



City of Fort Collins

ITEM NO. 1 of 2

MEETING DATE 9/8/05

STAFF A. Aspen

**HEARING OFFICER**

## STAFF REPORT

**PROJECT:** 120 Cherry St., Cherry Street Station PDP-Type I - #9-05

**APPLICANT:** Mikal Torgerson  
M. Torgerson Architects, PC  
223 N. College Avenue  
Fort Collins, CO 80524

**OWNER:** North College Lofts, LLC and Cherry Street Station, LLC  
223 N. College Ave.  
Fort Collins, CO 80524

### PROJECT DESCRIPTION:

This is a request to develop a vacant .349 acre site (15,213 sf) into a 15 unit, 69 foot tall multifamily project with a very small (200sf) office area for an internet provider. The property is located on the north side of Cherry St. just west of College, within the CCR – *Community Commercial – Poudre River District*.

**RECOMMENDATION:** Staff recommends **approval** of the 120 Cherry St., Cherry Street Station PDP-Type I - #9-05 subject to three **conditions** spelled out at the end of this report.

### EXECUTIVE SUMMARY:

Multi-family dwellings are permitted in the *Community Commercial – Poudre River District* subject to an Administrative Hearing. This Project Development Plan complies with the applicable Administrative and General Development standards and the standards of the *Community Commercial – Poudre River District*. A neighborhood meeting was not required for this project, but the Lee Martinez Park Neighborhood Association requested that the developer give an informal presentation at their monthly meeting held on Monday April 18<sup>th</sup>, 2005. The developer obliged and a representative group of City staff was present. No formal notes were taken since it was not a City-sponsored neighborhood meeting. A neighborhood representative took notes and forwarded a copy, attached.

## COMMENTS

### 1. Background

The surrounding zoning and land used are as follows:

- N: POL – *Public Open Lands*—Railroad right-of-way with CCR Community Commercial – Poudre River District beyond;
- NW: POL – *Public Open Lands*—Vacant land
- W: POL – *Public Open Lands*—Vacant land with Lee Martinez Park and LMN beyond;
- S: D—*Downtown District (Civic Center Subdistrict)* – Existing commercial (Taco John's), with existing tire shop, existing municipal government offices, etc. beyond;
- E: CCR—Community Commercial – Poudre River District – vacant land west of College with existing commercial east of college.

The property at 120 Cherry is vacant. It is bordered on the northwest and northeast by BNSF railroad tracks.

Early on in the process, the applicant requested an interpretation of the Code, specifically of Section 3.8.17 *Building Height Measured in Stories*. This section of the Land Use Code defines a “story” as a maximum of 25 feet as measured from floor to floor. It was determined in Land Use Code interpretation #1-05 dated February 3, 2005 that the 25-foot floor to floor heights are not compatible with residential areas. Based on this interpretation, the story height limit was reduced to a maximum of 12 feet 6 inches for residentially zoned properties. This Land Use Code change was formally adopted in August of this year. The applicant asked for clarification on whether this applied to this site in the CCR district. In an interpretation dated March 21, 2005, the Director of Current Planning determined that it did not. Therefore, in the CCR District, a story can be a maximum of 25 feet tall.

### 2. Compliance with Applicable CCR – Community Commercial – Poudre River District Standards

- A. Permitted Land Use: Multi-family dwellings are permitted in the CCR District subject to a Type I – Administrative Hearing.

B. Buildings:

- 1) *Massing and Placement* [Section 4.16 (D)(3)(a)]—The building is 3 stories tall and since the property does not directly abut the natural area buffer, the building is not required to step down to one story to meet it. The parking lot is under the building, which meets the intent of the standard.
- 2) *Character and Image* [Section 4.16 (D)(3)(b)]—The design provides some patio space on the northern half of the northwestern façade of the building. Windows are defined with frames, sills and lintels. They visually establish the stories very clearly. It is questionable whether they succeed at creating a human scale at such a large size and scale, but the code is not very detailed about what contributes to “human scale.” The roofline is pitched in some areas and, where flat, features a large three-dimensional cornice treatment.
- 3) *Color/Materials* [Section 4.16 (D)(3)(c)]—The primary material and color of the elevations is “Medium Old Town Red Brick Veneer” which is in keeping with the surrounding area. Again, whether the facades adequately establish a human scale is debatable, but the code is not clear as to exactly what “relates to human scale.” The architect wrote staff a long letter explaining his rationale behind the scale choices he made. This letter is in the correspondence section of the supplemental information attached to this report.
- 4) *Site Design* [Section 4.16 (D)(4)]—This site does not abut the natural area buffer or river corridor so the applicant is not required to adhere to this standard.

3. Compliance with applicable General Development Standards

A. Site Planning and Design Standards [Division 3.2]

- 1) *Landscaping and Tree Protection:* [Section 3.2.1] The PDP provides full tree stocking on the street frontages and urban landscaping throughout the project. Street trees are placed at 30-40 foot intervals in tree grates that are greater than sixteen square feet. Sight distance triangles are maintained at the driveway intersection with Cherry St.

