

Development Review Staff Report

Director CDNS: January 8, 2025

Montava Phase D BDR240006

Summary of Request

This is a request for a Basic Development Review to develop the residential core section of Montava Phase D and the irrigation pond of the Montava Planned Unit Development (PUD) Master Plan. This request includes 329 alley-loaded single-unit attached and single-unit detached dwelling units, associated civic spaces, and infrastructure. No mixed-use or commercial uses are part of this phase. A tract will be designated for a future 150-210 multi-unit project. The request includes a non-potable irrigation pond that will serve a non-potable system designed as a part of Phase D – Core and Irrigation Pond. Future access will be taken from Giddings Road to the east. The pond is proposed to be located adjacent to the City of Fort Collins planned community park, future elementary school site and other planned Montava development areas.

In January 2020, City Council approved the PUD Master Plan, making the proposed uses subject to Basic Development Review.

Zoning Map

Site Location

Located northwest of the intersection of Giddings Road and Mountain Vista Drive., Parcels # 8833000002.

Zoning

Employment (E), and within the Montava Planned Unit Development (PUD), Phase D.

Property Owner

Anheuser-Busch Foundation
C/O Anheuser-Busch Companies
1 Busch Place
Saint Louis, MO 63118

Applicant/Representative

Forrest Hancock
Montava Development & Construction, LLC
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Staff

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Staff Recommendation

Approval of the BDR with conditions.

Next Steps

If approved, the applicant will be eligible to finalize engineering and other details and record all plan documents; the applicant could then apply for construction and building permits.

1. Project Introduction

A. PROJECT DESCRIPTION

This is a request for a Basic Development Review (BDR) to develop 329 single-unit attached and detached dwellings, civic spaces, irrigation pond and affiliated infrastructure improvements as part of Phase D of the Montava Planned Unit Development (PUD) (parcel # 8833000002).

The site is located directly west of Giddings Road, between Mountain Vista and Richards Lake Rd. Future access will be taken from Giddings Road. Phase D is located within Transects 4, 5 and 3.2 of the PUD Master Plan. The project is subject to a decision by the Director of Community Development and Neighborhood Services.

- The plan is diagonally south-east of the existing Maple Hill subdivision. It is east of the proposed future Poudre School District site, and the existing Storybrook subdivision to the west. The Number 8 Ditch runs near Phase D, to the west, but importantly, Phase D drains to the east, away from the ditch.
- The plan includes 197,400 square feet (4.5 acres) of civic space in the form of greenways, greens, pocket parks, commons, passages, and a square.
- Phase D proposes a series of public streets that will connect with future phases of the Montava development. The applicant proposes a roundabout to connect Phase D with Giddings Road. Staff are currently reviewing an infrastructure only BDR that must gain approval prior to construction of Phase D.

B. SITE CHARACTERISTICS

1. Development Status/Background

The subject property is currently farmed and is 289-acres in size. It will be platted as part of this BDR project. The property was annexed into the City of Fort Collins on May 8, 1984 as part of the Allen Lind and Moore Annexation. The project includes parts of two existing parcels (parcels # 8382000001, 8832000002).

2. Surrounding Zoning and Land Use

	North	South	East	West
Zoning	Montava PUD Transect Districts: Suburban Neighborhood (T3.2), General Urban Neighborhood (T4), Poudre School Special District (PSD)	Montava PUD Transect Districts: Urban Center/Mixed-Use (T5), General Urban Neighborhood (T4)	Montava PUD Transect District: General Urban Neighborhood (T4)	Montava PUD Transect Districts: General Urban Neighborhood (T4), Community Park Special District (P) Low Density-Mixed Use Neighborhood (LMN)
Land Use	Agriculture	Agriculture	Agriculture	Agriculture, Single- family Detached (Maple Hill neighborhood)

C. OVERVIEW OF MAIN CONSIDERATIONS IN STAFF’S REVIEW

The plans were developed, and issues clarified through four rounds of submittals with responses to comments and questions. The major considerations of staff’s review included:

- Stormwater conveyance in compliance with the requirements of the Larimer and Weld Irrigation Company. Montava and the Larimer and Weld Irrigation Company achieved alignment on a stormwater design through mediation though an agreement is not yet finalized. The proposed stormwater system reflects the expected outcomes of mediation.
- Montava requested a series of variances from the City’s road standards to develop the proposed street network. Variances include modifications to standard street cross sections, standard utility easements on non-arterials, centerline tangent length, and centerline radius. These variance requests required collaboration between the City and applicant to develop a street network fitting of Montava’s New Urbanist vision while meeting safety standards in the Larimer County Urban Area Street Standards (LCUASS).
- Transportation improvements include a roundabout on Giddings Road, a connected network of streets internal to Phase D, and adding curb, gutter, and sidewalk to Giddings Road along Phase D’s frontage.
- Environmental assessment of existing natural habitat and wetlands on and off-site, with appropriate mitigation provided on-site.
- Ensuring all civic spaces met the criteria of the Montava Uses, Densities, and Development Standards.

2. Comprehensive Plan

A. CITY PLAN (2019)

The City’s comprehensive plan (City Plan) was updated in 2019. City Plan is organized based on seven outcome areas that form the basis of the City’s Budgeting for Outcomes (BFO) process. Three core values guide the vision for City Plan: livability, community, and sustainability. Each outcome area has a series of statements indicating how the principles and policies of each outcome area align with the core values. Action plans accompany each outcome area to ensure implementation of City Plan. The Montava Phase D – Core and Irrigation Pond plan provides an opportunity to further implement the vision of City Plan representing new “greenfield development” to create a well-planned, mixed-use community from the ground up. Key policies in City Plan set the foundation for implementation and the PUD is consistent with this policy direction.

Relevant Policies:

Neighborhood Livability and Social Health

Principle LIV 1: Maintain a compact pattern of growth that is well served by public facilities and encourages the efficient use of land.

Principle LIV 3: Maintain and enhance our unique character and sense of place as the community grows.

