

Planning & Zoning Commission Hearing: October 17, 2024

## Tapestry Project Development Plan w/ Addition of a Permitted Use #PDP240001

### Summary of Request

Tapestry is a 140-unit condominium development with 30 deed restricted affordable units for Habitat for Humanity, which makes the project a qualified 'Affordable Housing Project' under the Land Use Code. The plan comprises seven (7) buildings with 20 units in each building.

The multi-family residential use is not listed as a permitted use in Industrial zone district, which requires the Addition of a Permitted Use to enable approval of the plan.

### Location

The site is at the southeast corner of 3<sup>rd</sup> and Buckingham Streets.

### Zoning

Industrial District (I)

### Owner

Fort Collins Habitat for Humanity  
131 E. Lincoln Ave Suite 200  
Fort Collins, CO 80524

### Applicant/Representative

Shelley LaMastra  
Russell + Mills Studios  
506 S. College Unit A  
Fort Collins, CO 80524

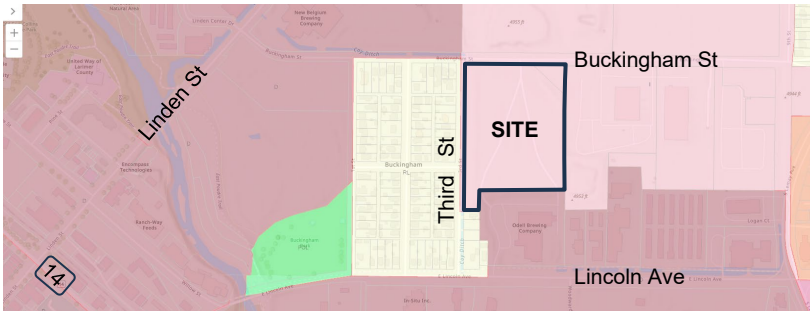
### Staff

Clark Mapes, City Planner

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### Zoning Map (ctrl + click map to follow link)



### Next Steps

If the plan is approved by the Commission, the applicant will then be eligible to submit a Final Development Plan and then proceed to permits.

### Staff Recommendation

Approval of the APU, approval of the four requested Modifications of Standards, and approval of the Project Development Plan.

## 1. Project Introduction

### A. PROJECT DESCRIPTION

The applicants' narrative (attached) provides an overall background and summary of the proposed project. The image below is from that narrative, showing the location, general concept for the ~11-acre property, and immediate context.

The Tapestry residential development occupies a new ~5.6 acre Lot 1 within the subject property, and the plan designates other tracts of the property for potential future development and stormwater detention.



The plan is for seven 20-unit apartment buildings with 140 dwelling units. 30 of the units are to be deed restricted affordable. The applicant’s intention is to offer all of the units for sale as condominiums.

The plan extends Logan Street from the Buckingham neighborhood eastward across 3<sup>rd</sup> Street into the proposed development, and introduces a new 4<sup>th</sup> Street.



Parking is provided in garages, internal surface parking, and street parking on Logan and 4<sup>th</sup> Street within the plan. 3<sup>rd</sup> Street and Buckingham Street provide additional street parking to be improved around the edges of the plan, which is not counted in the plan data on parking required and provided.

A ~3/4-acre park and play area provides a central feature and gathering place.

## B. DEVELOPMENT BACKGROUND & CONTEXT

Historically, the site was part of the sugar beet industry, which ceased operation in the early 1950s. The property currently remains as a pile of spent sugar beet tailings which will have to be removed (to a depth of ~11-13 feet). The grade will be brought down to street level.

The presence of beet tailings has added a unique additional layer of complexity to making the site developable. A separate prior plan for removing the beet tailings and creating a new ground surface for development was formulated in 2021. That plan set is called “Utility Plans for Odell – North” and was approved on 01/09/2022. The topography from the approved design is the basis for site grading and drainage in the Tapestry plan.

**Surrounding Zoning and Land Use**

	North	South	East	West
<b>Zoning</b>	Industrial (I)	Downtown (D), Innovation Subdistrict	Industrial (I)	Low Density Residential (RL)
<b>Land Use</b>	Currently an open rear area of New Belgium Brewing Company	Odell Brewing Company and three houses along 3 <sup>rd</sup> Street	Metal recycling facility	Buckingham Neighborhood

**C. OVERVIEW OF MAIN CONSIDERATIONS**

Major issues that required clarification and refinement through the review process have included:

- Rezoning vs the Addition of a Permitted Use code provision as the best way to enable residential use on this Industrial-zoned property.
- Orientation and design of the plan’s large multi-unit buildings for compatibility with the existing residential neighborhood across 3rd Street.
- 4 variances, which are approved by engineering staff through discussions of customized street design for 3 of the 4 streets involved in the plan, and details of water line separation from other utilities and from trees.
- Stormwater detention, treatment, drainage, and off-site easements needed for storm and sanitary sewer. Letters of Intent from abutting property owners to provide easements are signed.

**2. Public Outreach**

**A. NEIGHBORHOOD MEETINGS**

Four neighborhood meetings have been held. When the project was first being formulated by the applicant team, it prompted the idea of rezoning from the Industrial zone district to a neighborhood zone district. In further discussions with staff, the approach shifted to the Addition of a Permitted Use (APU) to enable this particular development plan on this site without changing the underlying Industrial zoning.

The first two neighborhood meetings, in spring 2023, were about the rezoning idea, and then an initial plan concept.

