



City of Fort Collins

ITEM NO. \_\_\_\_\_

MEETING DATE 12/05/01

STAFF Steve Olt

**HEARING OFFICER**

## STAFF REPORT

**PROJECT:** Centre for Advanced Technology, 22<sup>nd</sup> Filing, Community Horticulture Center - Project Development Plan - #53-85AV

**APPLICANT:** City of Fort Collins  
c/o Jim Clark  
281 North College Avenue  
Fort Collins, CO. 80524

**OWNER:** City of Fort Collins  
281 North College Avenue  
Fort Collins, CO. 80524

### PROJECT DESCRIPTION:

This is a request for a (public) community horticulture center and public park on approximately 18 acres located on the west side of Centre Avenue, east of the Windtrail residential neighborhood, south of Spring Creek, and north of the proposed Rolland Moore Drive street extension. The facility will include one main conservatory building, two accessory outbuildings, a parking lot for approximately 75 vehicles, gazebo and bandstand, gardens, bicycle/pedestrian trails, and a small (1 to 2 acres) neighborhood park. The property is in the E – Employment Zoning District.

**RECOMMENDATION:** Approval

### EXECUTIVE SUMMARY:

This PDP complies with the applicable requirements of the Land Use Code (LUC), more specifically:

- \* the process located in **Division 2.2 - Common Development Review Procedures for Development Applications of ARTICLE 2 - ADMINISTRATION;**
- \* standards located in **Division 3.2 - Site Planning and Design Standards, Division 3.3 – Engineering Standards, Division 3.4 – Environmental, Natural Area, Recreational and Cultural Resource**

**Protection Standards, and Division 3.5 - Building Standards of  
ARTICLE 3 - GENERAL DEVELOPMENT STANDARDS; and**

- \* the proposed use of a community horticulture center, being a public facility, is permitted in **Division 4.22 Employment District (E)** of **ARTICLE 4 – DISTRICTS**, subject to an **administrative review**. The proposed use of a neighborhood park is permitted in the E District, subject to a **building permit review**.

Public facilities are permitted in the E – Employment Zoning District, subject to administrative (Type I) review. Neighborhood parks are permitted in the E District, subject to a building permit review. The purpose of the E District is:

Intended to provide locations for a variety of workplaces including light industrial uses, research and development activities, offices and institutions. This District also is intended to accommodate secondary uses that complement or support the primary workplace uses, such as hotels, restaurants, convenience shopping, child care and housing.

Additionally, the Employment District is intended to encourage the development of planned office and business parks; to promote excellence in the design and construction of buildings, outdoor spaces, transportation facilities and streetscapes; to direct the development of workplaces consistent with the availability of public facilities and services; and to continue the vitality and quality of life in adjacent residential neighborhoods.

This proposal complies with the purpose of the E District as it is a public community horticulture center and small neighborhood park, with a community-wide emphasis and intended service.

**COMMENTS:**

1. Background

The surrounding zoning and land uses are as follows:

N:	E;	undeveloped land (Centre for Advanced Technology)
S:	E;	undeveloped land (Centre for Advanced Technology)
E:	E;	existing office uses (NRRC)
W:	RL;	existing residential (Windtrail)

The property was annexed in September, 1965 as part of the Fourth College Annexation.

The property is part of the Center for Advanced Technology Overall Development Plan that was approved by the Planning and Zoning Board in September, 1983 for recreational uses.

The property has not been previously platted or planned.

2. Division 4.22 of the Land Use Code, Employment Zone District

The proposed community horticulture center, a public facility, is permitted in the E – Employment Zoning District, subject to administrative (Type I) review. The proposed neighborhood park, being an integral part of the facility, is permitted in the E District, subject to a building permit review. This proposal complies with the purpose of the E District as it is a public community horticulture center and small neighborhood park, with a community-wide emphasis and intended service.

