Fort Collins City Council Agenda

Regular Meeting
6:00 p.m. Tuesday, March 7, 2023
City Council Chambers at City Hall, 300 Laporte Ave, Fort Collins, CO 80521
Zoom Webinar link: https://zoom.us/j/98241416497

NOTICE:
Regular meetings of the City Council are held on the 1st and 3rd Tuesdays of each month in the City Council Chambers. Meetings are conducted in a hybrid format, with a Zoom webinar in addition to the in person meeting in Council Chambers.

City Council members may participate in this meeting via electronic means pursuant to their adopted policies and protocol.

How to view this Meeting:

Meetings are open to the public and can be attended in person by anyone.

Meetings are televised live on Channels 14 & 881 on cable television.

Meetings are available through the Zoom platform, electronically or by phone.

Meetings are livestreamed on the City's website, fcgov.com/fctv

Upon request, the City of Fort Collins will provide language access services for individuals who have limited English proficiency, or auxiliary aids and services for individuals with disabilities, to access City services, programs and activities. Contact 970.221.6515 (V/TDD: Dial 711 for Relay Colorado) for assistance. Please provide advance notice. Requests for interpretation at a meeting should be made by noon the day before.

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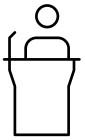
City of Fort Collins

Meeting agendas, minutes, and archived videos are available on the City's meeting portal at https://fortcollins-co.municodemeetings.com/

There are in person and remote options for members of the public who would like to participate in Council meetings:

Comment in real time:

During the public comment portion of the meeting and discussion items:



In person attendees can address the Council in the Chambers.
The public can join the Zoom webinar and comment from the remote meeting, joining online or via phone.

All speakers are required to sign up to speak using the online sign up system available at www.fcgov.com/agendas
Staff is also available outside of Chambers prior to meetings to assist with the sign up process for in person attendees.

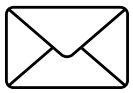
Full instructions for online participation are available at fcgov.com/councilcomments.

Join the online meeting using the link in this agenda to log in on an internet-enabled smartphone, laptop or computer with a speaker and microphone. Using earphones with a microphone will greatly improve audio experience.
To be recognized to speak during public participation portions of the meeting, click the 'Raise Hand' button.

Participate via phone using this call in number and meeting ID:
Call in number: 720 928 9299
Meeting ID: 982 4141 6497
During public participation opportunities in the meeting, press *9 to indicate a desire to speak.

Submit written comments:

Email comments about any item on the agenda to cityleaders@fcgov.com



Written comments can be mailed or dropped off at the City Manager's Office at City Hall, at 300 Laporte Ave, Fort Collins, CO 80521

Documents to Share during public participation*: Persons wishing to display presentation materials using the City's display equipment under the Public Participation portion of a meeting or during discussion of any Council item must provide any such materials to the City Clerk in a form or format readily usable on the City's display technology no later than two (2) hours prior to the beginning of the meeting at which the materials are to be presented.*

NOTE: All presentation materials for appeals, addition of permitted use applications or protests related to election matters must be provided to the City Clerk no later than noon on the day of the meeting at which the item will be considered. See Council Rules of Conduct in Meetings for details.

City Council Regular Meeting Agenda

March 7, 2023 at 6:00 PM

Jeni Arndt, Mayor
Emily Francis, District 6, Mayor Pro Tem
Susan Gutowsky, District 1
Julie Pignataro, District 2
Tricia Canonico, District 3
Shirley Peel, District 4
Kelly Ohlson, District 5

City Council Chambers
300 Laporte Avenue, Fort Collins
& via Zoom at
https://zoom.us/j/98241416497

Cablecast on FCTV
Channel 14 on Connexion
Channel 14 and 881 on Xfinity

Carrie Daggett
City Attorney

Kelly DiMartino
City Manager

Anissa Hollingshead
City Clerk

PROCLAMATIONS & PRESENTATIONS
5:00 PM

A) PROCLAMATIONS AND PRESENTATIONS

PP 1. **Proclaiming March 20-26, 2023, as Fix a Leak Week.**

REGULAR MEETING
6:00 PM

B) CALL MEETING TO ORDER

C) PLEDGE OF ALLEGIANCE

D) ROLL CALL

E) CITY MANAGER'S AGENDA REVIEW

•City Manager Review of Agenda

•Consent Calendar Review, including removal of items from Consent Calendar for individual discussion.

F) COMMUNITY REPORTS

G) PUBLIC COMMENT ON ANY TOPICS OR ITEMS OR COMMUNITY EVENTS
(Including requests for removal of items from Consent Calendar for individual discussion.)

*Individuals may comment regarding any topics of concern, whether or not included on this agenda. Comments regarding land use projects for which a development application has been filed should be submitted in the development review process** and not to Council.*

- *Those who wish to speak are required to sign up using the online sign-up system available at www.fcgov.com/council-meeting-participation-signup/*

• Each speaker will be allowed to speak one time during public comment. If a speaker comments on a particular agenda item during general public comment, that speaker will not also be entitled to speak during discussion on the same agenda item.

• All speakers will be called to speak by the presiding officer from the list of those signed up. After everyone signed up is called on, the presiding officer may ask others wishing to speak to identify themselves by raising their hand (in person or using the Raise Hand option on Zoom), and if in person then will be asked to move to one of the two lines of speakers (or to a seat nearby, for those who are not able to stand while waiting).

• The presiding officer will determine and announce the length of time allowed for each speaker.

• Each speaker will be asked to state his or her name and general address for the record, and, if their comments relate to a particular agenda item, to identify the agenda item number. Any written comments or materials intended for the Council should be provided to the City Clerk.

• A timer will beep one time and turn yellow to indicate that 30 seconds of speaking time remain and will beep again and turn red when a speaker's time has ended.

*[**For questions about the development review process or the status of any particular development, consult the Development Review Center page on the city's website at https://www.fcgov.com/developmentreview/, or contact the Development Review Center at 970.221.6760.]*

H) PUBLIC COMMENT FOLLOW-UP

I) COUNCILMEMBER REMOVAL OF ITEMS FROM CONSENT CALENDAR FOR DISCUSSION

CONSENT CALENDAR

The Consent Calendar is intended to allow Council to spend its time and energy on the important items on a lengthy agenda. Staff recommends approval of the Consent Calendar. Agenda items pulled from the Consent Calendar by either Council or the City Manager will be considered separately under their own Section, titled "Consideration of Items Removed from Consent Calendar for Individual Discussion." Items remaining on the Consent Calendar will be approved by Council with one vote. The Consent Calendar consists of:

• Ordinances on First Reading that are routine;
• Ordinances on Second Reading that are routine;
• Those of no perceived controversy;
• Routine administrative actions.

1. **Second Reading of Ordinance No. 024, 2023, Appropriating Philanthropic Revenue Received By City Give for Fort Collins Police Services for the Safe Futures Initiative.**

   The purpose of this Ordinance, unanimously adopted (6-0) on First Reading on February 21, 2023, is to request appropriation of $86,000.00 in philanthropic revenue received by City Give for Fort Collins Police Services for the Safe Futures initiative.

   In 2019, City Give, a formalized enterprise-wide initiative was launched to create a transparent, non-partisan governance structure for the acceptance and appropriations of charitable gifts.

2. **Second Reading of Ordinance No. 025, 2023, Appropriating Prior Year Reserves and Unanticipated Revenue from Philanthropic Donations Received Through City Give for Various Programs and Services as Designated by the Donors.**

The purpose of this Ordinance, which was unanimously adopted (6-0) on First Reading on February 21, 2023, is to request appropriation of $19,692 in philanthropic revenue received through City Give. These miscellaneous gifts to various City service areas and departments support a variety of programs and services and are aligned with both the City's strategic priorities and the respective donors' designation.

In 2019, City Give, a formalized enterprise-wide initiative was launched to create a transparent, non-partisan governance structure for the acceptance and appropriations of charitable gifts.

3. **Items Related to Residential Solid Waste Collection.**

A. Second Reading of Ordinance No. 027, 2023, Amending Chapter 12, Article II and Chapter 15, Article XV of the Code of the City of Fort Collins to Allow for the Establishment of a City Waste Collection Program and Generally Updating Provisions of the Code Governing Waste Collection Within the City.

B. Second Reading of Ordinance No. 028, 2023, Authorizing the City Manager to Enter Into a Contract for the Provision of Residential Waste Collection Services.

C. Second Reading of Ordinance No. 029, 2023, Appropriating Prior Year Reserves for Start-up Costs to Create a Contracted Residential Waste Collection Program.

The purpose of this item is to consider the adoption of a contracted residential waste and recycling program, which includes three separate Ordinances and one policy question:

1. Ordinance No. 027, 2023, would amend the City Code to enable the contracted hauling program and establish the City Administrative Fee to fund the City's role in the program.

2. Ordinance No. 028, 2023, would adopt the contract with Republic Services.

3. Ordinance No. 029, 2023, would approve an off-cycle general fund appropriation in the amount of $107,251 to support the start-up phase of the proposed program.

4. Policy question: Do Councilmembers prefer the weekly or every-other-week recycling collection option?

This program aligns with the Council Priority to Explore a Districted System for Garbage, Recycling and Compost.

The proposed program includes the following benefits:

- Trash, recycling as well as yard trimmings and two bulky item collections per year for a cost similar to what most residents paid in 2022 for only trash and recycling

- A more affordable way to increase the collection of yard trimmings from residents

- Cost-effective, predictable pricing

- Opportunity to ensure a high level of customer service with penalties to the hauler and service credits to customers in the event of a missed pickup etc.

• Fewer trucks on residential roads helps to improve neighborhood safety, quality of life, reduces emissions, also reduces road wear and tear

• Additional yard trimmings composted (78% - 130% increase) and additional materials recycled if Councilmembers select the weekly recycling policy option (9% - 27% increase). Additional yard trimmings and recycling combined would achieve 3.7% - 6.7% of the progress needed to meet the zero waste goal.

All three Ordinances were unanimously adopted (6-0) on First Reading on February 21, 2023.

Between First and Second Reading, staff has revised the Review Version of the contract with Republic Services and the proposed Code changes contained in Ordinance No. 027. Here are summaries of those changes:

- Staff revised the frequency of the Recyclable Materials Service from every-other-week to weekly within the contract, added a new provision to address the City's right to change from weekly to every-other-week Recyclable Materials Service during the Agreement term subject to the party's good faith negotiations to determine the timing and impact to pricing of such change, and updated the Pricing Sheet accordingly. (See attached Contract Revision #1). Staff also updated the Pricing Sheet to reflect the selection of weekly Recyclable Materials Service (See attached Contract Revision #2). Additionally, staff incorporated a Cooperative Purchase provision to allow other governmental entities within the state of Colorado to use the City's competitive purchasing process as the basis to negotiate a contract with Republic Services for similar services, subject to such governmental entities' governing laws, rules, and regulations. (See attached Contract Revision #3).

- Staff also revised the Code changes to make various technical updates, including correcting the use of certain defined terms, removing unnecessary language, and correcting typographical errors. Staff moved a subsection from existing Section 15-413(d) to new Section 15-412(h) and clarified communication requirements for collectors in that same subsection. Additionally, staff clarified yard trimmings collection requirements within Section 15-414. All amendments from the First Reading version of Ordinance No.0 27 are shown within the Second Reading version of Ordinance No. 027.

4. **Second Reading of Ordinance No. 030, 2023, Adopting the North College MAX BRT Plan as a Component of City Plan.**

The purpose of this Ordinance, unanimously adopted (6-0) on First Reading on February 21, 2023, is to consider adoption of the North College Max Plan. The North College MAX BRT Plan is the result of approximately 18 months of community engagement, information analysis, and concept refinement. The plan provides recommendations for Bus Rapid Transit, local transit routes, bicycle and pedestrian facilities, future development, and affordability.

5. **First Reading of Ordinance No. 032, 2023, Authorizing the Release of Restrictive Covenants on Property at 1947 Phia Way Developed by Fort Collins Habitat for Humanity.**

The purpose of this item is to obtain authorization from Council to release the Agreement of Restrictive Covenants Affecting Real Property on the single-family home located at 1947 Phia Way, which was developed by Fort Collins Habitat for Humanity. The development of this home was initially assisted with funding from the Department of Housing and Urban Development (HUD). At the time of completion, the project no longer met the HUD requirements, triggering a HUD mandated repayment of the funds and cancellation of the project.

6. **First Reading of Ordinance 033, 2023, Extending the Moratorium on Certain Activities of State Interest Designated in Ordinance No. 122, 2021.**

The purpose of this item is the First Reading of an ordinance that extends the length of a moratorium previously imposed through Ordinance No. 122, 2021, and further extended with Ordinance No. 139, 2022, on two designated activities of state interest. The proposed Ordinance extends the length of the existing moratorium for three months beyond March 31, 2022, or until City Council adopts guidelines for the administration of the two designated activities. Extending the moratorium allows staff to reengage with stakeholders and develop policy decision points for Council's consideration along with first reading of the version-three 1041 regulations, May 2, 2023.

7. **First Reading of Ordinance No. 034, 2023, Making Supplemental Appropriations from the Colorado Water Conservation Board Grant and Water Fund Reserves and Authorizing Transfers of Appropriations for the Water Efficiency Plan Update.**

The purpose of this item is to support updating the City's Water Efficiency Plan by end of 2024 by:

●Appropriating $160,000 of unanticipated grant revenue, awarded by the Colorado Water Conservation Board, to the Water Fund

● Appropriating $65,795 from the Water Fund reserves

● Utilizing matching funds in the amount of $126,705 from existing 2023 appropriations into this new grant project

8. **First Reading of Ordinance No. 035, 2023, Authorizing the City Manager to Execute Agreements, Conveyances, and Other Documents to Incorporate the Spring Cañon Waste Way Ditch.**

The purpose of this item is to approve the City's conveyance of its 2/12ths fractional ownership of the Spring Cañon Waste Way Ditch (Ditch) to a newly formed and incorporated Spring Cañon Wasteway Ditch Company (Ditch Company), and thereby receive 2/12ths share of the Ditch Company. This item would also authorize the City Manager to execute related agreements needed to form the Ditch Company. This administrative restructuring of the Ditch and water right ownership will allow for a variety of efficiencies including easier shareholder transfers, providing a single point of contact, and improving coordination of Ditch maintenance.

9. **Resolution 2023-024 Adopting the Water Quality Management Policy for City-Owned Lakes and Stormwater Basins in the Growth Management Area.**

The lakes and stormwater basins (together, "urban lakes") that the City owns are important resources that provide a range of benefits to the Fort Collins community. There are significant challenges associated with managing water quality in the City's urban lakes. A project team has been working over the last two years to address these challenges by developing the City of Fort Collins Urban Lakes Water Quality Management Policy ("Policy") and associated Guidance Document ("Guidance"). The Policy provides a framework for the City's water quality operational and management decisions for its urban lakes and the Guidance provides technical resources to assist City staff with implementing the Policy. Development of the Policy and Guidance were informed by feedback received as part of an extensive stakeholder engagement process, and the Water Commission, Land Conservation and Stewardship Board, Natural Resources Advisory Board, and Parks and Recreation Board have formally recommended that City Council adopt the Policy.

END OF CONSENT CALENDAR

J) ADOPTION OF CONSENT CALENDAR

K) CONSENT CALENDAR FOLLOW-UP *(This is an opportunity for Councilmembers to comment on items adopted or approved on the Consent Calendar.)*

L) STAFF REPORTS

M) COUNCILMEMBER REPORTS

N) CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT CALENDAR FOR INDIVIDUAL DISCUSSION

O) CONSIDERATION OF ITEMS PLANNED FOR DISCUSSION

The method of debate for discussion items is as follows:

- *Mayor introduced the item number and subject; asks if formal presentation will be made by staff*
- *Staff presentation (optional)*
- *Mayor requests public comment on the item (three minute limit for each person)*
- *Council questions of staff on the item*
- *Council motion on the item*
- *Council discussion*
- *Final Council comments*
- *Council vote on the item*

Note: Time limits for individual agenda items may be revised, at the discretion of the Mayor, to ensure all have an opportunity to speak. The timer will buzz when there are 30 seconds left and the light will turn yellow. It will buzz again at the end of the speaker's time.

10. **Second Reading of Ordinance No. 026, 2023, Appropriating Philanthropic Revenue Received Through City Give for The Gardens on Spring Creek for General Operations as Designated by the Donor.**

    The purpose of this Ordinance, adopted 5-1 (Nay: Ohlson) on First Reading on February 21, 2023, is to request appropriation of $100,000 in philanthropic revenue received through City Give for The Gardens on Spring Creek for general operations as designated by the donor.

    In 2019, City Give, a formalized enterprise-wide initiative was launched to create a transparent, non-partisan governance structure for the acceptance and appropriations of charitable gifts.

11. **Second Reading of Ordinance No. 031, 2023 Appropriating Prior Year Reserves for a Capital Contribution of $1,000,000 for Construction of a New Public Terminal Facility at the Northern Colorado Regional Airport.**

    The purpose of this Ordinance, adopted 5-1 (Nay: Ohlson) on First Reading on February 21, 2023, is to appropriate an anticipated $1,000,000 capital contribution for the construction of a new public terminal facility (Project) at the Northern Colorado Regional Airport (Airport). Total Project costs are estimated to be $25,000,000, and this Ordinance's adoption by the end of February helps to secure the anticipated $21,000,000 of federal funding. At the suggestion of the Council Finance Committee, staff has developed a series of performance indicators to use as terms and conditions of the City contribution.

The Ordinance has been revised between first and second reading to add a new sixth recital listing the performance indicators for the Project that City staff identified. These indicators were not explicitly included in the changes to the Ordinance read into the record at first reading and approved by Council. These performance indicators are: (i) the Project achieve LEED Silver building certification; (ii) the Project include a public art commitment at 1% of the non-federal funding; (iii) the terminal's carbon footprint be no greater than 198 metric tons of carbon dioxide equivalent; (iv) the terminal have enhanced accessibility; and (v) the Airport achieve by 2028 no less than 33,000 bus or air passengers annually utilizing the terminal.

12. **Appeal of Planning and Zoning Commission Approval of 636 Castle Ridge Court Group Home Project Development Plan/Final Development Plan.**

The purpose of this quasi-judicial item is to consider an appeal of the Planning and Zoning Commission's decision on December 15, 2022, approving the Castle Ridge Group Home combined Project Development Plan/Final Development Plan (#FDP220013 or "FDP") located at 636 Castle Ridge Court. Two Notices of Appeal were filed, the first on December 21, 2022, and second on December 28, 2022, alleging that the Planning and Zoning Commission failed to properly interpret and apply relevant provisions of the Land Use Code and failed to conduct a fair hearing.

P) OTHER BUSINESS

OB 1. **Possible consideration of the initiation of new ordinances and/or resolutions by Councilmembers.**

(Three or more individual Councilmembers may direct the City Manager and City Attorney to initiate and move forward with development and preparation of resolutions and ordinances not originating from the Council's Policy Agenda or initiated by staff.)

Q) ADJOURNMENT

Every regular Council meeting will end no later than midnight, except that: (1) any item of business commenced before midnight may be concluded before the meeting is adjourned and (2) the Council may, at any time prior to adjournment, by majority vote, extend a meeting beyond midnight for the purpose of considering additional items of business. Any matter that has been commenced and is still pending at the conclusion of the Council meeting, and all matters for consideration at the meeting that have not yet been considered by the Council, will be deemed continued to the next regular Council meeting, unless Council determines otherwise.

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PROCLAMATION

WHEREAS, the citizens of Fort Collins strive to practice water conservation in their homes and at work; and

WHEREAS, Fort Collins Utilities offers a variety of water conservation programs, services and educational tools for adults and youth; and

WHEREAS, the average home may waste up to 10,000 gallons of water every year due to running toilets, dripping faucets and other leaks if not regularly maintained; and

WHEREAS, the Environmental Protection Agency's WaterSense program's Fix a Leak Week encourages Americans to check household fixtures for leaks and repair any that are found; and

WHEREAS, Fort Collins Utilities is a WaterSense partner and contributes to the well-being of local citizens through water efficiency, customer service, environmental protection, economic development and safety awareness as detailed in the Water Efficiency Plan.

NOW, THEREFORE, I, Jeni Arndt, Mayor of the City of Fort Collins, do hereby proclaim the week of March 20-26, 2023, as

FIX A LEAK WEEK

in Fort Collins to urge citizens to find and fix leaks and use water efficiently.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City of Fort Collins this 7th day of March, A.D. 2023.

_____
Mayor

ATTEST:

_____
City Clerk

March 7, 2023

AGENDA ITEM SUMMARY
City Council

STAFF

Nina Bodenhamer
Dawn Downs, Legal

SUBJECT

Second Reading of Ordinance No. 024, 2023, Appropriating Philanthropic Revenue Received By City Give for Fort Collins Police Services for the Safe Futures Initiative.

EXECUTIVE SUMMARY

The purpose of this Ordinance, unanimously adopted (6-0) on First Reading on February 21, 2023, is to request appropriation of $86,000.00 in philanthropic revenue received by City Give for Fort Collins Police Services for the Safe Futures initiative.

In 2019, City Give, a formalized enterprise-wide initiative was launched to create a transparent, non-partisan governance structure for the acceptance and appropriations of charitable gifts.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

BACKGROUND / DISCUSSION

Like many law enforcement agencies across the nation, Fort Collins Police Services (FCPS) is adopting new industry practices for victim-centered services by hiring civilian professionals for forensics, fraud, and criminal investigations.

Traditionally served by uniformed police officers, this new approach offers a proactive, comprehensive victim-centered approach to public safety and leverages candidates from accounting, criminal justice, and forensic disciplines, who desire to serve their community. The Fort Collins Safe Futures Fund is a designated charitable fund to support the operational needs for innovative, victim-centered police services to address the impact crime has on victims, their families, and witnesses; Leverage technology-based skilled investigative resources; and, assist in the identification of victims of human trafficking and prevent the sexual exploitation of the most vulnerable members of our community.

The purpose of this item is to request appropriation of $86,000.00 in philanthropic revenue received by City Give for Fort Collins Police Services for the Safe Futures initiative. The charitable support represents a range of generous local giving: $50,000 from the Blue Ocean Foundation, $35,000 from UCount, Timberline Church, and $1,000 from the Community Foundation of Northern Colorado. All gifts are designated for the sole purpose of the Safe Futures initiative.

CITY FINANCIAL IMPACTS

This Ordinance will appropriate $86,000 in philanthropic revenue received by City Give for Fort Collins Police Services for expenditures in the General Fund. The funds have been received and accepted per the City Give Administrative and Financial Policy.

The City Manager has also determined that these appropriations are available and previously unappropriated from the designated funds and will not cause the total amount appropriated in these funds to exceed the current estimate of actual and anticipated revenues and all other funds to be received in these funds during fiscal year 2023.

These donations have been received and accepted per the City Give Administrative and Financial Policy.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

None.

PUBLIC OUTREACH

None.

ATTACHMENTS

1. Ordinance for Consideration

ORDINANCE NO. 024, 2023
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROPRIATING PHILANTHROPIC REVENUE RECEIVED BY CITY GIVE FOR FORT COLLINS POLICE SERVICES FOR THE SAFE FUTURES INITIATIVE

WHEREAS, like many law enforcement agencies across the nation, Fort Collins Police Services (FCPS) is adopting new industry practices for victim-centered services by hiring civilian professionals for forensics, fraud, and criminal investigations; and

WHEREAS, traditionally served by uniformed police officers, this new approach offers a proactive, comprehensive victim-centered approach to public safety and leverages candidates from accounting, criminal justice, and forensic disciplines, who desire to serve their community; and

WHEREAS, the Fort Collins Safe Futures Fund is a designated charitable fund to support the operational needs for innovative, victim-centered police services to address the impact crime has on victims, their families, and witnesses; leverage technology-based skilled investigative resources; and, assist in the identification of victims of human trafficking and prevent the sexual exploitation of the most vulnerable members of our community; and

WHEREAS, the purpose of this item is to request appropriation of $86,000.00 in philanthropic revenue received by City Give for Fort Collins Police Services for the Safe Futures Initiative; and

WHEREAS, the charitable support represents a range of generous local giving: $50,000 from the Blue Ocean Foundation, $35,000 from UCount, Timberline Church, and $1,000 from the Community Foundation of Northern Colorado, with all gifts designated for the sole purpose of the Safe Futures Initiative; and

WHEREAS, this appropriation benefits public health, safety and welfare of the citizens of Fort Collins and serves a public purpose of protecting our most vulnerable population of citizens by investigating crimes and holding perpetrators of those crimes accountable; and

WHEREAS, Article V, Section 9 of the City Charter permits the City Council, upon recommendation of the City Manager, to make a supplemental appropriation by ordinance at any time during the fiscal year, provided that the total amount of such supplemental appropriation, in combination with all previous appropriations for that fiscal year, do not exceed the current estimate of actual and anticipated revenues and all other funds to be received during the fiscal year; and

WHEREAS, the City Manager has recommended the appropriation described herein and determined that this appropriation is available and previously unappropriated from the General Fund and will not cause the total amount appropriated in the General Fund to exceed the current estimate of actual and anticipated revenues and all other funds to be received in this Fund during this fiscal year.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That there is hereby appropriated from new philanthropic revenue in the General Fund the sum of EIGHTY-SIX THOUSAND DOLLARS ($86,000) to be expended in the General Fund by Fort Collins Police Services for the Safe Futures Initiative.

Introduced, considered favorably on first reading, and ordered published this 21st day of February 2023, and to be presented for final passage on the 7th day of March 2023.

_____
Mayor

ATTEST:

_____
City Clerk

Passed and adopted on final reading on the 7th day of March 2023.

_____
Mayor

ATTEST:

_____
City Clerk

March 7, 2023

AGENDA ITEM SUMMARY
City Council

STAFF

Nina Bodenhamer, Director, City Give
John Duval, Legal

SUBJECT

Second Reading of Ordinance No. 025, 2023, Appropriating Prior Year Reserves and Unanticipated Revenue from Philanthropic Donations Received Through City Give for Various Programs and Services as Designated by the Donors.

EXECUTIVE SUMMARY

The purpose of this Ordinance, which was unanimously adopted (6-0) on First Reading on February 21, 2023, is to request appropriation of $19,692 in philanthropic revenue received through City Give. These miscellaneous gifts to various City service areas and departments support a variety of programs and services and are aligned with both the City's strategic priorities and the respective donors' designation.

In 2019, City Give, a formalized enterprise-wide initiative was launched to create a transparent, non-partisan governance structure for the acceptance and appropriations of charitable gifts.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

BACKGROUND / DISCUSSION

The City of Fort Collins has long been the beneficiary of local generosity and has a valuable role in our community's philanthropic landscape. Generosity is demonstrated in both large and modest gifts, each appreciated for its investment in the mission and the range of services the City strives to deliver.

In 2022 and 2023, the City received several individual philanthropic donations supporting various service areas and departments totaling $19,692 and these funds are currently unappropriated.

As acknowledged by Section 2.5 of the City's Fiscal Management Policy 2-Revenue approved by City Council, the City Manager has adopted the City Give Financial Governance Policy to provide for the responsible and efficient management of charitable donations to the City; and 52.2.C. of the City Give Policy authorizes the City Give Director to accept donations of $5,000 or less for the City service area as designated by the donor.

These generous donations have been directed by the respective donors to be used by the City for designated uses within and for the benefit of City service areas and programs as each donation is described in Exhibit A attached to the Ordinance.

CITY FINANCIAL IMPACTS

This Ordinance will appropriate $19,692 in philanthropic revenue received through City Give for gifts to various City departments to support a variety of programs and services.

The funds have been received and accepted per City Give Administrative and Financial Policy. The City Manager has also determined that these appropriations are available and previously unappropriated in the General Fund, Capital Projects Fund, Cultural Services and Facilities Fund, Transportation Fund, Natural Areas Fund, and the Golf Fund and will not cause the total amount appropriated in these funds to exceed the current estimate of actual and anticipated revenues and all other funds to be received in these funds during fiscal year 2023.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

None.

PUBLIC OUTREACH

None.

ATTACHMENTS

1. Ordinance for Consideration
2. Ordinance Exhibit A

ORDINANCE NO. 025, 2023
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROPRIATING PRIOR YEAR RESERVES AND UNANTICIPATED REVENUE
FROM PHILANTHROPIC DONATIONS RECEIVED THROUGH CITY GIVE
FOR VARIOUS PROGRAMS AND SERVICES AS DESIGNATED BY THE DONORS

WHEREAS, the City has received in 2022 and 2023 numerous philanthropic donations of $5,000 or less totaling $19,692 and these funds are currently unappropriated; and

WHEREAS, these donations have been directed by the donors to be used by the City for certain designated uses within and for the benefit of certain City service areas and departments as each donation is described in Exhibit "A" attached hereto and incorporated herein by reference; and

WHEREAS, as acknowledged by Section 2.5 of the City's Fiscal Management Policy 2 – Revenue approved by City Council, the City Manager has adopted the City Give Financial Governance Policy to provide for the responsible and efficient management of charitable donations to the City (the "City Give Policy"); and

WHEREAS, Section 52.2.C. of the City Give Policy authorizes the City Give Director to accept donations of $5,000 or less for the City service area intended by the donor to be benefited; and

WHEREAS, as so authorized, the City Give Director has accepted for the benefited City service areas and departments, as applicable, the donations to be appropriated in this Ordinance to be used as directed by each donor as described in Exhibit "A"; and

WHEREAS, Article V, Section 9 of the City Charter permits the City Council, upon recommendation of the City Manager, to make a supplemental appropriation by ordinance at any time during the fiscal year, provided that the total amount of such supplemental appropriation, in combination with all previous appropriations for that fiscal year, do not exceed the current estimate of actual and anticipated revenues and all other funds to be received during the fiscal year; and

WHEREAS, Article V, Section 9 of the City Charter also permits the City Council, upon the recommendation of the City Manager, to make supplemental appropriations by ordinance at any time during the fiscal year such funds for expenditure as may be available from reserves accumulated in prior years, notwithstanding that such reserves were not previously appropriated; and

WHEREAS, the City Manager has recommended the appropriations described in Sections 2 and 3 of this Ordinance and determined that the amount of each of these appropriations is available and previously unappropriated from the funds named in Sections 2 and 3 and will not cause the total amount appropriated in each such fund to exceed the current estimate of actual and anticipated revenues to be received in those funds during this fiscal year; and

WHEREAS, these appropriations will serve the public purpose of providing additional revenue to each of the benefited service areas to aid them in accomplishing the public purposes for which each service area is established thereby benefiting the public's health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That there is hereby appropriated from the following funds these amounts of philanthropic revenue held in prior year reserves to be expended as designate by the donors in support of the various City programs and services as described in Exhibit "A":

Capital Projects Fund	$	500
Cultural Services and Facilities Fund	$	6,125
General Fund	$	2,285
Transportation Fund	$	1,000
Natural Areas Fund	$	2,575
Golf Fund	$	1,207

Section 3. That there is hereby appropriated from the following funds these amounts of philanthropic revenue received in 2023 to be expended as designated by the donors in support of the various City programs and services as described in Exhibit "A":

Capital Projects Fund	$	5,000
General Fund	$	1,000

Introduced, considered favorably on first reading, and ordered published this 21st day of February 2023, and to be presented for final passage on the 7th day of March 2023.

_____
Mayor

ATTEST:

_____
City Clerk

Passed and adopted on final reading on the 7th day of March 2023.

_____
Mayor

ATTEST:

_____
City Clerk

EXHIBIT A

Appropriation of Misc. Philanthropic Revenue, Gift Listing

01/06/2023	$ 5,000.00	Dellenbach Motors	9/11 Memorial
12/22/2022	$ 500.00	RBC/DAF	9/11 Memorial
02/18/2022	$ 3,500.00	Greer Foundation	APP, Cultural Services
10/31/2022	$ 1,000.00	Bike Sports	FC Moves, PDT
12/27/2021	$ 185.00	Steve and Bonny Crews	Forestry, Parks, Community Services
07/31/2022	$ 625.00	Misc.	Lincoln Center, Cultural Services
10/21/2022	$ 2,000.00	Shrader	Lincoln Center, Cultural Services
01/26/2023	$ 500.00	Thomas Knebel	Living Tree, Forestry, Parks, Community Services
08/18/2022	$ 500.00	Jon & Jean Geller	Living Tree, Forestry, Parks, Community Services
10/27/2022	$ 500.00	Kendra Nash	Living Tree, Forestry, Parks, Community Services
11/02/2022	$ 250.00	Misc.	Living Tree, Forestry, Parks, Community Services
12/02/2022	$ 2,000.00	Lucille Khoury	Natural Areas
12/02/2022	$ 300.00	Charlie Sturgill	Natural Areas
12/16/2022	$ 275.00	Bill Hintze	Natural Areas
11/12/2019	$ 60.00	Eric Nelson Tribute	Parks, Community Services
05/29/2019	$ 100.00	Eric Nelson Tribute	Parks, Community Services
07/09/2019	$ 20.00	Eric Nelson Tribute	Parks, Community Services
07/09/2019	$ 100.00	Eric Nelson Tribute	Parks, Community Services
08/14/2019	$ 50.00	Eric Nelson Tribute	Parks, Community Services
02/19/2020	$ 20.00	Eric Nelson Tribute	Parks, Community Services
11/22/2021	$ 500.00	Odell Brewing	Parks, Community Services
01/06/2023	$ 500.00	David & Laurie Linam	Restorative Justice, CDNS
08/31/2021	$ 355.00	Miscellaneous	Youth Golf Scholarship, Golf
12/31/2021	$ 25.00	BOU	Youth Golf Scholarship, Golf
10/20/2022	$ 230.00	Miscellaneous	Youth Golf Scholarship, Golf
10/20/2022	$ 123.92	Miscellaneous	Youth Golf Scholarship, Golf
10/27/2022	$ 265.00	Miscellaneous	Youth Golf Scholarship, Golf
10/27/2022	$ 8.00	Miscellaneous	Youth Golf Scholarship, Golf
12/23/2022	$ 150.00	Tom & Emma Dreiling	Youth Golf Scholarship, Golf
12/31/2022	$ 50.00	Meg Thornbury	Youth Golf Scholarship, Golf

March 7, 2023

AGENDA ITEM SUMMARY
City Council

STAFF

Caroline Mitchell, Waste Reduction and Recycling Program Manager
Lindsay Ex, Environmental Services Director
Ted Hewitt, Legal

SUBJECT

Items Related to Residential Solid Waste Collection.

EXECUTIVE SUMMARY

A. Second Reading of Ordinance No. 027, 2023, Amending Chapter 12, Article II and Chapter 15, Article XV of the Code of the City of Fort Collins to Allow for the Establishment of a City Waste Collection Program and Generally Updating Provisions of the Code Governing Waste Collection Within the City.

B. Second Reading of Ordinance No. 028, 2023, Authorizing the City Manager to Enter Into a Contract for the Provision of Residential Waste Collection Services.

C. Second Reading of Ordinance No. 029, 2023, Appropriating Prior Year Reserves for Start-up Costs to Create a Contracted Residential Waste Collection Program.

The purpose of this item is to consider the adoption of a contracted residential waste and recycling program, which includes three separate Ordinances and one policy question:

1. Ordinance No. 027, 2023, would amend the City Code to enable the contracted hauling program and establish the City Administrative Fee to fund the City's role in the program.

2. Ordinance No. 028, 2023, would adopt the contract with Republic Services.

3. Ordinance No. 029, 2023, would approve an off-cycle general fund appropriation in the amount of $107,251 to support the start-up phase of the proposed program.

4. Policy question: Do Councilmembers prefer the weekly or every-other-week recycling collection option?

This program aligns with the Council Priority to Explore a Districted System for Garbage, Recycling and Compost.

The proposed program includes the following benefits:

- Trash, recycling as well as yard trimmings and two bulky item collections per year for a cost similar to what most residents paid in 2022 for only trash and recycling
- A more affordable way to increase the collection of yard trimmings from residents
- Cost-effective, predictable pricing

- Opportunity to ensure a high level of customer service with penalties to the hauler and service credits to customers in the event of a missed pickup etc.
- Fewer trucks on residential roads helps to improve neighborhood safety, quality of life, reduces emissions, also reduces road wear and tear
- Additional yard trimmings composted (78% - 130% increase) and additional materials recycled if Councilmembers select the weekly recycling policy option (9% - 27% increase). Additional yard trimmings and recycling combined would achieve 3.7% - 6.7% of the progress needed to meet the zero waste goal.

All three Ordinances were unanimously adopted (6-0) on First Reading on February 21, 2023.

Between First and Second Reading, staff has revised the Review Version of the contract with Republic Services and the proposed Code changes contained in Ordinance No. 027. Here are summaries of those changes:

- Staff revised the frequency of the Recyclable Materials Service from every-other-week to weekly within the contract, added a new provision to address the City's right to change from weekly to every-other-week Recyclable Materials Service during the Agreement term subject to the party's good faith negotiations to determine the timing and impact to pricing of such change, and updated the Pricing Sheet accordingly. (See attached Contract Revision #1). Staff also updated the Pricing Sheet to reflect the selection of weekly Recyclable Materials Service (See attached Contract Revision #2). Additionally, staff incorporated a Cooperative Purchase provision to allow other governmental entities within the state of Colorado to use the City's competitive purchasing process as the basis to negotiate a contract with Republic Services for similar services, subject to such governmental entities' governing laws, rules, and regulations. (See attached Contract Revision #3).

- Staff also revised the Code changes to make various technical updates, including correcting the use of certain defined terms, removing unnecessary language, and correcting typographical errors. Staff moved a subsection from existing Section 15-413(d) to new Section 15-412(h) and clarified communication requirements for collectors in that same subsection. Additionally, staff clarified yard trimmings collection requirements within Section 15-414. All amendments from the First Reading version of Ordinance No.0 27 are shown within the Second Reading version of Ordinance No. 027.

STAFF RECOMMENDATION

Staff recommends adoption of these Ordinances on Second Reading.

BACKGROUND / DISCUSSION

One of the adopted Council Priorities is to explore a districted system for garbage, recycling, and compost for single family homes. Districting is a sub-type of a contracted trash and recycling system. To ensure the broadest possible conversation in the community, the term "contracting" has been used throughout this project.

Alignment with Adopted Goals and Plans

The Residential Solid Waste Collection Services Program (Program) would enable actions essential to meeting Fort Collins' adopted goal to produce zero waste by 2030. Fort Collins 2020 Community Diversion Rate goal was 75%, which was not achieved. In 2020, the Residential Diversion rate was 29% and the Community Diversion Rate (combining residential, commercial and industrial materials) was 52%. Increased composting is also a critical path to achieving our climate goals.

Contracting for trash and recycling aligns with several adopted plans and other Council priorities. Those plans include:

- Our Climate Future, Big Move 2: Zero Waste Neighborhoods
- City Plan, Principle ENV 5: Create a Zero Waste System
- Strategic Plan, Environmental Health 4.3 Zero Waste

Contracting for single family home trash, recycling and compost also supports the following adopted Council Priorities:

- *Accelerate Composting*
- *Improve Air Quality*
- *Enhanced Recycling Education*

Past Council Feedback

City staff has met with the full City Council on three separate occasions and have met with the Council Finance Committee once. The following bullets summarize their feedback:

April 12th Work Session

- Continue efforts to pursue contracting
- Continue to engage community members regarding this effort and ensure engagement includes the benefits of trash contracting
- Engage community members to understand priorities related to contracting and service options and what community concerns should be addressed via the process
- Refine peer community research to understand best practices in program and Request for Proposal (RFP) development
- Present options for elements of a contracted system at the July 12th Council Work Session

July 12th Work Session

- Draft a Resolution that directs staff to develop and issue an RFP that reflects the staff recommendations and Council discussion at the July 12 Work Session
- Bring the Resolution for Council's consideration at its July 19 meeting

July 19th Regular Session

- Council adopted Resolution 2022-079 directing staff to develop and issue a Request for Proposals for contracted residential waste and recycling collection with specific program elements and designed to meet specific goals (see the Resolution for these specific elements and the Contract elements section below for the outcome of the RFP process)

February 2nd Council Finance Committee

- Unanimous support of the proposed $1.35 administrative fee and $107,251 appropriation for 2023 program start-up costs

Contract

Competitive Purchasing Process

Based on this Council direction and community member feedback, City staff issued a Request for Proposals (RFP) in the fall of 2022. Three firms (Republic Services, Waste Management, and Sweetman Sanitation) submitted proposals. A cross-disciplinary team of City staff and external consultants with specific subject matter expertise in single hauler systems (LBA Consulting and a member of the Recycling Partnership) interviewed the three firms in late November 2022. Republic Services' proposal most closely

aligned with the priorities and evaluation criteria in the RFP. Staff negotiated a contract with Republic (attached) that will extend to September 30, 2029.

Contract elements

The contract includes the following elements:

- Service start date: 9/30/24
- Duration: 5 years from the service start date
  - The time between the contract being signed and the service start date allows the Contractor to purchase trucks, hire staff, and conduct community outreach to ensure a smooth roll out
- Services included:
  - Weekly trash collection, weekly seasonal yard trimmings collection, two bulky items per year
  - The contract includes options for weekly or every other week recycling, pending Council decision on this service
  - Residents will automatically be signed up for yard trimmings collection, but may decline the service and receive a $5 discount on their monthly bill
  - Food scrap collection is not included in this contract, but the contract can be amended when this service is available
- Sustainable vehicle strategy:
  - One electric collection vehicle will be utilized as a pilot
  - Any new vehicles purchased to service this contract will run on natural gas generated from landfill capture etc. (rather than new extraction)
  - Republic will not purchase any more diesel trucks to provide service under the contract
- Carts:
  - Contractor would purchase carts with a City logo, which will be paid for as part of the monthly service fee
  - The carts would remain at households at the end of the contract regardless of the vendor selected for the next contract
  - This supports consistency for residents and a level playing field for all potential vendors in the next competitive purchasing process
- Billing:
  - Contractor would bill residents directly
- Customer Service:
  - Contractor would provide a high level of customer service, including dedicated customer service representatives
- Performance:
  - The contractor is subject to extensive liquidated damages and performance standards to ensure a high level of service

Pricing

The following monthly prices would be effective from 2024-2025 and includes trash, recycling, yard trimmings, 2 bulky item collections per year, and also includes the up to $1.35 City administrative fee:

- XS trash cart (~16 gallons): $11.10
- S cart (35 gallons): $17.85
- M cart (65 gallons): $34.60
- L cart (95 gallons): $51.35
- XL cart (2 L carts): $101.60

The contract allows a 3% price increase per year. The hauler may apply for an additional price increase only in the case of increased tip fees or regulatory changes. This creates a consistent, predictable price for community members, which was one of the goals prioritized by low-income community members.

Opt-out Fee

Households may opt out of the Program and use a different hauler or take material to the landfill themselves but must pay an opt-out fee equal to the smallest level of trash service ($11.10 / month).

Contract exclusions

- Homeowner's Associations (HOAs)
  - HOAs with contracts that comply with the City's Pay-As-You-Throw and yard trimmings service requirements and that are in effect prior to the date the contract is signed may continue with their existing contracts or join the City's contract
  - City staff will check HOA contracts to ensure compliance with City requirements in Q2-Q4 2023. Contracts out of compliance will have a fixed amount of time to either update their contracts or join the City's contract
- Variances
  - Households may apply for variances. Any variance application will be verified by City compliance staff. Households granted a variance will be exempt from Program participation and will not have to pay the administrative fee. Variances include:
    - Large waste volume producing households (a household that generates more than two large carts' worth of waste per week)
    - Shared service (two households that share the XS cart service)
- Dumpsters
  - Single unit residential dwellings and multi-unit residential dwellings with seven or fewer units that utilize a dumpster for waste collection are exempt from the Program. (The Community Recycling Ordinance would apply to these locations)

Every other week or weekly recycling option

A policy option within the contracted program is to select to remain with the current every other week recycling or to shift to weekly recycling collection for a small increase in the service fee.

Benefits of weekly recycling	Tradeoffs of weekly recycling
Additional recycling ~800 – 2500 tons (9% - 27% increase)	Additional cost $1.25 / mo for small cart customers
Net GHG benefits 1100-3600 MTCO2e reduction ~3-8% of waste emissions ~3-8% of waste emissions (accounts for increased transportation emissions)	Slight GHG increase 60 MTCO2e increase from additional trucks (GHG increase offset by emissions reductions from more recycling) Additional truck in the neighborhood every other week
Net GHG benefits 1100-3600 MTCO2e reduction ~3-8% of waste emissions (0.05-0.15% progress toward climate goals)	Slight GHG increase 60 MTCO2e increase from additional trucks (GHG increase offset by emissions reductions from more recycling)
Additional convenience Supports the increase in residential recycling from online shopping and more people working from home	Additional truck in the neighborhood every other week

The prices for the weekly and every other week options are included below.

Trash cart size	Option 1: Every Other Week Recycling Price	Option 2: Weekly Recycling Price
XS	$11.10	$11.10
S	$17.85	$19.10
M	$34.60	$37.10
L	$51.35	$55.10
XL	$101.60	$109.10

Pricing Compared with Current Service Costs

Trash Bill Analysis

City staff conducted a Trash Bill Analysis to understand current prices paid by community members (attached). The following highlights emerged:

- Community members pay different prices for the same service
  - Some are paying $6-$22 more per month (sometimes twice the price) than others for the same service. Prices are even different from the same company in the same area of town
- Haulers may not be charging the full amount for medium and large trash cart service required by the City's Pay-As-You-Throw requirements
- Most haulers increased their service prices in late 2022 or early 2023. Staff called to get updated pricing in February 2023. Prices had increased 2% - 41% depending on the hauler and cart size

Comparison with Contracted Service Costs

The following information is based on trash bills from 2022. It shows that an apples-to-apples comparison of services in the current system and the contracted system show a significant cost savings for residents in the contracted system.

Trash Cart Size	% of Households Now	Trash + Recycling Only			
		Current	Contract	$ Change	% Change
XS	0.5%	$15.93	$11.10	$ (4.83)	-30%
Small	43%	$18.18	$12.85	$ (5.33)	-29%
Med	41%	$33.20	$29.60	$ (3.60)	-11%
Large	15%	$45.11	$46.35	$ 1.24	3%
XL	n/a	n/a	$96.60		

Trash Cart Size	Trash + Recycling + Yard Trimmings				Trash + Recyc + Yard Trims + Bulky Items			
	Current	Contract	$ Change	% Change	Current	Contract	$ Change	% Change
XS	$33.10	$11.10	$ (22.00)	-66%	$39.35	$11.10	$ (28.25)	-72%
Small	$35.35	$17.85	$ (17.50)	-50%	$41.18	$17.85	$ (23.33)	-57%
Med	$50.37	$34.60	$ (15.77)	-31%	$56.20	$34.60	$ (21.60)	-38%
Large	$62.28	$51.35	$ (10.93)	-18%	$68.12	$51.35	$ (16.77)	-25%
XL	n/a	$101.60			n/a	$101.60		

Administrative Fee and Appropriation Request

A Fee Study (Attached) was conducted and recommended an administrative fee of up to $1.35 per household per month to recover the City's costs of administering the Program (including program roll-out, program management, compliance and customer service). All pricing in the Council materials includes the $1.35 administrative fee.

The City would begin collecting the revenue from the administrative fee revenue when service starts on September 30, 2024. A budget appropriation is requested to fund start-up costs from the contract adoption until the administrative fee collection begins. The appropriation would be repaid from administrative fee revenue over the duration of the contract.

The fee and appropriation were reviewed and unanimously supported by Council Finance Committee on February 2, 2023.

Benefits and Tradeoffs

The following benefits and tradeoffs of shifting to a contracted residential hauling program have been identified. More details are included in the Benefits and Tradeoffs attachment.

Benefits:

- Increased equity and lower pricing
    - Cost-effective price for service
    - Predictable pricing
    - Access to bulky item collection
- Increased composting from yard trimmings collection
- Increased recycling (if Councilmembers select weekly recycling option)
- Greenhouse gas emissions reductions
- Street maintenance savings
- Sustainable collection vehicles
- Fewer trucks in neighborhoods
- High level of customer service with enforcement capability

Tradeoffs:

- Households would have to pay an opt out fee of $11.10 / month to use a hauler other than the City's contracted hauler
- Perception of a reduction in competition in the hauling industry in Fort Collins
    - The proposed contract only accounts for 20% of the market share of trash and recycling hauling in Fort Collins by revenue

Code Changes

The proposed Code changes include the following elements:

- Create a Residential Solid Waste Collection Program
- Create an administrative fee
- Confirm that HOAs may continue their contracts as long as they meet the Code requirements
- Update HOA yard trimmings requirement to match the City contract's level of service by September 30, 2024 (update from households having to request yard trimmings collection service to household being automatically signed up for yard trimmings but can decline service)
- Clarify Pay-As-You-Throw requirements
- Clarify limitations on which types of fees collectors may charge customers

- Provide that collectors take ownership of certain kinds of waste when it is loaded into a vehicle and providing that collectors do not take ownership of hazardous waste or other waste that is not accepted as disposal facilities

Next Steps

If Councilmembers adopt the Ordinances on First Reading, the following would be next steps:

- Second Reading on March 7, 2023
- Staff would then work with contractor to prepare for service roll out on September 30, 2024
- Appropriation for 2024 startup costs would be included in the mid-cycle budget process

CITY FINANCIAL IMPACTS

The Program is designed to be cost neutral to the City. However, because the revenue associated with the contract does not begin until service commences, Ordinance No. 029, 2023, would appropriate $107,251 from the General Fund Reserves in 2023 to fund start-up costs of the City's role in the Residential Solid Waste Collection Program. The General Fund would be repaid from the administrative fee revenue over the five years from the service start date of the contact (September 30, 2024). More details can be found in the attached Residential Solid Waste Collection Program Administrative Fee Study.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

The project team presented to the Natural Resource Advisory Board (NRAB) and Economic Advisory Board (EAB) in April and June 2022 and will again on February 15, 2023. Both NRAB and EAB wrote letters of support for the project in 2022 (minutes and letters are attached).

PUBLIC OUTREACH

In addition to Boards and Commissions, staff has engaged with community members, stakeholders, and haulers throughout this project. Details are included in the attached Engagement Summary.

ATTACHMENTS

First Reading attachments not included.

1. Ordinance A for Consideration
2. Ordinance B for Consideration
3. Ordinance B Exhibit A
4. Ordinance B Exhibit B
5. Ordinance B Exhibit C
6. Ordinance B Exhibit D
7. Ordinance C for Consideration
8. Contract Revision #1
9. Contract Revision #2
10. Contract Revision #3

ORDINANCE NO. 027, 2023
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING CHAPTER 12, ARTICLE II AND CHAPTER 15, ARTICLE XV OF THE CODE OF THE CITY OF FORT COLLINS TO ALLOW FOR THE ESTABLISHMENT OF A CITY WASTE COLLECTION PROGRAM AND GENERALLY UPDATING PROVISIONS OF THE CODE GOVERNING WASTE COLLECTION WITHIN THE CITY

WHEREAS, on December 17, 2013, City Council adopted Resolution 2013-011 recognizing that the City's history of public education regarding recycling and solid waste reduction and waste reduction goals from 1985 through the adoption of Resolution 1999-139 and establishing the goal of diverting 50% of the community's waste stream from landfill disposal by 2010; and

WHEREAS, on October 21, 2014, City Council adopted Resolution 2014-098, establishing the City's Waste Diversion Policy with the goal of achieving "zero waste" by 2030 (with interim goals) and recognizing the City's "Road to Zero Waste" plan created to achieve this policy goal and the resulting direct economic and environmental benefits to the local and global community; and

WHEREAS, on March 16, 2021, City Council adopted Resolution 2021-031 approving and adopting the Fort Collins Our Climate Future Plan as a combined and comprehensive update to the City's Climate Action Plan, updated Energy Policy and Road to Zero Waste Plan articulating a commitment to mitigate climate change, and energy and waste reduction goals, including recycling and waste diversion as a vital strategy to reduce greenhouse gas emissions; and

WHEREAS, in 2021, the City Council directed City staff to examine ways to reduce the impacts of trash collection services in Fort Collins, including street wear, air quality, neighborhood aesthetics, noise, and other neighborhood impacts, and to identify ways to improve diversion rates for recyclable and compostable materials; and

WHEREAS, based on a study conducted by a contracted third party, having numerous heavy trash vehicles on City streets impedes the attainment of these goals and accelerates the deterioration of City streets, causing additional street maintenance costs of more than $600,000 per year; and

WHEREAS, based on a study conducted by a contracted third party, having numerous trash vehicles on City streets impedes the attainment of greenhouse gas emission reduction goals by emitting an additional 1,200 metric tons of CO2e per year; and

WHEREAS, at least four residential trash haulers currently provide service within the community, resulting in at least four trash trucks and four recycling trucks using residential streets to provide residential collection services each week, causing increased street wear, air pollution, noise, potential safety concerns, and other neighborhood impacts; and

WHEREAS, analysis of open market residential trash bills in Fort Collins indicates that residents currently pay 50% - 100% different prices for the same service, even from the same company in the same area of town and a contracted system would provide predictable uniform rates across the community; and

WHEREAS, additional yard trimmings collection is a key step to achieving climate and waste reduction goals and a contracted system allows for the opportunity to expand yard trimmings collection for a more affordable price than open market collection; and

WHEREAS, Colorado Revised Statutes ("C.R.S.") § 30-15-401(7.5) authorizes the City to establish a residential waste collection program (the "Program"), through which the City can require municipal residents in single-unit residences and multi-unit residences with seven or fewer dwelling units to use or pay user charges for residential waste services; and

WHEREAS, on July 19, 2022, in Resolution 2022-079, the City Council directed City staff to design and issue a request for proposals for residential waste collection services, including trash and recycling collection services for purposes of establishing a waste collection program as authorized by C.R.S. § 30-15-401(7.5); and

WHEREAS, adoption of the Program would improve waste collection in the City including by: increased equity and lower pricing; increased composiŧting of yard trimmings; reducing greenhouse gas emissions; saving on street maintenance; fewer trucks will drive through neighborhoods; and the Program will help ensure high level of waste collection customer service with enforcement capability; and

WHEREAS, adoption of the Program requires a series of changes to Chapter 12, Article II and Chapter 15, Article XV of the City Code; and

WHEREAS, the Code Changes include: establishing that single-family homes and multi-unit residences with seven or fewer dwelling units are within the Program and Program customers must pay the applicable rates and fees; establishing Program exclusions, including homeowners' associations that meet certain requirements; authorizing variances for sharing service or for producing excess waste; establishing the administrative fee to be set by the City Manager; and creating a civil infraction for failure to meet Program requirements; and

WHEREAS, the Code Changes in this Ordinance include a variety of related and conforming changes to the provisions governing waste collection and waste collector licensing, including: clarifying Pay-As-You-Throw requirements; clarifying limitations on which types of fees collectors may charge customers; providing that collectors take ownership of certain kinds of waste when it is loaded into a vehicle and providing that collectors do not take ownership of hazardous waste or other waste that is not accepted at disposal facilities; amending yard trimmings collection requirements for all collectors to align with yard trimming requirements in the Program; and expanding the City Manager's authority to examine records required to be retained by collectors.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That Section 12-16 of the Code of the City of Fort Collins is hereby amended by the addition of new definitions which read in their entirety as follows:

Division 1
General Requirements

Sec. 12-16. Definitions.

The following words, terms and phrases, when used in this Article shall have the meanings ascribed to them in this Section:

. . .

City's contracted waste collector shall mean the person licensed pursuant to Chapter 15, Article XV of this Code who enters into a contract with the City to provide collection services under the City's residential waste collection program and the City's dumpster waste collection program.

City's residential waste collection program or *program* shall mean the City's provision of residential waste collection services within the City through the City's contracted waste collector pursuant to §§ 12-28 through 12-33 of this Article.

City's dumpster waste collection program or *dumpster program* shall mean the City's provision of dumpster-based waste collection services to residential units, multi-family customers in dwellings with eight (8) or more units, and commercial customers who opt-in to the program by requesting dumpster service from the City's contracted waste collector pursuant to §§ 12-28 through 12-33 of this Article.

Commercial customers shall have the meaning set forth in § 15-411 of this Code.
. . .

Director shall have the meaning set forth in § 15-411 of this Code.

Dumpster shall have the meaning set forth in § 15-411 of this Code.
. . .

Group account shall have the meaning set forth in § 15-411 of this Code.
. . .

Large capacity container(s) shall have the meaning set forth in § 15-411 of this Code.

Medium capacity container(s) shall have the meaning set forth in § 15-411 of this Code.
. . .

Multi-family customer shall have the meaning set forth in § 15-411 of this Code.

. . .

Poly-cart shall have the meaning set forth in § 15-411 of this Code.

Program customer shall mean the owner or occupant of a residential unit or any person who opts-in to receive residential waste collection services.
. . .

Recyclable materials shall have the meaning set forth in § 15-411 of this Code.

Recycling shall have the meaning set forth in § 15-411 of this Code.

. . .

Residential customer shall have the meaning set forth in § 15-411 of this Code.

Residential waste collection services shall mean the collection, transportation and disposal of residential solid waste, recyclable materials and yard trimmings by the City's contracted waste collector through the City's residential waste collection ~~service~~ program.

Residential unit shall mean all single-unit residential buildings, and multi-unit residential buildings containing seven (7) dwelling units or fewer within the City, except for residential units excluded pursuant to § 12-29 and residential units for which a variance has been granted in accordance with § 12-30.
. . .

Small capacity container(s) shall have the meaning set forth in § 15-411 of this Code.

Solid waste shall have the meaning set forth in § 15-411 of this Code.

Solid waste collector shall have the meaning set forth in § 15-411 of this Code.

Volume capacity category of containers shall have the meaning set forth in § 15-411 of this Code.

Yard trimmings shall have the meaning set forth in § 15-411 of this Code.

Section 3. That Section 12-18 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 12-18. Collection and disposal of refuse and rubbish.

(a) The occupant and the owner of any premises wherein any refuse or rubbish is produced or accumulated shall be jointly and severally responsible to provide for collection service and removal of refuse and rubbish to the degree of service necessary to maintain the premises in a clean and orderly condition. They shall not contract or arrange for such collection and removal except with solid waste collectors licensed by the City under § 15-417 and, if applicable, as required by §§ 12-28 through 12-33 of this Article. An individual may dispose of his or her own refuse and rubbish, provided that it is properly disposed of at the Larimer County Landfill or at any other disposal site which is approved by the State, in conformity with all City and county regulations.

. . .

(d) When loaded into collector's vehicle, collector shall acquire title to and ownership of all non-hazardous waste that is accepted at a waste processing or disposal facility. Title to, ownership of and liability for any hazardous waste or waste that is otherwise not accepted at a processing or disposal facility shall remain with the generator of the waste and shall at no time pass to the collector.

Section 4. That Section 12-19 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 12-19. Group accounts for collection.

(a) Any person who solicits refuse collection services from a collector for residential customers through a group account shall arrange for such services in a manner that offers residential customers:

(1) Choices from amongst small, medium and large capacity containers for solid waste that are placed for collection by the residential customer;

(2) Charges to residential customers that are based upon the small, medium or large capacity solid waste container, in a manner consistent with § 15-412(c);

(3) Recycling services, ~~including Poly-carts required to be provided for recycling,~~ in a manner consistent with § 15-413; and

(4) Yard trimmings collection, in a manner consistent with § 15-414.

(b) Any person who is subject to the requirements of Subsection (a) above shall provide written notice consistent with the notice required in Subsection 15-413(~~d~~e) to all residential customers served through the group account. Said notice shall be given to all such residential customers no more than thirty (30) days after notice of rates per volume capacity category of solid waste container and recyclable materials services and solid waste container options have been provided by the collector. In addition, written notices shall be sent to all new residential customers who join the group account after the date of the original notice. Said additional notices shall be given to

each new member no more than ten (10) days after the new member joins the group account. Said notice shall also be provided to all residential customers once per calendar year. A copy of the form of each such notice, a list of recipients of the notice, and a record of the date and manner of distribution shall be retained by the person providing the notice for a period of five (5) years from the date each notice was provided, and shall be made available to the City for inspection upon request during said period of time.

(c) No person who is subject to the provisions of Subsection (a) above shall in any way discourage or provide disincentives to any current or prospective residential customer served through a group account who wishes to select a volume capacity category or level of recycling service that is different from that selected by other residential customers served through such account.

Section 5. That Section 12-22(b) of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec 12-22 – Required recycling.

. . .

(b) *Cardboard.* No person shall place recyclable cardboard in solid waste containers for collection, nor shall any person bury or otherwise dispose of recyclable cardboard in or on private or public property within the City. All recyclable cardboard must either be stored and presented or delivered to a licensed solid waste collector for recycling in accordance with the provisions of Subsection 15-413(c) or delivered directly to a qualified recycling facility appropriate for recyclable cardboard.

Section 6. That Section 12-27 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 12-27. Violations and penalties.

Any person who violates § 12-18 of this Article, or who violates Subsection 12-22(b), or Subsection 12-22(c) as it relates to Subsection 12-22(b), commits a civil infraction and is subject to the penalty provisions of Subsection 1-15(f). Any person who violates any other provision of §§ 12-18 through 12-26 also commits a misdemeanor. All such misdemeanor violations are subject to a fine or imprisonment in accordance with § 1-15.

Section 7. That Chapter 12 of the Code of the City of Fort Collins is hereby amended by the addition of new Sections 12-28 through 12-33, which read in their entirety as follows:

Division 2
City's Residential Waste Collection Program

Sec. 12-28. City's residential waste collection program.

~~The City shall provide~~There is established the City's residential waste collection program to provide residential waste collection services for all program customers, except for those residences excluded pursuant to § 12-29 and those residences for which a variance has been granted in accordance with § 12-30.

Sec. 12-29. Program exclusions and opting-in to the program.

(a) All commercial customers and multi-unit residential buildings containing eight (8) dwelling units or more are excluded from the City's residential waste collection program, except that multi-unit residential buildings containing eight (8) dwelling units or more may elect to participate in the City's residential waste collection program subject to the requirements set forth in this Article.

(b) All residential units served by a dumpster are excluded from the City residential waste collection ~~service~~ program.

(c) Commercial customers, multi-family customers, and owners or occupants of a residential unit served by a dumpster may elect to participate in the City's dumpster program by requesting service from the City's contracted waste collector subject to the program requirements set forth in the City's waste collection contract and as contained in this Article.

(d) Group accounts formed prior to March 17, 2023, conforming with all applicable requirements of this Article and of Chapter 15, Article XV of the City Code, are excluded from the City's residential waste collection program while under ~~the~~an agreement with ~~the~~a solid waste collector. Such group accounts, however, may elect to participate in the City's residential waste collection ~~service~~ program, subject to the requirements set forth in this Article. All group accounts formed on or after March 17, 2023, shall be subject to the City's residential waste collection program, unless otherwise excluded.

Sec. 12-30. Variances.

(a) Program customers may request a variance from the program to apply to a residential unit pursuant to this Section. Program customers may request a shared service variance under Subsection (d)(1) of this Section or an excess waste variance under Subsection (d)(2) of this Section.

(b) Upon receipt of a request for variance, the Director shall either approve the variance or disapprove the variance based on the applicable standard provided in Subsection (d) of this Section. A copy of the approved or disapproved variance shall be sent by the City to the requestor of the variance and to the City's contracted solid waste collector.

(c) A variance granted under this Section shall be valid for twenty-four (24) months. A granted variance shall exclude the grantee's residential unit from the City's residential waste collection ~~service~~ program for the duration of the variance and accordingly, the grantee shall not be subject to any of the requirements of §12-32 for that period, including any requirement to pay

the City's contracted waste collector any charge or fee under the City's residential waste collection program.

(d) Program customers may request a variance from the program for the following situations:

(1) A shared service variance may be granted by the City in accordance with the following provisions:

a. A program customer may request from the City a variance for sharing residential waste collection services provided under the City's residential waste collection program with one or more other program customers.

b. The variance shall only be granted if the program customer provides proof, to the reasonable satisfaction of the Director, that the program customer shares residential waste collection services with one or more other residential units and that the program customers together consistently produce combined total solid waste in an amount equal to or less than the smallest volume of solid waste service offered by the City's contracted waste collector.

c. Only one (1) variance shall be granted per approved request, meaning that only one (1) program customer in a group of program customers sharing service is eligible to receive a variance. Program customers sharing service may collectively agree to how to share the financial benefit of the variance.

(2) An excess producer shall only be granted if the program customer provides proof, to the reasonable satisfaction of the Director, that the program customer consistently produces solid waste in an amount greater than the volume of the largest cart service offered by the City's contracted waste collector.

Sec. 12-31. Freedom to contract; freedom to self-haul.

Nothing in this Article shall prohibit any program customer from contracting for or hauling their own solid waste, recyclable materials, or yard trimmings, provided it is collected and disposed of in conformity with all applicable City rules and regulations.

Sec. 12-32. City contract; City administrative fee; rates.

(a) The City may enter into an agreement with a licensed collector to become the City's contracted waste collector. The City's contracted waste collector shall provide residential waste collection services under the City's residential waste collection program and the dumpster program. The contract shall establish all appropriate terms and conditions, including rates for residential waste collection services, for the contracted waste collector's provision of residential waste services to the City. The contract shall also establish all appropriate terms and conditions for the dumpster program. All rates under the contract shall be in amounts that reasonably relate to the services provided for such rates. The City Manager may approve and execute future amendments to the contract that the City Manager, in consultation with the City Attorney,

determines to be necessary and appropriate to facilitate the program, so long as such amendments do not increase costs to program customers without a commensurate service improvement, substantially modify the purposes of the contract, or increase the obligations and responsibilities of the City as set forth in the contract.

(b) There is established a City administrative fee to be imposed on each program customer and dumpster program customer in the amount not to exceed one dollar and thirty-five cents ($1.35) per month to defray the City costs of administering the program. The administrative fee shall be remitted to the City in accordance with the terms of the City's contract with the collector. The administrative fee amount shall be determined by and adjusted as necessary by the City Manager in accordance with Chapter 7.5 of this Code, provided it does not exceed one dollar and thirty-five cents ($1.35) per month.

(c) Each program customer shall pay to the City's contracted waste collector the applicable rate for the solid waste, recyclable materials, and yard trimmings collection service provided, in addition to the administrative fee established under Subsection (b) of this Section.

(d) If a program customer who has not received a variance under §12-30 elects to not use the services provided by the City's contracted waste collector, the program customer shall pay the City's contracted waste collector the administrative fee established under Subsection (b) of this Section and the rate for the minimum level of solid waste service, which is nine dollars and seventy-five cents ($9.75) per month for the period from September 30, 2024, to September 29, 2025, and which shall increase by three percent (3%) annually and as otherwise provided for by the City's waste collection contract.

(e) Each dumpster program customer shall pay to the City's contracted waste collector the applicable rate ~~to the City's contracted waste collector~~ for the dumpster services, in addition to the administrative fee established under Subsection (b) of this Section. The dumpster program is only available if provided for pursuant to the contract. Pricing for such service through the dumpster program shall be as defined in the contract with the City's residential waste collector.

(f) The City's contracted waste collector shall not impose any rate, fee, charge, surcharge or any other assessment of any kind to any program customer except those expressly authorized in and pursuant to the contract. For clarity and without limitation, this Section prohibits the City's contracted waste collector from imposing any charge authorized in Article XV of Chapter 15 of this Code to program customers.

Sec. 12-33. Violations and penalties.

Any person who violates any provision of §§ 12-28 through 12-32 of this Code, whether by acting in a manner declared to be unlawful or by failing to act as required, commits a civil infraction and shall be subject to the penalty provisions of Subsection 1-15(f) of this Code.

Section 8. That Section 15-411 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 15-411. Definitions.

The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this Section:

. . .

City's residential waste collection program or *program* shall have the meaning set forth in § 12-16.

City's contracted waste collector shall have the meaning set forth in § 12-16.

Collector shall mean a person providing collection service for solid waste, recyclable materials, food scraps, or yard trimmings.

Commercial customers shall mean any premises utilizing collection service where a commercial, industrial or institutional enterprise is carried on, including, without limitation, retail establishments, restaurants, hospitals, schools, day care centers, office buildings, nursing homes, clubs, churches and public facilities. Customers, other than residential customers, serviced using any type of collection container, including without limitation poly-carts, dumpsters, or roll-off bins, are considered commercial customers unless the service is provided for an active construction or demolition project permitted by the City building department. Customers at residential properties who use a dumpster for solid waste collection are commercial customers.

Communal system for the collection of waste shall mean an arrangement for the collection of refuse from multiple properties or residences using collection containers shared by those properties or residences.

. . .

Extra-large capacity container shall mean two (2) large capacity containers or the equivalent volume thereof.

Extra-small capacity container shall mean container or solid waste service for a volume of solid waste less than that held by the small capacity container.

. . .

Group account shall mean a customer account for collection of refuse from multiple residential customers, regardless of the method by which such services are contracted or arranged. An account for service arranged by a single property owner for collection of solid waste from multiple locations owned by that property owner shall not constitute a group account for the purposes of this Article.

. . .

Poly-cart shall mean a durable, watertight, plastic, wheeled container with a tightly fitting, rodent proof lid, manufactured and used for the collection of solid waste, recyclable materials, food scraps, or yard trimmings. For multi-family or commercial customers, a dumpster or roll-

off bin with aggregate volume of multiple poly-carts shall be deemed to constitute one (1) or more poly-carts.

. . .

Recyclable materials shall mean materials which have been separated from solid waste and can be recovered as useful materials and are properly prepared for the purpose of recycling, provided that such materials have been designated by the City Manager as recyclable pursuant to § 15-416 of this Article.

Recycling shall mean the process of recovering useful materials from refuse, including items for reuse.

Recycling collector shall mean a person providing recyclable materials collection service.

. . .

Residential customer shall mean a customer at a residential property for which a communal system for the collection of waste is not employed and which does not use a dumpster for solid waste collection.

. . .

Solid waste shall mean all refuse, putrescible and nonputrescible waste, excluding discarded or abandoned vehicles or parts thereof, sewage, sludge, septic tank and cesspool pumpings or other sludge, discarded home or industrial appliances, hazardous wastes, materials used as fertilizers or for other productive purposes and recyclable materials or yard trimmings or food scraps ~~which~~ that have been source separated for collection.

. . .

Source separation shall mean to separate recyclable materials, food scraps or yard trimmings from solid waste at the waste source.

Volume capacity category of containers shall mean extra-small capacity containers, small capacity containers, medium capacity containers, large capacity containers, or extra-large capacity containers placed for collection of solid waste, recyclable materials, food scraps or yard trimmings.

. . .

Section 9. That the definition “Existing customers” contained in Section 15-411 of the Code of the City of Fort Collins is hereby deleted.

Section 10. That Section 15-412 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 15-412. License requirement.

. . .

(b) *Exemptions*. The following persons or entities are not required to obtain a ~~solid waste or recyclable~~ collection license:

(1) A civic, community, benevolent or charitable nonprofit organization that collects, transports and markets materials for resource recovery solely for the purpose of raising funds for a charitable, civic or benevolent activity;

(2) A person who transports refuse produced by such person;

(3) A property owner or agent thereof who transports refuse left by a tenant upon such owner's property, so long as such property owner does not provide collection service for compensation for tenants on a regular or continuing basis;

(4) A demolition or construction contractor or landscaper who produces and transports refuse in the course of such occupation, where the refuse produced is merely incidental to the particular demolition, construction or landscape work being performed by such person.

(c) *Volume-based rates for solid waste service.*

(1) Any person licensed to operate as a solid waste collector within the City shall charge all residential customers, including, but not limited to, residential customers provided service through a group account, on the basis of the volume capacity category of the solid waste containers placed for collection by each residential customer. Solid waste collectors shall determine a rate for, and offer to residential customers, the small capacity container solid waste service, and that rate shall be used to determine the rates for all other service levels in accordance with the following:

a. Medium capacity container solid waste service shall be two (2) times the rate of the small capacity container solid waste service.

b. Large capacity container solid waste service shall be three (3) times the rate of the small capacity container solid waste service.

c. Extra-large capacity container solid waste service shall be six (6) times the rate of the small capacity container solid waste service.

d. A solid waste collector may offer extra-small capacity container solid waste service, the rate for which shall be less than the rate of the small capacity container solid waste service.

e. The City’s contracted waste collector shall charge customers under the City’s residential waste collection program the rates established in the City’s contract with the City’s contracted waste collector.

(2) The charge for solid waste placed for collection that exceeds the customer's service subscription level shall be proportional to the collector's standard rate for a small capacity container (for example, a customer who placed out an extra thirty-two (32) gallon bag of solid waste would be charged one-quarter (¼) the monthly rate for the small capacity container service as the bag would be equivalent to the amount of small capacity container service volume provided per week).

a. A poly-cart in which the lid is unable to close due to the presence of solid waste is considered to contain excess solid waste and the solid waste collector must charge the customer accordingly.

b. Determining whether a customer has placed excess solid waste out for collection shall be made on an individual pick-up date basis. Solid waste collectors shall not "average" pick-up volumes (to allow for excess solid waste at one (1) time offset by a lower volume at another time).

(3) In order to further ensure that the charge for the collection of solid waste is based upon volume as required above, any solid waste collector may provide to each residential customer containers (which may include disposable bags), or labels to be attached to customer-provided disposable bags, showing the volume capacity category of such bags.

(4) A solid waste collector shall arrange for provision of service to each group account in a manner that results in an individual selection by each individual residential customer of a level of service that includes at a minimum the small, medium and large capacity containers and levels of service offered by the collector. In the case of a group account, the solid waste collector shall require a written contract that is compliant with the provisions of this Article and § 12-19.

(5) In offering or arranging for services, a collector shall provide reasonable notice of the range of volume capacity category container sizes or levels of service offered by the solid waste collector~~,~~ and shall provide to each residential customer that customer's requested volume capacity category container size or level of service.

(6) It shall be unlawful for any person to knowingly attach any label to a container exceeding in volume the volume capacity category shown on, or represented by, such label, and to place said container for collection.

(7) Residential solid waste shall be collected curbside. No collector shall collect or transport solid waste, recyclables, food scraps or yard trimmings which have not been placed for collection through such system or in containers upon which such labels have been attached.

(8) The provisions of this Subsection 15-412(c) shall not be construed as prohibiting any collector from also establishing policies regarding the maximum weight of containers of solid waste and/or recyclable materials.

(d) *Fixed fees for prepaid disposable bags or labels for solid waste service.*

(1) Where prepaid disposable bags or prepaid labels for customer-provided disposable bags (rather than reusable containers) are provided by a solid waste collector to its customers for solid waste collection services, solid waste collectors may, but are not required to, charge a fixed fee for the purpose of covering the fixed operational costs of routing service trucks for such collections in addition to the volume based rates for the prepaid bags or labels under Subsection 15-412(c) above.

. . .

(e) *Service surcharge for solid waste service.*

(1) In addition to the volume-based rates and excess solid waste charges required pursuant to Subsection 15-412(c), the charge allowed in Subsection 15-413(a)(4) and any fixed fees permitted under Subsection 15-412(d) for collection of prepaid disposable bags or prepaid labels for customer-provided disposable bags, collectors may, but are not required to, charge a service surcharge to residential customers. A service surcharge may be imposed only to cover fluctuating operational costs of doing business outside of a collector's control (such as, for example, fuel costs or market based recycling fees paid by collectors). A service surcharge shall be permitted and charged only as set forth in this Subsection 15-412(e).

. . .

(4) A collector may not impose any other rate, fee, charge, surcharge, or any other assessment of any kind to any customer. Fees, charges, surcharges etc. not allowed include without limitation those for service termination or for cart pickup.

. . .

(h) *Communications*. All oral and written communications with customers by or on behalf of a collector, whether in person, by telephone, in written form or through any other means, must be consistent with and clearly and accurately describe all:

(1) Components of the system for solid waste service, recyclable materials service, yard trimmings service and any other collection service provided by the collector; and

(2) All applicable requirements of this Article and Article II of Chapter 12.

Section 11. That Section 15-413 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 15-413. Recycling requirement.

(a) Curbside collection—Residential.

(1) Solid waste collectors shall provide residential solid waste customers curbside collection of recyclable materials for no additional charge. Such service shall include recyclable materials collection in an amount equal to at least eighteen (18) gallons and need not be more than two (2) large capacity containers. If a customer declines recyclable materials collection, solid waste collectors may not reduce the cost of collection service.

(2) Solid waste collectors shall provide curbside recyclable materials collection services on the same day of the week as they collect solid waste from the customer, except for residential customers located within mobile home parks.

(3) If solid waste collectors offer residential customers only the choice of an eighteen (18) gallon recycle tub, the solid waste collectors must provide recyclable materials collection at least once per week. Solid waste collectors that offer residential customers medium and/or large capacity containers for recycling ~~may~~must provide recyclable materials collection a minimum of two (2) times per month.

(4) When a residential customer has two (2) large capacity containers for recycling collection, collectors may require that all recyclable materials fit inside the provided containers or charge the customer an excess recyclable materials fee equivalent to the excess solid waste fee for recyclables placed for collection outside the recyclable materials cart.

(b) *Multi-family and commercial solid waste and recyclable materials collection.*

(1) Each solid waste collector shall provide recyclable materials collection service to multi-family customers and commercial customers as a part of solid waste collection services. Solid waste collectors must charge multi-family and commercial customers for the minimum recycling service described in Subsection 15-413(b)(2), which may be itemized separately on bills. Solid waste collectors shall not exclude the cost of minimum recycling service unless such customer is granted a variance in accordance with Subsection 15-413(b)(3).

(2) The volume of recyclable materials collection service for service for multi-family and commercial customers shall be at least one-third (⅓) of the total collection volume (including both solid waste and recyclables) based on the size of solid waste containers and the service frequency provided to such customer ("minimum recycling service"). For example, if a customer is provided with pick-up of a 4-cubic-yard trash container that is collected once per week, the collector shall also provide minimum recycling service in an amount equal to not less than a 2-cubic-yard recycling container as a part of such basic services (Two (2) cubic yards is one-third (⅓) of the total service volume (including both solid waste and recyclables) of six (6) cubic yards).

(3) The City may grant a commercial or multi-family recycling customer a variance from the recycling requirements in Subsections 15-413(b)(1) and (2) in accordance with the following provisions:

~~(i)~~a. If a collector's multi-family customer or commercial customer seeks to not participate in minimum recycling collection services offered by a collector due to space constraints, self-hauling recyclables to recycling drop-off center, utilization of a separate licensed recycling collection provider other than the solid waste collector, failure to generate recyclables, or if only available location for recycling bin is not safely serviceable by hauler, the customer must submit a written request for variance on a form provided by the City and signed by the customer. A recycling bin location that is not safely serviceable is defined as a location that is substantially less safe to service than the trash bin service area for that location. Upon receipt of such a request for variance, the Director shall either approve the variance for good cause shown, or disapprove the variance. A copy of the approved or disapproved variance shall be sent by the City to the solid waste collector servicing that customer.

. . .

(c) *Recyclable materials collection containers, collection vehicles and related duties.* All licensed collectors of recyclable materials and solid waste operating within the City shall have the following duties:

(1) Except for materials that customers have not properly prepared for recycling, collectors may not commingle designated recyclable materials with ~~refuse~~solid waste, nor dispose of recyclable materials set out by recycling customers by any means other than at a qualified recycling facility. ~~Recyclable materials shall include all those materials designated by the City Manager pursuant to § 15-416 as materials which collectors must offer to collect for recycling.~~

(2) Any vehicle used for the collection of recyclable materials must be clearly and unambiguously marked as a recycling truck, whether by permanent decals or markings, or by signage or placards displayed at all times during such use.

(3) Collectors must provide a recyclable materials container to any customer at any time upon request within one (1) billing period after the request is made.

(4) The following requirements shall apply for residential customers:

a. Unless a customer expressly declines it, the collector must provide residential solid waste customers a ~~rigid recyclable materials collection receptacle~~poly-cart or eighteen (18) gallon tub for recyclable materials that meets the requirements of this Subsection 15-413(c). The recyclable materials container

must be clearly marked as a recyclables container with words or symbols or both and must be provided to the customer without additional charge.

b. Collectors must offer in writing the choice of a medium capacity or large capacity recycling container to each residential recycling customer annually.

(5) The following requirements shall apply for commercial customers:

a. Solid waste collectors shall provide recycling containers to multi-family and commercial customers (in the form of containers, dumpsters, or roll-off bins as deemed appropriate for servicing the location) and with a capacity sufficient to meet one-third (⅓) of service as recycling volume requirement.

b. Regardless of the type of recyclable materials container, it must be clearly identifiable as a recycling container and include the following:

1. A conspicuous chasing arrows decal on the side(s) of the container accessed by service or pedestrian access; and

2. Signage such as stickers or weather-resistant laminated posters or imprinting into the surface of the container during manufacture, of recyclable materials accepted in local collection programs, including graphics depicting acceptable materials. Such information may be delivered by use of City-provided graphics or graphics provided by the collector and approved by the City.

(d) *Recyclable materials preparation and ownership.*

(1) The collector may establish such reasonable and industry-accepted requirements for the preparation of materials for recycling as are necessary to provide for the orderly collection of recyclable materials, including requirements for source separation.

(2) All recyclable materials placed for collection shall be owned by and be the responsibility of the customer until the materials are collected by the collector. Upon collection, the collector shall take title to and ownership of the recyclable materials. Title to, ownership of and liability for any hazardous waste or waste that is otherwise not accepted at a processing or disposal facility shall remain with the generator of the waste and shall at no time pass to the collector. No person other than the customer or the collector of recyclable materials shall take physical possession of any recyclable materials placed for collection, with the exception of City staff or their agents who make take physical possession of de minimis amounts of recyclable materials to conduct informational studies. Such materials must be recycled properly after completion of a study.

(e) *Customer notification.*

(1) Upon the initial provision of collection services to new residential customers, and on or before December 31 of each year with respect to existing residential customers, collectors shall notify in writing such customers of:

. . .

d. ~~s~~Such policies and requirements as have been established by the collector for the orderly collection of recyclable materials as authorized pursuant to Subsection 15-412(c)(8) or 15-413(d)(1);

. . .

(2) For group accounts, the notices required hereunder may be sent to the group representative for said account, provided that such notice shall further notify said representative of its obligation to provide all individual residential customers within the group of this same information, pursuant to Subsection 12-19(b).

(3) ~~All verbal and written communications with customers by or on behalf of a collector, whether in person, by telephone, in written form or through any other means, must be consistent with and clearly and accurately describe all components of the system employed by the collector to provide and charge for variable rate solid waste collection and recycling services.~~ The collector shall deliver to the Director a true and correct copy of each form of such notification sent on or before December 31 of each year.

Section 12. That Section 15-414 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 15-414. - ~~Optional service —~~Residential yard trimmings.

(a) *Residential service required*. Each solid waste collector licensed by the City shall make available to each residential customer receiving solid waste collection services, including customers receiving solid waste collection services through a group account, and shall provide to a residential customer upon request curbside collection of residential yard trimmings at least once per week from April 1 to November 30 of each year ~~upon a customer's request~~. As of September 30, 2024, each solid waste collector licensed by the City shall enroll each residential customer receiving solid waste collection services, including customers receiving solid waste collection services through a group account, in curbside collection of residential yard trimmings to be serviced at least once per week from April 1 to November 30 of each year and offer each residential customer the option to decline such service.

(b) *Rates*. Collectors shall be responsible for setting rates for collection of residential yard trimmings and such charges may be billed separately from ~~any~~ charges for basic services~~, as defined in § 15-411 to include collection of solid waste and recyclable materials, provided by the collector, and shall not be governed by the requirements of Subsection 15-412(c), provided that the City's contracted waste collector shall bill for yard trimmings services in accordance with the City's contract waste collection program for that program's customers~~. Beginning on September 30, 2024, collectors shall not list yards trimmings collection as a separate line item

on customers' bills and beginning on that date yard trimmings collection shall be included within the charges for basic services, unless the customer has declined yard trimmings collection service.

(c) *Disposal of yard trimmings.* Collectors may not comingle yard trimmings with solid waste or recyclable materials, nor dispose of yard trimmings at a landfill. Yard trimmings shall be disposed of by the collector at a location or facility permitted to collect ~~organic materials~~yard trimmings for recycling, reuse or composting.

Section 13. That Section 15-415 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 15-415. Collection of food store food scraps.

(a) *Frequency of collection.* Collectors providing food scraps collection service to food stores shall provide collection with such frequency as is necessary to prevent overflow of containers. Service must be provided at least once per week, but no less frequently than may be required by the Larimer County Department of Health and Environment.

(b) *Collectors—Duties.* All licensed collectors of food scraps operating within the City shall have the following duties:

(1) Except as permitted by variance allowed under Subsection 12-23(a), collectors may not comingle food scraps with solid waste or recyclable material or dispose of food scraps by any means other than at a location or facility permitted by the State of Colorado to collect such material (but not to a landfill).

(2) A collector may establish such reasonable and industry-accepted requirements for the preparation of food scraps as are necessary to provide for the orderly collection of such materials, including requirements for source separation.

. . .

Section 14. That Section 15-417 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 15-417. - Application for license.

(a) Any person desiring to obtain a license to engage in the business of being a collector of solid waste, recyclable materials, food scraps, or yard trimmings within the City shall make written application to the Director on forms provided by the City. All applications for renewal of a license by a licensed collector must be submitted no later than November 30 in advance of the new license year. The application shall include, without limitation, the following information:

. . .

(3) A list of motor vehicles or fleets of human powered vehicles owned and/or operated by the applicant directly in the collection of solid waste, recyclable materials, food scraps, and/or yard trimmings, or operated or located at any time in the City during the current or pending license year, including vehicle make, color, year, U.S. Department of Transportation safety inspection identification number, cubic yard capacity, Colorado license plate number and empty tare weight where applicable.

. . .

Section 15. That Section 15-420(d) of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 15-420. - Plans, recordkeeping and reports.

. . .

(d) Each collector licensed pursuant to this Article shall maintain accurate and complete records of the service provided to each customer, the charges to such customer and payments received, the form and recipients of any notice required pursuant to this Article, and any underlying records, including any books, accounts, contracts for services, including contracts for group accounts, written records of individual level of service requests, invoices, route sheets or other records necessary to verify the accuracy and completeness of such records, and copies of all applications for and documentation pertaining to all requests for variance pursuant to Subsection 15-413 (b)(3) ~~above~~. It shall be the duty of each collector to keep and preserve all such documents and records, including any electronic information, for a period of three (3) years from the end of the calendar year of such records, except for paper records of route sheets, which may be discarded one (1) year after the end of the calendar year of such route sheets. Notwithstanding any other requirement of this Article, a collector shall allow the City Manager, or their designee, to inspect any of the records referenced in this subsection when provided with seven (7) days advance written notice.

. . .

Section 16. That Section 15-422 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 15-422. Identification of vehicles.

Each vehicle used by a collector to provide services within the City pursuant to a license issued under this Article shall bear an identification sticker issued by the Financial Officer in a conspicuous place upon the vehicle, which identification sticker shall be issued by the Financial Officer at the time the license is granted.

Introduced, considered favorably on first reading and ordered published this 21st day of February, 2023, and to be presented for final passage on the 7th day of March, 2023.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading this 7th day of March, 2023.

Mayor

ATTEST:

City Clerk

ORDINANCE NO. 028, 2023
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR THE PROVISION OF RESIDENTIAL WASTE COLLECTION SERVICES

WHEREAS, Colorado Revised Statutes ("C.R.S.") § 30-15-401(7.5) authorizes the City to establish a residential waste collection program (the "Program"), which may require municipal residents to use or pay user charges for residential waste services; and

WHEREAS, to establish the Program, C.R.S. § 30-15-401(7.5)(b)(I) requires the City to issue a Request for Proposals for such services, provide written notice of the Request for Proposals to City-licensed waste haulers, and publish a six-month public notice of the Request for Proposals in a newspaper of general circulation within the City prior to requiring the use of the services or the time of initial imposition of the user charges; and

WHEREAS, C.R.S. § 30-15-401(7.5) also requires the local governing body to award the contract for the Program; and

WHEREAS, on July 19, 2022, in Resolution 2022-079, the City Council directed City staff to design and issue a Request for Proposals for residential waste collection services, including trash and recycling collection services; and

WHEREAS, City staff designed a Request for Proposals and issued it on September 12, 2022, with an addendum added on October 24, 2022, which are attached hereto as Exhibit A, mailed a copy of the Request for Proposals to all waste haulers licensed by the City, a list of which is attached hereto as Exhibit B, and published the required notice in a local newspaper, as shown in the affidavit attached hereto as Exhibit C; and

WHEREAS, City staff received three proposals in response to the Request for Proposals and conducted a procurement process in accordance with the requirements of the City Code; and

WHEREAS, based on the outcome of the procurement process, the City has selected Allied Waste Systems, Inc., which does business as Republic Services of Colorado, to provide the Program; and

WHEREAS, Section 8-186(a) of the City Code requires that most contracts for services (including this one) with a term of more than five years in length be authorized by the City Council by ordinance; and

WHEREAS, the agreement negotiated with Allied Waste Systems, Inc., which is attached hereto as Exhibit D (the "Agreement"), will remain in effect for a period longer than five years, that is until September 30, 2029, unless the Agreement is modified or terminated early; and

WHEREAS, an extended duration of the Agreement provides the City and Allied Waste Systems, Inc., needed time to set up the Program and then allows for a five-year service period.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That the City Council, in accordance with C.R.S. § 30-15-401(7.5) and Section 8-186(a) of the City Code, hereby approves of the attached Agreement for Residential Solid Waste Services between the City and Allied Waste Services, Inc.

Section 3. That the City Manager is hereby authorized to execute the Agreement for Residential Waste Collection Services in substantially the form attached as Exhibit "D", together with such additional terms and conditions as the City Manager, in consultation with the City Attorney, determines are necessary or appropriate to protect the interests of the City.

Section 4. The City Manager may approve and execute future amendments to the Agreement for Residential Waste Collection Services in accordance with Section 12-32(a) of the City Code.

Introduced, considered favorably on first reading, and ordered published this 21st day of February, 2023 and to be presented for final passage on the 7th day of March, 2023.

_____
Mayor

ATTEST:

_____
City Clerk

Passed and adopted on final reading on this 7th day of March, 2023.

_____
Mayor

ATTEST:

_____
City Clerk

EXHIBIT A

Financial Services
Purchasing Division
215 N. Mason St. 2nd Floor
PO Box 580
Fort Collins, CO 80522

970.221.6775
970.221.6707
fcgov.com/purchasing

REQUEST FOR PROPOSAL
9648 RESIDENTIAL SOLID WASTE COLLECTION SERVICES

RFP DUE: 5:00 PM MT (RMEPS Clock), October 24, 2022

The City of Fort Collins is requesting proposals from qualified Contractors to provide collection of Solid Waste, Recyclable Materials, Yard Trimmings, Bulky Items and related services for single family homes and multi-family buildings of 7 or fewer units. Award of a contract for the Residential Solid Waste Collection initiative is subject to the City of Fort Collins Council approval by ordinance.

As part of the City's commitment to sustainability, proposals must be submitted online through the Rocky Mountain E-Purchasing System (RMEPS) at http://www.bidnetdirect.com/colorado/city-of-fort-collins. *Note: please ensure adequate time to submit proposals through RMEPS. Proposals not submitted by the designated Opening Date and Time will not be accepted by RMEPS.*

A pre-proposal meeting will be held at 1:00 PM MT on September 26, 2022. The pre-proposal meeting will be hosted on-line via Zoom. Select or copy/paste the below link into your browser for access to the meeting. Please add your name, email address, and organization name in the Zoom chat.

Click here for the meeting: https://us02web.zoom.us/j/7056751403
Meeting ID: 705 675 1403

All questions should be submitted, in writing via email, to Gerry Paul, Purchasing Director at gspaul@fcgov.com, no later than 5:00 PM MT on October 3, 2022. Please format your e-mail to include RFP 9648 Residential Solid Waste Collection Services in the subject line. Questions received after this deadline may not be answered. Responses to all questions submitted before the deadline will be addressed in an addendum and posted on the Rocky Mountain E-Purchasing System webpage.

Rocky Mountain E-Purchasing System hosted by BidNet
A copy of the RFP may be obtained at www.bidnetdirect.come/colorado/city-of-fort-collins.

This RFP has been posted utilizing the following Commodity Code(s)**:**
91027 Garbage/Solid Waste Removal, Disposal and/or Treatment
92677 Recycling Services

Prohibition of Unlawful Discrimination: The City of Fort Collins, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 US.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

The City strictly prohibits unlawful discrimination based on an individual's gender (regardless of gender identity or gender expression), race, color, religion, creed, national origin, ancestry, age 40 years or older, marital status, disability, sexual orientation, genetic information, or other characteristics protected by law. For the purpose of this policy "sexual orientation" means a person's actual or perceived orientation toward heterosexuality, homosexuality, and bisexuality. The City also strictly prohibits unlawful harassment in the workplace, including sexual harassment. Further, the City strictly prohibits unlawful retaliation against a person who engages in protected activity. Protected activity includes an employee complaining that he or she has been discriminated against in violation of the above policy or participating in an employment discrimination proceeding.

The City requires its Contractors to comply with the City's policy for equal employment opportunity and to prohibit unlawful discrimination, harassment and retaliation. This requirement applies to all third-party Contractors and their subcontractors at every tier.

Public Viewing Copy: The City is a governmental entity subject to the Colorado Open Records Act, C.R.S. §§ 24-72-200.1 et seq. ("CORA"). Any proposals submitted hereunder are subject to public disclosure by the City pursuant to CORA and City ordinances. Contractors may submit one (1) additional complete proposal clearly marked "FOR PUBLIC VIEWING." In this version of the proposal, Contractors may redact text and/or data that it deems confidential or proprietary pursuant to CORA. Contractors must submit a supplemental document explaining the justification for each redaction. Failure to provide a public viewing copy will be considered a waiver of any claim of confidentiality under CORA without regard to how the applicant's proposal or certain pages of the proposal are marked confidential, proprietary, or similar. Such statement does not necessarily exempt such documentation from public disclosure if required by CORA, by order of a court of appropriate jurisdiction, or other applicable law. Generally, under CORA trade secrets, confidential commercial and financial data information is not required to be disclosed by the City. Proposals may not be marked "Confidential" or 'Proprietary' in their entirety. By responding to this RFP, Contractors hereby waives any and all claims for damages against the City for the City's good faith compliance with CORA. **All provisions of any contract resulting from this request for proposal will be public information.**

Contractors Registration: The City requires new Contractors receiving awards from the City to submit IRS form W-9 or W-8BEN/W8-BEN-E (international firms) and requires all Contractors to accept Direct Deposit (Electronic) payment. If needed, the W-9 form and the Vendor Direct Deposit Authorization Form can be found on the City's Purchasing website at www.fcgov.com/purchasing under Vendor Reference Documents. **Please do not submit these documents with your proposal**, however, if you take exception to participating in Direct Deposit (Electronic) payments please clearly note such in your proposal as an exception. The City may waive the requirement to participate in Direct Deposit (Electronic) payments at its sole discretion.

Sales Prohibited/Conflict of Interest: No officer, employee, or member of City Council, shall have a financial interest in the sale to the City of any real or personal property, equipment, material, supplies or services where such officer or employee exercises directly or indirectly any decision-making authority concerning such sale or any supervisory authority over the services to be rendered. This rule also applies to subcontracts with the City. Soliciting or accepting any gift, gratuity favor, entertainment, kickback or any items of monetary value from any person who has or is seeking to do business with the City of Fort Collins is prohibited.

Collusive or Sham Proposals: Any proposal deemed to be collusive or a sham proposal will be rejected and reported to authorities as such. Your authorized signature of this proposal assures that such proposal is genuine and is not a collusive or sham proposal.

The City of Fort Collins reserves the right to reject any and all proposals and to waive any irregularities or informalities.

Utilization of Award by Other Agencies: The City of Fort Collins reserves the right to allow other state and local governmental agencies, political subdivisions, and/or school districts to utilize the resulting award under all terms and conditions specified and upon agreement by all parties. Usage by any other entity shall not have a negative impact on the City of Fort Collins in the current term or in any future terms.

The selected Contractors shall be required to sign the City's Agreement prior to commencing services (see sample attached to this document).

Sincerely,

Gerry Paul
Purchasing Director

1.0 INTRODUCTION

The City of Fort Collins is requesting proposals from qualified Contractors to provide collection of Solid Waste, Recyclable Materials, Yard Trimmings, Bulky Items and related services for single family homes and multi-family buildings of 7 or fewer units. Award of a contract for Residential Solid Waste Collection Services is subject to the Fort Collins City Council approval by ordinance.

Fort Collins has a long-standing commitment to waste reduction and has utilized a licensed open market collection system for decades.

Fort Collins' license requires haulers to report the materials collected from all sectors of the community, which is used to calculate various diversion rates. In 2020, the Community Diversion Rate (including residential, commercial, and industrial materials) was 52% and the Residential Diversion Rate was 29%. Details of Fort Collins diversion rates can be found in the annual reports at www.fcgov.com/recycling/publications-resources.php.

Fort Collins has adopted aggressive waste reduction goals, including working toward zero waste by 2030, and has identified a stagnant residential diversion rate as one of the challenges of making progress on that goal. Our Climate Future is the combined waste, climate and energy plan for Fort Collins and can be viewed at www.fcgov.com/climateaction/our-climate-future.

Fort Collins wishes to build upon the existing program by adding contracted collection for Residential Units. Fort Collins City Council has expressed support for a contracted system to help achieve the following goals:

- Reduce the number of trucks on residential streets and achieve street maintenance savings as well as increase safety in residential neighborhoods
- Reduce greenhouse gas emissions
- Increase diversion of Recyclable Materials and Yard Trimmings and encourage reuse of Bulky Items as much as possible
- Provide equitable pricing throughout the community
- Provide cost-effective pricing for Collection Services
- Provide a high level of customer service

2.0 GENERAL INFORMATION

Subject to Fort Collins City Council approval by ordinance and final negotiations with the awarded Contractor, definitions and general provisions of the contract will include the following:

Alley Service: Where alleys are the primary service option, Contractor shall provide Collection Services in alleys. Alleys are estimated to constitute 12-15% of the service area in Fort Collins. Further information on alleys is included in Section 3.0 below.

Bulky Items: Solid Waste that does not fit in a closed Solid Waste cart, excluding Hazardous Waste, Electronics, Yard Trimmings, Recyclable Cardboard, items that weigh over 60 pounds, and items larger than 6' x 6'.

Carts Terminology:

- "Small Cart" shall mean a cart with a capacity from 30-39 gallons
- "Medium Cart" shall mean a cart with a capacity from 60-69 gallons
- "Large Cart" shall mean a cart with a capacity from 90-99 gallons

City Limits: The boundary of the City of Fort Collins as identified via the City of Fort Collins GIS system (see details in section 3.0). City Limits does not include the Growth Management Area.

Collection Services: The collection, transportation, and delivery to an appropriate facility of Solid Waste, Recyclable Materials, Yard Trimmings, Bulky Items, and associated services for Residential Units conducted in a manner consistent with all applicable laws and regulations and the provisions of the executed Agreement.

Contract Term: The contract shall commence on the Effective Date and shall continue for five (5) years from the Service Commencement Date, unless terminated as provided under the contract.

Contractor: The firm selected by the City to provide Collection Services.

Core Service: Collection Services of Solid Waste, Recyclable Materials, and Yard Trimmings. At the City's option, Customers may elect to opt out of Yard Trimmings collection. Core Services may also include Bulky Items in the event the City elects to include Bulky Items in the contract.

Customer: An individual who contracts with the Contractor for Collection Services.

Door-to-Door Service: Contractor shall provide door-to-door service (in which Contractor's staff brings carts from the Customer's location to the curb or alley for servicing and returns the carts) for Customers with a disability upon request for no additional charge. Current estimated usage of this service is less than 1% of residential Customers.

Dumpster: Means a metal or plastic container, one (1) cubic yard to ten (10) cubic yards in volume, that is manufactured and used for the collection of Solid Waste or Recyclable Materials.

Effective Date: Means the effective date of the Agreement, which shall be the date stated in Section 4, Contract Period.

Electronics: Means any electronic device or electronic component as those terms are defined in the Colorado Hazardous Waste Regulations, 6 Code of Colorado Regulations 1007-3, Section 260.10.

Hazardous Waste: Any chemical, compound, substance or mixture that state or federal law designates as hazardous because it is ignitable, corrosive, reactive or toxic, including but not limited to solvents, degreasers, paint thinners, cleaning fluids, pesticides, adhesives, strong acids and alkalis and waste paints and inks.

Recyclable Cardboard: Means corrugated cardboard, and shall include, but not be limited to, materials used in packaging or storage containers that consist of three (3) or more layers of Kraft paper material, at least one (1) of which is rippled or corrugated. Cardboard shall be considered recyclable cardboard regardless of whether it has glue, staples or tape affixed, but not if it is permanently attached to other packing material or a non-paper liner, waxed cardboard or cardboard contaminated with oil, paint, blood or other organic material.

Recyclable Materials: Means the materials listed in Table 3 and any other materials identified by Contractor and approved by the City as recyclable materials, which have been separated from Solid Waste and can be recovered as useful materials and are properly prepared for the purpose of recycling.

Residential Units: Means and includes all single-unit residential buildings, and multi-unit residential buildings containing seven (7) dwelling units or fewer within the City, subject to certain exceptions and/or City-granted variances as stated herein, and any Service Opt-in Customers.

Exceptions:

- Residential Units served by Dumpsters;
- Home Owner Associations (HOAs) with existing Solid Waste and recycling collection contracts as of the Effective Date and that meet the requirements in Chapter 12, Article II and Chapter 15, Article XV of the City code.

Variances:

- **Shared Service** – A variance from paying the Service Opt-Out Fee may be granted by the City if a Residential Unit shares Collection Services with another Residential Unit and shows to the reasonable satisfaction of the City that the Residential Units with shared service consistently produce combined total waste in an amount equal to or less than is collected through the Super Saver Service. Variances for this reason are anticipated to apply to less than 0.5% of Customers.

- **Excess Producers** - A variance from paying the Service Opt-Out Fee may be granted by the City if a Residential Unit shows to the reasonable satisfaction of the City that the Residential Unit consistently produces waste in an amount greater than the XL cart service. Variances for this reason are anticipated to apply to less than 0.5% of Customers.

Service Commencement Date: The date Collection Services at the Residential Units begins. Such date shall be mutually agreed upon by the parties and will start not less than six (6) and not more than twenty-four (24) months from the Effective Date of the Agreement

Service Opt-in: HOAs that meet an exception to the definition of Residential Units and multi-unit residential buildings containing eight (8) or more dwelling units may opt in as a Customer.

Service Opt-Out Fee: Any Customer wishing to not receive the contracted service will be charged the Super Saver Service price in lieu of receiving service from the Contractor.

Service Suspension: Contractor shall allow Customers to suspend service once per year upon request for a minimum of one (1) and maximum of six (6) months. Customers who request a Service Suspension will be charged the Super Saver price during such period of time. Contractor may not charge the Customer to start or stop the Service Suspension.

Service Year: A period of 12 calendar months beginning on the Service Commencement Date.

Solid Waste: Means all refuse, putrescible and nonputrescible waste, excluding Electronics, discarded or abandoned vehicles or parts thereof, sewage, sludge, septic tank and cesspool pumpings or other sludge, discarded home or industrial appliances, hazardous wastes, materials used as fertilizers or for other productive purposes and Recyclable Materials or Yard Trimmings which have been source separated for collection.

Subcontractors: The Contractor may not subcontract any of the services without the prior written consent of the City. If any of the services are subcontracted with the consent of the City, the Contractor shall be solely responsible for the performance of all duties under the Agreement..

Super Saver Service: A Solid Waste service level that is less than the Small Cart service (but not necessarily 100% price differential) and is offered to Customers at a price less than the Small Cart service. Super Saver Service shall also include the same services as are included in the other Solid Waste service levels (Recyclable Materials, Yard Trimmings, and Bulky Items collection). Examples of Super Saver Service options are included in Section 4.1.

Wildlife-Resistant Carts: The City does not require wildlife-resistant carts.

Yard Trimmings: Means those materials included in Table 4, and any other similar organic materials identified by Contractor and approved by the City as yard trimmings.

3.0 DEMOGRAPHIC & CURRENT PROGRAM

Community Demographics

- Approximately 40,000-45,500 Residential Units in Fort Collins are eligible for Collection Services under this contracted service.
- Approximately 10,500 additional Residential Units are in HOAs with existing contracts for Solid Waste and Recyclable Materials collection.
    - Some of these HOAs may be found to have contracts that are not compliant with the City's requirements and may join the City's contract
    - These HOAs may be required to add Yard Trimmings collection service, which may be provided by the City's Contractor or the HOA's existing contracted hauler at each HOA's discretion. If the HOA chooses the City's Contractor, the HOA and the Contractor will individually negotiate the price for collection service. The requirement for Yard Trimmings collection is anticipated to begin concurrent with the Service Commencement Date. The HOA Yard Trimmings requirement may be considered by Fort Collins City Council as a code change along with adoption of the Residential Solid Waste Collection Agreement.

GIS / Geographic Information

City Limits

The Contractor shall provide Collection Services for Residential Units within the City Limits. The City Limits can be downloaded from the City's Geographic Information System (GIS) at https://www.fcgov.com/gis/downloadable-data.

Alleys

- City-maintained alleys can be viewed within the "Street Centerlines" GIS data download from www.fcgov.com/gis/downloadable-data. Filter data by STREETTYPE "Alley."

- Privately-maintained alleys include but are not limited to alleys in the following developments. These developments may or may not already have contracted collection via their Homeowners' Association (HOA):
    - Observatory Village
    - Harvest Park

- Old Town North
- Sienna (neighborhood east and west of Azuro Dr.)

Homeowner's Associations (HOAs) with Existing Contracts

A map of the location and relative size of the HOAs with existing Solid Waste and Recyclable Materials collection contracts as well as the Fort Collins City Limits are included in the Attachment 2.

Existing Program

Fort Collins currently has an open market system in which haulers are required to have a license. That license requires:

- Solid Waste
  - Weekly collection
  - Pay-As-You-Throw pricing with 100% price differential between three cart sizes including Small ($X), Medium ($2X), and Large ($3X).
- Recyclable Materials
  - Minimum of every-other-week collection
  - Up to two Large Carts bundled with Solid Waste service for no additional charge
  - Hauler must offer choice of cart size to customer; including Large or Medium carts; some offer Small Carts or open-top 18-gallon tubs.
  - Current participation: 96% of households
- Yard Trimmings
  - Weekly collection from April – November
  - Residents must opt into the collection service and pay an additional fee
  - Current subscription rates: 23% of open market households, 5% of HOAs; a combined total of approximately 17% City-wide

Table 1 - 2021 Fort Collins Cart Distribution

	Super Saver Service	18-gal tub	Small Cart	Medium Cart	Large Cart
Open Market Solid Waste	**1%**	**N/A**	**43%**	**41%**	**16%**
Open Market Recycling	**N/A**	**9%**	**0.1 %**	**53%**	**38%**
Open Market Yard Trimmings	**N/A**	**N/A**	**N/A**	**22%**	**1%**
Contracted HOA Solid Waste	**N/A**	**N/A**	**31%**	**36%**	**33%**
Contracted HOA Recycling	**N/A**	**17%**	**1%**	**42%**	**40%**
Contracted HOA Yard Trimmings	**N/A**	**N/A**	**N/A**	**3%**	**2%**

4.0 SCOPE OF WORK/COLLECTION SERVICES

4.1 Solid Waste Collection

Core Service Rates proposed in the Price Sheet (Attachment 3) shall include the following Solid Waste Collection Service components.

Proposal Requirements - Solid Waste

Proposal shall include the following Solid Waste Collection Service components.

- Five service levels as described in Table 2
- Volume-based rates as described below
  - 100% price difference between cart sizes (except for Super Saver Service)
- Weekly collection
  - Super Saver Service may be less frequent
- Materials shall be collected from wheeled carts with lids as described below
- Any Solid Waste overflows shall be assessed an extra cost as described below
- At the City's sole option, Contractor shall dispose of all Solid Waste at the Larimer County Landfill or the permitted landfill of the Contractor's choice

Table 2
VOLUME-BASED SOLID WASTE SERVICE DETAILS

SOLID WASTE SERVICE LEVEL	CART SIZE	COLLECTION FREQUENCY	PRICING PER MONTH for CORE SERVICES
Super Saver Service	Less than Small service	To be described in proposal	Less than $X
Small Service	30-39 gallon	Weekly	$X
Medium Service	60-69 gallon	Weekly	$2X
Large Service	90-99 gallon	Weekly	$3X
XL Service	Two 90-99-gallon carts	Weekly	$6X

Overflow Solid Waste

When a Customer sets out un-carted Solid Waste (including if a cart lid cannot fully close), the Contractor shall:

- Photograph the Solid Waste
- Affix an appropriately marked service tag to the Customer's Solid Waste cart
- Collect the overflow Solid Waste on the same day as Solid Waste cart
- Charge the Customer an extra cost as follows:
  - Cost for overflow shall be proportional to the volume of overflow solid waste
  - Fee per 32-gallon bag equivalent shall be proposed in the Price Sheet (Attachment 3)
  - Contractor will retain the additional cost paid by the Customer
- Note that if Contractor selects bag / tag / sticker Super Saver Service, pre-paid bags or tagged or stickered bags shall not be considered overflow Solid Waste

Blocked Carts

If the Contractor cannot access a cart to service it, the Contractor shall:

- Photograph the cause of the issue
- Affix an appropriately marked service tag to the Customer's Solid Waste cart (and any other carts out for service that day). If attaching a tag is not feasible / practical, Contractor shall contact the Customer via text, email, or phone call to notify them of the problem and when their carts will next be serviced
- Contractor may leave the cart un-serviced until the service day that follows the removal of the situation blocking access to the cart(s)
- The following regularly scheduled service day, the Customer may set out 2x the regular amount of materials that would have been initially collected for no additional charge to account for the missed service. In this circumstance, materials equivalent to the regular service level shall not be considered overflow and Customer shall not be charged extra.
- If the blockage remains on the next service day, Contractor shall notify the City Representative and does not have to service the location until the blockage is addressed

Other Prohibitions

City code prohibits Customers from disposing of Recyclable Cardboard in Solid Waste or Yard Trimmings carts or Electronics in any cart. When Recyclable Cardboard appears to constitute 25% or more of a Solid Waste or Yard Trimmings cart or when Electronics are observed in any cart, the Contractor shall:

- Photograph the item(s) in the cart
- Affix an appropriately marked service tag to the Customer's Solid Waste cart
- Not service the cart until the Recyclable Cardboard is removed
    - Contractor may leave the cart un-serviced until the service day that follows the removal of prohibited materials
    - The following week, the Customer may set out 2x the regular amount of Solid Waste for no additional charge to account for the missed service the week prior. In this circumstance, bags equivalent to the regular weekly service level of Solid Waste shall not be considered overflow Solid Waste.
- If Customer has not removed the materials by the next service day, Contractor shall notify the City Representative for compliance action

Super Saver Service

Contractor's proposal shall include the container type and service frequency for the proposed Super Saver Service level. The service must be offered at a cost less than the Small Service but does not have to be a 100% price differential. The Super Saver Service must also include the same services as the other Solid Waste service levels (Recyclable Materials, Yard Trimmings, and Bulky Items collection). Examples of programs that would qualify as Super Saver Service that are active in northern Colorado are stated below. Contractors are welcome to propose different approaches.

Examples in Northern Colorado:

- Pay by the bag / tag / sticker:
  - Base monthly service fee includes Core Services (including curbside collection of Recyclable Materials, Yard Trimmings and Bulky Items collection)
  - Resident purchases pre-paid trash bags / tags / stickers at the Contractor's office and then places the bags out for collection on service day as needed. If this option is proposed, the proposal shall identify the location(s) where bags / tags / stickers may be purchased by the Customer. The location(s) must not be a City facility and must be within City Limits. The Contractor must accept cash and credit card payments for this service.
- 16-gallon carts: An insert is placed inside a 32-gallon cart to reduce the functional size to a 16-gallon cart that can be serviced weekly with automated trucks
- Every other week service: Super Saver Small Solid Waste carts have a different color lid and are only serviced every other week.

4.2 Recyclable Materials Collection

Core Service Rates proposed in the Price Sheet (Attachment 3) shall include the following Recyclable Materials Collection Service components.

Proposal Requirements - Recyclable Materials

Proposals shall include the following Recyclable Materials Collection Service components regardless of service options:

- The cost of Recyclable Materials collection shall be bundled in the Core Service price (i.e. the Customer's bill shall not include a separate itemized line-item price for Recyclable Materials collection)
- Standard service shall be a Large Cart
  - Residents can select a Medium Cart for no change in their monthly cost
- Collection shall be on the same day as Solid Waste collection
- Materials shall be collected in wheeled carts with lids
  - Note: The City will not offer open-top 18-gallon tub service because the tubs require manual collection and are a source of pollution when Recyclable Materials blow out of them
- At the City's discretion, Contractor shall deliver Recyclable Materials to the Larimer County Recycling Center or the permitted recycling center of the Contractor's choice
- Contractor proposals may identify any proposed additions to the materials in Table 3.
- Recyclable Materials shall not be landfilled unless the load is rejected from the recycling center due to contamination. If that occurs, Contractor shall notify the City Representative immediately with details of the incident / cause of the contamination. Contractor shall also include details and cause of the contamination incident in the regular report to City.

Table 3
MINIMUM LIST OF RECYCLABLE MATERIALS TO COLLECT

Recyclable cardboard	Plastic bottles, tubs, jugs and jars (#1,2 and 5)
Office paper (white and colored)	Aluminum cans, foil & pie plates
Magazines	Steel / tin cans & empty aerosol cans
Paperboard	Glass bottles and jars
Kraft paper	Aseptic containers

See City recycling guidelines poster at http://www.fcgov.com/recycling/pdf/2018_recycle_guidelines.pdf.

Recyclable Materials Service Scenarios

Proposals shall assume provision of Recyclable Materials Service for 100% of Customers. Proposals must provide pricing for two distinct service scenarios stated below. Contractor costs for each scenario shall be proposed in the Pricing Sheet (Attachment 3).

- Recyclable Materials Service Scenario 1: Every-other-week collection of up to two Large Recyclable Materials Carts
- Recyclable Materials Service Scenario 2: Weekly collection of one Large Recyclable Materials Cart

Recyclable Materials Contamination

The Recyclable Materials contamination threshold shall be 10% by volume. When the Contractor encounters a cart with 10% or more contamination, the Contractor shall:

- Photograph the item(s) in the cart
- Affix an appropriately marked service tag to the Customer's Recyclable Materials cart
- Not service the cart until the contamination is removed
- Contractor may leave the cart un-serviced until the service day that follows the removal of the contamination
- The following regularly schedule service day, the Customer may set out 2x the regular amount of Recyclable Materials for no additional charge to account for the missed service. In this circumstance, Recyclable Materials may be placed in Recyclable Cardboard boxes and shall not be considered overflow Recyclable Materials
- If the Customer has not removed the contamination by the next service day, the Contractor shall affix a service tag to the cart, service the cart as Solid Waste, and charge the Customer the equivalent overflow Solid Waste fee

4.3 Yard Trimmings Collection

Core Service Rates proposed in the Price Sheet (Attachment 3) shall include the following Yard Trimmings Collection Service components.

Proposal Requirements – Yard Trimmings

Proposal shall include the following Yard Trimmings service components regardless of other service options:

- The cost of Yard Trimmings collection shall be bundled in the Core Service price (i.e. the Customer's bill shall not include a separate itemized line-item price for Yard Trimmings collection)
- Standard service shall be a Large Cart
  - Residents can select a Medium Cart for no change in their monthly price
- Materials shall be collected in the cart only (no loose materials will be accepted)
- Weekly service shall be provided seasonally from April 1st through November 30th each year
- Collection shall be on the same day as Solid Waste collection
- Materials shall be collected in wheeled carts with lids
- Contractor shall deliver Yard Trimmings to a permitted / licensed compost processing facility
  - Contractor shall receive approval from the City to take materials to a facility other than a permitted / licensed compost processing facility
  - Contractor proposals shall include the planned destination(s) for Yard Trimmings
  - Contractor proposals may identify any proposed additions to the materials included in Table 4
- Yard Trimmings may not be landfilled unless load is rejected from the Yard Trimmings destination due to contamination. If that occurs, Contractor shall notify City contact immediately with details of the incident / cause of the contamination. Contractor shall also include details and cause of the contamination incident in the regular report to City.

Table 4
MINIMUM LIST OF YARD TRIMMINGS TO COLLECT

Brush & Limbs sized to fit in the cart
Grass Clippings
Leaves
Garden Trimmings / Weeds / Plant Material

Yard Trimmings Service Scenarios

Proposals must provide pricing for two distinct service scenarios stated below. Contractor price for each scenario shall be proposed in the Pricing Sheet (Attachment 3).

- Yard Trimmings Service Scenario 1:

  Bundled seasonal Yard Trimmings collection service for 100% of Customers.

- Yard Trimmings Service Scenario 2:

  Optional seasonal Yard Trimmings collection service with estimated participation rate of 75% of Customers. In Scenario 2, Customers would be automatically enrolled in the service but could contact the Contractor to decline collection service and receive a predetermined reduction in the Core Service price.

Yard Trimmings Contamination

The Yard Trimmings contamination threshold shall be 10% by volume. When the Contractor encounters a cart with 10% or more contamination, the Contractor shall:

- Photograph the item(s) in the cart
- Affix an appropriately marked service tag to the Customer's Yard Trimmings cart
- Not service the cart until the contamination is removed
- Contractor may leave the cart un-serviced until the service day that follows the removal of the contamination
- The following week, the Customer may set out 2x the regular amount of Yard Trimmings for no additional charge to account for the missed service. In this circumstance, Yard Trimmings may be placed in paper yard waste bags and shall not be considered overflow Yard Trimmings.
- If the Customer has not removed the contamination by the next service day, the Contractor shall affix a service tag to the cart, service the cart as Solid Waste, and charge the Customer the equivalent overflow Solid Waste fee

4.4 Periodic Residential Bulky Items Collection

Proposal Requirements – Bulky Items

Proposal shall include the following Bulky Items service components regardless of other service options:

- Collection on an on-call basis
- Collection within one calendar week of request
- Collection need not be on the same day as regular Solid Waste services
- Contractor proposal shall include proposed collection equipment
- The City prefers but does not require proposal elements that encourage reuse of Bulky Items rather than landfilling them
- The Contractor shall track the number of and types of items collected (in categories mutually agreed upon by the Contractor and the City)
- Bulky Items shall be proposed in the Pricing Sheet (Attachment 3) in two categories:

1) No Additional Fee Bulky Items
   Shall include common household items, including but not limited to non-freon containing appliances and furniture, excluding the following:
   - Hazardous waste
   - Electronics
   - Yard waste
   - Recyclable Cardboard
   - Items that weigh over 60 pounds
   - Items larger than 6' x 6'

2) Additional Fee Bulky Items

Shall include items for which Customers will be charged an extra fee

- Contractor shall include in the Pricing Sheet (Attachment 3) any Additional Fee Bulky Items and the amount proposed for each of them.

Bulky Items Collection Scenarios

Proposals must provide pricing for two distinct service scenarios stated below. Contractor costs for each scenario shall be proposed in the Pricing Sheet (Attachment 3).

- Bulky Items Collection Scenario 1: Collection of up to two No Additional Fee Bulky Items / year for each Customer
  - The price of this Bulky Items Collection Scenario 1 shall be bundled in the Core Service price (i.e. the Customer's bill shall not include a separate itemized line-item price for Bulky Items collection)
  - Contractor can charge the Customer the additional price included in the contract for each Additional Fee Bulky Item.
  - Customer will pay Contractor directly for each Bulky Item collection requested beyond the two included items. Pricing for these additional Bulky Items shall be the pricing proposed in Bulky Items Service Scenario 2.
- Bulky Items Collection Scenario 2: Collection of unlimited Bulky Items for a separate price
  - Customer will pay Contractor directly for each item. The price will be separate from the Core Service price.

4.5 Dumpster Service for Multi-Unit Residential and Commercial Customers

In the Price Sheet (Attachment 3), proposals shall include pricing for Solid Waste and Recyclable Materials Dumpster service for multi-unit residential buildings or commercial buildings that opt in to receive such Dumpster service by Contractor. Service frequency and Dumpster sizes requested are included in the Price Sheet (Attachment 3).

4.6 Other Services or Additional Material Collections or Other Ways to Improve Program

Nothing in this Request for Proposals is intended to limit the Contractor from offering other services or collecting additional materials or other ideas for ways to improve the program subject to the following:

- Such supplemental service(s) enhances services under the City's Agreement and supports the City's sustainability goals
- Collection is compliant with the terms of the City's Agreement and all local, state and federal laws and regulations
- Materials are managed at appropriately licensed / permitted facility
- The City does not wish to pursue seasonal Yard Trimmings collection events or Bulky Items collection days as part of the scope of the RFP

5.0 OPERATIONAL SPECIFICATION

The Contractor shall provide all resources, equipment, and personnel necessary to perform all services described herein.

5.1 Carts

The Contractor shall purchase, assemble, and deliver all Solid Waste, Recyclable Materials, and Yard Trimmings carts as part of the City's contract. Cart ownership will transfer to the City at the end of the Agreement Term. The cost of the carts shall be itemized in the Price Sheet for purposes of this proposal. The Customer's bill shall not include a separate itemized line-item price for carts. The quoted price shall not include any grant funding. The final pricing for carts shall be reduced an amount equal to any grant funding provided by the City.

Carts shall be new, wheeled units that meet the following criteria:

- The cart body and lid shall be distinct for Solid Waste, Recyclable Materials and Yard Trimmings carts. Cart colors shall be:
  - Grey for Solid Waste (if grey carts significantly alter the cart price, Contractor can propose an alternative color other than blue or green)
  - Blue for Recyclable Materials
  - Green for Yard Trimmings
- Cart sizes available must be consistent with service levels in Section 4.
- Carts must be compatible with industry standard collection equipment
- Carts shall be manufactured with a minimum of five percent (5%) residential post-consumer recycled plastic content based on the weight of the entire mass of the body, lid and wheels
- Radio Frequency Identification (RFID) tags must be embedded in carts at the time of manufacturing
  - Contractor is not required to purchase RFID reading equipment or to use an RFID tracking or data management system
- Carts shall be hot-stamped with City logo, contact phone number, and have full-color guidelines for acceptable/unacceptable materials printed on the lids of the Recyclable Materials and Yard Trimmings carts
  - City will provide information and artwork for hot stamp and guidelines printing
  - Contractor information shall not be included on carts
- Contractor proposal shall include the proposed cart manufacturer, model number, and brief summary of the basis for the selected cart manufacturer and model.
  - The City retains the right to approve cart manufacturer
- Contractor proposal shall include details about the cart warranty, including length of warranty and transferability to the City at the end of the Agreement Term.

Grant Funding

The City has secured $15 per Recyclable Materials cart in grant funding from The Recycling Partnership to offset part of the Recyclable Materials cart cost. The City continues to seek grant funding to offset other cart costs. The quoted price shall not include any grant funding. The final pricing for carts shall be reduced by an amount equal to any grant funding provided by the City.

Cart Exchanges and Replacement

Initial Service Start-Up:

- Existing service providers who are not awarded the contract will coordinate with the City to remove their carts from households shifting to the City contract in a timely manner and with no charge to the household, per City code
- Contractor proposal shall include a strategy for removing existing Customer carts and replacing with new carts as well as providing carts to new Customers during the transition period with no service disruption
- Initial cart delivery and collection of the Contractor's existing carts shall be at no charge to the Customer

Ongoing:

- The following cart services shall be provided to the Customer for no additional charge
  - Initial delivery of carts when a new Customer starts service
  - Collection of carts when a Customer ends service
  - Repairing or replacing broken or missing carts
  - Exchanging carts for a different service size
  - Cart delivery or exchange for any other reason
  - Contractor shall provide up to two delivery / exchange / repair instances per service address per year for no additional charge (each instance could involve one or more carts)
  - Contractor can charge Customer a delivery / exchange fee for delivery / exchange / repair needs beyond two instances per year
- Contractor shall deliver carts requested due to service level change requests, new service or replacements within 2 business days of request
- Contractor proposal shall provide an overview of the strategy for maintaining the optimum inventory and mix of cart sizes to support Customers

Cart Maintenance

Contractor shall provide routine cart maintenance, repair and replacement. The cost for such services shall be incorporated into the cart cost proposed in the Pricing Sheet (Attachment 3).

Contractor shall:

- Maintain carts graffiti-free and in good working condition
- Clean up any spills or litter caused by collection or transportation, regardless of whether it is on public or private property
- Repair any damaged carts that can reasonably be returned for regular service
- Replace carts that cannot reasonably be repaired
- Recycle any decommissioned carts

Contractor proposal shall include the proposed location(s) for ongoing cart storage, cleaning and repair.

5.2 Collection Vehicles

The Contractor shall provide all vehicles and equipment needed for materials collection and transportation in an efficient and environmentally-sensitive manner.

The Contractor's proposal shall include details regarding the vehicles it intends to use for the Collection Services. Details must include, but are not limited to the following:

- Vehicle type, manufacturer, and model number
- Number of vehicle by vehicle type
- Fuel by vehicle type
- Average vehicle age by vehicle type
- Overview of vehicle replacement schedule
- Overview of preventative and corrective maintenance programs

Provide the date, description and resolution/corrective action taken for any vehicle accidents, infractions, or overweight vehicles that occurred within the last three (3) years.

When operational, all collection and transfer vehicles shall:

- Cover their loads
- Be kept in good repair and appearance
- Be clean and sanitary
- Be compliant with all local, state and federal safety and inspection regulations

Any vehicle leaks or spills shall be cleaned up as soon as possible and no later than 24 hours after occurrence.

Contractor proposal shall include plan to track and address overweight vehicles. Instances of overweight vehicles shall be included in the regular report to the City.

Sustainable Vehicles

City goals include decreasing pollution and increasing sustainability. The City welcomes proposals that further these goals.

Proposals shall include the Contractor's level of commitment and timing to implement some or all of the following strategies to support greenhouse gas reduction.

- Convert to and/or expand alternative fuel vehicles, especially electric and/or natural gas vehicles utilized to provide Collection Services in the City
- Equip vehicle engines with emission-after-treatment devices such as NOx reduction catalysts and particulate filters
- Equip vehicles with operate-in-gear-at-idle technology and automatic engine shut-off systems
- Implement other reasonable mitigation or pollution prevention equipment or practices
- Implement noise reduction technology such as low-noise bin lifters and quiet work practices

An evaluation of fleet status will be a compulsory component of any consideration to a proposed change in pricing due to the cost of fuel.

5.3 Collection Personnel

The Contractor shall maintain staffing levels required to support the Collection Services on the schedules set forth herein. The Contractor shall have implemented a current Department of Transportation (DOT) compliance policy. Such policy shall be subject to audit and review by the City with reasonable prior notice.

At a minimum, all vehicle drivers shall be:

- Licensed by the State of Colorado with a valid Class B Commercial Driver License (CDL) with air brakes endorsement
- Alert, careful, courteous and competent
- Appropriately trained in operations and safety measures
- Provided with appropriate communication tools and Personal Protective Equipment (PPE)

Cell phones shall not be used in a moving vehicle.

5.4 SAFETY

The Contractor shall embrace a culture of safety to include a documented safety program for the Collection Services. The safety program must include as a minimum the following:

- Health and Safety Training
- Employee/Management Responsibility
- Hazard Recognition and Control
- Incident Reporting and Investigation

The Contractor shall track and report its Experience Modification Rate (EMR) on an annual basis. As part of the proposal please provide the EMR for the previous three (3) years. The Contractor shall track and report its OSHA Total Recordable Incident Rate (TRIR) and Days Away Restricted or Transferred (DART) calculated as follows:

TRIR $\frac{\text{Number of recordable cases X 200,000}}{\text{Number of hours worked}}$ **DART** $\frac{\text{Number of DART cases X 200,000}}{\text{Number of hours worked}}$

5.5 Collection Schedule

Solid Waste, Recyclable Materials, and Yard Trimmings shall be collected from each Customer on the same day. On-call Bulky Items collections can be on a different day.

Hours and Holidays

All collections shall be conducted between 7 AM and 7 PM Monday through Friday and 7 AM to 7 PM on Saturdays during any week with a holiday. No collections shall occur on Sundays or holidays unless expressly authorized by the City Representative. Holidays shall include New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day and Christmas Day.

Severe Weather Protocol

Contractor may suspend service on days that the City closes or when the City declares a late start due to severe weather or other times authorized by the City Representative. In the event of a closure/late start due to severe weather, the City will post a notification by 5 AM.

Contractor shall collect any missed collections due to suspended service within one calendar day of City facilities opening unless otherwise approved by the City Representative. The resumed service may cause a similar delay to other service days throughout that service week. (For example, if service is suspended on a Tuesday and resumes on Wednesday, the Tuesday Customers would be serviced on Wednesday and so on, including Friday collections taking place on Saturday.)

5.6 Program Transition Services

The transition period will begin on the contract Effective Date and end on the Service Commencement Date.

City Responsibilities

- Collaborate with the Contractor to design public notifications and service tags for the Collection Services
- Provide City information for cart hot stamps and artwork for printed material guidelines on cart lids
- Help to resolve questions while Contractor develops service address list
- Determine whether HOAs with existing hauling contracts comply with City requirements (and thus are exempt from the City contracted hauling program) and share that information with the Contractor
- Provide a phone number that shall be routed to the Contractor and that the Contractor shall use for all customer service inquiries, requests, complaints and other as related to this contract. The City will keep the phone number for contract customer service, regardless of whether a different Contractor is selected in the future
- Coordinate removal of carts from Customers of other service providers
- Establish Customer billing rates based on the contract pricing and the City's administrative fee established by the City Council

Contractor Responsibilities

Contractor's proposal will include proposed dates for each of the following activities to be completed during the transition period and thereafter during the term of the contract:

- Develop, produce and distribute public notifications to Customers
    - Contractor shall collaborate with the City to design the public notifications and City shall have final approval authority
    - Contractor shall distribute public notifications at the following times at a minimum
        - During the initial start-up period
        - When new Customers start service (after the service start-up period)
        - When Customers change service levels at any time
        - Annually to all Customers at a time agreed upon with City Representative
    - The notification shall be in a multi-color, user-friendly format with any text in both English and Spanish and shall include:
        - Available service levels and rates
        - Annual collection calendar

  - Set-out times and locations
  - Directions for changing service levels, managing overflow Solid Waste, contamination, and requesting additional services
  - Guidance on acceptable and unacceptable materials in Recyclable Materials and Yard Trimmings carts
- Develop service address list
- Facilitate and manage Customer cart size selection
- Conduct all billing set up
- Develop and distribute a collection calendar(s) for all Customers
- Produce service tags to address situations such as blocked carts, Solid Waste overflows, contaminated Recyclable Materials or Yard Trimmings, or other conditions that impact service or safety. Tags shall:
  - Include text in English and Spanish
  - Be made of durable, water-resistant material that can be written on
  - Be printed with 1 color
  - Have a mechanism for temporary attachment to carts
  - Be a minimum size of 5” x 10”
- Remove all carts from existing Customers at no additional cost per Section 5.1
- Provide all other services stated in the RFP and/or required to provide Collection Services in accordance with the terms of the Agreement.

5.7 Customer Billing

All Customer billing shall be conducted by the Contractor on behalf of the City.

Customer rates will be established by the City based on Contract pricing and City administrative fee. Rates and fees shall remain unchanged during each Service Year unless otherwise approved by an amendment to the Agreement. Customer bills may be on a monthly or quarterly schedule and can be assessed in advance or in arrears. Contractor proposal shall include the anticipated billing frequency and whether it will be assessed in advance or in arrears and why.

Contractor proposal shall address how the Contractor proposes to address the funding from Extended Producer Responsibility when it comes available. See C.R.S. 25-17-101 et seq.

All Customer bills shall include the following:

- Applicable Core Service rates
- Statement that Recyclable Materials collection (and seasonal Yard Trimmings collection if City selects Yard Trimmings collection scenario 1) are bundled services (i.e., Customer cannot elect not to receive)
  - City will provide text
- Separate itemization of any fees for overflow Solid Waste, contamination, Bulky Items collection and any other fees approved by the City
  - The only fees allowed on Customer bills are those described in this Request for Proposals and incorporated into the executed agreement. *All costs of service must be addressed in the Core Service rate or fees described in this Request for Proposals*

- City administrative fee(s) may be itemized separately or included with the Core Service price at the City's discretion. If itemized, the City will provide text to be included
- Bills shall include text in Spanish providing Customers with directions for requesting their full bill in Spanish

The Contractor shall provide Customer name, service address, billing address, phone number, Customer email, cart number and related cart sizes per service type to the City in an electronic format acceptable to both parties at the end of the Agreement.

5.8 Customer Service and Education

All customer service functions shall be provided starting in the transition period and shall continue through the Agreement Term. Contractor proposal shall include dates within the transition period when partial and/ or full Customer service capabilities will be provided that align the Contractor's proposed transition schedule.

Dedicated Customer Service Representatives

Prompt customer service from representatives that understand Fort Collins' program is very important to the City. Although the City prefers the Contractor's customer service office to be located in Fort Collins, the City will consider other approaches. However, all dedicated customer service staff shall have a comprehensive working knowledge of Fort Collins neighborhoods and the specific details of services and rates provided under the Agreement. Contractor proposal shall include the number of customer service representatives they will dedicate to service the Customers (distinct from centralized call center responsibilities that service many communities), where the customer service representatives will be located, and how Contractor will ensure customer service representatives are familiar with Fort Collins' contract and neighborhoods.

Customer Service Hours

Dedicated customer service staff shall be available at a minimum from 8 AM to 5 PM MST Monday through Friday and Saturdays during weeks when holidays or service suspensions require Saturday collections. Contractor proposal shall include the hours for which dedicated customer service representatives will be available for Customers. Contractor proposal may, but is not required to, propose roll over hours to national call centers to extend customer service hours (only outside of minimum business hours).

Customer Queries, Complaints and Service Change Requests

The Contractor shall detail in the RFP response their approach to effectively meet the following requirements:

- Address all issues directly
  - The City shall not be the default customer service provider
- Answer Customer contacts primarily with live personnel
  - When call volume is unexpectedly high and live personnel are addressing other City queries, Customers shall be able to leave direct voice mail message; Contractor shall respond to Customer query within 1 business day
  - Maintain an average hold time of two minutes or less for customer service over the phone
  - Maintain an average abandonment rate of less than one percent of customer calls for customer service over the phone

- Resolve any missed collection issues within 1 business day
  - Excluding delays associated with service suspensions
  - Excluding instances where Customer had late set-out, blocked cart or excessive contamination (all of which shall be resolved or referred to the City within 1 calendar week)
- Resolve any other Customer or City complaints within 2 business days
- Respond to any service change or Bulky Items collection requests within 2 business days
  - Actual change or collection shall be completed within 1 calendar week
- Resolve all complaints and requests to the satisfaction of Customers and the City
- City shall have access to the recording of any complaints received via phone (upon request)
- City Representative or their designate shall be copied on all responses to written complaints via email, forms, or other means. The original complaint shall be included in any response.
- Contractor proposal may include proposed Customer service metrics beyond those stated in Section 5.9

Public Outreach and Education

The City will conduct comprehensive public outreach and education activities throughout the Agreement Term. The Contractor shall support these efforts by:

- Producing and distributing Customer notifications as described in Section 5.6
- Maintaining a Fort Collins-specific website page(s) with the same information required for Customer notifications
- Providing Customers with the ability to request service changes online (such as start / stop service, cart size change, Bulky Items collection, report a missed collection, opt out of Yard Trimmings collection (if applicable) etc.)
- Providing service tags and utilizing them as noted throughout this RFP,
- Providing Customers with options for e-mail and text reminders prior to collection days
- Providing the City with information that will impact Customer service at least thirty days before any changes go into effect
  - Including changes in accepted Recyclable Materials or Yard Trimmings, equipment, routing, collection schedule etc.

Contractor proposal shall include examples of similar customer notifications, service tags, websites, and collection day reminders created for other communities it has serviced, if applicable.

5.9 Regular Reports

All reports shall be submitted electronically in a format and with a level of detail that is acceptable to the City. Each report shall include information since the last report (monthly / quarterly / annual). Monthly reports shall be submitted within 15 days of the end of the month. Quarterly and annual reports shall be submitted within 30 days of the end of the month / quarter / year. Information within each topic area shall be sorted by Customer address unless otherwise specified below. For the purpose of this section, service type shall mean Solid Waste, Recyclable Materials, or Yard Trimmings. All reporting periods shall be based on a calendar year. The City reserves the right to request additional information mutually agreed up on by the City Representative and the Contractor. Reports shall include the following:

Immediate Reporting

- Contaminated loads of Recyclable Materials or Yard Trimmings that include materials from Customers that are rejected from processing facilities.
  - Include date, service type, contamination type, situation that caused contamination, and any other relevant details
- Prohibited materials in carts or blocked carts that are not corrected within one week by Customer.

Monthly Report

- Materials collected
  - Scale-based weight data for Solid Waste, Recyclable Materials, Yard Trimmings and Bulky Items collections, including facilities where they were delivered for reuse, recycling, composting, disposal or other management.
    - The weight of City materials in any mixed loads that also includes non-City Solid Waste can be estimated using methodology acceptable to the City
    - If materials were delivered to more than one facility, include the scale-based weight data for each facility
- Customer complaints
  - Include date of complaint, service address, complaint type, resolution, and date resolved
  - For purposes of this report, a complaint is any customer contact other than a service change or information request
    - Contractor and City will develop list of complaint types that are mutually agreeable, and they may include missed pick up, unsafe driving, spills, operating outside permitted hours, customer service phone call hold times, other customer service issues, etc.
- Missed collection
  - Date of missed collection, date of resolution, service type missed, service address, and whether missed collection was due to Contractor or Customer (i.e. late set out, blocked cart etc.)
- Contaminated loads of Recyclable Materials or Yard Trimmings rejected from processing facilities
  - Include date, service type, contamination type, situation that caused contamination, and any other relevant details

Quarterly Report

- Number of Customers receiving Collection Services through the City contract
- Financials
  - Amount of administrative fee collected for remittance to the City
  - Any known performance violations and associated liquidated damages to be remitted to the City
  - Fees charged for the quarter sorted by fee type
  - Number of accounts over 90 days delinquent
- Special service situations and fees assessed
  - Include the incident date, service address, incident resolution and fee charged for the following incident types:
    - Overflow Solid Waste

- Prohibited items in Solid Waste carts (such as Recyclable Cardboard, Electronics, etc.)
- Blocked carts
- Contaminated Recyclable Materials carts
- Contaminated Yard Trimmings carts

- Bulky Items collection
  - Service address, date service request received, date of bulky item pick up, and number of items by type (in categories agreed upon by Contractor and the City)

- Customer service
  - Number of customer communications
    - Include date and type of customer service (complaint, service change, or information request)
  - Average hold times for phone calls
  - Average number of phone calls per time of day
    - Contractor and City shall mutually determine time categories, such as before 8 am, 8am-11am, 11am-1pm, 1pm to 3pm, 3pm -5pm, after 5pm

- Cart activity (includes deliveries, replacements, repairs, removal or exchanges)
  - Include type of cart, type of action (delivery, repair, replacement, removal, exchange), request date, completion date, and service address. If Customer is changing cart size, include the initial and new cart size.
- New opportunities: any new opportunities identified by Contractor to decrease materials landfilled, increase reuse, recycling or composting of materials
- Number of Customers opting out of Collection Service

Annual Report

- Annual summary of the number of the following
  - Missed collections by Contractor*
  - Missed collections due to Customer (late set-out, blocked cart etc.)*
  - Number of contaminated loads of Recyclable Materials or Yard Trimmings rejected by processor with brief notes of the cause
  - Carts delivered, repaired, replaced, removed or exchanged, sorted by activity type as a number and as a percentage of carts serviced by Contractor's Collection Services

  ***** Express these data points as a raw number and as a percentage out of all the Customers receiving Collection Services through the City

- Annual summary of each of the following Financials
  - Amount of administrative fee remitted to the City
  - Amount of performance violations and associated liquidated damages remitted to the City
  - Amount of fees charged, sorted by fee type
  - Core Service rates charged to Customers
- Summary of Bulky Item material collection by item type
- Facilities where City Solid Waste, Recyclable Materials, Yard Trimmings and Bulky Items were delivered for reuse, recycling, composting, disposal or other management

- New opportunities: any new opportunities identified by Contractor to decrease materials landfilled, increase reuse, recycling or composting of materials

Available to City Upon Request

- Customer and service level details
  - Customer name, service address, billing address, phone number, Customer email, cart numbers and related cart sizes per service type
- Customer invoice
- Photograph of any incident of overflow solid waste, prohibited item in Solid Waste cart, blocked cart, contaminated Recyclable Materials cart, contaminated Yard Trimmings cart
- Recording of customer service interactions over the phone

Quarterly Meeting

City representative and Contractor contact shall meet quarterly to review and discuss Contractor performance. Either entity may also invite additional staff members as appropriate.

Records Retention and Auditing Rights

The Contractor shall maintain all records for a minimum of three (3) years from the end of the Agreement Term and any extension. Contractor records shall be available at all reasonable times for inspection by the City. The City will retain full auditing rights of the Contractor's accounting records as they pertain to the City's contract.

5.10 Solid Waste, Recyclable Materials and Yard Trimmings Composition Analysis

If the City or any agent hired by the City conducts a composition analysis of Solid Waste, Recyclable Materials, Yard Trimmings or other materials, the Contractor shall support by diverting loads identified by the City Representative or their agent to the designated sort site (within Larimer County) during the composition analysis.

Contractor proposals may include a description and prices (see the Pricing Sheet (Attachment 2)) for the Contractor to conduct an annual Solid Waste composition analysis to identify Recyclable Materials and Yard Trimmings still being landfilled, and possible composition analysis of Recyclable Materials and/or Yard Trimmings to identify contamination percentages and items. Composition analysis should utilize the same material categories as past City composition analysis and the same methodologies as much as possible. See 2016 City Solid Waste Composition Analysis at https://www.fcgov.com/recycling/pdf/2016_Landfill__Waste_Composition_Report_28Fort_Collins29.pdf?1555024955

5.11 Contractor Compensation

Service Price Changes

The City agrees that the Contractor's pricing as stated in Attachment 3 may be adjusted annually beginning on the first anniversary of the Service Commencement Date and annually thereafter to reflect changes in the cost of doing business except in instances when performance violations on contract non-compliance issues are unresolved. The adjustment will be the lesser of the Denver-Boulder-Greeley Consumer Price Index (CPI) or three percent annually.

Uncontrollable Cost Increases or Decreases

On an annual basis beginning on the first anniversary of the Service Commencement Date the Contractor may petition the City for an additional pricing adjustment due to uncontrollable costs such as disposal or processing tip fee increases, fuel cost increases or changes in applicable regulations. The Contractor shall petition the City at least ninety (90) days prior to the anniversary date. Price adjustment petitions developed by the Contractor shall consider decreases in fuel costs (if any) as reported by the US Energy Information Administration for the Rocky Mountain region and / or Recyclable Materials tip fees as a potential counter-balance for other uncontrollable costs. Any pricing change under this subsection shall be effective on the anniversary of the Service Commencement Date.

Any petition shall include documentation to justify how the cost increases exceed the three percent per year standard increase. The City reserves the right, as a condition of approval, to inspect Contractor financial records that justify a change in the pricing. The City has no obligation to approve any petition but acknowledges uncontrollable costs may occur and intends to negotiate with the Contractor in good faith.

5.12 Administrative Fee and Liquidated Damages Remittance

The Contractor shall collect the administrative fee through Customer billing on behalf of the City. Contractor shall remit the administrative fee and liquidated damages from performance violations to the City within 30 calendar days of the last day of the calendar quarter via check or electronic transfer (at the City's discretion).

6.0 CONTRACTOR PERFORMANCE

6.1 Performance Standards & Liquidated Damages

Performance standards and liquidated damages for non-compliance to the Agreement requirements are stated in Table 5. In the event the Contractor fails to sustain the stated Performance Standard and/or any non-compliance with the terms of the Agreement may be considered a default subject to resolution in accordance with the terms of the Agreement. Table 5 consists of the following sub-tables:

In the event of a non-compliance, the City will notify the Contractor in writing of the basis of each assessment of liquidated damages and will work in good faith with the Contractor to resolve any disputes related to liquidated damages. Liquidated damages will be due to the City on the next quarterly remittance following assessment of the liquidated damages (per Section 5.12).

See Next Page for Table 5

EXHIBIT A

Table 5
PERFORMANCE STANDARDS & LIQUIDATED DAMAGES

Material Conditions for Contract Default

PERFORMANCE STANDARD VIOLATION	LIQUIDATED DAMAGES	CALCULATION BASIS	PERFORMANCE STANDARD
Failure to meet schedule for any transition activity	$500 per day	Daily	100%
Failure to deliver all Solid Waste to Larimer County Landfill or other permitted landfill (depending on scenario City selects), all Recyclable Materials to Larimer County Recycling Center or other permitted recycling center (depending on scenario City selects), and all Yard Trimmings to approved facilities OR landfilling properly source separated Recyclable Materials or Yard Trimmings	$3,000 per load	1 - Load	100%
Failure to maintain required insurance coverage	$5,000 per incident	Insurance expiration date	100%
Failure to maintain irrevocable letter of credit	$5,000 per incident	IRLOC expiration date	100%
Misrepresentation in reporting including inaccurate City administrative fees or liquidated damages	$5,000 per incident	Each Reporting Period	100%
Contractor utilizing a driver to provide Collection Services that does not have a valid Class B CDL with air brakes endorsement and Colorado Drivers' License and/or is not current with DOT required training or other DOT requirements	$1,000 per driver per day	All Drivers	100%
Delayed remittance of City administrative fees or liquidated damages	$500 per day	Each Billing Period	100%
Failure to participate in mutually scheduled quarterly meeting	$1,000 per incident	Each Quarterly Meeting	100%
Failure to allow City audits or maintain records for 3 years	$3,000 per incident	Each City Audit	100%
Failure to provide the date, description and resolution/corrective action taken for any vehicle accidents, infractions, or overweight vehicles that occurred within the last three (3) years.	$1,000 per incident	Each Reporting Period	100%

Failure to deliver specified loads of material to a designated location in support of a material composition analysis conducted on behalf of the City	$1,000 per load per audit	Annual Audit	100%
Failure to appropriately bill Customers according to the Agreement OR bill for fees not approved by City OR failure to provide text in Spanish with directions for accessing full bills in Spanish	$3,000 per billing	Each Billing Period	100%
Failure to provide the number of dedicated service representatives familiar with city neighborhoods and City contract during business hours that are agreed upon in Service Agreement	$500 per day	Daily	100%

Daily Operations

PERFORMANCE STANDARD VIOLATION	LIQUIDATED DAMAGES	CALCULATION BASIS FOR PERFORMANCE STANDARD	CORRECTIVE ACTION TIME PERIOD	PERFORMANCE STANDARD
Collection before 7 AM or after 7 PM or not on the designated scheduled collection day (each route shall be separate incident)	$250 per incident	Monthly	Collected between 7AM and 7PM on scheduled collection day	98%
Failure to collect missed collections within 1 business day (excludes late set-outs & blocked carts which shall be collected within 1 calendar week) (excludes severe weather delays, which shall be serviced in accordance with Section 5.5)	$250 per Customer per day	Monthly	Within specified time frame	98%
Failure to deliver carts after service start-up OR to replace damaged/lost carts within 2 business days	$250 per day per cart	Monthly	Within 2 business days	98%
Failure to respond to Customer queries within 1 business day	$250 per incident	Monthly	Within 1 business day	98%
Failure to resolve billing inquiries and disputes within two business days (including Saturdays where staffing is required)	$250 per incident	Monthly	Within 2 Business Days	98%
Failure to maintain an average hold time of two minutes or less for customer service over the phone	$250 per incident	Monthly Average	<2 Minutes	98%

Failure to maintain an average abandonment rate of less than one percent of customer calls for customer service over the phone	$250 per incident	Monthly Average	<1% of Customer Service calls	98%
Failure to resolve Customer or City complaints within 2 business days	$250 per Customer per day	Monthly	Within 2 business days	98%
Failure to clean up any vehicle leaks or collect materials spilled during the execution of Collection Services within 24 hours	2X cost of clean-up incurred by City	Monthly	Within 24 hours	100%
Collection of overflow Solid Waste, prohibited materials, contaminated Recyclable Materials or contaminated Yard Trimmings without tagging & charging appropriate fee to customer	$500 per incident	Monthly	Each Customer	98%
Failure to maintain carts in good working condition including needed repairs in accordance with the Agreement	$100 per Cart	Monthly	Each Customer's	98%
Late or incomplete submission of on request, monthly, quarterly OR annual reports	$250 per day	Monthly / Quarterly/ Annually	Within specified time frame	100%
Failure to cover vehicles that contain Solid Waste, Recyclable Materials, Yard Trimmings or Bulky Items OR to maintain vehicles that are clean, sanitary & in good working order	$250 per incident	Each Load	Each Vehicle	100%
Failure to provide Bulky Item collection within 1 calendar week of Customer request	$250 per Customer per day	Monthly	Within 1 calendar week	98%
Driver providing Collection Service utilizing a cell phone in a moving vehicle	$500 per cell phone infraction	Monthly	All drivers	100%
Failure to maintain required color-coding for Solid Waste, Recyclable Materials or Yard Trimmings carts OR to maintain hot-stamp labels on all carts OR to maintain printed material guidelines on Recyclable Materials or Yard Trimmings carts	$250 per cart per day	Monthly	Each Cart	98%
Failure to distribute approved notifications & collection calendars OR to develop/use approved service tags	$250 per day	Monthly	Within specified time frame 98%	98%

6.2 Contactor Performance Review

The City reserves the right to conduct a full review of Contractor performance at any time during the contract term if any condition identified in the Agreement (see Attachment 4) occurs. If during the

review process the City finds that Contractor performance is unacceptable (regardless of remedies completed or penalties paid), it may subject the Contractor to the requirements of the termination clause in the Agreement (Attachment 4).

6.3 Irrevocable Letter of Credit

During the Term of the Agreement, the Contractor shall maintain an Irrevocable Letter of Credit as stated in the Agreement. (See Attachment 4).

7.0 REVIEW AND ASSESSMENT CRITERIA

Contractors will be evaluated on the criteria stated in Table 7. This set of criteria will be the basis for review and assessment of the written proposals and optional interview session. At the discretion of the City, interviews of the top-rated Contractors may be conducted.

The rating scale shall be from 1 to 10 for each criteria category with the following baseline for ratings:

- 1 = does not meet minimum requirements
- 5 = fulfills the minimum requirements
- 10 = exceeds minimum requirements in that category

Table 7

PROPOSAL EVALUATION CRITERIA

CRITERIA	WEIGHTING
Acceptance Key Components of City Contract and Ability to Meet Service Requirements	10%
Strategy(ies) for Enhanced Sustainability and Equity	15%
Commitment to a High-Level of Customer Service	35%
Customer Pricing	40%
Total	100%

8.0 ANTICIPATED SCHDULE

The following represents the City's target schedule for the RFP. The City reserves the right to amend the target schedule at any time.

- RFP issuance: September 12, 2022
- Pre-bid meeting: 1:00 PM MT on September 26, 2022
- Question deadline: 5:00 PM MT on October 3, 2022
- Proposal due date: 5:00 PM MT (our clock) on October 24, 2022
- Interviews (tentative): November / December 2022
- Award of Contract (tentative): February 2023

9.0 INTERVIEWS

In addition to submitting a written proposal, the top-rated Contractor may be interviewed by the RFP assessment team and asked to participate in an oral presentation to provide an overview of the company, approach to the project and to address questions. The evaluation criteria for the oral interviews will be the same as the criteria for the written evaluations and is included in Section 8.0.

Because of recent events involving COVID-19, the City may use non-traditional methods for the optional interview phase of the assessment process. The City will receive and score written proposals. However, instead of traditional in-person interviews for the optional interview session, the City may opt to use alternate methods including, but not limited to remote interviews through a platform such as Microsoft Teams or Zoom.

10. PROPOSAL SUBMITTAL

Please limit the total length of your proposal to a maximum of fifty (50) 8 ½ x 11" pages (excluding cover pages, table of contents, dividers and Acknowledgement form, and Pricing Sheet). Font shall be a minimum of 10 Arial and margins are limited to no less than .5" for sides and top/bottom. Extended page sizes, such as 11" x 17", count as a single page and may be used for detailed pricing. Links to other files or websites shall not be permitted. Proposals that do not conform to these requirements may be rejected.

Contractors are required to provide detailed written responses to the following items in the order outlined below. The responses shall be considered technical offers of what Contractors propose to provide and shall be incorporated in the contract award as deemed appropriate by the City. A proposal that does not include all the information required may be deemed non-responsive and subject to rejection.

Responses must include all the items in the order listed below. It is suggested that the Contractors include each of the City's questions with their response.

The City of Fort Collins shall not reimburse any firm for costs incurred in the preparation and presentation of their proposal.

10.1 Cover Letter / Executive Summary

The Executive Summary should highlight the content of the proposal and features of the program offered, including a general description of the program and any unique aspects or benefits provided by your firm.

Indicate your availability to participate in the interviews on the proposed dates as stated in the Section 8, Anticipated Schedule.

10.2 Contractor Background

1. Describe the Contractor's business and background
2. Number of years in the business
3. Details about ownership
4. An overview of services offered and qualifications
5. Size of the firm
6. Location(s) of offices. If multiple, please identify which will be the primary for our account.
7. Primary contact information for the company including contact name(s) and title(s), mailing address(s), phone number(s), and email address(s).

10.3 Scope of Proposal

Solid Waste Collection Service

- Complete Pricing Sheet (Attachment 3) for Solid Waste Collection Service and overflow Solid Waste fee

- Provide program details for the Super Saver Service
  - Container type
  - Service frequency
  - If proposing bag / tag / sticker service, include location within City limits where customer would purchase bags / tags / stickers

Recyclables Collection Service

- Address any proposed additions to the materials stated in Table 3
- Complete Pricing Sheet (Attachment 3) for Recyclable Materials Service Scenario 1: Every-other-week collection of up to two Large Recyclable Materials Carts
- Complete Pricing Sheet (Attachment 3) for Recyclable Materials Service Scenario 2: Weekly collection of one Large Recyclable Materials Cart

Yard Trimmings Service

- Planned destination(s) for Yard Trimmings
- May identify any proposed additions to the materials included in Table 4
- Complete Pricing Sheet (Attachment 3) for Yard Trimmings Service Scenario 1: Bundled seasonal Yard Trimmings collection service for 100% of Customers
  Complete Pricing Sheet (Attachment 3) for Yard Trimmings Service Scenario 2: Optional seasonal Yard Trimmings collection service with estimated participation rate of 75% of Customers

Bulky Items Collection

- Provide details about the types of collection equipment to be used for Bulky Items collection
- Address your approach to encourage Customers to reuse Bulky Items rather than landfilling them
- Complete Pricing Sheet (Attachment 3) for Additional Fee Bulky Items proposed items and related prices
- Complete Pricing Sheet (Attachment 3) for Bulky Items Collection Scenario 1: Collection of up to two No Additional Fee Bulky Items / year for each Customer
- Complete Pricing Sheet (Attachment 3) for Bulky Items Collection Scenario 2: Collection of unlimited Bulky Items for a separate price

Dumpster Service

- Complete Pricing Sheet (Attachment 3) for proposed pricing for Solid Waste and Recyclable Materials Dumpster service for multi-unit residential buildings with eight or more units and commercial buildings that opt in to receive such service by Contractor

Additional Services or Additional Material Collection or Other Ways to Improve Program

- Provide details about any proposed additional services and/or additional material collections and/or other ways to improve the program to be included in the scope of the City's Agreement
- Provide pricing for any proposed additional services and/or additional material collections or other program improvements. Include pricing in an addendum to the Pricing Sheet (Attachment 3)

10.4 Operational Specifications

Carts

- Provide proposed cart manufacturer, model number, and brief summary of the basis for the selected cart manufacturer and model

- Provide details about the cart warranty, including length of warranty and transferability to the City at the end of the Agreement Term
- Complete the Pricing Sheet (Attachment 3) for the cost to be applied to the Customer bill for the purchase, assembly, delivery and maintenance of the carts
- Provide strategy for removing existing Customer carts and replacing with new carts as well as providing carts to new Customers during the transition period with no service disruption
- Provide overview of strategy for maintain the optimum mix of cart sizes to support Customers
- Provide details about the proposed location for ongoing cart storage, cleaning and repair

Collection Vehicles

- Provide details about the vehicles to be used for the Collection Services including but not limited to the following:
    - Vehicle type, manufacturer, and model number
    - Number of vehicles by vehicle type
    - Fuel by vehicle type
    - Average vehicle age by vehicle type
    - Overview of vehicle replacement schedule
    - Overview of preventative and corrective maintenance programs
- Plan to track and address overweight vehicles
- Sustainable vehicle strategy including
    - Contractor's level of commitment and timing to implement all or some of the strategies to reduce greenhouse gases (see Section 5.2 for complete list)

Program Transition Services

Contractor's proposal will include proposed dates for each of the following activities:

- Develop, produce and distribute public notifications to customers
    - Contractor shall collaborate with the City to design the public notifications and City shall have final approval authority
    - Contractor shall distribute public notifications at the following times at a minimum
        - During the initial start-up period
        - When new customers start service (after the service start-up period)
        - When customers change service levels at any time
        - Annually to all customers at a time agreed upon with City Representative
    - The notification shall be in a multi-color, user-friendly format with any text in both English and Spanish and shall include:
        - Available service levels and rates
        - Annual collection calendar
        - Set-out times and locations
        - Directions for changing service levels, managing overflow Solid Waste, contamination, and requesting additional services
        - Guidance on acceptable and unacceptable materials in Recyclable Materials and Yard Trimmings carts
- Develop service address list
- Facilitate and manage Customer cart size selection
- Conduct all billing set up
- Develop and distribute a collection calendar(s) for all Customers
- Produce service tags to address situations such as blocked carts, Solid Waste overflows, contaminated Recyclable Materials or Yard Trimmings, or other conditions that impact service or safety. Tags shall:

  - Include text in English and Spanish
  - Be made of durable, water-resistant material that can be written on
  - Be printed with 1 color
  - Have a mechanism for temporary attachment to carts
  - Be a minimum size of 5” x 10”
- Remove all containers from existing Customers at no additional cost per Section 6.1
- Purchase, assemble and deliver new carts to all Residential Units
- Provide services included in this Request for Proposals

Billing

- Anticipated billing frequency and whether it will be assessed in advance or in arrears and why
- Address how the Contractor proposes to address the funding from Extended Producer Responsibility when it comes available (HB22-1355)

Customer Service and Education

- Dates within the transition period when partial and/ or full Customer service capabilities will be provided that align the Contractor’s proposed transition schedule
- Number of customer service representatives Contractor will dedicate to service the Customers (distinct from centralized call center responsibilities that service many communities), where the customer service representatives will be located, and how Contractor will ensure customer service representatives are familiar with Fort Collins’ contract and neighborhoods
- Hours for which dedicated customer service representatives will be available for Customers
- May propose roll over hours to national call centers to extend customer service hours (only outside of minimum business hours)
- Details of how Contractor shall:
  - Address all issues directly
    - The City shall not be the default customer service provider
  - Answer Customer contacts primarily with live personnel
    - When call volume is unexpectedly high and live personnel are addressing other City queries, Customers shall be able to leave direct voice mail message; Contractor shall respond to Customer query within 1 business day
  - Resolve any missed collection issues within 1 business day
    - Excluding delays associated with service suspensions
    - Excluding instances where Customer had late set-out, blocked cart or excessive contamination (all of which shall be resolved or referred to the City within 1 calendar week)
  - Resolve any other Customer or City complaints within 2 business days
  - Respond to any service change or Bulky Items collection requests within 2 business days
    - Actual change or collection shall be completed within 1 calendar week
  - Resolve all complaints and requests to the satisfaction of Customers and the City
- May include proposed customer service metrics beyond those listed in Section 6.8
- Include examples of similar customer notifications, service tags, websites, and collection day reminders created for other communities it has serviced, if applicable

Solid Waste, Recyclable Materials and Yard Trimmings Composition Analysis

- Contractor proposals may include a description and costs (see the Pricing Sheet (Attachment 3))

Confidential Redacted Version of Contractors Proposal

Provide redacted version (if applicable) of proposal for public disclosure. Any proposed redactions must be limited to "trade secrets, privileged information, and confidential commercial, or financial information" pursuant to the Colorado Open Records Act (CORA). Contractor must submit a supplemental document explaining the justification for each redaction.

Subcontractors

The Contractor shall provide details regarding any subcontractors contractor proposes to use to provide services under the Agreement.

Acknowledgement

All Contractors submitting a proposal must sign the Acknowledgement Form (See Attachment 1)

10.5 Sustainability/TBL Methodology

In concise terms (no more than two pages), please describe your organization's commitment to sustainability and supporting values.

Each element of the TBL sustainability criteria will receive equal consideration in determining the final Sustainability/TBL score.

1. Address how your firm strives to incorporate all three aspects (social, environmental, and economic) of Triple Bottom Line (TBL) sustainable practices into the workplace. Provide examples along with any metrics used to measure success within your firm.
2. Also provide examples of how your firm has incorporated all three aspects of TBL sustainable practices in previous similar projects on which your firm has been the prime Contractor.

   Some examples are provided below:

   a. Environmental – Experience delivering projects / programs focused on environmental health priorities in the areas of climate resiliency, water quality and watershed protection, regulatory performance, management systems, air quality, renewable energy, sustainable building and design, construction materials management, and Solid Waste reduction.

   b. Economic – Experience working and delivering projects with an emphasis on strategic financial planning, job creation, business development, asset management, various project delivery methods, value engineering, regional partnerships, transparency, stakeholder engagement, strategic investments, aging infrastructure, repurposing of existing facilities, and competing financial priorities.

   c. Social - Experience working and delivering projects, programs, and/or initiatives that support Equity, Diversity, and Inclusion throughout your firm's workplace, including leadership, and supply chain. Examples of this may be demonstration of working within cultural and language gaps, development of diversity programs, diverse project teams, equitable opportunity vendor supply chain, and how your firm has applied an equity lens to processes such as recruitment, hiring, purchasing, career pathways, salaries, and staff engagement.

11. SAMPLE AGREEMENT

Included with this request for proposals is a sample Agreement that the City intends to use for obtaining the services of the Contractor. The Contractor is required to review this Agreement and indicate any objections to the terms of the contract. If revisions to the contractual terms are requested, provide suggested revisions.

12. ACKNOWLEDGEMENT

The Acknowledgement form is attached as Attachment 1. Complete the attached form indicating the Contractor hereby acknowledges receipt of the City of Fort Collins Request for Proposal and acknowledges that the Contractor has read and agrees to be fully bound by all of the terms, conditions and other provisions set forth in the RFP.

See Next Page for Attachment 1

EXHIBIT A

Attachment 1

ACKNOWLEDGEMENT

Contractor hereby acknowledges receipt of the City of Fort Collins Request for Proposal and acknowledges that it has read and agrees to be fully bound by all of the terms, conditions and other provisions set forth in the RFP 9648 Residential Solid Waste Collection and sample Agreement except as otherwise noted. Additionally, Contractor hereby makes the following representations to City:

a. All of the statements and representations made in this proposal are true to the best of the Contractor's knowledge and belief.

b. Contractor commits that it is able to meet the terms provided in this proposal.

c. This proposal is a firm and binding offer, for a period of 90 days from the date hereof.

d. Contractor further agrees that the method of award is acceptable.

e. Contractor also agrees to complete the proposed Agreement with the City of Fort Collins within 10 days of notice of award. If contract is not completed and signed within 10 days, City reserves the right to cancel and award to the next highest rated firm.

f. Contractor acknowledges receipt of ___ addenda.

g. Contractor acknowledges no conflict of interest.

h. Failure to provide a public viewing copy will be considered a waiver of any claim of confidentiality under Colorado Open Records Act (CORA). Contractor hereby waives any and all claims for damages against the City for the City's good faith compliance with CORA.

Legal Firm Name: _____

Physical Address: _____

Remit to Address: _____

Phone: _____

Name of Authorized Agent of Firm: _____

Signature of Authorized Agent: _____

Primary Contact for Project: _____

Title: _____ Email Address: _____

Phone: _____ Cell Phone: _____

NOTE: ACKNOWLEDGMENT IS TO BE SIGNED & RETURNED WITH YOUR PROPOSAL.

EXHIBIT A

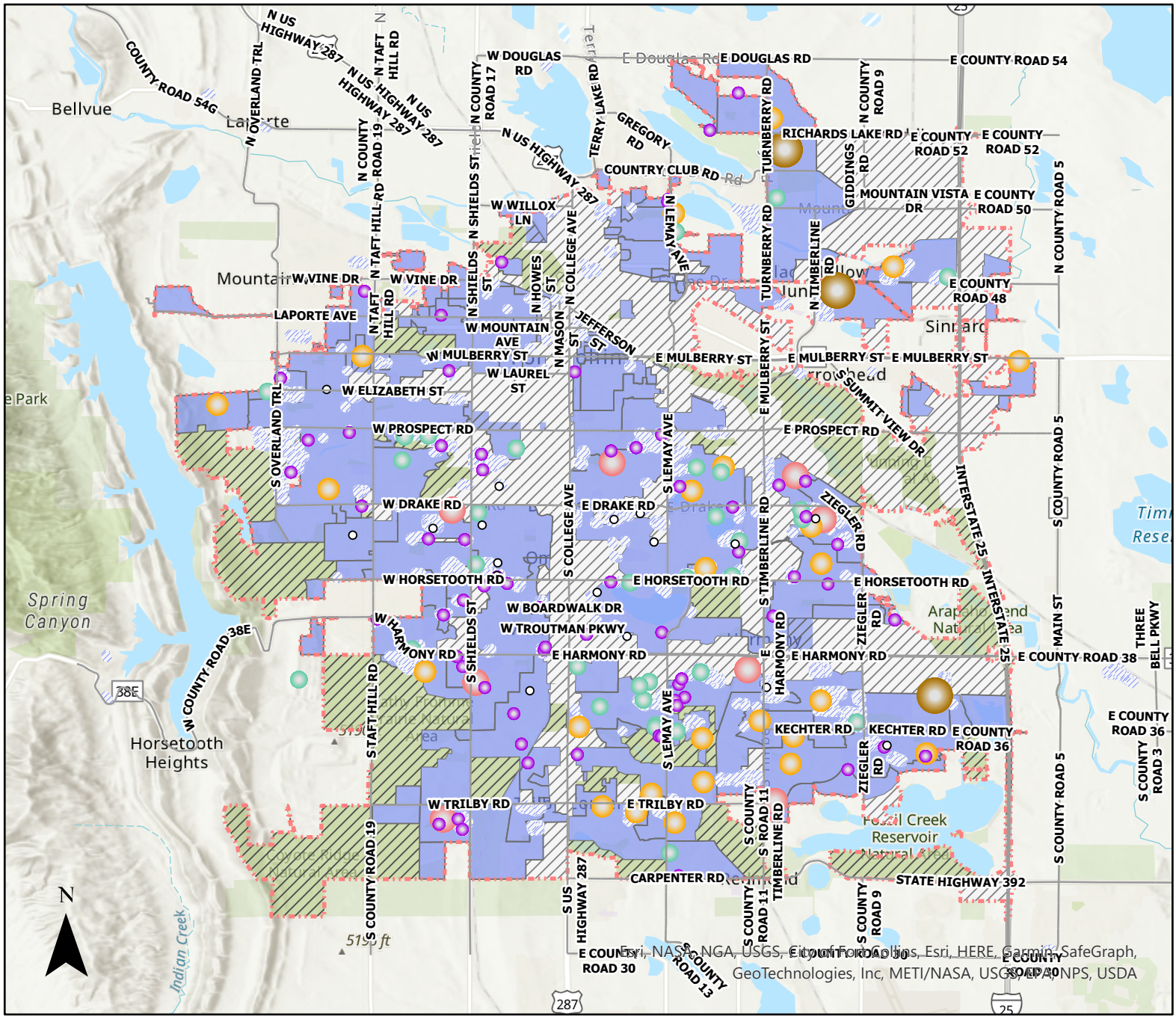
Attachment 2

HOAs

See Next Page

Residential Areas That May Be Serviced by a Contracted Hauler

EXHIBIT A



HOA with Contract by # Units, Likely Excluded

- 0-10
- 10-50
- 50-100
- 100-300
- 300-500
- 500-700

Class

- Not Primary Residential
- Out of Scope Residential
- Primary Residential
- Public Land
- City Limits

Attachment 3

Pricing Sheet

See Separate Excel Attachment

Attachment 4

Agreement

See Next Pages

EXHIBIT A

AGREEMENT FOR RESIDENTIAL SOLID WASTE COLLECTION SERVICES

THIS AGREEMENT FOR RESIDENTIAL SOLID WASTE COLLECTION SERVICES ("Agreement") is made and entered into by and between the CITY OF FORT COLLINS, a Colorado home-rule municipal corporation ("City"), whose address is 300 LaPorte Ave., Fort Collins, Colorado 80521 and _____ ("Contractor"), whose address is _____, each of which is individually a "Party" and collectively are the "Parties".

WHEREAS, the Contractor, in response to the City's Request for Proposals ("RFP") No. 9648 dated September 12, 2022, submitted a proposal for Residential Solid Waste Collection Services dated October __, 2022 ("Proposal"), to provide Collection Services for Residential Units, as such terms are defined below, within the City; and

WHEREAS, based on the outcome of the RFP the City has selected the Contractor to perform the Collection Services for Residential Units in accordance with the terms of this Agreement and pursuant to the City's authority under C.R.S. § 30-15-401(7.5) and Chapter x, Article y of the City Code; and

WHEREAS, pursuant to C.R.S. § 30-15-401(7.5) and Section 8-186(a) of the City Code, this Agreement is subject to approval by the City Council of the City of Fort Collins by ordinance.

NOW THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

1. Definitions. For the purposes of this Agreement, the following terms shall have the meanings set forth herein unless the context specifies otherwise:

   A. "Bulky Waste" means Solid Waste that does not fit in a closed solid waste cart, excluding hazardous waste, electronics, yard trimmings, recyclable cardboard, items that weigh more than 60 pounds, and items larger than 6' x 6'.

   B. "Collection Services" means the collection, transportation, and delivery to an appropriate facility of solid waste, recyclable materials, yard trimmings, bulky items, and associated services for residential units conducted in a manner consistent with all applicable laws and regulations and the provisions of this Agreement.

   C. "Customer" means a customer of the Collection Services.

   D. "Contractor" means _Firm Name_____.

   E. "Dumpster" means a metal or plastic container, one (1) cubic yard to ten (10) cubic yards in volume, that is manufactured and used for the collection of solid waste or recyclable materials.

F. "Effective Date" means the effective date of this Agreement, which shall be the date stated in Section 4, Contract Term.

G. "Electronics" means any electronic device or electronic component as those terms are defined in the Colorado Hazardous Waste Regulations, 6 Code of Colorado Regulations 1007-3, Section 260.10 and as amended by the State of Colorado from time to time.

H. "Hazardous waste" means any chemical, compound, substance or mixture that state or federal law designates as hazardous because it is ignitable, corrosive, reactive or toxic, including but not limited to solvents, degreasers, paint thinners, cleaning fluids, pesticides, adhesives, strong acids and alkalis and waste paints and inks.

I. "Recyclable cardboard" means corrugated cardboard, and shall include, but not be limited to, materials used in packaging or storage containers that consist of three (3) or more layers of Kraft paper material, at least one (1) of which is rippled or corrugated. Cardboard shall be considered recyclable cardboard regardless of whether it has glue, staples or tape affixed, but not if it is permanently attached to other packing material or a non-paper liner, waxed cardboard or cardboard contaminated with oil, paint, blood or other organic material.

J. "Recyclable materials" means the materials listed in Table 3 of Exhibit A and any other materials identified by Contractor and approved by the City as recyclable materials, provided those materials have been separated from solid waste and can be recovered as useful materials and are properly prepared for the purpose of recycling.

K. "Residential Units" means all single-unit residential buildings, and multi-unit residential buildings containing seven (7) dwelling units or fewer within the City, subject to certain exceptions and City-granted variances as stated in Exhibit A. Residential units also includes any service opt-in customers.

L. "Service Opt-in" means Homeowner Associations within the City that meets an exception to the definition of Residential Units as provided in Exhibit A that opts-in to be a Customer and/or a multi-unit residential building containing eight (8) or more dwellings within the City that opts-in to be a Customer.

M. "Services Commencement Date" means as stated in Section 5 of this Agreement.

N. "Solid waste" means all refuse, putrescible and nonputrescible waste, excluding electronics, discarded or abandoned vehicles or parts thereof, sewage, sludge, septic tank and cesspool pumpings or other sludge, discarded home or industrial appliances, hazardous wastes, materials used as fertilizers or for other productive purposes and recyclable materials or yard trimmings which have been source separated for collection.

O. "Yard trimmings" means those materials included in Table 4 of Exhibit A and any other similar organic materials identified by Contractor and approved by the City as yard trimmings.

2. Scope of Agreement.

A. This Agreement pertains to Collection Services for Residential Units in the City provided by Contractor on behalf of the City pursuant to the City's authority in C.R.S. § 30-15-401(7.5). Contractor's work under this Agreement shall consist of all supervision, materials, equipment, fuel, labor, tip fees and other items necessary to provide a high level of customer service, timely accurate billing, and the collection, transportation and disposal of solid waste, recyclables, yard trimmings, bulky waste from Residential Units in accordance with the provisions of this Agreement.

B. This Agreement shall not be considered a franchise for services to the residents of the City and any residential household may choose to negotiate with any other solid waste collection service provider licensed to do business in the City or may choose to remove their own solid waste and recyclables in accordance with applicable laws and regulations.

3. Scope of Services. Beginning on the Effective Date or Services Commencement Date, as applicable, the Contractor will provide the following services to the City or, as applicable, to each Customer:

A. Contractor's Proposal. Contractor's Proposal is incorporated into this Agreement by this reference. In the event a conflict exists between this Agreement and any term in the Proposal, the terms in this Agreement shall supersede the terms in Proposal.

B. Collection Services. Collection of solid waste, recyclables, yard trimmings, bulky waste and associated services for Residential Units shall be in accordance with **Exhibit A,** which is attached hereto and incorporated herein by this reference.

C. Operating Specifications. All services performed hereunder shall be subject to the requirements stated in **Exhibit B,** which is attached hereto and incorporated herein by this reference.

D. Contractor Performance. The Contractor is required to provide a high level of customer service, timely and accurate billing provided by Contractor on behalf of the City, and professionalism in the performance of services under this Agreement. Performance failures will be addressed, to the extent possible, through liquidated damages for certain infractions as set forth on **Exhibit C**. The parties agree, assigning a monetary value for damages to the City and the public for performance

failures for such matters do not easily translate to the dollar amount of such damage, and that the liquidated damage amounts that are set forth in **Exhibit C**, which is attached hereto and incorporated herein by this reference, are reasonable estimates as to the dollar amount of damage incurred in relation to each offending act or omission.

E. Pricing. The Contractor shall perform Collection Services for Residential Units at the prices stated in **Exhibit D**, which is attached hereto and incorporated herein by this reference.

F. Insurance. Without limiting any of the Contractor's obligations hereunder, the Contractor shall provide and maintain insurance coverage naming the City as an additional insured under this Agreement of the type and with the limits specified within **Exhibit E**, which is attached hereto and incorporated herein by this reference. Prior to the Effective Date of the Agreement, the Contractor shall deliver to the City's Purchasing Director, purchasing@fcgov.com or P.O. Box 580, Fort Collins, Colorado 80522, one copy of a certificate evidencing the insurance coverage required from an insurance company acceptable to the City.

G. Confidentiality. The Contractor shall comply with **Exhibit F**, which is attached hereto and incorporated herein by this reference.

4. Contract Term. Subject to approval by ordinance of the Fort Collins City Council, this Agreement shall commence effective _____ ("Effective Date") and shall continue in full force and effect for five (5) years from the Services Commencement Date, unless terminated as provided herein ("Term").

5. Services Commencement Date. The Services Commencement Date is the date the Contractor starts collecting solid waste, recycling, yard trimmings, and bulky waste under the Agreement. This date shall be mutually agreed upon by the parties and will be not less than six (6) and not more than twenty-four (24) months from the Effective Date of the Agreement

6. Early Termination by City. Notwithstanding the time periods contained herein, the City may terminate this Agreement at any time without cause by providing written notice of termination to the Contractor. Such notice shall be delivered at least six (6) months prior to the effective date of the termination.

7. Carts. Upon expiration or termination of the Agreement, ownership of all carts and replacement parts for such carts purchased by the Contractor under this Agreement shall transfer to the City. In the event of expiration or termination for Contractor default, the ownership of the Carts shall transfer to the City at no-cost, free and clear of any liens or debt. In the event the Agreement is terminated early by the City in accordance with Section 6, the City shall pay the Contractor the net present value of the monthly cost per

cart multiplied by the number of months remaining to reach five (5) years from the Service Commencement Date. Upon transfer of ownership any manufacturer's warranty for the carts shall transfer to the City.

8. Notices. All notices provided under this Agreement shall be effective immediately when emailed or three (3) business days from the date of the notice when mailed to the following addresses:

Contractor

City

City of Fort Collins
Attn: Project Manager
PO Box 580
Fort Collins, CO 80522
City of Fort Collins
Attn: Purchasing Director
PO Box 580
Fort Collins, CO 80522

City of Fort Collins
Attn: City Attorney
PO Box 580
Fort Collins, CO 80522

9. Appropriation. To the extent this Agreement or any provision in it constitutes a multiple fiscal year debt or financial obligation of the City, it shall be subject to annual appropriation by City Council as required in Article V, Section 8(b) of the City Charter, City Code Section 8-186, and Article X, Section 20 of the Colorado Constitution. The City shall have no obligation to continue this Agreement in any fiscal year for which no such supporting appropriation has been made.

10. City Representative. The City has designated _____ to serve as its representative who shall make, within the scope of his or her authority, all necessary and proper decisions with reference to the Services provided under this Agreement. The City may change its representative by providing written notice of such change to

Contractor. All requests concerning this Agreement shall be directed to the City Representative. Notwithstanding the foregoing, any changes to the Agreement shall not be binding on either party without a written amendment to the Agreement.

11. Marks. Subject to a Party's express written approval, the other Party may use the Party's name, logo, symbol, trademark or service mark (together "Marks") in electronic, printed, stamped or inscribed materials to support and promote the relationship between the Parties during the Contract Period. Each Party's right to use the Marks is royalty-free, non-exclusive, non-transferrable, and non-assignable.

12. Independent Service Provider. It is the express intention of the Parties that Contractor is an independent contractor performing services and is not an employee, agent, joint venturer, or partner of City. The City shall not be responsible for withholding any portion of Contractor's compensation hereunder for the payment of FICA, Workmen's Compensation or other taxes or benefits or for any other purpose.

13. Subcontractors. Contractor may not subcontract any of the Collection Services set forth in this Agreement without the prior written consent of the City. If any of the Services are subcontracted hereunder (with the consent of the City), then the following provisions shall apply: (a) the subcontractor must be a reputable, qualified firm with an established record of successful performance in its respective trade performing identical or substantially similar work, (b) the subcontractor will be required to comply with all applicable terms of this Agreement, (c) the subcontract will not create any contractual relationship between any such subcontractor and the City, nor will it obligate the City to pay or see to the payment of any subcontractor, and (d) the work of the subcontractor will be subject to inspection by the City to the same extent as the work of the Contractor. Contractor shall be solely responsible for performance of all duties hereunder.

14. Personal Services. It is understood that the City enters into the Agreement based on the special abilities of the Contractor and that this Agreement shall be considered as an agreement for personal services. Accordingly, the Contractor shall neither assign any responsibilities nor delegate any duties arising under the Agreement without the prior written consent of the City.

15. Acceptance Not Waiver. The City's approval or acceptance of, or payment for any of the Services shall not be construed to operate as a waiver of any rights or benefits provided to the City under this Agreement or cause of action arising out of performance of this Agreement.

16. Warranty.

A. The Contractor hereby warrants that it is qualified and has the operational capacity and equipment to assume the duties and responsibilities necessary to effectively render the services described herein and has all the requisite corporate authority, professional licenses, and permits in good standing required by law.

B. The services performed by the Contractor shall be in accordance with generally accepted professional practices and the level of competency presently maintained by other practicing professional firms in the same or similar type of work. The services to be performed by the Contractor hereunder shall be done in compliance with applicable laws, ordinances, rules, and regulations.