The last two neighborhood meetings were about the APU and a revised plan concept, with the last meeting discussing the plan as now proposed.

Main concerns expressed at the neighborhood meetings included:

- Compatibility of the large apartment buildings and increased density with the existing Buckingham neighborhood across 3<sup>rd</sup> Street.
- Whether 3<sup>rd</sup> Street can accommodate the traffic and parking.
- Existing traffic, speeding, and industrial traffic on 3<sup>rd</sup> Street.
- Getting the property cleaned up such as removing the garbage, broken glass, needles and weedy beet tailings that are currently on it.

- Preventing fugitive dust and beet industry byproducts from floating into the neighborhood during construction.
- Providing a place for essential Fort Collins employees like teachers to live in Fort Collins.

**B. PUBLIC COMMENTS:**

Staff has not received any additional comments for this proposal and will forward and any comments received between the public notice period and hearing will be forwarded to the P&Z Commission for their consideration.

**3. Land Use Code Article 1**

**A. DIVISION 1.3 – ZONING AND APU**

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
<p><b>1.3.4 – Addition of Permitted Uses</b></p>	<p>The APU is needed because the Industrial zoning district does not list the multi-family residential use as a Permitted Use.</p> <p>The purpose of the APU Section is to allow for approval of a land use within a zone district that otherwise would not permit such a use.</p> <p>An applicant may submit a plan with the understanding that the plan will be subject to a heightened level of review, with close attention to compatibility and impact mitigation.</p> <p>This process is intended to allow for consideration of unique circumstances and the context of the surrounding area. The process encourages dialogue and collaboration among applicants, affected property owners, neighbors and City Staff.</p> <p>There are two versions of APUs:</p> <p><b>(1) THE FIRST VERSION</b> is <u>not</u> the type of APU being proposed in this case. However, it is important to staff’s findings. It comes under the heading of 1.3.4(C)(1) <i>Director Approval</i>.</p> <p>It applies where a proposed use would be a new use in the Fort Collins Land Use Code, meaning that it does not fall within any existing use classification and is not listed in any zone district, and is proposed as being appropriate to add to the code into a zone district(s).</p> <p>In other words, it is to incorporate a new use into the code that was not previously recognized. It is determined by staff (“the Director”).</p> <p>A list of eight criteria must be met for such a use to be approved.</p> <p>The eight criteria are:</p> <ul style="list-style-type: none"> <li>(a) Such use is appropriate in the zone district to which it is added.</li> <li>(b) Such use conforms to the basic characteristics of the zone district and the other permitted uses in the zone district to which it is added.</li> <li>(c) The location, size and design of such use is compatible with and has minimal negative impact on the use of nearby properties.</li> </ul>	<p>Complies</p>

(d) Such use does not create any more offensive noise, vibration, dust, heat, smoke, odor, glare or other objectionable influences or any more traffic hazards, traffic generation or attraction, adverse environmental impacts, adverse impacts on public or quasi-public facilities, utilities or services, adverse effect on public health, safety, morals or aesthetics, or other adverse impacts of development, than the amount normally resulting from the other permitted uses listed in the zone district to which it is added.

(e) Such use will not change the predominant character of the surrounding area.

(f) Such use is compatible with the other listed permitted uses in the zone district to which it is added.

(g) Such use, if located within or adjacent to an existing residential neighborhood, shall be subject to two (2) neighborhood meetings, unless the Director determines, from information derived from the conceptual review process, that the development proposal would not have any significant neighborhood impacts. The first neighborhood meeting must take place prior to the submittal of an application. The second neighborhood meeting must take place after the submittal of an application and after the application has completed the first round of staff review.

(h) Such use is not a medical marijuana business as defined in Section 15-452 of the City Code or a retail marijuana establishment as defined in Section 15-603 of the City Code.

**(2) THE SECOND VERSION** is the type that is proposed. It comes under the heading of 1.3.4(C)(2) Planning and Zoning Commission Approval.

It applies where the proposed use is listed in other zone districts, and **“is proposed based solely on unique circumstances and attributes of the site and development plan.”**

In other words, this second type is to allow a use to be added on one specific site in a specific development plan, rather than to add an entirely new use into the Land Use Code.

However, this second type refers to same set of criteria listed under the first type, which are written based on adding a use to the zone district.

Accordingly, staff has consistently interpreted the criteria slightly differently in this second type than in the first type, recognizing the difference.

For example, a proposed use may *not* be appropriate to add to the zone district; it may *not* conform to basic characteristics of other uses in the zone; it could generate more traffic than other uses permitted in the zone; or may *not* be compatible with other uses in the zone district, but for the unique circumstances of a particular plan.

Therefore, the way staff typically interprets the criteria is illustrated in the underlined edits below. These interpretations can be compared to the criteria as stated in the verbatim code text under **(1)** above.

(a) Such use is appropriate in the particular location within the zone district, based on the plan and the context and circumstances of the specific location.

(b) Such use has basic characteristics that are appropriate in the particular location, based on the plan and the circumstances and context of the proposed location.

(c) The location, size and design of such use is compatible with the context of the specific location within the zone district and has minimal negative impact on the use of nearby properties.

