Notice(s) of Appeal

Filed by 1. Troy W. Jones 2. Rebeca Mendoza

NOTICE OF APPEAL

Action Being Appealed: Approval of Fort Collins Rescue Mission FDP# 230022

FOR CITY CLERK'S USE ONLY: DATE FILED: 9/6/24 INITIALS: JUNT

Date of Action: 08/28/2024 Decision Maker: Planning & Zoning Commission

Appellant/Appellant Representative (if more than one appellant):

Name: Troy W. Jones, Land Planner, Architect

Email: troy@architex.com

Phone #: (970) 416-7431

Address: 108 Rutgers Avenue, Fort Collins

INSTRUCTIONS

For each allegation marked below, attach a separate summary of the facts contained in the record which support the allegation of no more than two pages, Times New Roman 12-point font. Please restate allegation at top of first page of each summary.

GROUNDS FOR APPEAL

The Decision Maker committed one (1) or more of the following errors (check all that apply):

	14	,	
	ø		
w			

Failure to properly interpret and apply relevant provisions of the City Code, the Land Use Code, and Charter. List relevant Code and/or Charter provision(s) here, by specific Section and subsection/ subparagraph:

LUC 1.2.4 "Applicability" in conjunction with LUC 3.5.1 "Building and Project Compatibility" subsection (A) "Purpose" in conjunction with LUC 3.5.1(J) "Operational/Physical Compatibility Standards" together with the definition of "compatibility" from 5.1.2 of the Land Use Code. (see attached appeal description)

Failure to conduct a fair hearing in that:

- (a) The Board, Commission, or other Decision Maker exceeded its authority or jurisdiction as contained in the Code or Charter. [New evidence not allowed]
- (b) The Board, Commission or other Decision Maker substantially ignored its previously established rules of procedure. [New evidence not allowed]
- (c) The Board, Commission or other Decision Maker considered evidence relevant to its findings which was substantially false or grossly misleading. [New evidence allowed]
- (d) The Board, Commission or other Decision Maker improperly failed to receive all relevant evidence offered by the appellant. [*New evidence allowed*]
- (e) The Board, Commission or other Decision Maker was biased against the appellant by reason of a conflict of interest or other close business, personal or social relationship that interfered with the Decision Maker's independence of judgment. [New evidence allowed]

NEW EVIDENCE

All new evidence the appellant wishes Council to consider at the hearing on the appeal must be submitted to the City Clerk within seven (7) calendar days after the deadline for filing a Notice of Appeal and must be clearly marked as new evidence. No new evidence will be received at the hearing in support of these allegations unless it is submitted to the City Clerk by the deadline (7 days after the deadline to file appeal) or offered in response to questions posed by Councilmembers at the hearing.

APPELLANTS

Parties-in-interest have the right to file an appeal.

A party-in-interest is a person who, or organization which, has standing to appeal the final decision of a board, commission or other decision maker. Such standing to appeal is limited to the following:

- The applicant.
- Anyone who owns or occupies the property which was the subject of the decision made by the board, commission or other decision maker.
- Anyone who received the mailed notice of, or spoke at, the hearing of the board, commission or other decision maker.
- Anyone who provided written comments to the appropriate City staff for delivery to the board, commission or other decision maker prior to or at the hearing on the matter that is being appealed.
- A City Councilmember.

Signature:	Date: 09/06/2024	
Name: Troy W. Jones	Email: troy@architex.com	
Address: 108 Rutgers Avenue	Phone #: (970) 416-7431	
Describe how you qualify as a party-in-interest: I provided both written comments to city staff for delivery to the board, and I provided testimony at the hearing via zoom.		

Signature:	Date:
Name:	Email:
Address:	Phone #:
Describe how you qualify as a party-in-interest:	

Signature:	Date:	
Name:	Email:	
Address:	Phone #:	
Describe how you qualify as a party-in-interest:		

ATTACH ADDITIONAL SIGNATURE SHEETS AS NECESSARY

Code not properly interpreted/applied:

LUC 1.2.4 "Applicability" in conjunction with LUC 3.5.1 "Building and Project Compatibility" subsection (A) "Purpose" in conjunction with LUC 3.5.1(J) "Operational/Physical Compatibility Standards" together with the definition of "compatibility" from 5.1.2 of the Land Use Code.

