

Staff Presentation to Council

April 16, 2024

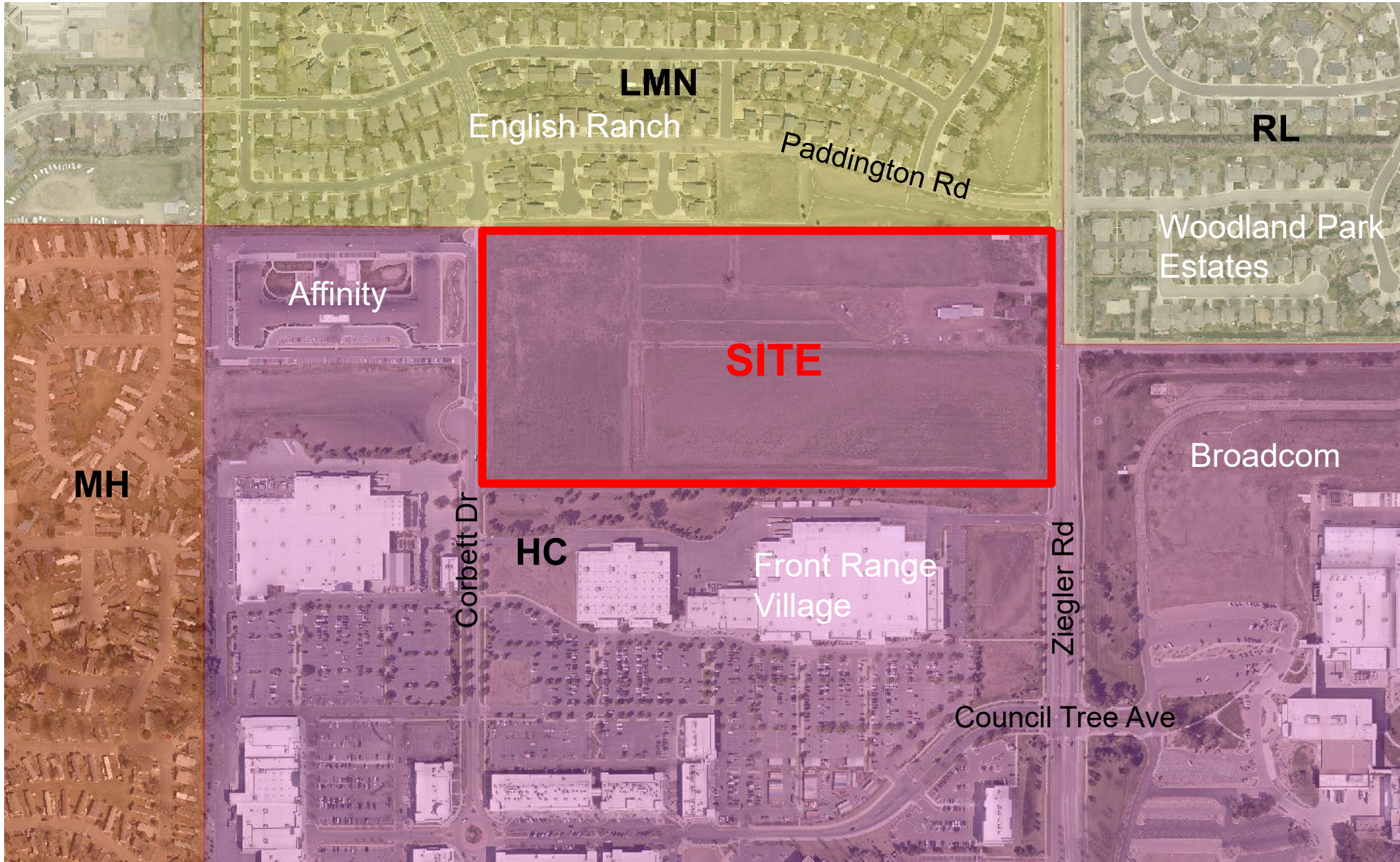


Union Park Project Development Plan Appeal

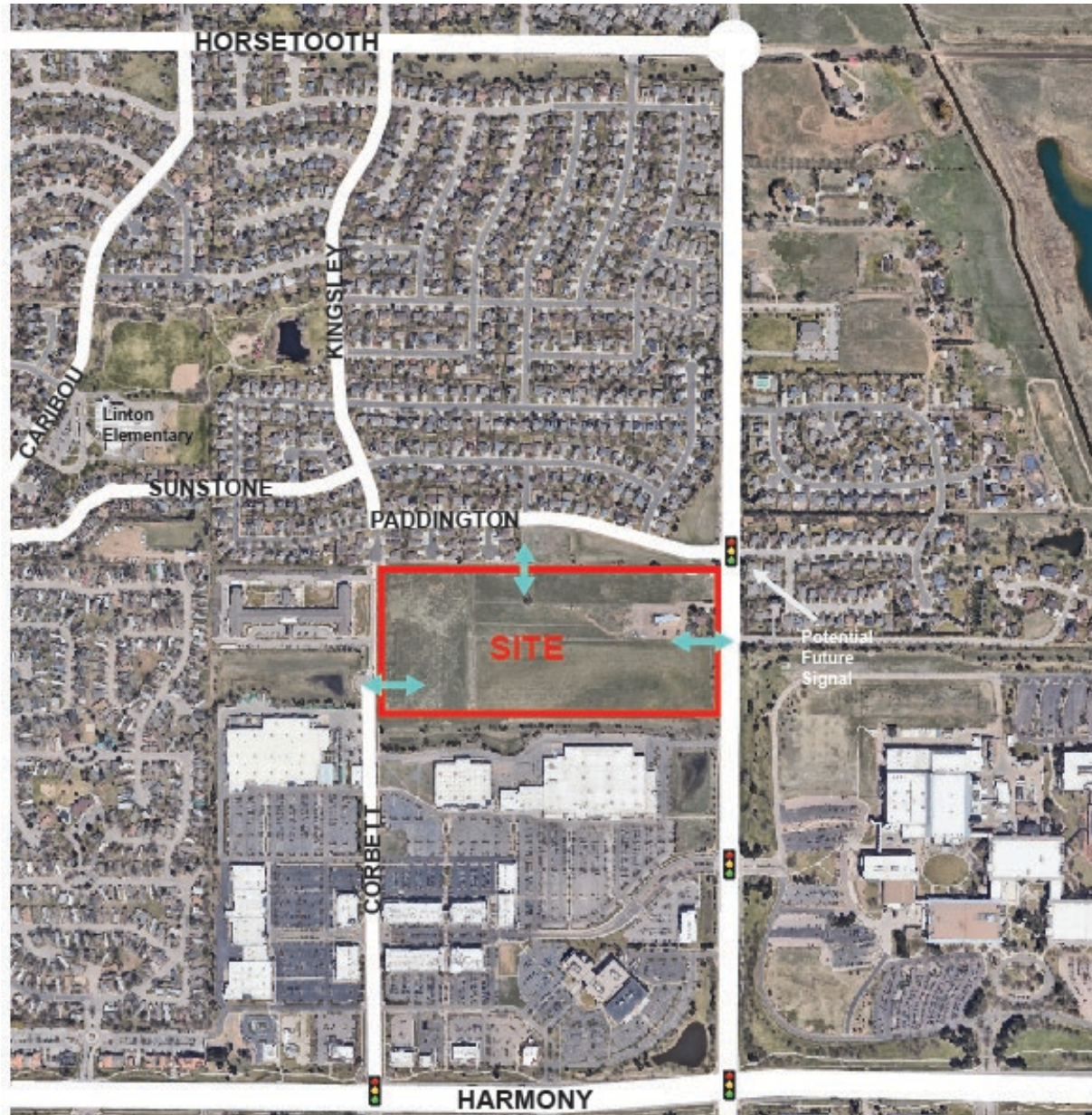
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- PDP associated with Ziegler-Corbett Overall Development Plan (ODP)
- Size: 32.6 acres
- Zone: Harmony Corridor (HC)
- Project Elements:
 - 603 dwelling units
 - 10,000 sf Childcare Center
 - 34,000sf Office/Retail Space
 - 2.3 acres of park & amenity spaces
- Proposed Modifications:
 - Section 3.2.2(K) Parking
 - Section 3.5.2(D) Relationship of Dwellings to Streets/Walkways



- Feb. 17, 2022 – P&Z Approval of Ziegler-Corbett Overall Development Plan (ODP)
 - Approval includes alternative compliance to street connectivity standards
- Mar. 23, 2023 – Ziegler Corbett ODP Major Amendment approved by P&Z
 - Incorporated additional parcel into ODP boundary; change in Ziegler Rd access location and installation of traffic signal at Ziegler/Hidden Pond intersection
- Apr. 5, 2023 – Two Notices of Appeal Filed – Major Amendment ODP
- Aug. 15, 2023 – City Council Hearing for Appeals
 - Item remanded to P&Z without deference for previously-approved alternative compliance
- Sep. 21, 2023 – ODP Major Amendment approved at remanded hearing
 - Plans include a local street connection stub to allow future connection to Paddington Road
- Feb. 15, 2024 – Project Development Plan (PDP) approved by P&Z
 - Conforms with approved ODP to stub a future local street connection to Paddington Road
- Feb. 29, 2024 – Notice of Appeal Filed – Project Development Plan



The Notice of Appeal alleges the Planning and Zoning Commission committed the following errors:

- 1) Considered evidence relevant to its findings which was substantially false or grossly misleading
- 2) Failure to properly interpret and apply Land Use Code Section 3.6.4(A)
- 3) Failure to properly interpret and apply Land Use Code Division 1.2.2(M)
- 4) Failure to properly interpret and apply Larimer County Urban Area Street Standards Table 7-1
- 5) Failure to properly interpret and apply Larimer County Urban Area Street Standards Section 4.4.2

Did the Planning and Zoning Commission consider evidence relevant to its findings which was substantially false or grossly misleading?

The Notice of Appeal alleges:

- The Commission relied on misleading staff statements at prior ODP and the PDP hearings related to existing and future warrants for the signalization of the Ziegler & Paddington intersection, specifically:
 - The intersection is not close to meeting warrants for a traffic signal and the Traffic Impact Study long-range projections, without a local street connection from the development site, show the intersection will not meet warrants for a traffic signal.
 - Statements about the readiness of the Ziegler & Paddington intersection for a traffic signal was misleading to justify redistribution of traffic on north-south streets through The English Ranch neighborhood.