3. Article 3 of the Land Use Code – General Development Standards

The Project Development Plan complies with all applicable General Development Standards as follows:

A. Division 3.2, Site Planning and Design Standards

1. Section 3.2.1, Landscaping and Tree Protection

- a. The proposal complies with Section 3.2.1(D)(1)(c) in that it provides “full tree stocking” within 50’ of the main conservatory building, according to the standards set forth in this section.
- b. The proposal complies with Section 3.2.1(D)(2)(a) in that canopy shade (street) trees are provided at a 40’ spacing in the parkways along Centre Avenue and Rolland Moore Drive.
- c. The proposal complies with Section 3.2.1(D)(3) in that no one species of the proposed new trees on the development plan exceeds 15% of the total trees on-site.

- d. The proposal complies with Section 3.2.1(E)(4)(a) in that trees are provided at a ratio of at least 1 tree per 25 lineal feet along Centre Avenue adjacent to the parking lot.
- e. The proposal complies with Section 3.2.1(E)(4)(b) in that the on-site parking area will be screened from Centre Avenue to the east with deciduous and evergreen trees and shrub plantings that will block at least 75% of the vehicle headlights and extend along at least 70% of the street frontage along the parking area.
- f. The proposal complies with Section 3.2.1(E)(5) in that it provides at least 6% interior landscaping in the parking areas, satisfying the minimum requirement.

2. Section 3.2.2, Access, Circulation and Parking

- a. The proposal complies with Section 3.2.2(C)(4)(a) in that it provides secure and conveniently located bicycle parking in the amount of 20% of the total number of automobile parking spaces on-site, satisfying the minimum requirement of 5%.
- b. The proposal complies with Section 3.2.2(C)(5) in that it provides direct, safe, and continuous walkways and bicycle connections to major pedestrian and bicycle destinations in the surrounding area.
- c. The proposal complies with Section 3.2.2(D) in that it provides for safe, convenient, and efficient bicycle, pedestrian, and vehicular movement to and through the site. Vehicular access will occur via a curb cut from Centre Avenue to the public parking area and a curb cut from Rolland Moore Drive to the maintenance area only.

B. Division 3.3, Engineering Standards

1. Section 3.3.1, Plat Standards

The proposal complies with the general plat requirements as set forth in this section.

2. Section 3.3.5, Engineering Design Standards

The proposal complies with the design standards, requirements, and specifications for the services as set forth in this section.

D. Division 3.4, Environmental, Natural Area, Recreational and Cultural Resource Protection Standards

1. Section 3.4.1, Natural Habitats and Features

The proposed community horticulture center PDP provides for adequate setbacks and buffer zones between the proposed development and Spring Creek.

2. Section 3.4.8, Parks and Trails

The proposal complies with Section 3.4.8(B) in that it provides for trails within the development plan, connecting to off-site trails in the area, and incorporates a small neighborhood park in conformance with the City's adopted West Central Neighborhood Plan.

C. Division 3.5, Building Standards

1. Section 3.5.1, Building and Project Compatibility

The proposed community horticulture center and neighborhood park contains a total of 4 buildings. They include the main conservatory building, a gazebo/bandstand, a hoop house, and a pump house. The buildings are somewhat internal to the site and relate to the horticulture center activities. They are unique to the specific community horticulture center theme.

2. Section 3.5.3, Mixed Use, Institutional and Commercial Buildings

The proposed public buildings in this community horticulture center and neighborhood park are situated internal to the site and relate to the various activities within the facility. The main conservatory building meets the "build-to" line standards because it provides a courtyard/plaza and gardens between the building and the public sidewalks on Centre Avenue and Rolland Moore Drive. This

satisfies the permitted exception as set forth in Section  
3.5.3(B)(2)(d)1 of the Land Use Code.