Principle LIV 4: Enhance Neighborhood Livability

Policy LIV 4.1 - NEW NEIGHBORHOODS Encourage creativity in the design and construction of new neighborhoods that:

- *Provides a unifying and interconnected framework of streets, sidewalks, walkway spines and other public spaces.*

- Expands housing options, including higher density and mixed-use buildings.
- Offers opportunities to age in place.
- Improves access to services and amenities; and
- Incorporates unique site conditions.

Principle LIV 5: Create more opportunities for housing choices.

Policy LIV 5.1 - HOUSING OPTIONS To enhance community health and livability, encourage a variety of housing types and densities, including mixed-used developments that are well served by public transportation and close to employment centers, shopping, services and amenities.

Policy LIV 5.2 - SUPPLY OF ATTAINABLE HOUSING Encourage public and private sectors to maintain and develop a diverse range of housing options, including housing that is attainable (30% or less of monthly income) to residents earning the median income. Options could include ADUs, duplexes, townhomes, mobile homes, manufactured housing and other “missing middle” housing types.

Policy LIV 5.3 - LAND FOR RESIDENTIAL DEVELOPMENT Use density requirements to maximize the use of land for residential development to positively influence housing supply and expand housing choice.

Principle LIV 9: Encourage development that reduces impacts on natural ecosystems and promotes sustainability and resilience.

Policy LIV 9.1 – EFFICIENCY AND RESOURCE CONSERVATION Reduce net energy and water use of new and existing buildings through energy-efficiency programs, incentives, building and energy code regulations, and electrification and integration of renewable energy technologies.

Policy LIV 9.2 – OUTDOOR WATER USE Promote reductions in outdoor water use by selecting low-water-use plant materials, using efficient irrigation, improving the soil before planting and exploring opportunities to use non-potable water for irrigation.

Policy LIV 9.4 – SOLAR ORIENTATION Orient buildings, streets and public spaces to take advantage of active and passive solar energy. Consider factors such as landscaping, window placement, overhangs and building location to heat homes, reduce snow and ice buildup on neighborhood streets and to enhance the comfort of public spaces.

Culture and Recreation

Policy CR 2.1 - RECREATION OPPORTUNITIES Maintain and facilitate the development of a well balanced system of parks, trails, natural areas and recreation facilities that provide residents and visitors of all races/ethnicities, incomes, ages, abilities and backgrounds with a variety of recreational opportunities.

Policy CR 2.2 - INTERCONNECTED SYSTEM Support an interconnected regional and local system of parks, trails and open lands that balances recreation needs with the need to protect wildlife habitat and other environmentally sensitive areas.

Policy CR 3.2 – MULTIPURPOSE LANDS Maintain and develop partnerships among City departments and other organizations to provide multipurpose parks and natural areas to maximize and leverage available resources.

Environmental Health

Principle ENV 1: Conserve, create and enhance ecosystems and natural spaces within Fort Collins, the GMA and the region.

Policy ENV 1.3 - NATURE IN THE CITY Conserve, protect and enhance natural resources and high-value biological resources throughout the GMA by:

...supporting the use of a broad range of native landscaping that enhances plant and animal diversity.

Principle ENV 3: Transition from fossil to renewable-energy systems.

Policy ENV 3.2. – EFFICIENT BUILDINGS Support continuous improvements in efficiency for existing and new buildings through incentives, reporting requirements and energy codes.

Policy ENV 3.3 - ELECTRIFICATION Support a systems approach to transition from the use of natural gas to renewable electricity in buildings and for transportation.

Policy ENV 4.6 – VEHICLES AND NON-ROAD ENGINES Promote efforts to reduce fuel consumption and associated pollutant emissions from vehicles and non-road engine sources, such as lawn and garden equipment.

Principle ENV 6: Manage water resources in a manner that enhances and protects water quality, supply and reliability.

Policy ENV 8.1 – HEALTH OF THE URBAN FOREST Practice sound arboriculture practices, including diversification of species; monitoring and managing insect and disease impacts, and preparing for unanticipated events such as drought, extreme weather and the long-term effects of climate change.

Policy ENV 9.3 – OUTDOOR LIGHTING – Use development regulations to promote best practices; lighting only where needed, lighting only when needed, shielding lights and directing them downward, minimizing glare and light trespass, selecting lamps with warmer color temperatures, and selecting the most efficient lighting methods for both energy and lighting purposes.

Safe Community

Principle SC1: Create public spaces and rights-of-way that are safe and welcoming to all users.

Policy SC 1.1- NEIGHBORHOOD RELATIONS Provide and expand opportunities for neighborhood safety and involvement by fostering good neighborhood relations, building a sense of community pride and involvement, promoting safe and attractive neighborhoods, and encouraging compliance with City codes and regulations.

Policy SC 1.2 – PUBLIC SAFETY THROUGH DESIGN Provide a sense of security and safety within buildings, parking areas, walkways, alleys, bike lanes, public spaces and streets through creative placemaking and environmental design considerations, such as appropriate lighting, public art, visibility, maintained landscaping and location of facilities.

Principle SC 4: Provide opportunities for residents to lead healthy and active lifestyles and improve access to local food.

Transportation

Principle T 1: Coordinate transportation plans, management, and investments with land use plans and decisions.

Policy T 1.2 - LAND USE CONTEXT Consider the land use context for transportation projects by incorporating design that is sensitive to existing and future land uses; considering environmental, scenic, aesthetic and historic values; and evaluating the potential equity impacts of projects.

Policy T 1.5 - DISTRICTS AND ACTIVITY CENTERS Provide a wide array of transportation facilities and services to support development and functioning of activity centers and districts.

Principle T 2: Build and maintain high-quality infrastructure that supports all modes of travel.

The City Structure Plan map includes the following land use designations for Phase D of the Montava PUD: Mixed Neighborhood.