Did the Planning and Zoning Commission fail to properly interpret and apply Land Use Code Section 3.6.4(A)?

Land Use Code Section 3.6.4(A) reads:

3.6.4(A) Purpose. In order to ensure that the transportation needs of a proposed development can be safely accommodated by the existing transportation system, or that appropriate mitigation of impacts will be provided by the development, the project shall demonstrate that all adopted level of service (LOS) standards will be achieved for all modes of transportation as set forth in this Section 3.6.4.

The Notice of Appeal alleges:

- Increased traffic through The English Ranch neighborhood resulting from the development and a future street connection will create unsafe conditions, due to the design and narrow width of existing neighborhood streets.

Did the Planning and Zoning Commission fail to properly interpret and apply Land Use Code Division 1.2.2(M)?

Land Use Code Division 1.2.2(M) is part of the Code's broad purpose statements. 1.2.2(M) reads:

(M) ensuring that development proposals are sensitive to the character of existing neighborhoods.

The Notice of Appeal alleges:

- An influx of cut-through vehicle traffic will impair the character of the neighborhood well suited towards active modes such as bicycling and walking and the safe travel to Linton Elementary School.

Did the Planning and Zoning Commission fail to properly interpret and apply Larimer County Urban Area Street Standards Table 7-1?

The Larimer County Urban Area Street Standards (LCUASS) is referenced by the Land Use Code and City Code and contains design standards for public streets. Table 7-1 contains the general parameters for public streets by roadway classification, including roadway widths, medians, parkways, sidewalks, etc.

The Notice of Appeal alleges:

- The streets in The English Ranch neighborhood do not meet the standards of Table 7-1, specifically widths for collector streets, numerous driveways intersecting with a collector street, and lack of parkways.

Did the Planning and Zoning Commission fail to properly interpret and apply Larimer County Urban Area Street Standards Section 4.4.2?

The Larimer County Urban Area Street Standards (LCUASS) is referenced by the Land Use Code and City Code and contains design standards for public streets. Section 4.4.2 relates to the collection of existing traffic and bike/pedestrian counts for a traffic study as well as calculation factors for level of service at intersections in the current and long-range horizon.

The Notice of Appeal alleges:

- The Traffic Impact Study (TIS) did not collect bicycle and pedestrian counts in The English Ranch neighborhood.

RESOURCES

3.6.4 - Transportation Level of Service Requirements

(A) Purpose. In order to ensure that the transportation needs of a proposed development can be safely accommodated by the existing transportation system, or that appropriate mitigation of impacts will be provided by the development, the project shall demonstrate that all adopted level of service (LOS) standards will be achieved for all modes of transportation as set forth in this Section 3.6.4.

(B) General Standard. All development plans shall adequately provide vehicular, pedestrian and bicycle facilities necessary to maintain the adopted transportation level of service standards. The vehicular level of service standards are those contained in Table 4-3 of the Larimer County Urban Area Street Standards (LCUASS). The bicycle and pedestrian level of service standards are those contained in Part II of the City of Fort Collins Multi-modal Transportation Level of Service Manual. Mitigation measures for levels of service that do not meet the standards are provided in Section 4.6 of LCUASS. No Transit level of service standards will be applied for the purposes of this Section. Notwithstanding the foregoing, adopted level of service standards need not be achieved where the necessary improvements to achieve such standards are not reasonably related and proportional to the impacts of the development. In such cases, the Director may require improvements or a portion thereof that are reasonably related and proportional to the impacts of the development or the requirement may be varied or waived pursuant to LCUASS Section 4.6.

(C) Transportation Impact Study, Nominal Impact. In order to identify those facilities that are necessary in order to comply with these standards, development plans may be required to include the submittal of a Transportation Impact Study, to be approved by the Traffic Engineer, consistent with the Transportation Impact Study guidelines as established in LCUASS Chapter 4. Should a Transportation Impact Study not be required pursuant to LCUASS Chapter 4, a proposed development shall be deemed to have a nominal impact and shall not be subject to the transportation level of service requirements described in this Section 3.6.4.

1.2.2 - Purpose

The purpose of this Code is to improve and protect the public health, safety and welfare by:

- (A) ensuring that all growth and development which occurs is consistent with this Code, City Plan and its adopted components, including, but not limited to, the Structure Plan, Principles and Policies and associated sub-area plans.
- (B) encouraging innovations in land development and renewal.
- (C) fostering the safe, efficient and economic use of the land, the city's transportation infrastructure, and other public facilities and services.
- (D) facilitating and ensuring the provision of adequate public facilities and services such as transportation (streets, bicycle routes, sidewalks and mass transit), water, wastewater, storm drainage, fire and emergency services, police, electricity, open space, recreation, and public parks.
- (E) avoiding the inappropriate development of lands and providing for adequate drainage and reduction of flood damage.
- (F) encouraging patterns of land use which decrease trip length of automobile travel and encourage trip consolidation.
- (G) increasing public access to mass transit, sidewalks, trails, bicycle routes and other alternative modes of transportation.
- (H) reducing energy consumption and demand.
- (I) minimizing the adverse environmental impacts of development.
- (J) improving the design, quality and character of new development.
- (K) fostering a more rational pattern of relationship among residential, business and industrial uses for the mutual benefit of all.
- (L) encouraging the development of vacant properties within established areas.
- (M) ensuring that development proposals are sensitive to the character of existing neighborhoods.
- (N) ensuring that development proposals are sensitive to natural areas and features.
- (O) encouraging a wide variety of housing opportunities at various densities that are well-served by public transportation for people of all ages and abilities.

