

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

FINDINGS AND DECISION

HEARING DATE: August 2, 2017

PROJECT NAME: Schrader Propane Office

CASE NUMBER: PDP 170015

APPLICANT: Don Shields
WG Architects
PO Box 270788
Fort Collins, CO 80527

OWNER: Schrader Propane Co.
320 N. College Ave.
Fort Collins, CO 80524

HEARING OFFICER: Marcus A. McAskin

PROJECT DESCRIPTION: This is a project development plan request to build an office with minor vehicle repair. The building is approximately 4400 sf (2463 sf office and 1904 sf for service bays). The western portion of the site will be a fenced yard with 17 truck parking spaces and the east side of the site will have seven public parking spaces. The site is located in the Industrial (I) zone district. As set forth in Division 4.28(A) of the Land Use Code (“LUC” or “Code”), the Industrial District is intended to provide a location for a variety of work processes and work places such as manufacturing, warehousing and distribution, indoor and outdoor storage, and a wide range of commercial and industrial operations. The proposed office and vehicle repair uses are permitted in the Industrial (I) District, subject to administrative review.

BACKGROUND: The property was annexed into the City of Fort Collins as part of the Pine Tree Park Annexation in November 1972. The property was originally platted as Lots 15 and 16, Block 3, of the Evergreen Park Replat (No. 1) in March 1974 (“Subject Property”). The Subject Property is proposed to be replatted as Lots 1 and 2, Evergreen Park Fifth Filing. Lot 1 consists of approximately 1.063 acres and Lot 2 consists of approximately 0.566 acres. The 4400 sf building (consisting of both office and service bays) is proposed on Lot 1. A project vicinity map is included in the Staff Report attached as **ATTACHMENT A**.

The surrounding zoning and land uses are as follows:

Direction	Zone District	Existing Land Uses
North	Industrial (I)	Light industrial, office
South	Industrial (I)	Office, light industrial
East	Industrial (I)	Outdoor storage, vehicle repair
West	Service Commercial (CS)	Bank, retail, auto repair

SUMMARY OF DECISION: Approved.

ZONE DISTRICT: Industrial District (I)

HEARING: The Hearing Officer opened the hearing on Wednesday, August 2, 2017, in Conference Rooms A-D, 281 North College Avenue, Fort Collins, Colorado, at approximately 5:30 p.m.

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

1. Project Vicinity Map.
2. Planning Department Staff Report prepared for Schrader Propane Office (PDP170015). A copy of the Staff Report is attached to this decision as **ATTACHMENT A** and is incorporated herein by reference.
3. Applicant’s Statement of Planning Objectives dated March 23, 2017.
4. Evergreen Park Fifth Filing Plat (2 Sheets).
5. Schrader Propane Office Project Development Plan (Site Plan, Landscape Plan, Elevations & Photometric Plan) (9 Sheets).
6. Modification of Standard Request – for Section 3.8.11(A) of the LUC.
7. Modification of Standard Request – for Section 4.28(E)(3)(a)(2) of the LUC.
8. Affidavit of Publication dated July 24, 2017 evidencing proof of publication of Notice of Hearing in the Fort Collins Coloradan on July 24, 2017.
9. Notice of Public Hearing dated July 19, 2017.
10. The PowerPoint presentation prepared by City Staff for the August 2, 2017 hearing.
11. The PowerPoint presentation prepared by the Applicant for the August 2, 2017 hearing.
12. Administrative (Type 1) Hearing: Order of Proceedings.
13. Rules of Conduct for Administrative Hearings.
14. Memorandum dated August 2, 2017 delegating authority to Hearing Officer to conduct Type 1 Hearing pursuant to LUC Section 1.4.9(E).

15. The City's Comprehensive Plan, Code, and the formally promulgated polices 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: Clay Frickey, City Planner

From the Applicant: Don Shields
WG Architects
PO Box 270788
Fort Collins, CO 80527

From the Public: None.

