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October 31, 2011

Dave Derbes

3003 East Harmony Road  
Suite 300  
Fort Collins, CO 80528

Re: 1409 West Elizabeth Street Student Apartments

**Description of project:** This is a conceptual request to demolish the existing structure at 1409 W. Elizabeth St. and construct a new 3 story, 25,000 square foot multifamily building. The site is zoned Community Commercial (CC) and the use is permitted subject to an administrative (type 1) public hearing (LUC 4.18(B)(2)(a)(3)).

Please see the following summary of comments regarding the project request referenced above. The comments offered informally by staff during the Conceptual Review will assist you in preparing the detailed components of the project application. Modifications and additions to these comments may be made at the time of formal review of this project. If you have any questions regarding these comments or the next steps in the review process, you may contact the individual commenter or direct your questions through the Project Planner, Steve Olt, at 970-221-6341 or [solt@fcgov.com](mailto:solt@fcgov.com).

Comment Summary:

Department: Zoning

Contact: Peter Barnes, 970-416-2355, [pbarnes@fcgov.com](mailto:pbarnes@fcgov.com)

1. The proposed use is a Type 1 review in the CC zone district.

**Acknowledged**

2. A minimum building height of 20' is required, so the proposed 3 stories would satisfy this. The normal front setback for a residential use along an arterial is 30'; however, the code allows a conceptual setback to be established based on existing setback of abutting buildings. Therefore, the front setback shown is ok.

**Acknowledged**

3. The property itself is not in the TOD overlay zone; therefore, the project is required to provide the

minimum number of parking stalls based on the mix of bedroom units proposed (Sec. 3.2.2(K)(1)(a)). This means that a minimum of 44 spaces is required (43.5 rounded up), but only 39 spaces are provided. Either 5 more spaces will need to be included, or a modification will be required.

**The unit mix has been revised and therefore 47 parking stalls are required and provided.**

4. Trash enclosure not shown, but it must meet requirements of 3.2.5 and 3.5.1(l)(1).

**A trash enclosure is included at the southwest corner of the site.**

5. Parking lot screening required along south lot line - 6' tall fence, landscaping. The 18' stall length for the southern stalls is allowed only if the width of the landscape setback along the south lot line is at least 6'.

Per Sec. 3.2.2(E)(4), the ends of parking aisles must be defined with a landscape island. **Parking lot screening is provided by the existing fence located along the south boundary of the site.**

**The width of the landscape setback along the southern stalls is 6' wide.**

Department: Water-Wastewater Engineering

Contact: Roger Buffington, 970-221-6854, [rbuffington@fcgov.com](mailto:rbuffington@fcgov.com)

1. Existing water mains and sanitary sewers near the site include a 12-inch water main and an 8-inch sewer in Elizabeth and an 8-inch sewer in an easement along the south edge of the site.

**Acknowledged**

2. The existing water service to the site is a 1-inch service.

**Acknowledged**

3. All water and sewer services extending to these properties which are not used must be abandoned at the main.

**Acknowledged**

4. The water conservation standards for landscape and irrigation will apply. Information on these requirements can be found at: <http://www.fcgov.com/standards>

**Acknowledged**

5. In terms of water/sewer utility fees and accounts, a fraternity is classified as a commercial use. The conversion to multi-family will result in additional development fees being due at time of building permit. Credit will be given for the 1-inch commercial service.

**Acknowledged**

Department: Stormwater Engineering

Contact: Glen Schlueter, 970-224-6065, [gschlueter@fcgov.com](mailto:gschlueter@fcgov.com)

1. This project is located in a City regulatory 100-year floodway and flood fringe in the Canal Importation Floodplain, and must comply with Chapter 10 of City Code.

**Acknowledged**

2. Any and all construction activities in the flood fringe must be preceded by an approved floodplain use permit, \$25 fee, approved plans and itemized cost list for work in the flood fringe. The permit form can be obtained at <http://www.fcgov.com/utilities/what-we-do/stormwater/flooding/forms-documents>.

**Acknowledged**

3. Permitting requirements in the floodway are the same as the flood fringe, but must also be preceded by

a no-rise certification, and followed by a no-rise recertification after completion of the project.

**Acknowledged**

4. A new residential structure must be elevated a minimum of eighteen-inches above the Base Flood Elevation (BFE) for the property. A revised BFE may be used at this site based on the 2005 revised hydraulic analysis associated with completed City capital improvement projects so long as the Utilities Executive Director approves a floodplain waiver.

**Acknowledged**

5. Basements are not allowed on new construction within the flood fringe.

**Acknowledged – We would like to know if a storage basement would be allowable. It would most likely be 2000 – 3000sf and would only be used for storage.**

6. A FEMA Elevation Certificate certifying that building elevations meet code is required before a certificate of occupancy can be issued for the new residential structure.