17. City's Role. The Contractor shall provide all services with no direct support by City staff. Although City staff may collaborate with Contractor on certain initiatives such as Customer education and communication, such support is solely at the City's discretion. Notwithstanding the foregoing, the City intends to monitor and evaluate the progress and performance of Contractor to ensure the terms of this Agreement are being satisfactorily met in accordance with the City's and other applicable monitoring and evaluating criteria and standards. Contractor shall fully cooperate with the City relating to such monitoring and evaluation.

18. Force Majeure. If either party is prevented in whole or in part from performing its obligations by force majeure, then the party so prevented shall be excused from whatever performance is prevented by such cause. "Force Majeure" means any act or event that prevents a party from performing its obligations in accordance with the Agreement where the act or event is beyond the reasonable control and not the result of the fault or the negligence of the affected party and such party is unable to overcome such act or event through the exercise of due diligence. Such acts and events, include but are not limited to, acts of God, fire, explosion, accident, flood, earthquake, epidemic, war, riot, and restraints or injunctions, not resulting from a party's breach of any terms and conditions of this Agreement or any other contractual commitment. Force majeure acts or events do not include: economic or financial events that impact the Service Provider's ability to access or use financial resources; or labor disputes or strikes. Weather that causes City closures or delayed starts, as referenced in the Severe Weather Protocol in Exhibit A, is not a force majeure act or event. To the extent that the performance is actually prevented, the Service Provider must provide written notice to the City of such condition within ten (10) days from the onset of such condition.

19. Disputes Resolution. Except in the event of a Default, pursuant to Section 20, the Parties shall attempt to resolve disputes as follows:

A. Informal Dispute Resolution. The Parties will use reasonable efforts to resolve any disputes under this Agreement through negotiation. If a dispute arises between the Parties, the primary Representative for each Party will first strive to work out the problem internally. If the Representatives are unable to resolve the dispute within ten (10) days of commencing discussions, then either Party may deliver a written notice to the other Party describing the nature and substance of the dispute and proposing a resolution (the "Notice of Dispute").

B. Executive Negotiation. During the first ten (10) days following the delivery of the Notice of Dispute (and during any extension to which the Parties agree) an authorized executive of each Party shall attempt in good faith to resolve the dispute through negotiations. If such negotiations result in an agreement in principle to

settle the dispute, they shall cause a written settlement agreement to be prepared, signed and dated, whereupon the dispute shall be deemed settled, and not subject to further dispute resolution.

C. Unresolved Disputes. Upon the Parties' mutual written agreement, any dispute under this Section 19 may be submitted for resolution to mediation to occur in Fort Collins, Colorado. The Parties reserve all rights to adjudicate any dispute not submitted to mediation under this Section 19 of the Agreement. In the event of mediation, the Parties shall share the cost for the mediator(s) equally and each party shall be solely responsible for their own legal counsel expenses.

20. Default. Each and every term and condition hereof shall be deemed to be a material element of this Agreement. In the event either party should fail or refuse to perform according to the terms of this Agreement, such party may be declared in default thereof.

21. Remedies. In the event a party has been declared in default, such defaulting party shall be allowed a period of ten (10) days within which to cure said default. In the event the default remains uncorrected, the party declaring default may elect to (a) terminate the Agreement and seek damages; (b) treat the Agreement as continuing and require specific performance; or (c) avail themselves of any other remedy at law or equity. If the non-defaulting party commences legal or equitable actions against the defaulting party, the defaulting party shall be liable to the non-defaulting party for the non-defaulting party's reasonable attorney fees and costs incurred because of the default.

22. Performance Security.

A. The Contractor shall provide performance security by providing the City an irrevocable letter of credit in a form satisfactory to the City ninety (90) days prior to the Service Commencement Date. The amount of the letter of credit will be One-Million Dollars ($1,000,000) issued by a local, federally insured (FDIC) banking institution with a debt rating of 1A or higher by the FDIC or A or higher by Standard & Poor's, Moody's Investor, or comparable agency as determined by the City.

B. The irrevocable letter of credit shall contain the following endorsement, "At least sixty (60) days prior to cancellation, replacement, failure to renew or material alteration of this irrevocable letter of credit, written notice of such intent shall be given to the City by the financial institution. Such notice shall be given by certified mail to the City of Fort Collins, Purchasing Director, 215 North Mason, Fort Collins, CO 80522."

C. The irrevocable letter of credit shall be released to the City in the event this Agreement is terminated by reason of breach or default of the Contractor. The irrevocable letter of credit will be released to Contractor at the end of the Agreement Term, provided there is no outstanding breach, default, or other payment deductions or adjustments.

D. The rights reserved to the City with respect to the irrevocable letter of credit are in addition to all other rights of the City, whether reserved by this Agreement, or otherwise authorized by law, and no action, proceeding or right with respect to the irrevocable letter of credit shall affect any other rights the City has or may have under the law.

23. Entire Agreement; Binding Effect; Order of Precedence; Authority to Execute. This Agreement, along with all Exhibits and other documents incorporated herein, shall constitute the entire Agreement of the parties regarding this transaction and shall be binding upon said parties, their officers, employees, agents and assigns and shall inure to the benefit of the respective survivors, heirs, personal representatives, successors and assigns of said parties. Covenants or representations not contained in this Agreement shall not be binding on the parties. In the event of a conflict between terms of the Agreement and any exhibit or attachment, the terms of the Agreement shall prevail. Each person executing this Agreement affirms that they have the necessary authority to sign on behalf of their respective party and to bind such party to the terms of this Agreement.

24. Indemnity. The Contractor agrees to indemnify and save harmless the City, its officers, agents and employees against and from any and all actions, suits, claims, demands or liability of any character whatsoever brought or asserted for injuries to or death of any person or persons, or damages to property arising out of, result from or occurring in connection with the performance of any service hereunder.

The Contractor shall take all necessary precautions in performing the work hereunder to prevent injury to persons and property.

25. Compliance with Law: The services to be performed by the Contractor hereunder shall be done in compliance with all applicable federal, state, county and City laws, ordinances, rules and regulations. Contractor must be properly licensed by the City to perform Collection Services.

26. Law/Severability. The laws of the State of Colorado shall govern the construction, interpretation, execution, and enforcement of this Agreement. The Parties further agree that Larimer County District Court is the proper venue for all disputes. If the City subsequently agrees in writing that the matter may be heard in federal court, venue will be in Federal District Court in Denver, Colorado. In the event any provision of this Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision of this Agreement.

27. Prohibition Against Unlawful Discrimination. The City, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 US.C. §§ 2000d to 2000d-4) and the Regulations, affirmatively ensures that for all contracts entered into with the City, disadvantaged business enterprises are afforded a full and fair opportunity to bid on the contract and are not to be discriminated against on the grounds of race, color, or national origin in consideration for an award.

The City strictly prohibits unlawful discrimination based on an individual's gender (regardless of gender identity or gender expression), race, color, religion, creed, national origin, ancestry, age 40 years or older, marital status, disability, sexual orientation, genetic information, or other characteristics protected by law. For the purpose of this policy "sexual orientation" means a person's actual or perceived orientation toward heterosexuality, homosexuality, and bisexuality. The City also strictly prohibits unlawful harassment in the workplace, including sexual harassment. Further, the City strictly prohibits unlawful retaliation against a person who engages in protected activity. Protected activity includes an employee complaining that he or she has been discriminated against in violation of the above policy or participating in an employment discrimination proceeding.

The City requires its vendors to comply with the City's policy for equal employment opportunity and to prohibit unlawful discrimination, harassment and retaliation. This requirement applies to all third-party vendors and their subcontractors at every tier.

28. Governmental Immunity Act. No term or condition of this Agreement shall be construed or interpreted as a waiver, express or implied, by the City of any of the notices, requirements, immunities, rights, benefits, protections, limitations of liability, and other provisions of the Colorado Governmental Immunity Act, C.R.S. § 24-10-101 et seq. and under any other applicable law.

29. Colorado Open Records Act. The Contractor hereby acknowledges that the City is a public entity subject to Sec. 24-72-201 et seq. of the Colorado Revised Statute (CORA). This Agreement is subject to public disclosure in whole pursuant to CORA.

30. Survival: Any terms and conditions of this Agreement that require continued performance, compliance, or effect beyond the termination date of the Agreement shall survive such termination date and shall be enforceable in the event of a failure to perform or comply.

31. Counterparts. This Agreement may be executed in one or more counterparts, each of which shall constitute an original and all of which shall constitute one and the same document. In addition, the Parties specifically acknowledge and agree that electronic signatures shall be effective for all purposes, in accordance with the provisions of the Uniform Electronic Transactions Act, Title 24, Article 71.3 of the Colorado Revised Statutes.

Signature Page Follows

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first written above.

CITY OF FORT COLLINS

_____
Kelly DiMartino, City Manager

_____
Date

CONTRACTOR

_____

CITY OF FORT COLLINS

_____
Gerry Paul, Purchasing Director

_____
Date

APPROVED AS TO FORM

_____

ATTEST

_____

EXHIBIT A

SCOPE OF WORK/COLLECTION SERVICES

EXHIBIT B

OPERATION SPECIFICATIONS

EXHIBIT C

CONTRACTOR PERFORMANCE

EXHIBIT D

PRICING

EXHIBIT E

INSURANCE

The Contractor will provide, from insurance companies acceptable to the City, the insurance coverage designated hereinafter and pay all costs. Before commencing work under this bid, the Contractor shall furnish the City with certificates of insurance showing the type, amount, class of operations covered, effective dates and date of expiration of policies.

In case of the breach of any provision of the Insurance Requirements, the City, at its option, may take out and maintain, at the expense of the Contractor, such insurance as the City may deem proper and may deduct the cost of such insurance from any monies which may be due or become due the Contractor under this Agreement.

Insurance certificates should show the certificate holder as follows:

City of Fort Collins
Purchasing Division
PO Box 580
Fort Collins, CO 80522

The City, its officers, agents and employees shall be named as additional insureds on the Contractor's general liability and automobile liability insurance policies **by marking the appropriate box or adding a statement to this effect on the certificate,** for any claims arising out of work performed under this Agreement.

Insurance coverages shall be as follows:

A. Workers' Compensation & Employer's Liability. The Contractor shall maintain during the life of this Agreement for all of the Contractor's employees engaged in work performed under this agreement. Workers' Compensation & Employer's Liability insurance shall conform with statutory limits of $100,000 per accident, $500,000 disease aggregate, and $100,000 disease each employee, or as required by Colorado law.

B. General Liability. The Contractor shall maintain during the life of this Agreement such General Liability as will provide coverage for damage claims of personal injury, including accidental death, as well as for claims for property damage, which may arise directly or indirectly from the performance of work under this Agreement. Coverage for property damage shall be on a "broad form" basis. The amount of insurance for General Liability, shall not be less than Two Million Dollars ($2,000,000) each occurrence and Four Million Dollars $4,000,000 aggregate.

C. Automobile Liability. The Contractor shall maintain during the life of this Agreement such Automobile Liability insurance as will provide coverage for damage claims of personal injury, including accidental death, as well as for claims for property damage, which may arise directly or indirectly from the performance of work under this Agreement. Coverage for property damage shall be on a "broad form" basis. The amount of insurance for Automobile Liability, shall not be less than One Million Dollars ($1,000,000) combined single limits for bodily injury and property damage.

In the event any work is performed by a subcontractor, the Contractor shall be responsible for any liability directly or indirectly arising out of the work performed under this Agreement by a subcontractor, which liability is not covered by the subcontractor's insurance.

EXHIBIT F

CONFIDENTIALITY

IN CONNECTION WITH SERVICES provided to the City of Fort Collins (the "City") pursuant to this Agreement (the "Agreement"), the Contractor hereby acknowledges that it has been informed that the City has established policies and procedures with regard to the handling of confidential information and other sensitive materials.

In consideration of access to certain information, data and material (hereinafter individually and collectively, regardless of nature, referred to as "information") that are the property of and/or relate to the City or its employees, customers or suppliers, which access is related to the performance of services under this Agreement, the Contractor hereby acknowledges and agrees as follows:

That information that has or will come into its possession or knowledge in connection with the performance of services for the City may be confidential and/or proprietary. The Contractor agrees to treat as confidential (a) all information that is owned by the City, or that relates to the business of the City, or that is used by the City in carrying on business, and (b) all information that is proprietary to a third party (including but not limited to customers and suppliers of the City). The Contractor shall not disclose any such information to any person not having a legitimate need-to-know for purposes authorized by the City. Further, the Contractor shall not use such information to obtain any economic or other benefit for itself, or any third party, except as specifically authorized by the City.

As part of the Services provided to the City under this Agreement, the Contractor will maintain, store or process personal identifying information, as defined in C.R.S. § 24-73-101. Pursuant to C.R.S. § 24-73-102, Contractor shall implement and maintain reasonable security procedures and practices that are: appropriate to the nature of the personal identifying information disclosed to the Contractor in furtherance of this Agreement; and reasonably designed to help protect the personal identifying information from unauthorized access, use, modification, disclosure, or destruction.

The foregoing to the contrary notwithstanding, the Contractor understands that it shall have no obligation under this Agreement with respect to information and material that (a) becomes generally known to the public by publication or some means other than a breach of duty of this Agreement, or (b) is required by law, regulation or court order to be disclosed, provided that the request for such disclosure is proper and the disclosure does not exceed that which is required. In the event of any disclosure under (b) above, the Contractor shall furnish a copy of this Agreement to anyone to whom it is required to make such disclosure and shall promptly advise the City in writing of each such disclosure.

In the event that the Contractor ceases to perform services for the City, or the City so requests for any reason, the Contractor shall promptly return to the City any and all information described hereinabove, including all copies, notes and/or summaries (handwritten or mechanically produced) thereof, in its possession or control or as to which it otherwise has access.

The Contractor understands and agrees that the City's remedies at law for a breach of the Contractor's obligations under this Confidentiality Agreement may be inadequate and that the City

shall, in the event of any such breach, be entitled to seek equitable relief (including without limitation preliminary and permanent injunctive relief and specific performance) in addition to all other remedies provided hereunder or available at law.

EXHIBIT A

Financial Services
Purchasing Division
215 N. Mason St. 2nd Floor
PO Box 580
Fort Collins, CO 80522

970.221.6775
970.221.6707
fcgov.com/purchasing

ADDENDUM NO. 1

RFP 9648 Residential Solid Waste Collection Services

CLOSING DATE: 5:00 PM MT (Our Clock) October 24, 2022

To all prospective proposers under the specifications and contract documents described above, the following changes/additions are hereby made and detailed in the following sections of this addendum:

Exhibit 1 – Questions and Answers

Please contact Gerry Paul, Purchasing Director, at gspaul@fcgov.com with any questions regarding this addendum.

RECEIPT OF THIS ADDENDUM MUST BE ACKNOWLEDGED BY A WRITTEN STATEMENT ENCLOSED WITH THE REQUEST FOR PROPSAL STATING THAT THIS ADDENDUM HAS BEEN RECEIVED.

Questions and Answers:

1. For Bulky Items Scenario 2, is that an on-call service? Customers would call in to request pick-up.

   Answer: On-call means that the service is only provided when a Customer calls to request the service (as opposed to regularly-scheduled service).

2. Does Fort Collins have a storage yard we could use to store carts as they are deployed?

   Answer: Proposals must reflect the RFP request that the Contractor is responsible for securing space for cart storage during assembly and delivery. Contractors may also propose an alternative scenario proposing the City provide a space and related cost savings.

3. What process was used to gather information related to container size currently in use by residents?

   Answer: One of the requirements of Fort Collins' hauler license is that haulers report the number of homeowners' association and open market customers and the size of cart to which they subscribe. The table in the Request for Proposals (RFP) is a compilation of that information from 2021 reports from all residential haulers currently servicing Fort Collins.

4. On the bulky item definition, is it correct that anything over 60 pounds is not considered a bulky item?

   Answer: The following items are always excluded from the Bulky Items collection: Hazardous Waste, Electronics, Yard Trimmings, Recyclable Cardboard.

   The following items may be included in the Additional Fee Bulky Items at a fee determined by the Contractor: items that weigh over 60 pounds, items larger than 6' x 6', and other items identified by the Contractor.

5. Will the City of Fort Collins be responsible for maintaining the Utility lines within the Alleyways? Our firm requires a minimum height of 15ft to enter the alley safely.

   Answer: Fort Collins utility lines are primarily underground. In general, the owner of the utility line is responsible for its maintenance. There may be various owners of any overhead lines in Fort Collins alleys.

6. Will code enforcement handle overgrown trees to ensure we can safely navigate the alleys and roadways?

   Answer: The City Forester is generally responsible for the maintenance of trees within the City's rights-of-way and on other City property.

For trees located on other property, the property owner is responsible for tree maintenance, including for trees in an alley adjacent to the property up to the center line of the alley.

Property owners must ensure tree branch growth is maintained at a height no lower than 14 feet over the travel lanes of a street or alley.

If a property owner fails to maintain a tree as required by the City Code, the City Forester may provide notice to the property owner that the work must be accomplished. If the tree has not been brought into compliance as required by the City Forester, the work may be done by the City.

For a complete understanding of tree maintenance responsibility within the City, see Chapter 27 of the Fort Collins City Code.

7. Section 5.1 Carts: Will the City consider the option of using one color for all cart bodies and different lids to designate Garbage, Recycle, and Yard Waste?

   Answer: Proposals must reflect the RFP request, and the City's preference is, that cart bodies and lids be the same color. Contractors may also include an alternative proposal in which cart bodies would be all one color with different color lids along with corresponding cost savings.

8. On page 13 of the RFP, taking the Yard Trimmings to a permitted/licensed facility is detailed. Currently, in the publicized Policy Advisory Council Notes from Larimer County website dated 9/8/22, it is not a guarantee the Compost Facility will be funded. *EX: The estimated Compost Facility would be $6,250,000. If pricing for the North Landfill and Transfer Station is more than anticipated, the Compost Facility will not be funded as anticipated. Reference:* Solid Waste Policy Advisory Council Packet Document (4).pdf Beyond not having disposal rates secured at a facility that may or may not be built, should Contractors explore any other area disposal permitted outlets and they cannot handle the volume, how does the City recommend Contractors handle this volume?

   Answer: There are several regional facilities other than the potential Larimer County facility that can accept yard trimmings.

9. As a way to achieve more favorable sustainability goals and lower customer pricing, would the City of Fort Collins consider a contract length of 7-10 years versus 5 years?

   Answer: Proposals must reflect the RFP request for a 5-year contract length. Contractors may also propose a term length greater than 5 years, not to exceed 10 years with corresponding cost savings. A contract term longer than 5 years would require City Council approval via an ordinance.

10. At the Contractor's determination, can we require some residential customer segments who predominantly receive alley service to all have their carts serviced in the alley, versus some residents selecting curbside?

    Answer: One of the City's objectives of the contract services is to provide a level of service equal to or better than the current service level. Residential customers on a

block that predominately receives alley service are currently able to select curbside service as an alternative.

Proposals must reflect the current service level. Contractors may also submit an additional alternative approach and related cost savings.

11. In the attached RFP, can the winning Contractor request the right to negotiate the final contract with the City?

    Answer: The RFP includes a sample Agreement that the City intends to use for obtaining the services under this RFP. As stated in the RFP, any objections to the terms of the contract need to be stated in the proposal with suggested revisions. The City will consider negotiating the final contract terms with the selected Contractor, based on the objections stated as part of the Contractor's proposal.

12. Based on the Pre-Bid Meeting Call last week, we understand that Yard Trimmings are part of the bundled package with MSW and Recycling. By being bundled together with these other services, it is our understanding that PAYT Guidelines, with 100% multipliers among the tiers labeled Small, Medium and Large Cart Packages, must be followed. Can you please confirm this is accurate?

    Answer: All pricing scenarios are based on 100% price difference between small, medium and large solid waste carts. All pricing scenarios include recycling for no additional charge. The "Yard Trimmings Collection Service" column in the pricing sheet indicates whether that pricing scenario is based on bundled or optional yard trimmings service.

    Bundled yard trimmings collection means 100% of customers receive yard trimmings collection as part of the core services rate for no additional charge.

    Optional yard trimmings collection means that customers would be automatically enrolled in the service but could contact the Contractor to decline collection service and receive a reduction in their core service price. The pricing sheet includes a field to enter the amount of reduction in the customer's bill if the customer elects to decline service (cell D48). The City estimates 75% of Customers would participate in the optional service scenario.

13. **Page 15 Section 4.4 - Dumpster Service for MFUs and Commercial Customers:** Is it required to provide pricing in this section, as there are multiple factors to consider: frequency of the service, enclosure considerations, potential recycling contamination and fees, location nuances, and the fact MFUs and Commercial Customers are subject to open market in the State of Colorado?

    Answer: Contractors are required to provide pricing for dumpster service for Multi-Unit and Commercial Customers. The Pricing Sheet (Attachment 3 of the RFP) states the service frequency and various dumpster sizes by type. If there are other considerations that may impact pricing for the dumpster service, please state these factors and the associated financial impact as part of the proposal. Dumpster service may or may not be included in the final scope of the contract.

14. For the customer hold time, would the City consider a 90-second prompt to receive a call back as “answered" within the 2-minute time frame? This would be whether the resident chooses to continue holding or asks for a call back in the order their call was received.

    Answer: Proposals must reflect the RFP request for calls to be answered within two minutes. Contractors may also submit an additional alternative approach and related cost savings.

15. Can you define what the City deems as uncontrollable rates/cost on page 23? Does the City consider it be a certain percentage and above?

    Answer: An uncontrollable rate/cost is an expense over which the Contractor has no direct control. Under this contract the City anticipates uncontrollable costs may potentially include 1) fuel, 2) tip fees, and 3) changes in regulations. As part of the contract negotiations the City intends to negotiate and establish the specific indices for fuel and tip fees which will be the basis for considering an annual price adjustment above the lesser of the Denver-Boulder-Greeley Consumer Price Index (CPI) or three percent.

16. How big is the sample size for estimates in table 1 for small, medium, and large carts?

    Answer: One of the requirements of Fort Collins’ hauler license is that haulers report the number of homeowners’ association and open market customers and the size of cart to which they subscribe. The table in the Request for Proposals (RFP) is a compilation of that information submitted for 2021 by all residential haulers currently servicing Fort Collins.

17. There is an inconsistency/contradiction in RFP surrounding the amount of time to exchange out carts – Section 5.8 says must respond within 2 days, Section 5.1 says we need to respond within 2 days but 7 days to deliver the carts. I would like clarity that it means we need to provide a response within 2 days but have 7 days to actually deliver the carts.

    Answer: Thank you for identifying this inconsistency. The accurate text for both sections is:

    “Contractor shall collect, deliver or swap carts for any service change requests and fulfill Bulky Items collection requests within 1 calendar week.”

18. For non-payment accounts is there a method the City would like to propose or do you want Contractor to specify that? Do we put them down to super saver service or other approach?

    Answer: The City does not specify a process for addressing non-payment accounts. Contractors shall propose how they would handle non-payment accounts.

19. Does this RFP apply to the junk removal business?

    Answer: This RFP does not apply directly to on-call junk removal Customers. Although pricing is requested for Bulky Items and dumpster service, the City intends to award a contract to one firm for ongoing residential solid waste cart-based services which may also include some level of services for Bulky Items and dumpsters.

20. Does this RFP apply to firms offering large roll-offs?

    Answer: This RFP does not apply directly to on-call roll-off services. Although pricing is requested for dumpster service, the City intends to award a contract to one firm for ongoing residential solid waste cart-based services which may also include some level of services for Bulky Items and dumpsters.

EXHIBIT B

ORIGINAL MAILING LIST

Contact Name	Company Name	Address	City	ZIP
Yuliya Shymchyk	Alpine Waste & Recycling (NOW GFL)	7373 Washington Street	Denver	80229
Lori Cate	BeeLine Trucking Ltd	6042 WCR 42	Johnstown	80534
Kayla McGill	Bin There Dump That	541 E Garden Drive Unit O Sutie 140	Windsor	80550
Yvonne Cook	Blue Bear Waste Systems	2180 W 60th Ave	Denver	80221
Dan Garvin	Colorado Iron and Metal	903 Buckingham St	Fort Collins	80524
Jamie Blanchard-Poling	Compost Queen	2224 Stonegate Drive	Fort Collins	80525
Geoffrey Schmidt	Common Good Compost	1825 22nd Street Unit 9	Greeley	80631
Tanner Slatten	Custom Disposal & Service	620 E 3rd St	Eaton	80615
Stefani Richardson	Dirty Deeds	2580 E Harmony Rd ste 201	Fort Collins	80528
Nicole Hicks	Dumpster Diverz	PO Box 204	Timnath	80547
Paul Korte, Jenni Korte	Dumpster Rental	562 Boxwood Dr	Windsor	80550
Buster Dunn	Dunn Teller Enterprises	45407 CR 41	Pierce	80650
Andra Presser	Fuzion Field Services	PO Box 200638	Evans	80620
Brooklyn Hephner, Becca Walkinshaw	Gallegos Sanitation / Republic Sanitation	PO Box 1986	Ft. Collins	80522
Bridget Johnson	Green Girl	PO Box 324	Jamestown	80455
Taylor Hagen	Hagens Junk Removal	1609 Hillside Dr	Fort Collins	80524
Armando	Home Builders Services Inc	3031 Highway 119	Longmont	80504
Mike Howard	Hulk Addicts Hauling and Junk Removal	3836 Beechwood LN	Johnstown	80524
Adam Wasson	Junk King	PO Box 102	Berthoud	80513
Adam Wood	McDonald Farm Enterprises Inc.	7247 E. County Line	Longmont	80504
Rob Rapp	Rob and Mike's Hauling	2136 Cadman St.	Berthoud	80513
Jennifer Parkos	Mountain High Disposal	15416 Hwy 14	Ault	80610
Andrew Meredith	Mountain West Disposal	6094 Maidenhead Drive	Windsor	80550

EXHIBIT B

William Kennedy	Organix	19065 Hickory Creek Drive Suite 240	Mokena, IL	60448
John Puma	Ram Waste Systems	5704 Bueno Drive	Ft. Collins	80526
Ronnie Lee hicks	RH Contracting	PO BOX 1408	Wellington	80549
Dean Hoag	RMB Recycling	1475 N College Ave	Fort Collins	80521
Jonathan Heaberlin	Timberline Waste Services	606 4th St	Windsor	80550
Tim Lambert	Tim of All Trades	9 Nantucket Ct	Windsor	80550
Brian Heuer	Sage Disposal	8646 Blackwood Drive	Windsor	80550
David LeClair & Cathy Johnston	S&B Waste Systems (Now United Site Services)	6766 E County Road 18	Johnstown	80534
Patty Kennedy	S&S Sanitation	PO Box 673	Loveland	80539
Jeff Wright	Step Up Roll Offs	1635 Foxtrail Drive #307	Fort Collins	
Deb Overturf Frank Santiago Jeremy Bradley	Waste Management of N. Colo.	40950 W C Rd 25	Ault	80610
Kirk Barker John Newman	Waste-Not Recycling	1065 Poplar Street	Loveland	80537
Kevin D Jackson	Yee Haul Junk	500 N Impala Drive	Fort Collins	80521

EXHIBIT B

PACKETS RESENT

Contact Name	Company Name	Address	City	Zip
Yvonne Cook	Blue Bear Waste Systems	6130 Huron St	Denver	80221
Brian Cleveringa	HBSCO LLC dba Home Builders Services	PO Box 3525	Greenwood Village	80155
Jennifer Parkos	Mountain High Disposal	PO BOX 1100	Ault	80610
Andrew Meredith	Mountain West Disposal	PO Box 832	Windsor	80550
Deb Hoag	Rocky Mountain Battery Service dba RMB Recycling	1475 N College Ave	Fort Collins	80524
Beth Wright	Step Up Inc	1635 Foxtrail Drive #307	Loveland	80538
Kevin D Jackson	Yee Haul Junk	904 30th Avenue Ct	Greeley	80634
William Kennedy	Organix	3308 Bernice Ave	Russellville, Arkansas	72802
Matt Marquardt	McDonald Farm Enterprises Inc.	7440 E I25 Frontage Rd	Frederick	80516
Kayla McGill	Bin There Dump That	1942 East Lincoln Ave, Unit B	Fort Collins	80524

Account #: FTC-003160

FORT·COLLINS COLORADOAN

EXHIBIT C

Invoice Text

Notice of Intent to Provide City Residential Waste Services Pu

STATE OF COLORADO
COUNTY OF LARIMER
AFFIDAVIT OF PUBLICATION

CITY OF FC-CLERK-LEGALS
300 LAPORTE AVE

FORT COLLINS CO 80521

I, being duly sworn, deposes and says that said is the legal clerk of the Fort Collins Coloradoan; that the same is a daily newspaper of general circulation and printed and published in the City of Fort Collins, in said county and state; that the notice or advertisement, of which the annexed is a true copy, has been published in said daily newspaper and that the notice was published in the regular and entire issue of every number of said newspaper during the period and time of publication of said notice, and in the newspaper proper and not in a supplement thereof; that the publication of said notice was contained in the issues of said newspaper dated on

09/15/22

that said Fort Collins Coloradoan has been published continuously and uninterruptedly during the period of at least six months next prior to the first publication of said notice or advertisement above referred to; that said newspaper has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879, or any amendments thereof; and that said newspaper is a daily newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado.

Legal Clerk

Subscribed and sworn to before me, within the County of Brown, State of Wisconsin this 15th of September 2022.

Notary Public

9.15.23

Notary Expires

NANCY HEYRMAN
Notary Public
State of Wisconsin

Legal No.0005413455

Ad#:0005413455
P O :
This is not an invoice
:1

Affidavit Prepared
Thursday, September 15, 2:16 am

# of Affidavits:

Item 3.

EXHIBIT C

No[illegible] to Provide City Residential Waste Services Pursuant to C.R.S. § 30-15-401 (7.5)

The City of Fort Collins is considering adoption of a requirement that municipal residents use or pay user charges for residential waste, recycling and yard trimmings collection service for single family homes, including multi-family residences of 7 or fewer units (the "City Residential Waste Services") in accordance with the following:

(a) The area within which the City Residential Waste Services will be required includes the Fort Collins City Limits.
(b) The date upon which the City Residential Waste Services requirement will start is not less than 6 and not more than 24 months after execution of a contract for City Residential Waste Services by the City.
(c) Any person may, within 30 days after the date of this Notice, request in writing the opportunity to submit a proposal to provide City Residential Waste Services.

The City has issued a Request for Proposals (RFP) for the City Residential Waste Services. Persons wishing to submit a proposal are advised to register with Rocky Mountain E-Purchasing Systems at http://www.bidnetdirect.com/ (use the "Vendor Register" link and complete your registration) and reference Solicitation #9648 Residential Solid Waste Collection Services or to provide a written request for the RFP by certified U.S. Mail, return receipt requested, addressed to the City of Fort Collins Purchasing Department, Attn: Gerry S. Paul, Ref Solicitation #9648 Residential Solid Waste Collection Services, 215 N Mason St, Fort Collins CO 80522-0580.

0005413455
Coloradoan
September 15, 2022

REVIEW VERSION – R2

AGREEMENT FOR RESIDENTIAL SOLID WASTE COLLECTION SERVICES

FEBRUARY 27, 2023

The contract is not in effect until approved by City Council and signed by both Republic Services and the City.

References to sections of the City Code in the review version of the contract may be changed prior to or during Council consideration of the contract because Council would be adopting changes to the municipal code simultaneous with adoption of the contract.

The City and Republic Services may make technical changes to the review version of the contract prior to signing.

AGREEMENT FOR RESIDENTIAL SOLID WASTE COLLECTION SERVICES

THIS AGREEMENT FOR RESIDENTIAL SOLID WASTE COLLECTION SERVICES ("Agreement") is made and entered into on the Effective Date (defined below) by and between the CITY OF FORT COLLINS, a Colorado home-rule municipal corporation ("City"), whose address is 300 LaPorte Ave., Fort Collins, Colorado 80521 and Allied Waste Systems, Inc., a Delaware corporation d/b/a Republic Services of Colorado ("Contractor"), whose local address is 1941 Heath Parkway, Unit 2, Fort Collins, CO 80524, each of which is individually a “Party” and collectively are the “Parties”.

WHEREAS, the Contractor, in response to the City's Request for Proposals (“RFP”) No. 9648 dated September 12, 2022, submitted a proposal for Residential Solid Waste Collection Services dated October 17, 2022 ("Proposal"), to provide Collection Services for Residential Units, as such terms are defined below, within the City; and

WHEREAS, based on the outcome of the RFP the City has selected the Contractor to perform the Collection Services for Residential Units in accordance with the terms of this Agreement and pursuant to the City’s authority under C.R.S. § 30-15-401(7.5) and Chapter 12, Article II of the Fort Collins Municipal Code; and

WHEREAS, pursuant to C.R.S. § 30-15-401(7.5) and Section 8-186(a) of the Fort Collins Municipal Code, this Agreement is subject to approval by the City Council of the City of Fort Collins by ordinance.

NOW THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties hereby agree as follows:

1. Definitions. For the purposes of this Agreement, the following terms shall have the meanings set forth herein unless the context specifies otherwise:

   A. “Acceptable Waste” means Bulky Waste, Recyclable Materials, Solid Waste and Yard Trimmings but does not include Excluded Waste.

   B. “Administrative Fee” means that fee authorized by Section 12-32(b) of the Fort Collins Municipal Code.

   C. "Associated Services” means customer service and billing functions, including billing of Customers and Service Opt-Out Customers.

   D. “Bulky Waste” means Solid Waste that does not fit in a closed solid waste cart, excluding Excluded Waste, electronics, yard trimmings, recyclable cardboard, items that weigh more than 60 pounds, and items larger than 6’ x 6’.

   E. Carts Terminology:
      - "XS Cart” shall mean a 30-39-gallon cart with an insert that functionally creates a cart with less than 30 gallons of available capacity.
      - “Small Cart” shall mean a cart with a capacity of 30-39 gallons.
      - “Medium Cart” shall mean a cart with a capacity of 60-69 gallons.
      - “Large Cart” shall mean a cart with a capacity of 90-99 gallons.
      - “XL Cart” shall mean two Large Carts.

F. "City Limits" means the boundary of the City of Fort Collins as identified via the City of Fort Collins GIS system. City Limits does not include the Growth Management Area. The City Limits are subject to change through future annexations by the City.

G. "City Representative" means the City's Environmental Program Manager for Waste Reduction & Recycling, or another City employee designated through the process established in Section 10, who shall be the Contractor's primary contact at the City of Fort Collins.

H. "Collection Services" means the collection, transportation, and delivery to an appropriate facility of Solid Waste, Recyclable Materials, Yard Trimmings, Bulky Items, and Associated Services for Residential Units conducted in a manner consistent with all applicable laws and regulations and the provisions of this Agreement.

I. "Contractor" means Allied Waste Systems, Inc., a Delaware corporation d/b/a Republic Services of Colorado.

J. "Customer" means an owner or occupant of a Residential Unit that receives Collection Services from Contractor under the terms of this Agreement.

K. "Door-to-Door Service" means service in which Contractor brings carts from the Customer's location to the curb or alley for servicing and returns the carts to the Customer's location.

L. "Dumpster" means a metal or plastic container, one (1) cubic yard to ten (10) cubic yards in volume, that is manufactured and used for the collection of Solid Waste, Recyclable Materials or Yard Trimmings.

M. "Effective Date" means the effective date of this Agreement, which shall be the date stated in Section 4, Agreement Term.

N. "Electronics" means any electronic device or electronic component as those terms are defined in the Colorado Hazardous Waste Regulations, 6 Code of Colorado Regulations 1007-3, Section 260.10 and as amended by the State of Colorado from time to time.

O. "Excluded Waste" means (1) Hazardous Waste; (2) radioactive, volatile, corrosive, highly flammable, explosive, biomedical, infectious, biohazardous, or toxic waste as defined by applicable law; or (3) any other waste prohibited from a disposal or processing facility.

P. "Force Majeure" means any act or event that prevents a Party from performing its obligations in accordance with the Agreement where the act or event is beyond the reasonable control and not the result of the fault or the negligence of the affected Party and such Party is unable to overcome such act or event through the exercise of due diligence. Such acts and events, include but are not limited to, acts of God, fire, explosion, accident, flood, earthquake, pandemic, epidemic, war, riot, and restraints or injunctions, not resulting from a Party's breach of any terms and conditions of this Agreement or any other contractual commitment. Force Majeure acts or events do not include: economic or financial events that impact Contractor's

ability to access or use financial resources; or labor disputes or strikes. To the extent that the performance is actually prevented, the Contractor must provide written notice to the City of such condition within three (3) days from the onset of such condition. Weather that causes suspensions or delays in Collection Services, as referenced in the Severe Weather Protocol in Exhibit A, is not a Force Majeure act or event.

Q. "Hazardous Waste" means any chemical, compound, substance or mixture that state or federal law designates as hazardous because it is ignitable, corrosive, reactive or toxic, including but not limited to solvents, degreasers, paint thinners, cleaning fluids, pesticides, adhesives, strong acids and alkalis and waste paints and inks.

R. "Recyclable Cardboard" means corrugated cardboard, and shall include, but not be limited to, materials used in packaging or storage containers that consist of three (3) or more layers of Kraft paper material, at least one (1) of which is rippled or corrugated. Cardboard shall be considered Recyclable Cardboard regardless of whether it has glue, staples or tape affixed, but not if it is permanently attached to other packing material or a non-paper liner, waxed cardboard or cardboard contaminated with oil, paint, blood or other organic material.

S. "Recyclable Materials" means the materials listed in Table 1 of Exhibit A and any other materials identified by Contractor and approved by the City as Recyclable Materials, provided those materials have been separated from Solid Waste and can be recovered as useful materials and are properly prepared for the purpose of recycling.

T. "Residential Units" means and includes all single-unit residential buildings, and multi-unit residential buildings containing seven (7) dwelling units or fewer within the City Limits, subject to certain exceptions and/or City-granted variances as provided in Sections 12-29 and 12-30 of the Fort Collins Municipal Code. Residential Units also include residences of Service Opt-in Customers.

U. "Service Commencement Date" means the date as stated in Section 5, upon which the Contractor begins providing all Collection Services to Residential Units.

V. "Service Opt-In Customer" means a Homeowner Association ("HOA") or multi-unit residential building containing eight (8) or more dwellings within the City Limits that qualifies for an exception to the City's Residential Waste Collection Program as provided in Section 12-29 of the Fort Collins Municipal Code that opts-in to receive Collection Services from Contractor.

W. "Service Opt-Out Customer" means any person or entity who opts-out of the City Residential Waste Collection Program pursuant to Fort Collins Municipal Code, Section 12-32(d).

X. "Service Year" means a period of twelve (12) calendar months beginning on the Service Commencement Date.

Y. "Solid Waste" means all refuse, putrescible and nonputrescible waste, excluding electronics, discarded or abandoned vehicles or parts thereof, sewage, sludge, septic tank and cesspool pumpings or other sludge, discarded home or industrial

appliances, Hazardous Wastes, materials used as fertilizers or for other productive purposes and Recyclable Materials or Yard Trimmings which have been source separated for collection and does not include Excluded Waste.

Z. "Transition Period" means the time from Effective Date until the Service Commencement Date.

AA. "Transition Plan" means a plan documenting the timeline for which activities shall be undertaken by the Contractor and by the City during the Transition Period.

BB. "Yard Trimmings" means those materials included in Table 2 of Exhibit A and any other similar organic materials identified by Contractor and approved in writing by the City Representative as Yard Trimmings.

2. Scope of Agreement.

A. This Agreement pertains to Collection Services for Residential Units in the City Limits provided by Contractor on behalf of the City pursuant to the City's authority in C.R.S. § 30-15-401(7.5). Contractor's work under this Agreement shall consist of all supervision, materials, equipment, fuel, labor, tip fees and other items necessary to diligently and effectively provide Collection Services.

B. This Agreement shall not be considered a franchise for services to the residents of the City and any residential household may choose to negotiate with any other solid waste collection service provider licensed to do business in the City or may choose to remove their own Solid Waste, Recyclable Materials, Yard Trimming and Bulky Items in accordance with applicable laws and regulations and subject to the payment obligations set forth in Sections 3.1 and 4.7 of Exhibit A.

3. Scope of Services. Beginning on the Effective Date or Service Commencement Date, as applicable, the Contractor shall provide services to the City or, as applicable, to each Residential Unit as described herein:

A. Request for Proposal. Request for Proposal (RFP) 9648 Residential Solid Waste Collection Services dated September 12, 2022 is incorporated herein by this reference. In the event a conflict exists between contract documents the order of precedence shall be 1) This Agreement including all exhibits; 2) RFP; and 3) Contractor's Proposal.

B. Contractor's Proposal. Contractor's Proposal dated October 17, 2022 is incorporated herein by this reference.

C. Collection Services. Applicable Collection Services for Residential Units and Service Opt-Out Customers shall be in accordance with **Exhibit A.** which is attached hereto and incorporated herein by this reference.

D. Operating Specifications. All services performed hereunder shall be subject to the requirements stated in **Exhibit A.** which is attached hereto and incorporated herein by this reference.

E. Contractor Performance. The Contractor is required to provide a high level of customer service, timely and accurate billing on behalf of the City, and professionalism in the performance of services under this Agreement. Performance failures will be addressed, to the extent possible, through liquidated damages for certain infractions as set forth on **Exhibit A**. The Parties agree, assigning a monetary value for damages to the City and the public for performance failures for such matters do not easily translate to the dollar amount of such damage, and that the liquidated damage amounts that are set forth in **Exhibit A**, which is attached hereto and incorporated herein by this reference, are reasonable estimates as to the dollar amount of damage incurred in relation to each offending act or omission.

F. Pricing. The Contractor shall perform applicable Collection Services for Residential Units and Service Opt-Out Customers at the prices stated in **Exhibit B**, which is attached hereto and incorporated herein by this reference.

G. Compensation. As compensation for the services provided under this Agreement, Contractor shall retain all fees collected from Customers and Service Opt-Out Customers except for the Administrative Fee, as provided in Exhibit A. The City is not liable or otherwise responsible to Contractor for any fee not paid by any Customer or Service Opt-Out Customer.

H. Insurance. Without limiting any of the Contractor's obligations hereunder, the Contractor shall provide and maintain insurance coverage naming the City as an additional insured under this Agreement, via blanket-form endorsement, as applicable of the type and with the limits specified within **Exhibit C**, which is attached hereto and incorporated herein by this reference. Prior to the Effective Date of the Agreement, the Contractor, or its authorized representative, shall deliver to the City's Purchasing Director, purchasing@fcgov.com or P.O. Box 580, Fort Collins, Colorado 80522, one copy of a certificate evidencing the insurance coverage required from an insurance company rated A-VIII or higher by A.M. best Company and approved in Colorado.

I. Confidentiality. The Contractor shall comply with **Exhibit D**, which is attached hereto and incorporated herein by this reference.

J. Ownership of Waste. Contractor shall take ownership of Acceptable Waste when it is loaded into Contractor’s vehicle. Ownership of and liability for any Excluded Waste shall remain with the generator and shall at no time pass to Contractor.

K. Right of Refusal. If any Excluded Waste is discovered before it is collected by Contractor, Contractor may refuse to collect the entire pick-up that contains those items. In the event such items are present but not discovered until after it has been collected by Contractor, Contractor may, in its sole discretion, remove, transport, and dispose of such items at a facility authorized to accept those items, in accordance with applicable law and charge the depositor or generator for all reasonable direct costs incurred due to the removal, remediation, handling, transportation, delivery, and disposal of those items.

4. Agreement Term. Subject to approval by ordinance of the Fort Collins City Council, this Agreement shall commence effective March 17, 2023, ("Effective Date") and shall continue in full force and effect for five (5) years from the Service Commencement Date, unless terminated as provided herein ("Agreement Term").

5. Service Commencement Date. The Service Commencement Date is the date the Contractor starts performing all Collection Services for Residential Units under the Agreement. The Service Commencement Date shall be September 30, 2024, subject to change by mutual written agreement of the Parties.

6. Early Termination. Notwithstanding the time periods contained herein, this Agreement shall terminate: 1) if the City fails to appropriate funds pursuant to Section 9 of this Agreement at the time as such then-existing appropriations are to be depleted; or 2) in the event of a termination by default in accordance with Section 20; or 3) at either Party's option pursuant to Exhibit A, Section 4.11 in the event the Parties cannot mutually agree on the impact of uncontrollable costs.

7. Carts. Upon expiration or termination of the Agreement, ownership of all carts and replacement parts for such carts purchased by the Contractor under this Agreement shall transfer to the City. In the event of expiration or termination for Contractor default, the ownership of the Carts shall transfer to the City at no cost, free and clear of any liens or debt. In the event the Agreement is terminated early by the City in accordance with Section 6, the City shall pay the Contractor the net present value of the monthly cost per cart multiplied by the number of months remaining to reach five (5) years from the Service Commencement Date. Upon transfer of ownership, carts at Residential Units shall remain at the Residential Unit and Contractor shall transport the carts and replacement parts for such carts not at Residential Units to a location within Larimer County designated by the City Representative.

8. Notices. All notices provided under this Agreement shall be effective immediately when emailed or three (3) business days from the date of the notice when mailed to the following addresses:

   Contractor

   Allied Waste Systems, Inc., d/b/a Republic Services of Colorado
   Attn: General Manager
   1941 Heath Parkway Unit 2
   Fort Collins, CO 80524

   Republic Services, Inc.
   Attn: Legal Department
   18500 N. Allied Way
   Phoenix, AZ 85054

City

City of Fort Collins
Attn: Program Manager, Waste Reduction and Recycling
PO Box 580
Fort Collins, CO 80522

City of Fort Collins
Attn: Purchasing Director
PO Box 580
Fort Collins, CO 80522

City of Fort Collins
Attn: City Attorney's Office
PO Box 580
Fort Collins, CO 80522

9. Appropriation. To the extent this Agreement or any provision in it would constitute a multiple fiscal year debt or financial obligation of the City, it shall be subject to annual appropriation by City Council as required in Article V, Section 8(b) of the City Charter, City Code Section 8-186, and Article X, Section 20 of the Colorado Constitution. The City shall provide Contractor with thirty (30) days written notice of any failure of the City to appropriate adequate funds Neither party shall have the obligation to continue this Agreement in any fiscal year for which no such supporting appropriation has been made.

10. City Representative. The City Representative shall make, within the scope of their authority, all necessary and proper decisions with reference to the services provided under this Agreement. The City, through the City Manager, may change its representative by providing written notice of such change to Contractor. All requests concerning this Agreement shall be directed to the City Representative. Notwithstanding the foregoing, any changes to the Agreement shall not be binding on either Party without a written amendment to the Agreement.

11. Marks. Subject to a Party's express written approval, the other Party may use the Party's name, logo, symbol, trademark or service mark (together "Marks") in electronic, printed, stamped or inscribed materials to support and promote the relationship between the Parties during the Agreement Term. Each Party's right to use the Marks is royalty-free, non-exclusive, non-transferrable, and non-assignable.

12. Independent Service Provider. It is the express intention of the Parties that Contractor is an independent contractor performing services and is not an employee, agent, joint venturer, or partner of City. The City shall not be responsible for withholding any portion of Contractor's compensation hereunder for the payment of FICA, Workmen's Compensation or other taxes or benefits or for any other purpose.

13. Subcontractors and Disposal Facilities.

    A. The City acknowledges and approves the Contractor's utilization of the following subcontractors to perform services hereunder:

i) Schaefer Plastics North America, LLC ("Schaefer"), which shall manufacture, warrant, and deliver the Carts for Solid Waste, Recyclable Materials and Yard Trimmings on Contractor's behalf.

B. The City acknowledges and approves Contractor's use of the following disposal facilities:
   i) A-1 Organics for disposal of Yard Trimmings.
   ii) Ewing Landscape Materials for disposal of Yard Trimmings.
   iii) Larimer County Landfill for disposal of Solid Waste.
   iv) Larimer County Recycling Center for disposal of Recyclable Materials.
   v) North Weld Landfill for disposal of Solid Waste.
   vi) Other disposal facilities selected and used in accordance with the terms of this Agreement.

C. Except as stated above in Section 13(A), Contractor may not subcontract any of the Collection Services or use another disposal facility without the prior written consent of the City Representative.

D. The following provisions shall apply for all services subcontracted hereunder: (a) the subcontractor must be a reputable, qualified firm with an established record of successful performance in its respective trade performing identical or substantially similar work, (b) the subcontractor shall be required to comply with all applicable terms of this Agreement, (c) the subcontract shall not create any contractual relationship between any such subcontractor and the City, nor shall it obligate the City to pay or see to the payment of any subcontractor, and (d) the work of the subcontractor shall be subject to inspection by the City to the same extent as the work of the Contractor. Contractor shall be solely responsible for performance of all duties hereunder.

14. Personal Services. It is understood that the City enters into the Agreement based on the special abilities of the Contractor and that this Agreement shall be considered as an agreement for personal services. Accordingly, the Contractor shall neither assign any responsibilities nor delegate any duties arising under the Agreement except as set forth in this Agreement without the prior written consent of the City, which consent shall not be unreasonably withheld, conditioned or delayed.

15. Not Waiver. The City's approval or acceptance of, or payment for any of the services shall not be construed to operate as a waiver of any rights or benefits provided to the City under this Agreement or cause of action arising out of performance of this Agreement. The failure or delay by either Party to enforce any provision of this Agreement will not be deemed a waiver of future enforcement of that or any other provision.

16. Warranty.

A. The Contractor hereby warrants that it is qualified and has the financial capacity, operational capacity and equipment to assume the duties and responsibilities necessary to effectively render the services described herein and has all the requisite corporate authority, professional licenses, and permits in good standing required by law.

B. The services performed by the Contractor shall be in accordance with generally accepted professional practices and the level of competency presently maintained by other practicing professional firms in the same or similar type of work. The services to be performed by the Contractor hereunder shall be done in compliance with applicable laws, ordinances, rules, and regulations.

C. The Carts shall be warranted by Schaefer for a period of ten (10) years from the date of delivery. As stated in Exhibit A, Attachment 2 upon transfer of ownership the manufacturer's warranty for the carts shall transfer to the City. The Contractor shall use best efforts to ensure the City receives the manufacturer's warranty upon transfer of ownership.

17. City's Role. The Contractor shall provide all services with no direct support by City staff. Although City staff may collaborate with Contractor on certain initiatives such as Customer education and communication, such support is solely at the City's discretion. Notwithstanding the foregoing, the City intends to monitor and evaluate the progress and performance of Contractor to ensure the terms of this Agreement are being satisfactorily met in accordance with the City's and other applicable monitoring and evaluating criteria and standards. Contractor shall fully cooperate with the City relating to such monitoring and evaluation.

18. Force Majeure. If either Party is prevented in whole or in part from performing its obligations by force majeure, then the Party so prevented shall be excused from whatever performance is prevented by such cause.

19. Disputes Resolution. Except in the event of a Default, pursuant to Section 20, the Parties shall attempt to resolve disputes as follows:

A. Informal Dispute Resolution. The Parties will use reasonable efforts to resolve any disputes under this Agreement through negotiation. If a dispute arises between the Parties, the primary Representative for each Party will first strive to work out the problem internally. If the Representatives are unable to resolve the dispute within ten (10) days of commencing discussions, then either Party may deliver a written notice to the other Party describing the nature and substance of the dispute and proposing a resolution (the "Notice of Dispute").

B. Executive Negotiation. During the first ten (10) days following the delivery of the Notice of Dispute (and during any extension to which the Parties agree) an authorized executive of each Party shall attempt in good faith to resolve the dispute through negotiations. If such negotiations result in an agreement in principle to settle the dispute, they shall cause a written settlement agreement to be prepared, signed and dated, whereupon the dispute shall be deemed settled, and not subject to further dispute resolution.

C. Unresolved Disputes. Upon the Parties' mutual written agreement, any dispute under this Section 19 may be submitted for resolution to mediation to occur in Fort Collins, Colorado. The Parties reserve all rights to adjudicate any dispute not submitted to mediation under this Section 19 of the Agreement. In the event of mediation, the Parties shall share the cost for the mediator(s) equally and each Party shall be solely responsible for their own legal counsel expenses.

20. Default. If either Party breaches any provision of this Agreement and such breach is not substantially cured within ten (10) days after receipt of written notice from the non-breaching Party specifying such breach in reasonable detail, the non-breaching Party may terminate this Agreement by giving ten (10) days' written notice of termination to the breaching Party. However, if the breach is not within the reasonable control of the defaulting party and cannot be substantially cured within ten (10) days, such cure period may be extended to an agreed period of time pursuant to a mutually agreed upon corrective action plan to cure the default. If the breach is within the reasonable control of the defaulting party, and the defaulting party fails to cure such default in accordance with this Section, the party declaring default may elect to (a) terminate the Agreement and seek damages; (b) treat the Agreement as continuing and require specific performance; or (c) avail themselves of any other remedy at law or equity. If the non-defaulting Party, exhausts the dispute resolutions provisions stated in Section 19 of the Agreement, they may commence legal or equitable action against the defaulting Party, the defaulting Party shall be liable to the non-defaulting Party for the non-defaulting Party's reasonable attorney fees and costs incurred because of default.

21. Performance Security.

A. The Contractor shall provide performance security by providing the City an irrevocable letter of credit in a form satisfactory to the City Purchasing Director at least ninety (90) days prior to the Service Commencement Date. The amount of the letter of credit will be One-Million Dollars ($1,000,000) issued by a local, federally insured (FDIC) banking institution with a debt rating of 1A or higher by the FDIC or A or higher by Standard & Poor's, Moody's Investor, or comparable agency as determined by the City.

B. The irrevocable letter of credit shall contain the following endorsement, "At least sixty (60) days prior to cancellation, replacement, failure to renew or material alteration of this irrevocable letter of credit, written notice of such intent shall be given to the City by the financial institution. Such notice shall be given by certified mail to the City of Fort Collins, Purchasing Director, 215 North Mason, Fort Collins, CO 80522."

C. The irrevocable letter of credit shall be released to the City in the event this Agreement is terminated by reason of breach or default of the Contractor. The irrevocable letter of credit will be released to Contractor at the end of the Agreement Term, provided there is no outstanding breach, default, or other payment deductions or adjustments.

D. The rights reserved to the City with respect to the irrevocable letter of credit are in addition to all other rights of the City, whether reserved by this Agreement, or otherwise authorized by law, and no action, proceeding or right with respect to the irrevocable letter of credit shall affect any other rights the City has or may have under the law.

22. Entire Agreement; Binding Effect; Order of Precedence; Authority to Execute. This Agreement, along with all Exhibits and other documents incorporated herein, shall constitute the entire Agreement of the Parties regarding this transaction and shall be binding upon said Parties, their officers, employees, agents and assigns and shall inure to the benefit of the respective survivors, heirs, personal representatives, successors and assigns of said Parties. Covenants or representations not contained in this

Agreement shall not be binding on the Parties. In the event of a conflict between terms of the Agreement and any exhibit or attachment, the terms of the Agreement shall prevail. Each person executing this Agreement affirms that they have the necessary authority to sign on behalf of their respective Party and to bind such Party to the terms of this Agreement.

23. Indemnity. The Contractor agrees to indemnify, defend and save harmless the City, its officers, agents and employees against and from any and all actions, suits, claims, demands or liability of any character whatsoever (including reasonable attorneys' fees) brought or asserted for injuries to or death of any person or persons, or damages to property (collectively, "Claims") to the extent caused by the negligence or willful misconduct of the Contractor. The Contractor shall not be liable for any Claims resulting solely from negligence or willful misconduct of the City.

24. Compliance with Law: The services to be performed by the Contractor hereunder shall be done in compliance with all applicable federal, state, county and City laws, ordinances, rules and regulations. Contractor must be properly licensed by the City to perform Collection Services.

25. Law/Severability. The laws of the State of Colorado shall govern the construction, interpretation, execution, and enforcement of this Agreement. The Parties further agree that Larimer County District Court is the proper venue for all disputes. If the City subsequently agrees in writing that the matter may be heard in federal court, venue will be in Federal District Court in Denver, Colorado. In the event any provision of this Agreement shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision of this Agreement.

26. Prohibition Against Unlawful Discrimination. The City, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 US.C. §§ 2000d to 2000d-4) and the Regulations, affirmatively ensures that for all contracts entered into with the City, disadvantaged business enterprises are afforded a full and fair opportunity to bid on the contract and are not to be discriminated against on the grounds of race, color, or national origin in consideration for an award.

    The City strictly prohibits unlawful discrimination based on an individual's gender (regardless of gender identity or gender expression), race, color, religion, creed, national origin, ancestry, age 40 years or older, marital status, disability, sexual orientation, genetic information, or other characteristics protected by law. For the purpose of this policy "sexual orientation" means a person's actual or perceived orientation toward heterosexuality, homosexuality, and bisexuality. The City also strictly prohibits unlawful harassment in the workplace, including sexual harassment. Further, the City strictly prohibits unlawful retaliation against a person who engages in protected activity. Protected activity includes an employee complaining that he or she has been discriminated against in violation of the above policy or participating in an employment discrimination proceeding.

    The City requires its contractors to comply with the City's policy for equal employment opportunity and to prohibit unlawful discrimination, harassment and retaliation. This requirement applies to all third-party contractors and their subcontractors at every tier.

27. Governmental Immunity Act. No term or condition of this Agreement shall be construed or interpreted as a waiver, express or implied, by the City of any of the notices, requirements, immunities, rights, benefits, protections, limitations of liability, and other provisions of the Colorado Governmental Immunity Act, C.R.S. § 24-10-101 et seq. and under any other applicable law.

28. Colorado Open Records Act. The Contractor hereby acknowledges that the City is a public entity subject to Sec. 24-72-201 et seq. of the Colorado Revised Statute (CORA). This Agreement is subject to public disclosure in whole pursuant to CORA.

29. Cooperative Purchase – Utilization by Other Governmental Entities. Any governmental entity within the state of Colorado may, subject to such entity's governing laws, rules, and regulations, use the City's competitive purchasing process as the basis to negotiate a contract with the Contractor for similar services. Any governmental entity that uses the City's competitive purchasing process as the basis of award will be solely responsible for negotiating all terms of such contract with the Contractor and issuing their own contract documents. The Contractor shall be required to include in any contract with another governmental entity that is entered into under this cooperative provision a contract clause that will hold harmless the City from all claims, demands, actions or causes of actions of every kind resulting directly or indirectly, arising out of, or in any way connected with the City's Agreement. The City makes no guarantee of usage by other entities of this Agreement. Utilization of this cooperative provision by any other entity must not have a negative impact on the City's level and/or quality of service.

30. Survival: Any terms and conditions of this Agreement that require continued performance, compliance, or effect beyond the termination date of the Agreement shall survive such termination date and shall be enforceable in the event of a failure to perform or comply.

31. Counterparts. This Agreement may be executed in one or more counterparts, each of which shall constitute an original and all of which shall constitute one and the same document. In addition, the Parties specifically acknowledge and agree that electronic signatures shall be effective for all purposes, in accordance with the provisions of the Uniform Electronic Transactions Act, Title 24, Article 71.3 of the Colorado Revised Statutes.

IN WITNESS WHEREOF, the Parties hereto have hereunto set their hands and seals the day and year first written above.

Signature Page Follows

CITY OF FORT COLLINS

_____
Kelly DiMartino, City Manager

_____
Date

ALLIED WASTE SYSTEMS, INC.

_____

CITY OF FORT COLLINS

_____
Gerry Paul, Purchasing Director

_____
Date

APPROVED AS TO FORM

_____

ATTEST

_____

EXHIBIT A

SCOPE OF WORK/COLLECTION SERVICES

1.0 BACKGROUND

The Agreement provides for Solid Waste, Recyclable Materials, Yard Trimmings, Bulky Items and related services for Residential Units in Fort Collins.

Fort Collins has a long-standing commitment to waste reduction and has utilized a licensed open market collection system for decades.

Fort Collins' license requires haulers to report the materials collected from all sectors of the community, which is used to calculate various diversion rates. In 2020, the community diversion rate (including residential, commercial, and industrial materials) was 52% and the residential diversion rate was 29%. Details of Fort Collins diversion rates can be found in the annual reports at www.fcgov.com/recycling/publications-resources.php.

Fort Collins has adopted aggressive waste reduction goals, including working toward zero waste by 2030, and has identified a stagnant residential diversion rate as one of the challenges of making progress on that goal. Our Climate Future is the combined waste, climate and energy plan for Fort Collins and can be viewed at www.fcgov.com/climateaction/our-climate-future.

Fort Collins wishes to build upon the existing program and the goals of this Agreement include, but are not limited to:

- Reduce the number of trucks on residential streets and achieve street maintenance savings as well as increase safety in residential neighborhoods.
- Reduce greenhouse gas emissions.
- Increase diversion of Recyclable Materials and Yard Trimmings and encourage reuse of Bulky Items as much as possible.
- Provide equitable pricing throughout the community.
- Provide cost-effective pricing for Collection Services.
- Provide a high level of customer service.

2.0 SERVICE INFORMATION

City Limits

The Contractor shall provide applicable Collection Services for Residential Units and Service Opt-Out Customers within the City Limits. Contractor is responsible for servicing Residential Units and Service Opt-Out Customers added to City limits within 60 days of the Residential Unit's location being annexed into the City Limits.

Alleys

Where alleys are the primary service option, Contractor shall provide Collection Services in alleys.

Door to Door Service

Contractor shall provide Door-to-Door Service for Customers with a disability as defined in Title 2 of the ADA upon request for no additional charge.

Service Suspension

Contractor shall provide a suspension of services (a "Service Suspension") up to once per calendar year upon Customer request for a period of one month of more. During the Service Suspension, the Contractor shall charge the Customer the XS Cart service price and the Administrative Fee. Contractor may not charge the Customer to start or stop the Service Suspension.

Transition Plan

The current version of the Transition Plan is Attachment 3 and may be adjusted during the Transition Period by mutual written consent of the Parties.

Service Opt-Out Customers

Contractor shall not provide Solid Waste, Recyclable Materials, Yard Trimmings, or Bulky Items collection services to Service Opt-Out Customers. Contractor shall bill Service Opt-Out Customers in accordance with this Agreement and the Fort Collins Municipal Code.

Customers may elect to opt out of Collection Services at any time by contacting the Contractor. In the event more than ten percent (10%) of eligible Customers elect to opt out within sixty (60) days of the Service Commencement Date, the Parties shall negotiate, in good faith, the time available to the Contractor to start Collection Services for Service Opt-Out Customers who choose to opt back in to Collection Services. For purposes of this paragraph, the calculation of eligible Customers shall consider only Customers at single-unit residential buildings not within an HOA and multi-unit residential buildings containing seven (7) dwelling units or fewer within the City Limits.

In the event the City eliminates or reduces the impact of the Pay-As-You-Throw program (volume-based trash rates with bundled recycling) in the residential hauler license requirements of Chapter 15, Article XV of the Fort Collins Municipal Code, the Parties shall negotiate in good faith, the time available to the Contractor to start Collection Services for Service Opt-Out Customers who choose to opt back in to Collection Services.

Service Opt-In Customers

If a Service Opt-In Customer requests to opt in to Collection Services, the Contractor shall work with the entity representing the Service Opt-In Customers to mutually agree to a date to deliver carts and start Collection Services (i.e. the Contractor is not required to meet the cart delivery requirements in section 4.1 of this Agreement).

3.0 SCOPE OF WORK/COLLECTION SERVICES

3.1 Solid Waste Collection

Contractor shall provide Solid Waste Collection Services as follows:

- Contractor shall offer five service levels to Customers, corresponding the XS, S, M, L, and XL Cart sizes, for the prices in the Price Sheet (Exhibit B). All service levels shall include Recyclable Materials, Yard Trimmings, and Bulky Items collection.
- Contractor shall provide weekly Solid Waste collection.
- Contractor shall collect Solid Waste from Solid Waste carts provided as part of this Agreement.

- The Contractor may use any of the permitted landfills identified in this Agreement. Notwithstanding the previous sentence, at the City's sole option the City may require flow control, in which case the Contractor shall dispose of all Solid Waste at the Larimer County Landfill. City Representative shall notify the Contractor in writing with at least six (6) months' notice if the City elects to start or stop flow control of Solid Waste to the Larimer County Landfill. If such action takes place after one (1) year from the Service Commencement Date, the Parties shall negotiate in good faith any resulting financial impacts and update Exhibit B.

Overflow Solid Waste

When a Customer sets out un-carted Solid Waste (including if a cart lid cannot fully close), the Contractor shall:

- Photograph the Solid Waste.
- Affix an appropriately marked service tag to the Customer's Solid Waste cart.
- Collect the overflow Solid Waste on the same day as Solid Waste cart.
- Charge the Customer an extra $4 per 32-gallon bag equivalent. Contractor will retain the additional cost paid by the Customer.

Recyclable Cardboard in Non-Recycling Carts

City code prohibits the disposing of Recyclable Cardboard in Solid Waste or Yard Trimmings carts or Electronics in any cart. When Recyclable Cardboard appears to constitute 25% or more of a Solid Waste or Yard Trimmings cart or when Electronics are observed in any cart, the Contractor shall:

- Photograph the item(s) in the cart.
- Affix an appropriately marked service tag to the Customer's Solid Waste cart.
- Not service the cart until the Recyclable Cardboard is removed.
    - Contractor may leave the cart un-serviced until the regularly scheduled service day that follows the removal of prohibited materials.
    - The following regularly scheduled service day, the Customer may set out twice the regular volume of Solid Waste for no additional charge to account for the prior missed service. In this circumstance, bags equivalent to the regular weekly service level of Solid Waste shall not be considered overflow Solid Waste.
- If Customer has not removed the materials by the next regularly scheduled service day, Contractor shall notify the City Representative for compliance action.

3.2 <u>Recyclable Materials Collection</u>

Contractor shall provide Recyclable Materials Collection Services as follows:

- Contractor shall collect Recyclable Materials from Recyclable Materials carts provided as part of this Agreement.
- Standard service shall be a Large Cart
    - Residents can select a Medium Cart for no change in their monthly cost subject to Section 4.1 of the Agreement.

- Collection shall be on the same day as Solid Waste collection.
- At the City's discretion, Contractor shall deliver Recyclable Materials to the Larimer County Recycling Center or the permitted recycling center of the Contractor's choice for the pricing included in the Price Sheet (Exhibit B). City Representative shall notify the Contractor in writing with at least six (6) months prior written notice if the City elects to start or stop flow control of Recyclable Materials to the Larimer County Recycling Center. If such action takes place after one (1) year from the Service Commencement Date the Parties shall negotiate in good faith any resulting financial impacts and update Exhibit B.
- Recyclable Materials shall not be landfilled unless the load is rejected from the recycling center due to contamination. If that occurs, Contractor shall notify the City Representative within one (1) business day with details of the incident / cause of the contamination. Contractor shall also include details and cause of the contamination incident in the regular report to the City Representative.

Table 1
MINIMUM LIST OF RECYCLABLE MATERIALS TO COLLECT

Recyclable Cardboard	Plastic bottles, tubs, jugs and jars (#1,2 and 5)
Office paper (white and colored)	Aluminum cans, clean foil & pie plates
Magazines	Steel / tin cans & empty aerosol cans
Paperboard	Glass bottles and jars
Kraft paper	Aseptic containers

Recyclable Materials Service Frequency and Number of Carts

Recyclable Materials Service shall be provided to 100% of Customers as part of the Collection Services cost. Recyclable Materials Services collection shall be performed weekly with up to two (2) Large Recyclable Materials Cart. Except as otherwise set forth herein, Contractor shall only be required to collect the contents of the Recyclable Materials Carts and may charge Customers for additional Recyclable Materials should Contractor elect to collect such materials. Any such material cannot be in a plastic bag and must not exceed the Cart size. The fee for such services shall be in accordance with the Pricing Schedule in Exhibit B.

Changes in Frequency of Recyclable Materials Services Collection

In the event the City wishes to change the frequency of Recyclable Materials Services collection from weekly to every-other-week, the parties agree to negotiate in good faith the timing to implement the change and impact to pricing with consideration to the effect of such change on the Contractor's operations.

Changes in Market Conditions

If the materials recovery facility processing Customers' Recyclable Materials temporarily or permanently stops accepting some or all of the items in Table 1, the Parties will come to mutual agreement about how to adjust Collection Services in a timely manner.

Recyclable Materials Contamination

The Recyclable Materials contamination threshold shall be ten percent (10%) by volume. When the Contractor encounters a cart with ten percent (10%) or more contamination, the Contractor shall:

- Photograph the item(s) in the cart.
- Affix an appropriately marked service tag to the Customer's Recyclable Materials cart.
- Not service the cart until the contamination is removed.
- Contractor may leave the cart un-serviced until the regularly scheduled service day that follows the removal of the contamination.
- The following regularly scheduled service day, the Customer may set out twice the regular volume of Recyclable Materials for no additional charge to account for the prior missed service. In this circumstance, Recyclable Materials may be placed in Recyclable Cardboard boxes and shall not be considered overflow Recyclable Materials.
- If the Customer has not removed the contamination by the next regularly scheduled service day, the Contractor shall affix a service tag to the cart, service the cart as Solid Waste, and charge the Customer the equivalent overflow Solid Waste fee.

3.3 Yard Trimmings Collection

Contractor shall provide Yard Trimmings Collection Services as follows:

Contractor shall automatically enroll Customers in Yard Trimmings Collection Services. However, Customers may elect to opt-out of Yard Trimmings Collection Services at the time of the initial sign-up for services or by contacting the Contractor.

Customer's may elect to opt-out of Yard Trimming Collection Services at any time however, the effectivity date for such change in service and corresponding reduction in the monthly cost shall in accordance with Attachment 1, attached hereto and incorporated herein by reference.

- In the event a Customer elects to opt-out of the Yard Trimming collection services, the Customer's monthly cost shall be reduced in accordance with the Pricing Sheet (Exhibit B).
    - Contractor shall collect Yard Trimmings from Yard Trimmings carts provided as part of this Agreement.
- Contractor shall collect Yard Trimmings in the cart only (no loose materials will be accepted).
- Unless the Customer opts out of Yard Trimmings Collection Services, Contractor shall provide Customers a Large Cart for Yard Trimmings Collection Services.
    - Customers may select a Medium Cart for no change in their monthly cost subject to Section 4.1 of the Agreement.
- Contractor shall collect Yard Trimmings weekly from April 1st through November 30th each year.
- Contractor shall collect Yard Trimmings on the same day as Solid Waste and Recyclable Materials collection.
- Contractor shall deliver Yard Trimmings to A-1 Organics or Ewing Landscape Materials.
    - Contractor shall receive prior written approval from the City Representative to take materials to a facility other than A-1 Organics or Ewing Landscape Materials.

- Yard Trimmings may not be landfilled unless load is rejected from the Yard Trimmings destination due to contamination. If that occurs, Contractor shall notify City Representative via email within one (1) business day with details of the incident / cause of the contamination. Contractor shall also include details and cause of the contamination incident in the regular report to the City Representative.

Table 2
MINIMUM LIST OF YARD TRIMMINGS TO COLLECT

Brush & Limbs (Up to 3" diameter and length to fit in in the cart with lid closed)
Grass Clippings
Leaves
Garden Trimmings / Weeds / Plant Material

Yard Trimmings Contamination

The Yard Trimmings contamination threshold shall be ten percent (10%) by volume. When the Contractor encounters a cart with ten percent (10%) or more contamination through visual inspection of the cart, the Contractor shall:

- Photograph the item(s) in the cart.
- Affix an appropriately marked service tag to the Customer's Yard Trimmings cart.
- Not service the cart until the contamination is removed.
- Contractor may leave the cart un-serviced until the regularly scheduled service day that follows the removal of the contamination.
- The following regularly scheduled service day, the Customer may set out twice the regular volume of Yard Trimmings for no additional charge to account for the prior missed service. In this circumstance, Yard Trimmings may be placed in paper yard waste bags and shall not be considered overflow Yard Trimmings.
- If the Customer has not removed the contamination by the next regularly scheduled service day, the Contractor shall affix a service tag to the cart, service the cart as Solid Waste, and charge the Customer the equivalent overflow Solid Waste fee.

3.4 Periodic Residential Bulky Items Collection

Bulky Items Collection Services

The Contractor shall provide Bulky Items Collection Services as follows:

- Collection on an on-call basis.
- Collection within five (5) business days of request.
- Collection need not be on the same day as regular Solid Waste services.
- Contractor shall utilize a rear load truck to provide Bulky Items Collection.
- Contractor will provide periodic educational outreach to Customers in the City to encourage reuse of Bulky Items.
- Contractor shall track the number of and types of items collected (in categories mutually agreed upon by the Contractor and the City Representative).

- As part of the Collection Services cost, Customers may request collection of up to two (2) No Additional Fee Bulky Items per calendar year for no additional charge. Customers requesting collection of more than two (2) No Additional Fee Bulky Item collections per calendar year shall pay the price stated in the Pricing Sheet (Exhibit B) for any additional No Additional Fee Bulky Items.
    - No Additional Fee Bulky Items

      Shall include common household items, including but not limited to non-freon containing appliances and furniture, excluding the following:

        - Excluded Waste
        - Hazardous Waste
        - Electronics
        - Yard Trimmings
        - Recyclable Cardboard
        - Items that weigh over 60 pounds
        - Items larger than 6’ x 6’

    - Additional Fee Bulky Items

      Shall include items for which Customers will be charged an extra fee, per the pricing stated in the Pricing Sheet (Exhibit B).

3.5 Dumpster Service for Multi-Unit Residential and Commercial Customers

At the City’s discretion and with 90 days advance written notice of the City Representative, the Contractor shall offer Dumpster service for Solid Waste and Recyclable Materials pursuant to the terms of this Agreement. As determined by the City, this service offering may be made available to Residential Units, multi-unit residential buildings, or commercial buildings that opt in to receive such Dumpster service by Contractor. Pricing for such Dumpster services shall be as stated in the Price Sheet (Exhibit B).

3.6 Other Services or Additional Material Collections or Other Ways to Improve Program

The Contractor may identify at any time and propose to the City to offer other services or collect additional materials to improve the program subject to the following:

- Such supplemental service(s) enhances services under the City’s Agreement and supports the City’s sustainability goals.
- Collection is compliant with the terms of the City’s Agreement and all local, state and federal laws and regulations.
- Materials are managed at an appropriately licensed / permitted facility.

Any additional services or additional materials collected are subject to the City’s prior written approval at the City’s sole discretion.

4.0 OPERATIONAL SPECIFICATION

The Contractor shall provide all resources, equipment, and personnel necessary to perform all services described herein.

4.1 Carts

The Contractor shall purchase, assemble, and deliver all Solid Waste, Recyclable Materials, and Yard Trimmings carts.

Cart ownership will transfer to the City at the end of the Agreement Term subject to Section 5 of the Agreement.

The cost of the carts is included in the monthly rates as stated in the Pricing Sheet (Exhibit B). The Customer's bill shall not include a separate itemized line-item price for carts.

Carts shall be new, wheeled units that meet the following criteria:

- The cart body and lid shall be distinct for Solid Waste, Recyclable Materials and Yard Trimmings carts. Cart colors shall be:
  - Grey for Solid Waste (CL.GRY.1).
  - Blue for Recyclable Materials (CL.BLU.1).
  - Green for Yard Trimmings (CL.GRN.1).
- Cart sizes available must be consistent with service levels in Section 3.
- Carts must be compatible with industry standard collection equipment.
- Carts shall be manufactured with a minimum of ten percent (10%) residential post-consumer recycled plastic content based on the weight of the entire mass of the body, lid and wheels.
- Radio Frequency Identification (RFID) tags must be embedded in carts at the time of manufacturing.
- Carts shall be hot-stamped with City logo and contact phone number. The lids of Recyclable Materials and Yard Trimmings carts shall have in-mold labeling of full-color guidelines for acceptable/unacceptable materials.
  - The City Representative will provide information and artwork for hot stamp and in-mold label guidelines printing.
  - Contractor logos and information shall not be included on carts other than temporary labeling approved by the City Representative.
- Carts shall be purchased from Schaefer and shall be model numbers 95Q.0R0, 65Q.0R0 and 35Q.0R0.
- Schaeffer shall provide a 10-year warranty on the carts purchased pursuant to this Agreement which shall transfer to the City simultaneous with the transfer of the cart ownership at the end of this Agreement Term.

Grant Funding

The City has secured $15 per Recyclable Materials cart in grant funding from The Recycling Partnership to offset part of the Recyclable Materials cart cost. The price stated in the Pricing Sheet (Exhibit B) has been reduced by an amount equal to this grant funding.

Once the City has received the grant funds, the City Council has appropriated such funds and the City has confirmed delivery of the carts, the City shall authorize the Contractor to initiate an invoice for such grant funds. The Contractor shall then invoice the City for an amount equal to the grant funding. Invoices should be emailed to invoices@fcgov.com with a copy to the City Representative. Pay terms shall be Net 30 days from the date of the invoice.

The City may continue to seek grant funding to offset other cart costs. In the event the City secures additional grant funding, the price for services shall be reduced by an amount equal to the additional grant funding provided by the City.

Cart Exchanges and Replacement

Initial Service Start-Up:

- Contractor shall provide an appropriately sized and equipped fenced, secured location to utilize during cart assembly and delivery. The Contractor shall notify the City Representative in writing as soon as reasonably possible once the site has been identified.
- Contractor shall provide a second appropriately sized and equipped fenced, secured location to store Contractor's legacy carts and other haulers' carts. The Contractor shall notify the City Representative in writing as soon as reasonably possible once the site has been identified.
- Contractor shall collect existing Republic Services or Gallegos carts from their customers simultaneous with delivery of carts for Collection Services. Subject to written agreement with other licensed haulers, Contractor shall collect other haulers' existing carts from their customers simultaneous with delivery of carts for Collection Services unless otherwise mutually agreed in writing by the Parties.
    - All collected carts shall be transported to the secure storage location agreed upon by the City Representative and Contractor.
    - The City Representative shall use commercially reasonable efforts to support communication between the Contractor and other licensed haulers.
- Contractor shall deliver new carts simultaneously with the old cart removal unless otherwise mutually agreed in writing by the Parties.
- Contractor shall scan the RFID in each cart and the related serial number at the point of delivery and confirm the carts delivered are the correct size and type requested by each Customer.
    - Throughout the duration of this Agreement, Contractor shall maintain a current database of the serial number of each cart and the affiliated address, along with the Customer's name, phone number, email address and billing address. With thirty (30) days' advance written request by City, Contractor shall send City the information contained in the database in a mutually agreed-upon format. As part of Contractor's subcontract with Schaefer, Contractor will provide information correlating each serial number with its corresponding RFID within reasonable time upon request.
- Contractor shall affix information to carts at the time of delivery.
    - The information shall include but is not limited to guidelines and a service calendar. The information shall be designed collaboratively by the City and the Contractor with final written approval by the City Representative.
    - The Contractor shall pay all printing and any other costs (such as cost for attaching to carts at delivery etc.) for the information.
- Contractor and the City Representative shall agree in writing to the cart deployment and collection schedule at least ninety (90) days prior to cart delivery and collection.

- Contractor shall recycle all unusable Republic Services carts and carts labeled as Gallegos Sanitation.
- Contractor shall provide Cart delivery and collection of Contractor's and Gallegos' Carts, and subject to written agreement between the Contractor and other haulers, such haulers' Carts. Such service shall be performed at no charge to the Customer.
- Upon receipt of a Customer complaint that Contractor delivered the incorrect size or type of cart, Contractor shall deliver correct carts and remove incorrect carts by the next scheduled service day for such waste stream.

Ongoing:

- Contractor shall provide up to two (2) delivery / exchange / repair instances per service address per year for no additional charge. Each instance could involve one or more carts for the following reasons:
    - Initial delivery of carts when a new Customer starts service.
    - Collection of carts when a Customer ends service.
    - Repairing or replacing broken or missing carts.
    - Exchanging carts for a different service size.
    - Cart delivery or exchange for any other reason.

Contractor can charge Customer a delivery / exchange fee for delivery / exchange / repair needs beyond two instance per year. The cart exchange fee for such instances is included in the Pricing Sheet (Exhibit B).

- Contractor shall deliver, exchange or collect carts by the next service date for the applicable waste stream.
- Contractor shall maintain at least two percent (2%) surplus inventory for each size and type of cart utilized as part of this Agreement. Contractor shall monitor cart inventory daily. Contractor shall ensure adequate inventory of carts at all times.
- Cart inventory utilized as part of this Agreement shall be securely stored within Contractor's fenced property.

Cart Maintenance

Contractor shall provide routine cart maintenance, repair and replacement.

Contractor shall:

- Maintain carts graffiti-free and in good working condition.
- Repair any damaged carts that can reasonably be returned for regular service.
- Replace carts that cannot reasonably be repaired.
- Recycle any decommissioned carts.

4.2 Collection Vehicles

The Contractor shall provide all vehicles and equipment needed for Collection Services in an efficient and environmentally sensitive manner.

Collection Vehicles

Collection vehicles used to provide Collection Services for this Agreement shall meet the following criteria:

- Be 2018 model year or newer.
- As applicable, have functioning diesel exhaust aftertreatment systems.
- At least 50% of the diesel collection vehicles shall meet US16 Emission standards.
- At least 45% of the diesel collection vehicles shall have certified clean idle engines.

Contractor shall not purchase and/or transfer from another location any additional diesel trucks for use in Collection Services for this Agreement. Both Parties acknowledge vehicles may need to be transferred due to a vehicle collision or equipment failure. All new trucks purchased and any replacements for trucks retired from service shall be RNG-fueled or electric trucks.

Contractor shall provide an adequate fleet size of vehicles required to perform the services hereunder.

Contractor shall conduct a pilot utilizing at least one electric collection vehicle for as long as reasonable for the duration of this Agreement. With mutual agreement, Contractor and the City may pursue additional electric collection vehicles within the Term of this Agreement.

Details of vehicles anticipated to be utilized as of the Service Commencement Date as well as replacement criteria and schedule are in Attachment 4.

Fuel

Contractor shall construct RNG fueling infrastructure that shall be operational by the Service Commencement Date and for the duration of this Agreement. Contractor shall secure RNG credits to utilize at least 98% RNG for all natural-gas-fueled collection vehicles utilized for Collection Services.

Contractor shall construct at least one electric charging station at Contractor's Fort Collins facility by the Service Commencement Date to support the electric collection vehicle pilot project.

Preventative Maintenance and Repairs

Contractor shall conduct preventative maintenance to ensure that collection vehicles are available to provide Collection Services, including at a minimum the following:

- Every collection vehicle shall be inspected and lubed according to the following schedule.
    - Every 150 hrs. for automated and front load trucks (Approximately every 12-15 days of use).
    - Every 250 hrs. for rear load trucks. (Approximately every 20-25 days of use).
- Hydraulics shall be maintained sufficiently to prevent hydraulic fluid leaks.
- Seals on trucks shall be regularly replaced to prevent material leaks.

Overweight vehicles

Contractor shall track vehicle weights on an ongoing basis. Routes shall be designed to support collection vehicles remaining under legal weight limits.

Weight tickets from disposal facilities shall be retained for a minimum of six months.

Instances of overweight vehicles shall be included in the regular report to the City Representative.

4.3 Collection Personnel

The Contractor shall maintain staffing levels required to support the Collection Services on the schedules set forth herein. The Contractor shall maintain a current Department of Transportation (DOT) compliance policy. Such policy shall be subject to audit and review by the City with reasonable prior notice.

At a minimum, all vehicle drivers shall be:

- Licensed by the State of Colorado with a valid Class B Commercial Driver License (CDL) with air brakes endorsement.
- Alert, careful, courteous and competent.
- Appropriately trained in operations and safety measures.
- Provided with appropriate communication tools and Personal Protective Equipment (PPE).

4.4 SAFETY

Safety Program

The Contractor shall embrace a culture of safety to include a documented safety program for the Collection Services. The safety program must include at a minimum the following:

- Health and Safety Training.
- Employee/Management Responsibility.
- Hazard Recognition and Control.
- Incident Reporting and Investigation.

Tracking and Reporting

The Contractor shall track and report to the City Representative on an annual basis its Experience Modification Rate (EMR) and OSHA Total Recordable Incident Rate (TRIR). The calculation for TRIR is as follows:

$$\textbf{TRIR} \quad \frac{\text{Number of recordable cases X 200,000}}{\text{Number of hours worked}}$$

Contractor shall notify the City Representative in writing within 24 hours in the event of a serious accident involving injury.

Contractor shall provide a summary of any incident report and investigation for any accident or infraction as well as any follow up actions taken to resolve situation or prevent in the future in the regular report to the City Representative.

Vehicle Safety

Contractor shall ensure, when operational, all collection and transfer vehicles:

- Have covered loads.
- Be kept in good repair and appearance.
- Be clean and sanitary.
- Be compliant with all local, state, and federal safety and inspection regulations.

Contractor's drivers shall conduct pre- and post-trip inspections daily and shall identify any issues in a written vehicle condition report.

Any collection vehicle deemed unsafe or not legal to operate shall be removed from service.

Contractor collection vehicles shall have dash cameras, back up cameras, and software with real-time GPS tracking.

Spill Response

Any vehicle leaks or spills shall be cleaned up as soon as possible and no later than 24 hours after occurrence.

Contractor shall clean up any spills or litter caused by collection or transportation, regardless of whether it is on public or private property.

Cell Phone Usage

No driver of a Contractor vehicle operating in furtherance of this Agreement shall use a cell phone when the vehicle is moving.

4.5 Collection Schedule, Missed Collections and Blocked Carts

Hours and Holidays

All collections shall be conducted between 7 a.m. and 7 p.m. Monday through Friday and 7 a.m. to 7 p.m. on Saturdays during any week with a holiday or due to severe weather.

No collections shall occur on Sundays or holidays unless expressly authorized by the City Representative.

Holidays observed shall be New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day and Christmas Day. The date on which each holiday is observed shall follow the schedule of the disposal facilities utilized by the Contractors.

Severe Weather Protocol

On days when the City closes or declares a late start due to severe weather or other emergency, the Contractor may suspend or delay service without prior approval of the City. The City will post such notification at fcgov.com by 5 a.m. Mountain Time.

In situations where the Contractor seeks to suspend or delay service, but the City has not closed its facilities or declared a delayed start, Contractor must notify the City Representative in writing by 7 a.m. Mountain Time of the basis for the service suspension

for that day. Contractor shall use commercially reasonable efforts to avoid any service suspension or delay.

Contractor shall collect any missed collections due to suspended service within one calendar day of the resumption of service (as determined by Contractor) unless otherwise approved by the City Representative. The resumed service may cause a similar delay to other service days throughout that service week. (For example, if service is suspended on a Tuesday and resumes on Wednesday, the Tuesday Customers would be serviced on Wednesday and so on, including Friday collections taking place on Saturday.)

If severe weather requires a service suspension of two or more days in length, Contractor may delay service of the necessary service days until the following regularly scheduled service day (for instance, if service must be suspended on Monday and Tuesday, Monday Customers' service may be delayed until the following service day so that Tuesday Customers would be serviced on Wednesday and so on, including Friday collections taking place on Saturday.)

If multi-day service suspensions take place over the course of multiple weeks, Contractor shall adjust which day of service is delayed for one week. Any one service day shall not be delayed for more than one week (i.e. if storms take place on two Wednesdays in a row, Wednesday customers may have service delayed to the following week, but in the second week Thursday customers would be delayed so that no one set of customers is without service for any longer than two weeks).

Missed Collections

Contractor shall resolve any missed collection issues within one (1) business day if the missed collection is reported by 4 p.m. Missed collections reported after 4 p.m. shall be serviced within two (2) business days.

- Excluding delays associated with service suspensions.
- Excluding instances where Customer had late set-out, blocked cart or excessive contamination.

- Contractor shall photograph when carts are not set out by the service time.

Blocked Carts

If the Contractor cannot access a cart to service it, the Contractor shall:

- Photograph the cause of the issue.
- Affix an appropriately marked service tag to the blocked cart(s). If attaching a tag is not feasible / practical, Contractor shall contact the Customer via text, email, or phone call to notify them of the problem and when their cart(s) will next be serviced.

Contractor may leave the cart(s) un-serviced until the next regularly scheduled service day that follows the removal of the situation blocking access to the cart(s).

The following regularly scheduled service day, the Customer may set out twice the regular volume of materials for no additional charge to account for the prior missed service. In this circumstance, materials equivalent to the regular service level shall not be considered overflow and Customer shall not be charged extra.

If the blockage remains on the next regularly scheduled service day, Contractor shall notify the City Representative and does not have to service the location until the blockage is addressed.

4.6 City and Contractor Responsibilities During Transition Period and Beyond

City Responsibilities

- Collaborate with the Contractor to design public notifications and service tags for the Collection Services.
- Provide information and artwork for cart hot stamps and cart lid in-mold labels.
- Help to resolve questions while Contractor develops service address list.
- Determine whether HOAs with existing hauling contracts comply with City requirements (and thus are exempt from the City's residential waste collection program under Section 12-29 of the City Code) and share that information with the Contractor.
- Provide a phone number that shall be routed to the Contractor and that the Contractor shall use for all customer service inquiries, requests, complaints and other as related to this Agreement. The City will retain all rights to the phone number. Contractor will assist to transfer the phone number to the City or next selected contractor at the end of the Agreement Term.
- The City Representative shall use commercially reasonable efforts to support communication between the Contractor and other licensed haulers during the time that Republic legacy and other haulers' carts are being collected.
- Establish Customer billing rates based on the contract pricing and the Administrative Fee.

Contractor Responsibilities

Contractor shall:

- Develop, produce and distribute public notifications to Customers.
    - Contractor shall collaborate with the City Representative to design the public notifications and City Representative shall have final approval authority.
    - Contractor shall distribute public notifications at the following times at a minimum.
        - During the initial start-up period.
        - When new Customers start service (after the service start-up period).
        - When Customers change service levels at any time.
        - Annually to all Customers at a time agreed upon with City Representative.
    - The notification shall be in a multi-color, user-friendly format with any text in both English and Spanish and shall include:
        - Available service levels and rates.
        - Annual collection calendar.
        - Set-out times and locations.
        - Directions for changing service levels, managing overflow Solid Waste, contamination, and requesting additional services.
        - Guidance on acceptable and unacceptable materials in Recyclable Materials and Yard Trimmings carts.
- Develop service address list.

- Facilitate and manage Customer cart size selection.
    - Customers shall be able to select their cart sizes via any of the following options: a Fort Collins-specific page on RepublicServices.com, through the mail, or over the phone.
- Conduct all billing set-up with Customers.
- Develop and distribute a collection calendar(s) for all Customers.
- Produce service tags to address situations such as blocked carts, Solid Waste overflows, contaminated Recyclable Materials or Yard Trimmings, or other conditions that impact service or safety. The City Representative shall have final approval authority of the service tag design. Tags shall:
    - Include text in English and Spanish.
    - Be made of durable, water-resistant material that can be written on.
    - Be printed with one (1) color.
    - Have a mechanism for temporary attachment to carts.
    - Be a minimum size of 5” x 10”.
- Remove all existing carts from Customers at no additional cost simultaneous with new cart delivery per Section 4.1.
- Provide all other services stated in this Agreement and/or required to provide Collection Services in accordance with the terms of the Agreement.

4.7 Customer Billing

All Customer billing shall be conducted by the Contractor.

Customer rates will be established by the City based on the pricing stated in Exhibit B and Administrative Fee.

Contractor portion of rates and fees shall remain unchanged during each Service Year unless otherwise approved by an amendment to this Agreement.

Customer bills shall be on a quarterly schedule and shall be assessed in advance.

Contractor shall charge all Service Opt-Out Customers the XS Cart service price and the Administrative Fee.

All Customer bills shall include the following:

- Applicable Collection Services rates as one line item (i.e. Recyclables Materials, Yard Trimmings and Bulky Items collections shall not be separate line items).
- Separate itemization of any fees accrued by the Customer for overflow Solid Waste, contamination, Bulky Items collection and any other fees approved by the City.
    - The only charges allowed on Customer bills are those described in this Agreement.
- Administrative Fee(s) may be itemized separately or included with the Collection Services price at the City’s discretion. If itemized, the City Representative will provide text to be included on bills.

- Bills shall include text in Spanish providing Customers with directions for how to receive a Spanish translation of their Bill. During the Agreement Term, the Contractor will seek the capability to provide Customer bills in Spanish upon request.

4.8 Customer Service and Education

All customer service functions shall be provided starting in the Transition Period and shall continue through the Agreement Term.

Customer Service Representatives

Prompt customer service from representatives who understand Fort Collins' program is very important to the City.

Contractor shall have a sufficient number of qualified and experience customer service agents who possess comprehensive working knowledge of Fort Collins neighborhoods and the specific details of services, rates, and applicable provisions of the Agreement available at the specified times to service Customers. These customer service agents will work in Contractor's Colorado Pod and service Fort Collins and Colorado generally, with priority given to Customer contacts.

During times of high call volume, Customer contacts may roll over to Contractor's Northwest area pod representatives.

Customer Service Hours

Customer service staff dedicated to Customers under this Agreement shall be available at a minimum from 7:30 a.m. to 5 p.m. Mountain Time (MT) Monday through Friday.

Northwest area pod customer service agents shall be available additional hours of 5 p.m. to 6 p.m. MT Monday through Friday and 8 a.m. to 1 p.m. MT Saturdays.

Customer Queries and Complaints

Contractor shall:

- Address all issues directly and strive for a one call resolution to Customer and Service Opt-Out Customer needs.
    - The City shall not be the default customer service provider.
- Answer Customer contacts primarily with live personnel.
    - When call volume is unexpectedly high and live personnel are addressing other City queries, Customers may opt to receive a call back while holding their place in the call queue.
- Provide an option for Customers calling after hours to leave a voice mail message; Contractor shall respond to Customer query within one (1) business day.
- Maintain an average hold time of three (3) minutes or less for customer service over the phone.
- Maintain an average abandonment rate of less than three percent (3%) of customer calls for customer service over the phone.

- Offer Customers the opportunity to take an optional three (3) question survey at the end of a call with a customer service agent. The survey questions will be mutually agreed upon by the Parties.
    - Responses to the survey from Fort Collins Customers shall be included in the regular report to the City Representative.
- Resolve any other Customer or City complaints within two (2) business days.
- Resolve all complaints and requests to the satisfaction of Customers and the City Representative.

Subject to Customer's consent, City shall have access to the recording of any phone customer service interactions and/or written communications with a Customer upon request. Contractor shall retain phone recordings for ninety (90) days from the date of the interaction and written correspondence for six (6) months from the date of the correspondence. Contractor shall obtain any required consent of Customers and Service Opt-Out Customers to provide this information to the City Representative.

Public Outreach and Education

The City will conduct comprehensive public outreach and education activities throughout the Agreement Term. The Contractor shall support these efforts by:

- Producing and distributing Customer notifications as described in Section 4.6.
- Maintaining a Fort Collins-specific website page(s) with the same information required for Customer notifications.
- Providing Customers with the ability to request service changes online (such as start / stop service, cart size change, Bulky Items collection, report a missed collection, opt out of Yard Trimmings collection etc.).
- Providing service tags and utilizing them as described in this Agreement.
- Providing the City Representative with information that will impact Customer service at least thirty (30) days before any changes go into effect.
    - Including changes in accepted Recyclable Materials or Yard Trimmings, equipment, routing, collection schedule etc.

4.9 Regular Reports

All reports shall be submitted electronically in a format and with a level of detail that is acceptable to the City Representative.

Each report shall include information since the last report (monthly / quarterly / annual).

Monthly reports shall be submitted within 15 days of the end of the month. Quarterly and annual reports shall be submitted within 30 days of the end of the month / quarter / year.

Information within each topic area shall be sorted by Customer address unless otherwise specified below.

For the purpose of this section, service type shall mean Solid Waste, Recyclable Materials, or Yard Trimmings.

All reporting periods shall be based on a calendar year.

The City reserves the right to request additional information mutually agreed up on by the City Representative and the Contractor.

Reports shall include the following:

Immediate Reporting

Contractor shall notify the City Representative via email within twenty-four (24) hours in the event of a serious accident involving injury or death.
Contractor shall notify the City Representative via email as well as spill@fcgov.com in the event of any spill that enters a storm drain inlet or any significant spill.

Contractor shall send a report to the City Representative within one (1) business day if / when any of the following occur:

- Contaminated loads of Recyclable Materials or Yard Trimmings that include materials from Customers that are rejected from processing facilities.
    - Include date, service type, contamination type, situation that caused contamination, and any other relevant details.
- Prohibited materials in carts or blocked carts that are not corrected within one (1) week by Customer.

Monthly Report

- Materials collected.
    - Scale-based weight data for Solid Waste, Recyclable Materials, Yard Trimmings and Bulky Items collections, including facilities where they were delivered for reuse, recycling, composting, disposal or other management.
        - The weight of City materials in any mixed loads that also includes non-City Solid Waste can be estimated using methodology acceptable to the City.
        - If materials were delivered to more than one (1) facility, include the scale-based weight data for each facility.
- Customer complaints.
    - Include date of complaint, service address, complaint type, resolution, and date resolved.
    - For purposes of this report, a complaint is any customer contact other than a service change or information request.
        - Contractor and the City Representative will develop list of complaint types that are mutually agreeable, and they may include missed collection, unsafe driving, spills, operating outside permitted hours, customer service phone call hold times, other customer service issues, etc.
- Missed collection.
    - Date of missed collection, date of resolution, service type missed, service address, and whether missed collection was due to Contractor or Customer (i.e. late set out, blocked cart etc.).

- Contaminated loads of Recyclable Materials or Yard Trimmings rejected from processing facilities.
    - Include date, service type, contamination type, situation that caused contamination, and any other relevant details.
- Accidents or infractions.
    - Provide a summary of any incident report and investigation for any accident or infraction as well as any follow up actions taken to resolve situation or prevent in the future.

Quarterly Report

- Number of Customers receiving Collection Services through the City contract.
- Financials.
    - Amount of Administrative Fee collected for remittance to the City.
    - Any known performance violations and associated liquidated damages to be remitted to the City.
    - Fees charged for the quarter sorted by fee type.
    - Number of accounts over 90 days delinquent.
- Special service situations and fees assessed.
    - Include the incident date, service address, incident resolution and fee charged for the following incident types:
        - Overflow Solid Waste.
        - Prohibited items in Solid Waste carts (such as Recyclable Cardboard, Electronics, etc.).
        - Blocked carts.
        - Contaminated Recyclable Materials carts.
        - Contaminated Yard Trimmings carts.
- Bulky Items collection.
    - Service address, date service request received, date of bulky item pick up, and number of items by type (in categories agreed upon by Contractor and the City Representative)
- Customer service.
    - Number of customer communications.
        - Include date and type of customer service (complaint, service change, or information request).
    - Percent of phone calls answered via roll over to Northwest area pod or national staff.
    - Summary of Customer responses to customer service survey.
    - Percent abandoned phone calls.
    - Average hold times for phone calls.

- Average number of phone calls per time of day.
  - Contractor and the City Representative shall mutually determine time categories, such as before 8 am, 8am-11am, 11am-1pm, 1pm to 3pm, 3pm -5pm, 5-6pm, after 6pm.

- Cart activity (includes deliveries, replacements, repairs, removal or exchanges).
  - Include type of cart, type of action (delivery, repair, replacement, removal, exchange), request date, completion date, and service address. If Customer is changing cart size, include the initial and new cart size.
- New opportunities: any new opportunities identified by Contractor to decrease materials landfilled, increase reuse, recycling or composting of materials.
- Number of Customers opting out of Collection Service.

Annual Report

- Annual average of the number of Customers receiving Collection Services through the City contract.
- Monthly scale-based weight data for Solid Waste, Recyclable Materials, Yard Trimmings and Bulky Items collections, including facilities where they were delivered for reuse, recycling, composting, disposal or other management for each month of the year.
- Annual summary of the number of the following:
  - Missed collections by Contractor*.
  - Missed collections due to Customer (late set-out, blocked cart etc.)*.
  - Number of contaminated loads of Recyclable Materials or Yard Trimmings rejected by processor with brief notes of the cause.
  - Carts delivered, repaired, replaced, removed or exchanged, sorted by activity type as a number and as a percentage of carts serviced by Contractor's Collection Services.

  ***** Express these data points as a raw number and as a percentage out of all the Customers receiving Collection Services through the City.
- Annual summary of each of the following Financials.
  - Amount of Administrative Fee remitted to the City.
  - Amount of liquidated damages remitted to the City.
  - Amount of fees charged, sorted by fee type.
  - Collection Services rates charged to Customers.
- Summary of Bulky Item material collection by item type.
- New opportunities: any new opportunities identified by Contractor to decrease materials landfilled, increase reuse, recycling or composting of materials.

Available to City Upon Request

- Customer and service level details.
  - Customer name, service address, billing address, phone number, Customer email, cart serial number and related cart sizes per service type.
- Customer invoice.

- Time and date stamped photograph of any incident of a late set out, overflow solid waste, prohibited item in Solid Waste cart, blocked cart, contaminated Recyclable Materials cart, contaminated Yard Trimmings cart.
- Recording of customer service interactions over the phone (must be retained for ninety (90) days after interaction).
- Copy of written customer service interactions (must be retained for six (6) months after interaction)

Quarterly Meeting

City Representative and Contractor contact shall meet quarterly to review and discuss Contractor performance. Either Party may also invite additional staff members as appropriate.

Records Retention and Auditing Rights

The Contractor shall maintain all records for a minimum of three (3) years from the end of the Agreement Term and any extension, with the exception of phone customer service interactions, which shall be retained for at least ninety (90) days and written customer service interactions, which shall be retained for at least six (6) months from the interaction. Contractor shall retain records of tip fees paid during the Agreement Term for a minimum of three (3) years from the end of the Agreement Term and any extension.

Contractor records shall be available at all reasonable times for inspection by the City, including records of tip fees paid.

The City will retain full auditing rights of the Contractor's accounting records as they pertain to this Agreement.

Materials to Provide to City Near the End of Agreement Term

Contractor shall provide documentation certifying transfer of ownership of carts and of cart warranty to the City Representative within 30 days from the end of the Agreement Term.

Contractor shall provide the following to the City Representative within 30 days of the end of the Agreement Term:

- Customer name, service address, billing address, phone number, Customer email, cart serial and related cart sizes per service type to the City in Excel or other electronic format acceptable to both Parties.

4.10 Solid Waste, Recyclable Materials and Yard Trimmings Composition Analysis

If the City or any agent hired by the City conducts a composition analysis of Solid Waste, Recyclable Materials, Yard Trimmings or other materials, the Contractor shall support by diverting loads identified by the City Representative or their agent to the designated sort site (within Larimer County) during the composition analysis and any significant additional cost shall be negotiated by the Parties in good faith.

4.11 Contractor Compensation

Service Price Changes

The City agrees that the Contractor's pricing as stated in Exhibit B may be adjusted annually beginning on the first anniversary of the Service Commencement Date and annually thereafter, except in instances when performance violations on contract non-compliance issues are unresolved.

The adjustment will be three percent (3%) annually effective on the anniversary date of the Service Commencement Date.

Uncontrollable Cost Increases or Decreases

On an annual basis beginning on the first anniversary of the Service Commencement Date the Contractor may petition the City for an additional pricing adjustment due to uncontrollable costs limited to disposal or processing tip fee increases or changes in applicable regulations. The Contractor shall petition the City at least ninety (90) days prior to the anniversary date.

Price adjustment petitions developed by the Contractor for tip fee increases shall include written documentation of tip fees for all materials collected in Collection Services as of the time of the application as well as an average over the last twelve (12) months. The petition shall consider decreases in other tip fees as a potential counterbalance for other uncontrollable costs.

Any pricing change under this subsection shall be effective on the anniversary of the Service Commencement Date.

Any petition shall include documentation to justify how the cost increases exceed the three percent (3%) per year standard increase.

The City reserves the right, as a condition of approval, to inspect Contractor financial records that justify a change in the pricing.

The City has no obligation to approve any petition but acknowledges uncontrollable costs may occur and intends to negotiate with the Contractor in good faith without unreasonable delay. In the event the Parties are unable to agree on such uncontrolled costs the pricing shall increase 3.5% inclusive of the increase stated in Service Price Changes stated above and either party shall have the right to terminate the Agreement with twelve (12) months written notice.

4.12 Administrative Fee and Liquidated Damages Remittance

The Contractor shall collect the Administrative Fee through Customer billing on behalf of the City. Contractor shall remit the Administrative Fee and liquidated damages from performance violations to the City Representative within thirty (30) calendar days of the last day of the calendar quarter via check made out to the City of Fort Collins.

5.0 CONTRACTOR PERFORMANCE

5.1 Performance Standards & Liquidated Damages

Performance standards and liquidated damages for non-compliance to the Agreement requirements are stated in Table 3.

The liquidated damages stated in Table 3 are reasonable estimates as to the dollar amount of damages incurred in relation to each offending act or omission. The City may assess liquidated damages regardless of whether the Contractor has met or is meeting the related performance standards percentages stated in Table 3. The liquidated damages are not intended as a penalty and the assessment of liquidated damages shall not be deemed a default except in the event the Contractor fails to cure in accordance with the Agreement.

During the Agreement Term, the Contractor shall sustain the performance standards stated in Table 3. In the event the Contractor fails to sustain the stated performance standards and/or is not in compliance with the terms of the Agreement, the City may deem the Contractor to be in default in accordance with the provisions of Section 20.
In the event of non-compliance, the City shall notify the Contractor in writing of the basis for each assessment of liquidated damages. City shall work in good faith with the Contractor to resolve any disputes related to liquidated damages.

Liquidated damages shall be due to the City on the next quarterly remittance following assessment of the liquidated damages (per Section 4.12).

Table 3

PERFORMANCE STANDARDS & LIQUIDATED DAMAGES

Material Conditions for Contract Default

PERFORMANCE STANDARD VIOLATION	LIQUIDATED DAMAGES	CALCULATION BASIS FOR PERFORMANCE STANDARD	PERFORMANCE STANDARD
Failure to meet schedule for any Transition Plan activity	$500 per day	Daily	100%
Failure to deliver all Solid Waste to mutually-agreed-upon permitted landfill, all Recyclable Materials to the Larimer County Recycling Center, and all Yard Trimmings to mutually-agreed-upon facilities OR landfilling properly source separated Recyclable Materials or Yard Trimmings	$3,000 per load	1 - Load	100%
Failure to maintain required insurance coverage	$5,000 per incident	Insurance expiration date	100%
Failure to maintain irrevocable letter of credit	$5,000 per incident	ILOC expiration date	100%
Misrepresentation in reporting including inaccurate Administrative Fees or liquidated damages	$5,000 per incident	Each Reporting Period	100%
Contractor utilizing a driver to provide Collection Services that does not have a valid Class B CDL with air brakes endorsement and Colorado Drivers' License and/or is not current with DOT required training or other DOT requirements	$1,000 per driver per day	All Drivers	100%
Delayed remittance of Administrative Fees or liquidated damages	$500 per day	Each Billing Period	100%
Failure to participate in mutually scheduled quarterly meeting	$1,000 per incident	Each Quarterly Meeting	100%
Failure to allow City audits or maintain records for three (3) years or retain customer service phone recordings for ninety (90) days or customer service written correspondence for six (6) months	$3,000 per incident	Each City Audit or Each Information Request	100%

EXHIBIT D

REVIEW VERSION – RESIDENTIAL SOLID WASTE COLLECTION SERVICES – 2/27/2023 SUBJECT TO CITY COUNCIL APPROVAL AND EXECUTION BY THE PARTIES

PERFORMANCE STANDARD VIOLATION	LIQUIDATED DAMAGES	CALCULATION BASIS FOR PERFORMANCE STANDARD	PERFORMANCE STANDARD
Failure to provide written notice within 24 hours of any serious accident involving injury or death or significant spill the date, description and resolution/corrective action taken for any vehicle accidents, infractions, or overweight vehicles that occurred.	$1,000 per incident	Each Reporting Period	100%
Failure to deliver specified loads of material to a designated location in support of a material composition analysis conducted on behalf of the City	$1,000 per load per audit	Annual Audit	100%
Failure to appropriately bill Customers according to the Agreement OR billing Customers for fees not approved by City OR failure to provide text in Spanish with directions for accessing full bills in Spanish	$300 per bill, up to $3,000 per quarterly billing cycle	Per Customer Bill	100%
Failure to provide dedicated service representatives in the Colorado Pod and NW Pod during each respective pod's customer service hours in this Agreement	$500 per day	Daily	100%

Daily Operations

PERFORMANCE STANDARD VIOLATION	LIQUIDATED DAMAGES	CALCULATION BASIS FOR PERFORMANCE STANDARD	REQUIRED TIME PERIOD OR MEASUREMENT UNIT	PERFORMANCE STANDARD
Collection Services taking place before 7 a.m. or after 7 p.m. (each route shall be separate incident)	$250 per incident	Monthly	Collected between 7 a.m. and 7 p.m.	98%
Failure to collect missed collections reported by 4 p.m. within one (1) business day or those reported after 4 p.m. within two (2) business days (excludes late setouts & blocked carts which shall be collected within one (1) calendar week) (excludes severe weather delays, which shall be serviced in accordance with Section 4.5)	$150 per Customer per day plus one month credit to each missed Customer	Monthly	Within specified time frame	98%
Failure to deliver carts to new Customers (after initial service start-up) OR to replace and/or repair damaged/lost carts OR to collect carts when Customer ends service OR to deliver correct cart type and size if initial cart delivery was incorrect by the next scheduled service day	$150 per day per cart plus one month credit to each impacted customer	Monthly	Within two (2) business days	98%
Failure to respond to Customer queries within one (1) business day	$250 per incident	Monthly	Within one (1) business day	98%
Failure to resolve billing inquiries and disputes within two (2) business days	$250 per incident	Monthly	Within two (2) Business Days	98%
Failure to maintain an average hold time of three (3) minutes or less for customer service over the phone	$500 per month	Monthly Average	Less than three (3) Minutes	98%

PERFORMANCE STANDARD VIOLATION	LIQUIDATED DAMAGES	CALCULATION BASIS FOR PERFORMANCE STANDARD	REQUIRED TIME PERIOD OR MEASUREMENT UNIT	PERFORMANCE STANDARD
Failure to maintain an average abandonment rate of less than three percent (3%) of customer calls for customer service over the phone	$500 per month	Monthly Average	Less than three percent (3) of Customer Service calls	98%
Failure to clean up any vehicle leaks or collect materials spilled during the execution of Collection Services within twenty-four (24) hours of spill	Twice (2X) cost of clean-up incurred by City	Monthly	Within twenty-four (24) hours	100%
Collection of overflow Solid Waste, prohibited materials, contaminated Recyclable Materials or contaminated Yard Trimmings without tagging and / or charging appropriate fee to customer	$500 per incident	Monthly	Each Customer	98%
Late or incomplete submission of on-request, monthly, quarterly OR annual reports	$250 per day	Monthly / Quarterly/ Annually	Within specified time frame	100%
Failure to cover vehicles that contain Solid Waste, Recyclable Materials, Yard Trimmings or Bulky Items OR to maintain vehicles in clean, sanitary and good working order	$250 per incident	Each Load	Each Vehicle	100%
Failure to provide Bulky Item collection within five (5) business days of Customer request	$150 per Customer per day plus one month credit to each impacted Customer	Monthly	Within five (5) business days	98%
Driver providing Collection Service utilizing a cell phone in a moving vehicle	$500 per cell phone infraction	Per Incident	All drivers	100%

PERFORMANCE STANDARD VIOLATION	LIQUIDATED DAMAGES	CALCULATION BASIS FOR PERFORMANCE STANDARD	REQUIRED TIME PERIOD OR MEASUREMENT UNIT	PERFORMANCE STANDARD
Failure to maintain required color-coding for Solid Waste, Recyclable Materials or Yard Trimmings carts OR to maintain hot-stamp labels on all carts OR to maintain printed material guidelines on Recyclable Materials or Yard Trimmings carts	$250 per cart per day	Monthly	Each Cart	98%
Failure to distribute approved notifications & collection calendars OR to develop/use approved service tags	$250 per day	Monthly	Within specified time frame	98%

5.2 Contactor Performance Review

The City reserves the right to conduct a full review of Contractor performance at any time during the Agreement Term. If during the review process or any other deliberative process the City determines the Contractor's performance is not in compliance with the terms of the Agreement (regardless of liquidated damages paid), the City may declare the Contractor in default and terminate the Agreement pursuant to Section 20, Defaults of this Agreement.

Attachment 1

Yard Trimmings Opt-In or Opt-Out Effectivity Dates

Date of Customer Notification to Contractor Requesting to Opt-In or Opt-Out	Date Effective for Service and Billing
First Six Months after Service Commencement Date	
By September 1, 2024	October 1, 2024
By October 1, 2024	November 1, 2024
By November 1, 2024	December 1, 2024
By December 1, 2024	January 1, 2025
By January 1, 2025	February 1, 2025
By February 1, 2025	March 1, 2025
By January 1	February 1
By February 1	March 1
By March 1	April 1
By April 1	August 1
By May 1	August 1
By June 1	August 1
By July 1	August 1
By August 1	December 1
By September 1	December 1
By October 1	December 1
By November 1	December 1
By December 1	January 1

Attachment 2

Schaefer Cart Warranty Transfer Acknowledgement

CITY OF FORT COLLINS, CO

RE: WARRANTY TRANSFER CONFIRMATION

1/20/2023

To Whom It May Concern:

Please accept this letter as confirmation that the 10-year warranty of the Schaefer carts, that would be purchased for the City of Fort Collins, CO contract, will transfer to the city from Republic Services at the conclusion of the intial term of the 5-year contract. The result will be the remaining years of warranty from cart purchases for the contract will transfer with the asset to the City of Fort Collins, CO.

This arrangement is possible due to the partnership Schaefer and Republic Services share, spanning over 20 years.

If there are any further questions or clarifications needed, please feel free to contact me.

We sincerely hope to partner with the city during this project for a smoothly executed transition for the residents of Fort Collins.

Thank you,

Brett Belda
Vice President, Waste Technology Division
Schaefer Plastics North America, LLC.
Brett.Belda@ssi-plastic.com
(440) 679- 2430

Attachment 3

Transition Plan

Program Transition Services Updated 1/3/23	Start Date	Completed Date	Touch Points	Assigned
*Not all-inclusive of every detail. We are proposing a draft timeline, but it is our intent to sit down with the City to mutually agree upon dates, as we are using best estimates right now. We typically provide a draft and very early after signing an agreement we sit down with the City to walk through it and make sure we are aligned on dates or changes needed.				
Denotes a milestone.				
Project	**Start Date**	**Completed Date**	**Touch Points**	**Assigned**
EV Vehicle - Pilot Program with Xcel Energy				
EV Mobile Battery Charging Single Charging Station Installed	12/2022 (exp.)	Q1-Q2 2023	Single	HQ EV Team Republic Services
EV Truck Arrives	Q3 2023	N/A	Single	HQ EV Team Republic Services / Kevin O'Reilly Fleet Maintenance Shop
EV Truck Show & Tell with Partners (Invite Event)	Q3/Q4 2023	Ongoing Educational Events	Multiple	HQ Republic Services Marketing, Holli McElwee and Partner with City on Invites Elected Officials/Staff
EV Truck to Begin Route in Fort Collins	Q3/Q4 2023	Ongoing	Single	Kevin O'Reilly Fleet Maintenance and Austin Self Operations Manager
RNG Trucks (ASL)				
RNG Infrastructure Construction Begins/Concludes	Q1 2023	Q2/Q3 2024	Multiple	HQ EV Team Republic Services / Kevin O'Reilly Fleet Maintenance Shop
RNG Truck Order Placed	Q1/Q2 2023	Q1/Q2 2024	Multiple	HQ EV Team Republic Services / Kevin O'Reilly Fleet Maintenance Shop
RNG Trucks Arrive	Q3 2024	Q3 2024	Multiple	HQ EV Team Republic Services / Kevin O'Reilly Fleet Maintenance Shop
Single-Hauler Communications				
Monthly Coordination Meetings with City Representative	3/20/2023	9/29/2029	Monthly	Holli McElwee; Austin Self; Tony Jimenz(Other Dept. Managers, As Necessary)
Press Release 1	3/21/2023	3/22/2023	Single	Subject: Single Hauler Contract with Republic Services Adopted; City of Fort Collins (RS Requests Ability to Review); Approved by City Staff
Cart Set-Out Times and Locations	5/1/2024	9/14/2024	Multiple & Series Out	HQ Marketing and Holli McElwee; Approved by City Staff
Develop Public Notifications to Customers	6/1/2023	9/14/2024	Multiple & Series Out	HQ Marketing and Holli McElwee; Approved by City Staff
Directions: Changing Service, Managing Solid Waste Overflow	6/1/2024	12/30/2024 (Ongoing)	Multiple & Series Out	HQ Marketing and Holli McElwee; Approved by City Staff
Press Release 2	3/1/2024	3/15/2024	Single	Subject: Ordering Carts; City of Fort Collins (RS Requests Ability to Review); Approved by City Staff
Create Letter, Postcard, Website Landing Page - Multiple Touch Pts.	11/1/2023	12/1/2024	Multiple & Series Out	HQ Marketing and Holli McElwee; Approved by City Staff
Distribute Public Notifications to Customers	1/1/2024	2/1/2024	Multiple & Series Out	HQ Marketing and Holli McElwee; Approved by City Staff
Facilitate and Manage Customer Cart Size Collection Communications and Ordering	11/1/2023	3/31/2024	Series Out	HQ Marketing, Digital, Holli McElwee, CS, Billing & Ops; Approved by City Staff
Press Release 3	5/1/2024	5/16/2024	Single	Subject: Ordering Carts Reminder City of Fort Collins (RS Requests Ability to Review); Approved by City Staff
Produce Service Tags (Oops, Contamination, Blocked Carts)	6/1/2024	8/1/2024 (Ready 9/30/24)	Multiple & Series Out	HQ Marketing and Holli McElwee; Approved by City Staff
Annual Collection Calendar	6/1/2024	8/7/2024	Multiple & Series Out	HQ Marketing and Holli McElwee; Approved by City Staff
Press Release 4	6/1/2024	8/15/2024	Single	Subject: Program Roll-Out & Collection Service - City of Fort Collins (RS Requests Ability to Review); Approved by City Staff
Develop and Mail the Yard Waste Recycling Guide	6/1/2024	9/1/2024 (& YOY: New Starts)	Mailed & Digital	HQ Marketing and Holli McElwee; Approved by City Staff
Recycle Guide	6/1/2024	9/1/2024 (& YOY: New Starts)	Mailed & Digital	HQ Marketing and Holli McElwee; Approved by City Staff
City of Fort Collins E-Newsletter	6/1/2024	8/30/2024	Multiple	City of Fort Collins (RS Requests Ability to Review); Approved by City Staff
Annual Communications - English/Spanish - Using the App	6/1/2024	9/30/2024 (& YOY)	Multiple & Series Out	HQ Marketing and Holli McElwee; Approved by City Staff
Service Levels & Rates	6/1/2024	9/30/2024	Multiple & Series Out	HQ Marketing and Holli McElwee; Approved by City Staff
New Customer Start Service Electronic Packet	6/1/2024	9/30/2024	Multiple & Series Out	HQ Marketing and Holli McElwee; Approved by City Staff
Cart Hanger Postcard for Cart Deployment/New Carts Delivered	6/1/2024	10/4/2024	Placed on New Carts	HQ Marketing, Holli McElwee & Schaefer; Approved by City Staff
Change of Service Levels	6/1/2024	12/30/2024	Multiple & Series Out	Holli McElwee Creative; CS Containers; Approved by City Staff
Service Addresses and Orders				
Meet with City of Fort Collins Environmental Services Representative	By 3/30/2023	Possible Weekly Touch Pts. TBD	TBD	Republic's GM, Austin Self, Holli McElwee, Catherine Morrow and Area Representative
Fort Collins staff answers questions while Republic drafts a Complete Residential Address List ***Per RFP Interview Discussion	3/31/2023	8/30/2023 (Ongoing w' Moves/Buil	Have to Determine	City Staff & Republic Services Representatives
Meet with other haulers to determine if they want their carts collected along with Republic carts	6/1/2024	9/30/2024	TBD	TBD
Cross Reference the List With Republic's Existing Customer List	8/30/2023	9/30/2023	Have to Determine	Republic Services Operations (Austin Self), Routing Manager and Area Team
Color Details, Hot Stamp, Artwork, City Phone #, Stream, Cart Sizes All Due	2/1/2024	2/1/2024	Single	Holli McElwee, Austin Self, Stephen Walker, HQ Marketing, City Representative and All Approved by City Representative
Set-up All Routing for 45,500 (+-) Customers (Will Coordinate with the City on Exacts)	3/1/2024	6/30/2024	Series	Republic Services Operations (Austin Self), Routing Manager and Area Team
Conduct All Billing Set-Up	3/1/2024	9/20/2024	Series Out	HQ Billing/Franchise Specialists, Catherine Morrow, Kathy Sommermeyer
Cart PO Placement and Order Finalization	4/1/2024	4/1/2024	Bulk Order #1	Stephen Walker and Josh Jones
Carts arrive	6/1/2024	7/1/2024		
***Place 2nd Cart Order; Only if Needed; Stragler Order (Move-ins/outs, Late Orders, HOAs or Residents or Late Adopters)	5/1/2024	6/15/2024	If Needed	Stephen Walker, Operations Manager and Josh Jones, Shop Supervisor
Develop and Distribute a Collection Calendar to All Customers	9/1/2024	9/7/2024	Series Out YOY	HQ Marketing and Holli McElwee; Approved by City Staff
Issue OOPS Tags	9/30/2024	(Ongoing & As Need Per HH)	Series Out	Drivers on Route; Approved by City Staff
Hiring and Training Class B CDL Drivers				
Post job openings for Class B CDL drivers. Target the Northern Colorado / Southern Wyoming regions. Determine if out-of-area geo targeting needs to occur as we work through the recruitment process.	6/1/2023	9/30/2024 (Ongoing)	Series Out	Maria Placencio and Republic Service's Recruiter
Begin interviewing. Note: Some interviews will take place sooner or later than this date, just depending on the candidate pool.	11/1/2023	9/30/2024 (Ongoing)	Series Out	Maria Placencio, HR Manager, and Republic Service's Recruiter
Begin background checks and drug testing. Note: Some interviews will take place sooner or later than this date, just depending on the candidate pool.	12/1/2023	9/30/2024 (Ongoing)	Series Out	Republic Service's Recruiter and Outside Agency
Hire, new hire orientation and train (18+ days for training/driver).	2/1/2024	8/1/2024 (Ongoing)	Series Out	Karisa Sommermeyer, Ops Clerk (New Hire Orientation), Shadow Other Departments, Operations Supervisor (Driver Training)

Project	Start Date	Completed Date	Touch Points	Assigned
Drivers are route ready. Until service officially begins 9/30/24, we will utilize this pool of drivers in other lines of business, on yard waste routes and as SOS relief drivers for other BUs.	2/19/2024	8/20/2024 (Ongoing)	Series Out	Austin Self and Tony Jimenez
Post for Collection Helpers, if needed	3/1/2024	As Needed	Series Out	Maria Placencio, HR Manager, and Republic Service's Recruiter
City-wide contract collection services begin.	9/30/2024	9/29/2024 (5-Year)	Series Out	All Resi Fort Collins Crew(s)
Continued driver safety training and daily huddles/crew-outs.	9/30/2024	Ongoing	Series Out	Austin Self, Tony Jimenez, Stephen Walker, and Special Visits by Area on Occasion
Keep the Class B CDL job posting opened and candidate pool steady, as there is bound to be natural ebbs and flows with the workforce.	9/30/2024	Ongoing	Series Out	Maria Placencio, HR Manager, and Republic Service's Recruiter
Hiring and Training Customer Service Representatives (Republic's CRC)				
Begin recruiting for 20 CRC agents.	9/30/2023	11/30/2023	Series Out Depending on	Republic's Recruiter and CRC Manager
Begin interviewing.	12/1/2023	1/15/2024	Series Out Depending on	Republic's Recruiter and CRC Manager
Begin making offers, background check, drug testing/screening.	1/15/2024	2/15/2024	Series Out Depending on	Republic's Recruiter and CRC Manager
Begin new hire orientation, training, onboarding, taking calls, expecting 20 agents by the "Completed Date".	2/15/2024 (Ongoing)	8/15/2024 (Ongoing)	Series Out Depending on	Republic's Recruiter and CRC Manager
Cart Pickup and New Cart Deployment - *Cart Deployment Can Be Scaled Up or Down*				
Republic Secure the Rental of Two Yards, One for New Carts and Other for Legacy Carts	7/1/2024	10/31/2024		Republic's GM
Pick Up Legacy Carts; Deliver New Cart Roll-Out Assemble & Deliver New Carts to All Residential Units	8/26/2024	9/20/2024	Routed Out; Series	Schaefer Representative & A&D Team
Clean-up From New Cart Roll-Out (Any Missed Residents/Changes); Some Overlapping of Above New Cart Roll-Out	9/20/2024	10/24/2024	As Needed	Schaefer Representative & A&D Team
First Day of Monday Collection Services (MSW, REC, YW, BULK)	9/30/2024	Ongoing	Weekly & EOW	All Departments: Ops, Billing, CS, Muni, Fleet, etc.
After the Initial Roll-Out of Carts, Republic's Delivery Department Would Deliver New Carts, Switch-Outs, etc.	10/5/2024	9/29/2029	Daily; As Needed	Republic's Operations Delivery Department

Attachment 4

Vehicle Details

Collection Vehicle Chart								
Unit #	**Year**	**Make**	**Model**	**Body**	**Est. Replacemer**	**Includes Aftertreatment**	**Age**	**Fuel**
Updated 1/31/23								
Residential Front Load				12				
2201	2021	Mack	LR64	McNeilus	2031	Yes	1	Diesel
2202	2021	Mack	LR64	McNeilus	2031	Yes	1	Diesel
2203	2021	Mack	LR64	McNeilus	2031	Yes	1	Diesel
2204	2021	Mack	LR64	McNeilus	2031	Yes	1	Diesel
2205	2020	Mack	LR64	McNeilus	2030	Yes	2	Diesel
2206	2020	Mack	LR64R DSL	McNeilus	2030	Yes	2	Diesel
2207	2018	Peterbilt	520	McNeilus	2028	Yes	4	Diesel
2208	2018	Peterbilt	520	McNeilus	2028	Yes	4	Diesel
2209	2018	Peterbilt	520	McNeilus	2028	Yes	4	Diesel
2210	2018	Mack	LR613	McNeilus	2028	Yes	4	Diesel
1214	2021	Mack	LR64	Heil	2031	Yes	1	Diesel
1215	2021	Mack	LR64	Heil	2031	Yes	1	Diesel
						Avg Age	2.2	
Rear Load				2				
2080	2021	Peterbilt	520	McNeilus	2031	Yes	1	Diesel
2081	2021	Peterbilt	520	McNeilus	2031	Yes	1	Diesel
						Avg. Age	1	

This spreadsheet includes information about existing diesel collection vehicles that will provide Collection Service. Additional vehicles will be purchased. All new vehicles will be CNG-fueled vehicles.

EXHIBIT B

PRICING

Fort Collins Residential Solid Waste Collection Services Price Sheet

Note: Contractor may not charge any fees beyond those listed in this pricing sheet

Collection Service Price Options

	Service Scenario	XS Service Price $ / month / Customer	Small Cart Service Price $ / month / Customer	Medium Cart Service Price $ / month / Customer	Large Cart Service Price $ / month / Customer	XL Cart Service Price $ / month / Customer
1	Solid Waste collection, weekly Recyclable Materials collection, Yard Trimmings collection and Bulky Items collection (Requires Solid Waste go to Larimer County Landfill)	$10.75	$19.00	$38.25	$57.50	$115.25
2	Solid Waste collection, weekly Recyclable Materials collection, Yard Trimmings collection and Bulky Items collection (Contractor may take Solid Waste to approved landfill of their choice)	$9.75	$17.75	$35.75	$53.75	$107.75

These service rates have been reduced by $0.25/mo to account for The Recycling Partnership grant funding.
City Administrative Fee will be charged monthly in addition to the above pricing.

Additional Fees / Services

Yard Trimmings	$ / Customer / month
Decrease in Customer bill if Customer declines Optional Yard Trimmings Service (Price decrease does not apply to XS cart customers)	$5.00

Overflow trash or recycling fee	$ / 32 gallon equivalent
Fee charged to Customers with overflow trash or recycling	$4.00

Additional cart delivery fee	$ / delivery instance
Delivery / exchange fee for cart delivery / exchange / repair needs beyond two instances per year	$35.00

City administrative fee	$ / month
Fee charged to Customers and Opt-Out Customers	$1.35

The City Administration Fee is set by the City Manager and shall not exceed $1.35

Bulky Items Collection	
No Additional Fee Bulky Items	**$ / item**
$ per "No Additional Fee" Bulky Item (when customer request more than 2 Bulky Item collections per calendar year)	$40.00

"Additional Fee" Bulky Items	$ / item
Non-CFC containing appliances	$50.00
Sofas, chairs, furniture (less than 60 lbs.)	$40.00
Mattresses & box springs	$40.00
Large or overweight items (above 60 lbs.)	Call for pricing

Dumpster Service		
Dumpster size and type	**Service Frequency**	**$ / month for service**
2 cubic yard Solid Waste + 2 cubic yard Recyclable Materials	Weekly	$110.50
3 cubic yard Solid Waste + 2 cubic yard Recyclable Materials	Weekly	$183.50
4 cubic yard Solid Waste + 2 cubic yard Recyclable Materials	Weekly	$200.00
6 cubic yard Solid Waste + 3 cubic yard Recyclable Materials	Weekly	$330.00

City Administrative Fee will be charged monthly in addition to the above pricing.

EXHIBIT C

INSURANCE

Without limiting any of the Contractor's obligations hereunder, the Contractor shall provide and maintain insurance coverage naming the City as an additional insured under this Agreement, via blanket-form endorsement, as applicable of the type and with the limits specified herein. Prior to the Effective Date of the Agreement, the Contractor, or its authorized representative, shall deliver to the City's Purchasing Director, purchasing@fcgov.com or P.O. Box 580, Fort Collins, Colorado 80522, one copy of a certificate evidencing the insurance coverage required from an insurance company rated A-VIII or higher by A.M. best Company and approved in Colorado.

In case of the breach of any provision of the Insurance Requirements, the City, at its option, may take out and maintain, at the expense of the Contractor, such insurance as the City may deem proper and charge-back the cost of such insurance.

Insurance certificates should show the certificate holder as follows:

City of Fort Collins
Purchasing Division
PO Box 580
Fort Collins, CO 80522

The City, its officers, agents and employees shall be named as additional insureds on the Contractor's general liability and automobile liability insurance policies **by marking the appropriate box or adding a statement to this effect on the certificate,** for any claims arising out of work performed under this Agreement.

Insurance coverages shall be as follows:

A. Workers' Compensation & Employer's Liability. The Contractor shall maintain the following coverage for the Agreement Term for all of the Contractor's employees engaged in work performed under this Agreement. Workers' Compensation & Employer's Liability insurance shall conform with statutory limits of $100,000 per accident, $500,000 disease aggregate, and $100,000 disease for each employee, or as required by Colorado law.

B. General Liability. The Contractor shall maintain for the duration of the Agreement Term such General Liability as will provide coverage for damage claims of personal injury, including accidental death, as well as for claims for property damage, which may arise directly or indirectly from the performance of work under this Agreement. Coverage for property damage shall be on a "broad form" basis. The amount of insurance for General Liability shall not be less than Two Million Dollars ($2,000,000) each occurrence and Four Million Dollars ($4,000,000) aggregate.

C. Automobile Liability. The Contractor shall maintain for the Agreement Term such Automobile Liability insurance as will provide coverage for damage claims of personal injury, including accidental death, as well as for claims for property damage, which may arise directly or indirectly from the performance of work under this Agreement. Coverage for property damage shall be on a "broad form" basis. The amount of insurance for Automobile Liability shall not be less than One Million Dollars ($1,000,000) combined single limits for bodily injury and property damage.

In the event any work is performed by a subcontractor, the Contractor shall be responsible for any liability directly or indirectly arising out of the work performed under this Agreement by a subcontractor, which liability is not covered by the subcontractor's insurance.

EXHIBIT D

CONFIDENTIALITY

IN CONNECTION WITH SERVICES provided to the City pursuant to this Agreement, the Contractor hereby acknowledges that it has been informed that the City has established policies and procedures with regard to the handling of confidential information and other sensitive materials.

In consideration of access to certain information, data and material (hereinafter individually and collectively, regardless of nature, referred to as "information") that are the property of and/or relate to the City or its employees, customers or suppliers, which access is related to the performance of services under this Agreement, the Contractor hereby acknowledges and agrees as follows:

That information that has or will come into its possession or knowledge in connection with the performance of services for the City may be confidential and/or proprietary. The Contractor agrees to treat as confidential (a) all information that is owned by the City, or that relates to the business of the City, or that is used by the City in carrying on business, and (b) all information that is proprietary to a third party (including but not limited to customers and suppliers of the City). The Contractor shall not disclose any such information to any person not having a legitimate need-to-know for purposes authorized by the City. Further, the Contractor shall not use such information to obtain any economic or other benefit for itself, or any third party, except as specifically authorized by the City.

As part of the Services provided to the City under this Agreement, the Contractor will maintain, store or process personal identifying information, as defined in C.R.S. § 24-73-101, of Customers and Service Opt-Out Customers. Pursuant to C.R.S. § 24-73-102, Contractor shall maintain confidentiality of this information and implement and maintain reasonable security procedures and practices that are: appropriate to the nature of the personal identifying information disclosed to the Contractor in furtherance of this Agreement; and reasonably designed to help protect the personal identifying information from unauthorized access, use, modification, disclosure, or destruction. If the Contractor becomes aware of any unauthorized release of personal identifying information, it shall notify the City immediately and cooperate with the City regarding recovery, remediation, and the necessity to involve law enforcement, as determined by the City. After any such release, Contractor shall take steps to reduce the risk of incurring a similar type of release in the future as directed by the City, which may include, but is not limited to, developing and implementing a remediation plan that is approved by the City at no additional cost to the City. In addition to any other remedies available to City under law or equity, Contractor will promptly reimburse City in full for all costs incurred by City relating to any such release.

The foregoing to the contrary notwithstanding, the Contractor understands that it shall have no obligation under this Agreement with respect to information and material that (a) becomes generally known to the public by publication or some means other than a breach of duty of this Agreement, or (b) is required by law, regulation or court order to be disclosed, provided that the request for such disclosure is proper and the disclosure does not exceed that which is required. In the event of any disclosure under (b) above, the Contractor shall furnish a copy of this Agreement to anyone to whom it is required to make such disclosure and shall promptly advise the City in writing of each such disclosure.

In the event that the Contractor ceases to perform services for the City, or the City so requests for any reason, the Contractor shall promptly return to the City any and all information described hereinabove, including all copies, notes and/or summaries (handwritten or mechanically produced) thereof, in its possession or control or as to which it otherwise has access.

The Contractor understands and agrees that the City's remedies at law for a breach of the Contractor's obligations under this Confidentiality Agreement may be inadequate and that the City shall, in the event of any such breach, be entitled to seek equitable relief (including without limitation preliminary and permanent injunctive relief and specific performance) in addition to all other remedies provided hereunder or available at law.

ORDINANCE NO. 029, 2023
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROPRIATING PRIOR YEAR RESERVES FOR START-UP COSTS TO CREATE
A CONTRACTED RESIDENTIAL WASTE COLLECTION PROGRAM

WHEREAS, the Council of the City of Fort Collins seeks to establish a City Residential Waste Collection Program ("Program"); and

WHEREAS, to establish the Program, the City Council, simultaneously with the adoption of this Ordinance, is adopting Ordinance No. 027, 2023, to amend the City Code to authorize the Program, and Ordinance No. 028, 2023 to approve an agreement with a waste collector to provide solid waste, recyclable materials, yard trimmings and bulky items collection services (the "services") to certain residences and other locations within the City; and

WHEREAS, customers of the Program will pay the contracted waste collector the applicable rates for the services and an administrative fee to be remitted to the City to pay for the City's administrative costs to manage the Program; and

WHEREAS, the services will commence September 30, 2024; and

WHEREAS, the City seeks to start administrative work prior to the commencement of the services using prior year reserves in the General Fund, which will be paid back using the administrative fee collected from customers of the Program; and

WHEREAS, this appropriation benefits the public health, safety and welfare of the residents of Fort Collins and serves the public purpose of facilitating the administration of a program to improve waste collection in the City; and

WHEREAS, Article V, Section 9 of the City Charter permits the City Council, upon the recommendation of the City Manager, to make supplemental appropriations by ordinance at any time during the fiscal year such funds for expenditure as may be available from reserves accumulated in prior years, notwithstanding that such reserves were not previously appropriated; and

WHEREAS, the City Manager has recommended the appropriation described herein and determined that this appropriation is available and previously unappropriated from the General Fund and will not cause the total amount appropriated in the General Fund to exceed the current estimate of actual and anticipated revenues and all other funds to be received in this Fund during this fiscal year.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That there is hereby appropriated from prior year reserves in the General Fund the sum of ONE HUNDRED SEVEN THOUSAND TWO HUNDRED FIFTY-ONE DOLLARS ($107,251) to be expended in the General Fund for Start-up Costs to Create a Contracted Residential Waste and Recycling Collection Program.

Introduced, considered favorably on first reading, and ordered published this 21st day of February 2023, and to be presented for final passage on the 7th day of March 2023.

_____
Mayor

ATTEST:

_____
City Clerk

Passed and adopted on final reading on the 7th day of March 2023.

_____
Mayor

ATTEST:

_____
City Clerk

- Collection shall be on the same day as Solid Waste collection.
- At the City's discretion, Contractor shall deliver Recyclable Materials to the Larimer County Recycling Center or the permitted recycling center of the Contractor's choice for the pricing included in the Price Sheet (Exhibit B). City Representative shall notify the Contractor in writing with at least six (6) months prior written notice if the City elects to start or stop flow control of Recyclable Materials to the Larimer County Recycling Center. If such action takes place after one (1) year from the Service Commencement Date the Parties shall negotiate in good faith any resulting financial impacts and update Exhibit B.
- Recyclable Materials shall not be landfilled unless the load is rejected from the recycling center due to contamination. If that occurs, Contractor shall notify the City Representative within one (1) business day with details of the incident / cause of the contamination. Contractor shall also include details and cause of the contamination incident in the regular report to the City Representative.

Table 1
MINIMUM LIST OF RECYCLABLE MATERIALS TO COLLECT

Recyclable Cardboard	Plastic bottles, tubs, jugs and jars (#1,2 and 5)
Office paper (white and colored)	Aluminum cans, clean foil & pie plates
Magazines	Steel / tin cans & empty aerosol cans
Paperboard	Glass bottles and jars
Kraft paper	Aseptic containers

Recyclable Materials Service Frequency and Number of Carts

Recyclable Materials Service shall be provided to 100% of Customers as part of the Collection Services cost. Recyclable Materials Services ~~shall be every-other-week~~ collection ~~of~~shall be performed weekly with up to two ~~Large Recyclable Materials Carts or weekly collection of one~~(2) Large Recyclable Materials Cart. Except as otherwise set forth herein, Contractor shall only be required to collect the contents of the Recyclable Materials Carts and may charge Customers for additional Recyclable Materials should Contractor elect to collect such materials. Any such material cannot be in a plastic bag and must not exceed the Cart size. The fee for such services shall be in accordance with the Pricing Schedule in Exhibit B.

Changes in Frequency of Recyclable Materials Services Collection

In the event the City wishes to change the frequency of Recyclable Materials Services collection from weekly to every-other-week, the parties agree to negotiate in good faith the timing to implement the change and impact to pricing with consideration to the effect of such change on the Contractor's operations.

Changes in Market Conditions

If the materials recovery facility processing Customers' Recyclable Materials temporarily or permanently stops accepting some or all of the items in Table 1, the Parties will come to mutual agreement about how to adjust Collection Services in a timely manner.

Recyclable Materials Contamination

The Recyclable Materials contamination threshold shall be ten percent (10%) by volume. When the Contractor encounters a cart with ten percent (10%) or more contamination, the

Fort Collins Residential Solid Waste Collection Services Price Sheet

Note: Contractor may not charge any fees beyond those listed in this pricing sheet

Collection Service Price Options

	Service Scenario	XS Service Price $ / month / Customer	Small Cart Service Price $ / month / Customer	Medium Cart Service Price $ / month / Customer	Large Cart Service Price $ / month / Customer	XL Cart Service Price $ / month / Customer
1	Solid Waste collection, weekly Recyclable Materials collection, Yard Trimmings collection and Bulky Items collection (Requires Solid Waste go to Larimer County Landfill)	$10.75	$19.00	$38.25	$57.50	$115.25
2	Solid Waste collection, weekly Recyclable Materials collection, Yard Trimmings collection and Bulky Items collection (Contractor may take Solid Waste to approved landfill of their choice)	$9.75	$17.75	$35.75	$53.75	$107.75

These service rates have been reduced by $0.25/mo to account for The Recycling Partnership grant funding.
City Administrative Fee will be charged monthly in addition to the above pricing.

Additional Fees / Services

Yard Trimmings	$ / Customer / month
Decrease in Customer bill if Customer declines Optional Yard Trimmings Service (Price decrease does not apply to XS cart customers)	$5.00

Overflow trash or recycling fee	$ / 32 gallon equivalent
Fee charged to Customers with overflow trash or recycling	$4.00

Additional cart delivery fee	$ / delivery instance
Delivery / exchange fee for cart delivery / exchange / repair needs beyond two instances per year	$35.00

City administrative fee	$ / month
Fee charged to Customers and Opt-Out Customers	$1.35

The City Administration Fee is set by the City Manager and shall not exceed $1.35

Bulky Items Collection	
No Additional Fee Bulky Items	**$ / item**
$ per "No Additional Fee" Bulky Item (when customer request more than 2 Bulky Item collections per calendar year)	$40.00

"Additional Fee" Bulky Items	$ / item
Non-CFC containing appliances	$50.00
Sofas, chairs, furniture (less than 60 lbs.)	$40.00
Mattresses & box springs	$40.00
Large or overweight items (above 60 lbs.)	Call for pricing

Dumpster Service		
Dumpster size and type	**Service Frequency**	**$ / month for service**
2 cubic yard Solid Waste + 2 cubic yard Recyclable Materials	Weekly	$110.50
3 cubic yard Solid Waste + 2 cubic yard Recyclable Materials	Weekly	$183.50
4 cubic yard Solid Waste + 2 cubic yard Recyclable Materials	Weekly	$200.00
6 cubic yard Solid Waste + 3 cubic yard Recyclable Materials	Weekly	$330.00

City Administrative Fee will be charged monthly in addition to the above pricing.

27. Governmental Immunity Act. No term or condition of this Agreement shall be construed or interpreted as a waiver, express or implied, by the City of any of the notices, requirements, immunities, rights, benefits, protections, limitations of liability, and other provisions of the Colorado Governmental Immunity Act, C.R.S. § 24-10-101 et seq. and under any other applicable law.

28. Colorado Open Records Act. The Contractor hereby acknowledges that the City is a public entity subject to Sec. 24-72-201 et seq. of the Colorado Revised Statute (CORA). This Agreement is subject to public disclosure in whole pursuant to CORA.

29. Cooperative Purchase – Utilization by Other Governmental Entities. Any governmental entity within the state of Colorado may, subject to such entity's governing laws, rules, and regulations, use the City's competitive purchasing process as the basis to negotiate a contract with the Contractor for similar services. Any governmental entity that uses the City's competitive purchasing process as the basis of award will be solely responsible for negotiating all terms of such contract with the Contractor and issuing their own contract documents. The Contractor shall be required to include in any contract with another governmental entity that is entered into under this cooperative provision a contract clause that will hold harmless the City from all claims, demands, actions or causes of actions of every kind resulting directly or indirectly, arising out of, or in any way connected with the City's Agreement. The City makes no guarantee of usage by other entities of this Agreement. Utilization of this cooperative provision by any other entity must not have a negative impact on the City's level and/or quality of service.

~~29.~~30. Survival: Any terms and conditions of this Agreement that require continued performance, compliance, or effect beyond the termination date of the Agreement shall survive such termination date and shall be enforceable in the event of a failure to perform or comply.

~~30.~~31. Counterparts. This Agreement may be executed in one or more counterparts, each of which shall constitute an original and all of which shall constitute one and the same document. In addition, the Parties specifically acknowledge and agree that electronic signatures shall be effective for all purposes, in accordance with the provisions of the Uniform Electronic Transactions Act, Title 24, Article 71.3 of the Colorado Revised Statutes.

IN WITNESS WHEREOF, the Parties hereto have hereunto set their hands and seals the day and year first written above.

Signature Page Follows

March 7, 2023

AGENDA ITEM SUMMARY
City Council

STAFF

Seth Lorson, Transit Planner
Drew Brooks, Interim Deputy Director of PDT
Aaron Guin, Legal

SUBJECT

Second Reading of Ordinance No. 030, 2023, Adopting the North College MAX BRT Plan as a Component of City Plan.

EXECUTIVE SUMMARY

The purpose of this Ordinance, unanimously adopted (6-0) on First Reading on February 21, 2023, is to consider adoption of the North College Max Plan. The North College MAX BRT Plan is the result of approximately 18 months of community engagement, information analysis, and concept refinement. The plan provides recommendations for Bus Rapid Transit, local transit routes, bicycle and pedestrian facilities, future development, and affordability.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

BACKGROUND / DISCUSSION

A. PROJECT GENESIS

Development of Bus Rapid Transit (BRT) on North College Avenue was identified as a goal in the Transit Master Plan (2019) and has been requested by the North College business and residential community for many years. In addition to policy documents and community demand, expansion of transit services to North College is consistent with the City's climate and equity goals.

Our Climate Future sets a goal of 80% reduction in greenhouse gas emissions by 2030 and identifies expansion of public transit and bicycle facilities, and increased density, as "big moves" needed to achieve these goals. The current routes (8 & 81) serving the North College corridor are the fastest growing routes in the Transfort system.

The City's efforts to focus on equity includes prioritizing the North College area for this planning process. Notably, the North College area is made up of approximately 41% Hispanic and Latinx community members, as compared to nearly 12% in the Fort Collins community at large. The North College area also has a lower average annual household income ($47,200) than the rest of Fort Collins ($68,000). Additionally, North College is home to many social service agencies including Salud Medical Clinic, Larimer County Department of Human Services, Food Bank for Larimer County, Murphy Center

for Hope, Catholic Charities of Larimer County, and The Family Center La Familia. The Fort Collins Rescue Mission also is planning to relocate to the area.

These conditions lead to the successful application for an FTA grant (5338 TOD Pilot) to provide funding for consultant assistance to create the North College MAX BRT Plan.

B. PURPOSE

The purpose of the North College MAX BRT Plan and process:

- **Guide transportation infrastructure improvements and new development** in a way that allows North College Avenue to continue its evolution as the northern entryway to the City with a positive community look and feel.
- **Plan and provide steps for implementation for increased transit investment** and a multi-modal transportation network in the North College area that is safe, comfortable, and convenient for people of all ages and abilities.
- **Build upon Citywide efforts to preserve affordability for residents and local businesses** and recommend appropriate strategies for the North College area.
- **Guide new development** that can provide affordable housing, essential services, and open space in the area.
- Contribute to numerous other efforts in the North College area to **strengthen its unique local character and sense of place.**

C. PROJECT PHASES AND PUBLIC ENGAGEMENT

The North College MAX BRT Plan has taken an equity-forward approach to plan creation and community engagement. Prior to beginning the planning process, an Equity and Engagement Working Group was created. This group, made up of North College community members and representatives of social service agencies, framed the strategies used in the public involvement plan.

In each phase of the project, all material and events/workshops were available in English and Spanish. Community-based organizations (Spanish-speaking) traveled door-to-door to establish trust and meet community members where they were most comfortable. Also, incentives for participation were provided as recognition that a person's time is valuable and engaging with the City competes with other priorities such as work, childcare, and free time.

Each phase of the project presented information to the community and incorporated feedback into each subsequent phase, thus creating a feedback loop and outcomes that were familiar to stakeholders. Due to this consistent approach, engagement in the final phase of the project garnered very few requests for changes and many nods of appreciation.

Project Phases: (Engagement summaries from each phase are available in Appendix A.)

Phase 1 – Existing Conditions

Opportunities and challenges for existing transportation infrastructure, travel patterns, and development trends were presented to the community and stakeholders. (See Appendix B – Existing Conditions Report). Participants shared that their top concerns were safe and comfortable transportation and fears about gentrification.

Phase 2 – Alternatives Evaluation

Possible future transit alignments, options for multi-modal infrastructure, and the close relationship between land use and provision of transit were presented to the community and stakeholders. (See Appendix C - Alternatives Analysis). Participants shared that increases in density for new jobs and housing is acceptable if it will bring BRT and safer, more comfortable bicycle and pedestrian facilities to the North College corridor.

Phase 3 – Recommendations

Based on the feedback and analysis in the first two phases, recommendations for BRT, bicycle/pedestrian infrastructure, and future land development were presented to the community and stakeholders. Feedback and discussions were primarily focused on confirming what we heard and discussions about implementation and timeline.

Phase 4 – Draft Plan

Outcomes consistent with the trajectory of the plan and revised, based on community and stakeholder feedback, the draft plan document was posted for public review and stakeholder meetings. The feedback provided few areas for adjustment and was generally supportive of the plan and complementary of the process. Revisions to the plan were made based on feedback throughout the process, including comments by the Planning and Zoning Commission specific to phasing implementation.

D. PROJECT VISION

Based on the feedback from the community and stakeholders, the following vision statement was crafted:

The vision for North College Avenue is for a safe, accessible, attractive, and affordable corridor for people who live, work, and visit the North College area. North College Avenue will be a gateway and hub for local and regional transit connections that link people to essential services, recreation, and entertainment.

The corridor will connect to a comfortable and convenient network for people using active modes made up of sidewalks, share-use paths, and bike lanes.

Transit stations will be focal points for new, multi-story development that de-emphasizes surface parking. Corridor development will bring upgrades to infrastructure, improve public space, and fill in existing vacant land and buildings. New development will occur in a way that protects the natural environment and preserves affordability and diversity of residents, local businesses, and service providers. North College Avenue will become a district and destination with its own distinct character that is driven by residents, workers, and local business owners. The corridor will be a safe and comfortable corridor to travel through and a destination for people of all socio-economic statuses, ages, and abilities.

The corridor will:

- *Be a gateway into the City of Fort Collins.*
- *Include a safe, comfortable, and convenient transportation network for people taking transit, using active modes, and driving.*
- *Stay affordable for residents and local businesses.*
- *Grow in a way that protects the natural environment and the local community.*
- *Provide ample services, places to live, employment opportunities, and spaces for recreation.*
- *Display its own unique local character.*

E. PLAN RECOMMENDATIONS

(Transportation plan recommendations are located on page 21 of plan document.)

The plan recommends a **phased approach** to implementation for the following reasons (Phasing details are found on page 34 of plan document):

- A major capital project was constructed on North College less than a decade ago. The construction of sidewalks, streetscape amenities, and medians presented challenges for residents and especially businesses in the North College corridor. More major construction in the near term is not welcome.
- The mid- and long-term recommendations are not yet needed in the corridor but associated conditions will be monitored to determine when they are needed.
- The mid- and long-term recommendations are expensive and without meeting certain population and ridership requirements this project is not eligible for the FTA grants that typically pay for such improvements (such as the Small Starts grant used for the MAX BRT).

NEAR-TERM RECOMMENDATIONS

- Create a new high frequency bus route on North College Avenue in the existing general purpose travel lanes at a 15-minute frequency.
- Consolidate existing local bus stops on North College Avenue at signalized intersections.
- Realign Route 8 to serve Blue Spruce Drive, Redwood Street, and Linden Street at a 30-minute frequency.
- Implement a micro-transit zone in the North College area to serve places not well-served by fixed-route transit.
- Construct infrastructure for people walking and biking, including segments of shared-use path north of Hibdon Court, new signals on North College Avenue, and improved bikeways, walkways, and crossings along streets parallel and connecting to North College Avenue.
- Adopt amendments to the Mason Street realignment identified in the Master Street Plan.
- Implement Transit Oriented Development (TOD) strategies including a TOD overlay; change setback and height standards; establish connectivity, outdoor space, and dominant block face requirements; adjust Architectural Standards; and create incentives to preserve existing commercial buildings.
- Implement strategies to preserve and increase affordability, including applying the Urban Renewal Authority's tools, requiring considerable public benefits from metro districts, rezoning the North College Mobile Home Park, leveraging the City's land bank, and establishing an affordable housing goal for the area.
- Implement affordable commercial lease strategies, develop business grants for local businesses, and provide incentives for building improvements and redevelopments for local businesses.

MID-TERM RECOMMENDATIONS

The large capital investments (marked with an *) in the mid-term recommendations will not be implemented until the following **conditions** are met:

- Ridership on North College BRT is at 1,000 boardings per day, or
- Traffic becomes congested to the point that intersections on North College Avenue are experiencing a level of service F, or
- The population (currently approximately 7,000) and employment (currently approximately 16,125) of the area doubles from current levels, or
- CDOT plans a major rehabilitation project for North College Avenue and this plan's recommended improvements could occur at the same time.
- Prior to any major capital project related to this plan, an Equity Analysis is recommended to identify and mitigate possible negative outcomes.

Recommendations:

- *Construct Business Access Transit (BAT) bus-only lanes, MAX stations with mobility hubs, and complete shared-use paths on North College Avenue
- *Acquire property for and construct a bus turn-around north of Terry Lake Road
- Increase bus frequency (15-minutes on North College Avenue and 15-minutes on Route 8) and service hours
- Create a mobility hub near the Willox Lane roundabout in conjunction with redevelopment of the former Albertson's
- Construct access infrastructure for people walking and biking along Mason Street and Red Cedar Circle
- *Construct medians south of Conifer Street
- Provide regional stormwater detention

LONG-TERM RECOMMENDATIONS

- Once ridership on North College approaches 1,500 boardings per day, recommend increasing North College BRT frequency to 10-minutes and evaluate feasibility of interlining with MAX on Mason Street

CITY FINANCIAL IMPACTS

Near-term:

- Capital costs: $3M (plus optional $2.3M to replace current buses with battery/electric buses)
- Operating costs: $500k/year for microtransit
- Fixed route operations are revenue neutral

Mid-term:

- Capital costs: $27M (plus optional $1M for an additional 40-foot battery electric bus)
- Operating costs: +$1M/year

Long-term:

- Capital costs: $1.3M for additional articulated battery electric bus
- Operating costs: $500k/year

As work is completed toward implementation, various approaches will be utilized. Primarily, State and Federal grants will contribute toward payment for transit improvements (typically with a 20% - 50% local match), bicycle and pedestrian improvements will be included in the capital improvement list and will be constructed incrementally with new land development and redevelopment.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

The Planning and Zoning Commission recommended approval of the North College MAX Plan by a 7 – 0 vote on November 17, 2022.

The Transportation Board recommended approval by a 5 – 2 vote on October 19, 2022. (Dissenting votes suggested that the long-term recommendations should be implemented immediately and that the cross-section graphics should show a semi-truck.)

PUBLIC OUTREACH

Community outreach has been extensive and focused on equity. A summary is included in the project narrative, above. Below is a snapshot of engagement. For more details, please review Appendix A of the Plan.

ATTACHMENTS

First Reading attachments not included.

1. Ordinance for Consideration
2. Ordinance Exhibit A

ORDINANCE NO. 030, 2023
OF THE COUNCIL OF THE CITY OF FORT COLLINS
ADOPTING THE NORTH COLLEGE MAX BRT PLAN
AS A COMPONENT OF CITY PLAN

WHEREAS, the development of Bus Rapid Transit on North College Avenue was identified as a goal in the 2019 Transit Master Plan and has been requested by the North College Avenue area businesses and the residential community for many years; and

WHEREAS, the North College MAX BRT Plan provides recommendations for Bus Rapid Transit, local transit routes, bicycle and pedestrian facilities, future development, and affordability; and

WHEREAS, the North College MAX BRT Plan was developed after extensive public outreach, discussion and consideration of community needs and priorities and is the result of approximately eighteen months of community engagement, information analysis, and concept refinement; and

WHEREAS, Our Climate Future sets a goal of 80% reduction in greenhouse gas emissions by 2030 and identifies expansion of public transit and bicycle facilities as "big moves" needed to achieve these goals; and

WHEREAS, Routes 8 and 81, which serve the North College Avenue corridor, are the fastest growing bus transportation routes in the Transfort system; and

WHEREAS, the North College MAX BRT Plan's expansion of transit services to North College is consistent with the City's climate and equity goals; and

WHEREAS, the North College MAX BRT Plan has been the subject of extensive public outreach and stakeholder presentations and have received the favorable recommendations of the Planning and Zoning Commission and the Transportation Board; and

WHEREAS, the purpose of the North College MAX BRT Plan is to guide transportation infrastructure improvements and new development, to plan and provide steps for implementation for increased transit investment, to build upon City-wide efforts to preserve affordability for residents and local businesses, and to contribute to other efforts in the North College Avenue area to help strengthen its unique local character and sense of place; and

WHEREAS, the City Council has determined that it is in the best interests of the residents of the City of Fort Collins to adopt formally the North College MAX BRT Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That the City Council hereby adopts the North College MAX BRT Plan attached hereto as Exhibit "A" as a component of City Plan, the City's comprehensive plan.

Introduced, considered favorably on first reading, and ordered published this 21st day of February, 2023, and to be presented for final passage on the 7th day of March, 2023.

_____
Mayor

ATTEST:

_____
City Clerk

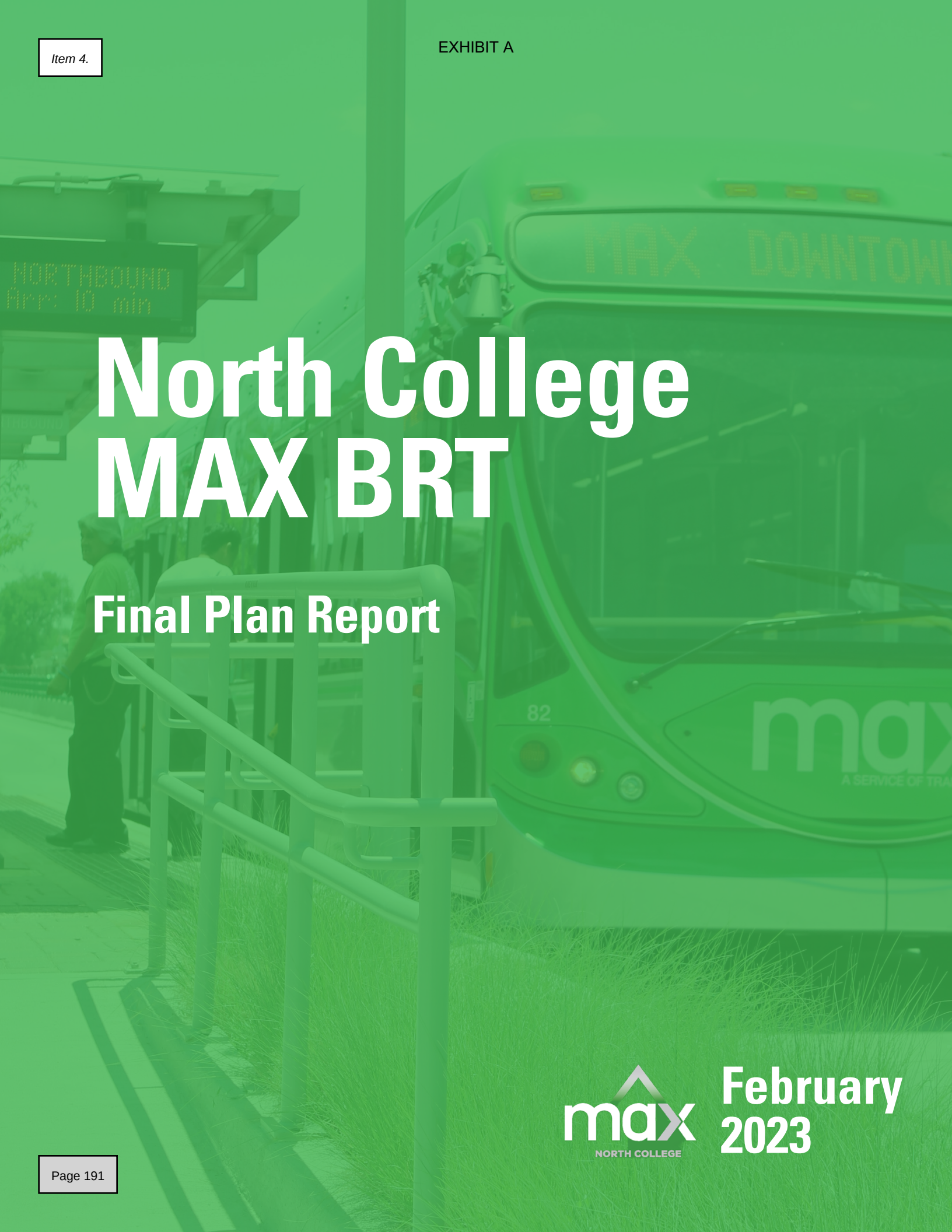
Passed and adopted on final reading on the 7th day of March, 2023.

_____
Mayor

ATTEST:

_____
City Clerk

EXHIBIT A



North College MAX BRT

Final Plan Report

max NORTH COLLEGE

February 2023

EXHIBIT A

PREPARED FOR

City of Fort Collins

CONSULTANT TEAM

FEHR PEERS

INSTITUTE FOR THE BUILT

russell + mills

FELSBURG HOLT & ULLEVIG

EPS

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APPENDIX C:
Alternatives Analysis Report

APPENDIX D:
North College Roadway Design Cutsheets

APPENDIX E:
Conceptual Estimate of Project Cost for North College Reconstruction

EXHIBIT A

Executive Summary

The North College MAX Bus Rapid Transit (BRT) Plan makes recommendations for the future of transportation and land use on North College Avenue, from approximately Willow Street to Terry Lake Road. MAX BRT on North College Avenue is an important project to emerge from the city's Transit Master Plan and is consistent with City Council Priorities and Strategic Plan objectives, Our Climate Future, and the city's equity goals.

The future vision for the corridor is that it will:

Be a **gateway** into the City of Fort Collins.

Include a **safe, comfortable, and convenient** transportation network for people taking transit, using active modes, and driving.

Stay **affordable** for residents and local businesses.

Grow in a way that **protects the natural environment and the local community.**

Provide ample **services, places to live, employment opportunities, and spaces for recreation.**

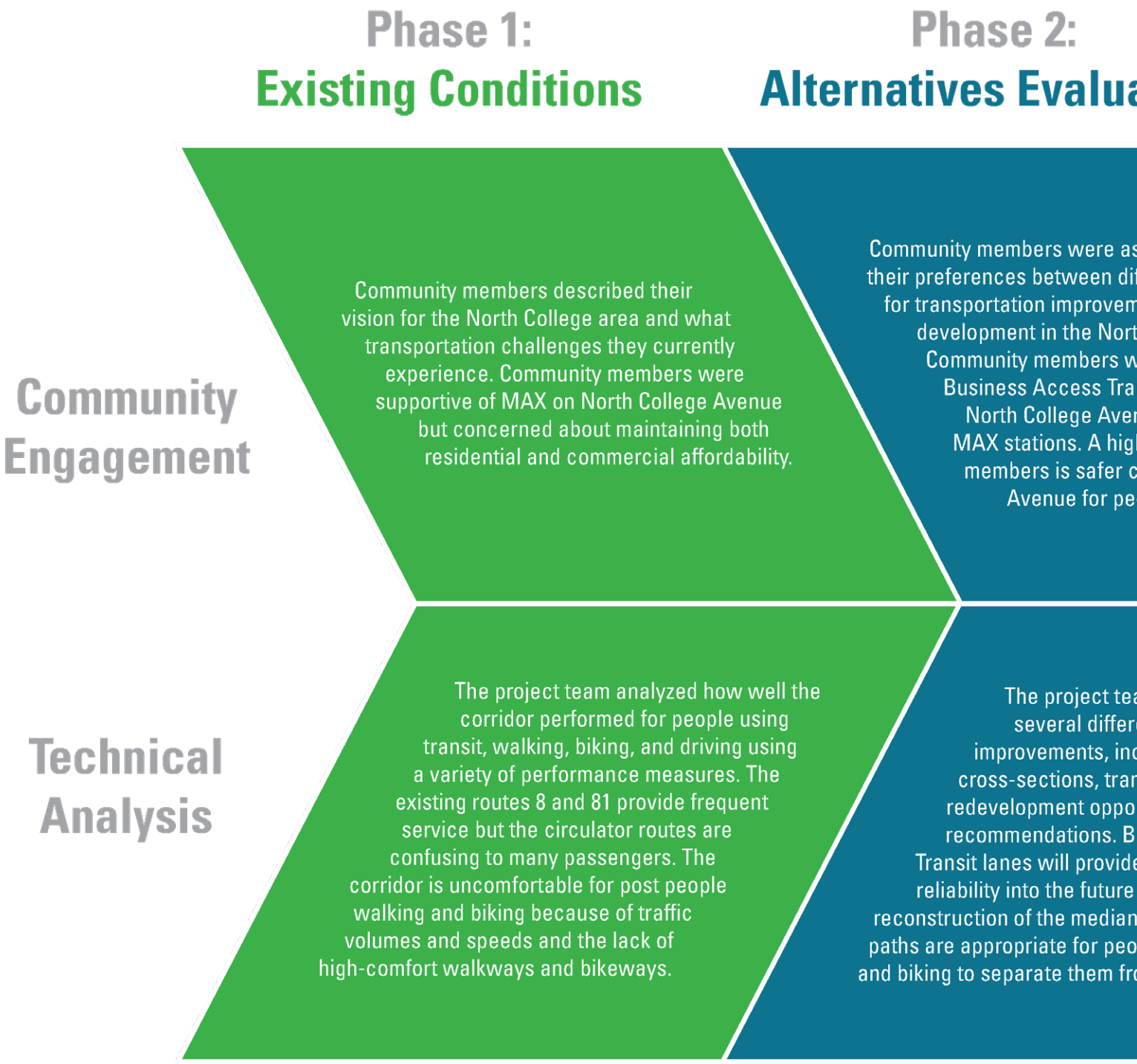
Display its own unique local character.

The project's three phases of community engagement each involved 300-500 individuals to shape this plan. Additionally, the project team completed a robust technical process including existing conditions analysis, alternatives evaluation, and final recommendations. This plan's recommendations are supported both technically and by the community because of this process.

The key elements of MAX BRT on North College Avenue are BRT service with Business Access Transit (BAT) lanes, MAX stops and stations, and shared use paths for people walking and biking. Transit Oriented Development (TOD) urban design and land use strategies will increase the area's population and employment. Lastly, a host of strategies will help preserve and increase affordability in the North College area as the area grows. Transportation and land use change in the area will happen over time. The plan's most significant cost, the construction of BRT on North College , is estimated to cost $22 million in 2022 dollars.

The plan development process included robust community involvement and technical analyses, both of which occurred across three phases.

Figure I: Plan Development Process



Phase 3: Final Recommendations

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Community members provided feedback to confirm that the proposed plan for the North College area aligns with their vision for the area and addresses their transportation needs. Community members were supportive of increasing density in the North College area provided that affordability goals are identified and met. Business owners, in particular, are concerned about the impacts of future construction.

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The project team prepared conceptual designs for the preferred recommendations on North College Avenue, land use recommendations, cost estimates, and an implementation strategy. The implementation plan includes short-term, mid-term, and long-term recommendations that will achieve significant progress in the short-term while avoiding major construction until the mid-term.

Final Plan

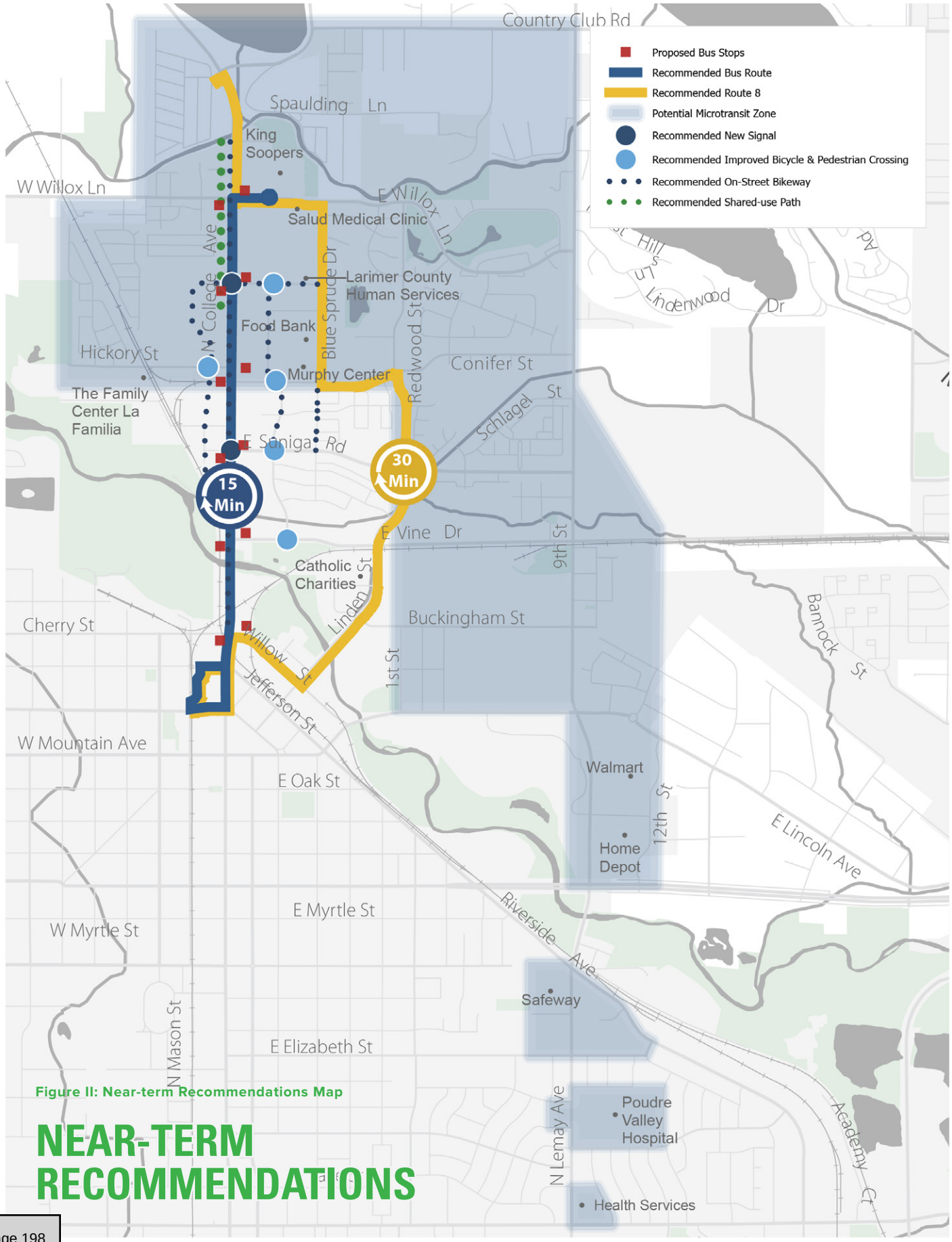


Figure II: Near-term Recommendations Map

NEAR-TERM RECOMMENDATIONS

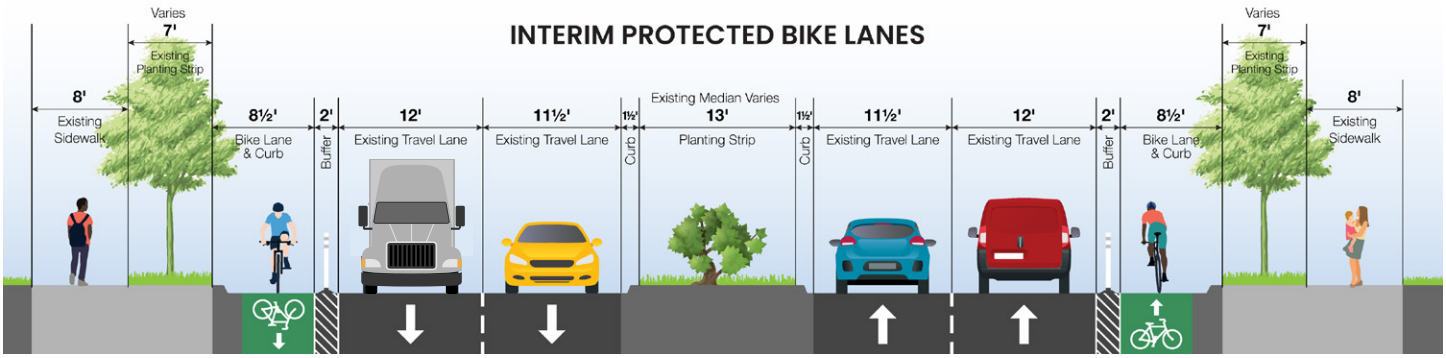
Table I: Near-term Recommendations Summary

Near-term Plan Recommendations Summary

Near-term investments will cost approximately $3 million in capital costs and $750,000 per year in operating costs for microtransit service.

- Create a new high frequency bus route on North College Avenue in the existing general purpose travel lanes at 15-minute frequency
- Consolidate existing local bus stops on North College Avenue at signalized intersections
- Realign route 8 to serve Blue Spruce Drive, Redwood Street, and Linden Street at 30-minute frequency
- Implement a micro-transit zone in the North College area to serve places not well-served by fixed-route transit
- Construct access infrastructure for people walking and biking, including segments of shared use path north of Hibdon Court, new signals on North College Avenue, interim protected bike lanes on North College Avenue, and improved bikeways, walkways, and crossings along streets parallel and connecting to North College Avenue
- As development and redevelopment occur, construct access infrastructure for people walking and bikign along Mason Street and Red Cedar Circle
- Adopt amendments to the Mason Street realignment identified in the Master Streets Plan
- Implement Transit Oriented Development (TOD) strategies including a TOD overlay; change setback and height standards; establish connectivity, outdoor space, and dominant block face requirements; adjust Architectural Standards; and create incentives to preserve existing commercial buildings
- Implement strategies to preserve and increase affordability, including applying the Urban Renewal Authority's tools, requiring considerable public benefits from metro districts, rezoning the North College Mobile Home Park, leveraging the city's land bank, and establishing an affordable housing goal for the area

Figure III: Interim Protected Bike Lane Cross-section



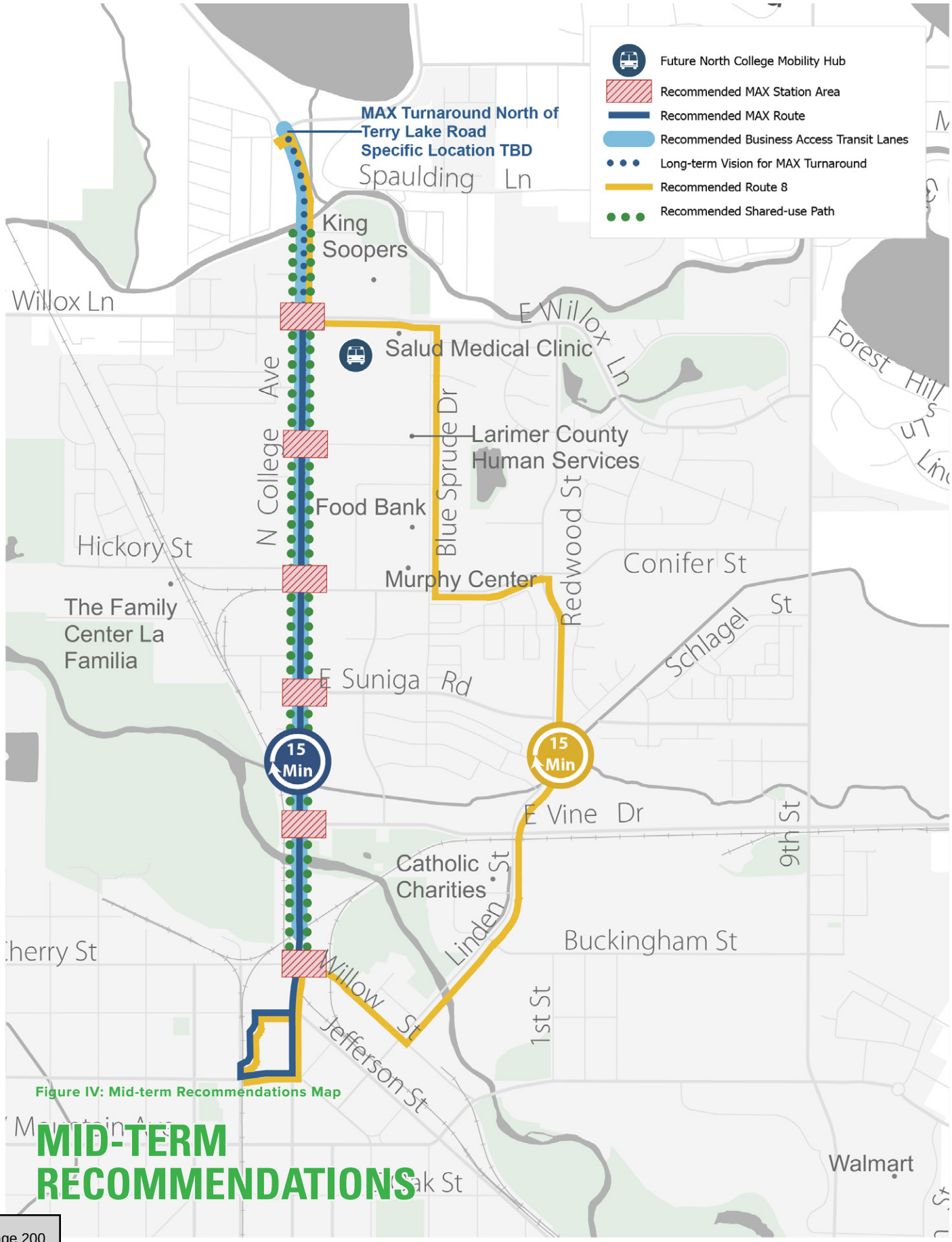


Figure IV: Mid-term Recommendations Map

MID-TERM RECOMMENDATIONS

Table II: Mid-term Recommendations Summary

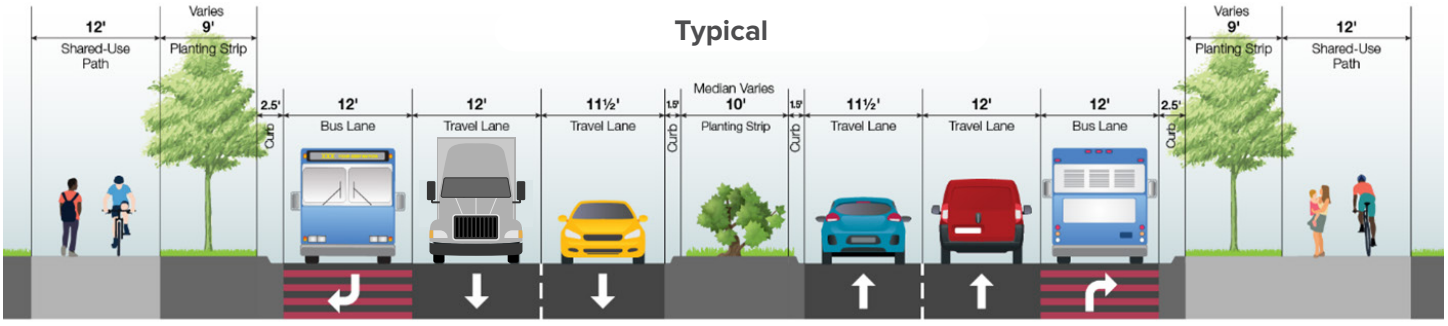
Mid-term Plan Recommendations Summary

Mid-term transit investments will cost approximately $22 million. Multiple conditions could create the conditions for the mid-term transit investments. The purposes for a phased approach with conditions are to effectively allocate scarce city resources and to postpone construction impacts to property owners who endured construction just seven years ago.

Conditions are: corridor ridership approaches 1,000 boardings per day; intersection approaches (e.g., northbound approach, southbound approach) on North College Avenue experience level of service F conditions; corridor population and employment approximately doubles from current levels, or major rehabilitation maintenance of the corridor creates an opportunity to "one-build" the project.