4. Neighborhood Information Meeting

The C.A.T., 22<sup>nd</sup> Filing, Community Horticulture Center, PDP contains proposed land uses that are permitted as Building Permit and Type I uses, subject to an administrative review. The proposed uses are a public community horticulture center and a neighborhood park. The LUC does not require that a neighborhood meeting be held for a Type I development proposal and a City-facilitated neighborhood meeting was not held to discuss this proposal.

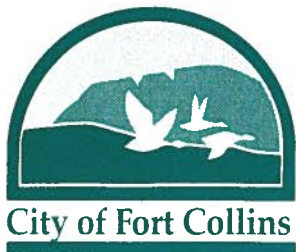
**FINDINGS OF FACT/CONCLUSIONS**

After reviewing the Centre for Advanced Technology, 22<sup>nd</sup> Filing, Community Horticulture Center - Project Development Plan - #53-85AV, staff makes the following findings of fact and conclusions:

1. The proposed land uses are permitted in the E – Employment Zone District.
2. The Project Development Plan complies with all applicable General Development Standards contained in Article 3 of the Land Use Code.
3. The Project Development Plan complies with all applicable Land Use and Development Standards contained in Article 4, Division 4.22 of the Land Use Code.

**RECOMMENDATION:**

Staff recommends approval of the Centre for Advanced Technology, 22<sup>nd</sup> Filing, Community Horticulture Center - Project Development Plan - #53-85AV.



**CITY OF FORT COLLINS, COLORADO  
ADMINISTRATIVE HEARING OFFICER  
TYPE 1 ADMINISTRATIVE HEARING  
FINDINGS, CONCLUSIONS, AND DECISION**

**ADMINISTRATIVE HEARING DATE:** December 5, 2001

**PROJECT NAME:** Centre for Advanced Technology, 22<sup>nd</sup> Filing,  
Community Horticulture Center - Project  
Development Plan - #53-85AV

**APPLICANT:** City of Fort Collins  
c/o Jim Clark  
281 North College Avenue  
Fort Collins, Colorado 80524

**OWNER:** City of Fort Collins  
281 North College Avenue  
Fort Collins, Colorado 80524

**HEARING OFFICER:** Linda Michow, Esq.  
Gorsuch Kirgis LLP  
Tower 1, Suite 1000  
1515 Arapahoe Street  
Denver, Colorado 80202

**PROJECT DESCRIPTION:** A project development plan (PDP) to construct a public horticultural center and public park on approximately 18 acres located on the west side of Centre Avenue, east of the Windtrail residential neighborhood, south of Spring Creek, and north of the proposed Rolland Moore Drive street extension. The PDP proposes one main conservatory building, two accessory outbuildings, a parking lot for approximately 75 vehicles, gazebo and bandstand, gardens, bicycle/pedestrian trails, and a small (1 to 2 acres) neighborhood park.

**SUMMARY OF HEARING OFFICER DECISION:** Approval.

**ZONE DISTRICT:** E – Employment Zoning District.

**NOTICE OF PUBLIC HEARING AND NEIGHBORHOOD MEETING:** Testimony presented reflects that proper notice was given and that City staff conducted several neighborhood meetings prior to the public hearing.

**PUBLIC HEARING:** The Hearing Officer, presiding pursuant to the Fort Collins Land Use Code, opened the hearing at approximately 6:30 p.m. on December 6, 2001 in a

conference room of the City of Fort Collins Planning Department located at 281 North College Avenue, Fort Collins, Colorado.

**RECORD OF HEARING:** The Hearing Officer accepted during the hearing the following evidence: (1) Planning Department Staff Report; (2) application, plans, maps and other supporting documents submitted by the applicant and the applicant's agents; (3) a sign-up sheet of persons attending the hearing and citizens speaking in favor of or against the application; (4) email correspondence from and between City staff and Windtrail Neighborhood HOA concerning the project; (5) a tape recording of the public hearing; (6) as well as the Fort Collins Land Use Code (LUC), Comprehensive Plan and any and all formally promulgated policies of the City, as applicable.

