

**CITY OF FORT COLLINS  
TYPE 1 ADMINISTRATIVE HEARING**

**FINDINGS AND DECISION**

HEARING DATE: August 5, 2020

PROJECT NAME: Prospect and College Hotel

CASE NUMBER: PDP #190014

APPLICANT: Stu MacMillan  
MacMillan Development, LLC  
1928 Linden Ridge Drive  
Fort Collins, CO 80524

OWNER: Imago Enterprises Inc.  
140 Palmer Drive  
Fort Collins, CO 80525

HEARING OFFICER: Marcus A. McAskin

**PROJECT DESCRIPTION:**

The Prospect and College Hotel Project Development Plan (the “PDP”) proposes to construct a 150 room, 6-story hotel (the “Hotel”) at 1623 S. College Avenue, parcel #9723107002 (the “Property”). The Application includes a request to demolish the existing building (most recently operated as a Chuck-E-Cheese) on the Property.

The Property is approximately two (2) acres, is zoned General Commercial (C-G), and is located in the Transit-Oriented Development (TOD) Overlay Zone.

Primary access to the Property is provided from S. College Avenue. Additional access is provided through the commercial development to the west from W. Prospect Road. Pedestrian access improvements through the Property are also proposed with a walkway spine providing a link through the Hotel site to the nearby MAX station.

Ninety-six (96) parking spaces are proposed to the west and north of the Hotel.

The PDP is subject to an Administrative Hearing (Type 1) review.

The Applicant is requesting the following three (3) Modifications of Standards to the Fort Collins Land Use Code (“LUC”):

1. LUC Section 3.2.2(J) requires any vehicular use area to be setback an average of 15 feet along an arterial street, with a minimum setback of 5 feet. The setback area must be

landscaped. This Section also requires a 5-foot minimum average setback along a lot line, with a minimum 5-foot setback at any point. Applicant proposes two specific modifications to the required setback areas: (a) along W. Prospect Road, the Applicant proposes to reduce the 15-foot average to an approximate 1.5-foot average and to reduce the minimum 5-foot setback to approximately 12 inches; and (b) along interior lot lines adjacent to Schrader Oil, the Applicant proposes to reduce the minimum average 5-foot setback at any point to approximately two feet (2').

2. LUC Section 3.2.2(L)(1) requires 90° standard stall dimensions to be 9' x 19'. Applicant proposes 33 spaces to be 8.5' x 19'.<sup>1</sup>
3. LUC Section 3.10.4(C) prohibits off-street parking from extending past the building face. Applicant proposes for off-street parking to extend past the building face along S. College Avenue.

The Applicant is requesting approval of Alternative Compliance for LUC Section 3.2.1(E)(5)(c) to reduce the required width of two interior landscape islands from eight feet (8') to six feet (6') (as shown on the PDP site plan) and the required width of three interior landscape islands from eight feet (8') to approximately seven feet (7') wide (as shown on the PDP site plan).

The Applicant is also requesting approval of Alternative Compliance as to the number of bike spaces required by LUC Section 3.2.2(C)(4)(c). The Applicant requests a reduction from the required 38 bike spaces to 19 bike spaces (a 50% reduction).

A Standalone Modification of Standard (MOD 180001) was approved with conditions in 2018 to allow a 6-story building.

#### BACKGROUND:

Applicable project background is detailed in the Development Review Staff Report prepared for this Application, a copy of which is attached to this decision as **ATTACHMENT A** and is incorporated herein by reference.

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<sup>1</sup> References in the Development Review Staff Report to twenty-two (22) spaces is not correct; the Applicant has requested that the minimum size requirements for 33 total parking spaces be adjusted to the 8.5' width. This was confirmed with Mr. Holland during the hearing.

The surrounding zoning and land uses are as follows:

	North	South	East	West
<b>Zoning</b>	Community Commercial (C-C)	General Commercial (C-G)	General Commercial (C-G)	General Commercial (C-G)
<b>Land Use</b>	C.S.U. Medical Health Center	Choice Center -- Retail	Multiple Properties -- Retail and Services	Shopping Center – Retail, Office, and Restaurant

**SUMMARY OF DECISION:** Approved with conditions.

**ZONE DISTRICT:** General Commercial (C-G).

**HEARING:** The Hearing Officer opened the remote hearing at approximately 5:35 p.m. on Wednesday, August 5, 2020.

**EVIDENCE:** Prior to or at the hearing, the Hearing Officer accepted the following documents as part of the record of this proceeding:

1. Department Review Staff Report prepared for the Prospect and College Hotel Project Development Plan – PDP #190014 (26 pages). A copy of the Staff Report is attached to this decision as **ATTACHMENT A** and is incorporated herein by reference.
2. Zoning map.
3. Prospect and College Hotel Rendering (1 page).
4. PDP Site Plan and Details (7 sheets).
5. Revised PDP Site Plan (Sheet LS101, revised to show the 1.5 foot average setback along W. Prospect Road) (1 sheet).
6. PDP Architectural Elevations and Plans (9 sheets).
7. PDP Landscape Plan and Details (3 sheets).
8. PDP Tree Inventory and Mitigation Plan (1 sheet).
9. PDP Lighting Plan and Details (1 sheet).
10. PDP Utility Plan (17 sheets).
11. PDP Pedestrian Access Diagram (1 sheet).
12. PDP Fire Land Exhibit (1 sheet).
13. Traffic Impact Study, stamped by professional engineer on June 16, 2020 (125 pages).

14. Variance request to driveway spacing standards from Sanderson Stewart to City of Fort Collins Engineering department, dated June 17, 2020 (4 pages).
15. Alternative Compliance Request from number of bike spaces required by LUC Section 3.2.2(C)(4)(c) (1 page).
16. Modification of Standard Request regarding vehicular use area setback requirements in LUC Section 3.2.2(J) (2 pages).
17. Modification of Standard Request regarding standard vehicle parking dimension requirements for 90° stalls in LUC Section 3.2.2(L)(1) (3 pages).
18. Modification of Standard Request regarding prohibition on off-street parking located forward of a building face in LUC Section 3.10.4(C).
19. Copy of Type 1 Administrative Hearing Findings and Decision, dated September 18, 2018, for Case No. MOD 180001, approving with conditions a Standalone Modification of Standard request for the Prospect and College Hotel to increase maximum allowable height in LUC Section 4.21(D) from 4 stories to 6 stories (3 pages).
20. Copy of Staff Report for Prospect and College Hotel Request for Standalone Modification of Standard (MOD 180001) (10 pages).
21. Copy of Applicant Exhibits A through M to Prospect and College Hotel Request for Standalone Modification of Standard (MOD 180001) (14 pages).
22. Copy of Applicant Hearing Presentation for Prospect and College Hotel Request for Standalone Modification of Standard (MOD 180001) (28 pages).
23. Copy of City of Fort Collins PowerPoint presentation (52 pages).
24. Copy of Applicant Hearing Presentation (PDP Hearing) (36 pages).
25. Copy of image of posted notice (sign #434), together with confirmation that the sign was posted on September 25, 2019.
26. Copy and confirmation of purchase from *Fort Collins Coloradoan Ad#4297009* and Affidavit of Publication, evidencing proof of Notice of Hearing in the *Fort Collins Coloradoan* on July 24, 2020.
27. Copy of written notice of hearing mailed on July 22, 2020.
28. Rules of Conduct for Administrative Hearings.
29. Administrative (Type 1) Hearing: Order of Proceedings.
30. The City's Comprehensive Plan, Land Use Code, and the formally promulgated ordinances and polices of the City are all considered part of the record considered by the Hearing Officer.

TESTIMONY: The following persons presented at the hearing:

From the City: Jason Holland, City Planner

From the Applicant/Owner: Rachel Bek, 4240 Architecture  
Craig Russell, RLA, ASLA, russell + mills  
Brett Parmalee, Saunders Construction  
Darren Duroux, RLA, russell + mills

From the Public: Jordan Schultz (representing owners along  
South College Avenue)

PRESENT AT REMOTE MEETING: The following persons attended the August 5, 2020 hearing but did not provide testimony:

From the Applicant/Owner: Stu MacMillan  
MacMillan Development, LLC

Joseph Delich, Delich Associates

Graham Coddington, Saunders Construction

Alex Krasnec, Saunders Construction

John Tufte, PE, Sanderson Stewart

Charles Sonnier, PE, Sanderson Stewart

Scott Mikulak, Director of Preconstruction, Saunders Heath

From the City: Leslie Spencer, Community Development & Neighborhood  
Services

Dave Betley, Manager, Civil Engineering

Morgan Stroud, Civil Engineering

Other: Les Kaplan

Fred Haberecht, CSU, University planner

## FINDINGS

1. Evidence presented to the Hearing Officer established the fact that notice of the remote public hearing was properly posted, mailed and published.
2. As required by City Council Ordinance 079, Series 2020 (the “City Ordinance”), the Hearing Officer, in consultation with City staff, determined that it was desirable to conduct the hearing by remote technology so as to provide reasonably available participation by parties-in-interest and by the public, consistent with the requirements of the City Ordinance, because meeting in person would not be prudent for some or all persons due to a public health emergency.
3. Based on testimony provided at the public hearing and a review of the materials in the record of this case, the Hearing Officer concludes as follows:
  - A. The Application complies with the applicable procedural and administrative requirements of Article 2 of the LUC.
  - B. Except for LUC Sections 3.2.2(J), 3.2.2(L) and 3.10.4(C), for which Modifications of Standard are requested, and LUC Sections 3.2.1(E)(5) and 3.2.2(C)(4), for which Alternative Compliance is requested, the Application complies with the applicable General Development Standards contained in Article 3 of the LUC.
  - C. The Application complies with the General Commercial (C-G) zone district standards contained in LUC Division 4.21.
  - D. The Application complies with the Standalone Modification of Standard to LUC Section 4.21(D) approved on September 18, 2018 (“MOD 180001”). Specifically, the Hearing Officer finds:
    - i. The Hotel is 6-stories.
    - ii. The maximum height of the building is less than 80 feet. The height to the main roof parapet is approximately 68 feet, and the maximum height to the top of the stair tower is 76 feet-4 inches.
    - iii. The Hotel’s building form, massing, and entry design have been customized for the Property. The Hotel is not a standardized prototype and its architectural character is consistent with that set forth in Exhibits I, J, and K of MOD 180001.
    - iv. The ground floor is activated with storefront windows, an entry plaza facing South College Avenue, and a public courtyard or other similar features.
    - v. The PDP was submitted within one year of approval of MOD 180001 as required by LUC Section 2.8.2(K).

