

December 17, 2024

Carolynne C. White
Attorney at Law
303.223.1197 direct
cwhite@bhfs.com

City of Fort Collins
Planning and Zoning Commission
281 North College Avenue
Fort Collins 80524

RE: Proposed Strauss Lakes PUD Overlay

Dear Planning and Zoning Commission:

We represent and are land use counsel to Cottonwood Land and Farms, LLC ("**Cottonwood**") with respect to the following applications:

- An application for the annexation (the "**Annexation**") of approximately 171.4 acres at the northeast corner of Horsetooth Road and Ziegler Road (the "**County Property**") and
- An application for the Strauss Lakes planned unit development overlay (the "**PUD Overlay**") on approximately 188.6 acres, composed of approximately 17 acres at the northeast corner of Horsetooth Road and Ziegler Road (the "**Annexed Property**") and the County Property (collectively, the "**Property**"). The PUD Overlay is depicted on the Strauss Lakes PUD Comprehensive Plan ("**PUD Comprehensive Plan**") included with the PUD Overlay application.

The purpose of this letter is to provide the Planning and Zoning Commission (the "**Commission**") with additional information that may aid the Commission in reviewing the applications for the Annexation, PUD Overlay and PUD Comprehensive Plan.

I. BACKGROUND

A. Cottonwood's long-standing relationship with the City and Fort Collins community

Cottonwood, the owner of the Property and the PUD Overlay applicant, has had a long and collaborative relationship with the City of Fort Collins (the "**City**") as well as a deep history of investment in the Fort Collins community. For example, prior to the City establishing its Natural Areas Department, Cottonwood donated more than 200 acres north of Prospect Avenue to the Southeast Poudre Greenbelt Association for the preservation of open lands. Notably, the City now owns and manages this property, which is known as the Riverbend Ponds Natural Area. Cottonwood also gifted approximately 200 acres of land south of Prospect Avenue to the City, now known as the Running Deer Natural Area. Additionally, Cottonwood donated 15 acres of land to the City in 1993 or 1994, ground which is the current home of

the Hageman Earth Cycle business operation. Finally, in 2014, Cottonwood bargain sold approximately 59 acres to the City's Parks Department for the East Community Park. As part of that project, Cottonwood donated clean fill and top soil that had a market value of approximately \$1.86 million.

B. The Strauss Lakes Property

The Property was purchased by Cottonwood in 1977. In 1978, a concrete batch plant was constructed and a total of 515 acres were approved for sand and gravel mining by Larimer County and the State of Colorado. Larimer County approved 100 acres of industrial zoning for the northwest portion of the property, stretching both north and south of the railroad tracks. The County Property is located in unincorporated Larimer County and is zoned industrial and rural residential. The Annexed Property has been annexed to the City and is currently zoned Low Density Mixed-Use Neighborhood District ("LMN").

C. Proposed Development

Cottonwood intends to seek approval of (i) the annexation to the City of the County Property and the zoning of the County Property as LMN and Medium Density Mixed-Use Neighborhood District ("MMN") as described further in the application for the Annexation and (ii) a PUD Overlay for the entire Property. Ultimately, Cottonwood intends to develop the Property with a mix of townhomes, carriage homes, single family homes, paired homes, and multifamily homes, as demonstrated on the PUD Comprehensive Plan (the "Project"). As part of the Project, and as further demonstrated in the PUD Comprehensive Plan, Cottonwood also proposes to develop a mix of commercial uses north of William Neal Parkway. This area may include business uses and neighborhood serving commercial uses, including but not limited to retail, restaurant, daycare, and neighborhood support service uses.

Please note that Cottonwood submitted a preliminary design review application for a project for the Property in 2020 (the "Prior Project"), and a preliminary design review meeting with the City was held on May 6, 2020 for the Prior Project. Subsequently, the application for the Prior Project was withdrawn.

In 2021, Cottonwood submitted a request for a proposal review of a proposed development on the Property, and a proposal review was held before the Planning Commission on January 20, 2022. An application was never submitted in connection with the 2022 proposal review.