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 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 Application complies with the relevant standards of Article 3 – General Development Standards.
 - C. The Application complies with relevant standards located in Division 4.28 of the LUC, Industrial (I) District.
3. Based on testimony provided at the public hearing and a review of the materials submitted, the requested Modification of Standard to Section 3.8.11(A) of the LUC – Fences and Walls, is approved. Section 3.8.11(A) requires, in relevant part, that fences and sections of fences that exceed one hundred (100) feet in length “. . . vary the alignment or setback of at least one-third (1/3) of the length of the fence or fence section (as applicable) by a minimum of five feet.” In making such finding, the Hearing Officer specifically finds that the granting of the Modification will not be detrimental to the public good and that:

Modification criterion 2.8.2(H)(1) is satisfied: 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.

Modification criterion 2.8.2(H)(4) is satisfied: The plan 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.

The Hearing Officer concludes that the granting of the Modification 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, and is inconsequential when considered in the context of the entire proposed PDP because the fence will be a high quality opaque fence designed to screen the vehicle service/repair area in the rear of the project and the fence will have 3 ½ inch posts every eight feet to break up the fence. The Hearing Officer concurs with Staff's conclusion that the proposed fence is equal to or better than a fence complying with the applicable portion of Section 3.8.11(A) of the LUC.

The Hearing Officer further concludes that the Schrader Propane Office PDP will continue to advance the purposes of the Land Use Code set forth in Section 1.2.2, including the following:

- Encouraging the development of vacant properties within established areas; and
 - Ensuring that development proposals are sensitive to the character of existing neighborhoods.
4. Based on testimony provided at the public hearing and a review of the materials submitted, the requested Modification of Standard to Section 4.28(E)(3)(a)(2) of the LUC – Site Design - Screening, is approved. Section 4.28(E)(3)(a)(2) requires, in relevant part, that a minimum thirty-foot deep landscaped yard be provided “. . . along any district boundary line that does not adjoin a residential land use.” In this case, the district boundary line is located along the western edge of the Subject Property. The Subject Property abuts the Service Commercial District (C-S). In making such finding, the Hearing Officer specifically finds that the granting of the Modification will not be detrimental to the public good and that:

Modification criterion 2.8.2(H)(1) is satisfied: 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.

Modification criterion 2.8.2(H)(4) is satisfied: The plan 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.

The Hearing Officer concludes that the granting of the Modification 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, and is inconsequential when considered in the context of the entire proposed PDP because the Subject Property is bordered on the west by a 20' wide alley and the applicant proposed a 10' landscape buffer and a six foot (6") tall fence along the western property line. The

Hearing Officer agrees with Staff's conclusion that the high quality privacy fence meets the intent of Section 4.28(E)(3)(a)(2) of the LUC.

The Hearing Officer further concludes that the Schrader Propane Office PDP will continue to advance the purposes of the Land Use Code set forth in Section 1.2.2, including the following:

- Encouraging the development of vacant properties within established areas; and
 - Ensuring that development proposals are sensitive to the character of existing neighborhoods.
5. The Application's satisfaction of the applicable Article 2, 3 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. That the request for modification to Section 3.8.11(A) of the Code is justified by the applicable standards in 2.8.2(H)(1) and (4).
- B. That the request for modification to Section 4.28(E)(3)(a)(2) of the Code is justified by the applicable standards in 2.8.2(H)(1) and (4).
- C. The Schrader Propane Office Project Development Plan (PDP #170015) is approved for the Subject Property as submitted.
- D. The Applicant shall submit a final plan 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.

DATED this 4th day of August, 2017.



Marcus A. McAskin
Hearing Officer

8/4/17

ATTACHMENT A

Staff Report
Schrader Propane Office
(PDP #170015)



ITEM NO 1
MEETING DATE Aug. 2, 2017
STAFF Clay Frickey

ADMINISTRATIVE HEARING OFFICER

STAFF REPORT

PROJECT: Schrader Propane Office, PDP170015

APPLICANT: Don Shields
WG Architects
PO Box 270788
Fort Collins CO, 80527

OWNERS: Schrader Propane
320 N College Ave.
Bellvue, CO 80524

PROJECT DESCRIPTION:

This is a project development plan request to build an office with minor vehicle repair. The building is approximately 4400 sq ft (2463 sq ft of office and 1904 sq ft for service bays). The western portion of the site will be a fenced yard with 17 truck parking spaces and the east side of the site will have 7 public parking spaces. The site is located in the Industrial zone district.