**Table 7-1
Fort Collins (GMA and City Limits) Street Standards - General Parameters**

Street Classification:	6-Lane Arterial	4-Lane Arterial	Modified 4-Lane Arterial *n	2-Lane Arterial	Major Collector (without parking)	Minor Collector (with parking)	Commercial Local	Industrial Local	Connector Local	Residential Local	Alley *a	Rural Residential Local
Right-of-Way (ROW) Width	141'	115'	102'	84'	69'	81'	77'	71'	63'	57' *m	12'- 20'	46'
Roadway Width	107'	83'	74'	52'	42'	54'	50'	44'	36'	30'	12'-20'	28'
Median Width	19'&7' *b	19'&7' *b	Optional *c	None	Optional *c	Optional *c	Optional *c	Optional *c	Optional *c	None	None	Optional *c
No. of Travel Lanes	6	4	4	2	2	2	2	2	2	1	1	2
Travel Lane Width *p	11'-12'	11'-12'	11'	11'	11'-12' *d	11'	10'	11'12'	10'	16'	12'-20'	0
Designated Bike Lanes?	Y	Y	Y	Y	Y	Y	Y	N *e	N *e	N *e	N *e	N *e
Bike Lane - width (P)rotected, (B)uffered	7' P	6' B	6.5' *o B	7' B	7' B	5' w/parking 6' w/lt turn' B	7' or 8' *h B	0'	0' or 6' *f B	0' *i	0'	0'
Parking Lane Width	None	None	None	None	None	8' or None *j	7' or None *j	10'	8' or None *j	7'	None	Not Defined
Lane Striping Req'd (T)ravel, (B)ike, (P)arking	T,B	T,B	T,B	T,B	T,B	T,B,P	T,B/P or T,B	None	T,P or None	None	None	None
Min. Parkway Width	10'	10'	8'	10'	8'	8'	8'	8'	8'	8' *m	NA	9'
Min. Sidewalk width *k	7'	6'	6'	6'	5'	5'	5'	5'	5'	5'	None	None
Left Turn Lanes Req'd?	Y	Y	Y	Y	N or Y *d	N or Y *j	N or Y *j	N	N or Y *j	N	NA	N
Left Turn Lane Width	12'	12'	11'	11'	0' or 12'	0' or 12'	0' or 12'	0'	0' or 10'	0'	NA	0'
Speed Limit, mph	40 - 45	35 - 45	35 - 45	30-45	30 - 35	25 - 30	25	25	25	25	15	25
Fence minimum setbacks, feet from parkway edge of sidewalk	10'	8'	8'	8'	7'	7'	7'	6.5'	6.5'	6.5'	3' or 8' *l	9' *d
Driveway & Street Access	Limited	Limited	Limited	Limited	Limited	Limited	Limited	Limited	Unlimited	Unlimited	Unlimited	Unlimited
Curb & Gutter Vertical or Driveover	V	V	V	V	V	V	V	V	V	V or D	V or D	V or D
<p>*a The maximum length of an Alley shall be 600 feet. *b Medians shall be 19' wide standard width or 7'wide where a 12' left turn lane is needed. *c Additional street width shall be required for development requested medians. *d To provide left turn lanes at intersections, 8' additional roadway width is required to provide an 12' wide left turn lane with 5' buffered bike lanes and 11' travel lanes. *e Bikes share travel lanes with motor vehicles. *f If bike lanes are required, additional street width will be required to provide 6' wide bike lanes. *g An 11' lane for shared parking and bikes is provided. *h A 7' wide bike lane is provided when parking is removed for a left turn lane. *i Additional street width up to 4' wider may be required in the travel lane to accommodate higher volumes of bike traffic within and leading to activity areas.</p>							<p>*j To provide left turn lanes at intersections, parking shall be removed. *k Additional sidewalk width may be required to accommodate anticipated higher pedestrian traffic volumes within or leading to activity areas. *l An 8' fence setback is required for a garage door setback of 8' from the alley ROW. With a garage door setback at 20' or greater, the minimum fence setback is 3' from the alley ROW. *m To use driveover curb and gutter the parkway width must be widened by 1 foot, thereby increasing street ROW width by 2 feet to provide 53 feet. *n The Modified 4-Lane Arterial is to be applied in constrained right-of-way situations and after review and approval of the City Engineer. *o 6-ft bike lane is acceptable if built using a continuously poured concrete gutter pan *p 11 foot lanes may be considered in constrained situations and upon review and approval by the City Traffic Engineer</p>					

A. Roadway Traffic Volumes/Traffic Counts.

Current A.M. and P.M. peak hour traffic counts as specified by the Local Entity Engineer shall be obtained for the roadways within the study area for one, nonholiday Tuesday, Wednesday, or Thursday. Each peak hour count shall be conducted over a two hour period (or as specified by the Local Entity Engineer) and shall include fifteen (15) minute count data to clearly identify the peak hours.