On December 21, 2023, a proposal review for the current PUD Overlay was held before the Planning and Zoning Commission (the "Commission"). On May 8, 2024, a preliminary design review meeting was held with City staff, and on May 13, 2024, a neighborhood meeting was held for the Project. Feedback from the proposal review, preliminary design review, and neighborhood meeting have been incorporated into the applications.

II. ANALYSIS – ANNEXATION OF COUNTY PROPERTY

The Fort Collins Land Development Code effective as of May 17, 2024 (the “Code”) and the Colorado Municipal Annexation Act of 1965 (the “Act”) establish the processes and requirements for annexations. The City’s process is set forth in Section 6.10 of the Code, and the criteria for eligibility of a property for annexation are set forth in Section 31-12-104, C.R.S. What follows is an explanation of how the Annexation application complies with such criteria.

A. Landowner Consent

Except in limited circumstances, an annexation may only be approved with the consent of the landowners of the property subject to the annexation, which can be demonstrated through a public election or through submittal of an annexation petition that is “signed by persons comprising more than fifty percent of the landowners in the area and owning more than fifty percent of the area, excluding public streets, and alleys and any land owned by the annexing municipality.” *Colo. Const. Art. II, Section 30; C.R.S. § 31-12-104(1)*. Here, Cottonwood, the property owner, has signed the petition for annexation attached to the application for Annexation. Therefore, this requirement is met.

B. One-Sixth Contiguity

Further, the subject property must meet a minimum contiguity requirement. More specifically, the City must find that “not less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the annexing municipality.” *C.R.S. § 31-12-104(1)(a)*. The County Property far exceeds the one-sixth contiguity requirement in the Act. The County Property is contiguous with the City along its southern and western borders. Therefore, the County Property satisfies the one-sixth contiguity requirement in the Act.

C. Community of Interest

The City must also find that “a community of interest exists between the area proposed to be annexed and the annexing municipality; that said area is urban or will be urbanized in the near future; and that said area is integrated with or is capable of being integrated with the annexing municipality.” *C.R.S. § 31-12-104(1)(b)*. The fact that the subject property has satisfied the one-sixth contiguity requirement described above “shall be a basis for a finding of compliance with these requirements,” unless certain facts are demonstrated at a hearing prove at least two of the following three factors: (a) that the adult residents of the subject property will not use the services provided in the annexing municipality or work in the annexing municipality, (b) that the landowners intend to dedicate the subject property exclusively to agricultural use for at least the next five years, and (c) that it would not be physically practicable to extend municipal services to the subject property. *Id.* In other words, if the subject property is sufficiently contiguous with the annexing municipality, it is assumed that they share a community of interest unless it can be proven that they are in fact incompatible.

Here, because the County Property satisfies the one-sixth contiguity requirement, it can be concluded that the County Property satisfies the above-mentioned requirements regarding the existence of a community of interest between the County Property, on one hand, and the City, on the other hand. Additionally, as demonstrated by the PUD Comprehensive Plan, the Property is not intended to be dedicated to agricultural uses, and is intended to provide residences and services for adults who will use the services of and work in the City. As the Property is adjacent to existing development in the City, it is physically practicable to extend municipal services to the Property. Also, the Property is located within the growth management area indicated on the City's Structure Plan. Therefore, a community of interest exists between the County Property and the City.

III. **ANALYSIS – ZONING OF COUNTY PROPERTY**

In connection with an application for Annexation, the City requires a statement of consistency of the requested zoning—in this case LMN and MMN—with the City's Structure Plan. The City's Structure Plan designates the vast majority of the property as "Mixed Neighborhood," which is characterized by the types of uses permitted in LMN and MMN, including single-family detached homes, duplexes, townhomes, small scale multifamily buildings, small-scale retail, restaurants/cafes, and similar uses. The Structure Plan also designates a small portion in the northwest corner of the County Property as "Parks and Natural/Protected Lands," which is characterized by parks and open space.