Mixed-Use Neighborhoods District

Key Characteristics: Provide opportunities for a variety of attached and detached housing options and amenities in a compact neighborhood setting; some neighborhoods also include (or have direct access to) small-scale retail and other supporting services; Neighborhood Centers should serve as focal points within Mixed-Neighborhoods (see Neighborhood Mixed-Use District); Typically located within walking/biking distance of services and amenities, as well as high-frequency transit; and Mixed-Neighborhoods built in a greenfield context should include a mix of housing options (lot size, type, price range, etc.).

Montava Phase D, which includes Montava PUD Transect Districts, Urban Center/ Mixed-Use (T5), General Urban Neighborhood (T4), and Sub-urban Neighborhood (T3.2), permits and encourages a wide variety of residential types and densities. The project proposes a gradation of densities from north to south. At the north end, the lower density T3.2 district borders the proposed elementary school site (not included in this phase). Moving south towards the Montava town center (not included in this phase), housing density increases. Phase D sets aside two future sites for multi-unit housing development, which will further contribute to the mix of housing and gradation of densities. The street network provides connectivity for pedestrians and cyclists in alignment with the vision for Mixed-Use Neighborhood Districts.

B. MOUNTAIN VISTA SUBAREA PLAN (2009)

In 2009, City Council adopted the Mountain Vista Subarea Plan. The Plan Framework map included seven future land use designations: Low Density Mixed-Use Neighborhoods (LMN), Medium Density Mixed-Use Neighborhoods (MMN), Community Commercial (CC), Employment (E), Industrial (I), School (PSD), and Community Park (POL).

The Plan offers the following relevant goals or policy guidance:

Policy MV-LU-1.4 The Community Commercial District's (CCD) "main street" will be aligned towards the mountain view of Longs Peak, parallel to the 4-lane arterial street (approximate angle 38 degrees). This main street orientation will provide a site line looking southwest towards the mountains.

Policy MV-LU-1.6 Higher density mixed-use neighborhoods should be concentrated adjacent to the Community Commercial District and along the Enhanced Travel Corridors, including the extension of realigned Vine Drive and Timberline Road corridors.

Policy MV-T-1.4 Bicycle and pedestrian facilities, both on- and off-street, will be developed to link this subarea to downtown Fort Collins and the Poudre River Trail. These connections will link the comprehensive city- and region-wide bicycle, pedestrian, and transit systems.

Policy MV-T-3.1 The CCD's local street network will be designed to maximize a town-like pattern of blocks, building frontage, and on-street parking. For these streets, standards will emphasize the urban form and the pedestrian environment. Vehicle access and flow will be accommodated, but will not override the design of the pedestrian street fronts. Possible elements of the design may include slow speed limits, angled on-street parking, wider lanes (with maneuvering room for bicycles), medians with pedestrian refuges, and curb extensions at corners.

Policy MV-CAD-1.1 Key subarea streets, where appropriate, should be oriented southwest to allow development to provide mountain views.

Policy MV-CAD-1.2 Developers and architects will be encouraged to arrange buildings, outdoor spaces, and parking lots to protect important view corridors, including limiting building heights, where such arrangements are effective in emphasizing vistas of the mountains.

Policy MV-NOL-1.2 An off-street multi-use trail network will be located within this subarea that establishes an important connection between neighborhoods, School, Community Park, Community Commercial District, and employment areas, and destinations outside of the subarea. This trail network will be designed and located in accordance with the City's Parks & Recreation Policy Plan and the Natural Areas Policy Plan.

Policy MV-NOL-1.3 A network of open lands including parks, trails and natural areas will be connected by existing ditch and canal facilities, and other existing and proposed rights-of-way. Buffer setbacks will be

created for new development in accordance with existing City’s Natural Areas Program Standards & Guidelines.

The Montava PUD implemented relevant policies from the Mountain Vista Subarea Plan that permits varying types and amounts of housing density, as well as an emphasis on pedestrian and bicycle access throughout the development and outside of it, and on a street framework designed to emphasize mountain views.

C. HOUSING STRATEGIC PLAN (2021)

As a city policy document, the Housing Strategic Plan is primarily focused on actions that can be taken by the City. However, in one way or another, the BDR directly addresses at least 2 of the 26 prioritized strategies in the Housing Strategic Plan, as noted below:

- *2. Promote inclusivity, housing diversity, and affordability as community values.* – The Phase D proposal includes a variety of housing options which will benefit residents of a variety of needs and backgrounds.
- *15. Explore/address financing and other barriers to missing middle and innovative housing development* – Any code-related barriers to missing middle and innovative housing developments will have been addressed with the Montava PUD creating the Montava Urban Densities and Development Standards. The Montava Metro District allows for an expanded set of financing options to allow the developer to create missing middle and innovative housing options.

D. TRANSPORTATION MASTER PLAN

The Transportation Master Plan establishes a vision and suite of policies to achieve build out of the Master Street Plan. City Plan contains the Transportation Master Plan within the body of the document rather than it being a separate document. Pages 158-217 of City Plan discusses the Transportation Master Plan. In addition to the referenced transportation policies above, this BDR proposal is consistent with the Master Street Plan with no proposed amendments to the primary street network.

E. PARKS AND RECREATION POLICY PLAN

The Park Planning & Development Department uses the Parks and Recreation Policy Plan as their guiding document for the buildout of the Fort Collins parks and recreation system. The purpose of the adopted Parks and Recreation Policy Plan is to assess the park and recreation needs of the Fort Collins community, evaluate the City’s current services, and provide clear and implementable recommendations to deliver the level of service needed to meet the community’s changing needs. The vision of this plan states:

Fort Collins’ parks, trails, and recreation facilities give quality of life and beauty to our city. These essential assets connect people to place, self, and others. Fort Collins’ residents’ treasure and care for this legacy and will build on the past to provide for future generations.

The BDR proposal is consistent with the Plan with the integration of Civic Spaces and recreation facilities to serve the neighborhoods, a segment of the future regional trail and connecting paths throughout the development. A future public neighborhood park is planned adjacent to the Phase D irrigation pond, to the west.