Background for Appeal:

- Per 1.2.4 of the LUC, "The provisions of this Code shall apply to any and all development of land within the municipal boundaries of the City, unless expressly and specifically exempted or provided otherwise in this Code."
- Per the plain text within LUC 3.5.1(A) as well as the plain text within 3.5.1(J), the concept of "compatibility" is required to be "ensured" in the application of the code. An excerpt of the plain text within the LUC in 3.5.1(A) states, "ensure that the physical and operational <u>characteristics</u> of proposed buildings and uses <u>are compatible</u> with considered within the context of the surrounding area." The plain text in 3.5.1(J) includes, "to ensure that the <u>new</u> <u>development be compatible</u> with existing neighborhoods and uses," and thus this code language requires the decision maker to "ensure" this "compatibility." The allowance of "conditions" within 3.5.1(J) is simply the tool provided to the decision maker by the code to accomplish the requirement of ensuring compatibility. Note that the P&Z Commission chose not to use this tool afforded to them by this code section.
- An excerpt of the plain text in the definition of "compatibility" in 5.1.2 states, "<u>the</u> <u>characteristics</u> of different uses or activities or design which <u>allow them to be located</u> near or adjacent to each other <u>in harmony</u>."
- Read together, 3.5.1(A), 3.5.1(J), and the definition of compatibility in 5.1.2 require that compatibility (as defined) be ensured. The P&Z Commission failed to ensure compatibility, and thus failed to properly interpret and apply the relevant provisions of the Land Use Code in their approval.

Description of Logic for the Appeal:

The plain text of the code is clear where the P&Z commission did not apply certain applicable provisions of the code when determining that the proposed FDP was "compatible" within its context. It is clear that all provisions of the code apply to land use decisions, even purpose statements. The P&Z commission chose to ignore the code language that requires that the decision maker must <u>ensure</u> that that a proposed development, including the operational characteristics of said proposed development, be <u>"compatible,"</u> in accordance with the code's own definition of compatibility, which includes the need that the characteristics of different uses must be in <u>"harmony"</u> with one another.

The Land Use Code doesn't define "harmony," but Webster's dictionary defines "harmony" as:

- o a: pleasing arrangement of parts: congruence
- o b: agreement, accord
- o c: internal calm: tranquility

In other words, if compatibility is required (which it is), then the proposed project must be able to exist in harmony with existing adjacent neighborhoods (which it doesn't as proposed). If it can't achieve harmony, it can't achieve compatibility, and if it can't achieve compatibility, it doesn't satisfy the code. And if it doesn't satisfy the code, the decision maker's charge is to not approve it. **This proposal is not compatible with the neighborhood!!! The code is clear about that!!!**

This section of code requires that "operational characteristics of proposed uses" (not just buildings, not just the "built environment") must be "compatible." The proposed homeless shelter simply does not meet the code requirements of compatibility because the operational characteristics of the proposed facility are way too intense to be in harmony with its surroundings. Although the use of "homeless shelter" is allowed per zoning, the code is clear that its operational characteristics must also be "compatible." This development application simply does not qualify as "compatible," per the specifics in the Land Use Code on what constitutes compatibility.

Let's dig into this a little bit. On the one hand, the operational characteristics of providing nightly accommodations for say 5 individual homeless males can probably be made to be compatible in most locations that allow for homeless shelters. The impacts can most likely be mitigated when there's only 5, and in that quantity, "harmony" within the context of most neighborhoods could probably be achieved. That's the low extreme. Let's consider however the high extreme. The operational characteristics of providing nightly accommodations for say, 1000 individual homeless males in a single location, can most certainly not be made to be compatible, quite possibly anywhere; especially not in Fort Collins; especially not according to the way the Fort Collins Land Use code codifies "compatibility." The impacts would be simply unmanageable to achieve harmony between these adjacent activities (as codified in the language of the code). This appeal contends that the intensity proposed in this application is simply too much for this location, within the context of the neighborhood.