(d) Such use does not create any more offensive noise, vibration, dust, heat, smoke, odor, glare or other objectionable influences or any more traffic hazards, traffic generation or attraction, adverse environmental impacts, adverse impacts on public or quasi-public facilities, utilities or services, adverse effect on public health, safety, morals or aesthetics, or other adverse impacts of development, than the amount normally resulting from the other permitted uses listed in the zone district to which it is added, unless: any additional impacts are addressed/accounted for in the plan, and thus the additional use is warranted by the plan, context, and circumstances. Considerations may include the degree of additional adverse impacts; the degree of sensitivity to such impacts on related to neighboring uses in the area affected; whether the location is already characterized by such impacts and to what extent; the presence of mitigation measures or offsetting benefits to adjacent properties and/or the community; and any other pertinent considerations unique to the situation.

(e) Such use will not change the predominant character of the surrounding area.

(f) Such use is compatible with the other listed permitted uses in the zone district to which it is added, in the proposed location based on the plan as proposed.

(g) Such use, if located within or adjacent to an existing residential neighborhood, shall be subject to two (2) neighborhood meetings, unless the Director determines, from information derived from the conceptual review process, that the development proposal would not have any significant neighborhood impacts. The first neighborhood meeting must take place prior to the submittal of an application. The second neighborhood meeting must take place after the submittal of an application and after the application has completed the first round of staff review.

Note that staff intends to propose an update to the code Section to add these edited criteria acknowledging and better defining the difference in the second type of APU.

### **Staff Findings**

Staff recommended using the APU as the ideal approach rather than rezoning to enable the use, with staff support for approval of the APU.

Staff finds that the APU request conforms to the code criteria as follows:

**(a) The proposed use is appropriate in the particular location, based on the plan, context and circumstances,** because of the transitional location between Industrial uses and the Buckingham neighborhood; and especially so with the project being a qualified affordable housing project.

**(b) The use has basic characteristics appropriate in the particular location, based on the plan and circumstances and context.**

The characteristics of residential use are appropriate along the east side of 3<sup>rd</sup> Street, in a location that has been recognized as a transitional 'Interface' location including in the adopted 2005 Northside Neighborhoods Plan.

**(c) The location, size and design of such use is compatible with the context of the specific location within the zone district and has minimal negative impact on the use of nearby properties.**

Staff sees no negative impacts on the use of nearby properties. There are notable positive impacts of the housing and streetscapes.

**(d) Such use does not create any more offensive noise, vibration, dust, heat, smoke, odor, glare or other objectionable influences or any more traffic hazards, traffic generation or attraction, adverse environmental impacts, adverse impacts on public or quasi-public facilities, utilities or services, adverse effect on public health, safety, morals or aesthetics, or other adverse impacts of development, than the amount normally resulting from the other permitted uses listed in the zone district to which it is added, unless: any additional impacts are addressed/accounted for in the plan, and thus the additional use is warranted by the plan, context, and circumstances. Considerations may include the degree of additional adverse impacts; the degree of sensitivity to such impacts on related to neighboring uses in the area affected; whether the location is already characterized by such impacts and to what extent; the presence of mitigation measures or offsetting benefits to adjacent properties and/or the community; and any other pertinent considerations unique to the situation.**

Staff sees no impacts of any kind that would be more than the impacts resulting from other permitted uses, some of which involve commercial and industrial operations, some with trucking and outdoor storage functions; and, there are notable benefits of the housing and streetscapes in addition to the lack of impacts.

**(e) Such use will not change the predominant character of the surrounding area.**

The predominant character varies dramatically from industrial operations to the Buckingham neighborhood; and the use fits within that range of character.

**(f) Such use is compatible with the other listed permitted uses in the zone district to which it is added, in the proposed location based on the plan as proposed.**

The other permitted uses in the Industrial zone range very widely but staff sees no compatibility issues. The development is separated from existing industrial uses by tracts for stormwater detention and potential future development, which provide a buffer and transition.



## 4. ssArticle 2 – Applicable Standards

### A. PROCEDURAL OVERVIEW

#### 1. Preliminary Design Review – PDR210019

A preliminary design review meeting was held on October 5, 2021.

#### 2. Neighborhood Meetings

Four meetings were held: April 17, 2023; May 15, 2023; July 31, 2023; and July 17, 2024.

#### 3. First Submittal –

The project was submitted on April 24, 2024. The plan required 2 rounds of staff review.

#### 4. Notice (Posted, Written and Published)

Posted Notice: March 2021, Sign #652

Written Hearing Notice: October 2, 2024; 108 addresses mailed.

Published Hearing Notice: **October, 2024**

## B. DIVISION 2.8 – MODIFICATION OF STANDARDS

The Land Use Code is adopted with the recognition that there will be instances where a project would support the implementation of City Plan or intent of the Land Use Code, but due to unique or unforeseen circumstances would not meet a specific standard as stated in the code.

The applicants are requesting four Modifications of Standards as described below. The request explains the modifications and is attached.

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. Modification of a Standard for Number of Parking Spaces – 3.2.2(K)(1)(a)

### Overview

This standard for multi-family dwelling units requires parking based on bedroom counts.

This modification request is included because the plan falls one space short under the formula for required parking for all of the unit types—the plan provides 244, and the standard requires 245.

Staff considered whether a Modification is even worth putting into the record because there is another potential parking space in the plan on 4<sup>th</sup> Street which could have been included but was not, for convenience of cross access for trucks from Odell Brewing to the south as preferred by the applicants.

In any case, the applicants wanted to put the parking into more complete perspective with a request that the parking be reviewed under the recently adopted LUC code updates by City Council which took effect in May of this year. The applicants designed the plan with this intent from the start, knowing that the City was working on an update with reduced parking requirements; and knowing that staff would support a modification based on that work.