F. NATURE IN THE CITY

The Nature in the City Strategic Plan was adopted unanimously by City Council in March 2015. The plan provides the vision, goals and policies ensuring that access to nature remains a defining community attribute as infill and redevelopment continues to urbanize Fort Collins. The plan vision is "a connected open space network accessible to the entire community that provides a variety of experiences and functional habitat for people, plants and wildlife." The three plan goals are:

- 1) Easy Access to Nature: Ensure every resident is within a 10-minute walk to nature from their home or workplace.
- 2) High Quality Natural Spaces: Conserve, create and enhance natural spaces to provide diverse social and ecological opportunities.
- 3) Land Stewardship: Shift the landscape aesthetic to more diverse forms that support healthy environments for people and wildlife.

The proposed project directly supports the following plan policies:

- Increase connectivity for plant and wildlife species (C1).
- Increase connectivity for residents (C2).
- Prioritize transportation infrastructure to increase access to nature (C3).
- Create design guidelines to guide development, redevelopment and site restoration (LU3).
- Develop training resources for the installation and ongoing maintenance of diverse landscapes (LU4).
- Coordinate and incentivize natural space improvements at the neighborhood scale (LU5).
- Align City mowing and weed control policies to support local species while balancing public safety and aesthetics (CP1).
- Pollinator and bird-friendly habitat in City Streetscapes (CP4).
- Provide quiet spaces in the city to escape from the urban environment (CP5).
- Coordinate with all applicable City planning processes over time to ensure opportunities to implement Nature in the City efforts and initiatives are included (CP8).

The BDR proposes master planning and site design elements that further Nature in the City goals and policies by incorporating pollinator master planning, providing bird and butterfly gardens, and nature play areas. In addition, the dedicated off-street pedestrian network moves through and to civic spaces planted with native plants. The irrigation pond is proposed to be planted with native grasses and will be surrounded by a pedestrian pathway. As a whole, these features help to ensure the residents of the proposed project would have nature within a 10-minute walk from their home.

3. Public Outreach

A. NEIGHBORHOOD MEETINGS

A neighborhood meeting was not required for this Basic Development Review proposal.

B. PUBLIC COMMENTS:

City staff has received comments on the project from five community members. Comments received after the hearing notice will be forwarded to the CDNS Director.

4. Article 2 – Applicable Standards

A. PROJECT DEVELOPMENT PLAN PROCEDURAL OVERVIEW

1. Conceptual Review – CDR240017

A conceptual review meeting was held on March 21, 2024.

2. Neighborhood Meeting

A neighborhood meeting was not required for this Basic Development Review proposal.

3. First Submittal – BDR240006

The first submittal of this project was completed on May 1, 2024.

4. Notice (Posted, Written and Published)

Posted Notice: May 24, 2024, Sign # 768

Written Public Notice: October 11, 2024, 484 addresses mailed.

Written Decision Notice: Scheduled for January 10, 2025, to 484 addresses.

Published Hearing Notice: Scheduled for January 10, 2025.

5. Land Use Code Article 1

A. PURPOSE (SECTION 1.2.2)

Land Use Code Section 1.2.2 lists a wide range of over-arching, high-level objectives (e.g., “reducing energy consumption and demand”) that are further developed and implemented in other Articles of the Land Use Code to ensure that proposed development meets the overall purpose to “improve and protect the public health, safety, and welfare” of the community.

As they may apply to the subject property and proposed project, the following sections of this report describe design elements of the proposed development plan that provide evidence of and the degree to which compliance would be achieved relative to the pertinent specific standards within the Land Use Code.

The requirements and standards and contained in Articles 1 through 4 of the Land Use Code have been crafted to fulfill and implement the stated purpose of this Code in § 1.2.2. By satisfying the purpose statements, and meeting the applicable specific requirements, standards, and definitions set forth in Articles 1 through 5, this project demonstrates consistency with Land Use Code § 1.2.2 (B) through (O) to the extent (B) through (O) are applicable to this project.

6. Land Use Code Article 3

A. DIVISION 3.2 - SITE PLANNING AND DESIGN STANDARDS

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
3.2.1 – Landscaping and Tree Protection	<p>The standards in this Section require a development plan to demonstrate a whole approach to landscaping that enhances the appearance and function of the neighborhood, streetscapes, walkways, other outdoor spaces, and buildings.</p> <p>The main plan components are:</p> <ul style="list-style-type: none"> Full tree stocking of site (581 trees). Landscaped parkway strips. Pollinator gardens consistent with the requirements of the Montava Public Benefits Agreement. Seed mixes for rain gardens, wetland/riparian areas, and pollinator gardens. 	Complies

	<ul style="list-style-type: none"> Ground plane landscape area plantings of ornamental trees and shrubs in mulch beds, including perennials and grasses. <p>Irrigation plans for all landscaping will be included at Building Permit.</p>	
3.2.1 (D) (2) – Street Trees	<p>Wherever the sidewalk is separated from the street by a parkway, canopy shade trees must 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> <p>The plan provides parkway trees in compliance with the standard.</p>	Complies
3.2.1(D)(3) Minimum Species Diversity	<p>The intent of this standard is to avoid extensive monocultures and prevent uniform insect and disease susceptibility on a development site, based on the number of trees on the site.</p> <p>The plan provides 27 tree species, and none exceed the required 15%.</p>	Complies
3.2.2 (A)(B)(C) – Access, Circulation and Parking	<p><i>This Section requires that development projects accommodate the movement of vehicles, bicycles, and pedestrians safely and conveniently, both within the development and to and from surrounding areas, safely and conveniently and contribute to the attractiveness of the neighborhood. Sidewalk or bikeway extensions off-site may be required based on needs created by the proposed development.</i></p> <ul style="list-style-type: none"> The proposed street network accommodates the movement of vehicles, bicycles, and pedestrians safely and conveniently. Phase D proposes street connections with Giddings Road, providing access to rest of Fort Collins. 	Complies