**Acknowledged**

7. Development review checklists for floodplain requirements can be obtained at <http://www.fcgov.com/utilities/what-we-do/stormwater/flooding/forms-documents>. Please utilize these documents when preparing your plans for submittal. Please contact Shane Boyle of Stormwater Master Planning at [sboyle@fcgov.com](mailto:sboyle@fcgov.com) for floodplain CAD line work as required per the floodplain development review check list.

**Acknowledged**

8. The Floodplain Administrator for the Canal Importation Floodplain is Brian Varrella; 970.416.2217, [bvarrella@fcgov.com](mailto:bvarrella@fcgov.com). Please contact Brian or Mark Taylor, 970.416.2494, [mtaylor@fcgov.com](mailto:mtaylor@fcgov.com) to schedule a meeting as soon as possible.

**Acknowledged**

9. In the Old Town drainage basin, a drainage and erosion control report and construction plans are required if there is an increase in impervious area greater than 5000 square feet. These must be prepared by a Professional Engineer registered in Colorado. Only grading and erosion control plans are required when there is between 1000 and 350 square feet of new impervious area or if site grading is proposed.

**The change in impervious area does not warrant a full Drainage and Erosion Control Report. However, a Drainage Letter has been provided to document the existing and proposed impervious areas, as well as the water quality BMP computations.**

10. There is an existing storm sewer along the south side of Elizabeth St. and a manhole on the front of the property that could be used as a drainage outfall. The manhole has a 15-inch line entering and a 24-inch line on the downstream side of the manhole. If this storm sewer is on the property, there will need to be an easement dedicated if one does not exist. It also appears that a wider building footprint may require moving the storm sewer so it is not under the building. The narrative submitted states that the site drains to an offsite inlet, but the City's utility map shows that the inlet is on the site. Please verify, and if it is offsite, a drainage easement will be needed.

**A drainage easement will need to be dedicated for the on-site, private storm sewer.**

11. No onsite water quantity detention is required because it is not possible to increase the impervious area more than 1000 square feet. However, since the site is being redeveloped, onsite water quality

treatment of runoff from the entire site is required. Water quality treatment methods are described in the Urban Storm Drainage Criteria Manual, Volume 3 - Best Management Practices (BMPs). One method that could be used is to direct the downspouts to a landscape area, or if perimeter landscape buffers or parking lot medians are required, these could be used to treat the runoff in bio-retention areas or rain gardens. ([http://www.udfcd.org/downloads/down\\_critmanual\\_volllll.htm](http://www.udfcd.org/downloads/down_critmanual_volllll.htm))

**The proposed bioretention rain garden design computations are included in the drainage letter.**

**12.** The Stormwater development fees (PIF) are \$6,313.00/acre (\$0.1449/sq.ft.) for new impervious area over 350 sq.-ft. and \$1,045.00/acre (\$0.024/sq.ft.) for project review. No fee is charged for existing impervious area. These fees are to be paid at the time each building permit is issued. Information on fees can be found on the City's web site at

<http://www.fcgov.com/utilities/business/builders-and-developers/plant-investment-development-fees> or by contacting Jean Pakech at 221- 6375. There is also an erosion control escrow required before the Development Construction permit is issued. The amount of the escrow is determined by the design engineer and is based on the site disturbance or erosion control measures shown on the site construction plans. A site plan showing the existing and proposed impervious area is needed in order to calculate the fees.

**Acknowledged**

Department: Fire Authority

Contact: Ron Gonzales, 970-221-6635, [rgonzales@poudre-fire.org](mailto:rgonzales@poudre-fire.org)

**1.** The building address shall be visible from the street fronting the building.

**Acknowledged**

**2.** Emergency access is required to get to the back of the building. However, the Emergency Access Easement required exceeds 150 feet and there is no room for the required turnaround. Due to this being a 3 story structure, the width of the emergency access is required to be 20 ft.

**Acknowledged**

**3.** Because this is a 3-story R-Occupancy, this building is required to be fire sprinklered with a 13-R system. But due to the deficiency of Item 2, that will be offset with the requirement for a regular 13 fire sprinkler system.

**A Type 13 system will be provided**

**4.** The water supply for this project is one fire hydrant located within 300 feet of the building which can supply 1500 gpm at 20 psi.

**Acknowledged**

**5.** A knox box is required to augment entry due to the fire sprinkler system.

**Acknowledged**

Department: Environmental Planning

Contact: Lindsay Ex, 970-224-6143, [lex@fcgov.com](mailto:lex@fcgov.com)

**1.** The applicant should make note of Article 3.2.1(C) that requires developments to submit plans that "...(4) protects significant trees, natural systems, and habitat". Note that a significant tree is defined as a tree having DBH (Diameter at Breast Height) of six inches or more. Several of the trees that the applicant is proposing to remove appear to have a DBH of greater than six inches, and a review of the trees shall be

conducted with Tim Buchanan, City Forester (221-6361) to determine the status of the existing trees and any mitigation requirements as the result of development impacts.