- E. The proposed Alternative Compliance plan for LUC Section 3.2.1(E)(5)(c), to reduce the required width of two interior landscape islands from eight feet (8') to six feet (6') (as shown on the PDP site plan) and the required width of three interior landscape islands from eight feet (8') to approximately seven feet (7') wide (as also referenced and shown on the PDP site plan), is approved pursuant to LUC Section 3.2.1(N). In making this determination, the Hearing Officer finds that the Alternative Compliance Plan for landscaping, as described, accomplishes the purposes of LUC §3.2.1(E)(5)(c) equally well or better than would a plan which complies with the standards of LUC §3.2.1(E)(5)(c). Specifically, the proposed Alternative Compliance Plan: (1) preserves and incorporates existing trees in the interior parking lot and maximizes tree canopy cover; (2) enhances neighborhood continuity and connectivity by providing street improvements along South College Avenue and related pedestrian connectivity improvements; and (3) demonstrates innovative design and use of plant materials and other landscape elements by providing enhanced plantings along the South College Avenue street frontage.
- F. The proposed Alternative Compliance for LUC Section 3.2.2(C)(4) to reduce the number of required bike spaces from 38 to 19 accomplishes the purposes of LUC Section 3.2.2(C)(4) equally well or better than would a plan which complies with the standards of this Section subject to the following conditions: (1) complimentary MAX transit passes will be provided to all Hotel guests; and (2) the Hotel shall provide three additional free branded bikes available for guests to use if desired (in addition to the 19 spaces). In making this determination, the Hearing Officer considered the factors set forth in Section 3.2.2(C)(4)(c) including the nature of the proposed land use, the Hotel's location in related to existing or planned bicycle facilities or infrastructure, and the Hotel's proximity to natural features that make the use of bicycles for access to the Hotel infeasible. In addition, the Hearing Officer considered the Applicant's justification for Alternative Compliance dated June 17, 2020 and agrees that the Hotel's adjacency to the MAX transit facilities, the proposed lodging use, and the anticipated number of employees support the conclusion that the proposed Alternative Compliance plan will accomplish the purposes of LUC Section 3.2.2(C)(4) equally well or better than would a plan that complies with the standards of said Section.
- G. The Modification of Standard to LUC Section 3.2.2(J) to reduce the average and minimum landscaped setback areas along the W. Prospect Road frontage and to reduce the average and minimum landscaped setback areas along the perimeter lot lines adjacent to the Schrader Oil site, as shown on the PDP site plan and as described in the Applicant's Request for Modification dated June 17, 2020, are approved, as the same will not be detrimental to the public good and will promote the general purpose of the standard for which the modification is requested equally well or better than would a plan which complies with the relevant standard. Specifically, the Modification of Standard to LUC Section 3.2.2(J) concerns the following two setback areas:

W. Prospect Road: a reduction to the parking lot setback along W. Prospect Road is requested in order to support the design shown in the PDP site plan, to reduce the required 15-foot average to approximately 1.5 feet and reduce the minimum 5-foot setback to approximately 12 inches.

Perimeter lot lines adjacent to Schrader Oil site: a reduction to the parking lot setback along the perimeter lot lines adjacent to the Schrader Oil site is requested in order to support the design shown in the PDP site plan, to reduce the required 5-foot average and minimum 5-foot setback to approximately two feet (2').

The Hearing Officer finds that the proposed Modification will not diverge from the standards in LUC Section 3.2.2(J) except in a nominal, inconsequential way when considered from the perspective of the entire development plan. With respect to the foregoing, the Hearing Officer specifically finds:

1. As an infill site, the Property is spatially constrained on the north, west and east lot lines due to development on adjacent parcels and the W. Prospect Road right-of-way.
2. The reduced setback is not detrimental to the public good because an enhanced landscape design with continuous plant material coverage is provided within the setback area and the stone wall and precast planters installed by the City as part of the W. Prospect Road project provides appropriate equivalent screening, which exceeds the minimum parking lot perimeter screening requirements set forth in LUC Section 3.2.1(E)(4) (as applicable to screening from the street).
3. The reduced vehicular use area setback along W. Prospect Road is not detrimental to the public good because the existing screen wall and precast planters provide durable perimeter screening of the proposed vehicular use area.
4. The 2.5'-wide landscaped island and 6' tall decorative vine screen along the Schrader Oil interior perimeter lot lines will provide sufficient screening along the vehicle use area.
5. The proposed reduction in the applicable vehicle use area setback requirements, as detailed in the Modification of Standard request, is a nominal and inconsequential component of the overall PDP plan.
6. The PDP will continue to advance the purposes of LUC Section 1.2.2 as set forth in Paragraph 3.J. below

H. The Modification of Standard to LUC §3.2.2(L) to reduce the minimum size requirements for thirty-three (33) parking stalls to 19 feet x 8.5 feet, as shown on the PDP site plan and as described in the Applicant's Request for Modification dated June 17, 2020, will not be detrimental to the public good and will not diverge from the standards in LUC §3.2.2(L) except in a nominal, inconsequential way when



considered from the perspective of the entire PDP. With respect to the foregoing, the Hearing Officer specifically finds:

1. The reduced parking stall width for thirty-three (33) parking stalls is a nominal reduction and access to the parking stalls will remain viable.
2. The parking width reduction is not detrimental to the public good because the reduction allows additional parking and landscaping/screening to be accommodated on the Property.
3. The PDP will continue to advance the purposes of LUC Section 1.2.2 as set forth in Paragraph 3.J. below.

I. The Modification of Standard to LUC Section 3.10.4(C) to allow off-street parking forward of the Hotel building face among S. College Avenue, as shown on the PDP site plan and as described in the Applicant's Request for Modification dated June 17, 2020, will not be detrimental to the public good and will promote the general purpose of the standard for which the modification is requested equally well or better than would a plan which complies with the relevant standard. In addition, the Hearing Officer finds that the proposed Modification will not diverge from the standards in LUC Section 3.10.4(C) except in a nominal, inconsequential way when considered from the perspective of the entire development plan. With respect to the foregoing, the Hearing Officer specifically finds:

1. The PDP provides a 17' setback from the S. College Avenue right-of-way to the north parking lot projection, the north parking lot layout has vehicles parallel to S. College Avenue, and a landscape bed and screen panel will provide parking lot screening.
2. The placement of off-street parking in front of the building façade is a nominal and inconsequential change when considered from the perspective of the entire PDP.
3. The PDP activities the South College Avenue streetscape with enhanced pedestrian elements including boulder seat walls, detached sidewalk with parkway planting, plaza space, and canopy trees within the enlarged setback.
4. The PDP will continue to advance the purposes of LUC Section 1.2.2 as set forth in Paragraph 3.J. below.

J. The Modifications of Standards to LUC Sections 3.2.2(J) (*Setbacks*), 3.2.2(L) (*Parking Stall Dimensions*) and 3.10.4(C) (*Off-street Parking*) will continue to advance the purposes set forth in LUC §1.2.2 in the following ways:

1. Encouraging innovations in land development and renewal by providing enhanced landscaping, desirable outdoor gathering space, and an alternative paving design

2. Fostering the safe, efficient and economic use of the Property, the City's transportation infrastructure, and other public facilities;
  3. Encouraging patterns of land use which decrease trip length of automobile travel and encourage trip consolidation services by providing a business that is conveniently located near transit and within walking and bicycling distance for nearby residents;
  4. Encouraging the development of vacant properties within established areas.
4. The Application's satisfaction of the applicable Article 2, Article 3 (with the approval of the three Modifications of Standard and two Alternative Compliance requests), and Article 4 requirements of the LUC is sufficiently evidenced by the Staff Report and the testimony and materials presented at the hearing.

### DECISION

Based on the findings set forth above, the Hearing Officer hereby enters the following ruling:

- A. The Modification of Standard to LUC Section 3.2.2(J) to reduce the average landscaped setback area from a 15-foot average to a 1.5-foot average and the minimum 5-foot setback to 12 inches along W. Prospect Road is approved.
- B. The Modification of Standard to LUC Section 3.2.2(J) to reduce the minimum average 5-foot setback to two feet (2') along the lot lines adjacent to Schrader Oil is approved.
- C. The Modification of Standard to LUC Section 3.2.2(L) reducing the width of 33 spaces from 9 feet to 8.5 feet, as shown on the PDP site plan, is approved.
- D. The Modification of Standard to LUC Section 3.10.4(C) to allow off-street parking forward of the building face along South College Avenue, as shown on the PDP site plan, is approved.
- E. The Alternative Compliance for LUC Section 3.2.1(E)(5)(c) to reduce the required width of two interior landscape islands from eight feet (8') to six feet (6') (as shown on the PDP site plan) and the required width of three interior landscape islands from eight feet (8') to approximately seven feet (7') wide (as shown on the PDP site plan), is approved.
- F. The Alternative Compliance for LUC Section 3.2.2(C)(4) to reduce the number of required bike spaces from 38 to 19 is approved, subject to the following conditions:
  - (1) Complimentary MAX transit passes will be provided to all Hotel guests at check-in.
  - (2) The Hotel shall provide three (3) additional free branded bikes available for guests to use if desired (in addition to the 19 spaces).

G. The Prospect and College Hotel PDP #190014 is approved for the Property, subject to the following conditions of approval:

(1) Sheet one of the PDP site plan (LS001) shall be corrected to properly reflect the Property's General Commercial (C-G) zoning.

(2) Sheet two of the PDP site plan (LS101) shall be amended, or additional detail sheets added to the PDP site plan, to more clearly depict the Modification of Standard to LUC Section 3.2.2(J), both along W. Prospect Road and the lot lines adjacent to Schrader Oil.

(3) Sheet two of the PDP landscape/planting plan (LP101) shall be amended, or additional detail sheets added to the PDP site plan, to more clearly depict the Modification of Standard to LUC Section 3.2.2(J), both along W. Prospect Road and the lot lines adjacent to Schrader Oil.

DATED this 14<sup>th</sup> day of August, 2020.