According to the Structure Plan, new neighborhoods in the "Mixed Neighborhood" place type should "provide opportunities for a variety of attached and detached housing options and amenities in a compact neighborhood setting" and should "include a mix of housing options (lot size, type, price range, etc.)" LMN and MMN zoning are compatible with this purpose because they emphasize housing variety and resident-serving amenities. According to the Code, LMN is intended to be "a setting for a variety of housing" and to encourage "complementary commercial and institutional land uses and amenities," and MMN is intended for "a diverse range of higher intensity housing and complementary services and amenities." Additionally, although LMN and MMN zoning do not contemplate parks and open space as primary uses, they facilitate development of neighborhood-serving park and open space amenities, which is compatible with the "Parks and Natural/Protect Lands" placetype. Overall, LMN and MMN zoning are overwhelmingly consistent with the Structure Plan. As described in more detail in the following section, the requested PUD Overlay will also enhance the compatibility of the Project with the City's Structure Plan.

IV. **ANALYSIS – PUD OVERLAY**

STAFF NOTE: Project no longer proposed as a PUD.

The Code requires that the criteria set forth in Section 2.6.3(D) of the Code must be met for approval of a PUD Comprehensive Plan. As described in detail throughout this section, all of these criteria are met.

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- A. Criterion 1: The PUD Comprehensive Plan achieves the purpose and objectives of Sections 2.6.3(A) and (B) of the Code.

The PUD Comprehensive Plan is required to achieve the purposes and objectives set forth in Sections 2.6.3(A) and (B) of the Code. As described below, the PUD Comprehensive Plan achieves all of these purposes and objectives.

1. *Purpose 1: Directs and guides subsequent Project Development Plans and Final Plans for large or complex developments governed by an approved PUD Comprehensive Plan. Code, § 2.6.3(A)(1).*

The approved PUD Comprehensive Plan will direct and guide subsequent project development plans and final plans for the Project, which is a large development, and which incorporates a complex layout and mix of uses. The PUD Comprehensive Plan sets forth the development standards for the Property, a plan for parks, trails, and open space, and typical street sections and lot layouts. Therefore, the PUD Comprehensive Plan achieves this purpose.

2. *Purpose 2: Substitutes a PUD Comprehensive Plan for an Overall Development Plan for real property within an approved PUD Overlay. Code, § 2.6.3(A)(2).*

Once approved, the PUD Comprehensive Plan will serve in the place of an Overall Development Plan for the Property. The Property is sizable, and the proposed PUD Overlay envisions an ambitious development project. The application of the proposed PUD Overlay would enable Cottonwood to pursue a deliberate, phased development that incrementally advances its goals for the Project while minimizing disruptions on the broader community. Therefore, the PUD Comprehensive Plan achieves this purpose.

3. *Purpose 3: Positions large areas of property for phased development. Code, § 2.6.3(A)(3).*

As noted above, the PUD Comprehensive Plan sets forth the development standards and other standards for the entire 184-acre Property, which will allow it to be developed in phases. Therefore, the PUD Comprehensive Plan achieves this purpose.

4. *Purpose 4: Encourages innovative community planning and site design to integrate natural systems, energy efficiency, aesthetics, higher design, engineering and construction standards and other community goals by enabling greater flexibility than permitted under the strict application of the Code, all in*

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furtherance of adopted and applicable City plans, policies, and standards. Code, § 2.6.3(A)(4).

Additionally, as described below, the PUD Overlay furthers the applicable policies and standards of the City Plan and the community goals described therein.

5. *Purpose 5: Allows greater flexibility in the mix and distribution of land uses, densities, and applicable development and zone district standards. Code, § 2.6.3(A)(5).*

As described in more detail in Section I.A.7 below, which discusses public benefits of the PUD Overlay, the PUD Overlay incorporates a more diverse mix and distribution of residential and commercial uses than would be possible under standard zoning. The PUD Overlay also permits more flexible development and zone district standards that allow for a comprehensively planned development, which thoughtfully and seamlessly integrates opportunities for jobs, housing, and recreation.

