

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

FINDINGS AND DECISION

HEARING DATE: April 26, 2018

PROJECT NAME: West Vine Storage

CASE NUMBER: PDP #170016

APPLICANT: Vine Street Storage, LLC
c/o Hattman Associates
524 S. Loomis Street
Fort Collins, CO 80524

OWNER: Vine Street Storage, LLC
c/o Michael Rein
1050 W. Vine Drive
Fort Collins, CO 80521

HEARING OFFICER: Marcus A. McAskin

PROJECT DESCRIPTION: This is a request for a Project Development Plan (PDP) to re-develop 1050 W. Vine Drive for an enclosed mini-storage facility. As proposed, the facility would consist of approximately 50,960 square feet of interior storage, 2,560 square feet of support facilities, for a total of 53,520 square feet of new construction. The existing metal building will be retained and incorporated into the project as well as the existing cell phone tower. The support facilities will consist of office, maintenance office and work space, and a caretaker’s apartment. The property at 1050 W. Wine Drive consists of 4.18 acres, more or less (the “Subject Property”), and the project is proposed to be constructed as a single phase. The PDP proposes access from West Vine Drive only, including a secondary emergency-only access. The Subject Property is zoned Limited Commercial (C-L). The PDP includes a Request for Modification to raise the fence height along Shields Street along the western edge of the Subject Property.

BACKGROUND: As set forth in the Staff Report, the Subject Property was annexed to the City in 1995 as part of the Snyder Annexation. Since 2003, the Subject Property has been the home of Apex Gutter. In 2013, Verizon and the American Tower Company received approval for and constructed a wireless telecommunications facility in the form a cellular tower with support equipment on the ground. The Arthur Irrigation Canal (“Arthur Ditch”) forms the northern boundary of the Subject Property.

The Subject Property is located within the Northwest Sub-Area Plan (4.3 square miles) boundaries, jointly adopted by the City of Fort Collins and Larimer County in 2006¹. Enclosed Self-Storage is a permitted use in the C-L zone district subject to Administrative (Type One) review.

The surrounding zoning and land uses are as follows:

Direction	Zone District	Existing Land Uses
North	County (O)	Open, semi-rural residential
South	Low Density Mixed-Use (L-M-N)	Residential
South	Low Density Residential (R-L)	Residential
East	Limited Commercial (C-L)	Residential

SUMMARY OF DECISION: Conditionally approved.

ZONE DISTRICT: Limited Commercial (C-L)

HEARING: The Hearing Officer opened the hearing on Thursday, April 26, 2018, in Conference Rooms A-D, 281 North College Avenue, Fort Collins, Colorado, at approximately 6:00 p.m. following the conclusion of the hearing on the Solera Subdivision matter (FDP #170021).

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 West Vine Storage (PDP #170016). A copy of the Staff Report is attached to this decision as **ATTACHMENT A** and is incorporated herein by reference.
3. Zoning Map.
4. Applicant’s Project Narrative.
5. Applicant’s Planning Objectives.
6. Applicant’s Request for Modification.
7. Administrative (Type 1) Hearings: Rules of Conduct.
8. Site Plan.
9. Landscape Plan.
10. Architectural Elevations.
11. Subdivision Plat.

¹ <https://www.fcgov.com/planning/pdf/nsp-doc.pdf> (last visited May 6, 2018).

12. Ecological Characterization Study.
13. Transportation Impact Study.
14. E-mail Correspondence from Neighboring Property Owner.
15. Affidavit of Publication dated April 18, 2018 evidencing proof of publication of Notice of Hearing in the Fort Collins Coloradan on April 18, 2018.
16. Notice of Public Hearing dated April 12, 2018.
17. The PowerPoint presentation prepared by City Staff for the April 26, 2018 hearing.
18. The PowerPoint presentation prepared by the Applicant for the April 26, 2018 hearing.
19. Memorandum dated April 26, 2018 from Ted Shepard, Chief Planner, regarding Recommended Conditions of Approval.
20. 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: Ted Shepard, Chief Planner

From the Applicant: Vine Street Storage, LLC
 Rick Hattman
 524 S. Loomis Street
 Fort Collins, CO 80524

From the Public: Kim Hoke, 619 West Street
 John Parks, 1045 W. Vine Drive
 Arne Oittinen, 407 Riddle Drive
 Sigrid Sommerfeldt, 1027 W. Vine Drive
 Colleen McKee, 1045 W. Vine Drive

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 PDP is in conformance with the planning principles and future vision articulated in the Northwest Sub-Area Plan.
 - B. The Application complies with the applicable procedural and administrative requirements of Article 2 of the Land Use Code.

