

**AGENDA**  
**PLANNING AND ZONING BOARD -- CITY OF FORT COLLINS**

Interested persons are invited to attend and be heard at the time and place specified. Please contact the Current Planning Department for further information on any of the agenda items at 221-6750.

<b>DATE:</b>	Thursday, September 12, 2013
<b>TIME:</b>	6:00 P.M.
<b>PLACE:</b>	Council Chambers, City Hall West, 300 LaPorte Avenue, Fort Collins, CO

**A. Roll Call**

**B. Agenda Review:** If the Thursday, September 12, 2013 hearing should run past 11:00 p.m., the remaining items may be continued to Thursday, September 19, 2013 at 6:00 p.m., in the Council Chambers, City Hall West.

**C. Citizen Participation (30 minutes total for non-agenda and pending application topics)**

**D. Consent Agenda:** The Consent agenda consists of items with no known opposition or concern and is considered for approval as a group allowing the Planning and Zoning Board to spend its time and energy on the controversial items. Any member of the Board, staff, or audience may request an item be “pulled” off the Consent Agenda.

**1. Minutes from the August 8, 2013 Planning and Zoning Board Hearing**

**E. Discussion Agenda:** Specific time for public input has been set aside for discussion on the following items:

**2. Midtown Plan**

This is a request for the Planning and Zoning Board to recommend to City Council the adoption of the Midtown Plan. The Midtown Plan establishes a long-term urban design vision to revitalize the College Avenue corridor between Prospect Road and the South Transit Center. It is intended to support current and forthcoming investment by identifying key design principles that will help transform the corridor into a more urban, transit- and pedestrian-friendly environment in support of MAX.

**Applicant:** City of Fort Collins

**Staff:** Bolin

**F. Other Business**

**G. Adjourn**

Planning and Zoning Board Hearing Minutes  
August 8, 2013  
6:00 p.m.

<b>Council Liaison:</b> Mayor Weitkunat	<b>Staff Liaison:</b> Laurie Kadrich
<b>Chair:</b> Andy Smith	<b>Phone:</b> (H) 482-7994

Chair Andy Smith called the meeting to order at 6:03 p.m.

Roll Call: Carpenter, Hatfield, Hart, Kirkpatrick, Smith and Schneider

Excused Absence: Heinz

Staff Present: Kadrich, Eckman, Levingston, Holland, Varrella, Shepard, McWilliams, Langenberger, Siegmund, Ex, Stanford, Lorson, and Sanchez-Sprague

### Agenda Review

Director Laurie Kadrich reviewed the items on both the Consent and Discussion agendas and noted this is the first hearing using the recently modified LUC order of proceedings. The most significant change is the applicant will make their presentation first.

Chair Smith provided background on the board's role and what the audience could expect as to the order of business. He described the following processes:

- Citizen Participation is an opportunity for citizens to address the board on non-agenda related topics.
- Consent agenda items are considered items which have no known opposition. They are approved collectively at the beginning of the meeting unless a board member, staff or audience member requests an item is pulled and moved to the discussion agenda.
- Discussion agenda items will include an applicant presentation, a staff presentation, and public comment.
- At the time of public comment, he asked that you come to the podium, state your name and address for the record, and sign-in. He asked that the speaker clearly state their position. He encouraged speakers to share comments relevant to the topic under discussion.
- Responses by applicant and staff will follow public comment.
- The board will deliberate and reach a decision once a motion has been made and a vote taken.
- He will begin each new item with a description of the development type being considered. The board will do their best not to use acronyms or jargon.

### Citizen participation:

None

Chair Smith asked if anyone (audience, board or staff) would like to pull an item from consent. An audience member asked that Colorado Water Conservation Board Floodplain Regulation Adoption and other Minor Policy and Clean-up Item be moved to Discussion.

**Consent Agenda:**

1. Minutes from the July 18, 2013 Hearing
2. Fort Collins Veterinary Emergency and Rehab Hospital Project Development Plan, # PDP130018
3. Rigden Farm 14<sup>th</sup> Filing Extension of Vested Rights, # 56-98-AS
9. Land Use Code Amendment related to Definition of Large Base Industry
10. Land Use Code Amendment related to Extension of PDOD

**Member Hart made a motion to approve the consent agenda which consists of the Minutes of the July 18, 2013 Hearing, Fort Collins Veterinary Emergency and Rehab Hospital Project Development Plan, # PDP130018, Rigden Farm 14<sup>th</sup> Filing Extension of Vested Rights, # 56-98-AS, Land Use Code Amendment related to Definition of Large Base Industry, and Land use Code Amendment related to Extension of Planned Development Overlay District. Member Hatfield seconded the motion. The motion passed 6:0.**

**Discussion Agenda:**

7. Colorado Water Conservation Board Floodplain Regulation Adoption and other Minor Policy and Clean-up Items
4. Feeders Supply Project Development Plan, #PDP130012
5. Prospect and Timberline Overall Development Plan, #ODP130001
6. Integrated Recycling Facility Project Development Plan, #PDP130020
8. Land Use Code Amendment related Transited Oriented Development Minimum Parking Requirements

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**Project:** Colorado Water Conservation Board (CWCB) Floodplain Regulation Adoption and other Minor Policy and Clean-up Items

**Project Description:** The CWCB adopted minimum state-wide floodplain regulations in January 2011. All communities must adopt these new standards by January 2014. The City of Fort Collins already has adopted many of these standards. Therefore, there are relatively few changes needed to meet the CWCB state-wide regulations.

**Recommendation:** Recommend to City Council the Adoption of the CWCB Floodplain Regulations

**Hearing Testimony, Written Comments and Other Evidence**

Director Kadrach said the purpose of this item is for the board to consider a recommendation to City Council for the adoption of the Colorado Water Conservation Board (CWCB) Floodplain Regulation Adoption and other Minor Policy and Clean-up Items.

Stormwater/Floodplain Staff member Brian Varrella said the key areas where changes are needed include:

- Additional critical facilities to be regulated;
- Higher freeboard for additions and substantial improvements;
- Additional items to be included in substantial improvement cost determinations for City Basin Floodplains;
- Hardship provisions for variance requests; and
- Elimination of waivers for properties in area where capital projects are under construction and reduce the floodplain in City Basin Floodplain.
- New Section Heading for Division 5 titled “FEMA Basin and City Basin Floodplains” combining the regulations for FEMA Basin floodplains and City Basin floodplains into one division.

In addition, the current regulations were reviewed for recommended policy or procedural changes. Items proposed for revision include:

- The definition of abandoned;
- Escrow procedures;
- Mapping criteria; and
- LOMP-Fill criteria for properties annexed into the City.

Varrella said next steps are public outreach to City Boards and Commission, Chamber of Commerce, Board of Realtors, Northern Colorado Home Builders Association, and other agencies. A Council Work Session is scheduled for September 24. Staff requests the Board provide a recommendation to City Council to adopt the proposed State-wide floodplain regulations and the additional proposed policy and procedural changes and clarifications to Chapter 10 of the City Code.

### **Public Input**

Mickey Willis, 150 Fairway Lane Fort Collins, asked what happens if we don't adopt these standards. He said we already have some of the strictest floodplain regulations in the state. Our city is different from every other city. Our city is focused on adding new urbanist types of dwellings in downtown Fort Collins and having a more walkable town plan. Historically what we have are small, beautiful cottage houses on large lots. Families that want to live in the downtown need to add to a small house to accommodate their families. He understands the whole house has to be raised if you're adding 50% value to the house. Because the city adopted very strong rainfall criteria, it pushed all our floodplains boundaries out into a 100 year floodplain. Before this is adopted, he urged the board to talk more about it and to do more research of what the true effect will be.

Willis's other concern relates to the waiver process. He used as an example a project he has been working on since 2005 in the Dry Creek area. He said the city has done a great job on floodplain improvements but the restrictions are so difficult to deal with –they become prohibitive to doing projects. If there's a Stormwater Master Plan in place such as Dry Creek (North College Corridor Outfall Program) and its 95% designed/engineered solution to flooding but unfunded (because it doesn't move up the Capital Improvement Projects list) you are not able to proceed. He said they are now with no waiver even though parts of that project are under construction. It makes no sense to take away the waiver process. He thinks floodplain regulations involve a very complicated process that should never have been on the board's consent agenda. He said this is one of those things that screw it up—it makes it difficult to be a great community. What's the harm to not adopt these new standards? Is there a cost/benefit related to this? Do we want to sacrifice our whole Comprehensive Plan?

### **End of Public Input**

## **Staff Response**

Varrella said homes that are expanded by 50% are considered substantial improvement (a federal term that's been adopted by the state and city). It's true, any structure (residential or commercial) that is improved above their current 50% market value will be asked to follow new floodplain regulations.

When it is by more than 50% of its current market value, new floodplain standards must be applied. If substantially improved, the property owner may be required to raise the home, abandon the basement, or modify the crawl space. In the six years he's been with the city he has not seen a substantial improvement. There are provisions that help people phase their project over the course of 12 months. In that situation they could improve their home, realize a market value change, and get it appraised at a new market value.

Varrella said waivers are applicable only to city floodplains. The Dry Creek Basin, the Poudre River, Spring Creek, Boxelder, and Cooper Slough Basins are FEMA basins and they are not eligible for waivers right now. Basically anything south of Drake except for Spring Creek and the Poudre River are city basins (and smaller) where waivers are allowed. To give the board a sense of how the risk of buildings is distributed from one basin to the other, estimated the number of buildings in both city and FEMA basins. Note: After the meeting Varrella provided information that the actual number is 209 building in FEMA basins and 981 buildings in city basins.

