

**ADMINISTRATIVE HEARING OFFICER** 

**STAFF REPORT** 

PROJECT:	Viale Collegio 2 <sup>nd</sup> Floor Remodel, MJA150007
APPLICANT:	Brady Massey ALM2S 712 Whalers Way, Suite B-100 Fort Collins, CO 80525
OWNERS:	VenturePro LLLP 706 S College Ave. Fort Collins, CO 80524

### **PROJECT DESCRIPTION:**

This is a major amendment to remodel approximately 8,300 square feet of the existing 2nd floor commercial office space into 14 residential studio apartments for rent (parcel # 9713219002). The unit types will be similar to the existing 3rd floor residential studio apartments. The new residential units will be served by the existing, 33-space covered/surface parking lot. Each new residential unit will contain a hanging bike rack for bike storage. The project is located in the Community Commercial (CC) zone district.

**RECOMMENDATION:** Staff recommends approval of Viale Collegio 2<sup>nd</sup> Floor Remodel, MJA150007.

### EXECUTIVE SUMMARY:

Staff finds the proposed Viale Collegio 2<sup>nd</sup> Floor Remodel Major Amendment complies with the applicable requirements of the City of Fort Collins Land Use Code (LUC), more specifically:

- The Project Development Plan/Final Plan complies with the process located in Division 2.2 Common Development Review Procedures for Development Applications of Article 2 Administration.
- The Project Development Plan/Final Plan complies with relevant standards of Article 3 General Development Standards.

• The Project Development Plan/Final Plan complies with relevant standards located in Division 4.18, Community Commercial (CC) of Article 4 – Districts.

### COMMENTS:

### 1. Background

The property was annexed into the City as part of the Original Town Site Annex on January 16, 1873. The property is located on the southern half of Lot 3 and all of Lot 4, Block 127 as indicated on the Fort Collins 1873 Map. In 2003, the site was redeveloped as a mixed-use, three-story building as the Viale Collegio PDP. The new building approved as part of the Viale Collegio PDP replaced an existing, drive-thru bank, a two-story house, and a small office building.

The surrounding zoning and land uses are as follows:

Direction	Zone District	Existing Land Uses
North	Community Commercial (CC)	Retail, restaurant, office, multi-family residential
South	Community Commercial (CC)	Retail, restaurant, office, single-family detached, multi-family residential, lodging establishment
East	Neighborhood Conservation – Buffer (NCB), Neighborhood Conservation – Medium Density (NCM)	Single-family detached, multi-family residential
West	Unzoned, (Colorado State University)	CSU main campus

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



Figure 1: Viale Collegio Zoning & Site Vicinity Map

### 2. <u>Compliance with Article 3 of the Land Use Code – General Development</u> <u>Standards:</u>

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

A. Section 3.2.2(C)(4)(b) – Bicycle Facilities – Bicycle Parking Space Requirements

Multi-family residential developments must provide 1 bike parking space per bedroom, with at least 60% provided in enclosed locations. General retail and general office developments must also provide 1 bike parking space per 4,000 sq. ft., with a minimum of 4 bike parking spaces provided. Below is a summary of what is required for Viale Collegio given the land uses proposed as part of this Major Amendment and the bicycle parking provided on the site plan.

Use	Min. Parking	Parking Provided
Office (6,000 sq. ft.)	1/4,000 sq. ft. = 4 spaces (1	6 spaces
	covered, 3 fixed rack)	
General Retail (4,720	1/1,000 sq. ft. = 4 spaces (1	7 spaces
sq. ft.)	covered, 3 fixed rack)	-
Multi-family (34 studio	1 per bedroom = 34 spaces	39 spaces
units)	(21 covered, 13 fixed rack)	
Total	42 spaces	52 spaces

The proposed Major Amendment shows one bicycle parking space per bedroom provided within each new residential unit, which translates to 14 covered bike parking spaces. The site plan shows 13 bike parking spaces in the covered garage to serve the retail and office uses. An additional 25 covered spaces are shown on the floor plan for the second floor, which will serve the existing residential units on the third floor and provide additional bike parking for guests. In total, the proposal shows 52 total bike parking spaces.