RECOMMENDATION: Staff recommends approval of Schrader Propane Office, PDP170015.

EXECUTIVE SUMMARY:

Staff finds the proposed Schrader Propane Office Project Development Plan complies with the applicable requirements of the City of Fort Collins Land Use Code (LUC), more specifically:

- The Project Development Plan complies with the process located in Division 2.2 – Common Development Review Procedures for Development Applications of Article 2 – Administration.
- The Modification of Standard to Section 3.8.11(A) that is proposed with this Project Development Plan meets the applicable requirements of Section 2.8.2(H), in that the granting of the Modification would not be detrimental to the public good and the proposal submitted promotes the general purpose of the code standard equal to or better than would a compliant plan.

- The Modification of Standard to Section 4.28(E)(3)(a)(2) that is proposed with this Project Development Plan meets the applicable requirements of Section 2.8.2(H), in that the granting of the Modification would not be detrimental to the public good and the proposal submitted promotes the general purpose of the code standard equal to or better than would a compliant plan.
- The Project Development Plan complies with relevant standards of Article 3 – General Development Standards, if the modification to 3.8.11(A) is approved.
- The Project Development Plan complies with relevant standards located in Division 4.28 Industrial (I) of Article 4 – Districts, if the modification to 4.28(E)(3)(a)(2) is approved.

COMMENTS:

1. Background

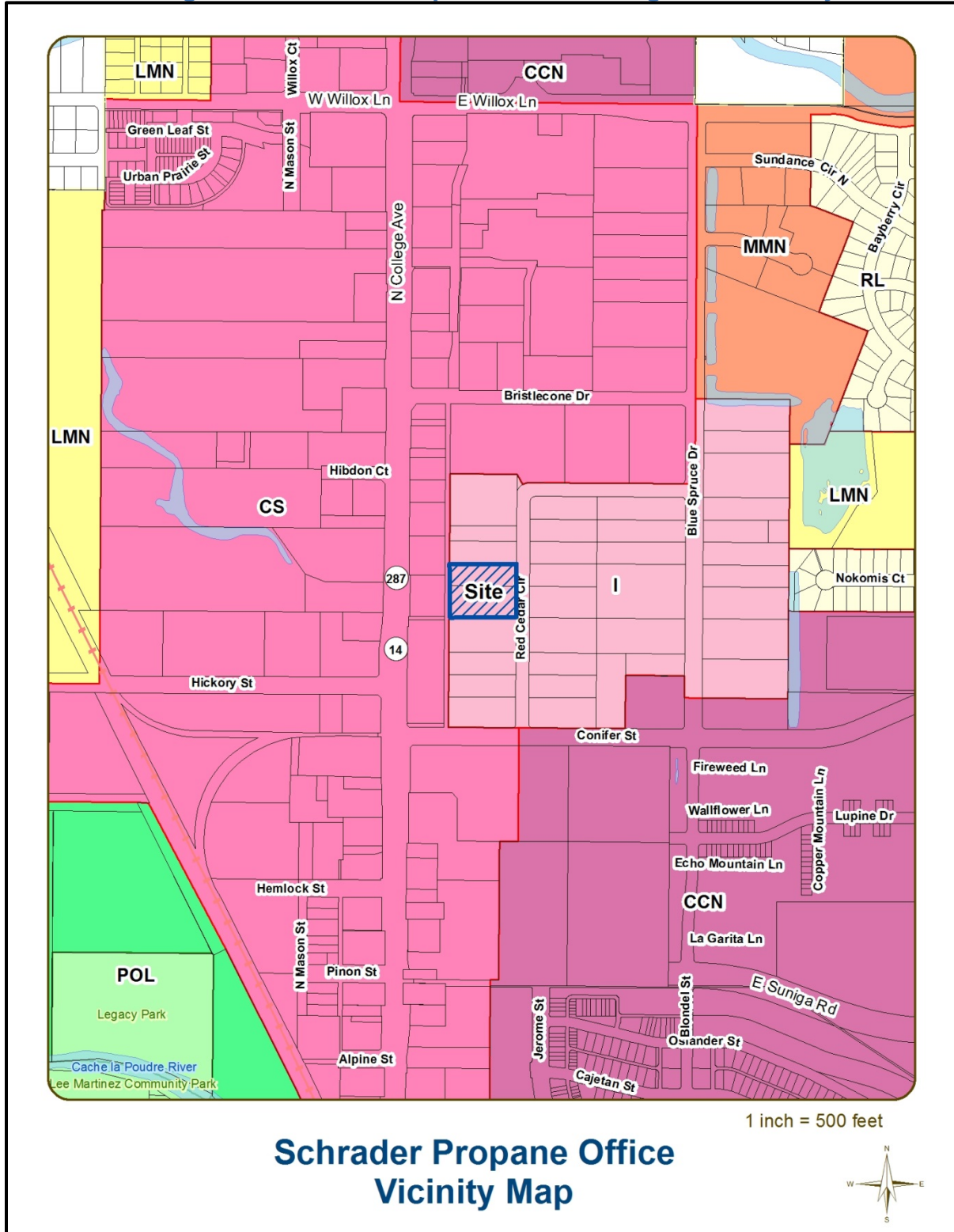
The property was annexed into the City of Fort Collins as part of the Pine Tree Park Annexation in November 1972. The site was originally platted as Lots 15 and 16 of the Evergreen Park Replat in March 1974.