The updated standards in effect today would require 192 spaces, as compared to the 244 spaces provided in the plan.

Furthermore, 24 additional spaces are provided along the frontage of 3rd and Buckingham streets in new inset parking bays in the plan; and 26 units have driveways that are long enough to allow for parking behind the garages, but that tandem arrangement does not count toward code requirements.

### Applicant Justification

The request explains justification for not being detrimental to the public good; and being consistent with numbered criteria 2.8.2H(1), (2), and 4 – “equal or better” and “defined community need” – i.e., affordable housing.

The request is based on work by the City over the past couple of years to update the Land Use Code, including reduced parking requirements. The numbers on the site plan cover sheet are the updated numbers.

The request states that parking has been a cost barrier to providing affordable housing in many developments due to the cost of not only the pavement, but implications on increased runoff, fewer dwelling units, reduced amenity areas, etc.

### Staff Findings

Staff finds that the modification is not detrimental to the public good; and is consistent with numbered criteria 2.8.2H(1), (2), and (4) – “equal or better” because ample parking is provided no matter how it is measured; “defined community need” because affordable housing is the most prominently defined community need in adopted policy plans; and “nominal and inconsequential because 244 spaces vs 245 required under the previous code is 0.1%; and, street and driveway parking is able to accommodate significantly more parking if needed for peak demands.

When the Land Use Code took effect in May of this year with updated (reduced) parking requirements for housing development, staff agreed internally to support any modifications in projects that were in progress under the previous code. Support is based on the new standards which resulted from a whole multi-year process.

That is, a plan can be found not detrimental to the public good and “equal or better” than a plan meeting the previous standards, because the updated standards are considered to be better for the community as evidenced by adoption following a public process.

## 2. Modification of a Standard for Street Trees – 3.2.1(D)(2)(a)

### Overview

This is a citywide standard with a numerical requirement for planting a row of street trees at a certain average spacing along all streets.

In this case, the street trees in the plan are dictated by the physical space available in the plan. The available space results from compromises among Poudre Fire, Engineering and Planning for space along the street edge. Every foot of space was discussed. The plan maximizes tree planting along the streets as much as physically possible. In some space-constrained locations, smaller ornamental trees were found acceptable as a compromise where large canopy trees would not fit.

### Applicant Justification

The request explains justification for not being detrimental to the public good; and being consistent with numbered criteria 2.8.2H(2) and (3) – “defined community need” and “physical hardship”.

The request explains the physical limitations that were negotiated among multiple competing interests for space which dictated tree planting locations. These limitations are separation from a water line, and the customized street edge design that was negotiated to balance aerial fire access to buildings, street parking, a utility easement behind the sidewalk, and building modulation with projecting and recessed features on the facades.

### Staff Findings

The request explains justification for not being detrimental to the public good; and being consistent with numbered criteria (2) and (3) – “defined community need” and “physical hardship”.

It is typical for street tree plantings to be adjusted as necessary to fit within physical parameters of a site plan and to avoid conflicts with utilities. The applicants wanted to get the modification into the record to avoid any questioning of the tree types and spacings.

The plan represents a whole approach to meeting the defined community need for affordable housing, including compromises necessary for the affordable housing aspect of the plan, consistent with criterion (2). In this case, the plan represents compromises among competing demands for urban space for utilities, street sidewalks and parking, and building design. The strict application of the standard would have ripple effects that would require a significantly different plan.

The physical space available prevents standard street tree types and spacings consistent with criterion (3). The strict application of the standard would result in unusual and exceptional practical difficulties. The few feet involved would require a markedly different plan.

### 3. Modification of a Standard for Full Tree Stocking – 3.2.1(D)(1)(c)

#### Overview

This is a citywide standard with numerical requirements for trees around buildings in a landscape plan, with exact percentages of canopy and ornamental trees. The applicant submitted the modification request because the plan does not conform to a few stated numbers in a few locations.

Similar to the street tree modification, staff considered whether a Modification is even necessary because the landscape plan is thoroughly developed with appropriate emphasis on trees consistent with the purpose of the Section and subsection. The applicant wanted to include this in the record to avoid any questioning now or in the future.



### **Applicant Justification**

The request explains justification for not being detrimental to the public good; and being consistent with numbered criteria 2.8.2H(2) and (3) – “defined community need” and “physical hardship”.

The request explains the physical limitations that were part of negotiations among multiple competing interests for space which dictated tree planting locations as noted above for the street tree modification.

### **Staff Findings**

Staff finds that the modification is not detrimental to the public good; and is consistent with all numbered criteria 2.8.2H(1), (2), (3), and (4) – “equal or better”, “defined community need”, “physical hardship”, and “nominal and inconsequential”.

The landscape plan provides trees consistent with the purpose of the standards equally well as a plan that meets the exact numbers in the code. The trees are an integral part of a whole approach to the landscaping. Thus the plan is consistent with criteria (1) and (4).

Tree placement is limited in some areas by physical parameters, similar to street trees as described above. Thus the plan is consistent with criterion (3).

This modification overlaps with the street tree modification above, and for the same reasons, the physical constraints are part of the whole approach to affordable housing, and they pertain to this modification. Thus the consistency with criterion (2) along with the other criteria.