6. *Objective 1: Encourage conceptual level review of development for large areas. Code, § 2.6.3(B)(1).*

The process for approval of the PUD Overlay encourages conceptual level review of the Property as a whole, which creates the opportunity to create a cohesive neighborhood with a variety of housing at a variety of price points as well as neighborhood serving commercial and recreational amenities. As noted above, Cottonwood has taken advantage of several opportunities to present and receive feedback on the Project concept: a proposal review for the current PUD Overlay was held before the Planning and Zoning Commission (the “Commission”) on December 21, 2023; on May 8, 2024, a preliminary design review meeting was held with City staff; and on May 13, 2024, a neighborhood meeting was held for the Project. Feedback from the foregoing meetings been incorporated into the current application. Therefore, the PUD Overlay achieves this objective.

7. *Objective 2: In return for flexibility in site design, development under a PUD Overlay must provide public benefits significantly greater than those typically achieved through the application of a standard zone district, including one or more of the following as may be applicable to a particular PUD Comprehensive Plan (Code, § 2.6.3(B)(2)):*

The PUD Overlay provides public benefits significantly greater than what would be achievable under standard zoning by including the following elements, as described in more detail below.

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i. Diversification in the use of land;

The Project is designed to be a dynamic mixed-use development with a variety of beneficial uses, including housing, business and commercial utilizations, and open space and recreational opportunities.

With respect to housing, as demonstrated on the PUD Comprehensive Plan, the proposed PUD Overlay contemplates a variety of housing options at a variety of market rate, attainable, and affordable price points, including:

- Large, medium, and small rowhouses
- Detached urban and detached suburban single family homes
- Cottage court homes
- Multifamily housing
- Affordable housing

The vision for the Project is to provide meaningfully diverse housing options while maintaining cohesion and community feel. With a PUD Overlay, it is possible to incorporate a stronger diversity of housing types and more easily facilitate the seamless integration of affordable and attainable housing. One of the goals of the Project was to place affordable housing front and center, and this is made possible through the PUD Overlay process.

In addition to the housing options outlined above, the mixed-use development proposed in the PUD Overlay would support a diverse array of business and commercial utilizations. These may include a variety of neighborhood commercial uses, including but not limited to retail, restaurant, daycare, and neighborhood support service uses. Because Cottonwood's goal for the development is to create a neighborhood serving community where employment and housing options are harmoniously integrated, these business and commercial uses would be intentionally developed to complement the surrounding housing options. This dynamic mixed-use ecosystem would have a direct community-wide impact by increasing the number of employment opportunities available in the City, but could also have follow-on benefits such as raising the City's tax base and decreasing motor vehicle traffic as compared with the City's more traditional zoning designations, because residents can work in the same community in which they live.

Finally, as described in more detail in Section I.A.7.iv below, the PUD Overlay contemplates multiple recreational amenities, including parks, trails, and open space.

The application of the proposed PUD Overlay would enable Cottonwood to seamlessly blend housing as well as business and commercial utilizations, all while intentionally maximizing the community's access to open space and recreational opportunities on a single site. Overall, the PUD Overlay allows benefits

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significantly greater than what would be achievable in a standard zone district by facilitating this well-coordinated and diverse mix of uses.

ii. Innovation in development:

This PUD Overlay is designed to take new urbanism to the next level by finding creative ways to integrate community amenities into a cohesive, walkable site by providing public spaces, high quality building design, accessibility, density, and identity. The PUD Comprehensive Plan anticipates incorporating alley-loaded housing and emphasizing front porches to put more focus on streetscape and walkability and minimize the importance of individual yards. As demonstrated by the variety of housing options described above, the PUD Comprehensive Plan facilitates increased access to a range of housing options, while maintaining compatibility with existing neighborhoods, which have similar scale, mass, and density. The Project will emphasize public amenities such as open space, parks, and connections to trails to encourage a unique community atmosphere that is not possible without a PUD Overlay. Jobs, housing and recreation will all be within walking distance from one another, and pedestrian connectivity will be provided throughout the Project, with on-street sidewalks and a series of bike and pedestrian pathways to the future East Community Park and Poudre Trail. Internal roadway networks will be provided to connect the various neighborhoods.