The surrounding zoning and land uses are as follows:

Direction	Zone District	Existing Land Uses
North	Industrial (I)	Light industrial, office
South	Industrial (I)	Office, light industrial
East	Industrial (I)	Outdoor storage, vehicle repair
West	Service Commercial (CS)	Bank, retail, auto repair

A zoning and site vicinity map is presented on the following page.

Figure 1: Schrader Propane Office Zoning & Site Vicinity



2. **Compliance with Section 2.8.2(H) of the Land Use Code - Modification of Standards**

Modification #1 Description:

The applicant requests a modification to Section 3.8.11(A) – *Fencing* to not provide a five foot setback for at least 1/3 of the length of the fence sections exceed 100 feet.

Land Use Code Standard Proposed to be Modified (areas underlined and bolded for emphasis):

Land Use Code 3.8.11(A):

*If used along collector or arterial streets, such features shall be made visually interesting and shall avoid creating a "tunnel" effect. Compliance with this standard may be accomplished by integrating architectural elements such as brick or stone columns, incorporating articulation or openings into the design, varying the alignment or setback of the fence, softening the appearance of fence lines with plantings, or similar techniques. In addition to the foregoing, and to the extent reasonably feasible, **fences and sections of fences that exceed one hundred (100) feet in length shall vary the alignment or setback of at least one-third (1/3) of the length of the fence or fence section (as applicable) by a minimum of five (5) feet.***

Land Use Code Modification Criteria:

“The decision maker may grant a modification of standards only if it finds that the granting of the modification would not be detrimental to the public good, and that:

(1) 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; or

(2) the granting of a modification from the strict application of any standard would, without impairing the intent and purpose of this Land Use Code, substantially alleviate an existing, defined and described problem of city-wide concern or would result in a substantial benefit to the city by reason of the fact that the proposed project would substantially address an important community need specifically and expressly defined and described in the city's Comprehensive Plan or in an adopted policy, ordinance or resolution of the City

Council, and the strict application of such a standard would render the project practically infeasible; or

(3) by reason of exceptional physical conditions or other extraordinary and exceptional situations, unique to such property, including, but not limited to, physical conditions such as exceptional narrowness, shallowness or topography, or physical conditions which hinder the owner's ability to install a solar energy system, the strict application of the standard sought to be modified would result in unusual and exceptional practical difficulties, or exceptional or undue hardship upon the owner of such property, provided that such difficulties or hardship are not caused by the act or omission of the applicant; or

(4) the plan as submitted will not diverge from the standards of the Land Use Code that are authorized by this Division to be modified 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.

Any finding made under subparagraph (1), (2), (3) or (4) above shall be supported by specific findings showing how the plan, as submitted, meets the requirements and criteria of said subparagraph (1), (2), (3) or (4).