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Marcus A. McAskin  
Hearing Officer

**ATTACHMENT A**

Staff Report  
Prospect and College Hotel – PDP #190014

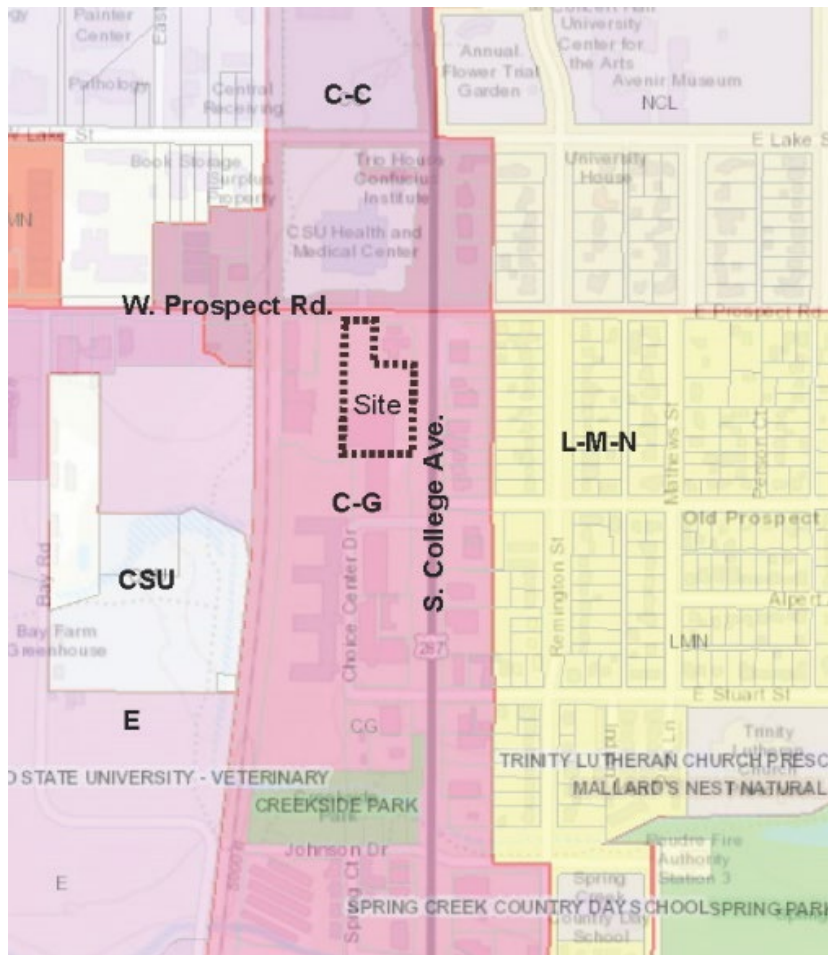
Administrative Hearing: August 5, 2020

**Prospect and College Hotel, PDP190014**

**Summary of Request**

This is a request to demolish the existing building at 1623 S. College Avenue (parcel#9723107002) and construct a 150 room, 6 story hotel. The proposed project is within the General Commercial (C-G) zone district and is subject to Administrative (Type 1) review. Three Modifications of Standard are proposed which address minimum parking lot setbacks, parking location and parking stall dimensions. Alternative Compliance is proposed to address minimum bicycle parking requirements. A Stand-alone Modification of Standard was approved in 2018 to allow a six-story building, with conditions. Information for the stand-alone modification approval is attached.

**Zoning Vicinity Map**



**Next Steps**

If approved by the decision maker, a Final Development Plan may be submitted for the project.

**Site Location**

Located near the southwest corner of W. Prospect Road and S. College Avenue

**Zoning**

General Commercial (C-G)

**Property Owner**

Imago Enterprises Inc.  
140 Palmer Drive  
Fort Collins, CO 80525

**Applicant/Representative**

Stu MacMillan  
MacMillan Development, LLC  
1928 Linden Ridge Drive  
Fort Collins, CO 80524

**Staff**

Jason Holland, City Planner

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**Staff Recommendation**

Approval

# 1. Project Introduction

## A. PROJECT DESCRIPTION

- This is a request to demolish the existing building at 1623 S. College Avenue (parcel#9723107002) and construct a 150 room, 6 story hotel. The site is approximately 2 acres. The proposed project is within the General Commercial (C-G) zone district. Access is provided to the site from S. College Avenue. Additional access is provided through the commercial development to the east from W. Prospect Road. Pedestrian access improvements through the site are also proposed with an east/west walkway spine providing a link through the hotel site to the nearby MAX station.
- 96 parking spaces are proposed on the site. Decorative fencing with vines is proposed to screen the parking lot improvements from S. College Avenue. Parking lot screening along Prospect Road is provided by an existing masonry wall and precast planters.
- The six-story building is approximately 69 feet in height to the main roof parapet wall. A drop-off location and main entrance is proposed along the south side of the building. A private outdoor seating area for guests is provided at the southwest corner of the building. Pedestrian improvements along the College Avenue frontage is proposed, including a new 10-foot public sidewalk, benches, planting areas, street trees and plaza space, and raised planters.
- Three Modifications of Standard are proposed which address minimum parking lot setbacks, parking location and parking stall dimensions.
- Alternative Compliance is proposed to address minimum bicycle parking requirements.
- A Stand-alone Modification of Standard was approved in 2018 to allow a six-story building, with conditions. Information for this modification approval is attached.

## B. SITE CHARACTERISTICS

### 1. Background

The first new commercial building permit for the site was issued in 1959 for a 16,100 square foot Safeway Supermarket that opened in 1960. In 1969, the building was remodeled for H & F Furniture which introduced the distinctive large moss rock wall facing north. Over the decades, a variety of building alterations and remodels have occurred (one being for Harbor Freight Tools). The most recent alteration of the site was associated with the current use, a Chuck E Cheese restaurant.

### 2. Surrounding Zoning and Land Use

	North	South	East	West
<b>Zoning</b>	Community Commercial (C-C)	General Commercial (C-G)	General Commercial (C-G)	General Commercial (C-G)
<b>Land Use</b>	C.S.U. Medical Health Center	Choice Center -- Retail	Multiple Properties -- Retail and Services	Shopping Center -- Retail, Office, and Restaurant

## 2. Comprehensive Plan

### A. CITY PLAN (2019)

Under City Plan, the project is located in the Urban Mixed Use District within the City's overall Structure Plan (further described on page 99 of [City Plan](#)). This area envisions high-density development, particularly near City transit stations. Additionally, page 25 of City Plan discusses a focus on maximizing infill/redevelopment in the Midtown area with higher density residential, employment and services in support of City transit facilities.

Notable Principles and Policies in City Plan envision high quality redevelopment in Midtown:

PRINCIPLE LIV 2: Promote infill and redevelopment:

#### POLICY LIV 2.1 - REVITALIZATION OF UNDERUTILIZED PROPERTIES

Support the use of creative strategies to revitalize vacant, blighted or otherwise underutilized structures and buildings.

#### POLICY LIV 3.5 - DISTINCTIVE DESIGN

Require the adaptation of standardized corporate architecture to reflect local values and ensure that the community's appearance remains unique.

#### POLICY LIV 3.6 - CONTEXT-SENSITIVE DEVELOPMENT

Ensure that all development contributes to the positive character of the surrounding area. Building materials, architectural details, color range, building massing, and relationships to streets and sidewalks should be tailored to the surrounding area.

### B. MIDTOWN SUBAREA PLAN (2013)

The project is located in the [Midtown Subarea](#). To address the guidelines in the Midtown Subarea Plan, specific standards are included in the Land Use Code under Division 3.10 -- Development Standards for the Transit-Oriented Development (TOD) Overlay Zone.

The Midtown Subarea Plan vision and guidelines emphasize:

1. Excellence in Design: Improvements in Midtown, including buildings, landscapes, and site design should be of high quality. A wide variety of designs that express creativity should be welcomed.
2. High quality architectural design should have a distinct identity that distinguishes it from other parts of the city.
3. Design that is inviting to pedestrians and bicyclists, with attractive, inviting street edges, and active urban plazas and spaces.
4. New development that is higher density, more urban in nature and with buildings that will address S. College Avenue with parking in back. Per the Midtown design guidelines Chapter 6-12, a goal for Midtown is to increase the density of development such that most parking will be in structures, either in facilities primarily designed for parking, or in a building in which parking serves other uses on the site. However, some surface parking will continue to be necessary. Where it does occur, the visual impact of surface parking should be minimized.
5. Parking should be subordinate and masked by buildings or landscape and located mostly internal to the blocks. Connections should be provided through large blocks to allow for easier pedestrian access and circulation.
6. Landscapes should include a palette that is rich, distinctive and coordinated. High quality plants and materials should be used and creativity in landscape is also encouraged to contribute to a sense of identity.

7. Site design should reinforce the urban fabric, taking into consideration pedestrians, visual interest, and high quality resident experiences. Each site should consider its surroundings and respond appropriately to the context around it.
8. Maintaining maximum parking ratios rather than minimum requirements for commercial development allows developers the flexibility of reducing parking as they see fit, and lowering parking supplies will further encourage customers and employees to access the area by means other than single occupant vehicles. However, while developers should be allowed the flexibility of reducing supply, they should still demonstrate that their site can accommodate anticipated parking without causing significant spillover into adjacent properties.

### 3. Public Outreach

#### A. NEIGHBORHOOD MEETING

Pursuant to *Section 2.2.2 – Step 2: Neighborhood Meetings*, a neighborhood meeting is not required for Administrative (Type 1) projects.

#### B. PUBLIC COMMENTS

Any communication received between the public notice period and hearing will be forwarded to the Hearing Officer to be considered when making a decision on the project.

### 4. Article 2 – Applicable Standards

#### A. PROJECT DEVELOPMENT PLAN PROCEDURAL OVERVIEW

The PDP complies with all applicable Development Review Procedures in Division 2.2 of the Land Use Code:

##### 1. Conceptual Review - CDR180034

A conceptual review meeting was held on May 21, 2018.

