



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

HEARING OFFICER: Cameron Gloss
Current Planning Director

PROJECT NAME: Boardwalk Crossing, Second Filing, Replat of Lot 3

CASE NUMBER: #76-93A

APPLICANT: Recreation Equipment, Inc
6750 South 28th Street
Kent, WA 98032

OWNER: Stanford Real Estate
3555 Stanford Road, Suite 204
Fort Collins, CO 80525

PROJECT DESCRIPTION:

The Boardwalk Crossing replat is a request to subdivide Lot 3 of the Boardwalk Crossing 2nd Filing into two lots. The property is located along the west side of South College Avenue, south of Boardwalk Drive. The purpose of the replat is to create a 12,200 sq.ft. lot, Lot 2, immediately north of the existing REI Building. This lot will accommodate additional retail and commercial building sites. The larger lot, Lot 1, will remain as the lot for the REI store. Off-street parking and site access will be provided on Lot 1. The subdivision will allow the transfer of property for the new retail store.

SUMMARY OF RECOMMENDATION AND DECISION:

This request complies with the applicable requirements of the Land Use Code (LUC), specifically the procedural requirements located in *Division 2.1 - General Procedural Requirements*, *Division 2.2 - Common Development Review Procedures for Development Applications*, and *Division 2.4 - Project Development Plan* located in

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Article 2 - Administration; and *Section 3.3.1 - Plat Standards* located in Article 3 - General Development Standards.

STAFF RECOMMENDATION: Approval

HEARING OFFICER DECISION: Approval

ZONING DISTRICT: C - Commercial

NOTICE OF PUBLIC HEARING: Notice of public hearing was made on August 30, 2001 by mailing to property owners within 500 feet of the subject property.

The public hearing was advertised in the Coloradoan.

PUBLIC HEARING

After reviewing the Staff Report and recommendation, a public hearing was held on the subject application at 9:00 PM on September 13, 2001. The hearing was held in Conference Rooms B, C and D at 281 North College, Fort Collins, Colorado.

HEARING TESTIMONY, WRITTEN COMMENTS AND OTHER EVIDENCE:

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

From the City:

Bob Barkeen, City Planner

From the Applicant:

Russ McCann, Applicant

Written Comments:

None

COMMENTS:

1. Background:

The zoning and land uses that surround the Boardwalk Crossing Subdivision, Second Filing are as follows:

N: C – Office, Restaurant
S: C - Retail
W: C - Retail
E: C - Retail

This property was annexed into the City as part of the "Horsetooth – Harmony Annexation" in May, 1978.

2. Article 2 - Administration:

The request complies with the applicable requirements of the LUC, specifically the plat requirements located in *Section 3.3.1 - Plat Standards* located in Article 3 - General Development Standards.

A. The replat is in compliance with Section 3.3.1(A) *General Provisions* in that:

- 1) The subdivision plat will be filed and recorded only after having been approved by the Director of Planning, with such approval evidenced in writing on the plat and signed by the City Clerk.

B. The replat is in compliance with Section 3.3.1(B) *Lots* in that:

- 1) Each lot has vehicular access to a public street, either directly or through access easements, and the side lot lines are substantially at right angles or radial to the street lines.
- 2) The general layout of lots, roads, driveways, utilities, drainage facilities and other services within the proposed development were established with the parent subdivision plat, Boardwalk Crossing Second Filing. The design of the adjacent platted roads are unaffected.

C. The replat is in compliance with Section 3.3.1(C) *Public Sites, Reservations and Dedications* in that:

- 1) All rights-of-way adjacent to or within the plat have been dedicated by a previous subdivision plat, and are of adequate size for the infrastructure they contain. Public drainage and utility easements exist within the site, and will not be modified as a result of the replat.
- 2) Subdividing the land will not result in the need for additional open space or detention areas.

FINDINGS AND CONCLUSIONS

After reviewing the staff report and the record of the public hearing, the Hearing Officer makes the following findings and conclusions:

- A. The Boardwalk Crossing, Second Filing, Replat of Lot 3, is subject to administrative review and the requirements of the Land Use Code (LUC).
- B. The Boardwalk Crossing, Second Filing, Replat of Lot 3, conforms to standards of the C zoning district.
- C. The Boardwalk Crossing, Second Filing, Replat of Lot 3, conforms to the applicable plat standards as put forth in the Land Use Code.
- D. Future development of the property will be required to meet Land Use Code Division 2.6 DEVELOPMENT CONSTRUCTION PERMITS; and, Division 2.7 BUILDING PERMITS.

DECISION

Based on the findings and conclusions, the Boardwalk Crossing, Second Filing, Replat of Lot 3, is approved.

Dated this 14th day of September 2001, per authority granted by Sections 1.4.9(E) and 2.1 of the Land Use Code.


Cameron Gloss
Current Planning Director