## B. Section 3.2.2(K)(1) – Parking Lots – Required Number of Off-Street Space for Type of Use

For multi-family and mixed-use dwellings within the Transit Oriented Development (TOD) Overlay Zone, the development must provide 0.75 parking spaces per unit containing one bedroom or less. The Major

Amendment proposes 14 new studio apartments. The original Viale Collegio PDP provided 33 parking spaces, two of which are handicapped-accessible. Given the new proposed land use mix of the site, below is what would be required for parking per the Land Use Code:

Use	Min. Parking	Max. Parking
Office (6,000 sq. ft.)	1/1,000 sq. ft. = 6 spaces	3/1,000 sq. ft. = 18 spaces
General Retail	2/1,000 sq. ft. = 10 spaces	4/1,000 sq. ft. = 19 spaces
(4,720 sq. ft.)		
Multi-family (34	0.75 spaces per unit = 26	115% above minimum =
studio units)	spaces	30 spaces
Total	42 spaces	67 spaces

The proposal falls short of the minimum parking required by 9 spaces. However, the Land Use Code offers relief in the form of alternative compliance standards outlined in Land Use Code section 3.2.2(K)(1)(a)(1)(a) and relief for new development in the TOD Overlay Zone outlined in section 3.2.2(K)(2)(c).

Land Use Code section 3.2.2(K)(1)(a)(1)(a) provides several demand mitigation strategies for multi-family dwellings located in the TOD Overlay Zone. The proposal uses two of the listed demand mitigation strategies to achieve a lower parking minimum: transit passes for each tenant and the site being within 1,000 feet of a MAX stop. Each demand mitigation strategy will result in a 10% decrease in the parking minimum or 20% cumulatively. The development agreement will contain language that will ensure a transit pass will be included for every renter for the duration of the project. The most remote entry of the building is 915 feet away from the MAX stop at Laurel St. and Mason St. following an ADA compliant, contiguous, and improved walkway. By meeting these alternative compliance measures, the minimum parking required for the residential component of the project goes from 26 spaces down to 21 spaces (rounded up from 20.8).



Figure 2: Viale Collegio Walking Distance From Nearest MAX Stop

Land Use Code section 3.2.2(K)(2)(c) provides relief for new development in the TOD Overlay Zone. 25% of the square footage of gross leasable area, not to exceed 5,000 sq. ft. shall be exempt from minimum parking requirements. The exemption must be distributed proportionally among the uses contained in a mixed-use development. With the proposed Major Amendment, there will be 6,000 sq. ft. of office uses and 4,720 sq. ft. of general retail uses, or a total of 10,720 sq. ft. of non-residential uses. 25% of 10,720 sq. ft. is 2,680 sq. ft. This total exemption must then be distributed proportionally amongst the office and general retail use. The office comprises 56% of the total non-residential uses with the remaining 44% comprised of general retail. This ratio results in 1,501 sq. ft. of the office use being exempt from the parking minimum and 1,179 sg. ft. of the general retail use being exempt from the parking minimum. The new

parking requirements based on the calculations above are reflected in the table below.

Use	Min. Parking	Max. Parking
Office (6,000 -	1/1,000 sq. ft. = 5 spaces	3/1,000 sq. ft. = 14 spaces
1,501 = 4,499sq. ft.)		
General Retail	2/1,000 sq. ft. = 7 spaces	4/1,000 sq. ft. = 14 spaces
(4,720 - 1,179 =		
3,541 sq. ft.)		
Multi-family (34	0.75 spaces per unit = $25.5$	115% above minimum =
studio units)	* .8 = 21 spaces	24 spaces
Total	33 spaces	52 spaces

With the demand mitigation strategies proposed and the relief to new development in the TOD Overlay Zone, the proposal meets the minimum parking requirement of 33 spaces.

C. Section 3.2.2(K)(5)(d) – Handicap Parking

Parking lots with 26-50 parking spaces must have two handicappedaccessible spaces with at least one space that is also van accessible that adjoins a minimum eight-foot-wide access aisle. The proposal shows two handicapped accessible parking spaces with one space that is van accessible with an adjoining eight-foot-wide access aisle.

D. 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 existing buildings are designed and located to minimize the casting of shadows on adjacent properties and could accommodate future active and/or passive solar installations.