Therefore, the PUD Overlay allows benefits significantly greater than what would be achievable in a standard zone district by facilitating this walkability, connectivity, diversity of housing options, and emphasis on meaningful recreation opportunities.

iii. More efficient use of land and energy:

In addition to combining types of uses, the housing, business, and recreational ecosystem that Cottonwood seeks to develop on the Property has notable built-in efficiencies. By creating a balanced community environment where one use harmoniously supports others, urban and suburban sprawl is more controlled and open space is preserved. Community members will have the opportunity to live and play in the same area in which they work, resulting in more efficient use of the localized resources and amenities in the community as well as the City's broader infrastructure.

Additionally, the PUD Overlay allows the implementation of new urbanist principles that create a more environmentally friendly development that minimizes yards and allows the implementation of water-wise strategies and alternative landscape treatments.

Finally, in connection with the approval of metropolitan districts for the Property, the Project is incorporating elements that will enhance energy conservation.

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iv. Public amenities commensurate with the scope of the development;

One of the highlights of this development is the network of parks, greenspace, and open space that is created and connected throughout the development and to and from the broader community. The following four parks are intended to be incorporated into the Project:

- Poplar Park, which is centrally located and will contain a grove of poplar trees.
- Flatiron Pond Park, which will offer active recreations, such as fishing, canoeing and paddleboarding.
- Morrison Park, which will offer more passive recreation opportunities.
- Pollinator Park, which will have special planting to attract pollinators.

Importantly, there will be ample access to and from the East Community Park. Additionally, the network of parks will work together so no resident will have to walk more than a few steps to get to a greenspace, open space, or trail, or more than a few minutes to get to a park. Also, the Fossil Creek Reservoir Inlet Ditch ("**FCRID**") and Boxelder ditches will be incorporated into the development, which will allow the natural habitat buffer to be maintained and enhanced as a green space and open space amenity for the community.

The PUD Overlay allows the development to maximize benefit by taking advantage of natural features to plan open space and enhance walkability. Through the PUD Overlay process, all of the elements of walkability and bike-ability are considered and implemented in advance. This process allows open space that is connected and distributed throughout the development, instead of what could be a checkerboard of front lawns. Additionally, improvements to the Poudre Trail are an important component of the Project.

Therefore, the PUD Overlay demonstrates purposeful design and configuration of public amenities, including parks, open spaces and opportunities for recreation.

v. Furtherance of the City's adopted plans and policies;

The City has stated core values of livability, community, and sustainability. In order to effectuate these values, the City has adopted important and longstanding goals of improving community members' access to affordable and attainable housing as well as maximizing access to recreational and open space areas. Cottonwood's concept for the Property directly furthers these goals by increasing the supply of affordable and attainable housing while also presenting a plan to connect the Project to the nearby natural amenities.

Additionally, by enhancing the wildlife corridor along the Boxelder Ditch and developing open spaces and parks, the Project furthers many policies and goals in the City Plan, including the following:

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- Policy ENV 1.6: Wildlife Corridors. Conserve and enhance wildlife movement corridors through a network of public open lands and natural habitat buffers along natural features such as streams.
- Policy LIV 3.2: Access to Outdoor Spaces. Incorporate Nature in the City principles and other outdoor amenities into the design of high-density projects, particularly in areas lacking convenient and direct access to nature.
- Policy ENV 1.5: Access to Nature. Design trail routes in open lands to limit ecological impacts. Determination of type of trail or suitability for access will be made through an analysis of potential ecological impacts and city- and region-wide recreation opportunities. Special attention will be given to environmentally sensitive and context-sensitive trail design, location and construction. Mitigation strategies will be pursued to reduce or eliminate environmental impacts if a new trail is built. Ensure that development activities provide and maintain access to public open-land areas, where appropriate.

Therefore, the PUD Overlay significantly furthers the City's adopted plans and policies.

vi. Development patterns consistent with the principles and policies of the City's Comprehensive Plan and adopted plans and policies.