- Construct Business Access Transit (BAT) lanes, MAX stations with mobility hubs, and complete shared-use paths on North College Avenue
- Acquire property for and construct a bus turn-around north of Terry Lake Road
- Increase bus frequency (15-minutes on North College Avenue and 15-minutes on Route 8) and service hours
- Create a mobility hub near the Willox Lane roundabout in conjunction with redevelopment of the former Albertson's
- Construct medians south of Conifer Street
- Provide regional stormwater detention
- New regional transit to Wellington

Figure V: Typical North College Avenue BAT Lane Cross-section



*At signalized intersections, turn lanes will replace the median.

Figure VI: North College Avenue Cross-section at Poudre River Bridge

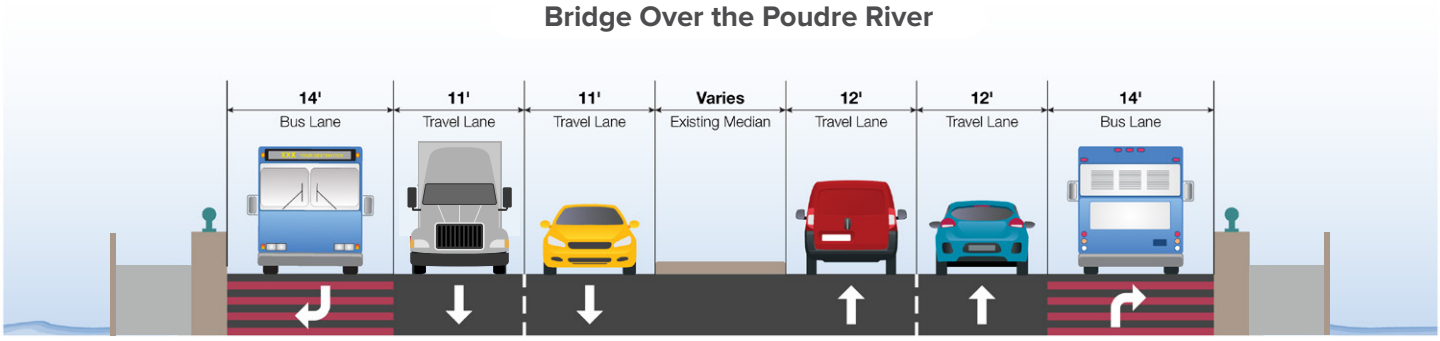


Figure VII: Long-term Recommendations Map

LONG-TERM RECOMMENDATIONS

Table III: Long-term Recommendations Summary

Long-term Plan Recommendations Summary
Long-term interlining is estimate to cost an additional $750,000 per year in operating costs. Long-term interlining of MAX on North College Avenue with MAX on Mason Street could be triggered if North College Avenue ridership approaches 1,500 boardings per day. • Increase MAX frequency to 10-minutes and evaluate feasibility of interlining MAX on North College Avenue with MAX on Mason Street

01 Introduction

Introduction

MAX BRT on North College was chosen as a priority to support our commitment to equity and climate action and because the area is growing in terms of population, employment, and transit ridership.

This report includes the final recommendations for the future of North College Avenue and the commercial areas and neighborhoods surrounding it. The process for the North College MAX Bus Rapid Transit (BRT) Plan began in February of 2021. This process included three separate phases of community engagement, an existing conditions assessment, and an evaluation of different transportation and land use alternatives. The final recommendations for the North College area presented in this report were developed from community members input received and the technical analysis conducted. This report summarizes the process that led to these recommendations and presents the final transportation, development, and funding recommendations. Additionally this plan includes potential phasing and funding sources for all recommendations.

WHY THE NORTH COLLEGE MAX BRT PLAN?

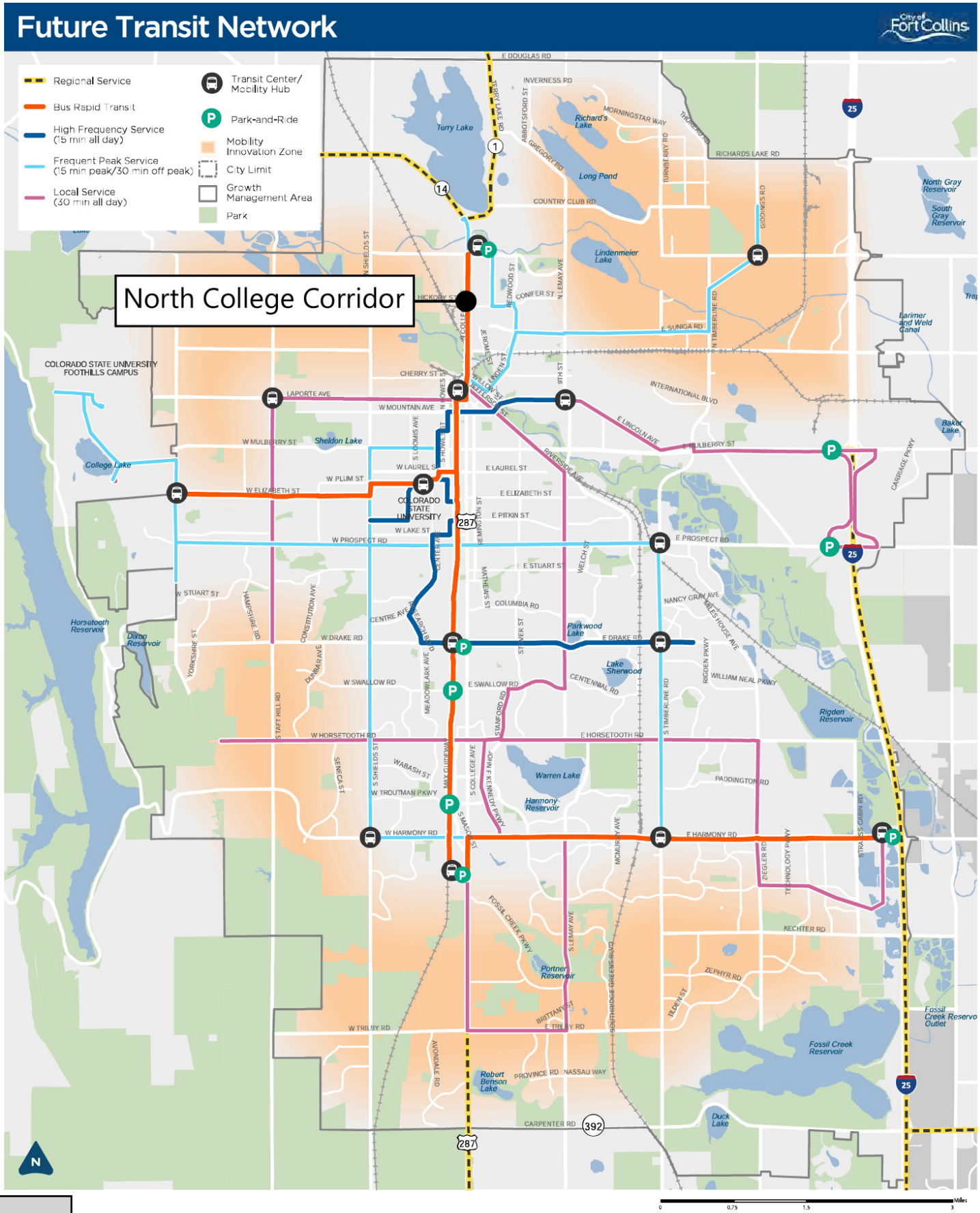
MAX BRT on North College Avenue was chosen as a priority because of the growth and development in north Fort Collins that is occurring today and anticipated to continue for the foreseeable future. This additional growth of residents and workers will require improvements to the multi-modal transportation network in order to maintain efficiency of transportation in the area and shift more people to active modes, including walking, biking, and e-scooters, and public transportation modes when possible. In addition, the city has an opportunity now to help guide new development in the area to better serve community goals like preserving and increasing affordable housing and commercial space, support multi-modal transportation, provide services that support the local community, and increase open space. Furthermore, North College Avenue is a priority for increased transit investments because routes 8 and 81 (which loop through the North College area) are currently some of the most used transit routes in the city.

Equity considerations are a priority when planning in the North College area given the area's high concentration of social service providers, low-income residents, and Spanish speaking populations.

The North College MAX BRT Plan was prioritized for completion over other transit corridors in the city because it presents an opportunity to plan ahead for anticipated growth in north Fort Collins while also addressing existing equity concerns by identifying needed improvements to the multi-modal transportation networks, existing land use policies, and funding and incentives for implementation of these improvements.

The MAX BRT Plan builds on previous planning efforts like the Transit Master Plan and aims to contribute to many of the city's goals including elements of the Council's strategic objectives, the city's climate action goals, and the city's commitment to improving equitable processes and outcomes across the city.

Figure 1: 2019 Transit Master Plan Future Transit Network

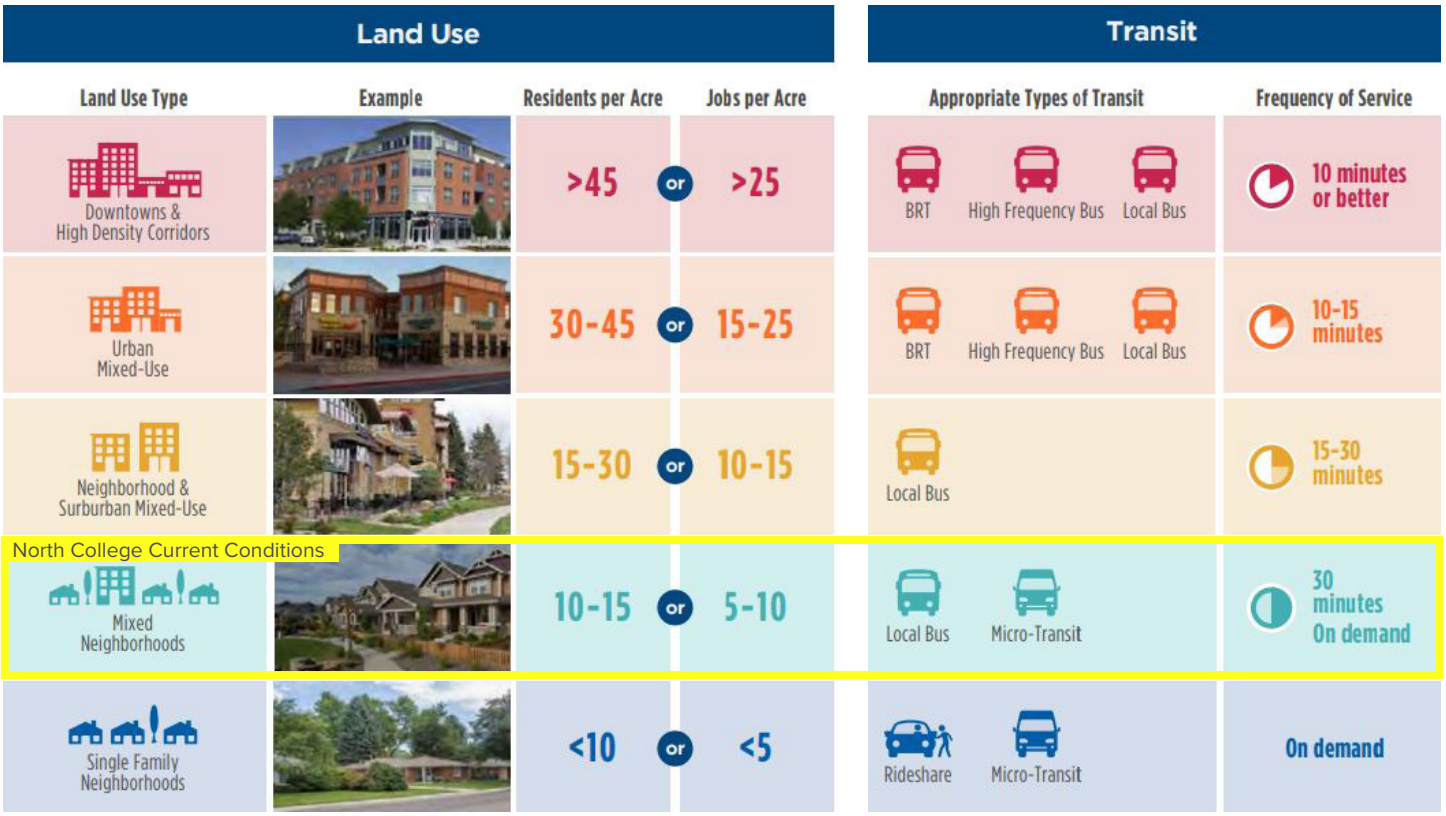


TRANSIT MASTER PLAN

The North College MAX BRT was identified as part of the future transit network in the *Fort Collins Transit Master Plan (2019).* As part of the North College MAX BRT the proposed MAX station adjacent to the King Soopers at 1842 North College Avenue was identified as a future transit center and mobility hub with a park-and-ride. The transit recommendations in this plan are similar to those presented in the *Transit Master Plan* with some adjustments made based on community input and alternatives evaluation findings. **Figure 1** displays the future transit network from the 2019 plan. The North College MAX route completes the north-south MAX corridor through Fort Collins, creating a spine of rapid transit traversing the city. North College Avenue is a high priority in the city, after West Elizabeth Street which has the city's highest ridership outside of the MAX corridor, and above Harmony Road which has lower ridership and less transit-supportive urban form.

The *Transit Master Plan* also outlines the relationship between land use density and viability of different transit solutions (see **Figure 2**). In general, areas with higher densities of residents and jobs generate higher demand for transit ridership which requires greater capital investment in transit and more frequent transit service. This concept is key to this study and provided a foundation for the analysis of existing and projected land use development in the North College area and how improvements to the area's land use policies could support a future MAX BRT route on North College Avenue. Today, the North College Avenue area's density is in the range of Mixed Neighborhoods.

Figure 2: 2019 Transit Master Plan - Land-use Densities and Supported Transit Service



CITY COUNCIL PRIORITIES & STRATEGIC PLAN OBJECTIVES

This plan also aims to address City Council's priorities and help work towards the strategic outcomes listed in the Council's *2022 Strategic Plan*. Below is a list of the strategic outcomes most relevant to the recommendations put forth in this plan:

Neighborhood Livability & Social Health

- **1.1:** Increase housing supply and choice and address inequities in housing to ensure that everyone has healthy, stable housing they can afford.
- **1.6:** Transform regulations and revise procedures to increase clarity and predictability to ensure new development advances adopted City plans and policies.
- **1.8:** Preserve and enhance mobile home parks as a source of affordable housing and create a safe and equitable environment for residents.

Culture & Recreation

- **2.5:** Ensure safety and access to and within City parks, natural areas, paved trails, and cultural and recreation facilities for visitors and employees.

Economic Health

- **3.1:** Collaborate with local and regional partners to achieve economic resilience in Northern Colorado.
- **3.3:** Support local businesses by engaging in opportunities for business revival with a focus on the Recovery Plan.

Environmental Health

- **4.1:** Intensify efforts to meet 2030 climate, energy and 100% renewable electricity goals that are centered in equity and improve community resilience
- **4.2:** Improve indoor and outdoor air quality.

Safe Community

- **5.1:** Improve overall community safety while continuing to increase the level of public trust and willingness to use emergency services.
- **5.5:** Provide and maintain reliable utility services and infrastructure that directly preserve and improve public health and community safety.

Transportation & Mobility

- **6.1:** Improve safety for all modes and users of the transportation system to ultimately achieve a system with no fatalities or serious injuries.
- **6.2:** Support an efficient, reliable transportation system for all modes of travel, enhance high-priority intersection operations, and reduce Vehicle Miles Traveled (VMT).
- **6.3:** Invest in equitable access to, and expansion of, all sustainable modes of travel with emphasis on growing transit ridership.
- **6.4:** Support and invest in regional transportation connections.

High Performing Government

- **7.3:** Engage the community more effectively with enhanced inclusion of diverse identities, languages and needs.

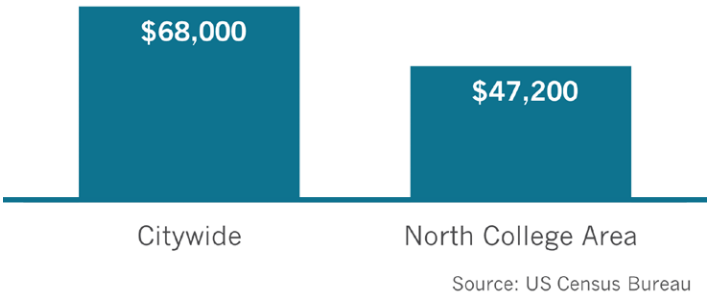
80%

The recommendations in the North College MAX BRT Plan are most relevant to the City's goal of reducing 2030 greenhouse gas emissions by 80% below 2005 baseline levels.

CLIMATE GOALS

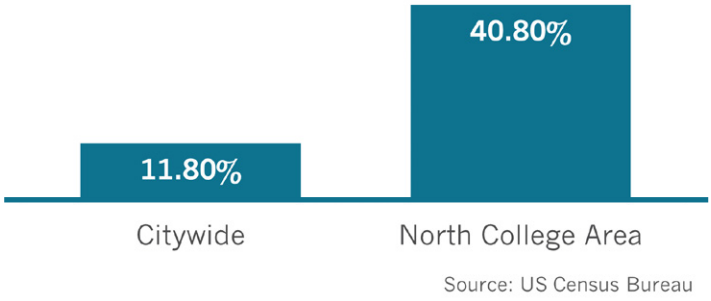
The recommendations in this plan were also developed in an effort to help contribute to the City's climate action goals as described in Fort Collins' Our Climate Future Plan. The recommendations in the North College MAX BRT Plan are most relevant to the City's goal of reducing 2030 greenhouse gas emissions by 80% below 2005 baseline levels. Our Climate Future includes a Big Move to provide convenient transportation choices, including expanding local and regional public transit, continuing to build bicycle facilities, and creating mobility hubs. Additionally, Our Climate Future also includes a Big Move with moves related to increasing the density and mix of land uses. The North College MAX BRT Plan's recommendations include transportation and land use improvements that aim to make it easier, more efficient, and more comfortable to use transit and active transportation modes. Shifting more trips to, from, and within the North College area to transit and active transportation modes will reduce the number of vehicle miles traveled and therefore the greenhouse gas emissions created by ground travel.

Median Household Income



Source: US Census Bureau

Hispanic Population



Source: US Census Bureau

EQUITY

Improving equity is a core priority for the City and was a guiding principal for the process and recommendations for this plan. The public engagement process of this plan integrated equity through outreach to historically underrepresented populations, like people who primarily speak Spanish, mobile home community residents, service industry workers, and patrons of the area's social service providers. Several social service providers are located in the North College area, including Salud Medical Clinic, Larimer County Department of Human Services, Food Bank For Larimer County, Murphy Center for Hope, Catholic Charities of Larimer County, and The Family Center La Familia. In an effort to make the process more accessible to a wide range of people, a diversity of outreach opportunities were presented throughout the project including online engagement, in-person workshops, and virtual meetings. The Fort Collins Community Connectors handed out flyers to area businesses and went door-to-door to collect community member feedback in neighborhoods with high numbers of underrepresented groups.

In addition to the outreach process, improving equitable outcomes was a key consideration throughout this project's recommendation development and technical analysis. The equity considerations that were considered for different recommendations are included in the more detailed discussions of study recommendations later in this report.

MAX NORTHBOUND
max

01 02 03 04 05 06 07

02 Vision, Purpose, & Need

Vision, Purpose, & Need

The vision for North College Avenue is for a **safe, accessible,** and **affordable** corridor for people who live, work, and visit the North College area.

The vision, purpose, and need statements below were created using the public input collected and existing conditions analysis conducted in previous phases of this project. The **vision statement** describes the ideal of how the study area should look and function once all of the plan recommendations have been implemented. The **project purpose** outlines this specific plan's role in achieving the vision statements. The **statement of need** summarizes the common themes of existing challenges in the study area.

VISION STATEMENT

The vision for North College Avenue is for a safe, accessible, attractive, and affordable corridor for people who live, work, and visit the North College area. North College Avenue will be a gateway and hub for local and regional transit connections that link people to essential services, recreation, and entertainment.

The corridor will connect to a comfortable and convenient network for people using active modes made up of sidewalks, share-use paths, and bike lanes.

Transit stations will be focal points for new, multi-story development that de-emphasizes surface parking. Corridor development will bring upgrades to infrastructure, improve public space, and fill in existing vacant land and buildings. New development will occur in a way that protects the natural environment and preserves affordability and diversity of residents, local businesses, and service providers. North College Avenue will become a district and destination with its own distinct character that is driven by residents, workers, and local business owners. The corridor will be a safe and comfortable corridor to travel through and a destination for people of all socio-economic statuses, ages, and abilities. **The corridor will:**

- Be a **gateway** into the City of Fort Collins.
- Include a **safe, comfortable, and convenient** transportation network for people taking transit, using active modes, and driving.
- Stay **affordable** for residents and local businesses.
- Grow in a way that **protects the natural environment and the local community.**
- Provide ample **services, places to live, employment opportunities, and spaces for recreation.**
- Display its own **unique** local character.

PROJECT PURPOSE

The purpose of the North College MAX Plan is to guide future transit investments and help align policies with those future transit investments.

This plan will provide a roadmap for the City of Fort Collins to make improvements to transportation infrastructure and transit service in the North College area. Additionally, this plan provides recommendations to guide new development in a direction that preserves affordability for residents and local businesses, is supportive of transit and other active modes of transportation and promotes needed services and open space to the surrounding community. In summary, this plan's purpose is to:

- **Guide transportation infrastructure improvements and new development** in a way that allows North College Avenue to continue its evolution as the northern entryway to the city with a positive community look and feel.
- **Plan and provide steps for implementation** for increased transit investment and a multi-modal transportation network in the North College area that is safe, comfortable and convenient for people of all ages and abilities.
- **Build upon citywide efforts to preserve affordability** for residents and local businesses and recommend appropriate strategies for the North College area in particular.
- **Guide new development to provide** affordable housing, essential services, and open space in the area.
- Contribute to numerous other efforts in the North College area to **strengthen its unique local character and sense of place**.

STATEMENT OF NEED

From analyses of community Input (**Appendix A**) and existing conditions (**Appendix B**) the following five statements of need for the North College area were developed:

- **Incomplete multi-modal transportation network** that makes it challenging to comfortably get to, from, and around the North College area by modes other than driving. Additionally, the current network creates many areas of conflict between people driving and people using active modes which impacts efficiency and feelings of safety, especially for vulnerable, active mode users. Additionally, community members expressed that the existing transportation network could be improved to better protect the natural environment.
- **Need for increased investment in transit service** in the North College area. Community members expressed a desire for more frequent and efficient transit service on North College Avenue and the surrounding area with more investments in bus stops, future MAX stations, and security to make them feel safer and more comfortable. Community members also expressed the importance of preserving the existing transit connections to the Poudre Valley Mobile Home Park and social services on Blue Spruce Drive.
- **Lack of comfortable places to walk and bike** in the North College area due to missing or uncomfortable infrastructure, infrequent controlled crossings of roadways (particularly across North College Avenue), and the frequency of driveways that intersect the bike lane and sidewalk on North College Avenue.
- **Desire for redevelopment of vacant properties** to provide new homes, services, and enough travel demand for high-frequency transit.
- **Increasing costs of buying or renting property** for both residents and local businesses, which is making it hard to stay in the North College area and Fort Collins at large, especially for underrepresented populations including people with lower incomes and Hispanic residents.

01 02 **03** 04 05 06 07

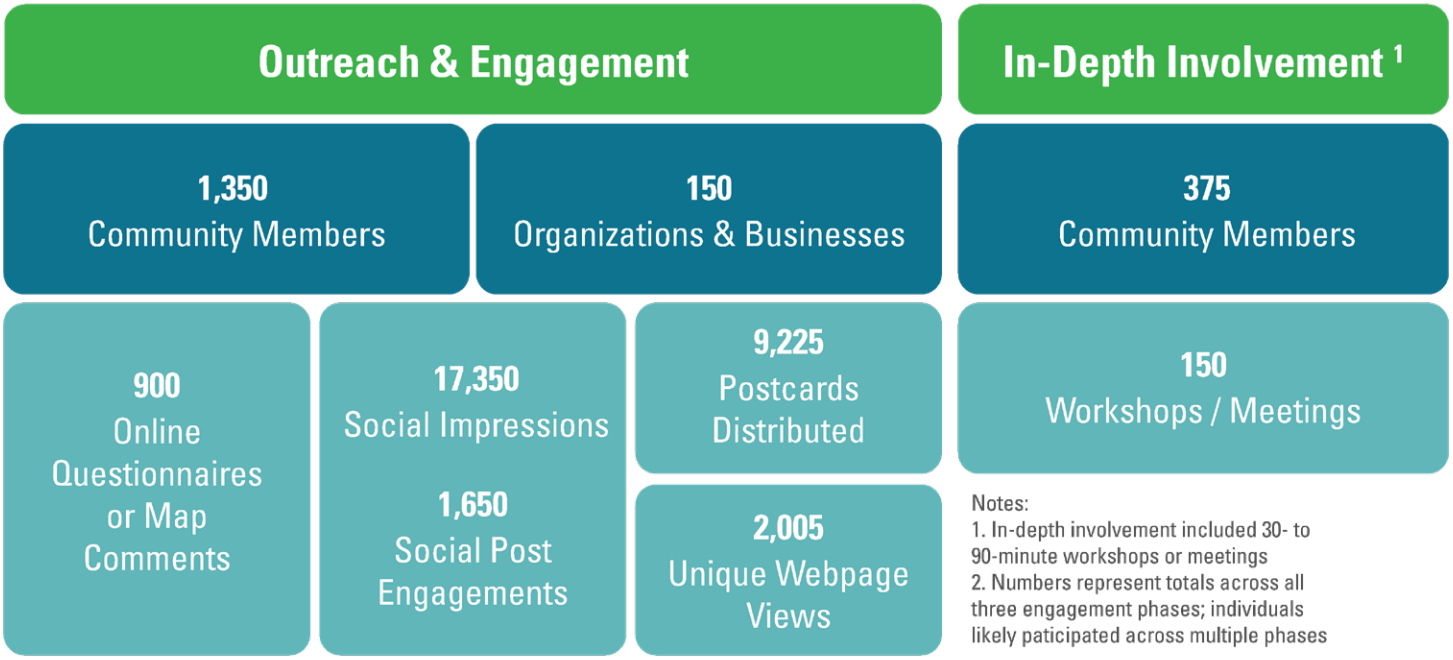
Plan Development

Plan Development

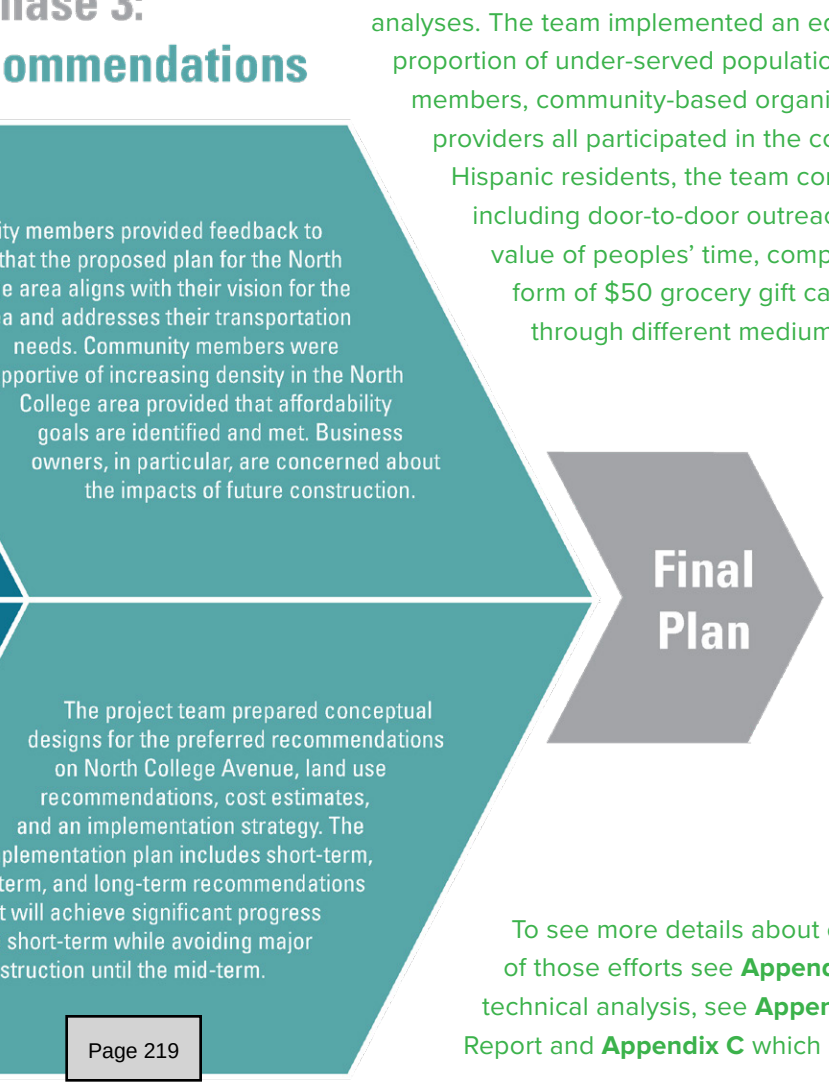
This plan details the final recommendations for the future of transportation and related land use improvements In the North College area. These recommendations were developed and refined through an extensive public outreach process and technical analysis. These processes are summarized in **Figure 3** and more details about each can be found in their respective appendices at the end of this report.

Figure 3: Plan Development Process

Figure 4: Outreach Summary



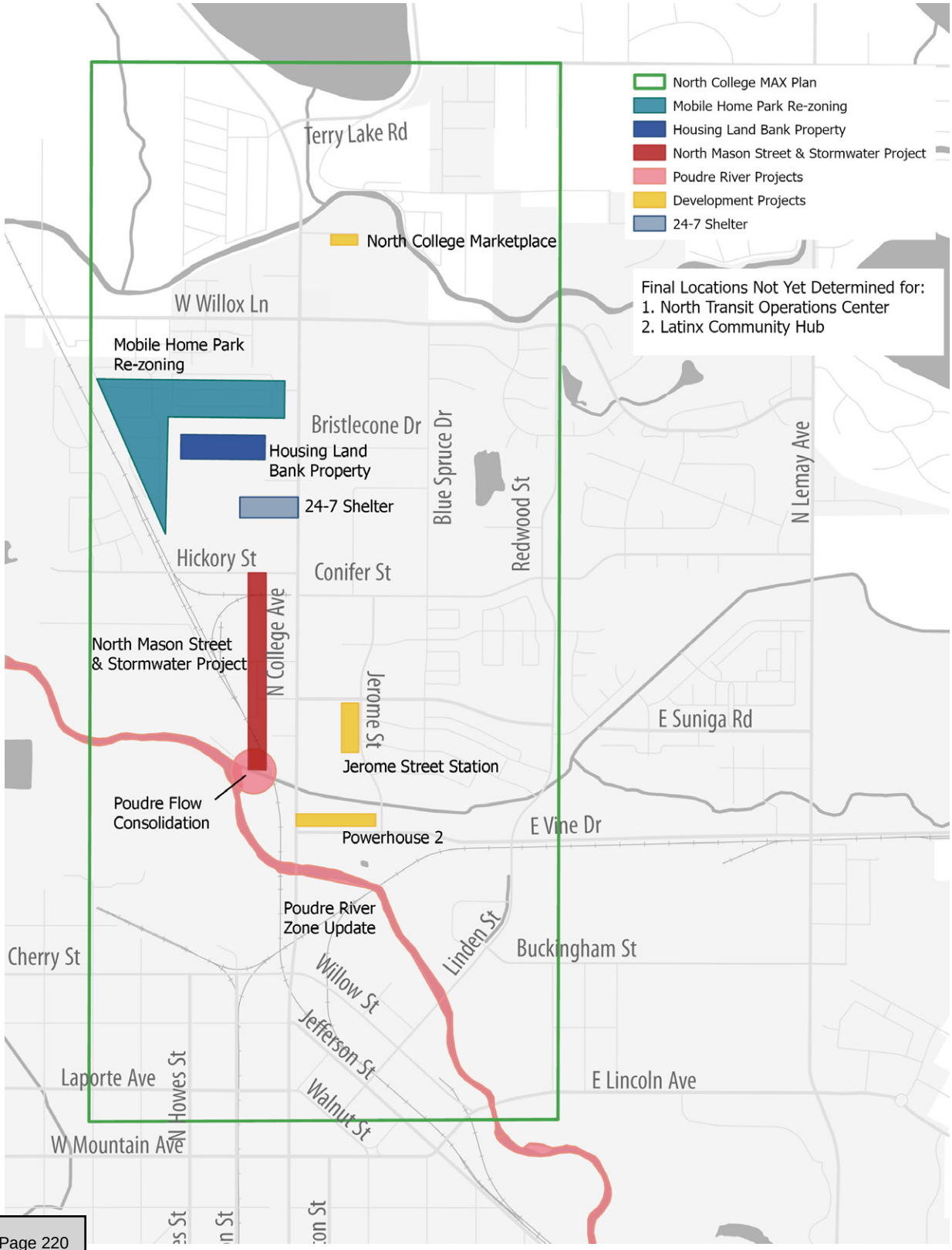
The plan was developed across three separate phases of community engagement and technical analyses. The team implemented an equity-forward community engagement process given the proportion of under-served populations in the North College area. Specifically, community members, community-based organizations, and representatives of the area's social service providers all participated in the community engagement process. Given the high proportion of Hispanic residents, the team conducted outreach in all phases in both English and Spanish, including door-to-door outreach in the area's mobile home parks. Lastly, recognizing the value of peoples' time, compensation was provided to participants of workshops in the form of $50 grocery gift cards. **Figure 4** summarizes the number of people engaged through different mediums through the community engagement process.



To see more details about each phase of outreach and the results of those efforts see **Appendix A** of this plan. To see more about the technical analysis, see **Appendix B** which includes the Existing Conditions Report and **Appendix C** which includes the Alternatives Analysis Report.

The North College MAX BRT Plan was developed to be consistent with other projects in the area, as shown in Figure 5.

Figure 5: Active Projects in the North College Area



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Transportation Plan Recommendations

Transportation Plan Recommendations

This design also aims to **improve the comfort and safety of people using active modes and people taking transit** on the corridor.

ROADWAY DESIGN OF NORTH COLLEGE

The long-term design for North College Avenue can be seen in **Figure 6** and **Figure 7.** Plan view cut sheets of the entire corridor can be seen in **Appendix D.** The roadway design includes Business Access Transit (BAT) lanes and sidewalks widened into shared-use paths for people walking and biking.

BUSINESS ACCESS TRANSIT LANES

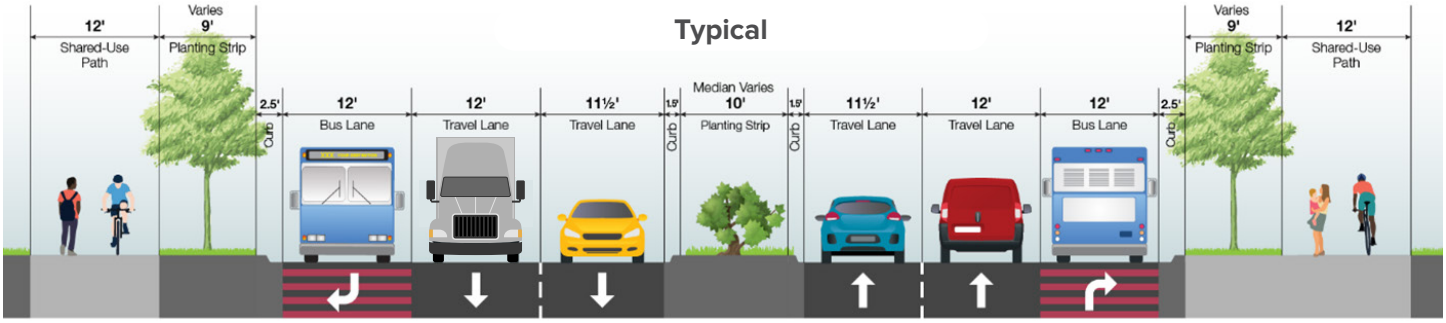
Business Access Transit (BAT) lanes are a key element of the preferred cross-section. BAT lanes are lanes in which buses travel and vehicles can use only for making right turns at intersections or turning into existing driveways midblock. The recommended BAT lanes can be accommodated in the existing curb-to-curb width of the street if the existing median width is reduced,typically one to five feet of median narrowing is necessary.

SHARED-USE PATHS

The construction of BAT lanes does not allow enough width for on-street bicycle lanes. However, community input indicated that higher comfort bicycle infrastructure (like an off-street path) is preferred on North College Avenue over on-street bike lanes due to the volume and speed of vehicles. Instead of bike lanes, a shared-use path (10- to 12-feet wide, which requires acquiring up to two feet of right-of-way on each side) is recommended along the length of the corridor to provide a high-comfort facility for people using active modes. In many areas the shared-use path cannot be accommodated in existing right-of-way. Therefore it is recommended that in areas without sufficient right-of-way, the existing sidewalk be widened behind the back of walk to allow for both a shared-use path and the existing width of landscaped buffer. This also will minimize disturbance to established street trees that are already on the corridor. Implementation of this cross section will require acquisition or easement for additional right-of-way at certain locations on the corridor (see **Appendix D**).

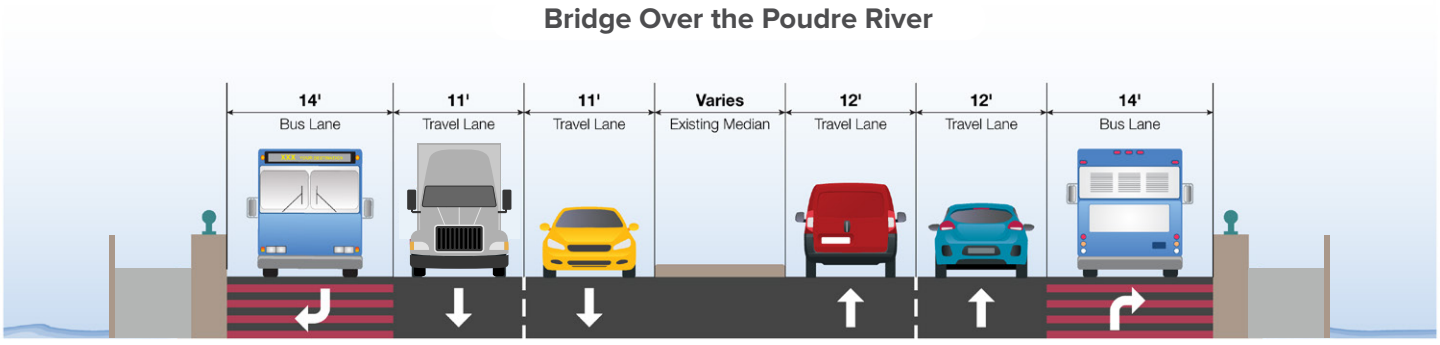
Due to the cost and disruption of construction required to build a shared use path along the length of the corridor, it is recommended only a priority section be constructed in the near-term where parallel bikeways are not feasible. Elsewhere, the remainder of the path will be implemented as parcels redevelop along North College Avenue. The priority area to be constructed in the near-term is on the west side of North College Avenue between Hibdon Court and the pedestrian and bicycle bridge over the canal to the north (**Figure 10**).

Figure 6: Typical North College Avenue BAT Lane Cross-section



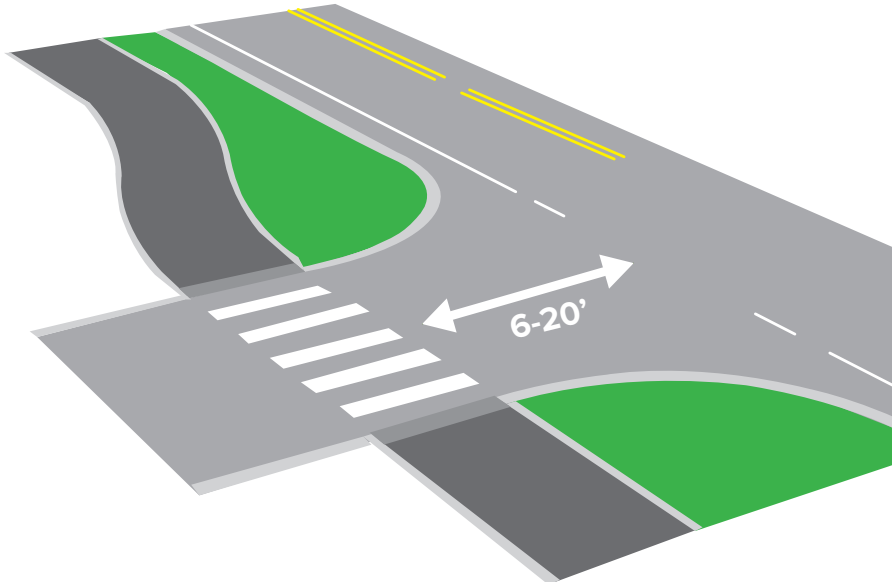
*At signalized intersections, turn lanes will replace the median.

Figure 7: North College Avenue Cross-section at Poudre River Bridge



Throughout the project, concerns were heard regarding the safety of people biking and walking on the shared use paths where they intersect minor streets and driveways. **Figure 8** shows treatments implemented in other cities to minimize crash risk at similar locations. These treatments include bending out the shared use path at intersections to create yielding space for drivers turning off of the major street and stacking space for drivers waiting to turn onto the major street. High-visibility markings emphasize the path crossing to people driving.

Figure 8: Typical Shared-use Path Crossing with Setback and High-visibility Markings



MEDIANS

Creating the BAT lanes will require narrowing the existing landscaped medians, typically by one to five feet. Additionally, the plan recommends adding medians on North College where they do not currently exist south of Conifer Street and as shown in **Figure 9**. The median narrowing and new median would have some construction impacts to the corridor.

FUTURE BUS TURNAROUND

This plan also recommends constructing a new turnaround for buses outside of the Poudre Valley Mobile Home Park, somewhere north of Terry Lake Road along either North College Avenue or Terry Lake Road. Through this plan, the project team explored whether any publicly owned parcels were available for a turnaround and found none. Instead, the city will have to work with a property owner or property owners to acquire land for a turnaround. The project team explored different dimensions for this turnaround and found that approximately one acre of land is adequate, with a minimum depth of 150 feet and a minimum length of 250 feet.

COST ESTIMATES

Conceptual cost estimates were developed for the full implementation of the cross-sections shown in **Figure 6** and **Figure 7** along the length of North College Avenue. The total for all improvements is estimated to cost **$21.8 million in 2022 dollars,** excluding right-of-way costs and the future bus turnaround. Rebuilding the entire corridor at once would not only be a considerable financial investment but would also create additional construction impacts. For this reason, the phasing of elements is recommended and phasing options are described in more detail in Phasing & Funding Sources, later in this section.

Appendix E provides the more detailed breakdown of the cost estimate.

Figure 9: Existing and Future Median Locations

TRANSIT RECOMMENDATIONS

Below is a summary of recommendations for transit service changes across the North College area:

- New MAX BRT route on North College Avenue; long-term interlining of service with MAX on Mason Street
- Realign route 8 to run from the Downtown Transit Center to Poudre Valley Mobile Home Park, operating on Blue Spruce Drive, Redwood Street, and Linden Street
- Elimination of route 81 (the North College MAX will replace this service)
- New on-demand transit service like micro-transit service operating in the neighborhoods near North College Avenue , connecting to businesses on Lemay Avenue and bringing people into the high-frequency transit network

These recommendations are shown on a map in **Figure 11**. The following sections provide further detail about and the reasoning for each recommendation.

MAX ON NORTH COLLEGE AVENUE

The first phase MAX route alignment for North College Avenue is from the Downtown Transit Center to Willox Street on North College Avenue and back, with the Willox Street roundabout as the northern turnaround point (see **Figure 11**). This alternative was chosen because it could be implemented immediately without needing to build a new turnaround area. This alignment creates a straightforward and intuitive MAX route that goes both north and south on North College Avenue and does not make any additional loops, helping with route efficiency as well as being easier to understand for riders.

Figure 10: Near-term Pedestrian & Bicycle Recommendations, Including High-priority Shared-use Path Segment

The drawbacks of this alignment is that MAX level service is not provided directly to the Poudre Valley Mobile Home Park or the social services on Blue Spruce Drive and Redwood Street. However, Route 8 will still provide local service to these locations and the efficiency of a local route on Blue Spruce Drive and Redwood Street will be improved because it will not need to make a loop on North College Avenue. Additionally, MAX service will be provided within a half mile of the main entrance to the mobile home park at Terry Lake Road and within a quarter mile of the south end which has an unofficial pedestrian access point that residents use to enter and exit the neighborhood. Further discussion of the final route alignment for the local route 8 is covered in an upcoming section of this report.

Potential Future Phase of Route Alignment

It is recommended that the long-term vision for MAX on North College Avenue include creating a new turnaround point near the North College Avenue/Terry Lake Road (CO 1) intersection (see **Figure 11**). There will be a considerable cost to purchase the property for and construction of this turnaround, which makes it a less desirable alternative in the short-term. However as a long-term goal, this turnaround would be able to provide MAX service closer to the Poudre Valley Mobile Home Park and other residences in the area north of Willox Street. This turnaround would also be available for use by local buses to eliminate buses turning around inside of the mobile home park as they currently do today.

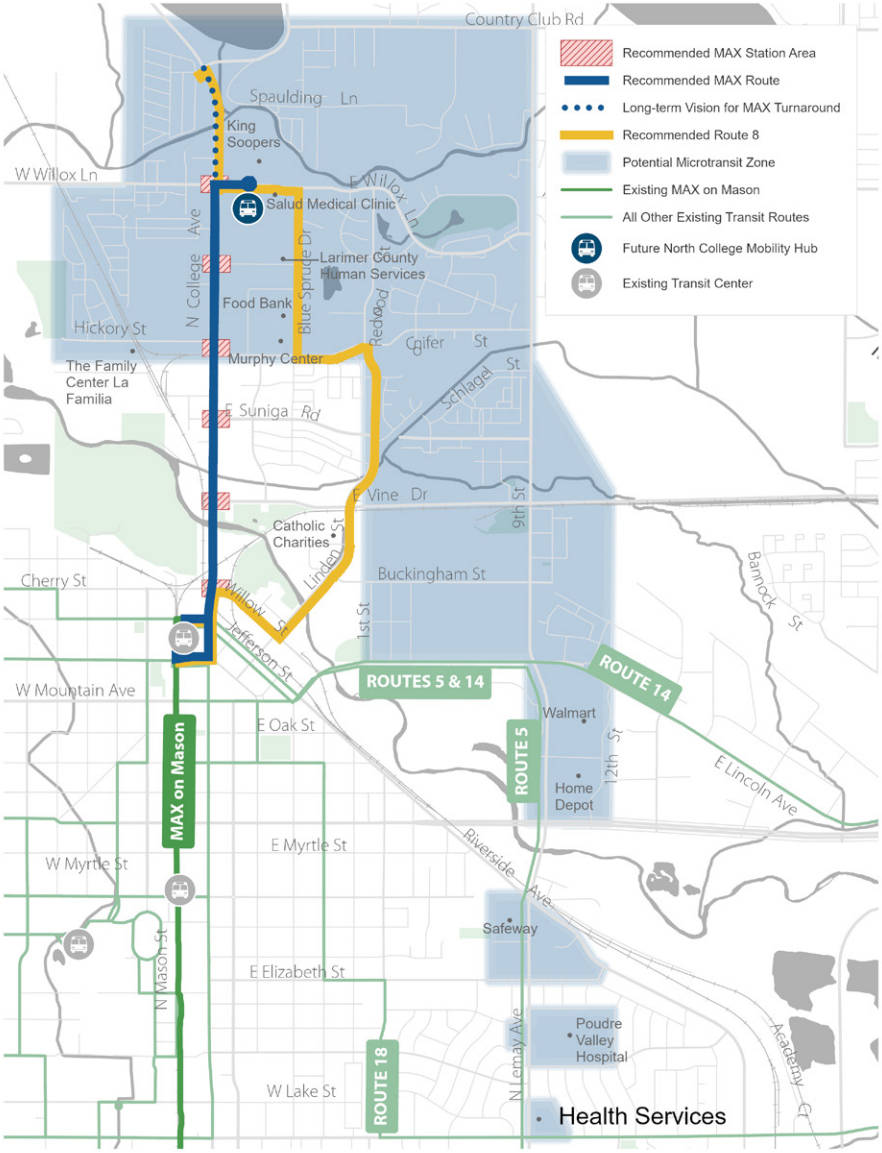
Service Characteristics

It is recommended that the MAX route on North College Avenue operate at a 15-minute frequency. A round trip of the route is estimated to take about 12-minutes. Therefore, this service could be operated with one bus every 15 minutes with roughly three minutes of recovery time between trips. The following sections provide additional information on how the possibility of interlining MAX on North College Avenue with MAX on Mason Street and could affect frequencies.

Future Interlining with MAX on Mason Street

Based on extensive community desire for a one-seat ride from North College Avenue to the South Transit Center, technical analysis of this plan considered the feasibility, benefits, and drawbacks of interlining the MAX on North College Avenue with the existing MAX on Mason Street route. Interlining the two routes would result in operating the service as one continuous route where the Downtown Transit Center would serve as a stop rather than a transfer. In the near- and mid-term it is recommended that these two MAX routes operate separately (possibly with different service names) because of a mismatch of the planned frequencies of each route and reliability challenges created by railroad

Figure 11: Map of Final Transit Recommendations



Mismatch of Frequencies

Before the COVID-19 pandemic, MAX on Mason Street ran at 10-minute frequencies with six buses required to operate that service. It is expected that MAX on Mason Street will return to this frequency once resources are available. The MAX route on North College Avenue is proposed to have 15-minute frequencies which allows the route to be operated using only one bus. Existing demand is not yet at a level where 10-minute frequency is necessary. The two MAX routes operating separately would require a total of seven buses. Riders would transfer from the North College Avenue route to the Mason Street route at the Downtown Transit Center. Given the planned frequencies of 15- and 10-minutes, riders would not experience much waiting to transfer.

If interlining is desirable in the future, the challenge of misaligned frequencies (10-minutes vs. 15-minutes) can be addressed two different ways:

1. Run a bus at 10-minute frequencies the length of the two routes, from the turnaround on Willox Lane to the South Transit Center. This requires eight buses to operate (one more than if the routes operate separately). MAX on Mason Street currently has a simple 60-minute run time with built in recovery time. Extending up to North College Avenue would create a 75-minute cycle time for the route that would require two additional buses than MAX on Mason Street did before the pandemic.

   The benefits of interlining are that it is a simple and intuitive schedule for riders and provides a single seat ride from the North College area all the way to the South Transit Center. This strategy also provides more frequent service to North College Avenue than if the routes operated separately. The drawbacks of this option are that it requires an additional bus to operate compared to the non-interlined option, which would be an extra cost for the bus, operator hours, and other operating costs. It is possible the additional resource investments to interline the two routes may not result in proportional increases in ridership based on expected demand in the North College area.

2. Run only every other MAX on Mason Street bus up North College Avenue so that MAX on Mason Street has 10-minute frequency but MAX on North College Avenue would have 20-minute frequency. This option also requires 8 buses, because of the needed cycle time to combine both routes into one. The only benefit this option achieves is creating the single seat ride from Willox Lane to the South Transit Center. The drawbacks include the alternating run schedule (which is often confusing and frustrating for riders), additional resources needed for the eighth bus, and lower frequency service for the North College area. This strategy would require similar resources as the first without the added benefit of high-frequency service on North College Avenue.

Based on 2019 ridership data, MAX on Mason Street averages 285 boardings per station per day or 800 passengers per mile. Interlining would be most appropriate when transit ridership on North College Avenue comes within a margin of these levels of productivity (approximately 1,500 boardings per day).

Conflicts from Additional Rail Crossings

The North College Avenue MAX route will need to cross two freight rail lines in order to connect the Downtown Transit Center with the north end of North College Avenue. MAX on Mason Street already crosses the rail twice: once when turning around north of the Downtown Transit Center and a second time in the southbound direction at Laurel Street. The rail crossings will impact the route's reliability at certain times as the bus must wait for the trains to pass through. This is likely to cause the bus to run behind schedule. Rail crossings will be a challenge for the North College MAX route regardless but interlining with MAX on Mason Street will bring this challenge to the Mason Street service where it is not currently an issue. Rather than just the North College area occasionally experiencing these delays, the railroad crossings have the potential to impact the reliability of the entire interlined route.

For these two reasons it is recommended that the two services begin operating as separate routes. The feasibility and benefits of interlining the two routes may be more appropriate to consider when ridership of a North College MAX route is better understood after the service has been operating for a couple of years.

CO2 EMISSION REDUCTION BENEFITS

MAX on North College Avenue is envisioned to eventually deliver daily ridership over 1,000 boardings per day. Assuming typical point-to-point travel distances of three to five miles, and if all of these trips were to be made by car, this level of ridership represents 3,000 to 5,000 vehicle miles traveled (VMT) per day, or 2,400 to 4,000 pounds of reduced CO2 emissions per day. While this likely over-estimates the CO2 emissions reduction potential of MAX on North College Avenue as not all ridership would be converted from driving trips, it does illustrate the CO2 emissions-reducing potential of the service.

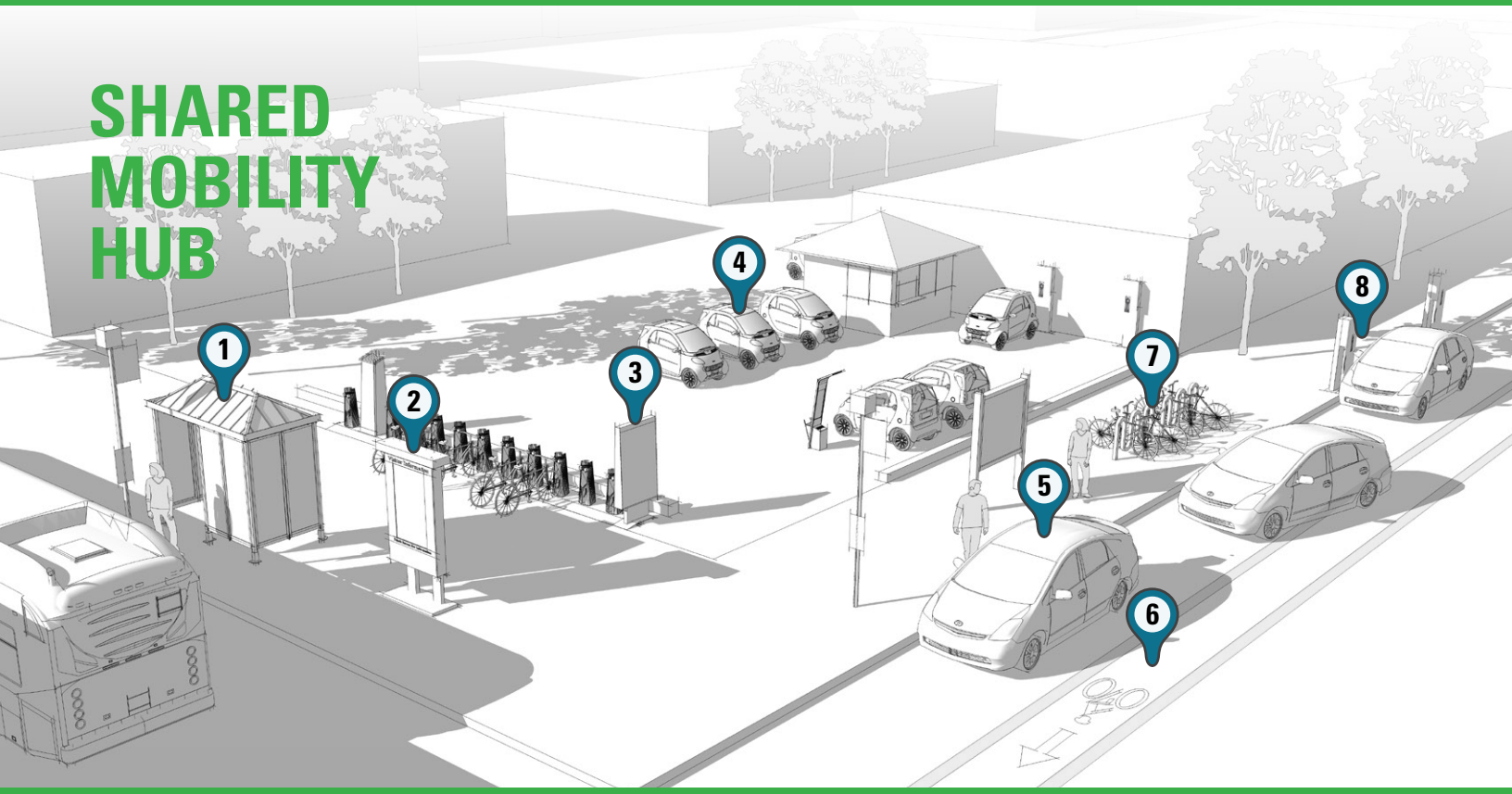
STOPS & STATIONS

Locations

The final plan for MAX on North College Avenue includes consolidating and aligning the existing bus stops to create the MAX stations (see **Figure 11**). New station locations were chosen for their proximity to key destinations as well as their alignment with existing or proposed traffic signals. All stations were aligned into matching pairs, one northbound station and one southbound station on the other side of the road. These station pairs make the service easier to use for riders, allowing someone to pick-up the bus for their return trip in the same location they were dropped off. This mitigates confusion about where to go to take the bus back, especially for newer riders.

Station pairs were located around traffic signals to provide safe, controlled pedestrian crossings linking the northbound and southbound stations together. Crossing at signals to access bus stops and destinations on the other side of the road improves pedestrian comfort as well as minimizing out of direction travel for people accessing the bus stops.

Figure 12: Shared Mobility Hub



1. Bus shelter
2. Information and fare payment
3. Scooter share & bike share (Zagster)
4. Car share
5. TNC/microtransit drop-off/pick-up
6. Intersecting bike lane or bike paths
7. Bike parking
8. Car charging station

Amenities at MAX Stations

It is recommended that each MAX BRT station feature multimodal options, with the most northern station near King Soopers being the a mobility hub with the most amenities.

All MAX BRT stations should have the following amenities, where space allows:

- Intuitive information on transportation options:
  - » Live informational signage on transit arrival times
  - » Maps of key destinations, transit routes, and bicycle facilities
- High comfort station amenities including:
  - » Shelters
  - » Benches
  - » Trash cans
  - » Pedestrian scale lighting
  - » Kiosks for ticket purchases (if applicable)
- Features of universal design for accessibility by all users
- Public art
- Security features such as emergency telephones
- Bicycle parking (covered where possible)
- Micro-mobility parking areas

The northern most station near the King Soopers will serve as a mobility hub. The Transit Master Plan envisioned a mobility hub at this location, which can be incorporated into redevelopment of the former Albertsons site. As a mobility hub, it can include the following additional amenities illustrated in **Figure 12**:

- Secure bicycle parking
- Park-n-ride
- Restrooms
- Electric vehicle (EV) charging
- Car share
- Taxi/ride hailing loading zones
- Micro-mobility charging hubs

These additional amenities would require more space than a typical MAX station. Partnerships can be pursued with nearby landowners and businesses to create shared parking agreements or other agreements allowing station amenities to be located on parcels near the station. The vacant Albertsons lot could provide a great opportunity to accommodate these mobility hub elements on part of that property.

NEW ROUTE 8

The recommended alignment for local bus service is to eliminate the current route 81 and realign route 8 to create greater efficiency and eliminate redundancy with MAX on North College Avenue. The new route 8 will run from the Downtown Transit Center to Willow Street, then head north on Linden Street to Redwood Street to Blue Spruce Drive. The route will then turn west on Willox Lane and turnaround in the Poudre Valley Mobile Home Park as it does today and then reverse the directions above back to downtown (see **Figure 11**). When the future turnaround south of Terry Lake is constructed, route 8 will also use this turnaround in order to remove turning buses from the Poudre Valley Mobile Home Park.

The new alignment of route 8 will make it more intuitive and efficient for riders, particularly those using the service to get to and from the services on Blue Spruce drive, since the route would run the same path northbound and southbound. The alignment also retains the connection between the service providers east of North College Avenue with the Downtown Transit Center.

Alignments that brought route 8 to destinations on Lemay Avenue were considered, however after analysis those options were not recommended because of route inefficiency, loss of the connection from services on Blue Spruce Drive to Downtown, and redundancy with route 5. Instead, this need for connections to destinations on Lemay Avenue, like shopping and medical services, was addressed with a recommendation for new on-demand micro-transit service that is detailed in the following section.

Service Characteristics

The new alignment of route 8 is recommended to run at 20-minute frequencies. It is estimated that a round trip of this route would take about 35-minutes. This means it would require two buses to operate route 8 at 20-minute frequency with a 5-minute recovery period between trips. Route 8 could also operate at 30-minute frequencies but this would still require two buses. For this reason it is more beneficial and efficient to operate the route at 20-minute frequencies.

Amenities at Local Bus Stops

It is recommended that all local bus stops on the realigned route 8 be upgraded to include the following amenities where space is available:

- Shelters
- Maps of the transit system
- Benches
- Trash cans
- Pedestrian scale lighting
- Bicycle/micro-mobility parking

Providing these amenities at stops can make riding the bus feel safer and more comfortable for a wider demographic of riders. Bus shelters make it more feasible and comfortable for people to ride transit in inclement weather. Benches provide a chance to rest while waiting for the bus which can be particularly critical for older adults and people with mobility issues. Trash cans and pedestrian scale lighting provide a more comfortable station environment, particularly at night. Bicycle and micro-

Figure 13 Image of Microtransit Service in Denver called the "Montbello Connector"

mobility parking provide an option for people to easily access the stop by bicycle or scooter to make their trip more efficient or access a bus stop that is too far to comfortably walk to.

INNOVATION ZONE: NEW MICRO-TRANSIT SERVICE

This plan recommends exploring a microtransit service from the North College area to destinations on Lemay Avenue. See **Figure 11** for the approximate boundaries of the recommended zones within the study area. Travelers could request trips that started and ended at any two points within the three zones on the map. The three zones encompass the mobile home communities near North College Avenue, the Tres Colonias neighborhoods, Walmart, Home Depot, Safeway, Poudre Valley Hospital, and other medical services on Lemay Avenue. These microtransit zones were drawn based on where community members reported they wanted new transit connections to the North College area.

The microtransit service will help fill the gap in transit service to the Tres Colonias neighborhoods and provide a direct link from the North College area to Home Depot, Walmart, Safeway, and medical services on Lemay Avenue. These new connections were identified as high priority by community members. Additionally, the service would provide a first/last-mile connection between MAX service on North College Avenue and the surrounding neighborhoods. The data collected about trips in the microtransit system can inform the creation of a e service in the future.

What is Microtransit?

Microtransit is a form of demand response transit that uses a smartphone app (with a call-in option) to match trip requests in real time. Microtransit typically uses small vans or shuttle buses and can be operated by a contracted provider or by an agency, like Transfort, with purchase of a ride-matching app and associated technology.

Microtransit allows for transit service connecting low to medium density areas with popular destinations where a fixed-route bus route may not be appropriate due to low demand for fixed-route transit. Microtransit technology has the ability to group trips to and from popular destinations at similar times. This service can charge a fare or be operated fare-free.

Equity Considerations for Microtransit

A new microtransit service should still be accessible to people who do not have reliable access to cellphone data, are not proficient in using a smartphone, or are uncomfortable creating a profile on an app. To address this concern, the new service should include a call-in option as an alternative to using the app. Providing a call-in option for riders is an essential component to making this tech-enabled service more accessible to everyone.

Additionally, any materials developed for this service should be in both English and Spanish, at a minimum, in order to make the service easy and accessible for riders who primarily speak Spanish. Finally, it should be noted that at least one vehicle in the microtransit fleet must be ADA accessible.

Service Characteristics

Within the study area, the proposed microtransit zones cover a total of 2.4 square miles. Operating this microtransit system would require one to two vehicles (one of which must be ADA accessible) in order to provide service within 10-minutes of a request. The exact number of vehicles needed will depend on days and hours of service, projected demand, and the final service area as it may be desirable to serve other nearby areas not served by fixed-route transit.

ACTIVE MODE RECOMMENDATIONS

In addition to the new shared use path along North College Avenue, several other recommendations were developed for improving active mode use in the North College area, building upon the recommendations in the 2022 update to the Active Modes Plan (see **Figure 14**):

- Construction of two new traffic signals on North College Avenue
- Improvement of five key roadway crossings east of North College Avenue
- Creation of comfortable pedestrian and bicycle networks to the east and west of North College Avenue
- Interim protected bike lanes on North College Avenue

The following sections provide locations and more detail for these pedestrian and bicycle recommendations.

Roadway Crossings

Additional signals with crosswalks at Bristlecone Street and Suniga Road are recommended. Signalizing these intersections would provide additional controlled crossings for people using active modes and make it more convenient for transit riders to get between the northbound and southbound stations at these locations (see **Figure 14**). The signal at North College Avenue/ Suniga Road is already planned for construction and both the signals are planned for in CDOT's *US-287 (North College Avenue) Access Control Plan*. The signal at Bristlecone Drive would also serve people accessing the future 24/7 shelter at Hibdon Court.

Figure 14: Pedestrian & Bicycle Infrastructure Improvements

In addition to the signals on North College Avenue, it is recommended that the following intersections be evaluated for improved bicycle and pedestrian crossings (see **Figure 14**):

- Conifer Street / Red Cedar Court / Jerome Street
- Suniga Road / Jerome Street
- Vine Drive / Jerome Street (in design as of fall 2022)
- Hickory Street / Mason Street
  (when Mason Street extension is constructed)
- Bristlecone Street / Red Cedar Court
  (when Red Cedar Court extension is constructed)

These locations are all on the recommended parallel networks for improved bicycle and pedestrian infrastructure (see **Figure 14**) and several were identified by community members as difficult areas to cross the street.

Active Mode Networks Adjacent to North College Avenue

It is recommended that investments be made on streets adjacent to North College Avenue to create comfortable infrastructure for people using active modes (see **Figure 14**). Investments in the streets around North College Avenue will give people the option to walk and bike on lower speed streets with fewer cars, providing an alternative to walking or biking on North College Avenue.

The recommended infrastructure upgrades to these streets include:

- New bikeways on:
  - » Bristlecone Street between North College Avenue and Blue Spruce Drive – this segment has a curb-to-curb width of approximately 40 feet, which is adequate for buffered or protected bike lanes if on-street parking is prohibited. If parking cannot be removed, a Neighborhood Bikeway may be feasible provided that traffic calming can achieve the desired vehicular volume and speed levels of a Neighborhood Bikeway.
  - » Blue Spruce Drive from Conifer Street to Suniga Road – this segment has a curb-to-curb width of approximately 30 feet. Given the residential nature of this segment, a Neighborhood Bikeway is recommended. Additional traffic calming treatments may be necessary to achieve the desired vehicular volume and speed levels of a Neighborhood Bikeway.
  - » The proposed Mason Street extension – the Mason Street extension is proposed as a 2-lane collector. The Larimer County Urban Area Street Standards for a 2-lane collector feature two travel lanes and buffered bike lanes with 5-foot bike lanes and 3-foot buffers.
  - » The proposed Red Cedar Circle extension – the Red Cedar Circle extension is proposed as a 2-lane collector.

The Larimer County Urban Area Street Standards for a 2-lane collector feature two travel lanes and buffered bike lanes with 5-foot bike lanes and 3-foot buffers.

- Wide detached sidewalks with limited or no curb cuts across the sidewalk on the proposed Mason Street extension.
- Wayfinding on North College Avenue and the parallel pedestrian and bicycle corridors directing people how best to walk and bike between key destinations and use the parallel streets to bike the length of North College Avenue comfortably.

Investing in these parallel streets for people using active modes will make it more convenient and comfortable to move through the North College area, as well as improve the first and last mile connections to MAX stations and route 8 stops.

INTERIM PROTECTED BIKE LANES ON NORTH COLLEGE AVENUE

As an interim solution to address user comfort for people biking on North College Avenue, this plan recommends that the wide shoulder on North College Avenue be converted into one-way protected bike lanes. The shoulders are typically 8 feet wide from curb to edge line which is adequate space for a 5- to 6-foot bike lane and a 2- to 3-foot buffer with vertical delineators. **Figure 15** shows a cross-section of the interim protected bike lanes. Eventually, once BAT lanes are added by narrowing the median, the continuous shared-use path on North College Avenue will replace the protected bike lanes.

Changes to the Master Street Plan

The map of adjacent pedestrian and bicycle networks (**Figure 14**) assumes the future construction of two roadway extensions: Mason Street and Red Cedar Court. The alignment shown in **Figure 16** differs from that currently shown in the Master Streets Plan. These alignments are recommended for a variety of reasons including equity, feasibility, and circulation.

Mason Street Extension

The Master Street Plan indicates a future extension of Mason Street from Suniga Road, to the north through the North College Mobile Home Park, across Willox Lane, across the Larimer & Weld Canal, and connecting back to North College Avenue through the Poudre Valley Mobile Home Park in Larimer County. The intention of the original Mason Street alignment was to provide a parallel street on the west side of North College Avenue for local access and circulation as an alternative to the highway. The original Mason Street alignment provided access to North College Avenue at signalized intersections as medians were implemented on North College Avenue to manage access to individual properties.

This plan recommends amending the Master Street Plan to show Mason Street's north terminus at a future intersection with Bristlecone Drive which will have a traffic signal on North College Avenue. The remaining portion of a future parallel Mason Street can still provide access and utilities to land parcels that currently lack that infrastructure. It also would provide bicycle and pedestrian paths for local circulation without requiring the use of the highway. Because Mason Street will still provide access to North College Avenue at the same signalized intersections as previously proposed, the traffic impacts of this change will be minimal.

In the area of the North College Mobile Home Park, this original alignment is based on ideas for potential redevelopment of the east portion of the park with related drainage and utility improvements. Additionally, new access to a traffic signal on North College Avenue would provide improved access to shopping and other destinations to the east and north. Recently, park ownership and management have changed their approach to reinvest in the east portion of the park, at the same time that affordable housing has become an increasingly critical issue which is evident by the current effort to rezone the park to Manufactured Housing (M-H), intended to preserve affordability. For these reasons, along with the community discussions for this plan, this plan recommends amending the Master Street Plan to show Mason Street's north terminus at

Figure 15: I Interim Protected Bike Lane Cross-section

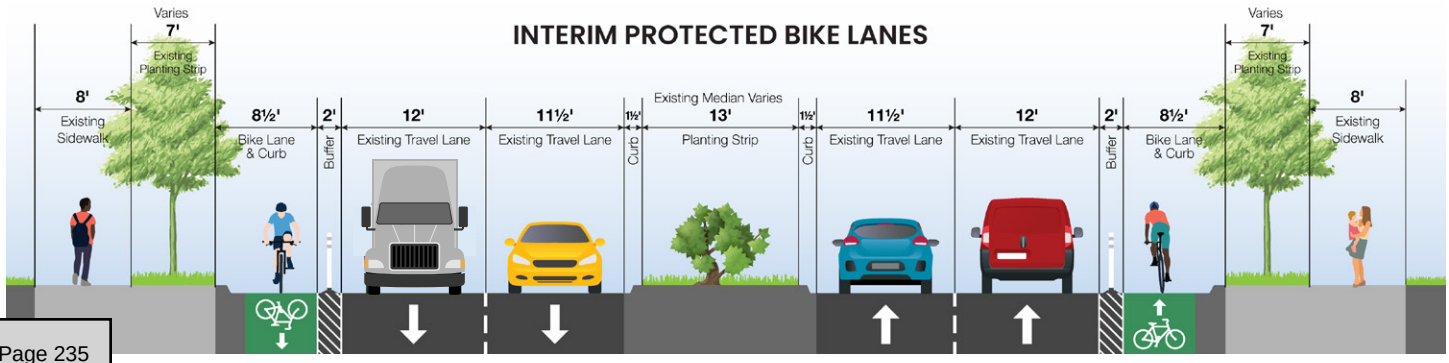


Figure 16: Original and Recommended Mason Street Alignment

a future intersection with Bristlecone Drive. This will remove the future Mason Street connection through the park.

The Master Street Plan also indicates future extension of the Mason Street alignment northward from Willox Lane along what is currently Willox Court, across the Larimer & Weld Canal with a new bridge, and then along a street through the Poudre Valley Mobile Home Park in Larimer County connecting to North College Avenue. This study recommends removing that proposed street segment because of the major difficulties and costs and minor benefits. A short segment of Mason Street was already built south of Willox Lane. This segment provides access to two parcels owned by the City of Fort Collins. In the future, this segment can be reconfigured as a cul-de-sac to enable turning around as well as parcel access.

While a parallel street that extends the full length of the corridor is lost with this realignment, the intent of the original alignment is still achieved. The parcels to the south of the [illegible] lege Mobile Home Park are the parcels without existing access to North College Avenue. The proposed alignment would still provide access to those parcels. High-comfort bicycle and pedestrian infrastructure can be accommodated in the form of a shared-use path on North College Avenue north of Bristlecone Drive, rather than on a parallel street. For this reason this section of the recommended shared-use path is a near-term priority project in this plan.

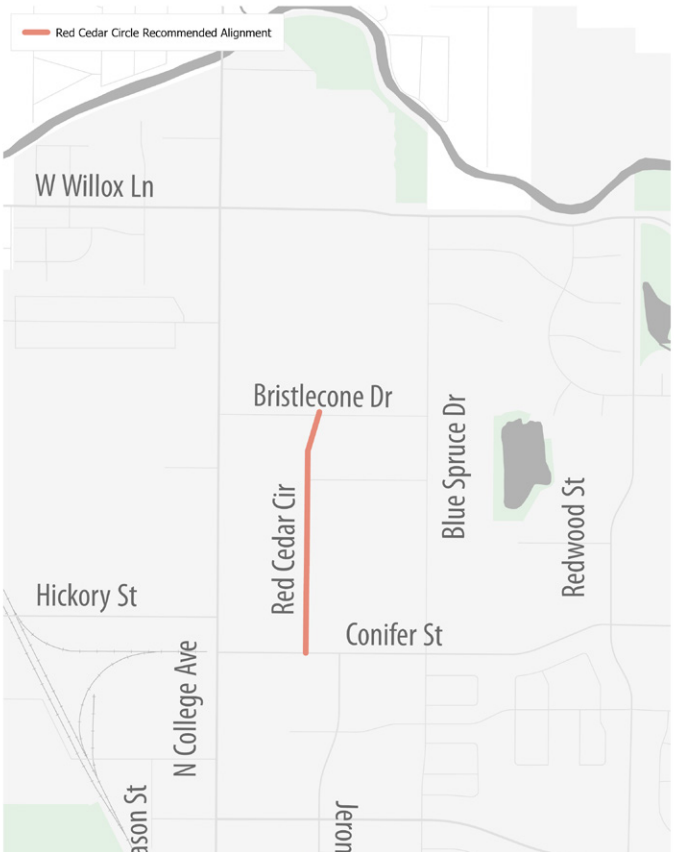
Lastly, south of Conifer Street, the Mason Street extension will complement proposed medians south of Conifer Street by provided alternative access to properties currently accessed by North College Avenue.

The development of North Mason Street will likely have an alternative cross-section to the Collector identified in the Larimer County Urban Area Street Standards (LCUASS), but will still accommodate a buffered bike facility for the parallel bike network. This is to accommodate the existing businesses and property alignments, and likely low volumes of traffic.

Red Cedar Court Extension

The current alignment in the Master Street Plan for Red Cedar Court crosses Bristlecone Street to connect to Willox Lane. The new alignment, shown in **Figure 17**, would terminate Red Cedar Court as a collector street at Bristlecone Street, using Blue Spruce Drive as a continuous north-south collector street parallel to North College Avenue. Development and redevelopment north of Bristlecone Street, including redevelopment of the former Albertson's, would allow for other north-south streets connecting to Red Cedar Court.

Figure 17: Recommended Red Cedar Court Alignment



PHASING & FUNDING SOURCES

The plan recommends a **phased approach** to implementation for the following reasons:

A major capital project was constructed on North College less than a decade ago. The construction of sidewalks, streetscape amenities, and medians was challenging for residents and businesses in the North College corridor. More major construction in the near term is not welcome.

The mid- and long-term recommendations are not yet needed in the corridor but associated conditions will be monitored to determine when they are needed.

The mid- and long-term recommendations are expensive and without meeting certain population and ridership requirements this project is not eligible for the FTA grants that typically pay for such improvements like the Small Starts grant used for the MAX BRT.

All of the transportation recommendations detailed previously are summarized and organized as near-, mid-, and long-term transportation recommendations and displayed in **Table 1**, **Table 2**, and **Table 3**, respectively. Potential funding sources and relevant partners were identified for each recommendation.

Funding Opportunity Acronyms

Below is a list of acronyms used in the recommendations tables that correspond to federal grants or other federal funding programs:

- **FTA** - Federal Transit Administration
- **MMOF** - Multimodal Transportation and Mitigation Options Fund (distributed through North Front Range Metropolitan Planning Organization)
- **CMAQ** - Congestion Mitigation and Air Quality Improvement Program (distributed through North Front Range Metropolitan Planning Organization)
- **STBG** – Surface Transportation Block Grant (distributed through North Front Range Metropolitan Planning Organization)
  - » (TA) - Transportation Alternatives (a subset of the Surface Transportation Block Grant)
- **RAISE -** Rebuilding American Infrastructure with Sustainability and Equity Discretionary Grant Program (distributed by the United States Department of Transportation)

NEAR-TERM RECOMMENDATIONS

Table 1: Near-term Transportation Recommendations

Recommendation		Planning Level Cost Estimates	Relevant Partners	Potential Funding Sources
Fixed-route Transit Realignments: • Create new high-frequency bus route on North College Avenue within existing general-purpose lanes at 15-minute frequency (with turnaround at Willox Lane roundabout) • Realign route 8 on Blue Spruce Drive, Redwood Street, and Linden Street at 30-minute frequency • Eliminate route 81		Fleet needs: $2.3m for battery electric buses Operating costs: neutral	Transfort	FTA 5307 Funding, MMOF, CMAQ
Micro-transit Zone		Fleet needs: $120k Operating costs: +$500k per year	Transfort, Ride-matching technology provider	FTA 5307 Funding, MMOF, CMAQ
Consolidate existing local bus stops into new MAX Stations at signalized intersections (with basic amenities such as shelters, benches, trash cans, and pedestrian scale lighting)		$450k	FC Moves, Engineering, CDOT, Property owners	FTA 5339 Funding, CMAQ, STBG, RAISE
New shared use path on the west side of North College Avenue (between the canal and Hibdon Court)		$770k	FC Moves, Engineering, CDOT, Property owners	STBG, MMOF, CMAQ, RAISE
Adopt amendments to the Mason Street realignment identified in the Master Streets Plan		No cost. Staff time only.	City Council, FC Moves, Engineering, Traffic Operations	N/A
New Signals	Suniga Road/North College Avenue	$500k	FC Moves, Engineering, Traffic Operations	MMOF, STBG
	Bristlecone Street/North College Avenue	$500k	FC Moves, Engineering, Traffic Operations	MMOF, STBG
Improved bicycle and pedestrian crossings	Bristlecone Drive/ Red Cedar Circle	$80k	FC Moves, Engineering, Traffic Operations	MMOF, STBG (TA), CMAQ
	Conifer Street/Red Cedar Circle/Jerome Street	$80k	FC Moves, Engineering, Traffic Operations	MMOF, STBG (TA), CMAQ
	Hickory Street/Mason Street	$80k	FC Moves, Engineering, Traffic Operations	MMOF, STBG (TA), CMAQ
	Suniga Road/Jerome Street	$80k	FC Moves, Engineering, Traffic Operations	MMOF, STBG (TA), CMAQ
	Vine Drive/Jerome Street	$80k	FC Moves, Engineering, Traffic Operations	MMOF, STBG (TA), CMAQ
New buffered or protected bike lanes	Interim one-way protected bike lanes on North College Avenue north of the railroad crossing	$340k	FC Moves, Engineering, Traffic Operations	Local
	Jerome Street (between Conifer Street and Suniga Road)	$25k	FC Moves, Engineering, Traffic Operations	MMOF, STBG (TA), CMAQ
	Blue Spruce Drive (between Conifer Street and Suniga Road)	$25k	FC Moves, Engineering, Traffic Operations	MMOF, STBG (TA), CMAQ
	Bristlecone Street (between North College Avenue and Blue Spruce Drive)	$50k	FC Moves, Engineering, Traffic Operations	MMOF, STBG (TA), CMAQ

MID-TERM RECOMMENDATIONS

The mid-term recommendations include large capital investments that will not be implemented until the following conditions are met:

- Ridership on North College BRT is at 1,000 boardings per day, or
- Traffic becomes congested to the point that intersections on North College Avenue are experiencing a level of service F, or
- The population (currently approximately 7,000) and employment (currently approximately 16,125) of the area doubles from current levels, or
- CDOT plans a major rehabilitation project for North College Avenue and this plan's recommended improvements could occur at the same time.

Additionally, prior to any major capital project related to this plan, an Equity Analysis is recommended to identify and mitigate possible negative outcomes.

Table 2: Mid-term Transportation Recommendations

Recommendation		Planning Level Cost Estimates	Necessary Partners	Potential Funding Sources
Business Access Transit (BAT) lanes on North College Avenue (between Willox Lane and Willow Street)		$22m	FC Moves, Engineering, Traffic Operations CDOT	FTA 5339 Funding, MMOF, STBG (TA), CMAQ, RAISE
*Increase bus frequency and service hours: • MAX on North College Avenue with 15-minute peak frequency • Route 8 with 15-minute peak frequency		Fleet needs: +$1m Operating costs: +$1m per year	Transfort, Ride-matching technology provider	FTA 5307 Funding, MMOF, CMAQ
Creation of mobility hub near Willox Lane turnaround		No capital cost. Incorporate into redevelopment plans.	Transfort, FC Moves, Engineering, Property owners	FTA 5339 Funding, MMOF, STBG (TA), CMAQ
*Shared-use paths for the length of North College Avenue on both sides of the roadway		Included in cost of BAT lanes.	Public Works, CDOT, Property owners	MMOF, STBG, CMAQ
Fully built MAX stations with multimodal options		Included in cost of BAT lanes.	Transfort, FC Moves, Engineering, Traffic Operations, CDOT, Property owners	FTA 5339 Funding, MMOF, STBG, CMAQ
Bus turnaround north of Terry Lake Road		$5m; does not include property.	Transfort, FC Moves, Engineering, Traffic Operations, CDOT, Adjacent property owners	FTA 5339 Funding, MMOF, STBG, CMAQ
*Construct medians south of Conifer Street		Included in cost of BAT lanes.	FC Moves, Engineering, Traffic Operations, CDOT, Property owners	MMOF, STBG (TA), CMAQ
*New buffered or protected bike lanes or shared use paths with planned roadway connections	Mason Street (between Bristlecone Street and Alpine Street)	No capital cost. Incorporate into new street construction.	FC Moves, Engineering, Traffic Operations	MMOF, STBG (TA), CMAQ
	Red Cedar Circle (between Willox Lane and Conifer Street)	No capital cost. Incorporate into new street construction.	FC Moves, Engineering, Traffic Operations	MMOF, STBG (TA), CMAQ

**Recommendations with an asterisk could be implemented before the previously listed conditions are met.*

LONG-TERM RECOMMENDATIONS

Table 3: Long-term Transportation Recommendations

Recommendation	Planning Level Cost Estimates	Relevant Partners	Potential Funding Sources
Increase bus frequency to 10-minutes; re-evaluate feasibility and benefits of interlining MAX on North College Avenue with MAX on Mason Street	Fleet needs: +$1.3m Operating costs: +$500k per year	Transfort, FC Moves, Planning Development & Transportation	FTA 5307 Funding, MMOF, STBG, CMAQ

MAINTENANCE CONSIDERATIONS

Some of the recommendations in this plan, such as shared-use paths, landscaped medians, transit station amenities, and protected bike lanes will require more time to maintain and may require the purchase of specialized equipment, incurring higher maintenance costs. For example, based on analysis completed for the Bicycle Master Plan, the Fort Collins Streets Department estimated that it costs $17,900 per year to sweep and plow one mile of protected bike lane compared to $3,970 per year to sweep and plow one mile of standard bike lane.

As projects from this plan go through final design, the project management team shall work closely with the Transfort, Streets Department, Forestry, and the Parks Department to identify maintenance requirements, context appropriate materials, and maintenance responsibilities. Future budget requests should be made at the time the recommended facilities are built.

EXHIBIT A

102
MAX
THIS VEHICLE MAKES
FREQUENT AND SUDDEN STOPS
City of
Fort Collins
YIELD
TO
BUS
WHEN
LIGHT IS
FLASHING
IT'S THE
LAW
QTL-429
COLORADO
CNG

05

Urban Design & Land Use Requirements

Urban Design & Land Use Requirements

Community members expressed that their priorities included **preserving and expanding affordability for residents and local businesses, increasing density to support high-frequency transit, and redevelopment of currently vacant properties to provide new housing, services, and infrastructure improvements in the area.**

Based on community input and travel demand projections, it was determined that this plan needed to create recommendations around land use, future development, and affordability. Community members expressed that their priorities for future development in the North College Avenue area included preserving and expanding affordability for residents and local businesses, increasing density to support high-frequency transit, and redevelopment of currently vacant properties to provide new housing, services, and infrastructure improvements in the area. The existing zoning in the area does not support these ideas as effectively as it could.

CORRIDOR DENSITY AND BRT CORRELATION

BRT corridors are typically found in more dense urban settings due to higher population and ridership demand in these areas. Low density areas lack the population for frequent ridership demand and have larger dispersal areas making accessing stations difficult. Federal grants for infrastructure improvements are awarded when there is increased ridership demand and the zoning conditions that support higher population densities. As shown in **Figure 18**, the area is currently transitioning

The North College area's current land uses and density reflect Mixed Neighborhoods. With the recommendations of this plan, the area will transition to an Urban Mixed-Use area, compatible with BRT.

Figure 18: Depicts the Correlation Between Densities and Building Height Increases With the Type of Public Transit That Can Be Supported

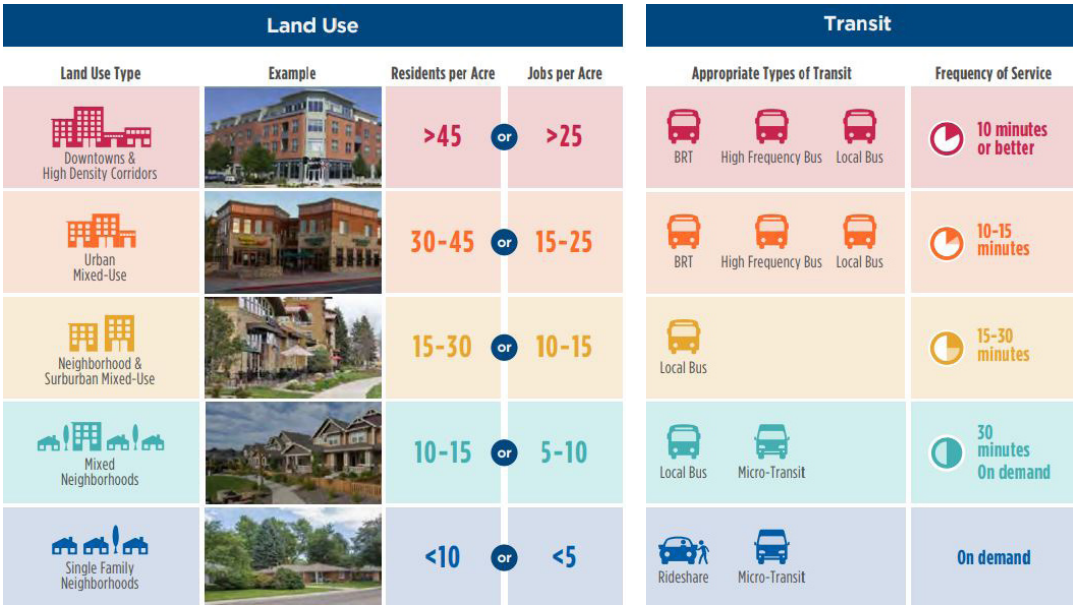
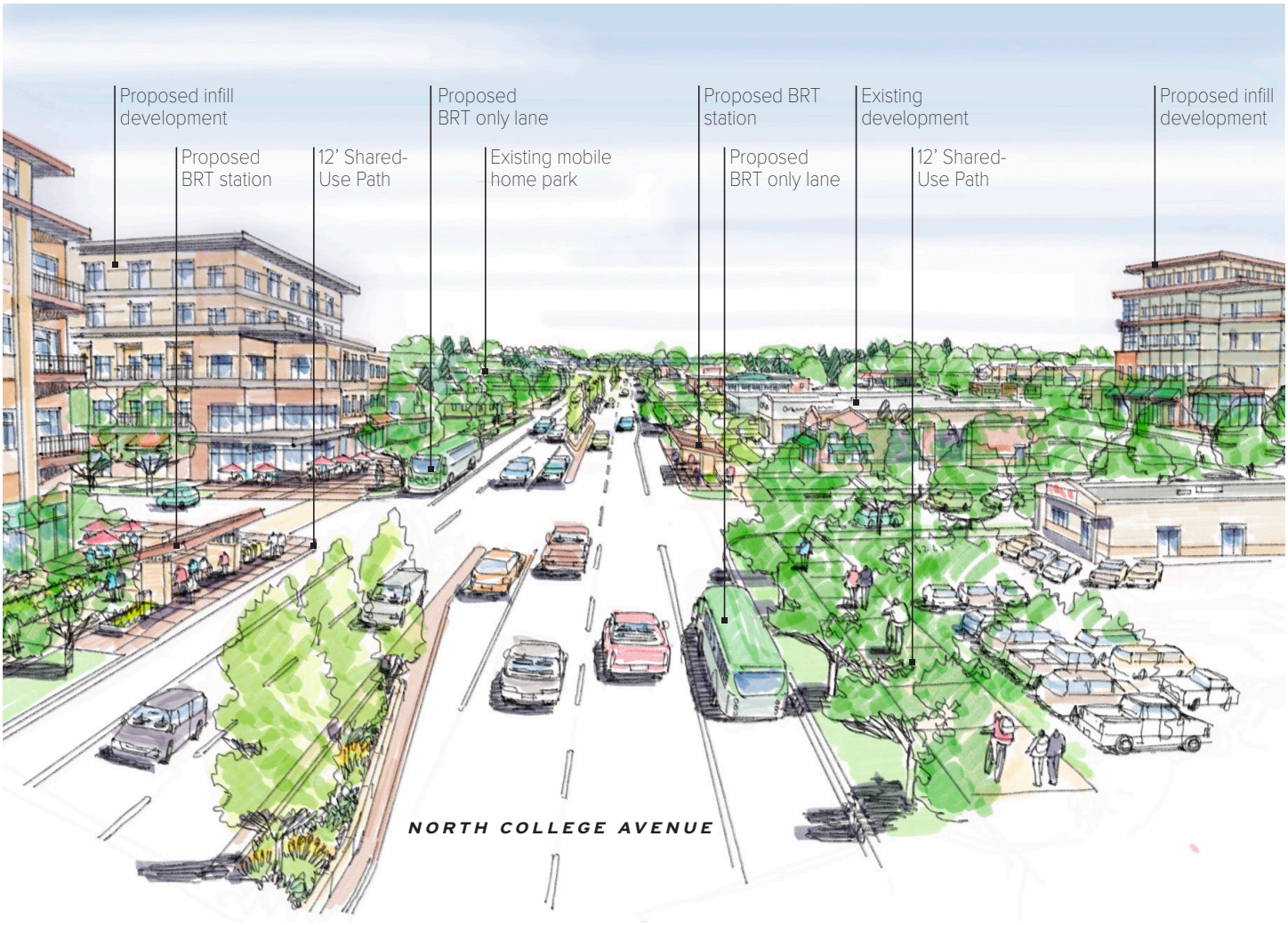


Figure 19: An artist's rendering of possible character of North College Avenue with Redeveloped and New Developed Properties That Adhere To Recommendations



from low density to medium and higher density.

The following recommendations have been developed to bring additional residential units and new businesses required along North College Avenue to support BRT operations and infrastructure.

To help address these community priorities the following policies are recommended for the North College Avenue area:

- Establish a North College Avenue specific Transit-Oriented Development (TOD) Overlay Zone
- Modify the existing 200-foot residential setback from North College Avenue
- Increase building height allowance
- Provide regional detention and reduce Low Impact Development (LID) requirements for projects that include

ble housing to provide more on-site buildable area while also reducing development costs

- Establish connectivity requirements
- Establish outdoor space requirements for large urban buildings
- Reference River Downtown Redevelopment (RDR) architectural standards
- Create incentives to preserve existing commercial buildings and current rental rates where possible

The following sections provide more detail about each of the policies listed previously. The current Mason MAX BRT utilizes many of the same recommendations particularly in the area near Colorado State University and Downtown Fort Collins.

Figure 19 shows an artist's rendering of possible character of North College Avenue with redevelopment and new development that utilizes the recommended policies while also integrating with the existing commercial and residential of the area.

NORTH COLLEGE AVENUE SPECIFIC TOD OVERLAY ZONE

Currently the City of Fort Collins has an existing Transit-Oriented Development (TOD) Overlay Zone that runs along the Mason Street Corridor from Vine Drive to the South Transit Center. This TOD Overlay Zone includes reduced parking requirements and increased building heights that allow for additional housing units when affordable units are included. This TOD Overlay Zone is meant to encourage more dense residential developments and affordable housing that support ridership for the MAX BRT route on Mason Street.

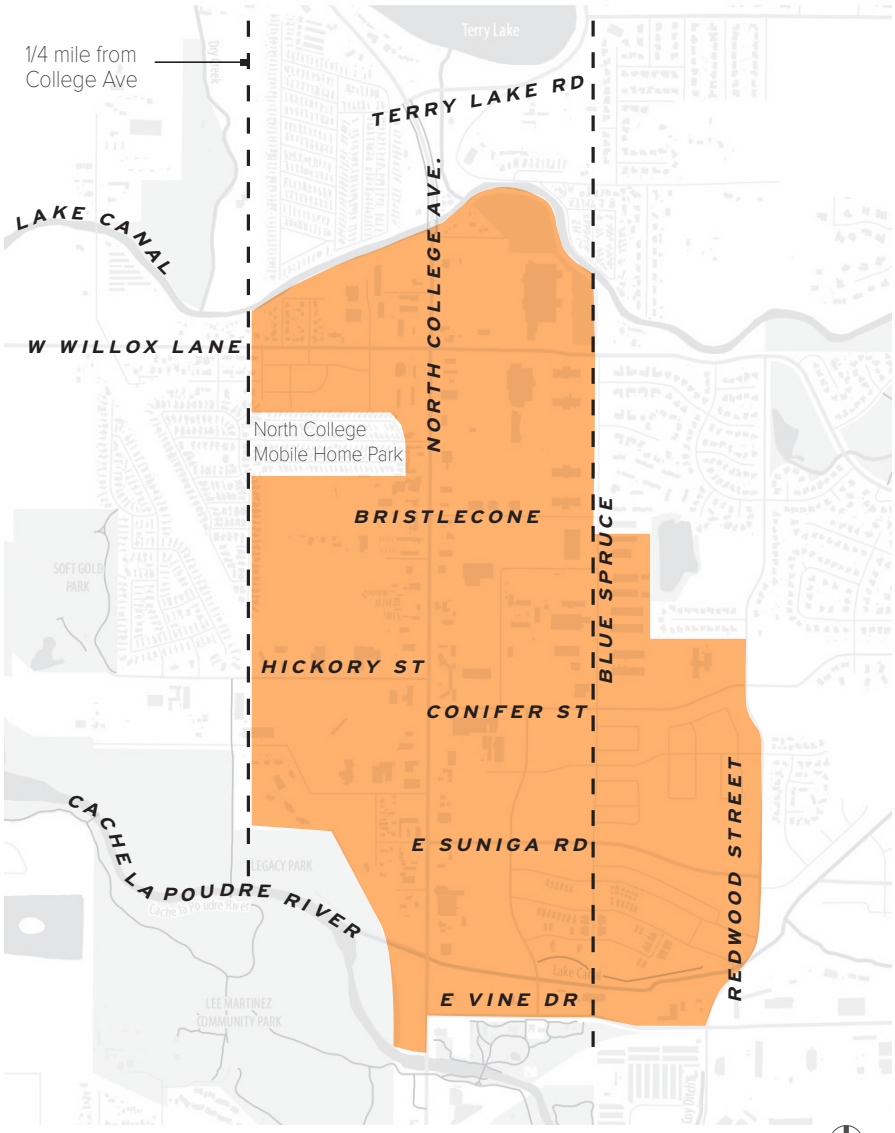
In order to facilitate denser transit-oriented development that supports public transit and provides pedestrian and bike connectivity, more open space options, and regional detention, a new TOD Overlay Zone should be established north of Vine Street to Terry Lake Road along North College Avenue. Parking reductions should be created for standard developments and decreased further when affordable housing units are included.

Figure 20 outlines the proposed area of the North College Avenue TOD Overlay Zone.

RECOMMENDATIONS:

- Limit new auto-oriented developments such as auto dealerships, car washes, etc like the current 10% limitation on auto dealerships within the zone district on North College and discourage traditional auto-oriented design like drive-thru restaurants in order to prioritize development that supports the ridership of the BRT and is more compatible with a multi-modal user group.
- Explore feasibility and costs/benefits of URA funded parking structure that could be utilized for public/affordable housing parking.
- Establish a transit-oriented development (TOD) Overlay zone or create a new zone district if deemed appropriate upon further [illegible]tion.

Figure 20: North College Avenue TOD Overlay Zone Extents



	Current City of Fort Collins Land Use Code Parking Requirement		Proposed City of Fort Collins Land Development Code Parking Requirement*	Proposed North College Ave TOD Overlay Parking Requirement	
	Non-TOD	Existing Mason TOD Overlay	Non-TOD	TOD Overlay	Any Project with Affordable Housing (applies to all units)
1-Bedroom	1.5	0.75	1	0.75	0.5
2-Bedroom	1.75	1	1.5	1	.75
3-Bedroom	2.0	1.25	2.0	1.25	1
4+-Bedroom	3.0	1.5	3.0	1.5	1.25
All Bedrooms	-	0.75	-	0.75	0.75

* The City of Fort Collins Planning Department is currently working on Land Use Code changes to encourage housing capacity and afford ability

MODIFY RESIDENTIAL SETBACK REQUIREMENT

In the 1994 zoning updates a 200-foot setback was established along North College Avenue that restricted any residential development within it. The intent of this setback was to preserve commercial uses along the corridor and recognize the impacts of the highway on livability.

In order to support the new MAX BRT route, improve streetscapes, and allow for more housing in the corridor, this setback should be modified to allow residential uses on North College Avenue when part of mixed-use developments where a portion of the ground floor is commercial. Stand-alone commercial uses should continue to be permitted.

Figure 21 and **Figure 22** outline the different modifications to the setback approaches that can be used to encourage both mixed-use and commercial only developments along North College Avenue while allowing for the development of new residential units as well.

RECOMMENDATIONS:

- Allow residential development with ground floor commercial (mixed-use) within 200-feet of North College Avenue
- Commercial area should be minimum 20% of ground floor area or 20% of primary right-of-way frontage, whichever is greater
- Uses associated with residential component may not be considered as a portion of the commercial area (i.e. leasing offices, recreation facilities for residential, etc.)

Figure 21: Plan View Options for Configuring Residential and Commercial within Mixed Use Developments within 200 Feet of North College Avenue

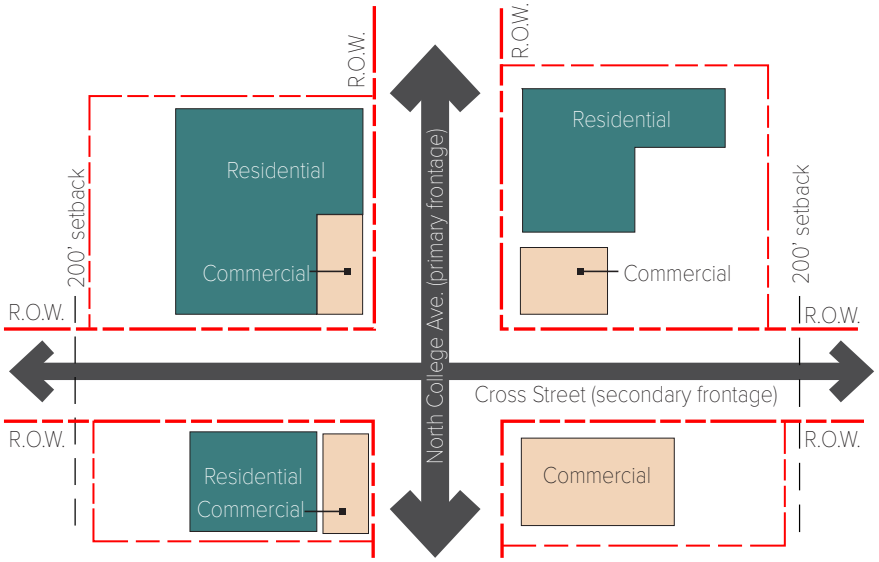
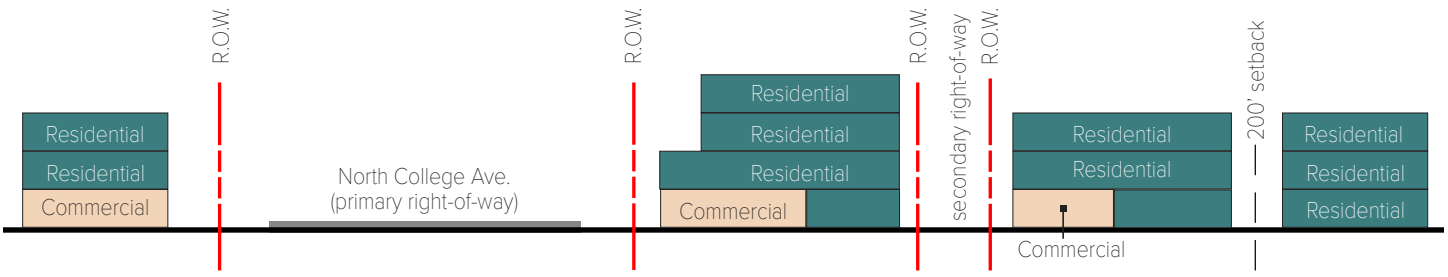


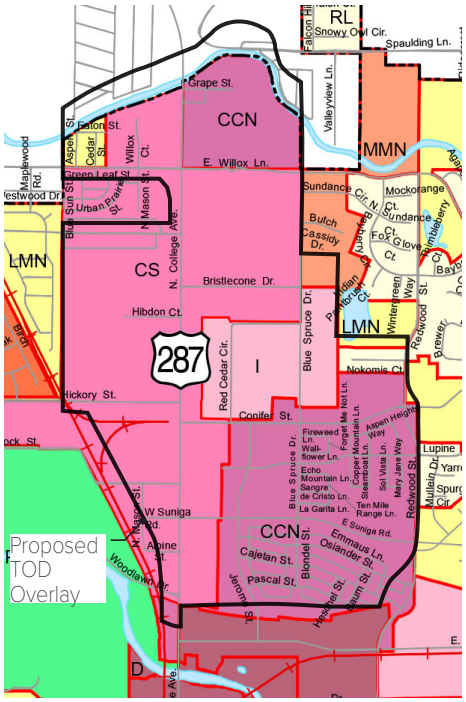
Figure 22: Section View Options for Mixed Use Development within 200 Feet of North College Avenue Showing Orientation of Commercial Uses



INCREASE BUILDING HEIGHT ALLOWANCE

Within the study area there are currently five (5) different zone districts with varying building height allowances described below and shown in **Figure 23**:

Figure 23: Zoning Map



- TheServiceCommercialDistrict(C-S) district comprises much of the area and allows for a maximum building height of 3-stories
- A small portion of the north-west corner of the study area is Low Density Mixed-Use Neighborhood District (L-M-N) and has a 3-story maximum
- The Industrial District (I), also on the east side of North College Avenue allows for a maximum of 4-stories for mixed use buildings
- Two areas east of North College Avenue are zoned Community Commercial North College (C-C-N) and Downtown District (D-innovation subdistrict) and have a maximum building height of 5-stories

To promote denser development for the BRT line as well as to increase the likelihood of more affordable/attainable housing units it is recommended that within the North College Avenue TOD Overlay Zone building height allowance be increased if the share of affordable units in a development exceeds 30% (see **Figure 24**).

Building step-backs, which help reduce the perception of overall height along street frontages should be required along primary public right-of-way for buildings over 3-stories. Mixed use developments will typically require 4-5 stories in order to be financially feasible, public feedback has indicated that this is supported.

RECOMMENDATIONS:

- Increase building height allowance to 5-stories within the 200-foot setback of North College Avenue
- 8-stories should be permitted in all other areas of the North College Avenue TOD Overlay Zone

Figure 24: Building Height Sections

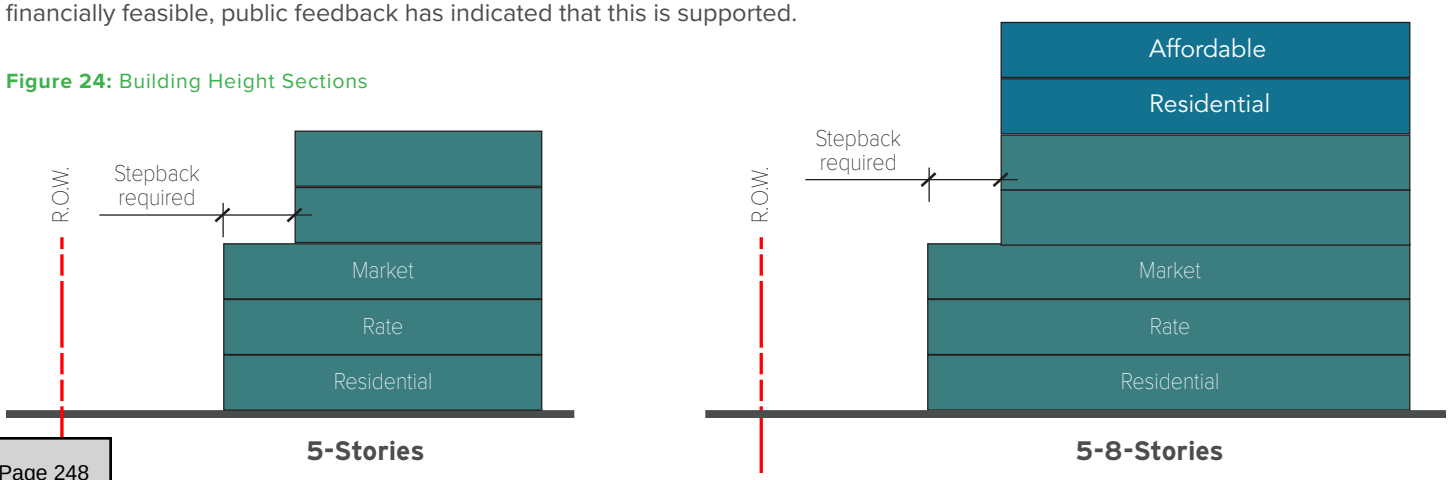
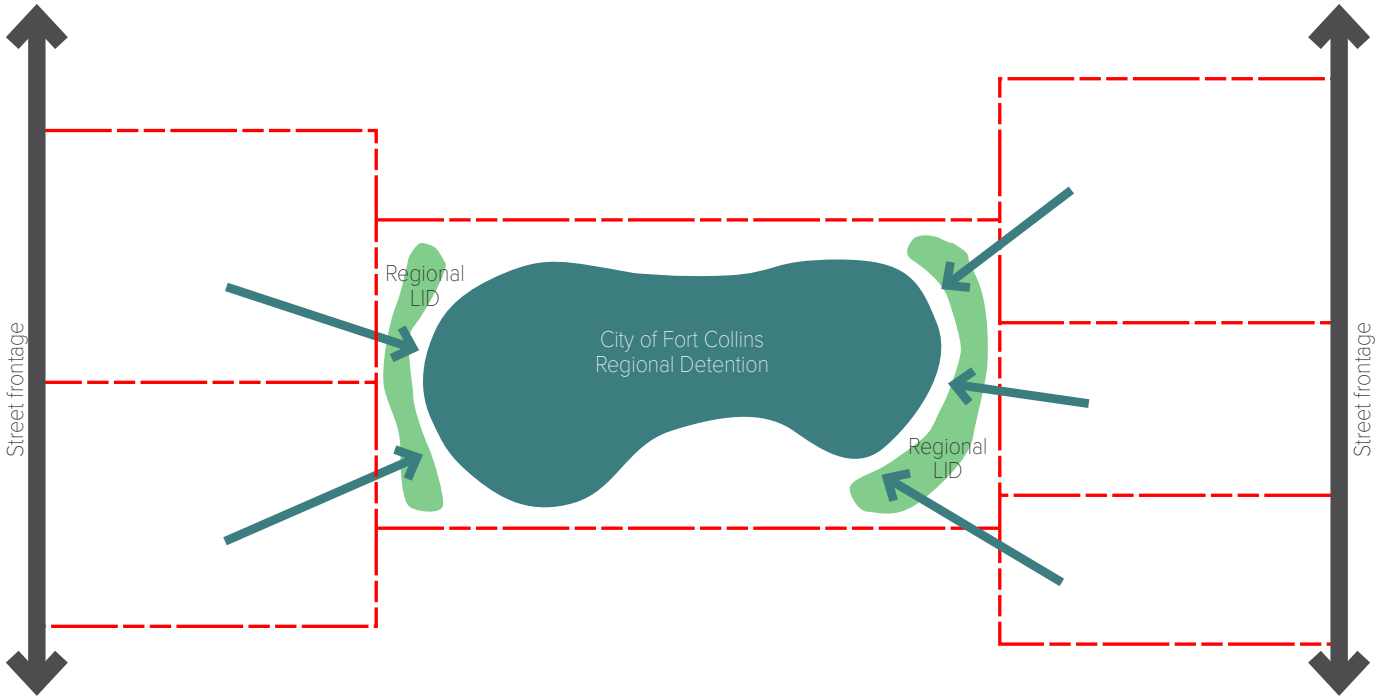


Figure 25: Regional Detention for All Development and LID for Developments with Affordable/Attainable Housing Diagram



PROVIDE REGIONAL DETENTION AND REDUCE LID REQUIREMENTS

By providing a regional detention system for all developments along North College Avenue more area could be developed on each site, reducing the overall development cost. Offsite detention reduces design fees, lowers construction and maintenance costs, allows for more densities on project sites and creates more park-like natural areas for all residents of the community

Low Impact Development (LID) stormwater treatment facilities comprise a large portion of not only a site's area but also of the development costs. Currently each site must provide LID treatment. Allowing for LID treatment to occur in off-site detention facilities or reducing the area that needs to be treated for sites that include affordable housing will allow for less infrastructure needing to be designed, accommodated, maintained, and paid for. These saved costs promote the inclusion of affordable/attainable housing in a project.

Currently the city has secured a parcel on the west side of North College Avenue that will serve as regional detention for all the development from Bristlecone to the Poudre River. Additional efforts should continue to analyze and secure regional detention on the east side of North College Avenue.

RECOMMENDATIONS:

- Invest in additional regional detention on the west side of North College Avenue, if current Hickory Pond is not sufficient for future development (*see* ***Figure 25***)
- Explore reduction of LID requirements for developments with more than 30% of the development's units being affordable/attainable housing (for example, only treat vehicular areas, etc.)
- Explore centralized LID treatment within regional detention areas in lieu of "treatment train" approach of having small, isolated LID treatments for developments with affordable/attainable housing

ESTABLISH PEDESTRIAN & BICYCLE CONNECTIVITY REQUIREMENTS

North College Avenue has several locations with block lengths that are over 1,000-feet, making it difficult for bikes and pedestrians to easily move east and west from North College Avenue.

The addition of city or privately owned and maintained trail connections would ease circulation for these travel modes from the North College MAX BRT to residential units on parallel streets.

Figure 26 identifies where these connections should be made. These locations are based on current block lengths, existing building locations, existing city owned land, as well as existing and proposed streets that are east and west of North College Avenue. Easements and/or property dedication to the city should both be considered. Right-of-way dedications would ensure long term maintenance and snow removal. **Figure 27** displays diagrams of what these connections may look like. Within the west area the mobile home neighborhoods would not be included in the TOD Overlay Zone. General TOD Overlay Zone recommendations are outlined here.

RECOMMENDATIONS:

- Developments within designated areas on map (**Figure 26**) shall be required to provide multi-modal connections from North College Avenue to parallel streets
- Dedication of 15-foot access easement or parcel to City of Fort Collins should be required to accommodate a 10-12-foot trail connection (**Figure 27**)

Figure 26: Multi-modal Connections and Block Lengths

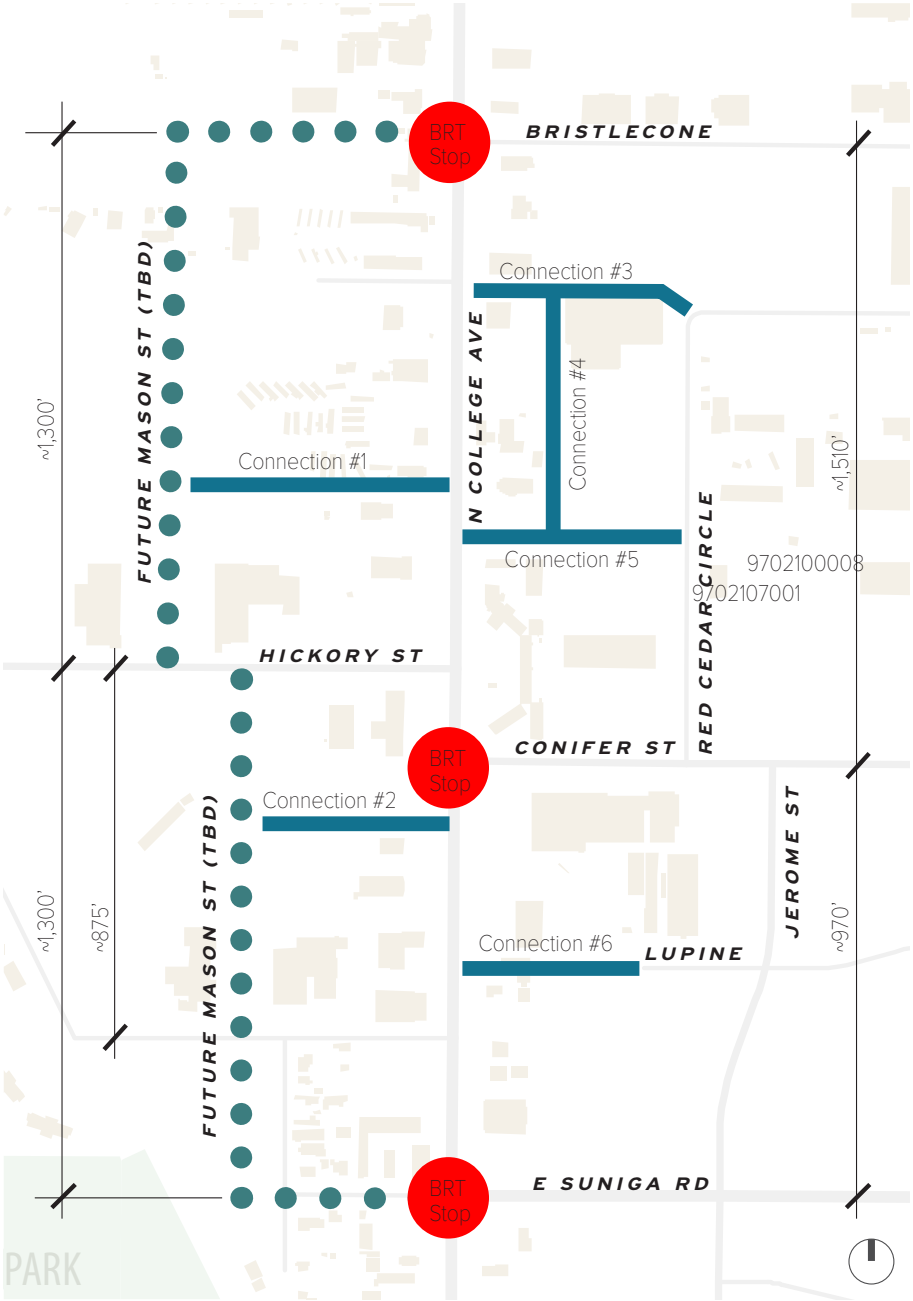
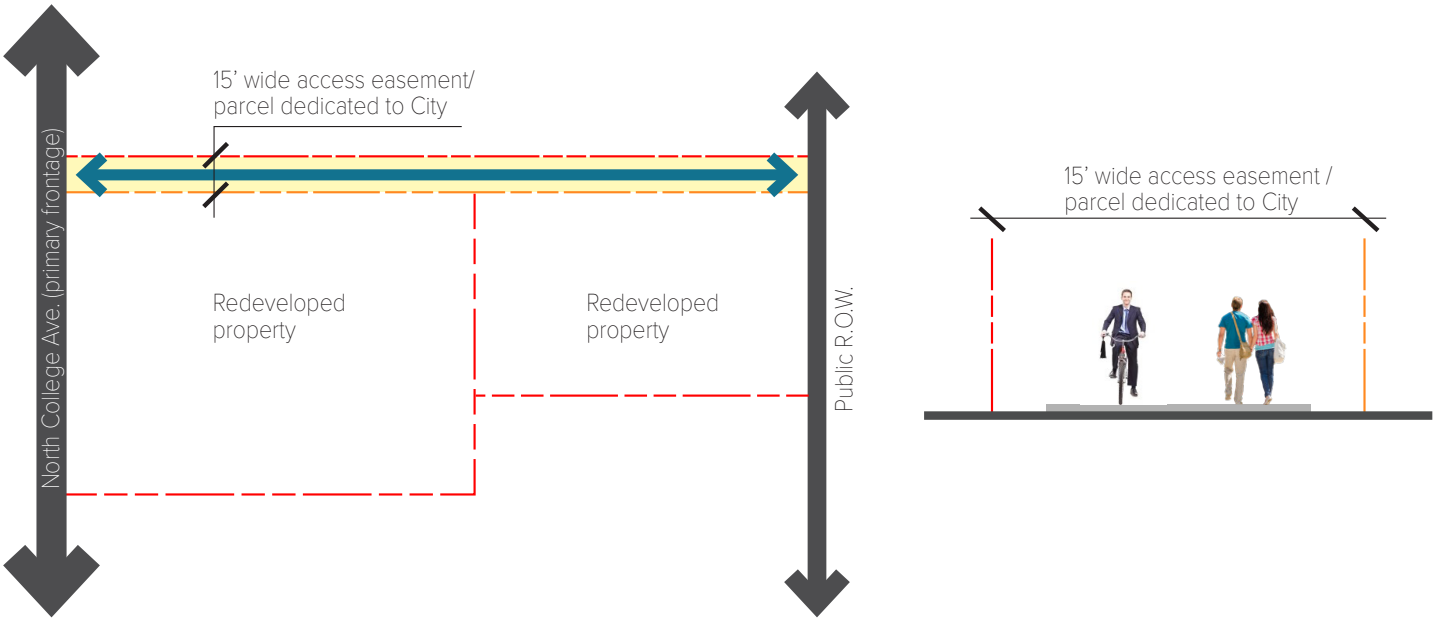


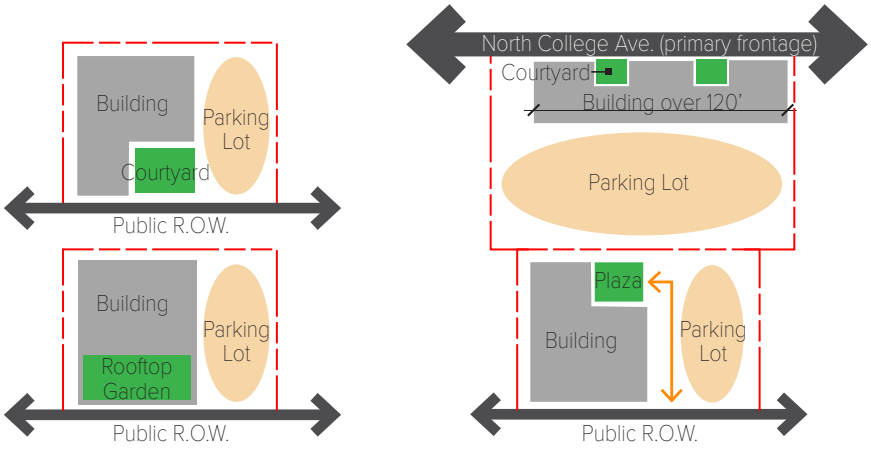
Figure 27: Example Multi-Modal Connection Plan and Section



ESTABLISH OUTDOOR SPACE REQUIREMENTS

Within the North College Avenue TOD Overlay Zone, outdoor spaces should be more urban in form with plazas, courtyards, and rooftop spaces. These types of outdoor spaces allow for gathering and refuge to activate the streetscapes and create visually appealing areas within developments. Naturalized/vegetated open spaces within the North College Avenue TOD Overlay Zone will be accomplished with the regional detention areas. **Figure 28** and **Figure 29** provide examples of how these requirements could look.

Figure 28: Example Open Space Configurations



RECOMMENDATIONS:

- Courtyards oriented to the primary public right-of-way on all multi-family buildings over 120-feet in length along right-of-way
- Open space credit for roof top amenities with permanent vegetation that is oriented towards the right-of-way
- Connecting walkways that have enhancements such as plazas and courtyards interior to the site
- Consider reducing the amount of open space requirements in the event that regional detention areas are created

Figure 29: Example of Courtyard

Figure 30: Comparison of Architectural Character Images ("More of This" vs. "Less of This")

More of This

Less of This

REFERENCE RIVER DOWNTOWN REDEVELOPMENT (RDR) ARCHITECTURAL STANDARDS

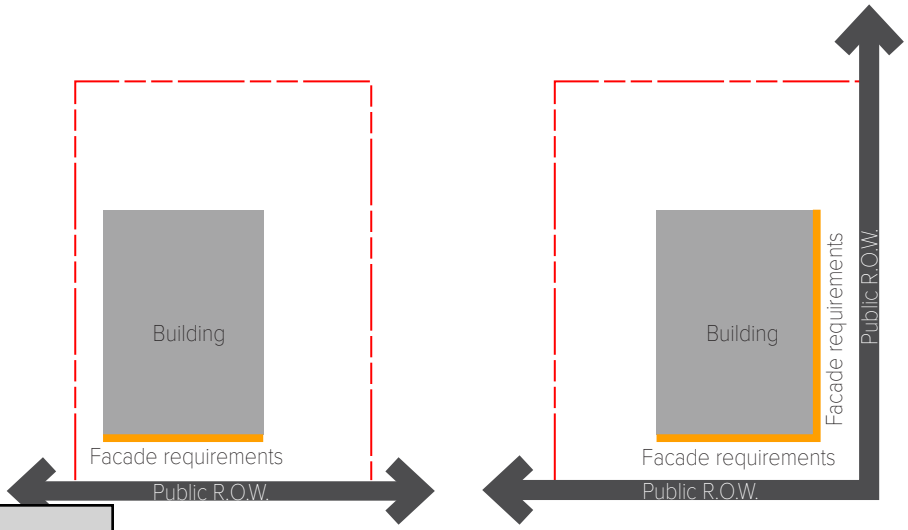
Currently architectural standards emphasize material changes and vertical articulation that generally create a complex aesthetic/appearance while increasing construction costs. In addition, all four sides of a building need to meet the materiality and articulation requirements which increase costs.

In order to encourage affordable/attainable housing and create a more simplified building aesthetic the architectural recommendations from the Fort Collins R-D-R, River Downtown Redevelopment Zone District should be referenced for the North College Avenue TOD Overlay Zone.

RECOMMENDATIONS:

- Reference Fort Collins R-D-R, River Downtown Redevelopment Zone District Architectural Design Guidelines
- Focus on street facing elevations for facade requirements (**Figure 31**).
- Reduce requirements for building articulation along horizontal planes.

Figure 31: Location of Architectural Facade Requirements



CREATE INCENTIVES TO PRESERVE EXISTING COMMERCIAL BUILDINGS AND RENTAL RATES

Community outreach has indicated a preference to preserve the existing businesses and commercial diversity that is due to the lower rents that are more common in this area. There is concern that redevelopment will increase rent costs and increase the likelihood that existing businesses could be displaced.

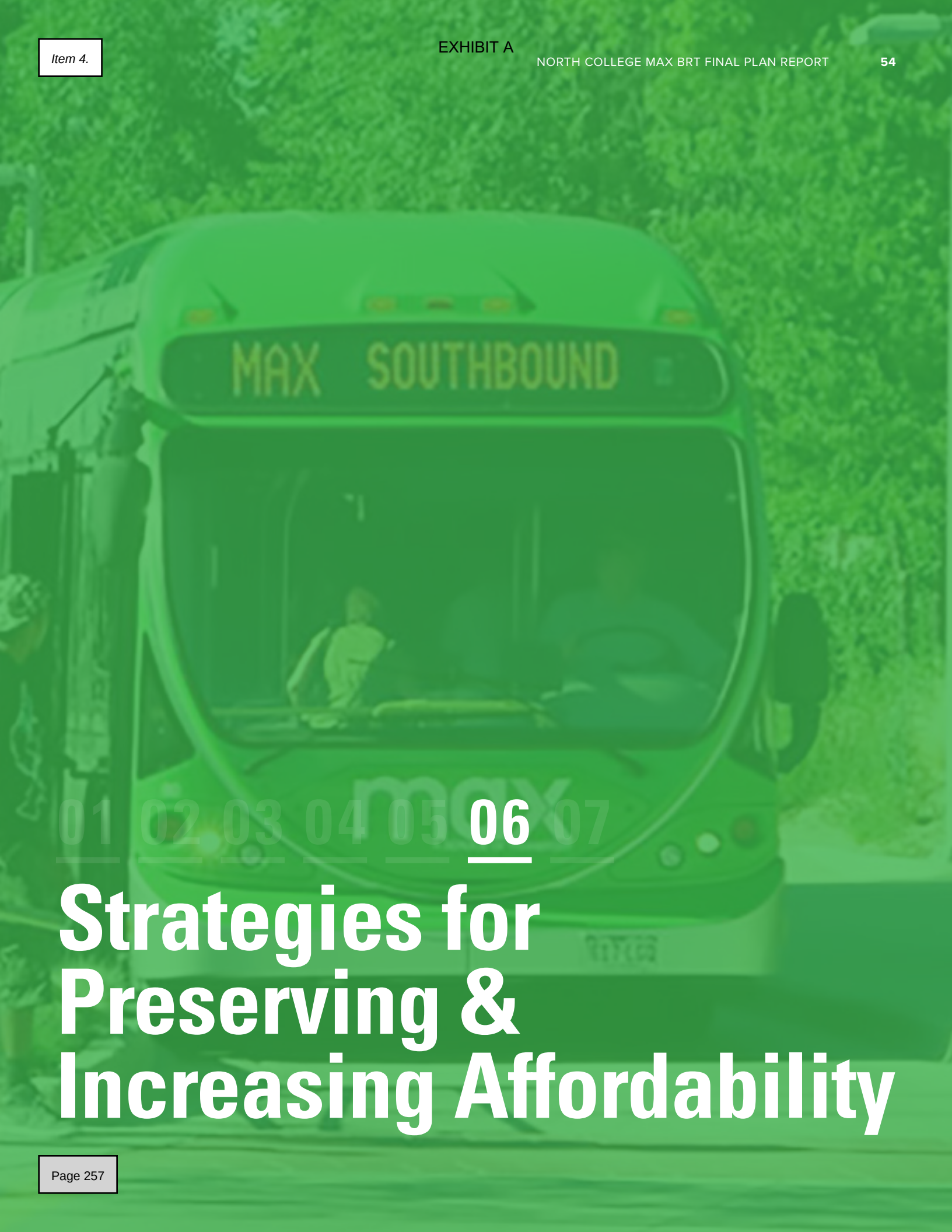
On properties where it is desired to preserve existing commercial buildings for the types of existing uses in the area, flexibility should be provided in order to maintain the existing building and allow for new development to occur.

RECOMMENDATIONS:

- Continue to allow case-by-case consideration of requirements for property upgrades “to the extent reasonably feasible”. Example of such would be adaptive re-use of an existing hotel/motel becoming multi-family
- Capture lower commercial rental rate in development agreement, similar to affordable housing deed restrictions

Figure 32: Possible Redevelopment while Retaining Existing Businesses

SOUTHBOUND
DUE



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06

Strategies for Preserving & Increasing Affordability

Strategies for Preserving & Increasing Affordability

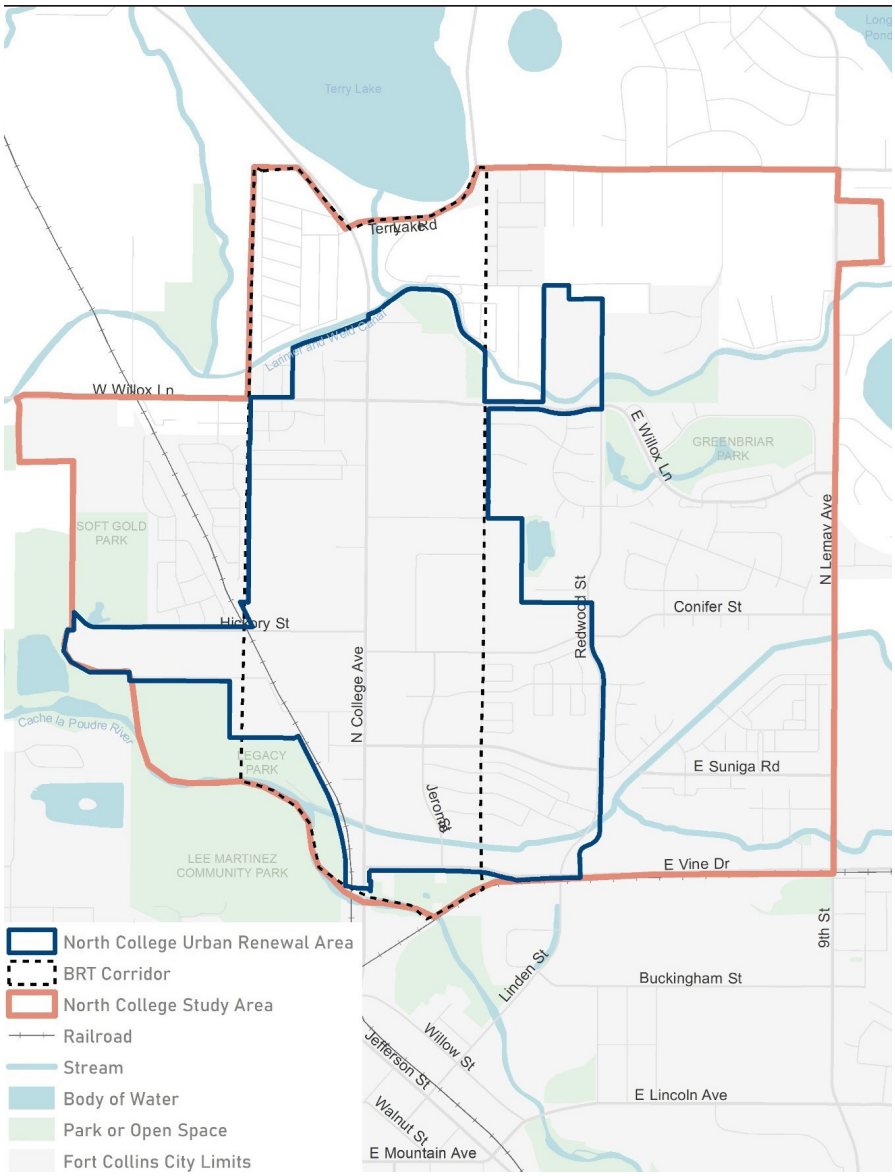
Currently the North College area is one of the most affordable neighborhoods in the city with a diverse population, including a higher percentage of Hispanic residents (44 percent) in comparison to the rest of Fort Collins' as a whole (12 percent).

The new growth occurring on the corridor has raised concerns among existing residents and businesses about the impacts of gentrification and displacement. **These issues were identified through the public input gathered by this project.**

This section addresses land use and development implementation strategies to improve opportunities for TOD in the North College corridor. The study area is largely contained in the North College Urban Renewal Plan Area (URA) (**Figure 33**) which has a focus on addressing infrastructure deficiencies and promoting redevelopment of underutilized land. Over the last 15 years, there has been a significant amount of private infrastructure investment and related private development.

Previous studies conducted by the URA as well as this TOD land use analysis have identified additional redevelopment sites with the potential for TOD-supportive medium to high density housing. The development of these properties is currently inhibited by ture deficiencies, particularly the

Figure 33: North College Urban Renewal Area



lack of regional stormwater detention and the lack of local street access on the west side of North College Avenue. Addressing these infrastructure deficiencies should therefore be a priority to continuing redevelopment and growth in the corridor.

The implementation recommendations therefore seek to balance the objectives of supporting additional development and density with protecting existing affordable housing, supporting locally owned businesses, and providing future opportunities for low- and middle-income residents and employers.

AFFORDABLE HOUSING STRATEGIES AND INCENTIVES

The additional strategies for encouraging new development while maintaining and increasing affordable housing in the corridor are outlined below. As an overarching goal, it is recommended that the City establish an affordable housing goal for the study area that can be applied to future development proposals and requests for financial assistance. **An overall goal of 30 percent affordable at 80 percent AMI or below for for-sale housing and 60 percent AMI or below for rental housing is recommended**, which would be support strategies outlined in the Housing Strategic Plan. The 30 percent goal is based on the on the existing housing stock in the area which is 32 percent affordable which includes the mobile home parks and the Village on Redwood. This 30 percent affordable goal aims to maintain the current levels of affordability in the area into the future.

RECOMMENDATIONS:

Preservation of Mobile Home Parks

The City has already taken an important step in maintaining the affordable housing inventory in the corridor by rezoning the existing Hickory [illegible]obile home park to Manufactured Housing District (MH). The other mobile home park in the North College area, North College Mobile Home Park, is currently zoned as Low Density Mixed-Use. To help maintain the existing affordable housing inventory in the corridor, the North College Mobile Home Park is also recommended to be rezoned to MH. This zoning action would give greater protection to this inventory of affordable housing and would require a landowner or developer to rezone the property if it were to propose redevelopment.

Land Bank

Another important step towards affordable housing was the acquisition of a 5-acre parcel at 1475 North College Avenue by the Fort Collins Land Bank to be held for a future affordable housing development. The Land Bank Program was established in 2001 to purchase properties in the path of development that, due to a lack of infrastructure or other constraints, could be acquired at a discount; and when the properties appreciate in value five or more years later, sell them below market value to allow for the development of affordable housing. The program can sell properties at a maximum of 90 percent of market value, although many land bank properties have sold at a much higher discount. The North College Avenue site in the BRT Corridor is expected to redevelop into 75 affordable housing units in the future. This property lacks access to North College Avenue and will need to be aggregated with other properties or gain easement access, or access to the recommended realignment of Mason Street, before development can occur.

The existing City Land Bank Program can be used to acquire additional properties for affordable development. As noted, the corridor is one of the more affordable areas of the city and some properties may not be currently feasible for development given existing infrastructure constraints. There may therefore be opportunities to acquire additional properties at a discounted price for future development.

CASE STUDY WHEAT RIDGE URA AFFORDABLE HOUSING

In recent years, URAs throughout the state have been using URA funds to support the development of affordable housing. URAs have started to make it a priority to provide gap financing for projects within their boundaries that include affordable housing. A recent example took place in Wheat Ridge, CO where Renew Wheat Ridge, the City's URA program, provided TIF funds to support the conversion of an older 108-room hotel into 97 multifamily units for workforce housing. The new residential development, Prospect Park Apartments, includes studio, 1-, and 2-bedroom units at rental rates below market rate for the local workforce. It also has residential amenities with a fitness room, co-working space, storage units, and dog park. The developer received financial gap assistance from the URA to provide the additional improvements and amenities. The City and the developer worked together to create an affordable housing development that met the standards of the City with below market rents, exterior improvements, and residential amenities. The hotel conversion cost approximately $10.7 million to develop and received $400,000 in public subsidy as a TIF reimbursement.

NORTH COLLEGE URBAN RENEWAL AUTHORITY

The North College Urban Renewal Authority (URA) was established in 2004 and encompasses most of the North College MAX BRT Corridor. The URA has 7 years left to generate and collect tax increment financing (TIF) dollars from new development and redevelopment within the URA boundaries. The URA has approximately $20 million of TIF funds that must be used before the URA expires in 2029 to support specific priorities within the plan area. Any remaining funds at expiration will be remitted back to each taxing entity. The URA is not a durable long-term source of funding, but it can support specific projects and goals before its expiration.

The North College URA adopted a Community Investment Plan in 2020 that provides guidance on how to invest unpledged TIF dollars through the duration of the URA. The Plan identifies three main priority areas:

- Complete, Vibrant Neighborhood
- Community Hub
- Infrastructure Improvements

Each priority area includes an investment plan with short-, medium-, and long-term strategies and a recommended revenue allocation. Specific recommendations from the Community Investment Plan also support affordable housing strategies and incentives included in this section such as, small business support, acquire property for redevelopment, repayments fund community objectives, forge development partnerships, continue and complete infrastructure projects, and fund legacy projects.

The following sections provide specific actions recommended for the URA in support of the Community Investment Plan and redevelopment that includes affordable housing.

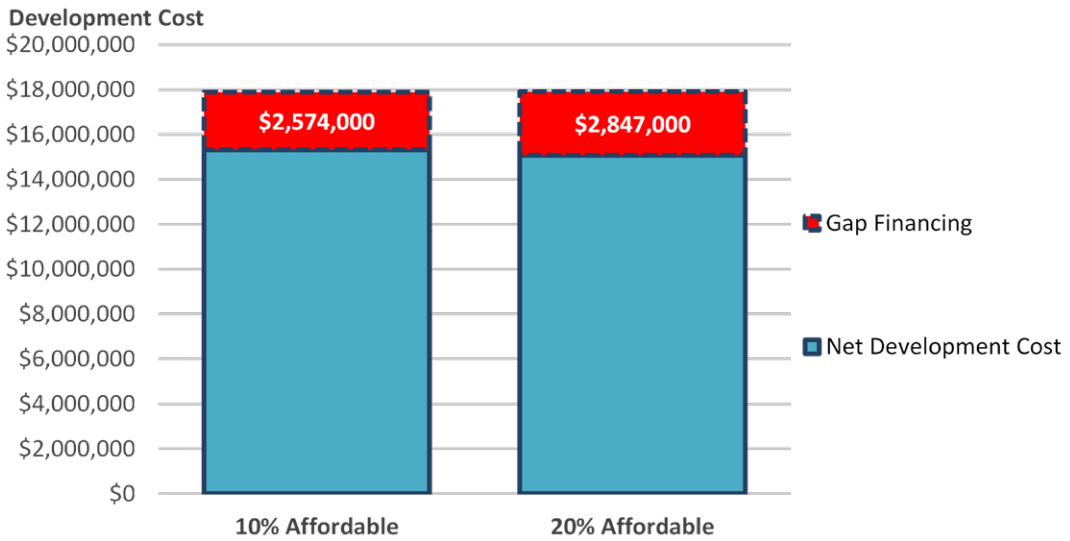
RECOMMENDATIONS:

Gap Financing for Affordable Housing

The City of Fort Collins URA has prioritized commercial and mixed-use developments. It is recommended that the North College URA provide gap financing for more residential developments that meet the affordable housing goals for the corridor.

The amount of gap financing required for residential projects with a percentage of affordable units is estimated below in **Figure**

Figure 34: Estimated Gap Financing Required for Affordability



Source: Economic & Planning Systems

34. The estimates are based on a 5-story multifamily project with 65 rental units. Two scenarios were tested with 10% affordable units (7 units) and 20 percent affordable units (13 units). Both scenarios apply the TOD Overlay recommendations of increased density to 5-stories and parking reductions for affordable housing developments. Each scenario requires a subsidy to reach a developer return within industry standards. The 10 percent affordable scenario requires approximately $2.6 million in subsidy or $40,000 per unit, which is about 13 percent of the total development costs. The 20 percent affordable scenario requires approximately $2.9 million in subsidy or $44,000 per unit, which is about 16 percent of the total development costs.

Key Infrastructure Projects

The west side of North College Avenue has various detriments for development due to the lack of key infrastructure. Regional stormwater improvements are needed to allow for new development of significant density and scale. Additionally, there are multiple sites that lack street frontage or connection to North College Avenue and require street connections or easements. The URA could provide funding to support stormwater, and street connections to help catalyze development on the west side of North College Avenue. The proposed Mason Street Extension is a key infrastructure project that would improve access for parcels west of North College with a future intersection at Bristlecone Drive with a traffic signal on North College Avenue. Additionally, the City owns a parcel west of North College Avenue that has plans for stormwater improvements that would benefit surrounding properties in the area. It is recommended to continue to invest in regional stormwater solutions and street accessibility improvements for the west side of North College Avenue.

New URA Plan

The City should consider creating a new urban renewal plan in the North College corridor to implement the recommendations of the existing URA plan and this study beyond its [illegible]iration. The expected growth over the 2020-2045 time period will not support BRT investment unless development forecasts and area densities are increased. The feasibility of a new urban renewal area and plan should be explored through discussions with each taxing entity. With the revised state statute, C.R.S. 31-25-107 (3.5), each taxing entity must agree to inclusion in the tax increment financing (TIF) and a county impact report is required. Additionally, a new blight study and plan is required to establish a new URA. It is recommended to focus on areas of the corridor where redevelopment is desired, require significant infrastructure investment, and have plans for development.

Metro Districts

Larger development projects may seek to use a metro district to pay for project infrastructure costs. Fort Collins has modified its metro district service plan policies to require districts to provide “extraordinary public benefits” to be approved. These benefits can fall into the categories of Environmental Sustainability, Critical Public Infrastructure, Smart Growth Management, and Strategic Priorities, and for which there is an overall scoring system. This last category includes items such as Affordable Housing, Infill Redevelopment and Economic Health Outcomes that are applicable to the goals of this plan. A number of recently approved metro districts successfully gained affordable housing at 80 percent AMI or below (listed below). All of these developments were approved by a different iteration of the City’s metro district service plan policies, but illustrate how affordable housing goals can be met.

- Montava - 4,400 units with 10 percent being affordable (440 units)
- Waterfield - 498 units with 10 percent being affordable (50 units)
- Northfield - 442 units with 15 percent being affordable (63 units)

Additional projects in the corridor seeking metro district approvals should be required to provide affordable housing consistent with the recommended area goals.

CASE STUDY - OLDE TOWN ARVADA URA

The Arvada Urban Renewal Authority was created in 1981 and the City Center Plan Area was designated at that time. The Plan addressed building, façade, and streetscape improvements in the historic Olde Town commercial district. The Plan also assembled 26 acres of blighted land next to Olde Town that was redeveloped with infill housing. The City Center URA Plan Area expired in 2006. The City formed the Olde Town Station URA Plan Area in 2009 to address development and infrastructure needs in anticipation of the opening of the RTD Commuter Rail line and Olde Town station. The focus of the new URA was station improvements including a P3 with City, URA, and RTD to build a parking structure at the station and to support the transit-oriented development on the former RTD surface parking lot as well as adjacent private properties. Establishing the new URA required a blight study to define a boundary of eligible properties. It is a much smaller plan area but does overlap with a portion of the previous plan area.

CASE STUDY - ENGLEWOOD SMALL BUSINESS GRANTS

The City of Englewood has a Business Initiation grant program that provides grants of up to $5,000 for a storefront business in a commercial district. The City also provides a Business Acceleration Grant of up to $10,000 for permanent improvements to existing businesses in operation for 2+ years. In both cases, applicants must complete a business training program with SBDC and develop a business plan.

LOCAL COMMERCIAL STRATEGIES AND INCENTIVES

This section addresses strategies and incentives for commercial development, specifically balancing redevelopment and revitalization of commercial properties with the preservation of locally owned and operated retail and service businesses. A particular challenge is the preservation of local small businesses along North College Avenue, which has been magnified and compounded by the pandemic. Locally owned and locally serving retail, restaurants, and service businesses support local households and the quality of life in the community. The following strategies and incentives are recommended to help support local businesses in the area.

RECOMMENDATIONS:

New and Emerging Business Grants

Most of the available grants and loans are focused on improvements to commercial properties. It is more challenging to provide incentives to individual businesses. The primary sources of small business assistance are Small Business Development Centers (SBDC). SBDCs are a partnership of state (Colorado Office of Economic Development and International Trade), federal (Small Business Administration), and local (chambers and economic development corporations) organizations. Larimer SBDC is in Fort Collins and serves Larimer County. Some cities also provide small startup grants while others establish a revolving loan program (RLP). Fort Collins had a RLF that was established a few months prior to the pandemic, however it was suspended at that time. It is recommended the City consider bringing this program back or refocus it as grants instead of loans similar to the City of Englewood program described in the case study on this page.

Building Improvement and Redevelopment Incentives

The City and/or URA can provide grants and loans to local property owners and businesses for site and building improvements. This funding could be used for property improvements such as streetscapes, walkways, landscaping, façade repairs and enhancements, new signage, and other building upgrades to enhance the state of repair and aesthetics of businesses in the area. In 2017 and 2018, the URA offered a façade improvement program that no one took advantage of. If this or a similar program is brought back, additional promotion and education would be needed to encourage its use and effectiveness. Additionally, public assistance can be provided to support redevelopment projects including property acquisitions and gap financing using tax increment financing (TIF) to make a desirable project feasible.

Multicultural Business & Entrepreneur Center

The Multicultural Business & Entrepreneur Center (MBEC) is a free bilingual (English & Spanish) center that provides business owners and entrepreneurs easy access to business service providers, resources, mentorship and specialty training. It also connects them with critical resources to create, launch and grow a business in Fort Collins.

Capital Projects Business Liaison

This is a new position at the city who will work on the construction toolkit and help provide coordination and consistency across the city when it comes to projects that impacts businesses.

Commercial Lease Strategies

Commercial lease strategies can be used by property owners to support local businesses and mitigate the impact of high lease rates on tenants. These strategies would need to

be encouraged and potentially subsidized by the City to support and preserve economic development. Commercial lease strategies include percentage rent leases, graduated lease rates, and short-term leases.

Percentage Rent Leases

The rent paid by the tenant is based on a percentage of the sales made by the business. This often includes a base rental rate that is a reduced triple net (NNN) lease rate and can cover taxes, insurance, and maintenance. In addition to the base rate, a percentage of the revenue from sales above a set base level is paid as rent. This lease strategy works best for businesses with revenue tied directly to sales such as restaurants and clothing stores.

Graduated Lease Rates

A graduated lease can attract and support new businesses. The graduate lease structure increases rental rates as the business grows and becomes more viable. For example, a base rate in year 1 covers the costs of space (utilities, taxes, insurance, and maintenance) and then the rental rate increases annually as the business grows.

Short Term Leases

A short-term lease is typically for six months to a year and is great for pop-up businesses or incubator/start-up businesses. The rental rate is much lower than the market rate and is usually provided while recruiting a longer-term tenant.

Flexible Incubator Space

A business incubator space for local businesses was an idea that came from previous outreach done by the city to inform future Urban Renewal Authority investments. A flexible business incubator could provide space for new local businesses to get started or could be a temporary space for businesses that are displaced by redevelopment in the North College area. For displaced businesses the space could serve as a temporary location until they are able to move back to their original location once redevelopment is finished. A business incubator could be a space owned and managed by the city or an existing non-profit or could a program of rent subsidies for local businesses displaced by redevelopment until they can return to a permanent space.

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Summary of Recommendations & Tracking Performance

Summary of Recommendations & Tracking Performance

Table 4 displays a summarized list of all the recommendations included in this plan organized by the subject of recommendation and whether the recommendation is near-, mid-, or long-term.

Table 4: Summary of All Recommendations

Recommendation Type	Phase	Recommendation
Transportation	Near-Term	Fixed-route Transit Realignments: • Create new high-frequency bus route on North College Avenue within existing general-purpose lanes at 15-minute frequency • Realign route 8 on Blue Spruce Drive, Redwood Street, and Linden Street at 30-minute frequency • Eliminate route 81
		Micro-transit Zone
		Consolidate existing local bus stops into new MAX stations at signalized intersections (with basic amenities such as shelters, benches, trash cans, and pedestrian scale lighting)
		New shared use path on the west side of North College Avenue (between the canal and Hibdon Court)
		Adopt amendments to the Mason Street realignment identified in the Master Streets Plan
		New signals: Suniga Road, Bristlecone Drive
		Improved bicycle and pedestrian crossings: Conifer Street/Red Cedar Circle/Jerome Street, Suniga Road/Jerome Street, Vine Drive/Jerome Street, Bristlecone Drive/Red Cedar Circle, Hickory Street/Mason Street
		New buffered or protected bike lanes: interim protected bike lanes on North College Avenue; Jerome Street, Blue Spruce Drive, and Bristlecone Drive
	Mid-Term	Business Access Transit (BAT) lanes on North College Avenue
		Increase bus frequency and service hours: MAX on North College Avenue with 15-minute frequency and route 8 with 15-minute frequency
		Creation of mobility hub near Willox Lane turnaround
		Shared-use paths for the length of North College Avenue on both sides of the roadway
		Fully built MAX stations with multimodal options
		Bus turnaround north of Terry Lake Road
		Construct medians south of Conifer Street
		New buffered or protected bike lanes or shared use paths with planned roadway connections: Mason Street, Red Cedar Circle
	Long-Term	Increase bus frequency to 10-minutes; re-evaluate feasibility and benefits of interlining MAX on North College Avenue with MAX on Mason Street

Recommendation Type	Phase	Recommendation
Development Requirements	Near-Term	Establish North College area specific TOD Overlay
		Modify residential setback from College Ave
		Increase building height allowance
		Establish connectivity requirements
		Establish outdoor space requirements
		Establish requirements for building dominant block faces
		Adjust Architectural Standards
	Mid-Term	Provide regional detention and reduce LID requirements
Strategies for Preserving & Increasing Affordability	Near-Term	Identify opportunities to use the Urban Renewal Authority's financing tools to encourage affordable development in the area
		Require metro districts created for large developments to provide specific and considerable public benefits
		Rezone the North College Mobile Home Park to the Manufactured Housing District
		Continue to leverage the city's existing land bank
		Establish an affordable housing goal for the study area
		Encourage and subsidize commercial lease strategies where appropriate
		Develop new and emerging business grants for local businesses
		Provide incentives for building improvements and redevelopments for local businesses

TRACKING PERFORMANCE

As the recommendations in the North College MAX BRT Plan are implemented, tracking the performance of improvements will be important. Tracking different performance measures will help ensure the project is addressing community concerns and serving community needs. Performance measures should measure the effectiveness of improvements achieving the corridor vision and addressing the identified need, both of which are included in the beginning of this document. The following is a list of potential performance measures the City of Fort Collins can track over time to ensure improvements are addressing the needs they were intending to and providing a direction for adjustments if they are not performing up to expectations.

- **Mode-share**
  Tracking the percentage of trips by mode made to, from, and within the North College area can be an effective way to measure how convenient and comfortable the multi-modal transportation network is and how well development is serving active modes of transportation. The city can create a target for each mode to see how well improvements to transportation and land use are helping reduce the proportion of people driving along and increasing the proportion of people using active modes and people taking transit. Changes in mode-share not only reflect the effectiveness of transportation infrastructure but also how the density, urban design, and land use mix of nearby development support transit ridership and active mode use.

- **Crash History**
  Improvements to safety in the area can be monitored by tracking the number of crashes in the study area and identifying if they go down significantly after improvements are implemented. This performance measure should also look at the number of crashes involving people using active modes and the number of crashes that resulted in serious injury or death. Tracking crashes by these additional [illegible]es will provide more information about the safety challenges occurring at each location and how well improvements address the different safety concerns.

- **Speed and Reliability of Transit**
  Monitoring changes to speed and reliability of bus routes can provide important information about when additional transit improvements are needed (like BAT lanes) and whether implemented projects are successful in improving transit performance. Tracking speed and reliability is very important for people choosing to use transit so monitoring this metric is tied closely to understanding changes in ridership numbers.

- **Surveys**
  Regularly surveying transit riders, residents, and employees through on-board surveys or travel surveys can provide valuable information on how well the existing transit system is serving transportation needs, as well as how comfortable and convenient it is to ride. Items to ask transit riders could include:

  » Things that are working well about current transit services

  » Improvements they would like to see to the transit system

  » Challenges they experience accessing transit

  » Needed service changes or new connections they would like to see

- **Affordability**
  The city could track the efficacy of different affordability policies by tracking prices of for sale and for rent homes and retail space in the North College area and creating targets for the proportions of property that fall into different affordability ranges. This would allow the city to understand if adopted policies and new developments are helping create a healthy mix of options for people of different income levels wanting to live or operate a business in the area. An overall goal of 20 percent affordable at 80 percent AMI or below for-sale housing and 60 percent AMI or below for rental housing is recommended.

Appendix A
Public Engagement Summaries

EXHIBIT A

Appendix B
Existing Conditions Report

Appendix C

Alternatives Analysis Report

Appendix D

North College Roadway Design Cutsheets

Appendix E

Conceptual Estimate of Project Cost for North College Reconstruction

March 7, 2023

AGENDA ITEM SUMMARY
City Council

STAFF

Beth Rosen, Grants Compliance and Policy Manager
Ingrid Decker, Legal

SUBJECT

First Reading of Ordinance No. 032, 2023, Authorizing the Release of Restrictive Covenants on Property at 1947 Phia Way Developed by Fort Collins Habitat for Humanity.

EXECUTIVE SUMMARY

The purpose of this item is to obtain authorization from Council to release the Agreement of Restrictive Covenants Affecting Real Property on the single-family home located at 1947 Phia Way, which was developed by Fort Collins Habitat for Humanity. The development of this home was initially assisted with funding from the Department of Housing and Urban Development (HUD). At the time of completion, the project no longer met the HUD requirements, triggering a HUD mandated repayment of the funds and cancellation of the project.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

BACKGROUND / DISCUSSION

On September 1, 2020, the City of Fort Collins entered into a Development Contract for HOME Investment Partnership (HOME) funding with Fort Collins Habitat for Humanity. The contract provided $80,000 in HOME funding to support the construction costs of a single-family home built in partnership with the Geometry in Construction program at Poudre High School (PHS). The contract funding was secured by a Promissory Note, Deed of Trust and Agreement of Restrictive Covenants ensuring the home would be transferred to an income eligible buyer and remain affordable for a period of 20 years.

At the time of contracting, an income eligible homeowner had been selected through Habitat's rigorous selection process. The buyer began working with Habitat to complete the necessary sweat equity hours required by Habitat's program. Unfortunately, construction on the home was delayed for the 2020/2021 school year due to the Covid pandemic. PHS students resumed work on the home when they returned to school in the Fall of 2021.It was moved to a permanent foundation at Harmony Cottages in the summer of 2022 where the selected homeowner worked alongside volunteers to complete the home on site. In October of 2021, the City paid $75,000 of the contracted funds towards eligible construction related costs. The $5,000 balance was retained until unit completion and final verification of occupancy by the HOME-eligible buyer.

The home was eventually completed in January 2023 and Habitat updated the income verification of the buyer as required by HUD. At that time, the household no longer met the HOME program income

requirements (although the household income is still below the area median income). This triggered the mandatory repayment of the $75,000 to the City's line of credit with HUD and a cancellation of the project. The Deed of Trust was released upon repayment of the funds. The Release of the Agreement of Restrictive Covenants is the final outstanding item related to the cancellation the project.

CITY FINANCIAL IMPACTS

The $75,000 in repaid HOME funds will go into the Spring 2023 Competitive Process to be re-allocated to another affordable housing project. Habitat for Humanity continues to build affordable home ownership units and has submitted an application requesting funding to support the development of 4 new units at Harmony Cottages.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

None.

PUBLIC OUTREACH

None.

ATTACHMENTS

1. Ordinance for Consideration

ORDINANCE NO. 032, 2023
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING THE RELEASE OF RESTRICTIVE COVENANTS ON PROPERTY
AT 1947 PHIA WAY DEVELOPED BY FORT COLLINS HABITAT FOR HUMANITY

WHEREAS, on September 1, 2020, the City entered into a Development Contract with Fort Collins Habitat for Humanity ("Habitat"), through which Habitat received from the City a loan of $80,000 in HOME Investment Partnership (HOME) funding from the federal Department of Housing and Urban Development (HUD) to support the cost of constructing a single-family home (the "Project") at 1947 Phia Way in Fort Collins (the "Property") for an income-eligible homeowner; and

WHEREAS, the HOME funding was secured by a promissory note, deed of trust, and an Agreement of Restrict Covenants on the Property ensuring the home would be transferred to an income-eligible buyer and remain affordable for 20 years (the "Covenant"); and

WHEREAS, Habitat constructed the project in partnership with the Geometry in Construction program at Poudre High School, which began work on the project offsite, but construction was delayed for the 2020-21 school year because of the Covid pandemic; and

WHEREAS, the home was moved to the Property in the summer of 2022 and the selected homeowner and volunteers worked to complete the home on site; and

WHEREAS, by the time the home was completed in January 2023 the homeowner no longer met HUD's HOME income requirements, which triggered a mandatory repayment of the HOME funds by Habitat to the City, which has been completed; and

WHEREAS, the City will add the repaid HOME funding to the funds distributed through the Social Sustainability's annual competitive process; and

WHEREAS, with the funding repaid the City has no reason to burden the Property with the Covenant, and staff has requested that the City Council authorize release of the Covenant; and

WHEREAS, the City's right under the Covenant to restrict the use of the Property constitutes an interest in real property owned by the City that the City would be giving up by releasing the Covenant; and

WHEREAS, Section 23-111(a) of the City Code states that the City Council is authorized to sell, convey or otherwise dispose of any interest in real property owned by the City, provided that the City Council first finds, by ordinance, that such sale or other disposition is in the best interests of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That the City Council hereby finds that releasing the Covenant on the Property on the terms and conditions described herein is in the best interests of the City.

Section 3. That the City Council hereby authorizes the City Manager to execute such documents as are necessary to release the Property from the Covenant on terms and conditions consistent with this Ordinance, along with such other terms and conditions as the City Manager, in consultation with the City Attorney, determines are necessary and appropriate to protect the interests of the City or effectuate the purposes of this Ordinance.

Introduced, considered favorably on first reading, and ordered published this 7th day of March, 2023 and to be presented for final passage on the 21st day of March, 2023.

_____
Mayor

ATTEST:

_____
City Clerk

Passed and adopted on final reading on this 21st day of March, 2023.

_____
Mayor

ATTEST:

_____
City Clerk

March 7, 2023

AGENDA ITEM SUMMARY
City Council

STAFF

Paul S. Sizemore, Director of Community Development & Neighborhood Services
Brad Yatabe, Legal

SUBJECT

First Reading of Ordinance 033, 2023, Extending the Moratorium on Certain Activities of State Interest Designated in Ordinance No. 122, 2021.

EXECUTIVE SUMMARY

The purpose of this item is the First Reading of an ordinance that extends the length of a moratorium previously imposed through Ordinance No. 122, 2021, and further extended with Ordinance No. 139, 2022, on two designated activities of state interest. The proposed Ordinance extends the length of the existing moratorium for three months beyond March 31, 2022, or until City Council adopts guidelines for the administration of the two designated activities. Extending the moratorium allows staff to reengage with stakeholders and develop policy decision points for Council's consideration along with first reading of the version-three 1041 regulations, May 2, 2023.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

BACKGROUND / DISCUSSION

During the Council meeting on February 7, 2023, the Council unanimously adopted a motion to postpone first reading of the 1041 regulations until May 2, 2023. This continuation by Council requires an extension of the Moratorium, and by extending the moratorium by three months through the end of June 30, 2023, staff has additional time to reengage stakeholders on the current version-three of the draft 1041 regulations. The City has received numerous requests from public entities that may be subject to the proposed 1041 regulations for additional time to review and comment on the regulations, including requests made at the January 25 Planning and Zoning Commission meeting and the Council February 7 meeting.

Procedure for the Designation of Areas and Activities and Adoption of Guidelines

In order to exercise 1041 powers, the Colorado Revised Statutes require the City to designate the areas and activities to be regulated and adopt guidelines to administer the designated areas and activities. The designation of areas and activities may occur only after a noticed public hearing where Council must consider, at a minimum, the intensity of current and foreseeable development pressures. Council must specify the boundaries of any designated area, why the designated area or activity is of state interest, the dangers from uncontrolled development of the area or conduct of such activity, and the advantages of developing such area or activity in a coordinated manner. The City may adopt guidelines, and regulations for carrying out such guidelines, for administering designated areas and activities that are more stringent than the criteria listed in the applicable state statutes.

Once the City holds a public hearing and initially designates an area or activity to be of state interest, no person may engage in development within the designated area or conduct the designated activity until the City has finally determined the designation and guidelines. In other words, a moratorium goes into effect on development within the initially designated area or on the initially designated activity until the City makes a final determination on the designation and the applicable guidelines.

To the extent a person proposes to engage in development in an area of state interest or conduct and activity of state interest that the City has not previously designated and for which guidelines have not been adopted, the City is authorized to hold a public hearing to designate such area or activity and to adopt guidelines under which to review the proposal. In other words, the City has an opportunity to exercise 1041 powers over proposals for areas and activities not previously anticipated as requiring regulations.

Alignment with Citywide Policy

In terms of policy alignment, both City Plan and the Strategic Plan identify policies and objectives that aim to direct development in a way that ensures compatibility between adjacent land uses, minimize infrastructure and resource needs, and protect historic and natural resources. Currently, the City's Land Use Code provides a limited local review process for public agency projects. As such, adopting 1041 regulations would offer the City greater authority over public development projects that qualify as areas or activities of statewide interest per House Bill 74-1041 and help the City achieve its stated policy objectives.

CITY FINANCIAL IMPACTS

There are no financial impacts to City resources.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

During the Council meeting on February 7, 2023, the Council unanimously adopted a motion to postpone first reading of the 1041 regulations until May 2, 2023.

During the Planning and Zoning Commission hearing on January 25, 2023, the Commission unanimously adopted the recommendation:

> *The Planning and Zoning Commission recommend that City Council NOT ADOPT the proposed 1041 regulations until the public has sufficient time to review staff's Version 3 and to comment fully on its impact. The Planning and Zoning Commission believes the proposed regulation is directionally correct; however, additional input is needed by affected parties on at least the following areas:*
>
> - *Potential consequences of the proposed regulation, as currently written*
> - *The extent to which the regulation could legally extend to impacts created by components of the project outside the jurisdictions but that affect the natural resources and natural areas of Fort Collins*
> - *Whether the scope of projects to be regulated is appropriate, relative to what would be considered material in the scope of such projects.*
>
> *This recommendation could require that more time be allowed between first and second readings, or that the current moratorium be extended, if necessary. This decision is based upon the agenda materials, the information and materials presented during the work session and this hearing, and the Commission discussion on this item.*

PUBLIC OUTREACH

Staff will implement an engagement plan with stakeholders during the three-month extension.

ATTACHMENTS

1. Ordinance for Consideration

ORDINANCE NO. 033, 2023
OF THE COUNCIL OF THE CITY OF FORT COLLINS
EXTENDING THE MORATORIUM ON CERTAIN ACTIVITIES OF
STATE INTEREST DESIGNATED IN ORDINANCE NO. 122, 2021

WHEREAS, pursuant to Colorado Revised Statutes ("C.R.S.") Section 24-65.1-101 et seq., City Council adopted Ordinance No. 122, 2021, designating two activities of state interest: (1) the site selection and construction of major new domestic water and sewage treatment systems and major extensions of existing domestic water and sewage treatment systems; and (2) the site selection of arterial highways and interchanges and collector highways (the two designated activities hereafter referred to as the "Designated Activities"); and

WHEREAS, pursuant to C.R.S. Section 24-65.1-404(4) and the City's power to impose a moratorium on development activity pursuant to its home rule powers granted under Article XX of the Colorado Constitution, City Council imposed a moratorium with certain exceptions (the "Moratorium") on conducting the Designated Activities until December 31, 2022, or until City Council has finally determined and adopted guidelines for the administration of the Designated Activities; and

WHEREAS, to provide additional time for the drafting and consideration of guidelines for the administration of the Designated Activities, City Council thereafter extended the Moratorium for a three-month period through the end of March 31, 2022, pursuant to Ordinance No. 139, 2022; and

WHEREAS, City Council has received significant public input from entities that may be subject to the City's proposed 1041 regulations requesting that the City allow for additional time for such entities to review and comment on the regulations; and

WHEREAS, to provide additional time for the drafting and consideration of guidelines for the administration of the Designated Activities, City Council finds it is in the best interest of the City to extend the Moratorium for a three-month period through the end of June 30, 2023, or until City Council has finally determined and adopted guidelines for the administration of the Designated Activities.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That the City Council hereby extends the Moratorium on the same terms as set forth in Ordinance No. 122, 2021, for an additional three-month period through the end of June 30, 2023, or until City Council has finally determined and adopted guidelines for the administration of the Designated Activities.

Introduced, considered favorably on first reading and ordered published this 7th day of March, 2023, and to be presented for final passage on the 21st day of March, 2023.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading this 21st day of March, 2023.

Mayor

ATTEST:

City Clerk

March 7, 2023

AGENDA ITEM SUMMARY
City Council

STAFF
Mariel Miller, Water Conservation Manager
Kerri Ishmael, Senior Analyst, Grant Administration
Eric Potyondy, Legal

SUBJECT

First Reading of Ordinance No. 034, 2023, Making Supplemental Appropriations from the Colorado Water Conservation Board Grant and Water Fund Reserves and Authorizing Transfers of Appropriations for the Water Efficiency Plan Update.

EXECUTIVE SUMMARY

The purpose of this item is to support updating the City's Water Efficiency Plan by end of 2024 by:

- Appropriating $160,000 of unanticipated grant revenue, awarded by the Colorado Water Conservation Board, to the Water Fund
- Appropriating $65,795 from the Water Fund reserves
- Utilizing matching funds in the amount of $126,705 from existing 2023 appropriations into this new grant project

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

BACKGROUND / DISCUSSION

The State requires Fort Collins Utilities and other water providers to update a Water Efficiency Plan every seven years. Fort Collins Utilities adopted the 2015 Water Efficiency Plan in 2016 (Attachment 2), which requires an update in 2023. Staff received approval from the State to extend the update to allow for more time to complete the plan. In preparation for this update, staff requested a one-time, two-year enhancement offer pursuant to Budget Offer 1.42 (Attachment 3). Council approved this offer as part of the 2023-2024 Adopted Budget, with $100,000 being appropriated as part of the current 2023 fiscal year budget (and $150,000 as part of the 2024 budget). Implications to year two of Offer 1.42 will be addressed during the 2024 Budget Revision process.

The Colorado Water Conservation Board (CWCB) recently awarded a Water Plan Grant to Fort Collins Utilities (Board's approval is reflected in meeting minutes in Attachment 4) to support updating the required Water Efficiency Plan by 2024. The award was based on total project costs of $352,500, with the CWCB providing $160,000 in funds and the remaining $192,500 being provided by Fort Collins Utilities as grant match. The details of Utilities' grant match (Water Fund) over the projected two-year period are as follows:

- $144,965 for consultant costs as cash match.
- $47,535 for personnel costs as in-kind match.

This is $105,035 less than requested from Budget Offer 1.42, over the two-year period.

The Water Efficiency Plan update will improve the existing plan. Grant funds will primarily be used to pay for consultants to help develop new plan elements, including the following:

- Model climate and water savings – evaluate potential for water savings under a range of current and potential conditions, including climate, population, and population density.
- Facilitate focus groups and meetings to identify One Water strategies – identify demand management strategies, further advance cross-departmental collaboration, and gather input on meaningful water demand goal(s) by engaging with internal City staff who influence the way water is used and/or work in the water field.
- Work with community partners on inclusive public engagement – identify demand management strategies, gather public input on meaningful water demand goal(s), and develop relationships with engaged community members to facilitate understanding and opportunities between the Utilities Water Conservation team and our community, especially marginalized communities.
- Analyze demand management strategies for equity – Perform equity gap analysis of current and potential water demand management strategies, to identify gaps or barriers to water efficiency opportunities, so that equity can be considered along with water savings efficacy and cost when prioritizing demand management strategies.

As presented in Attachment 5, Budget and Schedule for the Water Plan Grant, as approved by the CWCB, both the CWCB and Fort Collins Utilities will share costs for Task 1 through Task 4 on a cost share basis of 52.47/47.53%, respectively. These costs are for third-party consultant costs. In addition, Fort Collins Utilities will provide personnel time as described in Task 5. Costs for personnel time will be covered 100% by Fort Collins Utilities.

CITY FINANCIAL IMPACTS

This item appropriates $225,795 in project costs for updating the 2024 Water Efficiency Plan from:

- $160,000 in unanticipated grant revenue
- $65,795 in Water Fund reserves to be used towards the required matching funds

Additionally, required matching funds in the amount of $126,705 have already been appropriated in the 2023 Water Fund in the Water Conservation operating budget. The total project cost is $352,500.

This grant from CWCB is a reimbursement type grant, meaning Water Fund expenses will be reimbursed up to $160,000.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

N/A

PUBLIC OUTREACH

N/A

ATTACHMENTS

1. Ordinance for Consideration
2. 2015 Water Efficiency Plan
3. 2023-2024 Budget Offer 1.42 – Utilities Water Efficiency Plan Update
4. Colorado Water Conservation Board Minutes
5. State Approved Budget and Schedule for the Water Plan Grant

ORDINANCE NO. 034, 2023
OF THE COUNCIL OF THE CITY OF FORT COLLINS
MAKING SUPPLEMENTAL APPROPRIATIONS FROM THE COLORADO WATER CONSERVATION BOARD GRANT AND WATER FUND RESERVES AND AUTHORIZING TRANSFERS OF APPROPRIATIONS FOR THE WATER EFFICIENCY PLAN UPDATE

WHEREAS, the City owns and operates Fort Collins Utilities ("Utilities"), which includes a water utility that provides water to customers in its service area; and

WHEREAS, water conservation and efficiency is a tool Utilities uses, primarily through the Utilities Water Conservation Division, to manage and reduce the demand for water service by Utilities customers, which is beneficial to the City, the water utility, and its ratepayers by, among other reasons, helping to ensure that the demand for water does not exceed supplies; and

WHEREAS, in 2016, pursuant to the Colorado Water Conservation Act of 2004 ("Act"), Utilities adopted the 2015 Water Efficiency Plan ("Plan") as an update to the City's 2010 Water Conservation Plan; and

WHEREAS, the Act requires the City to update its State approved water efficiency plan and required minimum plan elements every seven years, however, the Colorado Water Conservation Board ("CWCB") recently granted the City an extension to update the City's Plan in 2024; and

WHEREAS, in anticipation of updating the Plan, Utilities requested a one-time two-year budget enhancement of $250,000 (Offer 1.42) ($100,000 in 2023 and $150,000 in 2024), which Council adopted as part of the City's 2023-24 Approved Budget; and

WHEREAS, after Council adopted the 2023-24 Budget, the City received a Water Plan Grant from CWCB in support of updating the Plan by 2024; and

WHEREAS, CWCB awarded said grant in the amount of $160,000 based on a total project cost of $352,500 and pursuant to certain terms and conditions, including a local match requirement, memorialized in a purchase order issued by the State of Colorado; and

WHEREAS, said $160,000 grant funds will provide funding to support third-party consultant expenses in 2023 and 2024; and

WHEREAS, said local match requirement is $192,500 and includes $144,965 for third-party consultant expenses and $47,535 for personnel costs in 2023 and 2024; and

WHEREAS, City staff recommends that Council appropriate from new revenue or other funds in the Water Fund the sum of $160,000 to be expended in the Water Fund for the Water Efficiency Plan Update project; and

WHEREAS, City staff recommends that Council approve transfer of unexpended and unencumbered appropriated amounts of $126,705 from the Water Conservation operating budget in the Water Fund to the Water Efficiency Plan Update Project in the Water Fund therein to be expended for the plan update; and

WHEREAS, City staff recommends that Council appropriate from prior year reserves in the Water Fund the sum of $65,795 in the Water Fund for the Water Efficiency Plan Update project; and

WHEREAS, these appropriations totaling $225,795 and transfer of funds totaling $126,705 benefit public health, safety and welfare of the citizens of Fort Collins, the water utility, and its ratepayers, and serves the public purpose of helping to ensure that monies in the Water Fund are efficiently applied to manage the demand for water within allocated supplies, which will reduce shortages and other adverse impacts; and

WHEREAS, Article V, Section 9 of the City Charter permits the City Council, upon recommendation of the City Manager, to make a supplemental appropriation by ordinance at any time during the fiscal year, provided that the total amount of such supplemental appropriation, in combination with all previous appropriations for that fiscal year, do not exceed the current estimate of actual and anticipated revenues and all other funds to be received during the fiscal year; and

WHEREAS, the City Manager has recommended the appropriation described herein and determined that this appropriation is available and previously unappropriated from the Water Fund and will not cause the total amount appropriated in the Water Fund to exceed the current estimate of actual and anticipated revenues and all other funds to be received in this Fund during this fiscal year; and

WHEREAS, Article V, Section 10 of the City Charter authorizes the City Council, upon recommendation by the City Manager, to transfer by ordinance any unexpended and unencumbered appropriated amount or portion thereof from one fund or capital project to another fund or capital project, provided that the purpose for which the transferred funds are to be expended remains unchanged, the purpose for which the funds were initially appropriated no longer exists, or the proposed transfer is from a fund or capital project in which the amount appropriated exceeds the amount needed to accomplish the purpose specified in the appropriation ordinance; and

WHEREAS, the City Manager has recommended the transfer of $126,705 from the Water Conservation operating budget in the Water Fund to the Water Efficiency Plan Update Project in the Water Fund and determined that the purpose for which the transferred funds are to be expended remains unchanged; and

WHEREAS, Article V, Section 9 of the City Charter permits the City Council, upon the recommendation of the City Manager, to make supplemental appropriations by ordinance at any time during the fiscal year such funds for expenditure as may be available from reserves accumulated in prior years, notwithstanding that such reserves were not previously appropriated; and

WHEREAS, the City Manager has recommended the appropriation described herein and determined that this appropriation is available and previously unappropriated from the Water Fund and will not cause the total amount appropriated in the Water Fund to exceed the current estimate of actual and anticipated revenues and all other funds to be received in this Fund during this fiscal year; and

WHEREAS, Article V, Section 11 of the City Charter authorizes the City Council to designate in the ordinance when appropriating funds for a federal, state or private grant, that such appropriation shall not lapse at the end of the fiscal year in which the appropriation is made, but continue until the earlier of the expiration of the federal, state or private grant or the City's expenditure of all funds received from such grant; and

WHEREAS, the City Council wishes to designate the appropriation herein for the Colorado Water Conservation Board grant as an appropriation that shall not lapse until the earlier of the expiration of the grant or the City's expenditure of all funds received from such grant.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That there is hereby appropriated from new revenue or other funds in the Water Fund the sum of ONE HUNDRED SIXTY THOUSAND DOLLARS ($160,000) to be expended in the Water Fund for the Water Efficiency Plan Update project.

Section 3. That the unexpended and unencumbered appropriated amount of ONE HUNDRED TWENTY-SIX THOUSAND SEVEN HUNDRED FIVE DOLLARS ($126,705) is authorized for transfer from the Water Conservation operating budget in the Water Fund to the Water Efficiency Plan Update project in the Water Fund and appropriated therein to be expended for the plan update.

Section 4. That there is hereby appropriated from prior year reserves in the Water Fund the sum of SIXTY-FIVE THOUSAND SEVEN HUNDRED NINETY-FIVE DOLLARS ($65,795) to be expended in the Water Fund for the Water Efficiency Plan Update project.

Section 5. That the appropriation herein for the Colorado Water Conservation Board grant is hereby designated, as authorized in Article V, Section 11 of the City Charter, as an appropriation that shall not lapse at the end of this fiscal year but continue until the earlier of the expiration of the grant or the City's expenditure of all funds received from such grant.

Introduced, considered favorably on first reading, and ordered published this 7th day of March 2023, and to be presented for final passage on the 21st day of March 2023.

_____

Mayor

ATTEST:

_____
City Clerk

Passed and adopted on final reading on the 21st day of March 2023.

_____
Mayor

ATTEST:

_____
City Clerk

City of Fort Collins

2015 Water Efficiency Plan

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ACRONYM LIST

AF	Acre Foot (equals 325,851 gallons)
AMFC	Advanced Meter Fort Collins
BFO	Budgeting for Outcomes
BMP	Best management practice(s)
C-BT	Colorado-Big Thompson
CAP	Climate Action Plan
CWCB	Colorado Water Conservation Board
ELCO	East Larimer County Water District
FCLWD	Fort Collins - Loveland Water District
GMA	Growth management area
GPCD	gallons per capita per day
LCU	Large commercial users
MG	Million gallons
MGD	Million gallons per day
NCWCD	Northern Colorado Water Conservancy District or “Northern Water”
NEPA	National Environmental Policy Act
NPIC	North Poudre Irrigation Company
PRPA	Platte River Power Authority
RWR	Raw water requirement; requirement to provide water for any new development that occurs within the Utilities water service area
SWSI	Colorado Water Conservation Board’s Statewide Water Supply Initiative
TAZ	Traffic analysis zone
WEP TAG	Water efficiency plan technical advisory group
WSDMP	Water Supply and Demand Management Policy, 2012
WSSC	Water Supply and Storage Company
WTF	Water Treatment facility
WFCWD	West Fort Collins Water District
WQA	Winter quarterly average (Dec, Jan and Feb use)

EXECUTIVE SUMMARY

The City of Fort Collins Utilities has a strong commitment to ensure the efficient use of its natural resources. The Utilities' Water Conservation Program is nearly 40 years in the making and has resulted in lower per capita water use, even as population has grown significantly. These programs have benefited the Utilities by delaying or avoiding significant capital costs and have benefited customers through reduced water bills. The additional benefits to the City and the community include development of a conservation ethic, demonstration of a commitment to sustainability, support of economic health, enhanced resilience during drought periods, preparation for potential effects of climate change, and provision of water for other beneficial purposes such as agriculture, ecosystem services, recreation, and aesthetics.

This Water Efficiency Plan (WEP) is an update to the Water Conservation Plan approved by the Colorado Water Conservation Board in 2010. "Water efficiency is doing more with less – not doing without" – the term "efficiency" has replaced "conservation" because efficiency includes conservation and is a more appropriate term for the range of tactics needed in Colorado.[1] The 2010 Plan set a goal of 140 gallon per capita per day (GPCD) by the year 2020. This updated Plan proposes a new goal of 130 GPCD by 2030. The GPCD in 2014, normalized to account for weather, was 143 (without weather-normalization, GPCD was 139); for reference, the normalized GPCD in 2001 was 198.

Efficiency and Conservation activities

Fort Collins Utilities has a robust water conservation program with activities that touch on many different uses and affect the entire community. The Water Conservation team will continue to build on existing programs and develop new approaches to conservation. Programs will be evaluated for effectiveness in water efficiency, customer service, and technical excellence. The overall mission is to cultivate a water efficient, adaptive, and knowledgeable customer base through education and cost-effective water efficiency programs while supporting the City's Strategic Plan and its social, environmental, and economic health.

The Water Conservation team has identified five key areas of opportunity for greater water efficiency:

- Leverage Advanced Meter Fort Collins data and capabilities
- Promote and support greater outdoor water efficiency
- Encourage greater integration of water efficiency into land use planning and building codes
- Expand commercial and industrial strategies
- Increase community water literacy

Actions will be guided by the following implementation principles:

- Employ sophisticated data-driven processes and decision-making
- Coordinate and support symbiotic efforts within Utilities and across the City
- Cultivate new and bolster existing community and statewide partnerships

[1] http://cwcb.state.co.us/water-management/waterEfficiency/Pages/main.aspx

Plan Development Process

The content and organization of this plan was developed using the Colorado Water Conservation Board's municipal water efficiency plan guidance document, as it is a state requirement to submit an updated Plan every 7 years. This plan was developed with input from the community and a technical advisory group: Water Efficiency Plan Technical Advisory Group (WEP TAG). The WEP TAG included Utilities and City staff as well as Water Board members. A draft of this WEP was presented to City Council at the October 13, 2015 work session and received positive feedback. Following this presentation, Water Conservation staff held a public comment period and performed additional outreach activities. This plan was approved and adopted by the Fort Collins City Council on March 1, 2016.