The applicant is voluntarily causing this impact to exceed compatibility. According to City staff, there's already 89 beds for single adult males at the Rescue Mission's current location, and another 70 overflow beds available for this population on cold winter nights at an off-site overflow location. It's our understanding that the Rescue Mission's intent is to close-down those two other locations and not only consolidate them into one single location, but to also expand the capacity substantially, but at this new location. **The problem is that the new proposed location is within a third of a mile of at least 510 households (Hickory Village and 1601 North College communities), and over 100 small businesses (up and down Hickory Street and College Avenue), and a school and daycare (La Familia located a few hundred feet from this site).**

City staff may suggest that the compatibility requirements apply to just buildings, but that's not true! The code is also clear on this point. The compatibility requirements in the code [3.5.1 of the LUC] clearly state that they apply to both building compatibility and **"project compatibility."** While the proposed building itself (the architecture) is compatible in this case, the complete

proposed project itself (the intensity of this use in this location) certainly is not compatible. The "compatibility" provisions of code CERTAINLY DO INDEED AND CLEARLY apply to potential social and behavioral impacts that will be imposed upon the surrounding neighborhood (i.e. the project's context) as a result of a development proposal. Why else would the title of this section include the phrase "project compatibility?"

Even though the land use of "homeless shelter" is an allowed use in this zone district, clearly being an allowed use doesn't ensure compatibility (i.e. characteristics of different uses that allow them to be located near each other in harmony) by default. When we asked city staff about what happens when a single adult homeless man attempts to check in to a bed in this facility, but is turned away because he is drunk or high, and then goes to wander the neighborhood, the answer was that the police will deal with that. That doesn't sound like different uses located near each other in harmony. It's clear that not every one of the population served by this facility will cause social and behavioral impacts to the neighborhood, but it's certain that at least a small percentage will. The more beds available for this population at this location, the more times that small percentage will turn into an incident, and this a risk that will continue every day, every evening, every night into the future. If "calling the police" is the answer, how is that "compatible?" That doesn't sound like ensuring "harmony!" **It's simply common sense (backed by code requirements) that 250 nightly beds for homeless single men SHOULD NOT be congregated into one location, NOT with all the associated impacts, is clearly NOT compatible when considered in the context of the surrounding area!**

This appeal is not discounting there is a need for this population to be served, and that we as a community should serve this population. This appeal does not have an answer to this problem, but the answer certainly isn't to push this burden entirely onto this one neighborhood! The code simply doesn't allow that.

Perhaps there are conditions that the decision maker is obligated to impose to ensure compatibility in conjunction with 3.5.1(J) of the LUC, such as:

- Limiting the quantity of overnight beds at this facility to a much lower number, perhaps 41;
- Requiring funding of ongoing security patrols (whether funding extra police services or extra
 private security) throughout the neighborhood to ensure safety of the nearby residents and
 business owner;
- Other conditions that nearby residential neighbors and nearby business owners may suggest at the appeal hearing.

Thank you for your consideration in this matter.

Troy W. Jones, Land Planner, Architect Appellant

NOTICE OF APPEAL

Approval of Fort Collins Rescue Mission FDP# 230022 **Action Being Appealed:**

Date of Action: 08/28/2024

Decision Maker: Planning & Zoning Commission

Appellant/Appellant Representative (if more than one appellant):

Reberca Mendoza Name:

Email: rebe.mendo14@gmail.com

400 Hickory St # 55 Address: Fort Collins, CO, 80524

INSTRUCTIONS

For each allegation marked below, attach a separate summary of the facts contained in the record which support the allegation of no more than two pages, Times New Roman 12-point font. Please restate allegation at top of first page of each summary.

GROUNDS FOR APPEAL

The Decision Maker committed one (1) or more of the following errors (check all that apply):

Failure to properly interpret and apply relevant provisions of the City Code, the Land Use Code, and Charter. List relevant Code and/or Charter provision(s) here, by specific Section and subsection/ subparagraph:

LUC 1.2.4 "Applicability" in conjunction with LUC 3.2.2 "Access, Circulation, and Parking" subsection (K) "Parking Requirements" in conjunction with LUC 3.4.1 "Environmental Impact" together with LUC 3.5.1(J) "Operational/Physical Compatibility Standards" and the failure to impose necessary conditions on bed capacity as guided by the standards of LUC 4.22(B) "Service Commercial Districts Permitted Uses" (see attached appeal description)

Failure to conduct a fair hearing in that:

- (a) The Board, Commission, or other Decision Maker exceeded its authority or jurisdiction as contained in the Code or Charter. [New evidence not allowed]
- (b) The Board. Commission or other Decision Maker substantially ignored its previously established rules of procedure. [New evidence not allowed]
- (c) The Board, Commission or other Decision Maker considered evidence relevant to its findings which was substantially false or grossly misleading. [New evidence allowed]
 - (d) The Board, Commission or other Decision Maker improperly failed to receive all relevant evidence offered by the appellant. [New evidence allowed]
 - (e) The Board, Commission or other Decision Maker was biased against the appellant by reason of a conflict of interest or other close business, personal or social relationship that interfered with the Decision Maker's independence of judgment. [New evidence allowed]

NEW EVIDENCE

All new evidence the appellant wishes Council to consider at the hearing on the appeal must be submitted to the City Clerk within seven (7) calendar days after the deadline for filing a Notice of Appeal and must be clearly marked as new evidence. No new evidence will be received at the hearing in support of these allegations unless it is submitted to the City Clerk by the deadline (7 days after the deadline to file appeal) or offered in response to questions posed by Councilmembers at the hearing.

FOR CITY CLERK'S USE ONLY: DATE FILED: 9 11 24 INITIALS: JUL

Phone #: (970) 308-9275

V

X

APPELLANTS

Parties-in-interest have the right to file an appeal.

A party-in-interest is a person who, or organization which, has standing to appeal the final decision of a board, commission or other decision maker. Such standing to appeal is limited to the following:

- The applicant.
- Anyone who owns or occupies the property which was the subject of the decision made by the board, commission or other decision maker.
- Anyone who received the mailed notice of, or spoke at, the hearing of the board, commission or other decision maker.
- Anyone who provided written comments to the appropriate City staff for delivery to the board, commission or other decision maker prior to or at the hearing on the matter that is being appealed.
- A City Councilmember.

Signature:	Date: 09/11/2024
Name: Reberca Mendoza	Email: rebe.mendo14@gmail.com
Address: 400 Hickory St #55, Fort Collins, CO, 80524	Phone #: (970) 308-9275
Describe how you qualify as a party-in-interest: I received mailed notice and provided testimony at the hearing	

Signature: Seleco Pallur	Date: 09/11/2024
Name: Debbie Bradberry	Email: dkirkbradberry@gmail.com
Address: 1601 N. College Ave., Lot 349Fort Collins, CO, 80524	Phone #: (706) 714-8100
Describe how you qualify as a party-in-interest: I received mailed notice and provided testimony at the hearing.	

Signature:	Date:	
Name:	Email:	
Address:	Phone #:	
Describe how you qualify as a party-in-interest:		

ATTACH ADDITIONAL SIGNATURE SHEETS AS NECESSARY

Code not properly interpreted/applied:

LUC 1.2.4 "Applicability" in conjunction with LUC 3.2.2 "Access, Circulation, and Parking" subsection (K) "Parking Requirements" in conjunction with LUC 3.4.1 "Environmental Impact" together with LUC 3.5.1(J) "Operational/Physical Compatibility Standards" and the failure to impose necessary conditions on bed capacity as guided by the standards of LUC 4.22(B) "Service Commercial Districts Permitted Uses."

Grounds for Appeal:

This appeal is submitted on the grounds that the Planning and Zoning (P&Z) Commission's approval of the Fort Collins Rescue Mission project (File# FDP 230022) failed to properly interpret and apply relevant provisions of the Land Use Code (LUC) regarding parking, operational compatibility, physical compatibility, environmental impact, and the potential for overflow use, thereby compromising the project's harmony and compatibility with the surrounding neighborhood.

1. LUC 3.2.2(K) – Inadequate Parking & Flawed Parking Study

Allegation: The P&Z Commission failed to ensure that the proposed parking provisions meet the requirements of LUC 3.2.2(K), leading to inadequate parking for the proposed 24/7 facility. The parking study provided was based on inadequate comparisons, lacking data on similar facilities or actual vehicle usage by guests at the Fort Collins Rescue Mission or Denver Rescue Mission.