## 5. Modification of a Standard for Building Variation -- 3.8.30(F)(2)

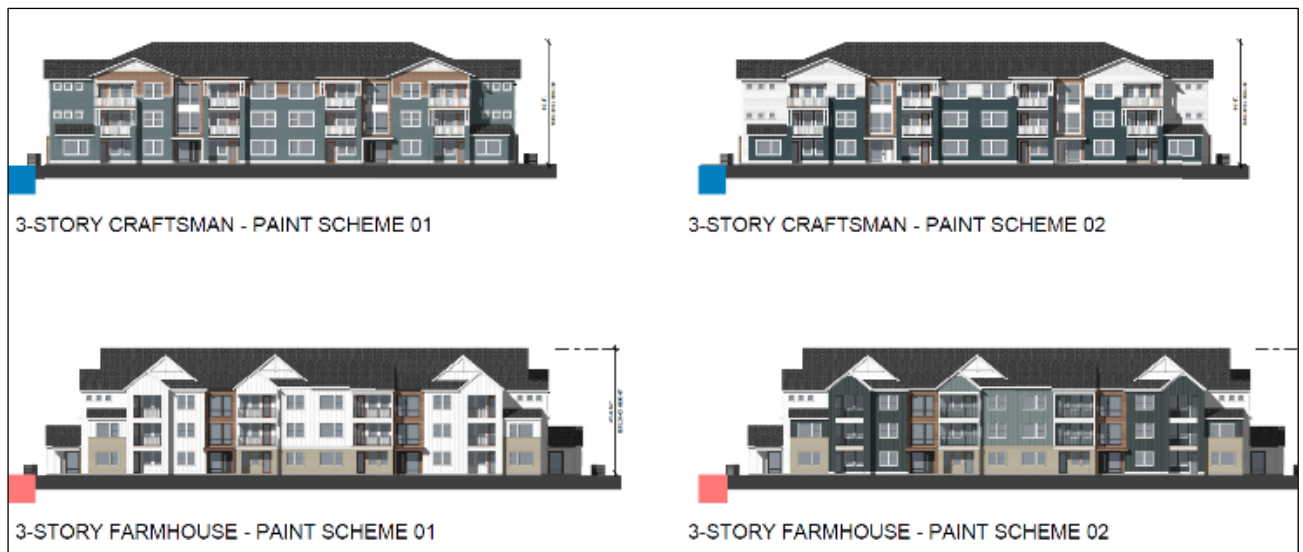
### Overview

This standard would require 3 different building designs among the 7 buildings. The modification is needed because the plan has just 2 building designs.

### Applicant Justification

The applicant's request provides justification for being consistent with numbered criteria 2.8.2H(1) and (2) – "equal or better", and "defined community need". The points are:

- Variation is accomplished with the two different elevations/footprints, each with two different color schemes for a total of four.
- No street frontage has a duplicate building face fronting it.
- The plan alleviates the defined problem of affordable housing. To design and build another different building would add substantial cost and would not significantly improve the varied frontages.



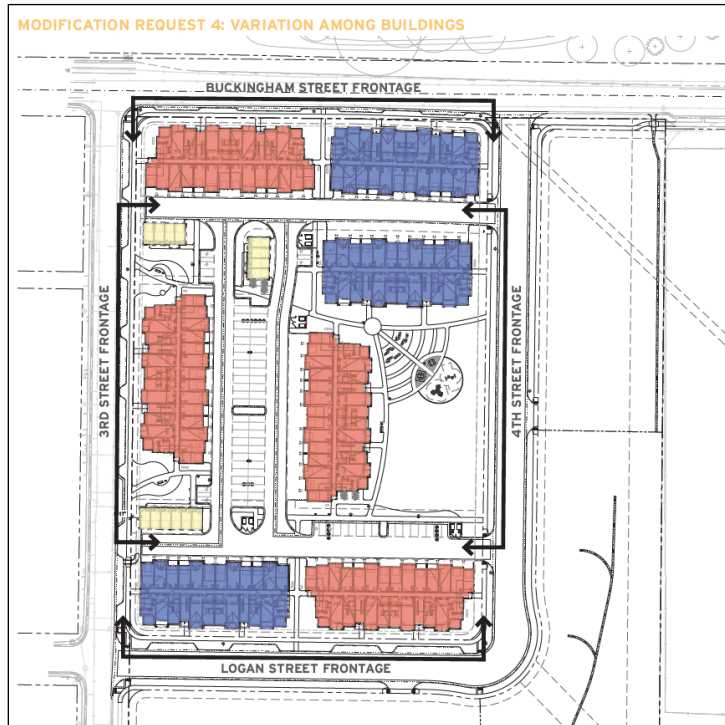
*'Craftsman' and 'Farmhouse' building designs each with two color schemes*

**Staff Findings**

Staff finds that the modification of this standard would not be detrimental to the public good and that the request satisfies criterion (2) in subsection 2.8.2(H) – “defined community need.”

**Detriment to the public good.** Staff’s finding is based on the following considerations:

- The overall plan provides significant variation in the placement of the two building designs along the streets, with no two of the same design placed next to each other due to varying orientation together with the different designs and color schemes.



*Plan diagram showing placement of the two different designs*

**Criterion (2), “defined community need”.** Staff’s finding is based on the following consideration:

- The community need for affordable housing is the predominant need expressly defined in the Comprehensive plan and other adopted policies and programs. Not requiring a third building design is part of the whole approach that makes the plan a qualified affordable housing project. Because of the variations provided by design, color, and orientation, another building design would not significantly improve the visual interest to a degree that warrants the impact on the affordable housing aspect of the plan; thus the plan meets this criterion (2).