### 3. <u>Compliance with Article 4 of the Land Use Code – Division 4.8,</u> <u>Neighborhood Conservation, Medium Density District (NCM):</u>

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

A. Section 4.18(B)(1)(a) – Permitted Uses

The proposed use, mixed-use dwellings, is permitted in the CC zone district and is consistent with the district's intent to provide a combination

of retail, offices, services, cultural facilities, civic uses and higher density housing.

### 5. <u>Findings of Fact/Conclusion:</u>

In evaluating the request for Viale Collegio 2<sup>nd</sup> Floor Remodel Major Amendment, Staff makes the following findings of fact:

- A. The Project Development Plan/Final Plan complies with process located in Division 2.2 – Common Development Review Procedures for Development Applications of Article 2 – Administration.
- B. The Project Development Plan/Final Plan complies with relevant standards located in Article 3 General Development Standards.
- C. The Project Development Plan/Final Plan complies with relevant standards located in Division 4.18, Community Commercial (CC) of Article 4 Districts.

### **RECOMMENDATION:**

Staff recommends approval of Viale Collegio 2<sup>nd</sup> Floor Remodel, MJA150007.

### ATTACHMENTS:

- 1. Zoning & Site Vicinity Map
- 2. Statement of Planning Objectives
- 3. Viale Collegio 2<sup>nd</sup> Floor Remodel Planning Document Set (site plan, floor plans, and building elevations)
- 4. Walking distance from nearest MAX stop



1 inch = 333 feet

Viale Collegio Major Amendment Vicinity Map

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### **Major Amendment Statement of Planning Objectives**

Viale Collegio Building 706 South College Avenue Fort Collins, Colorado

October 6, 2015

### **PROJECT OVERVIEW**

The intent of the project is to convert a portion (approx. 8,300 sq. ft.) of the existing 2<sup>nd</sup> floor commercial office space to for-rent residential apartments. There will be fourteen (14) studio apartments similar to what currently exists on the 3<sup>rd</sup> floor. The corridors and stairwells will stay in the same configuration. A new electrical closet will be constructed using leftover circulation space with the exit corridor without reducing the required width.

The property is 140' long (E/W) by 150' (N/S) with College Avenue on the west, an alley on the east and existing structures on the north and south. These buildings on the north and south are built right to the property lines. The primary building dimensions are approximately 130' x 144' with 33 parking spaces and a partial building footprint for retail space on the first floor below the  $2^{nd}$  and  $3^{rd}$  floors. Vehicular access to parking is available off College Avenue on the west and the alley on the east.

### **ORIGINAL CONSTRUCTION**

### **Building Codes**

According to the Larimer County property records and archive building permit, the building was built in 2003 constructed under the 1997 UBC, which was the adopted code of the City of Fort Collins at the time. Original building permit number was B0207557. The new construction will need to follow the codes currently adopted by the City of Fort Collins including the 2012 International Building Code with local amendments.

Based on the archive set of drawings attained from the CFC Building Department, the building specifics are as follows:

### **Construction Types Per Floor**

- Foundation: Drilled concrete piers and concrete grade beams.
- 1<sup>st</sup> Floor: Slab-on-grade concrete floor and concrete-encased steel columns
- 2<sup>nd</sup> Floor: Elevated concrete slab on metal deck on steel girders and beams. Exterior walls supporting 3<sup>rd</sup> floor are light-gage steel studs at 16" o.c.
- 3<sup>rd</sup> Floor: Elevated structural concrete slab on steel girders and beams. Interior 2x4 and 2x6 wood framing bearing on structural slab.
- Roof: Pre-engineered wood trusses at 24" o.c. bearing on LVL beams and wood framing.

### **Occupancy Types, Area & Setbacks**

- A mixed used building with M (mercantile), S-2 (open parking garage), B (business) and R-2 (residential, apartment) occupancies.
- Construction type "5H1"; which would be equivalent to type V-A, ie. one-hour construction in 2012 IBC.
- 3 stories, 40 high and 39,227 sq. ft.
- Setback 0' at front, 8.5' at rear, 0.5' at left side (north), and 5' on right side (south).

