidewalk, or (2) any walkway that directly connects a main entrance of a building to the street sidewalk without requiring pedestrians to walk across parking lots or driveways, around buildings or around parking lot outlines which are not aligned to a logical route.”

“Major Walkway Spine shall mean a tree-lined connecting walkway that is at least five feet wide, with landscaping along both sides, located in an outdoor space that is at least 35 feet in its smallest dimension, with all part of such outdoor space directly visible from a public street.”

For these five buildings, the applicant has submitted the following Request for Modification:

Request for Modification to Standard 3.5.2(D)(1) and (1)(b)

Applicant’s Justification (attached): The applicant contends that every unit has a walkway to the entry and all walkways are under 350 feet, direct and tree-lined. A minimum of 30 feet of landscaped area is provided between buildings and some of these areas feature common amenities. Multiple routes are available per building. The crossing of the private alleys is mitigated by the fact that these are roadways with low volume and low speeds and not public through streets. Crosswalks will be added for safety.

The fundamental design consideration for these five internal buildings is to create single family attached dwellings that front on a central green or common area instead of facing streets. With an overall network of rear-loaded garages served by private alleys, crossing these drives is unavoidable. This concept offers a unique attribute and lends character to the overall neighborhood.

Staff Evaluation: There is considerable market acceptance for proposed concept. Fronting dwelling units on central greens or common areas is becoming a primary characteristic of townhome development. A key design attribute is that this layout places all garages at the rear of the lot, served by alleys, thus enhancing neighborhood character by eliminating garage-dominated streets. This particular housing type adds diversity to the City’s neighborhoods that are zoned Low Density Mixed-Use Neighborhood.

The proposed pedestrian network includes multiple options to proceed in different directions. This network is safe, direct continuous and convenient. The proposed crosswalks (as required per the recommended condition of approval) will improve visibility for pedestrians. All distances are under 350 feet. The landscaping allows for the pedestrian route, while slightly under 35 feet in width, to be as equally a quality experience as if the routes were 35 feet.

Staff Finding: In accordance with Section 2.8.2(H), Staff finds that the granting of the Request for Modification to Section 3.5.2(D)(1)(b) would not be detrimental to the public good. In addition, and based on the fact that the proposed pedestrian network is safe, direct, continuous, under 350 feet and well-landscaped, Staff finds that the P.D.P. will promote the general purpose of the standard equally well or better than would a plan that

otherwise would have provided distances under 200 feet, or walkways that do not cross private alleys, or within a 35-foot wide major walkway spine.

N. Section 3.5.2(E)(1) – Setbacks from Arterial Streets

This standard requires that buildings be set back from Overland Trail by at least 30 feet. The P.D.P. provides a setback ranging from 29.9 to 41.9 feet in compliance with the standard.

O. Section 3.5.2(E)(2) – Setbacks from Nonarterial Streets

This standard requires that buildings be setback at least 15 feet from nonarterial streets. All but one building complies. Building 12 is set back from Crown View Drive by 14.7 feet, a deviation of 0.3 feet.

Request for Modification of Standard to Section 3.5.2(E)(2).

Applicant's Justification: The applicant's justification is that the 0.3 deviation is not detrimental to the public good and nominal and inconsequential when considered from the perspective of the entire development plan, and will continue to advance the purpose of the Land Use Code as contained in Section 1.22.

Staff Evaluation: The block face along the west side of Crown View Drive is 772 feet. The length of Building 12 along this block face is 96 feet, 12.5% of the total length. The extent of the deviation is miniscule.

Staff Finding: In accordance with Section 2.8.2(H), Staff finds that the granting of the Modification would not be detrimental to the public good. Also, Staff finds that the P.D.P. 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 as contained in Section 1.2.2

P. Section 3.5.2(F) – Garage Doors

This standard applies only to the 14 single family detached dwellings as all the garages for the single family attached dwellings are served by private roadways. For the 14 lots facing Crown View Drive, the Site Plan "Lot Typical" states that garages will be setback from the sidewalk by 20 feet, be recessed behind the front building line by four feet with garage doors that do not comprise more than 50% of the ground floor street-facing linear building frontage.

Q. Section 3.6.2(E) – Streets, Streetscapes, Alleys and Easements – Temporary Turnaround Easement

This standard requires that dead-end public streets, such as the north end of Crown View Drive, provide a dedicated and constructed turnaround no less than 100-feet in diameter but this standard may be waived if no lots in the subdivision depend on such street for access. Since there are no lots that depend on Crown View Drive for access north of Knolls End Drive, this standard is not applicable.