B. DIVISION 3.3 – ENGINEERING STANDARDS

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
3.3.1(C) – Public Sites, Reservations and Dedications	<p>This standard requires the applicant dedicate rights-of-way for public streets, drainage easements and utility easements as needed to serve the area being developed. In cases where any part of an existing street is abutting or within the property being developed, the applicant must dedicate such additional rights-of-way as may be necessary to increase such rights-of-way 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"> Phase D creates a network of streets required to serve the property. The City Engineer approved a variance for utility easements on non-arterial roads in compliance with this standard. The applicant will dedicate right-of-way for Giddings Road as part of the Phase D Infrastructure BDR. The Infrastructure BDR must gain approval prior to the issuance of any Building Permits for Phase D. 	Complies

C. DIVISION 3.4 – NATURAL RESOURCES STANDARDS

The purpose of this Section is to ensure that when property is developed consistent with its zoning designation, the way in which the proposed physical elements of the development plan are designed and

arranged on the site will protect any natural habitats and features both on the site and in the vicinity of the site.

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
<p>3.4.1 (C), (D), and (E) – Natural Habitats</p>	<p><i>The General Standard requires, to the maximum extent feasible, the development plan be designed and arranged to be compatible with and to protect natural habitats and features and the plants and animals that inhabit them and integrate them within the developed landscape of the community by: (1) directing development away from sensitive resources; (2) minimizing impacts and disturbance through the use of buffer zones; (3) enhancing existing conditions; or (4) restoring or replacing the resource value lost to the community when a development will result in the disturbance of natural habitats or features.</i></p> <p><i>b. Section 3.4.1(E)(1)(a-i) Buffer Zone Performance Standards allow the decision maker [Planning and Zoning Commission] to determine buffer zones that may be multiple and noncontiguous. The general buffer zone distance for each natural habitat or feature is established in the quantitative buffer zone table, but the Planning and Zoning Commission may reduce or enlarge any portion of the general buffer zone distance to ensure qualitative performance standards are achieved.</i></p> <p>The Ecological Characterization Study (ECS) and a separate wetland delineation report was completed in accordance with this standard.</p>	<p>Complies</p>
<p>3.4.3 – Water Quality</p>	<p><i>This standard requires that project be designed so that precipitation runoff flowing from the site is treated in accordance with the criteria set forth in the Stormwater Criteria Manual.</i></p> <p>Montava Phase D has been the topic of negotiation with the Larimer Weld Irrigation Company. At the moment, there is not a finalized agreement to convey stormwater through the #8 ditch. Both Montava and the Larimer Weld Irrigation Company have agreed in principal on an agreement for stormwater conveyance. As such, for the City to provide the Developer with approval of this BDR, Development Agreement, and release the Development Construction Permit, the Developer must meet the following conditions:</p> <ol style="list-style-type: none"> 1. Developer agrees to permit and construct necessary stormwater infrastructure to provide an adequate stormwater outfall in accordance with the Fort Collins City Code and Stormwater Criteria Manual, an agreement with the Larimer and Weld Irrigation Company (LWIC), and City of Fort Collins revised Cooper Slough Stormwater Master Plan per the timeline outlined in these conditions. 2. Montava Development leadership and engineering staff will attend design charette and monthly recurring coordination meetings with City Stormwater Master Planning and Water Utilities Development Review to keep plans and construction on track. 3. The Developer must have received all necessary variances from the City, as determined by the City, that are applicable to the necessary stormwater infrastructure and related plans including, but not limited to: <ol style="list-style-type: none"> a. Any necessary variances pursuant to the Fort Collins City Code and Stormwater Criteria Manual; and b. Any necessary variances from other City of Fort Collins departments. 	<p>Complies</p>

4. All plans, supporting reports, and modeling, must be at 100% design detail and meet all City criteria and standards, including, but not limited to, all criteria and standards set forth in the Fort Collins Stormwater Criteria Manual (except to the extent the Developer has acquired variances for the same).
5. The Developer has acquired all necessary permits, property rights, and other approvals for the planned stormwater infrastructure described in the Final Development Plan, including, but not limited to, the following:
 - a. Executed "Settlement Agreement Regarding Ditch Crossings, Ditch Modifications, and Stormwater." between the Windsor Reservoir and Canal Company (WRCC), the Larimer and Weld Irrigation Company (LWIC), Montava Development & Construction LLC, Montava Partners LLC, and Montava Metropolitan District No. 1 detailing the requirements and timelines for permitting and constructing culvert/pipe and related infrastructure that will carry drainage flows from Phase D of the Montava Development under/through/past LWIC's Larimer and Weld Canal and associated easement. If settlement agreement is not finalized by all parties, the Developer will follow the standard City process timelines and requirements for permitting and constructing the stormwater outfall. As the City is not a party to the settlement agreement, the City is not in any way required or responsible for taking any actions, including construction and planning actions, or meeting any timelines, whether express or implied, that are included in the settlement agreement, except to the extent that the City is separately required or responsible for such actions and timelines.
 - b. Fee ownership, an adequate easement (as determined by the City), or irrevocable license from any property owner(s) located downstream of the Larimer and Weld Canal for any work that will not be in an existing drainage easement authorizing such work. Note that such property owners may include, but may be limited to: the LWIC, the Trail Head Community Association, Waterglen Owners Association, and Front Range Water, LLC.
 - c. Any other necessary permits, property rights, and other approvals for the planned drainage infrastructure described in the Final Development Plan, as determined by the City.
6. The Developer must place the following note on the Final Plans concerning permitting with the Burlington Northern Santa Fe Railroad (BNSF) for a culvert/pipe and related infrastructure that will carry drainage flows from Phase D of the Montava Development under/through/past the BNSF right-of-way.
 - a. Developer is proceeding at their own risk. Burlington Northern Santa Fe Railroad (BNSF) permits are required for the Montava Phase D stormwater outfall. The design for the stormwater outfall will be reviewed by the City under a separate utility plan set. BNSF review and permitting will coincide with the following City process milestones:
 - i. The Developer will obtain BNSF Engineering Review Approval for the stormwater outfall prior to the City releasing any building permits for Montava Phase D.