##### 2. Stand-Alone Modification - MOD180001

- A conceptual review meeting for the stand-alone modification was held on May 21, 2018.
- MOD180001 was approved by the Hearing Officer on September 18, 2018, with conditions. This modification addresses section 4.21(D) of the Land Use Code to allow two additional stories for the hotel, for a total of 6 stories, with three conditions:
  - a) Condition 1: *The maximum height of the building shall be 80 feet;*
  - b) Condition 2: *When filed, the Project Development Plan shall include a building that is not a standardized prototype design that is characteristic of a recognized brand of hotel. While the Applicants' Exhibits I, J, and K are illustrative only, they shall inform and provide the underlying basis for the architectural character of the building; and*
  - c) Condition 3: *When filed, the Project Development Plan shall demonstrate that the ground floor of the building is activated in the form of storefront windows, an entry plaza that faces South College Avenue and a public courtyard or other similar features.*

#### Compliance with Approved Stand-Alone Modification:

- Per LUC 2.8.2(K), the Project Development Plan (PDP) must be submitted within one year following the decision for the stand-alone modification request. PDP was submitted on September 16, 2019 in compliance with this requirement.



- The proposed PDP complies with the three conditions of approval:
  - a) Compliance with Condition 1: *The maximum height of the building is less than 80 feet. The height to the main roof parapet is approximately 68 feet, and the maximum height to the top of the stair tower is 76 feet-6 inches.*
  - b) Compliance with Condition 2: *The PDP includes a building design that is not a standardized prototype design that is characteristic of a recognized brand of hotel.*
    - The overall building form, massing and hotel entrance design have been customized to fit the site.
    - All windows are painted aluminum, recessed to provide shadow lines, and include metal panel filigree accents that are consistent with the high quality design expected in the Midtown Subarea.
    - A massing step-back is provided at the fifth and sixth floor.
    - High quality materials are used on all sides of the building, including brick and metal panels, with accent patterns and textures incorporated into the materials.
  - c) Compliance with Condition 3: *The ground floor of the building is activated in the form of storefront windows, an entry plaza that faces South College Avenue and a public courtyard or other similar features.*
    - Aluminum storefront windows are recessed and provide a high level of finish and transparency at the ground level.
    - A metal composite entrance canopy provides a prominent entrance feature, with textured/colored walkways, landscaping, sandstone benches, precast planters, and tree clusters provided create a cohesive courtyard area.

### **3. Project Development Plan Submittal - PDP190014**

The first submittal of this project was completed on September 16, 2019.

### **4. Neighborhood Meeting**

2.2.2 – *Step 2: Neighborhood Meetings* -- Not applicable.

### **5. Notice (Posted, Written and Published)**

Posted Notice: September 25, 2019, Sign # 434

Written Hearing Notice: July 22, 2020, 197 addresses mailed.

Published Hearing Notice: July 24, 2020, Coloradoan Confirmation #0004297009

## B. DIVISION 2.8 – MODIFICATION OF STANDARDS

The applicant requests three Modifications of Standards and provides justification letters attached to this staff report.

The Land Use Code is adopted with the recognition that there will be instances where a project would support the implementation of City Plan, but due to unique or unforeseen circumstances would not meet a specific standard of the Land Use Code as stated. The modification process and criteria in Land Use Code Division 2.8.2(H) provide for evaluation of these instances on a case-by-case basis, as follows:

### Land Use Code Modification Criteria:

“The decision maker may grant a modification of standards only if it finds that the granting of the modification would not be detrimental to the public good, and that:

(1) the plan as submitted will promote the general purpose of the standard for which the modification is requested equally well or better than would a plan which complies with the standard for which a modification is requested; or

(2) the granting of a modification from the strict application of any standard would, without impairing the intent and purpose of this Land Use Code, substantially alleviate an existing, defined and described problem of city-wide concern or would result in a substantial benefit to the city by reason of the fact that the proposed project would substantially address an important community need specifically and expressly defined and described in the city's Comprehensive Plan or in an adopted policy, ordinance or resolution of the City Council, and the strict application of such a standard would render the project practically infeasible; or

(3) by reason of exceptional physical conditions or other extraordinary and exceptional situations, unique to such property, including, but not limited to, physical conditions such as exceptional narrowness, shallowness or topography, or physical conditions which hinder the owner's ability to install a solar energy system, the strict application of the standard sought to be modified would result in unusual and exceptional practical difficulties, or exceptional or undue hardship upon the owner of such property, provided that such difficulties or hardship are not caused by the act or omission of the applicant; or

(4) the plan as submitted will not diverge from the standards of the Land Use Code that are authorized by this Division to be modified except in a nominal, inconsequential way when considered from the perspective of the entire development plan, and will continue to advance the purposes of the Land Use Code as contained in Section 1.2.2.

Any finding made under subparagraph (1), (2), (3) or (4) above shall be supported by specific findings showing how the plan, as submitted, meets the requirements and criteria of said subparagraph (1), (2), (3) or (4).

### 1. Description of the Modifications

- a) Modification to Section 3.2.2(L) Parking Lot Dimensions, to reduce the parking stall width for 22 stalls from 9 feet wide to 8.5 feet wide.
- b) Parking Lot Setback Modifications to *Section 3.2.2(J) Setbacks*. This standard provides minimum and average dimensions for vehicle use area setbacks along street rights-of-way and perimeter lot lines. This standard requires:
  - 1) From the arterial street right-of-way -- a 15-foot minimum average landscaped setback, and 5-foot minimum setback at any point, from the arterial street right-of-way.

- 2) Along a lot line -- a 5-foot minimum average setback, and a minimum 5-foot setback at any point.

Modifications to two setback areas are proposed:

- W. Prospect Road: A reduction to the parking lot setback along W. Prospect Road is requested in order to support the design shown on the site plan, to reduce the 15-foot average to approximately 1.5 feet average, and reduce the minimum 5-foot setback to approximately 12 inches.
  - Perimeter lot lines adjacent to Schrader Oil: A reduction to the minimum average 5-foot average setback and the minimum 5-foot setback at any point to approximately 2 feet as shown on the site plan.
- c) Modification to Parking Location along S. College Avenue, addressing *Section 3.10.4(C) Off-street Parking* (underlined for emphasis):

*(C) Off-street Parking. Off-street parking shall be located behind, above, within or below street-facing buildings to the maximum extent feasible. No parking will be allowed between the street and the front or side of a building.*

- The Applicant proposes that the parking extend in front of the building along the S. College Avenue frontage north of the building.

## 2. Applicant's Justification

- a) Modification for Parking Lot Setbacks, Section 3.2.2(J):

The Applicant requests that the modifications be approved and provides a justification letter attached to this staff report. The Applicant explains that, as an infill site, the project is spatially constrained on the north, west and east property limits due to adjacent properties and Prospect Road. The western property requires access through the proposed site to utilize the parking stalls on their property. The proposed plan accommodates the access and preserves the adjacent parking stalls. In doing this, the site is constrained by the access required, impacting the proposed parking lot design.

The Applicant contends that the reduced setbacks are not detrimental to the public good and that the reduction is nominal/inconsequential because the parking areas are screened within the reduced setback. The Applicant contends that the design proposed within the reduced setback areas is equal to or better than a design that would meet the standard, because high quality screening is provided:

- Along W. Prospect Road, the reduced setback area is screened by an existing stone landscape wall and precast planters which were constructed by the City as part of a right-of-way improvement project.
- Along the Schrader Oil lot lines, a 2.5' wide landscaped island and 6' tall decorative vine screen is provided.

- b) Modification for Parking Lot Location, Section 3.10.4(C):

The Applicant contends that the parking area needs to extend in front of the building façade, along the north side of the building, because the building is set back from the public sidewalk in order to create enhanced design elements:

- Enhanced pedestrian streetscape per the Midtown Subarea Plan.
- Enlarged landscape planting and increased tree stocking to reduce the perception of the overall

building height along the S. College Avenue corridor, in support of a condition of approval for the stand-alone modification that was previously approved.

- Privacy for hotel guests.

The Applicant contends that the intent of the standard is to keep the parking subordinate to the design of the building face. The proposed site plan still achieves this in the following ways:

- The proposed building face has activated store front windows with activated internal uses, enhanced building materials, and a high level of detail facing the S. College Avenue street front.
- The proposed building has a setback from the right-of-way exceeding 35 feet.
- The proposed plan intends to activate the College Ave. streetscape with enhanced pedestrian elements including boulder seat walls, detached sidewalk with parkway planting, plaza spaces, and a native garden like landscape with canopy trees within the enlarged setback.
- The proposed plan provides a 17-foot setback from the right-of-way to the parking lot projection. The parking lot layout has the vehicles parallel to College and will be screened with native deciduous and evergreen plants, as well as a four foot tall vine screen fence on the northern portion of the parking lot.

### **3. Staff Analysis and Finding of Fact for the Modification Requests:**

Staff finds that the request for the three Modifications of Standard to *Section 3.2.2(L) Parking Lot Dimensions*; *Section 3.2.2(J) Setbacks* (for arterial streets and lot lines) and *Section 3.10.4(C) Parking Lot Location* are justified by the applicable standards in 2.8.2(H)(1) and 2.8.2(H)(4):

The Modifications satisfy criterion 2.8.2(H)(1) – The plan as submitted will promote the general purpose of the standard for which the modification is requested equally well or better than would a plan which complies with the standard for which a modification is requested. This is because:

Section 3.2.2(J) Setbacks (for arterial streets and lot lines):

- 1) A stone wall and precast planters exist along the W. Prospect Road sidewalk which provide appropriate equivalent screening within the Midtown urban context. The reduced parking setback along W. Prospect Road is not detrimental to the public good because the existing screen wall and precast planters provide attractive and durable perimeter screening of the proposed vehicle use area.
- 2) A 2.5' wide landscaped island and 6' tall decorative vine screen is proposed along the Schrader Oil property lines which provides continuous screening along the parking setback.

Section 3.10.4(C) Parking Lot Location (along S. College Avenue):

- 3) Although the parking projects out in front of the building, a landscape bed at least 17 feet in depth, screen panel with vines and sandstone boulders are proposed to provide parking lot screening.