Note: this document includes several technical terms and abbreviations. An acronym list is provided after the table of contents for reference and a glossary is included at the end of the document to provide additional technical detail.

1.0 PROFILE OF EXISTING WATER SUPPLY SYSTEM

The City of Fort Collins is located 65 miles north of Denver in Larimer County, nestled between the Rocky Mountains foothills and the Eastern Plains of Colorado. Horsetooth Reservoir borders Fort Collins to the west and the Cache la Poudre River winds its way through north Fort Collins before reaching the South Platte River to the east of Greeley, CO.

The Fort Collins Utilities service area boundaries for water do not perfectly match the Fort Collins city limits.[2] Fort Collins-Loveland Water District (FCLWD) and East Larimer County Water District (ELCO) provide water to some areas within the city limits and will most likely serve additional city residents in the future.[3] Furthermore, Fort Collins Utilities provide water service to some customers beyond the city limits; this is primarily northwest of Fort Collins, including providing wholesale water to West Fort Collins Water District (WFCWD). Figure 1.1 shows the Utilities service area and the neighboring water district services areas with respect to the Fort Collins Growth Management Area (GMA) and the official city limits. Fort Collins Utilities currently serves about 75% of Fort Collins' residents and businesses.

Note that this Chapter contains an abbreviated set of information on the Water Supply System; for a more detailed account, see the City of Fort Collins' Water Supply and Demand Management (Policy) Report (dated April 2014)[4]. The updated Policy, which was approved by City Council in late 2012, serves as a guide for the Fort Collins Utilities to a sustainable and integrated approach to 1) ensuring an adequate, safe, and reliable supply of water for the beneficial use by customers and the community, and 2) managing the level of demand and the efficient use of a scarce and valuable resource consistent with the preferences of customers and in recognition of the region's semi-arid climate.

[2] Fort Collins Utilities is an enterprise and does not receive funds from the City of Fort Collins general fund. Water Conservation is entirely funded by the Water Fund.

[3] The Fort Collins Utilities service area is landlocked by neighboring water districts. There will be little new development and mostly re-development of existing properties within the service area boundaries. Most land available in Fort Collins for new development is outside of the water service area. This Plan only applies to the Utilities' water service area except where noted, such as collaboration with neighboring water districts.

[4] http://www.fcgov.com/utilities/what-we-do/water/water-supply-demand/

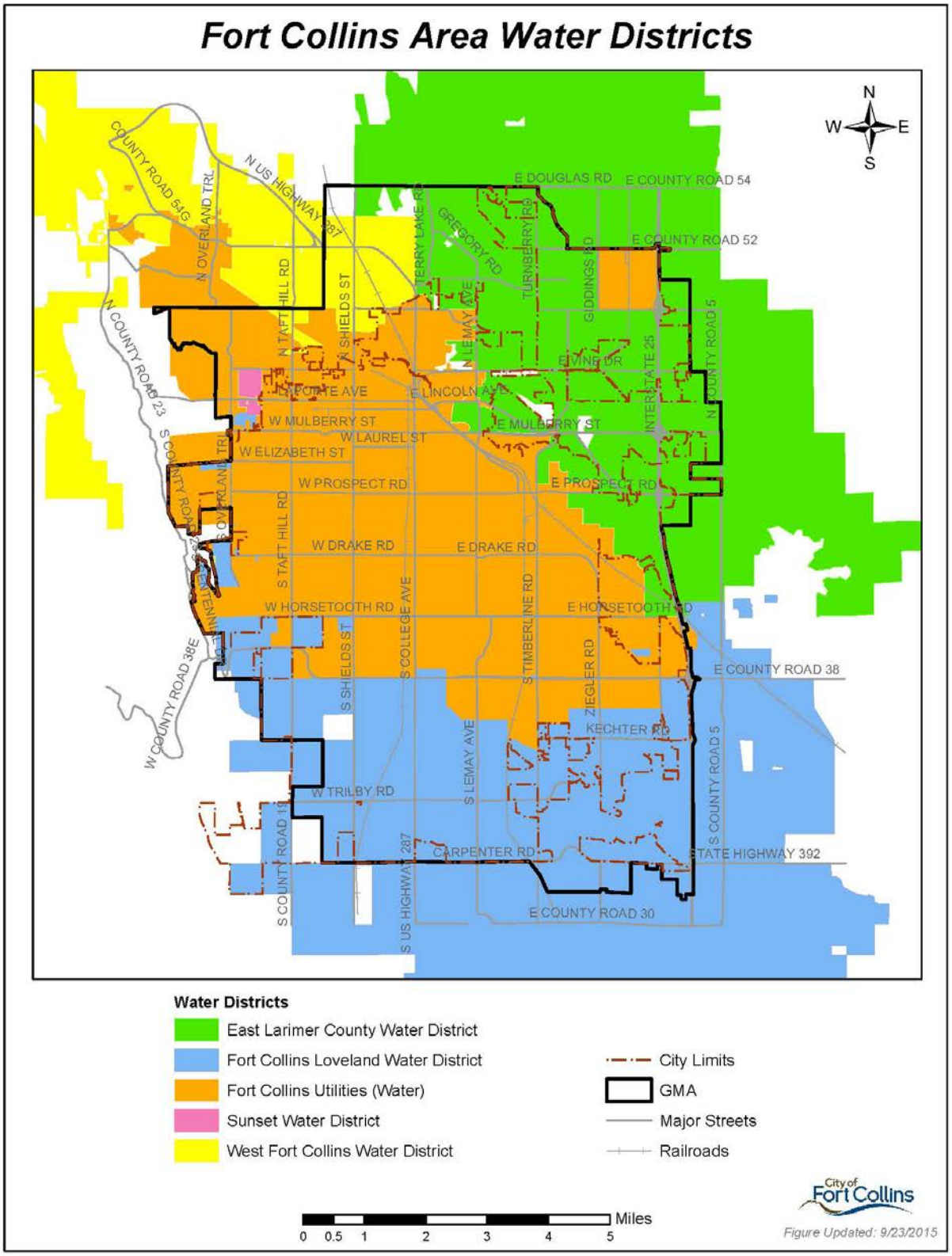


Figure 1.1: Water Service Area and surrounding Water District boundaries

1.1 OVERVIEW OF EXISTING WATER SUPPLY SYSTEM

The Fort Collins Utilities' water sources are surface supplies. The Utilities water supplies come from two major systems: the Cache la Poudre River (Poudre River) Basin and the Colorado-Big Thompson (C-BT) Project, often referred to as "Horsetooth Water".[5] The City's water supply and treatment system consists of several key facilities, which are illustrated in Figure 1.2 and include the Poudre River diversion structure and pipelines, Joe Wright Reservoir, Michigan Ditch, Horsetooth Reservoir, the Water Treatment Facility, the Mulberry Reclamation Facility, and the Drake Reclamation Facility.[6] Figure 1.2 includes Halligan Reservoir, which is currently owned by Fort Collins Utilities but operated by the North Poudre Irrigation Company (NPIC). A discussion of the Halligan Water Supply Storage Project is located in the "Storage" portion of the System Reliability section below. The City's Water system contains approximately 540 miles of pipeline and 34,298 connections. In addition to treated water, the City diverts about 3,000 to 4,000 acre-feet of raw water to irrigate City parks, golf courses, a cemetery, greenbelt areas, some school grounds, and for the purposes of meeting some contractual raw water delivery obligations. In 2014, the City of Fort Collins Utilities supplied 7.4 billion gallons of water to approximately 130,200 people.[7]

From the beginning of the City of Fort Collins Water Utility in the 1880s up to the early 1960s, the City depended primarily on direct flow rights to the Cache la Poudre River (Poudre River) to satisfy its water demands. Direct flow rights are water rights that can be taken for direct use, as opposed to storage rights that can be taken for later use. The first water right was obtained in 1889 and four other senior direct flow rights were obtained in the early 1900s; these currently allow the Utilities to divert an average of 11,300 acre-feet of raw water annually. In the late 1950s, the Utilities acquired its first 6,000 units of Colorado-Big Thompson (C-BT) Project water. To date, the Utilities owns about 18,855 units of CB-T water. In addition to these two major sources of water, the Utilities began to acquire shares of several local irrigation company stocks starting in the 1960s, in part to expand the Utilities' water supply portfolio and in part as developers turned over the water rights from lands they were building over in order to satisfy the raw water requirements for new development.[8]

[5] Horsetooth Reservoir borders the City of Fort Collins and is an East Slope terminal reservoir in the C-BT system. For more information on the Colorado-Big Thompson Project, which is operated and maintained by Northern Water and the U.S. Bureau of Reclamation, please see: http://www.northernwater.org/WaterProjects/C-BTProject.aspx

[6] The Water Treatment Facility chemically treats up to 87 MGD (million gallons per day). The Mulberry Water Reclamation Facility employs physical, biological, and chemical processes to treat up to 6 MGD. The Drake Water Reclamation Facility employs similar processes and treats up to 23 MGD of wastewater.

[7] One acre-foot of water is equivalent to 325, 851 gallons of water. 7.4 billion gallons of water is approximately equal to 22, 710 acre-feet of water.

[8] The use of "City" vs. "Utilities" may be confusing in this section. Nearly all water rights are in the name of the City of Fort Collins; however, the majority of the water rights are utilized and administered by Fort Collins Utilities. The Parks Department and the Natural Areas Department also use some of the water rights and are responsible for them. The districts (ELCO and FCLWD) serve some residents and businesses within the Fort Collins GMA, however, they each have their own water rights.

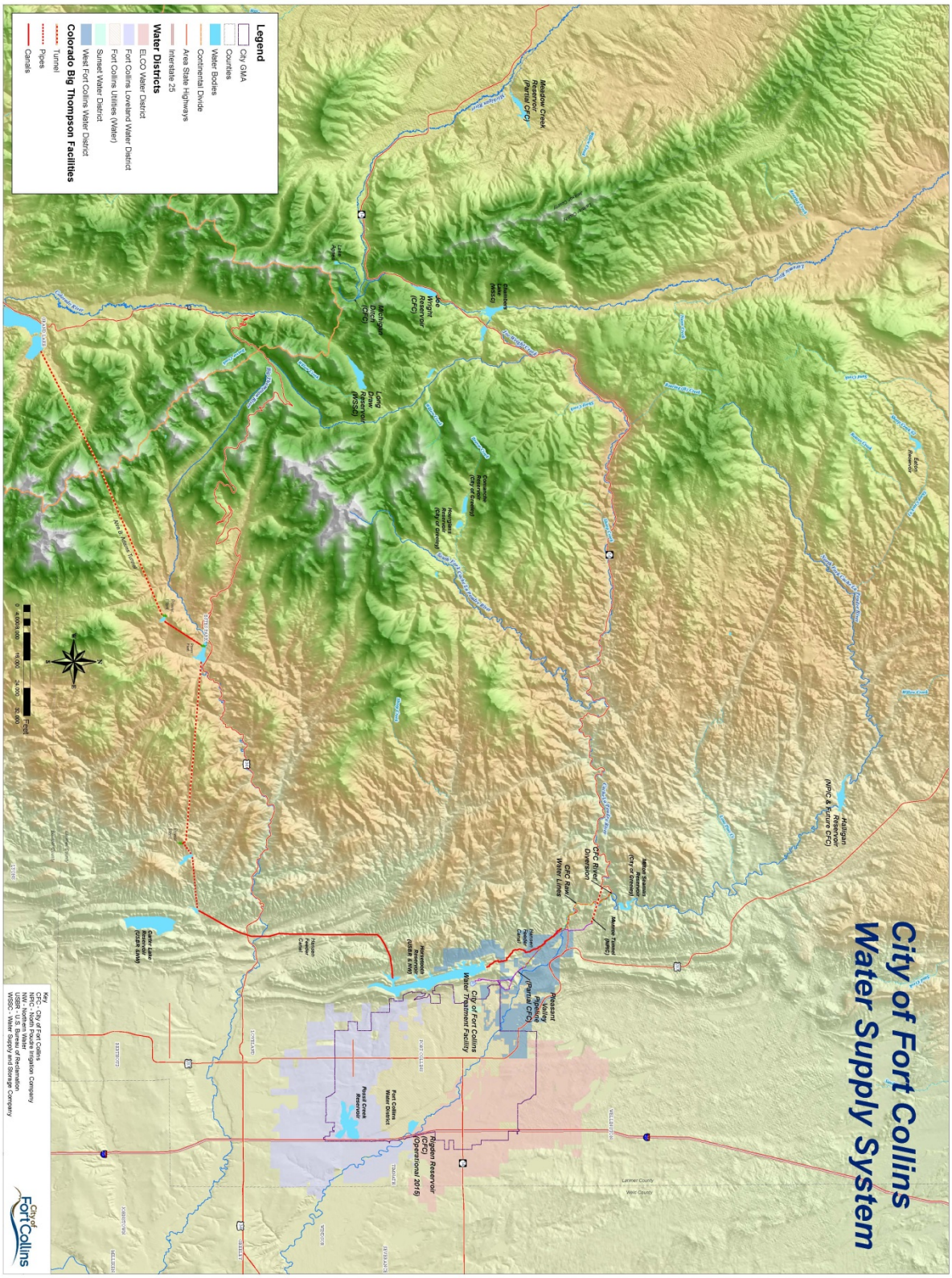


Figure 1.2 City of Fort Collins Utilities Water Supply System Map

Table 1.1 shows the average annual yield of the Utilities' various water sources. For more detailed information on each supply source, see Appendix A. The Utilities' average annual raw water yield as of 2014 is approximately 75,245 acre-feet, but the actual treatable average annual yield is closer to 55,000 acre-feet per year. The treatable water right yield is lower due to legal constraints, such as agricultural rights that have not been converted for municipal use, ditch losses, water right volumetric limitations and return flow obligations. The Utilities' modeling has shown that the current firm yield of its system is approximately 31,000 acre-feet per year.[9] During the summer months, however, much of the Utilities' water rights yield more water than the demands of the service area customers. Both the raw water yield and treatable yield are reduced in dry years, requiring more storage water to meet demands.

Table 1.1 Raw Water Yield in 2014

Source	acre-feet
Poudre River Direct Flow	11,300
Joe Wright-Michigan Ditch	5,500
Northern Water (CBT)	14,330
North Poudre Irrigation Company[10]	19,850
Pleasant Valley & Lake Canal Company	7,760
PRPA Reuse Plan	2,310
Southside Ditches[11]	10,760
Water Supply and Storage Company	2,240
Miscellaneous[12]	1,195
Average Raw Yield Total	**75,245**
Note: Yields are the approximate average annual yields and are not representative of a dry year conditions and do not reflect other constraints of the system.	

[9] This assumes a 1-in-50 year drought; Firm yield is commonly determined by calculating the maximum constant annual demand (quantity of water) that can be met with the available supply during a specified multi-year hydrologic period.
[10] These sources are only partially available for municipal use.
[11] The Southside ditches refer to Arthur, Larimer No. 2, New Mercer, and Warren Lake irrigation companies.
[12] These are relatively small contributors to the overall raw yield and include shares in Chaffee Ditch, Boxelder Irrigation Ditch Company, Lake Canal Company, Louden Irrigating Canal and Reservoir Company.

Reusable Supplies:

An important part of the City's water supplies are sources that are reusable. Typically, this is water that is imported from another basin or comes from specific in-basin sources that may be totally consumed through succession of identified uses. For Fort Collins, this includes much of the Michigan Ditch and Joe Wright Reservoir water and portions of the Southside Ditches water that has been converted from agricultural use to municipal use.

A sizeable portion of the Utilities treated water supplies are reusable.[13] Much of this is used as part of a Reuse Plan which involves the City, Water Supply and Storage Company (WSSC) and Platte River Power Authority (PRPA) [14]. Reusable sources owned by the City and WSSC are used Utilities' customers and the reusable effluent is used by PRPA at their Rawhide Power Plant facility. In turn, PRPA provides Windy Gap water to the City.

Raw Water Requirements:

Developers are required to provide water for any new development that occurs within the Utilities water service area. The amount is determined by the Utilities; the developer is assessed a raw water requirement (RWR) for any new development that occurs within the service area. This practice originally began in the 1960s when two acre-feet per acre of land developed was required. Because water use varied considerably depending on the type of use for any given area, a study was done in 1983-84 to develop the existing method of assessing the RWRs, which attempts to more closely assess the requirements based on actual use.

The formula for residential development considers the density, and an estimate of indoor and outdoor use. The RWR is calculated by multiplying the water use estimate by a "water supply factor" that is used to reflect the variability in supply and demand from year to year as well as other unaccounted for water use.[15] Non-residential requirements are based on tap size. Water use is analyzed for all non-residential customers for a given tap size and the requirements are based on those results. Since there is a lot of variability within each tap size, a raw water surcharge is assessed for any annual use exceeding an annual allotment.[16]

Developers and builders may satisfy the RWR by either turning over water rights acceptable to the City or paying cash in-lieu-of the water rights. The City uses in-lieu payments to purchase additional water rights or implement other means of increasing the firm yield of the Utilities' water supply, such as developing storage capacity. The in-lieu fee is evaluated and, if needed, revised to reflect the costs associated with developing the required water supplies (e.g., market price of water rights).

[13] This refers to the total amount of water used, not to the total amount of water feasibly available in a given year.
[14] 2012 Water Supply and Demand Management Policy (2014 Report).
[15] The current water supply factor is 1.92. This equation is used to determine the residential RWR is as follows: RWR = 1.92 x [(.18 x Number of Dwelling Units) + (1.2 x Net Acres)]
[16] Requirements vary from .90 acre-feet for a 3/4 inch meter to 9.60 acre-feet for a 2-inch meter. For larger meters, the RWR is based on an estimate of water use.

1.2 WATER SUPPLY RELIABILITY

Fort Collins Utilities is responsible for providing an adequate and reliable supply of water to its customers. The planning criteria describe the water demand that can be reliably served under specified drought conditions and the margin of safety the Utilities should have in place to address unforeseen circumstances.[17] The three main planning criteria used to develop the City's water supply system are 1) the drought criterion, 2) the storage reserve factor and, 3) the planning demand level. These criteria determine the amount of water supplies and facilities the Utilities' needs (e.g., the amount of storage required) and should be conservative to account for inherent uncertainties in water supply planning.

Drought Criterion

The drought criterion states that in a 1-in-50 year drought the Utilities should be able to meet the planning demand level. This is an important criterion because not only will demands often be higher in drought periods due to less precipitation, water supply systems generally will also yield less water. The Utilities has used a 1-in-50 year drought criterion since the original 1988 Water Supply Policy.

Storage Reserve Factor

A storage reserve factor is a criterion to have a certain percent of annual demand in storage through the drought criterion (1-in-50 year drought). This storage reserve provides a short-term supply to address emergency situations, such as pipeline shutdowns (which can and have occurred during drought conditions). The Policy calls for a 20 percent storage reserve factor, which equates to about 3.5 months of winter supplies or about 1.5 months of summer supplies.

Planning Demand Level

The planning demand level is the amount of demand the water supply system should be developed to meet. Since acquiring water supplies takes many years, projecting future demands is required to determine which supplies and/or facilities need to be acquired. The planning demand level is measured in gallons per capita per day (GPCD) and is used along with projected population and projected large contractual use (LCU) needs to determine future demand levels; population projections will be discussed in detail in Section 2.4. The planning demand level is set higher than current use and current water conservation goals to account for uncertainties in water supply planning that might reduce the Utilities' water supply yield. The current Water Supply and Demand Management Policy set 150 GPCD as the planning demand level, which is the average of 2006-2011 water use.

Impacts of Climate Change

Climate change could significantly impact the reliability of the Utilities' supplies and/or the amount of water required to maintain existing landscapes. These changes may include reduced snow pack, earlier runoff, hotter and drier summers, and an increased recurrence of drought. A great deal of uncertainty exists related to current climate change projections along the Colorado Front Range and its impact on municipal water supply and demands. Current research indicates that changes in precipitation in this area are uncertain but that temperatures will increase and therefore it is likely that runoff will come

[17] Water Supply and Demand Management Policy Report (dated April 2014; approved by City Council in later 2012).

earlier and in a shorter amount of time, precipitation may come more often as rain rather than snow, and higher temperatures will increase outdoor demands and change growing seasons for existing landscapes. For additional information refer to the CWCB 2014 report "Climate Change in Colorado: A Synthesis to Support Water Resources Management and Adaptation". [18]

The Utilities' water supply planning criteria and assumptions are conservative in part to account for climate change based on the information to date. The City will continue to monitor climate change information and, if necessary, will revise its water supply planning criteria and assumptions to ensure future water supply reliability.

1.3 SUPPLY-SIDE LIMITATIONS AND FUTURE NEEDS

Table 1.2 lists the future water supply needs and challenges. The full use of the Utilities' water rights in a given year can be reduced by several physical and legal constraints. Legal challenges are related to Colorado water laws and the administration of water rights. Some of the agricultural water rights owned by the Utilities are not available for use because the shares need to be changed in Water Court to municipal use.

The Colorado Water Conservation Board's Statewide Supply Initiative (SWSI) predicts a significant gap between water supplies and water demands along Colorado's Front Range, starting in 2040 for the Northern region of the South Platter River Basin.[19] Fort Collins is a forward-thinking community and the Utilities has identified water supply needed through 2065. Two key solutions to ensuring a reliable supply system moving forward include storage development and water efficiency programs. Water that is conserved may only be used for other beneficial purposes or at other times of the year if storage is available for that unused water.

Table 1.2 Water Supply Limitations and Future Need

Future Need/Challenge	Yes	No
System is in a designated critical water supply shortage area	X	
System experiences frequent water supply shortages and/or supply emergencies		X
System has substantial real or apparent water losses		X
Experiencing high rates of population and demand growth		X
Planning substantial improvements or additions	X	
Increases to wastewater system capacity anticipated		X
Need additional drought reserves	X	
Drinking water quality issues		X

[18] http://cwcb.state.co.us/environment/climate-change/Pages/main.aspx

[19] Camp Dresser & McKee Inc. 2011. Colorado's Water Supply Future: Colorado Water Conservation Board 2010.

Storage Constraints

A primary physical constraint is the lack of storage capacity to manage and regulate the water rights owned by the City. Additional water storage capacity is critically needed to increase the yield and reliability of its water supply system. Operational storage is needed to meet return flow obligations inherent with converted irrigation shares and provide other operational flexibility, which has recently been met through the acquisition of Rigden Reservoir. Carryover storage is needed to capture water during wetter years for use during drier years and also provide a storage reserve for unexpected emergencies (e.g. a pipeline failure). Both types of storage are needed to increase the reliability and redundancy desired to meet the water needs of our customers.

While the Utilities do have some year-to-year "carryover" storage capacity, much of this is already allocated to meet return flow obligations and other contractual agreements. Northern Water does include some carryover storage in the CB-T system; however, it is also almost entirely allocated to meeting contractual obligations.[20] While the City owns shares of several ditch companies that do have storage, we do not have access to the storage systems. Acquiring storage in the Poudre Basin that meets the storage reserve would help diversify the City's water supply system, which is currently highly reliant on C-BT storage.

Planned Storage Improvements

In 2003 the City acquired Halligan Reservoir, located on the North Fork of the Poudre River approximately 25 miles northwest of Fort Collins, for carryover and vulnerability storage. With plans for its expansion, the City is currently going through the National Environmental Policy Act (NEPA) permitting process, including an analysis of potential environmental impacts, other storage options, and costs and benefits. In 2013, the City acquired an existing gravel pit storage facility located below the Drake Water Reclamation Facility. The gravel pit, now Rigden Reservoir, has been enlarged to 1,900 acre feet and is being used for operational storage. The reservoir began operation in 2015 and will increase the system's firm yield.

[20] Note that CB-T water is particularly valuable to the water supply portfolio because it can be stored within the C-BT reservoir system for use any time *within* a given water year.

2.0 PROFILE OF WATER DEMAND AND HISTORICAL DEMAND MANAGEMENT

The City of Fort Collins city limits do not perfectly coincide with the Utilities water service area. The information in Section 2.1 below describes the City of Fort Collins, rather than the service area, as the city limits are how this type of information is collected by the City Planning Department, the U.S. Census, and the American Community Survey. Information in Sections 2.2-2.4, however, will pertain to the Utilities' water service area.

2.1 DEMOGRAPHICS AND KEY CHARACTERISTICS OF THE SERVICE AREA

The City of Fort Collins is home to approximately 158,600 residents and 30,000 students as of 2015.[21] The average household size is 2.37 people, the median age is about 29 years old, and about 27% of households have at least one person under the age of 18. The average household income is about $72,000. As of the 2010 U.S. Census, about 55% of homes were owner-occupied, 57% of homes were single-family detached residences, and the median home value was $247,800. About 11% of the housing stock is estimated to be built prior to1960 and about 40% were built prior to 1980.[22]

The City of Fort Collins is home to two major public higher education institutions: Colorado State University and Front Range Community College. Fort Collins was once home to a wide swath of agricultural activity; however, much of this is now limited to the outskirts of the City or has moved outside of the City entirely. Several high-tech industries call Fort Collins home, including Hewlett Packard, Intel, Woodward Inc., and AMD, among others. In addition to the other major employers like the City Government and the colleges, there has been an increase in the areas of clean energy, bioscience, and agri-tech businesses. The City also enjoys a strong microbrewery industry alongside an Anheuser-Busch Brewery.[23]

2.2 HISTORICAL WATER DEMANDS

Up until the early 2000s, the Utilities' service area population growth was largely matched by an increase in total water demands. Like many other Colorado communities, the 2002-03 drought spurred the City of Fort Collins to rethink its water use. While the population continues to grow, water demands have exhibited a downward trend, as illustrated in Figure 2.1. From 2001 to 2014, the service area population increased by about 7% while the total treated water demand decreased by about 25%. Such reductions are a combined result of Utilities' customers being fully metered and adopting tiered/seasonal rate structures by 2003, as well as the robust water conservation program and the water conservation efforts by customers.

[21] As of 2014, the Utilities' service area provided treated water to about 130,200 residents.
[22] This paragraph contains information about the City of Fort Collins from three sources: the City Planning Department, the 2010 U.S. Census, and the 2013 American Community Survey.
[23] The Fort Collins AB Brewery is home to the world-famous Budweiser Clydesdales West Coast Team.

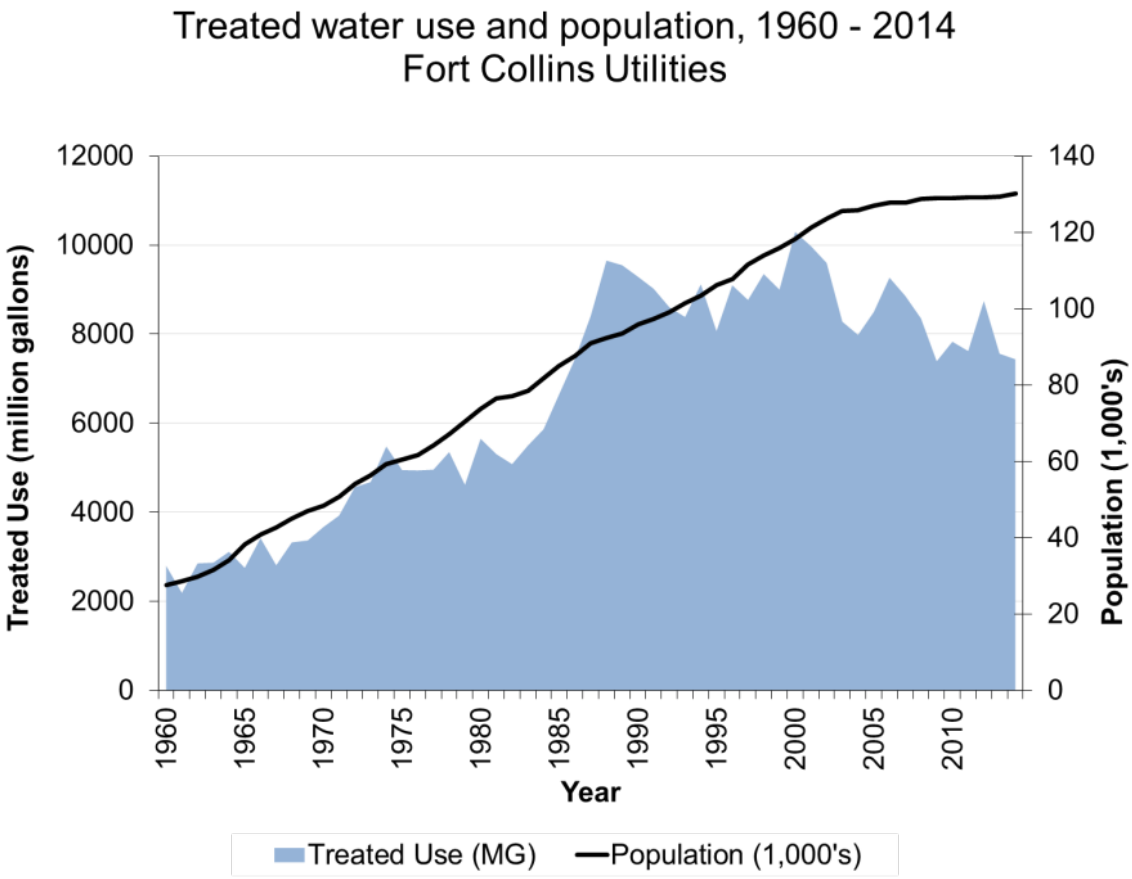


Figure 2.1 Treated water use and population

Daily water demand varies considerably throughout the year. Water use is fairly consistent throughout the winter months, then more than doubles in the summer months as customers increase use for landscapes and other seasonal purposes (e.g. pools). Figure 2.2 illustrates a five-year average of the daily treated water delivered from 2010-2014 along with details on the peak day for each year, which highlights how variable water demands can be in any given year.

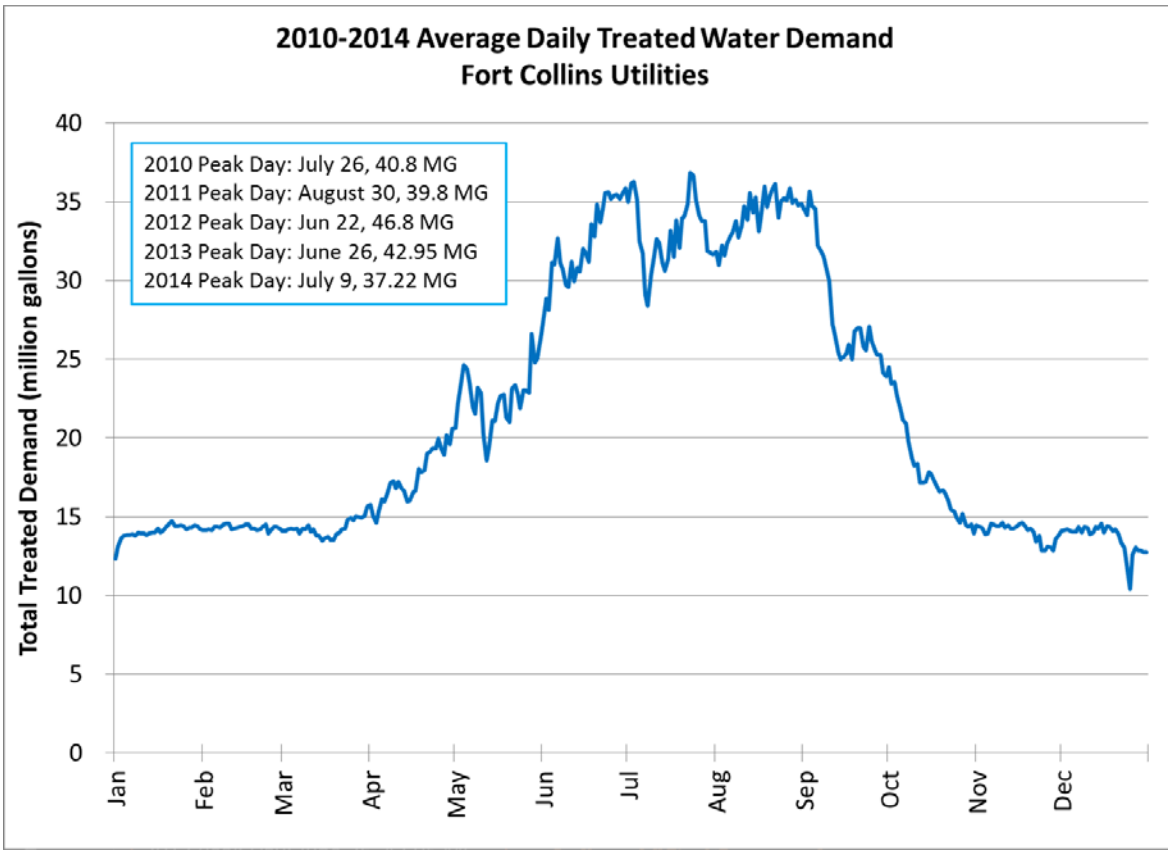


Figure 2.2 Average daily treated water demand

Fort Collins Utilities monitors treated water use by eight categories, as shown in Table 2.1. This table reports the annual use, number of accounts, average monthly use and water use by account, as of 2014. The majority of accounts are single-family residential accounts, however on a per account basis commercial customers use the most water. Recall that since the Utilities' water service area is different than the City limits; Outside City Customers refer to customers outside of the city limits but who are Utilities' customers. West Fort Collins Water District receives wholesale treated water from the Utilities, which is why they appear as one singular customer.

Table 2.1 Treated Water Use by Customer Category

	2014			
Customer Category	**Annual Water Use (MG)***	**Number of Accounts**	**Average Monthly Use (MG)***	**Average Annual Use per Account (gal)***
Single-Family	2,142	26,930	178.5	79,536
Duplex	120	1,226	10	97,750
Multi-Family	970	2,240	80.8	432,934
Commercial	2,972	2,222	247.7	1,337,765
City Government	107	225	8.9	475,830
West Fort Collins WD	140	1	11.7	140,000,000
Outside City Customers	280	1,454	23.3	192,751
Total	6,731	34,298	560.9	196,251

*Note: These numbers are rounded and are not exact. MG = million gallons.

As shown in Figure 2.3, residential categories collectively use the most water each year: about 47% on average, with about 32% attributable to single-family homes. The City government buildings and facilities only use about 1% of the treated water each year, outside City customer use about 4% and the Utilities delivers about 2% of the treated water to West Fort Collins Water District. System loss is discussed in greater detail below.

Commercial customers use about 39% of treated water, on average. Beyond the small, mid and large commercial customers, the City has identified a number of Key Accounts, who are businesses that are typically the largest water and energy users. The Utilities' Customer Accounts representatives work together with the Key Account customers to connect them to the appropriate experts, programs and services they need from the City of Fort Collins. These partnerships help customers achieve their sustainability goals as well as the goals set by the Energy Policy, Water Efficiency Plan and Climate Action Plan. The Customer Accounts team offers a customized and targeted approach to assist in accomplishing the goals set by these policies. Given the uniqueness of how each business utilizes water, the largest users can also apply for a custom water conservation rebate, up to $5,000, in addition to being encouraged to participate in our other rebate programs.

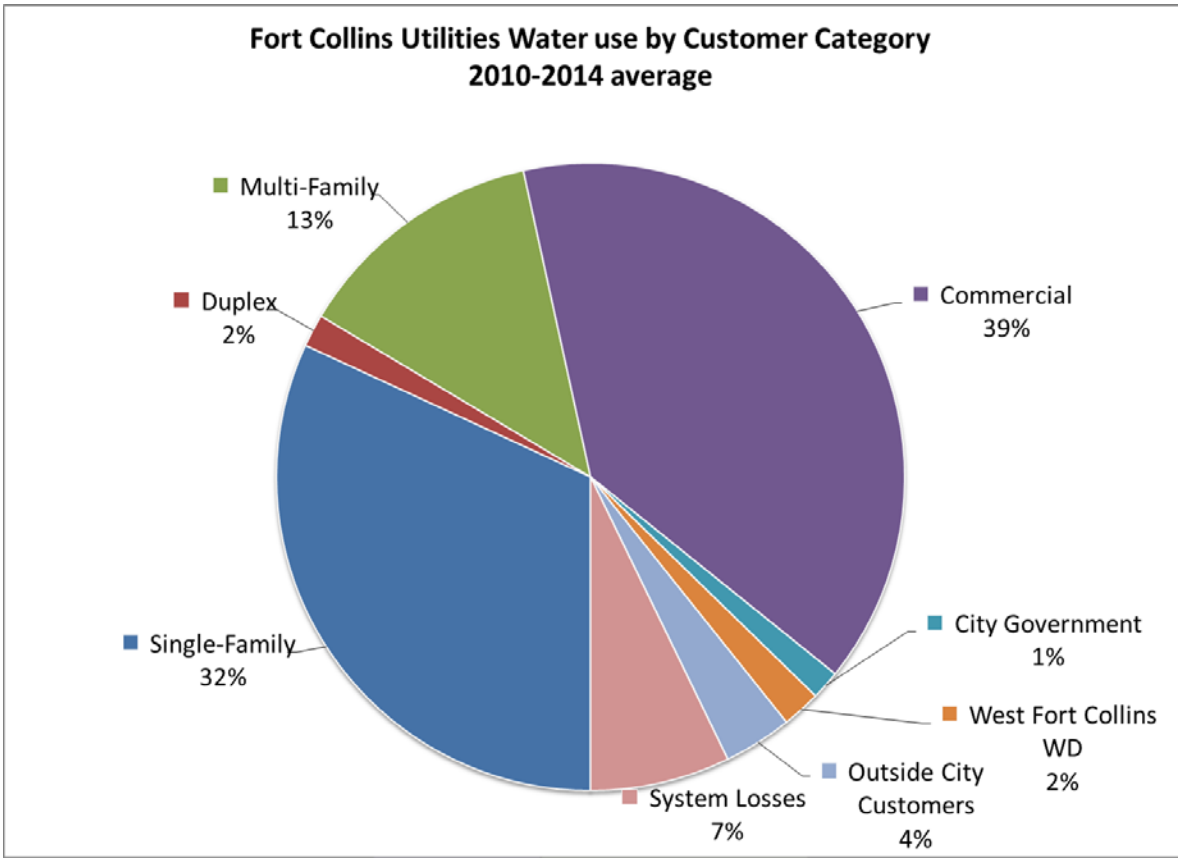


Figure 2.3 Water use by customer category, 2010-2014 average

2.2.1 GPCD: GALLONS CONSUMED PER PERSON PER DAY

Water consumption is often characterized by daily per person use, measured in gallons per capita per day (GPCD). This is calculated as total treated water use (total treated water that leaves the water treatment facility; includes all uses) divided by service area population and 365 days:

$$GPCD = \frac{total\ treated\ demand - LCU}{service\ area\ population * 365\ days}$$

These calculations exclude large contractual customers (LCU) and other sales or exchange arrangements to produce a value that is somewhat more comparable to other municipalities.[24]

Fort Collins Utilities also estimates a weather-normalized GPCD metric in order to control for the fluctuations associated with varying weather patterns. This normalized GPCD is approximately the GPCD

[24] While the use of GPCD for comparisons has long been an industry standard practice, there is evidence that it is a difficult indicator for individual water-users to relate their behaviors to, and the system-wide GPCD is a function of far more than a utility's water conservation and efficiency activities. More on this topic and recommended changes can be found in in Chapter 3.

that would have occurred if the weather conditions had been the average weather conditions for the region. This means that the actual GPCD is generally higher than the normalized GPCD when we have a relatively dry year and lower in a relatively wet year.

Demand levels have declined significantly over the last few decades, from around 230 GPCD in the early 1990s to about 200 GPCD before the drought year of 2002. Figure 2.4 shows actual GPCD and normalized GPCD from 2001 through 2014. To help illustrate the role that weather plays in our actual GPCD, the graph also includes annual precipitation and evapotranspiration for grass, both in inches.[25] In years where our region received less precipitation and the evapotranspiration rate was higher, actual per capita water use is higher. The average normalized use over 2002 to 2009 is 158 GPCD, approximately a 21% reduction in per capita water use from before 2002. The average normalized use from 2010 to 2014 is 146 GPCD, which is about a 27% reduction in per capita use from pre-2002. Since the 2002-03 drought, several factors have helped to reduce water use including, universal metering, conservation-oriented rate structures, more efficient plumbing standards, and our robust water efficiency and education programs.

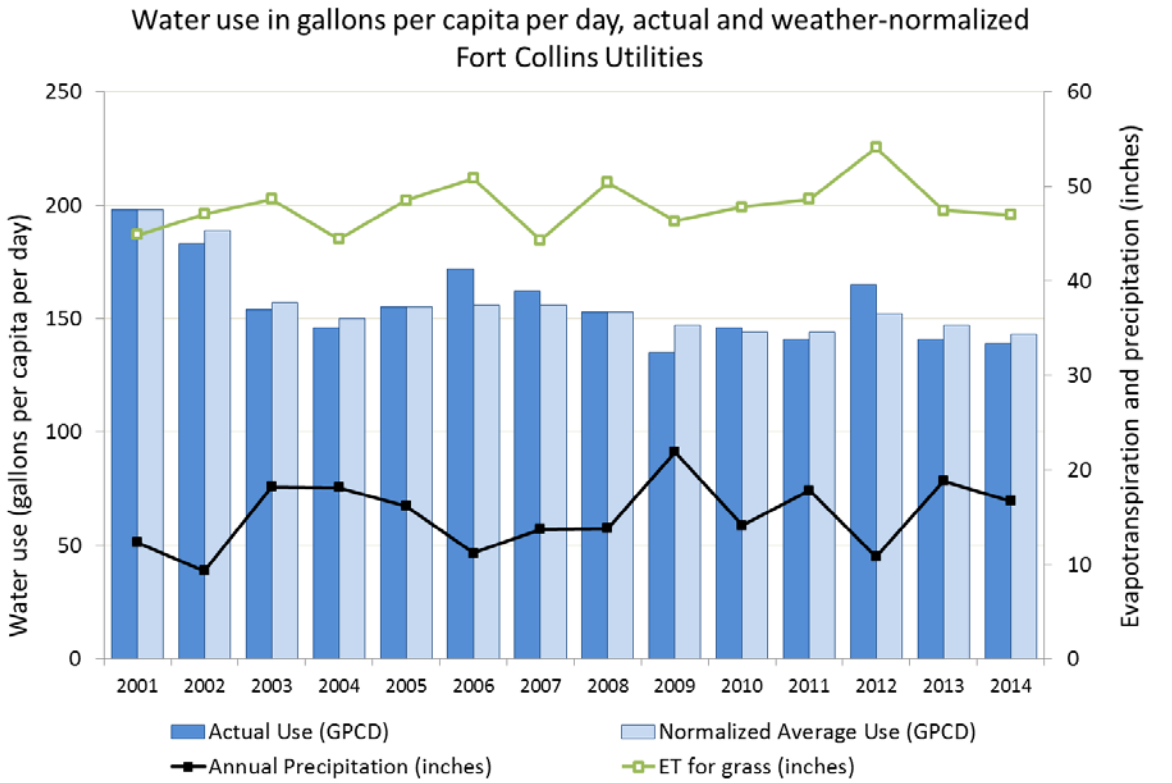


Figure 2.4 Water use in gallons per capita per day and weather data

[25] Evapotranspiration is often defined as the combination of the water lost (evaporate) to the atmosphere from the ground surface, evaporation from the capillary fringe of the groundwater table, along with the plant transpiration, which is evaporation of water from plant leaves. Evapotranspiration is affected by temperature, relative humidity, wind and air movement, soil moisture availability, and the type of plant. For more information see: http://water.usgs.gov/edu/watercycleevapotranspiration.html

Weather patterns mostly affect outdoor use of water. Figure 2.5illustrates an estimate of the portion of water demand that is utilized outdoors. A common method for estimating indoor versus outdoor use is to take the average of the demands in December through February and set this to be the estimate of average indoor demands and assume that no outdoor use occurs in those months. Then for months March through October, attribute any use above and beyond this average indoor use to be the estimated outdoor use portion. As shown in Figure 2.5, water use in the summer months can be up to almost two-thirds of total water demands.

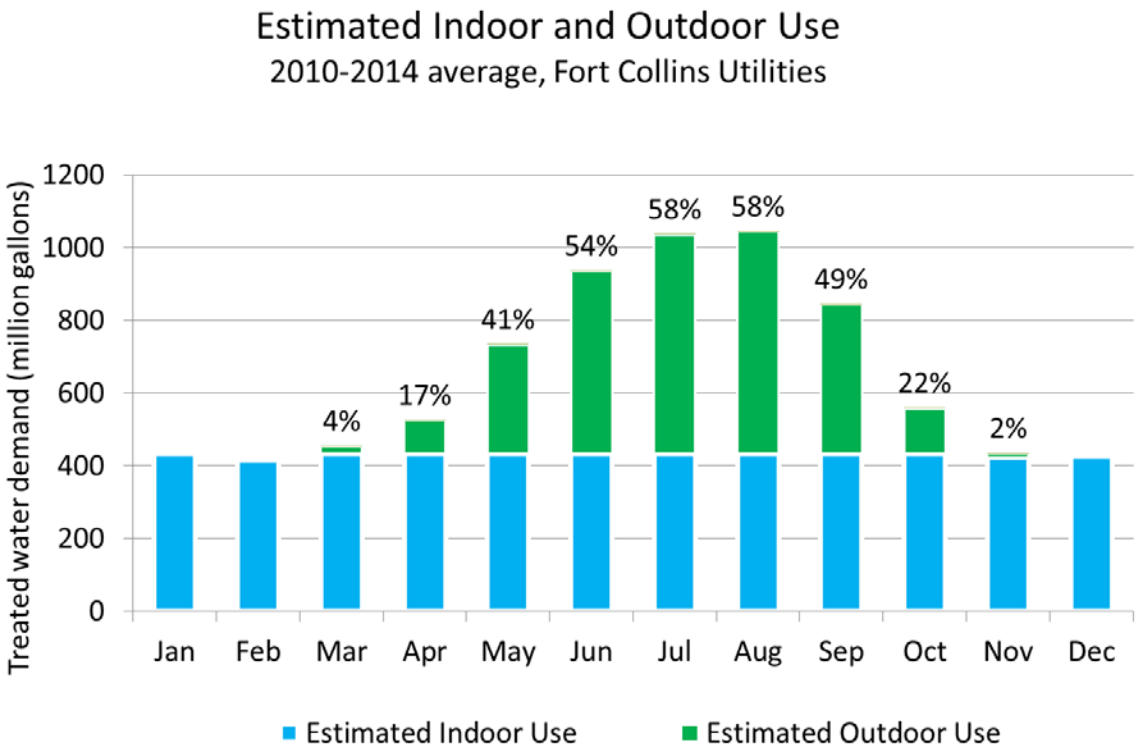


Figure 2.5 Estimated indoor and outdoor use, 2010-2014 average

Fort Collins Utilities participated in a single-family end use study in 2012.[26] This study helped shed some light on how families are using water, through a small 88-household survey and analysis. In terms of outdoor use, many of the participating homes were estimated to be under-watering, relative to what was water needs estimated based on landscape area and weather information. However a minority of homes were over-watering and this excess was large enough to offset any under-watering by the other participating households. This highlights our need to provide improved programs and education to help our customers use the optimal amount of water for their landscape.

Since indoor use is less visible to the Utilities, how people allocate and use water indoors is more of a mystery. This 2012 study illustrated that there are still a significant number of low efficiency toilets and

[26] Study was conducted by Aquacraft Water Engineering and Management, Inc.

clothes washers in the housing stock, however the majority of participating homes had a high efficiency shower heads. The study also estimated that a significant amount of water is lost to leaks, which often go unnoticed by the residents. This highlights the need to utilize data available through the Advanced Meter Fort Collins (AMFC) program to help identify leaks and let our customers know so that they can address the problem and stop paying for lost water; we are piloting a Continuous Consumption program to meet this need, discussed further in Section 2.3.

As noted in Section 1.1, in addition to treated water the Utilities diverts about 3,000 to 4,000 acre-feet of raw water to irrigate City parks, golf courses, a cemetery, greenbelt areas, some school grounds, and for the purposes of meeting some contractual raw water delivery obligations.

2.2.2 SYSTEM WATER LOSS

Water losses in the Fort Collins Utilities' water system can occur in several locations:

- Between the points of diversion and the water treatment facility (e.g., from conveyance losses within the pipelines carrying water to the treatment facility)
- Within the water treatment facility (e.g., during filter backwash processes)
- Within the water distribution system between the water treatment facility and the meters of end users (e.g., from conveyance losses in the distribution pipe network)

Losses within the conveyance system that brings water to the treatment plant and within the water treatment plant itself are not fully quantified, but estimated at 3% of the annual diverted volume, when estimated from source to outlet of the treatment plant. Losses within the distribution system are estimated based on the difference between the amount of water treated at the treatment plant and the cumulative amount of water metered at end users. A summary of losses is provided in Table 2.2 below. These numbers represent estimates only and may reflect a number of factors. Fort Collins Utilities is currently exploring integration of the American Water Works Association's M36 methodology into its water loss management and tracking.

Table 2.2 System Water Loss Estimates

Loss Estimate (in Million Gallons)	**2010**	**2011**	**2012**	**2013**	**2014**
Treatment and Diversion to Treatment Conveyance Losses	242.2	235.7	270.8	233.8	230.0
Distribution Losses	426.5	462.1	695.1	534.9	705.7
Total	668.7	697.8	965.9	768.8	935.7
Distribution loss as percentage of total treated water	5.4%	6.1%	7.9%	7.1%	9.5%

2.3 PAST AND CURRENT DEMAND MANAGEMENT ACTIVITIES

Faced with a drought in 1977, the Utilities created a part-time water conservation position. In 1989 the position expanded to a full-time position. The first Water Demand Management Policy in 1992 lead to an expansion of conservation projects and increased educational and outreach efforts. The 1992 Policy set a conservation goal of 195 GPCD by the year 2020.

Prompted by the drought of 2002-03, Utilities made several efforts in 2003 to increase accountability and encourage the efficient use of water including fully metering every customer by, implementing a conservation-oriented rate structure – a tiered rate structure – with a seasonal component, initiating several new outreach and educational programs, and also developing the Utilities' first Water Supply Shortage Response Plan as guidance during drought and other emergency conditions.[27] The first joint Water Supply and Demand Management Policy was developed in 2003 and set a conservation goal of 185 GPCD by 2010.

The Utilities' Water Conservation program expanded again in 2010 with the development of a formal Water Conservation Plan. This plan set the current conservation goal of 140 GPCD by 2020. City Council approved the budget for additional programs and staff outlined in the plan starting with the 2010-2011 budgets. The plan was approved by the Colorado Water Conservation Board in early 2010. Note that conservation goals are purposely set lower than the Planning Demand Level discussed in Section 1.2, which is used for supply reliability planning.

2.3.1 CURRENT DEMAND MANAGEMENT ACTIVITIES

Table 2.3 is a list of the current demand management activities along with the initial year of implementation, if known. Note that many of our activities, programs, and regulations have substantially evolved over the years. For a description of each activity, see Appendix B, which also contains a table with participation levels from 2010 to 2014 for most of our current activities. This table does not contain participation counts for events.

[27] The Water Supply Shortage Response Plan contains certain restrictions on the use of City-treated water and other actions to be taken during a specified drought or water supply conditions.

Table 2.3 List of Current Water Conservation Activities

Foundational Activities	Educational Activities
Conservation-oriented rate structures (2003)	Business education programs (2004)
Continuous consumption program (2015)	Community education programs (1977)
Metering (2003)	Conservation kit giveaways (1990)
Monitor My Use (2014)	Conservation public information efforts (1977)
Online water use calculator (2012)	Home water reports (2014)
Seasonal rate structures (2003)	Hotel and restaurant conservation materials (2003)
Utility water loss program (1993)	K-12 education programs (1997)
Target Technical Assistance and Incentives	Watershed tours (2012)
Clothes washer rebates (2003)	Xeriscape Demonstration Garden (1986)
Commercial facility assessments (2004)	**Ordinances and Regulations**
Custom commercial rebates (2011)	Green building codes (2011)
Dishwasher rebates (2007)	Landscape and irrigation standards (1994)
Home efficiency audits (2009)	Parkway landscaping regulations (2013)
Home efficiency loans/ZILCH/on-bill financing (2010)	Plumbing standards (1978)
Irrigation equipment rebates	Restrictive covenants ordinance (2003)
Low income retrofit program (2007, w/ LCCC)	Soil amendment ordinance (2003)
Restaurant pre-rinse spray valve distribution (2011)	Wasting water ordinance (1917)
Showerhead rebates (2011)	Water efficiency upgrades at City buildings (2010)
Sprinkler system audits (1999)	Water supply and shortage response plan (2003)
Toilet/Urinal rebates (2010)	**Other Activities**
Xeriscape design/incentive program (2010)	Raw water for City irrigation, large customer reuse project (1985), backwash water recycling (2003)

2.4 DEMAND FORECASTS

Acquiring water supplies takes many years. In order to ensure a reliable water supply for customers in the future, the Utilities plan for future growth and water needs. The City's future municipal water demands are largely dependent on population growth and the rate of commercial and industrial development. The rate and pattern of population growth are also influenced by the future economy, land use policies, and development incentives, among other factors. As such, the Water Supply and Demand Management Policy Report (dated April 2014) takes the long view and identifies projected demands through 2050.

2.4.1 PLANNING HORIZON

The current Water Conservation Plan, developed in 2009, identified a 10-year planning horizon with a goal to update the plan in five years. This Water Efficiency Plan, to be submitted to the Colorado Water Conservation Board in 2017, takes the middle road and uses a 2030 planning horizon, with incremental goals leading up to the 2030 goal, as well as a goal to develop an updated plan no later than 2024 (seven years after this Plan's required submission year).

2.4.2 DEMAND PROJECTIONS

The Utilities estimates future water demands for a given year by first multiplying the projected population by the planning demand level (150 gallons per capita per day) multiplied by the number of calendar days, then projected large contractual use (LCU) is added to get the total projected water demand, as shown in the equation below. The Demand Planning Level is currently set at 150 gallons per capita per day, and is purposely set higher than conservation goals to provide a greater level of system reliability[28].

$$Total\ Demand = Projected\ Population\ \times 150\ gpcd \times 365\ days + Projected\ LCU$$

2.4.3 POPULATION PROJECTIONS

Given the differences between the Fort Collins Utilities water service area, the Fort Collins city limits, and the Fort Collins Growth Management Area, population projections were estimated using information from a Traffic Analysis Zone (TAZ) study developed for the City of Fort Collins and Larimer County. The TAZ information is based on City and County zoning designations, which dictate the type of development and thus population densities. The TAZ study makes population estimates based on projected new development and redevelopment in each zone. The population projections for this Plan were estimated by using the zones within the water service area. Note that, based on the TAZ study, it is anticipated that the Fort Collins Utilities' water service area will reach build-out near 2040, meaning that all vacant buildable land will be developed. After build-out, it is assumed that the water service area population will only grow via redevelopment, and therefore population growth in the service area is expected to eventually slow down. However, the Utilities currently has agreements to supply water to surrounding water districts. With these agreements in place and the potential for more in the future, the Utilities considers these possibilities in estimating future demand projections. Thus, the population projections used in this plan includes some of West Fort Collins Water District.[29]

[28] For more information on the Planning Demand Level, see Section 1.2.

[29] The estimates do not include some Fort Collins-Loveland Water District areas currently served by the Utility because these areas are served only in the sense that a) FCLWD purchases some excess capacity in our Water Treatment Facility, and b) there is an now terminated agreement whereby certain areas of development could meet raw water requirements either through the Utilities or the districts. If any of these areas are annexed by the City, then they would still have the option to make use of this option.

2.4.4 LARGE CONTRACTUAL USE

In addition to population-based water demands, the Utilities also has contractual obligations to provide water for the current and future demands of several large industrial water users. Large contractual use (LCU) is estimated separately from population-based water demand projections and is not included in the GPCD metric. The LCU projections are added to the overall projected demands, which are based on population projections and the water demand planning level set in the Water Supply and Demand Management Policy Report (dated April 2014). LCU is currently about 3,900 acre-feet per year of treated water. Additional raw water is provided to LCUs. Because of certain applications, a portion of the water supplied to LCUs must be sourced from reusable water rights. The future LCU is estimated to be about 8,000 acre-feet per year by 2050. This will require a mix of single use and reusable water sources.

Figure 2.6 illustrates the projected population for the water service area. This figure also illustrates the project water demands based on the historic Planning Demand Level and the current Planning Demand Level.[30] It is clear that conservation and efficiency activities, among other factors, have helped to reduce total water use as well as per capita water use; these reductions have lowered the planning demand level and helped to increase the reliability of the water supply system.

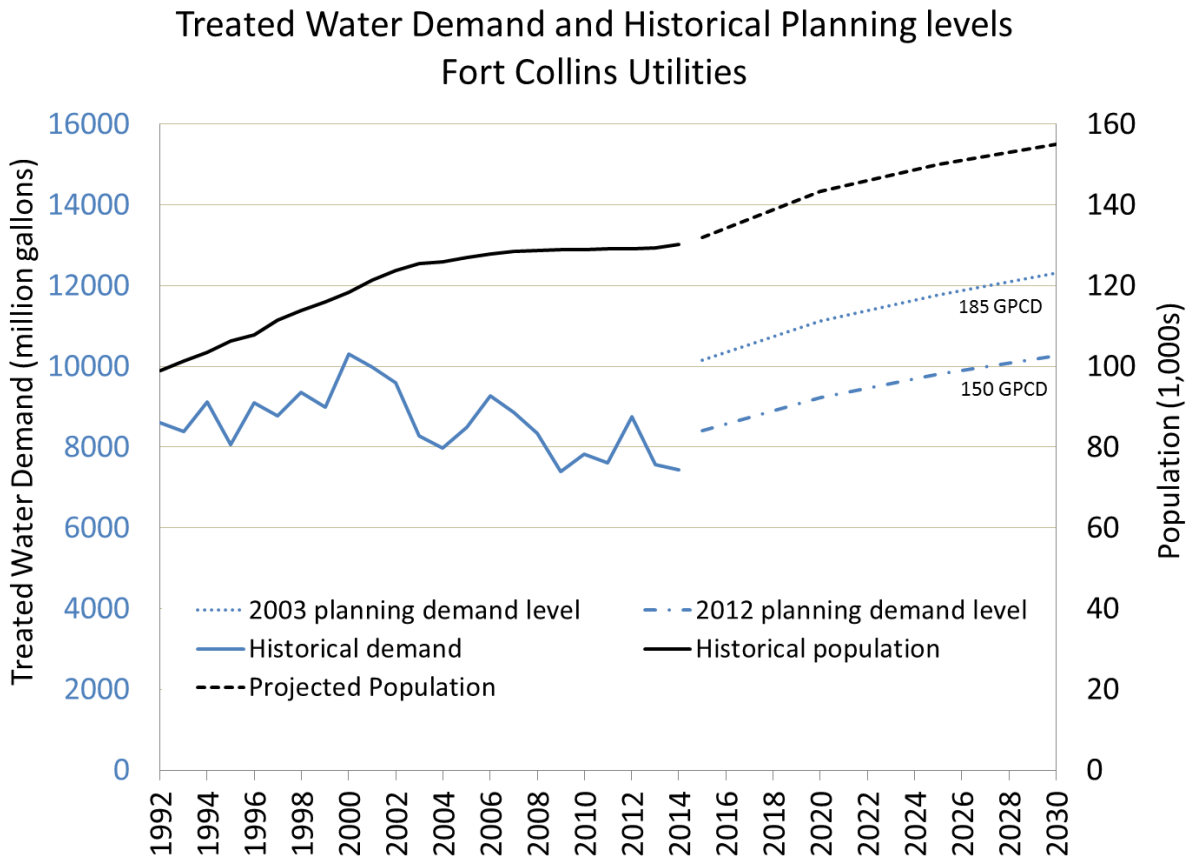


Figure 2.6 Treated water demand, historical planning levels, and population

[30] These estimates also incorporates an estimated 8% system water loss level.

3.0 INTEGRATED WATER SUPPLY AND DEMAND MANAGEMENT PLANNING

There are four main documents that provide direction and/or complement the Utilities' water efficiency efforts, listed below. Along with the most recent Water Conservation Plan of 2010, these documents helped to develop this updated Water Efficiency Plan and will also guide our ultimate implementation moving forward.

- The City of Fort Collins Strategic Plan (2015-16)[31]: this document is a result of a planning process incorporating input from citizens, businesses, City Council, and City staff. It identifies the City's seven key outcome areas as well as several strategic objectives in each area; these are to guide the work in all City service areas. Water efficiency aligns very strongly with Objectives 4.8, 4.7 and 4.6, it also touches on several other objectives detailed in Appendix C.

- The Water Supply and Demand Management Policy (2012)[32]: this is the guiding document for water supply and demand management activities. The objective is to provide a sustainable and integrated approach to 1) ensuring an adequate, safe, and reliable supply of water for the beneficial use by customers and the community, and 2) managing the level of demand and the efficient use of a scarce and valuable resource consistent with the preference of Water Utility customers and in recognition of the region's semi-arid climate. The original water supply-focused policy was developed and approved in 1988; it was updated in 2003 and again in 2012, with the most up-to-date report published in 2014. This Policy defers to the latest Water Efficiency Plan to set the efficiency goals.

- 2015 Climate Action Plan Framework: The CAP provides a high level framework to set Fort Collins on the path to achieve carbon emissions reduction objectives as requested by Council, but will not determine future implementation details. Implementation details will be developed as strategies and tactics are considered on a case-by-case basis, and will be brought forward to Council for approval prior to implementation. The two main strategic initiatives that involve water are: 1) Water and Land Use, and 2) Preparation, Adaptation, and Resilience.

- The Water Supply Shortage Response Plan (2014)[33]: this document identifies the restrictions and requirements intended to achieve progressively higher levels of water savings under various projected water shortage conditions. The original plan was approved by City Council in 2003 and an update was approved in 2014.

[31] The City's Strategic Plan can be found at: http://www.fcgov.com/citymanager/pdf/strategic-plan-2015.pdf

[32] Though a more extensive report was developed and dated April 2014. See the City's Water Supply and Demand page: http://www.fcgov.com/utilities/what-we-do/water/water-supply-demand

[33] http://www.fcgov.com/utilities/img/site_specific/uploads/ORDINANCE_NUMBER_088_July_2014_Water_Supply_Shortage_Response_Plan.pdf

3.1 WATER EFFICIENCY AND WATER SUPPLY PLANNING

In planning for a reliable, secure, and sustainable water future, the Utilities employs an integrated resource planning strategy that utilizes a portfolio-based approach to meeting future demands and is guided by the documents described in Section 3.0 above. In most years, the City of Fort Collins Utilities has the benefit of having a plentiful level of water supplies that ensure sufficient supplies above the reliability criteria discussed in Section 1.2. The Utilities' water supplies are expected to support projected changes to demand under a combined strategy of a) increased long-term storage and, b) continued water efficiency efforts. This diversified approach will reduce water demand, improve system reliability, and enhance community resilience to drought and climate change. These two strategies need to be undertaken collectively; either on their own will be significantly less effective without the other.

Expanded water efficiency measures are cost-effective means to water supplies that can be utilized for several beneficial purposes. Conserved water can be stored for periods of drought, leased for agriculture, and used for beneficial environmental enhancement efforts such as in-stream flow programs. Increased storage provides a physical location for conserved water and enables Fort Collins to take full advantage of savings achieved by customers. See Section 1.3 for more information on the role of storage in our supply and demand management planning.

3.1.1 BENEFITS OF WATER EFFICIENCY

In addition to being a key part of the integrated resource management process, water efficiency programs also:

Foster a conservation ethic and reduce waste: the success of this Plan depends on the cooperation and support of the Water Utility customers and the City of Fort Collins community. Instilling a conservation ethic is an important foundation to changing habits and attitudes toward water use. The power of the individual in conservation makes a big difference in protecting quality of life, including our environment today and for generations to come. Our average use, calculated as gallons per capita per day (GPCD), has declined significantly. For example, in 2001 the GPCD was 198, whereas in 2014 it was 143. Several conservation-based efforts took place on the heels of the 2002-03 drought which have helped to support a sustained reduction in use; these include full metering, conservation-oriented rate structures, seasonal rate structures, expanded targeted industry outreach, the restrictive covenants ordinance, conservation kit giveaways, clothes washer rebates, and more.

Demonstrate a commitment to sustainability: The City aims to be leaders in this effort. The City approved the Climate Action Plan Framework in 2015 and previously approved an Action Plan for Sustainability in 2004, and an Environmental Policy in 2009 that outline the ways the City itself will reduce its environmental impact (this includes a commitment to identifying and implementing effective ways to conserve natural resources). To bring the global concept of sustainability to action at the local level, sustainability advocates use the triple bottom line in decision-making. Essentially, that means projects are evaluated based on their social, economic and environmental impacts. Rather than make decisions on the basis of profit or the economic bottom line, three bottom lines (social, economic, and environmental) are considered. For the City, it means creating an optimal mix of resource efficiency, cost effectiveness and employee well-being in daily City operations. One example of a goal is to reduce municipal operations water irrigation and increase efficiency per acre, as well as to reduce indoor use by

20% by 2020.[34] City buildings are required to achieve LEED "Gold" certification. Also, several areas of City grounds have been renovated with low water using landscape materials and some weather sensors have been added to the irrigation systems. The City Parks system is regularly audited; the majority of the Parks irrigation systems uses 95% or less of the water needed, based on the turf and plant requirements.

Provide water for multiple beneficial purposes: Conservation efforts can help to provide more water for beneficial uses beyond normal municipal purposes. For example, the area around Fort Collins continues to be a productive agricultural area, which in addition to representing economic activity, also provide significant open space outside of Fort Collins that is desired by many residents. When possible, making some of the City's surplus water available for these purposes provides supplemental revenue for the Utility and its customers. The potential environmental benefits of conserved water are also important. These include providing additional flow for the local stream systems, in-stream flow programs, improvements in water quality, improvements in aquatic and riparian ecosystems, enhanced recreational opportunities, and aesthetics, among other benefits.

Enhance resilience during drought periods: Conservation and efficiency efforts can help to develop a community and landscape that is more resilient to drought conditions. Through support of drought planning and implementation of proactive mitigation efforts, the actions proposed in this Plan can help to reduce vulnerability, protect economic health, and ease the effect of drought on individuals, businesses, and landscapes.

Prepare for climate change: Climate change may have significant impacts on both water demands and water supplies in the time frame of this plan. It is anticipated that climate change in the Mountain West will likely include the following changes: Increased evapotranspiration rates, increasing the water required to maintain the landscaping; more frequent dry spells and a longer growing season; increased variability in seasonal snow pack; earlier spring snowmelt and runoff; changes in the distribution of precipitation throughout a given year. These changes are expected to accelerate over the decades ahead and impacts may depend largely on factors such as population growth, economic growth and technological changes. Utilities will likely face significant challenges in the years ahead managing both water demands and water supplies. With many uncertainties regarding both water supply and demand, it is prudent to prepare for a wide range of conditions in the future. One example of the importance of efficiency efforts is that without conservation and/or significant changes in landscaping choices, outdoor water use will likely increase over the coming decades as customers strive to maintain their landscapes in a hotter and longer growing season. Furthermore, an approach that also includes planning for adequate reservoir capacity to help balance the swing in supplies available between wet and dry periods

[34] http://www.fcgov.com/sustainability/goals.php

Reduce costs:

- Direct utility costs: Efficiency programs decrease water and wastewater treatment costs as it reduces the amount of chemicals and energy used to produce, deliver, and heat water.
- Customer costs: water bill, but also the cost of energy to heat water, and landscape related costs including the cost to maintain, like labor costs, fertilizer and other landscape-related product costs.[35]
- Long-term costs: decisions about water supplies, treatment/distribution capacity needs, storage facilities are all made in consideration of projected water demand and peak capacity.

In addition to these savings, Fort Collins Utilities has benefited financially from conservation in two notable ways:

- Halligan Water Supply Storage project size: The original Halligan Reservoir enlargement planned allotment for Fort Collins was 12,000 acre-feet, which was in part based on the 2003 planning demand level of 185 GPCD. Among other factors considered in the permitting process, the role of conservation and the downward trend in GPCD (current planning demand level = 150 GPCD) resulted in revising the enlargement downward to only 8,125 acre-feet, which is approximately a 68% reduction and represents a $6.1M savings in project costs.

- Extra Water Treatment Facility capacity: A Water Treatment Facility (WTF) is designed for peak demand. The Fort Collins WTF was last expanded in 1999, prior to the significant increase in conservation efforts prompted by the 2002-03 drought. The total WTF treatment capacity of 87 MGD is estimated to be *at least* 23% larger than the expected build out in 2035 peak demand (~ 20 MGD). In 2013, the City of Fort Collins Utilities entered into an agreement with Fort Collins-Loveland Water District to sell FCLWD up to 5 million gallons per day (MGD) in excess water treatment capacity. The financial benefits of this agreement include the associated plant investment fee of $12.6M and a treatment charge of about $2 per thousand gallons.[36]

- Delay of capital expansion projects: Decreased wastewater flows have delayed the expansions of the Drake Water Reclamation Facility treatment capacity from 2010 to 2028.

[35] These costs may also represent larger environmental costs as run-off from landscapes can affect water quality and ecosystem health.

[36] In addition to the benefits to the City of Fort Collins Utilities, Fort Collins-Loveland Water District will be able to defer expansion of their current treatment facility and/or construction of a new water treatment facility. Additional information on this agreement can be found in the City of Fort Collins City Council agenda and materials from the October 1st, 2013 regular City Council meeting.

3.2 WATER EFFICIENCY GOALS

The WEP's overarching goal, which tracks from previous goals, is to reduce water demand to 130 GPCD by 2030. During the development of this updated Plan, however, it became clear that a single, system-wide metric of water use doesn't resonate with and isn't meaningful for customers. During the public comment period Water Conservation staff often saw that the GPCD metric was confusing. For example, it was unclear which water uses (residential, commercial, the Utilities' largest users, etc.) were involved in its calculation. The exact definition/equation of a utility's GPCD is a common issue for other entities and therefore can complicate and limit the ability to compare across utilities. Furthermore, a system-wide GPCD isn't a direct measure of the progress and effectiveness of the Water Conservation team's activities.

It was also unclear how an individual's water use (as seen on their bill) related to a GPCD goal. For most residential customers, on average, their individual GPCD or even GPHD (gallons per household her day) are much lower than the system-wide GPCD; however, during the summer irrigation months, it may be significantly higher. For customers in multi-family or multi-business units that are not sub-metered, there is no way to connect to the single system-wide goal. The community's feedback raised the question of the appropriateness of a GPCD goal, as well as the question of the best way to structure goals to motivate lasting change and communicate water efficiency progress.

Amy Vickers & Associates, Mary Wyatt Tiger and Shadi Eskaf confirm these broad issues: "…estimates of [GPCD] are not comparable to each other when the types of data used to compute GPCD differ. While average single-family water use metrics reflect a relatively small number of types of indoor and outdoor end uses of water that are common to most single-family homes, an average water use metric for an entire city reflects thousands of different types of water-using activities […] Furthermore, a system-wide average neglects the nuances of individual customer behavior and is not specific enough to detect some significant changes in water use behavior." in the 2013 American Water Works Association report: *A Guide to Customer Water-Use Indicators for Conservation and Financial Planning*.

For this WEP, a long-term goal of 130 gpcd by 2030 will remain. GPCD is still an industry standard and still a means to compare progress over time for the Fort Collins Utilities system overall. In the coming years, staff will work to evolve the metrics and indicators by which we judge water conservation/efficiency progress. The ultimate version of the goal definitions and structure will be subject to analysis and research and will be reflected in the next update of the Utilities' Water Efficiency Plan. Currently, staff recommends moving toward measurement and tracking of:

- Volume of water saved. This will be evaluated based on tracking conservation and efficiency programs. This is being added in part because City and Utility leadership have asked for clearer metrics related to Water Conservation programs. This metric provides good clarity and is a more direct measurement of the impact of Water Conservation programs.
- Program participation. This will be tracked by programs and events. This will give a measure of how many customers we're reaching.
- Residential water use indicators defined using measures of the amount of water delivered to residential customers and the service area population. This will likely be further broken down by type of residence (single-family, duplex, multi-family).
- Commercial sector indicators. These indicators will be based on industry-specific standards and set in partnership with the local commercial sector.

An updated Water Efficiency Plan will be developed no later than 2024 (7 years from the anticipated CWCB 2017 submission date). Figure 3.1 illustrates the projected water demand level if the 130 GPCD by 2030 goal is met, the current 140 GPCD by 2020 goal in the 2010 Water Conservation Plan, and the current 150 GPCD Planning Demand Level used in water supply reliability planning, along with historical and projected population. Figure 3.2 is a graph of GPCD levels, rather than total volume. This figure shows the historical GPCD levels along with our goal level and the projected trend in use that will achieve that goal. Chapter 4 describes the strategies for achieving this goal.

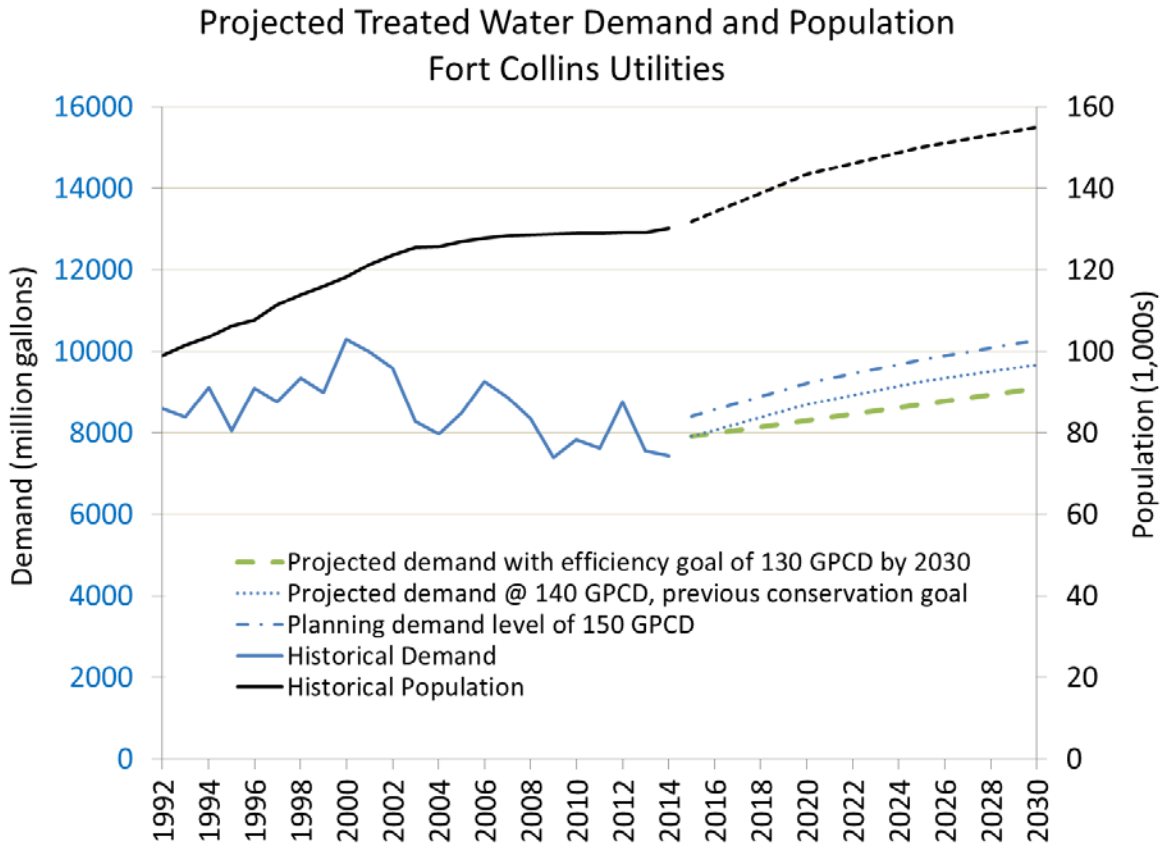


Figure 3.1 Water efficiency goal, demand and population

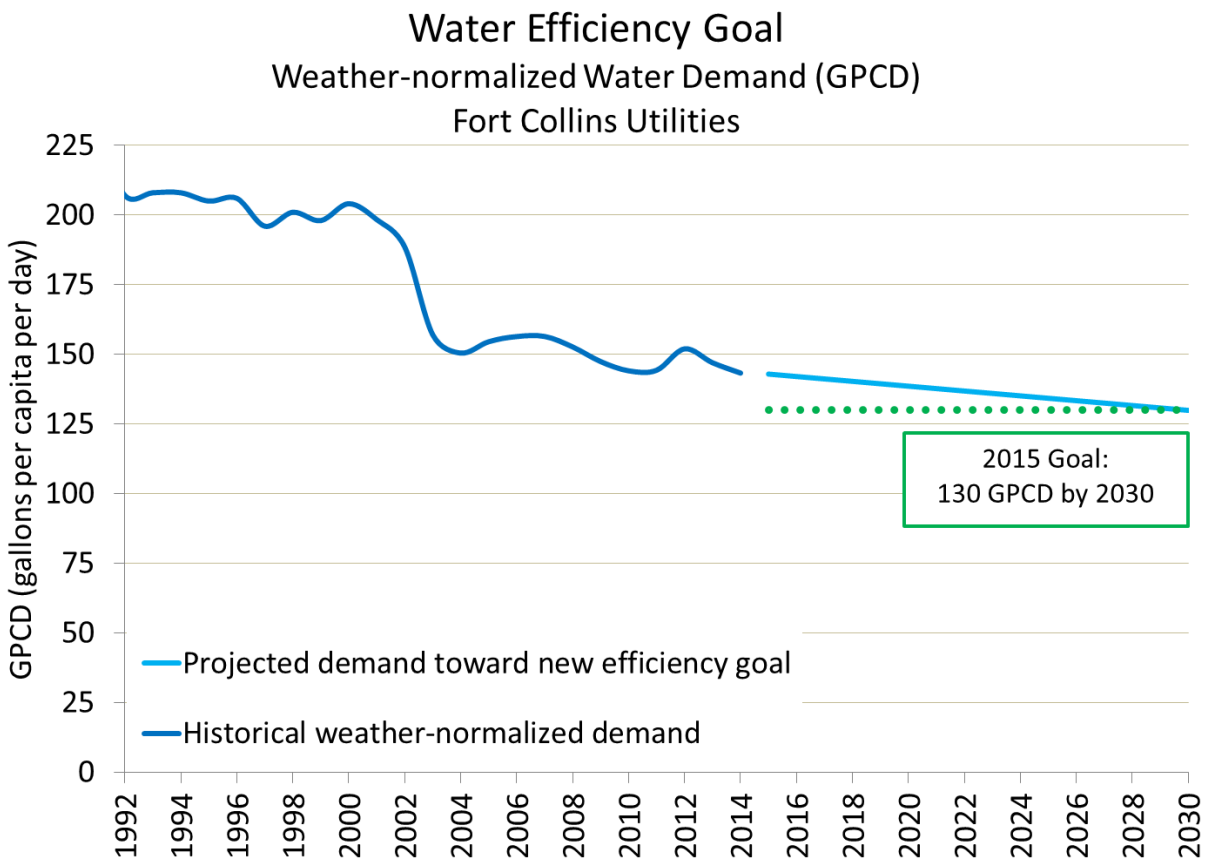


Figure 3.2 Historical GPCD and New Efficiency Goal

4.0 SELECTION OF WATER EFFICIENCY ACTIVITIES

The Utilities Water Conservation Team uses its mission and three overarching objectives to select the programs, projects, and approaches used in our daily efforts. These will ultimately guide our path to achieving our water efficiency goal of 130 GPCD by 2030 and align our work and efforts with those of the Utilities, the City and the State.

Water Conservation Team Mission: Cultivate a water efficient, adaptive, and knowledgeable customer base through education and cost-effective water efficiency programs while supporting the City's strategic plan and its social, environmental, and economic health.

Water Conservation Team Objectives:

- Water Efficiency and Conservation – provide water for beneficial purposes while reducing unnecessary use and waste.
- Customer Service – provide exceptional service for an exceptional community
- Technical Support – provide technical expertise to customers and City staff

4.1 SUMMARY OF SELECTION PROCESS

4.1.1 SELECTION PROCESS AND CRITERIA

Fort Collins has a robust water conservation approach with a number of conservation activities that have been implemented for years. We intend to continue the water efficiency activities, in some form, within our current portfolio of programs. These programs are likely to evolve over the years and the exact specifics of each are subject to change as a result of changing legislation, regulations, technology, customer preferences, appliance/fixture saturation rate, and Utilities/City plans. For example, the state of Colorado has passed legislation (Senate Bill 14-103) that mandates that any plumbing figure sold in the state must meet WaterSense standards by September 2016; this includes lavatory faucets, toilets, urinals, and showerheads. This change will likely affect our current approach to incentivizing customers to swap out old efficient fixtures for new, efficient ones.

In addition to a review of our existing activities, new and innovative activities were researched. Potential activities were identified from a number of sources including the Colorado Water Conservation Board's technical resources, the Colorado WaterWise Guidebook of Best Practices for Municipal Water Conservation in Colorado[37], a broad literature review, exploration of other utility case studies, and input from Utility staff, the City of Fort Collins Water Board, the community, the Water Conservation staff, and a Water Efficiency Plan Technical Advisory Group, consisting of several City departments as well as community members. This process not only identified activities, but also processes and tools that have the potential to help improve all activities.

The activities identified in this plan represent the best choices at the time. Technology, regulations, efficiency standards, market saturation, customer preferences and other factors are likely to change before this plan is updated and are sure to change during the course of the planning horizon (2030). We will continue to monitor the effectiveness and appropriateness of current activities while also exploring

[37] http://cwcb.state.co.us/technical-resources/best-management-practices/Pages/main.aspx

new programs. The City of Fort Collins utilizes a two-year budgeting cycle called Budgeting for Outcomes, which determines funding for Water Efficiency activities by, in part, evaluating the proposed activities against the City's strategic outcomes. We are therefore potentially constrained in terms of the activities we can undertake; the funding must be available and approved by City Council.

4.1.2 PRIORITIZATION PROCESS

Each of the potential activities will be prioritized using the following qualitative screening criteria.

- Program Effectiveness: This combines the estimated water savings with the estimated program costs: How effective is the activities in terms of gallons of water saved per program dollar spent?
- Staff Resources: How labor- and time-intensive is the program? Do we have the staff resources to properly support, monitor and evaluate the program?
- Customer Preferences: Does this activity meet the needs and wants of the Utility water service area customers? Does this activity support the social and economic health of our customers?
- Participation Level and Reach: How many customers could be impacted by this program? What types of customers does it reach? Is it engaging previously unengaged customers?
- Alignment with other Utility and City objectives: Does this program support activities in other areas of the Utility and the City? Does it help achieve Utility and City strategic objectives?

4.1.3 POTENTIAL NEW DEMAND MANAGEMENT ACTIVITIES

In addition to continuing the existing set of water conservation and efficiency activities listed in Section 2.3 and described in greater detail in Appendix B, we identified five areas of opportunity for developing new programs and approaches. Each highlights an area with great potential to expand and increase water efficiency and great potential to better meet the needs of our customers. Each of these areas also supports specific strategic outcomes and objectives in the City's Strategic Plan; these are listed in Appendix C. In this process we also identified three implementation principles that will guide the development of any new programs and strategies; these are detailed in Section 5.1.

Areas of Opportunity

- Leverage Advanced Meter Fort Collins data and capabilities
- Promote and support greater outdoor water efficiency
- Encourage greater integration of water efficiency into land use planning and building codes
- Expand commercial and industrial sector strategies
- Increase community water literacy

Table 4.1 highlights a few benefits of each identified area, a few potential activities that fall into each area, as well as a brief description of an existing practice within the area.

Table 4.1 Areas of Opportunity

Leverage Advanced Meter Fort Collins data and capabilities		
Aligns with City Plan Strategic Objectives: 3.9, 4.6, 4.7, 4.8, 7.9, 7.10		
Benefits • Increased customer understanding of water use • Greater connectivity to customers • Increased customer benefits through web portal information and tools • Less confusion and fewer bill surprises	Potential Activities • Monitor My Use & High Bill/Use Alerts • Improved leak detection • Near real-time identification of savings and inefficiencies • Craft easy-to-understand, targeted water-savings actions based on data and use patterns	Example: The continuous consumption uses AMI data to detect likely leaks; we alert homeowners so that they can fix the leak and avoid damage and high bills. In 2015 we reached out to 980 customers.
Promote and support greater outdoor water efficiency		
Aligns with City Plan Strategic Objectives: 1.11, 4.6, 4.7, 4.8, 7.5		
Benefits • Reduced peak season and peak day demands, which impact system capacity needs and long-term planning • Customer benefits through lower bills, increased aesthetics and home value • Fewer wasting water issues/complaints	Potential Activities • Residential and Commercial sprinkler audit programs • Xeriscape Incentive Program • Customer and Contractor training series • Interactive demonstrations • Educational Water budget tool	Example: In 2014 we provided over 400 sprinkler system audits, with an estimated potential savings of 30MG. The cost-effectiveness of this program is about $1.20 per 1,000 gallons saved.
Encourage greater integration of water efficiency into land use planning and building codes		
Aligns with City Plan Strategic Objectives: 1.3, 1.11, 3.7, 4.7, 4.8		
Benefits • Increased efficiency of development • New development will lead by example • Less waste from pursuing retrofits of new development • Reduced impact of population growth	Example Activities • Landscape requirements and incentives for new development • Contractor education and trainings • New and re-development plan review requirements • Require WaterSense appliances and fixtures	Example: Beginning in 2012, the City's Green Building Code mandates WaterSense toilets and other fixtures in residential and commercial facilities; this is estimated to save between 20-25% annually.

Expand commercial and industrial sector strategies		
Aligns with City Plan Strategic Objectives: 3.5, 3.6, 4.7, 4.8, 5.10		
Benefits • Increased water savings due to scale of projects • Enhanced business partnerships • Support ClimateWise program • Enable greater economic health	Example Activities • Custom commercial rebate program • Benchmarking • Targeted industry-specific campaigns and outreach • Address tenant/owner incentive misalignment	Example: In 2013 the custom commercial program helped replace two pools filters, which are estimated to have nearly 800,000 gallons per year.
Increase community water literacy		
Aligns with City Plan Strategic Objectives: 4.6, 4.7, 4.8, 7.4		
Benefits • Customer has greater understanding of role in the water system • Increased customer understanding and support of Utilities' actions and decisions • Increased cooperation during difficult conditions	Example Activities • Improved and expanded messaging strategies • Identify new approaches to education and outreach • Develop innovative methods to strengthen K-12 water literacy curriculum	Example: In 2014 we began providing Home Water Report to select customers; these display usage information, comparisions to similar homes, and provide efficiency tips. Households receiving the reports reduced their use by 2%.

We also highlight a few other promising areas, in addition to our current program and the types of activities identified in the Strategic Objectives sections, that we plan to explore in the coming years. Many of these overlap with several of the Areas of Opportunity or warranted some additional explanation, and thus are discussed in greater detail below.

- Rate Structures: Prices send a value signal to customers and help customers determine how they value using water. Rate structures are also designed to cover the cost of providing service.[38] Therefore it is important to balance both sides. Along with the Finance team, we intend to explore new means of incentivizing the efficient use of water while supporting revenue requirements.

- New and Re-Development Incentives & Requirements: There are a variety of decisions made throughout the development and re-development process. We aim to further explore and support ordinances or regulations like low water use landscape requirements, tap fees and incentive programs that are more aligned to encouraged efficiency from the start, irrigation taps/requirements, greywater ordinances and systems, and more.

[38] This includes operational costs (like treatment costs), maintenance costs, and capital costs.

- M36 Audit & Other Leak Monitoring Initiatives: A significant way to reduce water loss, reduce bills and repair expenses, is a robust portfolio of leak detection, monitoring, and notification initiatives, including those that address leaks within our distribution system, private property leaks that occur prior to the meter and result in non-revenue waste, and continue to expand and enhance our beyond-the-meter Continuous Consumption Program. The Utilities is also in the process of incorporating the American Water Works Association's M36 Audit process to ensure "the accountable and efficient management of water supplies" by the Utilities.[39]

- Rebate and Incentive Programs: We aim to ensure that the rebate level is based upon data-driven estimates of the water savings that results from the appliance, fixture, or technology change. This process will also include an approach to phase out or adjust program specifications once Colorado becomes a WaterSense state in September 2016. We also want to expand the reach of our programs to help more customers, either through community partnerships or new approaches to outreach and marketing. We will explore how to reach more low-income or otherwise disadvantaged/at-risk households, rental units, and multi-family units.[40]

[39] The M36 represents a National standardized approach to water supply system audits that accounts for all water. http://www.awwa.org/portals/0/files/publications/documents/toc/m36ed3.pdf http://oawwa.org/SDWA%20Presentations/2013/Water%20Audit%20Presentation,%20November%204,%202013.pdf

[40] While this is titled "Rebates and Incentive programs", efforts to reach underserved populations may also include expansion of direct-install programs like our current partnership with the Larimer County Conservation Corps (LCCC).

5.0 IMPLEMENTATION AND MONITORING

5.1 IMPLEMENTATION

The following principles serve as guidance to implementing existing and new activities. We believe these principles will help to improve effectiveness of our programs, help to achieve our water efficiency goals, and keep our actions in alignment with our overall mission. These principles are also in alignment with several Strategic Objectives in the City Plan, including 3.9, 7.4, 7.5, 7.10, and 7.11. These are further described in Appendix C.

Employ sophisticated data-driven processes and decision-making

Benefits

- Decisions supported by data
- Improved accuracy of water savings estimates
- Increased overall portfolio effectiveness
- Increased program savings and reach through use of behavioral science principles

Example Actions

- Targeted and tailored programs
- Marketing and Communications
- Streamlined, consistent program tracking and reporting
- Develop and monitor targeted metrics to support targeted goals

Cultivate new and bolster existing community and statewide partnerships

Benefits

- Greater trust in the Utilities
- Expanded capacity and reach through project partners
- Support economic health
- Stronger network of conservation partners

Example Actions

- Expand conservation support for nearby water districts
- Expand work with higher education institutions
- Increase public-private projects, like an industry-specific water efficiency conference
- Participate in and contribute to statewide conservation efforts, (e.g. Colorado WaterWise, Colorado Foundation for Water Education)

Coordinate and support symbiotic efforts within Utilities and across the City

Benefits

- Improved consistency and reduced redundancy across City efforts
- Simplified processes for customers
- Greater synergies in the water-energy nexus space

Example Actions

- Resource Conservation unification in Utilities
- Collaborate with efforts of Environmental Services, Planning, Natural Areas, Community Engagement, Nature in the City, Housing and Development, Parks, among others
- Partnerships with the neighboring water districts.

5.1.1 EVALUATION AND DEVELOPMENT

Each year existing activities will be evaluated and adjusted to ensure that they are performing well – both internally and externally – and that they are meeting our goals and objectives. Any new programs will be subject to a holistic vetting process, by bringing in internal stakeholders from other areas of the Utilities and the City to ensure consideration of multiple viewpoints and create organization-wide awareness and support for the new program.

Part of the support for existing new program development will stem from the Utilities' new Program Management Office, which is tasked with launching Utilities activities in a way that is well planned, well-resourced and sustainable. New programs will be developed through a process that includes several key stages. New programs will need clearly stated goals and objectives. Models will be developed to test the viability of the proposed program in meeting water savings and other goals. These models will likely lay the groundwork for metrics that will measure the effectiveness of the programs. Once a proposed process starts to become clear, risk assessment and a business case will be developed to strengthen and validate the proposed conservation program or activity. Proposed processes will be mapped and documented and roles of staff will be assigned. Internal and external stakeholders will be engaged to ensure consideration of multiple viewpoints, create organization-wise awareness and support for the new program, and to make sure the program is supported by our customers.

The programs that ultimately are implemented will be a function of the budgeting process. The City of Fort Collins uses a Budgeting for Outcomes (BFO) approach, which is based on the premise of prioritizing funding for results, rather than focusing on funding inputs and costs. This method shifts the focus from paying for costs to buying results, and emphasizes accountability, innovation, and partnerships. This is a two-year cycle, with the next preparation phase starting in 2016 for the 2017-18 budget cycle. In order to fund new water efficiency programs, we will need to show that the program can deliver results. These results most importantly include improved water efficiency and sustained water savings.

5.2 MONITORING

We cannot monitor or improve what we do not measure. The benefits of monitoring include:

- Feedback as to whether or not conservation activities are affecting change.
- Identification of programs that might not be cost-effective relative to other programs or to developing new supply.
- Clarity of alignment with goals and if a given program warrants expansion, modification or termination.
- Improvement of modeling of supply needs.
- Illustration of savings by various customer segments
- Tracking of participation based on customer class and other factors to help verify programs are accessible to all types of customers
- Prioritization of program development funding and expansion

While the main goal of this plan is identified in terms of GPCD (a common metric used throughout the water industry that captures community water use changes at a high level) we intend to also focus on more specific and targeted measures. This is further discussed in Chapter 3.

In addition to what is discussed in Chapter 3, tracking measures may include but are not limited to:

- Water savings estimates with breakdowns by seasonal vs. baseline, consumptive vs. non-consumptive, treated vs. raw
- Direct and indirect energy savings associated with water saved
- Landscape changes, including the amount of irrigated landscape; annual amount of audited landscape
- Total participation in programs and events, number of new participants, types of participants – including type of customer based on customer class, sociodemographic categories, geographic location, etc.
- Customer use of the Monitor My Use web portal, mobile, and other online tools and alerts
- How effectively events, educational and informational strategies lead customers to participate in a program; if participation in one program leads to participation in other programs

6.0 CHAPTER 6: ADOPTION, PUBLIC REVIEW AND FORMAL APPROVAL

6.1 ADOPTION OF NEW POLICY

6.1.1 ON OCTOBER 13, 2015, THE CITY OF FORT COLLINS CITY COUNCIL REVIEWED THIS DOCUMENT DURING A WORK SESSION. THE PUBLIC COMMENT PERIOD WAS THEN OPEN FROM NOVEMBER 2, 2015 TO JANUARY 15, 2016. ON MARCH 1, 2016 THE CITY OF FORT COLLINS CITY COUNCIL APPROVED AND ADOPTED THIS PLAN.

6.2 PUBLIC REVIEW PROCESS

Community Leader Involvement in Efficiency Plan Development: Communication with community leaders was a critical component for soliciting ideas and developing consensus to support public review process and the Efficiency Plan as a whole.

A Technical Advisory Group was convened with the purpose of exploring options for conservation and issues related to conservation. The group included Water Board members and Utilities' staff as well as staff from the City of Fort Collins' Environmental Services Department:

- Adam Jokerst, Water Resources Engineer
- Alexander Maas, Water Board Member
- Brett Bovee, Water Board Member
- Carol Webb, Water Resources and Treatment Operations Manager
- Donnie Dustin, Water Resources Manager
- Josh Birks, Economic Health Director
- Katy Bigner, Environmental Planner
- Lance Smith, Strategic Financial Planning Manager
- Laurie D'Audney, Water Conservation Manager (retired)
- Lea Pace, Water Conservation Intern
- Lisa Rosintoski, Utilities Customer Connections Manger
- Michelle Finchum, Community Engagement Specialist
- Peter Mayer, Water DM
- Randy Reuscher, Utility Rate Analyst
- Rebecca Hill, Water Board Member
- Renee Davis, Water Conservation Specialist
- Steve Malers, Water Board Chair
- Tiana Smith, Customer Accounts Manager
- Tim Buchanan, City Forester

This group met for seven meetings, with each meeting focusing on a specific topic. The topics were:

- Meeting 1: Water supply & storage; potential water efficiency goals
- Meeting 2: Scenarios based on water efficiency goals
- Meeting 3: Commercial impacts; current and potential conservation activities
- Meeting 4: Revenue effects from lower demand
- Meeting 5: Tree and landscape impacts; landscape survey results
- Meeting 6: Scenarios based on water efficiency goals, identification of conservation activities.
- Meeting 7: Continued identification and discussion of conservation activities.

The Technical Advisory Group not only heard for expert City staff, but also provided input on potential metrics and possible conservation activities. A member of this group also instigated the creation of a figure to help the public understand where water is used and possible points of improved efficiency.

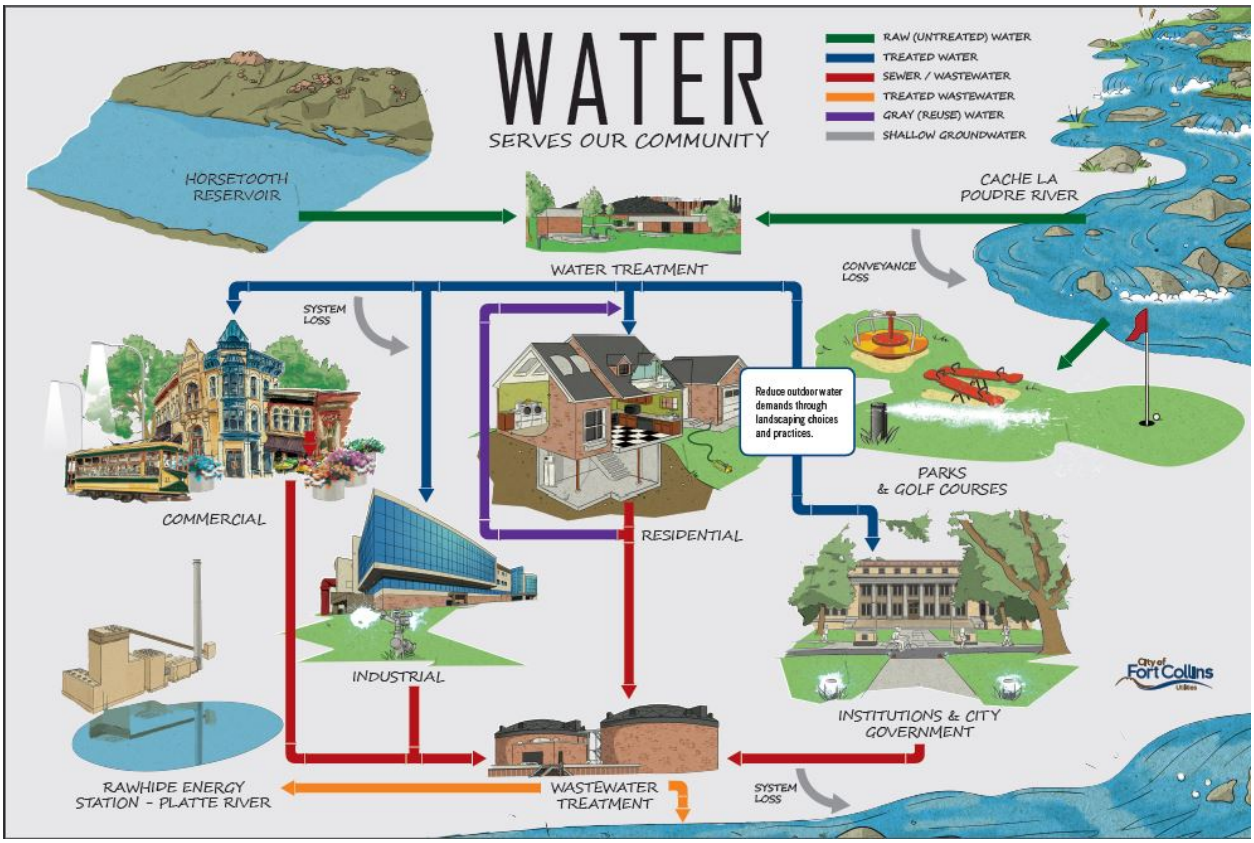


Figure 3 Diagram of Water Sources, Key Infrastructure and Customers

Public Engagement

Communication with the public was done through several channels. The public comment period was open from November 2, 2015 to January 15, 2016. This involved a survey and public comment forum on a Utilities website with the draft of the Plan. Posters were hung around town and we ran social media ads to encourage visits to the website. 11 people provided extensive comments via the online forum.

398 unique people visited the website during this period, though social media had thousands of impressions on viewers so thousands of people are at least aware that the Plan is being updated.

Planners worked in collaboration with CSU's Center for Public Deliberation at a community issues forum in April 2015. This meeting had diverse topics on the agenda and as such provided broad outreach. This was a good chance to engage beyond the usual water-focused audiences.

The Coloradoan, the local Fort Collins newspaper, published the article "Rate changes among water conservation strategies" on November 15, 2015. This article detailed the various approaches to water conservation in the draft Water Efficiency Plan. It also encouraged readers to learn more and provide input during the public comment period. 12 people commented on the Plan through the Coloradoan online comment forum.

The public was also engaged through presentations to various city advisory boards. This effort connected the plan to the public through board members as well as City departments that have a stakeholder role. Boards visited include:

- Water Board work session, April 2, 2015 and October 1, 2015
- Energy Board work session, June 4, 2015
- Planning and Zoning work session, June 5, 2015
- Parks and Recreation Board, June 24, 2015.
- Natural Resources Advisory Board, July 15, 2015 and October 21, 2015.

In addition, we reached out to Economic Advisory Commission and the Land Conservation Stewardship Board. These boards felt our plan was outside their scope, but expressed that if Council directed, they would welcome a presentation.

Local business groups and organizations were also targeted for outreach.

- Associated Landscape Contractors of Colorado, September 10, 2015
- Rocky Mountain Fly Casters, a local chapter of Trout Unlimited, September 16, 2015
- Save the Poudre, October 1, 2015.
    - Save the Poudre member Gary Wockner provided a formal public comment memo to City Council on January 15, 2016.
- Key Accounts semi-annual meeting, November 4, 2015. A follow-up email encouraged commercial and industrial Utilities customers to visit the website and take part in the public comment period.
- Poudre Heritage Alliance, November 18, 2015. An electronic copy of presentation was made available to the group with a request to distribute to their board.
- Downtown Development Authority, materials requested for the January 20, 2016 in lieu of a presentation (presentation originally scheduled for their December 10 meeting, but would have had to have been pushed to a meeting beyond the March City Council session).
- Northern Colorado Home Builders Association's newsletter carried information and a link to the online survey.
- Odell Brewing Company, January 13, 2016
- State Senator Kefalas, January 22, 2016

6.3 6.3 LOCAL ADOPTION AND STATE APPROVAL PROCESSES

6.3.1 THIS PLAN WILL BE PRESENTED AT A FORT COLLINS CITY COUNCIL WORK SESSION IN OCTOBER 2015 AND AGAIN AT A REGULAR SESSION IN MARCH OF 2016. AT THE REGULAR SESSION, FORT COLLINS CITY COUNCIL ADOPTED THE PLAN. FURTHER SUPPORT FROM CITY COUNCIL WAS DEMONSTRATED IN THE 2016 BUDGETING PROCESS WHEN THE COUNCIL PRIORITIZED ADDING ADDITIONAL STAFF. THE PLAN WAS SENT TO CWCB FOR APPROVAL IN JANUARY 2017.

6.4 6.4 PERIODIC REVIEW AND UPDATE

Progress towards the 130 gpcd by 2030 goal will be monitored annually. The water efficiency plan will be reviewed annually during the drafting of Water Conservation's annual report. This report is submitted to Fort Collins Utilities' Water Board for review. An updated water efficiency plan will be developed no later than 2024 (7 years from the anticipated CWCB 2017 submission date).

GLOSSARY

1-in-50 Year Drought Criterion - criterion adopted in the current Water Supply and Demand Management Policy that defines the level of risk for the City's water supply system; a drought is a period of below average runoff that can last one or more years and is often measured by its duration, average annual shortage and cumulative deficit below the average; a 1-in-50 drought corresponds to a dry period that is likely to occur, on average, once every 50 years; although the Poudre River Basin has several drought periods in its recorded history, it is difficult to assess whether any of these droughts were equal in magnitude to a 1-in-50 drought; the 1985 Drought Study developed the 1-in-50 drought used in assessing the Utilities water supply system; this drought period is six years long and has a cumulative deficit of 550,000 acre-feet, which represents annual river volumes that are about 70% of the long-term average for the Poudre River; see also "Statistically Based Drought Analysis"

Acre-Foot or Acre-Feet (AF) - volume of water equal to about 326,000 gallons; one acre-foot can supply around three to four single family homes in Fort Collins per year; for storage comparison the maximum volume of Horsetooth Reservoir is about 157,000 acre-feet

Active Capacity - the usable capacity of a reservoir for storage and regulation of inflows and releases that does not include any capacity below the reservoir's lowest outlet (which is known as dead capacity)

Carryover - used in reference to storage; it is the ability to save water in storage for use at a later time, most notably in following years

Colorado-Big Thompson (CBT) Project - a Bureau of Reclamation project that brings water from the Colorado River basin to the east side of the continental divide via a tunnel and the Big Thompson River to several locations including Horsetooth Reservoir; operated by the Northern Colorado Water Conservancy District (or Northern Water); Fort Collins Utilities currently owns 18,855 units of the 310,000 total units in the CBT project

Direct Flow Rights - water rights that can be taken for direct use, as opposed to storage rights that can be taken for later use; see also "Senior Water Rights"

Drought Criterion - The drought criterion states that in a 1-in-50 year drought the Utilities should be able to meet the planning demand level. This is an important criterion because not only will demands often be higher in drought periods due to less precipitation, water supply systems generally will also yield less water. The Utilities has used a 1-in-50 year drought criterion since the original 1988 Water Supply Policy.

ELCO - short for East Larimer County Water District

Evapotranspiration - the combination of the water lost (evaporate) to the atmosphere from the ground surface, evaporation from the capillary fringe of the groundwater table, along with the plant transpiration, which is evaporation of water from plant leaves. Evapotranspiration is affected by temperature, relative humidity, wind and air movement, soil moisture availability, and the type of plant. For more information see: http://water.usgs.gov/edu/watercycleevapotranspiration.html

FCLWD - short for Fort Collins-Loveland Water District

Firm Yield - a measure of the ability of a water supply system to meet water demands through a series of drought years; for the Fort Collins Utilities, this means being able to meet the planning demand level and storage reserve factor through the 1-in-50 year drought criterion; see also “1-in-50 Year Drought Criterion”, “planning demand level” and “storage reserve factor”

GMA – short for Growth Management Area, which is the planned boundary of the City of Fort Collins’ future City limits

GPCD - short for gallons per capita per day; a measurement of municipal water use; for the Fort Collins Utilities, GPCD is calculated based on the total annual treated water produced at the Water Treatment Facility for use by all Water Utility customers (minus large contractual customers and other sales or exchange agreements) divided by the estimated population of the Water Utility’s service area and 365 days

Legal Return Flows or Return Flow Obligations - refers to legal requirements when changing water rights from agricultural to municipal use; this process requires obtaining a decree from Colorado Water Court that involves detailed analysis of the historic agricultural water use, including the water diversions, amount used by the crops, and the return flow patterns of the water not used by the crops; terms in the decree to prevent municipalities from taking more water than was historically taken and replacing return flows in the right amount, location and time to prevent injury to other water rights

LiDar: This is a remote sensing technology that can be used in large-scale landscape analysis.

Northern Water or NCWCD - short for Northern Colorado Water Conservancy District (NCWCD); Northern Water operates the Colorado-Big Thompson (CBT) Project and is involved in several other regional water projects on behalf of their participants; see also “Colorado-Big Thompson (CBT) Project”

NPIC - short for North Poudre Irrigation Company; an irrigation company that supplies water to farmers north of Fort Collins and is the owner of all water currently stored in Halligan Reservoir

Planning Demand Level - level of water use (demand) in GPCD used for water supply planning purposes that is a factor in determining the amount of water supplies and/or facilities needed; see also “GPCD”

RWR – short for Raw Water Requirements, which requires new development to turn in water rights or cash-in-lieu of water rights to support the water needs of that development; cash is used to increase the firm yield and long-term reliability of the Utilities’ supply system (e.g., purchase additional storage capacity)

Senior Water Rights - refers to Colorado water law’s use of the “prior appropriation” or priority system, which dictates that in times of short supply, earlier water rights decrees (senior rights) will get their water before others (junior rights) can begin to use water, often described as “first in time, first in right”

Storage Reserve Factor - refers to a commonly used engineering principle in designing water supply systems to address short-term supply interruptions; as defined in the Water Supply and Demand Management Policy, the storage reserve factor incorporates having 20 percent of annual demands in storage through the 1-in-50 drought which equates to about 3.5 months of winter (indoor) demands or 1.5 month of summer demands

Water Rights Portfolio - the mix of water rights owned by a water supplier; typically includes water for direct use, as well as for storage for later use; for the Fort Collins Utilities, includes City owned water rights, owned and/or converted shares in agricultural rights, storage rights at Joe Wright Reservoir, and ownership in the CBT project

WSDMP - short for Water Supply & Demand Management Policy, which provides Fort Collins Utilities guidance in balancing water supplies and demands

Yield or Water Rights Yield - refers to the amount of water that is produced from a water right; the yield of water rights vary from year to year depending on the amount of water available (i.e., low or high river runoff) and the priority of the water right; see also “Firm Yield” and “Senior Water Rights”.

APPENDIX A: MATERIALS RELATED TO CHAPTER 1

The following are descriptions of the various water supplies currently in the Utilities water supply portfolio:

Poudre River Basin Water Rights:

- Senior Direct Flow Decrees: The City has five very senior direct flow decrees on the Poudre River that are available to the City most of the time. Only in very severe dry periods are the diversions limited.
- Junior Direct Flow Decrees: These junior rights are only in priority during the peak runoff period when most of the other rights on the Poudre River have been satisfied. In dry years, the City may not be able to divert anything under these rights.
- Pleasant Valley and Lake Canal Shares: The City owns a substantial portion of the shares in this mutual irrigation company. The amount of water the City is entitled to divert to meet treated water demands depends on the number of shares the City designates for such use and which priorities owned by the irrigation company are in priority during the season.
- Southside Ditches: The City owns shares of stock in the Arthur, Larimer No. 2, New Mercer and Warren Lake irrigation companies, often referred to as the Southside Ditches. With 13 separate priorities, yields vary considerably from year to year. Much of the yield comes from a couple of large junior rights and normally only yields during the high runoff months of May and June.
- Michigan Ditch and Joe Wright Reservoir System: This system consists of a ditch that diverts water from the Michigan River drainage across the divide into the Poudre River Basin, Joe Wright Reservoir and storage capacity in Meadow Creek Reservoir. Joe Wright Reservoir includes about 6,500 acre-feet of active storage and is the only storage facility owned and operated by the City. There are usually periods during the peak runoff season in which the reservoir is full and Michigan Ditch water is available if it can be taken directly to meet demands. Joe Wright Reservoir is used primarily to regulate the annual Michigan Ditch flows and has limited carryover capacity to provide drought protection for the City. The City also has storage capacity in Meadow Creek Reservoir, which is used to release water to downstream senior rights on the Michigan River.
- Water Supply and Storage Company Shares**:** The City owns about 27 shares in this irrigation company. Since the City-owned shares are not presently decreed for municipal use, this water is usually rented back for agricultural use.

Colorado-Big Thompson Water System:

- Horsetooth Reservoir: Water from Horsetooth Reservoir, a part of the C-BT Project, can be delivered to the City's water treatment facility or to the Poudre River. The following sources are available for use from Horsetooth Reservoir.
- Windy Gap Water**:** The City receives Windy Gap water from Platte River Power Authority (PRPA) as payment for 4,200 acre-feet of reusable effluent made available to PRPA by the City. The reusable effluent is the result of a Reuse Plan that involves the City, PRPA, and the Water Supply and Storage Company (WSSC). The 4,200 acre-feet of Windy Gap water is dedicated for large contractual use that requires reusable water. As part of the Reuse Plan, the City is required to deliver 1,890 acre-feet of single use water to the WSSC.
- North Poudre Irrigation Company (NPIC) Shares**:** The City currently owns about 3,564 shares of NPIC. Each share consists of native water supply (which is primarily decreed for agricultural use)

and 4 units of C-BT water. Unless the agricultural portion of each share is changed for municipal purposes, the City can only use the C-BT portion of the shares to meet treated water demands.

- West Fort Collins Water District (WFCWD) Water**:** Through an agreement with the WFCWD, the City provides treated water to their customers and in return, gets reimbursed with an equivalent amount of C-BT water. In recent years, the amount transferred to the City has been about 500 acre-feet each year.

APPENDIX B: MATERIALS RELATED TO CHAPTER 2

Table: Collected Service Area Trends, 2001-2014

Year	Service Area Population	Annual Water Use (MG)	Average Day Use (MGD)	Actual Use (GPCD)	Normalized Average Use (GPCD)	Peak Day Use (MGD)	Actual Peak Day Use (GPCD)	1 in 50 Normalized Peak Day Use	Annual Precipitation (inches)	ETos Grass Tot (in)
2001	121,300	9,978	27.3	198	198	55.8	428	503	12.3	45
2002	123,700	9,599	26.2	183	189	51.4	378	411	9.3	47
2003	125,500	8,280	22.6	154	157	46.9	346	383	18.2	49
2004	125,800	7,984	21.8	146	150	42.3	307	327	18.1	44
2005	126,900	8,497	23.3	155	155	50.1	365	363	16.2	49
2006	127,800	9,268	25.4	172	156	48.9	353	350	11.2	51
2007	128,400	8,860	24.2	162	156	47.5	342	356	13.7	44
2008	128,700	8,352	22.8	153	153	44.3	321	333	13.8	50
2009	128,900	7,391	20.2	135	147	37.1	265	304	21.9	46
2010	129,000	7,830	21.4	146	144	40.8	295	323	14.1	48
2011	129,100	7,621	20.8	141	144	39.7	285	289	17.8	49
2012	129,200	8,757	23.9	165	152	46.8	342	315	10.8	54
2013	129,300	7,560	20.7	141	147	43	312	303	18.8	47
2014	130,200	7,437	20.4	139	143	37.2	269	288	16.7	47

The following are descriptions of the Current Water Conservation Program Activities, along with the first year of full implementation.

Foundational Activities

- Conservation-oriented rate structures (2003) – Tiered rates (increasing block rate structure). There are currently three tiers for residential single-family and duplex customers, one tier for multi-family units, and two tiers and commercial customers.[41]
- Continuous Consumption program (2015): this program developed a data query that checks the meter data for meter readings that have continuously remained above zero for 72 hours. Customers with the highest continuous flow rates are contacted to make them aware of the continuous consumption and the likely leak. Staff troubleshoots with the customer to try to find the source of continuous use.
- Metering (2003): Commercial and multi-family units have been metered for decades; the Utilities fully metered residential customers by 2003. The Utilities transitioned to advanced metering infrastructure (AMI) in 2014, known as Advanced Meter Fort Collins (AMFC) The data resolution is hourly intervals for water and 15-minute intervals for electric.
- Monitor My Use (2014): this web-based portal was developed to provide customers near-real time access to their historical and current electric and water usage and costs. The portal also provides comparisons to the previous bill period, and illustrates which tier you are currently in. There are alert-based features that a customer can use to provide automatic notifications when they reach a certain usage level or cost level.[42] A mobile version was launched in December 2014.
- Online water use calculator (2012): Customers can use an online calculator with their household parameters and historic water consumption to identify ways to improve efficiency and reduce use.[43]
- Seasonal rate structures (2003): Multi-family and commercial customers face higher rates from May through October.
- Utility water loss program (1993): Sonar equipment is used to listen for leaks in the water mains and pinpoint their locations. Crews monitor water leaks on an ongoing basis, with a two-year cycle to survey all water mains. Catching leaks before they have surfaced saves water and costs of excavation and repairs, and supports the wasting water ordinance.

[41] For the most current residential rates see: http://www.fcgov.com/utilities/residential/rates/water. Multi-family units are often not sub-metered and instead have a base charge which varies by the number of dwelling units. Commercial customers' rates are based on the size of the meter; this includes the base charge, the volumetric charge, and the volume above which customers face the second-tier rates. See http://www.fcgov.com/utilities/business/manage-your-account/rates/water for the most current rates.

[42] This tool is only available for residential customers. Commercial customers currently have access to a different tool called MV Web and the Utilities is exploring new methods and systems to address commercial customers' needs.

[43] Currently, the Utilities' website provides a link to the following website developed by the Alliance for Water Efficiency: http://www.home-water-works.org/

Targeted Technical Assistance and Incentives

- Commercial custom rebates (2011): offered for any technology (e.g. cooling tower conductivity control, leak detection and repair, fixture replacement, etc.) that has a documented water savings from the current equipment.
- Commercial facility assessments (2004): facility audits are performed to assess water and energy use and make recommendations for improved efficiency. During these assessments, low-flow aerators are installed at no cost to the business.
- Home efficiency audits (2009): residential customers are offered an energy and water audit of their home to identify equipment and actions that can improve efficiency for a small fee. Faucet aerators and showerheads are installed at the time of the audit.
- Home efficiency loans/on-bill financing (2010): this program offers a low cost, no-money-down financing option for up to 20 years. Loans are conveniently repaid by the customer through their monthly utility bill.
- Indoor Appliance and Fixture Rebates (residential and commercial):
    - Clothes Washer (2003): Available for eligible EnergyStar labeled clothes washers.
    - Dishwasher (started 2007): Available for eligible EnergyStar labeled dishwashers.
    - Toilet (2010): Available for eligible WaterSense labeled toilets and urinals.[44]
    - Showerhead (2011): Available for eligible WaterSense labeled showerheads.
    - Outdoor Equipment Rebates (residential and commercial):
    - Sensors (rain, soil moisture), high-efficiency nozzles, pressure-reducing heads, pressure regulators, and smart irrigation controllers
- Low income retrofit program (2007): provides low income single- and multi-family households with toilet, showerhead and faucet aerator retrofits. This work is often done in partnership with Larimer County Conservation Corps.
- Restaurant pre-rinse spray valve distribution (started 2011): low flow pre-rinse spray valves (to rinse trays of dishes prior to washing them) are installed at no charge for restaurants and other food service operations.
- Sprinkler system audits (1999): audits are offered to homeowners and homeowner associations to help them improve sprinkler system efficiency.
- Xeriscape design/incentive program (2010): provides homeowners a one-on-one consultation with a landscape design professional for a small fee.

[44] The toilet rebate program also includes a mandatory toilet recycling component. The porcelain from recycled toilets is used by the Streets Department as a road base.
http://www.fcgov.com/utilities/residential/conserve/water-efficiency/toilet-rebates/toilet-recycling

Educational Activities

- Business education programs (2004): Programs are offered to commercial customers on a variety of environmental topics, including water conservation. Staff provides newsletters, mailings, meetings and seminars on topics of interest to specific businesses, such as restaurants, hotels, car washes, landscapers, and key accounts.
- Community education programs (1977)[45]: These programs include the Educators' workshops, contractor trainings, and partnerships to put on other events like the Residential Environmental Program Series. The Utilities also conducts educational programs about Xeriscape landscaping, watering techniques and practices and general water conservation. A daily Lawn Watering Guide is published in the Fort Collins Coloradoan and on the City's website during the watering season.
- Conservation kit giveaways (1990): Free conservation kits with indoor and/or outdoor water-saving devices and information are offered periodically to customers during events.
- Conservation public information efforts (1977): Information is disseminated via bill inserts, bus benches, billboards, events, newspaper articles, TV and radio announcements, Utilities website information, social media, and more. The team also serves as technical experts to help commercial customers with water use or billing questions. Displays are set up at several community events including the Sustainable Living Fair, Harvest Festival, Business Innovation Fair and many others.
- Home Water Reports (2014): These reports are delivered to a portion of customers on a bi-monthly basis. The reports provide households with information on their current water use and comparisons to historical use as well as similar households' use.[46]
- Hotel and restaurant conservation material distribution (2003): A three-card set is available for hotels and other lodging establishments to inform guests about importance of water conservation to our area and to encourage the reuse of towels and linens. Tent cards are available for restaurants telling customers that "water is served upon request."
- K-12 education programs (1977): Presentations and hands-on activities are provided to school classes on water topics, including the history of water in Fort Collins, water use and conservation, water chemistry and watersheds. Fort Collins Utilities is a co-sponsor of the annual Children's Water Festival.
- Watershed tours (2012): Educational bus tours of the Utilities' Cache la Poudre watershed; involves information about drinking water, protection of water resources, water quality, and managing urban watersheds.
- Xeriscape Demonstration Garden (1986): Staff oversees maintenance of the City's Xeriscape Demonstration Garden and provides tours at organized events and upon request. We are also partnering to support various demonstration gardens and other events at the Gardens on Spring Creek.[47]

[45] http://www.fcgov.com/utilities/community-education

[46] The Utilities implements a similar program (Home Energy Reports) for electric customers.

[47] http://www.fcgov.com/gardens/

Ordinances and Regulations

- Green building codes (2011)[48]: Existing building codes include many elements that support green building; the code green amendments represent the next steps along the path of integrating green building practices into mainstream construction. These codes include a requirement for bathroom and kitchen faucet aerators, showerheads and toilets to not exceed the flow rates of WaterSense labeled fixtures.
- Landscape and irrigation standards (1994) - New development landscape and irrigation plans are reviewed for compliance with the Land Use Code's water conservation standards. As part of these standards, a rain shut-off device and a post-installation audit are required for commercial sprinkler systems.
- Parkway landscaping regulations (2013)[49] – The City updated the Streetscape Standards to include more flexibility to xeriscape the parkway, the strip of land between a residential street and the sidewalk.
- Plumbing standards (1978): All construction within the City of Fort Collins shall comply with the most recent International Plumbing Code, among other codes and standards.[50]
- Restrictive covenants ordinance (2003) – City Code prohibits homeowner association covenants from banning the use of Xeriscape or requiring a percentage of landscape area to be planted with turf, if the homeowner owns the property and pays for the water that irrigations the landscape.
- Soil amendment ordinance (2003): requires builders to amend the soil for new landscapes.
- Wasting water ordinance (1917) – staff enforces the section of the City Code that prohibits wasting water. Wasting water complaints are investigated. Complaints are used as an education tool, but enforcement by ticketing is also an option.[51]
- Water efficiency upgrades at City buildings (2010): The City is committed to building new City buildings to the LEED standards; including water efficiency upgrades. Audits are conducted at existing City facilities and upgraded water-efficient indoor fixtures and sprinkler system equipment are installed. The City has a sustainability goal to reduce municipal building water use (normalized to account for weather conditions), by 20% by 2020.[52]
- Water Supply Shortage Response Plan (2003): This plan has a series of measures to be enacted, including water restrictions, for various levels of water shortage.[53]

[48] http://www.fcgov.com/enviro/green-building.php
[49] http://www.fcgov.com/planning/streetscapedesign.php
[50] http://www.fcgov.com/building/codes.php

[51] City Ordinance No. 089, last updated in 2014.
[52] http://www.fcgov.com/sustainability/goals.php
[53] City Ordinance No. 088, last updated in 2014.

Other Activities

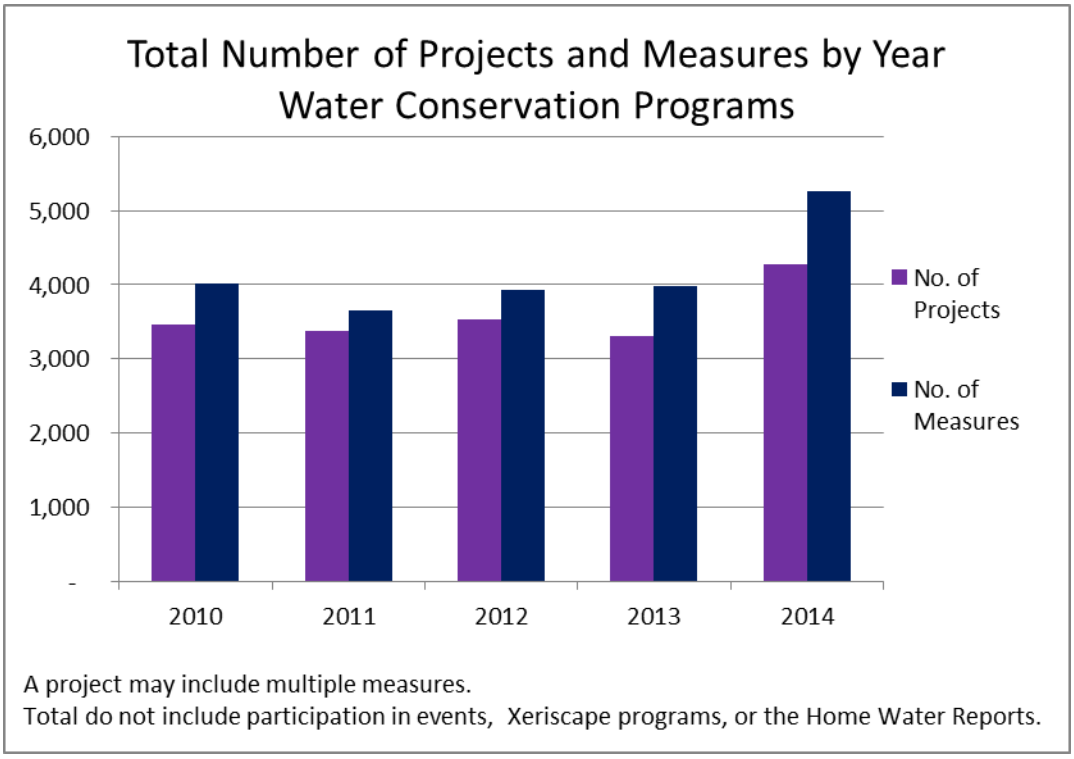
- Backwash water recycling (2003): Backwash water recycling equipment at the water treatment facility treats backwash water and recycles it to the beginning of the treatment process.
- Large customer reuse (1985) – Treated wastewater from the Drake Water Reclamation Facility is pumped to Rawhide Power Plant for landscaping and cooling water.
- Raw water for City irrigation: Raw water is used to irrigate the majority of the City's parks, cemeteries, and golf courses.[54]

Program Participation 2010-2014 (does not include event attendance)

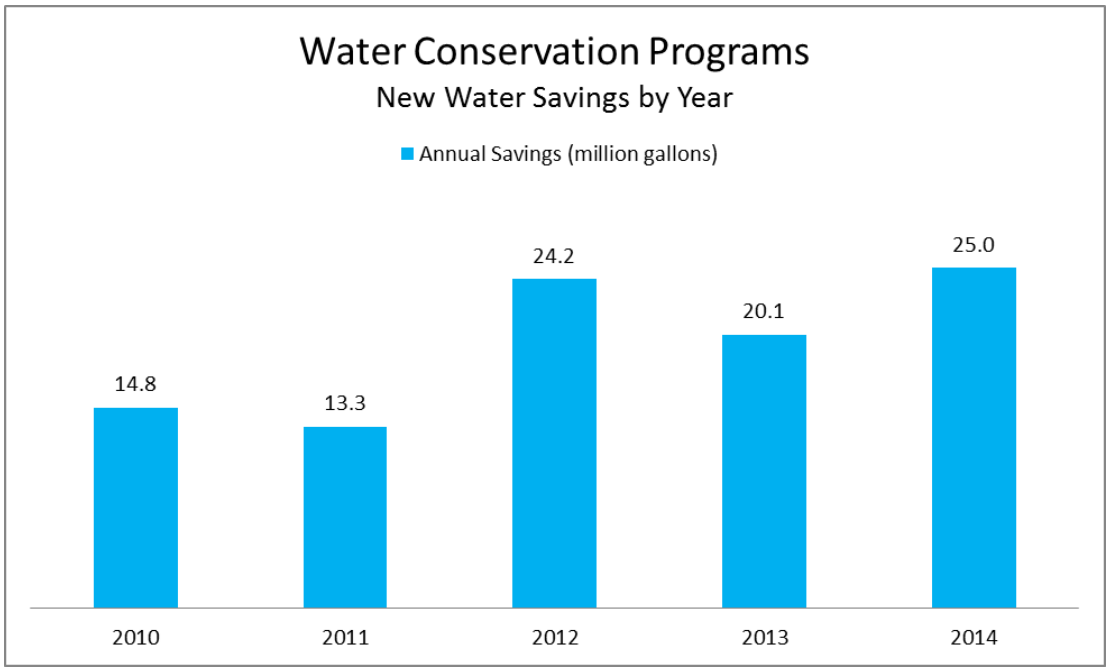
Program	2010	2011	2012	2013	2014
Clothes Washers	1249	1366	993	971	1058
Commercial Clothes Washer	--	--	0	1	0
Commercial Dishwasher	--	--	0	1	0
Commercial Facility Water Assessments	81	77	93	268	281
Commercial Kitchen Info Program	--	--	32 nozzles, 72 aerators	16 rebates, 79 items	--
Commercial Restroom	--	1	4 rebates; 443 items	16 rebates; 79 items	27 rebates; 249 items
Commercial Sprinkler Audits	2	1	0	0	0
Commercial Sprinkler Equipment	--	15	56 rebates; 964 items	35 rebates; 2266 items	12 rebates; 165 items
Custom Commercial Rebate	--	2	1	3 rebates; 14 items	0
Dishwasher	780	880	635	648	787
ELCO Audits	--	--	42	48	68
FCLWD Audits	112	82	67	94	97
Garden-in-a-box	--	68	63	74	--
HOA Sprinkler Audits	5	12	14	13	11
Home Efficiency Audits	466	519	592	683	662
Home efficiency loans/On-bill Financing	13	6	5	0	7
Home Water Reports	--	--	--	--	10,000
Irrigation Plan Review	11	42	44	49	69
Irrigation Site Inspection	21	24	28	34	52
Landscape Plan Reviews	29	49	54	73	59
Low Income Retrofit Program	--	250 homes	275 homes	275 homes	482 homes
Residential Sprinkler Audits	449	331	232	394	232
Residential Sprinkler Equipment	164	118	137 rebates; 170 items	108 rebates; 880 items	97 rebates; 135 items
Residential Toilet	479	573	912	651	1004
Showerhead	--	21	27	25	73
Xeriscape Design Clinic/Assistance	55	50	37	--	46

[54] Many of these properties have only ever been irrigated with raw water, thus the "start" date varies.

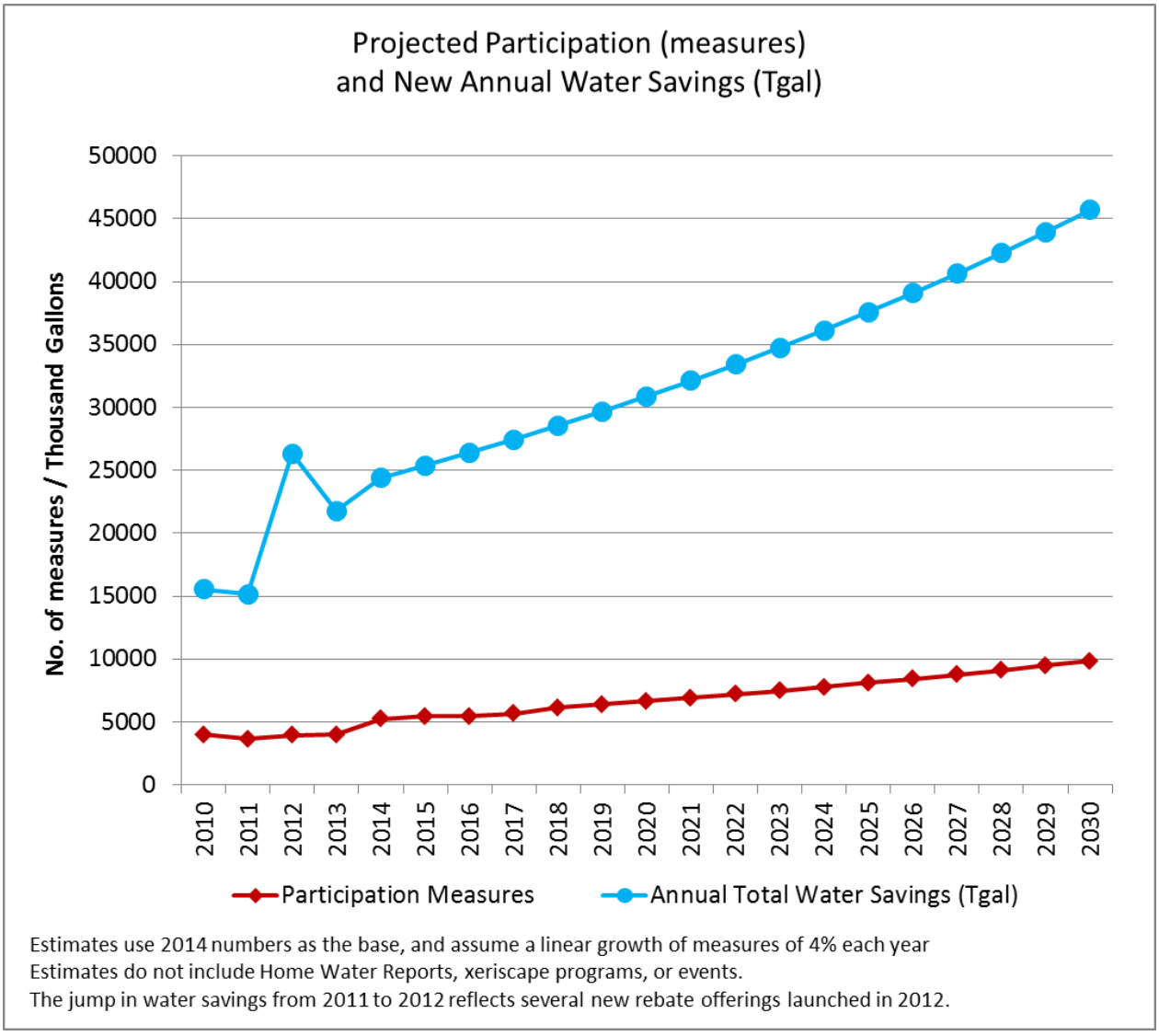
Below is a graph of the total number of projects and measures by year from 2010 to 2014.



Below is a graph of the estimated new annual water savings in million gallons. These totals do not reflect savings from Xeriscape programs, Home Water Reports, or events.



See below for a graph of projected participation (where participation here means total number of measures) and annual new water savings in thousand gallons, where the savings includes customer water use reductions as well as savings from treated less water and avoiding losses throughout the distribution system.



Estimates use 2014 numbers as the base, and assume a linear growth of measures of 4% each year
Estimates do not include Home Water Reports, xeriscape programs, or events.
The jump in water savings from 2011 to 2012 reflects several new rebate offerings launched in 2012.

APPENDIX C: MATERIALS RELATED TO CHAPTER 3

Water Efficiency and Conservation Activities and related actions support the following Strategic Objectives from the City's 2015-16 Strategic Plan.[55]

City of Fort Collins Strategic Objectives most relevant to Water Conservation Activities	
Key Strategic Outcome: Environmental Health	
	4.1: Improve and protect wildlife habitat and the ecosystems of the Poudre River and other urban streams.
	4.2: Achieve environmental goals using the Sustainability Assessment framework.
	4.6 Engage citizens in ways to educate and change behavior toward more sustainable living practices.
	4.7: Increase the community's resiliency and preparedness for changes in climate, weather and resource availability.
	4.8: Protect and monitor water quality, and implement appropriate conservation efforts and long-term water storage capability.
Key Strategic Outcome: Economic Health	
	3.5: Sustain high water quality to support the community and water-dependent businesses.
	3.6: Maintain utility systems and services; infrastructure integrity; and stable, competitive rates.
	3.7: Support sustainable infill and redevelopment to meet climate action strategies.
	3.9: Provide transparent, predictable and efficient processes for citizens and businesses interacting with the City.
Key Strategic Outcome: Community and Neighborhood Livability	
	1.3: Direct and guide growth in the community through appropriate planning, annexation, land use and development review processes.
	1.11: Maintain and enhance attractive neighborhoods through City services, innovative enforcement techniques, and voluntary compliance with City codes and regulations.
Key Strategic Outcome: Safe Community	
	5.10: Provide a high-quality, sustainable water supply that meets or exceeds all public health standards and supports a healthy and safe community.
Key Strategic Outcome: High Performing Government	
	7.4 Strengthen methods of public engagement and reach all segments of the community.
	7.6: Enhance the use of performance metrics to assess results.
	7.9: Improve productivity, efficiency, effectiveness, customer service and citizen satisfaction in all areas of the municipal organization.
	7.10: Implement leading-edge and innovative practices that drive performance excellence and quality improvements across all Service Areas.
	7.11: Proactively influence policy at other levels of government regulation.

[55] http://www.fcgov.com/citymanager/pdf/strategic-plan-2015.pdf

City of Fort Collins

2023 - 2024 Offer Narratives

Environmental Health

Offer 1.42: Utilities: Water Efficiency Plan Update

Offer Type: 1-Time Enhancement

2023: $100,000 and 0.00 FTE (excluding hourly staffing)

2024: $150,000 and 0.00 FTE (excluding hourly staffing)

Offer Summary

Funding this offer will meet the state's requirement for Fort Collins Utilities to update the Water Efficiency Plan (WEP) by 2024. The WEP guides Utilities' efforts to reduce water demands on its water supplies by identifying strategies to efficiently manage and use water. An updated WEP will address emerging challenges in the Utilities water service area, like water shortages and affordability. Funding this offer creates more resilience and equity for all customers and reduces Utilities' water resource risks.

The current WEP has been successful at lowering water use, with an average per capita reduction of 22% since 2001. The update to the WEP is an opportunity to improve by:

- Integrating water use with land use planning, a major driver of water use. Addressing this is a new state requirement of WEPs.
- Modeling water savings for water conservation programs, services and policies (strategies) to help prioritize strategies.
- Improving modeling of climate change impacts to water supply and demand.
- Incorporating equity into the WEP by choosing strategies based on input from diverse public engagement.

Implementation of the WEP results in less water use. If funded, the co benefits include:

- Lowering utility bills for customers from previously underrepresented communities.
- Improving water shortage resiliency.
- Supporting the economy, especially businesses dependent on water such as landscaping, car washing, restaurants, etc.
- Reducing risks to all customers, with an emphasis on vulnerable and underrepresented populations.
- Aligning with other plans and initiatives (like Our Climate Future, Municipal Sustainability and Adaptation Plan, and One Water).

The first year would include modeling climate and water savings and engaging with staff to identify One Water strategies. The second year would include working with community partners on inclusive public engagement, analyzing strategies for equity, completing the models and writing the plan.

Offer 1.42: Utilities: Water Efficiency Plan Update

Offer Type: 1-Time Enhancement

This Offer supports the following Strategic Objectives *(the primary objective is marked with a ✓)*:

✓ENV 4.4 - Provide a resilient, reliable, and high-quality water supply.

- NLSH 1.4 - Advance equity for all with an emphasis on racial justice to remove systemic barriers so that persons of all identities, including race, ethnicity, religion, gender and gender identity, age, class, sexual identity, mental and physical abilities and ability can fully participate in City services and experience equitable community outcomes.
- HPG 7.6 - Optimize technology, data analysis and process improvements to innovate, guide decisions and enhance service delivery.

Additional Information

- Partnerships will be developed to increase diversity of engagement during the planning process. Interpretation / translation will be used to increase inclusivity. Diverse engagement is critical to evaluating the equity of strategies. If funded, the input received will shape the WEP, resulting in strategies that reduce water use and provide equitable benefits and community outcomes.

- Water Resources started climate change modeling in 2019, but enhancements to the model are needed and require significant engineering expertise. This offer would use existing modeling, refining the supply and demand impacts and create a new model to evaluate future water saving strategies. Staff will work with other departments and districts to incorporate potential benefits from the modeling.

- This offer supports the MSAP which is the roadmap to being a sustainable organization. It will advance strategies in We Are Resilient, and We Are Water Smart goals. It's critical to the WEP's success, that the City address our own operations, facilities, and assets to ensure we're leading by example and making progress towards the defined goals in the updated WEP.

- One Water (OW) is a practice of integrated water resource management and planning. Using stormwater infrastructure to offset outdoor watering is an example of how OW can provide water savings solutions that have previously not been explored in a WEP. This offer supports Utilities' goals, by facilitating internal engagement to identify cross-departmental strategies to use water more efficiently.

- $250K over 2 years for consulting is needed for the update:
  - Internal engagement to identify and evaluate One Water - $10K (1st year)
  - Compensate community partners (OCF's successful equity strategy) to assist with diverse engagement and a consultant to provide an equity evaluation of strategies - $40K (2nd year)
  - Climate and water savings modeling -$200K ($90K 1st and $110K 2nd year)

Environmental Health

Offer 1.42: Utilities: Water Efficiency Plan Update

Offer Type: 1-Time Enhancement

Impact to Ongoing Expenses

- Funding this Offer will increase future ongoing expenses by an estimated annual amount of:

$0

Ongoing Cost Description:

Scalability and explanation

No funding would result in none of the items below. It would be updated in-house. The following reductions in funding would eliminate the associated consultant tasks:

- 4% - integrated resource evaluation/One Water approach
- 16% - equity focus (engagement and strategy evaluation)
- 80% - climate change impact modeling and demand modeling

A $250K grant (requiring a 25% match) will be applied for July '22 (awards known Oct. '22) If funded less money will be needed (amount depends on award).

Links to Further Details:

- ourcity.fcgov.com/ourclimatefuture - The updated WEP makes significant progress towards Big Move 3: Climate Resilient Community, by supporting 5 Next Moves, including: CRC1 - adopt a holistic approach to integrated water resource planning and management (One Water approach) and CRC5 - integrate climate resilience considerations into city strategic and operations plans.
- fcgov.com/utilities/water-status - Impacts to water from drought and fire required a water shortage response in 2020 and 2021 due water availability concerns and to manage risks. With climate change, such events will continue to impact Utilities and its customers. This offer would respond to the need for innovation and better planning to minimize impacts of future challenges.
- fcgov.com/water-efficiency-plan - Water Conservation has a proven track record of progressing towards the 2015 WEP's goal of 130 gallons per capita per day (GPCD) by 2030 - currently only 7% away from achieving, at 139 GPCD in 2021. This offer would further success by prioritizing strategies based on estimated water savings and equity outcomes, which would be and tracked against updated metrics.

Linkage to Strategic Objectives

(the primary objective is marked with a ✓)

✓ENV 4.4 - Provide a resilient, reliable, and high-quality water supply.: The water efficiency strategies in WEPs are the most cost-effective way to manage water and support a sustainable future. Utilities needs to acquire water rights currently costing about $50 million. Strategies could reduce future purchases at over 26 times less cost. This offer will evaluate strategies for effectiveness and equity to minimize the need to acquire additional water rights

Offer 1.42: Utilities: Water Efficiency Plan Update

Offer Type: 1-Time Enhancement

- NLSH 1.4 - Advance equity for all with an emphasis on racial justice to remove systemic barriers so that persons of all identities, including race, ethnicity, religion, gender and gender identity, age, class, sexual identity, mental and physical abilities and ability can fully participate in City services and experience equitable community outcomes.: An in-depth equity analysis of WEP strategies has never been conducted. The need for diverse engagement during the update is critical to understanding how strategies benefit or burden certain demographics. The offer would evaluate how equitable the identified strategies are, barriers to participation, and solutions to diversify and broaden benefits throughout the community.
- HPG 7.6 - Optimize technology, data analysis and process improvements to innovate, guide decisions and enhance service delivery.: Western water providers are refining their planning to better address emerging issues. Traditional water efficiency strategies are no longer enough to address the impacts communities face. This offer would use models to forecast supply and demand and estimate water savings from equitable and effective strategies to optimize service for all customers.

Performance Metrics

- ENV 101. Water Efficiency Plan annual targets and actual use
https://publish.clearpointstrategy.com/594/Measures/scorecardId=105089&object=measure&objectId=121091.html

Performance Measure Reason: A WEP defines water use goals and identifies strategies impacting GPCD. This offer will update the GPCD goal based on modeled impacts to supply and demand. These impacts may require the current GPCD goal to be lowered, translating to water savings. At some point, greater savings become more challenging, so this offer's prioritization and innovation are critical.

- ENV 104. Overall water conservation program effectiveness
https://publish.clearpointstrategy.com/594/Measures/scorecardId=105089&object=measure&objectId=121094.html

Performance Measure Reason: Water Conservation programs saved about 160 million gallons in 2021, a 22% increase over 2020. This offer will create a savings goal and evaluate strategies with a water savings model to determine effectiveness that will better inform implementation and strategy selection to create more certainty around goal attainment. If funded, water savings goals will also be tied to GPCD goals

- A performance measure has not yet been created, see explanation below for the proposed metric, if this Enhancement offer is funded.
https://publish.clearpointstrategy.com/594/Measures/scorecardId=83532&object=measure&objectId=893586.html

Performance Measure Reason: New measures to evaluate progress, could include:

- Demographics of program participation to evaluate under and overrepresented populations
- Comparing GPCD with and without climate change impacts
- Water efficiency and land use planning integration metric, like quantification of landscapes' water demands per sq. ft

Differences from Prior Budget Cycles

Offer 1.42: Utilities: Water Efficiency Plan Update

Offer Type: 1-Time Enhancement

- Not applicable

Explanation of Any Adjustments to Personnel Costs using object 519999

- Not applicable

Offer Profile

Offer Owner: mamiller

Financial Lead: lasmith

Lead Department: Utilities Strategic Planning

Environmental Health

1.42: Utilities: Water Efficiency Plan Update

Offer Type: 1-Time Enhancement

Enhancement to Programs and Services

	2023 Projected Budget	2024 Projected Budget	2023 to 2024 Change
Full Time Equivalent (FTE) Staffing	-	-	- %
Expenses			
521000 - Professional & Technical	100,000	150,000	50.0%
520000 - Purchased Prof & Tech Services	**100,000**	**150,000**	**50.0%**
Total Expenses	**100,000**	**150,000**	**50.0%**
Funding Sources			
502-Water Fund: Ongoing Revenue Ongoing Restricted	100,000	150,000	50.0%
Funding Source Total	**100,000**	**150,000**	**50.0%**

DRAFT

Summary Minutes and Record of Decisions

September 20 & 21, 2022 Board Meeting

A regular meeting of the Colorado Water Conservation Board (CWCB) convened at Fort Lewis College in Durango and virtually on zoom. The meeting was called to order by Chair Jackie Brown. 8 voting members were present at the call to order, so a quorum was present (at least 6 required). Voting members present were: Robert Sakata, Paul Bruchez, Greg Felt, Celene Hawkins, Steven Anderson, Jessica Brody, and Heather Dutton, and ex-officio voting member Dan Gibbs, Executive Director of the Department of Natural Resources. Non-voting ex officio members present or represented were: Scott Steinbrecher, Attorney General's Office; Robert Harris, Colorado Parks and Wildlife; Kate Greenberg, Department of Agriculture; Kevin Rein, State Engineer and Rob Genualdi, Division Engineer, Division 7, and Rebecca Mitchell, Colorado Water Conservation Board Director. Counsel to the Board, Jen Mele, was also in attendance.

On the second day, the meeting was called to order by Chair Jaclyn Brown. 8 voting members were present at the call to order, so a quorum was present (at least 6 required). The voting members present were: Paul Bruchez, Jessica Brody, Steven Anderson, Robert Sakata, Greg Felt, Celene Hawkins, Jaclyn Brown, and Heather Dutton. Non-voting ex officio members present or represented were: Robert Harris, Colorado Parks and Wildlife; Kate Greenberg, Department of Agriculture; Kevin Rein, State Engineer; and Rebecca Mitchell, Colorado Water Conservation Board Director. Counsel to the Board, Jen Mele, was also in attendance.

Wednesday, September 20, 2022

1	**Review /Approve Agenda**
	A motion to approve the agenda was made by Greg Felt, which was seconded by Heather Dutton. The motion was approved unanimously (8-0).
2	**Review and Approve July 20 & 21, 2022 Board Meeting Minutes**
	A motion to approve the July 2022 Board minutes with the following corrections; add Paul Bruchez to the list of attendees at call to order on page 1, was made by Robert Sakata, which was seconded by Greg Felt. The motion was approved unanimously (8-0).
3	**Approve and/or Remove Consent Agenda Items**
	A motion to approve the Consent Agenda Items CA1a-e, 2a, 3a-c, 4a-c, 5a-d and 5g-j was made by Greg Felt, which was seconded by Steve Anderson. The motion was approved unanimously (8-0). Consent agenda item 5e was moved to the end of the agenda on day 1 for more discussion, Celene Hawkins disclosed that her employer is a part of the project on CA 5e.

1. **Statements of Opposition**
   Stream & Lake Protection Section

Staff recommends the Board ratify CWCB's filing of the following Statements of Opposition:

- **a.** Case No. 22CW3030 (Water Division 4): Application of Wolf Land Company, LP
- **b.** Case No. 22CW3042 (Water Division 5): Application of Red Mountain Ranch Partnership, LLLP
- **c.** Case No. 22CW3050 (Water Division 5): Application of Two Creeks Holdings LLC
- **d.** Case No. 22CW3053 (Water Division 5): Application of NamuRanch LLC
- **e.** Case No. 22CW3059 (Water Division 5): Application of Blue River Valley Ranch Lakes Association

2. **Change of Grantee**
   Water Supply Planning Section

a. Arkansas Basin – Arkansas River Watershed Collaborative – Basin Implementation Plan
Education & Outreach

3. **Water Supply Reserve Fund Application Grant**
Water Supply Planning Section

a. **Basin** – Rio Grande
Applicant – Colorado Master Irrigator
Name of Water Activity – Master Irrigator Program – Expanded Course Offerings
SLV
Account Request - $94,112.50

b. **Basin** – South Platte
Applicant – Coalition for the Poudre River Watershed
Name of Water Activity – Phase 2 – Fish Passage Design for the Whitney and BH
Eaton Reach of the Cache la Poudre River
Account Request - $72,970

c. **Basin** – Yampa/White/Green
Applicant – Nicholas & Ann Charchalis
Name of Water Activity – Drescher Dam Rehabilitation – Phase 2
Account Request - $62,440

4. **Floodplain Designations**
Watershed and Flood Protection Section

a. "Flood Insurance Study, Jefferson County and Incorporated Areas", by FEMA, dated August 2022
b. "Flood Hazard Area Delineation, Cherry Creek Minor Tributaries in Arapahoe County", by Dewberry, dated October 2021
c. "Flood Hazard Area Delineation, Weaver Creek", by Olsson, dated November 2021

5. **Water Plan Grants**
Operations Section

Agricultural Projects, a-c
a. **Applicant** – Crawford Clipper Ditch Company

Project – CCDC Upper West Lateral Pipeline and Water Optimization Projec

b. Applicant – Terrace Irrigation Company
Project – Terrace Irrigation Water Efficiency Project

c. Applicant – Delta County
Project – Miners Trail – Short Ditch Extension

Conservation & Land Use Planning, d

d. Applicant – Louviers Water and Sanitation District
Project - Louviers Water and Sanitation - Water Service Meter Replacement

Watershed Health & Recreation, f - j

f. Applicant – Colorado Youth Corps Association
Project - 3 total projects - Project 1) Rio Grande National Forest Beaver Characterization, Restoration, and Reintroduction Project. Project 2) Alamosa Riparian Park Revegetation. Project 3) John Griffin Regional Park Fire Mitigation Project Phase 2

g. Applicant – Conservation Resource Center
Project - Private Lake and Reservoir Protection Initiative: Using Conservation Easements & Tax Credits to promote State Water Plan and Private Land Conservation Goals in the Arkansas, Rio Grande, and South Platte Water Basins

h. Applicant – American Rivers
Project - Uncompahgre River Multi-Benefit Project

i. Applicant – River Science
Project - River Watch: Collaboration and Outreach for Strategic Macroinvertebrate Data

j. Applicant – Lyons Ute Hwy, LLC
Project - Lyons Water Plant Stream Restoration

4	**Directors' Reports**
4a.	DNR Executive Director/IBCC Director - Dan Gibbs
4b.	CWCB Director - Rebecca Mitchell

4c.	Agriculture Commissioner – Kate Greenberg
4d.	State Engineer - Kevin Rein and Rob Genualdi
4e.	Colorado Parks and Wildlife Director – Robert Harris
4f.	Water Resource and Power Development Authority – Keith McLaughlin

5 Request for Authorization to Proceed to Trials in Stipulated Opposition Cases:

5a Case No. 18CW3193 (Water Division 1): Application of City of Loveland

Action: Report by CWCB staff member Colin Watson. A motion to approve the staff recommendation was made by Celene Hawkins, which was seconded by Heather Dutton. The motion was approved unanimously (8-0).

Staff Recommendation: Pursuant to ISF Rule 8j., Staff recommends that the Board authorize Staff to participate at trial, as necessary, to defend CWCB's stipulation in each of the cases identified in Table 1.

Table 1.

Item	Div.	Case No.	Applicant	Trial Date (No. of Days)	CWCB Stipulation Date	CWCB Statement of Opposition Date
5.a.	1	18CW3193	City of Loveland	October 10, 2022 (8 days)	January 22, 2020	January 30, 2019
5.b.	1	18CW3230	The Consolidated Mutual Water Company	October 24, 2022 (10 days)	April 26, 2022	February 27, 2019

5b Case No. 18CW3230 (Water Division 1): Application of The Consolidated Mutual Water Company

Action: Report by CWCB staff member Colin Watson. A motion to approve the staff recommendation was made by Celene Hawkins, which was seconded by Heather Dutton. The motion was approved unanimously (8-0).

Staff Recommendation: Pursuant to ISF Rule 8j., Staff recommends that the Board authorize Staff to participate at trial, as necessary, to defend CWCB's stipulation in each of the cases identified in Table 1.

Item	Div.	Case No.	Applicant	Trial Date (No. of Days)	CWCB Stipulation Date	CWCB Statement of Opposition Date
5.a.	1	18CW3193	City of Loveland	October 10, 2022 (8 days)	January 22, 2020	January 30, 2019

5.b.	1	18CW3230	The Consolidated Mutual Water Company	October 24, 2022 (10 days)	April 26, 2022	February 27, 2019

6 **Proposed Acquisitions for Instream Flow Use**
Stream and Lake Protection Section

6a **Proposed Water Use Agreement with Colorado River District to Lease Ruedi Reservoir Water for Winter Intream Flow Use in the Fryingpan River, Water Division 5 (Pitkin and Eagle Counties)**

Action: Report by CWCB staff member Pete Conovitz.

This is an informational item with no Board action required.

6b **Cottonwood Irrigating Ditch No. 1 Expedited Loan of Water from Colorado Parks and Wildlife for Instream Flow Use on Cottonwood Creek, Water Division 2 (Chaffee County)**

Action: Report by CWCB staff member Pete Conovitz. A motion to approve the staff recommendation was made by Greg Felt, which was seconded by Steve Anderson. The motion was approved unanimously (8-0).

Staff Recommendation: Staff recommends that the Board ratify the CWCB Director's decision to accept Colorado Parks and Wildlife's offer of an expedited temporary loan of water for instream flow use on Cottonwood Creek in Water Division 2.

7 **Water Plan Grants**
Operations Section

Agricultural Projects, a-d

a. Applicant – Colorado Rio Grande Restoration Foundation
Project – Farmers Union Canal Diversion and Headgate

b. Applicant – Colorado Ag Water Alliance
Project – Agricultural Drought Resilience & Innovative Water Conservation

Action: Report by CWCB staff member Nora Flynn. Heather Dutton disclosed that she sits on the Board of the Colorado Rio Grande Restoration Foundation. Robert Sakata disclosed that he is a member of the CO Food Vegetables Association which is a part of CAWA. Celene Hawkins disclosed that her employer the Nature Conservancy is a partner on the CAWA application is providing match funding. Paul Bruchez disclosed that he gave presentations to the CAWA group but was not part of the

application process. A motion to approve the staff recommendation was made by Heather Dutton, which was seconded by Greg Felt. The motion was approved unanimously (8-0).

Staff Recommendation: Staff recommends Board approval of agenda item 7a., $600,000 to the Colorado Rio Grande Restoration Foundation for the Farmers Union Canal Diversion and Headgate Improvement Project. Staff recommends Board approval of agenda item 7b.$183,700 to the Colorado Ag Water Alliance for the Agricultural Drought Resilience & Innovative Water Conservation Project.

Conservation & Land Use Planning, c-i

c. Applicant – Resource Central
Project – Resource Central Landscape Change Program

d. Applicant – San Miguel Watershed Coalition
Project – Integrated Hydrological Modeling of the San Miguel Watershed: A modern tool for water resource evaluations

e. Applicant – Pacific Institute for Studies in Development, Environment, and Security
Project – Diversifying Colorado's Water Portfolio: The Potential for Stormwater Capture and Use to Contribute to a Water Resilient Future

f. Applicant – Fort Collins Utilities
Project – Xeriscape Incentive Program Expansion

g. Applicant – Fort Collins Utilities
Project – Fort Collins Utilities Water Efficiency Plan Update

h. Applicant – University of Colorado Denver
Project – Examining the use of recycled water in agricultural production in Colorado

i. Applicant – Aspen Global Change Institute Inc
Project – Roaring Fork Watershed – Evaluation of Soil

Action: Report by CWCB staff member Kevin Reidy. A motion to approve the staff recommendation was made by Jessica Brody, which was seconded by Robert Sakata. The motion was approved unanimously (8-0).

Staff Recommendation: Staff recommends the following Board action for activities listed in the following table regarding Colorado's Water Plan Grant Program funding.

Applicant	Project Name	Grant Request Amount	Staff Recommendation
c. Resource Central	Resource Central Landscape Change Program	$110,070	$110,070
d. San Miguel Watershed Coalition	Integrated Hydrological Modeling of the San Miguel Watershed: A modern tool for water resource evaluations	$150,000	$150,000
e. Pacific Institute for Studies in Development, Environment, and Security	Diversifying Colorado's Water Portfolio: The Potential for Stormwater Capture and Use to Contribute to a Water Resilient Future	$209,744 .75	$209,744.75
f. Fort Collins Utilities	Xeriscape Incentive Program Expansion	$100,000	$100,000
g. Fort Collins Utilities	Fort Collins Utilities Water Efficiency Plan Update	$200,000	$160,000
h. – University of Colorado Denver	Examining the use of recycled water in agricultural production in Colorado	$150,000	$150,000
i. Aspen Global Change Institute Inc.	Roaring Fork Watershed – Evaluation of Soil Moisture for Water Planning	$140,683	$140,683
Total Recommended for Approval			$1,020,497.75

Water Storage & Supply, j-p

j. Applicant – Deutsch Domestic Water Company, Inc
Project – DDWC Water Storage and Efficiency Improvements

k. Applicant – City of Grand Junction
Project – Gunnison River Reservoirs Project

l. Applicant – Upper Arkansas Water Conservancy District

Project – Round Mountain Reservoir #2 Construction Project

m. Applicant – Huerfano County Water Conservancy District
Project – 90% Design, Bruce Canyon Reservoir

n. Applicant – North Poudre Irrigation Company
Project – The Park Creek Enlargement Modification

o. Applicant – Farmers Reservoir & Irrigation Company
Project – Standley Lake Spillway Raise Evaluation

p. Applicant – Dominion Water & Sanitation District
Project – Design and Construction of Regional Rainwater

Action: Report by CWCB staff member Matt Stearns. Greg Felt disclosed that he is the Director of the Upper Arkansas Water Conservancy District and a Chaffee County Commissioner. A motion to approve the staff recommendation was made by Celene Hawkins, which was seconded by Jessica Brody. The motion was approved unanimously (8-0).

Staff Recommendation: Staff recommends the following Board action for activities listed in the following table regarding Colorado's Water Plan Grant Program funding.

Applicant	Project Name	Grant Request Amount	Staff Recommendation
j. Deutsch Domestic Water Company, Inc.	DDWC Water Storage and Efficiency Improvements	$585,000	Approve $585,000
k. City of Grand Junction	Gunnison River Reservoirs Projects	$263,949	Approve $263,949
l. Upper Arkansas Water Conservancy District	Round Mountain Reservoir #2 Construction Project	$500,000	Approve $500,000
m. Huerfano County Water Conservancy District	90% Design, Bruce Canyon Reservoir	$172,500	Approve $172,500
n. North Poudre Irrigation Company	The Park Creek Enlargement Modification	$100,000	Approve $100,000
o. Farmers Reservoir & Irrigation Company	Standley Lake Spillway Raise Evaluation	$204,406	Approve $204,406

p. Dominion Water & Sanitation District	Design and Construction of Regional Rainwater	$200,000	Approve $200,000
Total Recommended for Approval			$2,025,855

Watershed Health & Recreation, q-r

q. Applicant – Colorado Parks & Wildlife - Denver
Project – Kemp Breeze State Wildlife Area Habitat

r. Applicant – Colorado State University
Project – Recovery and Resilience of the Cache la Poudre

Action: Report by CWCB staff member Chris Sturm. Jessica Brody disclosed that her employer Denver Water is providing resources for agenda item 7q. A motion to approve the staff recommendation was made by Robert Sakata, which was seconded by Heather Dutton. The motion was approved unanimously (8-0).

Staff Recommendation: Staff recommends the following Board actions for activities regarding the Colorado Water Plan Grant Program funding for the Watershed Health & Recreation category. Project approval is contingent upon the applicants' abilities to resolve issues and additional needs discussed below.

Applicant	Project Name	Grant Request Amount	Staff Recommendation
q. Colorado Parks and Wildlife	Denver Kemp Breeze SWA Habitat Restoration	$870,000	$870,000
r. Colorado State University	Recovery and Resilience of the Poudre	$472,520	$315,171
Total Recommended for Approval			$1,185,171

8 Financial Matters – Construction Fund and Severance Tax Perpetual Base Fund
Finance Section

8a. Financial Projections and Cash Management Report

Action: Report by CWCB staff member Kirk Russell.

This is an informational item with no Board action required.

9 Change to Existing Loan
Finance Section

9a. Genesee Water and Sanitation District, Genesee Reservoir No. 1 Enlargement Project

Action: Report by CWCB staff member Cole Bedford. A motion to approve the staff recommendation was made by Robert Sakata, which was seconded by Heather Dutton. The motion was approved unanimously (8-0).

Staff Recommendation: Staff recommends the Board approve a loan not to exceed $5,555,000 ($5,500,000 for Project costs and $55,000 for the 1% service fee) to the Genesee Water and Sanitation District for costs related to the Genesee Reservoir No. 1 Enlargement, from the Construction Fund. This is an increase of $1,313,000 ($1,300,000 for Project costs and $13,000 for the 1% service fee). The loan term shall remain 40 years at 2.50% per annum. Security for the loan shall be in compliance with CWCB Financial Policy #5.

10 Water Project Loans
Finance Section

10a Morrisania Water Supply Company – Ditch Rehabilitation Project

Action: Report by CWCB staff member Cole Bedford. A motion to approve the staff recommendation was made by Paul Bruchez, which was seconded by Steve Anderson. The motion was approved unanimously (8-0).

Staff Recommendation: Staff recommends the Board approve a loan not to exceed $141,400 ($140,000 for project costs and $1,400 for the 1% service fee) to the Morrisania Water Supply Company for costs related to the Headgate Rehabilitation and Pipeline Installation Project, from the Severance Tax Perpetual Base Fund. The loan term will be 20 years at an interest rate of 2.45% per annum. Security for the loan shall be in compliance with CWCB Financial Policy #5.

10b Smith and Emmons Ditch Company – Diversion Structures Replacement Project

Action: Report by CWCB staff member Cole Bedford. A motion to approve the staff recommendation was made by Robert Sakata, which was seconded by Jessica Brody. The motion was approved unanimously (8-0).

Staff Recommendation: Staff recommends the Board approve a loan not to exceed $414,100 ($410,000 for project costs and $4,100 for the 1% service fee) to the Smith and Emmons Ditch Company for costs related to the Diversion Structures Replacement Project, from the Severance Tax Perpetual Base Fund. The loan term will be 30 years at an interest rate of 3.90% per annum. Security for the loan shall be in compliance with CWCB Financial Policy #5.

10c Town of Keenesburg – Alluvial Water Rights Extension Project

Action: Report by CWCB staff member Joshua Godwin. A motion to approve the staff recommendation was made by Robert Sakata, which was seconded by Paul Bruchez. The motion was approved unanimously (8-0).

Staff Recommendation: Staff recommends the Board approve a loan not to exceed $2,121,000 ($2,100,000 for project costs and $21,000 for the 1% service fee) to the Town of Keenesburg, operating by and through its water activity enterprise, for costs related to the Alluvial Water Rights Extension Project, from the Severance Tax Perpetual Base Fund. The loan term will be 30 years at an interest rate of 2.70% per annum. Security for the loan shall be in compliance with CWCB Financial Policy #5.

10d Uncompahgre Valley Water Users Association – Taylor Park

Action: Report by CWCB staff member Cole Bedford. Steve Pope addressed the Board. Jackie Brown disclosed that her employer Tri State Generation & Electric Assoc. supplies power to the partner company of this applicant. A motion to approve the staff recommendation was made by Steve Anderson, which was seconded by Heather Dutton. The motion was approved unanimously (8-0).

Staff Recommendation: Staff recommends the Board approve a loan not to exceed $1,701,850 ($1,685,000 for project costs and $16,850 for the 1% service fee) to the Uncompahgre Valley Water Users Association for costs related to the Taylor Park Hydro Powerplant Project, from the Severance Tax Perpetual Base Fund. The loan term will be 30 years at an interest rate of 2.00% per annum. Security for the loan shall be in compliance with CWCB Financial Policy #5. Staff additionally recommends the following loan contract condition: 1. Prior to disbursement of funds, the Association shall provide documentation that all funding is secured and adequate to cover the Project cost estimate.

10e North Poudre Irrigation Company – Park Creek Expansion Project

Action: Report by CWCB staff member Cole Bedford. Jack Byers addressed the Board. A motion to approve the staff recommendation was made by Robert Sakata, which was seconded by Heather Dutton. The motion was approved unanimously (8-0).

Staff Recommendation: Staff recommends the Board approve a loan not to exceed $6,544,800 ($6,480,000 for project costs and $64,800 for the 1% service fee) to the North Poudre Irrigation Company for costs related to the Park Creek Expansion Project, from the Severance Tax Perpetual Base Fund. The loan term will be 30 years at an interest rate of 2.55% per annum. Security for the loan shall be in compliance with CWCB Financial Policy #5.

11 Attorney General's Report, Legal Briefing, and Executive Session

Action: Report by Attorney General staff member Scott Steinbrecher and Counsel to the Board, Jen Mele. A motion to go into Executive Session was made by Jessica Brody, which was seconded by Steve Anderson. The motion was approved unanimously (8-0).

12	**Executive Session**
12a	Colorado River Interstate Matters
12b	21CW3064 Cow Creek ISF Application
12c	Assisting Basin Roundtables
13	**Report from Executive Session**
	Action: Report by Counsel to the Board, Jen Mele. A motion to go out of Executive Session was made by Celene Hawkins, which was seconded by Heather Dutton. The motion was approved unanimously (8-0)
14	**Colorado River Interstate Matters** *Interstate, Federal, and Water Information Section*
	Action: Report by CWCB staff members Amy Ostdiek and Michelle Garrison. *This is an informational item with no Board action required.*
CA item 5e	**Engagement & Innovation Activities** **e. Applicant** – Roaring Fork Conservancy **Project** - Exploring social and environmental controls on the scalability of water conservation program
	Action: Report by CWCB staff member Amy Ostdiek. A motion to approve the staff recommendation was made by Paul Bruchez, which was seconded by Steve Anderson. The motion was approved unanimously (8-0).

Thursday, September 21, 2022

15	**Basin Directors' Reports**
15a	Rio Grande River Basin Director's Report – *Heather Dutton*
15b	Yampa-White River Basin Director's Report – *Jackie Brown*
15c	Colorado River (Mainstem) Basin Director's Report – *Paul Bruchez*
15d	San Juan/San Miguel-Dolores River Basin Director's Report – *Celene Hawkins*
15e	Gunnison River Basin Director's Report – *Steve Anderson*
15f	North Platte River Basin Director's Report – *Absent*
15g	South Platte River Basin Director's Report – *Robert Sakata*
15h	Arkansas River Basin Director's Report – *Greg Felt*
15i	City and County of Denver Director's Report – *Jessica Brody*
16	**Program Guidance for the Special Release of the Colorado Watershed Restoration Program** *Watershed and Flood Protection Section*

Action: Report by CWCB staff member Chris Sturm. A motion to approve the staff recommendation was made by Heather Dutton, which was seconded by Robert Sakata. The motion was approved unanimously (8-0).

Staff Recommendation: Staff recommends that the Board Approve the Program Guidance for the Special Release of the Colorado Watershed Restoration Program. Introduction The Colorado Watershed Restoration Program (CWRP) is designed to provide capacity building, planning, engineering, and project implementation funding for stream restoration and watershed protection efforts. It also provides technical assistance for design review, engineering analysis, pre wildfire preparedness, post wildfire hazard analysis, fluvial hazard zone mapping development, construction oversight, adaptive management, and monitoring. The Board first approved the CWRP guidance document and application in September 2008. The Board approved revisions to the program in May 2012 and July 2015 before merging it with the Watershed Health and Recreation category of the Colorado Water Plan grant program in May of 2022. The program dispersed over $15.5 million from 2009-2022, and it leveraged over $46 million in match funding. The Board also approved a Special Release of the Colorado Watershed Restoration Program in October 2013 to address planning needs associated with the

September 2013 Front Range floods. Another Special Release was approved in March 2021 to disperse funds appropriated for fire recovery. Total funding administrated through the Special Releases of CWRP exceed $100 million.

17 **Wildfire Ready Watersheds Update**
Watershed and Flood Protection Section

Action: Report by CWCB staff member Chris Sturm.

This is an informational item with no Board action required.

18 **Water Supply Reserve Fund Applications – September 2022 Board Meeting**
Water Supply Planning Section

18a. **Basin** – Arkansas
Applicant – Cross Creek Metropolitan District
Name of Water Activity – Hale Reservoir Renovation – Cross Creek Park
Account Request - $100,000

Action: Report by CWCB staff member Ben Wade. A motion to approve the staff recommendation was made by Greg Felt, which was seconded by Steve Anderson. The motion was approved unanimously (8-0).

Staff Recommendation: Staff recommends approval of up to $100,000 from the Arkansas Basin Account to help fund the project: Hale Reservoir Renovation – Cross Creek Park. Project approval is contingent upon the applicants' abilities to resolve issues and additional needs discussed below.
Water Activity Summary: The applicant proposes to achieve five goals with this project including: 1) rehabilitate Hale Reservoir dam, increasing the size of the lake and surrounding wetlands; 2) create a non-potable irrigation source for the park's multi-use fields; 3) increase and improve environmental attributes and habitat; 4) create recreational amenities that allow open space access without damaging habitat; and 5) address and correct water quality and flood hazard issues with stormwater mitigation infrastructure.

18b. **Basin** – Yampa/White/Green
Applicant – Bear River Reservoir Company
Name of Water Activity – Stillwater Reservoir Repairs & Upgrades
Account Request - $139,500

Action: Report by CWCB staff member Ben Wade. A motion to approve the staff recommendation was made by Heather Dutton, which was seconded by Paul Bruchez. The motion was approved unanimously (8-0).

Staff Recommendation: Staff recommends approval of up to $139,500 from the Yampa/White/Green Basin Account to help fund the project: Stillwater Reservoir Repairs & Upgrades. Project approval is contingent upon the applicants' abilities to resolve issues and additional needs discussed below. Water Activity Summary: If approved, WSRF funds would assist both phases of the applicant's proposal. The first phase, involves the applicant obtaining accurate cost estimates for the alternatives to mitigate seepage from the left abutment of Stillwater Reservoir. The cost estimates will enable the applicant to select the most efficient and effective repair projects from a list of alternatives already presented to them that are acceptable to the Division of Dam Safety/Division of Water Resources (DWR). This will allow the applicant to develop a detailed design plan for submission to DWR for final approval of the repair projects. The second phase is to replace the outlet's hydraulic power unit, hydraulic reservoir and hydraulic lines with the recommended upgrades and encase the new lines in conduit. These upgrades to the original 1939 equipment will ensure that the outlet system has optimal capability for safe and efficient operation now and for the foreseeable future.

19 **Water Supply Reserve Fund Criteria & Guidelines Update**
Water Supply Planning Section

Action: Report by CWCB staff member Ben Wade. A motion to approve the staff recommendation with the Boards suggested edits was made by Celene Hawkins, which was seconded by Heather Dutton. The motion was approved unanimously (8-0).

Staff Recommendation: Staff recommends the Colorado Water Conservation Board (CWCB) approve of the revised 2023 Water Supply Reserve Fund Criteria and Guidelines (Guidelines).

20 **House Bill 22-1151 turf Replacement Program Update**
Water Supply Planning Section

Action: Report by CWCB staff member Russ Sands.

This is an informational item with no Board action required.

21 **Water Plan Update**
Water Supply Planning Section

Action: Report by CWCB staff member Russ Sands. Molly Mugglestone, Josh Kuhn, and Abby Burk addressed the Board during public comment.

This is an informational item with no Board action required.

22 **Table Topic – Innovative, Drought Resilient Agriculture**
Focusing on farming and geography in the Southwest and Rio Grande Basins

Board members Celene Hawkins, Paul Bruchez, and Heather Dutton organized speakers from their basins to talk about innovative, drought resilient agriculture. Sheldon Rockey with Rockey Farms, Sara Jones with Jones Family Farm, Tessa Peters with the Land Institute, Mike Preston with Weenuch-u

Development Corporation, Jay Loschert with Montezuma Land Conservancy, and Jude Schuenemeyer with Montezuma Orchard Restoration Project addressed the Board.

This is an informational item with no Board action required.

ADJOURN

A motion to adjourn the September 2022 Board meeting was made by Steve Anderson, which was seconded by Greg Felt. The motion was approved unanimously (8-0).

COLORADO
Colorado Water Conservation Board
Department of Natural Resources

Colorado Water Conservation Board

Water Plan Grant - Exhibit C
Budget Template Instructions

**** Please select the most appropriate budget template for your project from the worksheet tabs below. A general budget template is provided, as well as templates for studies, construction, and engineering projects.****

COLORADO
Colorado Water Conservation Board
Department of Natural Resources

Colorado Water Conservation Board

Water Plan Grant - Exhibit C
Budget and Schedule

Prepared Date: 1/26/2023
Name of Applicant: City of Fort Collins, Fort Collins Utilities
Name of Water Project: Fort Collins Utilities Water Efficiency Plan Update
Project Start Date: 1/1/2023
Project End Date: 12/31/2024

Task No.	Task Description	Task Start Date	Task End Date	Grant Funding Request	Match Funding	Total
1	Model Climate and Water Savings	1/1/2023	6/1/2024	$ 115,423.08	$ 104,576.92	$220,000
2	Engage with staff to identify one water strategies	3/1/2023	6/1/2023	$7,870	$7,130	$15,000
3	Inclusive Public Engagement	6/1/2023	1/1/2024	$20,968	$18,997	$39,965
4	Analyze strategies for equity	6/1/2023	1/1/2024	$15,740	$14,260	$30,000
5	Updating and Finalizing the Water Efficiency Plan	1/1/2023	12/31/2024	$0	$47,535	$47,535
			Total	$160,000	$192,500	$352,500

NOTE: Total project costs = $352,500, with CWCB and City share of costs being 45.4% and 54.6%, respectively. Based on City's match including in-kind staff time associated with 100% of costs for Task 5, CWCB and City share of costs for Task 1 through 4 = 52.47% and 47.53%, respectively.

Matching Fund Requirements

Water Plan Grant requests require matching funds. *A minimum of 50% match is required for all construction projects and a minimum of 25% match is required for all plans or studies.* Greater weight will be given to projects with a higher match. Project costs may consist of a combination of in-kind and cash match, but no more than half of the match may be in the form of in-kind services. Applicants should identify match as pending or secure and provide evidence of matching funds (such as an award letter). Matching funds must be secured within one year of application date.

% based on Task	
CWCB	CITY
52.47%	47.53%
52.47%	47.53%
52.47%	47.53%
52.47%	47.53%
0.00%	100.00%

% based on Total project costs	
CWCB	CITY
45.4%	54.6%

COLORADO
Colorado Water Conservation Board
Department of Natural Resources

Colorado Water Conservation Board

Water Plan Grant - Detailed Budget Estimate
Fair and Reasonable Estimate

Prepared Date: 2/1/2023
Name of Applicant: Fort Collins Utilities
Name of Water Project: Fort Collins Utilities Water Efficiency Plan Update

EXAMPLE A: Study or Project Coordination

Task 1 -Model Climate and Water Savings

Sub-task	Item	Hourly Rate	# Hours	Sub-total	Item Cost	Item Quantity	Sub-total	Total	CWCB Funds	Matching Funds
	Consultant	$200	1,100	$220,000.00	$ -	0.00	$ -	$ 220,000.00	$ 115,423.08	$ 104,576.92
TOTAL								**$ 220,000.00**		

Task 2 -Engage with staff to identify one water strategies

Sub-task	Item	Hourly Rate	# Hours	Sub-total	Item Cost	Item Quantity	Sub-total	Total	CWCB Funds	Matching Funds
	Consultant	$ 200.00	75	$ 15,000.00			$ -	$ 15,000.00	$ 7,869.76	$ 7,130.24
TOTAL								**$ 15,000.00**		

Task 3 -Inclusive Public Engagement

Sub-task	Item	Hourly Rate	# Hours	Sub-total	Item Cost	Item Quantity	Sub-total	Total	CWCB Funds	Matching Funds
	Consultants (community consu	$ 100.00	200	$ 20,000.00			$ -	$ 20,000.00	$ 10,493.01	$ 9,506.99
	Engagment Consultant	$ 150.00	133.1	$ 19,965.00				$ 19,965.00	$ 10,474.64	$ 9,490.36
								TOTAL	$ 20,967.65	$ 18,997.35
TOTAL								**$ 39,965.00**		

Task 4 -Analyze strategies for equity

Sub-task	Item	Hourly Rate	# Hours	Sub-total	Item Cost	Item Quantity	Sub-total	Total	CWCB Funds	Matching Funds
	Consultant	$ 200.00	150	$ 30,000.00			$ -	$ 30,000.00	$ 15,739.51	$ 14,260.49
TOTAL								**$ 30,000.00**		

Task 5 - Finalize the Water Efficiency Plan

Sub-task	Item	Hourly Rate	# Hours	Sub-total	Item Cost	Item Quantity	Sub-total	Total	CWCB Funds	Matching Funds
	City Staff personnel time (in-kind contribution - APPROXIMATE AVERAGE HOURLY RATE USED)	$ 42.00	1131.7857	$ 47,535.00			$ -	$ 47,535.00	$ -	$ 47,535.00
TOTAL								**$ 47,535.00**		
							TOTAL	$ 352,500.00	$ 160,000.00	$ 192,500.00

Other Direct Costs

Item:	Copies & Printing (Black & White)	Copies & Printing (Color)	Materials and Final Report Production Lump Sum	Lodging and Meals	Travel Expenses (Airfare and Car Rental) Lump Sum	Mileage	Total				
Units:	No.	No.		Per Diem		Miles			160,000	144,965.00	
Unit Cost:									$ 304,965.00	$ 304,965.00	$ 352,500.00
Project Initiation							$0		52.47%	47.53%	0.00%
Report, Conclusions and Recommendations						0	$0		52.47%		
Total Units:				0	0						
Total Cost:			$0	$0	$0	$0	**$0**				

March 7, 2023

AGENDA ITEM SUMMARY
City Council

STAFF

Katie Donahue, Natural Areas Director
Matt Parker, Natural Areas Sr. Supervisor
Eric Potyondy, Legal

SUBJECT

First Reading of Ordinance No. 035, 2023, Authorizing the City Manager to Execute Agreements, Conveyances, and Other Documents to Incorporate the Spring Cañon Waste Way Ditch.

EXECUTIVE SUMMARY

The purpose of this item is to approve the City's conveyance of its 2/12ths fractional ownership of the Spring Cañon Waste Way Ditch (Ditch) to a newly formed and incorporated Spring Cañon Wasteway Ditch Company (Ditch Company), and thereby receive 2/12ths share of the Ditch Company. This item would also authorize the City Manager to execute related agreements needed to form the Ditch Company. This administrative restructuring of the Ditch and water right ownership will allow for a variety of efficiencies including easier shareholder transfers, providing a single point of contact, and improving coordination of Ditch maintenance.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

BACKGROUND / DISCUSSION

The Natural Areas Department became a 2/12th owner of the Ditch and its water right with the acquisition of Eagle View Natural Area in 2002. The other 10/12ths are owned by four others along the Ditch. This Ditch and its water right are not part of Fort Collins Utilities' water supply system. The Ditch begins diverting seepage and other water near Zach Elementary and continues to the east along Eagle View Natural Area south of Fossil Creek Reservoir, later passing under I-25.