- C. The Application complies with the relevant standards of Article 3 – General Development Standards.
 - D. The Application complies with relevant standards located in Division 4.24 of the LUC, containing the Limited Commercial District (C-L) regulations.
3. Based on testimony provided at the public hearing and a review of the materials submitted, the requested Modification of Standard to Section 4.24(D)(2)(b) of the LUC – Fences, is approved. Section 4.24(D)(2)(b) requires, in relevant part, fencing along streets shall be wrought iron, or its visual equivalent, and any fencing along streets that exceeds four (4) feet in height shall be placed in segments between buildings, and not as a continuous perimeter fence.
4. 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 is metal which is a visual equivalent to wrought-iron. Even though the fence would be six feet in height, the proposed fence includes a decorative top panel which would otherwise not normally be included on a fence that is four feet in height. Consequently, the Hearing Officer concludes that the proposed fence would be as equally attractive as a four-foot high 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 4.24(D)(2)(b) of the LUC. Therefore, the Hearing Officer concludes that 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 Section 4.24(D)(2)(b) standard.

In addition, the Hearing Officer concludes that the varied alignment of the fence along the western perimeter minimizes the repetitiveness of the fence and will promote increased site security. The Hearing Officer finds that the proposed Modification of Standard to Section 4.24(D)(2)(b) of the Code does not diverge from the standards of the LUC except in a nominal and inconsequential fashion, and that the PDP will continue to advance the purposes of the LUC as set forth in Section 1.2.2 of the LUC; specifically improving the public health, safety and welfare of the community by ensuring that development proposals are sensitive

to natural areas and features. Consistent with the Ecological Characterization Study, the PDP provides a 50-foot buffer from the Arthur Ditch (as required by the Buffer Zone Table set forth in Section 3.4.1 of the LUC). In addition, site lighting and illumination on the Subject Property has been designed to not spillover into the natural habitat buffer zone along the Arthur Ditch. The Hearing Officer concludes that granting the requested Modification of Standard is reasonable when viewed in the context of providing additional security given the decreased level of site lighting and illumination associated with the on-site natural habitat buffer.

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 4.24(D)(2)(b) of the Code is justified by the applicable standards in 2.8.2(H)(1) and (4).
- B. The West Vine Storage Project Development Plan (PDP #170016) is approved for the Subject Property on the condition that the applicant shall, at the time of submittal for final plan, include in the utility plans and drainage plans the required sizing of the rain gardens and stormwater detention ponds that demonstrate compliance with all applicable criteria and standards relating to water quality, low-impact development, and off-site stormwater flows.
- C. In order to enhance the compatibility with adjacent residential uses, the hours of operation of the proposed West Vine Storage project, including the hours during which deliveries may be permitted, shall be limited to between 7:00 a.m. and 10:00 p.m. ("Hours of Operation Limitation"), as authorized by Section 4.24(E)(1)(c) of the Code. The final plan shall include the Hours of Operation Limitation.
- 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 7th day of May, 2018.



Marcus A. McAskin
Hearing Officer

ATTACHMENT A

Staff Report
West Vine Storage
(PDP #170016)

PROJECT NAME

WEST VINE STORAGE #PDP170016

STAFF

Ted Shepard, Chief Planner

PROJECT INFORMATION

PROJECT DESCRIPTION: This is a request to re-develop 1050 W. Vine Drive for an enclosed mini-storage facility. There would be 50,960 square feet of interior storage, 2,560 square feet of support facilities, for a total of 53,520 sq. ft. of new construction. The existing metal building will be retained and incorporated into the project as well as the existing cell phone tower. (approved under a previous application). The support facilities will consist of office, maintenance office and work space, and a caretaker's apartment. The parcel is 4.18 acres and the project will be constructed as a single phase. Access would be gained from Vine Drive only. The parcel is located at 1050 W. Vine Drive and zoned C-L, Limited Commercial. The P.D.P. includes a Request for Modification to raise the fence height along Shields Street.

