

RESPONSE TO COMMENTS

120 CHERRY ST – CHERRY ST. STATION PDP

Date: 12/28/2005

ISSUES:

Department: Current Planning

Issue Contact: Cameron Gloss

Topic: General

Number: 70

Created: 7/5/2005

[7/5/05] The revised parking area design does not adequately address staff's previous concerns about safety and convenience for users. In particular, parking spaces 7-10 and 13-22 cannot accommodate safe backing and turning maneuvers required for standard-sized vehicles (dimensions as noted by the applicant on submitted plans). Staff acknowledges inclusion of a "backing turn around area" on the parking plan in an attempt to address this issue, but the safety and convenience concerns remain.

Response: The applicant staged a demonstration at the Civic Center Parking Structure during the week of July 18, 2005, which was attended by Peter Barnes, David Averill, Cameron Gloss and Mark Virata and during which, the applicant successfully displayed the parking design is both safe, convenient, and efficient for users. Verbal conversations with Anne Aspen indicated that if all of the above staff members agreed that the layout satisfies the Land Use Code, then she will concur with her co-workers on this issue.

Department: Current Planning

Issue Contact: Anne Aspen

Topic: General

Number: 27

Created: 3/18/2005

[7/5/05] The revised plan addresses the safety of the pedestrians and provides for backing movements but it still does not meet the LUC criteria for safety, convenience and efficiency. Please note Cameron and Peter's comments on the subject. Staff would like to meet with you and your parking consultants about potential solutions. Staff to be included are Cameron Gloss, Anne Aspen, Marc Virata, Peter Barnes and Dave Averill.

[3/18/05] There are interesting ideas in your parking scheme. The platform lifts are a great solution to some of your parking constraints. But taken together, all of the minimally standard and substandard aspects you propose in your parking lot do not meet the intent of the Land Use Code as spelled out in Section 3.2.2(A). The lot is not safe, efficient or convenient for the users.

+ About half of the stalls are dimensioned with the smallest measurements allowable as defined in long-term parking which is allowable for residential parking. Thirteen spaces are lift style, twelve spaces are triple tandem style, and four spaces are double tandem style. The parking requirement for the proposed 18 units, 16 of which are 2 bedroom and two of which are 1 bedroom is 31 spaces.

+ There is no provision for any guest parking. This is not a specific requirement of the Code.

+ There is a lack of sufficient backing space for spaces 5-18. It is likely in this scheme that the spaces would be full since so few are provided and that backing for the 13 spaces numbered 5-18 would occur in the handicap loading area which also serves as the only pedestrian access from the parking to the units, which is clearly not safe, efficient or convenient.

+ Though the plans are unclear as to exactly how many units are to be provided and whether there will be commercial space, there are no commercial or retail parking spaces offered or space for employees. Several of the intended commercial uses listed on the cover page would functionally need a drop-off or loading zone which is not provided on site.

Response: This italicized language above was a carry over reference from the March 18th comments on the issue. Please see the response to comment #70 above.

Number: 71

Created: 7/6/2005

[7/6/05] If you choose to provide some of your parking in a satellite lot across Cherry, you may need to provide for the safe crossing of Cherry.

Response: The applicant's proposal satisfies the LUC parking requirements on-site, therefore satellite parking is not proposed.

Number: 72

Created: 7/6/2005

[7/6/05] In order to go to hearing, you will need to accomplish the following prior to scheduling: design an acceptable parking scheme; produce LOI's for offsite easements; show the south side of Cherry including the gasline tie in, etc.; and apply for and be accepted for a variance for the south frontage storm water to not be treated. Also, all of this hinges on PFA's support of the project.

We will verify that Eric finds the porkchop design acceptable.

Response: The above stated requirements were satisfied to the planner's satisfaction prior to hearing. The current submittal incorporates all of these changes made.

Number: 73

Created: 7/6/2005

[7/6/05] It is not clear on the floor plans where the commercial space is for the internet service provider. Please call out.

Response: The specified commercial use (internet service provider) is located in the basement. Refer to sheet 3 of 10.

Number: 74

Created: 7/6/2005

[7/6/05] All lighting must be fully shielded/have full cutoff. The specs for luminaire B are unclear. How will it be mounted, what's the wattage, what's the LLF, needs to be full cutoff. All calculations should be based on an LLF of 1.0.

Response: This information is included with this submittal. Refer to the lighting plan, sheet LP1.

Number: 75

Created: 7/6/2005

[7/6/05] Provide the legal description on the cover page.