Section 3.2.2(L) Parking Lot Dimensions:

The Modification satisfies criteria 2.8.2(H)(1)(4) – The plan as submitted will not diverge from the standards of the Land Use Code that are authorized by this Division to be modified except in a nominal, inconsequential

way when considered from the perspective of the entire development plan and will continue to advance the purposes of the Land Use Code as contained in Section 1.2.2. This is because:

- 1) The reduced parking stall width for 22 stalls from 9 feet wide to 8.5 feet is a nominal reduction and access to the parking stalls should remain viable. The parking width reduction is not detrimental to the public good because the reduction allows additional parking and landscaping to be accommodated on the site without a significant effect on the usability of the parking stalls, while continuing to advance the purposes of the Land Use Code as contained in Section 1.2.2 including;

(B) encouraging innovations in land development and renewal by providing enhanced landscaping, desirable outdoor gathering space and an alternative paving design;

(C) fostering the safe, efficient and economic use of the land, the city's transportation infrastructure, and other public facilities and;

(F) encouraging patterns of land use which decrease trip length of automobile travel and encourage trip consolidation services by providing a business that is conveniently located near transit and within walking and bicycling distance for nearby residents;

(G) increasing public access to mass transit, sidewalks, trails, bicycle routes and other alternative modes of transportation by providing sidewalk and bicycle lane improvements; and

(L) encouraging the development of properties within established areas.

**5. Article 3 – Applicable General Development Standards**

**A. DIVISION 3.2 - SITE PLANNING AND DESIGN STANDARDS**

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
Section 3.2.1 Landscaping and Tree Protection		
3.2.1(C) General Standard	<p><i>3.2.1(B) Purpose. The intent of this Section is to require preparation of landscape and tree protection plans that ensure significant canopy cover is created, diversified and maintained so that all associated social and environmental benefits are maximized to the extent reasonably feasible. These benefits include reduced erosion and stormwater runoff, improved water conservation, air pollution mitigation, reduced glare and heat build-up, increased aesthetics, and improved continuity within and between developments. Trees planted in appropriate spaces also provide screening and may mitigate potential conflicts between activity areas and other site elements while enhancing outdoor spaces, all of which add to a more resilient urban forest.</i></p> <p><i>3.2.1(C) General Standard</i></p> <p><i>All developments shall submit a landscape and tree protection plan, and, if receiving water service from the City, an irrigation plan, that: (1) reinforces and extends any existing patterns of outdoor spaces and vegetation where practicable, (2) supports functional purposes such as spatial definition, visual screening, creation of privacy, management of microclimate or drainage, (3) enhances the appearance of the development and neighborhood, (4) protects significant trees, natural systems and habitat, (5) enhances the pedestrian environment, (6) identifies all landscape areas, (7) identifies all landscaping elements within each landscape area, and (8) meets or exceeds the standards of this Section.</i></p> <ul style="list-style-type: none"> <li>The project provides a high level of compliance with the purpose and general standard for landscaping and tree protection. Overall, the tree canopy provided and preserved exceed city requirements. Shrub and ground cover plantings are arranged with a quality and character similar to public botanical display gardens. These planting areas provide screening, spatial definition and should be a significant enhancement to the neighborhood in accordance with objectives one through five of the general standards.</li> <li>Per criteria 8 in the General Standard, compliance with Section 3.2.1 is further described through the following design standards applicable to the project:</li> </ul>	Complies
3.2.1(D) Tree Planting Standards	<p>This section requires that all developments establish groves and belts of trees along all city streets, in and around parking lots, and in all landscape areas that are located within fifty (50) feet of any building or structure in order to establish at least a partial urban tree canopy.</p> <ul style="list-style-type: none"> <li>This requirement is met with a combination of existing and proposed trees in compliance with the specific tree planting standards outlined in the sections below.</li> </ul>	Complies

<p>3.2.1(D)(1)(c) Full Tree Stocking</p>	<p>This section requires that full tree stocking be provided in all landscape areas within fifty (50) feet of any building or structure. Landscape areas shall be provided in adequate numbers, locations and dimensions to allow full tree stocking to occur along all high use or high visibility sides of any building or structure, in accordance with the spacing standards outlined in this section:</p> <p>Canopy shade trees: 30' - 40' spacing          Coniferous evergreens: 20' - 40' spacing          Ornamental trees: 20' - 40' spacing</p> <p>Exact locations and spacings may be adjusted at the option of the applicant to support patterns of use, views and circulation as long as the minimum tree planting requirement is met. Canopy shade trees shall constitute at least fifty (50) percent of all tree plantings. Required street trees may be used to contribute to this standard.</p> <ul style="list-style-type: none"> <li>• All sides of the building meet or exceed the tree stocking requirement. The total building perimeter around all sides is approximately is 560 feet, which would require 19 trees if spaced at 30-foot intervals. This standard is met with 35 proposed trees placed around the perimeter of the proposed building.</li> <li>• The S. College Avenue frontage is also emphasized, with 17 trees provided along the building's 173-foot College Avenue frontage. At least 6 trees are required along this portion of the building's frontage. The increase in tree planting in this area contributes to the project's compatibility with the surrounding area by enhancing the visual quality of the building frontage and helping mitigate the mass and bulk of the building form.</li> <li>• The additional trees along the College frontage contributes to Midtown Subarea Plan's goal of providing high-quality, pedestrian-oriented spaces by expanding the tree canopy coverage in this area, enhancing comfort and reinforcing an appropriate human scale along the project's main facade.</li> </ul>	<p>Complies</p>
<p>3.2.1(D)(2) Street Trees</p>	<p>Wherever the sidewalk is separated from the street by a parkway, canopy shade trees shall be planted at thirty-foot to forty-foot spacing (averaged along the entire front and sides of the block face) in the center of all such parkway areas. Such street trees shall be placed at least eight (8) feet away from the edges of driveways and alleys.</p> <ul style="list-style-type: none"> <li>• Four upsized mitigation trees are provided in a new eight-foot wide parkway/tree lawn along the College Avenue frontage. The tree locations are spaced at 40' intervals and are positioned to comply with traffic and utility separation requirements.</li> </ul>	<p>Complies</p>
<p>3.2.1(D)(3) Minimum Species Diversity</p>	<p>Nine different tree species are proposed for the 51 additional trees provided, with a 17% maximum of any one species proposed. This meets and exceeds the diversity standard which requires that the maximum percentage of any one species be not more than 25% when 40-59 trees are on the site.</p>	<p>Complies</p>

<p>3.2.1(D)(4) Tree Species and Minimum Sizes</p>	<p>All minimum required tree and shrub sizes are met.</p>	<p>Complies</p>
<p>3.2.1(E)(4) Parking Lot Perimeter Landscaping</p>	<p>This section requires one tree per twenty-five linear feet within the parking lot setback areas along a public street and one tree per forty linear feet along a side lot line parking setback area. Trees may be spaced irregularly in informal groupings or be uniformly spaced, as consistent with larger overall planting patterns and organization. Perimeter landscaping along a street may be located in and should be integrated with the streetscape in the street right-of-way.</p> <ul style="list-style-type: none"> <li>• Along College Avenue, 2 canopy shade trees are placed along the parking lot street setback area north of the building. The tree locations provide a uniform spacing, working in tandem with the proposed street tree pattern and other tree plantings along the building frontage.</li> <li>• Along the south property line, the project complies with the side lot line tree spacing requirements by providing 6 upsized mitigation trees along the south side of the parking lot drive aisle. This area has approximately 192 feet of setback frontage which requires at least 5 trees.</li> </ul> <p>This section also requires screening from the street (walls, fences, berming, plant material, or similar) of at least thirty (30) inches in height for a minimum of seventy percent (70%) of the length of the street frontage.</p> <ul style="list-style-type: none"> <li>• The project proposes continuous plant material coverage along the College Avenue and south property line parking setbacks, meeting the standard. Plant species selected are appropriate and will achieve a minimum height of thirty inches. Areas closer to the sidewalk and drive aisle exit shall be lower to meet visibility requirements.</li> </ul>	<p>Complies</p>



<p>3.2.1(E)(5)          Parking Lot          Interior          Landscaping</p>	<p>This section requires six percent of the interior space of all parking lots with less than one hundred spaces to be landscape areas:</p> <ul style="list-style-type: none"> <li>• The proposed parking area is 43,354 square feet, which requires a minimum interior space of 2,602 square feet.</li> <li>• 4,144 square feet of interior landscaping is provided, or 9.6%, exceeding the minimum requirement.</li> </ul> <p>This section also requires a Maximized Area of Shading:</p> <p>Landscaped islands shall be evenly distributed to the maximum extent feasible. At a minimum, trees shall be planted at a ratio of at least one (1) canopy shade tree per one hundred fifty (150) square feet of internal landscaped area with a landscaped surface of turf, ground cover perennials or mulched shrub plantings.</p> <ul style="list-style-type: none"> <li>• For the 2,602 square feet of landscape area required, 18 trees are required. 19 interior trees are provided in accordance with the standard. Two of these trees are existing trees which are located within the north parking lot interior islands.</li> </ul> <p>This section also has minimum requirements for Landscaped Islands:</p> <p>In addition to any pedestrian refuge areas, each landscaped island shall include one (1) or more canopy shade trees, be of length greater than eight (8) feet in its smallest dimension, include at least eighty (80) square feet of ground area per tree to allow for root aeration, and have raised concrete curbs.</p> <ul style="list-style-type: none"> <li>• All landscape islands exceed the 80 square foot requirement. The minimum interior island size is 6' x 17', resulting in 102 square feet of interior space.</li> <li>• Five of the interior islands are less than eight feet in the smallest dimension. Two are 6' wide, and three are approximately 7 feet wide. The reduction in the width of the islands from eight feet is an Alternative Compliance item, which may be approved as described in Section 3.2.1(N) of the Land Use Code.</li> <li>• Staff recommends approval of the island width reduction as an acceptable substitution that meets the alternative compliance review criteria, with the following findings:             <ol style="list-style-type: none"> <li>1. The alternative width meets the purpose as described in Section 3.2.1(B) (included on page 10 of this staff report), by providing adequate space for tree canopy shading to reduce glare and heat build-up and by contributing to the visual quality and continuity within the development.</li> <li>2. The reduced island widths are adequate to allow tree root growth and are located in planting areas which exceed the minimum 80 square feet. The overall space provided for root growth is equal to or better than the required minimum 80 square feet.</li> </ol> </li> </ul> <p>The proposed landscape plan meets the following objectives outlined in the Alternative Compliance criteria:</p> <ol style="list-style-type: none"> <li>a) The alternative plan <u>preserves and incorporates existing trees</u> in the interior parking lot and <u>maximizes tree canopy cover</u>.</li> </ol>	<p>Complies;          Alternative          Compliance          Requested</p>
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	<p>b) The alternative <u>enhances neighborhood continuity and connectivity</u> by providing street improvements along College Avenue and pedestrian walkway improvements within the site to the adjacent businesses.</p> <p>c) The alternative <u>demonstrates innovative design and use of plant materials and other landscape elements</u> by exceeding the tree stocking requirements for the site and providing enhanced planting coverage along the College Avenue street frontage.</p>	
<p>3.2.1(F) Tree Protection and Replacement</p>	<p>This standard requires that the project preserve and protect existing significant trees within the Limits of Development to the extent reasonably feasible, and these trees may help satisfy the landscaping requirements of the development. Streets, buildings and lot layouts shall be designed to minimize the disturbance to significant existing trees. All required landscape plans shall accurately identify the locations, species, size and condition of all significant trees, each labeled showing the applicant's intent to either remove, transplant or protect.</p> <p>A significant tree is defined in Article 5 as any tree that has a DBH (diameter at breast height) of six inches or more.</p> <p>Any affected tree that is removed shall be replaced with not less than one (1) or more than six (6) replacement trees sufficient to mitigate the loss of value of the removed significant tree. The rated value of the trees is determined by the City Forester in coordination with the Applicant's certified arborist.</p> <ul style="list-style-type: none"> <li>• In order to address the tree mitigation requirements in The Land Use Code, the applicant has submitted a tree mitigation plan, attached with this report. The plan describes the species, condition, and size of the existing trees and assigns a mitigation value (0 through 6) for the existing trees.</li> <li>• A total of 33 significant existing trees are located within the project's limits of development. Of this total, 7 are proposed to remain, with the remaining 26 trees proposed to be removed and mitigated. Of the 26 trees to be removed, 5 are dead and 2 are in poor condition. Through the process of several on-site evaluations involving both the City Forester and the applicant, the health of the existing trees was evaluated, and a mitigation value was assigned to each tree by the City Forester, as required by the LUC standard.</li> <li>• Staff is satisfied that all efforts have been made to retain significant trees to the extent reasonably feasible because the redevelopment of this urban site to meet current code standards requires a significant reconfiguration of the building location and surrounding parking layout. The applicant has worked closely with city forestry staff to adjust interior parking lot islands in the north lot to preserve the existing trees located in the north parking interior. The project satisfies staff's recommended mitigation requirements by providing upsized mitigation trees on the site. Based on the existing tree evaluation process and aspects of the site plan configuration outlined above, staff's opinion is that the project satisfies the tree protection and replacement standards of this section by preserving and protecting existing significant trees within the Limits of Development to the extent reasonably feasible, by providing an adequate number of new upsized mitigation trees in locations and with species selections that are suitable to provide a long-term contribution to the City urban tree canopy.</li> </ul>	<p>Complies</p>
<p>Section 3.2.2 Access, Circulation and Parking</p>		