APPLICANT: Vine Street Storage, LLC
c/o Hattman Associates
524 S. Loomis Street
Fort Collins, CO 80524

OWNER: Vine Street Storage, LLC
c/o Michael Rein
1050 W. Vine Drive
Fort Collins, CO 80521

RECOMMENDATION: Staff recommends approval of the P.D.P.

EXECUTIVE SUMMARY

- The P.D.P. complies with the underlying intent of the Northwest Subarea Plan.

- Enclosed Self-Storage is a permitted use in the C-L zone subject to Administrative Review.
- The P.D.P. complies with the standards of the C-L zone with one exception.
- A Request for Modification to Section 4.24D)(2)(b) to raise the perimeter fence height along Shields Street from four feet to six feet has been evaluated by Staff and found to meet the criteria for granting a Modification.
- The P.D.P. complies with the applicable General Development Standards of Article Three.

COMMENTS

1. **Background:**

The surrounding zoning and land uses are as follows:

N: County O – Open	Semi-rural residential
S: L-M-N, Low Density Mixed-Use	Residential
S: R-L, Low Density Residential	Residential
E: C-L, Limited Commercial	Residential

The property was annexed as the Snyder Annexation in 1995. In 1996, the Snyder Subdivision was approved consisting of two lots totaling 3.17 acres with .47 acre being dedicated for public right-of-way along Shields Street. Since 2003, the property has been the home of Apex Gutter. In 2013, Verizon and the American Tower Company received approval for and constructed a wireless telecommunications facility in the form a cellular tower with support equipment on the ground. The Arthur Irrigation Canal forms the north boundary.

2. **Northwest Sub-Area Plan:**

The parcel is located within the Northwest Sub-Area Plan (4.3 square miles) jointly adopted by the City of Fort Collins and Larimer County in 2006. In the Introductory Chapter, the Plan states:

“Small Business. The Northwest Subarea contains a few scattered commercial and retail businesses. They are small in number and tend to be concentrated along LaPorte Avenue as far west as Taft Hill Road and at the intersection of Shields Street and Vine Drive. In-home and farm related businesses comprise most of the area’s non-residential activity. Many participants in the process expressed an interest in retaining the low levels of commercial activity and home and farm-related businesses. Any new commercial activity should be small in size and directed to specific, appropriate locations within the Subarea.” (Page 4.)

In Chapter Two, the key ideas of Vision for Tomorrow include:

“Small Commercial in Discrete Existing Locations. Existing commercial and independent businesses will remain, but proliferation of large commercial development will not occur.” (Page 9.)

In Chapter Three, Land Use Framework, the Plan states:

“Limited Commercial. Where it applies: The Framework Plan designates Limited Commercial in discreet portions of the Subarea (along LaPorte, North of the cemetery, near Shields and Vine and Taft Hill and LaPorte intersections). These locations generally correspond to existing commercial activities, where additional infill or redevelopment may be possible. Any new commercial development would be small in scale and designed to be compatible with the adjacent neighborhoods it serves.” (Page 18.)

“Purpose and Intent. The City and County anticipate and will encourage reinvestment and redevelopment on these sites, as properties begin to change hands, to ensure that new uses are compatible with nearby residential neighborhoods. The intent for future development is to recognize pre-existing commercial uses in the Northwest Subarea while at the same time allowing flexibility for private reinvestment. Uses and activities beneficial to and compatible with the neighborhoods should continue to occur. New development should be screened, have only limited amounts of outdoor storage, and be attractive.” (Page 19.)