## **FACTS AND FINDINGS**

### **A. Property Overview**

The property was annexed in September, 1965 as part of the Fourth College Annexation. The property, as part of the Center for Advanced Technology Overall Development Plan, was approved by the Planning and Zoning Board in September, 1983 for recreational uses. The property, comprising approximately eighteen acres, is proposed to contain a horticultural center with community gardens, band stand/gazebo, conservatory, and public park.

### **B. Conformance with Division 4.22, E Zone District**

Uncontroverted evidence at the public hearing established that the proposed horticultural center, as a public/community facility, is a permitted use in the E-Employment zoning district, subject to administrative Type I review. The evidence further showed that a neighborhood park is also a permitted use within the E zoning district, subject to building permit review.

The staff report and testimony indicates that the proposed uses meet the purpose of the E District, which is intended to provide, in part, for development of work places consistent with the availability of public facilities and services and to promote excellence in the design and construction of buildings, outdoor spaces, transportation facilities and streetscapes.



The testimony by adjacent residential property owners expressed overall support for the project; however, there was some concern about the potential noise from use of the proposed bandstand for concerts and live music. The applicant testified that the issue of noise would be addressed and mitigated through the City's existing noise ordinance which imposes limits on noise levels throughout the City. The applicant further testified that concerts would be small with low amplification and that the future design of the bandstand would include sound tests to further mitigate noise levels. The site plan also indicates that the availability of parking will also serve to limit the size of events scheduled for the facility.

Given the size and proposed uses of the property, the City's existing noise ordinance and future design considerations of the bandstand offered by the applicant, the Hearing Officer finds that the PDP, including the use of the proposed bandstand for live entertainment, will not have a detrimental effect on the residential neighborhood to the west of the property. In addition, because the City is the applicant in this case, the Hearing Officer is confident that the applicant will comply with all of its ordinances and will work with the neighboring property owners in the design of the bandstand.

**C. Conformance with Article 3 of the LUC**

The staff report indicates that the PDP is in conformance with all applicable general development standards set forth in Article 3 of the LUC. In particular, the evidence reflects that the PDP complies with Division 3.2, site planning and design standards, in that it meets all of the criteria relative to landscaping and tree protection and parking and traffic circulation. According to the staff report, the proposal is also in compliance with Division 3.3, concerning engineering standards, Division 3.4, regarding environmental and natural resource protection, and Division 3.5, building standards.

There was no evidence or testimony presented at the hearing to refute the statements and conclusions made in the staff report, nor has the Hearing Officer found any contrary evidence through independent review of the LUC and application materials.

Certain testimony by neighboring property owners raised concerns about the safety of the irrigation facilities, trail construction detours, and lighting along the interior paths. The applicant addressed these concerns to the apparent satisfaction of the adjacent property owners and to the satisfaction of the Hearing Officer. Apart from these specific

City of Fort Collins-Type 1 Administrative Hearing  
Findings, Conclusions, and Decision  
Administrative Hearing Date: 12/05/01  
Community Horticulture Center PDP - #53-85AV  
December 13, 2001  
Page 4

concerns, the testimony from adjacent owners reflected overwhelming support for this project.

### **SUMMARY OF CONCLUSIONS**

- A. The proposed land uses for a community horticultural center, as a public facility, and neighborhood park are permitted in the E- Employment zone district, and meet the purposes of the E zone district.
- B. The PDP complies with all applicable general development standards contained in Article 3 of the Land Use Code.
- C. The PDP complies with the applicable land use and development standards in Division 4.22, Employment District, of the Land Use Code.

### **DECISION**

The Centre for Advanced Technology, 22<sup>nd</sup> Filing, Community Horticultural Center – Project Development Plan, #53-85, is hereby unconditionally approved by the Hearing Officer.

**DATED THIS 13th DAY OF DECEMBER, 2001.**



---

Linda C. Michow, Hearing Officer