<p>3.2.2(B) General Standard</p> <p>3.2.2(C)(1) Development Standards</p> <p>Safety Considerations</p>	<p>In conformance with the Purpose, General Standard, and Development Standards described in this section, the parking and circulation system provided with the project is adequately designed with regard to safety, efficiency and convenience for vehicles, bicycles, pedestrians and transit, both within the development and to and from surrounding areas:</p> <ul style="list-style-type: none"> <li>• As required, the sidewalk system provided addresses vehicle conflicts and contributes to the attractiveness of the development. A wider interior sidewalk, 8.5 feet in width, is proposed along the south side of the hotel, providing a route to the shops, offices and restaurants to the west and the MAX transit stop. This proposed east/west walkway spine is enhanced with a colored concrete pattern, planter pots and pedestrian lighting which helps highlight this route to the MAX stop. This sidewalk includes raised crossings through the parking lot to further prioritize the pedestrian route and provide traffic calming to enhance pedestrian safety.</li> <li>• A new 10' wide sidewalk is proposed along the S. College Avenue frontage per staff recommendations.</li> <li>• To the north of the hotel, a 6' sidewalk is proposed within the site interior to provide convenient cross access to the existing gas station adjacent to the north of the hotel property.</li> <li>• Other relevant standards in Section 3.2.2 are discussed in conjunction with the Modification requests in this staff report.</li> </ul>	<p>Complies</p>
<p>3.2.2(C)(4) Bicycle Facilities</p>	<p>The Applicant has submitted an alternative compliance request to reduce the amount bicycle parking required, to allow a total of a 50% parking reduction from the 38 required spaces to 19 spaces. The Applicant's alternative compliance request is attached with this staff report.</p> <ul style="list-style-type: none"> <li>• The Applicant contends that the reduction is warranted due to the proposed hotel use because hotel guests are not likely to be arriving at the hotel via bike, and will be mostly using vehicular or transit-oriented modes of transportation to move around Fort Collins.</li> <li>• Staff recommends approval of the 19 spaces proposed with the following measures provided by the Applicant as acceptable measures to justify and mitigate the bicycle parking reduction:             <ol style="list-style-type: none"> <li>1. MAX transit passes will be provided to guests.</li> <li>2. The hotel shall provide three additional (3) free branded bikes available for guests to use if desired (in addition to the 19 spaces).</li> <li>3. The project's proximity to the MAX transit line provides an alternative means for guests to travel to the university and downtown Fort Collins.</li> </ol> </li> </ul> <p>With the 19 spaces provided, 60% are required to be enclosed (11 enclosed) and the remaining 40% are required to be in fixed racks (8 unenclosed). These locations are noted on the site plan and meet these requirements.</p>	<p>Complies; Alternative Compliance Requested</p>

<p>3.2.2(D) Access and Parking Lot Requirements</p>	<p>This standard requires that all vehicular use areas in any proposed development be designed to be safe, efficient, convenient and attractive, considering use by all modes of transportation that will use the system, (including, without limitation, cars, trucks, buses, bicycles and emergency vehicles). To the maximum extent feasible, pedestrians and vehicles shall be separated through provision of a sidewalk or walkway. Where complete separation of pedestrian and vehicles is not feasible, potential hazards shall be minimized by using landscaping, bollards, special paving, lighting and other means to clearly delineate pedestrian areas.</p> <ul style="list-style-type: none"> <li>• The project complies with this standard by providing sidewalk improvements along S. College Avenue as well as the east/west sidewalk connection through the parking lot to the shopping center to the west and the MAX station.</li> <li>• Per the <i>Pedestrian/Vehicle Separation</i> requirement in 3.2.2(D)(1), the east/west walkway spine is clearly delineated using landscaping, raised planters, special paving, lighting, and grade separation to clearly delineate the pedestrian route and enhance safety.</li> <li>• Per the parking lot location standards describe in 3.2.2(D)(3), the required off-street parking spaces are located on the same lot or premises as the building.</li> </ul>	<p>Complies</p>												
<p>3.2.2(J) Setbacks (for vehicle use areas)</p>	<p>This section requires that any vehicular use area containing six or more parking spaces or one thousand eight hundred (1,800) or more square feet shall be set back from the street right-of-way and the side and rear yard lot line (except a lot line between buildings or uses with collective parking) consistent with the provisions of this Section, according to the following table:</p> <table border="1" data-bbox="418 1052 1328 1415"> <thead> <tr> <th></th> <th>Minimum Average of Entire Landscaped Setback Area (feet)</th> <th>Minimum Width of Setback at Any Point (feet)</th> </tr> </thead> <tbody> <tr> <td>Along an arterial street</td> <td>15</td> <td>5</td> </tr> <tr> <td>Along a nonarterial street</td> <td>10</td> <td>5</td> </tr> <tr> <td>Along a lot line</td> <td>5</td> <td>5</td> </tr> </tbody> </table> <ul style="list-style-type: none"> <li>• The project complies with the 5-foot minimum and average setback requirements along the south the lot line and along the S. College Avenue arterial right-of-way, but does not comply along the lot lines adjacent to the Schrader Oil gas station to the north.</li> <li>• Additionally, along the W. Prospect Road frontage, the 5-foot minimum setback requirement is not met.</li> <li>• A Modification request is provided by the applicant and staff support is recommended to reduce the setback in these areas (please see Modifications on page 6 of this staff report).</li> </ul>		Minimum Average of Entire Landscaped Setback Area (feet)	Minimum Width of Setback at Any Point (feet)	Along an arterial street	15	5	Along a nonarterial street	10	5	Along a lot line	5	5	<p>Modification Requested</p>
	Minimum Average of Entire Landscaped Setback Area (feet)	Minimum Width of Setback at Any Point (feet)												
Along an arterial street	15	5												
Along a nonarterial street	10	5												
Along a lot line	5	5												