R. Section 3.6.2(N)(1)(2) – Private Drives – Design Requirements

These standards require the five private drives to meet minimum criteria including:

- Such drives serve only Mountain's Edge and are not utilized to attract through traffic or function as connections between neighborhoods;
- Such drives comply with the requirements of the Poudre Fire Authority for Emergency Access Easements;
- No drive exceeds 660 feet from a single point of access;
- Drainage from the private drives complies with the requirements of Fort Collins Utilities, Stormwater Engineering Division;
- Such drives are named in order to comply with emergency access standards;
- These drives will be 20 feet wide;
- Eight-foot wide utility easements flank the 20-foot roadway. Driveways are allowed to be placed over these easements. This allows for 36 feet of separation between garage doors.

S. Section 3.6.3(B) – Street Pattern and Connectivity Standards – General Standard

As mentioned, Bluegrass Drive is designated as a local street, with 60 feet of dedicated public right-of-way, and is currently stubbed to the west property line of the Brown Farm 7th Filing Subdivision. This standard requires that Bluegrass be extended west into Mountain's Edge to intersect with Overland Trail. The alignment west of Brown Farm is curved to the northwest to follow Dixon Creek without the need to cross or disturb this natural feature. In addition, Crown View is stubbed to the north property line in case future conditions result in the adjoining property developing in such a manner as to need a local street connection.

T. Section 3.6.4 – Transportation Level of Service Requirements

A Transportation Impact Study was provided, reviewed, and used as a basis for evaluation (attached). City staff also completed additional evaluation in terms of neighborhood impact. The following conclusions are related to transportation operations:

- Current operating conditions in the area of Mountain's Edge are acceptable in terms of capacity. There is a safety concern at the intersection of Drake Road and Overland Trail.
- At build-out, Mountain's Edge is expected to add 66 morning peak hour trips, 80 afternoon peak hour trips with a total of 866 trips per day to the area street system.
- Main access for the development will be from a new access to Overland Trail (Bluegrass Drive). Based on City connectivity standards and previous planning, this roadway is shown to connect to the existing Bluegrass Drive to the east into the Brown Farm neighborhood to Yorkshire Street.
- The TIS indicated that a southbound left turn and a northbound right turn lane on Overland Trail at Bluegrass Drive are needed to serve the short-term traffic based on City standards.
- With Mountain's Edge fully built, all intersection levels of service will meet the City's acceptable level of service criteria.
- The development is adding traffic to the Drake Road and Overland Trail intersection (up to about 5%), including to the westbound right turn that is a safety concern. At the request of the City, the westbound right turn to northbound Overland Trail will be rebuilt with a "pork chop" island, and an acceleration lane on Overland Trail which will allow a free movement without a yield or stop sign control. This is expected to help mitigate the rear-end crash trend at the intersection.
- The connection of Bluegrass Drive from the Brown Farm neighborhood to Overland Trail has long been anticipated with the existing Bluegrass Drive built without a cul-de-sac. The completion of this connection will allow existing traffic to utilize Overland Trail, but will also allow new Mountain's Edge traffic to access the signal at Drake Road via Yorkshire Street. The existing daily traffic on Bluegrass Drive is estimated at 250 vehicles per day, and depending on how much of Mountain's Edge traffic chooses this route, that volume could potentially double. This is an addition of perhaps 20-40 cars along the roadway during the peak hour (about 1 car every two minutes). A local road with 500 vehicles per day is not unusual in the City, however, this increase is a distinct change for the existing neighborhood.
- The signal at Yorkshire and Drake is functioning at a high level of service A and will remain so regardless of the route the new traffic from Mountain's Edge takes.
- For pedestrian and bike improvements, the development is completing the full roadway along their frontage including Drake and Overland (about 1/3 mile of road).

U. Section 3.6.5 – Bus Stop Design Standards

The site is not currently served by Transfort. In anticipation of expanded service, and being located at the intersection of two arterial streets, the development will dedicate and construct a bus stop concrete pad measuring 8 feet by 30 feet. This pad will be along Overland Trail and south of Bluegrass Drive and connected with a private walkway that ties into the public sidewalk.

4. Neighborhood Meetings:

Two neighborhood meetings were held and summaries are attached. Briefly, the main issues, and their resolution, are as follows:

A. Traffic – Overland Trail / Drake Intersection:

As would be expected, the extent and distribution of the traffic generated by the project is a primary concern. The intersection of Overland Trail and Drake Road is a tee intersection. The TIS states:

“This intersection has unique traffic controls given the very predominant west to north (and reverse) traffic movements. The northbound approach is stop sign controlled. The southbound approach is uncontrolled and the westbound left turn is stop sign controlled with the westbound right turn under yield sign control.” (Page 3.)

“Given the pattern of accidents related to the westbound to northbound right turns, it appears that vehicles are hesitant to turn right without stopping and are being rear-ended by a trailing vehicle despite minor conflicting traffic from the south.” (Page 17.)

The solution, as noted above, is to remove the existing 90-degree westbound to northbound turn, currently controlled by a yield sign, and replace it with a continuous right turn lane at a softer angle. This should lower the accident rate, especially the rear-end collisions.