Unlike most ditches in the region, this Ditch is not "incorporated." This means that its owners own fractional interests of the Ditch and water right. This makes coordination for work on the Ditch cumbersome because work on the Ditch must generally be approved by all of the owners. Even simple projects can thus confront a need for more and more complicated paperwork and agreements. Further, the unincorporated nature of the Ditch makes it more difficult to protect the City's and other owners' interest in the Ditch. When outside entities desire to do a project that could affect the Ditch, there is no single clear point of contact for the owners. For instance, it is difficult for outside entities to pursue mutually beneficial arrangements with the Ditch because there are so many decisionmakers involved. This can also result in projects proceeding without needed approvals.

There are a few recent projects that have become particularly challenging due to the Ditch's unincorporated status. For instance, routine maintenance work has been slowed by the need for numerous approvals from the various owners. Also, a developer is developing land east of I-25 (east of the City's GMA) that has historically been served by the Ditch. The developer desires to modify the Ditch and convey its interests to the other owners (including the City), all of which is far more complex due to the current ownership structure.

By contrast, most ditches in the region are incorporated. This means that the ditches and water rights are held by a ditch company for the benefit of the shareholders, which own the company. Ditch companies are governed by a board of directors and benefit from well-established legal and governance principles, thus providing internal organization for the owners and a single point of contact for non-owners. Ditch companies are basically a common and beneficial way that ditch owners organize themselves.

The recent challenges facing the Ditch have prompted conversations for the Ditch owners to pursue incorporation. This would involve each of the owners conveying their ownership interest in the Ditch and water right to the Ditch Company that will be formed for this purpose, in exchange for shares in the Ditch Company. Because this would involve the conveyance of City-owned property, City Council approval is required. However, this would be a unique transaction because, although there would be a conveyance, the City would still own the same amount of the Ditch and its water right; it would just be structured differently. Consequently, the City would receive a value in an amount equal to or greater than the fair market value of the Ditch and its water right because the City will retain the same proportional ownership, with the added benefits discussed above.

CITY FINANCIAL IMPACTS

Staff expect minimal financial impacts to the City associated with increased administrative duties. Staff will attend and/or conduct an annual shareholder meeting, with potential board responsibilities.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

On February 8, 2023, the Land Conservation and Stewardship Board voted unanimously to recommend City Council's approval of the Ordinance. An excerpt from the meeting minutes is attached.

PUBLIC OUTREACH

No public outreach accompanied this administrative pursuit.

ATTACHMENTS

1. Ordinance for Consideration
2. Map of the Spring Cañon Waste Way Ditch
3. Water Right Decree (excerpts)
4. Land Conservation and Stewardship Board Minutes, February 8, 2023

ORDINANCE NO. 035, 2023
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENTS, CONVEYANCES, AND OTHER DOCUMENTS TO INCORPORATE THE SPRING CAÑON WASTE WAY DITCH

WHEREAS, the Spring Cañon Waste Way Ditch, a.k.a. Spring Cañon Waste Way Ditch ("Ditch") is located in southeast Fort Collins, diverting water from a draw in the NE1/4 of Section 1, Township 6 North, Range 68 West of the 6th P.M., just south of Zach Elementary School, and continuing in a southeasterly direction; and

WHEREAS, a water right with an appropriation date of July 22, 1875, was decreed to the Ditch by the Larimer County District Court in Civil Action 2031 in the decree dated April 22, 1922 ("Water Right"); and

WHEREAS, the Ditch, Water Right, and associated structures and property and other legal rights, including easements (together, "Ditch Rights") have historically been owned by various persons and entities as fractional interests, without these Ditch Rights being held by a mutual ditch company, which is a more common ownership model in this region; and

WHEREAS, as part of the City's 2002 acquisition of the land and other property that became Eagle View Natural Area, the City acquired a 2/12th interest in the Ditch Rights; and

WHEREAS, the City currently uses the Water Right and water from the Ditch to irrigate Eagle View Natural Area; and

WHEREAS, the City's portion of the Ditch Rights are not associated with the City's water utility; and

WHEREAS, the City and the other fractional owners of the Ditch Rights ("Co-Owners") periodically need to coordinate with respect to internal and external matters, including: maintenance of the Ditch, including paying for such maintenance; actions to protect the Ditch and Water Right; and consideration and execution of potential arrangements related to the Ditch and Water Right; and

WHEREAS, the historical and current fractional ownership model for the Ditch Rights makes this internal and external coordination among the City and the Co-Owners difficult for various reasons, including a lack of structure for decision making; and a lack of established principles related to ditch matters; and

WHEREAS, changing the ownership structure of the Ditch Rights from the historical and current fractional ownership model to a mutual ditch company model would benefit the City and the Co-Owners in various ways, including: providing internal organization among the City and the Co-Owners; a financial structure for maintenance and other costs; an established body of law (*see, e.g.,* Colorado Revised Statute Section 7-42-101 *et seq.*; *Jacobucci v. Dist. Court*, 541 P.2d 667,

189 Colo. 380 (1975) (summarizing mutual ditch company law)); and a single point of contact for external matters; and

WHEREAS, the City and the Co-Owners desire to pursue the creation of a mutual ditch company to hold title to the Ditch Rights, which would require the City and the Co-Owners to execute agreements and other documents to establish the company and conveyances and associated agreements to convey their ownership interests in the Ditch Rights to the newly-formed mutual ditch company in exchange for shares of stock in the company that represent the City's and the Co-Owners' current proportional ownership interest in the Ditch Rights ("Incorporation Documents"); and

WHEREAS, Section 23-111(a) of the City Code authorizes City Council to sell, convey, or otherwise dispose of any interest in real property owned by the City, provided that City Council first finds, by ordinance, that such sale or other disposition is in the best interests of the City; and

WHEREAS, the execution of Incorporation Documents is in the best interest of the City because of the benefits described above; and

WHEREAS, the execution of Incorporation Documents will result in the City receiving a value in an amount equal to or greater than the fair market value of the Ditch Rights because the City will retain the same proportional ownership of the Ditch Rights, with the added benefits described above.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That City Council finds, pursuant to Section 23-111(a) of the City Code, that the execution of Incorporation Documents and conveyance of the City's interest in the Ditch Rights to a newly-formed mutual ditch company to hold title to the Ditch Rights is in the best interests of the City.

Section 3. That City Council finds, pursuant to Section 23-114 of the City Code, that the execution of Incorporation Documents will result in the City receiving stock of equal or greater value than the fair market value of the property interests conveyed.

Section 4. That City Council authorizes the City Manager to execute Incorporation Documents as described in this Ordinance and such other documents as may be necessary to carry out the transactions contemplated by this Ordinance, on terms and conditions consistent with this Ordinance, together with such additional terms and conditions as the City Manager, in consultation with the City Attorney, determines are necessary or appropriate to protect the interests of the City.

Introduced, considered favorably on first reading and ordered published this 7th day of March, 2023, and to be presented for final passage on the 21st day of March, 2023.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading this 21st day of March, 2023.

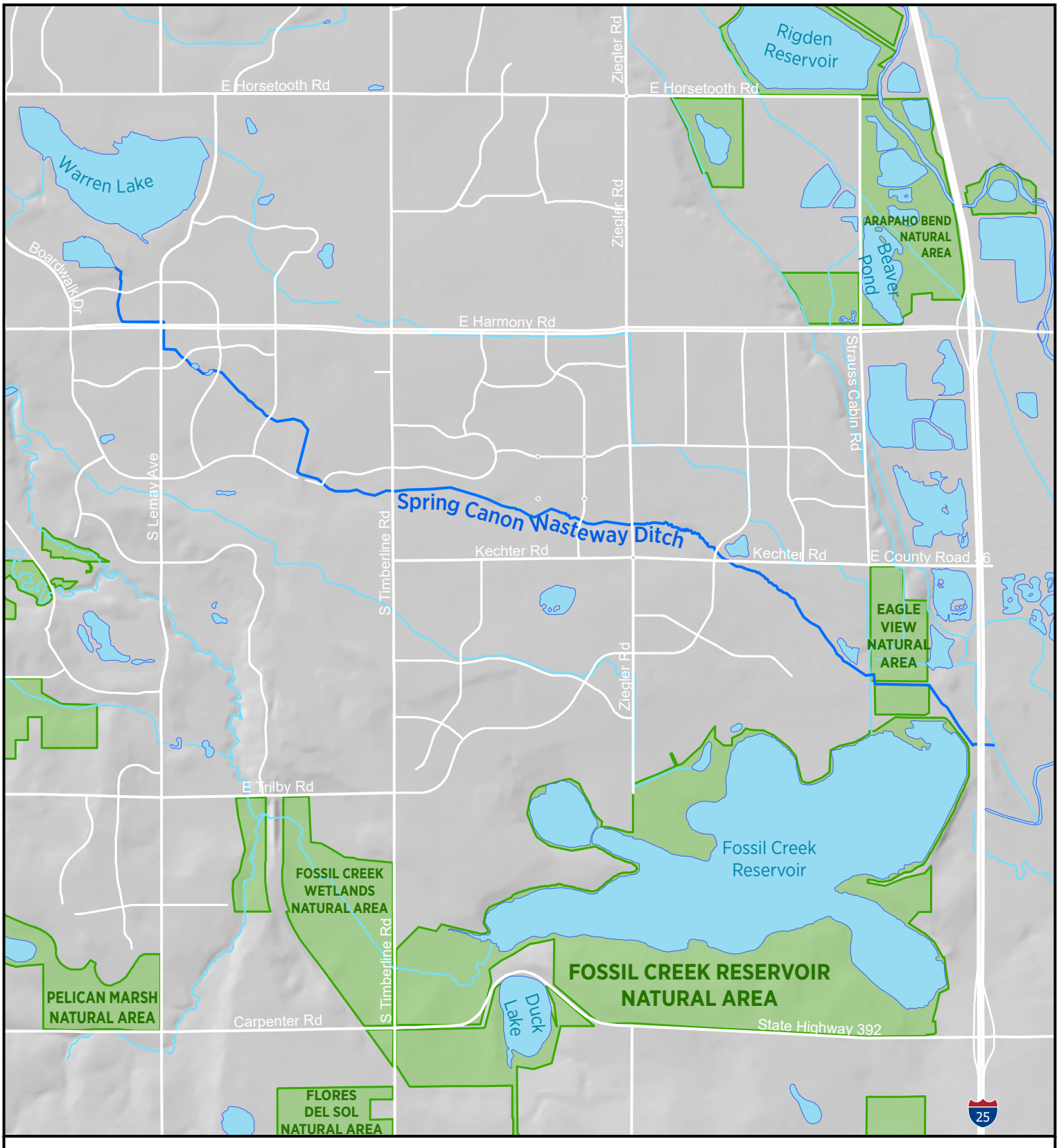
Mayor

ATTEST:

City Clerk

Spring Canon Wasteway Ditch

City of Fort Collins



City of Fort Collins Natural Areas

STATE OF COLORADO,)
) SS. IN THE DISTRICT COURT
COUNTY OF LARIMER.)

In the Matter of the Adjudication of Priorities of Right to the Use of Water for Irrigation in Water District No. 3, Division No. 1, State of Colorado.) No. 2031.

D E C R E E .

And now, to-wit, upon this 22 day of April A.D. 1922, the same being one of the regular juridical days of the March A.D. 1922 Term of this Court, the above entitled matter coming on to be heard upon the report of J. Fred Farrar, referee in said proceeding, and upon the findings and recommended decree submitted in said matter by said referee and also upon all claims permitted to be filed since the making of said report and the evidence offered thereon and the tendered findings of counsel for respective claimants, and upon all the exceptions and objections heretofore made to the findings and recommended decree of said referee and to the matters heard before the court and the evidence and tendered findings of said claims subsequently heard and all exceptions and objections thereof, and the Court having fully considered all of the foregoing matters and having heard the arguments of counsel;

And it appearing to the Court that due notice has been given in all respects in accordance with the law as to the pendency of these proceedings, the appointment of the referee and the date upon which said referee would commence to take testimony; and that due notice has been given in accordance with

502.

DITCH NO. 75.

THE SPRING CANON WASTE WAY DITCH,

Gehart C. Mathiesen, Samuel C.Mathiesen
and Peter C. Mathiesen, Claimants.

****

In accordance with the findings: That the Spring Canon Waste Way Ditch diverts water from an unnamed draw which heads in the northwest quarter of section 1, township 6, north range 69 west of the 6th P.M., and also certain seepage and waste water all tributary to the Cache la Poudre river; that the headgate is located at a point North 45° 35' west 2845 feet from the east quarter corner of section 9, township 6, north range 68 west of the 6th P.M., from which point the general course of the ditch is southeasterly; that the carrying capacity is 12.8 cubic feet per second; that the work of construction commenced July 22, 1895, and was prosecuted with due diligence to completion; that the water has been used since construction for the irrigation of about 365 acres of land in the south half of the northwest quarter, the north half of the southwest quarter and the south half of the southeast quarter of section 10, and the northeast quarter of section 15, township 6, north range 68 west; that water to the capacity of the ditch is not necessary for the irrigation of these lands; that the maximum amount which has been beneficially applied for irrigation is 4.5 cubic feet per second; that an appropriation of 4.5 cubic feet, or so much thereof as may be necessary for the irrigation of the lands described, was made as of date July 22, 1895.

IT IS ORDERED, ADJUDGED AND DECREED, that The Spring

522

21

522

Canon Waste Way Ditch be awarded a priority for the diversion from an unnamed draw, which heads in the northwest quarter of section 1, township 9 north range 69 west of the 6th P.M., and also certain seepage and waste water, all of which is tributary to the Cache la Poudre river, as of date July 22, 1875, to the amount of 4.5 cubic feet per second, or so much thereof as may be necessary for the irrigation of the lands described, said priority being No. 114.

It is further Ordered by the Court that the residue of the costs and expenses of taking and extending the evidence herein and hearing thereon not heretofore paid, and the costs and expenses of the Clerk of this Court in filing, indexing and recording the findings and decree of the Court herein, and making certified copies thereof to be lodged with the State Engineer and Division Engineer as by law provided, as well as the costs and expenses of re-writing said findings and decree in order to have the same conform numerically to the preceding decrees in said Water District and to unify the several decrees herein amounting to $ 1394 05, which amount is hereby allowed and approved by the Court and said amount, together with all other unpaid costs of this proceeding, is hereby ordered to be paid by the Counties of Larimer and Weld, being all the Counties in said Water District No. 3, in equal amounts as by law provided, said costs and expenses to be certified by the Clerk of this Court to the respective counties for allowance and payment by the Boards of County Commissioners of said counties and when so paid to said Clerk he shall apply the same in the paying of said costs and allowances aforesaid.

IT IS FURTHR ORDERED BY THECOURT that all the evidence heretofore taken by the referee in this matter and by him extended and filed in this Court, including all the exhibits being parts of said evidence and all the evidence taken before the Court or its commissioner subsequent to thefiling of the report of said referee and extended and filed in this Court with the exhibits and all the exceptions and objections of any party or claimant made and filed herein, together with the rulings of the court thereon and the exceptions thereto, be and the same are hereby made a general bill of exceptions herein, and any party or parties aggrieved by any finding of the court or any provision of

this decree or by any ruling of the Court herein are hereby granted one year from the date of the entering of this decree in w ich to make and tender a particular bill of exceptions involving such matters as shall set forth and show wherein they have been aggrieved and which they may desire to have reviewed by the Supreme Court and the special bill of exceptions of any party deeming themselves to be aggrieved by any finding ruling or decree of this court may be made from what is herein described as a general bill of exceptions and when so made may be thereupon tendered, signed and sealed by the Judge of this Court who has made and entered this Decree, or in his absence or death, by any Judge of said Court and when so tendered, signed and sealed shall be filed herein as of this day.

Done in open Court.

Bythe Court

Neil F Graham

Judge.

STATE OF COLORADO,)
) SS.
COUNTY OF LARIMER.)

I, Frank D. Abbott, Clerk of the District Court of the 8th Judicial District of the State of Colorado, within and for the County of Larimer and as such Clerk, custodian of the files and records of said Court, do hereby certify the above and foregoing to be a true, correct and complete copy of the Decree filed and entered of record in a certain cause lately pending in said Court entitled "In the Matter of the Adjudication of Priorities of Right to the Use of Water for Irrigation in Water District No. 3, Division No. 1, State of Colorado, No. 2031", as the same now remains on file and of record in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said court in my office at Fort Collins, Larimer County, Colorado, this 30th day of June, A.D.1922.

Frank D. Abbott
Clerk.

AGENDA

CITY OF FORT COLLINS • BOARDS AND COMMISSIONS

Land Conservation & Stewardship Board

Regular Meeting/Hybrid in person/ Zoom

1745 Hoffman Mill Road/Main Office Conference Room

February 8, 2023

Public Participation (Phone): If you do not have access to the internet, call the Board Staff Liaison, Katie Donahue, at 970-416-8067.

Please indicate that you want to participate in the Board public participation by phone and give your name and phone number. If you get a voicemail message, please leave the same information.

Once you have given this information (in person or by message), a staff person will provide you with the phone number and code that will allow you access to the Zoom meeting. As listed above, the meeting will be available beginning at 5:30 pm . For public comments, the Chair will ask participants to click the "Raise Hand" button to indicate you would like to speak at that time – phone participants will need to hit *9 to do this. Staff will be moderating the Zoom session to ensure all participants have an opportunity to address the Committee. Once you join the meeting: **keep yourself on muted status.**

Documents to Share: If residents wish to share a document or presentation, the Staff Liaison needs to receive those materials via email by 24 hours before the meeting.

Individuals uncomfortable or unable to access the Zoom platform or unable to participate by phone are encouraged to participate by emailing general public comments you may have to Katie Donahue, kdonahue@fcgov.com. The Staff Liaison will ensure the Board receives your comments. If you have specific comments on any of the discussion items scheduled, please make that clear in the subject line of the email and send 24 hours prior to the meeting.

CALL TO ORDER: 5:30 PM

1. **ROLL CALL & INTRODUCTIONS**
2. **AGENDA REVIEW**
3. **COMMUNITY MEMBER PARTICIPATION**
4. **APPROVAL OF MINUTES**
5. **ACTION ITEM**

Annual election of board officers	LCSB	5 min
Spring Cañon Waste Way Ditch	Matt Parker	15 min

MINUTES

CITY OF FORT COLLINS • BOARDS AND COMMISSIONS

Land Conservation & Stewardship Board
February 8, 2023
Regular Meeting – Excerpt

Spring Cañon Waste Way Ditch

Matt Parker, Senior Supervisor Resource Management began by introducing Justin Fredrickson, Agricultural Technician II, highlighting his integral role in the department's conservation agriculture efforts and his knowledge of Natural Areas water operations. Matt Parker then provided a brief background of the Spring Cañon Waste Way Ditch and the rationale for incorporation.

The Natural Areas Department became a 2/12ths owner of the Spring Cañon Waste Way Ditch and its water rights with the acquisition of Eagle View Natural Area in 2002. The other 10/12ths are owned by four others along the Ditch. Unlike most ditches in the region, this Ditch is not "incorporated." This means that its owners own fractional interests of the Ditch and water right. This makes coordination for work on the Ditch cumbersome because work on the Ditch must generally be approved by all of the owners. The City and other owners would like to make an administrative change to a ditch company to help address these challenges.

Matt Parker shared map with the LCSB to both locate the ditch and point out it does not come off the river or creek, rather it is formed by natural seepage and from other wastewater. It flows generally south each across Eagle View Natural Area.

Discussion

Vice Chair Cunniff asked if there was any water quality issue, i.e., nitrates or phosphates, since the source of water is primarily run-off. Matt Parker stated he is not aware of any issue. He then confirmed for Member Piesman there is no input to the ditch from the Larimer County landfill outflow. Matt Parker and Justin Fredrickson listed the other fractional owners as Island Lake Marine, Forestar Development and Southwinds Ranch.

Several Board members asked about potential risks associated with incorporation and the potential for Natural Areas' interests being overruled. Matt Parker stated the risk is small because fractional owners act on their own behalf while company members are obligated to act on behalf of the ditch. In response to Vice Chair Cunniff's concern about bank maintenance, Matt Parker explained the ditch is largely free of trees as it runs along Eagle View, but that Natural Areas would ardently protect the trees on the west side of the property. Justin Fredrickson noted the added benefit of liability protection as a company member.

Member Kramer asked if there was any opportunity with this ditch to add to in-stream flow of the Poudre River. Matt pointed out the terminus is at the Arthur Ditch, so no direct connection to the river, but he was not sure. Matt Parker pointed out that Natural Areas is interested in securing water rights that make economic sense and are tied to natural areas managed land.

Member Piesman made a motion that the Land Conservation and Stewardship Board recommend the City to pursue the incorporation of the Spring Cañon Waste Way Ditch, including conveying the city's interest in the ditch and water rights in exchange for shares in the ditch company. Chair Elson seconded the motion. The motion was approved unanimously, 7-0.

March 7, 2023

AGENDA ITEM SUMMARY
City Council

STAFF

Richard Thorp, Lead Specialist, Utilities Water Quality Services Division
Jill Oropeza, Director, Utilities Water Quality Services Division
Eric Potyondy, Legal

SUBJECT

Resolution 2023-024 Adopting the Water Quality Management Policy for City-Owned Lakes and Stormwater Basins in the Growth Management Area.

EXECUTIVE SUMMARY

The lakes and stormwater basins (together, “urban lakes”) that the City owns are important resources that provide a range of benefits to the Fort Collins community. There are significant challenges associated with managing water quality in the City’s urban lakes. A project team has been working over the last two years to address these challenges by developing the City of Fort Collins Urban Lakes Water Quality Management Policy (“Policy”) and associated Guidance Document (“Guidance”). The Policy provides a framework for the City’s water quality operational and management decisions for its urban lakes and the Guidance provides technical resources to assist City staff with implementing the Policy. Development of the Policy and Guidance were informed by feedback received as part of an extensive stakeholder engagement process, and the Water Commission, Land Conservation and Stewardship Board, Natural Resources Advisory Board, and Parks and Recreation Board have formally recommended that City Council adopt the Policy.

STAFF RECOMMENDATION

Staff recommends adoption of the Resolution.

BACKGROUND / DISCUSSION

The City’s urban lakes include all ponds, lakes, irrigation reservoirs, and stormwater basins where surrounding and underlying land is owned by the City and that are located within the City’s Growth Management Area (GMA). The City’s urban lakes are important resources to the Fort Collins community, providing recreational opportunities, wildlife habitat, irrigation water storage, stormwater infrastructure, and other benefits. City-owned urban lakes do not include privately-owned waterbodies, the City’s drinking water reservoirs, or the Poudre River and other flowing surface waters.

Water quality is a term used to describe the chemical, physical, and biological characteristics of water relative to management goals. Managing water quality in the City’s urban lakes has become increasingly challenging due to factors including the absence of an accurate inventory of City-owned urban lakes and undefined management jurisdictions, oles and responsibilities. Furthermore, pollution associated with urban growth and development, wildfires, land use practices, climate change, and other factors are

contributing to more frequent and apparent water quality impacts in urban lakes such as algae blooms, sedimentation, fish kills, and increases in water-borne pathogens.

To begin to address some of these challenges, a project team consisting of staff from Natural Areas, Parks, Utilities, the City Attorney's Office, and SWCA Environmental Consultants developed the Policy and the associated Guidance. The City's project team used a series of focused meetings and facilitated workshops to develop the Policy and Guidance. The Policy and Guidance were further informed by information gathered during engagement with several stakeholder groups as described in the Public Outreach section below.

The Policy articulates the City's commitment to preserving the value of these important resources and provides a framework for the City's urban lakes water quality operational and management decisions.

The Policy includes:

- a background, vision and purpose to provide a rationale for why Policy was developed;
- definitions for several key terms;
- a description of the City's urban lakes water quality management scope, including jurisdiction;
- expectations regarding urban lakes water quality management and management plans;
- communication between departments and the community; and
- staff accountability regarding Policy implementation, including future Policy and Guidance updates.

The Guidance (attached) is intended to serve as a technical resource to assist City staff with implementing the Policy. The Guidance includes a complete inventory of City-owned urban lakes within the GMA and a summary of known water quality-related information. For each City-owned lake, management categories were assigned based on departmental management goals. Urban lakes were then ranked based on relative water quality risk. A Geographical Information System (GIS) geodatabase was developed as part of this effort to manage information related to all City-owned urban lakes and their related attributes. This tool will facilitate future updates and mapping needs related to urban lakes management. And lastly, the Guidance includes a list of targeted best management practices (BMPs) for mitigating water quality issues in the City's urban lakes.

It is important to note that the Guidance is not intended to be a comprehensive water quality management plan for the City's urban lakes. Urban lakes management plans, including prioritization, water quality monitoring, best practices implementation and other specific management elements will be developed on a case-by case basis by managing departments.

It is also worth noting that numerous lakes and stormwater basins in the GMA are privately owned. As stated above, the Policy does not apply to them. Nevertheless, the Policy and Guidance may be informative and helpful to the owners of those urban lakes in their owners' water quality management decisions.

CITY FINANCIAL IMPACTS

There are no anticipated direct financial impacts associated with adopting the Policy. However, managing departments will likely incur future costs associated with developing management plans and implementing pollution mitigation BMPs.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

Land Conservation and Stewardship Board Regular Meeting, January 11, 2023

The Land Conservation and Stewardship Board unanimously recommended Council approve the Water Quality Management Policy for City urban lakes and stormwater basins in the Growth Management Area, and fully fund all of the proposed management actions that are recommended in the policy.

Water Commission Regular Meeting, January 19, 2023

The Water Commission unanimously recommended City Council approve the Urban Lakes Water Quality Management Policy.

Natural Resources Advisory Board Regular Meeting, January 18, 2023

The Natural Resources Advisory Board unanimously supported Council consider adoption of this item.

Parks and Recreation Board Regular Meeting, January 25, 2023

The Parks and Recreation Board recommended City Council adopt this policy as soon as reasonably possible.

PUBLIC OUTREACH

Policy and Guidance development was informed by feedback from three stakeholder groups, including internal and external urban lakes water quality management subject matter experts; several City advisory boards and Water Commission; and the community at-large.

Community engagement included:

1. **Urban Lakes Water Quality Management Subject Matter Experts (SMEs)** were interviewed and/or surveyed during April and May of 2021 to better understand known water concerns in City-owned urban lakes. SMEs included City staff; local private lakes managers; ecological consultants; scientists with Colorado Parks and Wildlife and Colorado State University; and others.

2. **City Advisory Boards and Water Commission** were engaged during September of 2021 to solicit feedback on the project team's Policy development approach. City Advisory Boards included the Land Conservation and Stewardship Board, Natural Resource Advisory Board, Parks and Recreation Board and Water Commission. The project team presented final drafts of the Policy and Guidance to these City Advisory Boards in January 2022 and requested a formal motion from each board to recommend that City Council adopt the Policy (see Board and Commission Recommendations above).

   The **Community at-large** was also engaged to better understand the diverse range of perspectives in our community regarding water quality in City-owned Urban Lakes.

   Engagement efforts were designed to be equitable and inclusive in order to reach community members whose voices are often underrepresented in City processes. The project team's engagement approach included the development of an urban lakes water quality survey; the use of a social media campaign and the creation of project informational websites, where the survey was posted. All engagement materials were developed in both English and Spanish.

   The project team also engaged community members directly at City-owned urban lakes and using focused meetings. Urban lakes managed by each department were selected for engagement based on vulnerability indicators analyzed as part of the City's 2021 Equity and Opportunity Assessment Study. Vulnerability indicators included: housing, education, income and race and ethnicity. Lakes selected for engagement included Overland Park Pond and Sheldon Lake (Parks); Arapaho Bend Ponds, North Shields Pond and Riverbend Ponds (Natural Areas); Avery and Manhattan Ponds (Utilities); and Rigden Reservoir (Utilities/Natural Areas).

   The project team conducted 30 community engagement events at the City's urban lakes listed above between May and June of 2022. A total of 437 people were observed engaged in various activities at these lakes. The project team directly engaged with 1,444 people at engagement events and a total of 273 surveys were completed.

Engagement results indicated that the City's urban lakes are important to many in our community and support recreational, wildlife habitat, provide natural beauty, intrinsic and other values. The community engagement survey helped staff to document our community's urban lakes water quality priorities and concerns. Engaging with community members at select urban lakes provided additional insight through observation of activities and direct feedback. Nearly half of people surveyed reported that they have been negatively impacted by water quality issues in some City-owned urban lakes and avoid these areas. Survey respondents expressed support and appreciation for the development of the City's urban lakes water quality management Policy and Guidance.

ATTACHMENTS

1. Resolution for Consideration
2. Resolution Exhibit A
3. Urban Lakes Water Quality Management Guidance
4. Land Conservation and Stewardship Board, January 11, 2023, Meeting Minutes Excerpt
5. Natural Resources Advisory Board, January 18, 2023, Meeting Minutes Excerpt
6. Water Commission, January 19, 2023, Draft Meeting Minutes Excerpt
7. Parks and Recreation Board, January 25, 2023, Draft Meeting Minutes Excerpt
8. Letter of Recommendation from Colorado Parks and Wildlife
9. Triple Bottom Line Scan Summary

RESOLUTION 2023-024
OF THE COUNCIL OF THE CITY OF FORT COLLINS
ADOPTING THE WATER QUALITY MANAGEMENT POLICY FOR CITY-OWNED LAKES AND STORMWATER BASINS IN THE GROWTH MANAGEMENT AREA

WHEREAS, as development and urbanization have continued and increased in the Fort Collins Growth Management Area ("GMA"), new and existing water quality challenges in lakes and stormwater basins have arisen and intensified; and

WHEREAS, the City recognizes the importance of managing water quality in lakes and stormwater basins to support management goals for the benefit of community, ecosystems, and downstream water quality; and

WHEREAS, such management can also implement the City's triple bottom line approach to consider social, economic, and environmental impacts, as well as supporting and furthering various City plans and objectives related to water quality; and

WHEREAS, the City has some degree of control and influence over the water quality of the lakes and stormwater basins it owns, which are currently managed by various City departments and service areas, and would benefit from having an adopted policy regarding the management of water quality in such lakes and stormwater basins; and

WHEREAS, City staff created the "City of Fort Collins Water Quality Management Policy for City-Owned Lakes and Stormwater Basins in the Growth Management Area," attached hereto as Exhibit A ("Policy"), to provide a foundational framework for the City's operational and management decisions related to water quality in City-owned lakes and stormwater basins; and

WHEREAS, numerous lakes and stormwater basins in the GMA are privately owned, and the Policy may be informative and helpful to the owners of those lakes and stormwater basins in their owners' water quality management decisions; and

WHEREAS, the Land Conservation and Stewardship Board, Natural Resources Advisory Board, Parks and Recreation Board, and Water Commission have each endorsed the Policy and recommend Council adoption.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That City of Fort Collins Water Quality Management Policy for City-Owned Lakes and Stormwater Basins in the Growth Management Area, attached hereto as Exhibit "A," is hereby adopted.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins this 7th day of March, 2023.

Mayor

ATTEST:

City Clerk

City of Fort Collins

Water Quality Management Policy for City-Owned Lakes and Stormwater Basins in the Growth Management Area

Background

As development and urbanization have continued and increased in the Fort Collins Growth Management Area ("GMA"), new and existing water quality challenges in lakes and stormwater basins have arisen and intensified. Examples of these challenges include: pollution associated with urban growth, development, and land use practices; climate change; and other factors that can lead to water quality impacts such as sedimentation, fish kills, algal blooms, and water-borne pathogens.

The City of Fort Collins ("City") recognizes the importance of managing water quality in lakes and stormwater basins to support management goals for the benefit of community, ecosystems, and downstream water quality. Such management can also implement the City's triple bottom line approach to consider social, economic, and environmental impacts, as well as supporting and furthering various City plans and objectives related to water quality. Numerous lakes and stormwater basins in the GMA are privately owned. By comparison, the City has some degree of control and influence over the water quality of the lakes and stormwater basins it owns.

This City of Fort Collins Water Quality Management Policy for City-Owned Lakes and Stormwater Basins in the Growth Management Area ("Policy"), and the associated Guidance Document, have been created to provide a foundational framework for the City's operational and management decisions related to water quality in City-owned lakes and stormwater basins.

This Policy was developed using an integrated One Water approach by an inter-departmental team of City staff, including the Managing Departments listed below. The Policy's content was further informed by feedback from key stakeholder groups, which included: urban lakes and water quality management subject matter experts; the City's Land Conservation and Stewardship Board, Natural Resources Advisory Board, Parks and Recreation Board, and Water Commission; and members of the Fort Collins community.

Vision and Purpose of the Policy

The City's vision is that water quality in City-owned lakes and stormwater basins in the GMA supports management goals while also maintaining or improving aesthetics. To that end, the purpose of this Policy is to provide a foundational framework for the City's operational and management decisions related to water quality management in City-owned lakes and stormwater basins.

Key Terms

The following describes and discusses several key terms used throughout this Policy.

City-owned lakes and stormwater basins refers to lakes and stormwater basins where the City owns the surrounding and underlying land and thus manages the water in them.

Fort Collins Growth Management Area ("GMA") is as defined in Section 1-2 of the Fort Collins Municipal Code, being the Fort Collins Urban Growth Area as defined in Article XIII of the Charter of the City, namely, that geographic area within and adjacent to the City identified by the Intergovernmental Agreement between the City and Larimer County as that area identified for annexation and urbanization by the City, including the Urban Growth Area as it exists on March 5, 1985, together with any amendments or changes thereto.

Guidance Document refers to a separate document the City has developed and will update as a technical resource intended to support City staff in implementing this Policy. The Guidance Document provides Managing Departments with management tools, including[1]:

- Inventory of all City-owned lakes and stormwater basins;
- Certain water quality-related information for City-owned lakes and stormwater basins;
- Management categorization for City-owned lakes and stormwater basins, based on management goals of the respective Managing Departments;
- Assistance with management prioritization; and
- Best management practices for water quality management.

Lakes refer to basins and depressions that are generally filled with water. For the purposes of this Policy, lakes include: on- and off-stream reservoirs filled with water diverted from the stream; ponds used to manage water for irrigation and other uses; unlined gravel pits that have filled in with groundwater; and other basins and depressions that are generally filled with water.

Managing Departments refer to the components of the City organization that manage the City-owned lakes and stormwater basins. The current Managing Departments are Natural Areas, Parks, and Fort Collins Utilities.

Stormwater Basins refer to areas that are designed to collect precipitation runoff, including snowmelt. Stormwater basins include both: stormwater detention basins/ponds, which are designed to temporarily detain stormwater, generally for less than 72 hours; and stormwater retention basins/ponds, which are designed to detain or store stormwater runoff for longer than 72 hours. Stormwater retention basins/ponds may also be lakes. Although stormwater basins do not always have water in them, they can influence water quality and are thus included in this Policy.

Water quality refers to the physical, chemical and biological characteristics of water. Numerous human and natural factors can influence water quality.

Water quality management refers to the use of pollution prevention and/or mitigation best practices to address water quality management goals.

[1] In this Policy, "include" signifies a list that is not necessarily exhaustive.

Scope and Applicability of this Policy

This Policy applies only to City-owned lakes and stormwater basins in the GMA. Nothing in this Policy is intended to conflict with any applicable laws, including: the City Charter and City Code; Colorado state law, including permits and approvals issued thereunder; federal law, including permits and approvals issued thereunder; and applicable agreements and other contractual arrangements. To the extent that there is such a conflict, the applicable law controls.

This Policy does not apply to lakes and stormwater basins in the GMA that are not City-owned. For example, this Policy does not apply to lakes and stormwater basins owned by homeowners associations, or lakes owned by ditch or reservoir companies in which the City owns shares. The owners of such other lakes and stormwater basins are free to consider this Policy and the Guidance Document, in their discretion, in their management of their structures.

This Policy does not apply to lakes and stormwater basins that are outside of the GMA. This includes reservoirs the City owns that are outside of the GMA (e.g., Joe Wright Reservoir). Those lakes and stormwater basins are generally located outside of the urban environment and face challenges distinct from those addressed in this Policy. The water quality challenges of those lakes and stormwater basins are thus addressed separately. The owners of such other lakes and stormwater basins are free to consider this Policy and the Guidance Document, in their discretion, in their management of those structures.

Management

Each Managing Department will manage water quality in their lakes and stormwater basins to address their own management goals. Specifically, Managing Departments will:

1. Identify which City-owned lakes and stormwater basins they are responsible for, relying on the inventory in the Guidance Document. If more than one Managing Department is responsible for a lake or stormwater basin, the responsible Managing Departments will work together on all aspects of management.
2. Identify the management goals for their lakes and stormwater basins based on their uses and purposes. This may include a consideration of the categories of types of lakes and stormwater basins and their various uses and purposes, as described in the Guidance Document.
3. Determine which of their City-owned lakes and stormwater basins should be prioritized for water quality management or other related actions.
4. Determine whether to act (or not act) on water quality issues.[2]
5. Develop water quality management plans as necessary for prioritized City-owned lakes and stormwater basins (as discussed below).
6. Collaborate with other Managing Departments where responsibilities, projects, or other actions related to water quality management overlap with or will affect other departments.
7. Communicate internally within the City organization and externally to the Fort Collins community (as discussed below).

[2] How Managing Departments staff and otherwise resource their actions are not addressed in this Policy.

Management Plans

Managing Departments will develop water quality management plans for individual lakes and stormwater basins, as necessary, to address their water quality management goals. These plans may be separate, standalone documents, or may be integrated into other plans or other documents related to their lakes and stormwater basins. These plans should include:

- statement of the Managing Department's goals and priorities for their lakes and stormwater basins;
- consideration of the analyses, recommendations, and other aspects of the Guidance Document;
- water quality-related goals for their lakes and stormwater basins;
- water quality management practices for their lakes and stormwater basins;
- a communication strategy (as discussed below); and
- other items appropriate to further the Managing Department's goals and priorities.

Communication

Consistent with their communication strategy, Managing Departments will communicate internally within the City organization and externally with the Fort Collins community regarding water quality of lakes or stormwater basin. This will include communications regarding: water quality data; any public health risks; and non-routine maintenance work. Communications will be made pursuant to applicable City policies. Managing Departments will periodically communicate internally to improve interdepartmental alignment regarding water quality management practices.

Policy and Guidance Document Updates

An inter-departmental team from all of the Managing Departments (minimum 1 staff member from each) will be established to ensure proper implementation of this Policy and to periodically revise and update the Policy and Guidance Document as needed.

The team will annually review the Guidance Document to identify and address data errors, necessary updates, and other opportunities for improvement, including:

- Adding any City-owned lakes and stormwater basins to the inventory;
- Updating lake-specific water quality information; and
- Adding or updating water quality management practices.

City of Fort Collins

URBAN LAKES WATER QUALITY MANAGEMENT

Guidance

PREPARED BY:
Natural Areas
Parks
Fort Collins Utilities

WITH ASSITANCE FROM:
SWCA Environmental

UPDATED:
Date: 12/21/2022

ACKNOWLEDGEMENTS

The City's Urban Lakes Water Quality Management Guidance was developed by a diverse project team consisting of City staff from the Natural Areas, Parks and Utilities Departments and SWCA Environmental Consultants using a One Water Approach. The project team would like to acknowledge the importance of the feedback and recommendations received from the Land Conservation and Stewardship Board, Natural Resource Advisory Board, Parks and Recreation Board and the Water Commission. The project team also acknowledges the important role that subject matter experts and the general public played in the development of this project. Subject matter experts included representatives from Colorado Parks and Wildlife, Aquatic Associates, Colorado State University, Warren Lake HOA, Rigden Farm HOA, Richards Lake HOA, Fairway Estates HOA and Lake Sherwood Corporation.

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GLOSSARY OF TERMS

Algae – Aquatic plant-like organisms that contain chlorophyll.

Algae blooms – Excessive growths of algae caused by excessive nutrients.

Anoxia – The absence of oxygen.

Aquatic habitat – Area of a lake providing food, shelter and other resources for organisms.

Aquatic nuisance species – Plants or animals that can cause water quality issues in lakes.

Benthic Sediment – The sediment at the bottom of a lake.

Benthos – Organisms that live on or within benthic sediment in lakes.

Best management practice (BMP) – Industry standards, or practices, used to manage natural resources, such as lakes.

Bioaugmentation – A technique whereby bacteria are added to contaminated water to help treat a water quality issue.

Biological Oxygen Demand (BOD) – A measurement of the amount of oxygen that is consumed by microorganisms.

Contaminants of Emerging Concern (COCs and CECs) – Compounds for which water quality standards do not currently exist, such as certain personal care products, pharmaceuticals, pesticides, insect repellants and sunscreen.

Cyanobacteria (Blue-green algae) – Photosynthetic bacteria that can form blooms similar to algae and that can be toxic to both aquatic organisms, humans and other animals.

Detritus – Decomposing organic matter in aquatic systems.

Dissolved oxygen (DO) – A measure of the amount of oxygen dissolved in water.

Ecology – The study of how organisms interact with their environments.

Epilimnion – The uppermost layer of a lake that is stratified chemically and/or physically.

***Escherichia coli* (*E. coli*)** – A species of bacteria that occurs in the intestines of warm-blooded animals.

Eutrophication – Excess nutrients (nitrogen and/or phosphorus) in a lake.

Geographic information system (GIS) – A computer-based software platform used for analyses of geospatial data.

Growth Management Area (GMA) – An area within which the City's future growth is limited, as agreed upon by the City of Fort Collins and Larimer County.

Heavy metals – A group of metals often considered toxic to aquatic organisms in high concentrations.

Invasive species – Any species present in a lake that is considered non-native.

Lake productivity – A lake's ability to support algae and plants.

Littoral zone – A narrow, often shallow zone along the edge of a lake.

Macrophytes – Aquatic plants that can be seen with the eye that have roots and differentiated tissues.

Morphometry (of lakes) – The physical characteristics of a lake including surface area, maximum depth, mean depth, shoreline characteristics, and volume.

Nutrient loading – Influx of nutrients from the surrounding watershed are into a waterbody.

Nutrients – Nitrogen and phosphorus.

One Water approach - is an integrated planning and implementation approach to managing finite water resources for long-term resilience and reliability.

pH – A measurement of how acidic or basic a water is on a scale of 0 (most acidic) through 14 (most basic).

Photosynthesis – A chemical reaction whereby energy from sunlight and chlorophyll are used to convert water and carbon dioxide into carbohydrates, which are used by plants as food. Oxygen is produced as a by-product of this reaction.

Phytoplankton – Community of free-floating microscopic algae and cyanobacteria in a lake.

Residence time – The amount of time water remains in a lake before it is completely renewed by inflows of new water.

Salinity – A measure of the concentration of dissolved salts in water.

Shoreline – Shoreline is defined as the margin of land along the edge of a lake.

Stormwater runoff – Overland surface flow during and following precipitation events; stormwater runoff can convey pollutants from roadways, parking lots and other impermeable surfaces into lakes.

Stratification (of lakes) – Process by which different chemical and physical horizontal layers form seasonally in some lakes.

Thermal stratification – The formation of horizontal temperature zones or layers in some lakes.

Thermocline – The narrow zone of rapid temperature change in thermally stratified lakes.

Total Dissolved Solids (TDS) – A measure of the total concentration minerals, metals, salts, and organic materials dissolved in water.

Total Suspended Solids (TSS) – The total concentration of minerals, metals, salts, and organic materials suspended (not dissolved) in water.

Turbidity – A measurement of the relative clarity of water; lower values translate to high clarity and higher low clarity.

Urban Lakes – City-owned lakes, reservoirs and ponds located within the City's Growth Management Area (GMA).

Vegetation buffer – An urban lakes best management practice consisting of planting or maintaining vegetation along the edge of a lake to intercept pollutants that would otherwise enter a lake.

Water quality issue – A physical, chemical, or biological stressor impacting a lake.

1.0 INTRODUCTION

1.1 Background

The City of Fort Collins (Fort Collins) is located 65 miles north of Denver and is part of the northernmost extension of Colorado's Front Range urban corridor. Fort Collins currently has a population of approximately 175,000 people (2020 census) and is projected to grow by an additional 70,000 residents by the year 2040 (City of Fort Collins 2019; World Population Review 2021).

Concerns regarding Fort Collins' rapid growth and development and the potential for suburban sprawl led to the development of a Growth Management Area (GMA) Intergovernmental Agreement between the City and Larimer County in 2000 (City of Fort Collins 2019; City of Fort Collins and Larimer County, 2008). The GMA is an agreed upon zoning district within which urban growth and development is allowed (**Figure 1.1**).

Fort Collins' rapid urban growth and development can significantly impact environmental resources by reducing air quality; overcrowding parks and natural areas; and degrading water quality in the City's streams and lakes.

FORT COLLINS' RAPID URBAN GROWTH AND DEVELOPMENT CAN SIGNIFICANTLY IMPACT ENVIRONMENTAL RESOURCES.

1.2 Fort Collins' Urban Lakes

Fort Collins' urban lakes are defined as lakes and stormwater basins where the City owns the surrounding and underlying land and thus manages the water in them. The oldest of the City's urban lakes were originally constructed during the 1800s for the purpose of diverting and storing water for irrigated agriculture (Duggan 2005). Many of the City's urban lakes are either relic ditch or reservoir features from this early period or abandoned gravel mine pits that have been reclaimed as lakes, but the City has also continued to construct new urban lakes over the years. The City's urban lakes are diverse in age, form and function and provide a broad range of beneficial uses to our community; including providing recreational opportunities, serving as wildlife habitat, storing irrigation water, serving as elements of the City's stormwater infrastructure and other uses.

1.3 Urban Lakes Water Quality Management Challenges

Managing water quality in the City's urban lakes presents a range of challenges for City staff. For example, prior to the development of this project, a comprehensive list of all City-owned urban lakes and the City department responsible for managing each lake was lacking. In addition, the City's urban lakes jurisdiction had not been clearly defined, which led to some uncertainty in terms of water quality management scope and priorities.

City staff have become increasingly concerned with water quality issues impacting the City's urban lakes. Many of these lakes have physical characteristics that impact water quality, such as being relatively small, shallow, and lacking inlets and/or outlets to renew water. In addition, physical, chemical and biological pollution associated with urban growth and development, land use practices, climate change and other factors can lead to water quality issues such as algae blooms, elevated concentrations of water-borne pathogens, nuisance odors and fish kills.

The City's urban lakes are managed to meet a variety of objectives and are impacted to varying degrees by water quality pollution. Where should the City's finite urban lakes water quality management resources be focused? This is ultimately a

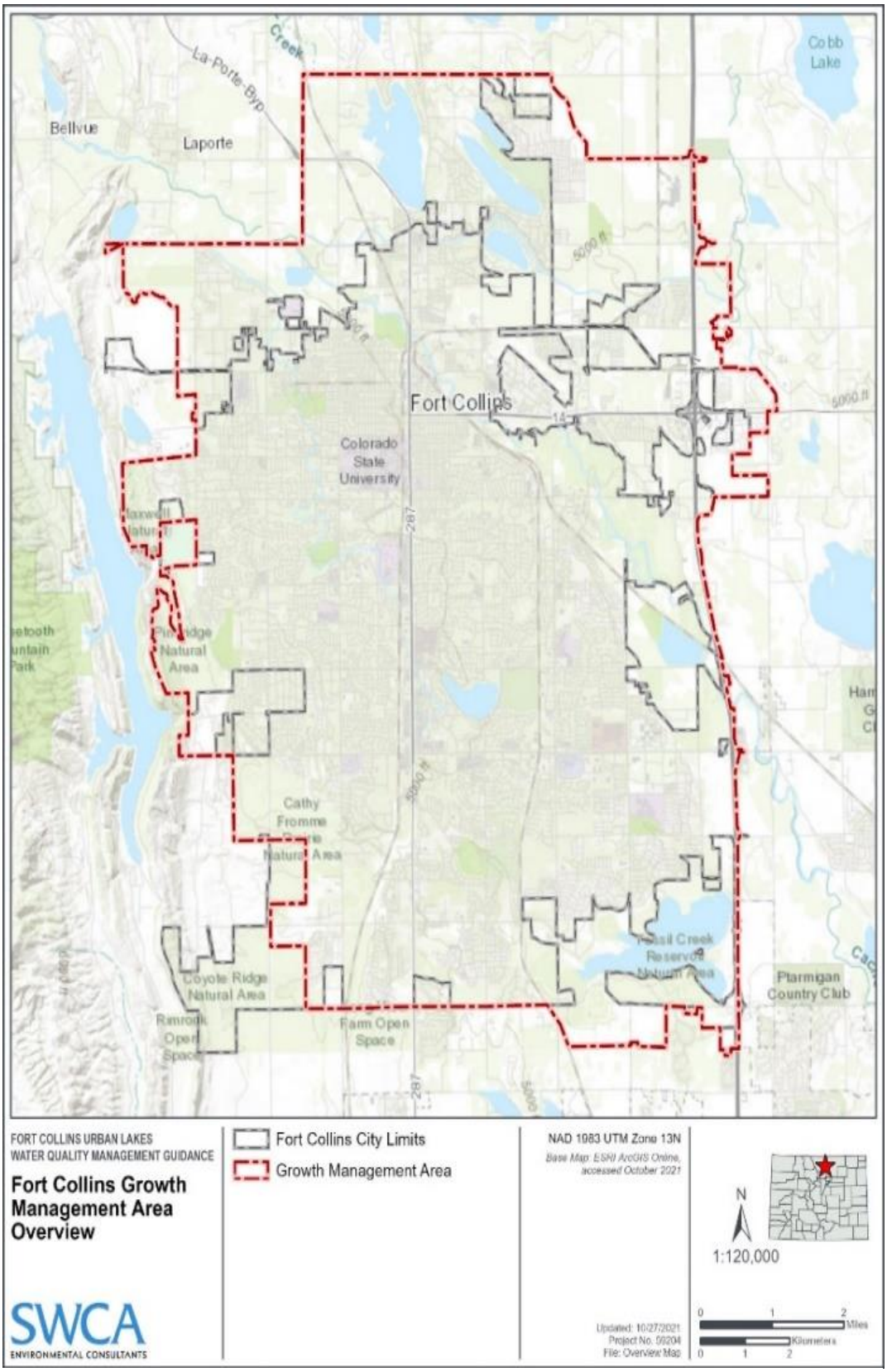

Figure 1.1 Map showing Fort Collins' City Limits and Growth Management Area (GMA) (Source: City of Fort Collins 2005).

decision for each managing department. However, combining information about each lake's management objectives, known water quality history and relative risk of future water quality degradation can assist managers in making these decisions.

Once an urban lake water quality issue has been identified and prioritized for more focused management, the question then becomes: what measures can be taken to mitigate the issue? A comprehensive reference of urban lakes water quality best practices to both reduce water pollution and to mitigate existing water quality impacts would be beneficial.

Algae Blooms

The City's urban lakes naturally contain aquatic communities, including macroinvertebrates, fish, plants, algae and other organisms. Algae are plant-like organisms containing chlorophyll that can be separated into three broad categories: filamentous, planktonic and macroalgae. As with plants, the growth of algae can be greatly influenced by environmental conditions. Many of the City's Urban Lakes are small and shallow, receive abundant sunlight and are relatively stagnant. Lakes with these physical conditions are prone to algae blooms, especially when enriched by nutrient (nitrogen and phosphorus) pollution.

> …ALGAE BLOOMS CAN PRESENT SIGNIFICANT WATER QUALITY MANAGEMENT CHALLENGES IN THE CITY'S URBAN LAKES.

While algae are important components of lake aquatic communities, algae blooms can present significant water quality management challenges in the City's urban lakes. Algae blooms can range in severity from the level of management nuisance to a significant community health threat. Algae blooms can harm other aquatic organisms and can lead to fish kills, odors and can negatively impact community usage. Some species of macroalgae called cyanobacteria can produce dangerous neurotoxins called cyanotoxins during harmful algae blooms (HABS). However, it is important to note that not all algae blooms are caused by cyanobacteria and not all cyanobacteria blooms are HABS. Algae blooms have been identified by City staff and stakeholder groups during Policy and Guidance development (see Section 2 below) as the most significant urban lakes water quality concern.

The mechanisms by which nutrients enter the City's urban lakes are varied and complex and include permitted wastewater discharge; permitted stormwater discharges; non-point pollution from urban landscapes; agricultural runoff; wildlife and pet waste; atmospheric deposition; and internal loading from lakebed sediments and other sources. The Best Management Practices (BMPS) Toolbox in Attachment 7 of this Guidance lists several suggested best practices to assist managers with reducing nutrient input to lakes and addressing algae blooms.

2.0 ADDRESSING URBAN LAKES WATER QUALITY CHALLENGES

2.1 Stormwater Management

Stormwater Infrastructure Maintenance

The City's Stormwater Maintenance Division is responsible for removing debris from several irrigation system trash racks associated with ditches that have been placed underground by the City. Local irrigation companies also regularly remove debris from open ditches throughout the City for the purpose of delivering water to shareholders. The City is currently in the process of hiring a contractor to remove homeless encampment debris from the City's stormwater infrastructure.

MS4 Program

The City of Fort Collins implements several programs and practices designed to reduce the discharge of pollutants to local water bodies via the storm sewer system. These programs are implemented in accordance with Colorado Discharge Permit System General Permit for Stormwater Discharges Associated with Municipal Separate Storm Sewer Systems (MS4), a practice-based permit under which the city is authorized to discharge.

Programs and activities, as they relate to urban lakes management and water quality protection, are as follows:

1. Public Education and Outreach – a public education program to promote behavior change by the public to reduce pollutants in discharges from the MS4. Staff take a multi-pronged approach, from school-age and adult programs to social media to address the impacts of stormwater discharges on water bodies, the steps that can be taken to reduce pollutants in stormwater runoff, and water quality impacts associated with spills and improper disposal of waste. Topics include nutrient sources such as yard waste and fertilizer use, as well as other pollutant sources and reduction practices.

2. Illicit Discharge Detection and Elimination – a program to effectively prohibit pollutant discharges to the MS4, which includes municipal code Section 26-498 and enforcement procedures. Staff respond to reports of spills, dumping, and illegal connections to ensure pollutant sources are stopped and mitigated.

3. Construction Sites Runoff Control - a program to reduce or prevent the discharge of pollutants to the MS4 from applicable construction activities. Construction sites are required to implement sediment and erosion control and pollution prevention practices in accordance with the city's Stormwater Criteria Manual; staff implement a plan review and inspection program to verify compliance with the requirements.

4. Post-Construction Stormwater Management – a program to reduce the discharge of pollutants to the MS4 from applicable development sites after development is completed. New and redeveloped sites are required to install permanent stormwater quality treatment measures, such as Low Impact Development (LID) that meets the city's Stormwater Design Criteria; staff must ensure proper design, installation, and long-term operation and maintenance of these measures.

5. Pollution Prevention/Good Housekeeping for Municipal Operations – a program to prevent or reduce water quality impacts from pollutants being discharged to the MS4 from municipal facilities and operations. Staff implement a program to provide staff training, Municipal Facility Runoff Control Plans, inspections, and Standard Operating Procedures including the storage and application of fertilizers.

2.2 Urban Lakes Water Quality Management Policy

A project team consisting of staff from Natural Areas, Parks and Utilities Departments, the City Attorney's Office and SWCA Environmental Consultants (SWCA) addressed the above urban lakes management concerns by developing an Urban Lakes Water Quality Management Policy (see Attachment 1 for Policy) using an integrated One Water Approach. The purpose of the Policy is to provide a foundational framework for the City's operational and management decisions related to water quality management in City-owned lakes and stormwater basins and to support implementation of the Guidance.

The project team conducted community engagement to better understand urban lake water quality concerns and inform policy development. Community engagement included:

1. **Urban Lakes Water Quality Management Subject Matter Experts (SMEs)** were interviewed and/or surveyed during April and May of 2021 to better understand known water concerns in City-owned urban lakes (see Attachment 2). SMEs included City staff; local private lakes managers; ecological consultants; scientists with Colorado Parks and

Wildlife and Colorado State University; and others. Information from this effort was used to both develop the Guidance (see Section 5.1 below) and inform Policy development.

SME feedback included:

- Nutrient pollution, algae blooms, odors, and low oxygen concentrations were the primary water quality concerns
- A technical resource is needed to assist City staff with managing urban lakes water quality and implementing the Policy

2. **City Advisory Boards** were engaged during September of 2021 to solicit feedback on the project team's Policy development approach, including community engagement. City Advisory Boards included the Land Conservation and Stewardship Board; Natural Resource Advisory Board; Parks and Recreation Board; and Water Commission.

   City Advisory Board feedback included:

   - City-owned Urban Lakes and the City's management jurisdiction should be defined in the Policy
   - Recommended improving urban lakes water quality-related communication with community members
   - Suggested increasing transparency with how City-owned lakes are managed
   - Should be made clear that the Guidance is meant to support implementation of the Policy

   The project team presented final drafts of the Policy and Guidance to these City Advisory Boards in January 2022 and requested a formal motion from each board to recommend that City Council adopt the Policy.

3. The **Community at large** was engaged to better understand the diverse perspectives in our community regarding water quality in City-owned Urban Lakes. Engagement efforts were designed to be equitable and inclusive, to better understand the diverse perspectives in our community, with a focus on community members whose voices are often underrepresented during City processes.

   The project team's engagement approach included the development of an urban lakes water quality survey; the use of a social media campaign and the creation of project informational websites, where the survey was posted. All engagement materials were developed in both English and Spanish.

   City staff also engaged community members directly at targeted lakes and in using focused meetings with some groups. Targeted lakes, representing each department were selected using vulnerability indicators included in the City's 2021 Equity and Opportunity Assessment Study (City of Fort Collins, 2001b). Vulnerability indicators included housing, education, income and race and ethnicity. Targeted lakes included Overland Park Pond and Sheldon Lake (Parks); Arapaho Bend Ponds, North Shields Pond and Riverbend Ponds (Natural Areas); Avery Pond (Utilities); and Rigden Reservoir (Utilities/Natural Areas).

   The project team conducted 30 community engagement events at targeted lakes between May and June of 2022. A total of 437 people were observed engaged in various activities at targeted lakes. The project team directly engaged with 1,444 people at engagement events and a total of 273 surveys were completed.

   The majority of survey respondents (87%) identified as white, which is 2021 US census where 85% of people in Fort Collins identified as white. Respondent age varied greatly, with the exception of minimal participation in the 15–19-year-old range. Household income also varied greatly, with the most common responses (35%) indicating between $75,000- $150,000 household income. 15% of respondents indicated some college or an associate's degree, while 76% of respondents indicated an education level of Bachelor degree or higher.

   What did we learn from community members regarding City-owned urban lakes?

   - The City's urban lakes are highly valued assets to our community;

- Wildlife viewing, aesthetic, intrinsic and accessibility were the most commonly reported values;
- Hiking/walking, dog walking, wildlife viewing and fishing were the most commonly reported activities;
- Algae, odors and fish kills were the most common water quality concerns; and
  Nearly half of survey respondents reported that water quality had negatively impacted their experience and altered their patterns of usage.

> THE CITY'S URBAN LAKES ARE HIGHLY VALUED ASSETS TO OUR COMMUNITY

In summary, the City's urban lakes are important to many in our community and support wildlife habitat, provide natural beauty, intrinsic and other values. The community engagement survey helped staff to document our community's urban lakes water quality priorities and concerns. Engaging with community members at select urban lakes provided additional insight through observation of activities and direct feedback. It is concerning that nearly half of people surveyed have been negatively impacted by water quality issues in some City-owned urban lakes and avoid these areas. Survey respondents expressed support and appreciation for the development of an urban lakes water quality management Policy and Guidance.

The City's project team used a series focused meetings and facilitated workshops to create a draft Policy. The Policy was recommended for adoption by the City Advisory Boards above and was ultimately adopted by City Council on ?, 2023. The Policy is included in Attachment 1. The policy includes:

- a background, vision and purpose to provide a rationale for why Policy was developed;
- definitions for several key terms;
- a description of the City's urban lakes water quality management scope, including jurisdiction;
- expectations regarding urban lakes water quality management and management plans;
- communication between departments and the community; and
- staff accountability regarding Policy implementation, including future Policy and Guidance updates.

2.4 Urban Lakes Water Quality Management Guidance

The project team developed this Urban Lakes Water Quality Management Guidance as a technical resource to assist City staff with implementing the Policy. The Guidance is not intended to serve as a prescriptive water quality management plan for the City's urban lakes. Rather, water quality in urban lakes is complex and management plans should be developed on a case-by case basis.

This Guidance includes a complete inventory of all City-owned Urban lakes within the growth management area, as well as a summary of known water quality issues. Urban lakes management categories were developed based on departmental management goals and lakes were prioritized for management based on relative water quality risk. And lastly, a list of effective best management practices (BMPs) for mitigating water quality in urban lakes was developed. A suggested Guidance implementation approach is included in Section 3.0 below under 'How to Use this Guidance'. A detailed description of how each element of Guidance was developed is described in Section 5.0.

3.0 HOW TO USE THIS GUIDANCE

3.1 City-owned Lakes Managers

This Guidance provides City staff with an inventory of City-owned urban lakes within the City's GMA and which lakes are

under Natural Areas, Parks and Utilities management jurisdiction – where known. The Guidance also includes a summary of what is known about water quality in each of the City's Urban Lakes. This information can be accessed using Geodatabase tables in Appendix B of this document and the Map Book in Appendix C; using the Urban Lakes Map Package with ArcGIS Geographic Information System Software; and/or using Urban Lakes KMZ files with Google Earth.

The City owns hundreds of Urban Lakes that have either been specifically designed or adapted to meet a range of management goals, which can have water quality implications. Lakes have therefore been sorted into detention and retention lakes based on hydrologic regime and then further separated into management categories based on primary and secondary management goals.

Managing departments have the daunting task of determining which lakes within their jurisdiction should be prioritized for focused water quality management. In an effort to assist with these decisions, the project team developed a risk rank geospatial model that ranks retention lakes from low-high priority based on water quality risk.

And lastly, the Guidance contains a diverse toolbox of BMPs to assist managers with mitigating urban lakes water quality issues. BMPs include those designed to reduce pollution loading to lakes and others designed to mitigate existing water quality issues (see Appendix F).

3.2 Private Lakes Managers

Fort Collins' private lakes managers face many of the same water quality management challenges as those documented for the City's Urban Lakes. As such, there exists an opportunity for private lakes managers and City staff to share information on BMPs that have been successfully implemented to mitigate water quality issues. The City's project team engaged several local private lakes managers along with other local subject matter experts during Guidance development to identify urban lakes water quality challenges and appropriate BMPs. The project team anticipates that the BMP Toolbox in Attachment F of the Guidance will be particularly useful for assisting private lakes managers with managing water quality issues on private lakes.

4.0 ALIGNMENT WITH THE CITY AND STRATEGIC PLANS

Fort Collins' *City Plan* (City of Fort Collins 2019) lists Environmental Health as a key outcome area, which is supported by several policies and principles. The Urban Lakes Water Quality Management Policy and Guidance align with the Environmental Health principles listed below:

Principle ENV 1 – Conserve, create and enhance ecosystems and natural spaces within Fort Collins, the GMA and the region.
Principle ENV 6 – Manage water resources in a manner that enhances and protects water quality, supply and reliability.

The Policy and Guidance further aligns with the *City's Strategic Plan* by addressing the following strategic objectives:

Strategic Objective 4.5 – Protect and enhance natural resources on City-owned properties and throughout the community.
Strategic Objective 4.6 – Sustain and improve the health of the Cache la Poudre River and all watersheds within the City.

5.0 METHODS - HOW WAS THIS GUIDANCE DEVELOPED?

The project team developed this Guidance using the process summarized in Figure 5.1 below, including urban lakes data and information gathering; data analyses; development of a geographic information system geodatabase; and development of urban lakes water quality management tools. Detailed methods for each step of the Guidance development process are provided in subsections below.

5.1 Data and Information Gathering

An important first step in Guidance development was to gather existing water quality data and other information regarding the City's Urban Lakes. This process involved conducting subject matter expert (SME) interviews and surveys and a literature review.

Subject Matter Expert Interviews and Surveys

Internal (City staff) and external (non-City staff) subject matter expert (SME) interviews and surveys were conducted to gather data and other information about the City's urban lakes. SWCA conducted five 1-hour virtual interviews with SMEs selected by the City's project team. Three of the interviews were conducted with small groups of City staff (four to six attendees) from Parks, Utilities and Natural Areas Departments. The remaining two interviews were conducted with Colorado Parks and Wildlife (CPW) and Aquatic Associates, LLC staff. External SME surveys were also conducted to gather additional water quality related data and other information. The survey was sent to 12 external SME representatives from local ditch companies, Colorado State University, private lake homeowners associations (HOAs) within Fort Collins and local non-profits. In instances where there were incomplete responses to interview or survey questions or clarification was needed, SWCA conducted brief follow-up interviews or sent additional questions by email. Interview and survey structure and questions are included in Appendix A. In order to maintain anonymity, a complete list of individuals involved in the SME interviews and surveys is not provided herein.

Interviews and surveys helped inventory City-owned lakes; yielded information about lake-specific physical characteristics and water quality information; documented available water quality data sources; management objectives; and water quality best practices that have been implemented. Water quality information and data, including water quality issues and best management practices, were added to the geodatabase.

Literature Review

A literature review was conducted by SWCA to identify peer-reviewed literature and online-published news articles on urban lake water quality issues along Colorado's Front Range. Search terms included word combinations such as "Colorado urban lakes water quality," "Colorado urban lakes," "lake algae Colorado," and "Colorado lake fish kills." Resulting articles and news events were reviewed for water quality issues and best practices that may be applicable to the City's urban lakes. Results of the literature review were used to help develop a baseline inventory of urban lake water quality issues for this Guidance.

Inventory of City-Owned Urban Lakes

Data and information obtained during subject matter expert interviews and surveys and from the project team were used to develop a detailed inventory of City-owned lakes within the City's Growth Management Area (GMA).

Inventory of Water Quality Best Management Practices

An inventory of urban lakes water quality best practices (BMPs) was developed to provide lakes managers with a toolbox of relevant BMPs. BMPs can be grouped into two broad categories: those used to mitigate existing urban lakes water quality issues and those used reduce the risk of future issues occurring. The inventory of BMPs was compiled using information obtained during SME interviews and surveys and was augmented with additional BMPs as suggested by the project team.

5.2 Data Analyses

Water quality related information ere used to conduct a series of analyses including an inventory of known water quality issues impacting the City's lakes; the creation of management categories; and the development of a process to assist managers with prioritizing lakes for management.

Water Quality Issues Analysis

The Water Quality Issues Analysis (WBI) included an inventory of current, historic and potential future water quality impacts to the City's urban lakes. The project team compiled this information using SME interviews and surveys and the literature review described above. The inventory provides a description of each issue, causes, management challenges, recommended pollution mitigation best practices and other information.

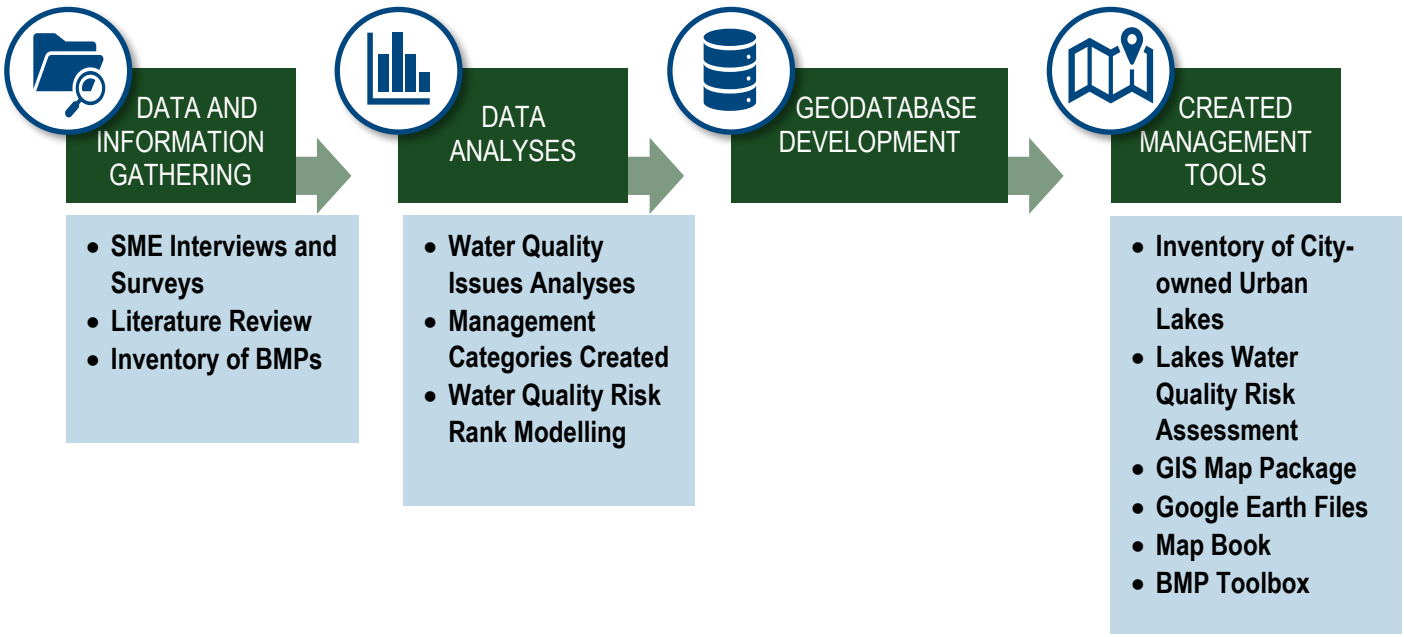

Figure 5.1. Graphic showing the process used for developing the City's Urban Lakes Water Quality Management Guidance.

Management Categorization

The City's urban lakes have been designed and are currently managed to achieve a range of goals, which can impact water quality to varying degrees. It is therefore useful for the City's urban lakes to be grouped into discrete management categories to better anticipate and mitigate water quality issues.

The project team used information obtained during SME interviews and surveys to develop a draft list of potential management categories for the City's urban lakes. The draft list was further refined using additional feedback from City staff from Natural Areas, Parks and Utilities Departments into a final list of urban lakes management categories.

Because many of the City's urban lakes are managed to achieve more than one management goal, primary and secondary management categories were assigned by the project team for each urban lake, where applicable.

Table 5.1 Table showing Water Quality Risk Rank Geospatial modelling scoring ranges, ranking categories and descriptions

WATER QUALITY RISK RANK GEOSPATIAL MODELLING		
Score	Risk Rank	Description
0.1-0.25	Low	Lakes with low risk of water quality issues
0.251-0.50	Medium	Lakes with medium risk of water quality issues
0.51-1.0	High	Lakes with high risk of water quality issues

Water Quality Risk Rank Model

City staff are tasked with managing the water quality of many urban lakes with limited resources. Which lakes should managers focus resources to address the highest water quality risks and achieve the greatest impact? The project team attempted to address this question by developing a Risk Rank Geospatial Model (Model) to help guide managers.

The Model combines a variety of lake water quality criteria, including primary and secondary management category; lake surface area; existing water quality issues; adjacent land use within 200 feet of the lake; estimated water residence time; groundwater connection to the Poudre River; and whether each lake is on the Colorado Department of Public Health and Environment's 303(d) List of Impaired and Threatened Waters.

These model inputs were broken out into separate categories, such as "yes" or "no" for existing water quality issues or "vacant," "residential," or "industrial" for adjacent land uses. The project team assigned a relative numeric value, or 'weight' to each model factor based on the level of urban lakes water quality management concern. For example, "vacant" land received a lower score than "commercial" because developed lots would be expected to present a greater water quality risk to adjacent lakes due to elevated risk of nutrient, pathogen and other pollutant loading.

Risk Rank Model scores were calculated for each lake by summing individual criteria scores (Table 5.1). Lake scores ranged from 0 to 1, with higher values near 1 representing lakes with a higher relative water quality risk. Scores were separated into three discrete bins corresponding to low (0.1–0.25), medium (0.251–0.5) and high (0.51–1.0) water quality risk. Lakes having no data for one or more criteria were not assessed. Model inputs; criteria descriptions, weights and supporting rationale; and calculated scores can be found in Attachment B.

Model risk rankings were validated using desktop analyses on a subset of 20 randomly selected lakes to ensure that the model was accurately calibrated. Minor adjustments were made to the numeric scores and weights as needed.

Geodatabase

The project team developed a geographic information system (GIS) geodatabase and an associated Map Package of City-owned Urban Lakes within the GMA. The geodatabase includes individual lake physical, chemical, biological and other water quality information collected during SME interviews and surveys and literature review. The metadata associated with the Risk Rank Model are also included in the Geodatabase.

5.3 Management Tools

The project team developed several tools to assist City staff with managing water quality in the City's Urban Lakes. These tools included an inventory of all City-owned lakes within the GMA (see Section 6.3); a water quality risk assessment (see Section 6.2.3); a Geographic Information System Map Package and Google Earth Files; a Map Book; and BMP Toolbox.

GIS Map Package, Google Earth Files and Map Book

An Urban Lakes Geographic Information System Map Package was developed to provide the City's lakes managers with interactive mapping tools in addition to what is provided in this Guidance. In addition to the Map Package, Google Earth KMZ files were also created, providing managers with the option to use Google Earth as an additional urban lakes management tool. And lastly, a Map Book including all of the City's Urban Lakes was developed as an additional reference for managers.

Best Management Practices Toolbox

The BMP Toolbox includes a list of more than 50 BMPs and additional supporting information for each, including a brief description of the BMP; water quality issue(s) being targeted; applicable lake conditions; any potential negative outcomes; relevant permitting and water rights for managers to consider; any potential BMP co-benefits, approximate costs, including operations and maintenance costs per year; and additional resources. A description of these attributes can be found in the *BMP Analysis Summary* below.

6.0 RESULTS - WHAT DID WE LEARN?

This section provides a summary of what was learned during the data and information gathering and analyses phases of the Guidance development process and the tools that have been developed to assist City staff with managing Urban Lakes water quality.

6.1 Inventory of City-owned Urban Lakes

City-owned urban lakes were sorted into two broad categories: detention and retention lakes. Detention lakes typically only hold water temporarily (<72 hours) and are mostly used to achieve specific stormwater management objectives. In contrast, retention lakes are characterized by holding water for longer periods of time (>72 hours) (**Figure 6.1**). Both categories of lakes were inventoried in this Guidance; however, the development of water quality management tools focused on retention lakes only.

Table 6.1. Table listing the number of detention and retention lakes managed by Natural Areas, Parks and Utilities Departments, and the total number of City-owned lakes.

CITY-OWNED URBAN LAKES			
	Detention Lakes	Retention Lakes	Total Lakes
Natural Areas	4	50	54
Parks	27	28	55
Utilities	87	7	94
Natural Areas/Utilities	0	3	3
Unknown	38	60	98
	156	**148**	**304**

There are a total of 461 lakes within the City's Growth Management Area; including 304 City-owned Urban Lakes and 157 that are not City-owned. The City's Urban Lakes include 148 detention lakes and 156 detention lakes (**Table 6.1; Figures 6.1 and 6.2**). The distribution of retention vs detention lakes under management by Natural Areas, Parks and Utilities Departments differs widely. Natural Areas primarily manages retention ponds, whereas Utilities manages mostly stormwater detention ponds. Parks manages roughly equal numbers of retention and detention ponds. It's important to note that a managing

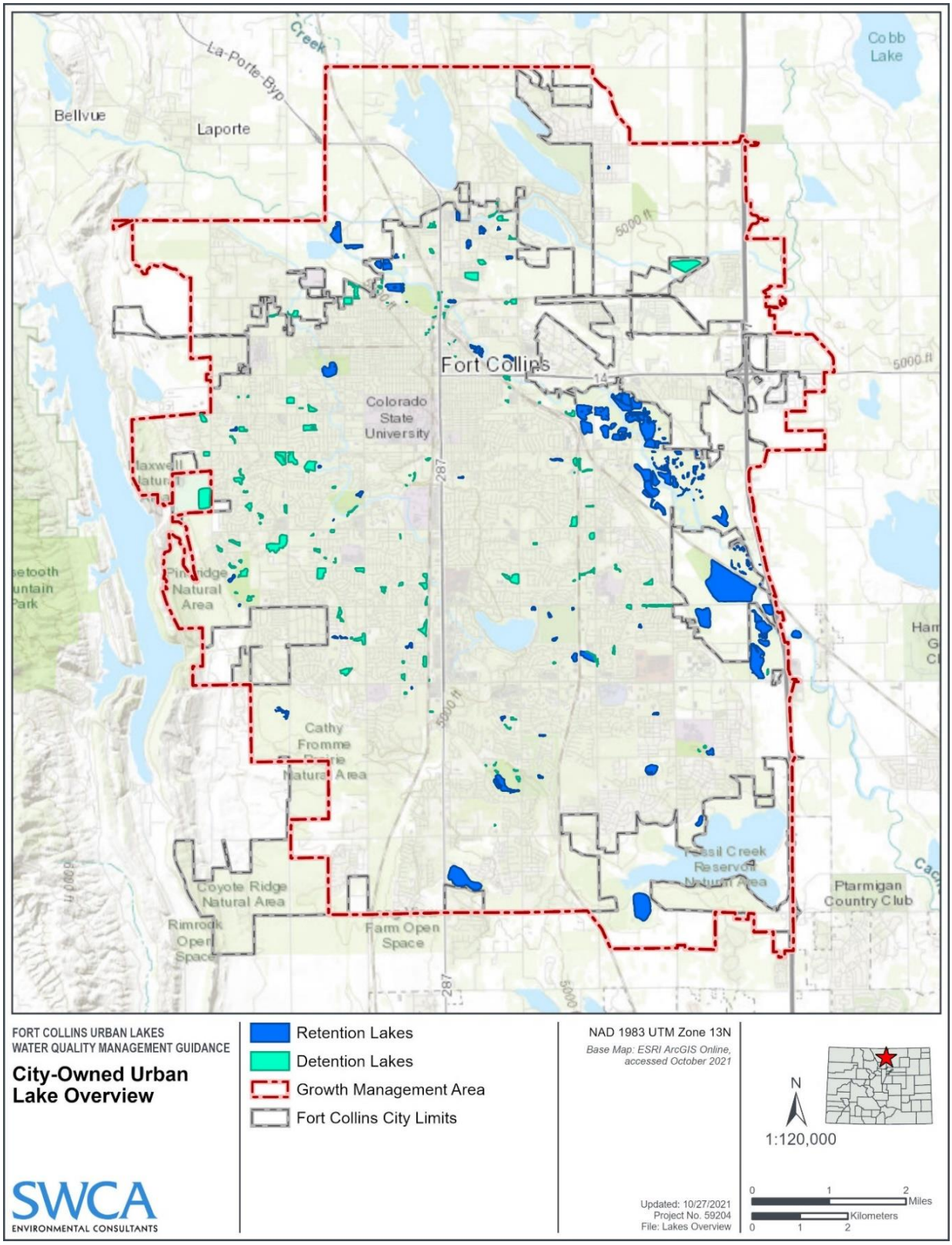

Figure 6.1. City of Fort Collins City-owned retention and detention lakes within the Fort Collins Growth Management Area (Source: City of Fort Collins 2005).

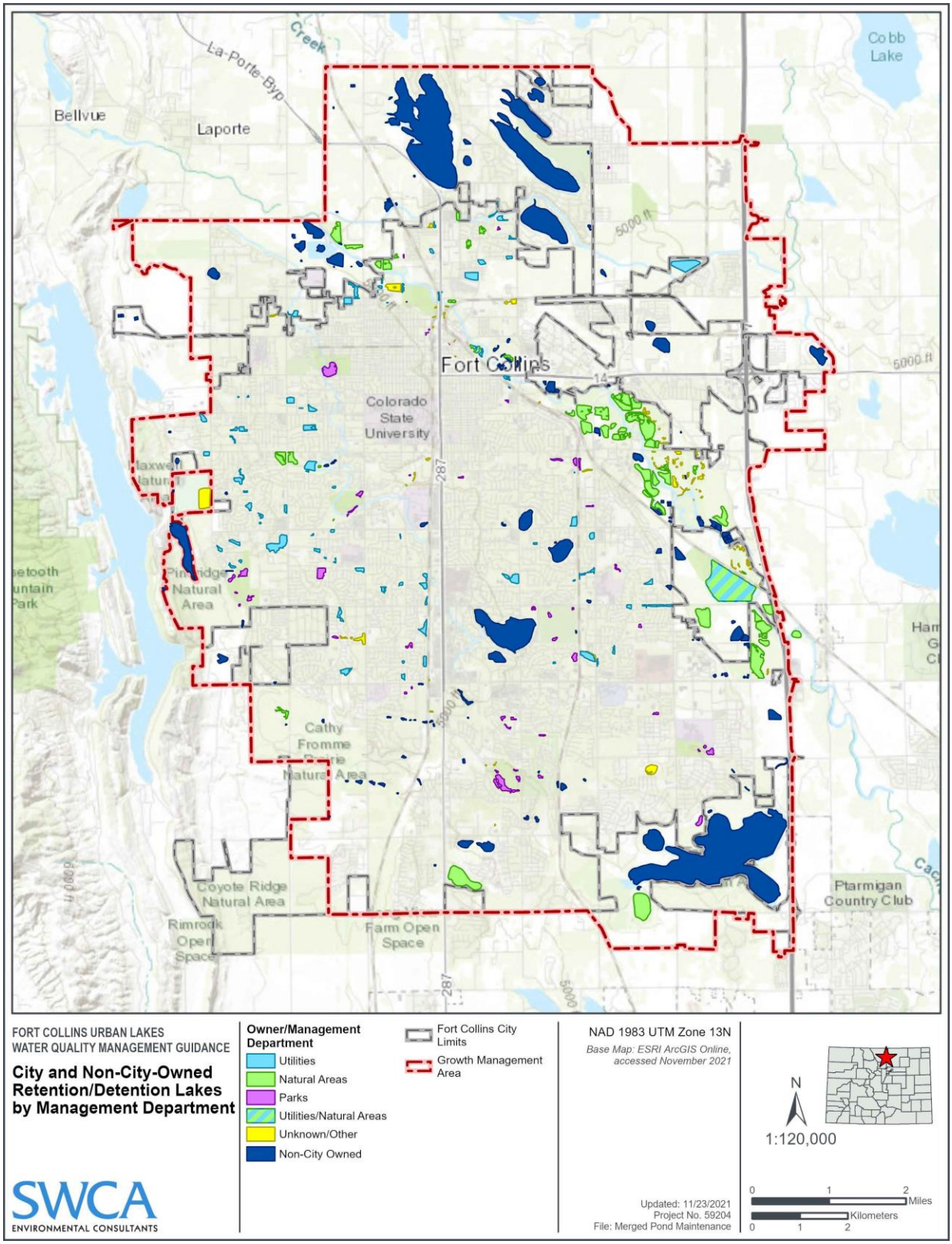

Figure 6.2. Map showing City-owned Urban Lakes within the GMA and managing department.

department has not currently been identified for 98, or 32% of City-owned lakes. A full list of City-owned detention and retention lakes, along with unique identification numbers (MXASSETNUM) and other data and information can be found in Attachment C. A detailed Mapbook of all City-owned Urban Lakes can be found in Attachment D.

6.2 Water Quality Issues

The water quality issues analyses resulted in 49 unique urban lakes water quality issues (Attachment E). Issues range from specific pollutants to physical causes of water quality degradation. Additional information includes a description of each issue; potential cause(s), management challenges and reference materials are also provided as management resources. Information regarding known urban lakes water quality issues is included in the Geodatabase and Urban Lakes attribute tables in Attachment C.

6.3 Management Categories

There were nine unique management categories created for this Guidance; these included: Golf Course, Wildlife, Fisheries, Stormwater/Flood Control, Ornamental, Recreation, Water Storage, Sediment Retention and Other/Urban. The City's retention lakes were assigned primary and secondary management categories based on departmental management objectives (**Table 6.2**). The majority of the City's retention lakes are managed to provide wildlife habitat, to serve as stormwater infrastructure features or as storage reservoirs. The most common departmental management categories were Wildlife, Storage and Stormwater/Flood Control for Natural Areas, Parks and Utilities, respectively.

6.4 Urban Lakes Geodatabase

The Urban Lakes Guidance Geographic Information System (GIS) Geodatabase contains an attribute table with detailed information about City-owned retention lakes. Managers are able to use the attribute table to quickly identify individual lakes using a unique identification number (MXASSETNUM) that is referenced in the City's Maximo Asset Management System as well as lake names, when available. Additional lake-specific information includes lake physical characteristics; managing department and assigned management categories; water quality issues referenced in see Appendix E; BMPs referenced in Appendix F that have been implemented and level of effectiveness; and additional notes to help inform managers. A complete copy of the Urban Lakes Geodatabase attribute table is included for reference in Appendix C. Please note that many of the City's urban lakes have little or no attribute data beyond a MXASSETNUM.

6.5 Map Package and Google Earth Geospatial Files

The Urban Lakes Geodatabase was used to develop an Urban Lakes GIS Map Package that can be used with Geographic Information System Software and KMZ lakes files that can be used with Google Earth. The Map Package and KMZ files contain the same lake specific attributes contained in Appendix A, providing managers with several options for accessing this information. The Risk Rank Model results (see below) can be viewed by lakes managers using the Map Package and .KMZ files in Google Earth.

6.6 Urban Lakes Water Quality Risk Rank Model

The Urban Lakes Water Quality Risk Rank Model was developed to help the City's lakes managers identify which retention lakes are at low, medium and high risk for water quality issues. The model identified 19 retention lakes that are considered the highest priority based on known water quality history, adjacent land use and other risk factors (**Table 6.2**). A full listing of prioritization ranks for retention lakes is available in Attachment C and a map of these lakes is included in **Figure 6.3**. There were 58 lakes that could not be assessed because necessary data to run the model were lacking.

Table 6.2. Table summarizing urban lakes primary and secondary management categories for retention lakes managed by Natural Areas, Parks, Utilities and Utilities/Natural Areas Departments. The number of retention lakes managed by each department is shown in parentheses.

URBAN LAKE MANAGEMENT CATEGORIES				
	Natural Areas (50)	**Parks (28)**	**Utilities (7)**	**Utilities/ Natural Areas (3)**
Golf Course		1		
Wildlife	50			2
Fisheries	11			
Stormwater/Flood Control	27	2	5	2
Ornamental				
Recreation	10			
Storage		27	2	1
Sediment Retention				
Other/Urban		1		

Table 6.3. Table summarizing City-owned urban lakes that are considered the highest priority for management based on risk rank water quality modelling.

HIGH PRIORITY URBAN LAKES		
Lake Name	**Managing Department**	**Priority**
Prospect Ponds North	Natural Areas	High
Merganser Pond (Prospect Ponds)	Natural Areas	High
Catfish Pond (Prospect Ponds)	Natural Areas	High
Heron Pond	Natural Areas	High
Cathy Fromme Pond	Natural Areas	High
Blackbird Pond (Cattail Chorus)	Natural Areas	High
Sunfish Pond (McMurry)	Natural Areas	High
Duck Lake	Natural Areas	High
Little and Big Bass Ponds (Arapaho Bend)	Natural Areas	High
I-25 Pond (Arapahoe Bend)	Natural Areas	High
Homestead Pond	Natural Areas	High
Edora Park Pond	Parks	High
Spring Creek Park Pond	Parks	High
Spring Creek Dog Park Pond	Parks	High
Portner Reservoir #2	Parks	High
Portner Reservoir #3	Parks	High
Sheldon Lake	Parks	High
Fossil Creek Community Park Pond #1	Parks	High
Troutman Park Pond - East	Parks	High

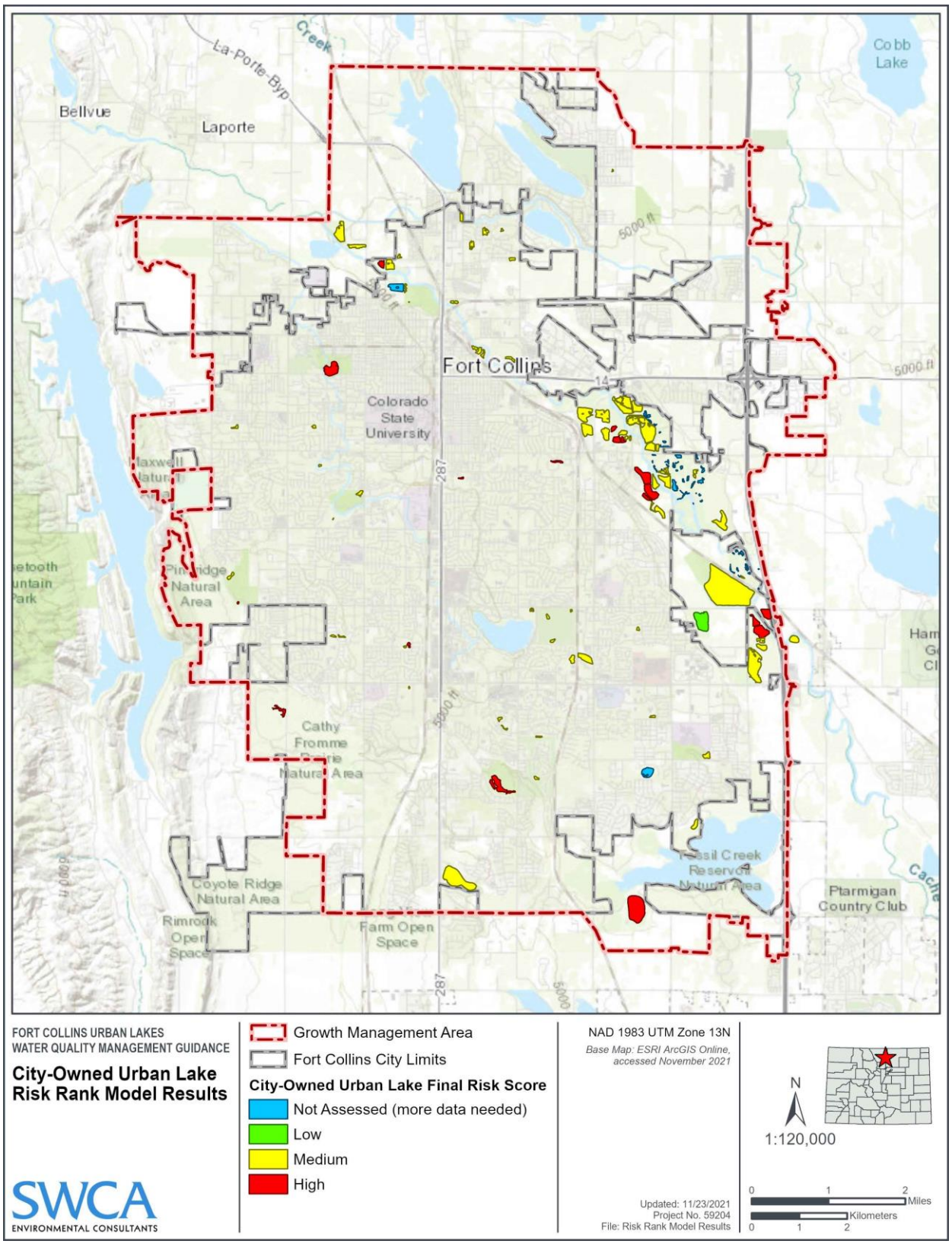

Figure 6.3. Map showing water quality risk rankings, from low to high, for the City's urban retention lakes.

6.7 Best Management Practices Toolbox

The BMP inventory that was conducted as part of Guidance development was used to create a BMP Toolbox (Appendix F). The BMP Toolbox includes 51 unique BMPs, including those currently used by City staff, and others that were suggested by SMEs or identified by the project team. BMPs include those that are designed to mitigate existing water quality issues and those that are reduce the risk of future water quality issues. BMPs are designed to target water quality issues such as algae blooms, macrophytes, sedimentation, water-borne pathogens, low dissolved oxygen, nutrient loading and other management challenges. Each BMP is detailed in the BMP Toolbox; including a description on the BMP, treatment mechanism, targeted pollutants, cost estimates for implementation, references and other information.

7.0 FUTURE RECOMMENDATIONS

This Guidance is meant to provide a starting point for City staff tasked with managing Urban Lakes water quality – including a lakes inventory and management tools. An important next step for managers will be to prioritize lakes for management based on information in this Guidance and other resources and to develop specific management plans with targeted mitigation strategies as necessary.

This Guidance is intended to be iterative and should be updated periodically to maintain an accurate inventory of the City's Urban Lakes, water quality issues impacting these important resources and the latest BMPs. The Geodatabase, .KMZ map files and Risk Rank Model should also be updated as necessary over time to add new lakes or edit attributes of existing lakes.

The Guidance has been primarily developed to support the City's Urban Lakes management. However, it will be shared with the public and will likely be particularly useful for private lakes managers. It is recommended that the City also develop a webpage containing the Guidance and other information about the City's Urban Lakes and ways our community can help reduce water quality impacts. It is further recommended that the City develop an interactive webmap that allows the public to learn more about Urban Lakes water quality concerns.

And lastly, the Urban Lakes Water Quality Management Policy and Guidance were developed using a cross-departmental One Water Approach. The process ultimately aligned Natural Areas, Parks, Utilities and provided an opportunity for increased communication, teamwork, the identification of co-benefits, and overall integration of resource management. It is the hope of the project team that this project serves as another strong example of the potential benefits of adopting a City-wide One Water Framework.

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ATTACHMENT 1 – URBAN LAKES WATER QUALITY MANAGEMENT POLICY

City of Fort Collins

Water Quality Management Policy for City-Owned Lakes and Stormwater Basins in the Growth Management Area

Background

As development and urbanization have continued and increased in the Fort Collins Growth Management Area ("GMA"), new and existing water quality challenges in lakes and stormwater basins have arisen and intensified. Examples of these challenges include: pollution associated with urban growth, development, and land use practices; climate change; and other factors that can lead to water quality impacts such as sedimentation, fish kills, algae blooms, and water-borne pathogens.

The City of Fort Collins ("City") recognizes the importance of managing water quality in lakes and stormwater basins to support management goals for the benefit of community, ecosystems, and downstream water quality. Such management can also implement the City's triple bottom line approach to consider social, economic, and environmental impacts, as well as supporting and furthering various City plans and objectives related to water quality. Numerous lakes and stormwater basins in the GMA are privately owned. By comparison, the City has some degree of control and influence over the water quality of the lakes and stormwater basins it owns.

This City of Fort Collins Water Quality Management Policy for City-Owned Lakes and Stormwater Basins in the Growth Management Area ("Policy"), and the associated Guidance Document, have been created to provide a foundational framework for the City's operational and management decisions related to water quality in City-owned lakes and stormwater basins.

This Policy was developed using an integrated One Water approach by an inter-departmental team of City staff, including the Managing Departments listed below. The Policy's content was further informed by feedback from key stakeholder groups, which included: urban lakes and water quality management subject matter experts; the City's Land Conservation and Stewardship Board, Natural Resources Advisory Board, Parks and Recreation Board, and Water Commission; and members of the Fort Collins community.

Vision and Purpose of the Policy

The City's vision is that water quality in City-owned lakes and stormwater basins in the GMA supports management goals while also maintaining or improving aesthetics. To that end, the purpose of this Policy is to provide a foundational framework for the City's operational and management decisions related to water quality management in City-owned lakes and stormwater basins.

Key Terms

The following describes and discusses several key terms used throughout this Policy.

City-owned lakes and stormwater basins refers to lakes and stormwater basins where the City owns the surrounding and underlying land and thus manages the water in them.

Fort Collins Growth Management Area ("GMA") is as defined in Section 1-2 of the Fort Collins Municipal Code, being the Fort Collins Urban Growth Area as defined in Article XIII of the Charter of the City, namely, that geographic area within and adjacent

to the City identified by the Intergovernmental Agreement between the City and Larimer County as that area identified for annexation and urbanization by the City, including the Urban Growth Area as it exists on March 5, 1985, together with any amendments or changes thereto.

Guidance Document refers to a separate document the City has developed and will update as a technical resource intended to support City staff in implementing this Policy. The Guidance Document provides Managing Departments with management tools, including[1]:

- Inventory of all City-owned lakes and stormwater basins;
- Certain water quality-related information for City-owned lakes and stormwater basins;
- Management categorization for City-owned lakes and stormwater basins, based on management goals of the respective Managing Departments;
- Assistance with management prioritization; and
- Best management practices for water quality management.

Lakes refer to basins and depressions that are generally filled with water. For the purposes of this Policy, lakes include: on- and off-stream reservoirs filled with water diverted from the stream; ponds used to manage water for irrigation and other uses; unlined gravel pits that have filled in with groundwater; and other basins and depressions that are generally filled with water.

Managing Departments refer to the components of the City organization that manage the City-owned lakes and stormwater basins. The current Managing Departments are Natural Areas, Parks, and Fort Collins Utilities.

Stormwater Basins refer to areas that are designed to collect precipitation runoff, including snowmelt. Stormwater basins include both: stormwater detention basins/ponds, which are designed to temporarily detain stormwater, generally for less than 72 hours; and stormwater retention basins/ponds, which are designed to detain or store stormwater runoff for longer than 72 hours. Stormwater retention basins/ponds may also be lakes. Although stormwater basins do not always have water in them, they can influence water quality and are thus included in this Policy.

Water quality refers to the physical, chemical and biological characteristics of water. Numerous human and natural factors can influence water quality.

Water quality management refers to the use of pollution prevention and/or mitigation best practices to address water quality management goals.

Scope and Applicability of this Policy

This Policy applies only to City-owned lakes and stormwater basins in the GMA. Nothing in this Policy is intended to conflict with any applicable laws, including: the City Charter and City Code; Colorado state law, including permits and approvals issued thereunder; federal law, including permits and approvals issued thereunder; and applicable agreements and other contractual arrangements. To the extent that there is such a conflict, the applicable law controls.

This Policy does not apply to lakes and stormwater basins in the GMA that are not City-owned. For example, this Policy does not apply to lakes and stormwater basins owned by homeowners associations, or lakes owned by ditch or reservoir companies in which the City owns shares. The owners of such other lakes and stormwater basins are free to consider this Policy and the Guidance Document, in their discretion, in their management of their structures.

This Policy does not apply to lakes and stormwater basins that are outside of the GMA. This includes reservoirs the City owns that are outside of the GMA (e.g., Joe Wright Reservoir). Those lakes and stormwater basins are generally located outside of the urban environment and face challenges distinct from those addressed in this Policy. The water quality challenges of those

[1] In this Policy, "include" signifies a list that is not necessarily exhaustive.

lakes and stormwater basins are thus addressed separately. The owners of such other lakes and stormwater basins are free to consider this Policy and the Guidance Document, in their discretion, in their management of those structures.

Management

Each Managing Department will manage water quality in their lakes and stormwater basins to address their own management goals. Specifically, Managing Departments will:

1. Identify which City-owned lakes and stormwater basins they are responsible for, relying on the inventory in the Guidance Document. If more than one Managing Department is responsible for a lake or stormwater basin, the responsible Managing Departments will work together on all aspects of management.
2. Identify the management goals for their lakes and stormwater basins based on their uses and purposes. This may include a consideration of the categories of types of lakes and stormwater basins and their various uses and purposes, as described in the Guidance Document.
3. Determine which of their City-owned lakes and stormwater basins should be prioritized for water quality management or other related actions.
4. Determine whether to act (or not act) on water quality issues.[2]
5. Develop water quality management plans as necessary for prioritized City-owned lakes and stormwater basins (as discussed below).
6. Collaborate with other Managing Departments where responsibilities, projects, or other actions related to water quality management overlap with or will affect other departments.
7. Communicate internally within the City organization and externally to the Fort Collins community (as discussed below).

Management Plans

Managing Departments will develop water quality management plans for individual lakes and stormwater basins, as necessary, to address their water quality management goals. These plans may be separate, standalone documents, or may be integrated into other plans or other documents related to their lakes and stormwater basins. These plans should include:

- statement of the Managing Department's goals and priorities for their lakes and stormwater basins;
- consideration of the analyses, recommendations, and other aspects of the Guidance Document;
- water quality-related goals for their lakes and stormwater basins;
- water quality management practices for their lakes and stormwater basins;
- a communication strategy (as discussed below); and
- other items appropriate to further the Managing Department's goals and priorities.

Communication

Consistent with their communication strategy, Managing Departments will communicate internally within the City organization and externally with the Fort Collins community regarding water quality of lakes or stormwater basin. This will include communications regarding: water quality data; any public health risks; and non-routine maintenance work. Communications will be made pursuant to applicable City policies. Managing Departments will periodically communicate internally to improve interdepartmental alignment regarding water quality management practices.

Policy and Guidance Document Updates

An inter-departmental team from all of the Managing Departments (minimum 1 staff member from each) will be established to ensure proper implementation of this Policy and to periodically revise and update the Policy and Guidance Document as needed.

[2] How Managing Departments staff and otherwise resource their actions are not addressed in this Policy.

The team will annually review the Guidance Document to identify and address data errors, necessary updates, and other opportunities for improvement, including:

- Adding any City-owned lakes and stormwater basins to the inventory;
- Updating lake-specific water quality information; and
- Adding or updating water quality management practices.

ATTACHMENT 2 – SUBJECT MATTER EXPERT (SME) INTERVIEW AND SURVEY QUESTIONS

SME Interview Questions

- What is your role and background in managing water quality issues?
- Are there any lakes represented in the GMA that are not highlighted but should be?
- Which Urban Lakes do you manage?
- What are their surrounding land uses?
- What are their major uses?
- Are there known water quality issues in the waterbodies that you manage? Are their historic, current, and future water quality concerns in these waterbodies?
- What are the causes of these water quality issues?
- Are there known BMPs implemented at the lakes that you manage? Do you know of historic, current, or emerging/potential BMPs that were used or would be helpful in managing these water quality issues?
- Are there any BMPs that you would like to try to manage water quality issues?
- Were the BMPs that have been used to treat water quality issues effective?
- What Management Categories would you place the lakes that you manage into:

  Golf Course

  Wildlife

  Fisheries

  Stormwater/Flood Control

  Ornamental

  Recreation

  Storage

  Sediment Retention

  Other/Urban

1. Who else would you recommend that we reach out to for this project?
2. Do you have any water quality or BMP data for the urban lakes within the GMA that you would be willing to share?

SME Survey Questions

1. Are you a lake manager or do you support the management of lakes?
2. What are the three most critical water quality issues that trigger management action for you?

3. What are the other water quality issue(s)?
4. What are the main sources of pollution for the water quality issues you listed in #2? Such as livestock inputs, urban development, rangeland use, agriculture, stormwater runoff, pet waste, low flow, no lake inlet/outlet, etc.
5. Of the lake water quality best management practices (BMPs) that you use, what are the three most common or effective? BMPs are tools used to manage urban lake water quality. Though there are many, examples include hand-pulling aquatic nuisance species, using biochar to remove nutrients, developing wetland habitat to sequester pollutants, and providing pet waste bags and bins to avoid/reduce animal waste from entering the waterbody.
6. Are there other water quality BMPs that you would prefer to use, and if so what are they?
7. When you consider your ability to effectively manage water quality in urban lakes, what resources limit your success? These may be factors such as knowledge, data, sampling technicians (i.e., work force), funding, red tape, stakeholder buy-in, etc.
8. When getting buy-in or opinions about urban lake policy, which groups or organizations in the community are most important to talk with? Please list them below.

- What are three key pieces of literature or resources you would recommend on urban lake water quality management and/or BMPs? Please provide as much citation information as possible. Such as books, articles, manuals, online databases, web platforms, etc.

ATTACHMENT 3 - URBAN LAKES WATER QUALITY RISK RANK MODEL

MODEL INPUT	DATA SOURCE	CRITERIA	DESCRIPTION	REASONING	SCORE	WEIGHT	VALUE SCORE
Adjacent Land Use (within 200ft)	City Geodatabase	Vacant	Land zoned as vacant that may be developed or undeveloped.	Vacant lands include all lands classified as vacant by the City.	0.5	0.1	0.05
		Residential	Land zoned as residential, that may have single family or multi-family structures, and may have lawns.	Residential lands include all single, duplex, and multi-family areas, supplementary, support, and HOA lands, support shelters, and senior citizen housing.	0.5		0.05
		Public	Public use lands, which may include parks, open space, other.	Public lands include BLM, cemeteries, religious buildings, childcare centers and education facilities (including grade school and colleges/universities), county admin and housing, parks and rec land, conservation lands, municipality buildings, emergency infrastructure, and others.	0.5		0.05
		Industrial	Industrial land that may include all structures, storage yards, and waste facilities associated with industrial operations.	Industrial lands that include construction, manufacturing, industrial condos, and warehouses.	0.25		0.025

MODEL INPUT	DATA SOURCE	CRITERIA	DESCRIPTION	REASONING	SCORE	WEIGHT	VALUE SCORE
		Commercial	Commercial land that may include all structures, storage yards, parking, lawns, and features associated with commercial operations.	Commercial lands that include businesses, residential, multi-use, or recreational use.	0.5		0.05
		Agriculture	Agricultural land that may include all structures, storage yards, waste areas, fields, and pastures that may be associated with crop or livestock farming.	Agriculture lands that include dry, irrigated, grazed, hay meadow, waste, or support infrastructure for agriculture.	1		0.1
Primary Management Category	City Geodatabase	Stormwater/Flood Control/Floodplain Expansion	Lake or pond used primarily for managing stormwater runoff, flood control, and/or floodplain expansion	Ponds used for stormwater, flood control, and floodplain expansion appear to have more water quality issues related to runoff, and therefore higher likelihood of having water quality issues.	1	0.05	0.05
		Wildlife	Lake or pond managed primarily for wildlife, other than just fisheries.	Ponds managed for wildlife may have more native aquatic vegetation, cycling of nutrients, and healthier system cycling, which may reduce potential for water quality issues.	0.25		0.0125
		Stormwater	Lake or pond managed primarily for stormwater without specificity, such as flood control, floodplain expansion, or water quality.	Ponds used for stormwater, flood control, and floodplain expansion appear to have more water quality issues related to runoff, and therefore higher likelihood of having water quality issues.	1		0.05

MODEL INPUT	DATA SOURCE	CRITERIA	DESCRIPTION	REASONING	SCORE	WEIGHT	VALUE SCORE
		Native Fisheries	Lake or pond managed primarily for native fisheries	Ponds managed for native fisheries appear to have populations of native aquatic vegetation, cycling of nutrients, and overall monitoring, which may reduce potential for water quality issues.	0.25		0.0125
		Storage/Irrigation	Lake or pond used primarily for storage and/or storage for irrigation use	Ponds used for storage and irrigation appear to have more water quality issues related to runoff, sedimentation, residence time, and/or nutrient loading, and therefore have a higher likelihood of having water quality issues.	1		0.05
		Stormwater/Water Quality	Lake or pond used primarily for managing stormwater runoff and water quality of downstream waterbodies.	Ponds used for stormwater and water quality appear to have more water quality issues related to runoff, and therefore higher likelihood of having water quality issues.	0.5		0.025
		Recreation	Lake or pond used primarily for recreational human use, such as swimming, boating, fishing, etc.	Ponds used for recreation are more likely to be monitored for water quality and therefore are less likely to have ongoing water quality issues.	0.25		0.0125
Secondary Management Category	City Geodatabase	Stormwater/Flood Control/Floodplain Expansion	Lake or pond used primarily for managing stormwater runoff, flood control, and/or floodplain expansion	Ponds used for stormwater, flood control, and floodplain expansion appear to have more water quality issues related to runoff, and therefore higher likelihood of having water quality issues.	1	0.025	0.025
		Wildlife	Lake or pond managed primarily for wildlife, other than just fisheries.	Ponds managed for wildlife may have more native aquatic vegetation, cycling of nutrients, and healthier system cycling, which may reduce potential for water quality issues.	0.25		0.00625

MODEL INPUT	DATA SOURCE	CRITERIA	DESCRIPTION	REASONING	SCORE	WEIGHT	VALUE SCORE
		Stormwater	Lake or pond managed primarily for stormwater without specificity, such as flood control, floodplain expansion, or water quality.	Ponds used for stormwater, flood control, and floodplain expansion appear to have more water quality issues related to runoff, and therefore higher likelihood of having water quality issues.	1		0.025
		Native Fisheries	Lake or pond managed primarily for native fisheries.	Ponds managed for native fisheries appear to have populations of native aquatic vegetation, cycling of nutrients, and overall monitoring, which may reduce potential for water quality issues.	0.25		0.00625
		Non-native Fisheries	Lake or pond managed primarily for non-native fisheries.	Ponds managed for non-native fisheries may have populations of native aquatic vegetation, cycling of nutrients, and overall monitoring, which may reduce potential for water quality issues. However, some non-native fish can exacerbate water quality issues.	0.3		0.0075
		Storage/Irrigation	Lake or pond used primarily for storage and/or storage for irrigation use	Ponds used for storage and irrigation appear to have more water quality issues related to runoff, sedimentation, residence time, and/or nutrient loading, and therefore have a higher likelihood of having water quality issues.	1		0.025
		Stormwater/Water Quality	Lake or pond used primarily for managing stormwater runoff and water quality of downstream waterbodies.	Ponds used for stormwater and water quality appear to have more water quality issues related to runoff, and therefore higher likelihood of having water quality issues.	0.5		0.0125

MODEL INPUT	DATA SOURCE	CRITERIA	DESCRIPTION	REASONING	SCORE	WEIGHT	VALUE SCORE
		Recreation	Lake or pond used primarily for recreational human use, such as swimming, boating, fishing, etc.	Ponds used for recreation are more likely to be monitored for water quality and therefore are less likely to have ongoing water quality issues.	0.25		0.00625
Lake Size (surface area)	City Geodatabase	Very Large	>30 acres	Very large ponds likely have less residence time, less relative surface area for evaporative loss, solar insulation, and provide greater opportunity for dilution for chemicals, nutrients, etc. They are therefore less likely to have water quality issues.	0.25	0.1	0.025
		Large	6-29 acres	Large ponds likely have less residence time, less relative surface area for evaporative loss, solar insulation, and provide greater opportunity for dilution for chemicals, nutrients, etc. They are therefore less likely to have water quality issues.	0.5		0.05
		Medium	1-5 acres	Medium ponds likely have greater residence time, greater relative surface area for evaporative loss, solar insulation, and can easily become concentrated with chemicals, nutrients, etc. They are therefore less likely to have water quality issues.	0.75		0.075
		Small	<1 acre	Small ponds likely have greater residence time, greater relative surface area for evaporative loss, solar insulation, and can easily become concentrated with chemicals, nutrients, etc. They are therefore less likely to have water quality issues.	1		0.1

MODEL INPUT	DATA SOURCE	CRITERIA	DESCRIPTION	REASONING	SCORE	WEIGHT	VALUE SCORE
Known Water Quality Issues?	City Geodatabase	Yes	Known water quality issues present.	If a known water quality issue already exists, a pond is automatically designated as being prone to water quality issues.	1	0.225	0.225
		No	No known water quality issues present		0		0
Residence time contributor?	City Geodatabase	Yes	Pond water residence time is a contributor to water quality issues.	Ponds with greater residence time are more likely to have water quality issues. If residence time is a contributor to water quality issues, this has been identified by SMES.	1	0.2	0.2
		No	Pond water residence time is not a contributor to water quality issues.	Ponds with less residence time are less likely to have water quality issues. If residence time is a contributor to water quality issues, this has been identified by SMES.	0		0
303d Listed Lake?	EPA 303d Listed Impaired Waters	Yes	The pond is 303d listed.		1	0.2	0.1
		No	The pond is not 303d listed.		0		0
Within Poudre River alluvium soil layer?	NRCS Soils Layer	Yes	The pond overlaps with the Poudre River alluvium soil layer.	Based on SME input, there appears to be some correlation with connectivity to the Poudre and water quality issues. Those with greater connectivity have greater turnover, and therefore fewer water quality issues.	0	0.05	0
		No	The pond does not overlap with the Poudre River alluvium soil layer.	Based on SME input, there appears to be some correlation with connectivity to the Poudre and water quality issues. Those with greater connectivity have greater turnover, and therefore fewer water quality issues.	1		0.05

MODEL INPUT	DATA SOURCE	CRITERIA	DESCRIPTION	REASONING	SCORE	WEIGHT	VALUE SCORE
Within Poudre River groundwater layer?		Yes	The pond overlaps with the Poudre River groundwater layer.	Based on SME input, there appears to be some correlation with connectivity to the Poudre and water quality issues. Those with greater connectivity have greater turnover, and therefore fewer water quality issues.	0	0.05	0
		No	The pond does not overlap with the Poudre River groundwater layer.	Based on SME input, there appears to be some correlation with connectivity to the Poudre and water quality issues. Those with greater connectivity have greater turnover, and therefore fewer water quality issues.	1		0.05

ATTACHMENT 4 – URBAN LAKES GEODATABASE AND ATTRIBUTE TABLE

Attachment 4 Table 1. Geodatabase Attribute Table for Fort Collins' Urban Retention Lakes. Unknown and <Null> represent lake attributes where there is currently no information available.

MXASSETNUM	FACILITY ID	NAME	AKA	DEPTH (FEET)	VOLUME	OWNED BY	MAINTAINED BY	PRIMARY MANAGEMENT CATEGORY	SECONDARY MANAGEMENT CATEGORY	ADJACENT LAND USE	WATER QUALITY ISSUE(S)	CAUSE(S) OF WATER QUALITY ISSUE(S)	DOES LAKE RESIDENCE TIME CONTRIBUTE TO WATER QUALITY ISSUES?	CURRENT BMPS	HISTORIC BMPS	BMPS SUCCESSFUL? (Y/N/U)	INVASIVE SPECIES PRESENT? (Y/N/U)	NOTES	FINAL RISK SCORE	RISK RANK
10216270	<Null>	Port of Entry Pond - Arapaho Bend	<Null>	Unknown	Unknown	City of Fort Collins	Natural Areas	Wildlife	Stormwater/ Flood Control/ Floodplain Expansion	Natural ecology	Unknown	Unknown	No	Maintain vegetation buffer; herbicide buffer	Monitored for turbidity, metals, nutrients, etc.	Unknown	No	Receives river water during spring runoff	0.3125	Medium
10216282	sw10574	Heatheridge Pond 1	Red Fox Meadows	Unknown	Unknown	City of Fort Collins	Natural Areas	Wildlife	Stormwater/ Flood Control/ Floodplain Expansion	Natural ecology	Unknown	Unknown	Yes	Maintain vegetation buffer; herbicide buffer	Unknown	Unknown	No	<Null>	0.375	Medium
10216283	sw9383	Song Sparrow Pond - Cattail Chorus	Spring Creek Trail Orthopedic Pond 2	Unknown	Unknown	City of Fort Collins	Natural Areas	Wildlife	Stormwater/ Flood Control/ Floodplain Expansion	Natural ecology	occasional algae blooms	Unknown	No	Maintain vegetation buffer; herbicide buffer	Unknown	Unknown	No	<Null>	0.35	Medium
10216292	<Null>	Rolland Moore Pond	<Null>	Unknown	Unknown	City of Fort Collins	Parks and Trails	Storage/ Irrigation	None	Park/Golf Course	algae blooms; fish kills; weeds; grasscarp	Unknown	No	Aeration; water quality monitoring; 20–30-ft buffer	Unknown	Yes	No	<Null>	0.3625	Medium
10216293	<Null>	Artist Point Pond - Cottonwood Hollow	<Null>	shallow	Unknown	City of Fort Collins	Natural Areas	Wildlife	Stormwater/ Flood Control/ Floodplain Expansion	Natural ecology	occasional algae blooms	Unknown	No	Maintain vegetation buffer; herbicide buffer	Unknown	Unknown	No	water levels fluctuate massively; have control structure - let the water levels rise in the spring and then release it as there are calls on the river	0.325	Medium
10216308	<Null>	Gadwell Pond - Kingfisher	Kingfisher Park Pond - North	shallow	Unknown	City of Fort Collins	Natural Areas	Wildlife	Recreation	Natural ecology	fish kills	shallow; water levels get low	No	Habitat restoration	Unknown	Unknown	No	Restoration in 2018 to lower banks on north and west side of the pond and establish wetland habitat	0.30625	Medium
10216348	<Null>	Wiper Pond - Riverbend Ponds	<Null>	Unknown	Unknown	City of Fort Collins	Natural Areas	Wildlife	Recreation	Natural ecology	occasional algae blooms	Unknown	No	Maintain vegetation buffer; herbicide buffer	Unknown	Unknown	No	10.83 ac	0.30625	Medium
10443765	<Null>	Resource Recovery Farm Pond - Running Deer	<Null>	5	Unknown	City of Fort Collins	Natural Areas	Wildlife	Stormwater/ Flood Control/ Floodplain Expansion	Natural ecology	Unknown	Unknown	No	Maintain vegetation buffer; herbicide buffer	Monitored for turbidity, metals, nutrients, etc.	Unknown	No	<Null>	0.3	Medium
10217862	sw10215	Edora Park	Edora Park	N/A	N/A	City of Fort Collins	Parks and Trails	Storage/ Irrigation	None	N/A	extremely silted in, depth/ capacity, nutrient loading; odor when pond is low	extremely silted in after 2012 flood	N/A	N/A	Jason Stutsman did quick assessment above silt bed when doing restoration work.	N/A	N/A	RETENTION cfarnes *MOVE TO Retention	0.5625	High
10216409	<Null>	Trout Pond - Riverbend Ponds	<Null>	Unknown	Unknown	City of Fort Collins	Natural Areas	Wildlife	Recreation	Natural ecology	fish kills	cold temperatures; low DO	No	Maintain vegetation buffer; herbicide buffer	Unknown	Unknown	No	9.27 ac, north near walkway, 2 connected by fishing dock	0.30625	Medium
10217810	sw20240	Parks & Rec Westfield Park Pond	Parks & Rec Westfield Park Pond	Unknown	Unknown	City of Fort Collins	Parks and Trails	Stormwater/ Flood Control/ Floodplain Expansion	None	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	confirmed retention by City	0.3875	Medium

MXASSETNUM	FACILITY ID	NAME	AKA	DEPTH (FEET)	VOLUME	OWNED BY	MAINTAINED BY	PRIMARY MANAGEMENT CATEGORY	SECONDARY MANAGEMENT CATEGORY	ADJACENT LAND USE	WATER QUALITY ISSUE(S)	CAUSE(S) OF WATER QUALITY ISSUE(S)	DOES LAKE RESIDENCE TIME CONTRIBUTE TO WATER QUALITY ISSUES?	CURRENT BMPS	HISTORIC BMPS	BMPS SUCCESSFUL? (Y/N/U)	INVASIVE SPECIES PRESENT? (Y/N/U)	NOTES	FINAL RISK SCORE	RISK RANK
10216421	<Null>	Wood Duck Pond - Magpie Meander	Magpie Meander Natural Area Pond 2	Unknown	Unknown	City of Fort Collins	Natural Areas	Wildlife	Non-native Fisheries	Natural ecology	occasional algae blooms	Unknown	No	Maintain vegetation buffer; herbicide buffer	Unknown	Unknown	No	<Null>	0.3575	Medium
10216428	<Null>	Various Ponds - Running Deer	Running Deer Natural Area	Unknown	Unknown	City of Fort Collins	Natural Areas	Wildlife	Stormwater/ Flood Control/ Floodplain Expansion	Natural ecology	fish kills	cold temperatures; low DO	No	Maintain vegetation buffer; herbicide buffer	Unknown	Unknown	No	<Null>	0.325	Medium
10216463	<Null>	Skunk Pond - Prospect Ponds	Prospect Ponds - North	Unknown	Unknown	City of Fort Collins	Natural Areas	Wildlife	Recreation	Urban	periodic algae blooms; fish kills; low DO; nutrients	Part of 3 pond complex, northernmost pond on private land fed directly by feedlot with documented fish kills; nutrients; eutrophication; low DO; can be very deep to very shallow; inversion-related fish kills	No	Unknown	Unknown	Unknown	No	old gravel pit; no longer stocked with fish due to poor fishery until mitigation is done or cows are gone; IS THIS PRIVATE OR CITY OWNED? Kyle Battige (CPW) mentioned northern-most pond in complex was on private property, maybe he meant just the feedlot w	0.53125	High
10216899	sw26369	Miramont Park Pond	<Null>	Unknown	Unknown	City of Fort Collins	Parks and Trails	Stormwater/ Water Quality	None	Residential/ Lawns	Unknown	Unknown	No	20–30-ft buffer	Unknown	Unknown	No	<Null>	0.3875	Medium
10217901	sw16201	North College Market Pl Pond	North College Market Pl Pond	Unknown	Unknown	City of Fort Collins	Natural Areas	Wildlife	None	Urban	Unknown	Unknown	Unknown	Maintain vegetation buffer; herbicide buffer	Unknown	Unknown	No	confirmed retention by City	0.35	Medium
10217320	sw22579	Utilities Pond #1	Utilities Pond #1	Unknown	Unknown	City of Fort Collins	Utilities	Stormwater/ Flood Control/ Floodplain Expansion	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	wetland; confirmed retention by City; THIS IS THE 1st wetland that treats sw runoff from 700 Wood Street, NE of the light & power transformer yard.	0.3375	Medium
10217527	sw22580	Utilities Pond #2	Utilities Pond #2	Unknown	Unknown	City of Fort Collins	Utilities	Stormwater/ Water Quality	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	wetland; confirmed retention by City; This is the 2nd wetland that treats sw runoff from 700 Wood Street, NE of the light & power transformer yard.	0.3625	Medium
10216111	sw9378	Heron Pond - Cattail Chorus	Cache la Poudre Industrial Park Pond 3	Unknown	Unknown	City of Fort Collins	Natural Areas	Wildlife	Stormwater/ Flood Control/ Floodplain Expansion	Natural ecology	occasional algae blooms	Unknown	No	Maintain vegetation buffer; herbicide buffer	Unknown	Unknown	No	<Null>	0.525	High
10216114	sw11785	Spruce Pond - Udall	Udall Pond #2	Unknown	Unknown	City of Fort Collins	Utilities/Natural Areas	Stormwater/ Water Quality	Wildlife	Unknown	algae blooms	hot and dry; feedlot that drains to pond	Unknown	Sediment grates	Unknown	Unknown	Unknown	<Null>	0.34375	Medium

MXASSETNUM	FACILITY ID	NAME	AKA	DEPTH (FEET)	VOLUME	OWNED BY	MAINTAINED BY	PRIMARY MANAGEMENT CATEGORY	SECONDARY MANAGEMENT CATEGORY	ADJACENT LAND USE	WATER QUALITY ISSUE(S)	CAUSE(S) OF WATER QUALITY ISSUE(S)	DOES LAKE RESIDENCE TIME CONTRIBUTE TO WATER QUALITY ISSUES?	CURRENT BMPS	HISTORIC BMPS	BMPS SUCCESSFUL? (Y/N/U)	INVASIVE SPECIES PRESENT? (Y/N/U)	NOTES	FINAL RISK SCORE	RISK RANK
10216117	sw24093	English Ranch Park	English Ranch Park	Unknown	Unknown	City of Fort Collins	Parks and Trails	Storage/ Irrigation	None	Residential/ Lawns	algae blooms	Unknown	No	Water quality monitoring; cut back willows and vegetation; 20–30-ft buffer	Unknown	Unknown	No	<Null>	0.4125	Medium
10216118	sw11528	Nokomis Pond Evergreen 3	Goose Hollow	Unknown	Unknown	City of Fort Collins	Natural Areas	Wildlife	Recreation	Residential/ Lawns	Unknown	Unknown	Yes	Maintain vegetation buffer; herbicide buffer	Unknown	Unknown	No	<Null>	0.35625	Medium
10216123	sw9379	Confluence Pond - Cattail Chorus	Spring Creek Trail Orthopedic Pond 3	Unknown	Unknown	City of Fort Collins	Natural Areas	Wildlife	Stormwater/ Flood Control/ Floodplain Expansion	Natural ecology	occasional algae blooms	Unknown	No	Maintain vegetation buffer; herbicide buffer	Unknown	Unknown	No	<Null>	0.325	Medium
10216124	sw10354	Spring Creek Park Pond	Spring Park Pond	Unknown	Unknown	City of Fort Collins	Parks and Trails	Storage/ Irrigation	None	Park/Golf Course	algae blooms	Unknown	No	Aeration; water quality monitoring; 20–30-ft buffer	Unknown	Unknown	No	<Null>	0.5875	High
10216126	sw19003	Cathy Fromme Natural Area Retention Pond	Cathy Fromme Natural Area Retention Pond	Unknown	Unknown	City of Fort Collins	Natural Areas	Wildlife	Stormwater/ Flood Control/ Floodplain Expansion	Natural ecology	occasional algae blooms	Unknown	Yes	Maintain vegetation buffer; herbicide buffer	Unknown	Unknown	No	<Null>	0.575	High
10216127	sw19831	Portner Reservoir	Pond 3 of Fossil Creek Community Park	Unknown	Unknown	City of Fort Collins	Parks and Trails	Storage/ Irrigation	None	Park/Golf Course	Unknown	Unknown	No	20–30-ft buffer	Unknown	Unknown	No	<Null>	0.6125	High
10216129	sw13660	Warren Park Pond	Warren Park Pond	Unknown	Unknown	City of Fort Collins	Parks and Trails	Storage/ Irrigation	None	Park/Golf Course	Unknown	Unknown	No	20–30-ft buffer	Unknown	Unknown	No	<Null>	0.3875	Medium
10216130	sw23593	Twin Silo Park Pond	Fossil Ridge Irrigation/ Detention Pond	Unknown	Unknown	City of Fort Collins	Parks and Trails	Storage/ Irrigation	None	Unknown	none	Unknown	No	Water quality monitoring; 20–30-ft buffer	Unknown	Unknown	No	<Null>	0.4125	Medium
10216137	sw15197	Mountain Ridge Farm Detention Pond 1	Mountain Ridge Farm Detention Pond 1	Unknown	Unknown	City of Fort Collins	Homeowners Association	Stormwater/ Flood Control/ Floodplain Expansion	None	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	<Null>	0.3625	Medium
10216142	sw18093	Portner Reservoir	Pond 2 of Fossil Creek Park -- Portner Res	Unknown	Unknown	City of Fort Collins	Parks and Trails	Storage/ Irrigation	None	Park/Golf Course	fish kills due to cyanobacteria; odor issues; macrophyte musk grass; cyanobacteria blooms; low DO; anoxic; shallow, misshapen bottom so prone to fish kills;	aerators caused sediment to come from bottom and killed fish.	No	Aeration; water quality monitoring; 20–30-ft buffer	Unknown	Unknown	No	<Null>	0.5875	High
10216149	sw8752	West Coy Pond - Gustav Swanson	Coy Ditch Pond A	Unknown	Unknown	City of Fort Collins	Natural Areas	Wildlife	Stormwater/ Flood Control/ Floodplain Expansion	Park/Golf Course	Unknown	Unknown	Unknown	Maintain vegetation buffer; herbicide buffer	Unknown	Unknown	No	dying pond, used to be fed by the diversion off of the river into Coy Ditch but that diversion was removed in 2018 and the ditch is not in use	0.35	Medium

MXASSETNUM	FACILITY ID	NAME	AKA	DEPTH (FEET)	VOLUME	OWNED BY	MAINTAINED BY	PRIMARY MANAGEMENT CATEGORY	SECONDARY MANAGEMENT CATEGORY	ADJACENT LAND USE	WATER QUALITY ISSUE(S)	CAUSE(S) OF WATER QUALITY ISSUE(S)	DOES LAKE RESIDENCE TIME CONTRIBUTE TO WATER QUALITY ISSUES?	CURRENT BMPS	HISTORIC BMPS	BMPS SUCCESSFUL? (Y/N/U)	INVASIVE SPECIES PRESENT? (Y/N/U)	NOTES	FINAL RISK SCORE	RISK RANK
10216151	sw9013	Sheldon Lake	Sheldon Lake; City Park Pond	Unknown	Unknown	City of Fort Collins	Parks and Trails	Storage/ Irrigation	None	Park/Golf Course	odor; eutrophication; sediment loading, algae growth; cyanobacteria; fish kills	fish kills due to cold temperatures for too long	No	Aeration; water quality monitoring; 20–30-ft buffer	drained and dredged after 2013 floods	Yes	No	Basil may have water quality data. Riprap buffer	0.5625	High
10216153	sw9381	Blackbird Pond - Cattail Chorus	Spring Creek Trail Icon Pond	Unknown	Unknown	City of Fort Collins	Natural Areas	Wildlife	Stormwater/ Flood Control/ Floodplain Expansion	Natural ecology	occasional algae blooms	Unknown	No	Maintain vegetation buffer; herbicide buffer	Unknown	Unknown	No	Has rare aquatic plants species: *Wolffia borealis* (G5 S1, List A CFC) and *Lemna minuta* (List C CFC)	0.525	High
10216159	sw9380	Wigeon Ponds - Cattail Chorus	Veeco Instruments Pond	Unknown	Unknown	City of Fort Collins	Natural Areas	Wildlife	Stormwater/ Flood Control/ Floodplain Expansion	Natural ecology	occasional algae blooms	Unknown	No	Maintain vegetation buffer; herbicide buffer	Unknown	Unknown	No	<Null>	0.525	High
10216161	sw9373	Goldeneye Pond - Kingfisher	<Null>	Unknown	Unknown	City of Fort Collins	Natural Areas	Wildlife	Stormwater/ Flood Control/ Floodplain Expansion	Natural ecology	occasional algae blooms	Unknown	No	Unknown	Unknown	Unknown	No	<Null>	0.3	Medium
10216162	sw9752	Overland Park	Overland Park	Unknown	Unknown	City of Fort Collins	Utilities	Storage/ Irrigation	None	Unknown	Unknown	Unknown	Unknown	Aeration; water quality monitoring	Unknown	Unknown	Unknown	<Null>	0.3875	Medium
10216163	sw17280	Courtyard @ Miramont Detention Pond	Courtyard @ Miramont Detention Pond	Unknown	Unknown	City of Fort Collins	Parks and Trails	Storage/ Irrigation	None	Unknown	Unknown	Unknown	No	20–30-ft buffer	Unknown	Unknown	No	See Miramont in Detention Ponds. This flows to Miramont Detention Pond	0.3875	Medium
10216165	sw16644	Timberline Sump	Timberline Sump	Unknown	Unknown	City of Fort Collins	Utilities	Stormwater/ Flood Control/ Floodplain Expansion	None	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	<Null>	0.3125	Medium
10216166	sw14200	Catfish Pond - Prospect Ponds	Prospect Ponds - South	Unknown	Unknown	City of Fort Collins	Natural Areas	Wildlife	Recreation	Natural ecology	fish kills; algae blooms; low DO; nutrients	Nutrients from Merganser Pond, Part of 3 pond complex, northernmost pond on private land fed directly by feedlot with documented fish kills; nutrients; eutrophication; low DO	No	Maintain vegetation buffer; herbicide buffer	Unknown	Unknown	No	12.74 ac, attached to Merganser pond through culvert Part of 2 pond complex, northernmost pond on private land fed directly by feedlot with documented fish kills; nutrients; eutrophication; low DO; can be very deep to very shallow; inversion-related fish	0.50625	High
10216169	sw8753	East Coy Pond - Gustav Swanson	Coy Ditch Pond B	Unknown	Unknown	City of Fort Collins	Natural Areas	Wildlife	Stormwater/ Flood Control/ Floodplain Expansion	Park/Golf Course	Unknown	Unknown	Unknown	Maintain vegetation buffer; herbicide buffer	Unknown	Unknown	No	dying pond, used to be fed by the diversion off of the river into Coy Ditch but that diversion was removed in 2018 and the ditch is not in use	0.35	Medium

MXASSETNUM	FACILITY ID	NAME	AKA	DEPTH (FEET)	VOLUME	OWNED BY	MAINTAINED BY	PRIMARY MANAGEMENT CATEGORY	SECONDARY MANAGEMENT CATEGORY	ADJACENT LAND USE	WATER QUALITY ISSUE(S)	CAUSE(S) OF WATER QUALITY ISSUE(S)	DOES LAKE RESIDENCE TIME CONTRIBUTE TO WATER QUALITY ISSUES?	CURRENT BMPS	HISTORIC BMPS	BMPS SUCCESSFUL? (Y/N/U)	INVASIVE SPECIES PRESENT? (Y/N/U)	NOTES	FINAL RISK SCORE	RISK RANK
10216175	sw8405	Evergreen Pond 3rd	Evergreen Pond 3rd	Unknown	Unknown	City of Fort Collins	Utilities	Stormwater/ Flood Control/ Floodplain Expansion	None	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	Unknown	<Null>	0.3375	Medium
10216187	sw16174	Ridgeview Park Pond	Coventry Detention Pond	Unknown	Unknown	City of Fort Collins	Parks and Trails	Storage/ Irrigation	None	Unknown	Unknown	Unknown	No	20–30-ft buffer	Unknown	Unknown	No	<Null>	0.4125	Medium
10216193	sw12933	Ross Open Space Detention Pond	Ross Open Space Detention Pond	Unknown	Unknown	City of Fort Collins	Natural Areas	Wildlife	Stormwater/ Flood Control/ Floodplain Expansion	Natural ecology	Unknown	Unknown	Yes	Maintain vegetation buffer; herbicide buffer	Unknown	Unknown	No	Has rare aquatic plants species: *Acorus calamus*, *Sagittaria brevirostra*, and *Carex lenticularis*	0.35	Medium
10216194	sw14199	Merganser Pond - Prospect Ponds	Prospect Ponds - East	Unknown	Unknown	City of Fort Collins	Natural Areas	Wildlife	Recreation	Urban	fish kills; algae blooms	Nutrients from feed lot to the north; Part of 3 pond complex, northernmost pond on private land fed directly by feedlot with documented fish kills; nutrients; eutrophication; low DO; can be very deep to very shallow; inversion-related fish kills	No	Maintain vegetation buffer; herbicide buffer	Unknown	Unknown	No	13.42 ac, Part of 3 pond complex, northernmost pond on private land fed directly by feedlot with documented fish kills; nutrients; eutrophication; low DO; can be very deep to very shallow; inversion-related fish kills old gravel pit; no longer stocked with	0.50625	High
10216200	sw19830	Pond 1 of Fossil Creek Community Park	Pond 1 of Fossil Creek Community Park	Unknown	Unknown	City of Fort Collins	Parks and Trails	Storage/ Irrigation	None	Park/Golf Course	algae blooms	Unknown	No	Aeration; water quality monitoring; 20–30-ft buffer	Unknown	Unknown	No	<Null>	0.6125	High
10216203	sw11786	Moose Pond - Udall	Udall Pond #3	Unknown	Unknown	City of Fort Collins	Utilities	Stormwater/ Flood Control/ Floodplain Expansion	None	Unknown	algae blooms	hot and dry; feedlot that drains to pond	Unknown	Sediment grates	Unknown	Unknown	Unknown	<Null>	0.3125	Medium
10216207	sw8439	Sunfish Pond - McMurry	McMurry Natural Areas Pond 2	Unknown	Unknown	City of Fort Collins	Natural Areas	Wildlife	Stormwater/ Flood Control/ Floodplain Expansion	Natural ecology	Infrequent algae blooms	Unknown	No	Maintain vegetation buffer; herbicide buffer	Lowered banks to increase high water flow.	Yes	No	Receives river water during spring runoff	0.525	High
10216196	sw11783	Goose Pond - Udall	Udall Pond #1	Unknown	Unknown	City of Fort Collins	Utilities/ Natural Areas	Stormwater/ Flood Control/ Floodplain Expansion	Wildlife	Unknown	algae blooms	hot and dry; feedlot that drains to pond	Unknown	Sediment grates; Drain every 3-5 years and pull sediment out.	Unknown	Unknown	Unknown	<Null>	0.31875	Medium
10216208	sw11769	Red Wing Pond - Redwing Marsh	Red Wing Marsh Natural Area	Unknown	Unknown	City of Fort Collins	Natural Areas	Wildlife	Recreation	Urban	Unknown	Unknown	Yes	Maintain vegetation buffer; herbicide buffer	Unknown	Unknown	No	<Null>	0.35625	Medium
10216210	sw9382	Chorus Frog Pond - Cattail Chorus	Spring Creek Trail Orthopedic North 1	Unknown	Unknown	City of Fort Collins	Natural Areas	Wildlife	Stormwater/ Flood Control/ Floodplain Expansion	Natural ecology	occasional algae blooms	Unknown	No	Maintain vegetation buffer; herbicide buffer	Unknown	Unknown	No	Has rare aquatic plants species: *Wolffia borealis* (G5 S1, List A CFC) and *Lemna minuta* (List C CFC)	0.325	Medium

MXASSETNUM	FACILITY ID	NAME	AKA	DEPTH (FEET)	VOLUME	OWNED BY	MAINTAINED BY	PRIMARY MANAGEMENT CATEGORY	SECONDARY MANAGEMENT CATEGORY	ADJACENT LAND USE	WATER QUALITY ISSUE(S)	CAUSE(S) OF WATER QUALITY ISSUE(S)	DOES LAKE RESIDENCE TIME CONTRIBUTE TO WATER QUALITY ISSUES?	CURRENT BMPS	HISTORIC BMPS	BMPS SUCCESSFUL? (Y/N/U)	INVASIVE SPECIES PRESENT? (Y/N/U)	NOTES	FINAL RISK SCORE	RISK RANK
10216216	sw15476	Canvasback Pond - Kingfisher	Cache la Poudre Industrial Park Pond; Kingfisher Park Pond - South	Unknown	Unknown	City of Fort Collins	Natural Areas	Wildlife	Recreation	Natural ecology	fish kills; algae blooms	chemicals from beef packaging plant; nutrients from "Bath Garden Nursery", pots and trash in ponds; steep slopes and poor habitat	No	Maintain vegetation buffer; herbicide buffer	Unknown	Unknown	No	old gravel pit	0.30625	Medium
10216226	<Null>	Sterling Pond - North Shields	<Null>	Unknown	Unknown	City of Fort Collins	Natural Areas	Wildlife	Stormwater/ Flood Control/ Floodplain Expansion	Natural ecology	occasional algae blooms	Unknown	No	Maintain vegetation buffer; herbicide buffer	restoration	Unknown	No	Restoration done in 2014 to lower banks on the south side and let the river flood the pond. Only happens occasionally, bank levels couldn't be made lower	0.5	Medium
10216817	<Null>	Pelican Pond - Cottonwood Hollow	Pelican Marsh	9.75	Unknown	City of Fort Collins	Natural Areas	Wildlife	Stormwater/ Flood Control/ Floodplain Expansion	Natural ecology	occasional algae blooms	Unknown	No	Maintain vegetation buffer; herbicide buffer	Unknown	Unknown	No	<Null>	0.3	Medium
10216836	<Null>	Milne East Pond - Riverbend Ponds	<Null>	8	Unknown	City of Fort Collins	Natural Areas	Wildlife	Recreation	Natural ecology	fish kills	shallow	No	Maintain vegetation buffer; herbicide buffer	Unknown	Unknown	No	2.01 ac, really clear sometimes; no longer stocked due to fish kills	0.33125	Medium
10216837	<Null>	Bluegill - Riverbend Ponds	<Null>	<Null>	<Null>	City of Fort Collins	Natural Areas	Wildlife	<Null>	Natural ecology	Unknown	Unknown	No	Maintain vegetation buffer; herbicide buffer	<Null>	<Null>	No	<Null>	0.3	Medium
10216266	<Null>	Topminnow	<Null>	Unknown	Unknown	City of Fort Collins	Natural Areas	Wildlife	Native Fisheries	Residential/ Lawns	None	Unknown	No	Water elevation controlled via pump	Unknown	Yes	No	Unlined, receives groundwater, pump outlets to HT outfall channel or Rigden Res.	0.14375	Low
10216845	<Null>	Big Pond - Riverbend Ponds	<Null>	5.5	Unknown	City of Fort Collins	Natural Areas	Wildlife	Non-native Fisheries	Natural ecology	turbidity	giant carp; shallow	No	Maintain vegetation buffer; herbicide buffer	Unknown	Unknown	No	38.25 ac, rare plant species present: *Azolla mexicana* (List A CFC), *Ruppia cirrhosa* (List A CFC)	0.2825	Medium
10216842	<Null>	Unnamed Pond	Unnamed Pond Receives Storm Runoff from Drake Treatment Facility	Unknown	Unknown	City of Fort Collins	Natural Areas	Wildlife	None	Unknown	low DO; nutrients	<Null>	Unknown	Some vegetation buffer	Unknown	Unknown	Unknown	old gravel pit	0.5	Medium
10216411	<Null>	Collindale Golf Course Pond - Northeast	Unnamed Pond at Northeast Corner of Collindale Golf Course	Unknown	Unknown	City of Fort Collins	Parks and Trails	Storage/ Irrigation	None	Park/Golf Course	Unknown	Unknown	No	20–30-ft buffer	Unknown	Unknown	No	0.36 ac	0.4125	Medium

MXASSETNUM	FACILITY ID	NAME	AKA	DEPTH (FEET)	VOLUME	OWNED BY	MAINTAINED BY	PRIMARY MANAGEMENT CATEGORY	SECONDARY MANAGEMENT CATEGORY	ADJACENT LAND USE	WATER QUALITY ISSUE(S)	CAUSE(S) OF WATER QUALITY ISSUE(S)	DOES LAKE RESIDENCE TIME CONTRIBUTE TO WATER QUALITY ISSUES?	CURRENT BMPS	HISTORIC BMPS	BMPS SUCCESSFUL? (Y/N/U)	INVASIVE SPECIES PRESENT? (Y/N/U)	NOTES	FINAL RISK SCORE	RISK RANK
10216859	<Null>	South Ridge Golf Course Pond - North	Unnamed Pond at North End of South Ridge Golf Course	Unknown	Unknown	City of Fort Collins	Parks and Trails	Storage/ Irrigation	Stormwater/ Flood Control/ Floodplain Expansion	Park/Golf Course	Unknown	Unknown	No	20–30-ft buffer	dredged near hole #5; put liner and anchor trench in near hole #9	Unknown	No	0.75 ac, receives sw runoff from development to the south. Near hole #?	0.4375	Medium
10216150	sw16643	Golden Meadows	Golden Meadows Park Pond	Unknown	Unknown	City of Fort Collins	Parks and Trails	Storage/ Irrigation	None	Residential/ Lawns	cyano-bacteria, fish kills; blue-green algae	Unknown	No	Sludge/mulch eliminators; aeration equipment; water quality monitoring; 20–30-ft buffer	Unknown	Yes	No	<Null>	0.3875	Medium
10216849	<Null>	South Ridge Golf Course Pond - South	Unnamed Pond at South End of South Ridge Golf Course	Unknown	Unknown	City of Fort Collins	Parks and Trails	Storage/ Irrigation	Storage/ Irrigation	Park/Golf Course	Unknown	Unknown	No	20–30-ft buffer	dredged near hole #5; put liner and anchor trench in near hole #10	Unknown	No	1.08 ac, near hole #? There is also an asset just upstream of this but not in this database; Asset# 102167590, 0.23 Ac	0.4375	Medium
10216109	sw15468	Troutman Park Pond - East	Troutman Park	Unknown	Unknown	City of Fort Collins	Parks and Trails	Storage/ Irrigation	None	Park/Golf Course	Unknown	Unknown	No	20–30-ft buffer	Unknown	Unknown	No	<Null>	0.5875	High
10216110	sw15468	Troutman Park Pond - West	Troutman Park	Unknown	Unknown	City of Fort Collins	Parks and Trails	Storage/ Irrigation	None	Park/Golf Course	Unknown	Unknown	No	20–30-ft buffer	Unknown	Unknown	No	<Null>	0.4125	Medium
10216717	<Null>	Snapper Pond - Arapaho Bend	<Null>	Unknown	Unknown	City of Fort Collins	Natural Areas	Wildlife	Non-native Fisheries	Natural ecology	occasional algae blooms	<Null>	No	Maintain vegetation buffer; herbicide buffer	<Null>	<Null>	No	<Null>	0.3325	Medium
10216513	<Null>	Duck Lake - Fossil Creek Reservoir	<Null>	4	Unknown	City of Fort Collins	Natural Areas	Wildlife	Stormwater/ Flood Control/ Floodplain Expansion	Agriculture (other)	severe odor; becomes anoxic; e. coli; warm temperature	Mud Lake (odor issues) feeds to Duck Lake, feedlot and corn fields drain to lake; nutrient loading; shallow; small outlet; no flushing; shallow; waterfowl major source of nutrient loading; sulfur in benthic bottom;	Yes	Sonde taking measurements; water quality monitoring (Aquatic Associates); aeration	biochar	Yes	No	More known by Mark Sears and Tami; not yet implemented in other lakes	0.525	High
10216580	<Null>	Muskrat Pond - Cottonwood Hollow	<Null>	Unknown	Unknown	City of Fort Collins	Natural Areas	Wildlife	Stormwater/ Flood Control/ Floodplain Expansion	Natural ecology	occasional algae blooms	Unknown	No	Maintain vegetation buffer; herbicide buffer	Unknown	Unknown	No	5.87 ac	0.5	Medium
10216674	<Null>	Beaver Pond - Arapaho Bend	<Null>	Unknown	Unknown	City of Fort Collins	Natural Areas	Wildlife	Non-native Fisheries	Natural ecology	occasional algae blooms	Unknown	No	Maintain vegetation buffer; herbicide buffer	Unknown	Unknown	No	34.8 ac	0.4825	Medium

MXASSETNUM	FACILITY ID	NAME	AKA	DEPTH (FEET)	VOLUME	OWNED BY	MAINTAINED BY	PRIMARY MANAGEMENT CATEGORY	SECONDARY MANAGEMENT CATEGORY	ADJACENT LAND USE	WATER QUALITY ISSUE(S)	CAUSE(S) OF WATER QUALITY ISSUE(S)	DOES LAKE RESIDENCE TIME CONTRIBUTE TO WATER QUALITY ISSUES?	CURRENT BMPS	HISTORIC BMPS	BMPS SUCCESSFUL? (Y/N/U)	INVASIVE SPECIES PRESENT? (Y/N/U)	NOTES	FINAL RISK SCORE	RISK RANK
10216501	<Null>	Cottonwood Glen Pond	<Null>	Unknown	Unknown	City of Fort Collins	Parks and Trails	Storage/ Irrigation	None	Park/Golf Course	algae blooms; macrophytes	farms use algaecide	No	No-mow buffer around lake; pest management; water quality monitoring; 20–30-ft buffer	copper sulfide	Unknown	No	<Null>	0.3875	Medium
10216507	<Null>	Little and Big Bass Ponds - Arapaho Bend	<Null>	Unknown	Unknown	City of Fort Collins	Natural Areas	Wildlife	Non-native Fisheries	Natural ecology	occasional algae blooms	Unknown	No	Maintain vegetation buffer; herbicide buffer	Unknown	Unknown	No	18.6 ac, big bass pond receives river water during spring runoff	0.5075	High
10216557	<Null>	Robert Benson Lake - Pelican Marsh	Robert Benson Reservoir	Unknown	Unknown	City of Fort Collins	Natural Areas	Storage/ Irrigation	Wildlife	Natural ecology	algae blooms	shallow	Yes	Maintain vegetation buffer; herbicide buffer	water quality monitoring	Unknown	No	College and 287	0.36875	Medium
10216474	<Null>	Collindale Golf Course Pond - Southwest	Golden Meadows Pond	Unknown	Unknown	City of Fort Collins	Parks and Trails	Storage/ Irrigation	None	Park/Golf Course	Unknown	Unknown	No	20–30-ft buffer	Unknown	Unknown	No	1.11 ac, named Golden Meadows Pond in View	0.3875	Medium
10216481	<Null>	Greenbriar Park Pond	<Null>	Unknown	Unknown	City of Fort Collins	Parks and Trails	Storage/ Irrigation	None	Park/Golf Course	Unknown	Unknown	No	20–30-ft buffer	Unknown	Unknown	No	0.53 ac	0.4125	Medium
10216496	<Null>	Rigden Reservoir	<Null>	22	1,900 acre-feet	City of Fort Collins	Utilities/ Natural Areas	Storage/ Irrigation	None	Other (specify in Notes)	cyanobacteria and algae blooms	some wastewater treatment plant effluent and nutrient loading	Unknown	5 solar bees; 2 delivery systems for minimizing capture of wastewater treatment plant effluent; temporal management (avoid storing during poor water quality (e.g., take spring runoff on receding limb of hydrograph, avoid late season high-temperature water	Unknown	Unknown	Unknown	133.14 ac, collecting water quality data since 2016; anoxic at bottom; ask Donnie about BMPs; water quality issues dependent on how they operate the reservoir	0.35	Medium
10216632	<Null>	North Shields Pond	<Null>	Unknown	Unknown	City of Fort Collins	Natural Areas	Wildlife	Stormwater/ Flood Control/ Floodplain Expansion	Natural ecology	occasional algae blooms	Unknown	No	Maintain vegetation buffer; herbicide buffer	Unknown	Unknown	No	Pond and water levels may be shrinking. Has rare plant species: *Spirodela polyrrhiza* (List A CFC), *Carex lasiocarpa* (G5 S2, list A CFC), *Cyperus bipartitus* (list A CFC)	0.5	Medium
10216398	<Null>	I-25 Pond - Arapaho Bend	<Null>	Unknown	Unknown	City of Fort Collins	Natural Areas	Wildlife	Stormwater/ Flood Control/ Floodplain Expansion	Natural ecology	occasional algae blooms	Unknown	No	Maintain vegetation buffer; herbicide buffer	Unknown	Unknown	No	7.83 ac	0.5375	High

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10216365	<Null>	Collindale Golf Course Pond - Northwest	Fort Collins Golf Course Pond	Unknown	Unknown	City of Fort Collins	Parks and Trails	Storage/ Irrigation	None	Park/Golf Course	Unknown	Unknown	No	20–30-ft buffer	Unknown	Unknown	No	1.12 ac, named Fort Collins Golf Course Pond in View	0.3875	Medium
10216177	sw17699	Harmony Park Pond 5015 Corbett Drive	Preston Jr. High Detention Pond	Unknown	Unknown	City of Fort Collins	Parks and Trails	Storage/ Irrigation	None	Park/Golf Course	Unknown	Unknown	No	20–30-ft buffer	Unknown	Unknown	No	was unable to open vector map; see MAX HARMONY DETENTION in Detention Ponds, same or different?	0.4375	Medium
10216280	sw19384	Fossil Lake Irrigation Pond	Fossil Lake Irrigation Pond; Fossil Creek Lake Park; Fossil Creek Lake at Portner Reservoir	Unknown	Unknown	City of Fort Collins	Parks and Trails	Storage/ Irrigation	None	Residential/ Lawns	fish kills due to cyanobacteria; odor issues; macrophyte musk grass; cyanobacteria blooms; low DO; anoxic; shallow, misshapen bottom so prone to fish kills;	aerators caused sediment to come from bottom and killed fish.	No	Aeration; water quality monitoring; 20–30-ft buffer	Unknown	Unknown	No	<Null>	0.4125	Medium
10216487	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	Not Assessed (more data needed)
10216103	sw9376	Dragonfly Pond - Kingfisher	Cattail Chorus Ponds	Unknown	Unknown	City of Fort Collins	Natural Areas	Wildlife	Stormwater/ Flood Control/ Floodplain Expansion	Natural ecology	occasional algae blooms	Unknown	No	Maintain vegetation buffer; herbicide buffer	Unknown	Unknown	No	<Null>	0.3375	Medium
10216827	<Null>	Turtle Pond - Riverbend Ponds	<Null>	Unknown	Unknown	City of Fort Collins	Natural Areas	Storage/ Irrigation	Non-native Fisheries	Natural ecology	fish kills; low DO; odor	very small; cold temperatures; quick turnover of anoxic layer; low DO; sulfur	No	Considering aeration	sink holiday trees for fish habitat	Unknown	No	2.87 ac. All Riverbend Ponds have some sort of turbidity in them, but this one is crystal clear.	0.37	Medium
10228230	<Null>	Lee Martinez Farm Pond	<Null>	Unknown	Unknown	City of Fort Collins	Parks and Trails	Storage/ Irrigation	None	Unknown	Unknown	Unknown	No	20–30-ft buffer	Unknown	Unknown	No	<Null>	0.3875	Medium
10216589	<Null>	Whitetail Pond - Arapaho Bend (E of I-25)	Unnamed in View	Unknown	Unknown	City of Fort Collins	Natural Areas	Wildlife	Stormwater/ Flood Control/ Floodplain Expansion	Natural ecology	occasional algae blooms	Unknown	No	Maintain vegetation buffer; herbicide buffer	Unknown	Unknown	No	5.6 ac	0.5	Medium
10216642	<Null>	Cormorant Pond - Arapaho Bend	<Null>	Unknown	Unknown	City of Fort Collins	Natural Areas	Wildlife	Non-native Fisheries	Natural ecology	occasional algae blooms	Unknown	No	Maintain vegetation buffer; herbicide buffer	Unknown	Unknown	No	2.94 ac	0.3325	Medium
10216147	sw8438	McMurry Pond 1 - McMurry	McMurry Natural Area Pond 1	5.5	Unknown	City of Fort Collins	Natural Areas	Wildlife	Stormwater/ Flood Control/ Floodplain Expansion	Natural ecology	Infrequent algae blooms	Unknown	No	Maintain vegetation buffer; herbicide buffer	Unknown	Unknown	No	Receives river water during spring runoff. Has rare plant species: *Lysimachia thyrsiflora* (G5 S1, List A CFC)	0.5	Medium

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10216180	sw9333	Avery Pond	<Null>	4	Unknown	City of Fort Collins	Utilities	Stormwater/ Flood Control/ Floodplain Expansion	None	Unknown	algae blooms; fish kills; odor	low water levels = low DO; inlet from local neighborhood	Unknown	Copper sulfide last year for algae	Unknown	Unknown	Unknown	Parks and Wildlife manages fisheries here.	0.3625	Medium
10216361	<Null>	Milne West Pond - Riverbend Ponds	<Null>	8.3	Unknown	City of Fort Collins	Natural Areas	Wildlife	Recreation	Natural ecology	occasional algae blooms	Unknown	No	Maintain vegetation buffer; herbicide buffer	Unknown	Unknown	No	7.02 ac	0.30625	Medium
10216480	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	0	Not Assessed (more data needed)
10216534	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	0	Not Assessed (more data needed)
10216581	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	0	Not Assessed (more data needed)
10216789	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	0	Not Assessed (more data needed)
10216816	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	0	Not Assessed (more data needed)
10216243	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	0	Not Assessed (more data needed)
10216356	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	0	Not Assessed (more data needed)
10216368	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	0	Not Assessed (more data needed)
10216470	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	0	Not Assessed (more data needed)

MXASSETNUM	FACILITY ID	NAME	AKA	DEPTH (FEET)	VOLUME	OWNED BY	MAINTAINED BY	PRIMARY MANAGEMENT CATEGORY	SECONDARY MANAGEMENT CATEGORY	ADJACENT LAND USE	WATER QUALITY ISSUE(S)	CAUSE(S) OF WATER QUALITY ISSUE(S)	DOES LAKE RESIDENCE TIME CONTRIBUTE TO WATER QUALITY ISSUES?	CURRENT BMPS	HISTORIC BMPS	BMPS SUCCESSFUL? (Y/N/U)	INVASIVE SPECIES PRESENT? (Y/N/U)	NOTES	FINAL RISK SCORE	RISK RANK
10216582	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	0	Not Assessed (more data needed)
10443961	<Null>	Cresent Park	Maple Hill Park	Unknown	Unknown	City of Fort Collins	Parks and Trails	Storage/ Irrigation	None	Residential/ Lawns	Unknown	Unknown	No	Aeration; water quality monitoring; 20–30-ft buffer	Unknown	Unknown	No	2401 Bar Harbor; confirmed retention by City	0.4125	Medium
10216819	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	0	Not Assessed (more data needed)
10216820	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	0	Not Assessed (more data needed)
10216821	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	0	Not Assessed (more data needed)
10216822	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	0	Not Assessed (more data needed)
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10216829	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	0	Not Assessed (more data needed)
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MXASSETNUM	FACILITY ID	NAME	AKA	DEPTH (FEET)	VOLUME	OWNED BY	MAINTAINED BY	PRIMARY MANAGEMENT CATEGORY	SECONDARY MANAGEMENT CATEGORY	ADJACENT LAND USE	WATER QUALITY ISSUE(S)	CAUSE(S) OF WATER QUALITY ISSUE(S)	DOES LAKE RESIDENCE TIME CONTRIBUTE TO WATER QUALITY ISSUES?	CURRENT BMPS	HISTORIC BMPS	BMPS SUCCESSFUL? (Y/N/U)	INVASIVE SPECIES PRESENT? (Y/N/U)	NOTES	FINAL RISK SCORE	RISK RANK
10216841	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	0	Not Assessed (more data needed)
10216853	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	0	Not Assessed (more data needed)
10216613	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	0	Not Assessed (more data needed)
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MXASSETNUM	FACILITY ID	NAME	AKA	DEPTH (FEET)	VOLUME	OWNED BY	MAINTAINED BY	PRIMARY MANAGEMENT CATEGORY	SECONDARY MANAGEMENT CATEGORY	ADJACENT LAND USE	WATER QUALITY ISSUE(S)	CAUSE(S) OF WATER QUALITY ISSUE(S)	DOES LAKE RESIDENCE TIME CONTRIBUTE TO WATER QUALITY ISSUES?	CURRENT BMPS	HISTORIC BMPS	BMPS SUCCESSFUL? (Y/N/U)	INVASIVE SPECIES PRESENT? (Y/N/U)	NOTES	FINAL RISK SCORE	RISK RANK
10216366	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	0	Not Assessed (more data needed)
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10216475	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	0	Not Assessed (more data needed)
10216537	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	0	Not Assessed (more data needed)
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10216612	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	0	Not Assessed (more data needed)
10216628	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	0	Not Assessed (more data needed)
10216656	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	0	Not Assessed (more data needed)
10216223	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	0	Not Assessed (more data needed)
10216239	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	0	Not Assessed (more data needed)
10216286	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	0	Not Assessed (more data needed)

MXASSETNUM	FACILITY ID	NAME	AKA	DEPTH (FEET)	VOLUME	OWNED BY	MAINTAINED BY	PRIMARY MANAGEMENT CATEGORY	SECONDARY MANAGEMENT CATEGORY	ADJACENT LAND USE	WATER QUALITY ISSUE(S)	CAUSE(S) OF WATER QUALITY ISSUE(S)	DOES LAKE RESIDENCE TIME CONTRIBUTE TO WATER QUALITY ISSUES?	CURRENT BMPS	HISTORIC BMPS	BMPS SUCCESSFUL? (Y/N/U)	INVASIVE SPECIES PRESENT? (Y/N/U)	NOTES	FINAL RISK SCORE	RISK RANK
10216318	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	0	Not Assessed (more data needed)
10216319	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	0	Not Assessed (more data needed)
10216325	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	0	Not Assessed (more data needed)
10216326	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	0	Not Assessed (more data needed)
10216336	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	0	Not Assessed (more data needed)
10216339	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	0	Not Assessed (more data needed)
10216357	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	0	Not Assessed (more data needed)
10216367	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	0	Not Assessed (more data needed)
10216376	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	0	Not Assessed (more data needed)
10216383	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	0	Not Assessed (more data needed)
10216393	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	0	Not Assessed (more data needed)

MXASSETNUM	FACILITY ID	NAME	AKA	DEPTH (FEET)	VOLUME	OWNED BY	MAINTAINED BY	PRIMARY MANAGEMENT CATEGORY	SECONDARY MANAGEMENT CATEGORY	ADJACENT LAND USE	WATER QUALITY ISSUE(S)	CAUSE(S) OF WATER QUALITY ISSUE(S)	DOES LAKE RESIDENCE TIME CONTRIBUTE TO WATER QUALITY ISSUES?	CURRENT BMPS	HISTORIC BMPS	BMPS SUCCESSFUL? (Y/N/U)	INVASIVE SPECIES PRESENT? (Y/N/U)	NOTES	FINAL RISK SCORE	RISK RANK
10216419	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	0	Not Assessed (more data needed)
10216420	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	0	Not Assessed (more data needed)
10216431	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	0	Not Assessed (more data needed)
10216464	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	0	Not Assessed (more data needed)
10216664	<Null>	Homestead Pond	<Null>	5.5	Unknown	City of Fort Collins	Natural Areas	Wildlife	Stormwater/ Flood Control/ Floodplain Expansion	Urban	Unknown	Unknown	No	Unknown	Used to be golf course converted to Natural Area.	Unknown	No	<Null>	0.55	High
10216204	sw22580	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	<Null>	0	Not Assessed (more data needed)
10214213	sw23793	Spring Canyon Dog Park Pond	Dog Park Pond	<Null>	<Null>	City of Fort Collins	Parks and Trails	Storage/ Irrigation	Urban/Other	<Null>	E. coli, other potential enteric pathogens based to complaints from dog owners, algae when water is retained, but downstream WQ pond is being designed so dog park pond can be operated as designed.	dog waste, pond is filled with raw water from Dixon reservoir and may contain pathogens due to wildlife	No	draining and refilling with fresh water; water quality monitoring; 20-30ft buffer	<Null>	<Null>	No	For dog swimming. See SPRING CANYON COMMUNITY PARK and SPRING CANYON COMMUNITY PARK POND C in Detention Ponds. Is this the same as one of those? NO - This drains to #10217953 (SP CAN COMM PARK POND);	0.6125	High

Fort Collins Detention Lakes

MXASSETNUM	POINT_X	POINT_Y	NAME	MAINTAINED BY
10217064	-105.09162	40.541164	5 OAKS VILLAGE	Utilities (FC)
10217462	-105.08974	40.595261	700 WOOD EAST POND	Utilities (FC)
10217202	-105.08993	40.595266	700 WOOD ST WEST POND	Utilities (FC)
10218011	-105.07629	40.597136	740 N. COLLEGE FUTURE DETENTION BASIN	Utilities (FC)
10217686	-105.06878	40.600115	ASPEN HEIGHTS DETENTION	Utilities (FC)
10224037	-105.10955	40.57189	AVERY PARK POND	Utilities (FC)
10224452	-105.07578	40.593117	AZTLAN GRAVEL PARKING	Colorado State University
10225478	-105.07586	40.592564	AZTLAN MID PAVER	Colorado State University
10225477	-105.07595	40.59292	AZTLAN NORTH PAVER	Colorado State University
10225480	-105.07577	40.592574	AZTLAN PARKING DETENTION	Colorado State University
10225479	-105.07586	40.592265	AZTLAN SOUTH PAVER	Colorado State University
10216989	-105.11808	40.593096	BELLWETHER DETENTION POND C	Homeowners Association
10217805	-105.08725	40.542215	BLUE MESA	Utilities (FC)
10217884	-105.06125	40.543412	BOLTZ POND CHANNEL	Utilities (FC)
10217102	-105.12545	40.559947	BROWN FARM POND # 2	Utilities (FC)
10217036	-105.12456	40.557178	BROWN FARM POND # 3	Utilities (FC)
10216933	-105.12695	40.562391	BROWN FARM POND #1	Utilities (FC)
10217502	-105.04965	40.526985	CAPE COD	Utilities (FC)
10217090	-105.03973	40.528002	CARIBOU APARTMENTS POND 2	Homeowners Association

MXASSETNUM	POINT_X	POINT_Y	NAME	MAINTAINED BY
10216901	-105.04116	40.528901	CARIBOU APARTMENTS POND 3	Homeowners Association
10216190	-105.10895	40.551679	CEDAR VILLAGE	Utilities (FC)
10217772	-105.07956	40.590088	CIVIC CENTER POND	Parks and Trails (FC)
10217329	-105.0409	40.563199	COMMUNITY RECYCLING DETENTION	Operations Services (FC)
10217868	-105.07507	40.594413	CSU ENGINES POND	Homeowners Association
10217887	-105.02582	40.54189	DAKOTA RIDGE 2ND	Utilities (FC)
10217263	-105.12602	40.571724	DEERFIELD POND	Utilities (FC)
10217195	-105.07785	40.594275	DISCOVERY MUSEUM NORTH POND	Operations Services (FC)
10216980	-105.07835	40.592458	DISCOVERY MUSEUM SOUTH POND	Operations Services (FC)
10217440	-105.09754	40.597438	EAST POND GRANADA HEIGHTS	Utilities (FC)
10217521	-105.06043	40.576466	EAST SIDE PARK POND	Parks and Trails (FC)
10217728	-105.05398	40.549507	EASTBOROUGH	Utilities (FC)
10217294	-105.02713	40.537551	ENGLISH RANCH #1	Utilities (FC)
10217694	-105.02518	40.537524	ENGLISH RANCH #2	Utilities (FC)
10217963	-105.02317	40.537528	ENGLISH RANCH #3	Utilities (FC)
10217789	-105.02119	40.537511	ENGLISH RANCH #4	Utilities (FC)
10217397	-105.04405	40.562818	EPIC DETENTION POND	Utilities (FC) Maybe Parks?
10217120	-105.11675	40.565994	FAIRBROOK POND	Natural Areas (FC)
10217134	-105.11619	40.566806	FAIRBROOKE POND A	Natural Areas (FC)
10217636	-105.12833	40.569941	FLEETWOOD COURT	Utilities (FC)

MXASSETNUM	POINT_X	POINT_Y	NAME	MAINTAINED BY
10217047	-105.05953	40.506808	FLEETWOOD CT DETENTION POND	Utilities (FC)
10217582	-105.1127	40.59339	FORNEY POND	Utilities (FC)
10217447	-105.10885	40.575386	FORT RAM	Utilities (FC)
10217644	-105.06683	40.507816	FOSSIL CREEK 1	Homeowners Association
10218037	-105.06465	40.507965	FOSSIL CREEK 2	Homeowners Association
10217258	-105.05891	40.505314	FOSSIL CREEK COMMUNITY PARK EAST	Parks and Trails (FC)
10217748	-105.06417	40.506602	FOSSIL CREEK COMMUNITY PARK WEST	Parks and Trails (FC)
10217640	-105.03095	40.537408	FOX MEADOWS DETENTION POND	Utilities (FC)
10217978	-105.07344	40.587752	GARAGE ALLEY NORTH RG	Operations Services (FC)
10217346	-105.0732	40.587976	GARAGE ENTRANCE NORTH RG	Operations Services (FC)
10217076	-105.07329	40.587892	GARAGE ENTRANCE SOUTH RG	Operations Services (FC)
10216911	-105.07306	40.588066	GARAGE JEFFERSON RG	Operations Services (FC)
10217937	-105.09957	40.595707	GLADIOLA FARM	Utilities (FC)
10217707	-105.11405	40.577077	GLENMOOR DETENTION BASIN	Utilities (FC)
10217021	-105.06152	40.610869	GREENBRIAR NORTH	Utilities (FC)
10217732	-105.0589	40.607145	GREENBRIAR SOUTH	Utilities (FC)
10217129	-105.08021	40.565656	GRIFFIN PLAZA DETENTION	Colorado State University
10216902	-105.11755	40.549975	HAMSHIRE DETENTION POND	Utilities (FC)
10217169	-105.09741	40.596173	HANNA	Utilities (FC)
10217337	-105.016	40.60168	HARTSHORN PROPERTY (CRUMB POND) .	Utilities (FC)
10434337	-105.05253	40.576058	HOFFMAN MILL DETENTION	Streets (FC)

MXASSETNUM	POINT_X	POINT_Y	NAME	MAINTAINED BY
10434134	-105.0524	40.576191	HOFFMAN MILL SAND FILTER	Streets (FC)
10217977	-105.0599	40.578994	HOUSKA DETENTION POND	Utilities (FC)
10217352	-105.11383	40.5661	KANE POND	Natural Areas (FC)
10217186	-105.10407	40.552356	KENSINGTON SOUTH POND	Utilities (FC)
10218010	-105.12692	40.577817	KIMBALL	Utilities (FC)
10217504	-105.08162	40.527547	LARKBOROUGH	Utilities (FC)
10218068	-105.0731	40.584933	LIBRARY PARK DETENTION	Operations Services (FC)
10216972	-105.06054	40.580836	LOCUST OUTFALL	Utilities (FC)
10217850	-105.08564	40.60403	MAGPIE MEANDER NATURAL AREA POND 1	Parks and Trails (FC)
10217945	-105.11558	40.556644	MANCHESTER DETENTION POND	Utilities (FC)
10217429	-105.08168	40.533716	MANHATTAN POND	Utilities (FC)
10216969	-105.08058	40.523973	MAX HARMONY DETENTION	Operations Services (FC)
10217763	-105.11144	40.575579	MCALLISTER	Utilities (FC)
10217243	-105.0779	40.609731	MCDONALDS DETENTION POND 2	Utilities (FC)
10217345	-105.08648	40.521629	MCGRAW ELEMENTARY NORTH POND	Parks and Trails (FC)
10217544	-105.08123	40.54366	MEADOWLARK HEIGHTS A	Utilities (FC)
10218012	-105.08154	40.541888	MEADOWLARK HEIGHTS B	Utilities (FC)
10217609	-105.03993	40.550817	MEADOWS EAST	Utilities (FC)
10217198	-105.13497	40.567187	MILLER DET BASIN/ OLD SUBSTATION	Utilities (FC)
10216899	-105.06127	40.514951	MIRAMONT PARK DETENTION POND	Parks and Trails (FC)
10217577	-105.07455	40.587234	MOUNTAIN AVE POND	Parks and Trails (FC)

MXASSETNUM	POINT_X	POINT_Y	NAME	MAINTAINED BY
10217434	-105.09968	40.532142	MOUNTAIN RIDGE FARM DETENTION POND 2	Homeowners Association
10217147	-105.09717	40.53191	MOUNTAIN RIDGE FARM DETENTION POND 3	Homeowners Association
10217403	-105.07703	40.596009	N COLLEGE IMPROVEMENTS SOUTH POND	Utilities (FC) Not sure witch one this is referring
10217220	-105.0771	40.596934	N COLLEGE RD IMPROVEMENTS NORTH POND	Utilities (FC) Not sure witch one this is referring
10216221	-105.04447	40.542457	NELSON FARM	Utilities (FC)
10217340	-105.04463	40.573919	NIX FARM DETENTION POND	Natural Areas (FC)
10217799	-105.06004	40.516557	OAKRDIGE WEST DETENTION POND	Parks and Trails (FC)
10217941	-104.99695	40.52477	PARK N RIDE POND	Colorado Department of Transportation
10217399	-105.04429	40.553533	PARKWOOD EAST	Utilities (FC)
10217638	-105.12451	40.577895	PEAR COURT	Utilities (FC)
10217734	-105.06239	40.61376	PHEASANT RIDGE NORTH	Utilities (FC)
10217653	-105.06363	40.611512	PHEASANT RIDGE SOUTH	Utilities (FC)
10217620	-105.03966	40.556465	POLICE BUILDING POND 1 EAST	Parks and Trails (FC)
10217113	-105.04067	40.556426	POLICE BUILDING POND 2 WEST	Parks and Trails (FC)
10224036	-105.13571	40.573874	PONDS AT OVERLAND NORTH DETENTION	Utilities (FC)
10217904	-105.12816	40.550411	QUAIL HOLLOW #1	Utilities (FC)
10217986	-105.13198	40.549183	QUAIL HOLLOW #2	Utilities (FC)
10217768	-105.12688	40.546875	QUAIL HOLLOW #3	Utilities (FC)
10217778	-105.129	40.545926	QUAIL HOLLOW #4- -CATTAILS.	Utilities (FC)
10217811	-105.09901	40.556279	RAINTREE DETENTION POND A	Parks and Trails (FC)

MXASSETNUM	POINT_X	POINT_Y	NAME	MAINTAINED BY
10217070	-105.10929	40.564688	RED FOX MEADOWS. CIPO OUTFALL.	Utilities (FC)
10217580	-105.06637	40.602695	REDWOOD POND	Utilities (FC)
10217656	-105.1012	40.525849	REGENCY	Utilities (FC)
10217313	-105.11002	40.563657	RIDGEWOOD POND	Utilities (FC)
10217004	-105.13561	40.55881	RODEO ARENA	Colorado State University
10217157	-105.10703	40.544454	ROSSBOROUGH PARK	Parks and Trails (FC)
10216909	-105.10025	40.555329	SENIOR CENTER DETENTION	Parks and Trails (FC)
10218019	-105.09151	40.598255	SERVICE CENTER	Utilities (FC)
10217191	-105.09109	40.599258	SERVICE CENTER NORTH	Utilities (FC)
10217117	-105.10787	40.548747	SILVERPLUME	Utilities (FC)
10217864	-105.10356	40.546471	SILVERPLUME DETENTION POND NO. 2	Utilities (FC)
10217124	-105.1034	40.547051	SILVERTON CT.	Utilities (FC)
10217720	-105.05911	40.542902	SOUTH LEMAY	Utilities (FC)
10216993	-105.06476	40.496553	SOUTH TRANSFORT DETENTION	Operations Services (FC)
10217068	-105.01418	40.51011	SOUTHEAST COMMUNITY PARK	Parks and Trails (FC)
10217953	-105.12806	40.540931	SPRING CANYON COMMUNITY PARK POND	Parks and Trails (FC)
10217426	-105.12471	40.539795	SPRING CANYON COMMUNITY PARK POND C	Parks and Trails (FC)
10217568	-105.12609	40.544615	SPRING CANYON COMMUNITY PARK.	Parks and Trails (FC)
10217386	-105.04279	40.564514	SPRING CREEK DIASTER MITIGATION EAST POND	Parks and Trails (FC)
10217627	-105.04385	40.56487	SPRING CREEK DIASTER MITIGATION WEST POND	Parks and Trails (FC)

MXASSETNUM	POINT_X	POINT_Y	NAME	MAINTAINED BY
10217309	-105.03386	40.54471	STEWART CASE PARK	Parks and Trails (FC); joint management w/ESD
10217655	-105.05864	40.595001	STREETS FACILITY PARK	Streets (FC)
10217267	-105.06039	40.594994	STREETS FACILITY POND 2	Streets (FC)
10217115	-105.09117	40.541459	SUNDISK	Utilities (FC)
10216938	-105.03898	40.527005	SUNSTONE EIGHTH DETENTION POND	Utilities (FC)
10216990	-105.03488	40.529172	SUNSTONE FIFTH DETENTION POND	Utilities (FC)
10217985	-105.1059	40.547276	TELLURIDE COURT DETENTION POND	Utilities (FC)
10217566	-105.04	40.544207	TIMBERLINE APARTMENTS	Utilities (FC)
10217946	-105.04204	40.543655	TIMBERLINE VILLAGE POND	Utilities (FC)
10217158	-105.08017	40.518071	TRANSIT CENTER	Operations Services (FC)
10217039	-105.07857	40.590537	TRANSIT CENTER DETENTION POND	Operations Services (FC)
10217947	-105.07881	40.609665	UNION PLACE POND	Homeowners Association
10217966	-105.0968	40.598406	Unnamed Pond	Parks and Trails (FC)
10225449	-105.0127	40.510785	Unnamed Pond	Parks and Trails (FC)
10217286	-105.08035	40.589138	UTILITIES ADMIN DETENTION 1	Parks and Trails (FC)
10217308	-105.08028	40.589471	UTILITIES ADMIN DETENTION 2	Parks and Trails (FC)
10216925	-105.07982	40.589538	UTILITIES ADMIN DETENTION 3	Parks and Trails (FC)
10217114	-105.09215	40.597344	VEHICLE STORAGE	Utilities (FC)
10217141	-105.09733	40.544995	WAGON WHEEL	Utilities (FC)
10217932	-105.07481	40.587499	WALNUT NW POND	Homeowners Association
10217385	-105.07462	40.587359	WALNUT SE POND	Homeowners Association

MXASSETNUM	POINT_X	POINT_Y	NAME	MAINTAINED BY
10217104	-105.08112	40.538731	WARREN FARMS	Utilities (FC)
10217163	-105.08377	40.562005	WATER QUALITY POND A 1A	Operations Services (FC)
10217010	-105.08476	40.562675	WATER QUALITY POND A 1B	Parks and Trails (FC)
10217154	-105.08568	40.560798	WATER QUALITY POND A 3B	Operations Services (FC)
10217249	-105.0787	40.604897	WEST OF ADDRESS	Utilities (FC)
10217588	-105.09859	40.598751	WEST POND GRANADA HEIGHTS	Utilities (FC)
10218064	-105.10244	40.536543	WESTFIELD PARK PUD	Utilities (FC)
10218002	-105.08357	40.562908	WETLANDS BASIN A1	Operations Services (FC)
10217384	-105.08694	40.527493	WILLOW PARK DETENTION POND/ TABLE MOUNTAIN POND	Utilities (FC)
10217234	-105.10354	40.56059	WINFIELD	Utilities (FC)
10217029	-105.0873	40.551224	WOOD WEST DETENTION POND	Utilities (FC)
10217557	-105.08699	40.524743	WOODLANDS WAY DETENTION POND	Utilities (FC)
10217602	-105.1216	40.555341	WYANDOTTE # 1	Utilities (FC)
10218025	-105.1219	40.554005	WYANDOTTE # 2	Utilities (FC)

ATTACHMENT 5 – MAPBOOK OF CITY-OWNED URBAN LAKES

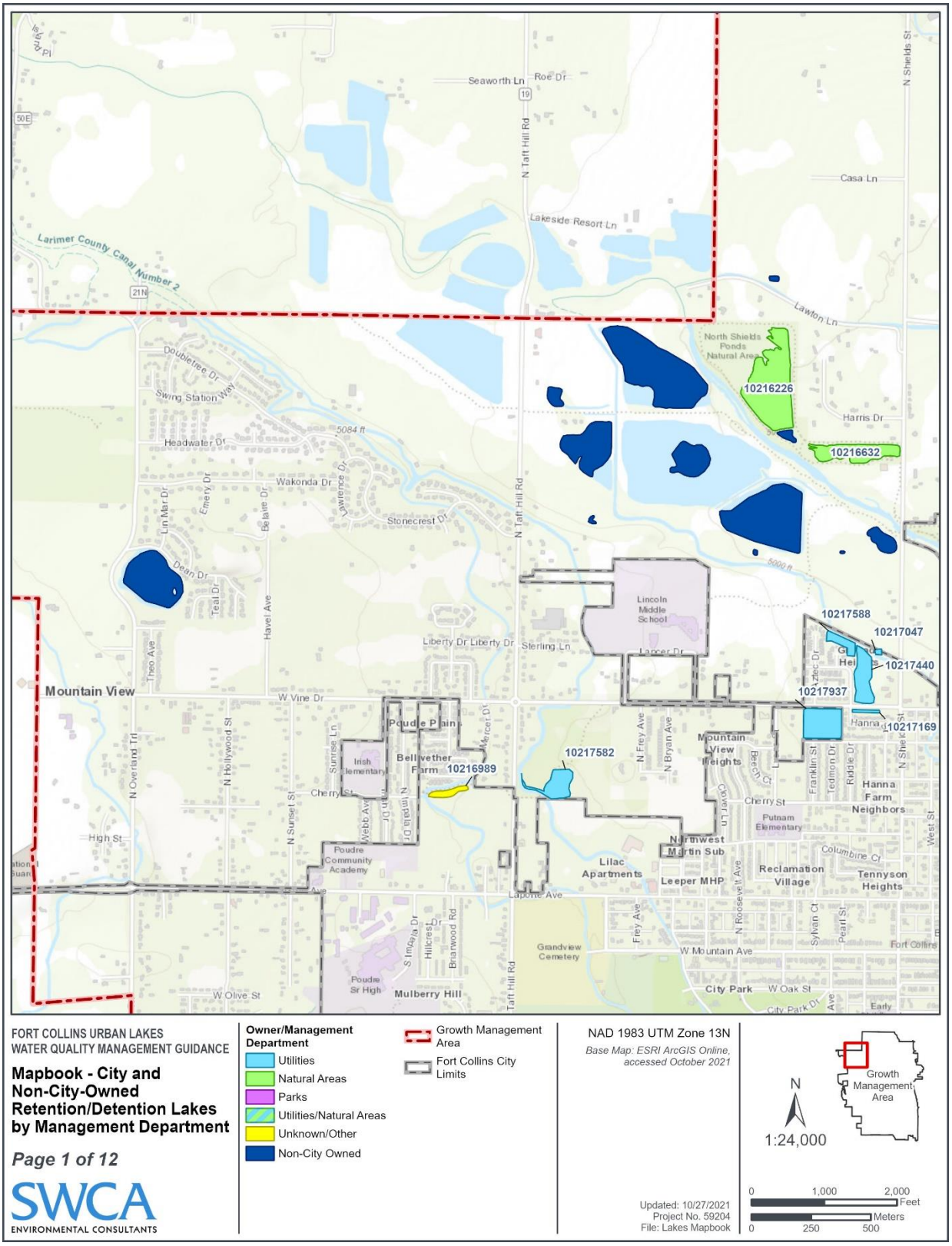


Figure 5-1. Fort Collins' urban lakes, managing department and MAXASSETNUM (image 1 of 12).