Overall, the Project is also designed to enhance the vision, goals, principles and policies of the City Plan by promoting the City's stated core values of livability, community, and sustainability, and specifically by promoting goals and policies, including but not limited to the following:

- Generally:
 - Encouraging compact growth
 - Encouraging more housing options in neighborhoods.
 - Expanding housing choices
 - Recalibrating land use patterns to increase capacity.
 - Expanding workforce and affordable housing efforts
 - Increasing access to nature in the City
- Principle LIV 1: Maintain a compact pattern of growth that is well served by public facilities and encourages the efficient use of land.
- Policy LIV 3.2: Access to Outdoor Spaces. Incorporate Nature in the City principles and other outdoor amenities into the design of high-density projects, particularly in areas lacking convenient and direct access to nature.

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- Policy LIV 4.1: New Neighborhoods. Encourage creativity in the design and construction of new neighborhoods that: Provides a unifying and interconnected framework of streets, sidewalks, walkway spines and other public spaces; Expands housing options, including higher-density and mixed-use buildings; Offers opportunities to age in place; Improves access to services and amenities; and Incorporates unique site conditions.
- Policy LIV 5.1: To enhance community health and livability, encourage a variety of housing types and densities, including mixed-used developments that are well served by public transportation and close to employment centers, shopping, services and amenities.
- Policy LIV 5.2: Supply of Attainable Housing. Encourage public and private sectors to maintain and develop a diverse range of housing options, including housing that is attainable (30% or less of monthly income) to residents earning the median income. Options could include ADUs, duplexes, townhomes, mobile homes, manufactured housing and other “missing middle” housing types.
- Policy LIV 5.3: Land for Residential Development. Use density requirements to maximize the use of land for residential development to positively influence housing supply and expand housing choice.
- Policy LIV 5.5: Integrate and Distribute Affordable Housing. Integrate the distribution of affordable housing as part of individual neighborhoods and the larger community.

Therefore, the PUD Overlay will facilitate development that enhances development patterns consistent with the principles and policies of the City Plan.

8. *Objective 3: Ensure high-quality urban design and environmentally-sensitive development that takes advantage of site characteristics. Code, § 2.6.3(B)(3).*

As noted above, the PUD Comprehensive Plan and the Project as a whole are being designed to take new urbanism to the next level by incorporating principles of livability, walkability, community, and sustainability on a Project-wide scale.

Natural features include the existing irrigation ditches that surround the site. As a result of the East Community Park and development, the Boxelder Ditch Company may require the Boxelder Ditch be put in a u-shaped concrete channel with a metal grate. In addition, the FCRID runs along and through the site, generally on the west side of the Property. Appropriate setbacks and mitigation will be provided to protect the FCRID corridor. Also as noted above, the FCRID and Boxelder ditches will be incorporated into the development, with the natural habitat buffer to be usable as a green space and open space amenity for the community. There are also significant natural features to the north and east of the Project including a large reservoir, the Cache la Poudre River, and the future East Community Park. The

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Project will work with the City to coordinate efforts in trail connections, road connections, etc. to enhance the area and provide appropriate access to these great amenities.

Also, in connection with approval of metropolitan districts for the Property, Cottonwood is committing to include various elements to enhance energy conservation, including but not limited to electric heating for the affordable homes, electric vehicle parking, and other elements as described further in Cottonwood's application for metropolitan districts.

Therefore, the PUD Overlay achieves this objective.

9. *Objective 4: Promote cooperative planning and development among real property owners within a large area. Code, § 2.6.3(B)(4).*

While Cottonwood is the sole owner of the Property, Cottonwood pledges to continue its collaborative approach to the Project with the City, CSU, and other neighborhood and community stakeholders in relation to the proposed development. Therefore, the PUD Overlay achieves this objective.

10. *Objective 5: Protect land uses and neighborhoods adjacent to a PUD Overlay from negative impacts. Code, § 2.6.3(B)(5).*

The PUD Comprehensive Plan facilitates development that is compatible with the surrounding neighborhood in terms of uses, scale, mass, and density. Therefore, the PUD Overlay achieves this objective.