<p>3.2.2(K)(2)          Nonresidential          Parking          Requirements</p>	<p>Section 3.2.2(K)(2)(b) Nonresidential Parking Requirements – Existing Buildings Exemption states, in part: <i>For the redevelopment of a property which includes the demolition of existing buildings, the minimum parking requirement shall be applied to the net increase in the square footage of new buildings.</i></p> <p>The existing building is proposed to be demolished, and contains approximately 22,500 square feet; however, this has not been factored into the minimum parking requirement for the site because the parking for the hotel use is based on the room count and not the overall square footage of the proposed building. Because of this, there’s really no way to apply a parking credit.</p> <p><b>Parking Required:</b></p> <p>Section 3.2.2(K)(2)(a) outlines both minimum and maximum parking for Lodging Establishments based on the 150 rooms proposed:</p> <ul style="list-style-type: none"> <li>➤ 0.5/unit minimum, which would require at least 75 parking spaces.</li> <li>➤ 1/unit maximum, which would allow not more than 150 parking spaces.</li> </ul> <p><b>Parking Proposed:</b></p> <ul style="list-style-type: none"> <li>➤ 12 compact spaces</li> <li>➤ 87 standard spaces (5 of these are handicap spaces)</li> <li>➤ 96 total on-site parking spaces</li> </ul> <p><b>Staff Comments:</b></p> <ul style="list-style-type: none"> <li>• The project complies with the standard by providing 96 parking spaces on the site, which is 0.64 parking spaces per room.</li> <li>• The property is located within the Transit-Oriented Development (TOD) Overlay Zone, which modifies the underlying zone districts south of Prospect Road to “encourage densities and design that enhance and support transit stations along the Mason Corridor”.</li> <li>• As part of the adopted TOD overlay zone, a <a href="#">TOD Parking Study</a> was adopted. The intent is to incentivize redevelopment on challenging infill sites and encourage transit-supported, compact, and walkable infill and redevelopment projects.</li> <li>• The minimum required 75 parking spaces could be further reduced by providing “demand mitigation strategies” as outlined in Section 3.2.2(K)(2)(e). While no mitigation strategies are proposed to further reduce the 75-space minimum, this does provide policy background on the suitability of the proposed 96 parking spaces and the 36% reduction from the maximum permitted 150 spaces. The proposed 96 spaces exceeds the minimum requirement and helps advance to purpose of the TOD zone by encouraging alternative transportation and utilization of the MAX transit system – which provides access to other public parking areas where hotel guests may park their cars during peak hotel demand times.</li> <li>• While not required, the Applicant offers additional measures which support the purpose of the TOD zone by offering:             <ul style="list-style-type: none"> <li>○ Shared parking within the overall adjoining commercial parking lot to the west (which is encouraged per Section 3.2.2);</li> <li>○ MAX transit passes for all hotel guests and;</li> <li>○ 3 bicycles available for guests, which shall be located near the hotel lobby.</li> </ul> </li> </ul>	<p>Complies</p>
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	<ul style="list-style-type: none"> <li>• Shared parking with the commercial uses to the west should allow additional flexibility in satisfying parking demand for the hotel and the shopping center to the west, while helping to meet the City's TOD objectives and Climate Action Plan. During peak demand times, other options may be needed such as alternative transportation, or other public parking options.</li> <li>• Parking spillover is already a consideration within the commercial corridor in the TOD zone and residential areas to the east. Private commercial parking lots in the area already clarify private parking restrictions and enforcement measures. Additionally, on-street parking in areas in the vicinity of the hotel site are already restricted through the <a href="#">Residential Parking Permit RP3 program</a>. A map these existing zones is available here: <a href="https://www.fcgov.com/parking/pdf/all-zone-map.pdf?1560378056">https://www.fcgov.com/parking/pdf/all-zone-map.pdf?1560378056</a>. Due to these factors, the parking ratio proposed by the Applicant is not anticipated to have unreasonable impacts to adjacent businesses.</li> </ul>	
<p>3.3.2(K)(5) Handicap Parking</p>	<p>This section requires four handicap spaces, including one van-accessible handicap space. Parking lots with 76-100 spaces require at least 4 handicap parking spaces. Parking lots with 101-150 spaces require at least 5 handicap parking spaces.</p> <ul style="list-style-type: none"> <li>• Four handicap spaces are proposed to the west of the hotel entrance. These are located in the closest portion of the parking lot and an accessible route to the main entrance is provided along the raised crosswalk.</li> </ul>	<p>Complies</p>
<p>3.3.2(L) Parking Stall Dimensions</p>	<p>This section describes minimum dimensions for off-street parking areas, including short-term commercial parking stalls and drive aisle widths. All parking lot metrics are met, with one exception. The Applicant proposes a Modification of Standard to reduce the parking stall width from 9 feet to 8.5 feet for 22 of the parking spaces, located within the interior parking aisles of the north parking area. Staff recommends support of the Modifications. Please see page 6 for the Modifications proposed.</p>	<p>Modification Requested</p>
<p>3.2.4 Site Lighting</p>	<ul style="list-style-type: none"> <li>• A photometric plan has been submitted and reviewed for the project.</li> <li>• All parking lot and exterior building lighting is provided by down-directional and sharp cut-off fixtures.</li> <li>• As proposed, the project complies with the photometric light levels and lighting design standards in Section 3.2.4.</li> </ul>	<p>Complies</p>
<p>3.2.5 Trash and Recycling Enclosures</p>	<ul style="list-style-type: none"> <li>• The project provides a fully screened trash enclosure with walk-in access to recycling and waste containers in accordance with the requirements of this section. Masonry walls are proposed for enclosure using a Norman running bond brick pattern which is the same detail used as the primary masonry on the building.</li> <li>• Container sizes proposed have been reviewed by staff and are adequate to meet the needs of the hotel use.</li> <li>• A concrete service pad is provided to allow rollout of the containers.</li> </ul>	<p>Complies</p>

## B. DIVISION 3.3 – ENGINEERING STANDARDS

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
<b>3.3.1(C) – Public Sites, Reservations and Dedications</b>	<p>The Applicant is required to dedicate drainage and utility easements as needed to serve the area being developed. In cases where any part of an existing road is abutting or within the tract being developed, the applicant must dedicate such additional rights-of-way as may be necessary to increase such roadway to the minimum width required by Larimer County Urban Area Street Standards and the City of Fort Collins Land Use Code.</p> <ul style="list-style-type: none"> <li>• No additional right-of-way is required with the project to meet City standards.</li> <li>• The project was reviewed and the PDP approved by CDOT who has jurisdiction over South College Avenue.</li> <li>• No re-plat is proposed with the project. If approved, the project will dedicate any necessary easements by separate document prior to final recordation and as required by the City’s Engineering Services department.</li> </ul>	Complies

## C. 3.5 – BUILDING STANDARDS

The purpose of this Section is to ensure that the physical and operational characteristics of proposed buildings and uses are compatible when considered within the context of the surrounding area. More specific or stringent standards are addressed with the TOD requirements.

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
<b>3.5.1(B)(C)(D)(E)(F)(G)(H) – Building Project and Compatibility</b>  <b>3.5.3 – Mixed-Use, Institutional and Commercial Buildings</b>	<p>These standards are designed to ensure compatibility of new buildings with the surrounding context. Nonresidential buildings must provide significant architectural interest and shall not have a single, large, dominant building mass. The street level shall be designed to comport with a pedestrian scale in order to establish attractive street fronts and walkways. Buildings shall be designed with predominant materials, elements, features, color range and activity areas tailored specifically to the site and its context.</p> <p>The building will continue to set an enhanced standard of quality as anticipated with the Midtown Subarea plan with the combination of the following features:</p> <ul style="list-style-type: none"> <li>• Appropriate application of masonry and metal panel materials on all four sides of the building;</li> <li>• Massing step-backs at the fifth and sixth floors;</li> <li>• Entrance features, window detailing, material accents and storefront transparency which are appropriately detailed to a human scale and;</li> <li>• Streetscape enhancements that are required with the more specific standards in the TOD Overlay Zone.</li> </ul>	Complies
<b>3.5.3(C)(1) – Orientation to a Connecting Walkway</b>	<p>A direct walkway connection is provided per this standard from the street sidewalk to the main entry.</p>	Complies

<b>3.5.3(C)(2) – Orientation to Build to Lines for Streetfront Buildings</b>	This standard requires a build-to-range of at least ten feet and not more than 25 feet from the street right-of-way, with no vehicle use areas between the building and the street. The proposed building is set back 35.5 feet, which qualifies as an allowable exception to form the outdoor landscape space between the building and the sidewalk.	Complies
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**D. 3.6 TRANSPORTATION AND CIRCULATION**

This Section is intended to ensure that the transportation network of streets, alleys, roadways and trails is in conformance with adopted transportation plans and policies established by the City.

<b>Applicable Code Standard</b>	<b>Summary of Code Requirement and Analysis</b>	<b>Staff Findings</b>
<b>3.6.4 – Transportation Level of Service Requirements</b>	<ul style="list-style-type: none"> <li>Traffic Operations and Engineering Departments have reviewed the plan’s Transportation Impact Study (TIS) and determined pedestrian and bicycle facilities proposed are consistent with the City of Fort Collins Multi-Modal Transportation Level of Service Manual.</li> <li>A new access location for the property is provided along College Avenue. Per the TIS, no street intersection or lane improvements are required in the area to accommodate the vehicle traffic generated by the development.</li> </ul>	Complies
<b>3.6.6 – Emergency Access</b>	<p>This section is intended to ensure that emergency vehicles can gain access to, and maneuver within, the project so that emergency personnel can provide fire protection and emergency services without delays.</p> <ul style="list-style-type: none"> <li>Emergency access easements shall be dedicated by separate document at the time of final approval. Additionally, a fire lane access drive is proposed across the existing College Avenue center median, in order to allow a north-bound left turn into the property for emergency vehicles. This proposed improvement is shown on the utility plans, sheet C3.1.</li> </ul>	Complies

**E. 3.7 COMPACT URBAN GROWTH**

<b>Applicable Code Standard</b>	<b>Summary of Code Requirement and Analysis</b>	<b>Staff Findings</b>
<b>3.7.3 – Adequate Public Facilities</b>	<p>This section requires that any approval of a development is conditioned on the provision of all services necessary to serve the new development. This includes transportation, water, wastewater, storm drainage, fire and emergency services, electrical power and any other public facilities and services as required.</p> <ul style="list-style-type: none"> <li>The project is located in the City’s service area for water, wastewater and electric utilities. Utilities staff have commented on the project and have concluded that existing infrastructure is capable of serving the proposed project.</li> </ul>	Complies



## F. 3.10 DEVELOPMENT STANDARDS FOR THE TRANSIT-ORIENTED DEVELOPMENT (TOD) OVERLAY ZONE

The purpose of this Section is to modify the underlying zone districts south of Prospect Road to encourage land uses, densities and design that enhance and support transit stations along the Mason Corridor.