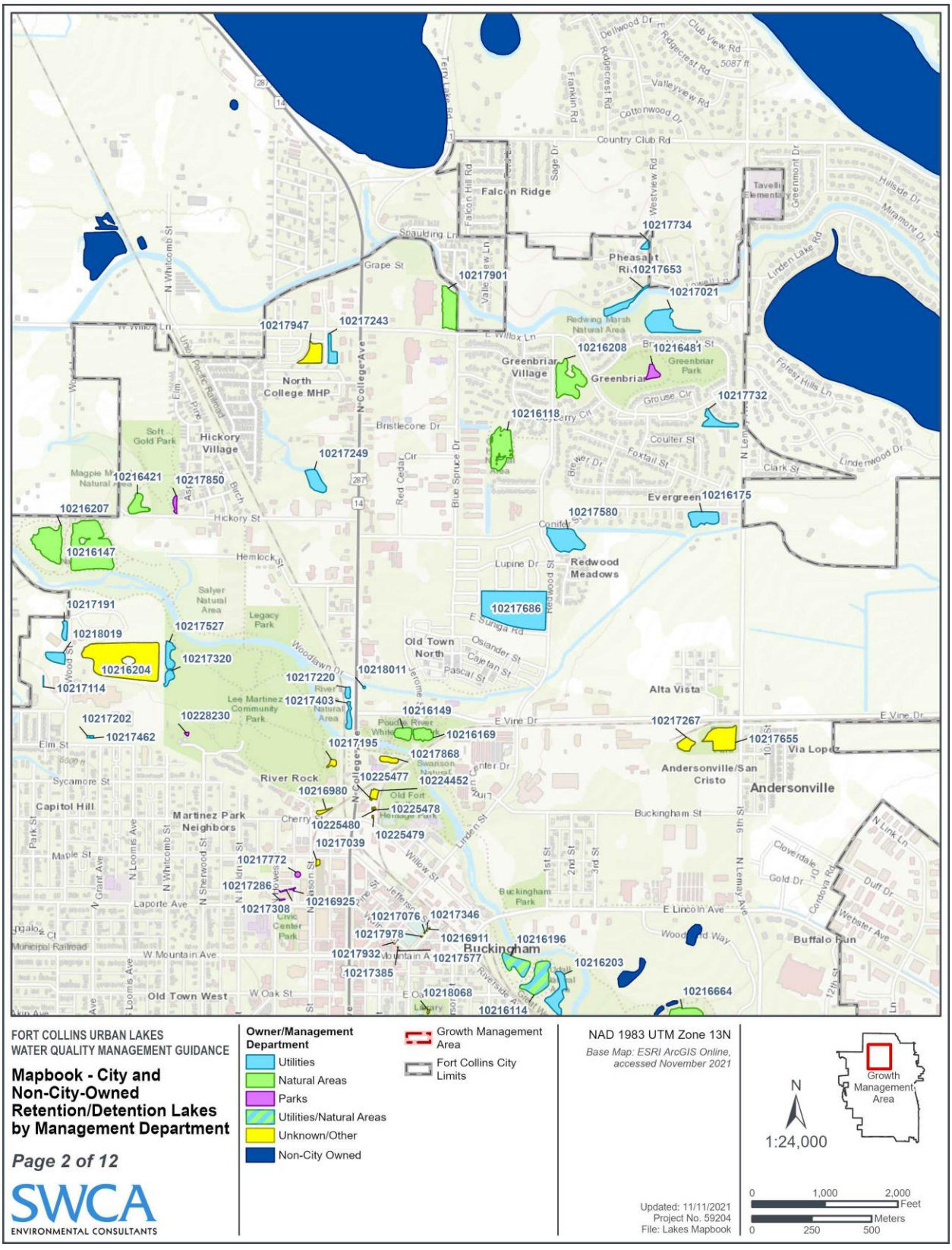


Figure 5-2. Fort Collins' urban lakes, managing department and MAXASSETNUM (image 2 of 12).

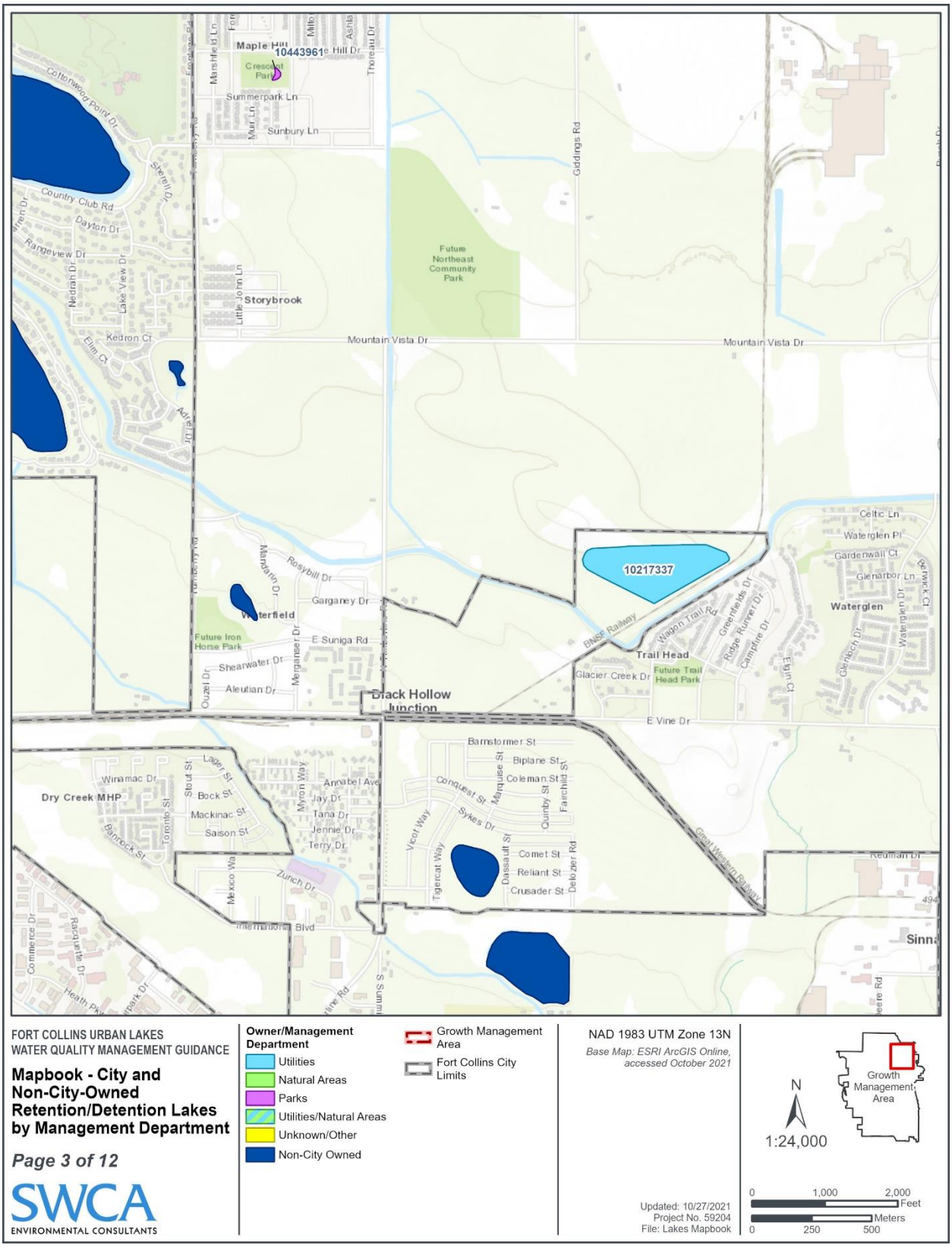


Figure 5-3. Fort Collins' urban lakes, managing department and MAXASSETNUM (image 3 of 12).

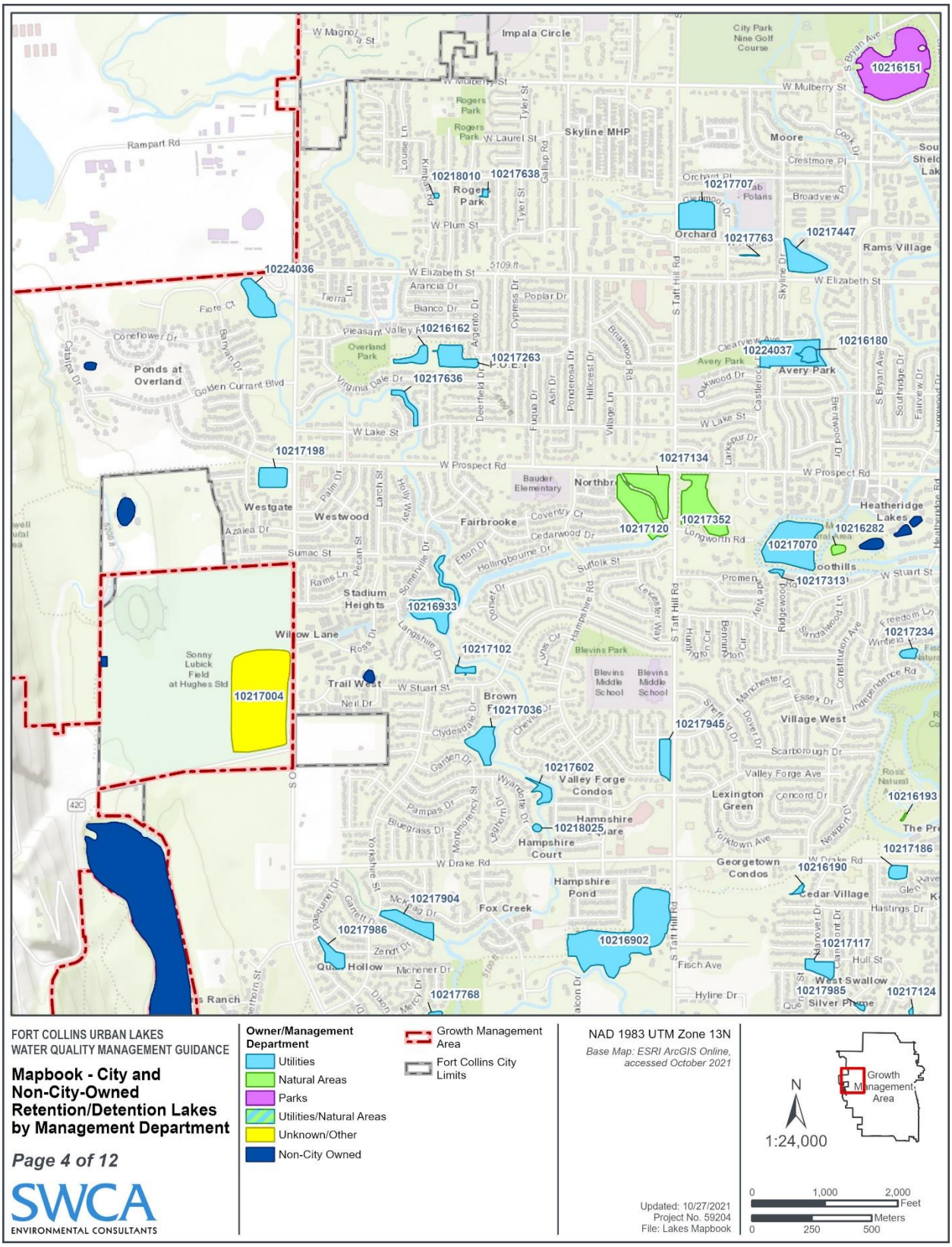
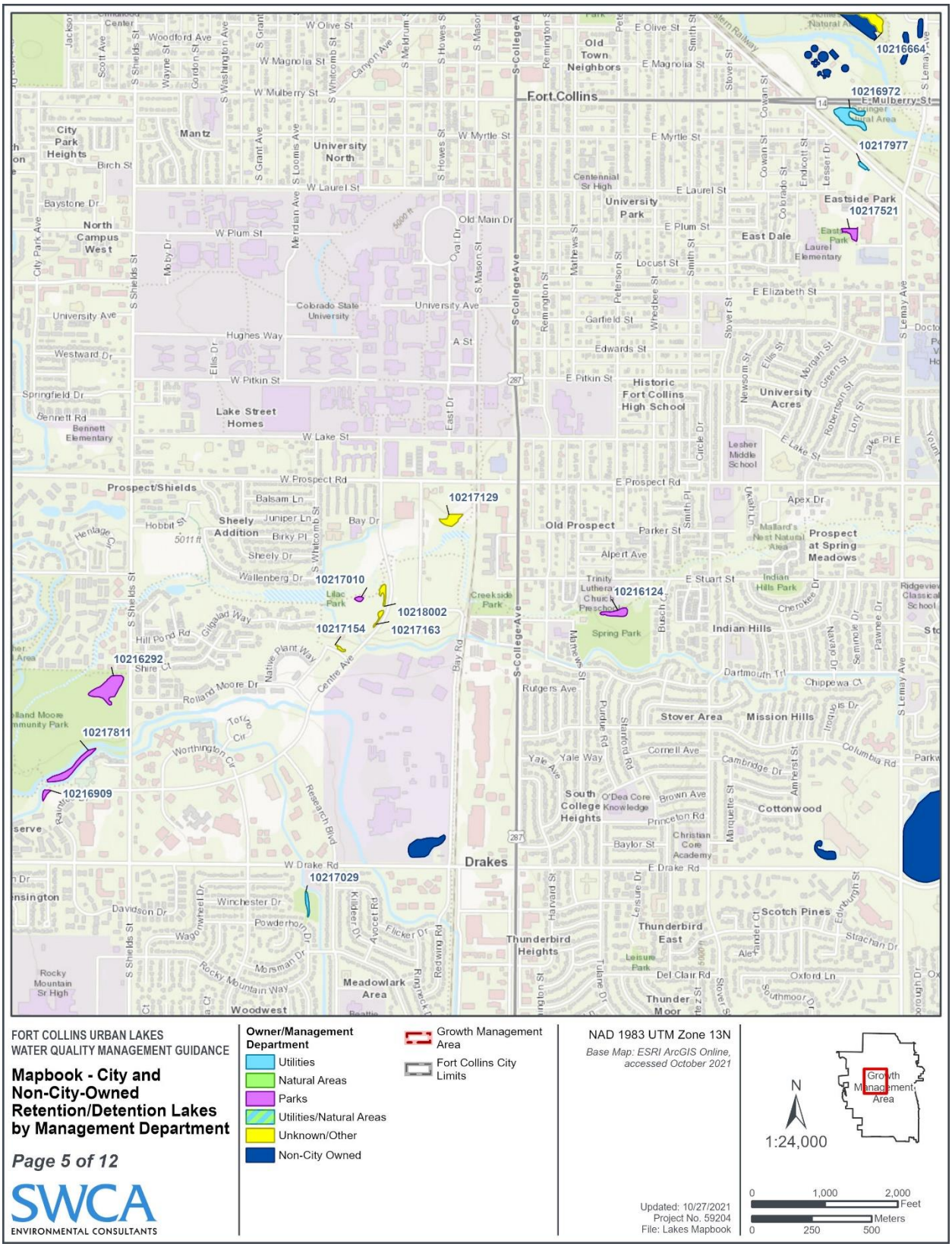


Figure 5-4. Fort Collins' urban lakes, managing department and MAXASSETNUM (image 4 of 12).


FORT COLLINS URBAN LAKES
WATER QUALITY MANAGEMENT GUIDANCE
Mapbook - City and Non-City-Owned Retention/Detention Lakes by Management Department
Page 5 of 12
SWCA
ENVIRONMENTAL CONSULTANTS
Owner/Management Department
Utilities
Natural Areas
Parks
Utilities/Natural Areas
Unknown/Other
Non-City Owned
Growth Management Area
Fort Collins City Limits
NAD 1983 UTM Zone 13N
Base Map: ESRI ArcGIS Online, accessed October 2021
Updated: 10/27/2021
Project No. 59204
File: Lakes Mapbook
N
1:24,000
Growth Management Area
0 1,000 2,000 Feet
0 250 500 Meters
10216664
10216972
10217977
10217521
10217129
10217010
10218002
10217154
10217163
10216124
10216292
10217811
10216909
10217029
Fort Collins
Old Town Neighbors
Mantz
City Park Heights
University North
North Campus West
Colorado State University
Old Main Dr
University Park
East Dale
Eastside Park
Laurel Elementary
Historic Fort Collins High School
University Acres
Lesher Middle School
Lake Street Homes
Bennett Elementary
Prospect/Shields
Sheely Addition
Old Prospect
Prospect at Spring Meadows
Indian Hills
Indian Hills Park
Creekside Park
Spring Park
Trinity Lutheran Church Preschool
Ridgeview Classical School
Stover Area
Mission Hills
Cottonwood
South College Heights
Drakes
Thunderbird Heights
Thunderbird East
Scotch Pines
Meadowlark Area
Woodwest
Rocky Mountain Sr High
Lilac Park
Shire Ct
Rolland Moore Community Park
Bennett Rd
Springfield Dr
Westward Dr
University Ave
Hughes Way
W Pitkin St
E Pitkin St
W Lake St
E Lake St
W Prospect Rd
E Prospect Rd
Balsam Ln
Juniper Ln
Bay Dr
Birky Pl
Sheely Dr
Wallenberg Dr
Hobbit St
Hill Pond Rd
Gigalad Way
Native Plant Way
Centre Ave
Rolland Moore Dr
Northington Cir
Toffee Cir
Research Blvd
W Drake Rd
E Drake Rd
Davidson Dr
Winchester Dr
Powderhorn Dr
Wagonwheel Dr
Rocky Mountain Way
Morsman Dr
Flicker Dr
Redwing Rd
Ringneck Dr
Avocet Rd
Meadowlark Dr
Del Clair Rd
Oxford Ln
Southmoor Dr
Strachan Dr
Leisure Pl
Leisure Park
Alexander Ct
Edinburgh St
Baylor St
Princeton Rd
Brown Ave
Christian Core Academy
O'Dea Core Knowledge
Yale Way
Yale Ave
Cornell Ave
Cambridge Dr
Columbia Rd
Amherst St
Marquette St
Stanford Rd
Purdue Rd
Rutgers Ave
Dartmouth Trl
Chippewa Ct
Iroquois Dr
Seminole Dr
Pawnee Dr
Cherokee Dr
Mohawk Dr
Shawnee Dr
Apex Dr
Alpert Ave
Parker St
E Stuart St
Mallard's Nest Natural Area
Circle Dr
Lory St
Robertson St
Green St
Morgan St
Ellis St
Newsom St
Stover St
Wheeler St
Garfield St
Edwards St
E Elizabeth St
Locust St
E Plum St
E Laurel St
E Myrtle St
W Myrtle St
W Laurel St
W Plum St
W Magnolia St
E Magnolia St
W Olive St
E Olive St
W Mulberry St
E Mulberry St
Old Main Dr
Oval Dr
S Mason St
S College Ave
S Howes St
S Meldrum St
S Whitcomb St
S Loomis Ave
S Grant Ave
S Shields St
S Lemay Ave
Meridian Ave
Canyon Ave
Remington St
Mathews St
Peterson St
Howes St
Cowan St
Endicott St
Lesser Dr
Baystone Dr
Birch St
Woodford Ave
Scott Ave
Wayne St
Gordon St
S Washington Ave
Jackson Center
Old Town Natural Area
Poudre River Trail
Spring Creek Trail
Old Town Square
Lincoln Center
Old Firehouse Alley
Old Town Square
Old Town Plaza
Old Town Square
Old Town Square
Old Town Square

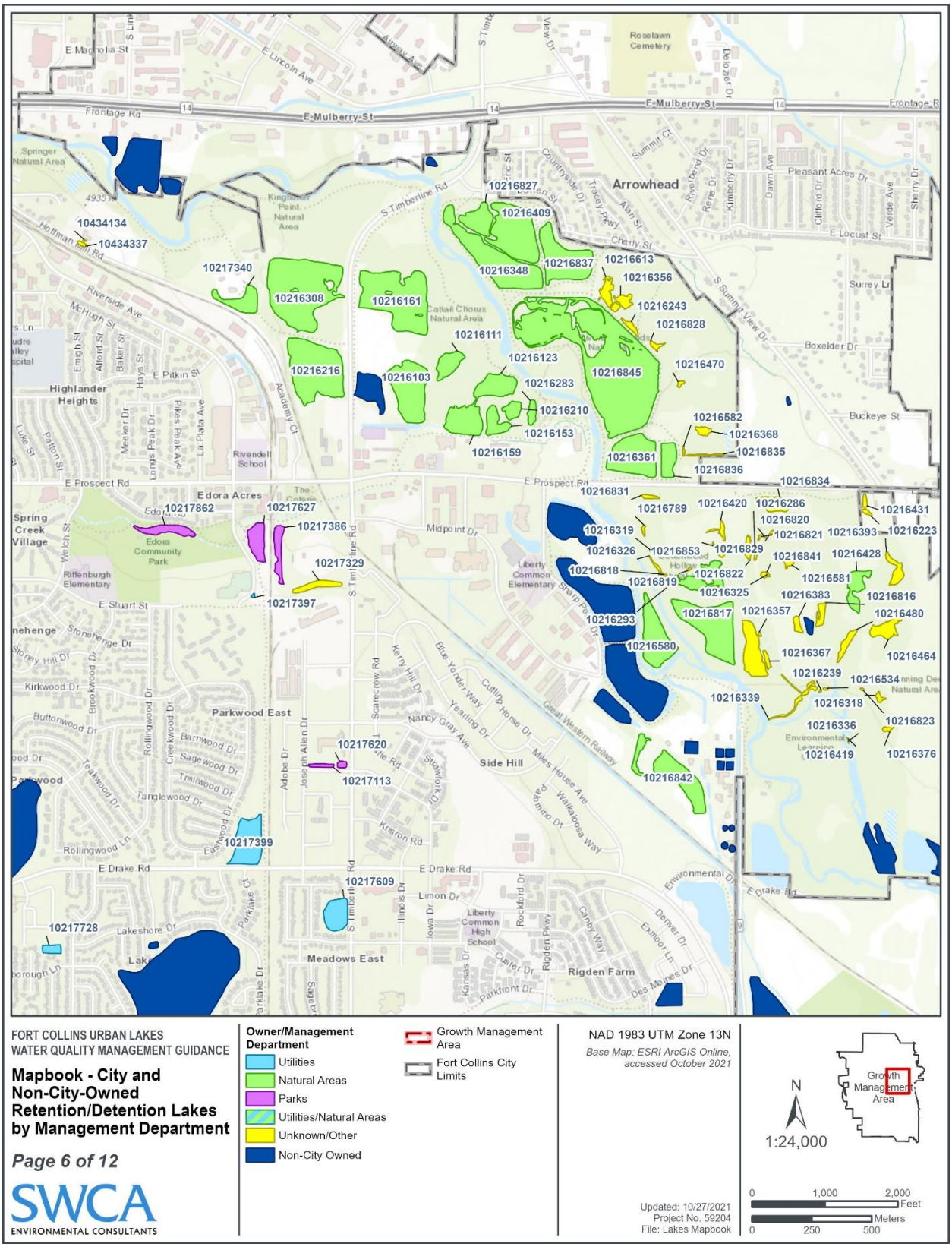


Figure 5-6. Fort Collins' urban lakes, managing department and MAXASSETNUM (image 6 of 12).

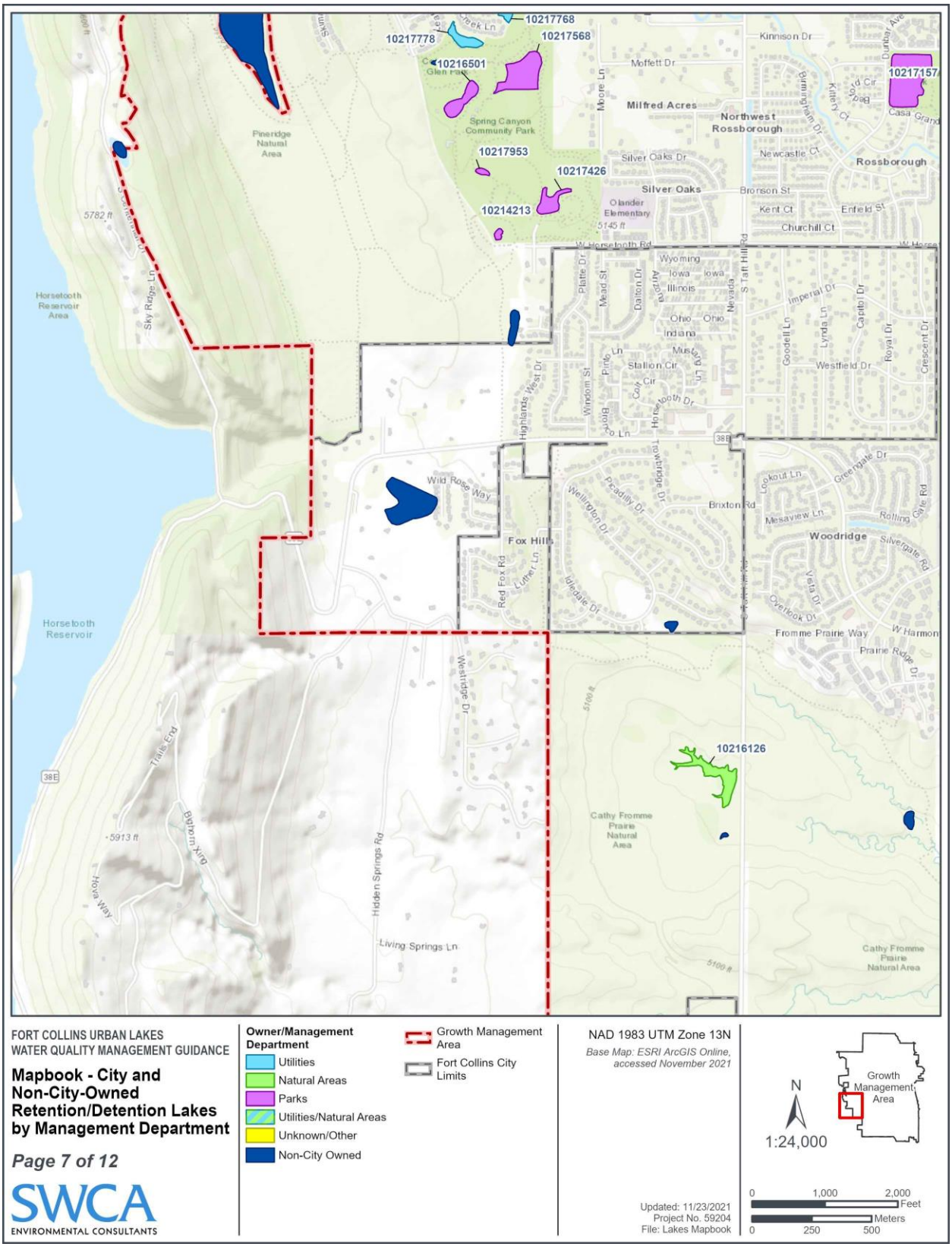


Figure 5-7. Fort Collins' urban lakes, managing department and MAXASSETNUM (image 7 of 12).

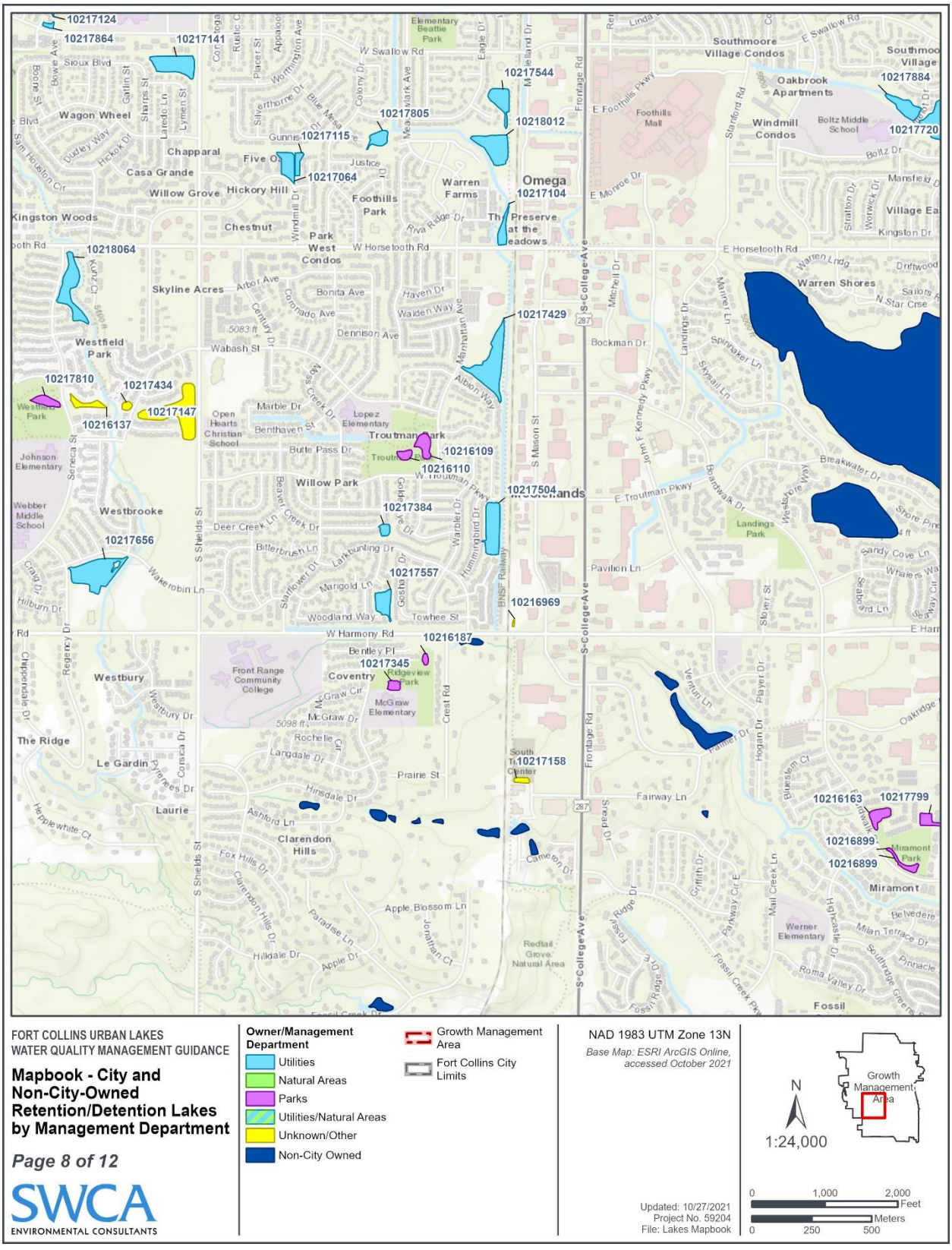


Figure 5-8. Fort Collins' urban lakes, managing department and MAXASSETNUM (image 8 of 12).

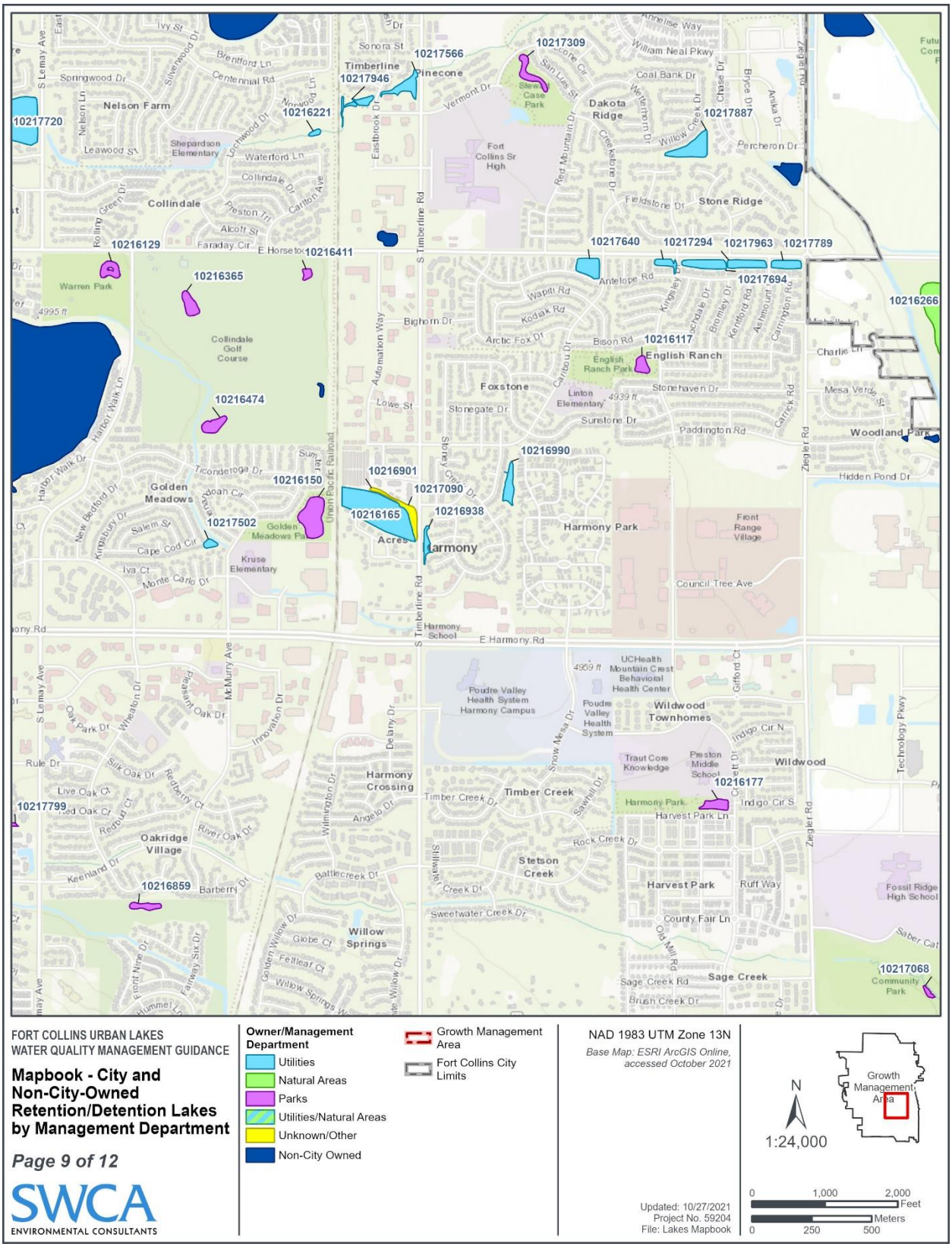


Figure 5-9. Fort Collins' urban lakes, managing department and MAXASSETNUM (image 9 of 12).

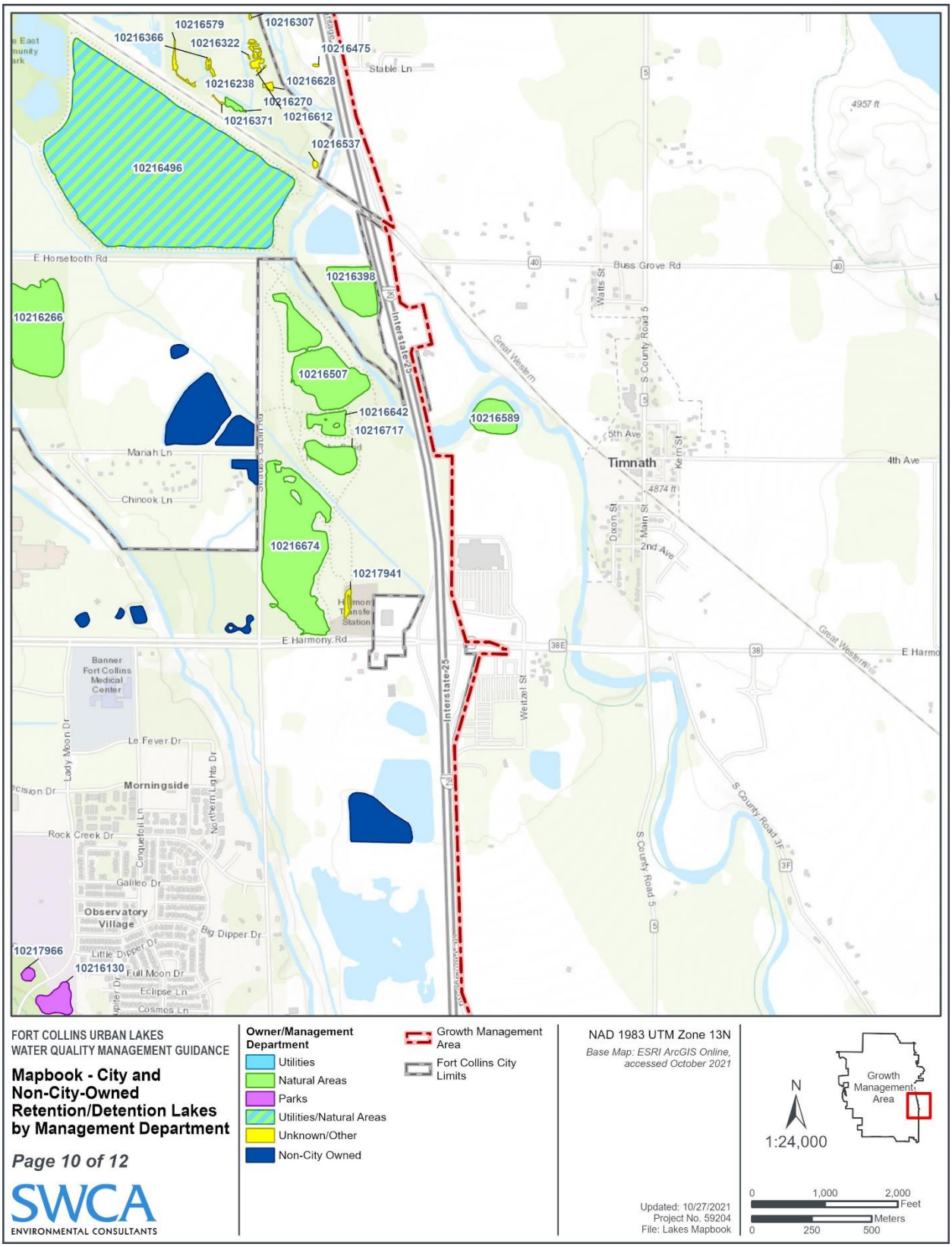


Figure 5-10. Fort Collins' urban lakes, managing department and MAXASSETNUM (image 10 of 12).

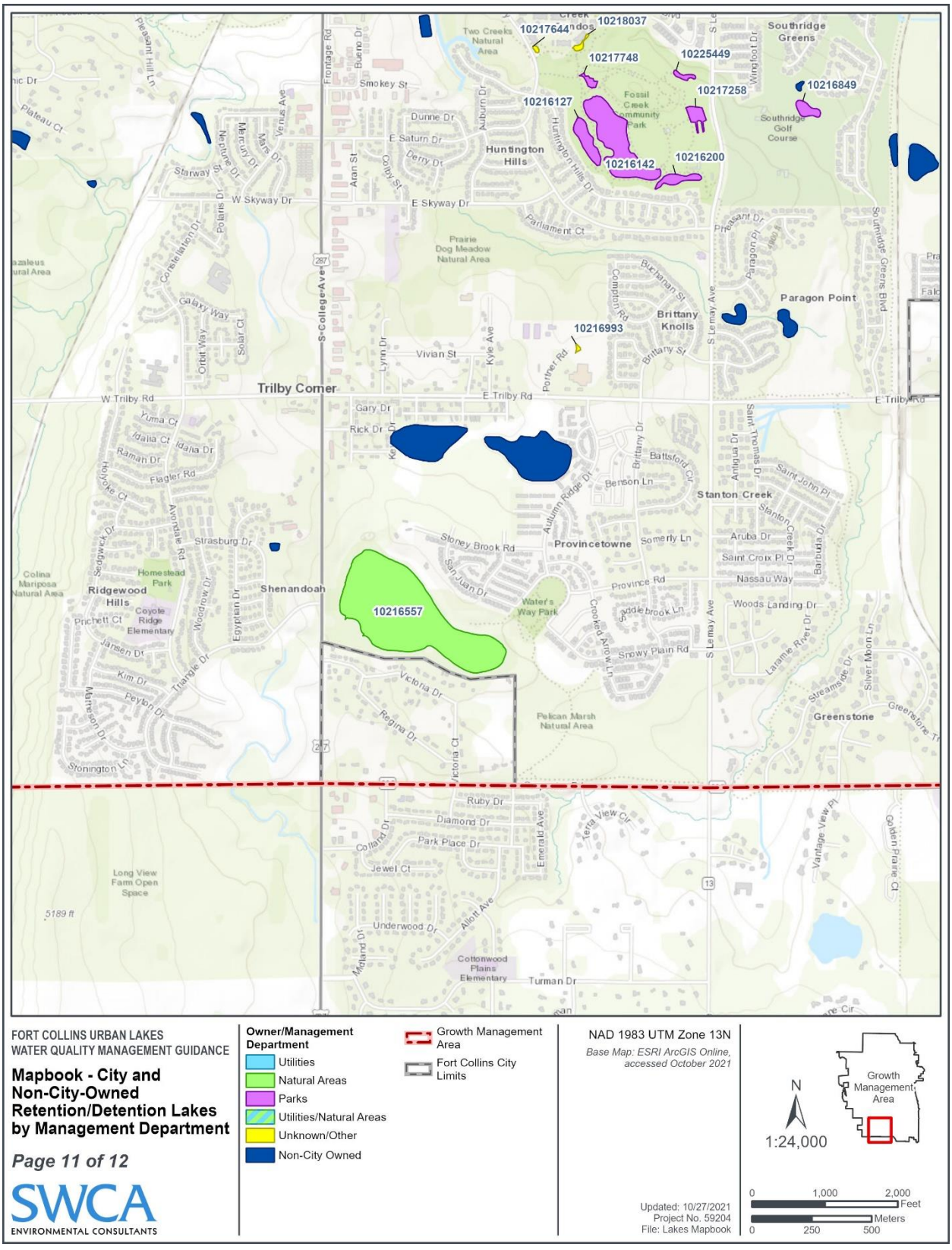


Figure 5-11. Fort Collins' urban lakes, managing department and MAXASSETNUM (image 11 of 12).

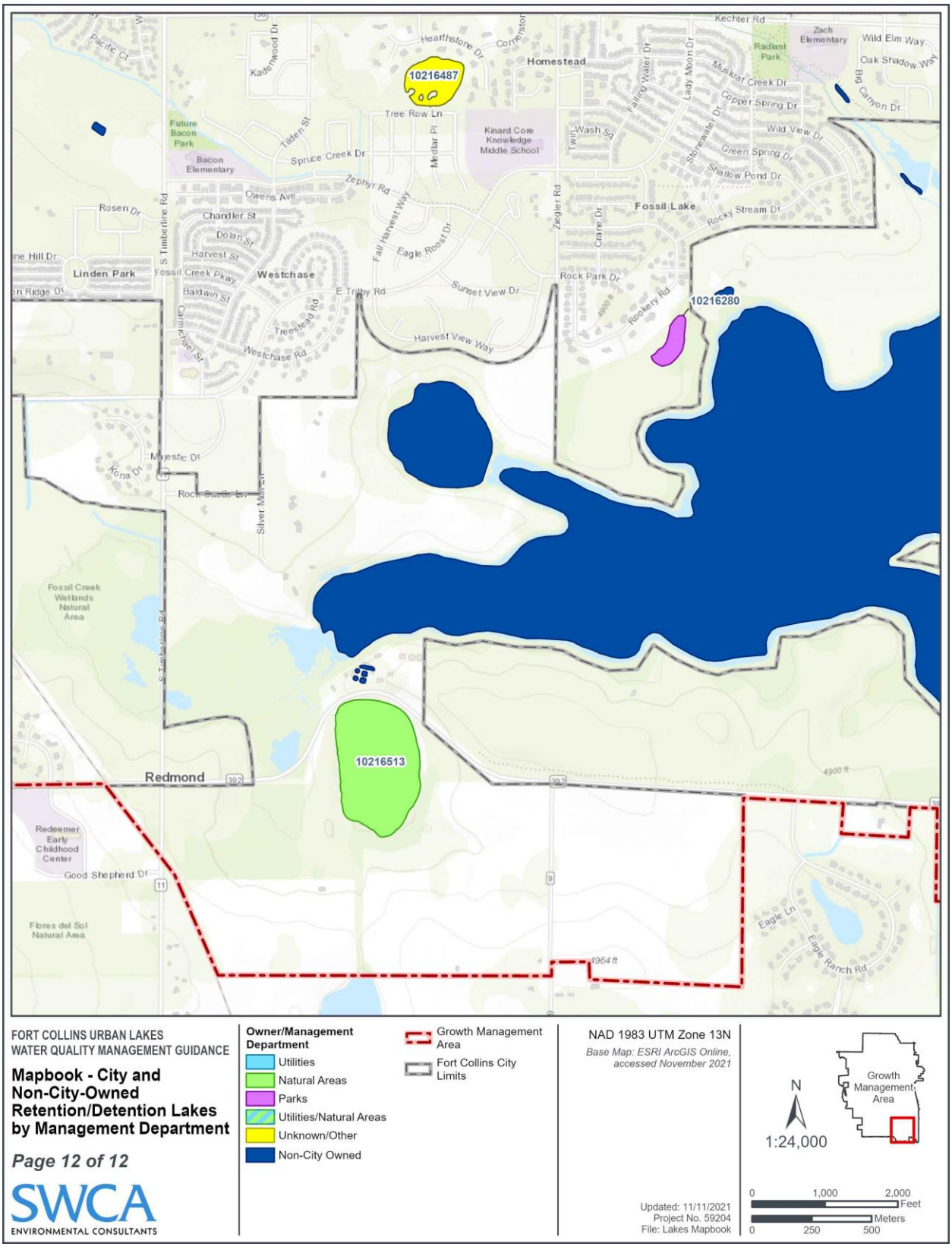


Figure 5-12. Fort Collins' urban lakes, managing department and MAXASSETNUM (image 12 of 12).

ATTACHMENT 6 – WATER QUALITY ISSUES DATABASE

UNIQUE ID	WATER QUALITY ISSUE	DESCRIPTION	CAUSE(S)	RESULTS/CHALLENGES	ADDITIONAL RESOURCES	REFERENCES
WQ-01	clarity	A water quality issue that negatively affects the users senses and perception of the body of water. These issues can potentially lead to ill effects on aquatic life and users.	Turbidity	Turbid water tend to look dirty and uninviting to users. Turbid water can limit plant growth, cause stress to aquatic species and can be a sign that nutrient rich sediment has been agitated.	http://sedifilt.com/drinking_water/aesthetic_water_quality_problems.html	GSR1 (who.int)
WQ-02	cleanliness	A water quality issue that negatively affects the users senses and perception of the body of water. These issues can potentially lead to ill effects on aquatic life and users.	Garbage, lack of maintenance	Keeping lakes and lakes and their surroundings clean requires input from both the users and the maintenance staff. Garbage can kill aquatic life, clog outlet works and give the water body a bad look.	http://sedifilt.com/drinking_water/aesthetic_water_quality_problems.html	GSR1 (who.int)
WQ-03	odor	A water quality issue that negatively affects the user's senses and perception of the body of water. These issues can potentially lead to ill effects on aquatic life and users.	Stagnant water, eutrophication, wastewater treatment effluent	Water bodies that have unpleasant odor will not be a desirable place for human interaction with the water, in turn leaving the area without any stewards.	http://sedifilt.com/drinking_water/aesthetic_water_quality_problems.html	GSR1 (who.int)
WQ-04	algae blooms	Excessive algae growth.	Eutrophication	Algae blooms can reduce water clarity, inhibit other plant growth, deplete oxygen, result in fish die-off, odor, and/or decrease aesthetics.	Managing Lakes and Reservoirs, 2001.	Wetzel, R. G. (2015). Limnology: Lake and river ecosystems. San Diego etc.: Academic Press, an imprint of Elsevier.
WQ-06	algae blooms	Excessive algae growth coupled with the byproduct of cyanotoxins that reach dangerous concentrations.	Eutrophication	HABs will result in water bodies being closed to recreation and can be a liability to the managing parties of the lake or lake. HABs can last for long periods of time and can be costly to difficult and costly to monitor and treat if the underlying issues are not addressed.	Toxic algae blooms spotted in lake on Colorado's Front Range | OutThere Colorado	Facts about Cyanobacterial harmful algae blooms for Poison CENTER PROFESSIONALS. (2018, August 24). Retrieved from https://www.cdc.gov/habs/materials/factsheet-cyanobacterial-habs.html
WQ-07	aquatic nuisance species-animals	Organisms that disrupt the ecological balance of a water body, causing damage and impairing the functional uses of the lake.	External introduction	Any ANS that is introduced to a water body will have some type of negative affect to the aquatic environment. Either out competing local species or becoming over populated to the point creating major and expensive fixes.	NZ mudsnail (fws.gov)	State of Colorado Aquatic Nuisance Species Management Plan
WQ-08	aquatic nuisance species-plants	Unchecked growth or infestation of aquatic weeds and invasive species that interferes with the functionality and health of the lake.	External introduction	ANS, plants, can take over a water body by enveloping the surface area with overgrowth while outcompeting beneficial species and impacting DO. The species can be costly to treat and require extensive efforts to eradicate.	9 Nuisance Aquatic Weed and Algae Species to Look Out For in Your lake (solitudelakemanagement.com)	Biology and Control of Aquatic Plants
WQ-09	contaminants of concern (COCs)	Chemicals and toxins that can pose health risks to humans and aquatic life, that have standardized water quality standards.	External introduction	Certain COCs can cause harm to aquatic species, giving them birth defects or inhibiting successful spawning. COCs can also cause health risks to humans. As well as being highly persistent even in small quantities.	https://www.epa.gov/fish-tech/contaminants-emerging-concern-fish-fact-sheets	Contaminants of Emerging Concern including Pharmaceuticals and Personal Care Products | Water Quality Criteria | US EPA
WQ-10	contaminants of emerging concern (CECs)	Chemicals and toxins that can pose health risks to humans and aquatic life, that are yet to have standardized water quality standards.	Wastewater treatment effluent	CECs often entire our water bodies after being digested and passed by humans. Substances such as birth control, acetaminophen and prescription drugs are commonly found and unregulated in wastewater effluent.	https://www.epa.gov/fish-tech/contaminants-emerging-concern-fish-fact-sheets	Contaminants of Emerging Concern including Pharmaceuticals and Personal Care Products | Water Quality Criteria | US EPA
WQ-11	Escherichia coli (E. coli)	Coliform bacteria associated with waste from warm blooded animals (humans, cattle, geese etc.).	Waterfowl feces; septic leaks, pet waste, other warm-blooded wildlife, wastewater treatment effluent.	E. coli can cause digestive tract issues with both humans and their pets. When E. coli exceeds water quality standards for recreational use, water bodies need to be shut down and can cause issues with further managing a successful lake our lake that is meant to be used.	E. coli fouls 100 Colorado waterways. But managers aren't sure how big the threat is to people playing in streams. (coloradosun.com)	Lake Management (denvergov.org) Shiga toxin producing E. coli (STEC) including E. coli 0157:H7, Colorado Communicable Disease Manual. (2004, November 08). Retrieved from https://drive.google.com/file/d/11Y6ABRk5NBycv8MDuReDQa1k_3-ZQZog/view
WQ-13	Escherichia coli (E. coli)	Coliform bacteria associated with waste from warm blooded animals (humans, cattle, geese etc.).	Agricultural runoff	E. coli can cause digestive tract issues with both humans and their pets. When E. coli is present, water bodies need to be shut down and can cause issues with further managing a successful lake our lake that is meant to be used.	E. coli fouls 100 Colorado waterways. But managers aren't sure how big the threat is to people playing in streams. (coloradosun.com)	Shiga toxin producing E. coli (STEC) including E. coli 0157:H7, Colorado Communicable Disease Manual. (2004, November 08). Retrieved from https://drive.google.com/file/d/11Y6ABRk5NBycv8MDuReDQa1k_3-ZQZog/view

UNIQUE ID	WATER QUALITY ISSUE	DESCRIPTION	CAUSE(S)	RESULTS/CHALLENGES	ADDITIONAL RESOURCES	REFERENCES
WQ-14	heavy metals	Introduction or mobilization of heavy metals in concentrations that are harmful to aquatic species.	Stormwater runoff; metal foundries and smelting; mining; natural causes such as rock weathering, post-fire runoff.	Fish kills can be caused by acute and chronic heavy metal concentrations in water. Certain heavy metals are also regulated at low quantities for human health.	State and federal officials determine fish kill in Left Hand Creek is related to Captain Jack Mine site | Department of Public Health & Environment (colorado.gov). After the Napa Fires, Toxic Ash Threatens Soil, Streams, and San Francisco Bay | WIRED	https://www.kmizeolite.com/wp-content/uploads/2016/12/Reddy_Heavy-Metal-from-Urban-Runoff-1.pdf Water quality after wildfire. (n.d.). Retrieved from https://www.usgs.gov/mission-areas/water-resources/science/water-quality-after-wildfire?qt-science_center_objects=0#qt-science_center_objects; Code of Colorado Regulations (state.co.us)
WQ-16	herbicides	Any substance used to control unwanted plants species.	Runoff; direct application of algaecides to water bodies; herbicides applied to tree canopy above water body or along water's edge.	Herbicides that are not meant for aquatic use can cause harm for both aquatic plant and animal species. They can also remain in sediment and become a problem with turnover and mixing events.	Environmental Indicators of Pesticide Leaching and Runoff from Farm Fields | NRCS (usda.gov)	https://www.nalms.org/nalms-position-papers/use-of-herbicides-in-lakes/
WQ-17	residence time	High flow (also known as short residence time) can lead to other water body impairments.	Too much in-flow, too short of residence time; nearby irrigation/water runoff increased; inline irrigation flows	High flow through a lake or lake can create unbalance in all the systems that the lake and its managers try to keep balanced. From microorganisms to aquatic life, high flows and flushing events can disrupt these systems and cause unwanted cascading events.	Hydraulic Flushing – hcb (itrcweb.org)	Wetzel, R. G. (2015). Limnology: Lake and river ecosystems. San Diego etc.: Academic Press, an imprint of Elsevier.
WQ-18	residence time	Low flow (also known as long residence time) can lead to other water body impairments.	Not enough in-flow, too long of residence time; nearby irrigation/water runoff reduced	Low flow can cause high temperatures, low DO and other issues such as anoxia and odors. Low flow can be difficult to address during the late summer early fall season when water supply becomes stressed and limited.	Water Quality Risks to Lakes and Rivers | National Climate Assessment (globalchange.gov)	Wetzel, R. G. (2015). Limnology: Lake and river ecosystems. San Diego etc.: Academic Press, an imprint of Elsevier.
WQ-19	low dissolved oxygen	Dissolved oxygen limits below benchmarks.	High Biological Oxygen Demand (BOD); organic pollution; nutrient enrichment; aquatic plant overgrowth; runoff carrying urban pollutants (i.e., pet waste, fertilizers, grass clippings, etc.)	High BOD can affect all forms of aquatic life. From fish kills to upsetting the balance of microorganisms. High BOD can be a short-term problem, from a storm event, or it can be caused by a more persistent issue.	Why are there dead fish in Denver's lakes? Experts weigh in — The Know (denverpost.com)	Wetzel, R. G. (2015). Limnology: Lake and river ecosystems. San Diego etc.: Academic Press, an imprint of Elsevier; Code of Colorado Regulations (state.co.us)
WQ-20	low dissolved oxygen	Dissolved oxygen limits below benchmarks.	High temperatures	When water temperature increases, the molecular ability of the water to hold dissolved oxygen molecules decreases. This means that increasing water temperatures mean less dissolved oxygen for aquatic life. This is a physical parameter that would need to be mitigated with shade or supplemental oxygen.	Why are there dead fish in Denver's lakes? Experts weigh in — The Know (denverpost.com)	Wetzel, R. G. (2015). Limnology: Lake and river ecosystems. San Diego etc.: Academic Press, an imprint of Elsevier; Code of Colorado Regulations (state.co.us)
WQ-21	low dissolved oxygen-anoxia	Dissolved oxygen below 0.5 milligrams per liter.	High Biological Oxygen Demand (BOD) and/or high temperatures; organic pollution; nutrient enrichment; aquatic plant overgrowth; runoff carrying urban pollutants (i.e., pet waste, fertilizers, grass clippings, etc.)	Absence of oxygen; anaerobic reactions lead to buildup of ammonia, hydrogen sulfide, carbonaceous gases; iron; manganese; phosphorus; habitat impairment.	Course Handout on Limnology.doc (mtu.edu)	Code of Colorado Regulations (state.co.us)
WQ-22	low water level	Low or nearly absent water levels; can be stagnant water.	Not enough in-flow, too long of residence time; nearby irrigation water or runoff reduced; waterbodies lacking an inlet or outlet	Low water levels can aid in increasing water temperatures and lower DO. Low water levels can also expose aquatic vegetation with both positive and or negative outcomes, depending on the management priorities.	Climate Change Impacts On Lakes – North American Lake Management Society (NALMS)	Wetzel, R. G. (2015). Limnology: Lake and river ecosystems. San Diego etc.: Academic Press, an imprint of Elsevier.
WQ-23	aquatic nuisance species-insect	A nuisance insect from the order Diptera, that present a public health threat through the transmission of pathogens and viruses.	Standing / stagnant water	Lakes and lakes are ideal breeding grounds for mosquitoes. Even with aquatic predators and moving water, stagnant water around the lake's permitter can still aid in hatching of mosquitoes.	Controlling Mosquitoes at the Larval Stage | Mosquito Control | US EPA	Biology and Control of Aquatic Plants

UNIQUE ID	WATER QUALITY ISSUE	DESCRIPTION	CAUSE(S)	RESULTS/CHALLENGES	ADDITIONAL RESOURCES	REFERENCES
WQ-24	aquatic nuisance species-insect	A nuisance insect from the order Diptera, that present a public health threat through the transmission of pathogens and viruses.	Flood water	Rain events and high flow events of leave enough water for mosquito larva to hatch into adults. Mitigating these waters can be cumbersome and may require both physical design to limit stagnate waters and larvicides. Stormwater design criteria also include a draw-down time in order to treat stormwater runoff, so difficult to fully eliminate standing water.	Controlling Mosquitoes at the Larval Stage | Mosquito Control | US EPA	Biology and Control of Aquatic Plants
WQ-25	nutrients	High levels of phosphorus or nitrogen.	Waterfowl feces	1) Goose droppings contain nitrogen and phosphorus and can result in nutrient loading to the lakes directly or through runoff from nearby surfaces. Direct point-source loading may require permitting, and when from surfaces, it is considered a non-point source of pollution. 2) Washing goose droppings off into a water body is prohibited by municipal code and MS4 regulations. 3) Fecal contamination can contribute to exceedances of the state recreational water quality standard. 4) Aesthetics, goose droppings can be unsightly and raise public concern over contact issues.	Goose_Manual-Habitat-Modification.pdf (maine.gov)	Lake Management (denvergov.org)
WQ-26	nutrients	High levels of phosphorus or nitrogen.	Agricultural runoff	Mitigating agricultural runoff is a challenge because the source occurs on private lands within the watershed where lake managers have no control. Education and outreach are the best methods to try and limit the negative effects of excess nutrients coming off of agricultural lands.	Colorado Regulation 85 & Water Quality FAQs (colostate.edu)	Wetzel, R. G. (2015). Limnology: Lake and river ecosystems. San Diego etc.: Academic Press, an imprint of Elsevier.
WQ-27	nutrients	High levels of phosphorus or nitrogen.	Wastewater treatment effluent	Colorado regulation 85 is now in place to help mitigate point source nutrient discharge. However, low levels of nutrients can still accumulate in lakes and lakes causing management problems.	Code of Colorado Regulations (state.co.us)	Wetzel, R. G. (2015). Limnology: Lake and river ecosystems. San Diego etc.: Academic Press, an imprint of Elsevier.
WQ-28	nutrients	High levels of phosphorus or nitrogen.	Turf Maintenance / Fertilizer	Turf maintenance is easier to adjust for lake managers, as the caretakers of the turf are often working for the same entity as the lake. Having a holistic plan in place to take care of the turf and limit the negative effects to adjacent waterbodies can be effective. Regulation 85 requires the City, through its MS4 permit, to address fertilizer storage and application practices and can be a part of the turf management plan.	Maintaining Waterfront Turf to Preserve Water Quality (E0011) - MSU Extension	Wetzel, R. G. (2015). Limnology: Lake and river ecosystems. San Diego etc.: Academic Press, an imprint of Elsevier.
WQ-29	odor	Rotten smell.	Decomposition of organic material, low DO.	Organic material will inevitably end up in lakes and lakes. Their decomposition can lead to low DO and issues with odor. The season experienced in Colorado provide a recuring source of detritus that should be considered with management strategies.	lake and Lake Odors - Why Your Water Smells Bad and How to Fix It (ezinearticles.com)	Wetzel, R. G. (2015). Limnology: Lake and river ecosystems. San Diego etc.: Academic Press, an imprint of Elsevier.
WQ-31	parasites	Protozoa that can cause severe gastrointestinal issues when ingested by humans.	External introduction	Protozoa can be introduced from upstream sources and fecal matter. This can cause problems in recreation waters and the water becomes unsafe for human contact due to the chance of the protozoa being digested by the users.	https://www.cdc.gov/healthywater/drinking/public/water_diseases.html	Indicators for waterborne pathogens. (2004). Washington: National Academies Press.
WQ-32	pesticides	Any substance used to control unwanted animal species.	Runoff	Pesticides used outside of lake management can persist in the watershed and be introduced through storm run-off. These substances can cause harm to aquatic life, they can be hard to identify, and can be difficult to remove from the system.	https://www.epa.gov/npdes/pesticide-permitting	https://www.epa.gov/sdwa/human-health-benchmarks-pesticides-drinking-water

UNIQUE ID	WATER QUALITY ISSUE	DESCRIPTION	CAUSE(S)	RESULTS/CHALLENGES	ADDITIONAL RESOURCES	REFERENCES
WQ-33	pH	Acute or chronic pH levels outside of the suitable range for healthy aquatic life.	Stormwater runoff; natural causes such as decomposition of limestone, anthropogenic sources such as chemicals added to raise pH, post-fire runoff, lake mixing.	Fish kills; organism die-off.	Managing high pH in freshwater lakes | The Fish Site	COR400000 stormwater DISCHARGE. (n.d.). Retrieved from https://cdphe.colorado.gov/cor400000-stormwater-discharge; Code of Colorado Regulations (state.co.us) Water quality after wildfire. (n.d.). Retrieved from https://www.usgs.gov/mission-areas/water-resources/science/water-quality-after-wildfire?qt-science_center_objects=0#qt-science_center_objects; Code of Colorado Regulations (state.co.us) Wetzel, R. G. (2015). Limnology: Lake and river ecosystems. San Diego etc.: Academic Press, an imprint of Elsevier; Code of Colorado Regulations (state.co.us)
WQ-36	pH	Reduced or fluctuating water pH below 7.	Acid rain	Changes to pH-mediated water quality and ecological processes; habitat impairment.	Acid Rain and Water (usgs.gov)	What is Acid Rain? | Acid Rain | US EPA
WQ-37	salinity	The amount of dissolved salts in a body of water.	Agricultural runoff	Salinity itself is often not harmful to aquatic life in low quantities. However, in acute situations, salts will interact with the water chemistry and can bring quick and drastic changes to pH, heavy metal mobilization, and other secondary effects. Chronic saline levels that exceed certain thresholds will also play a role in health effects to aquatic life and vegetation.	Filtering agricultural runoff with constructed and restored wetlands - Rural California Report (cirsinc.org)	Urban salinity – causes and impacts (nsw.gov.au)
WQ-38	salinity	The amount of dissolved salts in a body of water with concentrations linked to Chloride, an anion formed from Chlorine.	Road salts	Road salts are applied either as a liquid or solid as a de-icer to make roadways safe during the winter months. These salts often make their way to our waterways. In large amounts these salts can bring unwanted effects to a managed lake. Fish kills, pH changes, vegetation degradation and other effects are possible.	Comparison of Contributions to Chloride in Urban Stormwater from Winter Brine and Rock Salt Application | Environmental Science & Technology (acs.org)	Haake, D. M., & Knouft, J. H. (n.d.). Comparison of contributions to chloride in Urban Stormwater from Winter brine and rock SALT APPLICATION. Environmental Science and Technology. doi:10.1021/acs.est.9b02864.s001
WQ-39	sediment-sedimentation	Sediment suspended in water column settles to the bottom and builds over time.	Erosion and runoff of sediments from construction in stormwater runoff or sediment mobilized by storms or flushing into streams and waterways, that usually settle out in lower-flow waters, such as lakes and lakes.	Loss of lake/lake depth and storage capacity; undesirable sediment composition; nutrient loading; habitat loss	Effects of Sediment on the Aquatic Environment: | NRCS (usda.gov)	Wetzel, R. G. (2015). Limnology: Lake and river ecosystems. San Diego etc.: Academic Press, an imprint of Elsevier.
WQ-40	sediment-water interactions	Sediments interaction with the water and its contribution to a negative water quality issue.	Wetted perimeter of the lake being in constant contact with the water causing for biological and chemical interactions.	Sediment can act as a sponge to a multitude of constituents. It then can have prolonged interactions with the water, both year-round and during mixing events. The effects are dependent on the constituents that are stored and the surrounding water chemistry.	Effects of Sediment on the Aquatic Environment: | NRCS (usda.gov)	Wetzel, R. G. (2015). Limnology: Lake and river ecosystems. San Diego etc.: Academic Press, an imprint of Elsevier.
WQ-41	polluted stormwater runoff	Stormwater coming into contact with, dissolving, and/or carrying fecal, chemical, nutrient, sediment, or other pollutants into waterbodies.	Warm-blooded animal waste, anthropogenic sources, such as pesticides, fertilizers, metals, petroleum products, organic matter, sediment, and mining activities. Urbanization with increased impervious surfaces allow stormwater to carry anthropogenic and natural sources to water bodies.	Excessive waste from any source can be harmful to water bodies and cause a variety of water quality issues. Storm sewers can be acute point source contributors, and stormwater runoff from surrounding surfaces can be non-point source contributors. The effects can have health concerns to recreational users and wildlife. Managers should be aware of the potential risk posed by stormwater pollution from surrounding areas. Stormwater design criteria is required for new and re-development.	Keep It Clean Partnership | Stormwater Pollution Prevention » Scoop the Poop	Environmental Contamination by Dog's Feces: A Public Health Problem? (nih.gov)
WQ-42	temperature-cold	Prolonged cold ambient air temperatures can lead to lake/lake ice-over.	Cold temperatures	In shallow lakes where substantial volumes of ice-free water are un-available, ice-over can result in decreased DO resulting in fish kills.	Climate Change Impacts On Lakes – North American Lake Management Society (NALMS)	Wetzel, R. G. (2015). Limnology: Lake and river ecosystems. San Diego etc.: Academic Press, an imprint of Elsevier.

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WQ-43	temperature-high	Temperatures that promote eutrophication, low DO and are harmful to aquatic species.	Shallow lake	Shallow lakes can absorb more radiation energy, especially if the benthic surface is retaining solar heat. These lakes are much more susceptible to low DO and even temperatures by themselves that will harm aquatic life.	World's Leading Aquatic Scientific Societies Urgently Call for Cuts to Global Greenhouse Gas Emissions – North American Lake Management Society (NALMS)	Wetzel, R. G. (2015). Limnology: Lake and river ecosystems. San Diego etc.: Academic Press, an imprint of Elsevier.
WQ-44	temperature-high	Temperatures that promote eutrophication, low DO and are harmful to aquatic species.	Warming climate, long residence time; shallow, small lake/lake size; no shading	With fully allocated river systems and a climate that is currently trending towards warmer temperatures, lake managers are facing difficult problems. In some instances, fish species and vegetation choices may need to change to reflect these new conditions. This may also necessitate more mechanical intervention to keep water clean and oxygenated. When water temperature gets too high or is too high for too long, algae productivity may increase, DO may drop, fish may die due to low DO or heat stress.	Climate Change: Global Temperature | NOAA Climate.gov Climate Change Impacts On Lakes – North American Lake Management Society (NALMS)	Wetzel, R. G. (2015). Limnology: Lake and river ecosystems. San Diego etc.: Academic Press, an imprint of Elsevier.
WQ-46	turbidity	High levels of suspended solids in the water column.	Stormwater runoff; sediment from construction in stormwater runoff, or sediment mobilized by intense storms or flushing irrigation flows.	Stormwater can resuspend settled sediment creating for turbid water conditions. High turbidity can make breathing harder for fish as they filter dirty water through their gills during the oxygen exchange. These turbidity events can also add to increased temperature, nutrient releases, and heavy metal mobilizations. Lake managers never know what stormwater will bring in. Having good control of your sediment / sludge and microorganisms can help lessen the impacts of these flashy events.	Turbidity and Water (usgs.gov)	5.5 turbidity. (2012, March 06). Retrieved from https://archive.epa.gov/water/archive/web/html/vms55.html
WQ-47	turbidity	High levels of suspended solids in the water column.	Post-fire runoff	Post-fire runoff can bring different problems to a lake than normal urban run-off. Depending on the location of the fire, there can be high concentrations of mercury, heavy metals, ash, and organic carbons. Lakes higher in the watershed will be more prone to negative impacts and managers should try to have a proactive plan in place should post-fire runoff become a potential concern.	Turbidity and Water (usgs.gov)	Water quality after wildfire. (n.d.). Retrieved from https://www.usgs.gov/mission-areas/water-resources/science/water-quality-after-wildfire?qt-science_center_objects=0#qt-science_center_objects
WQ-48	turbidity	High levels of suspended solids in the water column.	Mixing	Mixing events can be caused from turnovers in larger lakes and high winds in smaller lakes. Suspending sediments re-introduce dormant issues.	Turbidity and Water (usgs.gov)	Wetzel, R. G. (2015). Limnology: Lake and river ecosystems. San Diego etc.: Academic Press, an imprint of Elsevier.
WQ-49	aquatic nuisance species-macrophyte	Cattails have filled in all or a significant portion of the lake and have formed a monoculture.	Cattail populations are left to overgrow or are receiving nutrient inputs that support excessive growth.	Once cattails have reached this level of overgrowth, few other plants species can coexist with them and little to no open water is left in the lake. Thick stands may also lower available DO.		

ATTACHMENT 7 – BEST MANAGEMENT PRACTICES (BMPS) TOOLBOX

UNIQUE ID	BMP	DESCRIPTION	BMP TYPE	BMP MECHANISM	TARGET WATER BODY ISSUE	APPLICABLE LAKE CONDITIONS	POTENTIAL CONCERNS	PERMITTING AND WATER RIGHTS	CO-BENEFIT(S)	CAPITAL COSTS	O&M COSTS PER YEAR (ADJUSTED FOR 20-YEAR BMP LIFESPAN)	ADDITIONAL RESOURCE(S)	REFERENCE(S)
BMP_01	Aeration	Mechanical addition/ maintenance of oxygen levels.	Capital Improvement/ Maintenance	Mechanical	low dissolved oxygen; algae blooms; low quality fish habitat; nutrients	Any lake or lake that has low dissolved oxygen.	May harm cold water fisheries; interfere with recreation; resuspend benthic sediments	CWA Section 401	aesthetics; mitigate odor	$90-100k	$5-30k		http://aquatics.org/bmpchapters/3.4%20Cultural%20and%20Physical%20Control%20of%20Aquatic%20Weeds.pdf; https://www.epa.gov/sites/production/files/2015-04/documents/nutrient-economics-report-2015.pdf
BMP_02	Aquatic Algaecide	A chemical treatment applied with a specific technique at specific times to target a specific problem with an aquatic plant.	Maintenance	Chemical	aquatic nuisance species-plants	Any lake or lake with excessive algae growth that does not have any aquatic species that would be negatively impacted by application of algaecide.	Low DO event after application; mortality of desirable vegetation	Application permitting may be required; CDPHE Aquatic Pesticides Permit (General Permit COG860000); NPDES permits; CWA Section 401; applicator may need to be licensed.	Increased biodiversity Lowered BOD Increased aesthetics	$100-3k	Variable depending on treatment frequency.	*https://www.thelakeguy.com/category/aquatic-algicides*	Debunking Myths: A Professional's Take on Herbicides and Algaecides (solitudelakemanagement.com)
BMP_03	Aquatic Dye	EPA-registered dyes or surface covers used to limit light penetration and restrict the depth at which rooted plants can grow.	Maintenance	Chemical	aquatic nuisance species-plants; aquatic invasive species-plants; algae blooms	Generally used for golf courses and artificial aesthetic lakes.	May make water look artificial; downstream impacts; permit may be required; limits access in recreational lakes; increased surface water temperature due to solar absorption of dye; impacts to desirable species	Application permitting may be required; CDPHE Aquatic Pesticides Permit (General Permit COG860000); NPDES permits; CWA Section 401; applicator must be licensed?	Aesthetics; limit vegetation growth	$10-300	Variable depending on treatment frequency.		https://aquaticcontrol.com/product-category/lake-dyes/
BMP_04	Aquatic Herbicide	A chemical treatment applied with a specific technique at specific times to target a specific problem with algae growth. Aquatic Herbicides can be categorized as contact or systematic. Contact herbicides tend to result in rapid injury or death of the contacted plat tissues. Systematic herbicides are translocated throughout the plant tissue and roots once taken up by the plant.	Maintenance	Chemical	aquatic nuisance species-plants	When a certain aquatic plant species can be targeted with a specific herbicide, without impacting other aquatic resources.	Low DO event after application Contact: Do not use on emergent plant without expert advice. Systematic: Concentration and time of exposure are crucial for proper application.	Application permitting may be required; CDPHE Aquatic Pesticides Permit (General Permit COG860000; NPDES permits; CWA Section 401; applicator must be licensed?	Increased biodiversity Lowered BOD Increased aesthetics	$15-30k	Variable depending on treatment frequency.	https://www.epa.gov/sites/production/files/2015-04/documents/nutrient-economics-report-2015.pdf	Debunking Myths: A Professional's Take on Herbicides and Algaecides (solitudelakemanagement.com); https://www.sfei.org/sites/default/files/biblio_files/PestAlternatives_review.pdf

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BMP_05	Artificial Habitat Structures	Implementing a variety of structures that create space for aquatic life to hide, rest and feed.	Capital Improvement/Maintenance	Mechanical	aquatic habitat	Placement in areas that will not endanger or interfere recreationists or lake/lake maintenance.	Endangerment or interference with recreationists or maintenance activities.	CPW may require permit; CWA Section 401	targets invasive plants; allows for more biodiversity	$100-3k	$0	Fish Habitat — lake King, Inc.; https://www.solitudelakemanagement.com/blog/helpful-tips-when-installing-artificial-habitat/	Fish Habitat Management | Solitude Lake Management
BMP_06	Barley Extract	Similar to barley straw but in a concentrated liquid. This liquid works the same as barley straw, however it is faster acting. The concentrate needs to be precisely measured otherwise it can become harmful to the aquatic life in the lake.	Maintenance	Biological	algae blooms	Any lake with a known volume and controlled residence time, as the application is fast acting and needs to be precise.	Increasing oxygen demand; if used in large quantities it could be harmful to fisheries; classified as a home remedy, not a true pesticide	CDPHE permitting may be required; CPW may require permit; CWA Section 402	increased biodiversity; increased aesthetics; low maintenance; long term efficacy; eco-friendly	$10-$100	Variable depending on treatment frequency.	https://www.thelakeguy.com/product/the-lake-guy-barley-extract/water-garden-fish-lakes-natural-barley-treatments; https://www.thelakeguy.com/product/the-lake-guy-barley-extract/water-garden-fish-lakes-natural-barley-treatments?p=PPCGOOGA&gclid=Cj0KCQjwp86EBhD7ARIsAFkgakgKPHJiauYNdLvUWiitbDmUY1d4eOa8plMz7-HrhX5sE4xb4WIgLH8aAlhNEALw_wcB	How to Use lake Barley Straw for Algae (Does it Actually Work?) - lake Informer
BMP_07	Barley Straw	Bundles of barley straw are suspended in the lake, near the surface. As a by-product of the slow decomposition of the straw, low levels of hydrogen peroxide are released into the water. Hydrogen peroxide limits or prevents the growth of algae. It does not kill or remove pre-existing algae. Barley straw works best in a well oxygenated lakes without other underlying water quality issues. For this reason, barley straw is better suited as a preventative method. In other words, it is better suited as an algaestat than an algaecide. This method works best when deployed in the spring and allowed to work throughout the summer.	Maintenance	Biological	algae blooms	Any lake known to have algae blooms, in the summer as barley straw works slow and is best used as a preventative measure	Increasing oxygen demand; if used in large quantities it could be harmful to fisheries; classified as a home remedy, not a true pesticide	CPW may require permit; CWA Section 403	increased biodiversity; increased aesthetics; low maintenance; long term efficacy; eco-friendly	$100-1k	Variable depending on treatment frequency.	FS1171: lake and Lake Management Part VI: Using Barley Straw to Control Algae (Rutgers NJAES)	How to Use lake Barley Straw for Algae (Does it Actually Work?) - lake Informer

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BMP_08	Benthic Barriers	Used for localized control of benthic aquatic plants. Blocks sunlight needed for photosynthesis, good in areas <1 acre. Deeper than 4ft often requires scuba diver installation. May impact fish and other benthic organisms.	Maintenance	Mechanical	aquatic nuisance species-plants; aquatic invasive species-plants	target areas < 500 square feet	Lack of natural aquatic vegetation. Repairs and cost of instillation	Application permitting may be required; CWA Section 402 or 404.	Control muck, sediment, turbidity. Can give more control over many factors driving lake health.	$6k+/acre; $14k-26,200/acre	Variable depending on treatment frequency.	http://www.apms.org/japm/vol50/2-17716%20p101-105%20APMdj.pdf; https://lakestewardsofmaine.org/wp-content/uploads/2018/01/Benthic-Barriers.pdf; https://www.epa.gov/sites/production/files/2015-04/documents/nutrient-economics-report-2015.pdf	http://aquatics.org/bmpchapters/3.4%20Cultural%20and%20Physical%20Control%20of%20Aquatic%20Weeds.pdf
BMP_09	Biocide	Chemicals/substances added to inhibit/eliminate target species.	Maintenance	Chemical	algae blooms; vascular plants; Aquatic Nuisance Species - Insect; fish kills	Any size lake that has a specific species that is a nuisance in its current setting.	may impact water quality; oxygen levels; released/available nutrients; impact desirable species; downstream impacts; may result in decaying vegetation/algae mass.	Application permitting may be required; CDPHE Aquatic Pesticides Permit (General Permit COG860000); NPDES permits; CWA Section 401; applicator must be licensed?	Increase biodiversity. Site specific application. Control of overgrowth can help aquatic habitat and overall health of the lake.	Variable; cost dependent on type, manufacturer costs, shipping, application time, and monitoring strategy.	Variable depending on treatment frequency and monitoring strategy.		BiocidesforIndustrial Use.pdf (anl.gov)
BMP_10	Biocontrol - Classical	Use of natural enemy (biocontrol agent) of the nuisance specie (target) from their native range are introduced to control the nuisance specie. Biocontrol agents are usually insects.	Maintenance	Biological	aquatic nuisance species-plants; aquatic invasive species-plants	Anywhere where there is a specific species that can be targeted by a native bio-control measure.	Establishment of the biocontrol agent and suppression of the target species are not guaranteed; the introduced agent may impact species that are not the target	Application permitting may be required; CPW approval may be required	Less expensive option, if suitable. No maintenance. Increased bug abundance can help the food abundance for fisheries.	Variable; cost dependent on type, manufacturer or rearing costs, shipping and delivery, application time, and monitoring strategy.	Variable depending on treatment frequency and monitoring strategy.		Introduction - Biological Control: Management Methods - Managing Invasive Plants (fws.gov)
BMP_11	Biocontrol - Non-classical	Use of a non-natural enemy (biocontrol agent) of the nuisance specie (target) are introduced to control the nuisance specie. Biocontrol agents are usually insects.	Maintenance	Biological	aquatic nuisance species-plants; aquatic invasive species-plants	Non-classical bio-control can be harder to find matches for insects and species to be controlled. However, when the insect to be used will not prove to become a nuisance, the conditions are then met.	Establishment of the biocontrol agent and suppression of the target species are not guaranteed; the introduced agent may impact species that are not the target	Application permitting may be required; CPW approval may be required	Less expensive option, if suitable. No maintenance. Increased bug abundance can help the food abundance for fisheries.	Variable; cost dependent on type, manufacturer or rearing costs, shipping and delivery, application time, and monitoring strategy.	Variable depending on treatment frequency and monitoring strategy.		3.6 Introduction to Biological Control of Aquatic Weeds.pdf (aquatics.org)

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BMP_12	Biomanipulation	Targeted manipulation of ecological interactions to alter ecosystem processes.	Maintenance	Biological	algae blooms; vascular plants; fish kills; aquatic nuisance species-animals; habitat enhancement	lakes or lakes where making adjustments to biological interactions with have positive cascading affects. Lakes or lakes that have time to adjust and see results of manipulation, which can take longer than other options	introduced species may impact water quality; ecosystem functions; unintended migration; introduced species impact on lake users; impacts on non-target desirable species; impact longevity	Application permitting may be required; CPW approval may be required	A more natural option that can restore ecological balance and long-term success of lake health. Can reduce management inputs, when implemented properly.	$1k-10k	Variable depending on treatment frequency and monitoring strategy.		Reference: https://www.epa.gov/sites/production/files/2015-04/documents/nutrient-economics-report-2015.pdf
BMP_13	Biopesticides	Biopesticides include naturally occurring substances that control pests (biochemical pesticides), microorganisms that control pests (microbial pesticides), and pesticidal substances produced by plants containing added genetic material (plant-incorporated protectants) or PIPs with less risk to non-target organisms.	Maintenance	Biological	aquatic nuisance species-insects; sludge/muck; algae blooms	lake and lakes that would be sensitive to chemical applications. Areas that are more sensitive to flow through conditions or other conditions not conducive to chemical applications.	Slower rate of target species control compared to conventional pesticides, shorter persistence in the environment, susceptibility to unfavorable environmental conditions.	Application permitting may be required; CDPHE Aquatic Pesticides Permit (General Permit COG860000); NPDES permits; CWA Section 401; applicator must be licensed?	Can be targeted applications that are low maintenance. Can use plant or insects, so your options can be tailored.	Variable; cost dependent on type, manufacturer costs, shipping, application time, and monitoring strategy.	Variable depending on treatment frequency and monitoring strategy.	https://www.pctonline.com/article/make-way-for--biopesticides/ ; https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3130386/	Biopesticides | pesticides | US EPA
BMP_14	Cattle Fencing	Cattle fencing can help ensure that grazing livestock is deterred from any overgrazing or degradation to riparian areas surrounding lakes.	Capital Improvement	Mechanical	water quality	Any surface water body that can be accessible to any livestock.	May limit or impede human access to water resources. Primary water resource for cattle may need to be implemented elsewhere.	Permitting may be required if there is a land use, ownership issue.	Re-establish riparian habitat, maintain a health buffer zone, limit disturbances and nutrient loading.	$1600-2,500	$100-$500		ConfProceeding (tamu.edu)
BMP_15	Chemical Treatments - Other	Addition of chemicals to adjust pH, oxidize compounds, flocculate and settle solids, or affect chemical habitat features.	Maintenance	Chemical	particulate settling; algae blooms; pH; oxidation; disinfection	water quality impacts; impact sediment-water interactions; sediment pollutant release; impact desirable species and habitat; impact community assemblages; may require permitting	Chemicals can persist in water bodies which can be of concern to downstream entities, the fishery if people consume their catches or human contact of water.	Application permitting may be required; CDPHE Aquatic Pesticides Permit (General Permit COG860000)	Chemicals can be tailored for specific goals. Many chemicals adjust major baseline factors affecting overall aquatic health. Restoring base line conditions can help all aspects of lake health.	Variable; dependent on chemical type.	Variable depending on treatment frequency and monitoring strategy.		https://www.sfei.org/sites/default/files/biblio_files/PestAlternatives_review.pdf

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BMP_16	Circulation	Mechanical movement of water to enhance mixing and/or prevent stratification.	Maintenance	Mechanical	stagnation; stratification; low-to-no mixing; low surface aeration; algae blooms	Bodies of water that can have access to electrical connections to run pumps. lake where consistent turnover will not affect aquatic organisms that do better with seasonal stratification.	Resuspension of benthic sediment; may disrupt habitat or lifecycles of desirable species; may interfere with recreation;	Water rights should be considered.	Increased Dissolved Oxygen, less algae formation, optional chance to use UV light for disinfection during circulation process.	$200-100k	Variable depending on equipment selected and maintenance schedule. Consider costs of electricity and winterization.		ttps://www.epa.gov/sites/production/files/2015-04/documents/nutrient-economics-report-2015.pdf
BMP_17	Drainage Management	Create swales or other graded areas to promote stormwater infiltration to avoid direct discharge into water bodies.	Capital Improvement	Mechanical	sediment-sedimentation; nutrients; pesticides	Land around lake is large enough for drainage management structures.	Water being diverted needs a safe path to travel without harming others. Infrastructure may require maintenance.	USACE Section 404; CWA Section 401	Mitigate incoming water and any constituents that may be coming with it.	$3k-7k/acre	$500-$1,500		ttps://www.epa.gov/sites/production/files/2015-04/documents/nutrient-economics-report-2015.pdf; http://www.malvern.org/wp-content/uploads/2013/03/vegswale.pdf
BMP_18	Drawdown - Full	Physically remove all water from lake.	Maintenance	Mechanical	infrastructure	lakes that need heavy maintenance or have conditions that cannot be managed through other means.	Ability to refill waterbody in a timely manner.	CWA Section 401; CPW Permit to kill fish, if drawdown will cause mortality in natural waters; Water rights should be considered.	Can allow for a whole new lake with great conditions to be established. A time to introduce new habitat, new riparian zones and more depth.	$200-$500 (generally just labor)	Variable depending on ease of opening outlet or need to pump out and haul water. $ to $$$	http://ricelake.homestead.com/files/Facts_about_lake_drawdowns.htm	https://cfpub.epa.gov/si/si_public_record_Report.cfm?Lab=ORD&dirEntryID=33336
BMP_19	Drawdown - Partial	Expose submerged species to freezing or drying conditions. Best for species that propagate by root structures or fragmentation. Maintain draw down for at least 6-8 weeks.	Maintenance	Mechanical	aquatic nuisance species-plants; aquatic invasive species-plants	lakes that have issues that will be accessed with partial drawdown and a bank slope that allows partial drawdown access while also keeping the rest of the aquatic health in good shape.	Ability to refill waterbody in a timely manner.	CWA Section 401; CPW Permit to kill fish, if drawdown will cause mortality in natural waters; water rights should be considered.	sediment compaction; changes in substrate composition; reduce damage to structures; allow for shoreline cleanup access	$200-$500 (generally just labor)	Variable depending on ease of opening outlet or need to pump out and haul water.	http://ricelake.homestead.com/files/Facts_about_lake_drawdowns.htm	http://aquatics.org/bmpchapters/3.4%20Cultural%20and%20Physical%20Control%20of%20Aquatic%20Weeds.pdf
BMP_20	Dredging - Excavation	Several feet of lake bottom sediment are removed through machine excavation, especially from shallow lakes and lakes that have filled with silt and organic matter over time.	Maintenance	Mechanical	variable depth; sediment-sedimentation; nutrients; improve habitat; low dissolved oxygen; algae blooms; FE control; MN control; rooted plant control	Excavation can be applied to any lake as long as budget is not restrictive. All lakes and lakes lose depth to sediment over time. Maintaining optimal depth in a lake may require excavation.	Increased turbidity; downstream impacts; suspend possible contaminants; disposal of dredged material; biotic community composition; desirable species; desirable habitats; impact longevity	CPW; USACE Section 404; CWA Section 401	aquatic weed control	$250k+	Variable depending on treatment frequency.	https://www.epa.gov/sites/production/files/2015-04/documents/nutrient-economics-report-2015.pdf	Interview w/Aquatic Associates; http://aquatics.org/bmpchapters/3.2%20Developing%20a%20Lake%20Management%20Plan.pdf

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BMP_21	Dredging - Vacuum / Suction	Vacuum dredging can help remove sediment from a lake or lake with less disturbance than excavation. This requires either a dredging barge or suction truck with enough power to dislodge sediment.	Maintenance	Mechanical	sludge/muck	lakes with a benthic make up that is conducive to suction, i.e., muck, fine sands, small rocks.	Dredging can be expensive and depth limited if suction is from lake edges. Suction barges require boat ramp infrastructure.	CPW; USACE Section 404; CWA Section 401	Removal of built-up nutrients, heavy metals and reduction of suspended particles.	$250k+; diver dredging: $1,100-2k	Variable depending on treatment frequency.		Interview w/Aquatic Associates; https://www.sfei.org/sites/default/files/biblio_files/PestAlternatives_review.pdf
BMP_22	Erosion Control	Treatments that reduce the amount of erosion and associated sedimentation from areas surrounding or upstream of a lake. Controlling erosion helps prevent the increase in sedimentation. Erosion control can also stabilize and increase the efficacy of riparian and littoral zones.	Capital Improvement/Maintenance	Mechanical	sediment-sedimentation; nutrients; contaminants of concern (COCs)	Hillslopes, roads or channels that are accessible for mitigation efforts.	Erosion control often requires continually upkeep and sediment management if sediment is captured upstream of lake.	USACE Section 404; CWA Section 401	Maintain lake depth, less contamination from sediment transported constituents.	$500-$6k; variable depending on treatment used. $1-2/ft (for things like straw wattles, biodegradable mesh, and silt fence) + installation labor cost	Variable depending on treatment used and maintenance frequency.		https://agupubs.onlinelibrary.wiley.com/doi/epdf/10.1002/2015WR018014 https://www.uwsp.edu/cnr-ap/UWEXLakes/Documents/programs/LakeShoreTraining/21.0_developing_a_cost_estimate/2006_erosion_control_costs_mn.pdf
BMP_23	Fish Introduction - Catfish	Catfish have a wide variety of species that have a wide range of benefits to lakes and lakes. They can help with vegetation overgrowth issues. They are adapted to warmer waters, making them ideal inhabitants for urban areas. They can increase the productivity of a recreational fishery.	Maintenance	Biological	aquatic nuisance species-plants; low productivity	lakes that can handle a large aquatic fish species that will become a key part to ecological balance in the lake.	May not be permitted in water bodies with sensitive species; may increase turbidity	CWA Section 401; CPW Stocking Permit	Increased fishing opportunities, outcompete unwanted fish species, can handle increasing water temperatures.	$1k-10k	Variable	https://www.epa.gov/sites/production/files/2015-04/documents/nutrient-economics-report-2015.pdf	http://www.dunnsfishfarm.com/fish_pricing.htm
BMP_24	Fish Introduction - Grass carp (Cteno-pharyngodon idella Cuvier and Valenciennes)	Fish species native to Russia and China with high lake grass herbivory capability. Can be bred to be non-reproductive.	Maintenance	Biological	aquatic nuisance species-plants; aquatic invasive species-plants	lakes that can handle a large aquatic fish species that will become a key part to ecological balance in the lake.	Only stock in closed systems; DO NOT stock in open systems connected to other lakes, lakes, streams, or rivers. Lake conditions must meet requirements for carp survival; increase in algae; decrease in water clarity; not allowed in some states or may require permit	CWA Section 401; CPW Stocking Permit	reintroduce nutrients held in vegetation to water column; increase algae	$45-$125/acre	Variable depending on treatment frequency.		https://www.sfei.org/sites/default/files/biblio_files/PestAlternatives_review.pdf

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BMP_25	Flooding	Flooding target areas to aid or eliminate species.	Maintenance	Biological	aquatic nuisance species-plants; access for maintenance/construction; access for dredging; sediment-sedimentation; rooted plant control; fish productivity;	lakes that have access to enough water upstream required to meet project goals for a controlled flooding event.	downstream impacts; flood storage; impacts to nutrient levels; DO; pH; sloughing; erosion; compaction; odor; access and public safety; impacts to desirable species and habitat; connectivity with groundwater/wells; aesthetics	CWA Section 401; CPW Permit to kill fish, if flooding will cause mortality in natural waters or introduce unwanted species into other water bodies; Water rights should be considered.	Can allow for a rebalance of aquatic life, restore a functioning system that requires less input.	$500-$25k/acre, depending on water source, gravitational piping or pumping.	Variable depending on treatment frequency.		https://www.mass.gov/files/documents/2016/08/sd/eutrophication-and-aquatic-plant-management-in-massachusetts-final-generic-environmental-impact-report-mattson.pdf
BMP_26	Flushing	Increasing flow while decreasing residence time to reduce or minimize the concentrations of any unwanted substance(s).	Maintenance	Mechanical	residence time; pollutants; contaminants of concern (COCs); algae blooms	N/A	water supply quantity/quality variability; downstream impacts; may resuspend benthic sediments; may impact fish productivity and/or habitat; recreator safety; could cause un-natural turn over event	Water rights and downstream water quality regulations should be considered.	minimizes detention, response to pollutants may be reduced	$500-$25k/acre, depending on water source, gravitational piping or pumping.	Variable depending on treatment frequency.		https://www.mass.gov/files/documents/2016/08/sd/eutrophication-and-aquatic-plant-management-in-massachusetts-final-generic-environmental-impact-report-mattson.pdf
BMP_27	Hydro-Raking and Rotovation	Disruption of sediments and disruption of aquatic rooted plants.	Maintenance	Mechanical	aquatic nuisance species-plants; aquatic invasive species-plants; unwanted features/structures	Not practical for some smaller lakes	DO NOT use on vegetation that spreads by fragmentation; may disrupt fish or benthic organisms; increased turbidity; sediment-water interactions; may resuspend benthic sediments; may impact habitat;	CPW; USACE Section 404; CWA Section 401; certified operator may be required	where there is severe weed infestation, this technique could be appropriate	$2k-10k; $1,200-$2k per acre; mechanical cutting: $100-11,000/acre	Variable depending on treatment frequency.		https://www.solitudelakemanagement.com/blog/hydro-raking-restore-open-water-prolong-dredging/; https://www.sfei.org/sites/default/files/biblio_files/PestAlternatives_review.pdf
BMP_28	Lining - Natural	Seal the bottom of the lake/lake with bentonite, sands, gravel, or other natural sealants.	Capital Improvement	Mechanical	rooted plant growth; sediment-water interactions; algae blooms; recreation appeal	N/A	sealant impact on water column; impact longevity	CPW may require permit	retains water and nutrients	$25-50k	$0		*https://www.homeadvisor.com/cost/landscape/lake-liner-prices/* https://reader.elsevier.com/reader/sd/pii/S136403212030006X?token=73D47C8159BD642011F22A94C7D27A14F0C53B5AE966671F48CDF4A07D0F8A090CF7BF3D2F76FA66EDCD9A00E98F3F58&originRegion=us-east-

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BMP_29	Lining - Synthetic	Seal the bottom of the lake/lake with a synthetic barrier to help prevent water loss and vegetation growth.	Capital Improvement	Mechanical	water loss; aquatic nuisance species-plants	Not practical for some larger lakes.	sealant impact on water column; impact longevity; challenges associated with high groundwater (e.g., floating liner if groundwater is high and lake surface is low); loss of inflows from groundwater	CPW may require permit	retains water and nutrients	$3k-8k/acre	$0		*https://www.lakemanagementinc.net/lake-liner-lifespan/* https://www.homeadvisor.com/cost/landscape/install-a-lake/
BMP_30	Microbe Treatment	There are seven groups of microbes; bacteria, archaea, protozoa, algae, fungi, viruses, and parasites. The most common means of lake treatment utilizing microbes is the use of beneficial bacteria. This bacteria can help the overall health of most lakes by aiding in clarity, sludge reduction and purification.	Maintenance	Biological	nutrients	N/A	could increase bacteria in water if incorrect microbes used for treatment	Application permitting may be required; CDPHE Aquatic Pesticides Permit (General Permit COG860000)	Decrease need for algaecides	$50-1k	Variable depending on treatment frequency.		Interview w/Aquatic Associates; *https://www.aquascapeinc.com/produ* https://aosts.com/role-microbes-microorganisms-used-wastewater-sewage-treatment/
BMP_31	Nutrient Reduction - Biochar	Biochar is charcoal produced from biomass. It is a stable solid, rich in carbon and has properties that allow biochar to absorb nutrients that come into contact with the material.	Maintenance	Biological	nutrients	N/A	erosion and potential reduction in nutrient and pesticide use efficiency	Application permitting may be required.	reduces nitrogen leaching into groundwater and runoff into surface water. Extremely absorbent.	$50-$500	Variable depending on treatment frequency and monitoring strategy.	Biochar: Filter and Physically Excess lake nutrients (solitudelakemanagement.com)	https://extension.psu.edu/using-biochar-for-water-quality; https://farm-energy.extension.org/biochar-prospects-of-commercialization/

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BMP_32	Nutrient Reduction - Buffered Liquid Allum	Alum (aluminum sulfate) is a non-toxic chemical treatment for lakes that precipitates out a floc when applied to the water, allowing for the alum to bind with phosphate. The aluminum phosphate compound is insoluble in water and drops out of the water column onto the benthic surface.	Maintenance	Chemical	nutrients	N/A	potential toxicity on aquatic species	Application permitting may be required, NPDES permits; CWA Section 401; applicator must be licensed?	Cheaper than other methods.	$280-$700/acre	0	Alum Brochure.doc (wi.gov); https://www.pca.state.mn.us/water/lake-protection-and-management	Interview w/Aquatic Associates; https://www.epa.gov/sites/production/files/2015-04/documents/nutrient-economics-report-2015.pdf
BMP_33	Nutrient Reduction - Phoslock®	Phoslock® is a patented product that binds free reactive phosphorus (FRP). This compound settles out of the water column, similar to the alum application.	Maintenance	Chemical	nutrients	N/A	can act as a source of NH4+	Application permitting may be required; NPDES permits; CWA Section 401; applicator must be licensed?	management of blue green algae blooms	$400-1k	Variable depending on treatment frequency.	Phoslock | SePRO Corporation	Interview w/Aquatic Associates https://www.sciencedirect.com/science/article/pii/S2589914721000086
BMP_34	Nutrient Supplementation	Addition of nutrients to increase productivity or alter nutrient ratios.	Maintenance	Chemical	low productivity; algae blooms; improve fish habitat	N/A	water quality impacts; may change sedimentation rate; food web structure; shifts to undesirable algae composition; decreased water clarity	303d and/or 401 compliance may be required.	can improve forage conditions for microzooplankton	$30-$500	Variable depending on treatment frequency.	https://www.thelakeguy.com/	https://fisheries.org/docs/books/x54034xm/14.pdf
BMP_35	Pet Waste Program	Install pet waste stations for local citizens to gather and dispose of pet waste before it enters the lake.	Capital Improvement/Maintenance/Administrative	Biological	Escherichia coli (E. coli)	N/A	would require maintenance	Permitting may be required depending on land use and/or ownership.	reduces nutrients and pathogenic bacteria that could enter the water	$70-$350 per station	$500-$1k		https://www.epa.gov/sites/production/files/2015-04/documents/nutrient-economics-report-2015.pdf; file:///C:/Users/jennifer.mccarty/OneDrive%20-%20SWCA/Desktop/jra-cost-memo-june-update.pdf
BMP_36	Phytoremediation	Create natural water quality buffer areas near to or in lakes, such as wetland habitat, using plants to remove, stabilize, and/or destroy contaminants.	Capital Improvement	Biological	contaminants of concern (COCs); contaminants of emerging concern (CECs); sediment-sedimentation; fish habitat	lakes large enough to accommodate or near to available space that may be converted for phytoremediation.	requires some maintenance, not as disruptive to the natural ecosystem	USACE Section 404; CWA Section 401	does not generate contaminated secondary waste, enhances soil fertility, low cost	$9-300/m3; $2k-6k	$1k-$3k		https://www.lrrb.org/pdf/200523.pdf; https://www.pca.state.mn.us/sites/default/files/p-gen3-13x.pdf; https://www.epa.gov/sites/production/files/2015-04/documents/nutrient-economics-report-2015.pdf ; https://www.pca.state.mn.us/sites/default/files/p-gen3-13x.pdf

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BMP_37	Sediment Treatment	Chemicals/substances added to alter sediment features to limit plant growth or control chemical exchange reactions.	Maintenance	Chemical	sediment-water interactions; nutrients; algae blooms	N/A	impact on water column; impact longevity; may impact benthic and water column biota;	Herbicide and pesticide chemical application to waterbodies requires a City Pesticide Discharge Permit. Other application permitting may be required; NPDES permits; CWA Section 401; applicator must be licensed?	Can reduce internal P loading.	Variable depending on treatment type.	Variable depending on treatment type and application frequency.		Effects of alum treatment on water quality and sediment in the Minneapolis Chain of Lakes, Minnesota (tandfonline.com)
BMP_38	Shredder Boat and Removal Harvester	Used on larger lakes to cut up surface or shallow water vegetation.	Maintenance	Mechanical	aquatic nuisance species-plants; aquatic invasive species-plants	Not practical for smaller lakes.	Not practical for smaller lakes; DO NOT use on vegetation that spreads by fragmentation; may disrupt fish or other organisms	CWA Section 401; may require CPW approval	Can remove large amounts of aquatic vegetation in short amount of time.	Variable depending on type of shredder boat/harvester used and treatment frequency.	Variable depending on type of shredder boat/ harvester used and treatment frequency.		http://www.ijetjournal.org/Volume2/Issue2/IJET-V2I2P14.pdf
BMP_39	Sludge Reducer	A combination of beneficial bacteria and enzymes that help accelerate the solubilization and digestion of organic solids.	Maintenance	Biological	sludge/muck	N/A	water has to be at least 60 degrees to apply	Herbicide and pesticide chemical application to waterbodies requires a City Pesticide Discharge Permit. Other application permitting may be required; NPDES permits; CWA Section 401; applicator must be licensed?	not consumed by the water column, low maintenance	$50-$300	Variable depending on treatment frequency.		Interview w/Aquatic Associates; https://webbsonline.com/Item/40017
BMP_40	Supplemental Flow	Supplement flow with increased flow from inlet or other source.	Maintenance	Mechanical	low dissolved oxygen; algae blooms, sludge/muck, aquatic nuisance species-plants	N/A	has the potential to change water temperature and effect aquatic life present in waterbodies	CWA Section 401; Water rights should be considered	has the potential to improve water quality depending on the quality of the water being used	Variable depending on water source.	Variable depending on water source and treatment frequency.		http://www.leginfo.ca.gov/pub/15-16/bill/sen/sb_0551-0600/sb_564_bill_20160916_chaptered.pdf

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BMP_41	UV Light	UV is an effective, safe and environmentally friendly way to disinfect water. UV can be used to limit algae growth, eliminate E.coli, eliminate parasites and treat recycled water, incoming water or discharged waters.	Capital Improvement	Mechanical	algae blooms	Best for aesthetic lakes and free-floating algae.	Not ideal for stormwater or irrigation lakes or stringy or immobile algae that would not flow through a filter. Flow must be precise to allow enough time for UV treatment of passing water. Additional piping for pumping increases initial cost of unit and requires routine maintenance. Bulbs and tubing prone to breakage during routine maintenance.	Device must be regulated under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)	May increase aeration.	$25k-$250k per unit.	$1k+ per unit	*https://homeguides.sfgate.com/waterfall-uv-light-installation-59283.html*	An-Introduction-to-UV-Wastewater-Disinfection-eBook-FINAL.pdf (trojanuv.com); https://www.buyultraviolet.com/ecologic-lake-lake-reclamation-systems https://www.epa.gov/sites/production/files/2020-10/documents/uvlight-complianceadvisory.pdf
BMP_42	Vegetation - Littoral Zone Bioaugmentation	Plant a mixture of productive plants that thrive in the littoral zone.	Capital Improvement	Biological	water quality; aquatic habitat; sediment-sedimentation; organic material, nutrients; pesticides	lakes big enough to accommodate plants. Avoid areas where plants may conflict with recreation.	Access to water	May require CPW approval	Restore littoral plant communities; increase carbon storage.	$1-6k	$300-$400	https://www.colliercountyfl.gov/your-government/divisions-f-r/natural-resources/littoral-zones; https://www.broward.org/NatureScape/CreateNaturescape/Documents/landscaping_on_edge.pdf; https://www.nrem.iastate.edu/bmpcosttools/files/page/files/2016%20Cost%20Sheet%20for%20Riparian%20Buffer%20or%20Filter%20Strip.pdf	Quantifying the Effect of a Vegetated Littoral Zone on Wet Detention lake Pollutant Load Reduction (2005) (ucf.edu); https://agupubs.onlinelibrary.wiley.com/doi/epdf/10.1002/2015WR018014

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BMP_43	Vegetation - Selective Harvesting	Hand cutting, pulling and selective harvesting are highly selective vegetation removal techniques that target easily identified species. They are usually used to target new infestations with low plant density (generally less than 500 stems per acre). These methods can be used to remove more dense plant growth over small areas, but benthic barriers or suction harvesting may be more effective. These methods can also be used as important follow-up to herbicide treatment.	Maintenance	Mechanical	aquatic nuisance species-plants; aquatic invasive species-plants; algae blooms	Not practical for larger lakes or larger effected areas.	root pieces and fragments left by self-propagating plants may exacerbate the problem; hand-pulling can disturb sediment and make it difficult to identify other plants; DO NOT use hand rakes for weed control without expert guidance; sediment-water interactions; resuspension of benthic sediments; may disturb desirable organisms and habitats	CWA Section 401; certification required if SCUBA used	in shallow waters, it requires little skill or equipment and can therefore be cost-effective. Can be used to target specific weeds in an area.	$500-$2,400/acre	Variable depending on treatment frequency.		
BMP_44	Vegetation - Riparian Bioaugmentation	Implementation of a riparian buffer or vegetative zone adjacent to inlets and lakes. No-mow buffers can improve water quality and reduce nutrients to lake. Riparian ecosystems can be established through seed planting, transplanting or a combination.	Capital Improvement	Biological	water quality; aquatic habitat; sediment-sedimentation; organic material, nutrients; pesticides; Escherichia coli (E. coli)	N/A	Establishing vegetation Maintenance and upkeep	USACE Section 404; CWA Section 401	Sediment control Ecological habitat Increased aesthetics; geese control	$1-6k	$200-$400	Chapter_6-7-1.pdf (stormwaterpa.org)	Riparian buffer width, vegetative cover, and nitrogen removal effectiveness: A review of current science and regulations (epa.gov); https://agupubs.onlinelibrary.wiley.com/doi/epdf/10.1002/2015WR018014
BMP_45	Vegetation - Tree Bioaugmentation	Planting trees can help with bank stabilization, shade and aesthetics of lakes and lakes.	Capital Improvement	Biological	restore riparian plant communities; sediment-sedimentation; organic material; nutrients; pesticides	N/A	short term increased sediment during planting that could add sediment to the waterbody	Non-WOTUS do not require a permit; visual obstruction permissions may be required.	Restore riparian plant communities; increase carbon storage.	$300-11k	$300-$500 per acre		https://www.parklandcounty.com/en/live-and-play/resources/Documents/PRC/iceheave/Shoreline-Stabilization-Sample-Plans.pdf
BMP_46	water quality Monitoring	Implement water quality monitoring to determine baseline and changing water quality standards for adaptive and responsive management.	Maintenance	N/A	any	All	can be expensive to develop and maintain over a long period of time, requires long period of time to draw conclusions from data	N/A	can provide more data than is currently available, are able to target areas of concern to monitor over a short or long period of time	Variable depending on monitoring type and frequency.	Variable depending on monitoring type and frequency.		https://www.usgs.gov/centers/umid-water/science/lake-monitoring-and-research?qt-science_center_objects=0#qt-science_center_objects

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BMP_47	Weed rollers	Rollers can be up to 30 feet long and sit on the lake bottom powered by an electric motor. Travel forward and reverse in up to a 270-degree arc around a pivot point. Typically installed at the end of a dock. Plants become wrapped around the roller and are dislodged from the sediment. Roller motion disrupts and compresses the bottom sediments, which prevents plants from becoming re-established.	Maintenance	Mechanical	aquatic nuisance species-plants; aquatic invasive species-plants	Not practical for smaller lakes.	Not practical for large areas; may disrupt fish and other benthic organisms; may require permit	CPW; USACE Section 404; CWA Section 401; certified operator may be required	Compresses benthic sediment	$2k/acre	Variable depending on treatment frequency.		https://www.sfei.org/sites/default/files/biblio_files/PestAlternatives_review.pdf
BMP_48	Forebay Construction	Sediment capture area upstream along inlet waterway to target waterbody where sediment settles out prior to entering the waterbody. May include road access for easy dredging and maintenance of forebay. Reduces sediment maintenance of waterbody.	Capital Improvement/Maintenance	Mechanical	sediment-sedimentation; nutrients; pesticides	N/A	requires periodic dredging, invasive weeds can become an issue to downstream water quality	USACE Section 404; CWA Section 401	can help to trap the incoming sediments and prolong the benefits of dredging	$1,000-$2,000/acre	$800-$4,000		https://www.mass.gov/files/documents/2016/08/sd/eutrophication-and-aquatic-plant-management-in-massachusetts-final-generic-environmental-impact-report-mattson.pdf
BMP_49	Hypolimnetic Withdrawal	Damming surface water outflow and withdrawing hypolimnetic water.	Capital Improvement/Maintenance	Mechanical	low dissolved oxygen-anoxia; nutrients	lakes that have an outlet that may be modified to drain hypolimnetic water or access for pumping hypolimnetic water.	summer drawdown, disruption of stratification, and downstream water quality. Effectiveness requires long-term use of this BMP	CWA Section 401; CPW Permit to kill fish if withdrawal will cause mortality in natural waters; water rights should be considered.		$3k-45k for withdrawal pipes	$50-1k		https://upstreamtechnologies.us/docs/SAFL_Baffle_Vs_Forebay.pdf; https://www.epa.gov/sites/production/files/2015-04/documents/nutrient-economics-report-2015.pdf page III-13
BMP_50	SAFL Baffle	Stormwater pretreatment system that filters sediment from inflowing water prior to entering downstream waterbodies.	Capital Improvement/Maintenance	Mechanical	sediment-sedimentation	N/A	N/A	USACE Section 404; CWA Section 401		$670/acre	$500-$1,000		https://upstreamtechnologies.us/docs/SAFL-Baffle-Design-Guide.pdf
BMP_51	Landscape Fertilizer Application	Best practice to provide education to the public related to landscape fertilizer application to reduce nutrient runoff to waterways.	Education	Chemical	Nutrients	N/A	N/A			Variable	Variable		*https://extension.colostate.edu/docs/pubs/garden/xcm222.pdf*

UNIQUE ID	BMP	DESCRIPTION	BMP TYPE	BMP MECHANISM	TARGET WATER BODY ISSUE	APPLICABLE LAKE CONDITIONS	POTENTIAL CONCERNS	PERMITTING AND WATER RIGHTS	CO-BENEFIT(S)	CAPITAL COSTS	O&M COSTS PER YEAR (ADJUSTED FOR 20-YEAR BMP LIFESPAN)	ADDITIONAL RESOURCE(S)	REFERENCE(S)
BMP_52	Polyfluoroalkyl substances (PFAS)	Background information	Education	N/A	PFAS	N/A	Toxicity to aquatic life	N/A		N/A	N/A		https://www.epa.gov/pfas/pfas-explained https://cdphe.colorado.gov/pfas-water

MINUTES

CITY OF FORT COLLINS • BOARDS AND COMMISSIONS

City of Fort Collins Boards & Commissions

Land Conservation & Stewardship Board
January 11, 2023
Regular Meeting – Excerpt

Urban Lakes Water Quality Management Policy and Guidance

Richard Thorp, Watershed Program Manager explained the Water Quality Management Policy is meant to be a framework for the City's urban lake's water quality operational management decisions and is restricted to City owned lakes within the Fort Collins Growth Management Area (GMA) and specifically excludes private lakes. The Guidance is meant to be a technical resource to support City staff in implementing the policy. Because the Guidance will be available to the general public, it may be useful for private lake management as they face similar water quality issues. Richard clarified the Guidance is not meant to serve as a prescriptive plan across the City's lakes. His brief presentation covered the project background, scope, and timeline milestones. He reported the draft policy was informed by community engagement including subject matter experts, and feedback from advisory boards and commissions. He noted the cross-department team processed the previous feedback from the LCSB gathered during the September 2021 meeting. The policy was drafted during a series of focused meetings and facilitated workshops. Richard Thorp described the types of community outreach conducted at targeted lakes which was used to better understand the community's concerns around water quality and how the community was using the urban lakes. The project team was intentional in gathering diverse perspectives and was guided by demographic vulnerability indicators including housing stability, and income and education levels. Outreach efforts were administered in English and Spanish. The main takeaway for the team was the community truly treasures these resources as opportunities for recreation, to view wildlife and the existence of wildlife habitat. The community's water quality concerns were algal blooms, fish kills and odors. Richard Thorp closed his presentation with a high-level overview of the major elements of the policy. He will be meeting with additional advisory boards and commissions and seeking a formal motion from each to recommend City Council adopt the Policy. The project team anticipates City Council will adopt the Policy during Q1 or Q2 of 2023. After the policy has been adopted, the Policy and Guidance will be finalized.

Discussion

In response to Member Kley, Richard Thorp stated the project team will be presenting to the Natural Resources Advisory Board, Parks and Recreation Board, and the Water Commission. Vice Chair Cunniff noted the policy is focused on water quality, not erosion or other impacts. He asked if the project team had considered using bellwether species as an indicator of water quality. As an example, he stated a decline in amphibian population can be an early indicator of a problem. Richard Thorp responded by pointing to the Best Management Practices (BMPs) included in the Guidance which takes a different approach: monitoring for invasive or problem species as indicators.

Member Culver voiced concern that restoration is not included in the Guidance. She stated she always considers restoration when looking at lakes and ponds, and preventative measures to avoid algal blooms and problem species. She noted, given the community's high value in wildlife and habitat, this seems like a missed opportunity to include restoration goals. Member Culver also spoke about impact of homeless camps in watershed and potential water contamination. She acknowledged the City and non-profit organizations are addressing the homeless issue but

wanted to recognize the health and safety risks associated with transient camps. Richard Thorp reported the homeless issue did not come up during outreach, although there was concern regarding trash and discarded fishing line. Richard explained the BMPs are focused on mitigation and/or risk reduction of existing impacts like algal blooms. The development of a water quality management plan could address restoration including the buffer zone adjacent to a lake but that falls outside of the scope of this project.

Member Piesman asked what are the BMPs for keeping something like Duck Lake from happening. Richard Thorp pointed out that most of the lakes in Fort Collins are shallow and man-made; and as they age are prone to certain water quality issues like accumulation of nutrient load and sediment build up. Mitigation buffers, controlling nutrient load, and flow-through would help to prevent these kinds of issues occurring at Duck Lake. He restated BMPs are focused on dealing with existing issues.

Member Kramer commented that the Guidance seems to address lakes in isolation. He asked if recommendations could be added to the appendices to communicate with adjacent landowners and to utilize basin analysis mapping to determine pollution/contamination sources. Vice Chair Cunniff supported Member Kramer's comments to add a recommendation to develop relationships with surrounding property owners and use mapping tools to inform future policy. Richard Thorp explained budget limitations prevented the project team from doing a land use or basin analysis to understand risk factors that can contribute to water quality issues. He supports preemptively partnering with landowners to mitigate risk factors but stressed this would be a department management decision.

Member Kley asked for the definition of "one water approach." Richard Thorp explained it is a collaborative planning and implementation approach; an inter-departmental process as well as reaching out to subject matter experts and the general community. Member Kley followed by asking if there are different management recommendations since the lakes may serve different purposes for Parks, Natural Areas, and Utilities. Richard Thorp stated the project team intentionally separated the lakes into different bands to avoid false comparisons and to recognize the different uses.

Chair Elson appreciated information gathered from multiple sources and asked for clarification as to the function of the Guidance. Richard Thorp explained it is meant to serve as a guiding resource for staff and is not a prescriptive tool; it is a resource for starting a management process. Member Kramer suggested the general public or those with less technical knowledge might benefit from a flow chart to correctly apply BMPs. Richard Thorp understood the interest, but the project team decided it would do more harm than good. Member Piesman reminded everyone of the impact of global warming, and the need to consider rising temperatures and declining rainfall when updates are made to the Guidance document.

Several members asked about baseline and/or ongoing monitoring of every lake to understand what is going on. Richard Thorp referred to the Guidance as starting point for City departments to develop a management policy for their respective lakes and ponds. While the project team is supportive of regular sampling, this action would fall under specific management plans adopted by individual departments. Member Culver asked if sampling requirements to establish a

baseline could be added to the motion. Jill Oropeza explained the policy is not a management plan for any lake; it is a framework to address water quality within the GMA. Monitoring and sampling would be part of management plans developed by individual departments.

Member Lopez asked if PFAS are included in the Water Quality Issues Database (Guidance, Attachment 6). She voiced concern about potential run-off into urban lakes, especially given the recent and extensive fire-fighting activities in Colorado. Richard Thorp answered they were not on the list but agreed to add them.

Vice Chair Cunniff reminded the LCSB their concerns, as recorded in the meeting minutes, would be shared with Council. Chair Elson restated the requested motion is for the Policy only, not the Guidance.

Member Piesman made a motion that the Land Conservation and Stewardship Board advise Council to approve the Water Quality Management Policy for City urban lakes and stormwater basins in the Growth Management Area. Member Kramer seconded the motion.

Vice Chair Cunniff amended the motion to include: the Land Conservation and Stewardship Board recommends that Council fully fund all of the proposed management actions that are recommended in the policy. Member Kramer seconded the amendment. The motion and amendment were approved unanimously, 8-0.

MINUTES

CITY OF FORT COLLINS • BOARDS AND COMMISSIONS

NATURAL RESOURCES ADVISORY BOARD

TYPE OF MEETING - REGULAR - EXCERPT

January 18, 2023 6:00 – 8:00 pm
Via Zoom

a. **Urban Lakes Water Quality Management Policy and Guidance Update –** Richard Thorp (Lead Specialist and Watershed Program Manager, Utilities) updated the Natural Resources Advisory Board on the project team's Policy development approach and shared final drafts of the Policy and Guidance. The project team is seeking a formal motion from the Natural Resources Advisory Board to recommend that City Council adopt the final draft Policy. (Action)

- Discussion | Q + A
  - Barry – **Q** – I found it hard to evaluate or give a thumbs up/down because of a lack of detail. For instance, I am interested specifically in the water quality metrics that are being measured and how they compare with Environmental Protection Agency (EPA) standards for water quality thresholds. That is data information. An example that's recently appeared in the media about polyfluoroalkyl substances found in all the fish that were sampled by a variety of agencies including Parks and Wildlife and in every case the fish exceeded the EPA standards by a huge amount suggesting that there were human health issues particularly with people who would consume those fish. I only live a block away from City Park and the lake and I can tell you lots of people catch those fish and keep them presumably to consume them. It is hard for me to judge whether it got the appropriate rigger or not to protect community welfare without information on what exactly is being measured and how the current measurements compare to EPA water quality thresholds. Richard – **A** – That is a good question, Barry. To be clear the actual measurements of water quality would be management plan specific. That is not what is intended with the guidance at all. It is supposed to summarize information hat is known and supposed to provide some basic tools for managers as a starting point. So specific measures, we are not adding water quality criteria to the guidelines or anything like that. It is well beyond the scope of this project. Barry – **Comment** – I guess I am saying I think that is what should be included. As a citizen that is what I want to see. What are you measuring? Why are you measuring these metrics? What are your thresholds for triggering a response that you are not meeting federal water quality standards? I mean those are things for me that I want to see. Richard – **Comment** – I agree and that is where the rubber meets the road. It is again outside of the scope of this guidance. These are really good questions for the managing departments that are managing specific lakes. The managing departments are going to be tasked with determining what to measure and

how to prioritize certain lakes for management and I think that should be communicated with them.

- Dawson – **Q** – Going off that, the managing areas are Natural Areas, Parks and groups like that, that we can find in the final draft of the Guidance Documents? Richard – **A** – Exactly. There are three managing departments. For example, Natural areas is going to be prioritizing what lakes they want to put resources to, developing specific management plans for those lakes and for water quality issues that they are concerned with, and then going from there.
- Danielle – **Q** – One of the things that I think is noticeable is the two predominate issues identified by public were fish kills, algal blooms, and odors associated with these events. I remember a large fish kill, in 2019 or 2020 in the Poudre River and there was a lot of misinformation round it being caused by chemicals or a variety of things and a lack of understanding of the importance of climate change and warmer temperatures causing and driving these events. The key aspect of managing these events is managing expectations, public education that people recognize is part of our warming future. One mitigation option that does hold a lot of potential, is increase shade cover. Beavers are one of the most powerful tools in ecosystem engineers to increase shade cover that can then decrease water temperatures and prevent these events from happening. The second is increasing tree canopy. I am wondering if these actions are something that are potentially on the table, something that is being discussed, and if not if there is opportunity for the Board to recommend these features. Richard – **A** – Part of the guidance development is we pulled together contemporary best practices for some of that, like sedimentation, algal bloom, and lot of the primary water quality issues we face. By no means is the Best Management Practice Tool and the Guidance supposed to be all encompassing. I think that gets back to this developing specific management plans for the issues you are facing. We have 304 urban lakes within the City that the City owns. To develop a plan that captures the issues of all those lakes is just really not possible or practical. So specific things like introducing beavers is not necessarily within our Best Management Practices, and that is something that certainly might be considered by one of the departments. I assume you are taking about lakes too and not just the Poudre. Danielle – **Comment** – Yes, It would apply for all water bodies. Obviously, the Poudre Rivering systems are better suited or preferred by the beaver but here are some successful examples from isolated lakes as well. Richard – **Comment** – That is a good point. The best practices that we do include are meant to be a starting point and then you know there is a possibility City Staff, that has been tasked with managing these resources are going to need to reach out to

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consultants for additional help for particularly challenging situations.

- Matt – **Comment** – Barry, I appreciate what you are saying, and I get it. I get where you are going with that. It might not be analogist, but I would refer back to our discussion on the guardians of the river and feel like this is a foundational policy and item because the alternative staff has been dealing with in the past is no guidance and no guardrails about who is responsible for what lakes and who is responsible in the City for these things. I think what I hear Richard saying is that this can be an interim process. This provides a toolbox that is foundational. It can be reviewed maybe someday with the aspirational goal to get where you are at with specific measurements. I don't disagree with that, but I feel like it is a really solid foundation and I appreciate the applicability in scope section how it divided out who is responsible for what. I thought the toolbox was a good start for staff and private lake managers. I appreciate the work. Barry – **Comment** – I must say to that after reading the reports about the PFAS found in all fish samples throughout Colorado in rivers and lakes the magnitude with which they exceeded EPA standards suggested to me a sense of urgency of moving quickly to monitoring those indicators and those monitoring state variables that are tied directly to the EPA water quality thresholds.
- Dawson – **Q** – So the question on the table is if the Board will show support going forward with this draft. Richard, when thinking about that is there a way in which we showcase that through a memo, vote, or just on record here for the Council? Richard – **A** – I think the latter, just basically going on record. Then we can putt and submit that as part of our materials to Council and include the full minutes as an attachment. Dawson – **Q** – Honore is the best practice of this process to do a vote of support? Honore – **Q** – That is a good question. Richard what have you seen on other boards? Richard – **A** – We have only gone to one other Board with this ask and they put it to a vote of we support this final draft policy with a motion, second and that sort of thing. Honore – **Comment** – Nice and clean in the record of the minutes that way.
- Dawson motions and Matt seconds to put forward support of this draft going forward to the City. Motion passed unanimously. 8-0

MINUTES

CITY OF FORT COLLINS • BOARDS AND COMMISSIONS

DRAFT MINUTES WATER COMMISSION

REGULAR MEETING

January 19, 2023, 5:30-7:30 p.m.
Hybrid in person at 222 LaPorte Ave and online via Zoom

EXCERPT FROM UNAPPROVED MINUTES

6. NEW BUSINESS

d. Regular Items
(Attachments available upon request)

i. City of Fort Collins Urban Lakes Water Quality Management Policy and Guidance Update
Richard Thorp, Watershed Program Manager, Utilities Water Quality Services

The project manager met with Water Commission on September 16, 2021 to provide an update on the development of the City's Urban Lakes Water Quality Management Guidance and to seek feedback on the project team's Urban Lakes Water Quality Policy development approach. Mr. Thorp used Water Commission's feedback to inform development of the final draft policy. This follow-up presentation provided an overview of the project team's policy development approach and shared final drafts of the policy and guidance. Staff requested Water Commission recommend City Council formally adopt the policy. Council is scheduled to address this item on March 7.

Discussion Highlights
Mr. Thorp mentioned the formation of an interdepartmental team of Utilities, Parks and Natural Areas departments to review and exchange information and discuss common problems such as algal blooms.

Commissioners commented and on inquired about various related topics including: emphasizing the need for clear expectations of which staff will manage the project and ensure accountability; suggestion for a letter of support from Colorado Parks and Wildlife (CPW)(staff responded that CPW was consulted); Rigden Reservoir is one example of a project managed by more than one department (Utilities and Natural Areas); One Water approach; budget for mitigation (no funding at this time; Water Quality Services Director Jill Oropeza stated this is the first step in acknowledging issues of public health concerns, expressing commitment to addressing them, and assessing priorities; etc.

MINUTES

CITY OF FORT COLLINS • BOARDS AND COMMISSIONS

DRAFT MINUTES WATER COMMISSION

REGULAR MEETING

Commissioner Kahn moved that the Water Commission recommend City Council approve the Urban Lakes Water Quality Management Policy.

Commissioner Radin seconded the motion.

Vote on the Motion: it passed unanimously, 9-0

This is an excerpt from draft unapproved meeting minutes that will be approved by the Water Commission on Feb. 16, 2023.

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MINUTES

CITY OF FORT COLLINS • BOARDS AND COMMISSIONS

Parks and Recreation Boards

TYPE OF MEETING – Regular

January 25th, 2023

413 S Bryan

1. CALL TO ORDER

Ken Christensen called to order at 5:36 PM

2. ROLL CALL

- List of Board Members Present
  Ken Christensen
  Bob Kingsbury
  Mike Novell
  Nick Armstrong
  Meghan Willis
  Joshua Durand

- List of Board Members Absent – Excused or Unexcused; if no contact with Chair has been made
  Jon Corley
  Paul Baker
  Marica Richards (excused)

- List of Staff Members Present
  LeAnn Williams Recreation Director (remote)
  Mike Calhoon Parks Director
  Matt Day Sr. Landscaping Architect
  Jen Scott Business Support II

- List of Guests
  Richard Thorp Utilities Lead Specialist, Sciences
  Jill Oropeza Utilities Director, Sciences
  Sylvia Tatman-Buruss CMO Sr. Project Manger
  Morgan Lommele Kearns & West (remote)
  Caitilin Sheridan Kearns & West (remote)

3. AGENDA REVIEW

- Changes announced at the meeting by the Chair

4. CITIZEN PARTICIPATION

- No Citizen Participation

5. APPROVAL OF MINUTES

Ken Christensen motioned to Approve November-December Minutes- Nick Armstrong motion to Approve and Meghan Willis seconded.

UNFINISHED BUSINESS

Sustainable Funding Initiative Update Mike Calhoon

Ongoing effort over the last 14 months with four initiatives that lack funding from three departments. The four initiatives are Our Climate Future, Affordable Housing, Transportation Master Plan, and Parks and Recreation Infrastructure Replacement Program.

The Sustainable Funding Initiative team will be presenting their funding portfolios (area of taxation e.g., property taxes, fee, sales tax, special tax) on February 2nd and will be looking for guidance from Council on which ones should be pursued.

Board can discuss to advocate for funding for this program. To discuss why to have this funding with more robust stories e.g. 10% of people that utilize the Parks come from 100 miles away.

Next Steps are Finance Committee

6. NEW BUSINESS

BOARD ELECTIONS

Ken Christensen Chair

Nick Armstrong Co-Chair

Mike Novell Secretary

Ken Christensen made motion and Nick Armstrong seconded the motion.

Urban Lakes Policies Presentation Richard Thorp Utilities Project Manager and Jill Oropeza

First- Policy Development Approach

Framework for City's Urban Lakes water quality operational and management decisions

City-owned lakes within growth management areas

Excludes private waters, drinking water reservoirs, and Cache la Poudre River.

Guidance

Technical resources to support policy implementation

Available to private lakes managers

Not a prescriptive water quality management plan

Second-Final Draft Policy

Sharing drafts with Final Guidance and Policy with advisory board and seeking formal support of the policy

Adoption of policy from City Council

Finalize Guidance and Policy

Questions

How did you pick shareholders?

Community engagement included a focus on lake users with site visits in targeted areas for hard-to-reach populations, surveys were distributed in person and online along with the Colorado Parks and Wildlife, and several Boards and the Water Commission.

Can we swim in these Lakes?

No-Concerns around the cost of testing and lifeguards.

In testing what is the qualifications of a violation?

This depends on the body of water are what it is used for.

Ken Christensen motioned to Recommend the City Council adopt this policy as soon as reasonably possible.

Present board members all in favor-Motion passed

MINUTES

CITY OF FORT COLLINS • BOARDS AND COMMISSIONS

Parks and Recreation Board

Hughes Stadium Presentation Sylvia Tatman-Burruss, Sr. Policy & Project Manager

Kearns & West Morgan Lommele (remote) Caitlin Sheridan (remote)

2016 Hughes stadium closed

2021 Citizens voted to rezone the site for “parks, recreations, open lands, natural areas, wildlife rescue and restoration”. City rezoned the parcel as “Public Open Lands”.

2022-Currently City is developing scenarios for the use of the site

2023 City anticipates acquiring site from CSU

No current funding for scenarios which would be helpful for Council to address how to use the land.

Meeting with multiple boards, neighbors, and Indigenous people for input.

Focus groups have noted the desire for: maintain the connections to nature, feeling of being in open spaces, maintain community character, become a regional destination for biking, wildlife rehabilitation, and opportunity to use the land by Indigenous Peoples.

Continue outreach and discussion of community desires.

Board feels the importance of fully engaging and advocating for the Indigenous People in their interest for this space. Bring Indigenous People in as consultants.

Questions

Tying into the Parks Master Plan- gaps

What is allowed from the Master Plans to fill in the gaps for the space.

What are the steps to include Indigenous community in the process.

Diversity, equity, and inclusion team with the City to engage with Indigenous people. Create a process February is to go over multiple properties.

What is the timeline for the project?

Unsure- funding, what are the needs of the community.

Transparency is key.

MINUTES

CITY OF FORT COLLINS • BOARDS AND COMMISSIONS

Parks and Recreation Board

7. BOARD MEMBER REPORTS

FC Bikes Update Marcia Richards (presented by Ken Christensen)

FC Moves

Parks Forever Card

Active Modes Plan/Policy Approved

Recommend Connecting access to Trails

Bike City Rating

2018 Fort Collins was 1st

2019 Fort Collins was 2nd

2022 Fort Collins is 43rd.

The drop in position due to increase in participation in the Bike City Rating program (International).

8. OTHER BUSINESS

RECREATION Update– LeAnn Williams

Registration system RFP to go out

Record amount of registration

8 New Employees

2 vacancies

ADA Bathroom at the Farm

Northside Program Funded for Renovations this Fall 2023

PARK PLANNING AND DEVELOPMENT Update– Matt Day

Dovetail

East Maintenance Facility

In punchlist process

Mail Creek Still working with Engineering and Railroad to connect Trails

I25 and Poudre River Trail

Montava

WatersEdge (ongoing)

CAPRA Certification Process is ongoing

David Kemp is starting with us February 6th as the Senior Trails Planner and he will be coordinating closely with FC moves

PARKS Update – Mike Calhoon

Ice Rink Opened at City Park

Every Wednesday Unhoused Encampment cleanup

Restructure Park Planning

9. ADJOURNMENT

Time Ended 8:23 PM

COLORADO
Parks and Wildlife
Department of Natural Resources

Northeast Aquatics Section
317 West Prospect Rd
Fort Collins, CO 80526

February 14, 2023

City of Fort Collins City Council

City of Fort Collins Urban Lakes Water Quality Management Policy and Guidance

Dear City of Fort Collins City Council,

Colorado Parks and Wildlife (CPW) would like to provide this letter of support for the City of Fort Collins Urban Lakes Water Quality Management Policy and Guidance. CPW appreciates being consulted as a subject matter expert, speaking to the relationship between fisheries management and water quality. Input was provided by CPW to inform City of Fort Collins staff and consultants as to where negative impacts to fisheries have been observed due to water quality issues.

CPW appreciates the City of Fort Collins acknowledging the importance of water quality and taking steps to improve water quality as it is critical to managing successful fisheries.

Sincerely,

Kyle Battige

Area 4 Aquatic Biologist

Heather Dugan, Acting Director, Colorado Parks and Wildlife
Parks and Wildlife Commission: Carrie Besnette Hauser, Chair • Dallas May, Vice-Chair • Marie Haskett, Secretary • Taishya Adams
Karen Bailey • Betsy Blecha • Gabriel Otero • Duke Phillips, IV • Richard Reading • James Jay Tutchton • Eden Vardy

PLE BOTTOM LINE SCAN SUMMARY

City of Fort Collins

Project: **Fort Collins' Urban Lakes Water Quality Management Policy and Guidance**

Project Description

A project team consisting of staff from Natural Areas, Parks and Utilities Departments, the City Attorney's Office and SWCA Environmental Consultants (SWCA) addressed urban lakes water quality management concerns by developing an Urban Lakes Water Quality Management Policy. The purpose of the Policy is to provide a foundational framework for the City's operational and management decisions related to water quality management in City-owned lakes and stormwater basins. The project team developed an Urban Lakes Water Quality Management Guidance as a technical resource to assist City staff with implementing the Policy.

IMPACTS WITH MEDIUM TO HIGH CONFIDENCE

Environmental

Positive

- ENV 1 - Will improve plant and animal communities. Fewer fish kills and algae blooms.
- ENV 4 - City will more easily be able to adapt to climate-related water quality impacts; healthy urban lakes can serve as refuge spaces for community during periods of high heat.
- ENV 6 - Will improve water quality in City's Urban Lakes, outlet streams and groundwater.
- ENV 9 - Policy and Guidance to be shared with community; and will help staff communicate water quality drivers and threats to community.
- ENV 10 - Will enhance regional watershed planning and collaboration; aligns with City's Strategic Objectives 4.5 and 4.6

Negative

- NA

Economic

Positive

- ECON 1 - Healthy Urban Lakes may increase tourism and benefit local businesses.
- ECON 2 - Healthy Urban Lakes will improve the quality of recreational access.
- ECON 7 - Managing urban lakes water quality will reduce some costs associated with future stormwater infrastructure retrofits and maintenance.

Negative

- NA

Social

Positive

- SS1 - Project will help improve access to nature and physical activity within the City.
- SS2 - Urban lakes are popular places for community members to interact; healthier lakes will encourage increased usage.
- SS3 - Managing water quality in urban lakes will reduce the frequency and severity of algae blooms and other human health-related issues

Negative

- NA

Tradeoffs / Mitigations

Tradeoffs

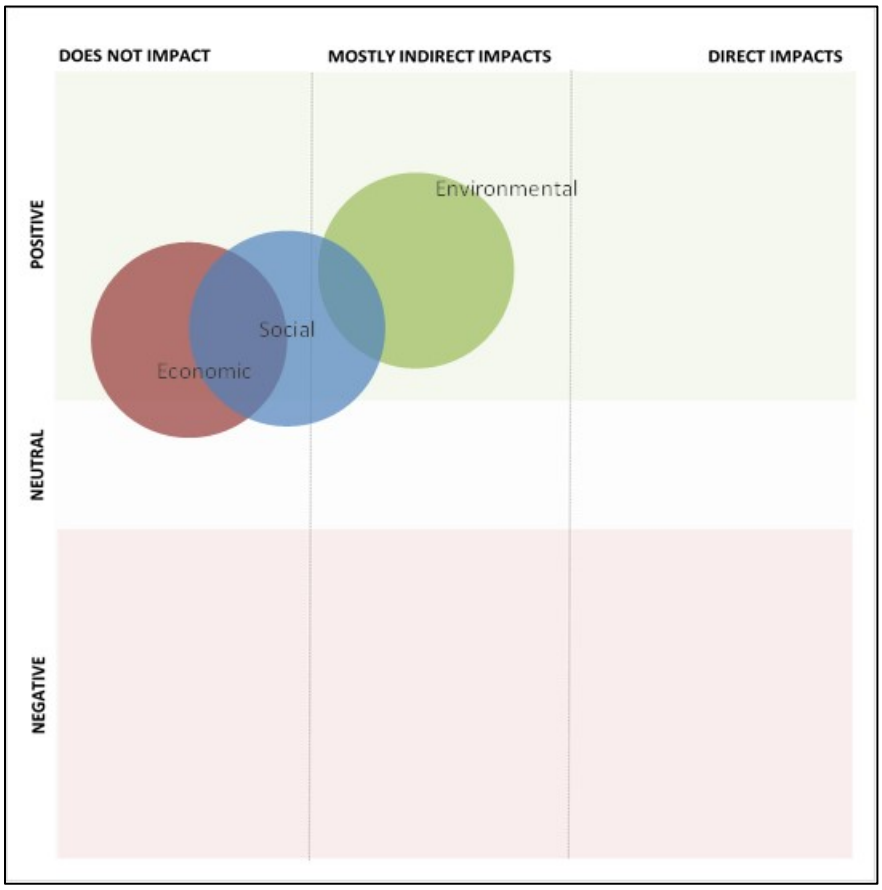
- NA

Mitigations

- NA

Key Alignment: This project is most aligned with the environmental category. It is expected to improve water quality management of the City's urban lakes for the benefit of the environment and community members.

Project: **Fort Collins' Urban Lakes Water Quality Management Policy and Guidance**



Discussion

This project is expected to positively impact water quality and improve the overall environmental health of City-owned urban lakes. The management framework and tools provided by this project will likely result in reduced frequency and severity of algae blooms and other water quality issues. Improving urban lakes water quality will benefit plant and animal communities utilizing these resources as habitat. Development of the Policy and Guidance have been informed using feedback received during a community engagement process. The Guidance will be available to the general public as an educational and technical resource. The Policy and Guidance will improve environmental health by supporting ongoing water quality-related planning and collaboration and.

The City of Fort Collins is known for its public access to natural resources and recreation. Improving urban lakes water quality could enhance the City's brand and increase tourist visitation. Increases in visitation and usage at local lakes could indirectly benefit local businesses and the City's overall economic health. The economic health of the City will likely benefit from this project by reducing the need to replace and maintain stormwater infrastructure. And lastly, the project will positively benefit social health within the City by improving access to natural spaces, physical activity and social connection.

The Policy and Guidance also align with the City's Strategic Plan by addressing the following strategic objectives:
Strategic Objective 4.5 – Protect and enhance natural resources on City-owned properties and throughout the community.
Strategic Objective 4.6 – Sustain and improve the health of the Cache la Poudre River and all watersheds within the City

March 7, 2023

AGENDA ITEM SUMMARY
City Council

STAFF

Nina Bodenhamer, Director, City Give
Ted Hewitt, Legal

SUBJECT

Second Reading of Ordinance No. 026, 2023, Appropriating Philanthropic Revenue Received Through City Give for The Gardens on Spring Creek for General Operations as Designated by the Donor.

EXECUTIVE SUMMARY

The purpose of this Ordinance, adopted 5-1 (Nay: Ohlson) on First Reading on February 21, 2023, is to request appropriation of $100,000 in philanthropic revenue received through City Give for The Gardens on Spring Creek for general operations as designated by the donor.

In 2019, City Give, a formalized enterprise-wide initiative was launched to create a transparent, non-partisan governance structure for the acceptance and appropriations of charitable gifts.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

BACKGROUND / DISCUSSION

The Gardens on Spring Creek is the community botanic garden of Fort Collins, Colorado. The 18-acre site opened in 2004 and has a history of generous philanthropic community support. Following a two-year, $6 million expansion project, The Gardens now offers an expanded Visitor's Center and gift shop, Butterfly House, Everitt Pavilion and Great Lawn, along with five acres of new gardens.

The purpose of this item is to request appropriation of $100,000 in philanthropic revenue received through City Give for The Gardens on Spring Creek for general operations as designated by the donor. In a continued investment in capital improvements, The Gardens on Spring Creek secured a $100,000 philanthropic award from Nutrien designated for exterior capital improvements of the Outdoor Teaching Kitchen. Nutrien's generosity will be acknowledged onsite at The Gardens on Spring Creek via terms and details outlined in a Gift Agreement per City Give policy.

Nutrien is a Canadian fertilizer company and a leading global provider of agricultural products, services, and solutions. Nutrien has offices across Colorado including Nutrien Ag Solutions in Greeley and a corporate campus in Loveland with approximately 3,000 employees.

CITY FINANCIAL IMPACTS

This Ordinance will appropriate $100,000 in philanthropic revenue received through City Give for The Gardens on Spring Creek and expended in the Cultural Services and Facilities Fund. The funds have been received and accepted per the City Give Administrative and Financial Policy.

The City Manager has also determined that these appropriations are available and previously unappropriated from the designated funds and will not cause the total amount appropriated in these funds to exceed the current estimate of actual and anticipated revenues and all other funds to be received in these funds during fiscal year 2023.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

None.

PUBLIC OUTREACH

None.

ATTACHMENTS

First Reading attachments not included.

1. Ordinance for Consideration

ORDINANCE NO. 026, 2023
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROPRIATING PHILANTHROPIC REVENUE RECEIVED THROUGH
CITY GIVE FOR THE GARDENS ON SPRING CREEK FOR
GENERAL OPERATIONS AS DESIGNATED BY THE DONOR

WHEREAS, Nutrien has generously donated $100,000 to the City of Fort Collins to support The Gardens on Spring Creek ("The Gardens"); and

WHEREAS, the $100,000 donation is designated for exterior capital improvements of the Outdoor Teaching Kitchen at The Gardens; and

WHEREAS, Nutrien's generosity will be acknowledged onsite at The Gardens via terms and details outlined in a Gift Agreement per City Give policy; and

WHEREAS, this appropriation benefits public health, safety and welfare of the citizens of Fort Collins and serves the public purpose of improving a public cultural facility; and

WHEREAS, Article V, Section 9 of the City Charter permits the City Council, upon recommendation of the City Manager, to make a supplemental appropriation by ordinance at any time during the fiscal year, provided that the total amount of such supplemental appropriation, in combination with all previous appropriations for that fiscal year, do not exceed the current estimate of actual and anticipated revenues and all other funds to be received during the fiscal year; and

WHEREAS, the City Manager has recommended the appropriation described herein and determined that this appropriation is available and previously unappropriated from the Cultural Services and Facilities Fund and will not cause the total amount appropriated in the Cultural Services and Facilities Fund to exceed the current estimate of actual and anticipated revenues and all other funds to be received in this Fund during this fiscal year.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That there is hereby appropriated from new philanthropic revenue in the Cultural Services and Facilities Fund the sum of ONE HUNDRED THOUSAND DOLLARS ($100,000) to be expended in the Cultural Services and Facilities Fund by The Gardens on Spring Creek for general operations of The Gardens on Spring Creek.

Introduced, considered favorably on first reading, and ordered published this 21st day of February 2023, and to be presented for final passage on the 7th day of March 2023.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading this 7th day of March, 2023.

Mayor

ATTEST:

City Clerk

March 7, 2023

AGENDA ITEM SUMMARY
City Council

STAFF

Travis Storin, Chief Financial Officer,
Jason Licon, Northern Colorado Regional Airport Director
Ryan Malarky, Legal

SUBJECT

Second Reading of Ordinance No. 031, 2023 Appropriating Prior Year Reserves for a Capital Contribution of $1,000,000 for Construction of a New Public Terminal Facility at the Northern Colorado Regional Airport.

EXECUTIVE SUMMARY

The purpose of this Ordinance, adopted 5-1 (Nay: Ohlson) on First Reading on February 21, 2023, is to appropriate an anticipated $1,000,000 capital contribution for the construction of a new public terminal facility (Project) at the Northern Colorado Regional Airport (Airport). Total Project costs are estimated to be $25,000,000, and this Ordinance's adoption by the end of February helps to secure the anticipated $21,000,000 of federal funding. At the suggestion of the Council Finance Committee, staff has developed a series of performance indicators to use as terms and conditions of the City contribution.

The Ordinance has been revised between first and second reading to add a new sixth recital listing the performance indicators for the Project that City staff identified. These indicators were not explicitly included in the changes to the Ordinance read into the record at first reading and approved by Council. These performance indicators are: (i) the Project achieve LEED Silver building certification; (ii) the Project include a public art commitment at 1% of the non-federal funding; (iii) the terminal's carbon footprint be no greater than 198 metric tons of carbon dioxide equivalent; (iv) the terminal have enhanced accessibility; and (v) the Airport achieve by 2028 no less than 33,000 bus or air passengers annually utilizing the terminal.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

BACKGROUND / DISCUSSION

The Airport, which is jointly owned by the Cities of Fort Collins and Loveland, is seeking additional funding to complete the total need for the $25M Project. This new terminal will replace the inadequate, temporary facilities used for growing multi-modal transportation segment, charters, and future airline services. The new terminal will include two airline gates, Denver International Airport (DIA) transportation, and transit access.

The current terminal was constructed in 1989 for 19 passenger aircraft. This facility does not meet current or future capacity needs nor accessibility standards. The existing building will be repurposed for TSA, airline, and Airport office space and the modular structure will be decommissioned. The new 19,400 square

foot terminal would support two airline gates, transportation to and from DIA, transit, and Transportation Network Company (rideshare) access, and future expansion. The facility is being designed to a LEED Silver level of sustainability.

The total cost of the Project is being funded by Federal Funds ($21M), Airport Capital Reserves ($2M), City of Loveland contribution ($1M), and this request for a City of Fort Collins Contribution of ($1M). This will give the Project the total needed to complete the work.

The current Airport Master Plan was adopted by both Cities in 2020. Beginning in January 2021, the Airport conducted public design charrettes and other outreach regarding the Project. Phase 1 of the Project was an expansion of the aircraft parking apron for $3M, which was 100% federally funded and completed in October 2021. Due to funding shortfalls, a major design change of the Project was completed in October 2022 to reduce the overall cost burden.

Current phase 2 estimates construction costs of $18.5M and terminal facility soft costs of $3.5M. Design is anticipated to be completed in April 2023, followed by contractor bidding concluding in May 2023. Construction is scheduled to start in June 2023 and conclude in October 2024.

A portion of the federal funding associated with the Project is contingent on the contributions from the Cities of Loveland and Fort Collins, combined with Airport reserves, to meet the local match obligation of $4M and trigger the release of federal funds. This federal funding associated with the Project is time-limited to be spent by July 2024, which the Project schedule accommodates.

At the recommendation of Council Finance Committee. City and Airport staff collaboratively developed a series of performance indicators to be used as conditions for the City's capital contribution. This team recommends inclusion of the following:

Condition	Baseline / Current State	Target State	Timeline
1) Leadership in Energy and Environmental Design (LEED) Silver building certification	N/A	Yes	1Q 2025
2) Public art commitment at 1% of non-federal contributions	No	Yes	1Q 2025
3) Carbon Footprint of Building	236 MTCO2e	198 MTCO2e	1Q 2025
4) Number of annual outbound passengers served (bus and air)	18,000	33,000	YE 2028
5) Enhanced accessibility	Partial	Fully	1Q 2025

*Loveland and Fort Collins each pay $183,395 per year on a ground lease of Airport property for use by the Northern Colorado Law Enforcement Training Center, and each City carries insurance coverage for the property and liabilities of the Airport.

Staff recommends adoption of this Ordinance based on strategic objectives 3.1 and 6.4, which read: *Collaborate with local and regional partners to achieve economic resilience in Northern Colorado; and Support and invest in regional transportation connections.*

Should the Council adopt this Ordinance, staff will negotiate and execute an intergovernmental agreement (IGA) with the City of Loveland for this capital contribution and to include in the IGA the proposed performance indicators and any others Council may request as milestones when some or all of the contribution would be repaid by Loveland to the City if the performance indicators are not met.

As proposed in the Ordinance, the IGA with Loveland would provide:

(1) if either of the performance indicators for Silver LEED, and building carbon foot-print are not achieved by March 31, 2025, the City shall be repaid $150,000 of the capital contribution for each performance indicator not achieved within the agreed timeframe;

(2) if the Airport's annual outbound passengers served by air and bus utilizing the new facility are not 33,000 or more passengers for the calendar year 2028, the City shall be repaid $200,000.

As written above, if none of the performance indicators are satisfied, the City would receive total repayments of $500,000. There is no payback amount specifically assigned to achievement of the public art commitment and the enhanced accessibility performance indicators, but their timely achievement will be required in the IGA.

The Ordinance authorizes the City Manager to sign the IGA without further action by the City Council. It also authorizes the City Manager to agree in the IGA, in consultation with the City Attorney, to modification of the repayment and credit conditions so long as such modifications do not remove or significantly change any of the performance indicators and they do not substantially change the timing or amounts of the credit and repayment obligations. In addition, the Ordinance provides that the City Manager may agree to such other terms and conditions in the IGA as she determines, in consultation with the City Attorney, are necessary or appropriate to protect the interests of the City.

It also needs to be noted that because of TABOR, Loveland's financial obligations under the IGA will be subject to annual appropriation by Loveland's City Council of the needed funds.

CITY FINANCIAL IMPACTS

The proposed contribution would come from General Fund reserves. While year-end financial statements are still in a draft stage and have yet to undergo the external audit, preliminary figures show an increase in General Fund reserves of approximately $9M. These funds are available for any municipal purpose through supplemental appropriations, the 2024 budget revision cycle (to be conducted in late summer 2023), and the 2025-2026 BFO cycle.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

Council Finance Committee did not reach a recommendation to the Council, instead directing staff to bring the item for discussion with the full Council.

PUBLIC OUTREACH

None.

ATTACHMENTS

1. Ordinance for Consideration

ORDINANCE NO. 022, 2023
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROPRIATING PRIOR YEAR RESERVES FOR A CAPITAL CONTRIBUTION OF $1,000,000 FOR CONSTRUCTION OF A NEW PUBLIC TERMINAL FACILITY AT THE NORTHERN COLORADO REGIONAL AIRPORT

WHEREAS, the City of Fort Collins (the "City") and the City of Loveland ("Loveland") jointly own the Northern Colorado Regional Airport (the "Airport"); and

WHEREAS, the Airport is currently undertaking a project to construct a new public terminal facility (the "Project") for the purpose of growing multi-modal transportation, charters, and future airline services; and

WHEREAS, the Project is estimated to have a total cost $25,000,000, with $21,000,000 from federal funding, of which $1,590,000 is contingent upon a local match of $175,000; and

WHEREAS, the Project is dependent upon a local contribution obligation of $4,000,000, of which $2,000,000 will come from the Airport's capital reserves and $1,000,000 is proposed to be contributed each by the City and Loveland; and

WHEREAS, City Council's Finance Committee recommended that City staff collaborate with Airport staff to develop a series of performance indicators for the Project; and

WHEREAS, City staff has identified the following performance indicators: (i) no later than March 31, 2025, the Project shall achieve LEED Silver building certification; the Project shall include a public art commitment at 1% of non-federal funding contributions to the Project; and the carbon footprint of the building shall be no greater than 198 metric tons of carbon dioxide equivalent; and enhanced accessibility to the building will be provided; and (ii) by year-end 2028, the Airport shall achieve no less than 33,000 bus or air passengers annually that directly utilize the new terminal facility (collectively, the "Performance Indicators"); and

WHEREAS, this Ordinance directs the City Manager to negotiate and execute an intergovernmental agreement with Loveland for this capital contribution that addresses the Performance Indicators, but leaves to the City Manager the discretion as to how they will be addressed in the intergovernmental agreement with the goal being the timely funding of the Project; and

WHEREAS, in addition to appropriating the identified funds, this Ordinance is intended to provide a public position of support for the Project to allow for the release of federal funding; and

WHEREAS, this appropriation benefits the public health, safety and welfare of the residents of Fort Collins and serves the public purpose of providing funding for the construction of a new public terminal facility at the Airport with the intent of growing multi-modal transportation, charters, and future airline services that Fort Collins residents will be able to access; and

WHEREAS, Article V, Section 9 of the City Charter permits the City Council, upon the recommendation of the City Manager, to make supplemental appropriations by ordinance at any time during the fiscal year such funds for expenditure as may be available from reserves accumulated in prior years, notwithstanding that such reserves were not previously appropriated; and

WHEREAS, the City Manager has recommended the appropriation described herein and determined that this appropriation is available and previously unappropriated from the General Fund and will not cause the total amount appropriated in the General Fund to exceed the current estimate of actual and anticipated revenues and all other funds to be received in this Fund during this fiscal year.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That there is hereby appropriated from prior year reserves in the General Fund the sum of ONE MILLION DOLLARS ($1,000,000) to be expended in the General Fund for a capital contribution for the Project, the construction of a new public terminal facility at the Northern Colorado Regional Airport.

Section 3. That the City Manager is directed to negotiate an intergovernmental agreement with Loveland for this capital contribution and is authorized to enter into and sign it on the City's behalf. The City Manager is further authorized to enter into the agreement on such terms and conditions concerning the Performance Indicators as the City Manager determines are in the best interest of the City for the timely funding of the Project.

Introduced, considered favorably on first reading, and ordered published this 21st day of February 2023, and to be presented for final passage on the 7th day of March 2023.

_____
Mayor

ATTEST:

_____
City Clerk

Passed and adopted on final reading on the 7th day of March 2023.

_____
Mayor

ATTEST:

_____
City Clerk

March 7, 2023

AGENDA ITEM SUMMARY
City Council

STAFF

Paul Sizemore, Director, Community Development & Neighborhood Services
Kai Kleer, City Planner
Brad Yatabe, Legal

SUBJECT

Appeal of Planning and Zoning Commission Approval of 636 Castle Ridge Court Group Home Project Development Plan/Final Development Plan.

EXECUTIVE SUMMARY

The purpose of this quasi-judicial item is to consider an appeal of the Planning and Zoning Commission's decision on December 15, 2022, approving the Castle Ridge Group Home combined Project Development Plan/Final Development Plan (#FDP220013 or "FDP") located at 636 Castle Ridge Court. Two Notices of Appeal were filed, the first on December 21, 2022, and second on December 28, 2022, alleging that the Planning and Zoning Commission failed to properly interpret and apply relevant provisions of the Land Use Code and failed to conduct a fair hearing.

STAFF RECOMMENDATION

Not applicable.

BACKGROUND / DISCUSSION

Castle Ridge Group Home Project Overview:

- The FDP proposes to convert an existing single-family detached dwelling into a 10-resident group home. Site changes include adding additional exterior windows, landscaping, and converting garage spaces into interior living space.

- The home is approximately 6,400 square feet and located on a 22,200 square foot lot within the Castle Ridge at Miramont PUD subdivision.

- A Reasonable Accommodation Request has been approved which grants relief from 3.8.6(A) to increase the maximum permissible residents from 8 to 10.

- The property is located within the Low-Density Residential (RL) zone district.

Project Timeline:

The Applicant submitted its first Project Development Plan (PDP) application (PDP210012) for the subject site on July 9, 2021. The original submittal proposed a 16-resident group home with similar exterior improvements that was denied by the Planning and Zoning Commission at its March 23, 2021, hearing based on findings that the off-street parking was insufficient to adequately serve the proposal. After the commission's denial of PDP210012 the applicant submitted a new development application on September 23, 2022, for a combined Project Development Plan/Final Development Plan (FDP220013) which reduced the proposed number of residents from 16 to 10 and employees from 3 to 2.

The new application was considered and conditionally approved at the December 15, 2022, Planning and Zoning Commission hearing. The two conditions limit the hours for deliveries between 8:00 am and 6:00 pm Monday through Saturday and require the project to designate a neighborhood point of contact who can be contacted 24/7 should any unforeseen issues arise. Associated records of FDP220013 are attached with this staff report and includes a verbatim transcript, video of the hearing, the staff report with attached plans and presentation, the applicant's presentation, and public comments.

Notices of Appeal

On December 21, 2022, the first notice of appeal was filed by Steve Sunderman and is attached. The appeal cites failure to properly interpret and apply relevant provisions of the Land Use Code and that the Commission failed to conduct a fair hearing in that:

- It "exceeded its authority or jurisdiction as contained in the Code."
- It "substantially ignored its previously established rules of procedure."
- It "considered evidence relevant to its findings which was substantially false or grossly misleading."
- It "improperly failed to receive all relevant evidence offered by the appellant."
- It "was biased against the appellant by reason of a conflict of interest or other close business, personal or social relationship that interfered with the Decision Maker's independence of judgment."

A second appeal was filed on December 28, 2022, by appellant representative Kurt Johnson and is attached. It cites an allegation that the Planning and Zoning Commission failed to properly interpret and apply Land Use Code Section 3.5.1(J).

Relevant materials and files on record for the appeal from the December 15, 2022, Planning and Zoning Commission Hearing, the March 23, 2021, Planning and Zoning Commission Hearing, and for the City Council Appeal hearing are attached with this staff report and highlighted below:

December 15, 2022, Planning & Zoning Commission Hearing:

- Video of hearing and verbatim transcript
- Staff report and list of attachments
    - Vicinity Map
    - Applicant Narrative
    - Plan Set
    - Traffic & Parking Operational Plan
    - Traffic Impact Study

- Castle Ridge Neighborhood Meeting Summary
- HOA Communication
- Reasonable Accommodation Decision
- Supplemental Documents

- Staff presentation
- Applicant presentation
- Other Documents Presented at Hearing
  - Time Donations for Public Comment

March 23, 2021, Planning and Zoning Commission Hearing

- March 23, 2021, Approved Minutes
- March 23, 2021, Main Agenda Packet
- March 23, 2021, Supplemental Materials Provided to the Planning and Zoning Commission
- Link to Video of March 23, 2021, Hearing

March 7, 2023, City Council Appeal Hearing:

- Notices of Appeal
- Public Hearing Notice
- Staff Report
- Staff Presentation

The issues for Council to consider in the appeals are:

The following seven allegations represent the questions for Council:

1. *Did the Planning and Zoning Commission fail to conduct a fair hearing in that it exceeded its authority or jurisdiction as contained in the Code?*

2. *Did the Planning and Zoning Commission fail to conduct a fair hearing by substantially ignoring its previously established rules of procedure?*

3. *Did the Planning and Zoning Commission fail to conduct a fair hearing by considering evidence relevant to its findings which was substantially false or grossly misleading?"*

4. *Did the Planning and Zoning Commission fail to conduct a fair hearing by improperly failing to receive all relevant evidence offered by the appellant?*

5. *Did the Planning and Zoning Commission fail to conduct a fair hearing because it was biased against the appellant by reason of a conflict of interest or other close business, personal or social relationship that interfered with the Decision Maker's independence of judgment?*

6. *Did the Planning and Zoning Commission fail to properly interpret and apply the relevant provisions of the City's Land Use Code?*

7. *Did the Planning and Zoning Commission fail to properly interpret and apply Land Use Code Section 3.5.1(J) – Operational/Physical Compatibility Standards?*

The questions of whether the Commission failed to conduct a fair hearing (issues 1-5) comes first, because if Council finds that the appellant was denied a fair hearing, then it must remand the matter for rehearing, and the subsequent questions of failure to properly interpret code standards may not need to be considered.

First Issue on Appeal:

Did the Planning and Zoning Commission fail to conduct a fair hearing in that it exceeded its authority or jurisdiction as contained in the Code?

The Sunderman Notice of Appeal pp. 5-6 *restates an assertion made under a separate ground for appeal (Sixth Issue of Appeal) which relates to the Planning and Zoning Commission failing to interpret and apply relevant provisions of the Land Use Code. This assertion does not appear to be related to a failure to conduct a fair hearing and includes the following pertinent evidence which is replicated under the Sixth Issue on Appeal:*

- *The purpose statements found under Sections 1.2.2(K) and 1.2.2(M) of the Land Use Code were not properly applied.*

- *That 1.2.5 – Minimum Standards of the Land Use Code have not been met and that the applicants are asking for deviations far and above the current standards.*

- *The proposal violates criterion 1.3.4(C)(1)(a) – (e) of Section 1.3.4 – Addition of Permitted Uses.*

Regarding the first two bullets, the Land Use Code statement of purpose under Section 1.2.2 and statement of minimum standards under Section 1.2.5 is not reviewed as a specific regulation; rather, it lays out what the Code is trying to achieve through the specific standards found in Article 3 – General Development Standards and Article 4 – Districts.

Regarding bullet 3, It should also be noted that the purpose of the Addition of Permitted Use provisions under 1.3.4, is to allow for the approval of a land use on a parcel within a zone district that otherwise prohibit such a use. Because group homes are a permitted use within the Low Density Residential (RL) zone district this Section is not an applicable section of the Land Use Code.

Second Issue on Appeal:

Did the Planning and Zoning Commission fail to conduct a fair hearing by substantially ignoring its previously established rules of procedure?

The Sunderman Notice of Appeal p. 7 *asserts that City staff failed to follow through with required procedures and meetings and made repeated efforts to silence neighbors opposed to the development application.*

Pertinent evidence addressing the Appellants assertion may be found in the following locations in the record:

Supplemental Documents

- pp. 9-20, email string discussing a follow-up meeting with neighborhood, applicant, and city staff.

Staff Report

- p. 4, information on how Land Use Code procedural and notice requirements were met.

Neighborhood Meeting Summary

- pp 1-4, summary of neighborhood, city, and applicant comments/questions at neighborhood meeting.

Verbatim Planning & Zoning Commission Hearing Transcript

- p.11, lines 28-39 and p. 12 lines 1-24. Planning and Zoning Commission allocation of pooled time to Appellant. Appellant was granted 18 minutes and used 12 of the 18.

- p.15 lines 18-24. The Commission's assigned the remaining 6 minutes to second speaker who also pooled time from other residents who were present at the hearing and received a total of 18 minutes to speak.

- p. 14, lines 31-41. The Appellant's public testimony regarding city staff's failure to follow through with required procedures and meetings.

- p. 21, line 17-27, staff response to Appellant's public testimony regarding failure to follow through with required procedures and meetings.

- p. 21, lines 42-43 and p. 22, lines 1-14, public testimony follow-up regarding Appellant's assertion of City censorship.

Third Issue on Appeal:

Did the Planning and Zoning Commission fail to conduct a fair hearing by considering evidence relevant to its findings which was substantially false or grossly misleading?"

The Sunderman Notice of Appeal p. 8 *alleges character matters related to the applicant and the legality of the applicant's current operation. The appellant also alleges that the Traffic & Parking Operational Plan is a gross underestimation of traffic related to the proposed land use.*

Pertinent evidence addressing the Appellants assertion may be found in the following locations of the record:

Applicant Presentation

- Slide 6. The applicant's slide relating to traffic and site operations.

Traffic & Parking Operational Plan

- p.1-3. A document which describes the source and timing of traffic related to the proposed land use.

Traffic Impact Study

- p. 1-4. A study prepared by a licensed traffic engineer that describes the expected traffic generation of the proposed project.

Staff Report

- pp. 7-8. Staff's analysis of operation and physical compatibility related to traffic.

Verbatim Planning & Zoning Commission Hearing Transcript

- p. 4, lines 43-45 and p. 5, lines 1-42. The Applicant's presentation related to traffic and operational plan.
- p. 13, lines 33-43. Appellant's allegations regarding the applicant caring for two at-risk individuals without a license.
- p.20, lines 18-27. Applicant addresses allegations of the legality of the applicant's current operation.
- p. 13, lines 9-14. Appellant's public testimony regarding the gross underestimation of traffic.

Fourth Issue on Appeal:

Did the Planning and Zoning Commission fail to conduct a fair hearing by failing to receive all relevant evidence offered by the appellant?

The Sunderman Notice of Appeal p.9 *alleges that city staff actively silenced neighbors at a neighborhood meeting and that Chairman Katz tried to censor the appellant from speaking on time that was donated by five (5) other neighbors.*

Pertinent evidence from the record may include:

Neighborhood Meeting Summary (7/28/2022)

- pp 1-4, summary of neighborhood, city, and applicant comments/questions at neighborhood meeting.

Neighborhood Meeting Recording (7/28/2022)

- https://www.youtube.com/watch?v=3m3K3yAZhRo, minutes 47:20 – 53:56. The Appellant's participation in the neighborhood meeting.

Verbatim Planning & Zoning Commission Hearing Transcript

- p.11, lines 28-39 and p. 12 lines 1-24. Chair Katz's discussion and allocation of pooled time to the Appellant.
- p.15 lines 18-24. The Commission's assigned the unused minutes to second speaker who also pooled time to next speaker utilizing pooled time.

Video Recording of the Planning & Zoning Commission Hearing

- Minutes 43:30 – 47:24. Chair Katz's discussion and allocation of pooled time to the Appellant.
- Minutes 1:00:00 – 1:00:50. Chair Katz's allocation or remaining time to second speaker participating on pooled time.

Supplemental Documents

- pp. 10-23. Email string spanning from November 28, 2022, to December 4, 2023 between Em Myler, Development Review Liaison, Kai Kleer, City Planner and Steve Sunderman, Appellant.

Time Donations for Public Comment

- pp. 1-2. Time donation allocation related to Appellants.

Fifth Issue on Appeal:

Did the Planning and Zoning Commission fail to conduct a fair hearing because it was biased against the appellant by reason of a conflict of interest or other close business, personal or social relationship that interfered with the Decision Maker's independence of judgment?

The Sunderman Notice of Appeal p.10 provides the following four (4) allegations:

- *Comments contained within a city staff e-mail to the Appellant clearly asserts that the decision to approve this application had been predetermined.*
- *Chairman Katz tried to prevent the appellant from speaking and was biased against the appellant and that demonstrated a clear political ideology with intense anger against the Appellant for issuing objections to the project.*
- *Commissioner Haefele, who was not present at the hearing, would have denied the project and the motion to approve the project would have failed.*
- *The decision makers decision was driven by extreme political ideology.*

Pertinent evidence from the record may include:

Supplemental Documents

- P.15. City staff's email related to the Appellant's assertion that a decision to approve this application had been predetermined.

Verbatim Planning & Zoning Commission Hearing Transcript

- p. 1. Record of attendance on December 15, 2022, Planning and Zoning Commission Hearing.
- p.11, lines 28-39 and p. 12 lines 1-24. Chair Katz's discussion and allocation of pooled time to the Appellant.
- pp. 23 – 30. The Commission's deliberation on the agenda item.

Video Recording of the Planning & Zoning Commission Hearing

- Minutes 43:30 – 47:24. Chair Katz's discussion and allocation of pooled time to the Appellant.
- Minutes 1:37:06 – 2:07:03. The Commission's deliberation on the agenda item.

Sixth Issue on Appeal:

Did the Planning and Zoning Commission fail Did the Planning and Zoning Commission fail to properly interpret and apply the relevant provisions of the City's Land Use Code?

The Sunderman Notice of Appeal pp.3-4 provides the following allegations:

- *The purpose statements found under Sections 1.2.2(K) and 1.2.2(M) of the Land Use Code were not properly applied.*
- *That 1.2.5 – Minimum Standards of the Land Use Code have not been met and that the applicants*

are asking for deviations far and above the current standards.

- *The proposal violates criterion 1.3.4(C)(1)(a) – (e) of Section 1.3.4 – Addition of Permitted Uses.*
- *The narrow, private street does not meet fire and safety code regulations.*

Regarding the first two bullets, the Land Use Code statement of purpose under Section 1.2.2 and statement of minimum standards under Section 1.2.5 is not reviewed as a specific regulation; rather, it lays out what the Code is trying to achieve through the specific standards found in Article 3 – General Development Standards and Article 4 – Districts.

Regarding bullet 3, It should also be noted that the purpose of the Addition of Permitted Use provisions under 1.3.4, is to allow for the approval of a land use on a parcel within a zone district that otherwise prohibit such a use. Because group homes are a permitted use within the Low Density Residential (RL) zone district this Section is not an applicable section of the Land Use Code.

Regarding the narrow private street matter, pertinent evidence from the record may include:

Neighbor Presentation

- Slides 1-17. Slides presented at the hearing that includes information about street conditions.

Record Supplement (March Hearing Material)

- 10-19-2016 Existing Pavement Evaluation (EEC)
- Castle Ridge Street Acceptance Report

Seventh Issue on Appeal:

Did the Planning and Zoning Commission fail to properly interpret and apply Land Use Code Section 3.5.1(J) – Operational/Physical Compatibility Standards?

The Johnson Notice of Appeal pp. 2-3 *contends that the proposal fails to meet 3.5.1(J) due to the following allegations:*

- *The private street was designed to have a reduced width based on findings that the neighborhood was low density and that every house was required to have a minimum of a 3-car garage. The proposal adds an increased amount of traffic that changes the character of the neighborhood and causes safety concerns related to accessibility by emergency services, and fire egress.*
- *The five proposed parking spaces and narrow design of the driveway require users to shuffle vehicles which subsequently make off-street parking impractical.*
- *Commission members who voted in favor of the proposal failed to cite any specific mitigation which merited approval of the new proposal. Conversely, Commission members who denied the proposal cited specific reasons for doing so. Because of this, the Code was not properly applied.*

Pertinent evidence from the record may include:

Site Plan

- p. 13. Proposed parking configuration to be managed by parking application in the driveway and on street.

Traffic & Parking Operational Plan

- p.1-3. A document which describes the source and timing of traffic related to the proposed land use.

Traffic Impact Study

- p. 1-4. A study prepared by a licensed traffic engineer that describes the expected traffic generation of the proposed project.

Record Supplement (March Hearing Material)

- 28' Street Width Variance for Castle Ridge at Miramont. Fax between traffic engineering and City of Fort Collins approving the Castle Ridge street-width variance.

Neighbor Presentation

- Slides 1-17. Slideshow includes video of traffic on street with vehicles parked on both sides. Slideshow also provides a summarized information regarding the city-approved street variance.

Verbatim Planning & Zoning Commission Hearing Transcript

- pp. 23 – 30. The Commission's deliberation and decision on the agenda item.

Video Recording of the Planning & Zoning Commission Hearing

- Minutes 1:37:06 – 2:07:03. The Commission's deliberation and decision on the agenda item.

CITY FINANCIAL IMPACTS

N/A

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

N/A

PUBLIC OUTREACH

A neighborhood meeting was held for the Castle Ridge Group Home proposal on July 28, 2022. More detailed information on the public process and neighborhood concerns is included in the Planning and Zoning Commission Staff Report.

ATTACHMENTS

1. Hearing and Site Inspection Notices, Mailing List
2. Notices of Appeal
3. Staff Report to Planning and Zoning Commission, December 15, 2022
4. Staff Presentation to Planning and Zoning Commission, December 15, 2022
5. Applicant Presentation
6. Miscellaneous Items
7. Verbatim Transcript
8. Link to December 15, 2022 Planning and Zoning Commission Meeting
9. Staff Report and Supplemental Materials to Planning and Zoning Commission, March 23, 2022
10. Planning and Zoning Commission Meeting Minutes, March 23, 2022
11. Link to March 23, 2022 Planning and Zoning Commission Meeting
12. Staff Presentation
13. Appellant Presentation Materials
14. Applicant Presentation Materials

Public Hearing Notice
Site Inspection Notice
Mailing List

City of Fort Collins

City Clerk
300 LaPorte Avenue
PO Box 580
Fort Collins, CO 80522

970.221.6515
970.221-6295 - fax
fcgov.com/cityclerk

PUBLIC HEARING NOTICE

Appeals of the Planning and Zoning Commission Decision regarding the Castle Ridge Group Home located at 636 Castle Ridge Court

The Fort Collins City Council will hold a public hearing on the enclosed appeals.

Appeal Hearing Date: March 7, 2023

Time: 6:00 pm (or as soon thereafter as the matter may come on for hearing)

Location: Council Chambers, City Hall, 300 LaPorte Avenue, Fort Collins, CO

Agenda Materials: Available after 3 p.m., March 2, 2023, in the City Clerk's office and at fcgov.com/agendas.

Why am I receiving this notice? City Code requires that a Notice of Hearing be provided to Parties-in-Interest, which means you are the applicant of the project being appealed, have a possessory or proprietary interest in the property at issue, received a City mailed notice of the hearing that resulted in the decision being appealed, submitted written comments to City staff for delivery to the decision maker prior to the hearing resulting in the decision being appealed, or addressed the decision maker at the hearing that resulted in the decision being appealed.

Further information is available in the Appeal guidelines online at fcgov.com/appeals.

The Notice of Appeal and any attachments, any new evidence that has been submitted and presentations for the Appeal Hearing can be found at fcgov.com/appeals.

If you have questions regarding the appeal process, please contact the City Clerk's Office (970.221.6515). For questions regarding the project itself, please contact Paul Sizemore, Planning, Development and Transportation Deputy Director (psizemore@fcgov.com or 970.224.6140).

The City of Fort Collins will make reasonable accommodations for access to City services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call the City Clerk's Office at 970.221.6515 (V/TDD: Dial 711 for Relay Colorado) for assistance.

A petición, la Ciudad de Fort Collins proporcionará servicios de acceso a idiomas para personas que no dominan el idioma inglés, o ayudas y servicios auxiliares para personas con discapacidad, para que puedan acceder a los servicios, programas y actividades de la Ciudad. Para asistencia, llame al 221-6515 (V/TDD: Marque 711 para Relay Colorado). Por favor proporcione 48 horas de aviso previo cuando sea posible.

Anissa Hollingshead, City Clerk

Notice Mailed: February 10, 2023

cc: City Attorney
Community Development and Neighborhood Services
Planning and Zoning Commission

Please see other side for Site Visit Notice

City of Fort Collins

City Clerk
300 LaPorte Avenue
PO Box 580
Fort Collins, CO 80522

970.221.6515
970.221-6295 - fax
fcgov.com/cityclerk

NOTICE OF SITE INSPECTION

Two appeals of the Planning and Zoning Commission decision of December 15, 2022 regarding the Castle Ridge Group Home will be heard by the Fort Collins City Council on March 7, 2023.

Pursuant to Section 2-53 of the City Code, members of the City Council will be inspecting the site of the proposed project on March 6, 2023 at 3:00 p.m. Notice is hereby given that this site inspection constitutes a meeting of the City Council that is open to the public, including the appellants and all parties-in-interest. The gathering point for the site visit will be 636 Castle Ridge Court, Fort Collins, Colorado.

> The purpose of the site inspection is for the City Council to view the site and to ask related questions of City staff to assist Council in ascertaining site conditions. There will be no opportunity during the site inspection for the applicant, appellants, or members of the public to speak, ask questions, respond to questions, or otherwise provide input or information, either orally or in writing. Other than a brief staff overview and staff responses to questions, all discussion and follow up questions or comments will be deferred to the hearing on the subject appeals to be held on March 7, 2023.

Any Councilmember who inspects the site, whether at the date and time above, or independently shall, at the hearing on the appeals, state on the record any observations they made or conversations they had at the site which they believe may be relevant to their determination of the appeals.

If you have any questions or require further information, please feel free to contact the City Clerk's Office at 970.221.6515.