Response: This information has been added. Refer to sheet 1 of 10.

Number: 76

Created: 7/6/2005

[7/6/05] Carl Jenkins of the USPS responds that:
"Centralized delivery of a minimum of 2 centralized box units (one industry type III and one industry type I) are required. Revise plan to show the required CBU locations as approved by the USPS. In all cases, the CBUs must be located in the public right-of-way or a designated easement. Be advised that the responsibility of purchase and maintaining the CBUs with the concrete pads is that of the owner/developer/builder/HOA. Prior to occupancy within the development, approved mail receptacles will be in place. Delivery agreement will be in place prior to any delivery of mail. Contact Carl Jenkins, Growth Coordinator, US Postal Service, 301 Boardwalk, Fort Collins, CO or phone (970)22-4130 for more information."

Response: We intend to have mail boxes in the building lobby. The applicant has coordinated the location of the CBUs with Bonnie at USPS. Documentation of the current arrangement is attached.

Number: 77

Created: 7/6/2005

[7/6/05] John Hamburg of Comcast comments that:

"Comcast will need developer to provide a 2" conduit from the west under the railroad tracks. We also need a dedicated utility easement outside of road right-of-way along south side of proposed project.

Response: John Hamburg with Comcast informed Interwest Consulting Group that since the majority of this development is residential (except for a small office space) that Comcast will extend whatever conduits and cables necessary to service this building. Comcast has also agreed to work with the Railroad Company to obtain required permits triggered by extending the Comcast line.

Number: 78

Created: 7/6/2005

[7/6/05] Wally Muscott comments that though a plat is not required for this project, it is highly recommended to avoid boundary conflicts in the future.

Response: Because a plat is not required, the we have decided not to replat.

Department: Engineering

Issue Contact: Marc Virata

Topic: General

Number: 60

Created: 3/23/2005

[7/5/05] At the time of finalizing comments, verification of the pork chop median design with Traffic has not taken place. This will be verified and if any concerns exist, can be worked out after a public hearing. Please note that the access ramp design at this driveway entrance will likely need to be refined, but can be addressed after a public hearing.

[3/23/05] Per the City's Traffic Engineer, the entrance design shall include construction of a porkchop/channelization median to direct access as right-in/right-out to the extent possible.

Response: The porkchop is depicted on page 5 of 7 of the Utility Plan set. We have coordinated with Eric Bracke prior to hearing on this issue. Eric said that the project wouldn't be required to construct the porkchop at this time, however money would need to be escrowed for the cost to retro-fit the installation of it in the future should conditions warrant the need for it. Such an arrangement, Eric said, should be specified in the development agreement.

Number: 61

Created: 3/23/2005

[7/5/05] This was only shown apparently by way of right-of-way/easement widths, not as constructed. Please ensure this is reflected on the plans, including the associated curb and gutter along the south side of Cherry Street.

[3/23/05] Please ensure the site and construction plans show properties and access points across Cherry Street. The driveway for Taco John's is not evident on the construction plans.

Response: Please see sheet 4 of 7 of the Utility Plan set.

Number: 69

Created: 7/5/2005

[7/5/05] Have letters of intent been received from the offsite property owners where utility work is shown? The sanitary sewer connection north of the site and the gas connection to the southeast are in areas that may need easements (the gas connection has no information

as to where it is in the real and legal world, (curb and gutter, sidewalk, easement/private property, etc.)

Response: The sanitary sewer connection is within FC Park Planning and Development property and a Letter of Intent from Craig Forman has been sent to Marc Virata. The letter of intent from the Railroad for this sewer to cross railroad right-of-way has also been forwarded to Marc Virata. The proposed gas connection is within the existing right-of-way along Cherry Street and therefore a Letter of Intent isn't necessary. The gas connection has been shown in relation to curb, gutter, and sidewalk on sheet 4 of 7 of the Utility Plan set.

Number: 85

Created: 7/8/2005

[7/8/05] A variance request will be required for grade of the driveway into the parking garage in accordance with the criteria in LCUASS Figure 8-17. Given the nature of the design, a variance request can be supported, the request should be sent for approval and evaluation prior to a hearing for the project.

Response: A variance has been submitted and approved.

Number: 86

Created: 7/8/2005

[7/8/05] The construction drawings will need to show how the perimeter drain system noted in the soils report will outlet (how it ties into the storm system).

Response: A note has been added to grading plan that reference perimeter drain system.