- B. The PUD Comprehensive Plan provides high quality urban design within the subject property or properties;

Cottonwood is not only committed to a high-quality design for the Property overall, but is dedicated to the construction of high-quality housing as well as commercial and recreational spaces. As described in detail above, Cottonwood's vision for the Project is to incorporate principles of new urbanism to achieve a walkable and livable community with ample and easily accessible opportunities for recreation.

Furthermore, as detailed above, Cottonwood's vision for the Strauss Lakes Property is not only environmentally-sensitive by incorporating water-wise strategies and other energy efficient strategies, but wholly embraces both the natural characteristics inherent to the site and surrounding area.

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- C. The PUD Comprehensive Plan will result in development generally in compliance with the principles and policies of the City's Comprehensive Plan and adopted plans and policies;

As described in detail above, especially in Sections I.A.7.v–vi, the PUD Comprehensive Plan is generally in compliance with the principles and policies of the City Plan. Cottonwood's extensive plans to maximize access to recreational opportunities and open space, increase the supply of affordable and attainable housing, and enhance the wildlife corridor further the City's core values.

- D. The PUD Comprehensive Plan will, within the PUD Overlay, result in compatible design and use as well as public infrastructure and services, including public streets, sidewalks, drainage, trails, and utilities;

The PUD Comprehensive Plan has been designed to result in design and uses that are compatible with surrounding neighborhoods. It will also provide the public infrastructure and services necessitated by the development.

Roadway access will be via several public street connections from both Ziegler and Horsetooth Roads. It is the intent to align street access with both Percheron Road and William Neal Parkway. The intersection of William Neal and Ziegler road will be signalized. Internal roadway networks will be provided to connect the various neighborhoods. Pedestrian connectivity will be provided throughout the Project, with on-street sidewalks and a series of bike/pedestrian pathways to the future East Community Park and Poudre Trail. The intent is to make this a walkable community with multiple connections to the surrounding open spaces, community park, and trail system.

With respect to water detention and drainage, the site drains towards the southeast and utilizes the existing Boxelder Ditch corridor towards the Foothills Drainage Channel to convey flows to the Cache La Poudre River east of the Project. Because the Foothills Drainage Channel was designed with additional capacity for future development, the Project plans to discharge with limited detention as dictated based on final land use intensity, channel capacity analysis, and storm peak timing analysis.

Multiple stormwater control facilities will be incorporated into the overall landscape plan to control flows throughout the site, with a final pond in the southeast corner anticipated to provide final flow control prior to discharging to the Foothills Drainage Channel.

Additionally, the southwest corner parcel to the west of the FCRID will drain to a detention and water quality pond to be located in the north corner of said parcel. Master drainage plan analysis will be provided as part of the PUD process. Per the 1989 Agreement between the City and Cottonwood, Cottonwood has the right to utilize all excess capacity in the Foothills Drainage Channel. Offsite flows from upstream properties are directed towards the FCRID and routed through the site in the FCRID,

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with diversion into the Foothills Drainage Channel at the radial control gate north of Horsetooth Road. Historic drainage patterns are not anticipated to be modified as part of the proposed development.

In accordance with City of Fort Collins requirements, the Project will incorporate Low Impact Design (“**LID**”) measures throughout the development in order to reduce runoff rates and provide water quality treatments. As the Project will impact more than one acre, full compliance with Colorado Department of Health and Environment and National Pollutant Discharge Elimination System requirements will be provided. LID and water quality treatment measures shall be provided throughout, with each phase being required to provide the appropriate treatment. A wide variety of methods are anticipated to be utilized across the development to achieve the required goals.

- E. The PUD Comprehensive Plan satisfies all applicable Land Use Code permitted uses and standards except to the extent additional permitted uses or modified standards, including densities, have been approved pursuant to Subsections (E) or (G) of Section 2.6.3 of the Code.

The PUD Comprehensive Plan does not propose any permitted uses in addition to those permitted by the underlying zone districts, except to modify the mix of uses required in neighborhood centers. Specifically, this proposal modifies Sections 4.3.3(S)(1) and 5.3.3(c)(1) of the Code by removing the restrictions on the uses that are required in neighborhood centers. This change allows flexibility in the mix of neighborhood serving uses allowed in the commercial area of the Project, which is necessary for new urbanism and is compatible with the criteria set forth in Section 2.6.3(E) of the Code.