**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
<b>3.2.1 – Landscaping and Tree Protection</b>	<p>This Section requires a fully developed landscape plan that addresses relationships of landscaping to the circulation system and parking, the building, abutting properties, and users of the site in a manner appropriate to the neighborhood context.</p> <p>The landscape plan is complete and straightforward, providing the following main components:</p> <ul style="list-style-type: none"> <li>• Tree planting throughout the plan including street trees.</li> <li>• Mulched shrub beds around all buildings.</li> <li>• A lawn in a central park/gathering/play space.</li> <li>• Standard parkway strips along the new 4<sup>th</sup> Street with turfgrass and street standard street trees.</li> <li>• Parking lot landscaping.</li> </ul>	<p>Complies with Modifications for Specific Street Tree and Tree Stocking Numbers</p>
<b>3.2.1(D) – Tree Planting Standards</b>	<p>These standards require establishment of 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. Trees may be combined or interspersed with other landscape areas in remaining portions of the development. This section sets minimum requirements for “full tree stocking” and tree spacing.</p> <ul style="list-style-type: none"> <li>• Modifications of standards are explained above in this report under Division 2.8.</li> </ul>	<p>Complies with Modifications for Specific Street Tree and Tree Stocking Numbers</p>
<b>3.2.1(E) – Landscape Standards</b>	<p>This Section sets standards for landscape plans for all development applications to prevent erosion and meet the functional and visual purposes such as defining spaces, accommodating, and directing circulation patterns, managing visibility, attracting attention to building entrances and other focal points, and visually integrating buildings with the landscape area and with each other.</p> <ul style="list-style-type: none"> <li>• The landscape plan demonstrates a complete design to address these purposes.</li> </ul>	<p>Complies</p>
<b>3.2.2 – Access, Circulation and Parking</b>	<p>This standard requires that development projects accommodate the movement of vehicles, bicycles, pedestrians, and transit throughout the project and to and from surrounding areas safely and conveniently and contribute to the attractiveness of the neighborhood.</p> <ul style="list-style-type: none"> <li>• In addition to sidewalks along all street frontages, the plan provides a direct internal walkway system that connects to the sidewalks.</li> <li>• Internal drives and parking lots provide standard access and parking.</li> </ul>	<p>Complies</p>
<b>3.2.2(C)(4) – Bicycle Facilities</b>	<p>Bicycle parking requirements for multifamily residential use are 1 space per bedroom, of which 60% must be enclosed. This would require 280 spaces with at least 168 enclosed.</p> <ul style="list-style-type: none"> <li>• The Site Plan includes 290 spaces with 239 enclosed in garages.</li> </ul>	<p>Complies</p>

<p><b>3.2.2(K)(1) – Residential Parking Requirements</b></p>	<p>This subsection sets vehicle parking requirements for multi-family residential development, with numbers for 1-, 2-, and 3- bedroom units.</p> <p>The total requirement under the code that was in effect at the time of submittal is 245 spaces. The plan includes 244 spaces and so the applicants wanted to include a modification request to thoroughly explain the parking provisions in the plan. The modification is explained under Division 2 above in this report.</p> <ul style="list-style-type: none"> <li>• The plan provides ample parking as explained in the modification request.</li> <li>• Required handicap parking is provided.</li> </ul>	<p>Complies with a Modification Request</p>
<p><b>3.2.4 – Site Lighting</b></p>	<p>This Section sets limits for exterior lighting using technical parameters. Limits include 1) photometric parameters for light on the ground measured in footcandles, within the site and off-site as spillover; 2) technical ratings for Backlight, Uplight and Glare (BUG); and 3) a total light budget for the site measured in lumens.</p> <ul style="list-style-type: none"> <li>• A thorough lighting plan provides architectural exterior lighting on the buildings, and a few pole-mounted area lights in internal parking lots, all consistent with the purposes of the standards and all within limits.</li> <li>• Three of the fixtures are residential fixtures that do not come with BUG ratings but they are dark sky compliant, fully shielded and down directional, with low wattages for low ambient lumen levels. Labeled WW2, is a lantern-type fixture for balconies, controlled by occupants. Its “shielding” is honey-colored glass. Staff has agreed with the lighting engineer that these fully meet the limitations of BUG ratings that come with more commercial-oriented fixtures.</li> </ul>	<p>Complies</p>
<p><b>3.2.5 – Trash and Recycling Enclosures</b></p>	<p>All residential structures using a common collection system must provide adequately sized, conveniently located, and easily accessible area for the waste disposal needs of the development.</p> <ul style="list-style-type: none"> <li>• 4 trash and recycling enclosures are placed internally throughout the plan with convenient access and design to relate to the architecture in the plan.</li> </ul>	<p>Complies</p>
<p><b>3.3.5 – Engineering Design Standards</b></p>	<p>This Section notes that a project must comply with all requirements for a whole list of services as certified by the appropriate agencies.</p> <ul style="list-style-type: none"> <li>• water supply</li> <li>• sanitary sewer</li> <li>• mass transit</li> <li>• fire protection</li> <li>• flood hazard areas</li> <li>• telephone</li> <li>• walks/bikeways</li> <li>• electricity</li> <li>• natural gas</li> <li>• storm drainage</li> <li>• cable television</li> </ul>	

<p>3.3.5 – Engineering Design Standards Cont'd.</p>	<ul style="list-style-type: none"> <li>• streets/pedestrians</li> <li>• broadband/fiber optic</li> <li>• All pertinent services are provided in the plan.</li> </ul>	
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**B. 3.4.7 HISTORIC AND CULTURAL RESOURCES**

The purpose of this Section is to ensure that development is compatible with historic resources.

