



Fort Collins Municipal Court
215 N. Mason
Fort Collins, CO 80521

Re: Case Number 2018civil01

To Whom it May Concern,

I have received a summons to respond to complaints listed in case number 2018civil01, Eric Sutherland, J&M Distributing, DBA Fort Collins Muffler and Automotive v. The City Council of the City of Fort Collins. Within this summons, I am listed as the indispensable party, as the Land Planner and Applicant on behalf of our developer client, Patrick Quinn of Next Chapter Properties, 1939 Waukegan Rd., Suite 105 Glenview, IL 60025.

As an applicant on behalf of the owner/developer, we do not have a financial stake in the project affected by this court case. We respectfully request that the indispensable party be changed to Next Chapter Properties at the address above, in order for their appointed legal counsel to provide a proper response.

If this is not possible, I can respond further on behalf of them, however, as it pertains to my company's work on behalf of them, our response is as follows:

- The complaints generally allege that the City of Fort Collins Land Use Code is unfair or unclear, and that the City of Fort Collins has not properly administered the code through staff review, Planning and Zoning Review and City Council Review.
- The complaints make no mention of the project submittal documents and their failure to meet Land Use Code requirements, which have been reviewed and approved by City Staff, the Planning and Zoning Board and the City Council. All documents, including requisite submittals to City Planning and Development and Planning and Zoning/City Council are in the project record as well as slideshow presentations to these entities.
- We do not have the ability to comment on whether or not the Land Use Code and how it has been administered is fair or unfair, aside from our own personal experience working in many other municipalities, which have very similar, if not more subjective standards and requirements.

Sincerely,

A handwritten signature in black ink, appearing to read "Craig Russell".

Craig Russell, Principal, Russell + Mills Studios, Inc.

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