The P.D.P. complies with these overall objectives of the Subarea Plan in the following manner:

- The subject site is the home of an existing business, Apex Gutter, which has been operating for over twenty years.
- The site is relatively small, 4.17 acres, which meets the intent that businesses in the plan area be small in scale and represents a redevelopment of the parcel.
- The location is one parcel removed from the immediate northeast corner of Shields and Vine that is already established as a commercial area.
- There is a strong likelihood that the proposed storage units will conveniently serve the residents of the Northwest Area.

3. Article Four – Limited Commercial Zone District:

In fulfillment of the Northwest Subarea Plan, both the northeast and northwest quadrants of the Shields Street and Vine Drive intersection are zoned C-L, Limited Commercial. Enclosed Self-Storage is a permitted use in the Limited Commercial zone district subject to Administrative (Type One) review. The P.D.P. complies with the following development standards in C-L zone:

A. *Section 4.24(D)(1) – Building Height:*

The maximum allowable height in C-L zone is three stories. All of the enclosed storage buildings are one story in height. The caretaker's residence is the second-floor component of the office building. There are no buildings that exceed two stories.

B. *Section 4.24(D)(2) – Maximum Size:*

This standard requires that:

“to the extent reasonably feasible, loading docks, service bays and garage doors shall not face any abutting public street, in order to encourage such facilities to be located so as to face side yards or other internal site areas and not public streets. If it is not reasonably feasible to accommodate the function of the intended use without such facilities facing an abutting public street, then such facilities shall be completely incorporated into the architectural design of the building.”

There are no loading docks, service bays or garage doors that face either Shields Street or Vine Drive.

C. *Section 4.24(D)(2) – Land Use and Design Standards for Enclosed Mini-Storage Facilities:*

1. *Any enclosed mini-storage facility shall include either a caretaker's dwelling or at least one (1) of the following uses: any residential use; offices, financial services and clinics; personal or business service shops; convenience retail stores; retail establishments; standard or fast food restaurants; or small animal veterinary clinics.*

The P.D.P. includes a caretaker's dwelling.

2. *Such additional use shall face an adjacent public street, and shall occupy at least twenty-five (25) percent of the building frontage along the street.*

The caretaker's dwelling and office are located along Vine Drive and there is no vehicular use area between this building and the street. The street-facing elevation is the specifically designed to be the front of the building.

3. *Any storage unit building frontage along the street shall consist only of rear walls of storage unit buildings and landscaping.*

All perimeter storage buildings that face either Shields Street or Vine Drive are oriented such that rear or side elevation faces the street and landscaping. There will be no garage doors visible from either public street.

4. *Fencing along streets shall be wrought iron, or its visual equivalent, and any fencing along streets that exceeds four (4) feet in height shall be placed in segments between buildings, and not as a continuous perimeter fence.*

The fencing along Shields Street and Vine Drive is equivalent to wrought iron. This fence is a continuous perimeter fence and but not placed in segments between buildings. Instead, the fence is detached from the alignment of the buildings primarily to preclude the backs and sides of the buildings from being tagged by graffiti. The applicant has submitted a Request for Modification of Standard. This request will be fully described and evaluated in subsequent subsection.

D. *Section 4.24(E)(1)(a) – Building Standards:*

This standard requires that all nonresidential buildings permitted under this Section, including industrial buildings, shall meet the standards for mixed-use and commercial buildings contained in Section 3.5.3 of this Code.

In response, the applicant has provided architectural elevations for all buildings. For purposes of this evaluation, the emphasis is placed on perimeter buildings that face the two streets to the south and west, and the adjoining properties to the north and east.

South Facing Buildings: There are four perimeter buildings facing south along Vine Drive:

- Office/Caretaker's Dwelling – as noted, this is the only two-story building in the project and features a residential character with a front door facing Vine Drive. The front is accented by wood columns and a metal roof overhang. A masonry veneer forms the base with horizontal siding up to the roofline. The forward gable roof defines the caretaker's unit while the rear gable highlights the office component.
- Buildings 1 and 2 – are oriented with the long side facing Vine Drive. These two buildings feature a stucco base with the building field divided between horizontal siding and metal panels. The roof is metal panels and features a roof pitch of 5:12 and gables on each end. This pattern is varied with windows and the wood siding alternating between horizontal and vertical.