Varrella said with regard to the question 'what is the harm' if these regulations are not adopted, it's his understanding that FEMA already has in place a notice of suspension for any community that refuses to adopt these standards by January, 2014. He understands within six months of that date, we will be placed under suspension. What suspension means is that nobody will be able to buy or sell property in a floodplain unless it is a cash transaction. It also means the city will be ineligible to receive disaster assistance for any flooding and it may affect other type disaster assistance as well. If we do not adopt it, the state can sanction us. He does know (from talking to other communities) that getting out of suspension takes a couple of years, a couple of million dollars of public money, and a lot of time on the part of our city leaders in Denver and Washington, DC to be reprogrammed. He does not know of any community in Colorado that has been suspended

Varrella said the cost benefit analysis is available at the CWCB (Colorado Water Conservation Board) website.

Varrella referred to a comment in the American Planning Association's Hazard Mitigation/integrating best practices into planning article—"Nothing is more essential to protecting quality of life than insuring personal safety..." It was in this spirit that the statewide regulations were developed.

## **Board Questions**

Member Schneider said under Chapter 10 of the Municipal Code, you cannot flood proof residential structures. Varrella said that is correct. Schneider asked if anyone has done any work so homeowners do not have to go through a variance process but rather have a prescriptive path to be able to flood proof a substantial improvement. Varrella said no. Varrella said the reason behind that is the federal standards states that you cannot flood-proof a residential structure. The variance process allows a variance to that standard but the state cannot adopt a standard that is inconsistent or less stringent than a federal standard. Schneider asked if he had an idea of the affected area going from the 6 inch to the 12 inch freeboard. Varrella said he does not but those numbers are available back at the office and he'd be happy to send that information to the board. Note: After the meeting Varrella provided information that the total floodplain area in the city is 3,684 acres affecting 1,190 structures.

Member Schneider asked how property owners not currently affected going to be notified. Varrella said the 6 inch freeboard standard would affect every existing building in a floodplain and that they had an inventory of those affected. He said normally they send every property owner whose property touches a floodplain notice of development requirements in July. At this point, they have not reached out to the individually affected property owners and have no plans to do so. He said public outreach efforts are being undertaken towards that goal.

Member Schneider said with regard to historic or existing homes that are affected by historic preservation which has jurisdiction. Which supersedes the other? Varrella said home additions are not considered a part of the historic structure under Chapter 10 (Floodplain section of the Municipal Code). As far as an existing home is concerned, he's not familiar with that section of building code and he would defer to counsel. Deputy City Attorney Eckman said if he had to choose, he thinks the floodplain protection rises to a higher level of importance because it deals with safety issues. Beyond that he couldn't say as it is a conflict of laws question that might take a little more research.

Member Hatfield asked if existing homes will be grandfathered – not affected by the new regulations. Varrella said that is not entirely true. These regulations would apply to new construction, to remodels (where the substantial improvement calculation would take place), to home additions, and to redevelopment.

Member Schneider asked if there are any negative consequences to a number of variances that may be requested for residential structures...once we hit a certain threshold could we be in trouble with FEMA. Varrella said yes. He does not know the limit but he does know that if we offer too many variances, FEMA will review and decide if the city is in compliance or not. He said if we are not in compliance, we would go through a probationary process and if we cannot satisfy their requirements, we would be suspended.

Member Schneider asked if there are plans for the city to spend funds to mitigate the problem. Varrella said absolutely – that question leads into their master planning program. The master planning program for stormwater identifies the problem areas and provides potential solutions. It prepares a benefit cost analysis to help us understand how the solutions may fix problems and to what degree they may 'want' to be fixed based on current revenue. Every basin has a master plan. Every basin except the Poudre River Basin includes a capital improvement project that should reduce the floodplain. Some have already been fully executed. Some will continue to be executed in later phases but overall every basin in the city is considered eligible for public funding from a stormwater fee to do capital improvements.

Member Hart said he'd like to make sure he fully understands. We're going to make a recommendation based upon their interpretation of the Land Use Code (LUC) that this either is or is not adopted by City Council. It sounds like staff is still doing a lot of work to finalize the elements associated with it. Is that correct? Varrella said that is correct. Hart asked if Fort Collins does not approve by January 1, 2014 everyone who has flood insurance will lose that flood insurance. Varrella said that is not entirely true. Varrella said if we do not adopt this by the deadline we would be placed on a probationary status by FEMA and they would act to suspend us shortly thereafter. It would be probation, suspension and then those with flood insurance would have to pay an extra \$50 per year. Eventually they would not have coverage without heavy fines. Varrella said there are approximately 410+ properties that have flood insurance.

Chair Smith asked if the City Attorney's office aware of what the state sanctions might be. Eckman said he is unable to answer that question but his colleague Carrie Daggett may. Deputy City Attorney Daggett said with regard to the programmatic impacts of failing to adopt these changes, they have not thoroughly reviewed the consequences. If this does go down the path where it would be desirable to do so, they would need to look harder at some of those consequences.

## Board Discussion

Member Hatfield said he doesn't believe in fixing something until it's 'broke' and he doesn't think this is broke to the point of changing it right now. He hasn't heard enough evidence to support it. He's not in favor of it.

Member Schneider said his hardship comes with the residential aspect. He'd like to see a protocol that would make it easier than the existing variance process. He'd prefer to see more research. If the freeboard cannot be changed, he'd like to see more work on how to make it easier for citizens to protect their home. The last thing he'd like to see are homes being torn down to comply with that extra 6 inch of freeboard. He said he cannot support it the way it's presented.

Member Hart understand the concerns people have but he doesn't really see the city has a lot of options. He thinks however that in between a recommendation from the Planning and Zoning Board and the City Council adoption there is a great deal of time to make changes the city may feel is appropriate. There may be some issues associated with this but he thinks it's more important we have it in place by January.

Member Kirkpatrick said she thinks the city also needs to adopt these regulations. She agrees with Member Schneider. She lives in old town and it's already more expensive to do an adaptive use of a semi-historic structure. They'd far more likely be willing to scrap it if it wasn't historically eligible and they had to jack up the existing foundation. She would prefer the city does what they need to do to be compliant because she thinks it only makes sense to do so but she thinks we need to prioritize the things that are within our control through a capital improvement program.

Member Carpenter said it doesn't appear to her that they have much of an option. She said this comes down from the state and from FEMA and we just need to do it.

Chair Smith said he thinks there are a political question and a technical question that is more related to land use and our building pattern throughout our community. He thinks the political question should be answered by City Council working with their attorneys to determine whether or not it is something they want to pursue. He said with our limited purview of speaking to the Land Use Code, he can't in good faith recommend to City Council to make these changes. He doesn't think they should adopt the floodplain regulations as presented. The implications are too unknown and potentially too widespread in some areas.

**Member Hart made a motion that the Planning and Zoning Board recommend to City Council the adoption of the proposed statewide floodplain regulations and the additional proposed policy and procedural changes and clarification in Chapter 10 of the City Code. Member Kirkpatrick seconded the motion. The motion failed 3:3 with Members Hatfield, Schneider and Smith dissenting.**

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**Project:** Feeders Supply Project Development Plan, # PDP130012

**Project Description:** This is a request to renovate the existing Feeders Supply building at 359 Linden Street, demolish three non-historic additions, and construct a new building addition along Linden Street for a restaurant or commercial use called the New West Addition. The request also includes a new four-story apartment building along Willow Street. The original Feeders Supply building is designated as a historic structure.

The historic Feeders Supply building would be adaptively re-used primarily for a restaurant or other permitted commercial uses. Both floors would be utilized and served by an elevator. A small patio would be added along Willow Street. There would be no major exterior changes.

The New West Addition along Linden Street would also be two stories and further set back from Linden Street than Feeders Supply to offer views to the historic structure and allow for a small, off-street patio. The proposed design, exterior materials and colors are intentionally basic and relatively unadorned allowing emphasis to remain with the historic and distinctive Feeders Supply building.

The Apartment Building along Willow Street would contain 54 dwelling units and be four stories in height with the fourth floor stepped back from the lower three floors. The building includes three stories of residential dwellings over a ground level parking garage which is faced with studio apartments along Willow Street. The building is accented by a glass tower feature which projects forward and is not stepped back. The ground floor apartments would allow for conversion to commercial space if justified by future market conditions. The building consists of red brick, stone accents, cornice details and the central glass tower is topped with a gable roof.

The garage contains 41 spaces, and combined with 13 surface spaces, results in a total of 54 spaces achieving a ratio of one space per unit. The site is 1.19 acres in size and located within the National Historic District and zoned R-D-R, River Downtown Redevelopment District.

**Recommendation:** Approval with condition

### **Hearing Testimony, Written Comments and Other Evidence**

Director Kadrich said this is a request to renovate the existing Feeders Supply building at 359 Linden Street, demolish three non-historic additions, and construct a new building addition along Linden Street for a restaurant or commercial use.

Jon Prouty of Feeders Supply LLC said he will move through the material quickly as much of the information had already been distributed to the board. He'll be making his presentation primarily by the use of photographs. He said that A-E Design was hired by the State and the city to do a historical structure assessment.

Prouty said some important conclusions of that assessment are the building's character defining features. They include:

- The multi-lite windows flanking a recessed entrance on the east façade (facing Linden Street)
- The stepped parapets with the gable roof on the east façade
- The original, historic windows in the office/retail and grain elevator
- The historic sliding doors in the grain elevator and the warehouse
- The grain elevator structure that extends above the gable roof of the warehouse (mill building)
- The stucco finish on the exterior walls

Prouty provided an orientation of the adjacent streets. Their plan is to rehab and preserve the mill building and warehouse addition, demolish the existing west additions (four small additions that are structurally deficient and least historic), and add a new addition on the west of the mill and an indoor/outdoor patio on the east. The mill building first and second levels will be used primarily as is for

seating and tables. All restaurant equipment, plumbing, and mechanical will be located in the new addition and will not impact the mill building.