### **Square Footage**

Main Level:	4,720 sq. ft. retail; plus 14,300 sq. ft. of open-air covered parking and building services.
2nd Level:	18,070 sq. ft.; all commercial office space.
3rd Level:	16,437 sq. ft.; all residential space.
Total Area:	39,227 sq. ft.; total conditioned space.

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### PARKING AND SITE

### Vehicular Parking

Main Level:	4,720 sq. ft. retail; plus 14,300 sq. ft. of open-air covered parking and building services.
	The new distribution of square footage among the various uses will be as follows:
Main Level:	4,720 sq. ft. retail; plus 14,300 sq. ft. of open-air covered parking and building services.
2nd Level:	18,070 sq. ft.; 6,000 sq. ft. of gross leasable commercial office, 7,460 sq. ft. of
	residential, and 4,610 sq. ft. of circulation, restrooms, courtyard and service spaces.
3rd Level:	16,437 sq. ft.; all residential space including circulation and service spaces.
Total Area:	39,227 sq. ft.; total conditioned space.

There are 33 existing on-site vehicular parking space with right-in only access off of College Avenue and full access off the alley on the east. The intent is the leave the existing site configuration, including the parking layout, unchanged. Per the Land Use Code (TOD overlay zone), each one-bedroom or studio apartment requires 0.75 parking spaces. When the remodel is complete there will be a maximum of 34 studio or one-bedroom apartments, thus requiring a base compliance of 25.5 parking spaces. However, under Land Use Code Section 3.2.2 Access, Circulation and Parking - Demand Mitigation Strategy Table, a 10% reduction is allowed if each tenant is provided a Transit Pass; which is the intent of the owner. In addition, another 10% reduction is allowed since the most remote building entry is within 1,000 ft. of a MAX station (see attached map). Thus 25.5 x 0.8 = 20.4 spaces required for residential use.

For general retail, the minimum required parking is 2 spaces/1,000 sq. ft. and for general office it is 1/1,000 sq. ft. The first floor retail is 4,720 sq. ft. requiring 9.44 stalls. The remaining 2<sup>nd</sup> floor office space will be 6,000 sq. ft. (Suite 205 at 1,030 sf & Suite 207 at 4,970 sf) requiring a base compliance of 6 stalls. The 10% reduction for proximity to MAX station also applies to non-residential uses. Parking calculations are as follows:

Multi-Family; 34 studio dwellings x 0.75 spaces per DU = 25.5

- 10% reduction; transit pass for each tenant
- 10% reduction; within 1,000 feet walking distance of MAX station
- 25.5 x 80% = 20.4

General Retail; 4,720 sq. ft. / 500 sq. ft. per space = 9.44

- 10% reduction; within 1,000 feet walking distance of MAX station
- 9.44 x 90% = 8.496

General Office; 6,000 sq. ft. / 1,000 sq. ft. per space = 6.00

- 10% reduction; within 1,000 feet walking distance of MAX station
- 6.01 x 90% = 5.409

Total – 20.4 + 8.5 + 5.4 = 34.3 required / 33 provided

However, there is an exception in the Land Use Code for the TOD Overlay Zone that allows up to 5,000 sq. ft. of gross leasable area to be exempt from minimum parking requirements. This exemption must be distributed proportionally among the different uses. If you apply 2,500 sq. ft. of this exemption to the general retail then the new equation is 4,720 sf - 2,500 = 2,220 / 500 = 4.44 spaces required; then apply the remaining 2,500 sq. ft. to the general office with a new equation of 6,000 - 2,500 = 3,500 / 1000 = 3.5 spaces required.

### New total; 20.4 + 4.44 + 3.5 = 28.34 ~ 29 spaces required / 33 provided

Two of the 33 spaces are currently designated for handicapped accessibility with an access ramp up to the adjacent sidewalk. Immediate access is then provided for into a secured lobby with elevator access to the upper levels. Sidewalk access is provided from the stalls to the front of the building for access to the retail spaces.