Argument:

- The parking study used to justify the number of parking spaces does not adequately reflect the reality of the proposed use. The facility was originally planned for 200 beds but later expanded to 250 beds, weeks before the hearing without notice to residents and without reassessing the parking needs. Additionally, initial discussions by the Homeless Advisory Committee convened by the City of Fort Collins considered a facility with a capacity of 500 beds, which could still be realized in the future (Coloradoan, 2021). The current proposal for fewer parking spaces is therefore insufficient to meet the potential demand, especially given the existing issue of illegal car camping in the area.
- The Fort Collins Rescue Mission Preliminary Design Review dated 10/12/22 for the review hearing on 11/2/22 stated repeatedly that some guests of the Rescue Mission would have vehicles and planned for 52 parking spaces to accommodate staff, volunteers,

and guest vehicles based on 200 beds. The review included the following site data for parking: 25 spaces for staff, 8 for volunteers, and 19 for guests, totaling 52 spaces. However, at the 8/28/24 Planning and Zoning Commission hearing, Cassie Slade of Fox Tuttle Transportation Group stated that "People using the beds are not likely going to have a vehicle... there will not be an increase in vehicular traffic with 50 additional beds." This statement contradicts the earlier planning documents and does not align with the expectations set during the initial design review.

- In the 8/9/24 Planning and Zoning Commission Work Session, it was further stated that "...staff doesn't have a particular basis for a number other than what the parking study says," indicating a lack of a well-founded approach to determining the appropriate number of parking spaces for the facility.
- Multifamily dwellings require 1.5 parking spaces per number of bedrooms in the dwelling unit. Under U+2 Occupancy regulations in place at the time this project entered into the Development Review process, a 1-bedroom apartment would allow 3 adult unrelated residents, making the 1.5 parking spaces required at a rate of .5 the number of residents. For this facility with 250 beds, the analogous number of parking spaces would be 125 for vehicles for guests. Although alternative compliance is allowable under the Code, the calculations of the number of parking spaces for this development should be much higher than approved by the Planning and Zoning Commission for a 24/7 live-in shelter and based on data of usage in 24/7 shelters in Colorado, not on assumptions based on the current location, which has no guest parking.
- According to the California Statewide Study of People Experiencing Homelessness (CASPEH), a significant portion of the unsheltered homeless population lives in vehicles, often parking in residential neighborhoods due to the lack of designated facilities. This is already an issue in Fort Collins and could be exacerbated by a facility of this size without adequate parking provisions (Benioff Homelessness and Housing Initiative, 2023)

Citations:

• Benioff Homelessness and Housing Initiative. (2023). *California Statewide Study of People Experiencing Homelessness*. University of California San Francisco. Retrieved from

https://homelessness.ucsf.edu/resources/reports/toward-new-understanding-california-stat ewide-study-people-experiencing

2. LUC 3.5.1(J) - Operational Incompatibility with Neighborhood

Allegation: The P&Z Commission failed to properly interpret and apply LUC 3.5.1(J) by not imposing necessary conditions to mitigate operational incompatibilities. The 24/7 operation of this facility is incompatible with the surrounding neighborhood, which includes four high-density residential areas and businesses with limited hours of operation.

Argument:

- The Fort Collins Rescue Mission was initially proposed for 200 beds but later increased to 250 beds. Initial recommendations from the Homeless Advisory Committee convened by the City of Fort Collins indicated a preference for a facility with a capacity closer to 500 beds. Despite this significant potential for expansion, the P&Z Commission did not impose any conditions to cap the bed count or mitigate the corresponding increase in operational intensity (Coloradoan, 2021).
- Unlike other services in the area, such as the Food Bank, this facility will operate 24/7, leading to increased noise, light pollution, and other disturbances at all hours, which are not adequately mitigated by the proposed 6-foot privacy fence. The potential for this facility to expand to a capacity of 500 beds further exacerbates these concerns, as the increased number of residents would likely result in greater operational impact. The proposed shelter size of 45,000 square feet was the initial proposed size for a 500-bed facility during the work of the Homeless Advisory Committee convened by the City of Fort Collins. Although the Fort Collins Rescue Mission decreased the number of beds to 200 during the conceptual review phase, it increased it to 250 in its final submission to the City and is not held to 250 as the final maximum capacity for this facility. This is a concern given that this large building is capable of accommodating 500 beds.
- The facility's operations will involve significant outdoor activities, including smoking and congregating, which will produce ongoing noise and odors that are not compatible with the residential character of the surrounding neighborhoods. The lack of imposed conditions on the number of beds or on screening for noise, odors, or other nuisance means that these disturbances could become even more pronounced if the facility expands as initially recommended by the Homeless Advisory Committee convened by the City of Fort Collins. The proposal includes only a wooden fence in some areas of the property, which is insufficient to control the nuisances.
- The use of delivery vehicles, trash collection, and other operational necessities at all hours further exacerbates the incompatibility of this development with the existing community. The P&Z Commission's decision to approve the project without limiting the bed capacity ignores the likely increase in operational demands, which will further strain the neighborhood's infrastructure and disrupt the quality of life for residents.