Prouty said an apartment building similar in design to a mill building will front on Willows and be located north of the restaurant. It is comprised of 23 two-bedroom units, 23 one-bedroom units and 8 studio units (which are designed to be converted to retail space when the market dictates.). Each unit (except for studio apartments) will have a private deck and a vehicle parking space. Prouty described the architectural features of the structures.

He said he respectfully requests the board approve the project as proposed without conditions.

### **Staff Presentation**

Chief Planner Ted Shepard introduced the staff team which included Historic Preservation Planner Karen McWilliams, Development Review Manager Sheri Langenberger, and Civil Engineer Tyler Siegmund. Shepard said a lot of material has been distributed since the work session. It includes: cover memo from with responses to questions raised at the work session, a revised traffic study, a letter from Rich Shannon in support, two memorandums from the applicant, a memorandum from Karen McWilliams, a memorandum from Anne McCleave of the State Historic Fund/History Colorado, and a letter from Todd Dangerfield of the Downtown Development Authority.

His presentation included an aerial (site plan) map, a landscape plan, a graphic related to apartment parking (the project is in the TOD (Transit Oriented Development) and provides 54 parking spaces), elevations, and photographs. He said the full size (24"x36") prints provided in the board's agenda packet are the official plans of record. He said the existing wall sign facing Linden Street is not historic and based on their latest communications with the State of Colorado, the State and local historic preservation staff have agreed to 2 windows.

### **Staff Responses**

Shepard said relative to the applicant's comment about the 8 studio apartments on the 1<sup>st</sup> floor being convertible to retail uses should the market allow. Staff thinks it could be broader--they can be non-residential land uses and wouldn't necessary be restricted to retail.

Historic Preservation Planner Karen McWilliams had no staff comments.

### **Board Questions**

Chair Smith asked what the process would be used to convert the studio apartments to non-residential land uses. Shepard said these are very diverse mixed use zone districts and a lot of uses are permitted. The minor amendment process would be the most logical unless the land use changes character. If it's a change in character, it would be a major amendment. Smith asked if the owner or tenant were interested in a live/work use, would that be a simple process. Shepard said the Home Occupation provision of the Land Use Code (LUC) allows a home occupation. You cannot have more than 50% of your floor space devoted to your non-residential land use. When you go beyond 50% or you have more than one employee you are then a live/work situation and that would require a minor amendment.

Member Carpenter asked what would have to happen if someone decided they were no longer going to live there and they wanted to open a store or an office with no residential. Shepard said that would be permitted in the zone and would probably be a minor amendment. They would be looking for no exterior changes, no change in character, or anything that would disrupt the final parameters of the recorded final plan.

Member Kirkpatrick asked how signage plays into the above. Shepard said we have a custom of not looking at signage during the PDP (Project Development Plan) and Final Plan review stages. The Sign Code has a separate permitting process.

### **Public Input**

Sandy Knox, 2309 W. Vine Drive, said she's a resident of Fort Collins since 1967. Her concern with this development is the parking. She said the parking needs for the apartments and the restaurant are not being addressed. She thinks the addition of traffic to Willow will create a mess. She thinks a lot of people use Willow to get to Cherry Street—it's a better alternative than Jefferson to College to Cherry. She thinks the tenants will all have cars. Where will guests park? Where is handicapped parking? She thinks it's a shame the City of Fort Collins is encouraging large developments that are pushing out smaller, family-owned businesses.

Hunter Harms, 1738 E. Beam Reach Place, said he supports the project. He thinks it enhances the intersection and he'd like to see it move forward.

### **Applicant Response**

Jon Prouty said he'd like to speak to parking and the Willow Street Improvements Development Program. When Willow is completed, there will be approximately 220-240 new parking spaces. It'll be diagonal parking in the middle of the road and parallel parking along the side of the road. There are also about 50 spaces on Linden and 35 spaces on Pine. He said the time has come for Willow between Linden and the Aztlan Center to be done.

Chair Smith asked what his response to Ms. Knox's comment about pushing out small business. Prouty said 'Dennis' came to him and with that there would have been no project.

### **Staff Response**

Shepard had no comment.

### **Board Questions**

Member Carpenter asked staff to help her understand where the new entrance will be on the Willow side. McWilliams said the applicant's proposal is to maintain the existing door and two windows in the patio area, to add a door and two windows adjacent to that, to fix the historic '5-0' door, and to add a fire access door. Carpenter said her understanding that that is not in compliance with the Secretary of the Interior Standards. What do we suggest there? McWilliams said what has been suggested is that the 5-0 door, which is wide enough to be handicapped accessible, be fixed open – which is a common practice in historic preservation. The opening could be in-filled with a glass door front. They recommend he not add the extra door and two windows there. They recommend the fire door be moved to the back of the building instead of on the Willow side.

Member Carpenter asked about the workability of moving the door around the corner (to the alley) and making it less visible from the street side. Prouty said the challenge is how to gain efficient access to the core area. They think the stairs and elevator should be in the new addition and not in the warehouse addition. He said at one end of the warehouse you could have your fire room and at the other end of the warehouse you could have access to the core area. Carpenter asked if you left the existing door in place and did not add a new door and two windows would that require you to put a hallway inside to get to the core area. Prouty said yes.

Member Kirkpatrick asked Mr. Prouty to expand on the fire access door in the rear. Is there a reason it's proposed on the southwest elevation? Prouty said if you put the fire door in the alley, you'd have to add a 12 foot header to recess it properly. Members asked what concerns PFA might have. PFA Assistant Fire Marshall Ron Gonzalez said typically sprinklers are on the street side because you have your fire main on the street. They would recommend a door directly from the outside to the sprinkler riser room – that keeps them from having to go inside the building to access the sprinkler system. Gonzalez said

they typically do not accept alley access because: they cannot make it into a fire lane/emergency access easement, there is no addressing, and there are no utilities.

Shepard said at the PDP (Project Development Plan) stage, we sometimes don't even get into this level of detail. Typically its 50% designed and some of these things get resolved between 50 and 100%. Shepard said they work very closely with PFA. Member Hart asked if this is something we should be pursuing or will it be resolved based on what PFA requires. Shepard said he'd like to refer the 'conflict between codes' (LUC and Fire Code) question to Deputy City Attorney Paul Eckman

Member Hatfield asked if the three windows on the west elevation would be considered for fire escape. Gonzalez said no, he thought they were more ornamental and probably not sized correctly for egress.

Member Hart said fundamentally there were 2 outstanding issues at the time of the staff report – one was number of windows on the southwest side and the second was the tower feature on Willow Street. Have they been resolved between staff and the applicant? Shepard said they've made a little more progress on the first. Working with the State, the number of windows has been changed to two. He's thinking that is not to the satisfaction of the applicant and that's why it remains a condition of approval. Shepard said the second issue—the tower feature on Willow Street—has not been resolved.

Member Hart asked if we could ask the applicant to briefly address those issues. Prouty said as far as the windows are concerned, he's been speaking to restaurateurs about how to make that space useable as a banquet room and the consensus has been there needs to be some day light. Prouty said in the mill building design the dominant tower is a key element. They do have a tower of glass and steel that protrudes 2 feet. It meets code requirements of 'breaking mass'. It is an appropriate interpretation of what a mill design looks like. Hart asked staff to comment particularly as relates to the windows and the protrusion of the tower.

McWilliams said the mill building is listed on the National Register of Historic Places so their concern in reviewing the project is to make sure any of the alterations or changes comply with the Secretary of the Interior Standards for Rehabilitation. One of those standards notes you do not want to change character defining elements of the building. As the State noted in its memo, the flat walls without holes punched in it are very character defining elements of an old mill building. By adding windows, there is a concern you actually change the feel and perception of the building. Staff concurred that two windows would work on the west side/upper level. The windows would be those most tucked into the patio area. McWilliams said the third window is much more visible and is the window that is most contentious.

McWilliams said in terms of the tower element, their interest is to try and minimize the feel of the building's impact. Can we break up the massing into smaller blocks of massing that will fit more with the character of other building that historically or currently exist in the National Register District? If you recess the tower, it comes across as two smaller masses with a glass connector. If you have the tower protrude, it looks like one large building with a prominent entrance. It was thought it would be more in compliance with the standards if the entrance was recessed slightly.

Chair Smith asked McWilliams what buildings are being used to establish character for the historic district. McWilliams said there is certainly recognition this is a new building so it will not mimic a historic structure. The idea is to have it blend in as much as possible. Building such as Ranch Way Feed are comprised of several smaller massing blocks with many set back in.

Chair Smith asked if this property's gotten any State Historical Fund grants which would further restrict design aesthetics. McWilliams said no.

Member Carpenter asked if the tower is left out front would it affect the district's eligibility. McWilliams said the State has weighed and said no. This one building by itself will not have an impact on the district (it would not be 'de-listed'). Carpenter asked if it would affect the district or the eligibility of the building itself if we aggregate proposed changes to the historic building and the slightly protruding tower. McWilliams said the State looked at the eligibility of the building itself; they did not look at the eligibility of the alterations to the mill for the impact on the district. What the State National Register Coordinator Heather Peterson stated was that the alterations as proposed would not affect the buildings' continued eligibility on the National Register.

Chair Smith asked if we had a series of projects in which the district's character was starting to change would that affect the district. McWilliams said it's a sum total sort of thing. One 'egregious' building could affect the entire district yet you could have several new buildings constructed if they comply with the Secretary of the Interior Standards for Rehabilitation and not have impact on the district.

Chair Smith asked McWilliams to comment on whether architecture or human history is more dominant in designating the district. McWilliams said if you have a building that is socially important (event or deed), the building itself has to have 'integrity' to be able to represent that history. McWilliams said architecture plays a larger role. She also added this building is very significant to Fort Collins history.

