

**CITY OF FORT COLLINS
ADMINISTRATIVE HEARING OFFICER
TYPE I ADMINISTRATIVE HEARING
FINDINGS, CONCLUSIONS AND DECISION**

ADMINISTRATIVE HEARING DATE: July 8, 2004

PROJECT NAME: Riverside Eighth Subdivision Project Development Plan

CASE NUMBER: #8-04

APPLICANT: Eastpoint Studio
c/o Don Brookshire
3207 Kittery Court
Fort Collins, CO 80526

OWNER: Dan Eckles
255 East Monroe Avenue
Fort Collins, CO 80525

HEARING OFFICER: Cameron Gloss
Current Planning Director

PROJECT DESCRIPTION:

The Applicant has submitted a request to plat a 1.78 acre parcel of land, presently described by a metes and bounds legal description, into one (1) lot. The property is located at 1626 Riverside Avenue. There are two (2) existing buildings on the property.

SUMMARY OF HEARING OFFICER DECISION: Approval

ZONING DISTRICT: I, Industrial

STAFF RECOMMENDATION: Approval

NOTICE OF PUBLIC HEARING: Evidence presented to the Hearing Officer established no controversy or facts to refute that the hearing was properly posted, legal notices mailed and notice published.

PUBLIC HEARING

The Hearing Officer, presiding pursuant to the Fort Collins Land Use Code, opened the hearing at approximately 4:00 p.m. on July 8, 2004 in Conference Rooms C and D at 281 North College Avenue, Fort Collins, Colorado.

HEARING TESTIMONY, WRITTEN COMMENTS AND OTHER EVIDENCE:

The Hearing Officer accepted during the hearing the following evidence: (1) Planning Department Staff Report; (2) application, plans, maps and other supporting documents submitted by the applicant and the applicant's representatives to the City of Fort Collins; (3) a sign up sheet of persons attending the hearing; and (4) a tape recording of testimony provided during the hearing. The LUC, the City's Comprehensive Plan (City Plan), and the formally promulgated policies of the City are all considered part of the evidence considered by the Hearing Officer.

The following is a list of those who attended the meeting:

From the City:

Steve Olt, City Planner

From the Applicant:

Don Brookshire, Eastpoint Studio

From the Public:

Norm Jewett, 1200 E. Douglas Rd.

Written Comments:

None.

FACTS AND FINDINGS

1. **Site Context**

The surrounding zoning and land uses are as follows:

N: I; existing industrial (Winnelson Plumbing, Winnlectric Electric)
S: I; existing commercial (Stow-It Self Storage)
W: E; existing industrial (Teledyne Water Pik Technologies)
E: I; existing railroad, industrial (Uplands Business Park)

This property was annexed into the City as part of the East Prospect Street First Annexation in September, 1973. It has not previously been subdivided.

2. **Compliance with Article 4 and the I Zoning District Standards:**

There are no land use or development standards within Article Four of the Land Use Code applicable to this plat request.

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

A. Section 3.3.1 (B) – Lots

The plat provides for direct vehicular access from a street (Riverside Avenue), therefore, this standard has been met.

B. Section 3.3.1 [C] (1) - Public Sites, Reservations, and Dedications

The plat indicates that dedications for utility and access/parking easements are provided as needed to serve the lot. Furthermore, eleven (11) feet of right-of-way is being dedicated along Riverside Avenue as part of the plat.

SUMMARY OF CONCLUSIONS

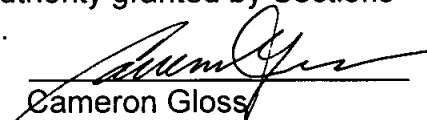
- A. The Riverside Eighth Subdivision Project Development Plan is subject to administrative review and the requirements of the Land Use Code (LUC).
- B. The Riverside Eighth Subdivision Project Development Plan satisfies the development standards of the I zoning district.

- C. The Riverside Eighth Subdivision Project Development Plan complies with all applicable General Development Standards, including the Plat Standards, contained in Article 3 of the Land Use Code.

DECISION

The Riverside Eighth Subdivision Project Development Plan, #8-04, is hereby approved by the Hearing Officer without condition.

Dated this 12th day of July 2004, per authority granted by Sections 1.4.9(E) and 2.1 of the Land Use Code.


Cameron Gloss
Current Planning Director

1626 Riverside Ave. -
Riverside Eighth Subdivision

sign-in sheet

Name

Address

Phone

DON BROOKSHIRE

3207 KITTEBY CT

224-4034

Red Fleet 1900 E Douglas St. 489-9594