Weekend counts and/or average daily counts on local streets may also be required where appropriate when requested by the Local Entity Engineer. Local Entity or CDOT average weekday traffic (AWT) counts may be used when available. Pedestrian counts and bike usage should be obtained. Vehicle classification counts may be required.

In any case, these volumes shall be no more than one year old (from the date of application submittal), unless otherwise approved by the Local Entity Engineer. The source(s) of each of the existing traffic volumes shall be explicitly stated (CDOT counts, new counts by Applicant, Local Entity counts, etc.) Summaries of current traffic counts shall be provided. The Local Entity may require the use of seasonal adjustment factors depending on when data was collected and if the project is considered to be in an affected area (i.e. tourism).

B. Intersection Level of Service.

1. Existing and Short Range Horizon.

Use calculated peak hour factors or 0.85, whichever is higher. Traffic signal timing parameters for the existing conditions will be the actual signal timing in effect unless determined otherwise by the Local Entity.

2. Long Range Horizon.

A peak hour factor of 0.95 may be used for the Long Range Horizon. Greater values may be used if approved by the Local Entity Engineer. Traffic signal timing parameters for the existing conditions will be the actual signal timing in effect unless determined otherwise by the Local Entity.

Land Use Code Section 3.6.3(E) Distribution of Local Traffic to Multiple Arterial Streets.

All development plans shall contribute to developing a local street system that will allow access to and from the proposed development, as well as access to all existing and future development within the same section mile as the proposed development, from at least three (3) arterial streets upon development of remaining parcels within the section mile, unless rendered infeasible by unusual topographic features, existing development or a natural area or feature.

The local street system shall allow multi-modal access and multiple routes from each development to existing or planned neighborhood centers, parks and schools, without requiring the use of arterial streets, unless rendered infeasible by unusual topographic features, existing development or a natural area or feature.

Land Use Code Section 3.6.3(F) Utilization and Provision of Sub-Arterial Street Connections to and From Adjacent Developments and Developable Parcels.

All development plans shall incorporate and continue all sub-arterial streets stubbed to the boundary of the development plan by previously approved development plans or existing development. All development plans shall provide for future public street connections to adjacent developable parcels by providing a local street connection spaced at intervals not to exceed six hundred sixty (660) feet along each development plan boundary that abuts potentially developable or redevelopable land.

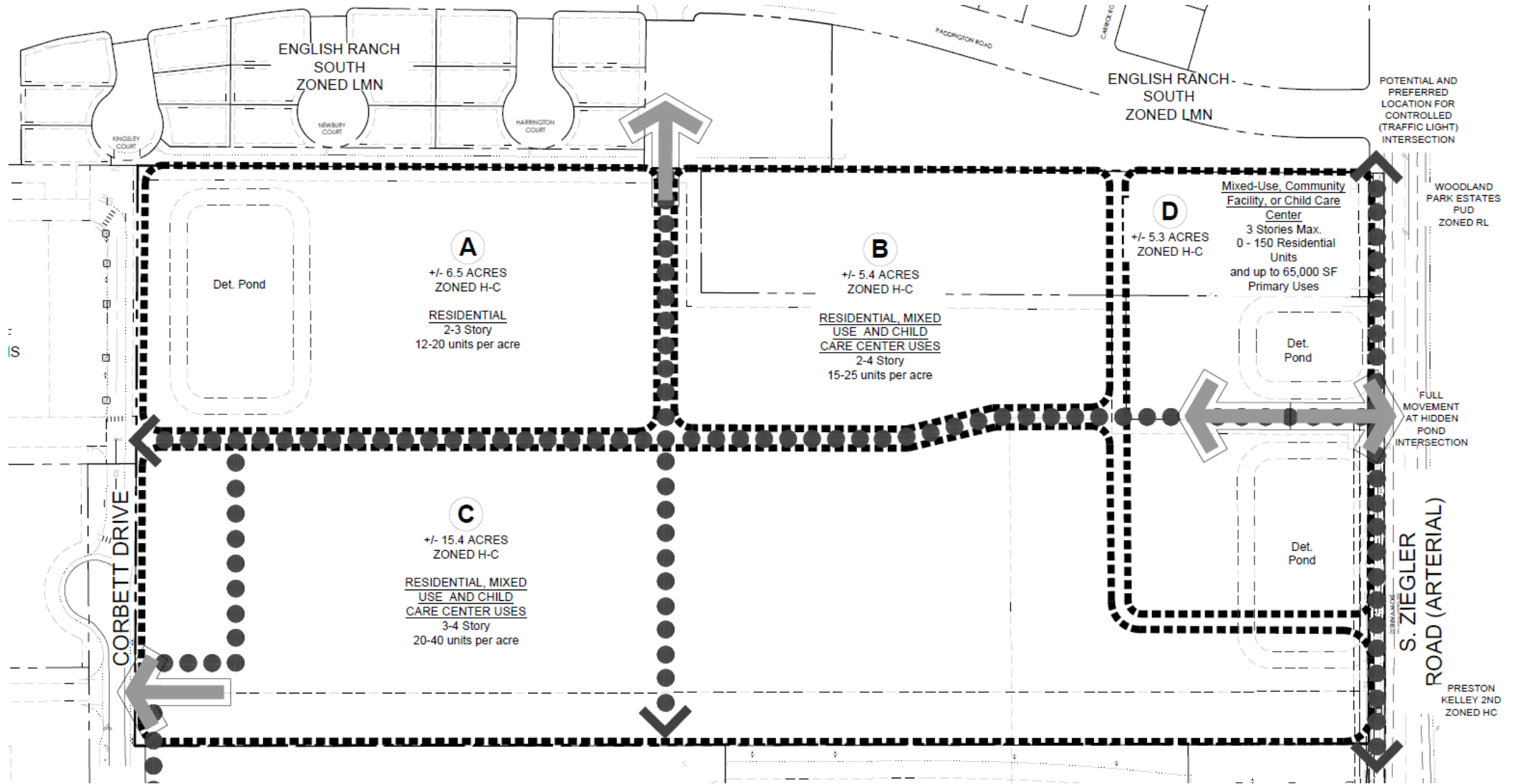
Land Use Code Section 3.6.3(H) Alternative Compliance