Member Hart said there are quite a few comments related to design from the State office. When will the rest of these comments be addressed – how do their comments weigh into the design? Shepard said one opportunity would be this evening. Another would be at final plan submittal if this project proceeds.

Member Kirkpatrick said let's say we approved the PDP without condition, what would that look like in terms of compliance with those noted by the State. Would it be staff's recommendation at final plan submittal? McWilliams said the State has weighed in in an advisory role. The project would also need to comply with our own LUC which is 3.4.7 (D) (2) which requires the structure shall be in conformance with the Secretary of the Interior Standards for Rehabilitation.

Member Kirkpatrick asked staff for information in terms of timing for the improvements proposed on Willow. She would also like to know about connectivity from the site – the TIS (Traffic Impact Study) said bicycle and pedestrian LOS (Level of Service) requirements would be met at final design. Are there any plans for connectivity on the north side of Willow in the interim? Development Review (Engineering) Manager Sheri Langenberger said the project is responsible for providing local street improvements adjacent to the project. Staff has been working with the applicant in designing that frontage to get curb, gutter, and an attached sidewalk with tree wells in accordance with the area plan. Langenberger said the Linden Street frontage is completed. The Willow Street area plan shows parking down the center. That would not occur with these improvements because we don't have the improvements on the north. Langenberger said that as far as the timing for the rest of the improvements, they are currently discussing how to fund the remaining improvements. At this point, they have not been identified or funded through a grant or a capital project.

Member Carpenter asked if the developer paying into a development fund? Langenberger said yes they will pay into the Street Oversizing Fund.

Langenberger said with regard to pedestrian connections, right now there is enough shoulder for a bike lane on the north side. There will also be a bike lane on the south side of the roadway. The sidewalk connections will not be extending any further west than this project. Langenberger said she did not have the Traffic Impact Study before her but she thought they were able to meet the Pedestrian LOS (Level of Service) though the connections down Linden, Riverside, and into the old town area.

## **Board discussion**

Member Carpenter asked as they deliberate, could they separate the historic building from the other one. We're really talking about two different things.

Member Hart said it seems we have a proposal and a recommendation from staff. One condition relates to the historic building and the other condition relates to the non-historic building. Is there more to be added to those conditions? Carpenter referred to the materials received from the State Historic Fund – one is closing off an entrance and adding a new, one is the indoor/outdoor patio, and one the fire sprinkler door—they would all be something to consider. Hart wondered if the project had been designed to that degree. Carpenter said the elements she just noted are on the plans the board have been given to review.

Director Kadrich said it's the opinion of the staff that we do not need to condition those items tonight. They could be worked out (and typically are) between the 50% and 100% completion of the design. Chair Smith said the conditions (if accepted by the board) are referenced in the staff report.

Member Carpenter said she's more concerned with the existing door being taken out and new doors being put in. She thinks that definitely changes this building. Deputy City Attorney Eckman said it would have to be more than a recommendation if you want it to be binding on the staff at final review – it would have to be a condition.

Member Carpenter said she'd like to see them use the existing door rather than putting in a door and two new windows. She'd like to keep the building as historically pristine as we can. She said as far as the fire sprinkler room access goes, she thinks that should be worked out with PFA. Eckman said the LUC in Section 3.3.5 requires that we comply with all the requirements of the Fire Authority. To the extent we have a conflict between LUC 3.3.5 (Fire Code) and 3.4.7 (D) (2) Secretary of the Interior Standards for Rehabilitation then we can address that with the conflict of laws provision in the LUC. Carpenter recommended we leave that to staff to address.

Member Carpenter said she does not think there is a reason we'd have to do anything against what the State or historic preservation staff has recommended. She'd like to see them keep the sliding door rather than add anything new. She also doesn't see any compelling reasons to go beyond the two windows recommended by staff.

Member Schneider asked how the rise (30+ inches/loading dock elevation) would work when dealing with an accessible ramp. McWilliams said they have not really investigated design solutions. One suggested early on is that we bring the ramp further out.

Director Kadrich noted the board cannot place a condition and then leave it in the hands of staff. In the past when the board had concerns, e.g. Discount Tire, the concerns expressed were incorporated into the project and staff followed up with the board to show them how that was done. Member Carpenter said that could work for her.

Chair Smith said staff does a great job of honoring the integrity of the implementation of the design standards. He would be okay with staff working on a solution that is compliant with health and safety, accessibility, and historic integrity as much as possible. It's important as we get going in the River District that we're not saying anything goes. He said historic preservation is a very important community value.

Chair Smith said let's move onto the windows on the existing building – which he believes is the first condition. The amended staff recommendation is the final plan depicts two windows.

Member Hatfield said he says no problem with three windows. He thinks it's beneficial for several reasons, including: it adds to solar heating, it provides more light, and it could be a fire exit. He's in favor of three windows.

Member Schneider said he's more inclined to follow staff recommendation.

Member Kirkpatrick asked if there are any windows on the west side. Prouty said no. There is a grate and a cupola that could be restored in the back. There is a cupola in the front. On the ends of the buildings that are looking into the grain bins there is only one small window facing Willow Street. Member Carpenter said she thinks two windows is a good compromise. It's an important piece as far as this architectural type goes. She thinks leaving the window out in the front is not going to be detrimental.

Member Schneider said he agreed with the State's recommendation that the two foot protrusion onto the sidewalk is not detrimental to the district nor does it compromise the historic character of the district. Member Kirkpatrick agrees they do not think it's detrimental to the historic district but they'd still like to see it recessed. Member Hart said Staff Historic Fund staff member Anne McCleave said that they don't support a protrusion. McWilliams said to clarify—the one person (Heather Peterson) is evaluating the property to see whether the changes would affect the National and State Register Districts standing and the other person (Anne McCleave) was using the Secretary of the Interior Standards and looking at the impact of the new construction.

Member Hart said he doesn't necessarily agree with that and he doesn't think the new building would substantially affect the character of the area. He would support dropping condition 2. Member Kirkpatrick agreed. Chair Smith agreed. Chair Smith said the applicant has done a good job of providing examples of how it's worked well in other locations.

Note - Staff Report language is:

- E. Section 3.4.7 – Historic and Cultural Resources – is satisfied but only with the two proposed conditions of approval recommending changes to the proposed number and shape of the windows on the southwest elevation of Feeders Supply and recessing the central tower by two feet back from the front wall plane of Apartment Building.

Staff recommends approval or approval with conditions or continuance of Feeders Supply P.D.P., #PDP130012, subject to the following two conditions:

1. At the time of submittal for Final Plan, and in order to comply with Section 3.4.7, the applicant shall provide architectural elevations for the Feeders Supply Building that depict *two windows* on the upper level of the southwest elevation, and that this window shall be subordinate in size to the existing windows so as to not compete visually with the existing building details.
2. At the time of submittal for Final Plan, the Apartment Building tower feature along Willow Street shall be recessed back from the front wall plane of the by at least two feet so as to promote a more pedestrian scale. This also has the effect of physically interrupting the front building line to more clearly define the area between the building and the public street which is more in character with the surrounding area.

**Member Hart moved the Fort Collins Planning and Zoning Board approve the Feeders Supply Project Development Plan, # PDP130012 subject to a revised condition 1 in the staff report which basically goes from one to two windows based on the conclusion and findings of fact on page 19 of the staff report except for item E which would have to be changed to reflect we no longer have a condition 2. It should be changed to read satisfied but only with a condition of approval**

**included in the recommendation. Also, it would make sense for the board to determine that the sprinkler room door is at the applicant's option and if he elects to include it has to be on the back side (alley). Chair Smith seconded the motion.**

Member Carpenter asked if we could add a recommendation for the new windows and the fire door if it doesn't comply with Fire Code. Carpenter said at this point we don't know if it's feasible so she'd like to leave it up to staff to work it into the design. Chair Smith suggested "to the extent that accessibility and fire issues are met, as few new doors and windows are added to the western half of that northern side". Carpenter agreed.

Member Kirkpatrick said it seems that a lot is still being flushed with regard to negotiations between the applicant and our historic preservation office. Can we just use a more general condition?

Member Kirkpatrick said Mr. Prouty has a letter different than the one the board received. Chair Smith asked Mr. Prouty to hear what your thoughts are relative to the letter from the State. Prouty said he thinks the Board's task is to look at LUC Section 3.4.7. He thinks the reason the State, the city, and he hired a consultant for a historic structural assessment was among other things to come up with the building's character defining features. He said there's all kind of advice but at the end of the day the criteria in LUC Section 3.4.7 is what should be considered when the board makes their decision. He's concerned the different advisory groups appear to be taking precedence/responsibility they don't really have. He thinks it's dangerous to have too many advisory voices offering differing interpretations. He would like the board to consider making decisions based on the Land Use Code and not get off track on relatively smaller advisory items.

Member Carpenter said she really appreciates the overall care that Mr. Prouty has taken with this building. She doesn't feel like the Secretary of the Interior Standards are advisory. It's what the board has to evaluate whether or not we are impacting the building. The new entrance definitely does not meet Secretary of the Interior Standards 1, 2 and 9. She said that is an important part of this building and it would change the character of the building.

Chair Smith said at this point we either amend the motion or take a vote.

Member Carpenter asked Chair Smith for some language he'd used previously. He said, "Keeping accessibility and fire consideration the primary concern. As much as possible, historic integrity considerations should be preserved on the western half of the northern elevation." Carpenter added "and we direct staff to do that".

Eckman said that's a problem. In Section in 3.4.7(D) (2), the LUC states that the Secretary of the Interior Standards must be complied with. One board member thinks 3 standards are not being complied with but it has to be a majority decision. If we have a majority of the board that thinks that any of the Secretary of the Interior Standards are not complied with than this plan should not be approved under the LUC.