Applicant's Justification Modification #1:

The south and west fences of this project do not face a collector or arterial street. The south fence faces the adjacent lot to the south and the west fence faces the adjacent alley.

Staff Finding:

Staff finds that the request for a Modification of Standard to Section 3.8.11(A) is justified by the applicable standards in 2.8.2(H)(1).

- A. The granting of the Modification would not be detrimental to the public good
- B. The project design satisfies 2.8.2(H)(1): *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.*

The purpose of this fence standard is to reduce the tunnel effect of having an undifferentiated fence for lengths in excess of 100 feet. This is especially true along public streets and high visibility areas. The proposed fence will be a high quality, opaque fence designed to screen the vehicle service area in the rear of the site. The fence will have 3 ½ inch posts every eight feet to break up the fence

as well. The fence over 100 feet in length will be along the alley and the south side of the site. These areas are low visibility, reducing the tunnel effect this standard is trying to prevent. Between the high quality material proposed, amount of posts to break up the fence, and location of the fence in low visibility areas, staff finds this proposal to be equal to or better than a compliant plan.

Modification #2 Description:

The applicant requests a modification to Section 4.28(E)(3)(a)(2) – *Site Design – Screening* to not provide a 30 foot buffer yard along the Industrial zone district boundary line on the west side of the property.

Land Use Code Standard Proposed to be Modified (areas underlined and bolded for emphasis):

Land Use Code 4.28(E)(3)(a)(2):

A minimum thirty-foot deep landscaped yard shall be provided along all arterial streets, and along any district boundary line that does not adjoin a residential land use. *If a district boundary line abuts upon or is within a street right-of-way, then the required landscaped yard shall commence at the street right-of-way line on the district side of the street, rather than at the district boundary line. This requirement shall not apply to development plans that comply with the standards contained in Section 3.5.3 of this Code.*

Summary of Applicant’s Justification:

The applicant requests that the Modification be approved and provides the following justification based upon Criterion 1 (proposal submitted promotes the standard equal or better than a compliant plan):

Applicant’s Justification Modification #2:

The parcel is bordered on the west by a 20 foot wide alley and the lots to the west of the alley are zoned Service Commercial District (CS). The Land Use Code (LUC) requires that a minimum 30-foot deep yard shall be provided along any district line that does not adjoin a residential land use. We ask for a Modification of Standards to allow for a 20 foot buffer (10 foot half-alley + 10 foot landscape area) with a 6 foot high fence along the entire length of the west property line. The Raw Urth Designs development at the northwest corner of Conifer Street and Red Cedar Circle was granted a similar modification.

Staff Finding:

Staff finds that the request for a Modification of Standard to Section 4.28(E)(3)(a)(2) is justified by the applicable standards in 2.8.2(H)(1).

- C. The granting of the Modification would not be detrimental to the public good
- D. The project design satisfies 2.8.2(H)(1): *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.*

The purpose of the buffer yard standard is to screen adjacent developments from industrial uses. The standard also clarifies that the buffer yard shall be measured from the street right-of-way line on the district side of the street. The applicant proposes a 10 foot landscape area with a six foot tall fence along the west property line to provide screening. The proposed fence will be an opaque, metal privacy fence that will screen the vehicle service yard proposed. The proposed privacy fence meets the intent of this code standard and so staff finds the proposal to be equal to a compliant plan.

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

The project complies with all applicable General Development Standards as follows:

A. *Section 3.2.1(D) – Tree Planting Standards*

All developments shall establish groves and belts of trees along all city streets, in and around parking lots, and in all landscape areas that are located within 50' of any building or structure in order to establish at least a partial urban tree canopy. The proposed landscape plan shows street trees planted at appropriate intervals, canopy shade trees planted in bulbouts adjacent to parking lots, and ornamental trees planted close to buildings to provide screening and a partial urban tree canopy, which meets this code standard.

B. *Section 3.2.1(E)(3)(b)(2) – Water Budget*

Annual water use shall not exceed 15 gallons/square foot over the site. The water budget shown on the landscape plan indicates the landscape area will require 3.2 gallons/square foot, in accordance with this standard.