- Building 9 is oriented with the short end facing Vine Drive and features a matching stucco base, vertical board siding, lower metal roof overhang as well as the 5:12 pitched metal roof.
- While the south elevation of Building 10 faces an existing six-foot, solid, wood privacy fence, it is detailed in a similar fashion.

West Facing Buildings: There are two perimeter buildings facing west along Shields Street:

- Building 11 is oriented with the long side facing Shields and features a stucco base with the building field alternating among horizontal board siding, metal wall panels and synthetic stucco. Accent features include windows with overhangs and corbels. A gable trim helps break up the long roofline. The roof is a 5:12 pitch and metal.
- Building 10 is oriented with the short end facing Shields Street. As with Building 9, this end features a stucco base, a building field that is divided between horizontal siding and metal panels with a vertical pattern. Windows with overhangs provide relief and the roof is 5:12 pitch.
- The west elevation faces an existing six-foot, solid, wood privacy fence and includes two gable trim features to break up the long roofline.

North Facing Buildings: There are three perimeter buildings facing north along the Arthur Irrigation Ditch easement:

- Buildings 13 (14.5 feet to top of wall) and 14 (eight feet to top of wall) are oriented with their rear elevations and long sides facing the Arthur Ditch. Building setbacks from property line range from 54 to 68 feet. This setback area also includes a 50-foot wide natural habitat buffer zone. These buildings feature vertical metal panels and 5:12 pitched roofs.
- Building 12 is similarly oriented but is reduced in length compared to Buildings 13 and 14. The design of the north elevation matches Buildings 13 and 14.

East Facing Buildings: There are two perimeter buildings facing east adjacent to an existing residence:

- Office/Caretaker's Residence – as noted, the front elevation faces south towards Vine Drive. The east elevation is the side and features a base of masonry veneer, horizontal board siding, windows on both floors and a pitched roof.

- Building 3 is oriented with the rear elevation facing east and includes the masonry veneer as the base, with the field divided among horizontal board siding, metal wall panel and stucco. The roof is 5:12 pitch and metal to match the others in the project.

In summary, the exterior elevations of the perimeter buildings are designed to be comparable to commercial buildings that are governed by Section 3.5.3 in that these elevations are all characterized by having a distinctive base, middle and top. The combination of stucco, wood siding (horizontal and vertical patterns) and masonry are materials found on both commercial and residential buildings. The gable ends, the gable accents and the 5:12 pitch are roof features that contribute to mitigating the otherwise boxy appearance typically found in the industry. Finally, windows and trim are accents that add a level of detail and articulation that contribute to neighborhood compatibility.

E. Section 4.24(E)(1)(b) – Maximum Size – No building shall have a single undifferentiated mass with a footprint over 10,000 square feet.

There are 14 storage buildings and one office/dwelling building. Building sizes range from 1,520 to 7,700 square feet thus complying with the standard.

F. Section 4.24(E)(1)(c) – Hours of Operation. The decision maker may limit hours of operation, hours when trucking and deliveries may occur, and other time related characteristics of the nonresidential uses in order to enhance the compatibility with adjacent residential uses.

The hours of operation will be 7:00 am to 10:00 pm.

4. Article Three – General Development Standards:

A. Section 3.2.1 – Landscaping and Tree Protection:

- The key attributes of the Landscape Plan are as follows:
- Street trees will be provided in the parkway along Vine Drive generally at intervals that are less than 40 feet which exceeds the standard. Street trees along Shields were installed with the round-about capital improvement project.
- Behind the sidewalks, between the walks and the buildings, additional landscaping is provided primarily in the form of shrub beds and foundation plantings.
- Trees and shrubs are provided along the east edge (Building 3) next to an existing residence, and along the west edge of Building 9 and the south edge of Building 10 next to the convenience store/gas station. These plants are located behind the

existing six-foot high, solid, wood privacy fence to further buffer the two uses from each other.