Anissa Hollingshead, City Clerk

Notice Mailed: February 10, 2023

Cc: City Attorney
Community Development and Neighborhood Services

1 ARM LLC
969 NIGHTINGALE DR
FORT COLLINS, CO 80525

1502 NORTH SHIELDS LLC
2836 BLUE LEAF DR
FORT COLLINS, CO 80526

5000 BOARDWALK 16 LLC
PO BOX 271580
FORT COLLINS, CO 80527

5000 BOARDWALK LLC
5163 CKEARWATER DR
LOVELAND, CO 80538

ADAMS TOM E TRUST
5125 SAWGRASS CT
FORT COLLINS, CO 80525

AGEE DOUGLAS E/LINDA S
5000 BOARDWALK DR UNIT 23
FORT COLLINS, CO 80525

AGUILERA ANGIE B
5001 SWITCHGRASS CT
FORT COLLINS, CO 80525

ALEXANDER WILLIAM G/JAMIE Z
5104 GREENVIEW CT
FORT COLLINS, CO 80525

ALLGOWER EUGENE L/SOLVEIG
5337 HIGHCASTLE CT
FORT COLLINS, CO 80525

ANDERSON NYLA M
5000 BOARDWALK DR UNIT 41
FORT COLLINS, CO 80525

ARMINGER J. GEISEY/SUSAN LYNNE
5320 HIGHCASTLE CT
FORT COLLINS, CO 80525

AYER BONNIE BENDER REVCBLE TRUST
5000 BOARDWALK DR UNIT 11
FORT COLLINS, CO 80525

BALL MICHAEL J
5151 BOARDWALK DR UNIT G4
FORT COLLINS, CO 80525

BARNETT JAMES H/PEGGY A
821 SOUTHRIDGE GREENS BLVD
FORT COLLINS, CO 80525

BARRON JOHN D
5151 BOARDWALK DR UNIT E2
FORT COLLINS, CO 80525

BARTOLONE ANTHONY
4615 DUSTY SAGE DR UNIT 3
FORT COLLINS, CO 80526

BASTING D SCOTT
3970 DERBY GLEN DR
CLERMONT, FL 34711

BASTON ULLA KRISTIINA
5151 BOARDWALK DR UNIT E5
FORT COLLINS, CO 80525

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5151 BOARDWALK DR UNIT K1
FORT COLLINS, CO 80525

BEERS PHILIP/DEBORAH
931 BELVEDERE CT
FORT COLLINS, CO 80525

BELLEFEUILLE NEIL/AMY
5020 HOGAN DR
FORT COLLINS, CO 80525

BENNETT CLARK B/MARGARET E
5124 BULRUSH CT
FORT COLLINS, CO 80525

BERGMAN RICHARD
5151 BOARDWALK DR UNIT H4
FORT COLLINS, CO 80525

BERGMANN BRUCE P GABRIELE H
5124 SAWGRASS CT
FORT COLLINS, CO 80525

BLACKLER EDMUND L/JENNIFER R
5409 HIGHCASTLE DR
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BLAIRE JOHN W/ANNE
PO BOX 1573
FORT COLLINS, CO 80522

BLUEMKE PATRICIA J
5149 SAWGRASS CT
FORT COLLINS, CO 80525

BOARDWALK (COLORADO) LLC
3499 SOUTHERN VISTA DR
KINGMAN, AZ 86401

BOILEAU DAVID V DEBORAH K
5300 PARKWAY CIR E
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BONK KATHLEEN JO HOGAN
PO BOX 270127
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B AVID C BOWDEN RHONDA S
5019 BLUESTEM CT
FORT COLLINS, CO 80525

BOYD MARK F REVOCABLE TRUST
815 NORWAY MAPLE DR
LOVELAND, CO 80538

BRINKMAN KEVIN M
3528 PRECISION DR STE 100
FORT COLLINS, CO 80528

BROWN BRIAN J
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BRUTSCHER STEPHEN P
719 MILAN TERRACE DR
FORT COLLINS, CO 80525

BUCHANAN FAMILY TRUST
5101 BULRUSH CT
FORT COLLINS, CO 80525

BUSINESS EQUIPMENT LEASING LLC
3520 ROCKY STREAM DR
FORT COLLINS, CO 80528

CADY FAMILY LIVING TRUST
5000 BOARDWALK DR 39
FORT COLLINS, CO 80525

CARRY ON SMARTLY TRUST
5200 PARKWAY CIR E
FORT COLLINS, CO 80525

CATES G ROBERT/LINDA I
913 BELVEDERE CT
FORT COLLINS, CO 80525

CHACHO STEVEN S/KATHERINE
631 CASTLE RIDGE CT
FORT COLLINS, CO 80525

CHAPMAN PATRICIA A/JEFFREY K
918 BELVEDERE CT
FORT COLLINS, CO 80525

CHAPMAN PHILLIP L/ANNA M
5000 BOARDWALK DR UNIT 22
FORT COLLINS, CO 80525

CHRONOPOULOS LAURIE C
5151 BOARDWALK DR UNIT I1
FORT COLLINS, CO 80525

CITY OF FORT COLLINS
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FORT COLLINS, CO 80522

CLARKE E./N. SCHEAFFER
5908 MEDLAR PL
FORT COLLINS, CO 80528

CLAWSON D. L MCNAMARA KATHLEEN
5219 CASTLE RIDGE PL
FORT COLLINS, CO 80525

CLAY PETER A/KARA
5316 PARKWAY CIR E
FORT COLLINS, CO 80525

COLBURN RANDE L JR/HEATHER E
630 MEADOW RUN DR
FORT COLLINS, CO 80525

CONEASCENCO IURIE
5151 BOARDWALK DR UNIT F2
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CORNS HERMIE/MONYA M
5013 SWITCHGRASS CT
FORT COLLINS, CO 80525

CRADDOCK J. ROGER/MITZIE LYNN
5025 SWITCHGRASS CT
FORT COLLINS, CO 80525

CRAIG P. FRY JENKINS DAVID ALLEN
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75 FOREST DR
BRIDGEWATER, MA 02324

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FORT COLLINS, CO 80525

DAUER DANIEL L/YOUNG MI
5319 HIGHCASTLE CT
FORT COLLINS, CO 80525

DEDOLPH SCOTT N/SARA N
5090 HOGAN DR
FORT COLLINS, CO 80525

DEKOK R. M VANDER KRUK JOYCE L
5107 BULRUSH CT
FORT COLLINS, CO 80525

D NIFER DELUCA KEITH
5012 BLUESTEM CT
FORT COLLINS, CO 80525

DENGLER JOHN J III MELANIE M
5336 HIGHCASTLE CT
FORT COLLINS, CO 80525

DEVIVO JOSEPH C/KAREN F
625 MEADOW RUN DR
FORT COLLINS, CO 80525

DIAZ X. SHENK CHRISTOPHER ERIC
636 CASTLE RIDGE CT
FORT COLLINS, CO 80525

DOING S. MITCHELL/ANTHONY HOUSER
5206 CASTLE RIDGE PL
FORT COLLINS, CO 80525

DOMERASKI MICHAEL TAN SHAOJUAN
508 PARKWAY CT
FORT COLLINS, CO 80525

DORNFELD MELODY C/WILLIAM
5317 MAIL CREEK LN
FORT COLLINS, CO 80525

DORNSEIF KAREN A/STEPHEN E
5031 BLUESTEM CT
FORT COLLINS, CO 80525

DOWNING JENNIFER M/JOSHUA S
5220 GREENVIEW DR
FORT COLLINS, CO 80525

DRENNEN ARNOLD/SCOTT
827 SOUTHRIDGE GREENS BLVD
FORT COLLINS, CO 80525

DUNAISKEY J. HUGHEY TERESA
5125 BULRUSH CT
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DUSTY SAGE LLC
6739 GRAND PARK DR
TIMNATH, CO 80547

EBNER ROBERT J PAMELA SUE
630 SANDREED CT
FORT COLLINS, CO 80525

EBRECHT FREDERICK J
5224 PARKWAY CIR E
FORT COLLINS, CO 80525

ELLIOTT REVOCABLE TRUST
5000 BOARDWALK DR UNIT 35
FORT COLLINS, CO 80525

ENGELMANN CLAUDIA FLINK LOUIS R
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FORT COLLINS, CO 80525

ESPLIN GORDON F/ANITA
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FORT COLLINS, CO 80525

FEDERMAN LORIE
5217 MAIL CREEK LN
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FENNER BONNIE L
5000 BOARDWALK DR 18
FORT COLLINS, CO 80525

FERM ERIC N SLENTZ PATRICIA N
5142 SAWGRASS CT
FORT COLLINS, CO 80525

FETZER BLAIR S FETZER ANDREA L
5330 HIGHCASTLE CT
FORT COLLINS, CO 80525

FIELDS JANE E
4918 SWITCHGRASS CT
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FISCHER ERIK G
924 BELVEDERE CT
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619 MEADOW RUN DR
FORT COLLINS, CO 80525

FROELICH KEITH P/BRIDGET W
613 MEADOW RUN DR
FORT COLLINS, CO 80525

FRYER JEFFREY R/PENNY J
809 SOUTHRIDGE GREENS BLVD
FORT COLLINS, CO 80525

GARDNER H. & SHERILYNN D
5331 HIGHCASTLE CT
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GARVEY DANIEL C/CAROLE G
5205 MAIL CREEK LN
FORT COLLINS, CO 80525

GELDERT DANIEL T/JANET N
5151 BOARDWALK DR UNIT S1
FORT COLLINS, CO 80525

G MICHAEL J/ KYRA L
815 SOUTHRIDGE GREENS BLVD
FORT COLLINS, CO 80525

GEYER JEFFREY T/MAUREEN E
5151 BOARDWALK DR UNIT D3
FORT COLLINS, CO 80525

GILANYI ROBERT A
5151 BOARDWALK DR UNIT R3
FORT COLLINS, CO 80525

GILES RONALD L GILES CONNIE J
5151 BOARDWALK DR UNIT O3
FORT COLLINS, CO 80525

GINSBERG ROBERT/RICKI
636 SANDREED CT
FORT COLLINS, CO 80525

GLOVER SCOTT/MONA
700 MEADOW RUN DR
FORT COLLINS, CO 80525

GOBLE DANIEL P/PATRICIA A
5312 HIGHCASTLE DR
FORT COLLINS, CO 80525

GODDING MARK A/LINDA L
5414 ROMA VALLEY CT
FORT COLLINS, CO 80525

GODING THOMAS L GODING JANE C
907 BELVEDERE CT
FORT COLLINS, CO 80525

GOERTZEN BRADLEY J BONNIE K
5037 BLUESTEM CT
FORT COLLINS, CO 80525

GOMEZ J. CARLOS SVITLANA
5151 BOARDWALK DR UNIT L2
FORT COLLINS, CO 80525

GOODRUM SARAH DUGAN/PAUL M
626 ROMA VALLEY DR
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GOODWIN DANA C HOWELL CARL J JR
5151 BOARDWALK DR UNIT J3
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GORDON GERARD M/CHERYL O
5143 SAWGRASS CT
FORT COLLINS, CO 80525

GOTTINO JANA L
701 MEADOW RUN DR
FORT COLLINS, CO 80525

GRABAU ANDREW/EMILY
920 PINNACLE PL
FORT COLLINS, CO 80525

GRADY LIVING TRUST
512 PARKWAY CT
FORT COLLINS, CO 80525

GRAFF THOMAS J/DEBORRA R
624 CASTLE RIDGE CT
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GREENLEE ANDREW C/NANCY T
5106 SAWGRASS CT
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GRIEGO J DANIEL
5301 MAIL CREEK LN
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GROHUSKY DAVID E MARTHA E
5325 HIGHCASTLE CT
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GUNDERSON JASON R/ROSALEE D
624 SANDREED CT
FORT COLLINS, CO 80525

HALL KRISTA J
225 E 8TH ST
LEADVILLE, CO 80461

HAMMOND GARY & CAROLYN
5101 SAWGRASS CT
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5000 BOARDWALK DR 31
FORT COLLINS, CO 80525

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4925 SWITCHGRASS CT
FORT COLLINS, CO 80525

HARTMAN CYNTHIA M
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HARTNEY L./MELINDA JOHNSON
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HARVEY JENNIFER P
5151 BOARDWALK DR UNIT H3
FORT COLLINS, CO 80525

HARVEY ROGER A/KAREN K
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FORT COLLINS, CO 80525

H AVIN
5106 BULRUSH CT
FORT COLLINS, CO 80525

HAWE LARRY E/PAULA M
5000 BOARDWALK DR UNIT 32
FORT COLLINS, CO 80525

HAWKINS JOSHUA D
5228 GREENVIEW DR
FORT COLLINS, CO 80525

HEER ROBERT KOLESNYK MARY
5000 BOARDWALK DR UNIT 10
FORT COLLINS, CO 80525

HEFT JAYLEEN R
5000 BOARDWALK DR UNIT 46
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HENKE G. RAY KLINGENSMITH ERIN
5006 BLUESTEM CT
FORT COLLINS, CO 80525

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5220 PARKWAY CIR E
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HETH RHONDA R
5151 BOARDWALK DR T4
FORT COLLINS, CO 80525

HILL DARRELL GENE MELINDA V
5136 SAWGRASS CT
FORT COLLINS, CO 80525

HILL JOHN RUSSELL
5201 MAIL CREEK LN
FORT COLLINS, CO 80525

HILL RUSSELL K/DARLENE S
5421 ROMA VALLEY CT
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HOFFMAN REVCBLE DEC. OF TRUST
0N449 ARBOR CT
WINFIELD, IL 60190

HORNE KENNETH L/ELAINE M
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FORT COLLINS, CO 80525

HUDSON W. ILKA TRUST
5204 GREENVIEW DR
FORT COLLINS, CO 80525

HUETER DAVID E/JEANNIE M
5402 ROMA VALLEY CT
FORT COLLINS, CO 80525

HUNG VICTOR SHELL CASANDRA RAE
5151 BOARDWALK DR UNIT T6
FORT COLLINS, CO 80525

HUSS DONALD E/JOAN E
5421 HIGHCASTLE DR
FORT COLLINS, CO 80525

HYDE BLAKE J/KATHRYN E
701 MILAN TERRACE DR
FORT COLLINS, CO 80525

IDATE RAJESH V/RUPA R
5415 HIGHCASTLE DR
FORT COLLINS, CO 80525

IRVINE KAREN A
5205 PARKWAY CIR E
FORT COLLINS, CO 80525

JAERGER REVOCABLE TRUST
643 CASTLE RIDGE CT
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JENSEN CHERYL E
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JIANG FENGLAI ZHAO LINGZHEN
5113 BULRUSH CT
FORT COLLINS, CO 80525

JOHNSON KURT E/LAURIE B
612 CASTLE RIDGE CT
FORT COLLINS, CO 80525

JOHNSON MARK A/NANCY R
5019 SWITCHGRASS CT
FORT COLLINS, CO 80525

JOHNSON MELODY L
5151 BOARDWALK DR UNIT N4
FORT COLLINS, CO 80525

KALANI AMIR M/ALISON L
4931 SWITCHGRASS CT
FORT COLLINS, CO 80525

KASTER JULIA M/DENNIS W
5151 BOARDWALK DR UNIT N3
FORT COLLINS, CO 80525

KEENE JUSTIN/DANA
5012 SWITCHGRASS CT
FORT COLLINS, CO 80525

KK RESIDENTIAL PROPERTIES LLC
2727 IOWA DR APT 306
FORT COLLINS, CO 80525

K ITH A. & CAROL A
5305 MAIL CREEK LN
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KNIGHT MIRIAH ANNE
5112 GREENVIEW CT
FORT COLLINS, CO 80525

KOENTOPP LINDA J/RICK
1442 HIWAN CT
FORT COLLINS, CO 80525

KOENTOPP RICHARD/LINDA J
1442 HIWAN CT
FORT COLLINS, CO 80525

KOHLS WENDY RENEE
5151 BOARDWALK DR UNIT F3
FORT COLLINS, CO 80525

LAND RYAN C/EMILY L
637 SANDREED CT
FORT COLLINS, CO 80525

LANNING TODD E
5151 BOARDWALK DR UNIT F5
FORT COLLINS, CO 80525

LARA SANTIAGO JR
5212 GREENVIEW DR
FORT COLLINS, CO 80525

LARIMER HOLDINGS LLC
9152 HOPEWELL RD
CINCINNATI, OH 45242

LATURNUS ROBERT A/JINELLE K
833 SOUTHRIDGE GREENS BLVD
FORT COLLINS, CO 80525

LAVERTY KEVIN L/PEGGY A
4961 BLUESTEM CT
FORT COLLINS, CO 80525

LEE CATHERINE G/JEFFREY P
618 MEADOW RUN DR
FORT COLLINS, CO 80525

LEE MATTHEW/JESSICA
900 BELVEDERE CT
FORT COLLINS, CO 80525

LESARTRE GREGG B/STACY H
619 CASTLE RIDGE CT
FORT COLLINS, CO 80525

LEUZZE M. & STACEY MARIE
5225 CASTLE RIDGE PL
FORT COLLINS, CO 80525

LINK JANET REVOCABLE TRUST
819 MILAN TERRACE DR
FORT COLLINS, CO 80525

LIPT 4900 BOARDWALK DRIVE LLC
333 W WACKER DR STE 2300
CHICAGO, IL 60606

LISTEN KREGG L/TRUDANCE A
5415 BELVEDERE PL
FORT COLLINS, CO 80525

LOEB MARK H/LORI S FAMILY TRUST
825 MILAN TERRACE DR
FORT COLLINS, CO 80525

LYMAN G. PENNY LYNN
416 PARKWAY CIR N
FORT COLLINS, CO 80525

MABRY PAUL R/JANET E
624 MEADOW RUN DR
FORT COLLINS, CO 80525

MAI TROY A BROWN CATHERINE LYNN
5107 SAWGRASS CT
FORT COLLINS, CO 80525

MARTIN STEVEN/LAURA
5403 HIGHCASTLE DR
FORT COLLINS, CO 80525

MARTIN TROY E/SUSAN G
5000 BOARDWALK DR UNIT 28
FORT COLLINS, CO 80525

MARTIN-ROMAN JESUS LEE ANGIE
637 CASTLE RIDGE CT
FORT COLLINS, CO 80525

MAUCH LAWRENCE KOTECKI KAREN
625 CASTLE RIDGE CT
FORT COLLINS, CO 80525

MCCLANAHAN F. KAREN M.
618 SANDREED CT
FORT COLLINS, CO 80525

MCENDAFFER LIVING TRUST
5113 MAIL CREEK LN
FORT COLLINS, CO 80525

MCKINNEY JOHN PAUL/KATHLEEN G
5000 BOARDWALK DR UNIT 25
FORT COLLINS, CO 80525

MCQUEEN DAVID/AVRIL M
706 MEADOW RUN DR
FORT COLLINS, CO 80525

M DOUGLAS A
5151 BOARDWALK DR UNIT V3
FORT COLLINS, CO 80525

MERCER MARALYN M
5118 BULRUSH CT
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MEYER ALLAN W/BEVERLY
5022 E COUNTY ROAD 50
FORT COLLINS, CO 80524

MEYER ALLAN W/BEVERLY
5022 E COUNTY ROAD 50
FORT COLLINS, CO 80524

MICHAELS DANIEL T JOANN B
5113 SAWGRASS CT
FORT COLLINS, CO 80525

MICHEL FERDINAND MICHEL DELLA R
5307 HIGHCASTLE CT
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MILDENBERGER JACOB BRIAN
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EVERGREEN, CO 80439

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5151 BOARDWALK DR UNIT S2
FORT COLLINS, CO 80525

MILLER JAY B/NANCY J
5312 HIGHCASTLE CT
FORT COLLINS, CO 80525

MILLER S. HODGSON ANN LOUISE
8113 LOUDEN XING
WINDSOR, CO 80528

MILLER WENDELL B/JEANNE C
1644 ALCOTT ST
FORT COLLINS, CO 80525

MM PHASE 3 LLC
5916 WATERFRONT DR
FORT COLLINS, CO 80524

MOLL MAURICE M/E DORETTE
5130 SAWGRASS CT
FORT COLLINS, CO 80525

MONALDI C. MONALDI VIRGINIA E
919 BELVEDERE CT
FORT COLLINS, CO 80525

MONCUR BRYAN A/DAWN L
912 BELVEDERE CT
FORT COLLINS, CO 80525

MOORE JAMES C/MICHELLE H
807 MILAN TERRACE DR
FORT COLLINS, CO 80525

MOORE THOMAS H/ESTHER D
5000 BOARDWALK DR UNIT 24
FORT COLLINS, CO 80525

MUGOYE ERICA R BURNHAM GEORGE L
5151 BOARDWALK DR UNIT M3
FORT COLLINS, CO 80525

MYERCHIN STEVEN P VIRGINIA L
5403 ROMA VALLEY CT
FORT COLLINS, CO 80525

NELSON ANNA MARIE
6340 PUMPKIN RIDGE DR UNIT 6
WINDSOR, CO 80550

NEWMARK RICHARD IRA/DENISE LYNN
5000 BOARDWALK DR UNIT 12
FORT COLLINS, CO 80525

NIKKEL DANIEL AARON/LIBBY KRISTINA
803 SOUTHRIDGE GREENS BLVD
FORT COLLINS, CO 80525

NOTARFRANCESCO MARK/KELLY
5409 ROMA VALLEY CT
FORT COLLINS, CO 80525

NOURIPOUR A. & F.
5221 PARKWAY CIR E
FORT COLLINS, CO 80525

NOWELL TIFFANY
175 FAIRWAY LN
FORT COLLINS, CO 80525

NULL NULL
5007 SWITCHGRASS CT
FORT COLLINS, CO 80525

NULL NULL
5151 BOARDWALK DR UNIT E4
FORT COLLINS, CO 80525

NULL NULL
3632 ANVIL LN
LAPORTE, CO 80535

OGDEN DEBORAH J GRANT JAMES M
5000 BOARDWALK DR UNIT 13
FORT COLLINS, CO 80525

OMM LLC
2937 SKIMMERHORN ST
FORT COLLINS, CO 80526

O STOPHER M/JULIE A
5100 SAWGRASS CT
FORT COLLINS, CO 80525

PADGETT EVAN/CHELSEA
5100 BULRUSH CT
FORT COLLINS, CO 80525

PAPE JOHN M/EILEEN H
5324 HIGHCASTLE DR
FORT COLLINS, CO 80525

PARDINA-MALBRAN F. & P. PINEIRO
5131 BULRUSH CT
FORT COLLINS, CO 80525

PATTEN SUSAN R/MALCOLM T
5306 HIGHCASTLE CT
FORT COLLINS, CO 80525

PAVEL BRETT/ROBIN
5000 BOARDWALK DR UNIT 20
FORT COLLINS, CO 80525

PILSNER H REVOCABLE LIVING TRUST
583 BATTERY ST APT 2507N
SEATTLE, WA 98121

POTTS JULIANNA
5313 MAIL CREEK LN
FORT COLLINS, CO 80525

POUDRE R-1 SCHOOL DISTRICT
2407 LAPORTE AVE
FORT COLLINS, CO 80521

POUDRE R-1 SCHOOL DISTRICT
2407 LAPORTE AVE
FORT COLLINS, CO 80521

POUDRE R-1 SCHOOL DISTRICT
2407 LAPORTE AVE
FORT COLLINS, CO 80521

POUDRE R-1 SCHOOL DISTRICT
2407 LAPORTE AVE
FORT COLLINS, CO 80521

POUDRE SCHOOL DISTRICT
2407 LAPORTE AVE
FORT COLLINS, CO 80521

POWERS EDWARD J/LAURA M
5112 BULRUSH CT
FORT COLLINS, CO 80525

PRELOG WENDY M
693 BRANDY HILL PL
HENDERSON, NV 89052

PROPERTY QUEENS LLC
907 BELVEDERE CT
FORT COLLINS, CO 80525

QUITMEYER LESLIE A
2614 THOREAU DR
FORT COLLINS, CO 80524

RAISLEY BRIAN D/MARYJANE
5137 SAWGRASS CT
FORT COLLINS, CO 80525

RAKEL TED S/MAUREEN A
4924 SWITCHGRASS CT
FORT COLLINS, CO 80525

RAKNESS CHERYL A
5000 BOARDWALK DR 27
FORT COLLINS, CO 80525

RANKIN MARK W
5151 BOARDWALK DR UNIT K3
FORT COLLINS, CO 80525

RANTANEN JASON JORRITSMA RACHEL
5151 BOARDWALK DR UNIT L-4
FORT COLLINS, CO 80525

RAYMOND KAREN Y TRUST
5000 BOARDWALK DR UNIT 45
FORT COLLINS, CO 80525

REID C. PHILLIP PATRICK/MIRIAM D
5326 HIGHCASTLE CT
FORT COLLINS, CO 80525

REINS LIVING TRUST
5000 BOARDWALK DR UNIT 9
FORT COLLINS, CO 80525

RHODA D`ANN K DOUGLAS P
837 MILAN TERRACE DR
FORT COLLINS, CO 80525

ROBERTSON ODES B
625 SANDREED CT
FORT COLLINS, CO 80525

ROCHE JAMES S ROWE KATHRYN R
5000 BOARDWALK DR UNIT 34
FORT COLLINS, CO 80525

ROGERS BRAD M/ANDREA V
831 MILAN TERRACE DR
FORT COLLINS, CO 80525

ROMAN JESUS MARTIN LEE ANGIE
637 CASTLE RIDGE CT
FORT COLLINS, CO 80525

R G D. & AMY H
5313 HIGHCASTLE CT
FORT COLLINS, CO 80525

ROTHS BARBARA/STEPHAN
5000 BOARDWALK DR 7
FORT COLLINS, CO 80525

RYAN THOMAS P
5200 CASTLE RIDGE PL
FORT COLLINS, CO 80525

SACKS PAULA GLUCKSTERN MARK
5151 BOARDWALK DR UNIT L5
FORT COLLINS, CO 80525

SAILER JOHN B BARBARA D
5318 HIGHCASTLE DR
FORT COLLINS, CO 80525

SALISBURY AMY M
713 MILAN TERRACE DR
FORT COLLINS, CO 80525

SALTER DOUGLAS W/KATHLEEN M
613 CASTLE RIDGE CT
FORT COLLINS, CO 80525

SANCHEZ-MARTINEZ M.
5151 BOARDWALK DR UNIT L6
FORT COLLINS, CO 80525

SAXE CHRISTINA M/TIMOTHY P
5401 MAIL CREEK LN
FORT COLLINS, CO 80525

SCHAFER RICKY DEAN
PO BOX 413
ALLIANCE, NE 69301

SCHINKEL HEATHER/CORY
5030 BLUESTEM CT
FORT COLLINS, CO 80525

SCHULTZ RAYMOND C/NANCY E
519 YUMA CT
FORT COLLINS, CO 80525

SCHUPPAN SONYA A
5151 BOARDWALK DR UNIT I2
FORT COLLINS, CO 80525

SCHWERIN B. T REVOCABLE TRUST
601 CASTLE RIDGE CT
FORT COLLINS, CO 80525

SCOTT STANLEY R SCOTT MIHO TOI
5013 BLUESTEM CT
FORT COLLINS, CO 80525

SELIG GENE C/SONYA J
707 MILAN TERRACE DR
FORT COLLINS, CO 80525

SETIJONOPUTRO SINGGIH FRANK
5151 BOARDWALK DR UNIT D6
FORT COLLINS, CO 80525

SHAFFER ALLAN D/LINDA M
6042 CARMON DR
WINDSOR, CO 80550

SHAFFER ALLAN D/LINDA M
6042 CARMON DR
WINDSOR, CO 80550

SHELTREN J. & C.
718 MEADOW RUN DR
FORT COLLINS, CO 80525

SHUMAKER J. BONNIE L
5421 BELVEDERE PL
FORT COLLINS, CO 80525

SIEBRANDT MARK
813 MILAN TERRACE DR
FORT COLLINS, CO 80525

SISSON CHARLES B
PO BOX 2349
LOVELAND, CO 80539

SLOCUM ERIN R/LAWRENCE DARIN
5131 SAWGRASS CT
FORT COLLINS, CO 80525

SLOCUM LAWRENCE D THELMA M
5025 BLUESTEM CT
FORT COLLINS, CO 80525

SLUNECKA COLIN/KRISTINA J
4116 STONEGATE CT
FORT COLLINS, CO 80525

SMITH JODY A
5151 BOARDWALK DR UNIT G3
FORT COLLINS, CO 80525

SMITH LIVING TRUST
5000 BOARDWALK DR 26
FORT COLLINS, CO 80525

SMITH RICHARD D SMITH CAROLYN M
5000 BOARDWALK DR UNIT 30
FORT COLLINS, CO 80525

SNYDER DAWN
5151 BOARDWALK DR UNIT H1
FORT COLLINS, CO 80525

SORANSON-GALLOP KRIS
5000 BOARDWALK DR UNIT 2
FORT COLLINS, CO 80525

SOLLENBERGR JOHN K/ANNE R
5415 ROMA VALLEY CT
FORT COLLINS, CO 80525

SOSA MARIO A SOSA VIDA B
719 MEADOW RUN DR
FORT COLLINS, CO 80525

SOTO ANA PAOLA
5151 BOARDWALK DR UNIT J4
FORT COLLINS, CO 80525

SPILLMAN CHARLES R/NANCY
5213 MAIL CREEK LN
FORT COLLINS, CO 80525

SPINUZZI DEREK D/KATHERINE M
5118 SAWGRASS CT
FORT COLLINS, CO 80525

SPRAGUE PATRICIA J
4955 BLUESTEM CT
FORT COLLINS, CO 80525

STEFANON T. PATRICK KENNETH M
642 CASTLE RIDGE CT
FORT COLLINS, CO 80525

STEPHENS BOBBIE JEAN
2808 GARRETT DR
FORT COLLINS, CO 80526

STINEBAUGH SENESA R
5308 PARKWAY CIR E
FORT COLLINS, CO 80525

STOCKDALE JENINE
5300 HIGHCASTLE CT
FORT COLLINS, CO 80525

STROTE JUSTIN A/ERIKA K
5408 ROMA VALLEY CT
FORT COLLINS, CO 80525

STRUB MICHAEL J/DORLYTA J
5151 BOARDWALK DR UNIT D1
FORT COLLINS, CO 80525

SUHRSTEDT BARBARA LYNN
5000 BOARDWALK DR 36
FORT COLLINS, CO 80525

SUNDERMAN STEVEN R
607 CASTLE RIDGE CT
FORT COLLINS, CO 80525

SVENDSON STEVE
5151 BOARDWALK DR UNIT G1
FORT COLLINS, CO 80525

SYCKS STEVEN J/SHANNON M
5224 GREENVIEW DR
FORT COLLINS, CO 80525

TAFOYA TROY A/CARRIE E
5213 CASTLE RIDGE PL
FORT COLLINS, CO 80525

TAGGART CHRISTOPHER J
5151 BOARDWALK DR UNIT O2
FORT COLLINS, CO 80525

TAYLOR SANDRA J
5000 BOARDWALK DR 33
FORT COLLINS, CO 80525

TESONE JENNIFER D/RONALD A
5151 BOARDWALK DR UNIT P1
FORT COLLINS, CO 80525

THIRET GARY/ELIZABETH
5105 MAIL CREEK LN
FORT COLLINS, CO 80525

THOMAS H. L THOMAS KATHLEEN A
5151 BOARDWALK DR UNIT J1
FORT COLLINS, CO 80525

TIPPIN STEVEN B/NANCY C
5409 BELVEDERE PL
FORT COLLINS, CO 80525

TRANTOW TERENCE W
5420 ROMA VALLEY CT
FORT COLLINS, CO 80525

TRAUT BARBARA A
1601 E PITKIN ST
FORT COLLINS, CO 80524

TRIBBY MATTHEW/SAHAR
5208 PARKWAY CIR E
FORT COLLINS, CO 80525

TUCHSCHERER JOHN
5151 BOARDWALK DR UNIT S4
FORT COLLINS, CO 80525

TYCHSEN WILLIAM A II KATHRYN M
5007 BLUESTEM CT
FORT COLLINS, CO 80525

TYRRELL DAVID A PATRICIA E
4936 SWITCHGRASS CT
FORT COLLINS, CO 80525

U ARLES E/CHRISTINE E
925 BELVEDERE CT
FORT COLLINS, CO 80525

UNRAU MARY ANNE
5000 BOARDWALK DR 4
FORT COLLINS, CO 80525

VENEKAMP TERESA SUE/KURT L
619 SANDREED CT
FORT COLLINS, CO 80525

VERA MARY
5000 BOARDWALK DR UNIT 3
FORT COLLINS, CO 80525

VERNELSON B. SAMUEL III/D. NICOLE
5018 SWITCHGRASS CT
FORT COLLINS, CO 80525

VIOLA THOMAS J JR TRUST
231 DUCK CREEK LN
GEORGETOWN, TX 78633

VISID PROPERTY LLC
3100 SHORE RD
FORT COLLINS, CO 80524

VM INVESTMENTS 5000 LLC
36746 BRIAN AVE
WINDSOR, CO 80550

VOTE HALEY LYNN REVOCABLE TRUST
5427 HIGHCASTLE DR
FORT COLLINS, CO 80525

VU DANIELLE LIANG CHIA SHOU
5151 BOARDWALK DR UNIT P3
FORT COLLINS, CO 80525

WALDO JOANNE L
5000 BOARDWALK DR UNIT 29
FORT COLLINS, CO 80525

WALLEN FRED L/MARILYN L
5000 BOARDWALK DR 5
FORT COLLINS, CO 80525

WAY PETER/FRANCES LEE
4930 SWITCHGRASS CT
FORT COLLINS, CO 80525

WEDGE KAREN J
5000 BOARDWALK DR UNIT 21
FORT COLLINS, CO 80525

WEISS FREDERICK J
5209 MAIL CREEK LN
FORT COLLINS, CO 80525

WELCOME TO REALTY LLC 401K PSP
2614 S TIMBERLINE RD # 105 PMB 149
FORT COLLINS, CO 80525

WELSH SHARYL C
5151 BOARDWALK DR UNIT L3
FORT COLLINS, CO 80525

WERTZ JULIE B
5000 BOARDWALK DR UNIT 14
FORT COLLINS, CO 80525

WEST ADA VIOLA
5000 BOARDWALK DR UNIT 44
FORT COLLINS, CO 80525

WILLIAMS STEVEN R/BETH A
5301 HIGHCASTLE CT
FORT COLLINS, CO 80525

WILSON DANIEL/JULIE REVCBLE TRUST
5309 MAIL CREEK LN
FORT COLLINS, CO 80525

WILSON LINDA E TRUST
5000 BOARDWALK DR UNIT 1
FORT COLLINS, CO 80525

WINOKUR M. A HEATHER M BENNETT-
5108 GREENVIEW CT
FORT COLLINS, CO 80525

WOLL CAROLINE H
5000 BOARDWALK DR 15
FORT COLLINS, CO 80525

WOODARD M. WOODARD S. GILLIAN
631 MEADOW RUN DR
FORT COLLINS, CO 80525

WORLUND CURT/LISA
5112 SAWGRASS CT
FORT COLLINS, CO 80525

WULFF RYAN S/SONJA B
631 SANDREED CT
FORT COLLINS, CO 80525

YOUNGBERG R./S. JOINT LVING TRUST
5151 BOARDWALK DR UNIT O1
FORT COLLINS, CO 80525

ZAIS EMILY J/RONALD J
5119 SAWGRASS CT
FORT COLLINS, CO 80525

Written Comments

Name	Address	City	State	Zip	Email
Tracey Stefanon & Ken Patrick	642 Castle Ridge Ct	Fort Collins	CO	80525	traceyken@comcast.net
Dan Clawson	5219 Castle Ridge Pl	Fort Collins	CO	80525	danclawson9@gmail.com
Steve Sunderman	607 Castle Ridge Ct	Fort Collins	CO	80525	srsunde@aol.com
Kurt Johnson	612 Castle Ridge Ct	Fort Collins	CO	80525	kejlbj@yahoo.com
Peter Way	4930 Switchgrass Ct	Fort Collins	CO	80525	poogleway@gmail.com
Tom Graff & Debbie Graff	624 Castle Ridge Ct	Fort Collins	CO	80525	tomjgraff@gmail.com
Denise Newmark	5000 Boardwalk Dr Unit 12	Fort Collins	CO	80525	newmarkdenise@gmail.com
Alyssa Cross					alyssacross2005@icloud.com
Jillian Kropp					jilliankropp@gmail.com
Dorothy Hull & Patrick Hull					dehull424@yahoo.com
Jennifer Lindstrom					exaafa88@gmail.com
Sheryl Cox					smilee_8306@yahoo.com
Mike Pruznick & Vera Pruznick					mikepruz@gmail.com
Matthew Richter					mjr2049@gmail.com
Maurice Shenk	1601 W Swallow Rd Unit E5	Fort Collins	CO	80526	mauriceshenk@msn.com
Jessica Miller					jessie@chaos2art.com
Reba Espinosa					tppc17@gmail.com
Hector Espinosa					hectorespinosa72@gmail.com
Gustavo Espinosa	3239 Barbera Ct	Greeley	CO	80634	gespinosa2002@yahoo.com
Alfonso Rodriguez & Delia Rodriguez	3120 66th Ave	Greeley	CO	80634	leyendapub@comcast.net
Octavio Noda		Berthoud	CO		nodav@comcast.net
Ernesto Espinosa					espiusa99@gmail.com
Mack Tulenko					tulenkomack@gmail.com
Shai Krieger					sheek1031@gmail.com
Taryn Marrow					taryn.morrow@gmail.com
Steve Dornseif					stevedornseif@gmail.com
Elizabeth Giglio	517 E Trilby Rd 20	Fort Collins	CO	80525	lizziegiglio@gmail.com
Addison Scholes & Mercedes Scholes					mercys@comcast.net

Spoken Comments at Hearing

Name	Address	City	State	Zip
Steve Sunderman	607 Castle Ridge Ct	Fort Collins	CO	80525

Kurt Johnson	612 Castle Ridge Ct	Fort Collins	CO	80525
Mike Leuzze	5225 Castle Ridge Pl	Fort Collins	CO	80525
Barbara Suhrstedt	5000 Boardwalk Dr 36	Fort Collins	CO	80525
Steve Roths	5000 Boardwalk Dr 7	Fort Collins	CO	80525
Tony Doing	5206 Castle Ridge Pl	Fort Collins	CO	80525
Erin Ellis	1725 Lake View Dr	Fort Collins	CO	80524

Attendance at the Hearing - Names that are not already included above

Name	Address	City	State	Zip	
Rick Ricketts	2300 W Mulberry St	Fort Collins	CO	80521	oldrunner06@gmail.com
Phoebe McWilliams	2512 Myrtle Ct	Fort Collins	CO	80521	pcmcwilliams@gmail.com
Barbara Schwerin	601 Castle Ridge Ct	Fort Collins	CO	80525	btschwerin@gmail.com
Evan Gilmartin	2519 S Shields St 1K-194	Fort Collins	CO	80526	
Steve Chacho	631 Castle Ridge Ct	Fort Collins	CO	80525	schacho@aol.com
Jennifer Wagner	6623 E CR 58	Fort Collins	CO	80524	jenniferwagner@bankofcolorado.com
Teresa Ricketts	2300 W Mulberry St	Fort Collins	CO	80521	
Sarah King	500 10th St	Fort Collins	CO	80524	sarah.king@colostate.edu

A

PLANNING & ZONING COMMISSION
Sign-In Sheet

DATE: 12/1/22

Name	Mailing Address	Email and/or Phone	Reason for Attendance
Rich Ricketts	2300 W Mulberry St	oldrunner06@gmail	Neighbor
Steve Sunderman	607 Castle Ridge Ct.	Srsunde@aol.com	oppose 636 Castle Ridge
Kurt Johnson	612 Castle Ridge ct	Kejebg@yahoo.com	Castle Ridge
Phoebe McWilliams	2512 MYRTLE Court	pcmcwilliams@gmail.com	Proposed Impala Redevelopment
EVAN GILMARTIN	25195 Shields 1K-194		neighbor
Barbara Schwering	601 Castle Ridge Ct	btschwering@gmail.com	Neighbor - Give 3 minutes to Steve Sunderman
Steve Chacho	631 Castle Ridge Ct	schacho@aol.com	Neighbor
Barbara Sachsteder	5000 Boardwalk Dr.	970-999-5962	Neighbor
Steve Rolfs	5000 Boardwalk Dr		Neighbor
Jennifer Wagner	4423 ECR 56	jennifer wagner	parking Committee
Terrie Ricketts	2300 W Mulberry		Landings at Lemay
Sarah King	500 10th ST.	sarah.king@colostate.edu	Castle Ridge
Erin Ellis	1725 Lakeview Dr	970.218.5057	

THIS IS A PART OF THE PUBLIC RECORD
Please contact Katie Claypool at 970-416-4350 or kclaypool@fcgov.com if you inadvertently end up with it. Thank you!

Notices of Appeal

Filed by
(1) Steve Sunderman
(2) Kurt Johnson and others

NOTICE OF APPEAL

Action Being Appealed: 636 Castle Ridge Group Home

FOR CITY CLERK'S USE ONLY:
DATE FILED: 12/21/22
INITIALS: RK

Date of Action: Dec 15 2022 **Decision Maker:** P+Z Commission

Appellant/Appellant Representative (if more than one appellant):

Name: Steve Sunderman **Phone #:** 970-215-3162

Address: 607 Castle Ridge Ct. Fort Collins CO 80525 **Email:** srsunde@aol.com

INSTRUCTIONS

For *each allegation* marked below, **attach a separate summary of the facts contained in the record which support the allegation** of no more than two pages, Times New Roman 12-point font. Please restate allegation at top of first page of each summary.

GROUNDS FOR APPEAL

The Decision Maker committed one (1) or more of the following errors (check all that apply):

☒ Failure to properly interpret and apply relevant provisions of the City Code, the Land Use Code, and Charter. **List relevant Code and/or Charter provision(s) here, by specific Section and subsection/ subparagraph:** See fact summary 1

Failure to conduct a fair hearing in that:

☒ (a) The Board, Commission, or other Decision Maker exceeded its authority or jurisdiction as contained in the Code or Charter. [*New evidence not allowed*] See fact summary 2a

☒ (b) The Board, Commission or other Decision Maker substantially ignored its previously established rules of procedure. [*New evidence not allowed*] See fact summary 2b

☒ (c) The Board, Commission or other Decision Maker considered evidence relevant to its findings which was substantially false or grossly misleading. [*New evidence allowed*] See fact summary 2c

☒ (d) The Board, Commission or other Decision Maker improperly failed to receive all relevant evidence offered by the appellant. [*New evidence allowed*] See fact summary 2d

☒ (e) The Board, Commission or other Decision Maker was biased against the appellant by reason of a conflict of interest or other close business, personal or social relationship that interfered with the Decision Maker's independence of judgment. [*New evidence allowed*] See fact summary

NEW EVIDENCE

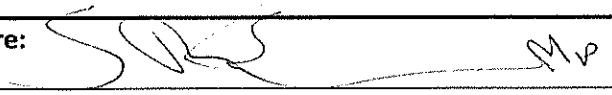
All new evidence the appellant wishes Council to consider at the hearing on the appeal must be submitted to the City Clerk within seven (7) calendar days after the deadline for filing a Notice of Appeal and must be clearly marked as new evidence. No new evidence will be received at the hearing in support of these allegations unless it is submitted to the City Clerk by the deadline (7 days after the deadline to file appeal) or offered in response to questions posed by Councilmembers at the hearing.

APPELLANTS

Parties-in-interest have the right to file an appeal.

A party-in-interest is a person who, or organization which, has standing to appeal the final decision of a board, commission or other decision maker. Such standing to appeal is limited to the following:

- The applicant.
- Anyone who owns or occupies the property which was the subject of the decision made by the board, commission or other decision maker.
- Anyone who received the mailed notice of, or spoke at, the hearing of the board, commission or other decision maker.
- Anyone who provided written comments to the appropriate City staff for delivery to the board, commission or other decision maker prior to or at the hearing on the matter that is being appealed.
- A City Councilmember.

Signature: 	**Date:** 12/21/2022
Name: Steve Sunderman	**Email:** srsunde@aol.com
Address: 607 Castle Ridge Ct.	**Phone #:** 970-215-3162
Describe how you qualify as a party-in-interest: Neighbor to project, invited to prior meetings, attended and spoke at prior meetings. for this project	

Signature:	**Date:**
Name:	**Email:**
Address:	**Phone #:**
Describe how you qualify as a party-in-interest:	

Signature:	**Date:**
Name:	**Email:**
Address:	**Phone #:**
Describe how you qualify as a party-in-interest:	

ATTACH ADDITIONAL SIGNATURE SHEETS AS NECESSARY

 for appeal

Fact summary 1

1. Failure to properly interpret and apply relevant provisions of the City Code, the Land Use Code, and charter.

Land Use Code

1.2.2-Purpose

(K) "Fostering a more rational pattern of relationship among residential, business, and industrial uses for the mutual benefit of all."

This proposal in no way represents a mutual benefit for all. This proposal is a proposal to enrich only the owners of 636 Castle Ridge Court. All other neighbors would suffer major impact to the beauty of the neighborhood, the current LD single family dwelling environment, major parking and traffic complications, safety for our children, fire code violations, and massive decrease in property values.

(M) "ensuring that development proposals are sensitive to the character of existing neighborhoods."

This neighborhood was designed with cooperation from Gary Nordic, the developer and the city as a LD single family dwelling only. To comply with density expectations and to keep for the City of Fort Collins, the developer has developed nearby higher density neighborhoods to the letter as agreed upon. This neighborhood has a narrow, private road agreed upon by all with the understanding that the road would have minimal use and parking due to single family dwellings only, 3-4 car garages required, and business use would not be allowed. We all paid a premium for these lots with that character. This proposal would completely destroy the character of this quiet single family dwelling neighborhood.

1.2.5 Minimum Standards

The provisions of this land Use Code are the minimum standards necessary.

Even the most minimum standards have not been met. The applicants are asking for deviations for their own personal profit far and above the current standards which apply to everyone else.

1.3.4 – Addition of permitted uses

(A) … "For residential neighborhoods, land use flexibility shall be balanced with the existing residential character. Projects are expected to continue to meet the objectives of any applicable sub-area plan and City Plan."

This proposal has no balance with existing residential character. It is a plan to transform one home into a large high volume and high traffic business for the profit of one homeowner at tremendous expense to all others. It does not meet the objectives, and in fact it destroys the objectives of the specific sub-area plan of this development.

(C) (1) Director approval requirements

(a) "Such use is appropriate for the zone district to which it is added."

(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

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

(d) "Such use does not create any ... objectionable influences or any more traffic hazards, traffic generation or attraction, ... adverse effect on public health, safety, moral, or aesthetics, or other adverse impacts of development..."

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

This proposal violates all five of the above paragraphs a-e. This proposal would transform this LD single family neighborhood into a neighborhood of homes surrounding a large high traffic business development. All LD single family dwelling characteristics would be destroyed.

In addition, the Fire Marshall initially stated that due to the narrow private street, small cul-de-sac's, and parking and traffic congestion, this application did not meet even the most basic of fire and safety code regulations. Throwing these requirements out the window was a dangerous and illegal action. It must be corrected.

Fact Summary 2a

2. Failure to conduct a fair hearing in that:

(a) The Board, Commission, or other Decision Maker exceeded its authority or jurisdiction as contained in the Code of Charter.

Land Use Code

1.2.2-Purpose

(K) "Fostering a more rational pattern of relationship among residential, business, and industrial uses for the mutual benefit of all."

This proposal in no way represents a mutual benefit for all. This proposal is a proposal to enrich only the owners of 636 Castle Ridge Court. All other neighbors would suffer major impact to the beauty of the neighborhood, the current LD single family dwelling environment, major parking and traffic complications, safety for our children, fire code violations, and massive decrease in property values.

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This neighborhood was designed with cooperation from the developer and the city as a LD single family dwelling only. To comply with density expectations and to keep for the City of Fort Collins, the developer as developed nearby higher density neighborhoods to the letter as agreed upon. This neighborhood has a narrow, private road agreed upon by all with the understanding that the road would have minimal use and parking due to single family dwellings only, 3-4 car garages required, and business use would not be allowed. We all paid a premium for these lots with that character. This proposal would completely destroy the character of this quiet single family dwelling neighborhood.

1.3.4 – Addition of permitted uses

(A) … "For residential neighborhoods, land use flexibility shall be balanced with the existing residential character. Projects are expected to continue to meet the objectives of any applicable sub-area plan and City Plan."

This proposal has no balance with existing residential character. It is a plan transform one home into a large high volume and high traffic business for profit on one homeowner at tremendous expense to all others. It does not meet the objectives, and in fact it destroys the objectives of the specific sub-area plan of this development.

(C) (1) Director approval

(a) "Such use is appropriate for the zone district to which it is added."

(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

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

(d) "Such use does not create any … objectionable influences or any more traffic hazards, traffic generation or [illegible], … adverse effect on public health, safety, moral, or aesthetics, or other adverse impacts of development…"

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

This proposal violates all five of the above paragraphs a-e. This proposal would transform this LD single family neighborhood into a neighborhood of homes surrounding a large high traffic business development. All LD single family dwelling characteristics would be destroyed.

Fact Summary 2b

2. Failure to conduct a fair hearing in that:

(b) The Board, Commission or other Decision Maker substantially ignored its previously established rules of Procedure.

Evidence: Please see email chain which was previously submitted as evidence prior to the P and Z Commission hearing. This chain is recopied for your review and submitted again as appendix A.

This includes emails dated:
July 22, July 30, August 1, August 4, August 20, August 24, Sept 10 Sept 15, Sept 19, Sept 20, October 19, Nov 7, Nov 8, Dec 4

This chain outlines in detail a long series of repeated failures by City staff to follow through with required procedures, repeated broken promises to comply with required procedures and meetings, and repeated efforts to silence those of use opposed to this application.

Fact Summary 2c

2. failure to conduct a fair hearing in that:

(c) The Board, Commission or other Decision Maker considered evidence relevant to its findings which was substantially false or grossly misleading.

Paramount concerning this item 2 (c) are prior statements by the applicants which have been previously documented in recorded sessions including:

1. The applicants' portrayal of Eric Shenk as a physician for credibility when it has been shown (and he has subsequently admitted) that he no longer has a license to practice medicine. He has subsequently stated that he simply decided to quit practicing. There is no credibility in this statement at all. I can't imagine any physician who would go through years and years of hard work in Medical School and 4 + years of residency only to just decide to stop. As previously reported in our recorded sessions, long standing surgeons in the area have reported that he was ousted by his own partners. Also as previously reported, a formal inquiry with DORA concerning his loss of license has been filed, and results are still pending. Red flags abound. This application cannot be approved if valid questions remain unanswered about the legality of the applicants' current operation.

2. Assertions by both applicants that prior to filing their application, they surveyed the surrounding neighbors and found no objections. I have personally spoken with nearly all of our neighbors, and I have not found a single one who has supported what they have proposed. Objections from the immediate neighborhood have been universal and strong.

3. Presented expectations of traffic, parking, deliveries, staff, and family visits are not even close to rational expectations, yet the Board and Commission have accepted these gross underestimations as reasonable.

Fact Summary 2d

2. Failure to conduct a fair hearing in that:

(d) The Board, Commission or other Decision maker improperly failed to receive all relevant evidence offered by the appellant.

The email chain which has previously been submitted verifies that some of us opposing this proposal have been actively silenced at prior neighborhood meetings, and have been given repeated promises to allow us to present our cases only to have these promises broken over and over again. In the last P and Z Commission meeting Dec 15, and even after I had received multiple verifications that I would be able to speak with time donated to me by five other neighbors, Chairman David Katz, did everything in his power to try to censor me from speaking again with my allotted time. This is well documented on that recorded meeting. His bias against hearing from me was demonstrably profound at the beginning of that meeting.

Fact summary 2e

2. Failure to conduct a fair hearing in that:

(e) The Board, Commission or other Decision Maker was biased against the Appellant by reason of a conflict of interest or other close business, personal, or social relationship that interfered with the Decision Maker's independence of judgment.

The email chain I have previously submitted gives very clear evidence that the Decision Makers had predetermined the outcome before fair hearings. The most enlightening communication is the email from Kai Kleer on August 24, 2022 in which he commented that "the things that would not be productive and should no be considered as part of the agenda:" included:

) the question of the legality of the applicants operating without a license,
) our assertion that this project would drastically drop home values,
) "We cannot reconsider any of the determinations made by the Reasonable Accommodation Request"

He further commented that the things that would be productive included

) improving the design ... around screening, landscaping, window placement and fencing
) Ensuring that operationally the land use mitigates impacts
) Proving clarity around the procedural requirements

This email quite clearly asserts that the decision to approve this application had been predetermined. All we would be able to explore would be minor details that might in some way mitigate the otherwise devastating consequences of this project.

Further, the words, actions, and demeanor of chairman David Katz at the beginning of the P and Z hearing on December 15 in which he tried everything he could do to prevent me from speaking my fairly allotted time show bias at its greatest level.

Further, Commissioner Michelle Haefele, who expressed clear rational thought process, and gave very rational reasons why the initial application should be declined, was not present at the Dec 15 hearing. We are all convinced that if she would have been allowed to speak and vote at the second meeting, her rational thought process would have continued and this proposal would have been rejected again. Chairman Katz drove this meeting with a clear political ideology and with intense anger against us for issuing our objections. His clearly biased vote should not be allowed.

This is not an application in which there was just an innocent error in procedure. The Decision Makers to date have failed to comply with not just one item on the appeal list, but each and every one of the six items listed. These are not innocent errors. They are driven by extreme political ideology. They will harm our community immensely.

I look forward to meeting for this appeal. If possible, I believe it would be productive if the attorney for the city would be present as well to see first hand the liability the decision makers have created by their failure for due process and fairness. We as neighbors look forward to just resolution without having to pursue further legal process if possible.

My most sincere thanks for your review.

Steve Sunderman, MD
970-215-3162

Appendix A copy email chain previously submitted.

srsunde@aol.com,
To: kkleer@fcgov.com, devreviewcomments@fcgov.com, emyler@fcgov.com,
Cc: srsunde@aol.com,
Subject: Thread for P and Z Commission review
Date: Sun, Dec 4, 2022 1:21 pm

Good afternoon Em,

Would you please forward this entire communication thread to all of the members of the P and Z Commission for review prior to the hearing scheduled for 12/15/2022?

This thread can give to the commission excellent verification of the repeated breaches in due process by City Staff throughout this entire application for 636 Castle Ridge Court, including:

A clear bias by City Staff in directing for a predetermined outcome,

Repeated broken promises to allow sincere face-to-face communication,

Censoring those of us opposing this application during scheduled meetings,

Admission of City Staff of ignoring legal requirements of the applicants,

Misapplication of the FHA,

Admission of ignoring the negative effects on home values for neighbors,

This application must be summarily rejected.

Respectfully submitted,

Steve Sunderman, MD

-----Original Message-----
From: srsunde@aol.com <srsunde@aol.com>
To: Kai Kleer <kkleer@fcgov.com>
Sent: Tue, Nov 8, 2022 5:30 am
Subject: Re: Re: Re: Group Home Notice with Link

Kai,

Thank you. I look forward to talking with you. I will have my phone available.

Steve

On Monday, November 7, 2022, 03:11:36 PM MST, Kai Kleer <kkleer@fcgov.com> wrote:

Hello Mr Sunderman,

I have some time on Wednesday from 10-11 am. Let me know if that timing works for you.

Best,

. . . . . .
R, AICP

ner
rt Collins

From: srsunde@aol.com <srsunde@aol.com>
Sent: Monday, November 07, 2022 12:57 PM
To: Kai Kleer <kkleer@fcgov.com>
Subject: [EXTERNAL] Re: Re: Group Home Notice with Link

Good afternoon, Kai.

Here is the message I received from 'Em on October 19. I have received no more information from that committee. I have heard from neighbors that this process is in the works of being bypassed too. We continue to be ignored. I must again, on the record, strongly object on the grounds that due process is not being followed.

Would you please be so kind as to call me for a real-time discussion? I will be available essentially all day long on Wednesday Nov 9 at my cell phone 970-215-3162

Thank you,
Steve SundermanMD

On Wednesday, October 19, 2022, 08:45:00 AM MDT, Development Review Comments <devreviewcomments@fcgov.com> wrote:

Mr. Sunderman,

Please see below the message I sent to you last week, I apologize if it didn't reach you for some reason:

Mr. Sunderman,

Thank you for your patience on our response. Staff have decided not to pursue another neighborhood meeting for Castle Ridge Group Home at this time, virtually or in-person. Our Development Review requirements for public engagement have been met so far.

That doesn't mean this is the end of the conversation on this project. Here are the next steps and ways you can get involved:

- I sent out some information on the most recent submittal yesterday. That submittal will go through staff review until it is ready to go to Planning and Zoning Commission. I'd like to highlight that staff do not have the ability to decline to send this proposal to the Commission.
- During this time, I am available at this email address to field questions and comments to the best of my ability. Feel free to email me here any time
- Once the proposal is ready, it will go to the Planning and Zoning Commission, who will be the final decision makers. This is the place where you can next engage directly on this project by making a public comment. You can do so either by emailing written comments here and they will be included in the packet materials for Commissioners to read. Or, you can attend the meeting and speak in person. These comments are time limited and the Commissioners are not able to respond. However, the Commissioners have the ability to modify or deny the proposal based on evidence including public comment.
    - I would highly recommend taking a look at one of the public comments submitted for a recent project called Heartside Hill. I think it's a good example of how you could use a

written comment to fully express the concerns I have heard from you. I've attached it here. If you'd like to submit something similar for P&Z, please send it to this email. I will email the Castle Ridge contact list when the project is scheduled to go to public hearing so you know.

Let me know if you have any questions.

Respectfully,

Em Myler
Neighborhood Development Liaison

As for your questions this morning:

1. The proposal is currently going through staff review. I have you on a list of names to alert when it has completed this step and is scheduled to go to the Planning and Zoning Commission.
2. The only actions right now include the usual staff comments on the submittal, and the applicants' responses. Staff is considering input from the neighborhood meetings in their comments. I will send comments and submittal updates when I have them.
3. Please see above regarding a face to face meeting
4. I think the best option to make sure that the Planning and Zoning Commission sees this email thread and you know that it has been seen is to include it as a public comment for their meeting materials when this proposal goes to hearing. That way, the Commissioners will read it as a part of the case on this proposal and the comment will be published publicly so you know that it has been included. This is the best way in my opinion to offer you the accountability you are looking for. I included more information on public comments in the original email above.

Best,

Em Myler
Neighborhood Development Liaison

From: srsunde@aol.com <srsunde@aol.com>
Sent: Wednesday, October 19, 2022 2:20 PM
To: Kai Kleer <kkleer@fcgov.com>; Alyssa Stephens <astephens@fcgov.com>
Cc: Development Review Comments <devreviewcomments@fcgov.com>; Paul S. Sizemore <psizemore@fcgov.com>; srsunde@aol.com <srsunde@aol.com>
Subject: [EXTERNAL] Re: Group Home Notice with Link

Good morning Kai,

I have not heard back from you or from anyone on City Staff after my email from September 20, 2022 - attached below.

Could you please update me on where we are with this process?
Is any action happening from the City Staff or from the applicants?
When do we get our face-to-face meeting we have been promised?

Would you please forward this entire thread to the Planning and Zoning Commission and copy me so that I know it has been sent? Alternatively, if you would send me email contact information for the entire Planning and Zoning Commission, I can send it to them and copy you.

Thank you again for your attention, dedication, and assistance.

Respectfully,

nderman, MD

-----Original Message-----
From: srsunde@aol.com
To: kkleer@fcgov.com <kkleer@fcgov.com>; astephens@fcgov.com <astephens@fcgov.com>
Cc: devreviewcomments@fcgov.com <devreviewcomments@fcgov.com>; psizemore@fcgov.com <psizemore@fcgov.com>; srsunde@aol.com
Sent: Tue, Sep 20, 2022 6:41 am
Subject: Re: Group Home Notice with Link

Kai,

Thank you for your response.

We are not asking for an opportunity to have a meeting in which nobody from the City of decision-making authority is present. We are asking for an honest, sincere meeting with the applicants ***and*** with those of authority on City Staff (including Mr. Sizemore). My understanding is that the Planning and Zoning Commission does not come into play unless City Staff should move it forward to them. The Planning and Zoning Commission has already rejected ***unanimously*** the applicants' prior proposal which was previously passed on to them by City Staff. We must have an opportunity to stop at the beginning of the process this new proposal, which would also likely result in millions of dollars of recoverable damages if passed. Mr. Sizemore and City Staff must allow us due process and fairness. The application has been filled with misleading and false information from the beginning. The legal red flags are huge, and to this day, remain unanswered by the applicants and ignored by City Staff.

Respectfully,

Steve Sunderman, MD
970-215-3162

-----Original Message-----
From: Kai Kleer <kkleer@fcgov.com>
To: srsunde@aol.com <srsunde@aol.com>; Alyssa Stephens <astephens@fcgov.com>
Cc: Development Review Comments <devreviewcomments@fcgov.com>; Paul S. Sizemore <psizemore@fcgov.com>
Sent: Mon, Sep 19, 2022 11:53 am
Subject: RE: Re: Group Home Notice with Link

Hello Steve,

An in-person meeting is the goal. Since the decision maker is the Planning and Zoning Commission, they will not be present at the meeting. Did you have anyone else in mind?

Sincerely,

. . . . . .
KAI KLEER, AICP
City Planner
City of Fort Collins

From: srsunde@aol.com <srsunde@aol.com>
Sent: Friday, September 16, 2022 10:37 AM
To: Kai Kleer <kkleer@fcgov.com>; Alyssa Stephens <astephens@fcgov.com>
Cc: Development Review Comments <devreviewcomments@fcgov.com>; Paul S. Sizemore <psizemore@fcgov.com>; srsunde@aol.com
Subject: [EXTERNAL] Re: Group Home Notice with Link

Hello Kai,

Thank you again for your response. Would you please confirm for me that the meeting you are working on will be in person and will include the neighbors here who feel a need to be heard as well as the City Staff who are responsible for decisions?

Steve Sunderman, MD
970-215-3162

-----Original Message-----
From: Kai Kleer <kkleer@fcgov.com>
To: srsunde@aol.com <srsunde@aol.com>; Alyssa Stephens <astephens@fcgov.com>
Cc: Development Review Comments <devreviewcomments@fcgov.com>; Paul S. Sizemore <psizemore@fcgov.com>
Sent: Thu, Sep 15, 2022 4:02 pm
Subject: RE: Re: Group Home Notice with Link

Hello Steve,

Thanks for your diligence and patience on this. We have been in contact with the applicant team and they would be interested in having further discussions with the neighborhood. Internally, our Neighborhood Services and Development Review staff are working through the finer details of the when and where of the meeting and how to best organize it for a productive conversation. Our Development Review Liaison, Emily Myler, will be in touch as soon as we know more.

Sincerely,

. . . . . .
KAI KLEER, AICP
City Planner
City of Fort Collins

From: srsunde@aol.com <srsunde@aol.com>
Sent: Saturday, September 10, 2022 10:13 AM
To: Kai Kleer <kkleer@fcgov.com>; Alyssa Stephens <astephens@fcgov.com>
Cc: Development Review Comments <devreviewcomments@fcgov.com>; Paul S. Sizemore <psizemore@fcgov.com>; srsunde@aol.com
Subject: [EXTERNAL] Re: Group Home Notice with Link

Dear Mr. Kleer:

I have not heard back since my email of August 28, 20222. I am sending another email today to check with you on where we are concerning the promised face-to-face meeting regarding 636 Castle Ridge Court.

Again, this needs to be an open and honest meeting among the applicants, the neighbors, and non-biased City Staff.

I believe the recoverable damages to our neighborhood will likely be in the millions if this proposal is allowed to go through. The duty of the City remains with the collective residents.

I look forward to hearing from you about setting up an open and productive meeting.

Respectfully Submitted.

Steve Sunderman, MD
970-215-3162

Copy: Ms. Stephens, Mr. Sizemore, Development Review Committee, Self

-----Original Message-----
From: srsunde@aol.com
To: kkleer@fcgov.com <kkleer@fcgov.com>; astephens@fcgov.com <astephens@fcgov.com>
Cc: devreviewcomments@fcgov.com <devreviewcomments@fcgov.com>; psizemore@fcgov.com <psizemore@fcgov.com>; srsunde@aol.com
Sent: Sun, Aug 28, 2022 11:29 am
Subject: Re: Group Home Notice with Link

Ms. Stephens, Mr. Sizemore, Development Review Committee:

Thank you for your response.

What is needed is a full, sincere, open meeting with the applicants and with open minded City Staff to re-evaluate this entire proposal.

The suggestions you have proposed below by City Staff are, yet again, a censorship of the most important items at hand, and an assertion that City Staff will not even consider a correction of prior decisions, no matter how wrong they may have been.

City Staff is well aware that the application for this proposal has been filled with substantially false and misleading information from the very beginning. Red flags about licensure and questions of legality of the applicants' current operations are gigantic and still remain unanswered. The City does indeed have an obligation to verify whether this process is legal or not. Further, if the City is going to be involved in potentially granting approval of this enormous business in the middle of a carefully planned low density residential only neighborhood, the City has an absolute obligation to the entire neighborhood and to the city as a whole to ensure this will not "take away" from the neighbors - and not to use its position to assist one family in generating a huge personal profit at tremendous expense to all others in this neighborhood.

If this wrongful proposal should be allowed to go through, the recoverable damages to the Castle Ridge neighbors alone could well be into the millions of dollars.

Let's please start over from step one.

Respectfully,

Steve Sunderman, MD
970-215-3162
srsunde@aol.com

-----Original Message-----
From: Kai Kleer <kkleer@fcgov.com>
To: srsunde@aol.com <srsunde@aol.com>; Alyssa Stephens <astephens@fcgov.com>
Cc: Development Review Comments <devreviewcomments@fcgov.com>; Paul S. Sizemore <psizemore@fcgov.com>
Sent: Wed, Aug 24, 2022 10:50 am
Subject: RE: Re: Group Home Notice with Link

Hello Steve,

Thanks for your patience. I have been working with staff internally to determine the best approach to facilitate a productive conversation between you and the applicant. In an effort to build out the agenda and request for the meeting, could we get some additional clarification about you specific questions/concerns for the applicant and/or staff and your anticipated outcome from the meeting?

To address some of the comments you've provided, here are some things that would not be productive and should not be considered as part of the agenda:

- Your assertion that the applicants are currently operating without a license. This is a matter that is outside of the City's jurisdiction and should is something that's addressed by filing a complaint to the Colorado Department of Public Health & Environment.
- Your assertion that this project would drastically drop community appeal and home values in the immediate area. Values of homes are not within the purview of the land use code and cannot be considered by staff or the Planning and Zoning Commission.
- We cannot reconsider any of the determinations made by the Reasonable Accommodation Request, nor can the Planning and Zoning Commission.

Here are some things that I've teased out of your comments that would be productive in discussion with the applicant:

proving the design, quality and character of new development through discussion around screening, landscaping, ndow placement, and fencing.

- Ensuring that operationally the land use mitigates impacts to the extent practicable through conversation around hours of deliveries, lighting, placement of trash receptacles, location and number of off-street parking spaces.
- Providing clarity around the procedural requirements of development plans.

Regarding the appeal, it must be filed within 14-days of any decision by the Planning and Zoning Commission. Additional notice will not be provided.

Let me know what if these are things that you would be interested in further discussing with the applicant or city staff and I will get something set up.

Thanks again for your patience.

Sincerely,

. . . . . .
KAI KLEER, AICP
City Planner
City of Fort Collins

From: srsunde@aol.com <srsunde@aol.com>
Sent: Saturday, August 20, 2022 9:44 AM
To: Kai Kleer <kkleer@fcgov.com>; Alyssa Stephens <astephens@fcgov.com>
Cc: Development Review Comments <devreviewcomments@fcgov.com>; Paul S. Sizemore <psizemore@fcgov.com>; srsunde@aol.com
Subject: [EXTERNAL] Re: Group Home Notice with Link

Dear Mr. Kleer, Mr. Sizemore, Ms. Stephens, and Development Review Committee:

I wanted to follow up on my most recent email (see below).

I was told that arrangements would be made for further opportunity for us to meet to express our concerns (and with face-to-face format). I have not received any response back since my email of August 4, 2022. I want to make sure that we, the neighbors are heard. I want to make sure our options for appeal and further legal action remain open if the City should decide to render approval of this flawed proposal. I want to be assured that the City is not supporting a business activity that currently shows huge legal red flags. Are the applicants currently operating without license or authority a lockdown facility of two at-risk seniors for personal profit? This needs to be investigated and answered.

Would you please respond to me about where we stand concerning our promised opportunity to express our concerns face to face without being limited or shut off by a moderator?

Please notify me and all of the residents in the Castle Ridge Subdivision formally if and when your decisions have been made, and when our deadline for filing appeals will be.

We currently have multiple grounds for appeal as documented by the appeal form and procedure documents forwarded to me by Mr. Kleer should the City decide to allow this proposal to move forward:

1. Failure to properly interpret and apply relevant provisions of the City Code, the Land Use Code, and Charter. This includes street and fire code.

2. Failure to conduct fair hearings by exceeding its authority or jurisdiction.

3. Failure to conduct fair hearings by ignoring established rules of procedure.

4. Failure to conduct fair hearings by considering evidence presented by the applicants which was substantially false or misleading.

to receive all relevant evidence offered by the appellant.

 clearly biased against the appellant.

I look forward to hearing back from you with your plans to allow us to present our concerns fully and in person.

Respectfully,

Steve Sunderman, MD
607 Castle Ridge Court
Fort Collins, CO 80525

-----Original Message-----
From: srsunde@aol.com
To: kkleer@fcgov.com <kkleer@fcgov.com>; astephens@fcgov.com <astephens@fcgov.com>
Cc: devreviewcomments@fcgov.com <devreviewcomments@fcgov.com>; psizemore@fcgov.com <psizemore@fcgov.com>
Sent: Thu, Aug 4, 2022 5:15 am
Subject: Re: Group Home Notice with Link

Kia,

Again, my most sincere thanks to you for your response and offer.

Yes, we do need formal opportunity to meet face to face both with the applicants and with the city staff who are involved in making these decisions that would have a major impact on our entire community.

We feel as though we have been dismissed or silenced every step of the way. We feel the City is pushing an extreme left political agenda rather than exercising its duty to the population as a whole.

Again, I need to stress that the City has duty to the entire community as a whole, not to one family that is trying to "use" the entire neighborhood for self-enrichment at tremendous expense to all others.

I would like to stress that any use of "Reasonable Accommodation" has restrictions:

1. The applicant must be in a protected or disabled class. These applicants are neither disabled nor in a protected class. They are wrongfully flying the banner of and trying to "USE" a protected they are not even members of for personal self-gain.

2. Any "Reasonable Accommodations" must not result in a significant deterioration of existing environment or be a significant financial burden to others in this area. This project would totally alter in a negative way the entire atmosphere of this well-planned low-density community. This project would drastically drop community appeal and home values in the immediate area - most likely by millions of dollars collectively - all for one family's self profit. The damages against the neighborhood would be huge.

3. All such accommodations must consider existing rules and must not impact the safety of others. This project would clearly turn this area into a congested safety hazard for our children and for our parking and traffic. Existing general rules for street width, parking requirements, fire code, residential housing, low density, etc have been essentially thrown out the window for this one family's proposal.

4. The project and the accommodations must be "reasonable" not "unreasonable." Both this drastic reposing of a long established and well-planned residential community, and the accommodations sought are everything but reasonable.

Further, the City does have a duty to require fair process. The applicants for this project have been misleading and evasive about their application every step of the way; and to date, the city has allowed

 ove on.

, if the City has reason to believe that inappropriate or possible illegal activities are involved, the city cannot operate as an aid to those activities. Eirc Shenk has now admitted in open and recorded session that he does not have a license to practice medicine even though he touted himself with physician credentials from day one. He has admitted in open and recorded session that he and his wife are currently caring for two at risk seniors in their home without a group home or nursing home license and without a Medical Director. Are they using their home as a lock down facility without a right or license? The red flags for this project are huge and growing.

This proposal should have been summarily rejected months ago.

Respectfullly,

Steve Sunderman, MD
970-215-3162

-----Original Message-----
From: Kai Kleer <kkleer@fcgov.com>
To: srsunde@aol.com <srsunde@aol.com>; Alyssa Stephens <astephens@fcgov.com>
Cc: Development Review Comments <devreviewcomments@fcgov.com>; Paul S. Sizemore <psizemore@fcgov.com>
Sent: Mon, Aug 1, 2022 5:14 pm
Subject: RE: Re: Group Home Notice with Link

Hello Steve,

Thanks for the email. Unfortunately we cannot comment regarding the merits of medical licensing requirements for Eric Shenk and it is not a criterion that we evaluate land use applications under. We anticipate that any licensing, certification, and/or registration requirements will be administered and enforced by the Colorado Department of Public Health and Environment.

Regarding procedure, the section you referred to is for preapplication reviews by City Council and would not apply in this case. To clarify some of the confusion around the previous conversations, posted notice is required for neighborhood meetings pursuant to 2.2.2- Step 2: Neighborhood Meetings, however, the timeline for the sign posting is not specified under 2.2.6 – Step 6: Notice. In general, our goal is to post a sign as soon as the neighborhood meeting is scheduled; however, this is an odd case where the sign has been posted since March of 2021 and unfortunately removed by the applicant for resodding. We did talk to the applicant and made it clear that the sign must remain in place until a hearing has been held.

Knowing that there were a lot of people present at the neighborhood meeting and that we were unable to circle back around to you, I'd be happy to set something up and facilitate conversation between you and anyone on the applicant team. If that would be something you're interested in please let me know and I'll start coordinating schedules.

I'll also be sure to add your comments to the record for the Planning and Zoning Commission's consideration if and when a public hearing is scheduled for this project.

Please call or email me if you'd like to chat more.

Sincerely,

. . . . . .
KAI KLEER, AICP
City Planner
970-416-4284
City of Fort Collins

From: srsunde@aol.com <srsunde@aol.com>
Sent: Saturday, July 30, 2022 10:25 AM
eer <kkleer@fcgov.com>; Alyssa Stephens <astephens@fcgov.com>

NOTICE OF APPEAL

FOR CITY CLERK'S USE ONLY:
DATE FILED: 12-28-2022
INITIALS: JE

Action Being Appealed: Castle Ridge Group Home, FDP220013

Date of Action: 12/15/22 **Decision Maker:** Planning and Zoning

Appellant/Appellant Representative (if more than one appellant):

Name: KURT JOHNSON **Phone #:** 505-400-6810

Address: 612 Castle Ridge Ct. Fort Collins, CO 80525 **Email:** kejelbj@yahoo.com

INSTRUCTIONS

For *each allegation* marked below, **attach a separate summary of the facts contained in the record which support the allegation** of no more than two pages, Times New Roman 12-point font. Please restate allegation at top of first page of each summary.

GROUNDS FOR APPEAL

The Decision Maker committed one (1) or more of the following errors (check all that apply):

☒ Failure to properly interpret and apply relevant provisions of the City Code, the Land Use Code, and Charter. **List relevant Code and/or Charter provision(s) here, by specific Section and subsection/ subparagraph**:

Section 3.5.1 (J) of the Land Use Code

Failure to conduct a fair hearing in that:

☐ (a) The Board, Commission, or other Decision Maker exceeded its authority or jurisdiction as contained in the Code or Charter. [*New evidence not allowed*]

☐ (b) The Board, Commission or other Decision Maker substantially ignored its previously established rules of procedure. [*New evidence not allowed*]

☐ (c) The Board, Commission or other Decision Maker considered evidence relevant to its findings which was substantially false or grossly misleading. [*New evidence allowed*]

☐ (d) The Board, Commission or other Decision Maker improperly failed to receive all relevant evidence offered by the appellant. [*New evidence allowed*]

☐ (e) The Board, Commission or other Decision Maker was biased against the appellant by reason of a conflict of interest or other close business, personal or social relationship that interfered with the Decision Maker's independence of judgment. [*New evidence allowed*]

NEW EVIDENCE

All new evidence the appellant wishes Council to consider at the hearing on the appeal must be submitted to the City Clerk within seven (7) calendar days after the deadline for filing a Notice of Appeal and must be clearly marked as new evidence. No new evidence will be received at the hearing in support of these allegations unless it is submitted to the City Clerk by the deadline (7 days after the deadline to file appeal) or offered in response to questions posed by Councilmembers at the hearing.

GROUNDS FOR APPEAL: The Planning and Zoning Commission failed to properly interpret and apply relevant provisions of the Land Use Code.

The appeal relates to FDP220013, a proposal for a 10-resident group home, which the Planning & Zoning Commission approved by a 3-2 vote on 12/15/22. The proposal was a continuation from PDP210012, which was essentially the same group home application at the same address, but for 16 residents. That application was denied unanimously (5-0 vote) by P&Z on 3/23/22. The denial was based on provision 3.5.1 (J) of the Land Use Code, specifically relating to inadequate parking and public safety concerns.

The current proposal was based on an approved reasonable accommodation request for 10 residents. That approval, however, was conditioned upon the additional approval of the overall project by the P&Z Commission through Type 2 Review. Despite P&Z's narrow approval on 12/15/2022, we contend that the proposal still does not meet 3.5.1 (J).

Castle Ridge Court is a private street, which the City has declared as substandard. When our neighborhood's plan was approved, it was done so with a variance to minimum street width based on low density, all residential use, and every house being required to have a minimum of a 3-car garage. This was the only way to ensure that the narrow streets could provide for appropriate and safe ingress and egress for residents, visitors, and emergency services.

At the 3/23/22 hearing, the P&Z Commission established that due to the reduced width, if cars were parked on both sides of the street, the Castle Ridge Court would effectively be reduced to a one-lane street. Not only would this substantially change the character of the neighborhood and present a compatibility issue, but it would create serious public safety concerns related to accessibility by emergency services, and fire egress, among other public safety factors. Consider also that this neighborhood has a single egress, thus the houses "downstream" from the property are most affected when a "chokepoint" occurs in front of the subject property.

The applicant's new proposal was to keep one 2-car garage and convert the other garage into additional living area for group home residents. The applicant claimed that this would allow 5 on-site parking spaces. This is a dubious claim, and even if it were true, the resultant use would still be a house with ten residents, multiple staff, frequent deliveries, medical and family visitations, and at times a transport van – and only a two-car garage – on a street designed for single-family occupancy with 3- and 4-car garages.

In reality, the driveway is a narrow one-way in/one-way out configuration. The one garage which the applicant proposes to retain is directly in line with the driveway. This means that if 5 cars were to park on-site, it would require "musical cars" to manage. In any "real world" application, this simply cannot and will not be realized. This configuration is more challenging than any of the other group homes in Fort Collins. Thus, the result of the 10-resident, one-garage plan would be the same, un-workable and unsafe one-lane street situation which P&Z denied at the March hearing.

The applicants also proposed a parking app that would be required. The P&Z Commission dismissed this concept as unlikely to last long-term, as evidenced in their deliberations.

The result of an operation of this size would be to normally have cars parked on both sides of the street – especially considering that the other nearby residents also have needs. As there are not any distinct advantages to this location – only disadvantages – an operation of this size does not meet 3.5.1 (J), just as the 3/23/22 proposal did not.

Some P&Z members struggled during deliberations on how to apply the Land Use Code. Properly interpreting the Land Use Code involves specifically analyzing how the unique disadvantages of this location are overcome. Those voting for approval failed to cite any specific mitigation which merited approval of the new proposal. Those voting for denial, on the other hand, cited specific reasons the situation is not mitigated. As such, the Code was not properly applied.

SUPPLEMENTAL MATERIAL

As this was effectively a continuation of the 3/23/22 P&Z Commission hearing, specific submittals were referenced from that hearing as a statement of fact during the 12/15/22 hearing. For completeness, attached are certain materials which were submitted for the 3/22/22 hearing and subsequently referenced at the 12/15/22 hearing:

- the original variance on street width
- staff parking analysis for existing group homes in Fort Collins
- the 2016 road analysis declaring substandard construction

APPELLANTS

Parties-in-interest have the right to file an appeal.

A party-in-interest is a person who, or organization which, has standing to appeal the final decision of a board, commission or other decision maker. Such standing to appeal is limited to the following:

- The applicant.
- Anyone who owns or occupies the property which was the subject of the decision made by the board, commission or other decision maker.
- Anyone who received the mailed notice of, or spoke at, the hearing of the board, commission or other decision maker.
- Anyone who provided written comments to the appropriate City staff for delivery to the board, commission or other decision maker prior to or at the hearing on the matter that is being appealed.
- A City Councilmember.

Signature: Katherine Chacho	**Date:** 12/21/22
Name: Katherine Chacho	**Email:** Kchacho@aol.com
Address: 631 Castle Ridge Court	**Phone #:** 970.377.1373
Describe how you qualify as a party-in-interest: Across the street from applicants / Received Notice	

Signature: Charles Bradley Sisson	**Date:** 12/26/22
Name: Charles Bradley Sisson	**Email:** cbsisson@gmail.com
Address: 600 Castle Ridge Court	**Phone #:** 970 412 5928
Describe how you qualify as a party-in-interest: Live on Castle Ridge Ct & Received Notice	

Signature: Barbara Thompson Schwerin	**Date:** 12/26/2022
Name: Barbara Thompson Schwerin	**Email:** btschwerin@gmail.com
Address: 601 Castle Ridge Ct.	**Phone #:** 970.420.0111
Describe how you qualify as a party-in-interest: Live on Castle Ridge Ct and Received Notice	

ATTACH ADDITIONAL SIGNATURE SHEETS AS NECESSARY

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- Anyone who provided written comments to the appropriate City staff for delivery to the board, commission or other decision maker prior to or at the hearing on the matter that is being appealed.
- A City Councilmember.

Signature: [signature]	**Date:** 12/21/2022
Name: Tracey Stefanon	**Email:** traceyken@comcast.net
Address: 642 Castle Ridge Ct.	**Phone #:** (970) 988-7440
Describe how you qualify as a party-in-interest: Next door house to applicants / received notice	

Signature: [signature]	**Date:** 12/21/2022
Name: JESUS MARTIN ROMAN	**Email:** JESSIEMARTIN_2000@YAHOO.COM
Address: 637 CASTLE RIDGE CT	**Phone #:** 970 944 2332
Describe how you qualify as a party-in-interest: ACROSS THE STREET TO APPLICANTS / RECEIVED NOTICE	

Signature: [signature]	**Date:** 12/26/2022
Name: GREGG LESARTRE	**Email:** wiselyinvest@aol.com
Address: 619 CASTLE RIDGE CT	**Phone #:** 970 218 1621
Describe how you qualify as a party-in-interest: RECEIVED NOTICE / EXIT FROM NEIGHBORHOOD BLOCKED BY CONGESTION	

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- A City Councilmember.

Signature:	**Date:** 12/26/22
Name: Anthony Doing	**Email:** anthonydoing@comcast
Address: 5206 Castle Ridge Place	**Phone #:** 970 214 1577
Describe how you qualify as a party-in-interest: neighbor – received notice – concerned in regard to emergency service access	

Signature: Steven R. Williams	**Date:** 12/26/22
Name: Steven R. Williams	**Email:** aitarama@comcast.net
Address: 5301 Highcastle Court	**Phone #:** 970-567-5541
Describe how you qualify as a party-in-interest: Neighbor, written notice received, attended ~~sent~~ meetings.	

Signature:	**Date:** 26-DEC-2022
Name: DOUGLAS W. SALTER	**Email:** KDAPW2015@GMAIL.COM
Address: 613 CASTLERIDGE COURT	**Phone #:** 970-481-4382
Describe how you qualify as a party-in-interest: NEIGHBOR – ATTENDED MEETING VIRTUALLY	

ATTACH ADDITIONAL SIGNATURE SHEETS AS NECESSARY

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- A City Councilmember.

Signature: Kurt B. Cor	**Date:** 12/18/22
Name: Kurt Johnson	**Email:** Kejlbj@yahoo.com
Address: 612 Castle Ridge Ct.	**Phone #:** 505-400-6810
Describe how you qualify as a party-in-interest: Received notice	

Signature: Daniel Clam	**Date:** 12/18/22
Name: Daniel Clamson	**Email:** danclamson9@gmail.com
Address: 5219 Castle Ridge Pl FC	**Phone #:** 9702220478
Describe how you qualify as a party-in-interest: Received notice	

Signature:	**Date:**
Name:	**Email:**
Address:	**Phone #:**
Describe how you qualify as a party-in-interest:	

ATTACH ADDITIONAL SIGNATURE SHEETS AS NECESSARY

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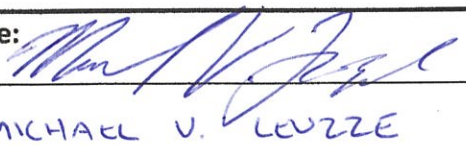
- A City Councilmember.

Signature: 	**Date:** 12/27/22
Name: MICHAEL V. LEUZZE	**Email:** MIKELEUZZE@YAHOO.COM
Address: 5225 CASTLE RIDGE PL, FORT COLLINS, CO 80525	**Phone #:** (408) 230-6131
Describe how you qualify as a party-in-interest: ATTENDED AND SPOKE AT CITY PLANNING MEETING	

Signature:	**Date:**
Name:	**Email:**
Address:	**Phone #:**
Describe how you qualify as a party-in-interest:	

Signature:	**Date:**
Name:	**Email:**
Address:	**Phone #:**
Describe how you qualify as a party-in-interest:	

ATTACH ADDITIONAL SIGNATURE SHEETS AS NECESSARY

MATTHEW J. DELICH, P.E.
TRAFFIC • TRANSPORTATION • CIVIL ENGINEERING
3413 BANYAN AVENUE • LOVELAND • COLORADO • 80538
303-669-2061

July 6, 1993 (File: 9346LT01)

Mr. Mike Herzig
Fort Collins Development Engineer
P.O. Box 580
Fort Collins, CO 80522-0580

Dear Mike:

Castle Ridge at Miramont is proposing to build 28 foot wide public streets within this portion of the development. The streets proposed to be 28 feet wide are "private drives" west of Highcastle Drive. According to the Fort Collins Design Criteria and Standards for Streets, this street width will require a variance by the City of Fort Collins.

The reasons for requesting/granting this variance are listed below:

- The streets will have less than 750 ADT on them. The development itself will have 18 dwelling units, which will generate 180 vehicle trips on an average weekday. There is not likely to be any external traffic passing through this development. Therefore, the highest traffic volume at a given worst case location will be 180 ADT.
- The streets that are proposed to be 28 feet are all cul-de-sacs.
- The cul-de-sacs do not access an arterial street.
- This is a large lot development. The density is considered to be low (2 or less dwelling units per acre). Based upon criteria in "Recommended Guidelines for Subdivision Streets, A Recommended Practice," Institute of Transportation Engineers, 1984, the pavement width should be 22-27 feet. The proposed 28 feet exceeds this recommended practice.
- Typical development with lot size of $\geq$0.5 acres provide more than four off-street parking spaces per dwelling unit. A comparable development is the First Filing of Clarendon Hills. Based upon observation at various times on a number of days, the average number of vehicles parked on Hinsdale Drive in Clarendon Hills was 3 in a length of 1300 feet. This observation was conducted where there were dwelling units on both sides of the street. The number of parked, on-street vehicles would enable Hinsdale Drive to have been a 28 foot wide street with no traffic or parking problems.

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I recommend that the streets in Castle Ridge at Miramont be 28 feet wide (curb to curb). I would further recommend that parking be allowed on both sides of the streets, if at least four off-street parking spaces are provided per dwelling unit.

If you have any questions or desire additional information, do not hesitate to call me.

Sincerely,

Matthew J. Delich, P.E.

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HPDesk Local Print for Mike HERZIG

Start of Item 2.

Message. Dated: 07/19/93 at 0903.
Subject: 28' Street Width Variance for Castle Ridge at Miramont
Sender: Warren JONES / CFC52/01 Contents: 2.
TO: Mike HERZIG / CFC52/01

Part 1.

FROM: Warren JONES / CFC52/01

TO: Mike HERZIG / CFC52/01

Part 2.

RE: 28' Street Width Variance for Castle Ridge at Miramont

Our research indicates that the on-street parking demands in large lot, high end single family housing projects is very low. The strongest correlating factor we have observed is the use of three car garages. If this project fits this scenario, including the three car garages, I have no opposition to a 28' street width.

End of Item 2.

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Facility Name	Parking Count	Bed Count	Ratio Parking/Beds
Seneca House Assisted Living	4	10	0.40
Terry Lake Assisted Living Turnbettery Place Assisted Living	4	8	0.50
Turnberry Place Assisted Living	4	8	0.50
Monarch Greens Assisted Living	6	8	0.75
Presitge Living LLC	6	8	0.75
Live to Assist	7	8	0.88

EARTH ENGINEERING CONSULTANTS, LLC

October 19, 2016

Castle Ridge at Miramont HOA
c/o Faith Property Management
300 East Boardwalk Drive; Building 6, Suite B
Fort Collins, Colorado 80525

Attn: Ms. Lauren Winn (lauren@faithproperty.com)

Re: Existing Pavements Evaluation
Castle Ridge Court and Castle Ridge Place
Fort Collins, Colorado
EEC Project No. 1162090

Ms. Winn;

Earth Engineering Consultants, LLC (EEC) personnel have completed the subsurface exploration and engineering evaluation requested for the existing roadways within the Castle Ridge at Miramont development located west of Highcastle Drive and south of the Mail Creek Ditch in Fort Collins, Colorado. The roadways in this evaluation include Castle Ridge Court and Castle Ridge Place. Results of the field and laboratory testing for this project as well as our evaluation of those test results are provided with this report.

Earth Engineering Consultants, Inc. completed a geotechnical exploration for this development in 1993. We believe the reference roadways were constructed shortly thereafter. The 1993 pavement section recommendations suggested at least 3-inches of hot bituminous pavement (HBP) over at least 6-inches of aggregate base, which was consistent with the minimum standards at that time. The in-place roadways appear to be in reasonably good shape based on visual observations. Several areas of concrete curb-and-gutter appear to have been replaced and the roadways appear to have been seal coated relatively recently. Photographs of the pavement areas taken at the time of our field exploration are included with this report.

To help determine the existing pavement sections and evaluate existing subgrade conditions, soil borings were completed at four (4) locations within the referenced roadway alignments. A diagram indicating the approximate boring locations is included with this report. Those borings were extended to depths of approximately 10 feet below existing surface grades with samples of the subsurface materials encountered obtained using split-barrel and California barrel sampling techniques in general accordance with ASTM Specifications D1586 and D3550, respectively.

4396 GREENFIELD DRIVE
WINDSOR, COLORADO 80550
(970) 545-3908 FAX (970) 663-0282

In the split-barrel and California barrel sampling procedures, standard sampling spoons are driven into the ground by means of a 140-pound hammer falling a distance of 30 inches. The number of blows required to advance the split-barrel and California barrel samplers is recorded and is used to estimate the in-situ relative density of cohesionless soils and, to a lesser degree of accuracy, the consistency of cohesive soils and hardness of weathered bedrock. In the California barrel sampling procedure, relatively intact samples are obtained in removable brass liners. Samples obtained in the field were sealed and returned to our laboratory for further examination, classification and testing.

Laboratory moisture content tests were completed on each of the recovered samples. Select samples were tested for dry density, unconfined strength, swell/consolidation, fines content and plasticity. Results of the outlined tests are indicated on the attached boring logs and summary sheets. One (1) Hveem stabilometer R-value was completed on a composite sample of the subgrade soils. As a part of the testing program, all samples were examined in the laboratory and classified in general accordance with the attached General Notes and the Unified Soil Classification System, based on the soil's texture and plasticity. The estimated group symbol for the Unified Soil Classification System is indicated on the borings and a brief description of that classification system is included with this report.

Based on results of the field borings and laboratory testing, subsurface conditions can be generalized as follows. The existing pavement surface observed in the field borings consisted of approximately 2½ to 4 inches of hot bituminous pavement in the cul-de-sacs (i.e. general vicinity of borings B-1, B-3 and B-4) and approximately 3½ inches in the local roadway (i.e. general vicinity of boring B-2). The HBP was underlain by approximately 6½ to 10 inches of aggregate base course. At all boring locations, the pavement sections were underlain by moderate plasticity lean clays with varying amounts of sand. The cohesive subgrade soils were generally moist and stiff to very stiff. The moist soils showed generally low potential for swelling at current moisture and density conditions. The lean clay soils were underlain at depths of approximately 3½ to 9 feet by claystone/siltstone/sandstone bedrock. The test borings were terminated at depths on the order of 10 feet below existing pavement surface in moderately to highly plastic bedrock.

Observations were made while drilling and after completion of the borings to detect the presence and depth to free groundwater. No free water was observed in the test borings at the time of drilling. The borings were backfilled after drilling and the pavements patched so that longer-term observations of groundwater levels were not possible.

Fluctuations in groundwater levels can occur over time depending on variations in hydrologic conditions and other conditions not apparent at the time of this report. Perched groundwater may be encountered in the subgrade soils particularly immediately above the low permeability bedrock. Soil stratification boundaries indicated on the boring logs were based on visual and tactual observation of the field samples. In-situ, the change of materials may be gradual and indistinct.

ANALYSIS AND RECOMMENDATIONS

The pavement section observed within the roadway borings consisted of 2½ to 4 inches of HBP on 6½ to 10 inches of aggregate base. The pavement sections are generally deficient on HBP surfacing based on a current minimum standard of 4 inches of hot bituminous pavement overlying 6 inches of aggregate base course for local residential streets and 5 inches of HBP over 6 inches of aggregate base for cul-de-sacs. Furthermore, the contribution of the approximate 25 year old HBP is substantially less than new HBP, further contributing to the deficiency of the pavement.

Reconstruction or a significant overlay of the existing roadways would be required to upgrade the roadways into current LCUASS standards.

For reconstruction, the existing pavement surface and adjacent concrete pans should be removed along with sufficient aggregate base/subgrade to establish top-of-subgrade or top-of-base elevations. We expect the subgrades would be unstable upon removal of the pavements thereby requiring stabilization. If the exposed materials are unstable, it might be necessary to remove base materials to a depth where the subgrades can be stabilized and appropriate base placed for the roadways. Stabilization of the subgrades, if required, could include incorporation of at least 12 percent Class C fly ash in the top 12 inches of subgrade. The stabilized zone would be adjusted in moisture content to slightly dry of standard Proctor optimum moisture and compacted to at least 95% of standard Proctor maximum dry density.

Pavement sections for the thru-streets classified as local residential, should consist of 4 inches of hot bituminous pavement overlying 6 inches of base course. The new pavement section for the cul-de-sacs should include 5 inches of hot bituminous pavement overlying 6 inches of base course. Aggregate base course should consist of Class 5 or Class 6 aggregate base in accordance with LCUASS standards. Hot bituminous pavement should consist of Grading S 75 with 58-28

binder. Aggregate base course should be compacted to at least 95% of standard Proctor maximum dry density at a workable moisture content. Hot bituminous pavement should be compacted to be with the range of 92 to 96% of maximum theoretical specific gravity (Rice Value) at the time of placement.

Concerning an overlay approach, we suggest at least 2½ inches of new asphalt would be required in the cul-de-sacs and 1½ inches required in the local roadways to bring the structural number of the streets up to meet current design. As an alternative, 2-inches of the in-place HBP could be milled and overlay of 4 inches and 3 inches, respectively, placed in the cul-de-sacs and roadways. Adding 2 to 2½ inches of pavement above the existing grades would significantly alter the roadway cross slopes; care would be needed to match existing curb-and-gutter and driveways. Areas of thinner pavements may not provide adequate support of the milling operation.

Positive drainage should be developed across and away from the new pavements to prevent wetting of the pavement subgrades. Pavement subgrades allowed to become wetted subsequent to construction can result in an unacceptable performance of the pavements. In addition, care should be taken to place and compact cohesive soil subgrades behind the new curbs lines to prevent ponding of water behind curbs.

General Comments

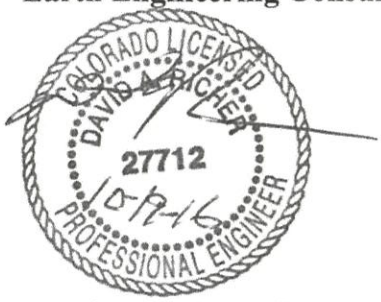
The analysis and recommendations presented in this report are based upon the data obtained from the borings completed at the indicated locations and from any other information discussed in this report. This report does not reflect any variations which may occur between borings or across the site. The nature and extent of such variations may not become evident until construction. If variations appear evident, it will be necessary to re-evaluate the recommendations of this report.

It is recommended that the geotechnical engineer be retained to review the plans and specifications so that comments can be made regarding the interpretation and implementation of our geotechnical recommendations in the design and specifications. It is further recommended that the geotechnical engineer be retained for testing and observations during earthwork and pavement construction phases to help determine that the design requirements are fulfilled.

This report has been prepared for the exclusive use of Castle Ridge at Miramont HOA c/o Faith Property Management personnel for specific application to the project discussed, and has been prepared in accordance with generally accepted geotechnical engineering practices. No warranty, express or implied, is made. In the event that any changes in the nature, design or location of the project as outlined in this report are planned, the conclusions and recommendations contained in this report shall not be considered valid unless the changes are reviewed and the conclusions of this report modified or verified in writing by the geotechnical engineer.

We appreciate the opportunity to be of service to you on this project. If you have any questions concerning this report, or if we can be of further service to you in any other way, please do not hesitate to contact us.

Very truly yours,
Earth Engineering Consultants, LLC



David A. Richer, P.E.
Senior Geotechnical Engineer

Reviewed by: Lester L. Litton, P.E.
Principal Engineer

DAR/LLL/dla

cc: Shear Engineering Corporation – Brian Shear (bshear@shearengineering.com)

Staff Report
(with attachments)
Presented to the Planning and Zoning Commission
December 15, 2022

Development Review Staff Report

Agenda Item 5

Planning & Zoning Commission Hearing: December 15, 2022

Castle Ridge Group Home, Project Development Plan / Final Development Plan – PDP220013

Summary of Request

This is a request for a Project Development Plan to convert an existing single-family dwelling into a 10-resident group home for memory care residents. The project is located within the Low-Density Residential (RL) zone district and is subject to Planning & Zoning Commission (Type 2) Review.

Zoning Map (ctrl + click map to follow link)

Next Steps

If approved by the decision-maker, the applicant will be eligible to record documents and apply for building permit.

Site Location

The site is located adjacent to Mail Creek Ditch and approximately 800 feet southwest of Miramont Park (parcel #9601408002).

Zoning

Low-Density Residential District (R-L)

Property Owner

Diaz Xiomara
Eric Shenk
636 Castle Ridge Ct
Fort Collins, CO 80525

Applicant/Representative

Stephanie Hansen
Ripley Design, Inc
419 Canyon Ave STE 200
Fort Collins, CO 80521

Staff

Kai Kleer. City Planner

Contents

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2. Public Outreach 4
3. Article 2 – Applicable Standards 4
4. Article 3 - Applicable Standards 5
5. Article 4 – Applicable Standards: 10
6. Findings of Fact/Conclusion 10
7. Recommendation 11
8. Attachments 11
9. Links ..... **Error! Bookmark not defined.**

Staff Recommendation

Conditional Approval of Project Development Plan and Final Development Plan.

1. Project Introduction

A. PROJECT DESCRIPTION

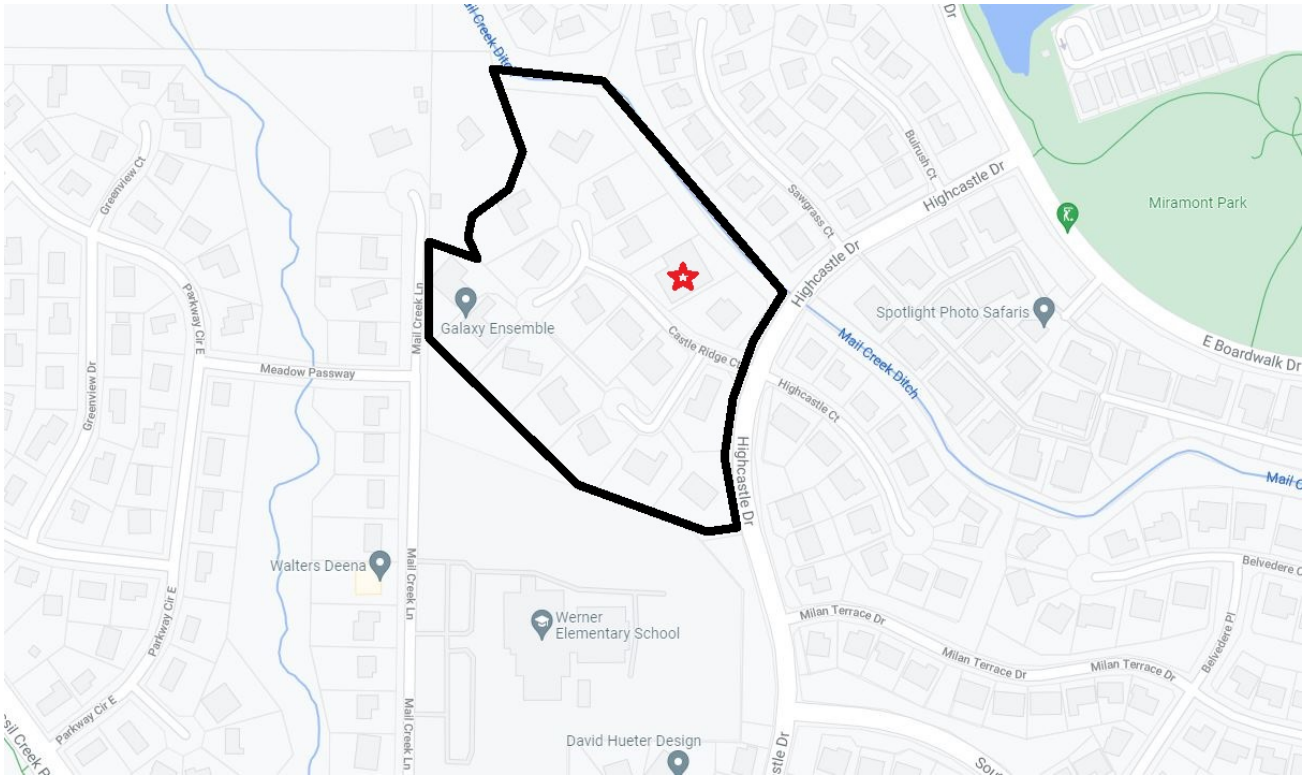
This is a proposal to convert an existing single-family detached home into a 10-resident group home located at 636 Castle Ridge Court. The proposal includes adding exterior windows, screen walls, landscaping, and closing off two side-facing garage doors.

B. SITE CHARACTERISTICS

1. Development Status/Background

The property is located within the 617-acre Keenland Annexation that was annexed into the City in 1980. After annexation, the area was developed over the decades and included projects such as Sam's Club (Pace Warehouse), Oakridge Crossing, Miramont, Werner Elementary, and numerous other commercial, institutional, industrial, and residential projects.

The project site was created in 1993 as part of the 18-lot Castle Ridge at Miramont PUD. The lot is approximately 22,200 square feet in size and contains a 6,400+ square foot home that was constructed in 2002. The homes in the subdivision are served by a private cul-de-sac system with dual lanes for on-street parking and attached sidewalks. Mail Creek Ditch and Werner Elementary act as book ends to the north and south potions of the subdivision.



2. Surrounding Zoning and Land Use

	North	South	East	West
Zoning	Miramont Neighborhood; Low Density Residential (R-L)	Werner Elementary School; Low Density Residential (R-L)	Miramont Neighborhood; Low Density Residential (R-L)	Miramont Neighborhood; Low Density Residential (R-L)
Land Use	Single-family detached dwellings	Single-family detached dwellings	Single-family detached dwellings	Single-family detached dwellings

C. OVERVIEW OF MAIN CONSIDERATIONS

The plan has gone through two rounds of review with development of an operational plan, and extensive exploration of traffic, parking, screening, exterior window placement, street width, fire access, façade character, and landscaping.

The project includes an approved reasonable accommodation request which grants relief from 3.8.6(A) to increase maximum permissible residents from 8 to 10.

2. Public Outreach

A virtual neighborhood meeting was held to discuss the project on July 28, 2022.

Questions and concerns were raised about the number of residents proposed at the group home and the parking impacts generated by the number of residents in a neighborhood already experiencing parking and movement issues on the street.

A general feeling by the community that this was not an appropriate land use within the neighborhood and that neighbors do not feel that they are being heard and that this use is being forced by the City.

Concerns around procedural requirements being met for sign posting and neighborhood meeting

Impacts to the privacy of neighboring properties related to window placement outdoor activities.

Concerns about administrative staff and who will be living in the residence long term.

3. Article 2 – Applicable Standards

A. PROJECT DEVELOPMENT PLAN PROCEDURAL OVERVIEW

1. Conceptual Review – CDR200096

A conceptual review meeting was held on December 17, 2020.

2. Neighborhood Meeting

According to *LUC Section 2.2.2 – Step 2: Neighborhood Meetings*, a neighborhood meeting is required for Planning and Zoning Commission (Type 2) projects. A virtual neighborhood meeting was held for this project on April 9, 2021.

3. First Submittal – PDP220013

The first submittal of this project was completed on July 9, 2021. The PDP required 2 rounds of staff review.

4. Notice (Posted, Written, and Published)

Posted Notice: March 19, 2021; Sign #615.

Written Hearing Notice: December 1, 2022; 543 addresses mailed.

Published Hearing Notice: December 4, 2022.

4. Article 3 - Applicable Standards

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	The standards of this section require that a development plan demonstrate a comprehensive approach to landscaping that enhances the appearance and function of the neighborhood, buildings, and pedestrian environment. This is an existing home within a well-landscaped subdivision. The proposed planting scheme builds on existing landscaping and adds three additional elements to help maximize screening and privacy with the two abutting single-family homes on the east and west sides of the site (highlighted below). Elements of the plan include: • Preserving a mature stand of arborvitae on the west side of the driveway that will help screen parking and two new windows that will be added to replace the existing side-facing garage doors. • Adding a 6x6-foot screen panel in front of four newly proposed side-facing windows. • Adding a landscape bed that includes 32 deciduous and evergreen shrubs that are layered in a way that provides year-round screening for the rear yard. • Adding three ornamental grasses to fit the narrow space between the bay window and side property line to prevent a direct view into the neighboring property.	Complies
3.2.1(F) – Tree Preservation and Mitigation	This standard requires that developments provide on-site mitigation in the form of a defined number of replacement trees if existing significant trees are removed. The number of mitigation trees is determined by City Forestry staff based on existing tree species, breast diameter, and health/condition. Mitigation values can range between 1 and 6 for a tree that is removed. Dead, dying, and certain invasive species are exempt from this standard. City Forestry has identified and assessed nine on-site trees that are not proposed to be removed as part of this project.	Complies
3.2.2(C)(4) – Bicycle Parking Space Requirements	Bicycle parking is not a requirement for group homes. However, as part of an overall effort to encourage alternative forms of transportation for employees. The plan proposes two fixed racks to support space for 4 bicycles within the courtyard.	Complies
3.2.2(K)(1)(f) – Parking	Group homes require two parking spaces for every three (3) employees, and in addition, one (1) parking space for each four (4) adult residents, unless residents are prohibited from owning or operating personal automobiles. The project proposes two employees for each of the three 8-9 hour daily shifts while memory-care residents will be prohibited from owning cars. Standards of this section require the project to provide two off-street parking spaces for every three employees. Two spaces are proposed while the third is expected to accommodate a facility van that will be used to transport residents. A condition is recommended under 3.5.1(J) address operational elements of the group home.	Complies
3.2.4 – Site Lighting	This standard requires that exterior lighting not adversely affect the properties, neighborhood, or natural features adjacent to the development. Further, the standard requires exterior lighting to be examined in a way that considers the light source, level of illumination, hours of illumination, and need. The PDP proposes to replace all exterior wall-mounted light fixtures with fully shielded, down-directional, 3,000 Kelvin or less fixtures.	Complies

3.2.5 – Trash and Recycling Enclosures	The purpose of this standard is to ensure the provision of areas, compatible with surrounding land uses, for the collection, separation, storage, loading, and pickup of trash, waste cooking oil, compostable and recyclable materials. The PDP proposes to manage all trash and recycling within the courtyard of the home, entirely screened from public view. Six 96-gallon containers will be distributed equally between trash and recycling and wheeled to the street on typical collection days. The applicant has indicated that there will be no hazardous materials on site and that medical waste, such as pill bottles, will be in a locked container and removed by a professional company once a quarter.	Complies

B. 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
3.5.1(A) and (B) – Building Project and Compatibility, Purpose and General Standard	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. The Fort Collins Land Use Code defines **compatibility** as: *"the characteristics of different uses or activities or design which allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include height, scale, mass, and bulk of structures. Other characteristics include pedestrian or vehicular traffic, circulation, access, and parking impacts. Other important characteristics that affect compatibility are landscaping, lighting, noise, odor, and architecture. Compatibility does not mean "the same as." Rather, compatibility refers to the sensitivity of development proposals in maintaining the character of existing development."* Staff's review has focused on architecture, landscaping, parking, lighting, and traffic which are described in other sections of this report. No new buildings are proposed with this project.	N/A
3.5.1(D) – Privacy Considerations	Elements of the development plan must be arranged to maximize the opportunity for privacy by the residents of the project and minimize infringement on the privacy of adjoining land uses. Additionally, the development plan shall create opportunities for interactions among neighbors without sacrificing privacy or security. As described earlier, the plan provides a 6x6-foot screen panel in front of four newly-proposed side-facing windows as well as the addition and preservation of landscaping to rear- and side-yard areas to provide year-round screening for residents and neighbors. The screen panel placement and landscaping quantity, arrangement, and species selection are appropriate, however, staff acknowledges changes may be needed based on the architectural requirements of the homeowners association.	Complies
3.5.1(J) – Operation and Physical Compatibility Standards	Conditions may be imposed upon the approval of development applications to ensure that development will be compatible with existing neighborhoods and uses. Such conditions may include, but need not be limited to, restrictions on or requirements for: 1) hours of operation and deliveries; 2) Location on a site of activities that generate potential adverse impacts on adjacent uses such as noise and glare; 3) placement of trash receptacles; 4) location of loading and delivery zones; 5) light intensity and hours of full illumination; 6) placement and the illumination of outdoor vending machines; 7) location and the number of off-street parking spaces. During the March 23, 2022 hearing the Planning and Zoning Commission denied the project with the belief that parking for 16 residents and their guests could not be managed adequately through group home staff or by requiring employees to use on-street parking within the surrounding public street system. The new proposal reduces the overall number of residents from 16 to 10, retains two of the four garage spaces for off-street parking, provides two spaces directly in front of the garage doors, and additional space to stack vehicles in the driveway. Further, the applicant is proposing to manage parking through a mobile application that must be used by all guests to schedule visits and reserve parking spaces within the driveway or abutting street. For these aforementioned reasons staff is no longer recommending a condition that requires employees to utilize on-street parking of the nearest public street.	Conditions Recommended

Staff is recommending two conditions to help address certain elements of the proposal.

Condition 1 Analysis:

One of the major concerns from the neighborhood has been related to increased amounts of traffic and the types of services typically related with group homes that are muted by the numbers represented in the traffic study.

Through analysis of the operational plan, memory care residents will require a dozen or more services sometimes on a weekly or monthly basis. It is anticipated that there will be approximately 24 daily trips - some less than 10 or 20 minutes others more. To reduce impacts to on-street parking and minimize early morning or late afternoon disturbances staff is recommending a limit to limit certain types of visits to typical business hours and that the applicant schedule services in a way to reduce service overlap.

Condition 1:

To the extent feasible the hours of operation during which third-party services, such as massages, housekeeping, haircuts, pet therapy, food delivery, and the like, shall be limited to the hours of 8:00 a.m. and 6:00 p.m. Monday through Saturday. Services shall be staggered in a way to reduce the impact to on-street parking within the neighborhood.

To the extent feasible deliveries and short-term visits shall be limited to available space within the driveway and street frontage that shares a common boundary with 636 Castle Ridge Court.

Condition 2 Analysis:

During ongoing conversation between the neighborhood and the applicant team City staff has acted as an intermediary to concerns around ongoing operational elements of the group home. During research of other like group homes, staff understands that there may be a range of issues that may be best dealt through the HOA or neighbor to neighbor communication. Examples include, house and yard maintenance, outdoor smoking, noise, or on-street parking. Staff is recommending that the applicant act in good faith to remedy any situation that may arise.

Condition 2:

The property owner or representative thereof shall cooperate in good faith to remedy any unforeseen impacts created through the operation of the group home and provide a designated person who can be contacted 24-hours a day, 7-days a week.

C. 3.8.6 - GROUP HOME REGULATIONS AND SHELTERS FOR VICTIMS OF DOMESTIC VIOLENCE

<table>
<tr><th>Applicable Code Standard</th><th>Summary of Code Requirement and Analysis</th><th>Staff Findings</th></tr>
<tr><td>3.8.6(A)</td><td>Residential group homes shall conform to the lot area and separation requirements specified in the following table:
<table>
<tr><th>Zone District</th><th>Maximum number of residents excluding supervisors, for minimum lot size</th><th>Additional lot area for each additional resident (square feet)</th><th>Maximum permissible residents, excluding supervisors</th><th>Minimum separation requirements between any other group home (feet)*</th></tr>
<tr><td>R-L</td><td>3</td><td>1,500</td><td>8</td><td>1,500</td></tr>
</table>
The project was granted relief from the maximum permissible resident standard as part of the Reasonable Accommodation Request.

Regarding minimum separation distances, the project is not located within 1,500 feet of any other known group home.</td><td>Complies</td></tr>
<tr><td>3.8.6(C)(1)</td><td>Before any group home shall be approved in any zone that requires a Type 1 or Types 2 review, the decision-maker shall conduct such review to approve, deny or approve with conditions the application for a group home use in such zone. If approved, the decision-maker shall, with such approval, establish the type of group home permitted and the maximum number of residents allowed in such group home.

Staff is recommending that the Planning and Zoning Commission conditionally approve the project as a 10-resident memory-care group home.</td><td>Complies</td></tr>
</table>

5. Article 4 – Applicable Standards:

A. DIVISION 4.4 – LOW DENSITY RESIDENTIAL DISTRICT (R-L)

The R-L Low Density Residential District designation is intended for predominately single-family residential areas located throughout the City which were existing at the time of adoption of this Code.

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
4.4(B) – Permitted Uses	The proposed project is classified as a group home and is a permitted land use subject to review by the Planning and Zoning Commission. The Land Use Code definition of a group home is, "a residence operated as a single dwelling, licensed by or operated by a governmental agency, or by an organization that is as equally qualified as a government agency and having a demonstrated capacity for oversight as determined by the Director, for the purpose of providing special care or rehabilitation due to homelessness, physical condition or illness, mental condition or illness, elderly age or social, behavioral or disciplinary problems, provided that authorized supervisory personnel is present on the premises." Peacock Assisted Living, LLC, the proposed operator of the group home, proposes an assisted living facility to provide services for seniors with disabilities. The group home is subject to the general licensure and regulatory standards of the Colorado Department of Public Health and will be required to provide the City with a state-approved license before a Certificate of Occupancy can be issued.	Complies

6. Findings of Fact/Conclusion

In evaluating the request for the Castle Ridge Group Home Project Development Plan, PDP220013, Staff makes the following findings of fact:

1. The Project Development Plan complies with the applicable procedural and administrative requirements of Article 2 of the Land Use Code.
2. The Project Development Plan complies with relevant standards located in Article 3 – General Development Standards, subject to the following conditions:
    a) To the extent feasible the hours of operation during which third-party services, such as massages, housekeeping, haircuts, pet therapy, food delivery, and the like, shall be limited to the hours of 8:00 a.m. and 6:00 p.m. Monday through Saturday. Services shall be staggered in a way to reduce the impact to on-street parking within the neighborhood.

    To the extent feasible deliveries and short-term visits shall be limited to available space within the driveway and street frontage that shares a common boundary with 636 Castle Ridge Court.

    b) The property owner or representative thereof shall cooperate in good faith to remedy any unforeseen impacts created through the operation of the group home and provide a designated person who can be contacted 24-hours a day, 7-days a week.
3. The Project Development Plan complies with relevant standards located in Division 4.4 – Low Density Residential District (R-L).

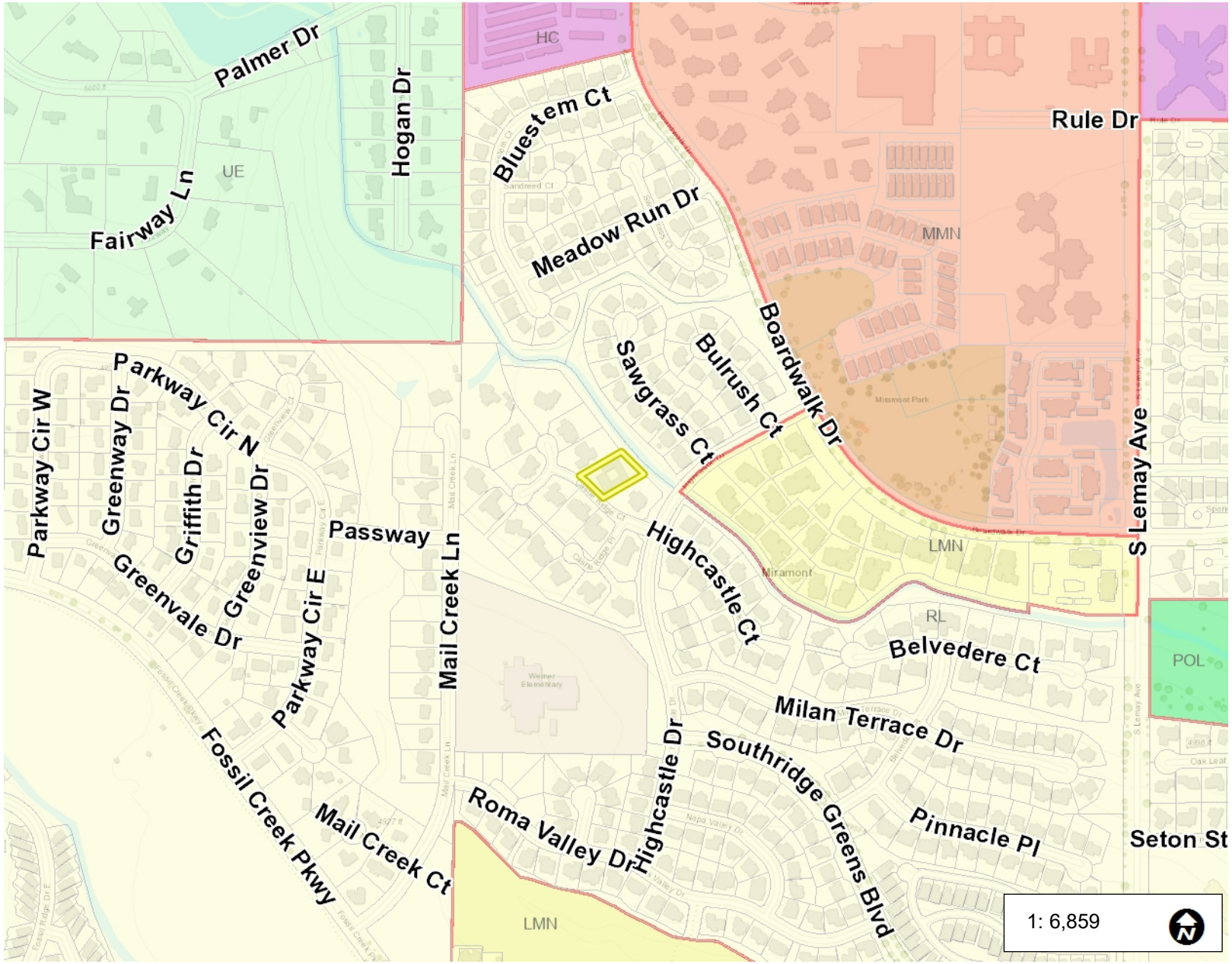
7. Recommendation

Staff recommends conditional approval of the Castle Ridge Group Home Project Development Plan, PDP220013, based on the aforementioned Findings of Fact.

8. Attachments

1. Vicinity Map
2. Project Narrative
3. Plan Set
4. Operational Plan
5. Traffic Impact Study
6. Neighborhood Meeting Summary
7. Public Comments
8. Reasonable Accommodation Decision Letter
9. Supplemental Documents - Public Comments
10. Staff Presentation

Castle Ridge Group Home



Legend

- Street Names
- Parcels
- City Zoning
  - Community Commercial
  - Community Commercial North Colle
  - Community Commercial Poudre Riv
  - General Commercial
  - Limited Commercial
  - Service Commercial
  - CSU
  - Downtown
  - Employment
  - Harmony Corridor
  - Industrial
  - High Density Mixed-Use Neighborh
  - Low Density Mixed-Use Neighborhc
  - Manufactured Housing
  - Medium Density Mixed-Use Neighb
  - Neighborhood Commercial
  - Neighborhood Conservation Buffer
  - Neighborhood Conservation Low D
  - Neighborhood Conservation Mediu
  - Public Open Lands
  - River Conservation
  - River Downtown Redevelopment
  - Residential Foothills
  - Low Density Residential
  - Rural Lands District

Notes

1,143.0 0 571.50 1,143.0 Feet

eb_Mercator_Auxiliary_Sphere
lins - GIS

This map is a user generated static output from the City of Fort Collins FCMaps Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

CASTLE RIDGE GROUP HOME
PROJECT DEVELOPMENT PLAN / FINAL DEVELOPMENT PLAN NARRATIVE
2 November 2022

Conceptual Review: 12/17/2020
Neighborhood Meeting: 5/4/2021 & 7/26/2022

General Information

The property at 636 Castle Ridge Court represents a unique opportunity in our city to provide a home-based memory care option for seniors with Alzheimer's dementia. The proposed project is a renovation of an existing accessible residence from a single-family home to a group home. The purpose being a family-like setting for seniors with disabilities to age in place comfortably and receive specialized care for their disabilities. The house is located within the Castle Ridge at Miramont PUD and within the Low Density Residential (R-L) Zone District. Single-family homes are adjacent to the property on the northwest, southeast, and across the street to the southwest. Mail Creek Ditch runs along the northeast property line.

A neighborhood meeting was held on April 5th, 2021. Concerns voiced included increased traffic, parking, the level of occupancy, privacy, who the investors were, and compatibility with existing neighborhood character. The owners mitigated as many concerns as possible and proceeded with the development plan. The project went to the Planning and Zoning Commission on March 23, 2022. The neighbors and a number of the commissioners indicated that they were not opposed to the use, but they thought that 16 people would put an excessive burden on the neighborhood. The Commission, denied the application.

In response to the concerns raised by the neighbors and the Commission, the owners revised their business and care model and found a way to create a successful care home with a lower occupancy level and with other revisions to address neighbors' concerns. This new application reflects the new proposal. Specifically:

- Parking: Rather than converting both two-car garages to living space, only one garage will be converted, leaving the other open for staff parking. Thus, there will be a total of six off-street parking spaces available for staff, guests, and periodic deliveries. Two parking spaces, as required, are provided. Two additional parking spaces are located within the garage and the driveway can accommodate two cars, there are three spaces on-street for a total of nine spaces. Additionally, four bike parking spaces are provided in the central courtyard to accommodate multimodal transit options. The owners will ask guests to minimize on-street parking and limit that parking to in front of the home itself. This home will be proactively managing parking ingress and egress using a third-party parking

application called Parkalot. The application is web based and can be accessed through both cell phones and home computers. The interface shows the location of individual parking stations and corresponding time slots available 24 hours a day. Reservations for parking will be available up to 14 days in advance. On average individuals can complete their reservations in 37 seconds. Training in the use of the parking application will be part of the onboarding process for family members with clients in the home and will be contractually obligated to use. Friends of clients that wish to visit will be encouraged to call ahead before visiting unless they have received the same training and access as family members on the use of the parking application. Parking stalls will be numbered for clarity of where to park. As a reminder, the residents themselves do not drive or own vehicles on account of their disabilities, and guest will be asked to schedule visits. There will be two staff on duty during each of two-day shifts and one staff during the night.

- Traffic: A new traffic analysis was performed by traffic engineer Matt Delich. This study is based on both the new occupancy level and on updated standards issued by the ITE's 11th Edition of the Trip Generation Manual. This shows that the number of additional vehicle trips to and from the home are minimal. The owners also reiterate their commitment to work with visitors on appropriate scheduling, limit deliveries to what would normally be expected of an average home (i.e. no large delivery trucks, groceries brought in by personal vehicle, laundry done in house, etc.), and try to minimize staff changes during peak hours. The owners further reiterate their willingness to work with adjacent neighbors if any impacts arise.

- Neighborhood Character: The change of use does not alter the residential character of the home. The footprint will not change and there are no changes to the exterior hardscape, except for the enclosure of part of an existing back patio and the installation of a 6' tall vinyl fence. Trash and recycling will be located in the retained garage and will only be visible when brought to the street on trash days, similar to the other existing homes. There will be no signage posted to distinguish this home from any other in the neighborhood.

- Privacy: The number of bedroom windows needed on the northwest side of the home has been reduced from four to one, thereby addressing the privacy concerns of the neighbor on this side of the home. Natural screening will remain in place.

- Safety and Comfort for Residents: Within the home, a sprinkler system will be added, and one garage and the swimming pool room will be converted to bedrooms, bathrooms, family rooms and dining rooms for a total of 10 residents. Residents will have 24-hour supervision and care including enhanced door security and video monitoring. The existing home is already handicap accessible and wraps around a courtyard which provides a protected, safe, outdoor space. This home will be licensed by, and will meet all regulatory requirements established by, the Colorado Department of Public Health and the

Environment. Staff in this home will be overseen by a qualified administrator and will have enhanced training for the care of people with dementia.

A second neighborhood meeting was held in July where many of the same concerns were voiced. It is hoped that these concerns will be alleviated once the neighbors see this revised development application.

The Planning Director granted reasonable accommodation for the 10-resident model on May 19, 2022. The Miramont HOA also agreed to a 10-bed residential group home and granted reasonable accommodation in a letter dated April 23, 2022.

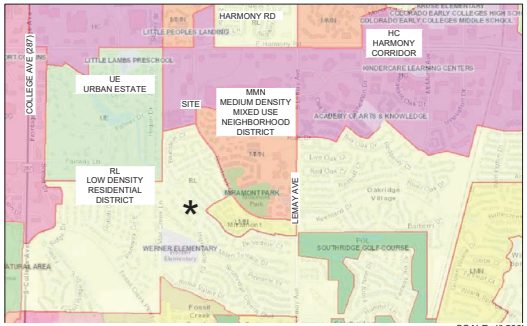
Current and future owners: Xiomara Diaz and Christopher Eric Shenk – 636 Castle Ridge Ct.

CASTLE RIDGE GROUP HOME

PROJECT DEVELOPMENT PLAN / FINAL DEVELOPMENT PLAN

Lot 2, Castle Ridge at Miramount P.U.D., City of Ft. Collins, County of Larimer, State of Colorado.
Containing 22,225 square feet or 0.510 acres, more or less.

VICINITY / CONTEXT MAP



SCALE: 1":500'

OWNER'S CERTIFICATE

THE UNDERSIGNED DOES/DO HEREBY CERTIFY THAT I/WE ARE THE LAWFUL OWNERS OF THE REAL PROPERTY DESCRIBED ON THIS SITE PLAN AND DO HEREBY CERTIFY THAT I/WE ACCEPT THE CONDITIONS AND RESTRICTIONS SET FORTH ON SAID SITE PLAN.

OWNER (SIGNED) _____ DATE _____

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME

THIS_____ DAY OF_____ A.D.,20____ BY

_____
(PRINT NAME)

AS _____

MY COMMISSION EXPIRES: _____

WITNESS MY HAND AND OFFICIAL SEAL.

_____ _____
NOTARY PUBLIC ADDRESS

PLANNING CERTIFICATE

APPROVED BY THE DIRECTOR OF COMMUNITY DEVELOPMENT AND NEIGHBORHOOD SERVICES OF THE CITY OF FORT COLLINS, COLORADO ON THIS _____ DAY OF _____, 20__.

_____
Director Signature

LAND USE CHARTS

EXISTING ZONING - LOW DENSITY RESIDENTIAL (RL)		
DENSITY GROSS AND NET		
GROSS AREA	22,225 SF (.51 AC)	
TOTAL DWELLING UNITS	1	
GROSS DENSITY	2 DU/AC	
AREA COVERAGE GROSS AND NET		
	AREA (SF)	%
BUILDING COVERAGE	7,333	32.99
DRIVES AND PARKING (EXCLUDES PUBLIC ROW)	1,830	8.23
OPEN SPACE AND LANDSCAPE (EXCLUDES PUBLIC ROW)	13,062	58.77
TOTAL GROSS COVERAGE	**22,225.00 SF (0.51 AC)**	**100.00**

NOTE: BUILDING COVERAGE INCLUDES PORCHES

FLOOR AREA RATIO	
BUILDING AREA (SF)	7,333
LOT AREA (SF)	22,225
FLOOR AREA RATIO	0.33

BUILDING HEIGHT		
	MAXIMUM HEIGHT	STORIES
BUILDING 01	23'-2"	1

DWELLING UNIT	QUANTITY	TOTAL BEDROOMS
GROUP HOME	1	10

BICYCLE PARKING		
	PROVIDED	REQUIRED
BICYCLE SPACES	4	0

PROJECT PARKING		
	PROVIDED	*REQUIRED
PARKING STALLS	2	2
HANDICAP	1	1
TOTAL	2	2

NOTES:
*ASSUMES 2 EMPLOYEES ON A NORMAL MAJOR SHIFT

(f) Group Homes: For each group home there shall be two (2) parking spaces for every three (3) employees, and in addition, one (1) parking space for each four (4) adult residents, unless residents are prohibited from owning or operating personal automobiles.

RESIDENTS AT THIS FACILITY ARE PROHIBITED FROM OWNING OR OPERATING PERSONAL AUTOMOBILES.

BICYCLE SPACES WILL BE LOCATED WITHIN THE SECURED COURTYARD

GENERAL LANDSCAPE NOTES

1. PLANT QUALITY: ALL PLANT MATERIAL SHALL BE A-GRADE OR NO. 1 GRADE - FREE OF ANY DEFECTS, OF NORMAL HEALTH, HEIGHT, LEAF DENSITY AND SPREAD APPROPRIATE TO THE SPECIES AS DEFINED BY THE AMERICAN ASSOCIATION OF NURSERYMEN (AAN) STANDARDS. ALL TREES SHALL BE BALL AND BURLAP OR EQUIVALENT.
2. IRRIGATION: ALL LANDSCAPE AREAS WITHIN THE SITE INCLUDING TURF, SHRUB BEDS AND TREE AREAS SHALL BE IRRIGATED WITH AN AUTOMATIC IRRIGATION SYSTEM. THE IRRIGATION PLAN MUST BE REVIEWED AND APPROVED BY THE CITY OF FORT COLLINS WATER UTILITIES DEPARTMENT PRIOR TO THE ISSUANCE OF A BUILDING PERMIT. ALL TURF AREAS SHALL BE IRRIGATED WITH AN AUTOMATIC POP-UP IRRIGATION SYSTEM. ALL SHRUB BEDS AND TREES, INCLUDING IN NATIVE SEED AREAS, SHALL BE IRRIGATED WITH AN AUTOMATIC DRIP (TRICKLE) IRRIGATION SYSTEM, OR WITH AN ACCEPTABLE ALTERNATIVE APPROVED BY THE CITY WITH THE IRRIGATION PLANS. THE IRRIGATION SYSTEM SHALL BE ADJUSTED TO MEET THE WATER REQUIREMENTS OF THE INDIVIDUAL PLANT MATERIAL.
3. TOPSOIL: TO THE MAXIMUM EXTENT FEASIBLE, TOPSOIL THAT IS REMOVED DURING CONSTRUCTION ACTIVITY SHALL BE CONSERVED FOR LATER USE ON AREAS REQUIRING REVEGETATION AND LANDSCAPING.
4. SOIL AMENDMENTS: SOIL AMENDMENTS SHALL BE PROVIDED AND DOCUMENTED IN ACCORDANCE WITH CITY CODE SECTION 12-132. THE SOIL IN ALL LANDSCAPE AREAS, INCLUDING PARKWAYS AND MEDIANS, SHALL BE THOROUGHLY LOOSENED TO A DEPTH OF NOT LESS THAN EIGHT(8) INCHES AND SOIL AMENDMENT SHALL BE THOROUGHLY INCORPORATED INTO THE SOIL OF ALL LANDSCAPE AREAS TO A DEPTH OF AT LEAST SIX(6) INCHES BY TILLING, DISCING OR OTHER SUITABLE METHOD, AT A RATE OF AT LEAST THREE (3) CUBIC YARDS OF SOIL AMENDMENT PER ONE THOUSAND (1,000) SQUARE FEET OF LANDSCAPE AREA. PRIOR TO THE ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY, A WRITTEN CERTIFICATION MUST BE SUBMITTED TO THE CITY THAT ALL PLANTED AREAS, OR AREAS TO BE PLANTED, HAVE BEEN THOROUGHLY LOOSENED AND THE SOIL AMENDED, CONSISTENT WITH THE REQUIREMENTS SET FORTH IN SECTION 12-132.
5. INSTALLATION AND GUARANTEE: ALL LANDSCAPING SHALL BE INSTALLED ACCORDING TO SOUND HORTICULTURAL PRACTICES IN A MANNER DESIGNED TO ENCOURAGE QUICK ESTABLISHMENT AND HEALTHY GROWTH. ALL LANDSCAPING FOR EACH PHASE MUST BE EITHER INSTALLED OR THE INSTALLATION MUST BE SECURED WITH AN IRREVOCABLE LETTER OF CREDIT, PERFORMANCE BOND, OR ESCROW ACCOUNT FOR 125% OF THE VALUATION OF THE MATERIALS AND LABOR PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR ANY BUILDING IN SUCH PHASE.
6. MAINTENANCE: TREES AND VEGETATION, IRRIGATION SYSTEMS, FENCES, WALLS AND OTHER LANDSCAPE ELEMENTS WITH THESE FINAL PLANS SHALL BE CONSIDERED AS ELEMENTS OF THE PROJECT IN THE SAME MANNER AS PARKING, BUILDING MATERIALS AND OTHER SITE DETAILS. THE APPLICANT, LANDOWNER OR SUCCESSORS IN INTEREST SHALL BE JOINTLY AND SEVERALLY RESPONSIBLE FOR THE REGULAR MAINTENANCE OF ALL LANDSCAPING ELEMENTS IN GOOD CONDITION. ALL LANDSCAPING SHALL BE MAINTAINED FREE FROM DISEASE, PESTS, WEEDS AND LITTER, AND ALL LANDSCAPE STRUCTURES SUCH AS FENCES AND WALLS SHALL BE REPAIRED AND REPLACED PERIODICALLY TO MAINTAIN A STRUCTURALLY SOUND CONDITION.
7. REPLACEMENT: ANY LANDSCAPE ELEMENT THAT DIES, OR IS OTHERWISE REMOVED, SHALL BE PROMPTLY REPLACED IN ACCORDANCE WITH THE REQUIREMENTS OF THESE PLANS.
8. THE FOLLOWING SEPARATIONS SHALL BE PROVIDED BETWEEN TREES/SHRUBS AND UTILITIES:

   40 FEET BETWEEN CANOPY TREES AND STREET LIGHTS
   15 FEET BETWEEN ORNAMENTAL TREES AND STREETLIGHTS
   10 FEET BETWEEN TREES AND PUBLIC WATER, SANITARY AND STORM SEWER MAIN LINES
   6 FEET BETWEEN TREES AND PUBLIC WATER, SANITARY AND STORM SEWER SERVICE LINES.
   4 FEET BETWEEN SHRUBS AND PUBLIC WATER AND SANITARY AND STORM SEWER LINES
   4 FEET BETWEEN TREES AND GAS LINES
9. ALL STREET TREES SHALL BE PLACED A MINIMUM EIGHT (8) FEET AWAY FROM THE EDGES OF DRIVEWAYS AND ALLEYS PER LUC 3.2.1(D)(2)(a).
10. PLACEMENT OF ALL LANDSCAPING SHALL BE IN ACCORDANCE WITH THE SIGHT DISTANCE CRITERIA AS SPECIFIED BY THE CITY OF FORT COLLINS. NO STRUCTURES OR LANDSCAPE ELEMENTS GREATER THAN 24" SHALL BE ALLOWED WITHIN THE SIGHT DISTANCE TRIANGLE OR EASEMENTS WITH THE EXCEPTION OF DECIDUOUS TREES PROVIDED THAT THE LOWEST BRANCH IS AT LEAST 6' FROM GRADE. ANY FENCES WITHIN THE SIGHT DISTANCE TRIANGLE OR EASEMENT MUST BE NOT MORE THAN 42" IN HEIGHT AND OF AN OPEN DESIGN.
11. THE DEVELOPER SHALL ENSURE THAT THE FINAL LANDSCAPE PLAN IS COORDINATED WITH ALL OTHER FINAL PLAN ELEMENTS SO THAT THE PROPOSED GRADING, STORM DRAINAGE, AND OTHER DEVELOPMENT IMPROVEMENTS DO NOT CONFLICT WITH NOR PRECLUDE INSTALLATION AND MAINTENANCE OF LANDSCAPE ELEMENTS ON THIS PLAN.
12. MINOR CHANGES IN SPECIES AND PLANT LOCATIONS MAY BE MADE DURING CONSTRUCTION – AS REQUIRED BY SITE CONDITIONS OR PLANT AVAILABILITY. OVERALL QUANTITY, QUALITY, AND DESIGN CONCEPT MUST BE CONSISTENT WITH THE APPROVED PLANS. IN THE EVENT OF CONFLICT WITH THE QUANTITIES INCLUDED IN THE PLANT LIST, SPECIES AND QUANTITIES ILLUSTRATED SHALL BE PROVIDED. ALL CHANGES OF PLANT SPECIES AND LOCATION MUST HAVE WRITTEN APPROVAL BY THE CITY PRIOR TO INSTALLATION.
13. ALL PLANTING BEDS SHALL BE MULCHED TO A MINIMUM DEPTH OF THREE INCHES.
14. IRRIGATED TURF SHALL BE TEXAS BLUEGRASS/KENTUCKY BLUEGRASS HYBRID VORTEX BY KORBY SOD LLC OR APPROVED EQUAL.
15. EDGING BETWEEN GRASS AND SHRUB BEDS SHALL BE 18" X 4" ROLLED TOP STEEL SET LEVEL WITH TOP OF SOD OR APPROVED EQUAL.

LAND USE NOTES

EXISTING USE: SINGLE-FAMILY DETACHED DWELLING
PROPOSED USE: GROUP HOME

RESIDENTS: 10
EMPLOYEES: 2

APPROVAL OF A RELATED REASONABLE ACCOMMODATION REQUEST DATED MAY 19, 2022 INCLUDE THE FOLLOWING CONDITIONS:

1. RETENTION OF THE STREET-FACING GARAGES TO PROVIDE FOR ADDITIONAL OFF-STREET PARKING.
2. MAINTAINING THE GARAGE DOORS ON THE GARAGE CONVERTED TO LIVING SPACE.
3. NO SIGNAGE.
4. NO MORE THAN TWO STAFF WORKING SHIFTS ON-SITE AT ANY GIVEN TIME (WITH THE EXCEPTION OF EMERGENCIES AND SHIFT CHANGES).

SHEET INDEX

Sheet Number	Sheet Title
C	COVER
1	UTILITY PLANS COVER SHEET
2	GRADING AND UTILITY PLAN
3	GENERAL NOTES
A-0.1	SITE PLAN
A-1	ARCHITECTURAL SITE DETAILS
A-2	NORTH ELEVATION
A-3	SOUTH ELEVATION
A-4	EAST ELEVATION
A-5	WEST ELEVATION
A-6	EXTERIOR PERSPECTIVES
A-7	EXTERIOR PERSPECTIVES
L1	LANDSCAPE PLAN
L2	LANDSCAPE DETAILS
L3	TREE INVENTORY AND MITIGATION
E1.00	LIGHTING PLAN AND PHOTOMETRIC

SITE PLAN NOTES

1. THE PROJECT SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE FINAL PLANS. AMENDMENTS TO THE PLANS MUST BE REVIEWED AND APPROVED BY THE CITY PRIOR TO THE IMPLEMENTATION OF ANY CHANGES TO THE PLANS.
2. REFER TO FINAL UTILITY PLANS FOR EXACT LOCATIONS AND CONSTRUCTION INFORMATION FOR STORM DRAINAGE STRUCTURES, UTILITY MAINS AND SERVICES, PROPOSED TOPOGRAPHY, STREET IMPROVEMENTS.
3. REFER TO THE SUBDIVISION PLAT AND UTILITY PLANS FOR EXACT LOCATIONS, AREAS AND DIMENSIONS OF ALL EASEMENTS, LOTS, TRACTS, STREETS, WALKS AND OTHER SURVEY INFORMATION.
4. ALL ROOFTOP AND GROUND MOUNTED MECHANICAL EQUIPMENT MUST BE SCREENED FROM VIEW FROM ADJACENT PROPERTY AND PUBLIC STREETS. IN CASES WHERE BUILDING PARAPETS DO NOT ACCOMPLISH SUFFICIENT SCREENING, THEN FREE-STANDING SCREEN WALLS MATCHING THE PREDOMINANT COLOR OF THE BUILDING SHALL BE CONSTRUCTED. OTHER MINOR EQUIPMENT SUCH AS CONDUIT, METERS AND PLUMBING VENTS SHALL BE SCREENED OR PAINTED TO MATCH SURROUNDING BUILDING SURFACES.
5. ALL CONSTRUCTION WITH THIS DEVELOPMENT PLAN MUST BE COMPLETED IN ONE PHASE UNLESS A PHASING PLAN IS SHOWN WITH THESE PLANS.
6. A REASONABLE ACCOMMODATION REQUEST HAS BEEN APPROVED FOR LUC SECTION 3.8.6(A) AND SECTION 4.4(D) ALLOWING 16 RESIDENTS AND THE EXISTING FLOOR AREA SIZE AND LOT SIZE TO REMAIN.
7. ALL EXTERIOR LIGHTING PROVIDED SHALL COMPLY WITH THE FOOT-CANDLE REQUIREMENTS IN SECTION 3.2.4 OF THE LAND USE CODE AND SHALL USE A CONCEALED, FULLY SHIELDED LIGHT SOURCE WITH SHARP CUT-OFF CAPABILITY SO AS TO MINIMIZE UP-LIGHT, SPILL LIGHT, GLARE AND UNNECESSARY DIFFUSION.
8. SIGNAGE AND ADDRESSING ARE NOT PERMITTED WITH THIS PLANNING DOCUMENT AND MUST BE APPROVED BY SEPARATE CITY PERMIT PRIOR TO CONSTRUCTION. SIGNS MUST COMPLY WITH CITY SIGN CODE UNLESS A SPECIFIC VARIANCE IS GRANTED BY THE CITY.
9. FIRE HYDRANTS MUST MEET OR EXCEED POUDRE FIRE AUTHORITY STANDARDS. ALL BUILDINGS MUST PROVIDE AN APPROVED FIRE EXTINGUISHING SYSTEM.
10. ALL BIKE RACKS PROVIDED MUST BE PERMANENTLY ANCHORED.
11. ALL SIDEWALKS AND RAMPS MUST CONFORM TO CITY STANDARDS. ACCESSIBLE RAMPS MUST BE PROVIDED AT ALL STREET AND DRIVE INTERSECTIONS AND AT ALL DESIGNATED ACCESSIBLE PARKING SPACES. ACCESSIBLE PARKING SPACES MUST SLOPE NO MORE THAN 1:48 IN ANY DIRECTION. ALL ACCESSIBLE ROUTES MUST SLOPE NO MORE THAN 1:20 IN DIRECTION OF TRAVEL AND WITH NO MORE THAN 1:48 CROSS SLOPE.
12. COMMON OPEN SPACE AREAS AND LANDSCAPING WITHIN RIGHT OF WAYS, STREET MEDIANS, AND TRAFFIC CIRCLES ADJACENT TO COMMON OPEN SPACE AREAS ARE REQUIRED TO BE MAINTAINED BY A PROPERTY OWNERS' ASSOCIATION. THE PROPERTY OWNERS' ASSOCIATION IS RESPONSIBLE FOR SNOW REMOVAL ON ALL ADJACENT STREET SIDEWALKS AND SIDEWALKS IN COMMON OPEN SPACE AREAS.
13. THE PROPERTY OWNER FOR EACH RESIDENTIAL LOT IS RESPONSIBLE FOR SNOW REMOVAL ON ALL STREET SIDEWALKS ADJACENT TO EACH RESIDENTIAL LOT.
14. PRIVATE CONDITIONS, COVENANTS, AND RESTRICTIONS (CC&RS), OR ANY OTHER PRIVATE RESTRICTIVE COVENANT IMPOSED ON LANDOWNERS WITHIN THE DEVELOPMENT, MAY NOT BE CREATED OR ENFORCED HAVING THE EFFECT OF PROHIBITING OR LIMITING THE INSTALLATION OF XERISCAPE LANDSCAPING, SOLAR/PHOTO-VOLTAIC COLLECTORS (IF MOUNTED FLUSH UPON ANY ESTABLISHED ROOF LINE), CLOTHES LINES (IF LOCATED IN BACK YARDS), ODORCONTROLLED COMPOST BINS, OR WHICH HAVE THE EFFECT OF REQUIRING THAT A PORTION OF ANY INDIVIDUAL LOT BE PLANTED IN TURF GRASS.
15. ANY DAMAGED CURB, GUTTER AND SIDEWALK EXISTING PRIOR TO CONSTRUCTION, AS WELL AS STREETS, SIDEWALKS, CURBS AND GUTTERS, DESTROYED, DAMAGED OR REMOVED DUE TO CONSTRUCTION OF THIS PROJECT, SHALL BE REPLACED OR RESTORED TO CITY OF FORT COLLINS STANDARDS AT THE DEVELOPER'S EXPENSE PRIOR TO THE ACCEPTANCE OF COMPLETED IMPROVEMENTS AND/OR PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY.
16. FIRE LANE MARKING: A FIRE LANE MARKING PLAN MUST BE REVIEWED AND APPROVED BY THE FIRE OFFICIAL PRIOR TO THE ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY. WHERE REQUIRED BY THE FIRE CODE OFFICIAL, APPROVED SIGNS OR OTHER APPROVED NOTICES THAT INCLUDE THE WORDS NO PARKING FIRE LANE SHALL BE PROVIDED FOR FIRE APPARATUS ACCESS ROADS TO IDENTIFY SUCH ROADS OR PROHIBIT THE OBSTRUCTION THEREOF. THE MEANS BY WHICH FIRE LANES ARE DESIGNATED SHALL BE MAINTAINED IN A CLEAN AND Revised November 12, 2015 3.LEGIBLE CONDITION AT ALL TIMES AD BE REPLACED OR REPAIRED WHEN NECESSARY TO PROVIDE ADEQUATE VISIBILITY.
17. PREMISE IDENTIFICATION: AN ADDRESSING PLAN IS REQUIRED TO BE REVIEWED AND APPROVED BY THE CITY AND POUDRE FIRE AUTHORITY PRIOR TO THE ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY. UNLESS THE PRIVATE DRIVE IS NAMED, MONUMENT SIGNAGE MAY BE REQUIRED TO ALLOW WAY-FINDING. ALL BUILDINGS SHALL HAVE ADDRESS NUMBERS, BUILDING NUMBERS OR APPROVED BUILDING IDENTIFICATION PLACED IN A POSITION THAT IS PLAINLY LEGIBLE, VISIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY, AND POSTED WITH A MINIMUM OF SIX-INCH NUMERALS ON A CONTRASTING BACKGROUND. WHERE ACCESS IS BY MEANS OF A PRIVATE ROAD AND THE BUILDING CANNOT BE VIEWED FROM THE PUBLIC WAY, A MONUMENT, POLE OR OTHER SIGN OR MEANS SHALL BE USED TO IDENTIFY THE STRUCTURE.

2536 Romeldale Loop, Fort Collins, CO 80526
Craft Studio
Studio Unit, Craft X @gmail.com

Preliminary Not For Construction

Revisions:

CASTLE RIDGE GROUP HOME
636 CASTLE RIDGE COURT, FORT COLLINS, CO

PDP / FDP

COVER SHEET
C OF 15

UTILITY PLANS FOR 636 CASTLE RIDGE CT DEVELOPMENT

CIVIL CONSTRUCTION DRAWINGS

LOCATED IN A PORTION OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 6 NORTH, RANGE 69 WEST OF THE 6TH P.M.
CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO
CASTLE RIDGE AT MIRAMONT P.U.D., LOT 2
ADDRESS: 636 CASTLE RIDGE COURT, FORT COLLINS, CO, 80525

SURVEY STATEMENT:
RAPTOR CIVIL ENGINEERING RELIED ON THE LAND SURVEY PREPARED BY PATTERSON PARTNERS. RCE TAKES NO RESPONSIBILITY FOR ERRORS/OMISSIONS BY LAND SURVEYOR.

BASIS OF BEARING NOTE:
A. BEARINGS ARE BASED ON THE SOUTH LINE OF LOT 2, CASTLE RIDGE AT MIRAMONT P.U.D., AS BEARINGS S60°00'00"W ACCORDING TO THE SHOWN FOUND MONUMENTS ON THIS DRAWING AS SHOWN ON THE RECORD SUBDIVISION PLAT.
B. EASEMENTS WERE TAKEN FROM THE RECORDED SUBDIVISION PLAT AND LEGAL DESCRIPTION WAS PROVIDED BY THE CLIENT AND NEITHER WERE RESEARCHED.
C. DISTANCES SHOWN ARE IN U.S. SURVEY FEET.
D. UTILITIES SHOWN WERE LOCATED IN THE FIELD BASED ON FOUND EVIDENCE AND UTILITY LOCATES.

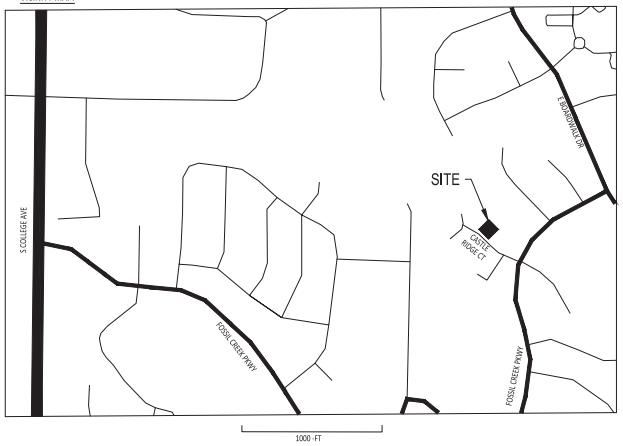
BENCHMARK NOTES:
PROJECT DATUM: NAVD88

BENCHMARK #4-96
ELEVATION: 4,939.14'

PLEASE NOTE: THIS PLAN SET IS USING NAVD88 FOR A VERTICAL DATUM. SURROUNDING DEVELOPMENTS HAVE USED NGVD29 UNADJUSTED DATUM (PRIOR CITY OF FORT COLLINS DATUM) FOR THEIR VERTICAL DATUMS.

IF NGVD29 UNADJUSTED DATUM (PRIOR CITY OF FORT COLLINS DATUM) IS REQUIRED FOR ANY PURPOSE, THE FOLLOWING EQUATION SHOULD BE USED: NGVD29 UNADJUSTED DATUM (PRIOR CITY OF FORT COLLINS DATUM) = NAVD88 - X.XX'.

VICINITY MAP:



TOTAL FIRE FLOW REQUIRED FOR THIS SITE IS 1500 GPM MINIMUM AT 20 PSI RESIDUAL PRESSURE
THIS FLOW MUST BE PROVIDED FROM A MINIMUM OF 1 FIRE HYDRANTS INDIVIDUALLY, EACH FIRE HYDRANT MUST SUPPLY 1750 GPM MINIMUM AT 20 PSI RESIDUAL PRESSURE

CODE USED FOR ANALYSIS: 2021 IBC
OCCUPANCY GROUP(S): R-4
CONSTRUCTION TYPE(S): V-B
FIRE FLOW CALCULATION AREA: 9,346 SF
*50% FIRE FLOW REDUCTION BY FIRE SPRINKLER SYSTEM

FORT COLLINS - LOVELAND WATER DISTRICT
SOUTH FORT COLLINS SANITATION DISTRICT

District Engineer Date

All changes, addendums, additions, deletions and modifications to these drawings must be approved, in writing, by the Fort Collins-Loveland Water District and the South Fort Collins Sanitation District.

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1	COVER SHEET
2	GRADING & UTILITY PLAN
3	GENERAL NOTES

ENGINEER'S QUANTITY ESTIMATE

DESCRIPTION	QUANTITY	UNIT
4" DIP FIRE LATERAL	69	LF
4" WET TAP WITH THRUST BLOCK	**1**	**EA**
4" GATE VALVE WITH MECHANICAL JOINT RESTRAINTS	**1**	**EA**

CITY OF FORT COLLINS, COLORADO
UTILITY PLAN APPROVAL

APPROVED:	CITY ENGINEER,	APPROVED SHEETS	DATE
APPROVED:	WATER & WASTEWATER UTILITY,	APPROVED SHEETS	DATE
APPROVED:	STORMWATER UTILITY,	APPROVED SHEETS	DATE
APPROVED:	PARK PLANNING AND DEVELOPMENT,	APPROVED SHEETS	DATE
APPROVED:	TRAFFIC OPERATIONS,	APPROVED SHEETS	DATE
APPROVED:	ENVIRONMENTAL PLANNER,	APPROVED SHEETS	DATE

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WORK@RAPTOR-CIVIL.COM
WWW.RAPTOR-CIVIL.COM
720-774-7736

636 CASTLE RIDGE CT. DEVELOPMENT
CIVIL CONSTRUCTION DRAWINGS
CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO
CASTLE RIDGE AT MIRAMONT P.U.D., LOT 2

21-32

NOT FOR CONSTRUCTION

REVISION BLOCK

#	DATE	BY
1	08/10/2021	HWJ
2	01/19/2022	HWJ
3	02/09/2022	HWJ
4	07/05/2022	HWJ
5	10/25/2022	DAS

COVER SHEET

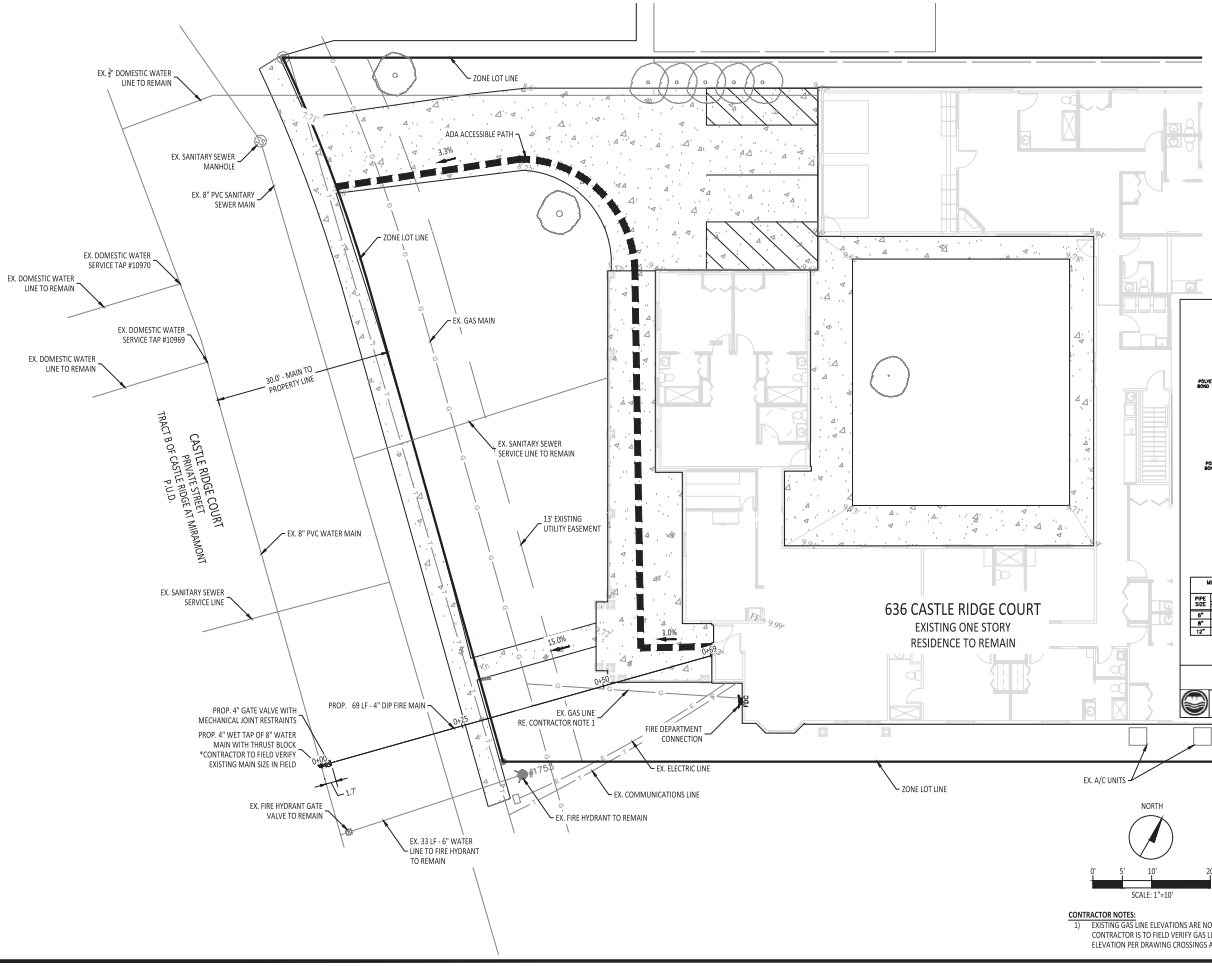
1

SHEET 1 OF 03

UTILITY PLANS FOR 636 CASTLE RIDGE CT DEVELOPMENT

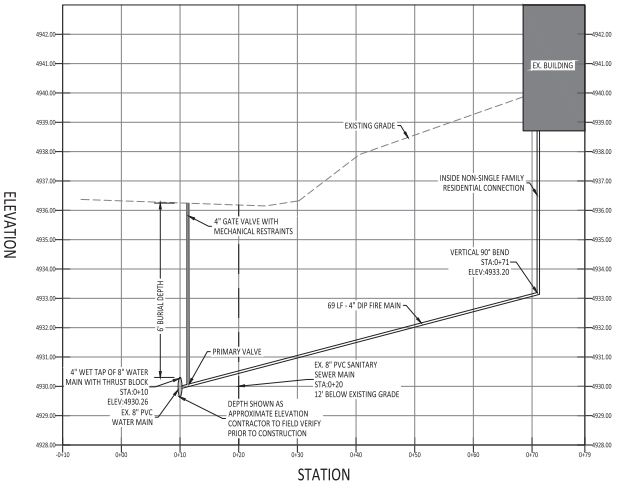
CIVIL CONSTRUCTION DRAWINGS

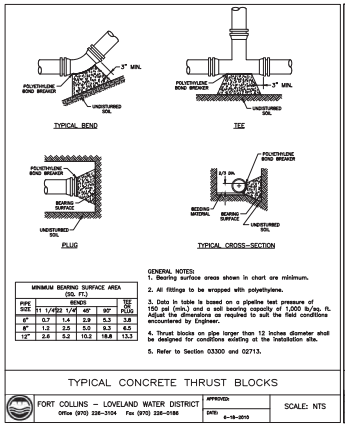
LOCATED IN A PORTION OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 6 NORTH, RANGE 69 WEST OF THE 6TH P.M.
CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO
CASTLE RIDGE AT MIRAMONT P.U.D., LOT 2
ADDRESS: 636 CASTLE RIDGE COURT, FORT COLLINS, CO, 80525



FIRE LINE PROFILE

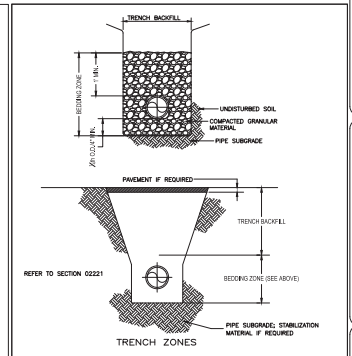
VERTICAL SCALE: 1"=2'
HORIZONTAL SCALE: 1"=10'





TYPICAL CONCRETE THRUST BLOCKS

FORT COLLINS – LOVELAND WATER DISTRICT
Office (970) 226-3104 Fax (970) 226-0186
APPROVED:
DATE: 6-18-2010
SCALE: NTS



TRENCH AND BEDDING TYPICAL

FORT COLLINS – LOVELAND WATER DISTRICT
Office (970) 226-3104 Fax (970) 226-0186
APPROVED:
DATE: 6-18-2010
SCALE: NTS

CONTRACTOR NOTES:

1) EXISTING GAS LINE ELEVATIONS ARE NOT KNOWN. CONTRACTOR IS TO FIELD VERIFY GAS LINE ELEVATION PER DRAWING CROSSINGS AT STA: 0+50.

FORT COLLINS-LOVELAND WATER DISTRICT & SOUTH FORT COLLINS SANITATION DISTRICT NOTES:

1) ALL WATER AND SANITARY SEWER CONSTRUCTION SHALL BE PERFORMED ACCORDING TO THE FORT COLLINS-LOVELAND WATER DISTRICT AND THE SOUTH FORT COLLINS SANITATION DISTRICT STANDARDS AND SPECIFICATIONS.
2) CONSTRUCTION OF WATER AND SEWER FACILITIES REQUIRE A PRECON MEETING WITH DISTRICT INSPECTION STAFF PRIOR TO CONSTRUCTION.
3) CONTRACTOR SHALL NOTIFY DISTRICT INSPECTORS PRIOR TO STARTING WORK.
4) CONTRACTOR SHALL CONTACT THE SANITATION DISTRICT INSPECTOR FOR SEWER INSPECTION 48 HOURS PRIOR TO CONNECTING TO EXISTING SEWER STUBS.
5) IF GROUNDWATER IS ENCOUNTERED WITHIN DEPTH OF SEWER CONSTRUCTION, MANHOLES MUST BE WATER-PROOFED.
6) CONTRACTOR SHALL CONTACT THE WATER DISTRICT FOR WATER INSPECTION 48 HOURS PRIOR TO CONNECTING TO EXISTING INFRASTRUCTURE.
7) ALL COMMERCIAL DOMESTIC SERVICES REQUIRE A REDUCED PRESSURE PRINCIPLE BACKFLOW PREVENTION DEVICE.
8) ALL WATER LINES SHALL BE A MINIMUM OF (5) FIVE FEET AND A MAXIMUM OF (6) SIX FEET BELOW FINAL GRADE.
9) ALL DISTRICT VALVES SHALL ONLY BE OPERATED BY DISTRICT OPERATIONS STAFF.
10) PIPE PRESSURE AND VACUUM TESTING SHALL BE WITNESSED BY DISTRICT INSPECTORS. WATERLINE BACTERIA TESTS SHALL ALSO BE TAKEN BY DISTRICT INSPECTORS.
11) ONCE THE SYSTEM IS OPERATIONAL AND ALL TESTS HAVE PASSED, CONTRACTOR SHALL REQUEST SUBSTANTIAL COMPLETION WITH A LETTER TO THE DISTRICT.
12) AS-BUILTS SHALL BE SUBMITTED IN PDF AND DWG TO THE DISTRICT FOR FINAL APPROVAL.
13) ONCE ALL PUNCH LIST ITEMS ARE COMPLETE, EASEMENTS ARE RECORDED, AND AS-BUILT FILES ARE APPROVED, THE CONTRACTOR SHALL REQUEST FINAL COMPLETION WITH A LETTER TO THE DISTRICT THAT INCLUDES THE DOLLAR VALUE OF THE WATER AND SEWER IMPROVEMENTS LISTED SEPARATELY.

GRADING NOTES:

1) NO ON-SITE GRADING PROPOSED AS PART OF THIS DEVELOPMENT. RCE HAS DETERMINED THAT EXISTING ADA PATH MEETS CURRENT ADA ACCESSIBILITY REQUIREMENTS.
2) IF CONTRACTOR REQUIRES GRADING CHANGES ON SITE, RCE SHALL BE INFORMED IMMEDIATELY AS ADDITIONAL PERMITS/PLANS MAY BE NECESSARY.

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720-774-7736

636 CASTLE RIDGE CT. DEVELOPMENT
CIVIL CONSTRUCTION DRAWINGS
CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO
CASTLE RIDGE AT MIRAMONT P.U.D., LOT 2

21-32

NOT FOR CONSTRUCTION

REVISION BLOCK		
#	DATE	BY
1	08/10/2021	HWJ
2	01/19/2022	HWJ
3	02/09/2022	HWJ
4	07/05/2022	HWJ
5	10/25/2022	DAS

GRADING & UTILITY PLAN

2

SHEET 2 OF 03

UTILITY PLANS FOR 636 CASTLE RIDGE CT DEVELOPMENT

CIVIL CONSTRUCTION DRAWINGS

LOCATED IN A PORTION OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 6 NORTH, RANGE 69 WEST OF THE 6TH P.M.
CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO
CASTLE RIDGE AT MIRAMONT P.U.D., LOT 2
ADDRESS: 636 CASTLE RIDGE COURT, FORT COLLINS, CO, 80525

GENERAL NOTES: CITY OF FORT COLLINS AND LARIMER COUNTY:

1. ALL MATERIALS, WORKMANSHIP, AND CONSTRUCTION OF PUBLIC IMPROVEMENTS SHALL MEET OR EXCEED THE STANDARDS AND SPECIFICATIONS SET FORTH IN THE LARIMER COUNTY URBAN AREA STREET STANDARDS AND APPLICABLE STATE AND FEDERAL REGULATIONS. WHERE THERE IS CONFLICT BETWEEN THESE PLANS AND THE SPECIFICATIONS, OR ANY APPLICABLE STANDARDS, THE MOST RESTRICTIVE STANDARD SHALL APPLY. ALL WORK SHALL BE INSPECTED AND APPROVED BY THE LOCAL ENTITY.
2. ALL REFERENCES TO ANY PUBLISHED STANDARDS SHALL REFER TO THE LATEST REVISION OF SAID STANDARD, UNLESS SPECIFICALLY STATED OTHERWISE.
3. THESE PUBLIC IMPROVEMENT CONSTRUCTION PLANS SHALL BE VALID FOR A PERIOD OF THREE YEARS FROM THE DATE OF APPROVAL BY THE LOCAL ENTITY ENGINEER. USE OF THESE PLANS AFTER THE EXPIRATION DATE WILL REQUIRE A NEW REVIEW AND APPROVAL PROCESS BY THE LOCAL ENTITY PRIOR TO COMMENCEMENT OF ANY WORK SHOWN IN THESE PLANS.
4. THE ENGINEER WHO HAS PREPARED THESE PLANS, BY EXECUTION AND/OR SEAL HEREOF, DOES HEREBY AFFIRM RESPONSIBILITY TO THE LOCAL ENTITY, AS BENEFICIARY OF SAID ENGINEER'S WORK, FOR ANY ERRORS AND OMISSIONS CONTAINED IN THESE PLANS, AND APPROVAL OF THESE PLANS BY THE LOCAL ENTITY ENGINEER SHALL NOT RELIEVE THE ENGINEER WHO HAS PREPARED THESE PLANS OF ALL SUCH RESPONSIBILITY. FURTHER, TO THE EXTENT PERMITTED BY LAW, THE ENGINEER HEREBY AGREES TO HOLD HARMLESS AND INDEMNIFY THE LOCAL ENTITY, AND ITS OFFICERS AND EMPLOYEES, FROM AND AGAINST ALL LIABILITIES, CLAIMS, AND DEMANDS WHICH MAY ARISE FROM ANY ERRORS AND OMISSIONS CONTAINED IN THESE PLANS.
5. ALL SANITARY SEWER, STORM SEWER, AND WATER LINE CONSTRUCTION, AS WELL AS POWER AND OTHER "DRY" UTILITY INSTALLATIONS, SHALL CONFORM TO THE LOCAL ENTITY STANDARDS AND SPECIFICATIONS CURRENT AT THE DATE OF APPROVAL OF THE PLANS BY THE LOCAL ENTITY ENGINEER.
6. THE TYPE, SIZE, LOCATION AND NUMBER OF ALL KNOWN UNDERGROUND UTILITIES ARE APPROXIMATE WHEN SHOWN ON THE DRAWINGS. IT SHALL BE THE RESPONSIBILITY OF THE DEVELOPER TO VERIFY THE EXISTENCE AND LOCATION OF ALL UNDERGROUND UTILITIES ALONG THE ROUTE OF THE WORK BEFORE COMMENCING NEW CONSTRUCTION. THE DEVELOPER SHALL BE RESPONSIBLE FOR UNKNOWN UNDERGROUND UTILITIES.
7. THE ENGINEER SHALL CONTACT THE UTILITY NOTIFICATION CENTER OF COLORADO (UNCC) AT 1-800-922-1987, AT LEAST 2 WORKING DAYS PRIOR TO BEGINNING EXCAVATION OR GRADING, TO HAVE ALL REGISTERED UTILITY LOCATIONS MARKED. OTHER UNREGISTERED UTILITY ENTITIES (I.E. DITCH / IRRIGATION COMPANY) ARE TO BE LOCATED BY CONTACTING THE RESPECTIVE REPRESENTATIVE. UTILITY SERVICE LATERALS ARE ALSO TO BE LOCATED PRIOR TO BEGINNING EXCAVATION OR GRADING. IT SHALL BE THE RESPONSIBILITY OF THE DEVELOPER TO RELOCATE ALL EXISTING UTILITIES THAT CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THESE PLANS.
8. THE DEVELOPER SHALL BE RESPONSIBLE FOR PROTECTING ALL UTILITIES DURING CONSTRUCTION AND FOR COORDINATING WITH THE APPROPRIATE UTILITY COMPANY FOR ANY UTILITY CROSSINGS REQUIRED.
9. IF A CONFLICT EXISTS BETWEEN EXISTING AND PROPOSED UTILITIES AND/OR A DESIGN MODIFICATION IS REQUIRED, THE DEVELOPER SHALL COORDINATE WITH THE ENGINEER TO MODIFY THE DESIGN MODIFICATION(S) MUST BE APPROVED BY THE LOCAL ENTITY PRIOR TO BEGINNING CONSTRUCTION.
10. THE DEVELOPER SHALL COORDINATE AND COOPERATE WITH THE LOCAL ENTITY, AND ALL UTILITY COMPANIES INVOLVED, TO ASSURE THAT THE WORK IS ACCOMPLISHED IN A TIMELY FASHION AND WITH A MINIMUM DISRUPTION OF SERVICE. THE DEVELOPER SHALL BE RESPONSIBLE FOR CONTACTING, IN ADVANCE, ALL PARTIES AFFECTED BY ANY DISRUPTION OF ANY UTILITY SERVICE AS WELL AS THE UTILITY COMPANIES.
11. NO WORK MAY COMMENCE WITHIN ANY PUBLIC STORM WATER, SANITARY SEWER OR POTABLE WATER SYSTEM UNTIL THE DEVELOPER NOTIFIES THE UTILITY PROVIDER. NOTIFICATION SHALL BE A MINIMUM OF 2 WORKING DAYS PRIOR TO COMMENCEMENT OF ANY WORK. AT THE DISCRETION OF THE WATER UTILITY PROVIDER, A PRE-CONSTRUCTION MEETING MAY BE REQUIRED PRIOR TO COMMENCEMENT OF ANY WORK.
12. THE DEVELOPER SHALL SEQUENCE INSTALLATION OF UTILITIES IN SUCH A MANNER AS TO MINIMIZE POTENTIAL UTILITY CONFLICTS. IN GENERAL, STORM SEWER AND SANITARY SEWER SHOULD BE CONSTRUCTED PRIOR TO INSTALLATION OF THE WATER LINES AND DRY UTILITIES.
13. THE MINIMUM COVER OVER WATER LINES IS 4.5 FEET AND THE MAXIMUM COVER IS 5.5 FEET UNLESS OTHERWISE NOTED IN THE PLANS AND APPROVED BY THE WATER UTILITY.
14. A STATE CONSTRUCTION DEWATERING WASTEWATER DISCHARGE PERMIT IS REQUIRED IF DEWATERING IS REQUIRED IN ORDER TO INSTALL UTILITIES OR WATER IS DISCHARGED INTO A STORM SEWER, CHANNEL, IRRIGATION DITCH OR ANY WATERS OF THE UNITED STATES.
15. THE DEVELOPER SHALL COMPLY WITH ALL TERMS AND CONDITIONS OF THE COLORADO PERMIT FOR STORM WATER DISCHARGE (CONTACT COLORADO DEPARTMENT OF HEALTH, WATER QUALITY CONTROL DIVISION, (303) 692-3590), THE STORM WATER MANAGEMENT PLAN, AND THE EROSION CONTROL PLAN.
16. THE LOCAL ENTITY SHALL NOT BE RESPONSIBLE FOR THE MAINTENANCE OF STORM DRAINAGE FACILITIES LOCATED ON PRIVATE PROPERTY. MAINTENANCE OF ONSITE DRAINAGE FACILITIES SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER(S).
17. PRIOR TO FINAL INSPECTION AND ACCEPTANCE BY THE LOCAL ENTITY, CERTIFICATION OF THE DRAINAGE FACILITIES, BY A REGISTERED ENGINEER, MUST BE SUBMITTED TO AND APPROVED BY THE STORMWATER UTILITY DEPARTMENT. CERTIFICATION SHALL BE SUBMITTED TO THE STORMWATER UTILITY DEPARTMENT AT LEAST TWO WEEKS PRIOR TO THE RELEASE OF A CERTIFICATE OF OCCUPANCY FOR SINGLE FAMILY UNITS. FOR COMMERCIAL PROPERTIES, CERTIFICATION SHALL BE SUBMITTED TO THE STORMWATER UTILITY DEPARTMENT AT LEAST TWO WEEKS PRIOR TO THE RELEASE OF ANY BUILDING PERMITS IN EXCESS OF THOSE ALLOWED PRIOR TO CERTIFICATION PER THE DEVELOPMENT AGREEMENT.
18. THE LOCAL ENTITY SHALL NOT BE RESPONSIBLE FOR ANY DAMAGES OR INJURIES SUSTAINED IN THIS DEVELOPMENT AS A RESULT OF GROUNDWATER SEEPAGE, WHETHER RESULTING FROM GROUNDWATER FLOODING, STRUCTURAL DAMAGE OR OTHER DAMAGE UNLESS SUCH DAMAGE OR INJURIES ARE SUSTAINED AS A RESULT OF THE LOCAL ENTITY FAILURE TO PROPERLY MAINTAIN ITS WATER, WASTEWATER, AND/OR STORM DRAINAGE FACILITIES IN THE DEVELOPMENT.
19. NO FINAL DRAINAGE AND EROSION CONTROL STUDY IS TO BE COMPLETED AS IT IS NOT APPLICABLE FOR THIS PROJECT.
20. TEMPORARY EROSION CONTROL DURING CONSTRUCTION SHALL BE PROVIDED AS SHOWN ON THE EROSION CONTROL PLAN. ALL EROSION CONTROL MEASURES SHALL BE MAINTAINED IN GOOD REPAIR BY THE DEVELOPER, UNTIL SUCH TIME AS THE ENTIRE DISTURBED AREAS IS STABILIZED WITH HARD SURFACE OR LANDSCAPING.
21. THE DEVELOPER SHALL BE RESPONSIBLE FOR INSURING THAT NO MUD OR DEBRIS SHALL BE TRACKED ONTO THE EXISTING PUBLIC STREET SYSTEM. MUD AND DEBRIS MUST BE REMOVED WITHIN 24 HOURS BY AN APPROPRIATE MECHANICAL METHOD (I.E. MACHINE BROOM SWEEP, LIGHT DUTY FRONT-END LOADER, ETC.) OR AS APPROVED BY THE LOCAL ENTITY STREET INSPECTOR.
22. NO WORK MAY COMMENCE WITHIN ANY IMPROVED OR UNIMPROVED PUBLIC RIGHT-OF-WAY UNTIL A RIGHT-OF-WAY PERMIT OR DEVELOPMENT CONSTRUCTION PERMIT IS OBTAINED, IF APPLICABLE.
23. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FOR ALL APPLICABLE AGENCIES PRIOR TO COMMENCEMENT OF CONSTRUCTION. THE DEVELOPER SHALL NOTIFY THE LOCAL ENTITY ENGINEERING INSPECTOR (FORT COLLINS - 221-6605) AND THE LOCAL ENTITY EROSION CONTROL INSPECTOR (FORT COLLINS – 221-6700) AT LEAST 2 WORKING DAYS PRIOR TO THE START OF ANY EARTH DISTURBING ACTIVITY, OR CONSTRUCTION ON ANY AND ALL PUBLIC IMPROVEMENTS. IF THE LOCAL ENTITY ENGINEER IS NOT AVAILABLE AFTER PROPER NOTICE OF CONSTRUCTION ACTIVITY HAS BEEN PROVIDED, THE DEVELOPER MAY COMMENCE WORK IN THE ENGINEER ABSENCE. HOWEVER, THE LOCAL ENTITY RESERVES THE RIGHT NOT TO ACCEPT THE IMPROVEMENT IF SUBSEQUENT TESTING REVEALS AN IMPROPER INSTALLATION.
24. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING SOILS TESTS WITHIN THE PUBLIC RIGHTOF- WAY AFTER RIGHT OF WAY GRADING AND ALL UTILITY TRENCH WORK IS COMPLETE AND PRIOR TO THE PLACEMENT OF CURB, GUTTER, SIDEWALK AND PAVEMENT. IF THE FINAL SOILS/PAVEMENT DESIGN REPORT DOES NOT CORRESPOND WITH THE RESULTS OF THE ORIGINAL GEOTECHNICAL REPORT, THE DEVELOPER SHALL BE RESPONSIBLE FOR A RE-DESIGN OF THE SUBJECT PAVEMENT SECTION OR, THE DEVELOPER MAY USE THE LOCAL ENTITY'S DEFAULT PAVEMENT THICKNESS SECTION(S). REGARDLESS OF THE OPTION USED, ALL FINAL SOILS/PAVEMENT DESIGN REPORTS SHALL BE PREPARED BY A LICENSED PROFESSIONAL ENGINEER. THE FINAL REPORT SHALL BE SUBMITTED TO THE INSPECTOR A MINIMUM OF 10 WORKING DAYS PRIOR TO PLACEMENT OF BASE AND ASPHALT. PLACEMENT OF CURB, GUTTER, SIDEWALK, BASE AND ASPHALT SHALL NOT OCCUR UNTIL THE LOCAL ENTITY ENGINEER APPROVES THE FINAL REPORT.
25. THE CONTRACTOR SHALL HIRE A LICENSED ENGINEER OR LAND SURVEYOR TO SURVEY THE CONSTRUCTED ELEVATIONS OF THE STREET SUBGRADE AND THE GUTTER FLOWLINE AT ALL INTERSECTIONS, INLETS, AND OTHER LOCATIONS REQUESTED BY THE LOCAL ENTITY INSPECTOR. THE ENGINEER OR SURVEYOR MUST CERTIFY IN A LETTER TO THE LOCAL ENTITY THAT THESE ELEVATIONS CONFORM TO THE APPROVED PLANS AND SPECIFICATIONS. ANY DEVIATIONS SHALL BE NOTED IN THE LETTER AND THEN RESOLVED WITH THE LOCAL ENTITY BEFORE INSTALLATION OF BASE COURSE OR ASPHALT WILL BE ALLOWED ON THE STREETS.
26. ALL UTILITY INSTALLATIONS WITHIN OR ACROSS THE ROADBED OF NEW RESIDENTIAL ROADS MUST BE COMPLETED PRIOR TO THE FINAL STAGES OF ROAD CONSTRUCTION. FOR THE PURPOSES OF THESE STANDARDS, ANY WORK EXCEPT C/G ABOVE THE SUBGRADE IS CONSIDERED FINAL STAGE WORK. ALL SERVICE LINES MUST BE STUBBED TO THE PROPERTY LINES AND MARKED SO AS TO REDUCE THE EXCAVATION NECESSARY FOR BUILDING CONNECTIONS.
27. PORTIONS OF LARIMER COUNTY ARE WITHIN OVERLAY DISTRICTS. THE LARIMER COUNTY FLOODPLAIN RESOLUTION SHOULD BE REFERRED TO FOR ADDITIONAL CRITERIA FOR ROADS WITHIN THESE DISTRICTS.
28. ALL ROAD CONSTRUCTION IN AREAS DESIGNATED AS WILD FIRE HAZARD AREAS SHALL BE DONE IN ACCORDANCE WITH THE CONSTRUCTION CRITERIA AS ESTABLISHED IN THE WILD FIRE HAZARD AREA MITIGATION REGULATIONS IN FORCE AT THE TIME OF FINAL PLAT APPROVAL.
29. PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION, THE CONTRACTOR SHALL CONTACT THE LOCAL ENTITY FORESTER TO SCHEDULE A SITE INSPECTION FOR ANY TREE REMOVAL REQUIRING A PERMIT.
30. THE DEVELOPER SHALL BE RESPONSIBLE FOR ALL ASPECTS OF SAFETY INCLUDING, BUT NOT LIMITED TO, EXCAVATION, TRENCHING, SHORING, TRAFFIC CONTROL, AND SECURITY. REFER TO OSHA PUBLICATION 2226, EXCAVATING AND TRENCHING.
31. THE DEVELOPER SHALL SUBMIT A CONSTRUCTION TRAFFIC CONTROL PLAN, IN ACCORDANCE WITH MUTCD, TO THE APPROPRIATE RIGHT-OF-WAY AUTHORITY , CITY OF FORT COLLINS, COUNTY OF LARIMER, FOR APPROVAL, PRIOR TO ANY CONSTRUCTION ACTIVITIES WITHIN, OR AFFECTING, THE RIGHT-OF-WAY. THE DEVELOPER SHALL BE RESPONSIBLE FOR PROVIDING ANY AND ALL TRAFFIC CONTROL DEVICES AS MAY BE REQUIRED BY THE CONSTRUCTION ACTIVITIES.
32. PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION THAT WILL AFFECT TRAFFIC SIGNS OF ANY TYPE, THE CONTRACTOR SHALL CONTACT LOCAL ENTITY TRAFFIC OPERATIONS DEPARTMENT, WHO WILL TEMPORARILY REMOVE OR RELOCATE THE SIGN AT NO COST TO THE CONTRACTOR; HOWEVER, IF THE CONTRACTOR MOVES THE TRAFFIC SIGN THEN THE CONTRACTOR WILL BE CHARGED FOR THE LABOR, MATERIALS AND EQUIPMENT TO REINSTALL THE SIGN AS NEEDED.
33. THE DEVELOPER IS RESPONSIBLE FOR ALL COSTS FOR THE INITIAL INSTALLATION OF TRAFFIC SIGNING AND STRIPING FOR THE DEVELOPMENT RELATED TO THE DEVELOPMENT'S LOCAL STREET OPERATIONS. IN ADDITION, THE DEVELOPER IS RESPONSIBLE FOR ALL COSTS FOR TRAFFIC SIGNING AND STRIPING RELATED TO DIRECTING TRAFFIC ACCESS TO AND FROM THE DEVELOPMENT.
34. THERE SHALL BE NO SITE CONSTRUCTION ACTIVITIES ON SATURDAYS, UNLESS SPECIFICALLY APPROVED BY THE LOCAL ENTITY ENGINEER, AND NO SITE CONSTRUCTION ACTIVITIES ON SUNDAYS OR HOLIDAYS, UNLESS THERE IS PRIOR WRITTEN APPROVAL BY THE LOCAL ENTITY.
35. THE DEVELOPER IS RESPONSIBLE FOR PROVIDING ALL LABOR AND MATERIALS NECESSARY FOR THE COMPLETION OF THE INTENDED IMPROVEMENTS, SHOWN ON THESE DRAWINGS, OR DESIGNATED TO BE PROVIDED, INSTALLED, OR CONSTRUCTED, UNLESS SPECIFICALLY NOTED OTHERWISE.
36. DIMENSIONS FOR LAYOUT AND CONSTRUCTION ARE NOT TO BE SCALED FROM ANY DRAWING. IF PERTINENT DIMENSIONS ARE NOT SHOWN, CONTACT THE DESIGNER FOR CLARIFICATION, AND ANNOTATE THE DIMENSION ON THE AS-BUILT RECORD DRAWINGS.
37. THE DEVELOPER SHALL HAVE, ONSITE AT ALL TIMES, ONE (1) SIGNED COPY OF THE APPROVED PLANS, ONE (1) COPY OF THE APPROPRIATE STANDARDS AND SPECIFICATIONS, AND A COPY OF ANY PERMITS AND EXTENSION AGREEMENTS NEEDED FOR THE JOB.
38. IF, DURING THE CONSTRUCTION PROCESS, CONDITIONS ARE ENCOUNTERED WHICH COULD INDICATE A SITUATION THAT IS NOT IDENTIFIED IN THE PLANS OR SPECIFICATIONS, THE DEVELOPER SHALL CONTACT THE DESIGNER AND THE LOCAL ENTITY ENGINEER IMMEDIATELY.
39. THE DEVELOPER SHALL BE RESPONSIBLE FOR RECORDING AS-BUILT INFORMATION ON A SET OF RECORD DRAWINGS KEPT ON THE CONSTRUCTION SITE, AND AVAILABLE TO THE LOCAL ENTITY'S INSPECTOR AT ALL TIMES. UPON COMPLETION OF THE WORK, THE CONTRACTOR(S) SHALL SUBMIT RECORD DRAWINGS TO THE LOCAL ENTITY ENGINEER.
40. THE DESIGNER SHALL PROVIDE, IN THIS LOCATION ON THE PLAN, THE LOCATION AND DESCRIPTION OF THE NEAREST SURVEY BENCHMARKS (2) FOR THE PROJECT AS WELL AS THE BASIS OF BEARINGS. THE INFORMATION SHALL BE AS FOLLOWS:

PROJECT DATUM: NAVD88
BENCHMARK #4-96
ELEVATION: 4,939.14'

PLEASE NOTE: THIS PLAN SET IS USING NAVD88 FOR A VERTICAL DATUM. SURROUNDING DEVELOPMENTS HAVE USED NGVD29 UNADJUSTED DATUM (PRIOR CITY OF FORT COLLINS DATUM) FOR THEIR VERTICAL DATUMS.