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
<p><b>3.4.7 (E)(1)(b)– Design Compatibility</b></p>	<p>This subsection has standards for compatibility with historic resources adjacent to development. In this case, the project is across the street from the historic (eligible, not actually landmarked) Buckingham neighborhood. Staff identified two reference properties, 145 and 213 3<sup>rd</sup> Street for design compatibility.</p> <ul style="list-style-type: none"> <li>• The plan’s building design uses similar materials and colors, a similar window and door pattern, and massing articulation which meet the pertinent standards.</li> </ul>	<p>Complies</p>

**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.

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
<p><b>3.5.1(A) and (B) – Building Project and Compatibility, Purpose and General Standard</b></p>	<p>These Sections are intended to ensure compatibility of new buildings with the surrounding context. Absent any established character, they standard requires that new buildings set an enhanced standard of quality for future projects or redevelopment in the area.</p> <p>This Section has overlapping topics and findings with Section 3.4.7 above.</p> <p>There is no consistent established character as the context ranges from the Buckingham residential neighborhood facing across 3rd Street, to the rear of Odell Brewing on the south, to a metal recycling facility on the east. To the north across Buckingham Street, undeveloped rear portions of New Belgium Brewing property currently provide a landscape buffer.</p> <p>The Buckingham neighborhood was the only part of the context considered for compatibility in the design process. There are a variety of house ages and styles that have developed and redeveloped over from the early 20th century to this year.</p> <p>Zoning is an aspect of the context, with the Tapestry site zoned Industrial along with with the adjacent properties to the north, east and south.</p> <p>The main concern about compatibility came from residents in the neighborhood regarding the 20-plex 3-story buildings which are much larger than the houses in the neighborhood.</p>	<p>Complies</p>

In response, the plan was revised in an early iteration to have just one building facing 3rd Street.



*The 'Farmhouse' building design with this light color scheme is the only building facing the neighborhood*

- The building designs in the plan modulate the massing into proportions to aid a relationship to the scale of houses in the neighborhood. Some of the modulation emphasizes pedestrian scale at the ground level.
- Sloped roofs with eaves, gable ornamentation, window patterns and proportions, and street-facing doorways contribute to residential character and scale.
- Smaller 1- and 2- story modules at the ends of buildings add a stepped-down massing transition to relate to neighborhood scale.

**3.5.1 (C)–  
Building Size,  
Height, Bulk,  
Mass, Scale**

Buildings shall either be similar in size and height, or, if larger, be articulated and subdivided into massing that is proportional to the mass and scale of other structures, if any, on the same block face, abutting or adjacent to the subject property.

Complies

- The proposed buildings are articulated and modulated as noted above.

**3.5.1 (E) and  
(F) –  
Building  
Materials and  
Color**

These subsections mention similarity to materials and colors in the neighborhood context, or if dissimilar, then other characteristics such as scale and proportions, form, architectural detailing, color and texture, can be used to ensure compatibility.

Complies

- Materials are typical residential materials including siding, trim, and asphalt shingles similar to houses in the neighborhood.
- The Buckingham neighborhood has houses in a wide range of color from light and muted to more vibrant and contrasting.

<p><b>3.5.2(D) – Relationship of Dwellings to Streets and Parking</b></p>	<p>This section requires that every front facade with a primary entrance to a dwelling unit face a connecting walkway with no primary entrance more than two hundred (200) feet from a street sidewalk. A primary entrance may be up to three hundred fifty (350) feet from a street sidewalk if the primary entrance faces and opens directly onto a connecting walkway that qualifies as a major walkway spine.</p> <ul style="list-style-type: none"> <li>The street sidewalks and walkways in the plan enable simple and straightforward compliance with all buildings oriented to the sidewalks.</li> </ul>	<p>Complies</p>
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**D. 3.6 TRANSPORTATION AND CIRCULATION**

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
<p><b>3.6.2(B) – Streets, Streetscapes, Alleys and Easements</b></p>	<p>This subsection is a ‘General Standard’ requiring streets and drives in a development plan to contribute to the transportation network in a manner that protects the public health, safety and welfare. It requires street design to conform to the <i>Larimer County Urban Area Street Standards</i> adopted by the City, which include a provision for City Engineering staff to approve variances for customized design. Rights-of-way and easements must be provided as needed.</p> <ul style="list-style-type: none"> <li>The plan provides customized design on 3 of the 4 streets in the plan with approved variances resulting from thorough conversations about compromises on exact allocation of space.</li> </ul> <p>The street design incorporates all of the components in standard local and collector street design, but with adjustments in a few dimensions.</p> <p>The plan reconstructs 3rd Street and Buckingham Street streetscape frontages.</p> <p>The approved variances are attached.</p> <ul style="list-style-type: none"> <li>The plan provides all needed right-of-way and easements.</li> </ul>	<p>Complies, with variances</p>
<p><b>3.6.3(B) – Street Pattern and Connectivity Standards</b></p>	<p>This subsection overlaps with Section 3.6.2 above. This ‘General Standard’ requires the interconnected local street system to 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, pedestrians and emergency vehicles).</p> <p>It requires the local street system to provide multiple direct connections to and between local destinations, with both intra- and inter-neighborhood connections to knit developments together, rather than forming barriers between them.</p> <ul style="list-style-type: none"> <li>The plan provides complete interconnections with a new block that provides street frontage for all buildings and provides direct connects to adjacent streets and properties.</li> </ul>	<p>Complies</p>