Member Hart said if the motion on the floor is to be passed, in future design wouldn't staff require the applicant to meet the section of the Land Use Code that is in effect. Eckman said it's a PDP (Project Development Plan) issue—you apply this code when it comes to the board for PDP approval. After that it's an administrative process to get to final. Eckman said the purpose statement says this section is intended to ensure that to the maximum extent feasible, historic sites are preserved and new construction is designed to be sensitive to that. It's intended to protect designated historic sites, structures, or objects as well as other sites, etc. Eckman said maybe the purpose statement is not regulatory. We can conclude from that we might be able to extrapolate from the purpose statement that the whole section is applicable only to the maximum extent feasible.

Member Carpenter said we have very good advice from the State Historic Fund office and from our historic preservation office that this fails to comply with the Secretary of Interior Standards so maybe her friendly amendment would be they use the existing door and not put a door and two windows in.

Member Carpenter asked if Member Hart would accept the friendly amendment. Member Hart ask if it would be reasonable to add "if practicable". Member Carpenter said she doesn't think so. Eckman said the only way to get past that point is we interpret that the purpose statement renders Section 2.4.7 to be applicable to the maximum extent feasible. He said if the Fire Code conflicts with the historic standards, the regulation that is the most specific controls. Eckman said if you cannot ascertain which is most specific than it's the regulation that is most stringent. It would take some studying to determine that.

Director Kadrich said she heard Mr. Prouty say he would use the door so it sounds like the applicant is willing to modify his application and voluntarily agree to use the existing door. She said that may remedy the situation.

Prouty said he has a historic matter of concern. If they put the door in the alley, we'll rip out 12 feet of wall. If we put the fire room door behind the landscaping where previously McWilliams thought would be okay, we only take out 3 feet of wall. He's not in favor of ripping out 12 feet of wall in that alley. He said he'd be agreeable to putting store front glass in the existing doorway and no more windows.

Gonzales said he's had an opportunity to look at some plans and he has an idea of what's going on here. This fire door is not necessarily required. PFA can get into the building through the front door—they don't necessarily need a special door. He does object to something he heard from Mr. Prouty earlier about hiding the door behind landscaping. PFA has to have access; it cannot be hidden with landscaping or anything that would block PFA's access to it.

Eckman said we need the applicant to tell us whether there's going to be a door in the alleyway. If it's to be removed and it's a non-issue, there is nothing to review at final plan stage.

Member Schneider asked if the applicant desired access from the exterior into the sprinkler room, is there an understanding it would have to be off the alley and not off of Willow. Member Hart asked if that would be resolved when the final plans go to the Fire Department. He doesn't think that's our purview—he thinks that a matter of design for PFA. Gonzalez said they do not mandate direct access to the sprinkler riser room from the perimeter --it's only a recommended preference. Eckman said it seems that door is optional as far as PFA is concerned. Eckman said it became an issue for tonight's hearing because of the historic preservation aspect. It would make sense for the board to determine that the sprinkler room door is at the applicant's option and if he elects to include it has to be on the back side (alley). Member Hart said he'd offer that addition to the motion using Eckman's language. Chair Smith (2<sup>nd</sup>) accepted the addition. It's included in the above motion.

Member Carpenter wondered if Mr. Prouty said he'd get rid of the new door and two windows and use the existing door. Director Kadrich said she believe he said he'd keep the existing door and remove the windows. Prouty said yes they could secure the door open and install store front glass – rehabilitating the existing door to the extent possible. Member Carpenter asked for confirmation that two new windows and a new door would not be cut into the building. Prouty responded yes. Eckman said with Mr. Prouty having come to the podium and stating that makes it a part of the application and there does not need to be a condition.

Member Hart called for the question.

**The motion passed 6:0.**

Chair Smith said Feeders Supply Project Development Plan #PDP13 was approved.

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**Project:** Timberline and Prospect Overall Development Plan, #ODP130001

**Project Description:** This is a request for an Overall Development Plan (ODP) located at the intersection of East Prospect Road and South Timberline Road. The site is 30.57 acres in size and four areas within the parcel are managed by different City departments. The intent of the ODP is to establish a general land use pattern in each of the four areas. The current uses include parks and open space, outdoor storage and public facility uses (Timberline Substation). The proposed uses include recycling facilities, light and heavy industrial uses, plant nurseries, offices, and other open space and park uses, e.g., a disc golf course. The ODP is zoned Industrial (I) and Employment (E).

**Recommendation:** Approval

**Hearing Testimony, Written Comments and Other Evidence**

Damon Holland of Ripley Design, Inc. provided information on the site including Coterie Natural Areas, Spring Creek Trail, Timberline Substation, Parks' storage yard and silo site. He said the purpose of the ODP is to formalize land use for the area including the Integrated Recycling Facility, open space, outdoor storage, public facilities, light and heavy industrial, plant nurseries, and disc golf.

Holland outlined how the ODP was in compliance with the Land Use Code. He said access to the site is available via 3 vehicular entrances (one north of substation, one to the substation, and one via gravel road to the Parks' storage yard.) It's that access that will be used for the Integrated Recycling Center. He said pedestrian access is via the Spring Creek Trail. Existing traffic is 28,000 vehicle trips per day with the recycling facility adding 120 vehicle trips per day during the week and 130 vehicle trips per day on the weekend.

Holland said a neighborhood meeting was held June 3 with the feedback received related to how the old (Rivendell) site would be used, how buffering would address visual and noise pollution, what would be recycled and how would hazardous materials be handled. They also had questions about the impact on Timberline traffic.

**Staff Presentation**

Senior Environmental Planner Lindsay Ex said in addition to the presentation staff has submitted a staff report. Staff finds that the ODP is consistent with the permitted land uses within the Industrial (I) and Employment (E) zone districts and it does meet the requirements outlined in Section 2.3.2 of the LUC. Staff recommends approval of the ODP.

**Public Input**

None

**Board Discussion**

Member Carpenter made a motion to approve the Timberline and Prospect Overall Development Plan, #ODP130001, in accordance with findings of fact on page 6 of the staff report. Member Schneider seconded the motion. The motion was approved 6:0.

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**Project:**                   **Integrated Recycling Facility Project Development Plan, # PDP130020  
PDP130012**

**Project Description:** This Project Development Plan (PDP) is a request to develop an Integrated Recycling Facility located on South Timberline Road, approximately ¼ mile south of the intersection with East Prospect Road. The project will be located on approximately 3.7 acres of the 30-acre Timberline and Prospect Overall Development Plan (ODP). The site is zoned Industrial (I).

The Integrated Recycling Facility will replace and expand upon the Rivendell recycling facility by providing two drop-off areas: one for free and one for a fee. The free-drop off area will accept cardboard, paper, newspapers glass, commingled containers, and clothing. The fee-drop off area will accept concrete/asphalt/aggregate, lumber materials, metal, yard waste, e-waste, batteries, paints, oil and antifreeze. A special materials area is also proposed, which will provide free landscape mulch to the public, and a glass collection (for shipment to glass bottle-making plants) area.

**Recommendation:** Approval with condition

**Hearing Testimony, Written Comments and Other Evidence**

Damon Holland of Ripley Design, Inc. said in 2012 City Council charged the Environmental Services Department to further the city’s waste divergence goals from the landfill by 50% of the community’s waste stream. What they’re trying to do is maximize the efficiency of the center by accepting more items and providing a one-stop shop. The site was selected for a number of reasons including its central location.

Holland said the 3.7 acre site is situated on the south end of the Prospect and Timberline ODP. The site slopes roughly 8% from south to north. There are 24 existing trees. Eight have been slated to be removed. Fourteen will be relocated. Programmatically there will be a free drop area for cardboard, paper, newspaper, glass, commingled containers and clothing. The fee drop off area will accept concrete, asphalt and aggregates, lumber, metal, yard waste, e-waste, batteries, latex only paints, and used oil and antifreeze.

Holland described the projects consistency with City Plan, the OPD, the zone district uses, and landscaping requirements. He outlined access and parking, lighting, water quality (100 year detention and vegetative swales and rain gardens), hazardous materials handling, and transportation circulation.

Holland responded in detail to the questions raised by the board at their August 2, 2013 Work Session. Questions and responses can be found in detail in the memorandum from Lindsay Ex dated August 6, 2013.

**Staff Presentation**

Senior Environmental Planner Lindsay Ex said in addition to the presentation staff has submitted a staff report for the record. Recycling facilities are a permitted use within the Industrial zone district subject to the board’s review. The PDP does comply with the applicable general development standards or Article 3 and the land use and development standards of Division 4.28 of the Industrial zone district. Staff recommends approval of Integrated Recycling Facility Project Development Plan, PDP #120033, subject to the following condition:

The proper completion of a stormwater outfall and alignment for the Integrated Recycling Facility outfall must be submitted to the City Stormwater Utility with final utility plan documents, in accordance with Section 3.4.3 of the Land Use Code.

## **Public Input**

None

## **Board Questions**

Member Hatfield asked what kind of fees will be charged and why do they charge fees when all the materials are 'donated'. Caroline Mitchell, Environmental Services Department, said in the recycling world many materials are valuable while others cost to recycle. When you factor in the economics of operating the entire site, fees must be charged to net to zero. The goal is to charge less than the landfill tip fee.

Member Schneider said the Larimer County Landfill accepts hazardous materials like household paints and oil free of charge. What would behoove a citizen to pay a fee if they can go to the landfill free of charge? Mitchell said the household hazardous waste materials were not initially part of the initial cost structure of \$3.75 per cubic yard. At this point, she's not sure if the cubic yard fee will be charged on the household hazardous materials. Holland said some of the items in the fee area will not require a fee--you can obtain free mulch or look in the valued wood area to recycle lumber.