**A meeting with Tim Buchanan has been held to determine required mitigation and is indicated on the proposed landscape plans.**

2. With respect to landscaping and design, the City of Fort Collins Land Use Code, in Article 3.2.1 (E)(2)(3), requires that you use native plants and grasses in your landscaping or re-landscaping and reduce bluegrass lawns as much as possible.

**Acknowledged**

Department: Engineering Development Review

Contact: Andrew Carney, 970-221-6501, [acarney@fcgov.com](mailto:acarney@fcgov.com)

1. Larimer County Road Impact Fees and Street Oversizing Fees are due at the time of building permit. Please contact Matt Baker at 224-6108 if you have any questions.

**Acknowledged**

2. The City's Transportation Development Review Fee (TDRF) is due at the time of submittal. For additional information on these fees, please see: <http://www.fcgov.com/engineering/dev-review.php>

**Acknowledged**

3. Any damaged curb, gutter and sidewalk existing prior to construction, as well as streets, sidewalks, curbs and gutters, destroyed, damaged or removed due to construction of this project, shall be replaced or restored to City of Fort Collins standards at the Developer's expense prior to the acceptance of completed improvements and/or prior to the issuance of the first Certificate of Occupancy.

**Acknowledged**

4. Please contact the City's Traffic Engineer, Joe Olson (224-6062), and the Transportation Planning Department (416-2040) to schedule a scoping meeting and determine if a traffic study is needed for this project.

**A traffic study is included with the submittal documents.**

5. Any public improvements must be designed and built in accordance with the Larimer County Urban Area Street Standards (LCUASS). They are available online at:

<http://www.larimer.org/engineering/GMARdStds/UrbanSt.htm>

**Acknowledged**

6. This project is responsible for dedicating any right-of-way and easements that are necessary for this project. In this location, Shields street is considered a 4 lane arterial, however this area is also in the Campus West Plan area which calls for a reduced cross section on Elizabeth. According to the Campus West plan a total ROW width of 98 feet is required in this location, in addition, 12' to 15' sidewalks are identified in this location along with street trees. In return for the widened sidewalk, no utility easement is required. The Campus West Plan is available online at:

<http://www.fcgov.com/advanceplanning/pdf/campus-west-doc.pdf>

**It is anticipated that 9' of additional right-of-way will be dedicated along Elizabeth Street.**

7. Utility plans will be required for this project and will be recorded once the project is finalized. Also Development Agreement will be done with this project to formalize the obligations of both the developer and the City. Lastly, a Development Construction Permit (DCP) will need to be obtained prior to starting

any work on the site.

**Acknowledged**

Department: Electric Engineering

Contact: Rob Irish, 970-224-6167, [rirish@fcgov.com](mailto:rirish@fcgov.com)

1. Existing building is fed from a 150kva transformer that feeds and is located on the Wendy's site to the east.

**Acknowledged**

2. Field locate and show all existing electric facilities on the plans. Existing 3-phase electric line between CB Potts and Wendy's may need to be relocated to provide clearance for the proposed building.

**The electric facilities have been field located and are shown on the plans. The existing 3-phase electric line between Pott's and Wendy's will indeed need to be relocated.**

2. Any relocation or modification to existing electric facilities will be at the owners' expense.

**Acknowledged**

3. Owner will need to submit a C-1 Form and a One-Line diagram to Light & Power Engineering.

**Acknowledged**

5. Owner will need to coordinate a transformer location and possibly a switch cabinet location, within 10' of a paved surface, with Light & Power Engineering.

**Acknowledged**

6. Electric Capacity Fees, Building Site charges and system modification charges will apply to this development. Owner will receive credit for the existing electric service.

**Acknowledged**

Current Planning

Contact: Steve Olt, 970-221-6341, [solt@fcgov.com](mailto:solt@fcgov.com)

1. The development plan must demonstrate how it contributes to the overall mix of land uses within the surrounding area LUC 4.18(D)(2).

**The proposed project provides high quality apartment housing in a commercial zoning district with many amenities such as restaurants, retail. It is also in close proximity to CSU main campus as well as the Old Town district which will encourage multimodal forms of transportation,**

2. The site plan shows 39 parking spaces, however 44 spaces are required. Therefore, a modification of standards is necessary to meet LUC 3.2.2(K)(1). Additionally, please provide details on how this development plans to continue to share parking with Wendy's. What is the shared parking agreement?

**Based on a meeting with Steve Olt and Noah Beals, we are proposing to keep the previous shared parking agreement with the adjoining Wendy's property in place which will provide the required amount of parking for the apartment building and adequate parking for Wendy's customers and employees.**

3. In terms of the setback, elevations will be critical in evaluating the appropriateness of the building location. Articulation, architecture and design will play a large role in helping define the building's relationship to the

street and the resident / pedestrian experience.