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
<p><b>3.10.3 Site Planning</b></p>	<p>Section 3.10.3(A) Building Orientation. This section requires that the primary hotel entrance shall face streets, connecting walkways, plazas, parks or similar outdoor spaces, but not parking lots.</p> <ul style="list-style-type: none"> <li>The primary entrance is to the south of the building along the drop-off plaza area. The project complies with this section by orienting this entrance towards a connecting walkway.</li> </ul> <p>Section 3.10.3(B) Central Feature or Gathering Place. Per this requirement, at least one prominent or central location within each transit station area shall include a convenient outdoor open space or plaza with amenities such as benches, monuments, kiosks or public art. This feature and its amenities shall be placed adjacent to a transit station, to the extent reasonably feasible.</p> <ul style="list-style-type: none"> <li>Staff's interpretation is that this requirement would not apply to the project but is addressed with the following requirement:</li> </ul> <p>Section 3.10.3(C) Outdoor Spaces. To the extent reasonably feasible, buildings and extensions of buildings shall be designed to form outdoor spaces such as courtyards, plazas, arcades, terraces, balconies and decks for residents' and workers' use and interaction, and to integrate the development with the adjacent physical context. To the extent reasonably feasible, a continuous walkway system linking such outdoor spaces shall be developed, and shall include coordinated linkages between separate developments.</p> <ul style="list-style-type: none"> <li>The project complies with this standard with the plaza and walkway space provided at the southeast corner of the building.</li> <li>This area functions as a linear plaza, rather than a larger node, which seems appropriate given the proximity to S. College Avenue.</li> <li>The extensive planting areas are key to the design of this area, providing interest and separation from the street.</li> <li>Precast planters provide vertical elements which help provide further separation and definition of the space. The sidewalk transitions to colored concrete in this area to provide a more distinctive appearance.</li> <li>Sandstone boulders are proposed for seating along the walkway. Tree canopy in this area is extensive, contributing to the sense of comfort, human scale and visual transition along the street frontage.</li> <li>Overall the design is an appropriate contribution to Midtown and will function as a small linear plaza space which will be attractive from College Avenue. A larger seating node with tables or additional benches will likely not be used along the College Avenue frontage, and more plaza paving would likely appear out of scale along the building frontage.</li> </ul>	<p>Complies</p>

<p><b>3.10.4 Streetscape and Pedestrian Connections:</b></p> <p><b>3.10.4(A) Streetscape</b></p>	<p>3.10.4(A) Streetscape. Developments shall provide formal streetscape improvements which shall include sidewalks having street trees in sidewalk cutouts with tree grates, planters or other appropriate treatment for the protection of pedestrians, and shall provide seating and pedestrian light fixtures. Specific design details shall be subject to approval by the City Engineer in accordance with the design criteria for streets.</p> <ul style="list-style-type: none"> <li>• A 10-foot sidewalk is required along the S. College Avenue frontage. Street trees are provided within an 8-foot parkway. Tree grates are not recommended.</li> <li>• Additional enhancements are provided on the property, outside of the right-of-way, which are appropriate when considering the site's context with the high traffic volume along S. College Avenue. Streetscape enhancements provided along the building face include sandstone bench seating, precast planters and enhanced landscaping.</li> <li>• No additional pedestrian lighting is proposed along the College Avenue frontage.</li> </ul>	<p>Complies</p>
<p><b>3.10.4 Streetscape and Pedestrian Connections:</b></p> <p><b>3.10.4(C) On-street Parking</b></p>	<p>3.10.4(C) On-street Parking. This section requires that off-street parking in the TOD Overlay Zone be located behind, above, within or below street-facing buildings to the maximum extent feasible. <u>No parking will be allowed between the street and the front or side of a building.</u></p> <p>The parking area proposed north of the building projects out past the face of the building along S. College Avenue, which does not meet the standard.</p> <p>A modification has been requested for this standard under code Section 2.8.2, which is discussed under the Modifications in this report.</p>	<p>Modification Requested</p>

<p><b>3.10.5 Character and Image</b></p>	<p>3.10.5(A) Articulation. The proposed hotel building complies with this standard, which requires that the building walls be subdivided and proportioned to human scale, using projections, overhangs and recesses in order to add architectural interest and variety and avoid the effect of a single, massive wall with no relation to human size.</p> <ul style="list-style-type: none"> <li>• Massing step-backs are provided at upper floors to reduce the apparent mass of the building.</li> <li>• Window placements are combined with inset accent panels to add visual interest and reduce the overall scale of the larger façade wall planes.</li> </ul> <p>3.10.5(B) Rooflines. The proposed hotel building complies with this standard, which requires that flat-roofed buildings feature three-dimensional cornice treatment on all walls facing streets or connecting walkways.</p> <ul style="list-style-type: none"> <li>• Cornice treatments proposed are appropriate for the style of the building, with a brick cornice provided at the step-back areas and a deeper cornice at the top of the entrance side of the building to the south. Metal portions of the building receive a minor cornice banding treatment which provides a finished edge without distracting from the building emphasis on articulated wall planes.</li> </ul> <p>3.10.5(C) Materials and Colors. This section includes five different standards related to material quality, selection, and color. Predominant exterior materials shall be high quality materials. All facades incorporate stone, stone veneer, brick, brick veneer, stucco, corrugated metal, wood and/or equivalent accent material in a manner that highlights the articulation of the massing or the base and top of the building. Predominant or field colors for facades shall be low reflectance, subtle, neutral or earth tone colors.</p> <ul style="list-style-type: none"> <li>• All materials proposed are high quality -- with brick, metal panel and metal filigree accents used on all four sides of the building. These materials are applied appropriately, with masonry used on the majority of the lower floors and metal in the receding portions of the upper floors.</li> </ul> <p>3.10.5 (F)(1) Building Height (increasing the allowable height). This section is not applicable to the project, because the project does not meet the criteria.</p> <p>3.10.5 (F)(2) Building Height. This section requires that buildings greater than two stories in height shall be designed so that upper portions of the building are stepped back from the base. The adequacy of upper floor step-backs shall be determined by the extent to which they advance the following objectives: (a) providing pedestrian scale along sidewalks and outdoor spaces; (b) enhancing compatibility with the scale and massing of nearby buildings; (c) preserving key sunshine patterns in adjacent spaces; and (d) preserving views.</p> <ul style="list-style-type: none"> <li>• The upper floor step-backs proposed are appropriate for the style of the building. Pedestrian scale is further reinforced with the pattern of recessed storefront windows, entrance canopy, brick coursing and metal accent treatments.</li> </ul> <p>3.10.5(G) Windows. This standard requires that storefront window and door systems may be used as the predominant style of fenestration for nonresidential or mixed-use buildings as long as the building facade visually establishes and defines the building stories and establishes human scale and proportion. Minimum glazing on pedestrian-oriented facades of buildings shall be sixty (60) percent on the ground floor and forty (40) percent on upper floors. Projects functionally unable to comply with this requirement shall mitigate such noncompliance with ample, enhanced architectural features such as a</p>	<p>Complies</p>
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	<p>change in massing or materials, enhanced landscaping, trellises, arcades or shallow display window cases.</p> <ul style="list-style-type: none"><li>• The window pattern on the building is a significant contributing factor to the human scale and proportion of the building. Glazing at the ground level is at approximately 80% transparency. Upper floors provide inset window treatments that are at approximately 40%, with metal accent panels used to add detail and interest while increasing the perceived sized of the window openings in relation to the overall façade wall planes.</li></ul>	
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## 6. Article 4 – Applicable Standards:

### A. DIVISION 4.21 – GENERAL COMMERCIAL (C-G)

The General Commercial District is intended to be a setting for development, redevelopment and infill of a wide range of community and regional retail uses, offices and personal and business services. Secondly, it can accommodate a wide range of other uses including creative forms of housing.

While some General Commercial District areas may continue to meet the need for auto-related and other auto-oriented uses, it is the City's intent that the General Commercial District emphasize safe and convenient personal mobility in many forms, with planning and design that accommodates pedestrians.

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
<b>4.21(B)(2) – Permitted Uses</b>	The proposed 'Lodging' land use is a permitted use subject to Type 1 review. Lodging is defined in Article 5 as a hotel/motel.	Complies
<b>4.21(D) – Land Use Standards</b>	The maximum building height permitted within this district is 4 stories, and the project continues to comply the stand-alone modification and conditions of approval which was approved to allow a six story building, subject to approval of this PDP.	Complies with stand-alone modification

## 7. Findings of Fact/Conclusion

In evaluating the request for the Prospect and College Hotel, Project Development Plan, PDP190014, staff makes the following findings of fact:

- The Project Development Plan complies with process located in Division 2.2 – Common Development Review Procedures for Development Applications of Article 2 – Administration.
- The Project Development Plan continues to comply with the Stand-alone Modification, MOD180001.
- The three Modifications of Standard to *Section 3.2.2(L) Parking Lot Dimensions, Section 3.2.2(J) Setbacks and Section 3.10.4(C) Off-street Parking* are not detrimental to the public good and are justified by the applicable standards in 2.8.2(H)(1) and 2.8.2(H)(4) as described in the staff findings for the three modifications on pages 8 and 9 of this staff report.
- The Alternative Compliance for *Section 3.2.2(C)(4) Bicycle Facilities* to reduce the bicycle parking provided to 19 spaces is not detrimental to the public good because the following measures are provided to justify and mitigate the bicycle parking reduction: MAX transit passes will be provided to guests; three additional (3) free branded bikes available for guests to use if desired (in addition to the 19 spaces) and; the project provides sidewalk enhancements to access the MAX transit line as an alternative means for guests to travel to the university, downtown Fort Collins, and other locations.
- The Alternative Compliance for *Section 3.2.1(E)(5) Parking Lot Interior Landscaping*, to reduce the width of the five of the interior islands from eight feet to not less than six feet is not detrimental to the public good because the six-foot island widths are adequate to allow tree root growth and are located in planting areas which exceed the minimum 80 square feet. The overall space provided for root growth is equal to or better than the required minimum 80 square feet and the alternative plan maximizes tree canopy cover in excess of tree minimum planting standards.
- The Project Development Plan complies with relevant standards located in Article 3 – General Development Standards, provided that the three Modifications of Standard are approved.

- The Project Development Plan complies with the relevant standards located in Division 4.21, General Commercial (C-G) of Article 4.

## 8. Recommendation

Staff recommends approval of the three Modifications of Standard to *Section 3.2.2(L) Parking Lot Dimensions, Section 3.2.2(J) Setbacks and Section 3.10.4(C) Off-street Parking* and approval of Prospect and College Hotel, Project Development Plan, PDP190014 based on the Findings of Fact in this staff report.

## 9. Attachments

1. Vicinity/Zoning Map
2. Sign Posting
3. Coloradoan Notice
4. Hearing Notice Mailed Letter
5. Site Plan Illustration
6. Site Plan and Details
7. Architectural Elevations
8. Landscape Plan
9. Tree Inventory and Mitigation Plan
10. Lighting Plan
11. Utility Plans
12. Pedestrian Access Diagram
13. Fire Lane Exhibit
14. Traffic Impact Study
15. Traffic Variance
16. Alternative Compliance Request for Bike Parking
17. 3.2.2(J) Parking Setbacks Modification Request
18. 3.2.2(L) Parking stall dim Modification Request
19. 3.10.4(C) TOD parking setback Modification Request

Stand-Alone Modification, MOD180001 Background Documents:

20. Hearing Officer Decision
21. Stand-Alone Modification Staff Report
22. Stand Alone Mod Applicant Exhibits
23. Stand Alone Mod Applicant's Hearing Presentation