Member Schneider asked about off-gassing and the need to protect air quality. Ron Gonzalez of Poudre Fire Authority (PFA) said there is a difference between hazardous materials and hazardous wastes. Hazardous materials are things that are either flammable liquid, toxic, reactive, or corrosive. Hazardous wastes are things like eWaste, cardboard, and glass; those items are not regulated by the fire department. Motor oil is not considered toxic.

Member Schneider asked if PFA had concerns related to the one access point for entrance and exit in the case of an emergency. Gonzalez said there's usually another point of access and he thinks there will be one provided from the south/the adjoining neighbor. Holland said they do have an access easement through the main drive—it goes all the way through and around the back. Gonzalez said it was not going to be significant given they're buildings are less than 120 square feet and what they have is primarily stored outdoors. Gonzalez said there are no big structures or real need for big water. He said the containers they have are relatively small. There will not be tanks out there. They are limited to containers (60 gallons or less) as defined in the fire code.

Member Schneider asked is the intent for this site to be more a consumer or a commercial driven site. Holland said primarily its primary focus is consumer but the glass recycling program is designed for local restaurants and breweries.

Member Schneider asked if there are plans to allow left turns on Timberline to accommodate those going north. Traffic Systems Engineer Ward Stanford said Traffic has concerns from the standpoint of safety. He said the crossing of three lanes to head north is the worst condition of the four movements that can be done. The project is planned for right-in/right-out with the feasibility of a ¾. They believe a ¾ will be accommodating. Stanford said he went out to the site and did some measurements. He said it doesn't meet sight distance criteria at those speeds. He said there could also be a significant delay to make a left turn because it could impact other traffic also trying to exit the site. Stanford said they have not found a truly viable solution to provide a northbound movement.

Member Schneider asked where we're at currently on the diversion rate. Mitchell said their most recent numbers are from 2012. The municipal solid waste diversion rate (includes both residential and commercial) is at 42%. She said that is the rate being considered when they set their goal of 50%. She

said if you see numbers like 57% that includes all of the aggregate recycling, composting, and other all the industrial type diversion that happens.

## **Board Discussion**

**Member Kirkpatrick made a motion the Planning and Zoning Board approve the Integrated Recycling Facility Project Development Plan, # PDP130020, based on the findings of fact included on page 8 of the staff report with the condition:**

**The proper completion of a stormwater outfall and alignment for the Integrated Recycling Facility outfall must be submitted to the City Stormwater Utility with final utility plan documents, in accordance with Section 3.4.3 of the Land Use Code.**

**Member Hatfield seconded the motion. The motion was approved 6:0.**

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**Project:** Land Use Code (LUC) Amendments related to Transit Overlay District Minimum Parking Requirements

**Project Description:** This is a request for a recommendation to City Council regarding a proposed revision to the Land Use Code. This revision pertains to creating a minimum parking requirement for multi-family development in the Transit-Oriented Development (TOD) Overlay Zone. The recommendation is to revise the Land Use Code to require a minimum ratio of 70% parking spaces to the proposed number of bedrooms and a provision to meet the standard through alternative compliance.

**Recommendation:** Recommend to City Council the adoption of LUC amendments

## **Hearing Testimony, Written Comments and Other Evidence**

CDNS Director Kadrich said the issue before the board is a follow-up to the July 9<sup>th</sup> City Council/ Planning and Zoning Board Joint Work Session. One of the emerging issues discussed was the negative effect of higher density projects within the TOD (Transit Oriented Development) Overlay Zone which may be causing spill-over parking in adjacent residential areas. Because there is not currently a parking requirement within the TOD, the purpose tonight is to follow Council direction to look for a first step or stop-gap measure. It would allow for further study for a more systematic approach to the issue of parking within the TOD.

City Planner Seth Lorson said the Land Use Code (LUC) amendment is to establish minimum parking requirements for the TOD. He said a minimum parking requirement for that area has not existed since 2006. Staff analyzed 11 multi-family projects that have been developed in the TOD since 2006. He reviewed a table showing project names, bedrooms, parking provided, and ratio of parking spaces to bedrooms. On the table he compared that to parking requirements had the project been outside the TOD and what the ratio of parking spaces to bedrooms would have been in that situation. The average ratio between inside and outside the TOD was 73%. Within the TOD, the average without outliers was 58%. Lorson said those results show what the market is providing.

Lorson said staff compared our TOD requirements with other communities' TOD districts (including Boulder, Aurora, Lakewood, Denver, and Eugene and Portland Oregon). Lorson said even today's proposal for 70% parking spaces to bedrooms is much higher than what we're seeing in other communities.

Lorson said after the work session he did further research looking at notes, minutes, and staff reports on the creation of the TOD. He said nowhere did he find the intent was to get 'x' percentage. He thinks the intent was actually to let the market dictate what is needed.

Lorson said an alternative compliance would allow an applicant to make the case 'they don't need the 70% -- we can do it for less based on a number of mitigation measures' including proximity to transit stations. He said elements of the parking analysis would show expected parking demand, non-vehicular use, and mitigation measures such as off-site parking for storage or car-share.

Lorson said within the next year staff proposes additional work that includes an update to Traffic Impact Study (TIS) requirements in LCUASS (Larimer County Urban Area Street Standards), methods for review of the parking analysis, and possibly more dynamic parking requirements. Lorson noted the ordinance before the board has a one-year sunset clause. That time will allow staff to look at the elements in a comprehensive approach at a more fine-grade level.

Director Kadrach said on behalf of the board, she contacted Kathleen Bracke who is now working in Boulder. Kathleen was a part of the original TOD study and implementation team. Kathleen worked on transportation issues in our community for many years prior to working in Boulder. Some of the information she provided was implementation of the TOD was intended to help the community move from a suburban plan to a more urban environment. It was also meant to assist in a more dense/intense urban development in which there would be more mass transit and less reliance on vehicles. Bracke shared the complexity of the parking issues within the Boulder community and stated how complex the parking issue can be in different communities.

Kadrach said tonight the percentage put forth is intended to be a starting point. Kadrach said her conversation with Bracke certainly corroborates with the written document as far as the market driven parking. Kadrach asked Bracke if the original plan considered outliers (those intense developments submitted that did not provide much parking). She said it did but she could understand how difficult it could be for the community because the theory is those folks who did not have a vehicle would select that unit to rent and have other options. Kadrach said Bracke understood overall why we are in a quandary over what to do in the interim period. She also advised us not to select any one tool to address the issue. In her experience, multiple tools are preferred. Kadrach said that's similar to what they learned in the downtown parking study and it's been supported in the work staff has done to date.

### **Public Input**

None

### **Board Questions**

Member Carpenter said is she to understand this is a stop-gap measure while we explore what other tools might be. Kadrach said yes. It is a tool for which the board can review proposals – they'll have something specific from which they can assess alternative compliance.

Member Hart said all the communities used as an example have extensive public transit systems. We're still building ours so we shouldn't really be using them because they are very much more interconnected with their public transit. Once we get there, however, we can go that route. At this point we're just trying to provide a stop-gap.

Member Schneider said he'd prefer a lower number (e.g. 50%) to allow the developers to be more innovative with alternative compliance. He thinks it would 'force' use of multi-modal sooner rather than later. He asked if the number is higher would they be as willing to look at alternative compliance measures. Lorson said possibly. In conversations with developers he's learned they are shooting for a 50-60% market place rate.

Member Schneider asked could we look at where they can park. Can they currently use public streets for meeting their parking requirements? Lorson said no. He said part of the alternative compliance conversation is 'show us how it can work' with car storage being one of the mitigation measures.

Member Carpenter asked how much public outreach has been done on this issue. Kadrich said we've been going on a project by project basis. From the Planning Services standpoint, we have a lot of good plans (City Plan, sub-area plans, neighborhood plans). We also have a changing community in which folks who participated in the initial outreach may not be aware of where we are today. Kadrich said we've been talking internally about ways we can capture either executive summaries or the 'top 10' for a geographical area so we can begin to include that in our development review information. Kadrich said she's been working with Neighborhood Services and the Neighborhood Development Review Liaison – looking for ways for being more proactive with sharing that information and collecting their feedback. Carpenter thinks that would be a good piece to add this next year.

Director Kadrich said with regard to Member Schneider's question about whether the 70% would create more creative thinking; she's had a few minutes to think about that and she's not convinced that it would. She said the purpose of this is really to give the board a tool in which they can better establish compatibility by having a percentage to use. You'd also have options with alternative compliance so it's available for you as you review upcoming TOD projects until we have a fuller tool box to bring back to you. Kadrich said based on what we're seeing, developers overall are trying to reach that 50-60% mark. We are looking to the board and to council to consider a stop-gap for those projects that are either unwilling or unable so we don't have outliers that come before we have a broader program.

Member Kirkpatrick said she had some questions on implementation. If we were to approve a new minimum parking requirement, how quickly could that go into effect? Would you be notifying projects that have been through conceptual review? Lorson said it would be very customer friendly to reach out. He said it would be in effect just after second reading on September 13. Director Kadrich said the practice has been that if an application has been received and the fees are paid prior to a change in the code; new code changes going into effect would not affect them. Member Hart asked is that not to say we could use the compatibility standard to get parking the board thinks appropriate. Kadrich said absolutely.

### **Board Discussion**

Member Hart said he thinks we need a stop-gap. He doesn't know if it should be 60, 70 or 80%. He thinks 70% seems to have some kind of wheels. He thinks it should be on the higher end. He agrees with Member Schneider that we should encourage innovation. He thinks we need to get a minimum in there until we can come up with a program that makes sense.

Member Carpenter said she agrees and is comfortable with 70%.