B. Traffic – Brown Farm Perspective:

The issue is that additional traffic on Bluegrass Drive and Yorkshire Street will impact the Brown Farm neighborhood. In response, the TIS anticipates that most traffic will use Bluegrass/Overland Trail and not Bluegrass /Yorkshire to gain access to the wider arterial street system. The TIS states:

“Site distribution was estimated based on a reasonable approximation of origins and destinations associated with the anticipated site use. It should be noted that some site traffic wishing to use Drake Road may migrate through the neighborhood to the east (Brown Farm). The number of vehicles is expected to be minor and offset by neighboring vehicles traveling through Mountain’s Edge to access Overland Trail. Any traffic imbalance will likely be minor.” (Page 9.)

C. Traffic – Quail Hollow Perspective:

There is a concern that the Drake/Yorkshire intersection will become congested and fall below the allowable level of service for an arterial / collector intersection. In response, as noted above, the Drake/Yorkshire intersection is not expected to attract the amount of traffic from Mountain's Edge that would cause a failing level of service.

D. Density:

There is a concern that the proposed density is incompatible with the surrounding area. In response, the gross density is 6.48 dwelling units per acre. The P.D.P. represents a type of cluster development plan in that 5.17 acres will remain undeveloped. If these 5.17 acres were subtracted from the 18.52 gross acres, the result would be 106 units on 13.35 acres for 8.9 dwelling units per net acre. Under both scenarios, the proposed density, while greater than Brown Farm and Quail Hollow, is below the allowable maximum of 9.00 dwelling units per gross acre in the L-M-N zone.

E. Treatment Along the Eastern Property Line:

As a result of the two neighborhood meetings, the treatment along the eastern property line is as follows:

- This area will feature 14 single family detached homes, not single family attached;
- A six foot solid fence will be installed by the developer along the property line replacing all the individual existing fences;
- A ten-foot wide drainage easement will separate the 14 rear yard property lines from the six-foot perimeter fence;
- The Brown Farm property line will include two stormwater detention ponds at the north and south ends. These ponds will act as open space buffers.

F. Stormwater Management:

There is a concern about the impact of land development upstream of Brown Farm, especially given the experience of the 1997 Spring Creek Flood. In response, per City of Fort Collins regulations, no stormwater will be conveyed into the Brown Farm neighborhood. All new developed storm flows will be directed into the on-site detention ponds, detained, and then released at the prescribed historic rate into the City-approved downstream outfall system. This outfall is the continuation of Dixon Creek as it's conveyed by existing culverts under Drake Road. Low impact development techniques and water quality features supplement this system.

5. Conclusion and Findings of Fact:

In evaluating the request for Mountain's Edge P.D.P., Staff makes the following findings of fact:

- A. The P.D.P. complies with the applicable criteria of the Low Density Mixed-Use Neighborhood zone district as stated in Article Four.
- B. The project complies with the applicable criteria of the General Development Standards of Article Three, with two exceptions.
- C. A Request for Modification of Standard to Section 3.5.2(D)(1) and (1)(b) relates to the length and character of the interior connecting walkways. Staff finds that the granting of the Modification would not be detrimental to the public good and the P.D.P. will promote the general purpose of the standard equally well or better than would a plan that otherwise would have provided distances under 200 feet, or walkways that do not cross private alleys, or within a 35-foot wide major walkway spine. This is because the proposed pedestrian network allows for travel in multiple directions and is safe, direct, continuous, under 350 feet and well-landscaped.
- D. A Request for Modification of Standard to Section 3.5.2(E) relates to a slight decrease in the front yard setback of Building 12 from Crown View Drive. Staff finds that the granting of the Modification would not be detrimental to the public good. Also, Staff finds that the P.D.P. 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 as contained in Section 1.2.2

One condition of approval is recommended that addresses the design of the internal private alley crosswalks in order to ensure full compliance with Section 3.2.2(C)(5)(a,b) at the time of submittal for Final Plan.

RECOMMENDATION:

- A. Staff recommends approval of the Request for Modification to Section 3.5.2(D)(1) and (1)(b).
- B. Staff recommends approval of the Request for Modification to Section 3.5.2(E).
- C. Staff recommends approval of the Mountain's Edge #PDP1600045, subject to the following condition:

At the time of submittal for Final Plan, the design of the private alley crossings of Ridgetop Drive and Precipice Drive must provide a break in the continuity of the roadway and not in the pedestrian access way. Such crossings must be well-marked using any or all of the following: pavement treatments, signs, striping, lighting, and traffic calming techniques.

ATTACHMENTS

1. Vicinity Map
2. Applicant's Planning Objectives
3. Site Plan
4. Landscape Plan
5. Architectural Elevations 4-Plex
6. Architectural Elevations 5-Plex
7. Architectural Elevations 7-Plex
8. Plat
9. Traffic Impact Study
10. First Neighborhood Meeting Summary
11. Second Neighborhood Meeting Summary
12. Neighborhood Meeting Comment Cards Summary