	<ul style="list-style-type: none">ii. The Developer will obtain a BNSF permit for construction of the stormwater outfall prior to the City releasing more than 25% of Montava Phase D building permits.iii. The Developer will construct and certify the stormwater outfall prior to the City releasing more than 35% of the total building permits for Phase D of the Montava Development (the sum of the 25% previously-released building permits and an additional 10% of building permits). <p>b. Developer acknowledges the design for the stormwater outfall infrastructure may need to change based on future revisions to the Cooper Slough Stormwater Master Plan resulting from any agreement the Developer may enter into with local ditch companies. The City will not pay or reimburse the Developer if designed and/or constructed drainage infrastructure does not meet the revised Cooper Slough Stormwater Master Plan.</p> <p>7. Prior to construction within the regulatory FEMA floodplain, the Developer has acquired from the City, pursuant to the Fort Collins Municipal Code, a floodplain use permit with no-rise or CLOMR for any work within a FEMA regulated floodplain, as such terms are defined in Chapter 10 of the Fort Collins Municipal Code.</p> <p>For the City to release any building permits up to 25% of the total building permits for Phase D of the Montava Development, the Developer must meet the following conditions:</p> <ul style="list-style-type: none">1. The Developer must have obtained BNSF Engineering Review Approval for a culvert/pipe and related infrastructure that will carry drainage flows from Phase D of the Montava Development under/through/past the BNSF right-of-way. <p>For the City to release up to 35% of the total building permits for Phase D of the Montava Development (the sum of the 25% previously-released building permits and an additional 10% of building permits), the Developer must meet the following conditions:</p> <ul style="list-style-type: none">1. The Developer must have met all conditions listed in the previous section regarding building permits up to 25% of the total building permits for Phase D.2. The Developer must have acquired BNSF permits for the Stormwater outfall. <p>For the City to release the remaining building permits for Phase D of the Montava Development (anything above the previously-released 35% of building permits), the Developer must meet the following conditions:</p> <ul style="list-style-type: none">1. All offsite drainage infrastructure must be installed pursuant to the Final Development Plan approved by the City.2. All offsite drainage infrastructure must be certified by the developer's engineer and accepted by the City.	
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D. DIVISION 3.6 - TRANSPORTATION AND CIRCULATION

This Section is intended to ensure that the transportation system is in conformance with adopted transportation plans and policies established by the City.

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
3.6.1 – Master Street Plan	<p>This criterion requires the BDR to conform to the Master Street Plan. The Master Street Plan does not address streets below the collector classification.</p> <p>The following streets are included on the Master Street Plan:</p> <ul style="list-style-type: none"> Giddings Road - this street located at the edge of Phase D is a two-lane arterial. The Infrastructure BDR proposes improvements to Giddings Road to build this road to the two-lane arterial standard. Timberline Road – the Master Street Plan shows Timberline as a two-lane collector. The City Engineer granted a variance to Montava to build Timberline Road to a custom street cross section consistent with the vision for Montava. 	Complies
3.6.2 – Streets, Streetscapes, Alleys and Easements	<p>This Section requires transportation network improvements for public health, safety and welfare, with requirements in accordance with the <i>Larimer County Urban Area Street Standards</i> and requires necessary easements for utilities and access.</p> <p>It specifically requires plans to clearly identify construction and maintenance responsibilities for the proposed infrastructure. All responsibilities and costs for the operation, maintenance and reconstruction of private streets, and private drives shall be borne by the property owners. The City shall have no obligation to operate, maintain or reconstruct such private streets, street-like private drives and private drives nor shall the City have any obligation to accept such private streets, street-like private drives and private drives.</p> <p>This BDR is accompanied by a Development Agreement that defines all responsibilities for the street network including owner responsibilities for the private street network in perpetuity.</p> <p>The plan includes a plat providing needed right-of-way dedications and easements.</p>	Complies
3.6.3(F) – Street Pattern and Connectivity	<p><i>This Section requires design of the local street system in development plans 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). The local street system must provide multiple direct connections to and between local destinations. Local streets must provide for both intra- and inter-neighborhood connections to knit developments together, rather than forming barriers between them. The street configuration within each parcel must contribute to the street system of the larger neighborhood.</i></p> <ul style="list-style-type: none"> The plan provides an internal street and block network to comply with this general standard as well as related standards pertaining to streets and blocks in other code sections. 	Complies

	<p><i>Subsection 3.6.3(F) requires development plans to connect and extend streets that are stubbed to the boundary of the plan by previous development, spaced at intervals not to exceed six hundred sixty (660) feet along each development plan boundary that abuts potentially developable or re-developable land.</i></p> <ul style="list-style-type: none"> All street connections proposed in Phase D meets the spacing requirements. 	
<p>3.6.4 – Transportation Level of Service Requirements</p>	<p>This standard requires that the transportation needs of a proposed development can be safely accommodated by the existing transportation system, or includes appropriate mitigation of impacts, for all travel modes.</p> <p>A Transportation Impact Study (TIS) dated September 2024 provides a detailed analysis of the traffic impacts from Phase D on 14 key intersections near the proposed development. The proposed development meets the Level of Service requirements in this Code section.</p> <p>The TIS acknowledges the development's impact on the intersections of Country Club Road and Lemay Avenue as well as Vine Drive and Timberline Road. Country Club and Lemay does not operate at appropriate Levels of Service currently. The TIS assigns 32 trips to this intersection, or 2.2% of the current volume of traffic at this intersection. The Developer will pay for their proportional impact on this intersection.</p> <p>Timberline and Vine warrants left turn lanes on all approaches with current traffic volumes. The City is currently signaling this intersection with an expected completion in December 2024.</p>	<p>Complies</p>
<p>3.6.6 – Emergency Access</p>	<p>This Section requires adequate access for emergency vehicles and persons rendering fire protection and emergency services.</p> <p>Poudre Fire Authority staff participated in plan review and finds that the proposed plan meets their requirements.</p>	<p>Complies</p>