C. *Section 3.2.1(E)(4) – Parking Lot Perimeter Landscaping*

The perimeter of parking lots are required to have trees planted at a ratio of 1 per 25 lineal feet along a public street and 1 per 40 lineal feet along a side lot line and parking setback area. Parking lots must also have screening to block at least 75% of light from vehicle headlights. The proposed landscape plan shows shrub beds extending the full length of the parking area along Red Cedar Cir. that provide screening from the shine of vehicle headlights. The parking area is flanked by canopy shade trees that provide ample tree cover for the perimeter of the parking lot, meeting this code standard.

D. *Section 3.2.1(E)(5) – Parking Lot Interior Landscaping*

6% of the interior space of all parking lots with less than 100 spaces shall consist of landscaping. The parking area has bulb outs at the north end with evergreen shrubs and a canopy shade tree, which satisfies this code requirement.

E. *Section 3.2.2(C)(4)(b) - Bicycle Parking Space Requirements*

The minimum number of bicycle parking spaces for office and vehicle servicing and maintenance is four spaces, which means a minimum of eight bicycle parking spaces is required. For office uses, 1 space must be in an enclosed location. All of the bicycle parking for vehicle servicing and maintenance may be provided via fixed racks. The applicant proposes five spaces via fixed rack and three inside the office in an enclosed location, which meets this standard.

F. *Section 3.2.2(C)(5) - Walkways*

Walkways must be provided to link sidewalks with building entries through parking lots. These walkways must also provide direct connections to off-site pedestrian and bicycle destinations. The Schrader Propane Office site provides a connecting walkway that runs along the northern perimeter of the parking lot that satisfies this standard.

G. *Section 3.2.2(D)(1) - Access and Parking Lot Requirements; Pedestrian/Vehicle Separation*

To the maximum extent feasible, pedestrians and vehicles shall be separated through provision of a sidewalk or walkway. Where complete

separation of pedestrian and vehicles is not feasible, potential hazards shall be minimized by using landscaping, bollards, special paving, lighting, and other means to clearly delineate pedestrian areas. Schrader Propane Office separates pedestrians from vehicles by providing a sidewalk separated from the driving and parking area via curb.

H. *Section 3.2.2(E) - Parking Lot Layout*

The proposed parking lot layout is consistent with requirements of the Land Use Code in regards to circulation routes, orientation, landscaped islands, and points of conflict.

I. *Section 3.2.2(J) - Setbacks*

The proposed parking lot is setback further than the 10-foot minimum from non-arterial streets and 5-foot minimum along a lot line required per the Land Use Code.

J. *Section 3.2.2(K)(2) – Nonresidential Parking Requirements*

The minimum, maximum, and proposed parking are contained in the table below. Schrader Propane Office is providing parking within the range of required parking and thus meets the requirements of the Land Use Code. The spaces located on the west end of the site are for vehicle storage and servicing and not available to the public, so they are not included for the purposes of meeting their parking requirement.

Table 1: Schrader Propane Office Parking

Use	Min. Parking	Max. Parking	Parking Provided
Office	1/1,000 sq. ft. * 2,463 sq. ft. = 3 spaces	3/1,000 sq. ft. * 2,463 sq. ft. = 8 spaces	3 spaces
Vehicle Servicing and Maintenance	2/1,000 sq. ft. * 1,904 sq. ft. = 4 spaces	5/1,000 sq. ft. * 1,904 sq. ft. = 10 spaces	4 spaces
Total	7 spaces	18 spaces	7 spaces

K. *Section 3.2.2(K)(5) - Handicap Parking*

Parking lots with less than 25 spaces must provide at least 1 handicap parking space. The parking lot proposed is less than 25 spaces and provides 1 handicap parking space.

L. *Section 3.2.3 - Solar Access, Orientation, Shading*

All developments must be designed to accommodate active and/or passive solar installations and must not deny adjacent properties access to sunshine. The proposed building is designed and located to minimize the casting of shadows on adjacent properties and could accommodate future active and/or passive solar installations.

M. *Section 3.2.4 - Site Lighting*

The proposed lighting plan is consistent with the requirements of the Land Use Code in regards to the general standard, lighting levels, and design standards.