- Along the north edge (Building 12, 13 and 14), the plant material is designed to enhance the 50-foot wide natural habitat buffer zone along the Arthur Irrigation Ditch. These trees and shrubs are arranged in a more random fashion that replicates a naturalistic character to promote wildlife movement.

B. Section 3.2.1(F) – Tree Mitigation:

The site has been inspected by the City Forestry Department. Trees that are scheduled to be removed, and found to have value, which excludes Siberian Elm, Russian Olive, have been appraised and assigned a mitigation value. The Landscape Plan reflects the mitigation trees which are upsized in caliper. In addition, existing trees that are to be preserved will be protected in accordance with the tree protection techniques as established by the City Forester.

C. Section 3.2.2 – Access, Circulation and Parking:

As would be expected for an enclosed self-storage project with a secured perimeter, there are very limited aspects related to access, circulation and parking. There is only one access point and that is located along Vine Drive at the east end of the site as far away from the round-about as possible. There is a second access point on Vine closer to the round-about but is secured and restricted to emergency vehicles and equipment only. An emergency access easement is dedicated internal to the site to ensure unobstructed circulation for fire equipment.

D. Section 3.2.2(C)(5) – Walkways:

There is a direct connecting walkway that links the entrance to the office/dwelling unit to the public sidewalk along Vine Drive.

E. Section 3.2.2(K)(1)(2) – Required number of parking spaces:

Neither enclosed self-storage or caretaker's dwelling unit are listed in these sections. In such cases, the standard requires that for uses that are not specifically listed in subsections 3.2.2(K)(1) or (2), the number of parking spaces permitted shall be the number permitted for the most similar use listed. In this case, staff makes the following interpretations:

- (1) For the enclosed self-storage, staff has comparable data from other similar facilities:
 - a. Timberline Storage – Prospect and Midpoint – 9 spaces;
 - b. Affordable Self-Storage – N. College and Conifer – 6 spaces;
 - c. Stor-N-Lock – Joseph Allen and Bear Mountain – 5 spaces.

West Vine Storage provides for 5 spaces which is roughly comparable to three other recently constructed facilities. One space is handicap accessible and reserved for disabled persons.

- (2) For the caretaker's unit, the most comparable type of dwelling unit would be a carriage house that is allowed in the N-C-L, N-C-M and N-C-B zone districts. For these dwellings, typically one space is required where access is gained off an existing alley. West Vine Storage provides one space with access gained off the internal private drive, not Vine Drive.

F. Section 3.2.4 – Site Lighting:

All lighting is wall-mounted as there are no pole-mounted fixtures. All fixtures will feature LED and specified at the lower color range of 3000-degrees Kelvin in order to minimize glare. Fixtures will be fully shielded and down-directional. Illumination is specifically designed to not spillover into the natural habitat buffer zone along the Arthur Irrigation Ditch along the north edge of the property, a distance of 400 feet.

G. Section 3.4.1 – Natural Habitats and Features:

As mentioned, the Arthur Ditch forms the north property line and has been found to be a wildlife movement corridor. An Ecological Characterization Study (attached) established that this feature requires a 50-foot buffer as measured from the top of bank. The P.D.P. provides this buffer and landscaping is intentionally designed to be naturalistic versus formal.

H. Section 3.6.4 – Transportation Level of Service Requirements:

A Transportation Impact Study was submitted and evaluated by the City's Traffic Operations Department. This Study concludes the following:

- The project is expected to generate 142 daily trip ends, 8 morning peak hour trip ends, and 15 afternoon peak hour trip ends;
- Access will be via a full-movement driveway to/from Vine Drive;
- Existing driveways will be closed;
- The site access will operate acceptably;
- Auxiliary lanes will not be required at the site access intersection;
- Sidewalk exists along Shields;
- New sidewalk will be constructed along Vine;
- Bike lanes exist along Shields;
- Bike lane will be added along Vine;
- Area is served by Transfort Route 9;

I. Section 3.8.11 – Fences and Walls

This section is superseded by the more specific standard in Section 4.24(D)(2).

