

Date: Wednesday, April 21, 2021
Time: 6:00 PM
Location: Hearing Room, 1st Floor, 200 West Oak Street, Fort Collins

PLANNING COMMISSION MEETING AGENDA

Call to Order

Pledge of Allegiance

Public Comment on the County Land Use Code or Regarding Relevant Land Use Matters not on the Agenda or Future Proposals

Action Items

Approval of Minutes:

- February 17, 2021

Amendments to the Agenda

Tabled Item(s) to May 19, 2021

- Larimer County Sign Regulations, File No. 21-CODE0251

Consent Items

1. Rocky Mountain Ohana Ranch Preliminary Plat and Appeals, File No. 19-LAND3887

Staff Contacts: Samantha Mott, AICP, Planning, Steven Rothwell, Engineering, Lea Schneider, Health Department

Request: A) Preliminary Plat approval of a Conservation Development to divide a 35-acre parcel into one single-family residential lot and one residual lot with a residential building envelope; and B) Appeals to Section 8.14.1.H of the Land use Code (Lot Width-to-Depth Ratio), Section 8.14.1.M of the Land Use Code (Right-of-Way Dedication), and Section 8.14.1.R of the Land Use Code (Connectivity).

Location: 6701 W County Road 18, Loveland; located approximately 1/2 mile west of the intersection of S County Road 23E and W County Road 18 on the north side of the road.

Applicants/Owners: Doreen Ketterer, 6701 County Road 18 Loveland, CO 80537

Development Services Team Recommendation: The Development Services Team recommends Approval of the Rocky Mountain Ohana Conservation Development, File # 19-LAND3887, and the requested Appeals to Sections 8.14.1.H, 8.14.1.M, and 8.14.1.R of the Land Use Code regarding lot width-to-depth ratio, the dedication of public right-of-way, and connectivity subject to the following conditions:

1. The Final Plat shall be consistent with the approved preliminary plan and with the information contained in the Rocky Mountain Ohana Conservation Development, File #19-LAND3887 except as modified by the conditions of approval or agreement of the County and applicant. The applicant shall be subject to all other verbal or written representations and commitments of record for the Rocky Mountain Ohana Conservation Development.
2. The following fees shall be collected at building permit issuance for new single-family dwellings: Thompson R2-J school fee, Larimer County fees for County and Regional Transportation Capital Expansion, Larimer County Regional Park Fees (in lieu of dedication). The fee amount that is current at the time of building permit application shall apply.
3. Fire Requirements – All new residential structures will be required to have residential fire sprinkler systems. This condition must be noted on the final plat.
4. All habitable structures will require an engineered foundation system. Such engineered foundation system designs shall be based upon a site-specific soils investigation. The lowest habitable floor level (basement) shall not be less than 3 feet from the seasonal high-water table. Mechanical methods proposed to reduce the ground water level, unless it is a response after construction, must be proposed on a development wide basis.
5. Passive radon mitigation measures shall be included in construction of residential structures on these lots. The results of a radon detection test conducted in new dwellings once the structure is enclosed but prior to issuance of a certificate of occupancy shall be submitted to the Building Department. As an alternative, a builder may present a prepaid receipt from a radon tester which specifies that a test will be done within 30 days. A permanent certificate of occupancy can be issued when the prepaid receipt is submitted.
6. Revise the Final Plat to show the easement width as specified in the comments from Western Area Power Association.
7. Revise the lot names on the plat to reflect Residual Lot A and the newly proposed residential lot as Lot 1.

2. Animal House Amended Special Review, File No. 21-ZONE2883

Staff Contacts: Jenn Cram, AICP, Planning, Connor Sheldon, Engineering, Lea Schneider, Health Department

Request: Amended Special Review to expand the existing pet adoption facility with an approximately 4,005 square foot addition that will connect the two existing buildings on the property. Upgrades to existing facilities will also be completed along with landscaping around the building perimeter.

Location: 2200 North Taft Hill Road, Fort Collins, CO 80521

Applicant: Alex Garvert, Ripley Design Inc.

Owner: Animal Friends Alliance, 2200 North Taft Hill Road, Fort Collins, CO 80521

Development Services Team Recommendation: The Development Services Team recommends approval of the Animal House Amended Special Review, File #21-ZONE2883 subject to the following conditions:

1. This Special Review approval shall automatically expire without a public hearing if the use is not commenced within three years of the date of approval.
2. The property shall be developed consistent with the approved plan and with the information contained in the Animal House Amended Special Review, File #21-ZONE2883 except as modified by the conditions of approval or agreement of the County and applicant. The applicant shall be subject to all other verbal or written representations and commitments of record for the Animal House Amended Special Review.
3. Failure to comply with any conditions of the Special Review approval may result in reconsideration of the use and possible revocation of the approval by the Board of Commissioners.