Department: PFA

Issue Contact: Ron Gonzales

Topic: fire

Number: 64

Created: 3/25/2005

[7/11/05]

The Poudre Fire Authority has reviewed this submittal from various aspects of safety. The PFA CANNOT support this proposed edifice for the following reasons:

1. this triangular shaped bldg has railroad tracks on two of its facades. As such, there is no access available for aerial operations to be conducted within a safe distance margin.
2. the restricted height of this edifice allows for sprinklers and standpipes, but does not allow for the requirements of all the necessary fire engineered systems of a high-rise bldg. This presents additional burdens on firefighters.
3. there is not sufficient working space on Cherry St for the full complement of response vehicles to properly and adequately stage to conduct a safe operation.

Response: Ron Gonzales has forwarded coorespondence to Anne Aspen regarding the resolution of this issue. The e-mail is quoted as follows:

Subject: RE: Cherry St Station
Date: Thu, 21 Jul 2005 09:03:29 -0600
From: Ron Gonzales <rgonzales@poudre-fire.org>
To: 'Anne Aspen' <AAspen@fcgov.com>
CC: 'Kevin Wilson' <kmwilson@poudre-fire.org>, 'Mikal Torgerson' <mikal@architex.com>

Anne,

Thanks for allowing us to process this...here's the resolution for this project...

Because the access to this project site is poor, the PFA could not support the development. I have negotiated with the developer and the

Fire Marshal that if a code defined "high-rise" package was to be installed in the building, PFA could and would support the development of this site.

Owners have agreed to install the "high-rise" package of engineered systems, less the fire pump and standpipe provisions. PFA concurred. The only reason for a fire pump would be if the city water pressure was not adequate enough to support the fire sprinkler system.

Thanks again...hope you can enjoy your vacation...bye now

Ron Gonzales
Assistant Fire Marshal
Poudre Fire Authority
970.416.2864

Department: Police

Issue Contact: Joseph Gerdom

Topic: General

Number: 79

Created: 7/6/2005

[7/6/05] LUC calls for min of 1.0fc for building surrounds. Also, all of ramp should be at 1.0fc and trash enclosure should have min of 0.5 fc for all sides.

Response: This has been addressed in the current submittal. Refer to sheet LP1.

Department: Stormwater Utility

Issue Contact: Basil Hamdan

Topic: Drainage Plan

Number: 82

Created: 7/7/2005

[7/7/05] Please show basin areas on the drainage plan, provide a hydrology summary table as well as a detention summary table.

Response: Drawings have been revised accordingly.

Topic: Erosion Control

Number: 68

Created: 7/5/2005

[7/5/05]

Sediment/Erosion Control Plan Comments

Cherry Street Station

July 5, 2005

1. The "Grading and Erosion Control Notes" on plan sheet #2/7 are incorrect, please delete and replace with the correct notes.
2. What will protect Cherry Street from pipeline and other constructions there until hard surfaces are installed?
3. There should be a legend on the erosion control sheet to indicate the BMP's being used.
4. What protection is being provided for the sewer connection on the northwest side of the BNSF railroad tracks?
5. Seeding and mulching is mentioned as a BMP in the report, where is this on the plan?
6. Seeding/mulching costs in the surety calculation are outdated, please use current costs.

Response:

- Drawing has been revised accordingly.
- Drawing has been revised showing silt fence around perimeter of property.
- A legend is shown on cover sheet.
- A note was added to Utility Plan addressing this concern.
- A note has been added to Grading Plan addressing this issue.
- Seeding/Mulching cost has been updated in surety calculation.

Topic: Maintenance of line in the sidewalk area

Number: 83

Created: 7/7/2005

[7/7/05] The City typically maintains the pipes that are in the rights of way. However, since the lines in the sidewalk area will not be to typical City standards (minimum of 15", RCP) the City will not agree to maintain these lines, especially, since the HDPE line, is the outlet for the site's private detention facility. Please add a note stating that owner/developer shall be responsible for the maintenance of these lines.

Response: A note has been added to grading plan addressing this concern.

Topic: Tank Design

Number: 84

Created: 7/7/2005

[7/7/05] Please modify the tank design such that the tank does not hold water on a regular basis.

Response: A valve is located at the bottom of the tank, which will allow water to be released at any time. A maintenance schedule that will be the developer's responsibility to drain the tank and a note will be added to the drawings and Developer's Agreement addressing this issue.