<p><b>3.6.4 – Transportation Level of Service Requirements</b></p>	<p>This Section contains requirements for the transportation needs of proposed development to be safely accommodated by the existing transportation system, or for appropriate mitigation of impacts to be provided by the development to meet adopted Level of Service (LOS) standards for seconds of delay at intersections during a.m. and p.m. peak hours.</p> <ul style="list-style-type: none"> <li>• A Traffic Impact Study (TIS) was reviewed and accepted by staff in accordance with this Section, which refers to TIS guidelines in the <i>Larimer County Urban Area Street Standards</i>. The TIS is attached.</li> <li>• The key findings are that the study intersections will operate acceptably. The projected daily volumes will remain below typical thresholds.</li> <li>• Pedestrian levels of service standard are within the thresholds for many criteria. There are some areas near the project site where sidewalks do not exist and direct routes to destinations are not available due to developed land that provides no connection, natural features and natural areas, and undeveloped property. Bicycle level of service is E, which is below the desired level; but this is simply due to the condition that marked bicycle lanes are not present on 3rd or 4<sup>th</sup> Streets because City standards do not require bike lanes on local streets. The nearby Collector streets, Buckingham Street and Lincoln Avenue, do have bike lanes.</li> </ul>	<p>Complies</p>
<p><b>3.6.6 – Emergency Access</b></p>	<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>• The plan responds to detailed discussions among Poudre Fire Authority, engineering and planning staff to provide required access to all buildings. Aerial apparatus requirements for buildings over 30 feet tall have been met including customized design of the streetscapes to provide access from the streets per Fire Code.</li> <li>• The plan includes all appropriate on-site emergency access easements.</li> </ul>	<p>Complies</p>

**E. 3.8.30 MULTI-FAMILY DEVELOPMENT STANDARDS**

<p><b>Applicable Code Standard</b></p>	<p><b>Summary of Code Requirement and Analysis</b></p>	<p><b>Staff Findings</b></p>
<p><b>3.8.30(C) – Access to a Park, Central Feature or Gathering Place</b></p>	<p>This standard requires at least ninety (90) percent of the dwellings in a new development over 2 acres to be within ¼ mile of some kind of central park or gathering space of at least 5,000 square feet in this case.</p> <ul style="list-style-type: none"> <li>• The plan provides a central park and play space of more than 38,000 sq. ft.</li> </ul>	<p>Complies</p>

<p><b>3.8.30(D) – Blocks</b></p>	<p>This standard requires multi-family development to be arranged in a neighborhood pattern of streets and limited-size blocks (7 acres or smaller), with parking lots limited along the street frontages.</p> <ul style="list-style-type: none"> <li>The plan forms a 5.6-acre block with buildings and park space along its frontages.</li> </ul>	<p>Complies</p>
<p><b>3.8.30(F)(2)</b> <b>Building Design Variation Among Multi-Family Dwellings</b></p>	<p>This subsection requires a basic level of building variation, with at least 3 different building designs in this case. The standard requires different building footprint size and shape as part of the different designs; and then building designs must be further distinguished by unique architectural elevations and clear entrance features within a coordinated overall theme of roof forms, massing proportions, color and materials, and other characteristics for variety and individuality. No two buildings with the same design may be placed next to each other under the standard.</p> <ul style="list-style-type: none"> <li>The plan includes a request for a Modification of the Standard, attached, and explained under evaluation of Section 2.8.2 previously in this report.</li> </ul>	<p>Modification Requested</p>

## 6. Article 4 – Applicable Standards:

### A. DIVISION 4.28 – INDUSTRIAL DISTRICT (I)

There are no pertinent development standards in the I zone. The proposed residential use is not listed as a Permitted Use, but is enabled if the Addition of a Permitted Use is approved as part of the plan.

## 7. Findings of Fact/Conclusion

In evaluating the request for the Tapestry Project Development Plan #PDP240001, staff makes the following findings of fact:

1. The Project Development Plan complies with criteria for Addition of Permitted Uses in Article 1, Section 1.3.4, to enable approval of the multi-family residential use.
2. The four Modifications of Standards proposed with this PDP would all not be detrimental to the public good all meet criterion (2) of Section 2.8.2(H) as required for approval. Some of the modifications also meet various other criteria.
3. The Project Development Plan complies with the applicable procedural requirements of Article 2 of the Land Use Code.
4. The PDP complies with pertinent standards located in Article 3 – General Development Standards.
5. No development standards in Division 4.28, Industrial District in Article 4 – Districts, pertain to the plan.

## 8. Recommendation

Staff recommends that the Planning and Zoning Commission make motions to 1) approve the Addition of a Permitted Use for the multi-family residential use in the Tapestry Project Development Plan; and then 2) make a motion to approve the four Modifications of Standards requests which accompany the plan; and then 3) make a motion to approve the Tapestry Project Development Plan #240001.

## 9. Attachments

1. Applicant Narrative – APU and PDP
2. Site and Landscape Plan Set
3. Architecture
4. Utility Civil Plan Set
5. Lighting Plan
6. Modification Requests
7. Traffic Impact Study
8. Drainage Report
9. Plat
10. Neighborhood Meeting Notes
11. Off-Site Easement Letter of Intent
12. Off-Site Easement Letter of Intent
13. Variances for Street Design
14. Staff Presentation