Member Kirkpatrick said she really thinks the role of the board is to act as guardian of the LUC and to support the implementation of City Plan. There are gaps between the City Plan vision (to have a really compact, transit-oriented, dense urban core) and the tools we have in our tool box. She said we don't have the tools to promote a highly functioning transit system. We also do not have lots of tools for handling that interface between neighborhoods in that really dense, urban core. She said nonetheless, that is our vision and we are taking a huge step in the wrong direction by instituting a 70% standard. That is such a drastic difference from zero. She said we are not going to get where we need to be in terms of economic redevelopment, reinvestment in that core, and having the density to have a functioning transit system if we are creating a suburban footprint in an urban core. She said we could consider a sunset provision at a lower percentage.

Member Hatfield said he thinks 70% is fine.

Member Schneider said he agrees with Member Kirkpatrick's Statements that it should be closer to 50%; he just wonders how we get people to start implementing different creative programs. He doesn't know how to get it going except with a higher number.

Chair Smith said where one person might say 90% is better he would say that's far worse. He sees it's not necessarily a good thing to over park in an urban neighborhood where we're trying to promote density and mixed use. He thinks you have to have density in order for transit to work. He said as a community we are struggling with these two primary objectives in our Comprehensive Plan -- urban density and the neighborhood character we're trying to preserve.

Chair Smith said ultimately having some type of alternative compliance is only as good and as useful as the decision maker is willing to accept. When we say alternative compliance might be part of the final solution, we have to have the courage to really believe that. We have to believe it's equal to or better than the standard. In the meantime he could probably accept some number. He said 70% is too high. It goes so far from the intent of the TOD.

Member Carpenter said she feels we need to work really hard to find the balance. She said her focus is to protect the neighborhoods that we have and she thinks we are really in danger of pushing so much out into the neighborhoods with car storage. She'd really like to see 70% at this point until we do the work we need to do to fix the problem.

Chair Smith said he hopes when we have this community conversation that we don't necessarily say there is not a problem with car storage but that we broaden that discussion so we go back to articulating what the benefits are as well. You could say, 'you live in a great established neighborhood with easy access to CSU, old town, mid-town and MAX. Yeah there are more folks, cars and activity. It is exactly what our Comp Plan has called for and it's not the way it used to be; however, you may not need both cars anymore.' It's a holistic approach of understanding the issue. He thinks we'd lose the overall academic discussion if we don't include the benefits, the reduction in VMT (Vehicle Miles Traveled), the walkability, the closer-knit community. Member Carpenter said she agrees with that. She said what Chair Smith is saying is right but what she's afraid is we are moving the parking storage problem outside the TOD and into neighborhoods that do not have the benefits outlined by Chair Smith. Carpenter said we also have to work on our mass transit system so it works better.

Member Schneider wondered if the 'happy' compromise is 60%. He'd like to see what development is in 'production' and close out the problems that might come out. Maybe it is spillover into the neighborhood but he said we have zero now. He thinks 70% is too high although if it's higher it would encourage people to seek alternative compliance. He'd rather see 50 or 60% but that's what's being reached by developers now. Chair Smith said that's a great approach...we'd address the outliers and find a little benefit for the time being. Let's move closer to what we see as being the overall average of what we would find acceptable for a stop-gap. Many times we do pretty well about getting consensus -- let's see if we can come up with a motion and whether or not it'll fly.

**Member Schneider made a motion to recommend to City Council to amend the Land Use Code related to Transit Oriented Development Minimum Parking Requirements to be at 60% with a one year sunset provision. Chair Smith seconded the motion.**

Member Hart said 70% has some legs on it. He said from the chart that Lorson provided, you could see how much a significant differences it can make. At 60% you're going to impact those outlying neighborhoods even more.

Member Schneider said he thinks we're making a significant change at 60% because currently it's at zero.

Member Hart said the argument is that people are doing 60% now. What we're trying to do is improve the situation not just continue the existing situation.

Member Schneider said we're trying to hit those outliers—those at 30%. If we look at City Plan and the Climate Action Plan, we don't want to be at 70, 80 or 90%. We might as well have subdivisions.

Member Hart said we're talking one year – 2, 3, or 4 projects maybe. Member Hatfield called for the question.

**The motion failed 2:4 with Carpenter, Hart, Kirkpatrick, and Hatfield dissenting.**

**Member Hart made a motion to recommend to City Council that we establish a minimum parking requirement for multi-family dwellings in the Transit Oriented District at 70% of the spaces provided as proposed with a one year sunset. Member Carpenter seconded the motion.**

**The Motion failed 3:3 with Kirkpatrick, Schneider and Smith dissenting.**

There was some discussion about what the number should be. Chair Smith said anything over 60 he will likely vote no.

**Member Schneider made a motion to recommend to City Council to amend the Land Use Code related to Transit Oriented Development Minimum Parking Requirements to be at 60% with a one year sunset provision. Member Hart seconded the motion.**

Member Hart said he'd like to send a recommendation to City Council and he doesn't think that 60% is as good as 70% but he'd like something rather than nothing.

**The Motion failed 3:3 with Carpenter, Kirkpatrick, Hatfield dissenting.**

Chair Smith said he got the sense from City Council at the joint meeting on July 9 that there was some interest by them to scrap the whole TOD – establish a moratorium. He doesn't feel comfortable with 60% but he's willing to accept that. Member Kirkpatrick thinks we are effectively putting a moratorium on the TOD. She doesn't think you can have a one acre in-fill site and charge \$35,000 for a subterranean parking spot and have it work in this market. Member Schneider thinks people will conclude its worth more to have a bedroom or a mixed-use unit than it is to have a parking spot so they'll figure out a way to get the alternative compliance going. Member Kirkpatrick thinks we will get that after we dig in and spend a year getting the tools we need as well as determining how we can best get long term parking storage.

Member Hatfield said we've had three votes on the question and they've all three failed. Either we not make a recommend or we make a recommendation at 70% with a one year sunset. Then at the end of that one year it could be re-evaluated.

**Member Carpenter made a motion to recommend to City Council a change in the LUC to 65% parking spaces with a one year sunset. Member Hart seconded the motion. The Motion failed 3:3 with Kirkpatrick, Schneider and Smith dissenting.**

Chair Smith asked staff about the feasibility of a shorter 6 month sunset period. Director Kadrich said that might be problematic. She'd like to say they could do the work in less than a year but she's not

convinced because of the scope of the work required. She said we have some unique situations – current studies that are taking place. She's not sure how quickly that will happen and she's not sure how long the scope of the work that needs to be done will take. She hesitated to say we can do that in less than six months especially if we take a look at the public engagement piece. She said there are other efforts related to parking and trying to do this in a 3 or 6 month period might be too quick.

Member Schneider asked for a policy versus legislative question, doesn't a tie vote go to the chair. Deputy City Attorney Paul Eckman said no. A tied vote means the question fails and a recommendation doesn't go to City Council. Eckman said the information that would go to City Council is the board is deadlocked and couldn't make a recommendation. Director Kadrach said they could include information relative to the deadlock in the Agenda Item Summary. They could also include portions of discussion of reasons why.

Chair Smith said the question being asked is whether or not we'd want to put a stop-gap minimum amount of parking in the TOD for a certain amount of time. Maybe we need to come up with a boarder recommendation. The recommendation may be we struggled with this divisive issue. He said we think our discussion is probably reflective of what the community may feel. It may be something with which the Council may have to wrestle. He said we might say that our opinions on this board are too divergent. We could not come to consensus and we hope they can. He said we have strong opinions that want to move in one direction and we have just as many folks that want to move in another direction.

Eckman asked if they could recommend the alternative compliance measures that have been crafted into the ordinance. Chair Smith yes, that's critical.

Member Schneider asked if it would be detrimental to give them a range such as 50 to 70%. Member Carpenter said she couldn't go 50% -- she'd rather see 70%. Chair Smith said Member Schneider has a good point, he believes there's a majority of board members here tonight who could support a range. If we said a range between 30 and 80% might that work? Smith said that it is likely neither Member Kirkpatrick nor he could support that but there may be 4 members who could.

**Member Carpenter made a motion that the board recommend to City Council that revise the Land Use Code to require a minimum ratio of between 60 and 70% with a one year sunset and alternative compliance. Member Schneider seconded the motion.**

Chair Smith said for that would indicate to City Council the board could not come up with a specific number. Member Carpenter said yes. She said we underscore what Chair Smith said earlier relative to divergent opinions. Member Hart said that Council will know the board's struggle because we couldn't reach agreement on a specific percentage. Hart called for the question.

**The motion passed 4:2 with Members Kirkpatrick and Smith dissenting.**

Member Kirkpatrick asked in addition to the ordinance are there other things the board could recommend such as funding in the short term. What she heard on July 9<sup>th</sup> was to come back with recommendations for things such as the parking issue overall. To her, it's more than a minimum; it would mean funding the implementation of a parking impact analysis – something in the short term while we're having a longer term study.

Director Kadrach said if the board would like to support the recommendation that we have funding for a study, you can. Kadrach said she has already conferred with her supervisors what is necessary in order to carry this forward and they are working on how they can use existing budget to fund it. She said we can make sure it's part of the presentation that this is just a stop-gap as we complete that study.

Chair Smith agreed and suggested we create another recommendation. He thinks this is one of the most critical discussions our community is having. He thinks it's worthy of emergency funding if it cannot be found within existing budget. With all the different alternative methods, this may become the highest priority for CDNS.

Member Kirkpatrick said Council just passed a parking plan so funding to implement components of that would be applicable to this interface between the TOD and residential neighborhoods.

After some discussion of the elements of the recommendation and some wordsmithing the following motion was made.