Citation:

3. LUC 3.5.1(C) - Incompatibility of Height, Mass, Scale, and Bulk

Allegation: The P&Z Commission did not properly interpret and apply LUC 3.5.1(C) regarding the physical compatibility of the proposed building's height, mass, scale, and bulk with the surrounding neighborhood

Argument:

- The proposed 41,644-square-foot facility dwarfs the one-story mobile homes and small businesses that characterize the surrounding area. This discrepancy in scale disrupts the visual and physical harmony of the neighborhood.
- The photos included by the applicant to demonstrate compatibility with the neighborhood were of buildings that are not in the immediate surrounding area. These photos were selectively chosen to strengthen their argument, but they do not accurately represent the actual surrounding area. The real neighborhood consists primarily of smaller, one-story structures, making the proposed facility starkly out of place. Photos of the surrounding area provided below clearly illustrate this discrepancy.
- The Planning and Zoning Commission should have imposed restrictions on the bed capacity or required design modifications to reduce the scale and bulk of the facility to align better with the existing residential character.
- The preservation zoning in the surrounding mobile home parks ensures that these neighborhoods are unlikely to change in the future, making the incompatibility of this large facility even more pronounced and permanent.

4. LUC 4.22(B) - Potential for Overflow Use from Denver Rescue Mission

Allegation: The P&Z Commission failed to impose conditions that would prevent this site from being used as an overflow shelter for the Denver Rescue Mission, which could lead to increased strain on local resources and exacerbate the impact on the surrounding community.

Argument:

- The Fort Collins Rescue Mission was originally proposed with a capacity of 200 beds, later increased to 250 beds. However, initial feedback from the Homeless Advisory Committee convened by the City of Fort Collins considered the need for a facility with up to 500 beds, which raises significant concerns about the potential for this site to be used as an overflow shelter. The P&Z Commission's failure to impose a cap on the number of beds leaves open the possibility that this facility could expand its capacity in the future, leading to even greater demand on local resources (Coloradoan, 2021).
- LUC 4.22(B) states that any use authorized pursuant to a site-specific development plan must comply with all use and density requirements and conditions outlined in that plan. By not imposing specific conditions on the maximum number of beds or addressing the potential for overflow use, the P&Z Commission failed to ensure that the development would adhere to the intended use and density requirements. This oversight could lead to an unauthorized expansion in capacity, further intensifying the operational and environmental impacts on the community.
- Given that the Fort Collins Rescue Mission is operated by the same organization as the Denver Rescue Mission, there is a real risk that this facility could be used to accommodate overflow from Denver. This would increase the intensity of use beyond what was originally presented, placing additional strain on local infrastructure and services, and further aggravating the environmental and operational impacts on the surrounding community.

Citation:

5. LUC 3.4.1 - Environmental Impact

Allegation: The P&Z Commission failed to adequately consider the environmental impacts associated with the facility's increasing bed capacity, as required by LUC 3.4.1. Originally proposed for 200 beds, the project was later expanded to 250 beds. Despite initial feedback from the Homeless Advisory Committee convened by the City of Fort Collins indicating the need for a facility with up to 500 beds, the P&Z Commission did not impose any conditions to cap the number of beds, thereby failing to mitigate the potential environmental impact.