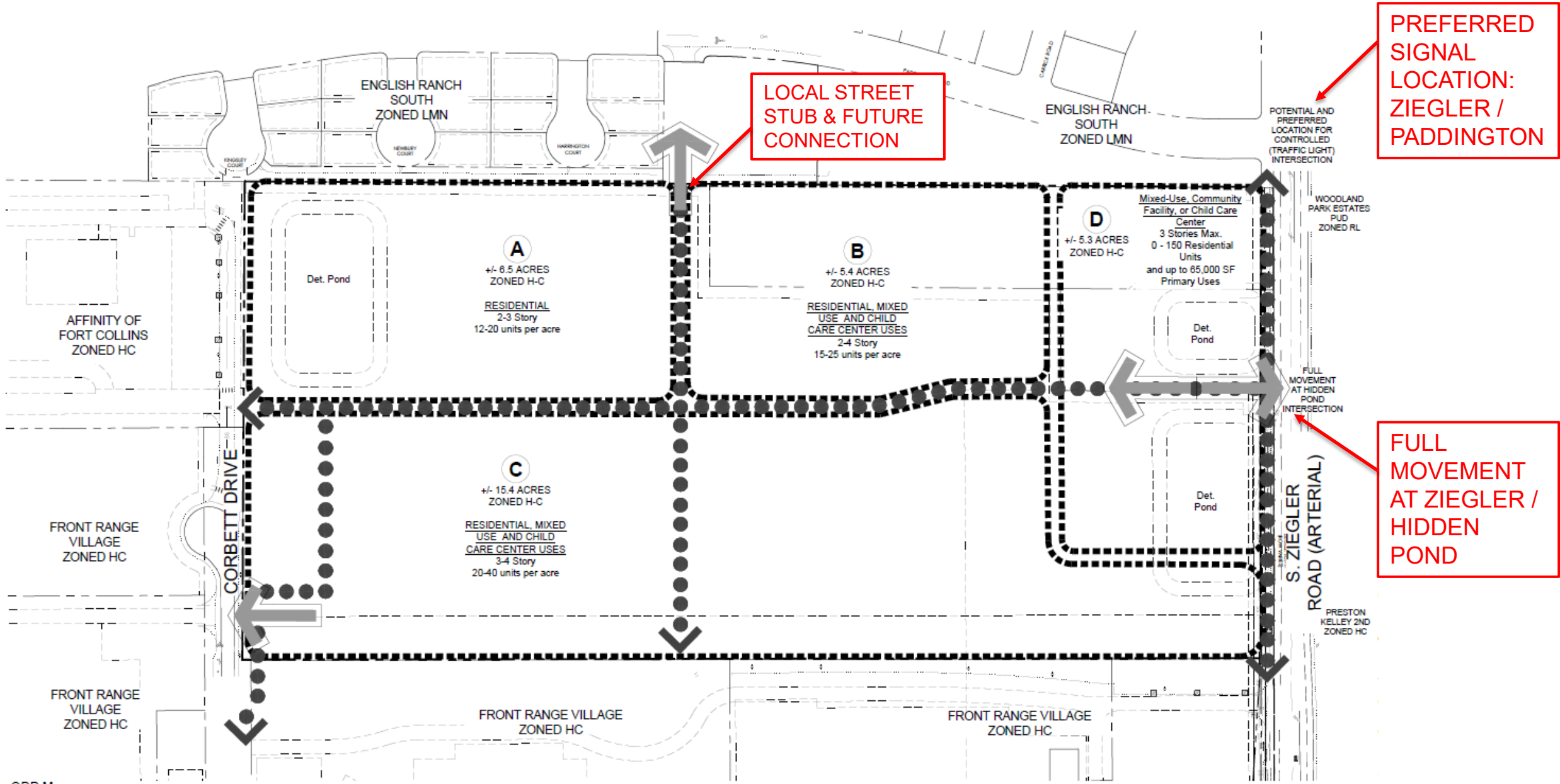
Upon request by an applicant, the decision maker may approve an alternative development plan that may be substituted in whole or in part for a plan meeting the standards of this Section.