**Member Hart made a motion the board recommend to City Council that funding be provided at a high priority for a comprehensive effort that could include a study of the parking issues in the TOD zone and that the study include public outreach and the development of tools for implementation and resolutions of the problems. It's recommended that public outreach include a reiteration of the benefits of the TOD. Also, the study and the implementation tools should be developed by the sunset of the stop-gap measure. Member Carpenter seconded the motion. The motion was approved 5:0:1 with Member Hatfield abstaining.**

**Other**  
None

The meeting was adjourned at 11:25 p.m.

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Laurie Kadrach, CDNS Director

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Andy Smith, Chair

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**PROJECT:** Midtown Plan

**APPLICANT:** City of Fort Collins

**OWNER:** N/A

**PROJECT DESCRIPTION:**

The Midtown Plan establishes a long-term urban design vision to revitalize the College Avenue corridor between Prospect Road and the South Transit Center. It is intended to support current and forthcoming investment by identifying key design principles that will help transform the corridor into a more urban, transit- and pedestrian-friendly environment in support of MAX. Staff has worked collaboratively with a consultant team to develop the Plan over the past year with extensive outreach to community stakeholders.

The Planning and Zoning Board is asked to make a recommendation to City Council on whether the Plan should be formally adopted.

**RECOMMENDATION:** Adoption of the Midtown Plan

**COMMENTS:**

**1. Background and Planning Process:**

Work began in summer 2012 on the Midtown Plan (formally called the Midtown Urban Design Plan). The project was managed collaboratively between the Economic Health and City Planning departments, alongside a consultant team led by Winter & Company from Boulder, CO.

*Phase 1 (July – October 2012):* included extensive information gathering to gain an understanding of how Midtown exists today. This included tours of the corridor and meetings with City staff, residents, property owners, business owners, City Boards/Commissions, and community organizations.

*Phase 2 (November – January 2013):* explored preliminary design concepts for the corridor, and included an intensive, hands-on workshop that was attended by more than 70 community members. These concepts were presented and explored more thoroughly with City Council at a work session on January 8.

*Phase 3 (February –July 2013):* incorporated feedback into a draft document. Staff coordinated extensive outreach throughout the month of June to obtain feedback from the various stakeholders. The draft Midtown Plan was available online for public review and comment. Additionally, a public open house was held the evening of June 27 at the Youth Activity Center; this provided an informal, drop-in venue for community members to view major concepts and recommendations and give feedback.

*Plan Adoption:* City Council is scheduled to consider adopting the Midtown Plan via Resolution on October 1, 2013.

In addition to individual property/business owners and citizens at large, the following City Boards/Commissions and community organizations were consulted and provided input into the Midtown Plan:

- Air Quality Advisory Board
- Art in Public Places Board
- Associated Students of Colorado State University
- Bike Advisory Commission
- Board of Realtors, Government Affairs Committee
- CanDo Built Environment Work Group
- Chamber of Commerce, Local Legislative Affairs Committee
- City Council (work session)
- Commission on Disability
- Economic Advisory Commission
- Fort Collins Auto Dealer Association
- Parks and Recreation Board
- Planning and Zoning Board
- South Fort Collins Business Association
- Transportation Board

## **2. Major Plan Concepts and Recommendations**

*Vision and Framework:* Chapter 1 establishes the primary objectives of the Plan and provides a high-level conceptual review of the key design elements. The Framework Map is a key figure, which provides the graphical representation of the major recommendations. Additionally, the vision for Midtown is articulated, and can be summarized as follows:

*Midtown will be a vital neighborhood with a mix of uses and activities that serve a broad spectrum of the community. It will have a distinct identity that distinguishes it from other parts of the city and should be a destination in its own right. Streets will be inviting to pedestrians, and public art and civic facilities will be located throughout the area. Midtown is envisioned as an urban area with higher densities. It will be an economic generator that is conveniently accessible from abutting residential areas, while continuing to serve the community as a whole.*

*Mobility and Access:* Chapter 2 establishes the future for transportation-related elements including street cross-sections, transit, bicycles, pedestrians, and parking. Important recommendations include:

- Work within existing curb-to-curb dimensions when improving streets. Outside of curbs is an envisioned enhanced public realm, including wide, detached sidewalks, which sometimes suggests additional right-of-way (ROW). See attached Street Cross Sections for full detail.
- Improve frontage roads to be more bike-friendly. When frontage roads end, continue bike circulation through wide, detached sidewalks along College Avenue, similar to the mall's current plans
- Construct a pedestrian promenade adjacent to MAX between the Spring Creek Overpass and Horsetooth MAX station. The ideal cross section allows for a 15' multi-use path (bikes & pedestrians only) with 15' landscaping and 10' buffer between path & buildings. Where ideal cross section doesn't fit, it may be more feasible to narrow the cross section, but should not be less than 10' for the path.
- Provide continuous, designated bike facilities. Where gaps in current system and sufficient ROW is available, provide on-street bike lanes/buffered bike lanes/cycle tracks. Where ROW is not sufficient, use shared lane markings or bike route markers to direct cyclists.
- Improve intersections: safety improvements such as signage, pavement markings, medians, signal detection, green paint, and "bike boxes" or two-stage turn boxes.
- Connect to transit: bus stop designs along major east/west streets should be enhanced to match quality of MAX stations, and fit within recommended streetscape palette for Midtown.
- Keep parking subordinate: encourage developments to locate parking behind structures.
- Use structured parking as an incentive for increased density.

*Streetscapes, Signage and Wayfinding:* Chapter 3 provides visual image recommendations for the urban design pallet and signage system for Midtown.

- Median landscaping is recommended to follow the recently-updated Streetscape Standards provided in the Larimer County Urban Area Street Standards.
- Establish a sense of identity for the three character areas:
  - Upper Midtown = Garden theme
  - Central Midtown = Art/Entertainment theme
  - Lower Midtown = Innovation theme

The purpose of defining these three areas is to help conceptualize the area in manageable pieces; dividing the corridor into three segments helps to provide a

sense of each sub-area being broader than just College Avenue. The themes should be expressed in streetscape elements (benches, planters, bike racks, signage) in the public realm.

*Parks and Open Space:* Chapter 4 provides recommendations for public spaces, including:

- Provide a rich collection of outdoor places for informal and formal gathering.
- Each character area should have one major open space; the space could be an urban plaza or urban park, versus a traditional green park:
  - Located ¼ mile from MAX station.
  - .5 – 2 acres, but probably not larger than 4 acres.
- Minor open spaces, e.g., small courtyards, plazas, dining areas, should be distributed throughout the corridor:
  - Network, accessible to general public and connected to larger pedestrian/bike network.
  - Built and managed by private owners.

*Development Prototypes and Design Guidelines:* Chapter 5 provides site diagram examples of potential redevelopment scenarios, and Chapter 6 follows with design guidelines to aid in the implementation of the built environment vision. Key development concepts include:

- Support increased density, particularly near MAX stations.
- A variety of parcel sizes and development prototypes can and should play a role in the revitalization of Midtown. New development should consist of both large-parcel, mixed-use projects and smaller, nuance site designs that will add to the overall character and charm of the corridor.
- Prototypes shown are “ideal scenarios” for high density development. Market conditions at the time of development and/or contextual issues specific to the site will determine the eventual outcome; however, solid urban form and principles should be followed.
- Locate buildings along street edges and parking on the interior of sites.
- Give pedestrian circulation highest priority when designing site layout.
- New development can be phased to allow funds to be secured and projects to be built realistically over time.
- Sidewalks, promenades and other pedestrian paths should be designed to invite their use through thoughtful planning and design.
- Incorporate art and creative design elements onto buildings and in other spaces viewed by the public.
- Projects should be environmental sensitive in their site design and layout.
- Buildings should maximize energy efficiency and conservation, which includes addressing lighting, ventilation, alternative energy sources, and solar access.

*Implementation Strategy:* Chapter 7 recommends several funding sources that could be available to assist with infrastructure and development/redevelopment projects. Emphasis is placed on public-private partnerships to optimize revitalization efforts.

- Implementing the Plan will take proactive effort, but it is equally as important to be responsive, and have the flexibility to react to new opportunities and changing conditions as they arise.
- Both the public and private sectors must share in the responsibility of implementation.
  - Ongoing conversations should occur between the City and South Fort Collins Business Association to discuss successes and challenges with implementation. The Midtown Plan should be reviewed regularly to ensure it accurately reflects conditions along the corridor.
- There are a variety of implementation tools that may be used to help achieve the vision. The Plan makes recommendations for improvements that range from project-specific, e.g., energy efficient buildings, to community-wide, e.g., enhancing the street network in Midtown to be more bike- and pedestrian-friendly. It is important to consider the type of improvements when attempting to match an implementation tool or tools, so the tool and application align for an appropriate benefit. Existing and new implementation tools to consider include:

*Financing*

- Tax increment financing (TIF) via the Fort Collins Urban Renewal Authority
- Business Improvement District (BID)
- Add Midtown projects to the Capital Improvement Project list (if not listed already)
- Community Development Corporation
- Property tax abatements
- Revolving loan/grant fund
- Metro District
- Department of Housing and Urban Development Section 108 Loan
- Private Activity Bond (PAB)
- Personal property tax rebate

- Manufacturing use tax rebate
- Special assessment district
- City of Fort Collins General Fund – Budgeting for Outcomes Process
- Citywide tax initiatives, e.g., Building on Basics
- Grants
- Private investment

*Policy*

- Zoning and Code
- Design/Signage guidelines
- Expedited permitting/review
- Reduced development fees
- Business retention/recruitment

**RECOMMENDATION:**

Staff recommends adopting the Midtown Plan.

**ATTACHMENTS:**

1. Midtown Plan

Link for Midtown Plan available at [www.fcgov.com](http://www.fcgov.com)