5. Request for Modification to Section 4.24(D)(2)(b) – Fencing Along Streets:

A. The standard at issue:

Section 4.24(D)(2)(b) Fencing along streets shall be wrought iron, or its visual equivalent, and any fencing along streets that exceeds four (4) feet in height shall be placed in segments between buildings, and not as a continuous perimeter fence.

B. Description of the Modification:

The Modification is needed only along Shields Street. Instead of a four-foot high fence that is placed in between, and in alignment with, the rear walls of the perimeter buildings, the proposed fence will be six-feet high, feature metal pickets and located:

- 28.5 feet west Buildings 10 and 11 for a length of 125 feet;
- Then the fence will be recessed so that it will be 20 feet west of the two buildings for a length of 130 feet;
- North of Building 11, the fence will project back out align with the 28.5 line for a length of 110 feet along the stormwater detention pond all the to the northwest corner of the site;
- Landscaping is proposed on both sides of the fence for its entire length.

C. Applicant's Justification:

The applicant's justification is attached. The applicant contends that the fence is metal which is a visual equivalent to wrought-iron, with pickets being one-inch square approximately six inches on center. Even though the fence would be six feet in height, there is a decorative top panel which would otherwise not be included on a fence that is four feet in height. Consequently, the proposed fence would be equally attractive as a four-foot high fence.

The applicant further contends that a six-foot high fence provides more deterrence to trespassers and offers greater security. In addition, by projecting the fence 20 – 28.5 feet away from the buildings, the buildings are less likely to get tagged by graffiti than if the buildings themselves formed a segment of the perimeter security. By being located at the northern edge of the urban area, and being flanked by semi-rural residential properties, there is a greater need for security than if the site were located within the urban area with higher visibility. Finally, in order to comply with the requirements of the natural habitat buffer zone along the Arthur Ditch, illumination levels are significantly reduced along the entire north edge of the property.

D. Staff Evaluation and Finding for the Modification:

Staff finds that the proposed perimeter fence along Shields Street, at six feet in height, is rendered as attractive as a four-foot fence primarily by the addition of the decorative top

panel. The varied alignment minimizes the repetitiveness and allows for interesting arrangements of landscaping. Staff is persuaded that the proposed height and location of the fence significantly diminishes the potential for graffiti and contributes to a higher level of security.

Consequently, Staff finds that in compliance with Section 2.8.2(H) the Request for Modification to Section 4.24(C)(2)(b) would not be detrimental to the public good.

In addition, in accordance with Section 2.8.2(H)(1), Staff finds that that 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.

6. Findings of Fact/Conclusion:

In evaluating the request for West Vine Storage Project Development Plan, Staff makes the following findings of fact:

1. The P.D.P. is in conformance with the fundamental vision of the Northwest Sub-Area Plan.
2. Enclosed Mini-Storage is a permitted use in the C-L, Limited Commercial zone district, subject to Administrative Review (Type One).
3. The P.D.P. complies with the development standards of the C-L zone district with one exception.
4. A Request for Modification to Section 4.24(D)(2)(b) regarding the height of the perimeter fence has been submitted to allow a fence that exceeds the maximum allowable height from four feet to six feet.
5. This request is found by Staff to 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.
6. This is because the proposed fence includes a decorative top panel, is varied in its alignment with recesses and projections and is well landscaped. In addition, the applicant has indicated that by being at the north edge of the urban area, with less public visibility, there is a need for the added security gained by the extra two feet in height.
7. The P.D.P. complies with the applicable standards of Article Three – General Development Standards.

RECOMMENDATION

Staff recommends approval of the West Vine Storage Project Development Plan, PDP170016 and the Modifications of Standard to Section 4.24(D)(2)(b), Enclosed Mini-Storage Facility – Fence Height.

ATTACHMENTS

1. Vicinity Map
2. Zoning Map
3. Applicant's Project Narrative
4. Applicant's Planning Objectives
5. Applicant's Request for Modification
6. Site Plan
7. Landscape Plan
8. Architectural Elevations
9. Subdivision Plat
10. Ecological Characterization Study
11. Transportation Impact Study
12. E-mail correspondence from neighboring property owner