N. *Section 3.2.5 - Trash and Recycling Enclosures*

Trash and recycling enclosures must be provided in locations abutting refuse collection or storage areas, designed to allow walk-in access without having to open the main service gate, screened from public view, and constructed on a concrete pad. The proposed trash and recycling enclosure design satisfies the standards.

O. *Section 3.5.1(E) - Building Materials*

All proposed buildings shall use similar materials to existing buildings in the neighborhood or use similar architectural characteristics if dissimilar materials are proposed. The proposed building uses similar materials and architectural details to the existing buildings in the area. The proposed materials include brick and metal roofing and siding.

P. *Section 3.5.1(I) - Outdoor Storage Areas/Mechanical Equipment*

The proposed plan is consistent with the requirements of the Land Use Code in regards to the location of outdoor storage, screening of storage areas, and screening of rooftop mechanical equipment from public view.

Q. *Section 3.6.6 – Emergency Access*

For the Schrader Propane Office site, an emergency access easement is proposed that runs through the access drive on the north side of the site. This satisfies the requirements for the Poudre Fire Authority.

R. *Section 3.8.11(B) – Materials*

Chain link fences may not be used for screening purposes. A portion of the proposed fence on the north side of the property will be chain link fence. The property to the north is also owned by Schrader Propane and is related to the office proposed in that trucks will use both the office site and the adjacent site to the north. As such, the chain link fence is not providing screening, thus meeting this code requirement.

S. *Section 3.8.11(C) – Fence Height*

The proposed fence will be located in the side and rear yard of the site and will be six feet in height. A six foot high fence is permissible per this code section in the rear and side yard.

4. **Compliance with Article 4 of the Land Use Code – Industrial (I), Division 4.28:**

The project complies with all applicable Article 4 standards as follows:

A. *Section 4.28(B)(2) – Permitted Uses*

The proposed uses, office and vehicle minor repair, are permitted in the Industrial zone district and are consistent with the district's intent to provide a wide range of commercial and industrial operations.

B. *Section 4.28(D)(1) – Dimensional Standards*

Non-residential structures are limited to four stories in height. The Project Development Plan/Final Plan proposes a one-story structure.

C. *Section 4.28(E)(2)(c) – Development Standards – Building Character and Color*

New building color shades shall be neutral, with a medium or dark color range, and not white, bright or reflective. The proposed materials are all neutral and are not white, bright or reflective.

D. *Section 4.28(E)(3)(b) – Storage and Operational Areas*

Storage, loading and work operations must be screened from view along district boundary lines and public streets in the I District. The proposed site plan shows a 6-foot high solid fence surrounding the storage, loading and work area.

4. Findings of Fact/Conclusion:

In evaluating the request for Schrader Propane Office, PDP170015, Staff makes the following findings of fact:

- A. The Project Development Plan complies with the process located in Division 2.2 – Common Development Review Procedures for Development Applications of Article 2 – Administration.
- B. The Modification of Standard to Section 3.8.11(A) that is proposed with this Project Development Plan meets the applicable requirements of Section 2.8.2(H), in that the granting of the Modification would not be detrimental to the public good and the proposal submitted promotes the general purpose of the code standard equal to or better than would a compliant plan.
- C. The Modification of Standard to Section 4.28(E)(3)(a)(2) that is proposed with this Project Development Plan meets the applicable requirements of Section 2.8.2(H), in that the granting of the Modification would not be detrimental to the public good and the proposal submitted promotes the general purpose of the code standard equal to or better than would a compliant plan.
- D. The Project Development Plan complies with relevant standards of Article 3 – General Development Standards, if the modification to 3.8.11(A) is approved.
- E. The Project Development Plan complies with relevant standards located in Division 4.28 Industrial (I) of Article 4 – Districts, if the modification to 4.28(E)(3)(a)(2) is approved.

RECOMMENDATION:

Staff recommends approval of Schrader Propane Office, PDP170015.

ATTACHMENTS:

- 1. Zoning & Site Vicinity Map
- 2. Applicant's Statement of Planning Objectives
- 3. Evergreen Park Fifth Filing Plat

4. Schrader Propane Office Planning Document Set (Site Plan, Landscape Plan, Elevations & Photometric Plan)
5. Modification of Standard Requests