(1) Procedure. Alternative compliance development plans shall be prepared and submitted in accordance with submittal requirements for plans as set forth in this Section. The plan and design shall clearly identify and discuss the alternatives proposed and the ways in which the plan will better accomplish the purpose of this Section than would a plan which complies with the standards of this Section.

(2) Review Criteria. To approve an alternative plan, the decision maker must first find that the proposed alternative plan accomplishes the purposes of this Division equally well or better than would a plan and design which complies with the standards of this Division, and that any reduction in access and circulation for vehicles maintains facilities for bicycle, pedestrian and transit, to the maximum extent feasible.

In reviewing the proposed alternative plan, the decision maker shall take into account whether the alternative design minimizes the impacts on natural areas and features, fosters nonvehicular access, provides for distribution of the development's traffic without exceeding level of service standards, enhances neighborhood continuity and connectivity and provides direct, sub-arterial street access to any parks, schools, neighborhood centers, commercial uses, employment uses and Neighborhood Commercial Districts within or adjacent to the development from existing or future adjacent development within the same section mile.







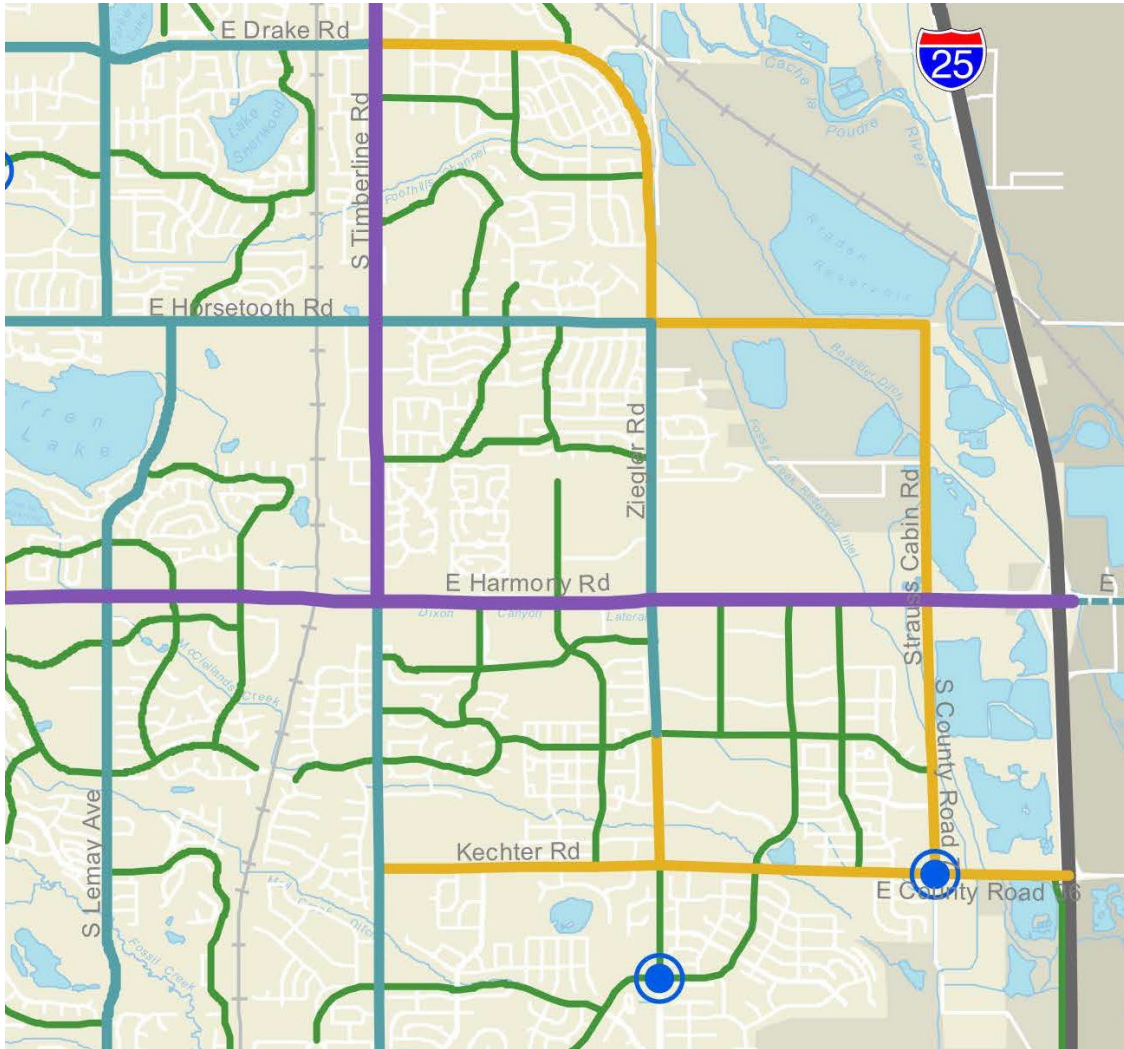
Residential

- 457 multifamily units (1-3 bedrooms)
- 4 mixed-use units (2 bedrooms)
- 136 single-family attached units (1-4 bedrooms)
- 6 live-work units (2 & 3 bedrooms)

