

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

HEARING DATE: October 12, 2016

PROJECT NAME: Old Town North Third Filing

CASE NUMBER: PDP 160017

APPLICANT: Terry Palmos  
Greeley Associates  
2775 Iris Avenue  
Boulder, CO 80304

OWNER: Jerome Street LLC  
c/o Terry Palmos  
216 E. Oak Street  
Fort Collins, CO 80524

HEARING OFFICER: Kendra L. Carberry

**PROJECT DESCRIPTION:** This is a request to develop a vacant portion of Old Town North, originally platted as Block Six, and Tracts JJ and KK, on the north side of Osiander Street, south of Suniga Road and east of Blondel Street. As proposed, there would be a total of 76 dwelling units. These units would be divided between 28 single-family detached homes facing Osiander and 24 two-family attached dwellings (48 units) facing Suniga Road.

**SUMMARY OF DECISION:** Approved

**ZONE DISTRICT:** Community Commercial – North College, C-C-N

**HEARING:** The Hearing Officer opened the hearing at approximately 5:30 p.m. on October 12, 2016, 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; (2) application, plans, maps and other supporting documents submitted by the applicant; and (3) a copy of the public notice (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: Ted Shepard

From the Applicant: Russell Lee, Terry Palmos, Sam Coutts, Brent Balik

From the Public: Tom Mesereau, Delores Williams, Kurt Kniegge, Michael Stanley, Anna Sofranko, Jackie Barrow, Mark Lobodzinski

### 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 and Tree Protection, because the PDP includes street trees in the parkway along Osiander Street on 40' centers, with 32 trees placed between Blondel Street on the west and Redwood Street on the east; the PDP includes street trees on Suniga Road between Blondel Street and Redwood Street; and along Suniga Road, the PDP includes less formal landscaping with a mix of evergreen and deciduous trees in a variety of species.
  - b. The PDP complies with Section 3.2.1(E)(4)(a)(b), Parking Lot Perimeter Landscaping, because the PDP includes 3 surface parking lots, each of which is landscaped with a planting area designed to screen the parking lot.
  - c. The PDP complies with Section 3.2.1(E)(5), Parking Lot Interior Landscaping, because the 3 parking lots include landscape islands covering at least 6% of the interior.
  - d. The PDP complies with Section 3.2.2(B), Access Circulation and Parking, because all vehicular access is gained from a common internal private roadway that serves both the single family detached and two-family attached dwellings.
  - e. The PDP complies with Section 3.2.2(C)(4), Bicycle Parking, because although there are no required minimum bicycle parking spaces, the Applicant has provided exterior bike spaces in fixed racks.
  - f. The PDP complies with Section 3.2.2(C)(5), Walkways, because the single-family detached dwellings face a public street with a detached sidewalk located behind a tree-lined parkway. The attached dwellings are served by an east-west walkway on the north side, and all ground floor units connect to this walkway. There are 9 connections from the east-west walkway to Emmaus Lane Drive, four connections to the public sidewalk on Suniga Road, and ties into Blondel Street on the west and the clubhouse on the east.
  - g. The PDP complies with Section 3.2.2(C)(6), Direct On-Site Access to Pedestrian and Bicycle Destinations, because the primary bicycle destination in the larger area is the on-street bike lanes on Redwood Street, from which bicyclists can gain access to the Poudre River Trail and Buckingham Park. In addition, the PDP will extend Osiander, along with its detached sidewalk, east to Redwood Drive to complete the Old Town North street network, providing connectivity.

- h. The PDP complies with Section 3.2.2(J), Setbacks for Vehicular Use Areas, because the 3 parking lots are set back from Suniga Road by a range of 25' to 55', and the 8 spaces on the east edge of Emmaus Drive are set back from Osiander Street by 10'.
- i. The PDP complies with Section 3.2.2(K)(1), Required Minimum Number of Parking Spaces, because each of the single-family detached dwellings has a two-car garage, and the two-family attached units have a total of 93 spaces, exceeding the required minimum.
- j. The PDP complies with Section 3.2.4, Site Lighting, because there will be 8 pole-mounted fixtures along Emmaus Lane, featuring down-directional and fully-shielded luminaires in compliance with the standard.
- k. The PDP complies with Section 3.5.1(B)(C)(E)(F), Building Project and Compatibility, because the new development is compatible with the immediate surrounding area, the Old Town North neighborhood.
- l. The PDP complies with Section 3.5.2(C)(2), Residential Building Standards – Housing Model Variety and Variation Among Buildings, because for the 12 buildings, there will be 3 building designs. The variety is accomplished primarily with a mix of rooflines including shed, half-shed and flat.
- m. The PDP complies with Section 3.6.2(F), Streets, Streetscapes, Alleys and Easements – Arterial Streets, because there is no direct access from Suniga Road to the 24 individual lots.
- n. The PDP complies with Section 3.6.2(G), Streets, Streetscapes, Alleys and Easements – Lots Along Arterial Streets, because the two-family attached lots do not abut Suniga Road.
- o. The PDP complies with Section 3.6.2(N), Private Drives and Street-Like Private Drives, because Emmaus Lane is a private roadway.
- p. The PDP complies with Section 3.6.4, Transportation Level of Service Requirements, because a Transportation Impact Study ("TIS") concluded that the development is feasible from a traffic engineering standpoint; the current operation at the Lemay/Vine, Vine/Linden/Redwood, Vine/Jerome and Redwood/Cajetan intersections meets the City of Fort Collins Level of Service standards, except for the Lemay/Vine intersection in the morning and afternoon peak hours; the PDP satisfies the Adequate Public Facilities standards at the Lemay/Vine intersection due to nominal impact; in the short-range future, all the intersections meet the minimum required Level of Service ("LOS") standards; acceptable LOS will be achieved for bicyclists and pedestrians based upon the measures in the City's multi-modal transportation guidelines; and transit LOS is acceptable as Transfort Routes 8 and 81 provide service on both North College Avenue and Redwood Street.

3. The PDP complies with the applicable standards contained in Article 4 of the Code for the C-C-N zone district.

a. The PDP complies with Section 4.19(B), Permitted Uses, because residential is a permitted use in the C-C-N zone district, subject to administrative review.

b. The PDP complies with Section 4.19(D)(1), Land Use Standards, because the 28 single-family detached dwellings are placed on roughly 2 acres, equating to approximately 14.00 dwellings per gross acre.

#### ANALYSIS

During the hearing, members of the public primarily asked questions of both the Applicant and the City, rather than raising specific objections to or commenting in support of the PDP. The questions focused on parking, construction traffic, the homeowners' association and the architecture. In most cases, the members of the public were satisfied with the responses offered by the Applicant and/or the City. In some cases, such as concerns about construction traffic, the Applicant and the City stated that the issue would be addressed at a later date. The questions raised by the public and the answers provided by both the Applicant and the City were helpful in making the findings set forth above.

#### DECISION

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

1. The PDP is approved as submitted.

DATED this 25<sup>th</sup> day of October, 2016.



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Kendra L. Carberry  
Hearing Officer