Argument:

- The Fort Collins Rescue Mission project's bed capacity has been a point of contention throughout its planning. Initially proposed at 200 beds, the capacity was later increased to 250 beds. This shift was not accompanied by a corresponding reassessment of the environmental impacts, including traffic, waste production, and strain on local infrastructure.
- According to the Coloradoan, the Homeless Advisory Committee convened by the City of Fort Collins tasked with evaluating the shelter's needs had discussions that leaned towards a facility capable of housing 500 people. The smaller options, including those with 300 beds, were not widely supported, suggesting that the facility could eventually expand to accommodate more people (Coloradoan, 2021). This possibility raises significant concerns about the long-term environmental impact of the project.
- The Fort Collins Land Use Code (LUC 3.4.1) requires that developments include strategies to avoid or mitigate adverse environmental impacts on natural habitats and features. The P&Z Commission's failure to impose any conditions on the bed capacity ignores this requirement, leaving the surrounding neighborhood vulnerable to increased air and noise pollution, overburdened water and sewer systems, and other environmental stresses.
- The lack of conditions regarding the number of beds also heightens the risk of the facility being used as an overflow shelter, further exacerbating its environmental footprint. As the Coloradoan reported, discussions around the shelter size have considered much larger capacities, which would only amplify these concerns.

Citation:

Conclusion:

This appeal seeks to rectify the Planning and Zoning Commission's failure to properly interpret and apply the relevant sections of the Planning and Zoning Code, particularly regarding parking adequacy, operational compatibility, physical compatibility, environmental impact, and the potential for regional overflow use. The proposed development, as approved, does not meet the standards of harmony and compatibility required by the Land Use Code and will significantly and negatively impact the surrounding neighborhood and local environment.

We respectfully request that the P&Z Commission reconsider their approval of the Fort Collins Rescue Mission project and impose necessary conditions to ensure that the development aligns with the character and needs of the existing community.

Photos of Surrounding Area



A) East of Property

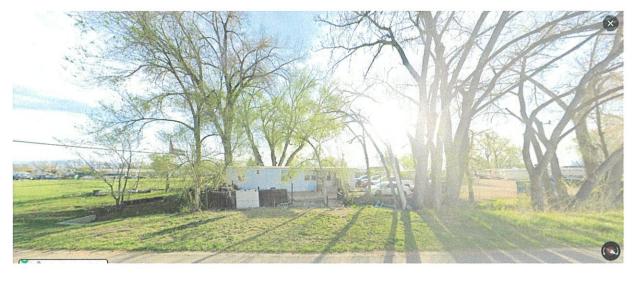
B) Northeast of Property

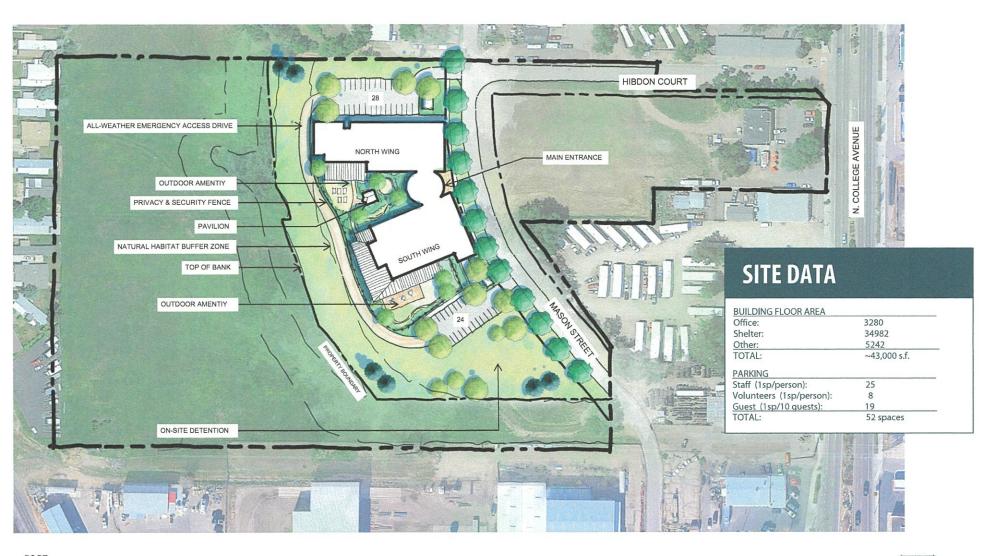




C) South of Property

D) Southeast of Property







ripley design



FCRM SITE PLAN 10/12/2022 419 Canyon Ave., Suite 200 Fort Collins, Colorado 80521 970.224,5828 ripleydesigninc.com