### **Bicycle Parking**

Bicycle parking requirements per development standards are as follows:

Multi-Family Residential1 per bedroom60% enclosed / 40% fixedGeneral Retail1 per 4,000 SF0% enclosed / 100% fixedGeneral Office1 per 4,000 SF20% enclosed / 80% fixedThere are currently two bike rackswithin the covered parking garage area near the southwest corner, providing 13spaces for the retail & office uses.The 14 new residential units on the second floor will each have bike hangingracks provided within each unit.In addition, a secured space on the second floor will be included in the design toprovide 25 additional spaces for a total of 39 for residential use.

### New total; 13 existing within covered parking garage + 14 within new units + 25 in secured room = 52

### Trash / Recycling

Trashing and recycling is provided for in an existing 7' high masonry/stone veneer enclosure with opaque steelframed/wood slat gates on the southeast corner of the building with trash truck access off the alley. One half of the enclosure is designated for recycling and the other half for trash with a pair of pedestrian sized gates on each opening. Usage will be monitored closely and the pick-up frequency/schedule will be adjusted as needed.

### **BUILDING CORE AND SHELL CHANGES**

### **Utility Modifications**

Water Service: The existing building is fed by two separate water services, a residential 1.5" from the east and a commercial 0.75" from the west. The modifications to the building will only impact the residential meter. Calculations, prepared by the mechanical engineer, indicate that the existing 1.5" residential meter is adequate to service all apartments, new and existing. No water service changes will be required.

Sewer Service: Similar to the water services, the building is equipped with a residential and a commercial waste system. Both waste lines leave the building in a 4" pipe to the east. With this remodel we are asking that we share the load of the residential and commercial sewers on the (2) 4" lines that are existing. There is enough capacity in the (2) 4" lines to serve the entire buildings needs. If the city will not allow us to share the load of the residential and commercial systems in each 4" line, then the existing 4" line for the residential service will need to be improved and upgraded to a 6" line.

Electrical Service: The main distribution panel (MDP), located in the covered parking area, is sized at 2500A, 208/120V/3-phase and is comprised of four main disconnects; one for each of the three floors and one for the house panel. The second floor is currently served from a 600A main switch in the MDP. Second floor distribution is accomplished via 600A rated meter distribution gear located in the 2<sup>nd</sup> floor electrical closet. There are currently eight meters and disconnect switches serving the 2<sup>nd</sup> floor office tenant spaces. It is expected that two or three commercial meters will remain to serve the remaining office spaces.

The remaining  $2^{nd}$  floor space will be converted into 14 residential studio apartments. Each unit will be served from a new 60A meter/disconnect and will have its own 60A/208/120V/1ph load center. New meters will be housed in a new meter stack assembly located adjacent to the existing meter equipment. A new electrical closet will be created adjacent to the current  $2^{nd}$  floor electrical closets using leftover space in the circulation paths. The existing 600A metering equipment will be tapped to feed the new meter sections.

The 600A switch will be more than adequate to serve residential loads since the new residential loads will be less than the previous office loads. This lower load is due to the use of the space and the diversity of the occupant load.

### **Window Modifications**

Per section 1029, each sleeping room below the 4<sup>th</sup> floor in R-2 occupancies require at least one exterior emergency escape and rescue opening with a net clear opening of 5.7 sq. ft. The minimum net clear height shall be 24" and the net clear width shall be 20". These minimum requirements will be provided with the conversion of office space to residential dwelling units.

Currently, there are fixed hollow metal window frames with wire glass in the second floor office suites facing to the north. The exterior wall plane is 5'-0" off the north property line per the original building permit. Per table 705.8, unprotected openings (ie. operable windows) can only make up 15% of the wall plane when the building is between 3' and 5' of the property line. If it is 5' to 10' then the allowable limit increases to 25%.

Our calculations, based on archive drawings and field measurements of the existing windows, are as follows:

 $2^{nd}$  Floor North Exterior Wall Plane – 130' long x 11'-2" high (floor-to-floor) = 1,451 sq. ft.  $2^{nd}$  Floor Existing HM Windows – Conf. 12' x 4' = 48 sf; (2) Offices 12' x 5' x (2) = 120 sf; Corridor 8' x 5' = 40 sf 208 sf of opening / 1,451 sf of exterior wall area = 14.33%

The fixed windows will be replaced with operable windows meeting the minimum opening sizes noted above. Reference the building elevations included in the drawing submittal package.