Topic: Utility Plans

Number: 80

Created: 7/7/2005

[7/7/05] Please call out the size and type of all storm lines on the utility and grading plans.

Response: Drawings have been revised accordingly.

Topic: Variance Request

Number: 81

Created: 7/7/2005

[7/7/05] Please submit a variance request for the sidewalk area in front of the building not to have water quality treatment. This can be done in the drainage report.

Response: Drainage report has been revised to include variance.

Department: Transportation Planning

Issue Contact: David Averill

Topic: General

Number: 67

Created: 7/5/2005

[7/5/05] No further comments. Please route all future submittals.

Department: Water Wastewater

Issue Contact: Jeff Hill

Topic: General

Number: 87

Created: 7/11/2005

[7/11/05] Eliminate the proposed fire hydrant on site. Maintain 10 feet of separation between the water services and thrust blocks.
See site, landscape and utility plans for other comments.

Response: Per discussions with Roger Buffington the proposed fire hydrant is to remain.

Department: Zoning

Issue Contact: Peter Barnes

Topic: Zoning

Number: 2

Created: 3/3/2005

[6/28/05] The removal of the tandem spaces is noted. The typical parking stall depth shown on the parking plan is only 17.5', but the code requires an 18' stall depth for long term residential parking. The 26' drive aisle exceeds the minimum 24' required, so there is a little extra room to make up the difference. However, the dimensioned parking platform lift detail would seem to preclude SUV's, minivans, or any vehicle with a roof-mounted rack from parking on these platforms due to the height restriction. Therefore, unless the tenants are restricted from owning such vehicles, I would think that there may not be enough usable parking spaces to meet the demand, and while 28 spaces are shown, I doubt that there are the required 27 parking spaces in reality. One other parking related note - the parking data on Sheet 1 of 10 states that 31 spaces are required. Actually, 27 parking spaces are required.

[3/3/05] Since there is very little room in the basement parking lot to "shuffle" cars around to get to the buried tandem spaces, I question the usefulness of having them, especially the tandem spaces that are 3 deep. I would recommend that the parking modification not be approved. For instance, if someone wants to leave or access space #7 at the same time that someone is trying to leave from space #T-2, they may have a considerable wait to get to or from space #7. They may need to reduce the number of dwelling units.

Response: We have revised the layout to ensure that all parking stalls are at least 18 feet deep. Additionally, we've added more dimensions to our parking layout drawing to clarify that the spaces are designed in conformance with the "Long-term" space size requirements.

Parking lifts will be as specified (or equivalent) on Sheet 3 of 10 in this submittal. Heights of specific parking spaces designed to be as listed in the following chart.

Parking Spaces	Up to 5'-9"	5'-9" to 6'-3"	6'-3" to 12'-1"
25 - 28	4		
11 - 22	6	6	
7 - 10	2	2	
3 - 6	2	2	
1, 2, 23, 24			4
Totals	14	10	4

100% of researched cars (including Chevrolet, Toyota and Honda) with roof racks or cargo boxes as well as several models of sport utility vehicles are accommodated in parking spaces with a height of up to 5'-9". Additionally, 80% of researched models of mini-vans, mid and full-sized pickup trucks and sport utility vehicles (including Chevrolet, Ford, Mercury, Lincoln, Land Rover, Dodge, Jeep, Toyota and Cadillac) are 6'-3" tall or under and are therefore accommodated as shown on the chart above.

Also, refer to response to comment #70 above.

RESPONSE TO CONDITIONS OF APPROVAL

From STAFF REPORT by Anne Aspen on September 8, 2005

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

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

Response:

A. See response to Peter Barnes comment # 2 above.

B. The underground parking garage has been redesigned to comply with all Long Term parking stall dimensions, per LUC 3.2.2 (L) (3).

C. The lighting plan has been revised to satisfy this condition.



Dec 21 2005

Hi Jeannette,

In regards to the mailboxes for the proposed Cherry Street Station at 100-120 Cherry St; we are considering your request that they be in the wall on the front of the building. Normally we prefer the box to be installed outside by the sidewalk, however in some cases we allow the mailboxes to be placed on an exterior wall or in the lobby of the building. If the mailboxes are in the lobby, it is preferable if the lobby is open to the public and does not require a private key. In any case, considering the location of the Cherry Street Station and the limited access for a delivery vehicle, we would most likely allow delivery to the front wall or lobby of the building. The specific arrangements would have to be agreed upon when we have the final plans to work with.

Thank you,
Bonnie Ham