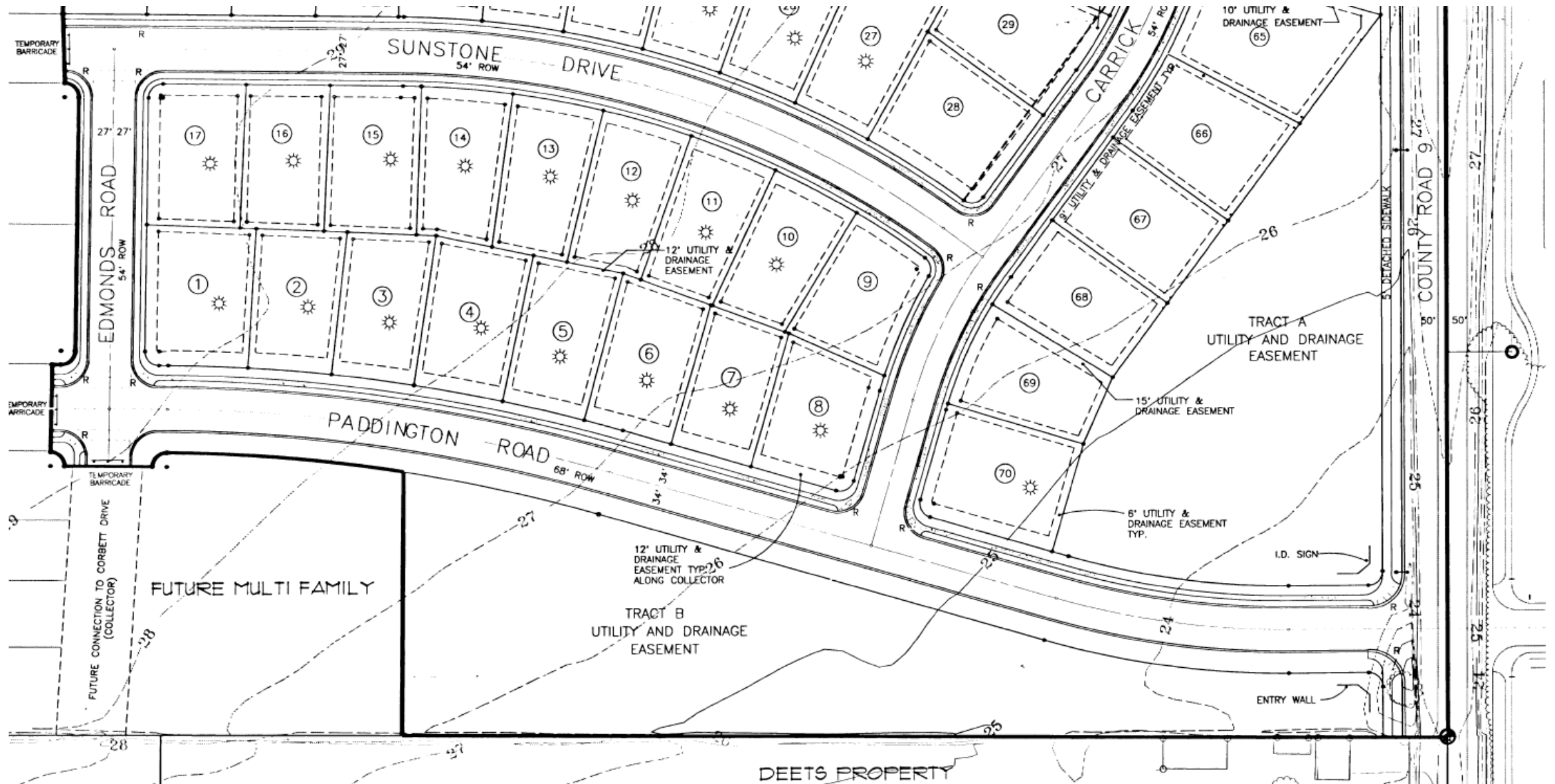
Nonresidential

- 10,000 sf childcare center
- 34,000sf office & retail
 - Two office buildings
 - Two mixed-use buildings





- Collector 2 Lanes
- Arterial 2 Lanes
- Arterial 4 Lanes
- Major Arterial 6 Lanes
- Collector 2 Lanes - Outside GMA
- Arterial 2 Lanes - Outside GMA
- Arterial 4 Lanes - Outside GMA
- Major Arterial 6 Lanes - Outside GMA
- Interstate
- Potential Roundabout
- City Limits
- Growth Management Area
- Larimer County
- Potential Grade Separated Rail Crossing



CORBETT DRIVE & THE MASTER STREET PLAN

1998



2000



- Master Street Plan (MSP) identifies the long-range vision for the collector & arterial street network
- MSP previously identified Corbett Drive connecting from Harmony Road to English Ranch thru ODP site
- Concerns during Front Range Village development about the Corbett vehicular connection
- Council removed collector street connection during 2010 City Plan/ MSP update

STREET CONNECTIVITY NORTH OF FRONT RANGE VILLAGE

- **Current MSP**
 - **Indirect Corbett Drive street connection**
 - **No direct connection to Kingsley**
- **Bicycle and pedestrian trail will remain**
- **If Corbett Drive removed from MSP, Land Use Code may require a non-Corbett street connection to the property north of Front Range Village**
 - **Depends on land uses and traffic impact study**
 - **May impact traffic signal locations and access points along Ziegler**