### **Fire Sprinkler Modifications**

Per the building permit information, the existing building is fully-sprinkled with a NFPA 13 system. This will be modified to work with the new 2<sup>nd</sup> floor layout including heads in all bathrooms and closets.

### Handicapped Accessibility

Per 1107.6.2, in group R-2 occupancies containing more than 20 dwelling units, at least 2%, but not less than 1, shall be a type A fully accessible unit and since an elevator is provided, all remaining units shall be a type B readily adaptable unit. Per the archive permit drawings, existing Units 324 and 327 on the south side of the 3<sup>rd</sup> floor were built as a Type A unit, thus exceeding the 2% requirement.



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### General Work Note

No site or landscape modifications are proposed as a part of this major amendment. Existing vehicular, bicycle and pedestrian circulation pathways and parking are to remain as is.

Vehicular Parking

Main Level: 4,720 sq. ft. retail; plus 14,300 sq. ft. of open-air covered parking and building services.

The new distribution of square footage among the various uses will be as follows: Main Level: 4,720 sq. ft. retail; plus 14,300 sq. ft. of open-air covered parking and building services.

2nd Level:18,070 sq. ft.; 6,000 sq. ft. of gross leasable commercial office, 7,460 sq. ft. of residential, and 4,610 sq. ft. of circulation, restrooms, courtyard and service spaces. 3rd Level:16,437 sq. ft.; all residential space including circulation and service spaces. Total Area: 39,227 sq. ft.; total conditioned space.

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Multi-Family; 34 studio dwellings x 0.75 spaces per DU = 25.5 -10% reduction; transit pass for each tenant -10% reduction; within 1,000 feet walking distance of MAX station -25.5 x 80% = 20.4

General Retail; 4,720 sq. ft. / 500 sq. ft. per space = 9.44 -10% reduction; within 1,000 feet walking distance of MAX station -9.44 x 90% = 8.496

General Office; 6,000 sq. ft. / 1,000 sq. ft. per space = 6.00 -10% reduction; within 1,000 feet walking distance of MAX station -6.01 x 90% = 5.409

Total – 20.4 + 8.5 + 5.4 = 34.3 required / 33 provided

However, there is an exception in the Land Use Code for the TOD Overlay Zone that allows up to 5,000 sq. ft. of gross leasable area to be exempt from minimum parking requirements. This exemption must be distributed proportionally among the different uses. If you apply 2,500 sq. ft. of this exemption to the general retail then the new equation is 4,720 sf - 2,500 = 2,220 / 500 = 4.44 spaces required; then apply theremaining 2,500 sq. ft. to the general office with a new equation of 6,000 – 2,500 = 3,500 / 1000 = 3.5 spaces required.

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### Bicycle Parking

Bicycle parking requirements per development standards are as follows:

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General Office1 per 4,000 SF20% enclosed / 80% fixed

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# MAJOR AMENDMENT SUBMITTAL

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DRAWING INDEX SD1 SITE PLAN A1.2 2ND FLR. EXISTING PLAN A1.2a 2ND FLR. PROPOSED PLAN A3.1 EAST BLDG. ELEVATIONS A3.2 NORTH BLDG. ELEVATIONS A3.3 WEST BLDG. ELEVATIONS				
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# FLOOR SOUTH COLLEGE **O**O SECOND COLLINS, COLLEGIO FORT 706 VIALE MAJOR AMENDMENT SUBMITTAL ISSUE DATE 1527 PROJECT 9/25/15 DATE DRAWN DWN

EXISTING SECOND FLOOR PLAN



- EXISTING OFFICE SUITES SHOWN IN GRAY HALF TONE TO BE CONVERTED TO RESIDENTIAL UNITS. REFERENCE SHEET A1.2a FOR NEW FLOOR PLAN LAYOUT. EXISTING CORRIDORS, STAIRWELLS, BATHROOMS, ATRIUM AND OFFICE SUITES 205 & 207 TO REMAIN AS SHOWN.





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# FORT COLLINS, CO

# **706 SOUTH COLLEGE**

# VIALE COLLEGIO SECOND FLOOR T

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PROPOSED SECOND FLOOR PLAN			

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EXISTING NORTH ELEVATION



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