**Acknowledged**

4. West Elizabeth Street is shown on the Master street plan as a 4 lane arterial and a 30' setback is required. However, the proposed new building location can be evaluated against the Contextual Setbacks requirement set forth in Section 3.10.4(B) of the Land Use Code. A modification of standard to LUC Section 3.5.2(D)(1) would not be required. Please refer back to the previous comment regarding building articulation and resident / pedestrian experience.

**Acknowledged**

5. Since the building may exceed 40' in height, the special building height review in Section 3.5.1(G) could be applicable. If so, a shadow and visual analysis as well as a summary of the key conclusions from these analysis and steps to be taken to comply with review standards is required at submittal LUC 3.5.1(G)(1)(b).

**The shadow analysis is not required since the proposed building is less than 40 feet in height.**

6. The applicant must do the interior landscaping (6%) calculations and illustrate those calculations on the Landscape Plan in table format LUC Section 3.2.1(E)(5)

**The proposed landscape plan meets the 6% minimum interior landscaping criteria.**

7. The proposed development project is subject to a Type 1 review and public hearing, the decision maker for Type 1 hearings is an Administrative Hearing Officer. The applicant for this development request is not required to hold a neighborhood meeting for a Type 1 hearing, but if you would like to have one to notify your neighbors of the proposal, please let me know and I can help you in setting a date, time and location for a meeting. Neighborhood Meetings are a great way to get public feedback and avoid potential hiccups that may occur later in the review process.

**NA – no neighborhood meeting will be provided**

8. Please see the Development Review Guide at [www.fcgov.com/drg](http://www.fcgov.com/drg). This online guide features a color coded flowchart with comprehensive, easy to read information on each step in the process. This guide includes links to just about every resource you need during development review.

**Acknowledged**

9. This development proposal will be subject to all applicable standards of the Fort Collins Land Use Code (LUC), including Article 3 General Development Standards. The entire LUC is available for your review on the web at <http://www.colocode.com/ftcollins/landuse/begin.htm>.

**Acknowledged**

10. If this proposal is unable to satisfy any of the requirements set forth in the LUC, a Modification of Standard Request will need to be submitted with your formal development proposal. Please see Section 2.8.2 of the LUC for more information on criteria to apply for a Modification of Standard.

**There are no proposed Modifications to LUC Standards; however, an administrative engineering variance request letter to LCUASS has been submitted for parking setback distance.**

11. Please see the Submittal Requirements and Checklist at:

<http://www.fcgov.com/developmentreview/applications.php>.

## **Acknowledged**

**12.** The request will be subject to the Development Review Fee Schedule that is available in the Community Development and Neighborhood Services office. The fees are due at the time of submittal of the required documents for the appropriate development review process by City staff and affected outside reviewing agencies. Also, the required Transportation Development Review Fee must be paid at time of submittal.

## **Acknowledged**

**13.** When you are ready to submit your formal plans, please make an appointment with Community Development and Neighborhood Services at (970)221-6750.

## **Acknowledged**

### Pre-Submittal Meetings for Building Permits

Pre-Submittal meetings are offered to assist the designer/builder by assuring, early on in the design, that the new commercial or multi-family projects are on track to complying with all of the adopted City codes and Standards listed below. The proposed project should be in the early to mid-design stage for this meeting to be effective and is typically scheduled after the Current Planning conceptual review meeting.

Applicants of new commercial or multi-family projects are advised to call 416-2341 to schedule a pre-submittal meeting. Applicants should be prepared to present site plans, floor plans, and elevations and be able to discuss code issues of occupancy, square footage and type of construction being proposed.

Construction shall comply with the following adopted codes as amended:

2009 International Building Code (IBC)

2009 International Residential Code (IRC)  
2009 International Energy Conservation Code (IECC)  
2009 International Mechanical Code (IMC)  
2009 International Fuel Gas Code (IFGC)  
2009 International Plumbing Code (IPC) as amended by the State of Colorado  
*2008 National Electrical Code (NEC)* as amended by the State of Colorado

Accessibility: State Law CRS 9-5 & ICC/ANSI A117.1-2003.

Snow Load Live Load: 30 PSF / Ground Snow Load 30 PSF.

Frost Depth: 30 inches.

Wind Load: 100- MPH 3 Second Gust Exposure B.

Seismic Design: Category B.

Climate Zone: Zone 5

Energy Code Use

1. Single Family; Duplex; Townhomes: *2009 IRC* Chapter 11 or *2009 IECC* Chapter 4
2. Multi-family and Condominiums 3 stories max: *2009 IECC* Chapter 4.
3. Commercial and Multi-family 4 stories and taller: *2009 IECC* Chapter 5.