4. This application is approved without the requirement for a Development Agreement.
5. In the event the applicant fails to comply with any conditions of approval or otherwise fails to use the property consistent with the approved Special Review, applicant agrees that in addition to all other remedies available to County, County may withhold building permits, issue a written notice to applicant to appear and show cause why the Special Review approval should not be revoked, and/or bring a court action for enforcement of the terms of the Special Review. All remedies are cumulative and the County's election to use one shall not preclude use of another. In the event County must retain legal counsel and/or pursue a court action to enforce the terms of this Special Review approval, applicant agrees to pay all expenses incurred by County including, but not limited to, reasonable attorney's fees.
6. County may conduct periodic inspections to the property and reviews of the status of the Special Review as appropriate to monitor and enforce the terms of the Special Review approval.
7. There will be no more than 95 animals (30 dogs and 65 cats), as adoption candidates, on site at any time. That limit may be expanded to up to 115 animals including puppies and kittens for no more than 36 hours in any 30-day time period. The expanded limit will allow for the intake of fostering transfers and group surgery events.
8. The noise mitigation plan noted in the original approval from 2015 shall continue to be implemented.
9. The Findings and Resolution shall be a servitude running with the Property. Those owners of the Property or any portion of the Property who obtain title subsequent to the date of recording of the Findings and Resolution, their heirs, successors, assigns or transferees, and persons holding under applicants shall comply with the terms and conditions of the Special Review approval.

3. Hourglass PLD Preliminary Plat, File No. 20-LAND4004, and PD Rezone, File No.20-ZONE2771

Staff Contacts: Tawn Hillenbrand, Planning; Connor Sheldon, Engineering; Lea Schneider, Health Department

Request: A.) Planned Land Division to divide three parcels into five total lots.

B.) A rezoning from FA – Farming to PD – Planned Development.

C.) An Appeal to Section 8.14.1.R of the Land Use Code regarding road connectivity

Location: Located between N. Saint Louis Avenue and N. County Road 13, directly north of E. 57th Street

Applicants/Owners: Hourglass Property LLC, c/o Nathan Tanis, 337 Audrey Drive, Loveland, CO 80538

Development Services Team Recommendation:

(A) The Development Services Team recommends Approval of the Hourglass Planned Land Division, File # 20-LAND4004, and the requested Appeal to Sections 8.14.1.R of the Land Use Code regarding, connectivity, subject to the following conditions:

1. The Final Plat shall be consistent with the approved preliminary plan and with the information contained in the Hourglass Planned Development, File #20-ZONE2771, and Planned Land Division, File #20-LAND4004 except as modified by the conditions of approval or agreement of the County and applicant. The applicant shall be subject to all other verbal or written representations and commitments of record for the Hourglass Planned Development/Planned Land Division
2. The following fees shall be collected at building permit issuance for new single-family dwellings: Thompson R2-J school fee, Larimer County fees for County and Regional Transportation Capital Expansion, Larimer County Regional Park Fees (in lieu of dedication) and drainage fees. The fee amount that is current at the time of building permit application shall apply.
3. Fire hydrants shall be installed according to Loveland Fire Rescue Authority recommendations and requirements. If this requirement cannot be met, homes must be equipped with an approved residential automatic sprinkler system.
4. A 40-foot drainage easement is required to be dedicated along the west end of Hourglass Lots 4 and 5.

5. All habitable structures will require an engineered foundation system. Such engineered foundation system designs shall be based upon a site-specific soils investigation. The lowest habitable floor level (basement) shall not be less than 3 feet from the seasonal high-water table. Mechanical methods proposed to reduce the ground water level, unless it is a response after construction, must be proposed on a development wide basis.
6. Passive radon mitigation measures shall be included in construction of residential structures on these lots. The results of a radon detection test conducted in new dwellings once the structure is enclosed but prior to issuance of a certificate of occupancy shall be submitted to the Building Department. As an alternative, a builder may present a prepaid receipt from a radon tester which specifies that a test will be done within 30 days. A permanent certificate of occupancy can be issued when the prepaid receipt is submitted.

B.) The Development Services Team recommends that the Planning Commission recommend to the Board of County Commissioners approval of the rezoning from FA - Farming to PD - Planned Development, File #20-ZONE2771, subject to the following condition:

- a) The rezoning shall be effective upon the recordation of the final plat of Hourglass Planned Land Division.
- b) The permitted uses, lot building and structure requirements, setbacks and structure height limitations for Hourglass Planned Development shall be as noted in the staff report.

Reports From Staff

Adjourn

Per the Americans with Disabilities Act (ADA), Larimer County will provide a reasonable accommodation to qualified individuals with a disability who need assistance. Services can be arranged with at least seven (7) business days' notice. Please email us at beilbykm@larimer.org, or call (970) 498-7719 or Relay Colorado 711. "Walk-in" requests for auxiliary aids and services will be honored to the extent possible but may be unavailable if advance notice is not provided.