The modified standards proposed by the PUD Comprehensive Plan include the following modifications to lot standards:

- Reducing the minimum lot area for rowhouses in Section 3.1.4 of the Code from 1,400 square feet to 1,000 square feet;
- Reducing the minimum lot width for urban detached houses in Section 3.1.6 of the Code from 40 feet to 35 feet;
- Reducing the minimum lot width for suburban detached houses in Section 3.1.7 of the Code from 60 feet to 35 feet;

These modifications are necessary to achieve the flexibility in design and mix of residential uses integral to the new urbanist vision for the Project.

The following modifications are also proposed:

- Removing the requirement in Section 5.3.1(D)(1) of the Code for a connecting walkway spine when building entrances cannot face a public street. This change is necessary to achieve the

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flexibility required to achieve site design compatible with new urbanism in the Project and will not negatively affect the walkability and bikeability of the Project.

- Increases the maximum size of a neighborhood center in Section 5.3.3(C)(3) of the Code from five acres in size to seven acres in size. This modification allows the neighborhood center the flexibility to accommodate site constraints while serving the residents of the Project.
- Modifies Section 5.12.2(C)(1) of the Code such that a main entrance of a commercial or mixed-use building need only face a connecting walkway with pedestrian frontage “where feasible.” This modification allows the Project to utilize other techniques such as bulb-outs and raised crosswalks to enhance pedestrian visibility, reduce vehicle speeds, and fit within the context of the mixed-use neighborhood.

All of the foregoing modifications are consistent with the criteria set forth in Section 2.6.3(G) of the Code, as follows:

1. *The modified density or development standard is consistent with the applicable purposes, and advances the applicable objectives of, the PUD Overlay as described in Sections 2.6.3(A) and (B);*

The modified standards are necessary to enhance new urbanist principles, such as housing variety, walkability, and access to neighborhood centers. As described throughout this Letter, these new urbanist techniques advance the objectives set forth in Sections 2.6.3(A) and (B) of the Code.

2. *The modified density or development standard significantly advances the development objectives of the PUD Comprehensive Plan;*

The modified standards both individually and cumulatively significantly advance the development objectives of the PUD Comprehensive Plan by allowing the Project to respond to site constraints, increase the variety of housing and commercial uses, and enhance walkability and bikeability in a way that is consistent with new urbanist principles.

3. *The modified density or development standard is necessary to achieve the development objectives of the PUD Comprehensive Plan; and*

The modified development standards are necessary for effecting new urbanist principles and thereby achieving the development objectives of the PUD Comprehensive Plan because, without the modified standards, the variety of uses, reduction in yards, and emphasis on open space that create a sense of community for the Project would not be possible. More specifically, the decrease in minimum lot sizes and widths is necessary to achieve the variety of uses that differentiates this Project; the modification of uses and increase in maximum size of the neighborhood center make possible the development of a maximally accessible and resident-serving neighborhood center, given the mix of resident needs and

STAFF NOTE: Project no longer proposed as a PUD.

site constraints; and the other modifications allow the flexibility in design necessary to achieve the new urbanist vision without compromising safety or walkability.

4. The modified density or development standard is consistent with the principles and policies of the City's Comprehensive Plan and adopted plans and policies.

The modified standards are consistent with the policies and purposes of City Plan, including those policies described herein. As noted above, City Plan includes a variety of goals and policies, including encouraging compact growth, encouraging more housing options in neighborhoods, recalibrating land use patterns to increase capacity, expanding workforce and affordable housing efforts, and increasing access to nature in the City. The modified standards directly further all of these goals and policies by enhancing new urbanism.

V. CONCLUSION

As demonstrated throughout this letter, the proposed Annexation and PUD Overlay meet all the criteria in the Code for approval. We respectfully request that you recommend approval of the Annexation and zoning of the Property in accordance with the PUD Overlay and PUD Comprehensive Plan to City Council.

Sincerely,

Carolynne C. White

Enclosures