E. DIVISION 3.7 - COMPACT URBAN GROWTH

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
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3.7.3 – Adequate Public Facilities	<p>The purpose of the adequate public facilities (APF) management system is to establish an ongoing mechanism that ensures that public facilities and services needed to support development are available concurrently with the impacts of such development.</p> <p>This section requires that any approval of a development be 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> <p>City staff have reviewed the project and finds that Phase D will provide all required utility infrastructure to serve the development.</p>	Complies
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7. Montava PUD Master Plan Overlay

A. MONTAVA USES, DENSITIES, AND DEVELOPMENT STANDARDS

On February 18, 2020 City Council adopted the Montava Planned Unit Development (PUD) Master Plan. The PUD Master Plan contains the Montava Uses, Densities, and Development Standards, which contains a set of design guidelines that replaces many sections of the Land Use Code. What follows is a summary of staff’s findings regarding Phase D’s compliance with all relevant sections of the Montava Uses, Densities, and Development Standards.

Applicable PUD Standard	Summary of PUD Requirement and Analysis	Staff Findings
Chapter 2 - Use	<p>This chapter creates Transect Zones that apply to Montava. A Transect Zone is similar to a zone district. This chapter also states what land uses are permitted in each Transect and the level of review for each use within each Transect.</p> <ul style="list-style-type: none"> • Table 2.2-1 indicates that single-family detached and single-family attached are permitted uses in Transects 3.2, 4, and 5. • Sections 2.4.3, 2.4.4, and 2.4.5 indicate that single-family detached and single-family detached units are subject to Basic Development Review in Transect 3.2, 4, and 5, respectively. 	Complies
Chapter 3 – Density	<p>Chapter 3 establishes the residential densities permitted in each phase of Montava. Table 3-1.1 indicates the minimum residential density of Phase D is 10 dwelling units per acre. The site plan indicates that the proposed density of Phase D is 12.75 dwelling units per acre.</p>	Complies

Applicable PUD Standard	Summary of PUD Requirement and Analysis	Staff Findings
Chapter 5 – Lots and Buildings	<p>Section 5 provides standards for lots, setbacks, frontages, building height, and story heights for each Transect. All of the proposed lots in Phase D meet the lot size requirements for each Transect as outlined in Section 5.2.</p> <p>Phase D does not contain building envelopes or architectural elevations for any of the proposed buildings. Staff will evaluate compliance with setbacks, frontages, building height, and story height with a subsequent Minor Amendment application. A note on the Site Plan indicates that the City will not issue any Building Permits for Phase D until the City approves the Minor Amendment.</p>	Complies with Conditions
Chapter 6 - Parking	<p>This chapter indicates where vehicular parking may be located on a site, the amount of parking required by use, and vehicular parking lot design requirements.</p> <ul style="list-style-type: none"> • Section 6.3 provides standards for the location and access of parking in Transects 3.2 and 4. Phase D proposes parking in the rear of units, clustered in parking lots served by alleys, and on-street in accordance with this standard. • Section 6.4 provides standards for the location and access of parking in Transect 5. Phase D proposes parking off-street behind buildings and on-street in accordance with this section. • Table 6.5-1 establishes the parking requirements for residential uses. Sheet S5 of the Site Plan shows the location and count of on-street parking compliance along with the required parking by use. Based on the number and type of units, Phase D must provide 497 parking spaces. Phase D proposes 1,179 parking spaces, in compliance with this standard. <p>Since Phase D does not contain architectural elevations or building envelopes, it is unclear where parking will be located on private lots. Staff will evaluate the location of off-street parking spaces with the required Minor Amendment to evaluate Phase D for compliance with the standards in Chapter 5. Staff will not issue any building permits until approval of the Minor Amendment.</p>	Complies with Conditions
Chapter 7 – Private Lot Landscaping	Private lot landscaping is dictated by the building frontage types found in Chapter 5.8. Staff will evaluate for compliance with Chapter 7 with the aforementioned Minor Amendment. The City will not issue any building permits until the approval of the Minor Amendment.	Complies with Conditions
Chapter 9 – Architectural Character	Chapter 9 provides standards related to building materials, openings, foundations, solar orientation, mechanical equipment and refuse storage, and outbuildings. Phase D does not contain any architectural elevations. Staff will review a Minor Amendment containing architectural elevations for all single-family attached units. The City will not issue any building permits for Phase D until staff approves the Minor Amendment.	Complies with Conditions

Applicable PUD Standard	Summary of PUD Requirement and Analysis	Staff Findings
<p>Chapter 10 – Civic Space</p>	<p>This chapter establishes requirements for the public space included in each phase of Montava. Public spaces must meet the requirements of the relevant civic space requirements established in this chapter. Phase D proposes the following types of civic spaces:</p> <ul style="list-style-type: none"> • Pocket park • Green • Compact Green • Square • Greenway <p>Sheet S6 of the Site Plan shows the locations of each proposed civic space within Phase D. Sheet S6 also provides tables highlighting the requirements of Chapter 10 and how each civic space meets these criteria. Each of the proposed civic spaces meet the requirements of Chapter 10.</p>	<p>Complies</p>

8. Findings of Fact/Conclusion

In evaluating the request for the Montava Phase D – Core and Irrigation Pond Basic Development Review BDR240006, staff makes the following findings of fact:

- By demonstrating compliance with the specific standards, requirements, and definitions of Articles 1 through 5 of the Land Use Code through the submittal materials for the Basic Development Review, this project satisfies and aligns with the purpose of the Land Use Code stated in Section 1.2.2(A) through (O). Specifically, the project satisfies Section 1.2.2(A) because it is consistent with City Plan and the Mountain Vista Subarea Plan.
- The Basic Development Review complies with the applicable procedural and administrative requirements of Article 2 of the Land Use Code.
- The Basic Development Review complies with pertinent standards located in Article 3 – General Development Standards with the following conditions of approval:
 1. Developer agrees to permit and construct necessary stormwater infrastructure to provide an adequate stormwater outfall in accordance with the Fort Collins City Code and Stormwater Criteria Manual, an agreement with the Larimer and Weld Irrigation Company (LWIC), and City of Fort Collins revised Cooper Slough Stormwater Master Plan per the timeline outlined in these conditions.
 2. Montava Development leadership and engineering staff will attend design charette and monthly recurring coordination meetings with City Stormwater Master Planning and Water Utilities Development Review to keep plans and construction on track.
 3. The Developer must have received all necessary variances from the City, as determined by the City, that are applicable to the necessary stormwater infrastructure and related plans including, but not limited to:
 - a. Any necessary variances pursuant to the Fort Collins City Code and Stormwater Criteria Manual; and
 - b. Any necessary variances from other City of Fort Collins departments.
 4. All plans, supporting reports, and modeling, must be at 100% design detail and meet all City criteria and standards, including, but not limited to, all criteria and standards set forth in the Fort Collins Stormwater Criteria Manual (except to the extent the Developer has acquired variances for the same).
 5. The Developer has acquired all necessary permits, property rights, and other approvals for the planned stormwater infrastructure described in the Final Development Plan, including, but not limited to, the following:
 - a. Executed "Settlement Agreement Regarding Ditch Crossings, Ditch Modifications, and Stormwater." between the Windsor Reservoir and Canal Company (WRCC), the Larimer and Weld Irrigation Company (LWIC), Montava Development & Construction LLC, Montava Partners LLC, and Montava Metropolitan District No. 1 detailing the requirements and timelines for permitting and constructing culvert/pipe and related infrastructure that will carry drainage flows from Phase D of the Montava Development under/through/past LWIC's Larimer and Weld Canal and associated easement. If settlement agreement is not finalized by all parties, the Developer will follow the standard City process timelines and requirements for permitting and constructing the stormwater outfall. As the City is not a party to the settlement agreement, the City is not in any way required or responsible for taking any actions, including construction and planning actions, or meeting any timelines, whether express or implied, that are included in the settlement agreement, except to the extent that the City is separately required or responsible for such actions and timelines.
 - b. Fee ownership, an adequate easement (as determined by the City), or irrevocable license from any property owner(s) located downstream of the Larimer and Weld Canal for any work that will not be in an existing drainage easement authorizing such work. Note that such property owners may include, but

- may be limited to: the LWIC, the Trail Head Community Association, Waterglen Owners Association, and Front Range Water, LLC.
- c. Any other necessary permits, property rights, and other approvals for the planned drainage infrastructure described in the Final Development Plan, as determined by the City.
6. The Developer must place the following note on the Final Plans concerning permitting with the Burlington Northern Santa Fe Railroad (BNSF) for a culvert/pipe and related infrastructure that will carry drainage flows from Phase D of the Montava Development under/through/past the BNSF right-of-way.
- a. Developer is proceeding at their own risk. Burlington Northern Santa Fe Railroad (BNSF) permits are required for the Montava Phase D stormwater outfall. The design for the stormwater outfall will be reviewed by the City under a separate utility plan set. BNSF review and permitting will coincide with the following City process milestones:
 - i. The Developer will obtain BNSF Engineering Review Approval for the stormwater outfall prior to the City releasing any building permits for Montava Phase D.
 - ii. The Developer will obtain a BNSF permit for construction of the stormwater outfall prior to the City releasing more than 25% of Montava Phase D building permits.
 - iii. The Developer will construct and certify the stormwater outfall prior to the City releasing more than 35% of the total building permits for Phase D of the Montava Development (the sum of the 25% previously-released building permits and an additional 10% of building permits).
 - b. Developer acknowledges the design for the stormwater outfall infrastructure may need to change based on future revisions to the Cooper Slough Stormwater Master Plan resulting from any agreement the Developer may enter into with local ditch companies. The City will not pay or reimburse the Developer if designed and/or constructed drainage infrastructure does not meet the revised Cooper Slough Stormwater Master Plan.
7. Prior to construction within the regulatory FEMA floodplain, the Developer has acquired from the City, pursuant to the Fort Collins Municipal Code, a floodplain use permit with no-rise or CLOMR for any work within a FEMA regulated floodplain, as such terms are defined in Chapter 10 of the Fort Collins Municipal Code.

For the City to release any building permits up to 25% of the total building permits for Phase D of the Montava Development, the Developer must meet the following conditions:

1. The Developer must have obtained BNSF Engineering Review Approval for a culvert/pipe and related infrastructure that will carry drainage flows from Phase D of the Montava Development under/through/past the BNSF right-of-way.

For the City to release up to 35% of the total building permits for Phase D of the Montava Development (the sum of the 25% previously-released building permits and an additional 10% of building permits), the Developer must meet the following conditions:

1. The Developer must have met all conditions listed in the previous section regarding building permits up to 25% of the total building permits for Phase D.
2. The Developer must have acquired BNSF permits for the Stormwater outfall.

For the City to release the remaining building permits for Phase D of the Montava Development (anything above the previously-released 35% of building permits), the Developer must meet the following conditions:

1. All offsite drainage infrastructure must be installed pursuant to the Final Development Plan approved by the City.

2. All offsite drainage infrastructure must be certified by the developer’s engineer and accepted by the City.
- The Basic Development Review complies with pertinent standards located in the Montava Uses, Densities, and Development Standards with the following conditions of approval:
 - The City must approve a Minor Amendment for building elevations for all two-family and single-family attached dwellings prior to issuing building permits for each such building in type in Montava Subdivision Phase D. Staff will review these uses for compliance with Chapters 5, 6, 7, and 9 of the Montava Uses, Densities, and Development Standards.

9. Recommendation

Staff recommends approval of Montava Phase D – Core and Irrigation Pond, BDR240006 with conditions.

10. Attachments

The submittal documents on which this staff report is based may be accessed here:

<https://records.fcgov.com/PlanningDevelopment/Browse.aspx?id=20252698&dbid=0&repo=FortCollins>