2) Access, Circulation and Parking [Section 3.2.2]

- a. The safety of pedestrians, especially where they cross the drive aisle has been enhanced by pulling the sidewalk closer to the street. The crosswalk will be stamped and colored concrete to match existing crosswalks in the downtown area. [Section 3.2.2 (C)(1)(a) and (5)(b)]
- b. Curb cuts and ramps are provided throughout the site. [Section 3.2.2 (C)(2)]
- c. The design includes convenient parking facilities for bicyclists and ramps and walkways for clear and direct access to all entrances and garages. [Section 3.2.2 (C)(4)]
- d. The parking plan as shown includes 13 spaces that accommodate two cars each with electronic lifts. In discussions with the applicant, it was noted that the lifts as shown will only accommodate small cars with no roof racks. The applicant agreed to provide lifts which will accommodate larger SUVs and cars with roof racks. These will need to be shown on the Final Plans and are therefore a condition of approval. [Section 3.2.2 (D)]
- e. Many iterations of the parking plan were reviewed by staff. Previous plans and the most recent design has caused some concerns about backing safety; pedestrian safety both above ground and below; the loading zone and curved ramp safety; and efficiency of the lifts. The applicant taped off the City parking structure to scale to show staff how it would work. Several staff members were able to walk or drive the course and reported that it seemed to function adequately. This is the first project of this sort that will incorporate lifts in Fort Collins. [Section 3.2.2 (D)(2)]
- f. Through discussions with staff, the parking lot now addresses pedestrian safety and anticipates users' needs by providing a backing area and a bollard in front of the handicap access and pedestrian access to the elevator and stairs. [Section 3.2.2 (F)]
- g. Based on the submitted plans, this project will need to provide 27 parking spaces for the residential units and ought to provide 1 parking space for the commercial use, for a total of 28 spaces. The applicant has provided 28 spaces. No guest parking is provided. [Section 3.2.2 (K)]
- h. Two handicap parking spaces are provided according to Code. [Section 3.2.2 (K)(5)(d)]
- i. The parking dimensions indicated on the plans do not meet the minimum dimensions required. All spaces can be dimensioned as long-term at 8.5 feet by 18 feet OR 60% of the spaces could be standard at 9 feet by 18 feet and 40% can be at the compact space dimensions 8 feet by 15 feet. As proposed, 6 spaces (3 lifts) are dimensioned at 9 feet by 18 feet; 10 spaces (5 lifts) are 17.5 feet by

8.25 feet; two spaces are 8.25 feet by 18 feet, and six spaces (three lifts) are 9 feet by 17.5 feet. A maximum of 11 spaces can be at compact car (substandard) dimensions. Proper dimensions are therefore a condition of approval. [Section 3.2.2 (L)]

- j. Site lighting is not to standard. Light sources must be concealed and feature full shielding and sharp cutoff (full cutoff) to minimize glare. The selected luminaires do not meet these requirements. They will need to be changed out for appropriate luminaires and reviewed at Final Compliance. This is listed as a condition of approval.
- k. The trash enclosure has been sized to accommodate trash and recyclables.

### 3) Building Standards – Division 3.5

- a. The design of the project is based on local and historic cues including railroad design and the adjacent historic utility building across College Avenue to the east. Similar materials and patterns of doors and windows have been used. [Section 3.5 (B)]
- b. The proposed building color is compatible with the Old Town area in general. [Section 3.5.1 (F)]
- c. The proposed building exceeds 40 feet so it is subject to the special height review. It is proposed to be much taller than nearby developments like Mason Street North, currently under construction. Since the building is effectively on College Avenue on a stretch that is likely to develop and redevelop with buildings up to 115 feet in height, according to the Downtown Strategic Plan, and since the project has no existing abutting neighbors, staff recommends that this project meets the review criteria. Staff is concerned that the building scale (for example the 7.5 foot stone wainscot punctured by 2.5 foot parking lot vents) may not promote “human scale” as described in the purpose section of the D—Downtown District, Division 4.12 and in Section 3.5.1 (G)(1)(a) but the standards do not provide adequate specificity to make a case that the building is non-compliant with the standard. [Section 3.5.1 (G)]
- d. The building fronts on Cherry Street with a connecting walkway and street facing facades which meet the code. [Section 3.5.2 (C)]
- e. The building is set back 15 feet from the back of curb. The proposed building also meets the required side and rear setbacks. [Section 3.5.2 (D)]

4) Supplementary Standards – Division 3.8

- a. The building contains three stories of under 25 feet each so it is compliant with the standards. The proposed mezzanines do not count as full floors because they comprise under 33.33% of the total floor area of the nearest floor below it. [Section 3.8.17 (A)(2)]

**4. Findings of Fact / Conclusion:**

- A. Multi-family dwellings are permitted in the *Community Commercial – Poudre River District*, subject to administrative review.
- B. This PDP complies with the General Development Standards as well as the applicable District Standards, with three exceptions, noted below as conditions of approval.

**STAFF RECOMMENDATION:**

Staff recommends **approval** of the 120 Cherry St., Cherry Street Station PDP-Type I - #9-05, subject to the following **conditions**:

In order to receive Final Plan approval, the applicant shall revise the development plan to address each of the following issues:

- A. Parking lifts must accommodate typical cars like SUVs and cars with roof racks or cargo boxes.
- B. Parking space dimensions must comply with the standards in Section 3.2.2 (L).
- C. Site lighting must meet code including all luminaires featuring full cut-off and shielding to reduce glare.

**Attachments:**

Code Interpretations dated February 3, 2005 and March 21, 2005

Zoning exhibit

Presentation graphics for hearing; including site photo and 8 ½ x 11” plan set

Staff Review letters and responses

Traffic Impact Study dated March 2, 2005

Statement of Planning Objectives

Notes from the Neighborhood Association Meeting held on April 18, 2005

Correspondence and notes of record

Full sized current plan set

Full sized annotated plan set