IF NGVD29 UNADJUSTED DATUM (PRIOR CITY OF FORT COLLINS DATUM) IS REQUIRED FOR ANY PURPOSE, THE FOLLOWING EQUATION SHOULD BE USED: NGVD29 UNADJUSTED DATUM (PRIOR CITY OF FORT COLLINS DATUM) = NAVD88 DATUM - X.XX'.

41. ALL STATIONING IS BASED ON CENTERLINE/FLOWLINE (INSERT PROPER WORD) OF ROADWAYS UNLESS OTHERWISE NOTED.
42. DAMAGED CURB, GUTTER AND SIDEWALK EXISTING PRIOR TO CONSTRUCTION, AS WELL AS EXISTING FENCES, TREES, STREETS, SIDEWALKS, CURBS AND GUTTERS, LANDSCAPING, STRUCTURES, AND IMPROVEMENTS DESTROYED, DAMAGED OR REMOVED DUE TO CONSTRUCTION OF THIS PROJECT, SHALL BE REPLACED OR RESTORED IN LIKE KIND AT THE DEVELOPER'S EXPENSE, UNLESS OTHERWISE INDICATED ON THESE PLANS, PRIOR TO THE ACCEPTANCE OF COMPLETED IMPROVEMENTS AND/OR PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY.
43. WHEN AN EXISTING ASPHALT STREET MUST BE CUT, THE STREET MUST BE RESTORED TO A CONDITION EQUAL TO OR BETTER THAN ITS ORIGINAL CONDITION. THE EXISTING STREET CONDITION SHALL BE DOCUMENTED BY THE LOCAL ENTITY CONSTRUCTION INSPECTOR BEFORE ANY CUTS ARE MADE. PATCHING SHALL BE DONE IN ACCORDANCE WITH THE LOCAL ENTITY STREET REPAIR STANDARDS. THE FINISHED PATCH SHALL BLEND IN SMOOTHLY INTO THE EXISTING SURFACE. ALL LARGE PATCHES SHALL BE PAVED WITH AN ASPHALT LAY-DOWN MACHINE. IN STREETS WHERE MORE THAN ONE CUT IS MADE, AN OVERLAY OF THE ENTIRE STREET WIDTH, INCLUDING THE PATCHED AREA, MAY BE REQUIRED. THE DETERMINATION OF NEED FOR A COMPLETE OVERLAY SHALL BE MADE BY THE LOCAL ENTITY ENGINEER AND/OR THE LOCAL ENTITY INSPECTOR AT THE TIME THE CUTS ARE MADE.
44. UPON COMPLETION OF CONSTRUCTION, THE SITE SHALL BE CLEANED AND RESTORED TO A CONDITION EQUAL TO, OR BETTER THAN, THAT WHICH EXISTED BEFORE CONSTRUCTION, OR TO THE GRADES AND CONDITION AS REQUIRED BY THESE PLANS.
45. STANDARD HANDICAP RAMPS ARE TO BE CONSTRUCTED AT ALL CURB RETURNS AND AT ALL "T" INTERSECTIONS.
46. AFTER ACCEPTANCE BY THE LOCAL ENTITY, PUBLIC IMPROVEMENTS DEPICTED IN THESE PLANS SHALL BE GUARANTEED TO BE FREE FROM MATERIAL AND WORKMANSHIP DEFECTS FOR A MINIMUM PERIOD OF TWO YEARS FROM THE DATE OF ACCEPTANCE.
47. THE LOCAL ENTITY SHALL NOT BE RESPONSIBLE FOR THE MAINTENANCE OF ROADWAY AND APPURTENANT IMPROVEMENTS, INCLUDING STORM DRAINAGE STRUCTURES AND PIPES, FOR THE FOLLOWING PRIVATE STREETS: (LIST).
48. APPROVED VARIANCES ARE LISTED AS FOLLOWS: (PLAN SET MUST HAVE A LIST OF ALL APPLICABLE VARIANCES FOR THE PROJECT).

WATERLINE NOTE:

1. THE MINIMUM COVER OVER WATER LINES IS 4.5 FEET AND THE MAXIMUM COVER IS 5.5 FEET UNLESS OTHERWISE NOTED IN THE PLANS AND APPROVED BY THE WATER UTILITY.

RAPTOR
CIVIL ENGINEERING
WORK@RAPTOR-CIVIL.COM
WWW.RAPTOR-CIVIL.COM
720-774-7736

636 CASTLE RIDGE CT. DEVELOPMENT
CIVIL CONSTRUCTION DRAWINGS
CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO
CASTLE RIDGE AT MIRAMONT P.U.D., LOT 2

21-32

NOT FOR CONSTRUCTION

REVISION BLOCK

#	DATE	BY
1	08/10/2021	HWJ
2	01/19/2022	HWJ
3	02/09/2022	HWJ
4	07/05/2022	HWJ
5	10/25/2022	DAS

GENERAL NOTES

3

SHEET 3 OF 03

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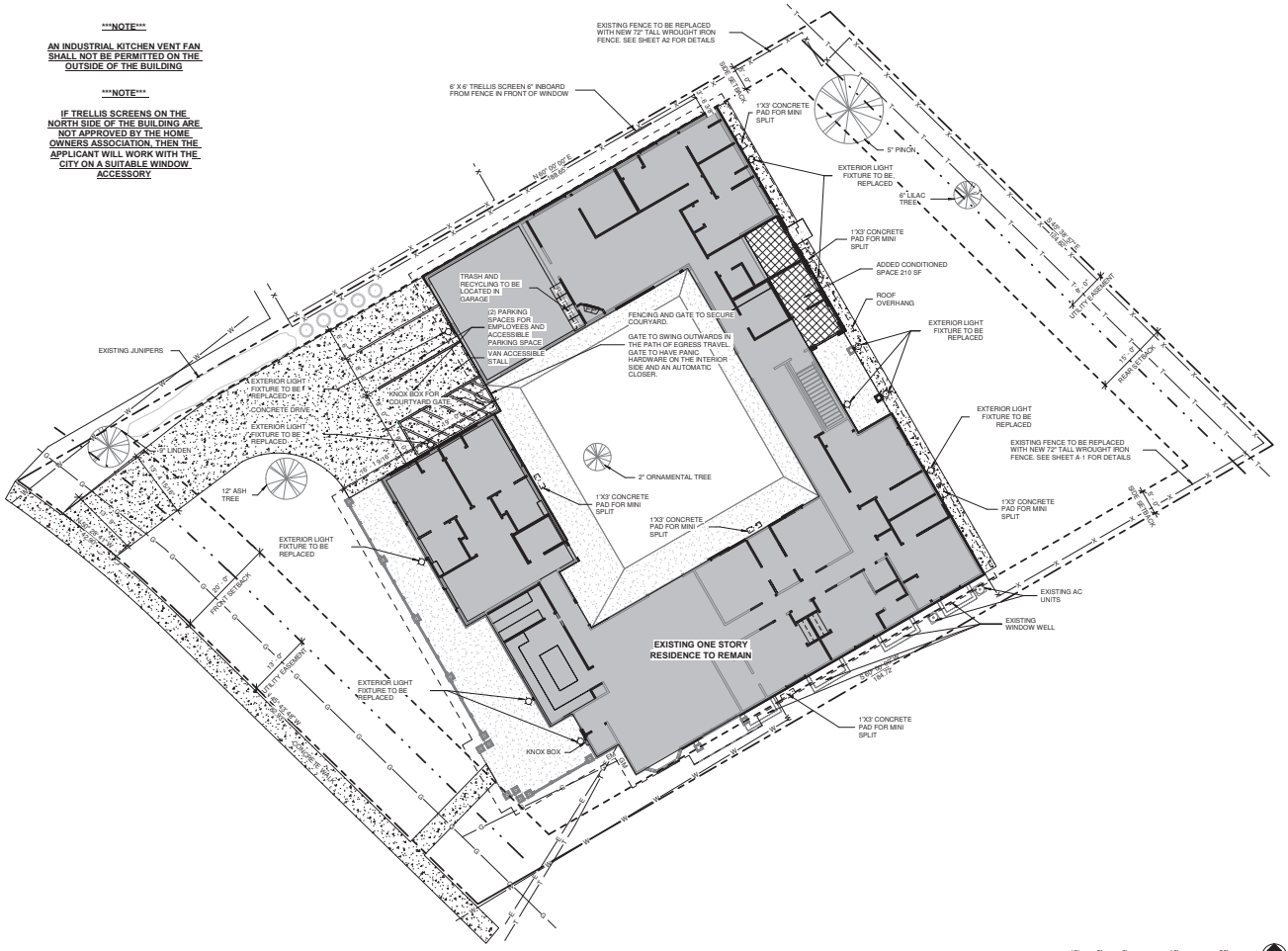
NOTE

AN INDUSTRIAL KITCHEN VENT FAN SHALL NOT BE PERMITTED ON THE OUTSIDE OF THE BUILDING

NOTE

IF TRELLIS SCREENS ON THE NORTH SIDE OF THE BUILDING ARE NOT APPROVED BY THE HOME OWNERS ASSOCIATION, THEN THE APPLICANT WILL WORK WITH THE CITY ON A SUITABLE WINDOW ACCESSORY



1 SITE PLAN - NEW
1" = 10'-0"

SCALE : 1" = 10'-0"

North

A-0.1
SITE PLAN

F9

ISSUE NUMBER 2011.25
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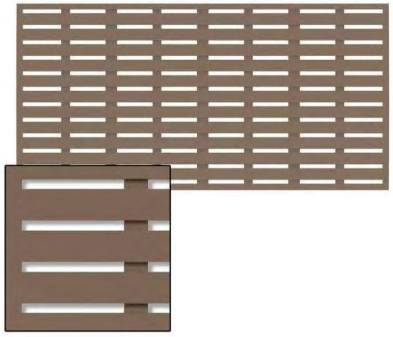
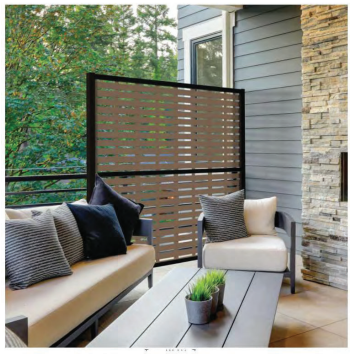
625 CRISMAN DRIVE #100 LONGMONT, CO 80501 | PH 303.775.7456| F 303.656.9846| EMAIL MAIL@F9PRODUCTIONS.COM

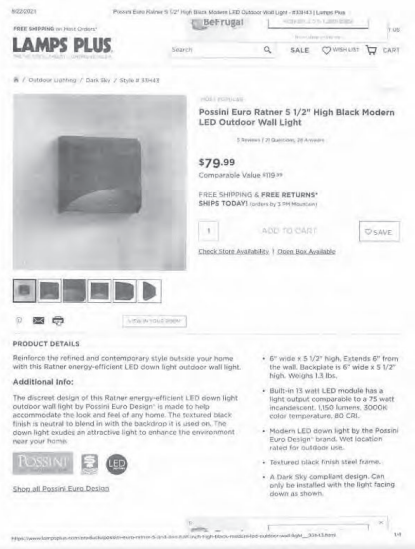
Barrette Outdoor Living (Brand Rating: 4.1/5)

3 ft. x 6 ft. Boardwalk Saddle Vinyl Decorative Screen Panel

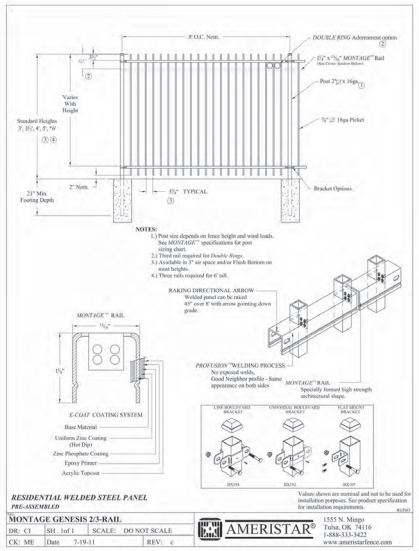




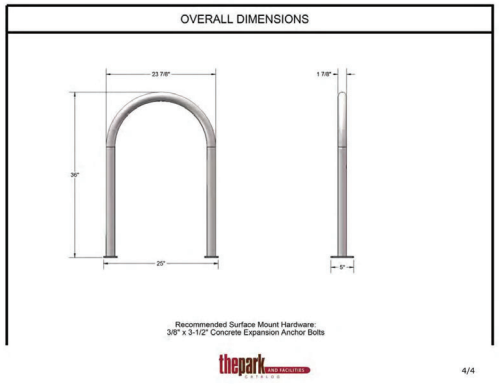
TRELLIS DETAILS



EXTERIOR LIGHT FIXTURE DETAILS

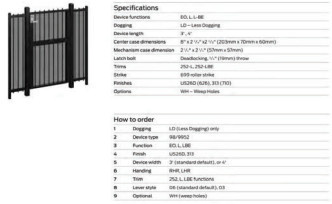


NEW EXTERIOR FENCE DETAILS



U BIKE RACK DETAILS

COURTYARD GATE DETAILS



F9

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ARCHITECTURE | CONSTRUCTION MANAGEMENT
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A-1

ARCHITECTURAL SITE DETAILS

835 CRISMAN DRIVE #100 LONGMONT, CO 80501 | PH 303.775.7456 | F 303.666.9866 | EMAIL MAIL@F9PRODUCTIONS.COM

10/20/2022 1:21:53 PM

A-2

NOT FOR CONSTRUCTION

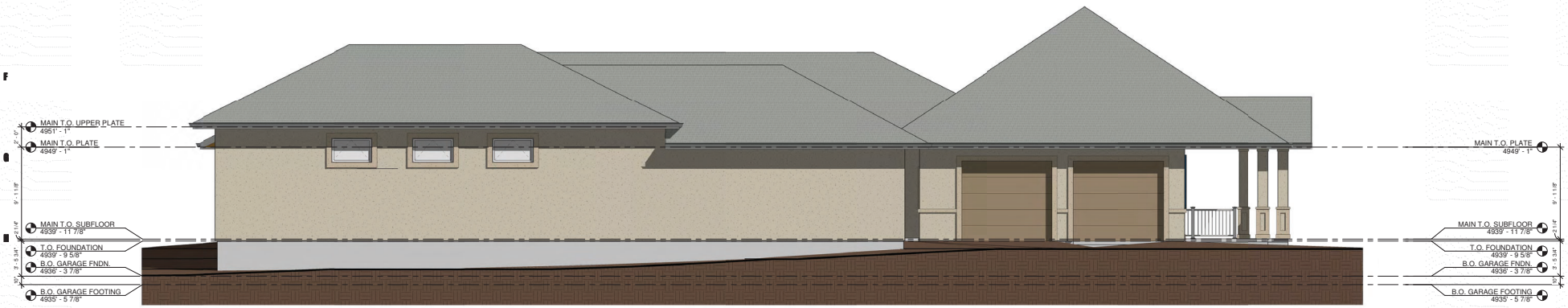
NOTE

ALL MATERIAL COLORS ARE TO MATCH EXISTING COLORS TO THE BEST OF THE CONTRACTOR'S ABILITY

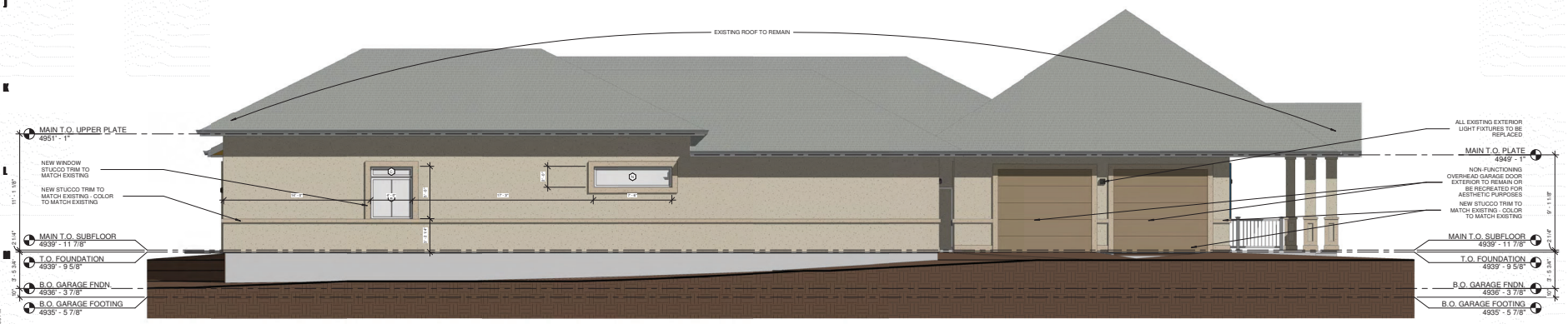
STUCCO	CMU WALL	DOOR AND WINDOW TRIM	ROOF FASCIA	ROOF SOFFIT	GUTTER AND DOWNSPOUT
3 COAT STUCCO COLOR: TAN RGB: 229, 206, 174	PAINTED CMU COLOR: LIGHT BROWN RGB: 191, 176, 155	1X6 STUCCO WRAPPED COLOR: LIGHT BROWN RGB: 191, 176, 155	PAINTED HARDIE TRIM BOARD 4/4 COLOR: GRAY RGB: 238, 238, 234	PAINTED HARDIE FIBER CEMENT SOFFIT COLOR: GRAY RGB: 238, 238, 234	PAINTED ALUMINUM COLOR: GRAY RGB: 238, 238, 234

WINDOW FRAMES	DOOR FRAMES	ROOF SHINGLES	GARAGE DOOR
VINYL CLAD COLOR: WHITE RGB: 250, 250, 250	WOOD CLAD COLOR: WHITE RGB: 250, 250, 250	ASPHALT ARCHITECTURAL ROOF SHINGLES COLOR: GREY RGB: 147, 151, 145	PAINT COLOR: BROWN RGB: 147, 128, 105

MATERIAL SWATCH LEGEND



1 NORTH ELEVATION -EXISTING
1/4" = 1'-0"



NORTH ELEVATION -NEW

F9

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A-2
NORTH ELEVATION

NOT FOR CONSTRUCTION

NOTE

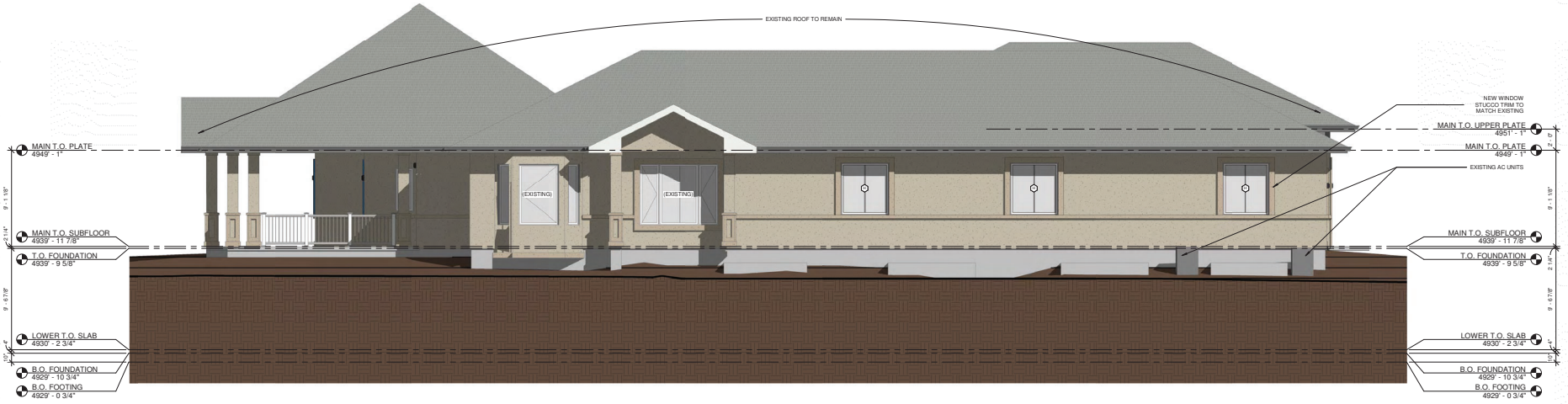
ALL MATERIAL COLORS ARE TO MATCH EXISTING COLORS TO THE BEST OF THE CONTRACTOR'S ABILITY

STUCCO	CMU WALL	DOOR AND WINDOW TRIM	ROOF FASCIA	ROOF SOFFIT	GUTTER AND DOWNSPOUT
3 COAT STUCCO COLOR: TAN RGB: 229, 206, 174	PAINTED CMU COLOR: LIGHT BROWN RGB: 191, 176, 155	1X6 STUCCO WRAPPED COLOR: LIGHT BROWN RGB: 191, 176, 155	PAINTED HARDIE TRIM BOARD 4/4 COLOR: GRAY RGB: 238, 238, 234	PAINTED HARDIE FIBER CEMENT SOFFIT COLOR: GRAY RGB: 238, 238, 234	PAINTED ALUMINUM COLOR: GRAY RGB: 238, 238, 234

WINDOW FRAMES	DOOR FRAMES	ROOF SHINGLES	GARAGE DOOR
VINYL CLAD COLOR: WHITE RGB: 250, 250, 250	WOOD CLAD COLOR: WHITE RGB: 250, 250, 250	ASPHALT ARCHITECTURAL ROOF SHINGLES COLOR: GREY RGB: 147, 151, 145	PAINT COLOR: BROWN RGB: 147, 128, 105

MATERIAL SWATCH LEGEND

1 SOUTH ELEVATION - EXISTING
1/4" = 1'-0"



UTH ELEVATION - NEW
4" = 1'-0"

F9

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A-3
SOUTH ELEVATION

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12:07 PM

NOTE

ALL MATERIAL COLORS ARE TO MATCH EXISTING COLORS TO THE BEST OF THE CONTRACTOR'S ABILITY

STUCCO	CMU WALL	DOOR AND WINDOW TRIM	ROOF FASCIA	ROOF SOFFIT	GUTTER AND DOWNSPOUT
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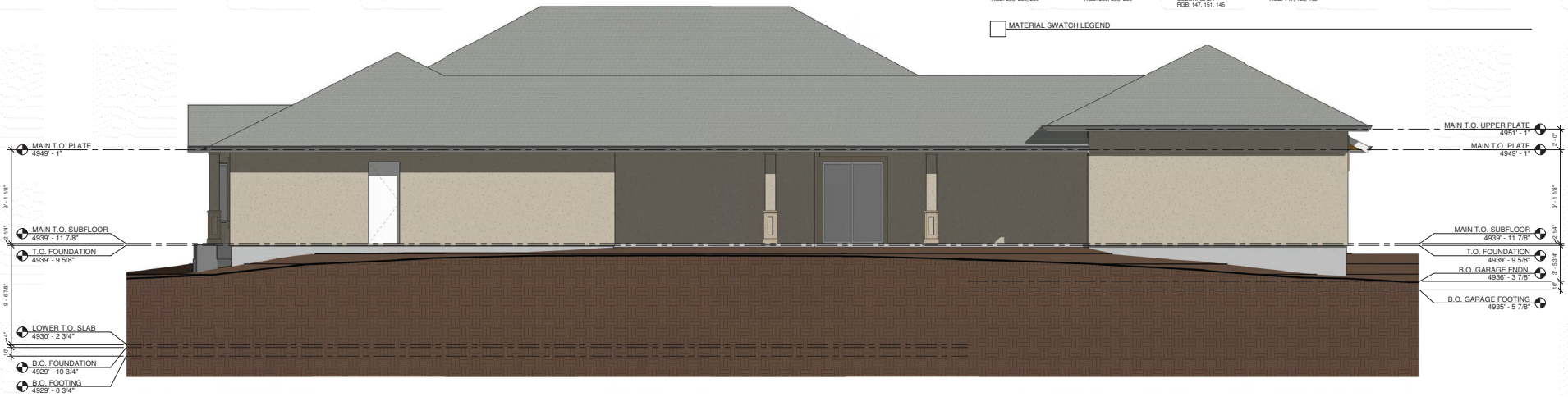
WINDOW FRAMES	DOOR FRAMES	ROOF SHINGLES	GARAGE DOOR
VINYL CLAD COLOR: WHITE RGB: 250, 250, 250	WOOD CLAD COLOR: WHITE RGB: 250, 250, 250	ASPHALT ARCHITECTURAL ROOF SHINGLES COLOR: GREY RGB: 147, 151, 145	PAINT COLOR: BROWN RGB: 147, 128, 105

MATERIAL SWATCH LEGEND



1 EAST ELEVATION - EXISTING
1/4" = 1'-0"

N - NEW

F9

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A-4
EAST ELEVATION

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NOT FOR CONSTRUCTION

NOTE

ALL MATERIAL COLORS ARE TO MATCH EXISTING COLORS TO THE BEST OF THE CONTRACTOR'S ABILITY

STUCCO	CMU WALL	DOOR AND WINDOW TRIM	ROOF FASCIA	ROOF SOFFIT	GUTTER AND DOWNSPOUT
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WINDOW FRAMES	DOOR FRAMES	ROOF SHINGLES	GARAGE DOOR
VINYL CLAD COLOR: WHITE RGB: 250, 250, 250	WOOD CLAD COLOR: WHITE RGB: 250, 250, 250	ASPHALT ARCHITECTURAL ROOF SHINGLES COLOR: GREY RGB: 147, 151, 145	PAINT COLOR: BROWN RGB: 147, 128, 105

MATERIAL SWATCH LEGEND

1 WEST ELEVATION - EXISTING
1/4" = 1'-0"

ATION - NEW

F9

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A-5
WEST ELEVATION

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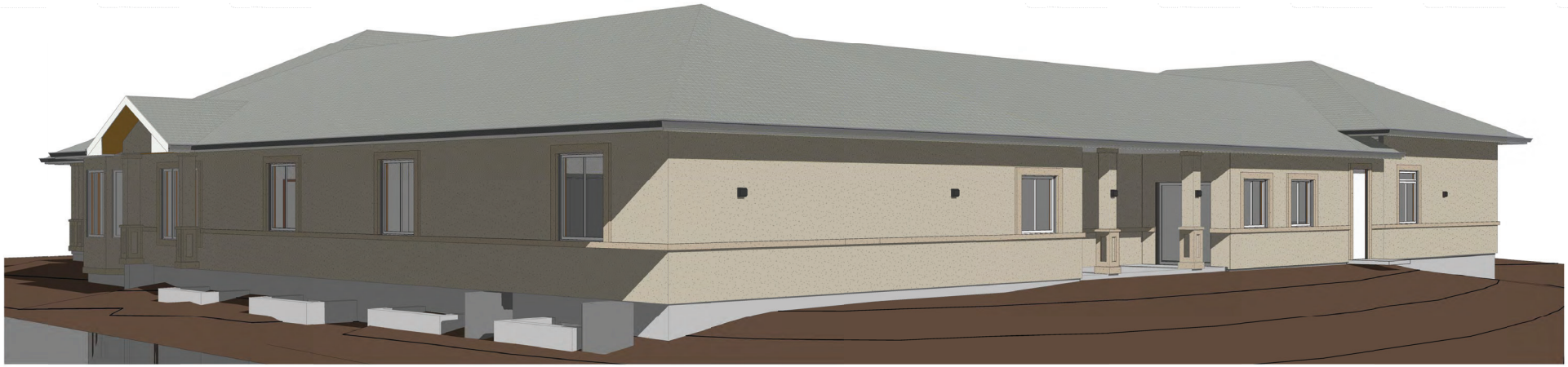
12:22 PM

NOT FOR CONSTRUCTION

1 EXTERIOR PERSPECTIVE - SOUTHWEST



2 EXTERIOR PERSPECTIVE - SOUTHEAST

F9

ISSUE NUMBER 2011.25

TIME STAMP 10/26/2022 1:22:33 PM

CASTLE RIDGE GROUP HOME
636 Castle Ridge Ct.
Fort Collins, Colorado 80525

ARCHITECTURE | CONSTRUCTION MANAGEMENT
F9 PRODUCTIONS INC.

A-6

EXTERIOR PERSPECTIVES

835 CRISMAN DRIVE #100 LONGMONT, CO 80501 | PH 303.775.7456 | F 303.656.9846 | EMAIL MAIL@F9PRODUCTIONS.COM

12:33 PM

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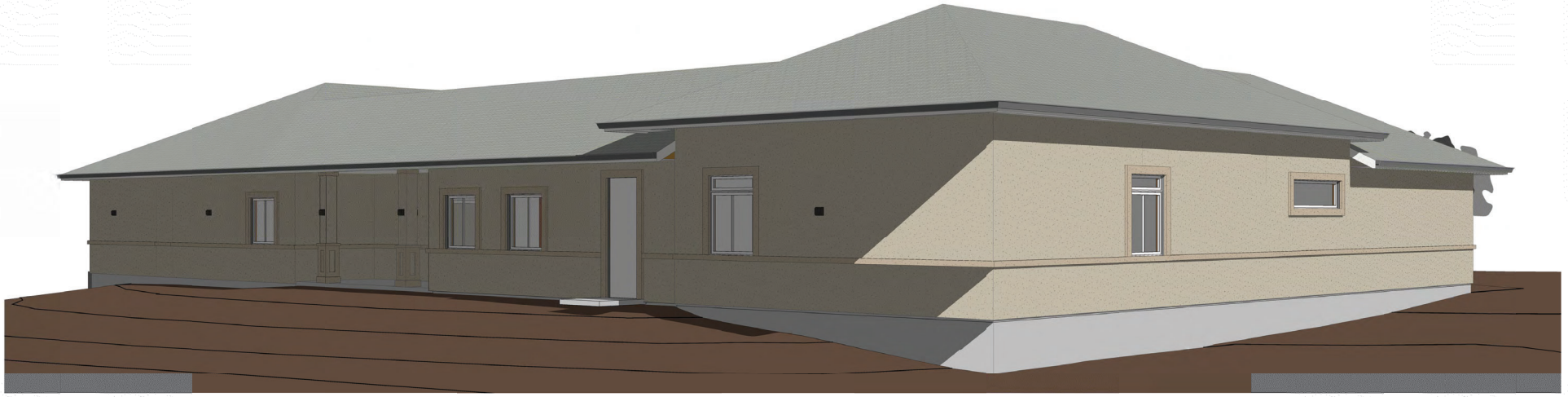

1 EXTERIOR PERSPECTIVE - NORTHEAST

2 EXTERIOR PERSPECTIVE - NORTHWEST

F9

ISSUE NUMBER 2011.25

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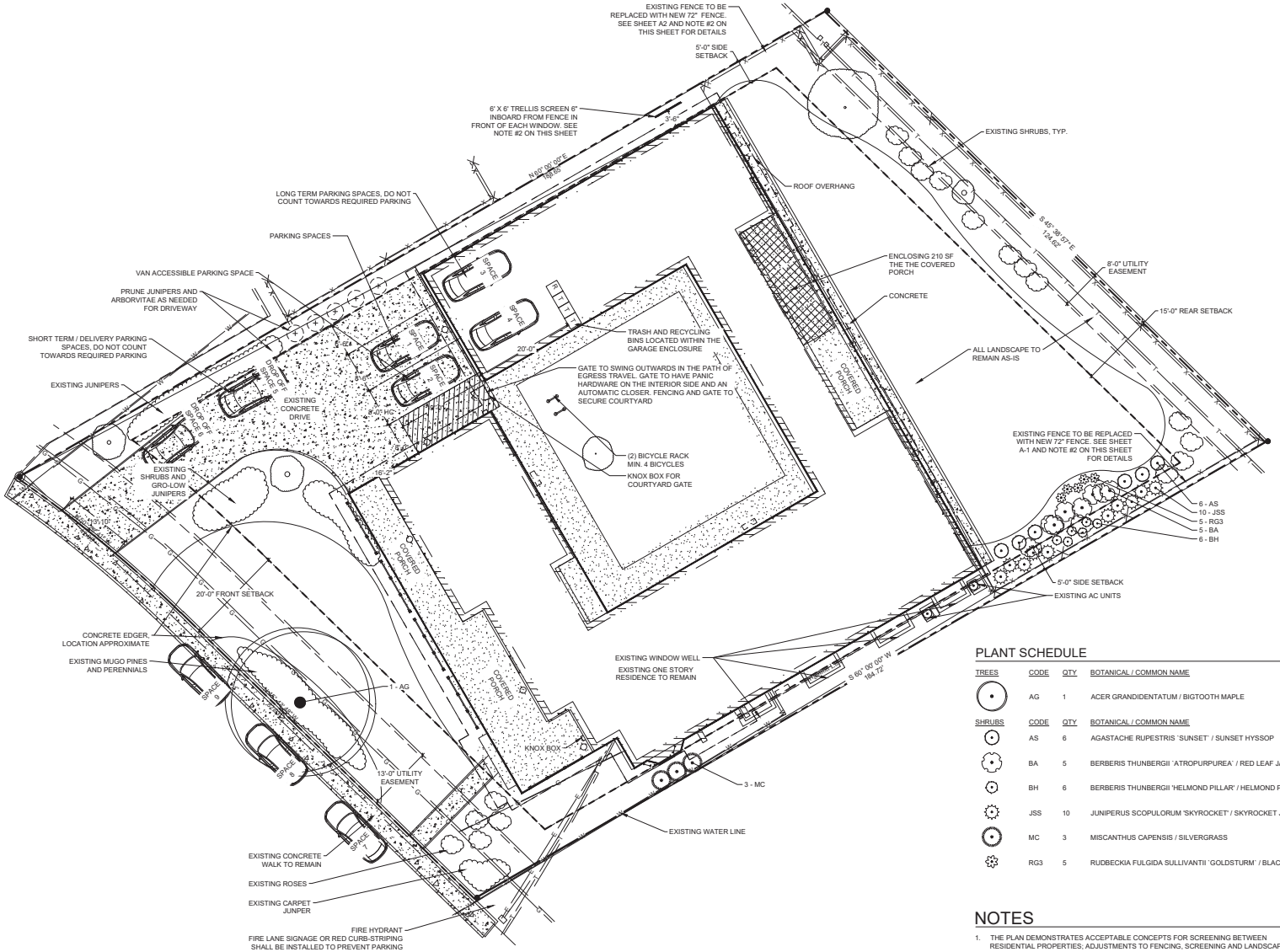
A-7

EXTERIOR PERSPECTIVES

10/26/2022 12:45 PM



SITE PLAN LEGEND

	EXTERIOR WALL MOUNTED LIGHT FIXTURE
	EXISTING CONCRETE
EM	ELECTRIC METER
GM	GAS METER
T	TELEPHONE LINE
E	ELECTRIC LINE
W	WATER LINE
G	GAS LINE
X	FENCE
	EASEMENT
	SETBACK
	PROPERTY LINE

PLANT SCHEDULE

TREES	CODE	QTY	BOTANICAL / COMMON NAME	CONT	CAL
	AG	1	ACER GRANDIDENTATUM / BIGTOOTH MAPLE	B & B	2"
SHRUBS	**CODE**	**QTY**	**BOTANICAL / COMMON NAME**	**SIZE**	
	AS	6	AGASTACHE RUPESTRIS `SUNSET` / SUNSET HYSSOP	5 GAL	
	BA	5	BERBERIS THUNBERGII `ATROPURPUREA` / RED LEAF JAPANESE BARBERRY	5 GAL	
	BH	6	BERBERIS THUNBERGII 'HELMOND PILLAR' / HELMOND PILLAR JAPANESE BARBERRY	5 GAL	
	JSS	10	JUNIPERUS SCOPULORUM 'SKYROCKET' / SKYROCKET JUNIPER	5 GAL	
	MC	3	MISCANTHUS CAPENSIS / SILVERGRASS	5 GAL	
	RG3	5	RUDBECKIA FULGIDA SULLIVANTII `GOLDSTURM` / BLACK-EYED SUSAN	5 GAL	

NOTES

1. THE PLAN DEMONSTRATES ACCEPTABLE CONCEPTS FOR SCREENING BETWEEN RESIDENTIAL PROPERTIES; ADJUSTMENTS TO FENCING, SCREENING AND LANDSCAPE ARE PERMITTED BASED ON DISCUSSIONS WITH HOA.
2. AN INDUSTRIAL KITCHEN VENT FAN SHALL NOT BE PERMITTED ON THE OUTSIDE OF THE BUILDING.

NORTH

SCALE: 1"=10'-0"

Craft Studio
2536 Rosendale Lane, Fort Collins, CO 80526
ShepherdCraft@gmail.com

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Revision:

CASTLE RIDGE GROUP HOME
636 CASTLE RIDGE COURT, FORT COLLINS, CO

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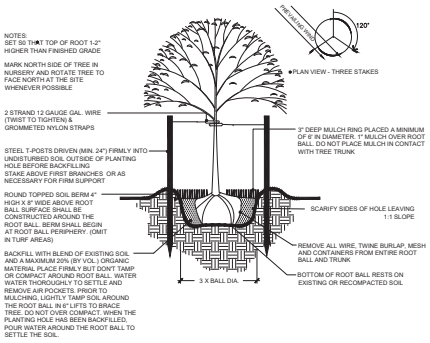
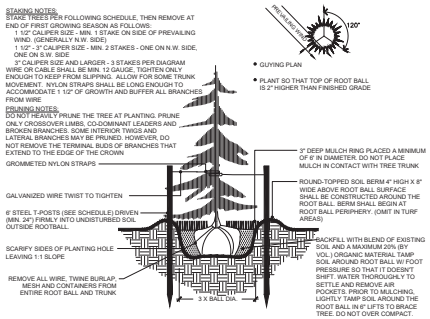
LANDSCAPE PLAN
L1 OF 15



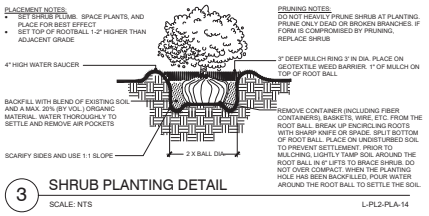
1 TREE PLANTING DETAIL - STEEL POSTS

SCALE: NTS L-PL2-PLA-12



2 CONIFER TREE PLANTING DETAIL - STEEL POSTS

SCALE: NTS L-PL2-PLA-01



3 SHRUB PLANTING DETAIL

SCALE: NTS L-PL2-PLA-14

Craft Studio
2136 Rosedale Lane, Fort Collins, CO 80526
Stephanie Craft 970.greenthumb

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LANDSCAPE DETAILS
L2 OF 15

TREE MITIGATION LEGEND

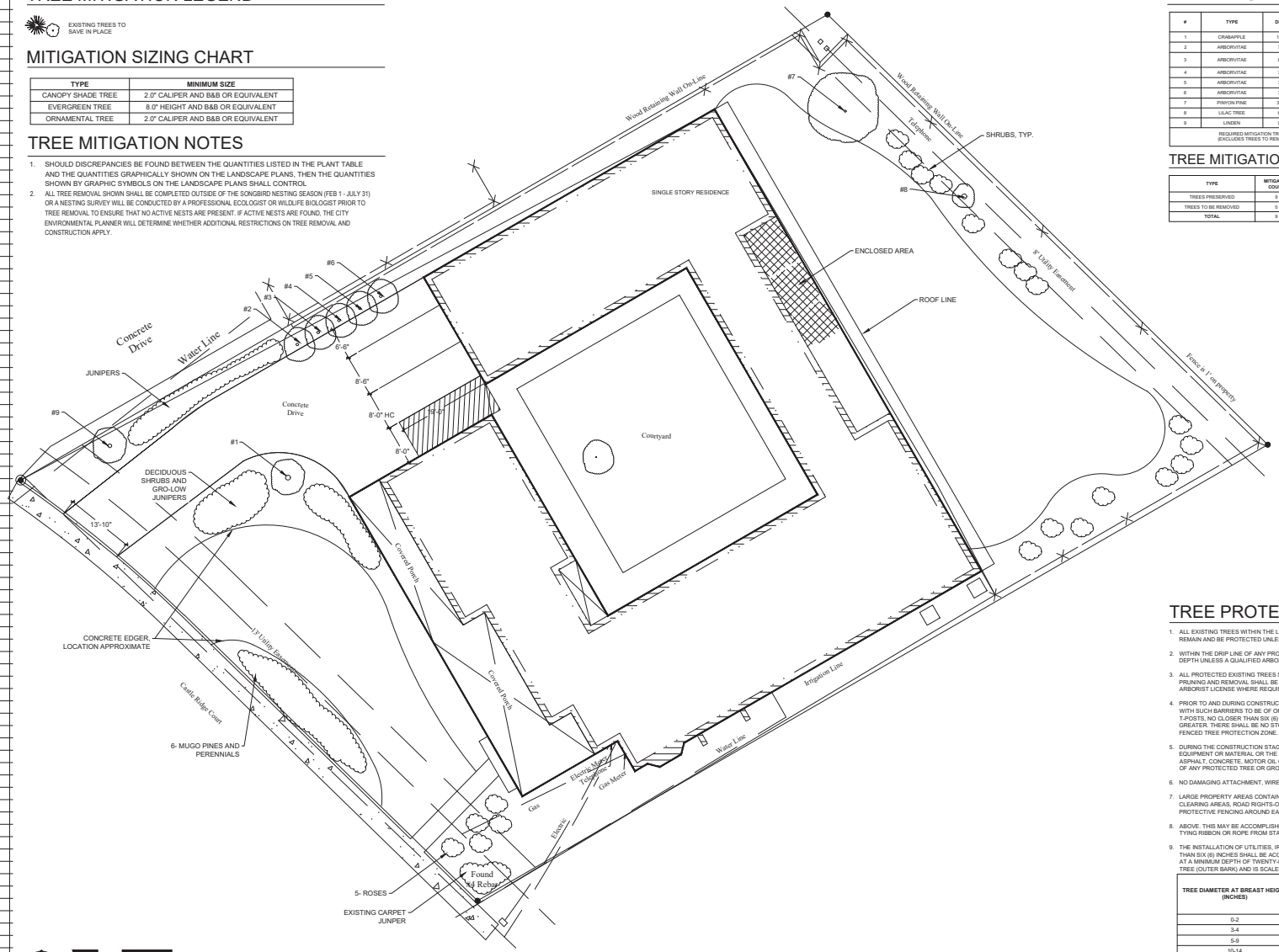
EXISTING TREES TO SAVE IN PLACE

MITIGATION SIZING CHART

TYPE	MINIMUM SIZE
CANOPY SHADE TREE	2.0" CALIPER AND B&B OR EQUIVALENT
EVERGREEN TREE	8.0" HEIGHT AND B&B OR EQUIVALENT
ORNAMENTAL TREE	2.0" CALIPER AND B&B OR EQUIVALENT

TREE MITIGATION NOTES

1. SHOULD DISCREPANCIES BE FOUND BETWEEN THE QUANTITIES LISTED IN THE PLANT TABLE AND THE QUANTITIES GRAPHICALLY SHOWN ON THE LANDSCAPE PLANS, THEN THE QUANTITIES SHOWN BY GRAPHIC SYMBOLS ON THE LANDSCAPE PLANS SHALL CONTROL
2. ALL TREE REMOVAL SHOWN SHALL BE COMPLETED OUTSIDE OF THE SONGBIRD NESTING SEASON (FEB 1 - JULY 31) OR A NESTING SURVEY WILL BE CONDUCTED BY A PROFESSIONAL ECOLOGIST OR WILDLIFE BIOLOGIST PRIOR TO TREE REMOVAL TO ENSURE THAT NO ACTIVE NESTS ARE PRESENT. IF ACTIVE NESTS ARE FOUND, THE CITY ENVIRONMENTAL PLANNER WILL DETERMINE WHETHER ADDITIONAL RESTRICTIONS ON TREE REMOVAL AND CONSTRUCTION APPLY.



TREE MITIGATION LEGEND

#	TYPE	DBH	CONDITION	MITIGATION	PRESERVE OR REMOVE	REASON FOR REMOVAL
1	CRABAPPLE	11"	FAIR	1.5	PRESERVE	
2	ARBORVITAE	7"	FAIR +	1.5	PRESERVE	
3	ARBORVITAE	8"	FAIR +	1.5	PRESERVE	
4	ARBORVITAE	7"	FAIR +	1.5	PRESERVE	
5	ARBORVITAE	7"	FAIR +	1	PRESERVE	
6	ARBORVITAE	7"	FAIR +	1	PRESERVE	
7	PINYON PINE	3.5	FAIR	1	PRESERVE	
8	LILAC TREE	6"	FAIR	1	PRESERVE	
9	LINDEN	9"	FAIR +	1	PRESERVE	
	REQUIRED MITIGATION TREES (EXCLUDES TREES TO REMAIN)			0		

TREE MITIGATION SUMMARY

TYPE	MITIGATION COUNT	REQUIRED MITIGATION TREE COUNT
TREES PRESERVED	9	0
TREES TO BE REMOVED	0	0.00
TOTAL	9	0.00

TREE PROTECTION NOTES

1. ALL EXISTING TREES WITHIN THE LIMITS OF THE DEVELOPMENT AND WITHIN ANY NATURAL AREA BUFFER ZONES SHALL REMAIN AND BE PROTECTED UNLESS NOTED ON THESE PLANS FOR REMOVAL.
2. WITHIN THE DRIP LINE OF ANY PROTECTED EXISTING TREE, THERE SHALL BE NO CUT OR FILL OVER A FOUR-INCH DEPTH UNLESS A QUALIFIED ARBORIST OR FORESTER HAS EVALUATED AND APPROVED THE DISTURBANCE.
3. ALL PROTECTED EXISTING TREES SHALL BE PRUNED TO THE CITY OF FORT COLLINS FORESTRY STANDARDS. TREE PRUNING AND REMOVAL SHALL BE PERFORMED BY A BUSINESS THAT HOLDS A CURRENT CITY OF FORT COLLINS ARBORIST LICENSE WHERE REQUIRED BY CODE.
4. PRIOR TO AND DURING CONSTRUCTION, BARRIERS SHALL BE ERECTED AROUND ALL PROTECTED EXISTING TREES WITH SUCH BARRIERS TO BE OF ORANGE FENCING A MINIMUM OF FOUR (4) FEET IN HEIGHT, SECURED WITH METAL T-POSTS, NO CLOSER THAN SIX (6) FEET FROM THE TRUNK OR ONE-HALF (½) OF THE DRIP LINE, WHICHEVER IS GREATER. THERE SHALL BE NO STORAGE OR MOVEMENT OF EQUIPMENT, MATERIAL, DEBRIS OR FILL WITHIN THE FENCED TREE PROTECTION ZONE.
5. DURING THE CONSTRUCTION STAGE OF DEVELOPMENT, THE APPLICANT SHALL PREVENT THE CLEANING OF EQUIPMENT OR MATERIAL OR THE STORAGE AND DISPOSAL OF WASTE MATERIAL SUCH AS PAINTS, OILS, SOLVENTS, ASPHALT, CONCRETE, MOTOR OIL OR ANY OTHER MATERIAL HARMFUL TO THE LIFE OF A TREE WITHIN THE DRIP LINE OF ANY PROTECTED TREE OR GROUP OF TREES.
6. NO DAMAGING ATTACHMENT, WIRES, SIGNS OR PERMITS MAY BE FASTENED TO ANY PROTECTED TREE.
7. LARGE PROPERTY AREAS CONTAINING PROTECTED TREES AND SEPARATED FROM CONSTRUCTION OR LAND CLEARING AREAS, ROAD RIGHTS-OF-WAY AND UTILITY EASEMENTS MAY BE "RIBBONED OFF," RATHER THAN ERECTING PROTECTIVE FENCING AROUND EACH TREE AS REQUIRED IN SUBSECTION (G)(3)
8. ABOVE. THIS MAY BE ACCOMPLISHED BY PLACING METAL T-POST STAKES A MAXIMUM OF FIFTY (50) FEET APART AND TYING RIBBON OR ROPE FROM STAKE-TO-STAKE ALONG THE OUTSIDE PERIMETERS OF SUCH AREAS BEING CLEARED.
9. THE INSTALLATION OF UTILITIES, IRRIGATION LINES OR ANY UNDERGROUND FIXTURE REQUIRING EXCAVATION DEEPER THAN SIX (6) INCHES SHALL BE ACCOMPLISHED BY BORING UNDER THE ROOT SYSTEM OF PROTECTED EXISTING TREES AT A MINIMUM DEPTH OF TWENTY-FOUR (24) INCHES. THE AUGER DISTANCE IS ESTABLISHED FROM THE FACE OF THE TREE (OUTER BARK) AND IS SCALED FROM TREE DIAMETER AT BREAST HEIGHT, AS DESCRIBED IN THE CHART BELOW:

TREE DIAMETER AT BREAST HEIGHT (INCHES)	AUGER DISTANCE FROM FACE OF TREE (FEET)
0-2	1
3-4	2
5-9	5
10-14	10
15-19	12
OVER 19	15

10. ALL TREE REMOVAL SHOWN SHALL BE COMPLETED OUTSIDE OF THE SONGBIRD NESTING SEASON (FEB 1 - JULY 31) OR CONDUCT A SURVEY OF TREES ENSURING NO ACTIVE NESTS IN THE AREA.

Craft Studio
2540 Rometsch Lane, Fort Collins, CO 80526
Stephanie@craftstudio.com

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Revisions:

CASTLE RIDGE GROUP HOME
636 CASTLE RIDGE COURT, FORT COLLINS, CO

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TREE INVENTORY AND MITIGATION
L3 OF 15

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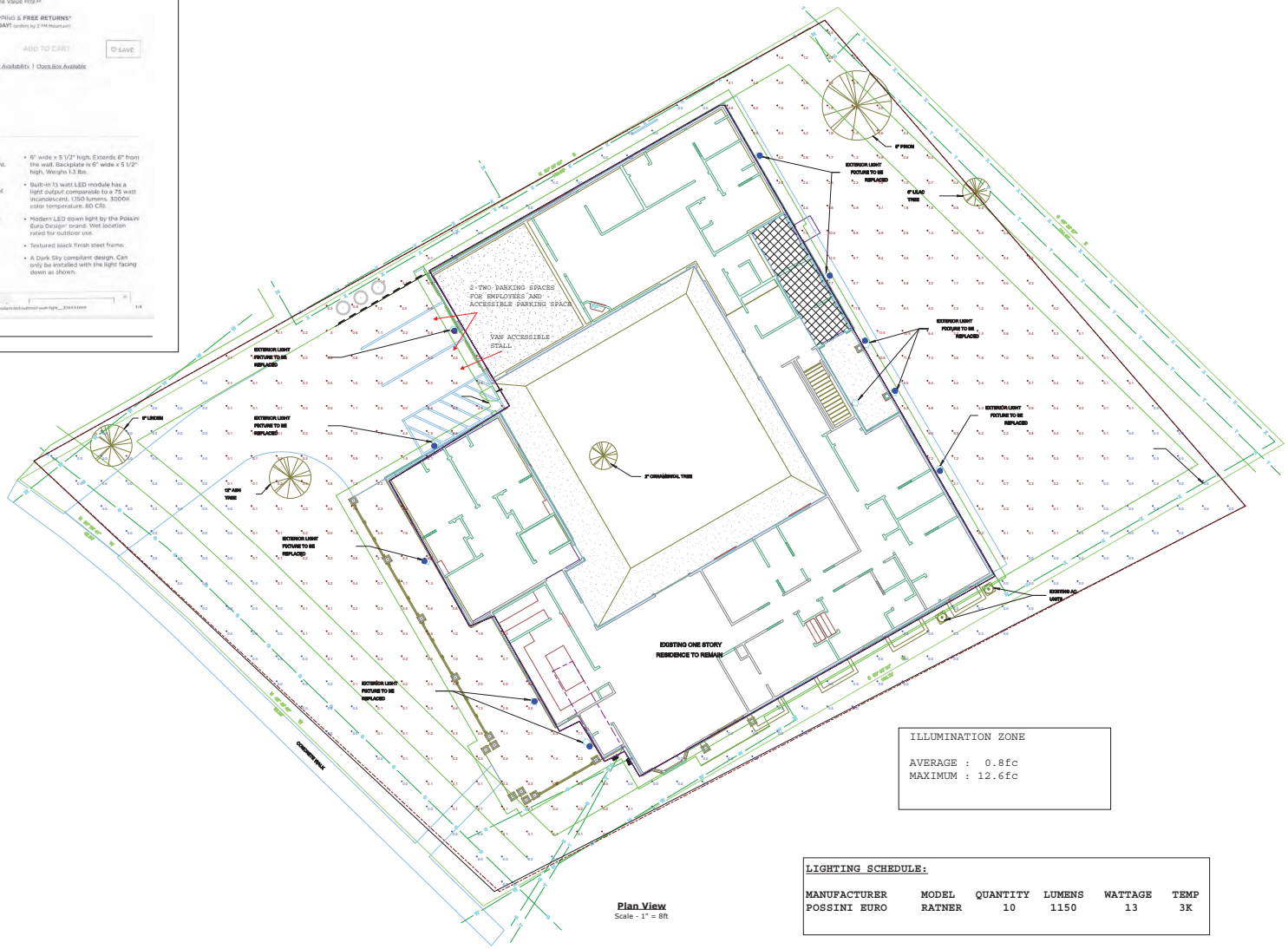


Current Engineering
Tom Schirmer, PE Principal
720.891.7720
www.4current.com
1439 Court Place
Denver, CO 80202
Main: 303-652-5858
Fax: 303-652-5859

ENGINEERED FOR:
F9 PRODUCTIONS
635 CRISMAN DRIVE #100 LONGMONT, CO 80501
PH 303.775.7406| F 303.658.9846
EMAIL MAIL@F9PRODUCTIONS.COM

CASTLE RIDGE GROUP HOME
636 Castle Ridge Ct.
Fort Collins, Colorado 80525

JOB NO	-
DRAWN BY	DP
APPROVED BY	TJS

NO.	DATE	DESCRIPTION
1	09-05-22	SUBMITTAL DOCUMENTS

SHEET TITLE:
LIGHTING PLAN & PHOTOMETRIC

E1.00

Service	Schedule	Description	Mitigation	Impact to Local Traffic and Parking
Staff	3 shifts (6:50 AM - 3:10 PM), (2:50 PM - 11:10 PM), (10:50 PM - 7:10 AM) 7 days/week	Zero to two single passenger vehicles. Scheduled shift start times are off-set to better accommodate local traffic patterns	To mitigate traffic congestion during shift changes, this home shall implement both a parking plan and offer monetary incentives for multimodal and carpooling transit options. Strategies to be implemented include 1) last mile carpooling from Fossil Creek Park; 2) public transit and multimodal transit (bicycle, scooter, etc) options; 3) utilization off off-site public parking Werner Elementary starts at 8:50 AM and lets out at 3:28 PM. Start times for morning shift (2 caregivers) will be staggered at 10 minute intervals starting at 6:50 AM. There will be no conflict with traffic for school drop off or pedestrian students. The evening shift (2 caregivers) will be staggered at 10 minute intervals starting at 2:50 PM There will be minimal conflict with any school traffic picking up students and no conflict with pedestrian students. The night shift (1 caregiver) starts at 10:50 PM and there should be no conflicts with traffic or pedestrians. Parking conflicts between morning and afternoon shifts will minimal. There is sufficient onsite and street parking to accommodate the change of shifts in a staggered fashion with inclement weather.	Moderate to minimal depending on carpooling, use of multimodal transit options, and weather.
Visitors	Visitation can occur at any time but 9:00 AM - 6:00 PM 7 days/week are the encouraged visitation hours.	Single passenger vehicle.	There is a natural increase in number of visits when a client first arrives at a new home by either local friends or family. There is also a variation of visitation relative to the local weather. On average it is expected that there will be 1 visitor per client per week. These visits are generally 15 to 45 minutes in length. Parking and traffic mitigation will also occur through the use of a thrid party parking application. This will maximalize off street parking and minimalize parking conflicts during shift changes. By pro-actively working with a clients family and friends to plan for when visitation occurs and where to park we can spread out traffic impacts and mitigate large clusters of visitors at any one time.	Moderate
Physician Services	1.5 hours/every other week	Single passenger vehicle, morning visits.	Coordinate arrival and departure with other vendors and visitors	Minimal
Physical Therapy	2 hours/week	Single passenger vehicle, morning visits limited to 4-6 total visits per client depending on insurance and/or ongoing issues. Clients at this home will be ambulatory to start and ongoing PT services after the initial evaluation should be limited.	Coordinate arrival and departure with other vendors and visitors	Minimal
Occupational Therapy	< 1 hour/week	Single passenger vehicle, morning visits limited to 4-6 total visits per client depending on insurance and/or ongoing issues. Clients at this home will have limited OT needs after the initial evaluation.	Coordinate arrival and departure with other vendors and visitors	Minimal

Service	Schedule	Description	Mitigation	Impact to Local Traffic and Parking
Trash	5 minutes/week	Standard residential trash service with 95-gallon containers x 3.	No mitigation needed.	None
Recycling	5 minutes/week	Standard residential recycling service with 95-gallon containers x 1.	No mitigation needed.	None
Medical Waste Disposal	None	Blister packs and pill bottles will be recycled at local pharmacy or hospital pharmacy.	No mitigation needed	None
Entertainment	2 hours/month x 2 (6:00 PM - 8:00 PM)	Single passenger vehicle. This vendor would be the only scheduled visitor outside of normal visitation hours. This would most commonly be a musician.	Coordinate arrival and departure with other vendors and visitors	Minimal
Pet Therapy	2 hours/month	Single passenger vehicle	Coordinate arrival and departure with other vendors and visitors	Minimal
Massages	3 hours/every other week	Single passenger vehicle	Coordinate arrival and departure with other vendors and visitors	Minimal
Haircuts	4 hours/month	Single passenger vehicle	Coordinate arrival and departure with other vendors and visitors	Minimal
Outings	2 hours/month	Multi-passenger van	Outings will be no more than 5 clients at a time. Transportation will be with a rental van. No van or similar large vehicle will be kept onsite. Loading and unloading of clients will occur in the driveway.	Minimal
Hospice	Unknown	Delivery vehicle + single passenger vehicles. Hospice care is highly variable in terms of frequency, length of service required, and acuity of care. In terms of traffic impacts there is a single delivery of a hospital type bed, incontinence supplies, etc., via the driveway and central courtyard doors. Hospice services include a nurse case manager, CNA, social worker, and chaplain . Length of visitation can range from range from 15 minutes once/week to > one hour at end of life.	Coordinate arrival and departure with other vendors and visitors	Moderate to Minimal
Food Delivery	30 minutes/week	Single passenger vehicle. We plan to purchase our own food so there will be no delivery service. Food will be transported in a standard car and be unloaded via the driveway through the front door of the house.	No mitigation needed	Minimal
House Keeping	6 hours/week	Single passenger vehicle, morning arrival	Coordinate arrival and departure with other vendors and visitors	Minimal

Service	Schedule	Description	Mitigation	Impact to Local Traffic and Parking
Lawn Maintenance	2 hours/every other week	Single passenger vehicle, possible trailier	Coordinate arrival and departure with other vendors and visitors.	Minimal
General Maintenance	2 hours/week	Single passenger vehicle	Coordinate arrival and departure with other vendors and visitors.	Minimal
Snow Removal	As Needed	Single passenger vehicle, possible trailer	No mitigation needed	
Laundry	Not Applicable	All laundry will be done on site.	No mitigation needed	None
Medication Delivery	5 minutes/week	Single passenger vehicle. Medication deliveries typically occur at night between 8:00 PM and 9:00 PM.	None	Minimal
Emergency Medical Services	Unknown. Less than 30 minutes on site if called.	Fire truck and/or ambulance. EMS calls fall into two general categories. Acute medical emergencies (heart attack, stroke, etc.) and acute non-medical incidents (falls).	EMS entities can be asked to use neither sirens or flashing lights for calls to this home. This is a common practice among even among larger assisted living facilities that are within residential neighborhoods. This home is also able to leverage its technological assets to allow for telemedicine evaluation of residents who fall. This should further mitigate the need for EMS calls.	Moderate to Minimal
Holidays	To Be Determined	Certain holidays have a potential natural increase in visitation numbers (Mother's Day, Father's day, Christmas).	This home can communicate well ahead of time to family and friends that for certain holidays we need a hard count of potential visitors. For warm weather holidays we would plan for off-site events at local park shelters to accommodate a larger number of visitors if needed. For cold weather holidays an off-site event is one option. Another option being a series of smaller event weekend events around a given holiday to spread out the traffic and parking pressures on the neighborhood.	Moderate to Minimal
Clergy/Spiritual Services	1 hour/2 months	Single passenger vehicle. In person visitation for this client population is rare outside of end of life visitation.	Coordinate arrival and departure with other vendors and visitors.	Minimal
Administrator	2-4 hours/week	Single passenger vehicle	Coordinate arrival and departure with other vendors and visitors.	Minimal
Medical Transportation (non-emergent)	As Needed	Single passenger vehicle. Unless prearranged this is the responsibility of the clients family or friends. Clients with extensive medical needs would not fall under the licensing guidelines for this home.	Coordinate scheduling with family	Minimal
Funeral Home Services	30 minutes	Single passenger van	No mitigation needed	Minimal
Coroner	30 minutes	Single passenger vehicle	No mitigation needed	Minimal

DELICH ASSOCIATES Traffic & Transportation Engineering
2272 Glen Haven Drive Loveland, Colorado 80538
Phone: (970) 669-2061 Fax: (970) 669-5034

MEMORANDUM

TO: C. Eric Shenk, M.D.
Alex Gresh, F9 Productions
Nicole Hahn, Fort Collins Traffic Operations

FROM: Matt Delich

DATE: August 31, 2022

SUBJECT: Residential Assisted Living Home at 636 Castle Ridge Court Traffic Impact Study (File: 2118ME02)

A change of use is proposed in the single family home at 636 Castle Ridge Court in Fort Collins. A previous traffic impact study memorandum (dated May 13, 2021) was prepared with 16 beds in this facility. The proposal is now for 10 beds in this facility. Castle Ridge Court is classified as a Local Street on the Fort Collins Master Street Plan. It has a two-lane cross section (not striped) with on-street parking. There are sidewalks along Castle Ridge Court. Castle Ridge Court intersects with Highcastle Drive to the east. Highcastle Drive is classified as a 2-Lane Collector Street. The site plan is provided. There is a driveway that accesses garages on the northwest side of the house. The following comment was provided in the Concept Review letter for this proposal: "*We will need the applicant to provide us with a letter or memo detailing the anticipated traffic they can expect on a daily basis at this site. Please include hours of operation, number of staff, deliveries, and expected daily guests. This will allow us to determine if a more thorough evaluation, or Traffic Impact Study, will be needed.*" Since the trip generation is expected to be low, a memorandum documenting compliance with the ***Larimer County Urban Area Street Standards (LCUASS)***, 4.2.2E – No TIS Required, was prepared.

The existing house is a single family residence. **Trip Generation, 11th Edition**, ITE was used as the reference document in calculating the trip generation for the existing and the proposed land uses in these analyses. The existing house is large with a four car garage. The house is currently occupied. Given its size, it is reasonable to expect that this home would have multiple drivers and have vehicles in 3 or 4 of the garage spaces. Since number of residents is a trip generation variable, with a high trip generation correlation, it was used in the trip generation calculation, along with the dwelling unit variable. For the trip generation analysis, the dwelling unit variable and the number of residents variable (4 residents) were used. The average daily and peak hour trip generation was calculated as shown in Table 1. The calculated trip generation for the existing house: 10 daily trip ends, 1 morning peak hour trip end, and 1 afternoon peak hour trip end.

The proposed residential assisted living home will have 10 beds. There will be five employees: two on the day and evening 8-hour shifts and one on the night 8-hour shift. To be conservative, it was assumed that shift changes occurred during the peak hours. According to information provided, visitors will be required to make appointments to limit/monitor this travel aspect. Assisted Living (Code 254), with both floor area and number of employees as the trip generation variables, were used to calculate the trip generation. Table 2 shows the trip generation for the proposed residential assisted living home. The average calculated trip generation for the proposed use is: 24 daily trip ends, 2 morning peak hour trips ends, and 2 afternoon peak hour trip ends.

The following addresses each of the items in ***LCUASS***, 4.2.2E - No TIS Required (Fort Collins Criteria): 1. The peak hour trip generation will be 24 daily trip ends, 2 morning peak hour trip ends, and 2 afternoon peak hour trip ends. However, the difference (net increase) in traffic, compared to the single family residential unit, will be: 14 more daily trip ends, 1 more morning peak hour trip end, and 1 more afternoon peak hour trip end; 2. No additional accesses are proposed; 3. This is a redevelopment; 4. The primary mode of travel for employees and visitors will be by private automobile; 5. The land use will not likely cause less than acceptable level of service on the adjacent streets and intersections; 6. There is no known significant accident history on adjacent streets and intersections; 7. The land use proposal does not directly access a State Highway; 8. Site traffic will not significantly impact adjacent, existing residential areas; 9. In the neighborhood meeting, there was neighborhood opposition concerning a number of issues, including traffic; and 10. Site traffic will not negatively impact bicycle and pedestrian facilities.

There are sidewalks along the adjacent street frontage. Bike lanes are not required on local streets. Bike lanes are currently striped on Highcastle Drive.

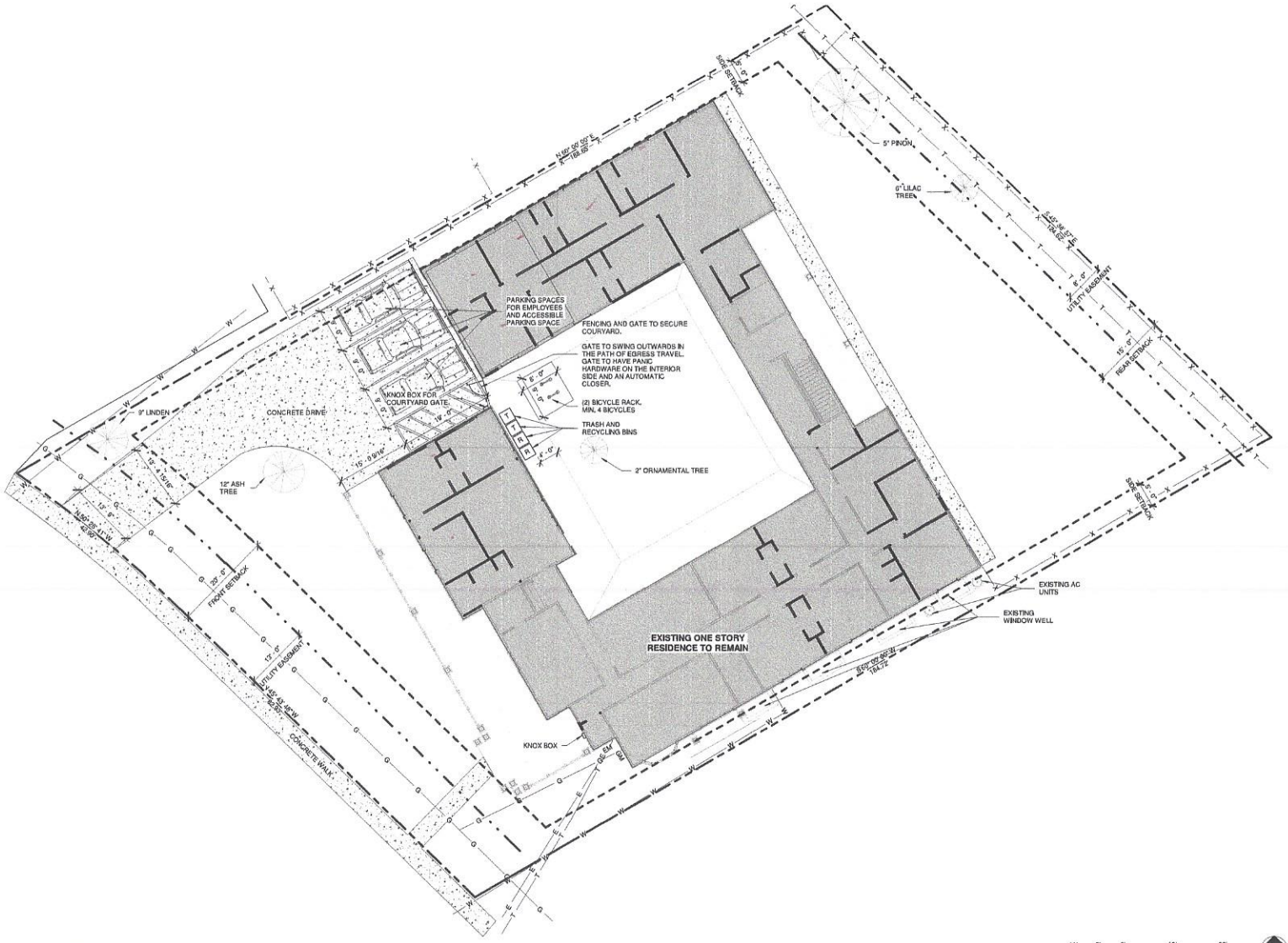
The trip generation related to the proposed residential assisted living home will be minimal. It is respectfully requested that no further traffic impact analyses be required for the proposed residential assisted living home.

TABLE 1
Trip Generation for the Existing Single Family Dwelling Unit

Code	Use	Size	AWDTE		AM Peak Hour		PM Peak Hour	
			Rate	Trip Ends	Rate	Trip Ends	Rate	Trip Ends
210	Single Family Detached Housing	1 DU	9.43	10	0.70	1	0.94	1
210	Single Family Detached Housing	4 Residents	2.65	10	0.21	1	0.28	1
Average Trip Generation				**10**		**1**		**1**

TABLE 2
Trip Generation for the Proposed Residential Assisted Living Home

Code	Use	Size	AWDTE		AM Peak Hour		PM Peak Hour	
			Rate	Trip Ends	Rate	Trip Ends	Rate	Trip Ends
254	Assisted Living	10 Beds	2.60	26	0.18	2	0.24	2
254	Assisted Living	5 Employees	4.24	22	0.42	2	0.48	2
Average Trip Generation				**24**		**2**		**2**



EXISTING CONCRETE

EM ELECTRIC METER

GM GAS METER

—T— TELEPHONE LINE

—E— ELECTRIC LINE

—W— WATER LINE

—G— GAS LINE

—X— FENCE

EASEMENT

SETBACK

PROPERTY LINE

SITE PLAN LEGEND

1 SITE PLAN - NEW
1" = 10'-0"

10' 5' 0' 10' 20'
SCALE : 1" = 10'-0"

North

Community Development and Neighborhood Services

Planning Services
281 North College Ave.
P.O. Box 580
Fort Collins, CO 80522
970.221.6750
970.224.6134 - fax
fcgov.com/developmentreview

Castle Ridge Group Home
Neighborhood Meeting Summary (7/28/2022)

Neighborhood Meeting Date: July 28, 2022

City Staff – Attendees:

JC Ward – Senior City Planner Neighborhood Services
Kai Kleer – City Planner
Katie Claypool – Admin Services

Applicant Contact:

Stephanie Hansen

Eric Shenk

Xioma Diaz

Project Information Presented:

- JC Ward (JC) opens by discussing the ground rules for this neighborhood meeting. She introduces Kai Kleer (Kai)
- Kai discusses the location of the proposed Castle Ridge Group Home and its relation to Harmony and South College Avenue.
- Kai highlights that the proposed Group Home for Assisted Living and Memory Care will hold 10 residents and 2 employees.
- Kai discusses the project history and shares that the home was built in 2002 and that the subject lot was platted as part of the Castle Ridge at Miramont PUD in 1993. It is a fully built out residential subdivision.
- Kai clarifies the requirements of sign posting, and shares that over 380 letters were sent out to neighborhood, but to please inform the City if any neighbors did not receive a letter.
- Stephanie Hansen (Stephanie) begins sharing a project overview.

Project Overview

- Stephanie begins by discussing the residents who would live in this home. It is their hope to own and care for seniors in this house as it was ADA compliant and a perfect house for this use.

- Stephanie shows a timeline of the Castle Ridge meetings beginning in 2020.
- Stephanie expresses they have heard the local concerns and that they have adjusted to meet them and find compromise.
- Stephanie recognizes that the facility projected is compliant and allowed with the site, and that they are requesting a group home.
- Stephanie vocalizes it is not their hope to provide a large facility, but instead a small home for seniors to live and be taken care of as a "family".
- Stephanie then highlights the benefits of this home-like living area compared to regular dorm style senior living homes.
- Stephanie vocalizes that neighbors have expressed concern with privacy and large capacity of seniors and employees at this site. To remedy these concerns, Stephanie says they have lowered the number of residents as well as workers (from 16 residents to 10 and 3 caregivers to 2). In addition, they have reduced the number of proposed windows from 4 to 1. Trips per day have proven to be less than projected.
- Stephanie says that these changes will reduce the number of renovations made and reduce neighborhood disruptions. In addition, reduced vehicle parking spots will aim to avoid neighborhood parking being used by the Castle Ridge Group Home.
- Stephanie discusses street travel with the topic of parking in mind. She adds that residents will not have vehicles so they will not be coming and going. The only vehicles that would come or go from the property would be staff that are there, groceries that are acquired once a week, as well as visitor vehicles. In addition, emergency vehicles have been requested to come with sirens off, however none have been required to come in the last six months.
- Stephanie says that under current conditions, there are no projected needs for more care workers.

Questions/Comments and Answers (answers provided by the applicant group unless otherwise noted).

- **A neighbor asks if it's realistic for 2 caregivers to care for 10 residents. If they are doing the cooking, cleaning, and care for the entire group, and another resident needs help from both the caregivers, how are they able to help the rest?** In response (Eric), the applicants say most of the cooking is done at night to handle higher levels of help required by residents during the day. With a fixed staffing ratio of 1 to 5, it is statistically better staffed than larger institutions.
- **A neighbor that lives next to the proposed development highlights concerns about accessory roles covered by other staff and not the caregivers. In addition, she doubts the projected estimates on travel and traffic from this residential home. Will there also be on-site administrators?** Caregiver parking spaces would be located in the garage. However, there are parking spaces in the driveway for short term trip drop-offs. There will also be a lawn service as there are for other homes in the neighborhood. The intent is to be a residential home as opposed to an institutional elderly home with lots of traffic. In addition (Michelle), wants to assure everyone that assisted living is regulated by the state. With that being said, the care being given would be compliant with Colorado law and more favorable for residents than large facilities. There will be regulators ensuring the residents are getting proper care.
- **Why did the original proposal change from 16 to 10 residents? How will the residency be financially viable with 10 residents now?** It would be preferable to have 16 residents. However, if the project is to be viable then it must be 10. With that number being lowered, the cost of living for residents will have to be increased. With 10 residents, the cost of Medicare and

Medicaid will go up, bed quality goes down, and costs are increased. However, the applicants are still passionate about the project and some compromises will have to be made.

- **Is the proposed project an assisted memory care facility or an assisted living home?** Technically, they are the same. Memory care is a specialized service that would be offered here but it is also an assisted living home.
- **Will there be an on-sight van or bus for resident outings?** No.
- **A neighbor has would like clarification on who is a part of the company pursuing this group home.** A portion of the applicant team, Eric Shenk and Xioma Diaz are the only parties involved in pursuing this memory care facility (aside from Stephanie who is helping represent Eric and Xioma).
- **Is the intent still for residents to be housed in the garage?** The garage is being renovated to be a bedroom. It will no longer be a garage and will have the living standards and quality of any other bedroom in the house.
- **Is this meeting valid due to not following the 14-day required signage requirements?** There is a requirement to send mailed notice for a public meeting or hearing. Mail notices did go out 14 days before the meeting. The second part is the posted notice, which is a sign that goes into the yard which happens after a formal submittal of an application under code section 226 b. There is no requirement in this instance to post it before the meeting.
- **Will the applicants be living in the home even when the residency units are at full capacity?** No they will not be living there.
- **Once the proposal is submitted, how much could be changed?** The applicant can change their proposal after being submitted but it is unlikely. There could be a reduction in residents, but any major changes made would require subsequent neighborhood meetings.
- **How will you avoid having cars parked in front of other houses in the neighborhood?** In addition to the garage, there will be 3 designated parking spots in the driveway with another 2 that can be staggered.
- **What is the difference between caregivers and staff? Would hospice care staff be classified differently?** Staff and caregiver are used interchangeably. Hospice care would be provided by a third-part service, so there wouldn't be full time employees there to provide that.
- **Can residents or their families contract additional caregivers?** Yes.
- **Does having a business here comply with residential zoning?** The subject property is in a low-density residential (RL) district. A group home is a residential use approved in this zoning district.
- **How can it be guaranteed that neighborhood parking will not be adversely affected?** There will be room for 8 vehicles in the driveway. Although the applicants cannot control where everybody parks, they anticipate individuals parking in the driveway and will communicate that to visitors.
- **If the number of employees or residents were to change in the future, would that be subject to public hearings and development review?** Yes, if that was the case, subsequent public meetings would be required.
- **Where will the new windows be installed?** Four new windows are required to be added to comply with safety standards. Additional vegetation can help screen and offer more privacy for neighbors.
- **How will trash and wheelchair access be managed? Will there be wheelchair ramps?** There will not be a wheelchair ramp since the house is accessible. On garbage days, the bins associated with this residence will be placed in front of the property.
- **Who is going to monitor the parking when the applicants are not there?** Parking will be monitored and there will be a house manager who can be reached 24/7 if there are concerns.

- **Will there be a medical director or another staff member with similar qualifications on-site?** The applicants will find a medical director once the property is approved as a care home. The applicants will not serve as the medical director for this property.
- **Would the applicants be open to a fence which adds more privacy for neighbors, such as a 6-foot fence with additional vegetation?** The applicants are open to vinyl fencing instead of wrought iron fencing for more privacy. In addition, there are plans to add vegetation as another level of privacy.

April 23, 2022
Via E-mail only
Michelle A. Pinkowski
1630 A 30th Street # 526
Boulder, Co 80301
michelle@pinkowskilaw.com

Denver Office
Jeffrey B. Smith
Direct 303.991.2066
jsmith@altitude.law

Re: Miramont Homeowners Association / 636 Castle Ridge Court
Our File No. 9075.0002

Dear Ms. Pinkowski:

Thank you for your correspondence on March 21, 2022 (the "Letter"), as well as the email on April 4, 2022 where you provided the Association with your clients' modified request for reasonable accommodation which was provided to the City of Fort Collins ("Modified Request"). The Board of Directors for the Miramont Homeowners Association ("Association") has asked me to respond to the Letter and the Modified Request.

First, I think it is important to point out that the Association is not a party to any process you are undertaking with the City of Fort Collins. If information is not specifically provided to the Association like the Modified Request, the Association has not received it. Likewise, the Association has not authorized any representative to attend or partake in any of the City's activities regarding the Property. Any owner who has participated has done so in their individual capacity, and not on behalf of the Association, the Board, or any Committee of the Association.

As pointed out in my last letter, the Association simply assumed from your lack of correspondence for almost a year that your client had decided to deal with the City process, before engaging the Association for its own review.

Two of your reasonable accommodation requests have direct links to the parking concerns of the Association. Having so many people living at the home, as well as staff, visitors and doctors, is a major concern giving the parking limitations and the narrowness of the street in question. It is for these reasons that the Association requested additional information regarding parking which was only provided to the Association on March 21, 2022. The fact that the Modified Request brings the number of beds from 16 down to 10 certainly helps with this issue.

Your client has requested a reasonable accommodation to Article II, Section 28 of the Declaration. Pursuant to the Modified Request, and the documents attached to the Letter, the Association agrees to grant a reasonable accommodation to Article II, Section 28 of the

Declaration to allow for no more than 10 individuals, whether related or unrelated to live and receive care at the property.

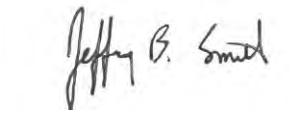
With regard to the garage door accommodation of Article IX, Section 7, based on the Modified Request, your client will be keeping one of the garages in its current state to be used for parking by staff of the property. Based on this representation, no reasonable accommodation is required as this portion of the Modified Request complies with the Declaration. The Association's main concern remains that cars only be parked on one side of the street, so please ensure that the remaining garage is utilized for parking, and that cars are not parked both sides of the street.

With regard to your final accommodation request pertaining to Section 2.3 of the fence guidelines, the Association will grant a reasonable accommodation to the fence height. However, your client will still need to submit plans for approval of the fence to the ARC. The ARC will be informed that an accommodation for the height of the fence has been granted, and that the fence can be 6 feet tall. All other criteria, still remains in place, and the ARC can make it decision based on that criteria.

It appears that there will have to be other exterior changes to the property besides the fence (specifically I assume there will be changes for the conversion of the one garage). Any exterior or landscaping change must go through the ARC process as outlined in the Declaration. If you feel another accommodation is required for your proposed plan, please let the Board know and we will review it in the same manner as the fence accommodation was reviewed. If an accommodation is necessitated and required, the Association will grant said accommodation, but the design and all other requirements still must be approved by the ARC.

Again, the Association has and will continue to work with your client. The Association has not delayed in responding to any of your letters. The Association has requested additional information, and then when it did not hear from you for almost a year, the Association assumed you were proceeding first with the City review process before engaging the Association. Now that you have come to the Association with actual documents we have been able to grant the requests of your client, and the Association anticipates working with you and your client in the future in a similar manner.

Sincerely,



Jeffrey B. Smith
Altitude Community Law P.C.
JBS/jbs

c: BOD and Pete Dauster

Planning, Development & Transportation Services

Community Development & Neighborhood Services
281 North College Avenue
P.O. Box 580
Fort Collins, CO 80522.0580

970.416.2740
970.224.6134- fax
fcgov.com

May 19, 2022

Michelle Pinkowski
Delivered via email to:
michelle@pinkowskilaw.com

Reasonable Accommodation Decision Letter- 636 Castle Ridge Court: Modified Request

Ms. Pinkowski,

On April 4, 2022, you submitted a modified Reasonable Accommodation request to the City of Fort Collins ("City") on behalf of your client Peacock Assisted Living, LLC, regarding a proposed assisted living facility to be located at 636 Castle Ridge Court. A similar proposal with an alternate operating model and different request for accommodation was previously evaluated in June 2021. This determination letter is based on an evaluation of relevant information from the first request, supplemented by information provided as a part of the 2022 request.

The subject property is zoned Low Density Residential (RL). The applicant is seeking relief from Section 3.8.6 (A) of the Land Use Code, which limits the occupancy of a group home in the RL district subject to lot size limitations. The request is to allow 10 people with disabilities to reside at 636 Castle Ridge Court.

After careful consideration, I make the following findings of fact pursuant to Section 2.19(E) of the Fort Collins Land Use Code:

a) The property at issue, 636 Castle Ridge Ct., will be used by people considered to be disabled under the federal Fair Housing Amendments Act ("FHAA").

b) Based upon the nature of the group living model utilized by Peacock Assisted Living LLC, the Reasonable Accommodation is necessary to make housing at 636 Castle Ridge Ct. available to people with disabilities. Through the documentation provided with the original application, with the current proposal, and during the interactive meeting held on April 25, 2022, the applicant has demonstrated that the ratio of staff to residents impacts the therapeutic benefit of the caregiving model and is related to the ability of disabled residents to reside in the home, and that the number of residents permitted directly impacts the financial and operational viability of this facility. The revised model of ten residents and two onsite caregivers represents an attempt by the applicant to retain the therapeutic benefit of this caregiving model, while also addressing neighborhood concerns and retaining the financial and operational viability of the proposal.

c) The requested reasonable accommodation would not impose an undue financial or administrative burden upon the City.

d) The requested reasonable accommodation would not require a fundamental alteration in the nature of a Land Use Code provision.
    - Pursuant to the FHAA, the City is required to reasonably accommodate disabled people with regards to zoning regulations that might otherwise deny disabled individuals certain housing opportunities.
    - As expressed in the previous Reasonable Accommodation determination, the Land Use Code allows other uses in the RL zone with similar or greater impacts to the proposed Reasonable Accommodation in situations that do not involve people considered to be disabled under the FHAA. Examples include:
        - The Land Use Code allows an unlimited number of people comprising a family to live in the house. A family of 10 related individuals could occupy this home with no required review, notification, or other consideration.
        - The Land Use Code allows shelters for victims of domestic violence in the RL zone without a limit to the number of residents permitted.
        - Other more intense uses with greater potential for traffic, noise, and visual impacts are permitted in the RL zone such as places of worship and assembly (permitted subject to administrative review) and schools and childcare centers (permitted subject to review by the Planning and Zoning Commission).
    - The effect on the built environment of the lot size and other requirements for group homes in the RL zone is maintenance of single-family residential character of development, and a pattern of development that conforms to certain proportions between building size and lot size. In this case, the property has already been developed and the application does not propose any new construction. Impact to the physical characteristics of the building in this proposal have been minimized, including retaining a two-car garage to provide additional on-site parking and to retain residential character.
    - The RL zone district permits group homes of up to eight residents subject to lot size limitations. This request is specifically to allow up to ten disabled people to live in this home according to the operational model, financial conditions, and other specific circumstances described in the application materials and interactive meeting. As a group home, this proposal is subject to a type two review by the Planning and Zoning Commission, and this process is not affected by this Reasonable Accommodation. Aside from the number of residents, the facility will be required to comply with all other standards and requirements of the Land Use Code for group homes as permitted in the RL zone.

Based upon these findings, I am granting the modified Reasonable Accommodation request to allow ten unrelated individuals with disabilities (not including non-resident on-site staff) as described in the materials submitted with the request to live at 636 Castle Ridge Ct., subject to the following conditions:

- The proposal for a group home is subject to a type two review by the Planning and Zoning Commission.
- The facility will be required to comply with all other standards and requirements of the Land Use Code for group homes as permitted in the RL zone and may be subject to

conditions of approval including but not limited to requirements for parking, limitation of hours of drop-off and pick-up, regulation of lighting intensity and hours of illumination, requirements related to trash and recycling, screening, storage, and fencing.

- As described in the application materials and Reasonable Accommodation request, the facility will implement measures to mitigate impacts and retain residential character including retaining one of the garages to provide for additional off-street parking, maintaining the garage doors on the garage converted to living space, no signage indicating that this is a group home, and no more than two staff working shifts on-site at any given time (with the exception of emergencies and shift changes).

In granting the Reasonable Accommodation request, I am not finding that the people that are the subject of the Reasonable Accommodation request constitute a family as defined under the Land Use Code. However, in part because a family without limitation to numbers could live at 636 Castle Ridge Ct., I find it reasonable to accommodate the request in consideration of the FHAA.

This Reasonable Accommodation is applicable to the specified provisions of the Land Use Code and does not modify Building Code requirements. The applicant is advised to consult with the Building Services Division to ensure compliance with the Building Code.

Regards,

Paul Sizemore
Director of Community Development and Neighborhood Services

ITEM 5

Castle Ridge Group Home

SUPPLEMENTAL DOCUMENTS

Katie Claypool

From: Development Review Comments
Sent: Monday, November 28, 2022 2:22 PM
To: Katie Claypool
Subject: Fw: [EXTERNAL] 636 Castle Ridge Court memory care facility proposal

Categories: P&Z

We'll probably get a lot of these heading to the Dec. P&Z hearing. I will save them in the PDP_FDP folder and forward to you

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From: KEN PATRICK <traceyken@comcast.net>
Sent: Monday, November 21, 2022 1:59 AM
To: Development Review Comments <devreviewcomments@fcgov.com>
Subject: [EXTERNAL] 636 Castle Ridge Court memory care facility proposal

To whom it may concern,

I am submitting comments with regards to the proposed memory care facility at 636 Castle Ridge Ct. In reminder, my family and I live in the home that is the direct next door home to the proposed project. I spoke at the P&Z meeting with regards to this project.

It appears that the prior granted reasonable accommodation of 16 residents, on the basis that it was "reasonable and necessary", has actually been deemed not reasonable and no longer necessary for this project to move forward. In addition, a new reasonable accommodation of 10 residents has been granted on the same premise. I am sure you can understand how this is quite confusing and frustrating as the number and determination appear to arbitrary and not based on what is actually reasonable nor necessary. 16 and 10 cannot both be necessary, and so it begs the question as to how this determination is made and, without clear standard, should most reasonably default to the current municipal code of 8.

My family and I stand firm in our opposition to the density of the project due to the increased traffic and parking burden to the neighborhood and the high likelihood of a one lane bottleneck of the main road in the neighborhood. This would create an issue for emergency response vehicles and other larger transiting vehicles in and out of the neighborhood. This is especially concerning on snowy days as this road is not plowed. The proposed limited control measures that the applicants has put forth are unlikely to be fully utilized and are totally unenforceable.

The applicants do not fully answer the question asked by city representatives regarding anticipated traffic to the site on a daily basis with estimated staff, deliveries, etc. The applicants do not provide details on the estimated trips for:

1. Deliveries for food, pharmacy, supplies, packages to residents, etc.
2. Number of provider visits for physician/provider evaluations, dental, occupational therapy, physical therapy, speech therapy, massage therapy, wound care, etc.
3. Number of visits for religious providers
4. Number of transports of residents out in to the community for on site medical/dental visits, salon appointments, community outings, etc. Will there be a van to transport the residents? Where will it

used? Where is the loading and unloading site for the transportation vehicle for the residents if all the parking spots are utilized in the driveway?
5. Number of estimated visitation from family and friends. The applicants continue to state that they will require visitors to make appointments which is against Colorado code for assisted living and hospice care as previously noted.
6. Number of service visits for general maintenance of the home, landscape, snow removal, etc.

The consultant even commented in her presentation to P&Z that if the number of residents was different they would still require the same number of services including the nurses, therapists, massages, etc.

In addition, I continue to have concerns that the number of caregivers is grossly underestimated. What happens if the project goes forward and it is determined that additional staff are needed to provide care to the residents, meal preparation, housecleaning services, etc? What if traffic and parking are above and beyond what was projected? How does the city go back and decrease the number of residents allowed?

There are simply too many unknowns with regards to the impact this project will have on this neighborhood with regards to traffic, parking and therefore safety of residents of the neighborhood and of the proposed facility. There are no enforceable rules to limit the traffic and on street parking. Limiting this project to the current code of 8 residents allows for the facility to get up and running and be able to effectively answer these unknowns with data, decreasing the risk to the neighborhood and facility residents. If, after a period of FULL occupancy operations at 8 residents (i.e. 1-2 years) the impact is minimal and not presenting a risk then the applicants can apply for a "reasonable accommodation" to increase to 10. However, if 10 is granted now, and the operation presents a safety issue how does the city go back?

We respectfully request that this project be denied at the current density proposed.

Respectfully,
Tracey Stefanon
Ken Patrick
642 Castle Ridge Ct.

Katie Claypool

From: Development Review Comments
Sent: Monday, November 28, 2022 2:22 PM
To: Katie Claypool
Subject: Fw: [EXTERNAL] 636 Castle Ridge Court Group Home Proposal

Categories: P&Z

From: dan c <danclawson9@gmail.com>
Sent: Monday, November 28, 2022 9:12 PM
To: Development Review Comments <devreviewcomments@fcgov.com>
Subject: [EXTERNAL] 636 Castle Ridge Court Group Home Proposal

Regarding the proposal for a Group Home at the above address, my concerns remain that there is insufficient parking. When vehicles are parked on both sides of the street (which cannot be prevented) it has been shown that traffic will be restricted to One Way and large commercial vehicles (Trash Trucks, Emergency Fire Vehicles) will have difficulty passing through. Also, the Applicants suggestion that Guests utilize a Third Party Parking App is not realistic, given no such App exists (I doubt it would be used even if such an app did exist). I also don't believe it is realistic to expect Resident visitors to scheduled appointments prior to visiting. Thank you for your consideration.

Dan Clawson
5219 Castle Ridge Pl, Fort Collins, CO 80525

Katie Claypool

Subject: FW: [EXTERNAL] Fwd: P&Z meeting

From: srsunde@aol.com <srsunde@aol.com>
Sent: Wednesday, November 30, 2022 6:27 AM
To: Development Review Comments <devreviewcomments@fcgov.com>; devreview/comments@fcgov.com <devreview/comments@fcgov.com>
Cc: srsunde@aol.com <srsunde@aol.com>; Kai Kleer <kkleer@fcgov.com>; Em Myler <emyler@fcgov.com>
Subject: [EXTERNAL] Fwd: P&Z meeting

Good Morning Em,

Would you please forward this full email along with the attached video "street-in-action" to all of the Planning and Zoning Commission members for their review prior to the meeting scheduled for December 15, 2022, concerning the proposed group home on Castle Ridge?

This very short video shows a real-life street-in-action shot of the street in front of 636 Castle Ridge Court. It shows very clear evidence that the exceptionally narrow private street in front of this house is inadequate to accommodate anything even close to the kind of parking and traffic which would occur if this proposal should be approved. Just these very few vehicles totally bottleneck this street to the point of real danger for those beyond the bottleneck.

Commission members, can you imagine a fire truck or even a trash truck trying to navigate this? Can you imagine what it would be like with family members of multiple residents parking here as well for visitation? Please imagine the holidays.

The street is too narrow. This proposal would be dangerous. Allowing this proposal would clearly violate the street traffic, parking, and fire codes which are all present for a reason. My home sits at the cul-de-sac end of this street. There is no other entrance or exit for myself or for my neighbors.

Would you also please also provide this video for a live showing at the December 15 hearing? It will be most important for all to see.

Thank you for your attention to this serious safety matter.

Respectfully submitted,

Steve Sunderman, MD
607 Castle Ridge Court
Fort Collins, CO 80525

https://youtube.com/shorts/UC7Z3rDgsNE?feature=share

CORRESPONDENCE 4

11/30/2022

To the Planning and Zoning Commission Members:

Thank you for your time and dedication related to your previous review of the initial 636 Castle Ridge Group Home application. We, as residents in this beautiful neighborhood are most appreciative of your prior efforts to evaluate right vs wrong concerning this proposal, and of your UNANIMOUS decision to decline approval of the initial proposal.

The applicants are now coming forward with a new proposal which is simply the same proposal with a minimal reduction of residents by only 4. This, in effect, would lead to the same devastating results to our community that the original proposal would have had.

The reasons for you to reject this second proposal are numerous. Just a few are listed below:

TRUTHFULNESS AND HONESTY IN THE APPLICATION

The applicants began their application process by stating that they surveyed the neighbors, explained their proposals, and found no resistance from the surrounding neighbors. This is blatantly untrue. I have communicated with nearly everyone in the community here, and without exception, not one person has told me they ever supported this proposal. Objection from neighbors has been universal. I, myself, have communicated to the applicants my own objections and also those of our many neighbors.

The applicants have repeatedly asserted to City Planners that they want to be good friends and neighbors in this community and that they have made every effort to do that. In reality, they both actively try their best to avoid any contact with any of our wonderful neighbors in this development.

The applicants have repeatedly presented clearly false expectations about traffic, parking, visitation, change in residential appearance, noise, and safety.

They have intentionally misrepresented their credentials.

DISHONEST MISREPRESENTATION

The applicants both promoted Eric Shenk as a physician in a dishonest attempt to gain credibility for their project. We have discovered, and Eric Shenk has finally admitted in recorded session, that he no longer has a license to practice medicine. He refuses to give details of the loss of his license and of his medical practice, although physicians in the area have reported that he was ousted by his own peers many years ago. Erik Shenk has openly admitted in recorded session that he and his wife are currently housing at least two at risk individuals even though he does not have a license to practice medicine, and even though they do not currently hold a license to operate a nursing home. A formal inquiry request has been filed with the Division of Regulatory Agencies. Red flags about the legality of their current operation are flying high. The Planning and Zoning Commission and the City of Fort Collins need to make sure they are not playing into an approval to support a possibly illegal operation. The investigation is still in process and MUST be resolved before any approval can be even considered.

REASONABLENESS

This neighborhood was carefully planned as a low-density residential neighborhood for single family dwellings only. Part of the agreement from the original developer, Gary Nordic, was to also provide higher density homes in nearby areas which he did to the letter as per his prior agreements with the city planners.

Off street parking is severely limited on this narrow private road, and cannot accommodate the massive increase that would be required if this proposal should be approved.

The street in front of this house is a private street which is significantly narrower than conventional city streets. It was planned and authorized as such with the understanding and agreement by city planners and the developer that traffic and parking would be expected to be very minimal due to the design of single-family dwellings only, and three or four car garages for each home. It was agreed from the beginning that high traffic businesses would not be allowed.

MIS-APPLICATION OF THE FHA

The Fair Housing Act has been grossly mis-applied to this proposal. The Fair Housing Act was not created to allow an opportunist to personally benefit himself at tremendous expense to others without fairness and reasonableness.

The owners of 636 Castle Ridge court do NOT belong to a protected class. They are both able bodied and in no way disabled or protected. The touted Protected class of individuals they are flying the banner of does not even exist at this time. The goal of these opportunists is to gather together in the near future a group of memory impaired individuals, claim that they as owners of this opportunistic business are part of that disabled body, and then USE these individuals for wrongful personal profit – all at tremendous damage to our beautiful neighborhood and at tremendous expense to all of the surrounding neighbors by drastically lowering our property values.

The FHA has limitations. Any application under FHA rules is required to be a REASONABLE application. It MUST fit the neighborhood. It must be SAFE. Any accommodations made MUST be reasonable accommodations, not unreasonable accommodations. Any application of this rule must NOT “Take away” substantial value from others while “Giving” substantial value to profiteers at others’ expense.

FAILURE OF THE CITY TO FOLLOW DUE PROCESS

The City Staff have made it clear from the outset that they are determined to push forward this opportunistic proposal by their repeated failure to follow due process.

City Staff have accepted deceptive and inaccurate statements from the applicants without questioning the validity of their claims.

City Staff have bypassed the required rules of notice and meetings.

City Staff have silenced those of us who hold valid objections by actively censoring some of us at prior meetings.

City Staff have repeatedly promised opportunities for us to have real open and honest communication with them and with the applicants, and then they have repeatedly reneged on these promises. (I will provide an email chain later that verifies this in detail).

HARM TO THE NEIGHBORHOOD

Trying to "sardine" 10 Alzheimer's individuals into one floor of a single-family home along with nursing staff, aides, pharmacy, PT, OT, cooking services, cleaning services, laundry services, and 10 families of regular visitors would clearly be a disservice to the residents packed into the home as well as to the beauty of the neighborhood, traffic, parking, safety, and surrounding home values. Recoverable financial damages to the residents of Castle Ridge alone could conservatively be estimated to be into the millions of dollars if this proposal should be allowed to go through.

DUTY

One major duty of the City Staff as well as of the Planning and Zoning commission is to protect the beauty and value of the neighborhood as a whole and to honor the master plan originally drafted. There is no duty to aid and abet an opportunist who is wrongfully flying the banner of a protected group for his or her own personal profit at massive expense to all others in the neighborhood. It does not get any more wrong than this.

It is imperative that the Zoning and Planning Commission once again reject this opportunistic and wrongful proposal.

My most sincere thanks to you in advance for exercising rational judgement, for protecting our community, and for doing the Right thing for our neighborhood.

Respectfully Submitted,

Steve Sunderman, MD

607 Castle Ridge Court

Fort Collins, CO 80525

Katie Claypool

From: Em Myler
Sent: Monday, December 5, 2022 12:07 PM
To: Katie Claypool
Subject: Fw: [EXTERNAL] Thread for P and Z Commission review

Categories: P&Z

From: srsunde@aol.com <srsunde@aol.com>
Sent: Sunday, December 4, 2022 1:21 PM
To: Kai Kleer <kkleer@fcgov.com>; Development Review Comments <devreviewcomments@fcgov.com>; Em Myler <emyler@fcgov.com>
Cc: srsunde@aol.com <srsunde@aol.com>
Subject: [EXTERNAL] Thread for P and Z Commission review

Good afternoon Em,

Would you please forward this entire communication thread to all of the members of the P and Z Commission for review prior to the hearing scheduled for 12/15/2022?

This thread can give to the commission excellent verification of the repeated breaches in due process by City Staff throughout this entire application for 636 Castle Ridge Court, including:

A clear bias by City Staff in directing for a predetermined outcome,

Repeated broken promises to allow sincere face-to-face communication,

Censoring those of us opposing this application during scheduled meetings,

Admission of City Staff of ignoring legal requirements of the applicants,

Misapplication of the FHA,

Admission of ignoring the negative effects on home values for neighbors,

This application must be summarily rejected.

Respectfully submitted,

Steve Sunderman, MD

-----Original Message-----
From: srsunde@aol.com <srsunde@aol.com>
To: Kai Kleer <kkleer@fcgov.com>
Sent: Tue, Nov 8, 2022 5:30 am
Subject: Re: Re: Re: Group Home Notice with Link

Thank you. I look forward to talking with you. I will have my phone available.

Steve

On Monday, November 7, 2022, 03:11:36 PM MST, Kai Kleer <kkleer@fcgov.com> wrote:

Hello Mr Sunderman,

I have some time on Wednesday from 10-11 am. Let me know if that timing works for you.

Best,

. . . . . .
KAI KLEER, AICP
City Planner
City of Fort Collins

From: srsunde@aol.com <srsunde@aol.com>
Sent: Monday, November 07, 2022 12:57 PM
To: Kai Kleer <kkleer@fcgov.com>
Subject: [EXTERNAL] Re: Re: Group Home Notice with Link

Good afternoon, Kai.

Here is the message I received from 'Em on October 19. I have received no more information from that committee. I have heard from neighbors that this process is in the works of being bypassed too. We continue to be ignored. I must again, on the record, strongly object on the grounds that due process is not being followed.

Would you please be so kind as to call me for a real-time discussion? I will be available essentially all day long on Wednesday Nov 9 at my cell phone 970-215-3162

Thank you,
Steve SundermanMD

On Wednesday, October 19, 2022, 08:45:00 AM MDT, Development Review Comments <devreviewcomments@fcgov.com> wrote:

Mr. Sunderman,

Please see below the message I sent to you last week, I apologize if it didn't reach you for some reason:

Mr. Sunderman,

Thank you for your patience on our response. Staff have decided not to pursue another neighborhood meeting for Castle Ridge Group Home at this time, virtually or in-person. Our Development Review requirements for public engagement have been met so far.

That doesn't mean this is the end of the conversation on this project. Here are the next steps and ways you can get involved:

- I sent out some information on the most recent submittal yesterday. That submittal will go through staff review until it is ready to go to Planning and Zoning Commission. I'd like to highlight that staff do not have the ability to decline to send this proposal to the Commission.
- During this time, I am available at this email address to field questions and comments to the best of my ability. Feel free to email me here any time
- Once the proposal is ready, it will go to the Planning and Zoning Commission, who will be the final decision makers. This is the place where you can next engage directly on this project by making a public comment. You can do so either by emailing written comments here and they will be included in the packet materials for Commissioners to read. Or, you can attend the meeting and speak in person. These comments are time limited and the Commissioners are not able to respond. However, the Commissioners have the ability to modify or deny the proposal based on evidence including public comment.

    - I would highly recommend taking a look at one of the public comments submitted for a recent project called Heartside Hill. I think it's a good example of how you could use a written comment to fully express the concerns I have heard from you. I've attached it here. If you'd like to submit something similar for P&Z, please send it to this email. I will email the Castle Ridge contact list when the project is scheduled to go to public hearing so you know.

Let me know if you have any questions.

Respectfully,

Em Myler
Neighborhood Development Liaison

As for your questions this morning:

1. The proposal is currently going through staff review. I have you on a list of names to alert when it has completed this step and is scheduled to go to the Planning and Zoning Commission.
2. The only actions right now include the usual staff comments on the submittal, and the applicants' responses. Staff is considering input from the neighborhood meetings in their comments. I will send comments and submittal updates when I have them.
3. Please see above regarding a face to face meeting
4. I think the best option to make sure that the Planning and Zoning Commission sees this email thread and you know that it has been seen is to include it as a public comment for their meeting materials when this proposal goes to hearing. That way, the Commissioners will read it as a part of the case on this proposal and the comment will be published publicly so you know that it has been included. This is the best way in my opinion to offer you the accountability you are looking for. I included more information on public comments in the original email above.

Best,

yler
Neighborhood Development Liaison

From: srsunde@aol.com <srsunde@aol.com>
Sent: Wednesday, October 19, 2022 2:20 PM
To: Kai Kleer <kkleer@fcgov.com>; Alyssa Stephens <astephens@fcgov.com>
Cc: Development Review Comments <devreviewcomments@fcgov.com>; Paul S. Sizemore <psizemore@fcgov.com>; srsunde@aol.com <srsunde@aol.com>
Subject: [EXTERNAL] Re: Group Home Notice with Link

Good morning Kai,

I have not heard back from you or from anyone on City Staff after my email from September 20, 2022 - attached below.

Could you please update me on where we are with this process?
Is any action happening from the City Staff or from the applicants?
When do we get our face-to-face meeting we have been promised?

Would you please forward this entire thread to the Planning and Zoning Commission and copy me so that I know it has been sent? Alternatively, if you would send me email contact information for the entire Planning and Zoning Commission, I can send it to them and copy you.

Thank you again for your attention, dedication, and assistance.

Respectfully,

Steve Sunderman, MD
970-215-3162

-----Original Message-----
From: srsunde@aol.com
To: kkleer@fcgov.com <kkleer@fcgov.com>; astephens@fcgov.com <astephens@fcgov.com>
Cc: devreviewcomments@fcgov.com <devreviewcomments@fcgov.com>; psizemore@fcgov.com <psizemore@fcgov.com>; srsunde@aol.com
Sent: Tue, Sep 20, 2022 6:41 am
Subject: Re: Group Home Notice with Link

Kai,

Thank you for your response.

We are not asking for an opportunity to have a meeting in which nobody from the City of decision-making authority is present. We are asking for an honest, sincere meeting with the applicants ***and*** with those of authority on City Staff (including Mr. Sizemore). My understanding is that the Planning and Zoning Commission does not come into play unless City Staff should move it forward to them. The Planning and Zoning Commission has already rejected ***unanimously*** the applicants' prior proposal which was previously passed on to them by City Staff. We must have an opportunity to stop at the beginning of the process this new proposal, which would also likely result in millions of dollars of recoverable damages if passed. Mr. Sizemore and City Staff must allow us due process and fairness. The application has been filled with misleading and false information from the beginning. The legal red flags are huge, and to this day, remain unanswered by the applicants and ignored by City Staff.

Respectfully,

Steve Sunderman, MD
970-215-3162

-----Original Message-----
From: Kai Kleer <kkleer@fcgov.com>
To: srsunde@aol.com <srsunde@aol.com>; Alyssa Stephens <astephens@fcgov.com>
Cc: Development Review Comments <devreviewcomments@fcgov.com>; Paul S. Sizemore <psizemore@fcgov.com>
Sent: Mon, Sep 19, 2022 11:53 am
Subject: RE: Re: Group Home Notice with Link

Hello Steve,

An in-person meeting is the goal. Since the decision maker is the Planning and Zoning Commission, they will not be present at the meeting. Did you have anyone else in mind?

Sincerely,

. . . . . .
KAI KLEER, AICP
City Planner
City of Fort Collins

From: srsunde@aol.com <srsunde@aol.com>
Sent: Friday, September 16, 2022 10:37 AM
To: Kai Kleer <kkleer@fcgov.com>; Alyssa Stephens <astephens@fcgov.com>
Cc: Development Review Comments <devreviewcomments@fcgov.com>; Paul S. Sizemore <psizemore@fcgov.com>; srsunde@aol.com
Subject: [EXTERNAL] Re: Group Home Notice with Link

Hello Kai,

Thank you again for your response. Would you please confirm for me that the meeting you are working on will be in person and will include the neighbors here who feel a need to be heard as well as the City Staff who are responsible for making decisions?

Sincerely,

Steve Sunderman, MD
970-215-3162

-----Original Message-----
From: Kai Kleer <kkleer@fcgov.com>
To: srsunde@aol.com <srsunde@aol.com>; Alyssa Stephens <astephens@fcgov.com>
Cc: Development Review Comments <devreviewcomments@fcgov.com>; Paul S. Sizemore <psizemore@fcgov.com>
Sent: Thu, Sep 15, 2022 4:02 pm
Subject: RE: Re: Group Home Notice with Link

Hello Steve,

Thanks for your diligence and patience on this. We have been in contact with the applicant team and they would be interested in having further discussions with the neighborhood. Internally, our Neighborhood Services and Development Review staff are working through the finer details of the when and where of the meeting and how to best organize it for a productive conversation. Our Development Review Liaison, Emily Myler, will be in touch as soon as we know more.

Sincerely,

. . . . . .
KAI KLEER, AICP
City Planner
City of Fort Collins

srsunde@aol.com <srsunde@aol.com>
Sent: Saturday, September 10, 2022 10:13 AM
To: Kai Kleer <kkleer@fcgov.com>; Alyssa Stephens <astephens@fcgov.com>
Cc: Development Review Comments <devreviewcomments@fcgov.com>; Paul S. Sizemore <psizemore@fcgov.com>; srsunde@aol.com
Subject: [EXTERNAL] Re: Group Home Notice with Link

Dear Mr. Kleer:

I have not heard back since my email of August 28, 20222. I am sending another email today to check with you on where we are concerning the promised face-to-face meeting regarding 636 Castle Ridge Court.

Again, this needs to be an open and honest meeting among the applicants, the neighbors, and non-biased City Staff.

I believe the recoverable damages to our neighborhood will likely be in the millions if this proposal is allowed to go through. The duty of the City remains with the collective residents.

I look forward to hearing from you about setting up an open and productive meeting.

Respectfully Submitted.

Steve Sunderman, MD
970-215-3162

Copy: Ms. Stephens, Mr. Sizemore, Development Review Committee, Self

-----Original Message-----
From: srsunde@aol.com
To: kkleer@fcgov.com <kkleer@fcgov.com>; astephens@fcgov.com <astephens@fcgov.com>
Cc: devreviewcomments@fcgov.com <devreviewcomments@fcgov.com>; psizemore@fcgov.com <psizemore@fcgov.com>; srsunde@aol.com
Sent: Sun, Aug 28, 2022 11:29 am
Subject: Re: Group Home Notice with Link

Mr. Kleer, Ms. Stephens, Mr. Sizemore, Development Review Committee:

Thank you for your response.

What is needed is a full, sincere, open meeting with the applicants and with open minded City Staff to re-evaluate this entire proposal.

The suggestions you have proposed below by City Staff are, yet again, a censorship of the most important items at hand, and an assertion that City Staff will not even consider a correction of prior decisions, no matter how wrong they may have been.

City Staff is well aware that the application for this proposal has been filled with substantially false and misleading information from the very beginning. Red flags about licensure and questions of legality of the applicants' current operations are gigantic and still remain unanswered. The City does indeed have an obligation to verify whether this process is legal or not. Further, if the City is going to be involved in potentially granting approval of this enormous business in the middle of a carefully planned low density residential only neighborhood, the City has an absolute obligation to the entire neighborhood and to the city as a whole to ensure this will not "take away" from the neighbors - and not to use its position to assist one family in generating a huge personal profit at tremendous expense to all others in this neighborhood.

If this wrongful proposal should be allowed to go through, the recoverable damages to the Castle Ridge neighbors alone could well be into the millions of dollars.

Let's please start over from step one.

Respectfully,

Steve Sunderman, MD
970-215-3162
srsunde@aol.com

-----Original Message-----
From: Kai Kleer <kkleer@fcgov.com>
To: srsunde@aol.com <srsunde@aol.com>; Alyssa Stephens <astephens@fcgov.com>
Cc: Development Review Comments <devreviewcomments@fcgov.com>; Paul S. Sizemore <psizemore@fcgov.com>
Sent: Wed, Aug 24, 2022 10:50 am
Subject: RE: Re: Group Home Notice with Link

Hello Steve,

Thanks for your patience. I have been working with staff internally to determine the best approach to facilitate a productive conversation between you and the applicant. In an effort to build out the agenda and request for the meeting, could we get some additional clarification about you specific questions/concerns for the applicant and/or staff and your anticipated outcome from the meeting?

To address some of the comments you've provided, here are some things that would not be productive and should not be considered as part of the agenda:

- Your assertion that the applicants are currently operating without a license. This is a matter that is outside of the City's jurisdiction and should is something that's addressed by filing a complaint to the Colorado Department of Public Health & Environment.
- Your assertion that this project would drastically drop community appeal and home values in the immediate area. Values of homes are not within the purview of the land use code and cannot be considered by staff or the Planning and Zoning Commission.
- We cannot reconsider any of the determinations made by the Reasonable Accommodation Request, nor can the Planning and Zoning Commission.

Here are some things that I've teased out of your comments that would be productive in discussion with the applicant:

- Improving the design, quality and character of new development through discussion around screening, landscaping, window placement, and fencing.
- Ensuring that operationally the land use mitigates impacts to the extent practicable through conversation around hours of deliveries, lighting, placement of trash receptacles, location and number of off-street parking spaces.
- Providing clarity around the procedural requirements of development plans.

Regarding the appeal, it must be filed within 14-days of any decision by the Planning and Zoning Commission. Additional notice will not be provided.

Let me know what if these are things that you would be interested in further discussing with the applicant or city staff and I will get something set up.

Thanks again for your patience.

Sincerely,

. . . . . .
KAI KLEER, AICP
City Planner

From: srsunde@aol.com <srsunde@aol.com>
Sent: Saturday, August 20, 2022 9:44 AM
To: Kai Kleer <kkleer@fcgov.com>; Alyssa Stephens <astephens@fcgov.com>
Cc: Development Review Comments <devreviewcomments@fcgov.com>; Paul S. Sizemore <psizemore@fcgov.com>; srsunde@aol.com
Subject: [EXTERNAL] Re: Group Home Notice with Link

Dear Mr. Kleer, Mr. Sizemore, Ms. Stephens, and Development Review Committee:

I wanted to follow up on my most recent email (see below).

I was told that arrangements would be made for further opportunity for us to meet to express our concerns (and with face-to-face format). I have not received any response back since my email of August 4, 2022. I want to make sure that we, the neighbors are heard. I want to make sure our options for appeal and further legal action remain open if the City should decide to render approval of this flawed proposal. I want to be assured that the City is not supporting a business activity that currently shows huge legal red flags. Are the applicants currently operating without license or authority a lockdown facility of two at-risk seniors for personal profit? This needs to be investigated and answered.

Would you please respond to me about where we stand concerning our promised opportunity to express our concerns face to face without being limited or shut off by a moderator?

Please notify me and all of the residents in the Castle Ridge Subdivision formally if and when your decisions have been made, and when our deadline for filing appeals will be.

We currently have multiple grounds for appeal as documented by the appeal form and procedure documents forwarded to me by Mr. Kleer should the City decide to allow this proposal to move forward:

1. Failure to properly interpret and apply relevant provisions of the City Code, the Land Use Code, and Charter. This includes street and fire code.

2. Failure to conduct fair hearings by exceeding its authority or jurisdiction.

3. Failure to conduct fair hearings by ignoring established rules of procedure.

4. Failure to conduct fair hearings by considering evidence presented by the applicants which was substantially false or misleading.

5. Failure to receive all relevant evidence offered by the appellant.

6. Being clearly biased against the appellant.

I look forward to hearing back from you with your plans to allow us to present our concerns fully and in person.

Respectfully,

Steve Sunderman, MD
607 Castle Ridge Court
Fort Collins, CO 80525

-----Original Message-----
From: srsunde@aol.com

er@fcgov.com <kkleer@fcgov.com>; astephens@fcgov.com <astephens@fcgov.com>
Cc: devreviewcomments@fcgov.com <devreviewcomments@fcgov.com>; psizemore@fcgov.com <psizemore@fcgov.com>
Sent: Thu, Aug 4, 2022 5:15 am
Subject: Re: Group Home Notice with Link

Kia,

Again, my most sincere thanks to you for your response and offer.

Yes, we do need formal opportunity to meet face to face both with the applicants and with the city staff who are involved in making these decisions that would have a major impact on our entire community.

We feel as though we have been dismissed or silenced every step of the way. We feel the City is pushing an extreme left political agenda rather than exercising its duty to the population as a whole.

Again, I need to stress that the City has duty to the entire community as a whole, not to one family that is trying to "use" the entire neighborhood for self-enrichment at tremendous expense to all others.

I would like to stress that any use of "Reasonable Accommodation" has restrictions:

1. The applicant must be in a protected or disabled class. These applicants are neither disabled nor in a protected class. They are wrongfully flying the banner of and trying to "USE" a protected they are not even members of for personal self-gain.

2. Any "Reasonable Accommodations" must not result in a significant deterioration of existing environment or be a significant financial burden to others in this area. This project would totally alter in a negative way the entire atmosphere of this well-planned low-density community. This project would drastically drop community appeal and home values in the immediate area - most likely by millions of dollars collectively - all for one family's self profit. The damages against the neighborhood would be huge.

3. All such accommodations must consider existing rules and must not impact the safety of others. This project would clearly turn this area into a congested safety hazard for our children and for our parking and traffic. Existing general rules for street width, parking requirements, fire code, residential housing, low density, etc have been essentially thrown out the window for this one family's proposal.

4. The project and the accommodations must be "reasonable" not "unreasonable." Both this drastic reposing of a long established and well-planned residential community, and the accommodations sought are everything but reasonable.

Further, the City does have a duty to require fair process. The applicants for this project have been misleading and evasive about their application every step of the way; and to date, the city has allowed that to move on.

Further, if the City has reason to believe that inappropriate or possible illegal activities are involved, the city cannot operate as an aid to those activities. Eirc Shenk has now admitted in open and recorded session that he does not have a license to practice medicine even though he touted himself with physician credentials from day one. He has admitted in open and recorded session that he and his wife are currently caring for two at risk seniors in their home without a group home or nursing home license and without a Medical Director. Are they using their home as a lock down facility without a right or license? The red flags for this project are huge and growing.

This proposal should have been summarily rejected months ago.

Respectfullly,

Steve Sunderman, MD
970-215-3162

-----Original Message-----
From: Kai Kleer <kkleer@fcgov.com>
To: srsunde@aol.com <srsunde@aol.com>; Alyssa Stephens <astephens@fcgov.com>
Cc: Development Review Comments <devreviewcomments@fcgov.com>; Paul S. Sizemore <psizemore@fcgov.com>
Sent: Mon, Aug 1, 2022 5:14 pm
Subject: RE: Re: Group Home Notice with Link

Hello Steve,

Thanks for the email. Unfortunately we cannot comment regarding the merits of medical licensing requirements for Eric Shenk and it is not a criterion that we evaluate land use applications under. We anticipate that any licensing, certification, and/or registration requirements will be administered and enforced by the Colorado Department of Public Health and Environment.

Regarding procedure, the section you referred to is for preapplication reviews by City Council and would not apply in this case. To clarify some of the confusion around the previous conversations, posted notice is required for neighborhood meetings pursuant to 2.2.2- Step 2: Neighborhood Meetings, however, the timeline for the sign posting is not specified under 2.2.6 – Step 6: Notice. In general, our goal is to post a sign as soon as the neighborhood meeting is scheduled; however, this is an odd case where the sign has been posted since March of 2021 and unfortunately removed by the applicant for resodding. We did talk to the applicant and made it clear that the sign must remain in place until a hearing has been held.

Knowing that there were a lot of people present at the neighborhood meeting and that we were unable to circle back around to you, I'd be happy to set something up and facilitate conversation between you and anyone on the applicant team. If that would be something you're interested in please let me know and I'll start coordinating schedules.

I'll also be sure to add your comments to the record for the Planning and Zoning Commission's consideration if and when a public hearing is scheduled for this project.

Please call or email me if you'd like to chat more.

Sincerely,

. . . . . .
KAI KLEER, AICP
City Planner
970-416-4284
City of Fort Collins

From: srsunde@aol.com <srsunde@aol.com>
Sent: Saturday, July 30, 2022 10:25 AM
To: Kai Kleer <kkleer@fcgov.com>; Alyssa Stephens <astephens@fcgov.com>
Cc: Development Review Comments <devreviewcomments@fcgov.com>; Paul S. Sizemore <psizemore@fcgov.com>; srsunde@aol.com
Subject: [EXTERNAL] Re: Group Home Notice with Link

Good morning, Kai,

Thank you again for your prior response to my concerns.

As you are aware, and as documented by the recording of our meeting on July 28, 2022, the applicants for the proposed 'Group Home' at 636 Castle Ridge Court finally admitted on record that Eric Shenk does not hold an active license to practice medicine. Further, they admitted that they are currently caring for two elderly patients in their home right now without a license for a group home and without a legal Medical Director.

This raises serious red flags for the welfare and safety of these patients, as well as concerns for the legalities of their current operation, and the validity of their pending application.

This is a serious concern that needs to be addressed yet by the Division of Regulatory Agencies for Colorado. I would like to insist that the city cannot act on this pending application until these questions are answered and resolved by DORA.

Further, I would like to again issue formal objection to procedure. The City has pushed through an invalid meeting without following required notice protocol.

Concerning notice requirements, Section 2.1.6 (c) of the Land Use Code states

***Notice and Hearing Procedure**.*

All preapplication hearings under above Subsections (A) or (B) this provision will be held in accordance with the provisions contained in Steps (6), (7)(B) and (7)(C) of the Common Development Review Procedures, except that the ***signs required to be posted under Step (6)(B) shall be posted subsequent to the scheduling of the session and not less than fourteen (14) days prior to the date of the hearing**.*

You commented to me in your last email that you were sorry I was cut off from my comments at the most recent meeting. Thank you. I appreciate that. We, the neighbors in this community have not been given fair opportunity present our cases. In your email below, dated July 22,2022, you offered that you would request the applicant to stay late if necessary. In spite of this reassurance, I was cut off from my comments, and the moderator of the meeting abruptly shut the meeting down. Yes, further time is essential for us to get our objections across. Yes, formal face-to-face meetings are essential. I would again like to stress that holding this meeting in a virtual atmosphere serves no purpose other than to allow the applicants to hide behind and computer, and the moderator to limit dialog that does not fit the agenda of simply pushing this wrongful project through.

The Land Use Code also states that the meetings are required to be held in the vicinity of the project. A virtual meeting instead of an on-site meeting clearly violates that requirement as well.

ity's duty is to the residents of this community as a whole, and to the city as a whole. The city does not have a duty to force through an unreasonable project to wrongfully enrich one family at tremendous cost to the surrounding neighborhood.

Please re-evaluate and please start over.

Respectfully submitted,

Steve Sunderman, MD
970-215-3162

-----Original Message-----
From: Kai Kleer <kkleer@fcgov.com>
To: srsunde@aol.com <srsunde@aol.com>; melanie@faithproperty.com <melanie@faithproperty.com>
Cc: Development Review Comments <devreviewcomments@fcgov.com>
Sent: Fri, Jul 22, 2022 3:31 pm
Subject: RE: Re: Group Home Notice with Link

Hello Steve, and thank you for your patience on my response. Regarding notice, the City's Land Use Code requires that notice for neighborhood meetings be sent out 2-weeks prior to the meeting date. In this case, the letter was mailed earlier than required and was sent on July 11, 2022 in anticipation of the July 28, 2022 meeting. With respect to your concerns around time having enough time, I will request that the applicant stay late if necessary. Finally, we are still holding all neighborhood meetings remotely and do not anticipate changing that format in the near future. If there is a desire to meet with the applicants 1x1, please let me know and I can help coordinate that.

Hope this helps.

Sincerely,

. . . . . .
KAI KLEER, AICP
City Planner
City of Fort Collins

Katie Claypool

From: Em Myler
Sent: Monday, December 5, 2022 12:08 PM
To: Katie Claypool
Subject: Fw: [EXTERNAL] Fwd: Castle Ridge Court Group Home Public Hearing Dec. 15

Categories: P&Z

From: srsunde@aol.com <srsunde@aol.com>
Sent: Sunday, December 4, 2022 1:40 PM
To: jsunderm970@gmail.com <jsunderm970@gmail.com>; Em Myler <emyler@fcgov.com>
Subject: [EXTERNAL] Fwd: Castle Ridge Court Group Home Public Hearing Dec. 15

resent with corrected email for Josh Sunderman. Thank you

-----Original Message-----
From: srsunde@aol.com
To: emyler@fcgov.com <emyler@fcgov.com>; devreviewcomments@fcgov.com <devreviewcomments@fcgov.com>; kkleer@fcgov.com <kkleer@fcgov.com>
Cc: brandonthehess@gmail.com <brandonthehess@gmail.com>; vanesaf@msn.com <vanesaf@msn.com>; jsunderm970@gamil.com <jsunderm970@gamil.com>; srsunde@aol.com
Sent: Sun, Dec 4, 2022 1:38 pm
Subject: Re: Castle Ridge Court Group Home Public Hearing Dec. 15

Good Afternoon, Em,

Thank you for your efforts to coordinate comments for us. I will plan on being at the meeting in person on Dec 15, 2022, and I will plan on delivering my personal comments at that time.

At least 3 others would like to donate their minutes to me for presentation at the meeting:

1. Josh Sunderman, 607 Castle Ridge Court, 970-449-2218 jsunderm970@gmail.com
2. Brandon Hess, 5220 Parkway Circle E. 970-690-0475 Brandonthehess@gmail.com
3. Vanesa Hess, 5220 Parkway Circle E. 970-690-0475 Vanesaf@msn.com

Thank you,

Steve Sunderman, MD
970-215-3162
607 Castle Ridge Court

copies to Josh Sunderman, Brandon Hess, Vanesa Hess

-----Original Message-----
From: Em Myler <emyler@fcgov.com>
To: jessiemartin_2000@yahoo.com <jessiemartin_2000@yahoo.com>; traceyken@comcast.net <traceyken@comcast.net>; debbiegraff@gmail.com <debbiegraff@gmail.com>; troyt@pds-co.com <troyt@pds-co.com>; ctafoya@pds-co.com <ctafoya@pds-co.com>; ryantj2@hotmail.com <ryantj2@hotmail.com>; kchacho@aol.com <kchacho@aol.com>; pam@pamsundermandesign.com <pam@pamsundermandesign.com>; ANGIE.LEE05@gmail.com <ANGIE.LEE05@gmail.com>; btschwerin@gmail.com <btschwerin@gmail.com>; ednjoj@gmail.com

@gmail.com>; kathleenmcnamaraphd@gmail.com <kathleenmcnamaraphd@gmail.com>; Karen Kotecki <kotecki_mauch@msn.com>; sarahmdoing@yahoo.com <sarahmdoing@yahoo.com>; kathleenmary127@gmail.com <kathleenmary127@gmail.com>; tomjgraff@gmail.com <tomjgraff@gmail.com>; Kurt Johnson <kejlbj@yahoo.com>; Clawson42@comcast.net <Clawson42@comcast.net>; lbjmom@comcast.net <lbjmom@comcast.net>; wiselyinvest@aol.com <wiselyinvest@aol.com>; sleuzze@vmware.com <sleuzze@vmware.com>; srsunde@aol.com <srsunde@aol.com>; hlcp187@aol.com <hlcp187@aol.com>; danclawson9@gmail.com <danclawson9@gmail.com>; schacho@aol.com <schacho@aol.com>; mikeleuzze@yahoo.com <mikeleuzze@yahoo.com>; cbsisson@gmail.com <cbsisson@gmail.com>
Sent: Mon, Nov 28, 2022 2:44 pm
Subject: Castle Ridge Court Group Home Public Hearing Dec. 15

Hi Neighbors,

I wanted to remind you all that this project is planned to go in front of the Planning and Zoning Commission on December 15. The hearing will be held at City Hall at 300 Laporte Ave beginning at 6 p.m.

The agenda and packet has yet to be published for this hearing, but will be posted here soon.

Members of the public can either watch the hearing live on FCTV or in-person in the Council Chambers. However, if you wish to make a public comment at the hearing, you must attend in-person! You can no longer make public comments on Zoom since the expiration of the COVID-19 emergency order.

Making a public comment in-person:

The Castle Ridge Group Home project will be one of several agenda items that night, and will have it's own public comment time between the presentation from staff and the deliberations of the Commission. In order to make a comment to the Commissioners directly, you will need to be present in the Council Chambers during this public comment time. Based on the number of commenters, the Commission Chair has the ability to limit the time allowed for comments, with a maximum time of 3 minutes. I recommend preparing to make your comments in about 2 minutes so you aren't cut off if there are many people commenting. Anyone is able to donate more time to another speaker. If there is a person who you would like to make comments on the behalf of the other neighbors, let me know soon and we can coordinate time donations for them.

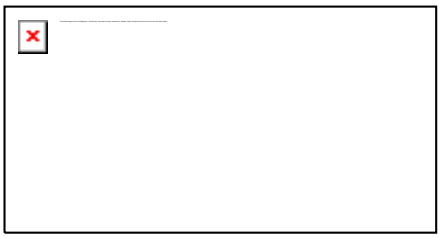
Making a written public comment:

If you cannot make it to the hearing, or you would like to comment in more detail than 2-3 minutes will allow, I highly recommend making a written comment. These can include technical information, photos etc. that can be helpful for the Commission. Please send them to my other email, devreviewcomments@fcgov.com by 12 pm on Tuesday, December 13 at the latest so we can include them in the packet for Commissioners to read prior to the meeting. They can be in an email or in a word document or PDF attachment. I will make sure to confirm to each one at receipt. I'm expecting a high volume of public comments for this project, so if I don't confirm receipt within a couple days feel free to follow up with me.

Note: I ask that you please don't send public comments to my personal email address (this one) so I can keep them organized. I would be distraught if I lost a comment in this mailbox!. Feel free to send informal questions not intended for the Planning and Zoning Commission to either email.

Respectfully,

Em Myler, MPPA
Pronouns: she/her
Sr Spc, Neighborhood Svcs
City of Fort Collins
970-224-6076
emyler@fcgov.com



Katie Claypool

From: Development Review Comments
Sent: Monday, December 5, 2022 1:55 PM
To: Katie Claypool
Subject: Fw: [EXTERNAL] Castle Ridge group home

Categories: P&Z

From: Kurt Johnson <kejlbj@yahoo.com>
Sent: Monday, December 5, 2022 8:03 PM
To: Development Review Comments <devreviewcomments@fcgov.com>
Subject: [EXTERNAL] Castle Ridge group home

Hello,

I would like to express issues concerning the Castle Ridge group home, specifically with respect to parking.

As was established last P&Z meeting, this is a narrow street that becomes one way should cars be parked on both sides of the street. The property has neighbors to both sides as well as across the street - as parking is at a premium one must consider the residents also have needs.

The driveway to the property is still the same narrow, one way access. The garage proposed to remain is directly in line with the driveway - thus requiring "musical cars" for in/out. This would be true in reality for anyone trying to park in the driveway or in the garage - the proposal for the amount of on-site parking is simply not realistic.

The parking app that is proposed is more a gimmick than a solution. How can this be required, and how can it be enforced? It simply can't, and likely will fade over time.

The proposal is that the staff of 2 will not only take care of the residents, but also manage the parking. As the priority will be serving the residents, this again in reality means parking will devolve to ad-hoc. The operational plan is based on guesswork due to the inexperience of the applicants.

Seneca House is another group home that was recently approved to increase to 10 residents. They had operated within code for a few years prior to that. This location though has abundant advantages for an exception to code: a circular driveway that is inviting to park, a secondary street with a parking lane, and no neighbors to the west. Castle Ridge has none of these advantages, only disadvantages.

As such, it is simply too risky to approve above code (in this case 10 residents) right from the beginning. The home should operate within code for a couple years at least - note the applicants are completely inexperienced in running such an operation and likely staff will be as well. During this time, parking can be monitored by the residents and applicants, and any increase in residents could then be considered on hard data via another type 2 review where data could be presented by both sides.

Regards,

Kurt Johnson
612 Castle Ridge Ct.

Katie Claypool

From: Development Review Comments
Sent: Monday, December 5, 2022 2:05 PM
To: Katie Claypool
Subject: Fw: [EXTERNAL] Review FDP220013 - Castle Ridge Group Home

Categories: P&Z

From: Peter Way <poogleway@gmail.com>
Sent: Monday, December 5, 2022 8:20 PM
To: Development Review Comments <devreviewcomments@fcgov.com>
Subject: [EXTERNAL] Review FDP220013 - Castle Ridge Group Home

Hello,

As a resident of Miramont, I received the notice of the December 15 meeting. There isn't a document on the website that describes the project changes since the last review. It seems like the density has decreased to 10 residents, and there will be 6 off street parking spaces.

I'm very doubtful that the off-street parking will be enforced, as anyone can park where they wish in the neighborhood. In order for those parking spots to be used people would have to move cars around to get them out.

I'm sorry, but this proposal should be rejected based on the parking question.

Regards,

Peter Way
970.219.1301

Katie Claypool

From: Em Myler
Sent: Monday, December 5, 2022 2:39 PM
To: Katie Claypool
Subject: Fw: [EXTERNAL] Re: Group home concerns
Attachments: Comment on proposed development of a group home at.docx

---

From: Thomas Graff <tomjgraff@gmail.com>
Sent: Monday, December 5, 2022 2:30 PM
To: Em Myler <emyler@fcgov.com>
Subject: [EXTERNAL] Re: Group home concerns

I show that this was sent to you on 15 Nov 2022. I may have done something wrong. Here's a fresh copy.

Please confirm receipt.
Thanks,
Tom Graff

On Mon, Dec 5, 2022 at 2:16 PM Em Myler <emyler@fcgov.com> wrote:

> Hi Tom,
>
> Thank you for reaching out to confirm. I have two emails from you. One from April 9th and one from May 5th . If you sent a more recent comment I apologize that I have not received it. Let me know ASAP so I an confirm that all of your comments are in the packet.
>
> Thanks,
>
> Em

From: Tom Graff <tomjgraff@gmail.com>
Sent: Monday, December 5, 2022 2:10 PM
To: Em Myler <emyler@fcgov.com>
Subject: [EXTERNAL] Group home concerns

Em, I sent you a letter/concerns about the group home proposed next to my home. You told that you would distribute it as appropriate. Can you confirm that it is in the packet to the P&Z?

Thanks,
Tom Graff

Comment on proposed development of a group home at 636 Castle Ridge Ct., Fort Collins

My wife and I live next door to the proposed group home. Our proximity is a concern because of the plan to eliminate much of the current privacy in our backyard. This is after we agreed to allow Prusnicks to build outside the development envelope (close to our lot line) since it would be a swimming pool room and garage wall facing our property. If approved, there will be close proximity with windows along that wall.

An even greater concern is that is development is proposed on a narrow privately owned street with minimal off street parking. It is my understanding that when Gary Nordic proposed the neighborhood the narrow street was accepted by the city since all homes would be required to have 3 or more garages. At this time all of them do. The applicants are proposing to remove 2 of the garages (on the one house that will need them more than any other). I understand that the justification for this is that they will only have a staff of 2 at any one time. They have at least 2 there now, and it appears that those 2 are fairly busy with only 2 residents (for example, trash cans left out for 3 days after trash pickup). I ask that you imagine a morning with a staff of 2 when 10 memory care residents need to be awakened, personal hygiene taken care of, dressed, and taken to the dining room, all while someone on the staff is preparing breakfast. State minimum staff size will not determine the practical needed staff size. All of this will add to the parking and traffic problems. There will also be family visits, outside care givers (PT, nurses, pharmacists, and other medical professionals). Recently there was a medical supply truck parked in front of the house for over 4 hours on one day. There was a roofing truck parked across the street. There was barely room for my car, I doubt a fire truck could have made it through to my house if I had needed one. With 5 times as many residents, I suspect these scenarios will become much more common.

In summary, I think the concept of group homes in residential areas can be a workable idea. This is simply the wrong house on the wrong street.

I believe that they have failed to adequately address the major concern of the P&Z board at the first hearing (traffic and parking).
I believe that their staffing proposal is wrong and doesn't align with common sense.
At a minimum I believe they need to retain all four garages.
Any windows facing my lot line should be required to have frosted glass.

Thank you for your consideration of our concerns,
Tom and Debbie Graff
624 Castle Ridge Ct.
Fort Collins, CO 80525

Katie Claypool

From: Development Review Comments
Sent: Wednesday, December 7, 2022 4:11 PM
To: Katie Claypool
Subject: Fw: [EXTERNAL] Castle Ridge Group Home

Categories: P&Z

From: Kai Kleer <kkleer@fcgov.com>
Sent: Wednesday, December 7, 2022 5:29 PM
To: Development Review Comments <devreviewcomments@fcgov.com>
Subject: FW: [EXTERNAL] Castle Ridge Group Home

FYI

. . . . . .
KAI KLEER, AICP
City Planner
City of Fort Collins

From: Denise Newmark <newmarkdenise@gmail.com>
Sent: Wednesday, December 07, 2022 10:07 AM
To: Kai Kleer <kkleer@fcgov.com>
Subject: [EXTERNAL] Castle Ridge Group Home

Hi. I'm Denise Newmark. I live at 5000 Boardwalk Dr. Unit 12. I support the revised proposal for a 10 resident group home for assisted living and memory care. I think we neighbors will not be disturbed by it now that the number of residents will decrease. I also think it'll be nice for the group home residents to live in a residential neighborhood.

Thank you.

Comment on proposed development of a group home at 636 Castle Ridge Ct., Fort Collins

My wife and I live next door to the proposed group home. Our proximity is a concern because of the plan to eliminate much of the current privacy in our backyard. This is after we agreed to allow Prusnicks to build outside the development envelope (close to our lot line) since it would be a swimming pool room and garage wall facing our property. If approved, there will be close proximity with windows along that wall.

An even greater concern is that is development is proposed on a narrow privately owned street with minimal off street parking. It is my understanding that when Gary Nordic proposed the neighborhood the narrow street was accepted by the city since all homes would be required to have 3 or more garages. At this time all of them do. The applicants are proposing to remove 2 of the garages (on the one house that will need them more than any other). I understand that the justification for this is that they will only have a staff of 2 at any one time. They have at least 2 there now, and it appears that those 2 are fairly busy with only 2 residents (for example, trash cans left out for 3 days after trash pickup). I ask that you imagine a morning with a staff of 2 when 10 memory care residents need to be awakened, personal hygiene taken care of, dressed, and taken to the dining room, all while someone on the staff is preparing breakfast. State minimum staff size will not determine the practical needed staff size. All of this will add to the parking and traffic problems. There will also be family visits, outside care givers (PT, nurses, pharmacists, and other medical professionals). Recently there was a medical supply truck parked in front of the house for over 4 hours on one day. There was a roofing truck parked across the street. There was barely room for my car, I doubt a fire truck could have made it through to my house if I had needed one. With 5 times as many residents, I suspect these scenarios will become much more common.

In summary, I think the concept of group homes in residential areas can be a workable idea. This is simply the wrong house on the wrong street.

I believe that they have failed to adequately address the major concern of the P&Z board at the first hearing (traffic and parking).
I believe that their staffing proposal is wrong and doesn't align with common sense.
At a minimum I believe they need to retain all four garages.
Any windows facing my lot line should be required to have frosted glass.

Thank you for your consideration of our concerns,
Tom and Debbie Graff
624 Castle Ridge Ct.
Fort Collins, CO 80525

Katie Claypool

From: Development Review Comments
Sent: Monday, December 12, 2022 2:25 PM
To: Katie Claypool
Subject: Fw:

Categories: P&Z

From: Alyssa Cross <alyssacross2005@icloud.com>
Sent: Monday, December 12, 2022 7:28 AM
To: Development Review Comments <devreviewcomments@fcgov.com>
Subject:

Hi my names Alyssa cross and i am writing this in regards to the castle ridge group home project. The elderly population here has MINIMAL impact. Especially when your comparing the smaller housing to brook and morning star
Sent from my iPhone

Katie Claypool

From: Development Review Comments
Sent: Monday, December 12, 2022 2:28 PM
To: Katie Claypool
Subject: Fw: [EXTERNAL] Support of Castle Ridge

Categories: P&Z

From: Jillian <jilliankropp@gmail.com>
Sent: Monday, December 12, 2022 6:58 PM
To: Development Review Comments <devreviewcomments@fcgov.com>
Subject: [EXTERNAL] Support of Castle Ridge

I Jillian am writing this email in support of the castle ridge group home project. It is disheartening to see that there are people who are against a plan that will help so many elderly with dementia, mainly because it may impose parking limitations and increased traffic flow. I sand wirh castle ridge and our elders!

Katie Claypool

From: Development Review Comments
Sent: Monday, December 12, 2022 2:29 PM
To: Katie Claypool
Subject: Fw: [EXTERNAL] Support of Castle Ridge Group Memory Care home project

Categories: P&Z

From: Dorothy Hull <dehull424@yahoo.com>
Sent: Monday, December 12, 2022 5:23 PM
To: Development Review Comments <devreviewcomments@fcgov.com>
Subject: [EXTERNAL] Support of Castle Ridge Group Memory Care home project

Planning and Zoning Board of Fort Collins

My name is Dorothy E. Hull. I am writing this email in support of the Castle Ridge Group Memory Care home project.

We live in Fort Collins. Our 98-year-old mother has dementia and needs Memory Care. Earlier, she lived in an assisted living facility in our hometown of Kansas. As her dementia worsened, our hometown assisted living facility could no longer give her the security and care required for her safety and asked us to come and get her.

We moved her to Fort Collins in June where she then lived in a nationally known Memory/Assisted Living facility. We found after she had numerous falls (seven) resulting in a broken arm that the type of higher level of Memory Care she requires just didn't exist there. No explanation was ever given for the cause of the falls just that they found her on the floor with no witnesses. We felt this was unacceptable. We continued our search for a more suitable place for our Mother.

She spent the next month of Rehab at another facility. Therapy there was appropriate, but the rooms of the Memory Care Unit were rather dark and gloomy with no private bathrooms. At that facility's staff meeting we were given a brochure of the newer Miramont Memory Care residential facility.

We decided to tour Miramont Memory Care at the Castle Ridge Group home project. To our great surprise and delight found it to be a beautiful, light, bright, spacious smaller residential home with professional owners who employ the adequate number of caring staff for the elderly with dementia. Ratio of staff to resident that provide improved one on one resident engagement with the higher level of care with dignity our advanced dementia Mother requires. What a great alternate memory care setting for the growing elderly population of Fort Collins with dementia. This is the type of Dementia Memory Care home we all would like for our loved ones. Our Mother is safe, comfortable, enjoys her beautiful setting with her own private room and bath. We visit her often.

We feel so fortunate to have found Miramont Memory Care and that Fort Collins has this type of facility available to elderly residents of Fort Collins with dementia. It fits well in the residential area in which it is located, and parking has never been a problem as we've had at some of the larger facilities.

Please feel free to contact us if you have any further questions regarding our support of Miramont Memory Care Castle Ridge Group home project. I suggest you tour it yourself. You will be impressed.

Best regards,

Item 12. D. Hull and Dorothy E. Hull, PhD
dehull424@yahoo.com

Katie Claypool

From: Development Review Comments
Sent: Tuesday, December 13, 2022 3:08 PM
To: Katie Claypool
Subject: Fw: [EXTERNAL] Fort Collins Planning and Zoning Board Castle Ridge Group Home

Categories: P&Z

From: Jennie Lindstrom <exaafa88@gmail.com>
Sent: Tuesday, December 13, 2022 6:55 PM
To: Development Review Comments <devreviewcomments@fcgov.com>
Cc: Jennifer- Me <exaafa88@gmail.com>
Subject: [EXTERNAL] Fort Collins Planning and Zoning Board Castle Ridge Group Home

My name is Jennifer Lindstrom. I moved to Fort Collins 5-years ago. I chose Fort Collins for many reasons, one being the community of caring & friendly citizens. Because of these characteristics, I am surprised by the self-serving & unfounded objections to a much-needed memory care residence. Personally, I have not needed this type of facility here in Northern Colorado. However, in the past, I have had to find a place for both my Mother & Father, both which had memory issues. This facility, Castle Ridge Group Home, owned & managed by Eric Shenk & Xioma Diaz, is exactly what my siblings & myself have looked for… a smaller residential home, with a more 'normal' feel, with caring staff, that are both highly qualified & committed. Please give the approval for this necessary facility, as soon as possible. Let's support these citizens of our community with the dignity & respect they deserve, and that which we would want, should the need present itself.
Thank you for your consideration, as a Board, for this very important approval.
-Jennifer Lindstrom

Katie Claypool

From: Development Review Comments
Sent: Tuesday, December 13, 2022 3:09 PM
To: Katie Claypool
Subject: Fw: [EXTERNAL] Support for the Castle Ridge Group Home Project

Categories: P&Z

From: Sheryl Escalle <smilee_8306@yahoo.com>
Sent: Tuesday, December 13, 2022 6:53 PM
To: Development Review Comments <devreviewcomments@fcgov.com>
Subject: [EXTERNAL] Support for the Castle Ridge Group Home Project

Hello,

My name is Sheryl Cox and I am writing this email in support of the Castle Ridge Group Home Project.

I live in this area and this community needs smaller residential homes for our elderly population with Dementia.

I have a mother that will be needing care in the near future and this type of home, in a neighborhood, is exactly what I will be looking for.

With research, I have found this very limited neighborhood Dementia Care Facility offers a safe and secure environment that protects against their residents from wondering and delivers their own dining area and common space for them to move around freely with personalized, individual, trained care. I have driven by this neighborhood on several occasions and have not seen any disorder or abundance of traffic or parked cars along the street of the Home Project.

With this being said, I am in support of Fort Collins giving seniors another option of care that will minimally impact the city's neighborhood, unlike the larger senior facilities such as Brookdale.

Thank you,

Sheryl Cox

Katie Claypool

From: Development Review Comments
Sent: Tuesday, December 13, 2022 3:09 PM
To: Katie Claypool
Subject: Fw: [EXTERNAL] Comments for Castle Ridge Group Home

Categories: P&Z

From: MikePruz <mikepruz@gmail.com>
Sent: Tuesday, December 13, 2022 5:28 PM
To: Development Review Comments <devreviewcomments@fcgov.com>
Subject: [EXTERNAL] Comments for Castle Ridge Group Home

Our names are Michael and Vera Pruznick, former owners of the property writing this email in support of the castle ridge group home project.

We lived in Fort Collins for 21 years, moved just south of the location when this project started, but have since relocated out of the area mostly due to the hate and harassment we received from some of the neighbors.

This project creates higher density housing that will benefit the memory care elderly population in a way that is fully consistent with approved council goals and objectives. The applicant family has been kind and considerate and have reached out to neighbors. Despite this, the applicant family, at great cost and delay, has modified their plans to address the most significant neighborhood concerns.

We are disappointed by people acting on fears instead of choosing to be educated on the subject, for example reading by the document at the link below and understanding that professionals know what they are doing and how to handle situations. Michael attended the City's FFHA training about a year ago, but didn't notice any of the opposition in attendance.

It has been demonstrated repeatedly that this type of home will not have the feared amount of parking/traffic that is seen in the larger assisted living communities. The other smaller residential care homes in Fort Collins have that data available.

Fort Collins needs smaller residential homes for its vulnerable population with Dementia whose family members may not be able to care for them at home. This type of home in a neighborhood is exactly what many would be looking for to place their family elderly member in an assisted living situation.

Michael and Vera Pruznick

Current location confidential for safety and security.

REFERENCE:

https://www.alz.org/national/documents/phase_4_home_care_recs.pdf

See our previous submittals for details.

Katie Claypool

From: Development Review Comments
Sent: Tuesday, December 13, 2022 3:09 PM
To: Katie Claypool
Subject: Fw: [EXTERNAL] Castle ridge group home project

Categories: P&Z

From: Matthew Richter <mjr2049@gmail.com>
Sent: Tuesday, December 13, 2022 4:53 PM
To: Development Review Comments <devreviewcomments@fcgov.com>
Subject: [EXTERNAL] Castle ridge group home project

My name is Matthew Richter and I am writing this email in support of castle ridge group home project. I live in Fort Collins and I believe the city needs smaller residential homes for our elderly population with dementia. As an EMT I get calls for falls and other problems at elderly homes and I've seen some of the conditions in the large ones. If a relative of mine ever needed dementia care I would only use a smaller residential home such as castle ridge group home project.

Thank you for your time,
Matthew Richter

Katie Claypool

From: Development Review Comments
Sent: Tuesday, December 13, 2022 3:09 PM
To: Katie Claypool
Subject: Fw: Fort Collins Planning and Zoning Board Castle Ridge Group Home

Categories: P&Z

From: MAURICE SHENK <MAURICESHENK@msn.com>
Sent: Tuesday, December 13, 2022 4:33 PM
To: Development Review Comments <devreviewcomments@fcgov.com>
Subject: [EXTERNAL] Fort Collins Planning and Zoning Board Castle Ridge Group Home

My name is Maurice Shenk. I have lived in Fort Collins for 50 years. This community needs smaller residential homes for our elderly population with Dementia and memory loss. Please give the approval for this much needed facility. Eric Shenk and Xioma Diaz are highly qualified to provide the necessary care this part of our population is in need of. So many of the objections are unfounded and spiteful, and should be disregarded as selfish in nature. I urge you as a board to approve this facility as soon as possible.

Thank you for your consideration,

Maurice Shenk

Sent from Mail for Windows

Katie Claypool

From: Development Review Comments
Sent: Tuesday, December 13, 2022 3:09 PM
To: Katie Claypool
Subject: Fw: [EXTERNAL] Support of the Castle Ridge Group Home Project.

Categories: P&Z

From: jessie@chaos2art.com <jessie@chaos2art.com>
Sent: Tuesday, December 13, 2022 5:23 AM
To: Development Review Comments <devreviewcomments@fcgov.com>
Subject: [EXTERNAL] Support of the Castle Ridge Group Home Project.

My name is Jessica Miller,
I am a patient advocate and volunteer at a 90 bed convalescent center that has been challenged with staffing issues since the outbreak of COVID-19. Many patients in *large facilities* live a daily struggle of under staffing that include:
No assistance to get out of bed resulting in only a few hours a month outside of the individuals' bed/room
Once weekly access to bathing or shower facilities
Change of soiled clothing limited to once a day
No personalized or individualized time spent with the resident
As a witness to the alarming lack of dignity and daily needs of memory care residents I am writing this email in support of the Castle Ridge Group Home Project.
A recent global survey conducted by Alzheimer's Disease International found that 84 percent of people living with dementia reported experiencing stigma and discrimination in at least one area in their life. Many individuals describe the consequences of stigma as being as challenging as the dementia itself. An estimated 6.5 million Americans over the age of 65 are living with dementia. Stigma and discrimination limit access to small personalized facilities that offer:
Better staff-to-patient ratios
More accessible than larger facilities
Better able to accommodate personal needs of residents
Fewer staff and residents help prevent the spread of infectious illnesses
Statistically safer for residents (fewer falls and accidents)
10% of Americans over the age of 65 are diagnosed with dementia, so please support a small, safe an loving environment for a handful of our aging population by allowing *Castle Ridge Group Home Project* to provide care in our neighborhood.
Thank you,
Jessica Miller, Volunteer Patient Advocate

Katie Claypool

From: Development Review Comments
Sent: Tuesday, December 13, 2022 3:10 PM
To: Katie Claypool
Subject: Fw: [EXTERNAL] Comment

Categories: P&Z

From: Regan Espinosa <tppc17@gmail.com>
Sent: Tuesday, December 13, 2022 4:18 AM
To: Development Review Comments <devreviewcomments@fcgov.com>
Subject: [EXTERNAL] Comment

Hello,

I live in the Fort Collins area.

This community needs smaller residential homes for our elderly population with Dementia.

Thank you,
Reba.

Katie Claypool

From: Development Review Comments
Sent: Tuesday, December 13, 2022 3:10 PM
To: Katie Claypool
Subject: Fw: [EXTERNAL] Support for Castle Ridge Group Home

Categories: P&Z

From: Hector Espinosa <hectorespinosa72@gmail.com>
Sent: Tuesday, December 13, 2022 4:09 AM
To: Development Review Comments <devreviewcomments@fcgov.com>
Subject: [EXTERNAL] Support for Castle Ridge Group Home

My name is Hector Espinosa, and I'm writing this email in support of the Castle Ridge Group Home project.

The Fort Collins community needs these types of smaller residential care homes that offer a more personalized, and focused, support structure for our elderly population afflicted with dementia. This kind of home-like care facility offers a calming and peaceful environment for its residents which helps in their overall care and comfort.

I would hope that the city of Fort Collins realizes the benefits of having this type of an option in care for our elderly population.

--

Thank you.

Hector M. Espinosa

Katie Claypool

From: Development Review Comments
Sent: Tuesday, December 13, 2022 3:10 PM
To: Katie Claypool
Subject: Fw: [EXTERNAL] Re: 636 Castle Ridge Court memory care facility proposal

Categories: P&Z

From: KEN PATRICK <traceyken@comcast.net>
Sent: Tuesday, December 13, 2022 2:57 AM
To: Development Review Comments <devreviewcomments@fcgov.com>; Em Myler <emyler@fcgov.com>
Subject: [EXTERNAL] Re: 636 Castle Ridge Court memory care facility proposal

To whom it may concern,

I would like to submit an additional comment for consideration at the P&Z meeting Dec. 15th and in review of the proposed project.

I would like to remind the P&Z committee that initially PFA required a fire lane marked covering nearly the entire length of Castle Ridge Ct. The applicant's attorney then confronted PFA about their decision, stating that parking on both sides of the street was going to be highly unlikely. PFA then withdrew their requirement. It has been demonstrated that it is highly LIKELY there will be parking on both sides of the street therefore creating a one way street at those times. This will be exacerbated during inclement weather when there is snow on the street (no plowing).

It does not appear that PFA has been asked or required to review the additional information presented during the prior P&Z evaluation/meeting and amend their decision if needed. Why? This despite another "reasonable accommodation" determination by the city for greater than 8 residents. The safety of all residents, including those that will be housed at the proposed facility, needs to be taken into consideration and procedure followed. With this potential to impact the safety of all of the residents, I urge the P&Z to decline this proposal due to the density of the project on this narrow street.

Kindest regards,
Tracey Stefanon
Ken Patrick
642 Castle Ridge Ct.

> On 11/28/2022 8:32 AM Development Review Comments <devreviewcomments@fcgov.com> wrote:
>
> Good morning Ken,
>
> Thank you for submitting your comments on the Castle Ridge Ct proposal.
>
> I can't personally comment on the reasonable accommodation requests since I'm not an expert in the City's Land Use Code. I have passed your inquiry on to our planning staff, who are the

experts, and will make sure they get back to you so they can clear up confusion for you and the neighbors.

In the meantime, I will make sure your comment is included in the packet materials for the proposal that the Planning and Zoning Commission receive and use in their ultimate decision.

Please let me know if there is anything else I can help with

Respectfully,

Em Myler
Neighborhood Development Liaison

From: KEN PATRICK <traceyken@comcast.net>
Sent: Monday, November 21, 2022 1:59 AM
To: Development Review Comments <devreviewcomments@fcgov.com>
Subject: [EXTERNAL] 636 Castle Ridge Court memory care facility proposal

To whom it may concern,

I am submitting comments with regards to the proposed memory care facility at 636 Castle Ridge Ct. In reminder, my family and I live in the home that is the direct next door home to the proposed project. I spoke at the P&Z meeting with regards to this project.

It appears that the prior granted reasonable accommodation of 16 residents, on the basis that it was "reasonable and necessary", has actually been deemed not reasonable and no longer necessary for this project to move forward. In addition, a new reasonable accommodation of 10 residents has been granted on the same premise. I am sure you can understand how this is quite confusing and frustrating as the number and determination appear to arbitrary and not based on what is actually reasonable nor necessary. 16 and 10 cannot both be necessary, and so it begs the question as to how this determination is made and, without clear standard, should most reasonably default to the current municipal code of 8.

My family and I stand firm in our opposition to the density of the project due to the increased traffic and parking burden to the neighborhood and the high likelihood of a one lane bottleneck of the main road in the neighborhood. This would create an issue for emergency response vehicles and other larger transiting vehicles in and out of the neighborhood. This is especially concerning on snowy days as this road is not plowed. The proposed limited control measures that the applicants has put forth are unlikely to be fully utilized and are totally unenforceable.

The applicants do not fully answer the question asked by city representatives regarding anticipated traffic to the site on a daily basis with estimated staff, deliveries, etc. The applicants do not provide details on the estimated trips for:

1. Deliveries for food, pharmacy, supplies, packages to residents, etc.

2. Number of provider visits for physician/provider evaluations, dental, occupational therapy, physical therapy, speech therapy, massage therapy, wound care, etc.
3. Number of visits for religious providers
4. Number of transports of residents out in to the community for on site medical/dental visits, salon appointments, community outings, etc. Will there be a van to transport the residents? Where will it be housed? Where is the loading and unloading site for the transportation vehicle for the residents if all the parking spots are utilized in the driveway?
5. Number of estimated visitation from family and friends. The applicants continue to state that they will require visitors to make appointments which is against Colorado code for assisted living and hospice care as previously noted.
6. Number of service visits for general maintenance of the home, landscape, snow removal, etc.

The consultant even commented in her presentation to P&Z that if the number of residents was different they would still require the same number of services including the nurses, therapists, massages, etc.

In addition, I continue to have concerns that the number of caregivers is grossly underestimated. What happens if the project goes forward and it is determined that additional staff are needed to provide care to the residents, meal preparation, housecleaning services, etc? What if traffic and parking are above and beyond what was projected? How does the city go back and decrease the number of residents allowed?

There are simply too many unknowns with regards to the impact this project will have on this neighborhood with regards to traffic, parking and therefore safety of residents of the neighborhood and of the proposed facility. There are no enforceable rules to limit the traffic and on street parking. Limiting this project to the current code of 8 residents allows for the facility to get up and running and be able to effectively answer these unknowns with data, decreasing the risk to the neighborhood and facility residents. If, after a period of FULL occupancy operations at 8 residents (i.e. 1-2 years) the impact is minimal and not presenting a risk then the applicants can apply for a "reasonable accommodation" to increase to 10. However, if 10 is granted now, and the operation presents a safety issue how does the city go back?

We respectfully request that this project be denied at the current density proposed.

Respectfully,
Tracey Stefanon
Ken Patrick
642 Castle Ridge Ct.

TESTIMONY IN SUPPORT OF THE MIRAMONT MEMORY CARE HOME

MY NAME IS HECTOR ESPINOSA

I WOULD LIKE TO EXPRESS MY SUPPORT FOR THE CASTLE RIDGE GROUP HOME PROJECT.

WE ALL KNOW THAT THE DEMAND FOR CARE FOR FAMILY MEMBERS WITH ALZHEIMER OR DEMENTIA IS GROWING. WE ALSO KNOW THE CHALLANGE THEIR CARE REPRESENTS FOR THEIR LOVE ONES.

THEY COULD BE ANY ONE OF OUR SIBLINGS , OR PARENTS OR PARTNERS.

AND WHAT A BETTER OPPORTUNITY FOR THESE SENIORS WITH THESE

CONDITIONS TO HAVE A PLACE LIKE CASTLE RIDGE WHERE THEY COULD LIVE IN SMALL HOMELIKE ENVIRONMENT. A PLACE WHERE THEY COULD GET MORE PERSONALIZED ATTENTION AND CARE, THAN IN LARGE INSTITUTION WITH 40 OR 50 OTHER INDIVIDUAL WITH THE SAME CONDITION.

THE CASTLE RIDGE IS INVESTING IN THE COMMUNITY AND ADHERING TO THE RULES AND REGULATIONS, TO ENSURE THE SAFETY AND THE INTEGRATION OF THE HOME RESIDENTS AND THE SAFETY AND CONFORT OF THEIR NEIGHBORS.

THANK YOU VERY MUCH FOR YOUR CONSIDERATION OF MY REQUEST

Testimony in support of the Miramont Memory Care Home or Castle Ridge Group Home

My name is Gustavo Espinosa, and I would like to express my support for the Castle Ridge Group Home Project.

Like many other people dealing with challenges of family members with Alzheimer's / Dementia we want to support and assist and keep them in their own home for as long as possible. However, we recognize the progressive nature of their condition and witness firsthand how they lose their abilities to live independently. When no longer possible, we look and advocate for homelike alternatives. The Castle Ridge Group is one of those alternatives we are presently considering for my 89-year-old sister who is a widow with no children. The Castle Ridge Group Home is a small, affordable and well-located alternative to have available for my sister.

Please consider that Castle Ridge is taking a big step by investing in the community. By adhering to the rules and regulations, it hopes to ensure the safety and the integration of the home residents, and the safety and comfort of their neighbors.

The difference that places like this make for the well being of those who need that kind of care and for the peace of mind of their families is priceless.

Thank you for your consideration of this request.

Gustavo Espinosa

3239 Barbera Ct.

Greeley CO 80634

Gespinosa2002@yahoo.com

Alfonso and Delia Rodríguez
3120 66th Avenue
Greeley, CO 80634
leyendapub@comcast.net

March 21, 2022

Planning and Zoning Board
Fort Collins, Colorado

Dear Members of the Board:

On the afternoon of March 18 my wife and I were given a tour of the Castle Ridge Group Home (Miramont Memory Care Home) owned by Mr. Eric Shenk and Miss Xioma Díaz. We were interested in learning of the operation of such services, since perhaps in the future we may be candidates for similar services. Thus, this is a letter of support for that initiative.

Mr. Shenk was kind enough to provide us with a thorough presentation of the premises, including plans for renovations in certain areas, and their goals in providing quality care to persons suffering with Alzheimer's and Dementia. He indicated that Castle Ridge Group Home would be, at this time, the only enterprise devoted exclusively to that type of service in northern Colorado. If this is the case, then it would constitute an important contribution to the community.

The place is impeccably clean and would only serve up to fifteen clients, which would almost guarantee a high quality of individual care. We have visited assisted living institutions in Loveland and other places, and have noticed that in those places some of the clients feel neglected and depressed due to low quality care. The Home, in this case, could easily become like a large family where people can enjoy many moments of real fellowship and amiable communication.

Also, Castle Ridge Group Home would be small enough to prevent uncomfortable traffic in the neighborhood.

In conclusion, for the reasons stated above we support the inauguration of CRGH. Thank you very much.

Respectfully,

Alfonso and Delia Rodríguez

Gmail

hector espinosa <hespinosa78@gmail.com>

Project Miramont Memory Care Home

1 message

Octavio Noda <nodav@comcast.net>
To: hespinosa78@gmail.com

Mon, Mar 21, 2022 at 9:26 AM

March 20, 2022

TO WHOM IT MAY CONCERN:

This is a brief note to express support for the project Miramont Memory Care Home, owned by Eric and Xioma Díaz.

A few days ago, I had the opportunity to tour the home, courtesy of Mr. Erick Shenk, one of the owners. He gave a few of us a complete tour of the house and answered all our questions. I was impressed by the design of the place. It is very attractive, and it seems like a very suitable place to serve persons suffering from Alzheimer's and Dementia. It is a well-equipped house to receive only a small number of people, a condition which almost assures excellent personal care.

The sector of town is tranquil and convenient for an enterprise such as the one that is proposed. I learned that this memory care home is unique in northern Colorado, and as such, it means that a significant contribution to the community will be made by its existence. Also, this enterprise will not interrupt the peace of the neighborhood.

Thank you for your attention to his letter.

Sincerely,

Octavio Noda
Berthoud, Colorado

---------- Forwarded message ---------
ernesto espinosa <espiusa99@gmail.com>
Sun, Mar 20, 2022 at 9:44 AM
Subject: 23MAR2022 Agenda Item #4: Castle Ridge Group Home Project
To: <Devreviewcomments@fcgov.com>

Hello,
I'm commenting on behalf of Castle Ridge Group Home.
There are always those who oppose any kind of change. We typically refer to them as NIMBYs (Not In My Backyard). But some change can be a good thing for both sides. As communities we all too often look to place individuals with special needs in places where they are out of sight and out of mind to the detriment of those individuals. This type of group of home inside a residential community can provide huge benefits to the residents of the home as they are not locked away in some commercial location in a large size group home where they are treated more as an amazon package to be warehoused. This is a place where they can feel that they are in a home with multi generational neighbors and children playing in the streets. In a small size group home they can receive the attention and caring they deserve as individuals. Care and attention that is no longer possible at their own homes. These people will not be foreigners, or dangerous elements. They will be our mothers or fathers. People who raised our children, who've led wonderful lives that sacrificed for and contributed to our communities being what they are today and through no fault of their own now struggle to remember those lives and can no longer continue on their own. Should we not do what we can to help them and make them feel comfortable, valued, and wanted? In time, the current residents of this neighborhood may actually become residents of this group home. Imagine the benefit of not having to even leave their neighborhood. To have family so close by that a small walk is all that is needed to be visited by family.

Much is made of the maximum size of 16, but 16 allows for fluctuations in vacancy rates. With a size of 8, a single vacancy for any amount of time carries a large impact. In addition there is an over emphasis placed on parking on one time events such as holidays. There are always parking issues in those cases. All it takes is for one family or more to decide to hold a party. This shouldn't be a consideration. Besides I'm sure accommodations could be made. Perhaps the owners could arrange to shuttle people to/from a staging area should it be an extreme situation. There are always ways to make things happen without overly inconveniencing the neighbors.

I think "Neighborhood character" should be outlawed as a reason to ever deny a project. Neighborhoods change and should overtime as residents come and go overtime. Change is good for all of us. America is built on change. Colorado is built on change. Ft. Collins is built on change. Could you imagine if we never allowed a neighborhood's character to change? If you don't believe neighborhoods change may I suggest an online visit to the Fort Collins History Connection.

To summarize, I believe the Castle Ridge Group Home project can provide a positive and beneficial impact for the citizens of Fort Collins as well as the residents of Castle Ridge Court. We should say NNIMBYs (No Not In My Back Yards) who just throw everything at the wall hoping something will stick because they resist all change.

Thank you for your thoughtful consideration of my words,

--
Thank you,
Ernesto Espinosa

Katie Claypool

From: Development Review Comments
Sent: Tuesday, December 13, 2022 3:11 PM
To: Katie Claypool
Subject: Fw: [EXTERNAL]

Categories: P&Z

From: Mack Tulenko <tulenkomack@gmail.com>
Sent: Monday, December 12, 2022 7:51 PM
To: Development Review Comments <devreviewcomments@fcgov.com>
Subject: [EXTERNAL]

My name is Mack Tulenko. I am writing this email in support of the castle ridge group home project. Fort Collins needs to change with the times and have other options for our elderly population that minimally impact our city instead of these big institution like facilities like Brookdale and Morning Star senior communities.

Katie Claypool

From: Development Review Comments
Sent: Tuesday, December 13, 2022 3:11 PM
To: Katie Claypool
Subject: Fw: [EXTERNAL]

Categories: P&Z

From: Shai <sheek1031@gmail.com>
Sent: Monday, December 12, 2022 8:13 PM
To: Development Review Comments <devreviewcomments@fcgov.com>
Subject: [EXTERNAL]

My name is Shai Krieger. I am writing this email in support of the castle ridge group home project. I am a caregiver at this home and it has been disgusting the way that some of the people in this neighborhood have harassed this family who is attempting to start a home that will benefit a large population of our elderly with dementia. Our elderly whom suffer with dementia need familiarity and stability more than anyone, something we are able to provide at this location. Including the ability to develop a interpersonal relationship with our residents, something that is not possible at larger facilities due to a 15:1 ratio of residents:staff, where we will be operating at a 5:1 ratio. The needs of the most vulnerable people in our society should take place over the petty "worries" the neighborhood clames. It has been demonstrated several times that this type of home will not have the large amount of traffic that is seen in the larger assisted living communities. The other smaller residential care homes in Fort Collins have that data available. What if it were you? Don't you want the best care and best quality of life? People with dementia deal with enough, give them a home they can live out the rest of their days in, with the love and support they not only need but deserve.

Katie Claypool

From: Development Review Comments
Sent: Wednesday, December 14, 2022 9:35 AM
To: Katie Claypool
Subject: Fw: [EXTERNAL] Castle Ridge Group Home

Categories: P&Z

From: Taryn Morrow <taryn.morrow@gmail.com>
Sent: Wednesday, December 14, 2022 5:13 AM
To: Development Review Comments <devreviewcomments@fcgov.com>
Subject: [EXTERNAL] Castle Ridge Group Home

My name is Taryn Morrow, and I am writing this email in support of the Castle Ridge Group Home project. I live in Fort Collins and have a grandmother who is struggling with dementia. When my grandfather passed away last year, we were able to find a home much like this one where she could live safely. There have been so many benefits to having her in a small home, much like the Castle Ridge Group Home. She was able to learn the easy layout quickly, which would have been more complicated in a larger facility. She has a consistent group of caregivers who know her and are well versed in her quirks due to this disease. They have been quick to learn what she does and doesn't like to eat and have even been willing to make adjustments just for her. We are able to call and FaceTime with the help of staff members, and we have been notified very quickly of illnesses, etc. This is critical to our being able to check in and have the reassurance she is being cared for. I truly believe these types of things would not happen as easily, or even at all, in a much larger facility. The home she currently resides in is located in another state where she has lived most of her life, however, she is far away from any family members. This type of home would be exactly where we would want her to live if it was ever best for her to be moved for any reason. We need options like these for our elderly, and especially those who struggle with memory. My grandmother couldn't tell you the date, and if she did, she would likely say something in the 1950's, but she can tell you all about what she was doing, where she was working, and how she learned to make the best pies. She is funny, and kind, but also very easily disoriented if she's out of familiar settings. A home like the one being proposed at Castle Ridge would be such an asset in Fort Collins. I ask that you take these things into consideration when making your decision.

Sincerely,
Taryn Morrow

Katie Claypool

From: Development Review Comments
Sent: Wednesday, December 14, 2022 10:15 AM
To: Katie Claypool
Subject: Fw: [EXTERNAL] Castle Ridge Group Home

Categories: P&Z

From: Steve Dornseif <stevedornseif@gmail.com>
Sent: Wednesday, December 14, 2022 5:08 PM
To: Development Review Comments <devreviewcomments@fcgov.com>
Subject: [EXTERNAL] Castle Ridge Group Home

My name is Steve Dornseif and I would like to once again express my strong support in favor of approving plans for the group home, Sign # 615, 636 Castle Ridge Court.$

I owned and lived at 5031 Bluestem Ct, a neighbor of the property and a friend of a resident, for 15 years. Although I just moved to a Loveland rental and sold the home 3 months ago, I am still a neighbor and retain strong ties to Fort Collins and will probably be looking to return.

I support the updated plans for the Group Home and even if I were a close neighbor to the property, I would have little concern about impacts, and be very pleased that this service is being offered. This is exactly the kind of home that most us would be looking for when Memory Care is needed, whether for ourselves or for family members. This is a growing need for many, and an extremely important part of the solution.

I believe the current plan fully addresses the Parking needs, which seems to be the biggest issue to be resolved before approval. I believe the documents are very thorough in ensuring there would be minimal effects on access through Castle Ridge Court.

I continue to support staff parking / car-pooling off-site through the use of street parking on the WEST side of Boardwalk, the 5000 block. As a neighbor, I observe that the east side can be busy from the apartments, but the west side is little used. The 5100 block of Boardwalk also seems possible -- especially the West/South side -- only at certain times does park and condo parking affect that block. This parking is less than 500 yards away from the group home. The city has provided and maintains street parking, so it seems that it should be used in a reasonable manner and not left empty most of the time.

Thanks!
- Steve Dornseif
970-456-4361

Katie Claypool

From: Development Review Comments
Sent: Wednesday, December 14, 2022 2:54 PM
To: Katie Claypool
Subject: Fw: [EXTERNAL] 12/14/2022 City of FOCO Planning/Zoning Committe Support letter

Categories: P&Z

From: elizabeth giglio <lizziegiglio@gmail.com>
Sent: Wednesday, December 14, 2022 9:48 PM
To: Development Review Comments <devreviewcomments@fcgov.com>
Subject: [EXTERNAL] 12/14/2022 City of FOCO Planning/Zoning Committe Support letter

Hello!

My name is Elizabeth Giglio and I am writing in support of the Castle Ridge Group Home project.
With over 25 years of experience in healthcare working in nursing homes, assisted living, home health, and hospitals; one of my biggest passions is advocating for my patients. I feel writing this email is along those lines.
I am inspired by this Project and the incredible opportunity our community has to embrace a better lifestyle and quality of life for Memory care patients/clients and their families. Having both worked in large care facilities and having family members in such places at the ends of their lives, I know we can do better to provide more options to the people in our towns.
A group home setting allows for much more personal, individualized, adaptable care, a better rapport with staff and families, excellent staff to patient ratios, and a safe and quieter environment, that is truly HOME. It's the little details that make a big difference in this population, and QUALITY of life is key!
Having recently moved back to town to be closer to aging parents, and knowing the possibility of potentially needing resources such as these in the future, I LOVE knowing the option for a small group home model over a large care facility is available for my family.

It is disheartening that some people in the neighborhood feel it is okay to harass the family who is starting this group home that will truly benefit our ever growing elderly population with dementia. The parking in the neighborhood will be minimally impacted, as it is a HOME, not a huge facility! Having these types of homes throughout the town would make it SO much easier for families and care providers to both have access to their client and loved ones but also provide a better environment for the patients. Imagine you or your family member needing this type of care in your lives. What environment would you prefer? Where would you feel safest? What does quality of life mean to you? How can we better serve our patient populations and our communities? I think if you took even just a moment, you could see the incredible opportunity and benefit that the Castle Ridge Group Home Project provides.
Thank you for your time in reading this. Happy Holidays to you and yours.
Sincerely,
Elizabeth G

Katie Claypool

From: Development Review Comments
Sent: Wednesday, December 14, 2022 7:02 PM
To: Katie Claypool
Subject: Fw: [EXTERNAL] Castle Ridge Group Home Project

Categories: P&Z

From: ADDISON SCHOLES <mercys@comcast.net>
Sent: Thursday, December 15, 2022 2:00 AM
To: Development Review Comments <devreviewcomments@fcgov.com>
Subject: [EXTERNAL] Castle Ridge Group Home Project

Dear Fort Collins Planning and Zoning Board Members,

The purpose of this correspondence is to express support for the Castle Ridge Group Home project. My wife and I feel that approval of this project would benefit memory care patients, their supportive families and friends, as well as the City of Fort Collins. Memory care patients would benefit by having a personalized, home-like alternative to the traditional institutional setting. Families and friends of these patients would benefit by having the assurance that their loved ones will receive the individual care they need, in an intimate, small-scale residential environment. I know from the experience of trying to find care for my aging mother that I did not want to place her in a large institution. I did not believe that she would be comfortable in that setting or that she would feel "at home". To be uprooted from your home at an advanced age, with diminished capacity to comprehend the circumstances of the move, must be a traumatic and frightening experience. And here is where we believe that the most powerful advantage of the residential, small-scale setting exists. It resembles home, and therefore the patient will be more likely to feel "at home". They are unlikely to feel as comfortable in a large institution. Finally, we believe that approval of the Castle Ridge Group Home project will benefit the City of Fort Collings by demonstrating progressive thinking regarding care of mental health patients as well as embracing the Fort Collins Housing Strategic Plan.

Thank you for your consideration of these thoughts.

Best regards,

Addison and Mercedes Scholes

City of Fort Collins
Planning & Zoning Commission
Type 2 Review for proposed group home at 636 Castle Ridge Ct.

Neighborhood Response

12/15/22

1

Representation

Kurt/Laurie Johnson
612 Castle Ridge Ct

Jesus Martin/Angie Lee
637 Castle Ridge Ct

Steve/Kathy Chacho
631 Castle Ridge Ct

Ed/Joann Jaeger
643 Castle Ridge Ct

Troy/Carrie Tafoya
5213 Castle Ridge Pl

Barbara Schwerin
601 Castle Ridge Ct

Tracey Stefanon/Ken Patrick
Lily/Weston Patrick
642 Castle Ridge Ct

Lawrence Mauch/Karen Kotecki
625 Castle Ridge Ct

2

Representation (cont'd)

Tom/Debbie Graff
624 Castle Ridge Ct

Steve/Beth Williams
5301 Highcastle Ct

Gregg/Stacy Lesartre
619 Castle Ridge Ct

Tony/Sarah Doing
5206 Castle Ridge Pl

Michael Leuzze
5225 Castle Ridge Pl

Dan Clawson
5219 Castle Ridge Pl

Douglas/Katie Salter
613 Castle Ridge Ct

3

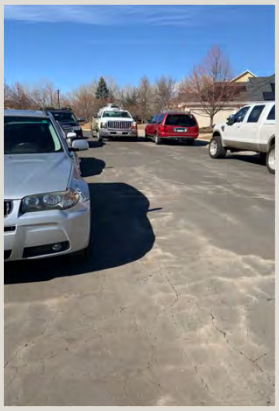
Agenda

- Previous Parking Conclusions (*which contributed to P&Z denying the previous 636 Castle Ridge Court application in its 3/23/2022 hearing*)
- Current Constraints
- Comparison with Seneca House
- Summary
- Recommended Approach

4

Previous Parking Conclusions

- Visitors and contractors will park on the street -- driveway is not inviting or obvious
- When cars are parked on both sides of street, street becomes one lane
- Sidewalks blend into curb, driveways not obvious
  - Some parking already on sidewalk
- Narrow street – variance predicated on 3-car garages



5

Satellite Image with Driveways

- Driveways and fire hydrant areas leave very limited street parking
- Visitors likely to park in front of and across the street from subject property
- 17 other residences with visitors, deliveries, services, maintenance, and potential need for emergency services
- Next-door neighbors letter: medical supply truck across from roofing contractor

6

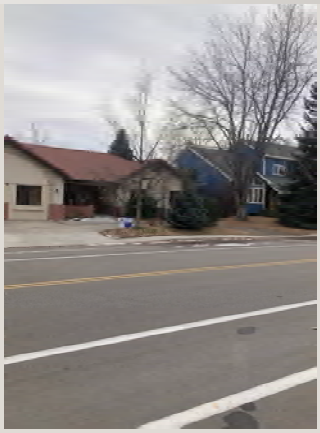
Current Constraints

- Street width unchanged since 3/23/2022 denial
- Driveway layout unchanged since 3/23/2022 denial
  - Not obvious for occasional visitors
  - Requires “musical cars” to achieve stated capacity
  - Human nature at work
- Sidewalks blend into curb, driveways not obvious
- Neighbors on both sides and across street
- Narrow street – variance predicated on 3-car garages

7

Seneca House

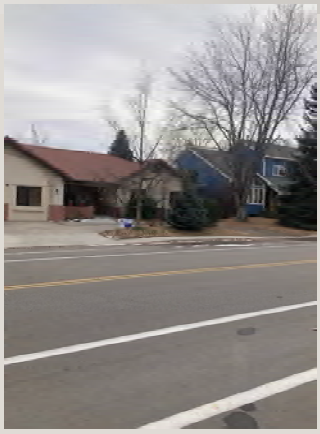
- Recently approved for 10 residents
- Operated at 8 residents for several years
- Demonstrated compatibility
- Key built-in advantages related to parking



8

Seneca House – driveway

- Castle Ridge single entrance/exit
- Seneca circular layout
  - Obvious to visitors/contractors
  - Better circulation
  - More space



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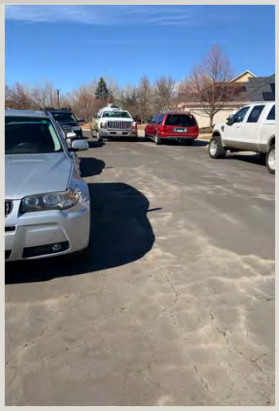
Seneca House – street



- Castle Ridge is narrow/private street
  - Constrained already; not designed for parking on both sides
- Seneca St is city “secondary” street
  - Designed to support on-street parking on both sides
- Seneca House has no neighbors to west
  - Lower impact to others

10

Seneca House – Impact

- Email in packet from last P&Z meeting – Seneca House operating at 8 residents:
  - "Sometimes we run out of on-site parking but we have so much on-street parking that it is never an issue. We are in a unique situation because there is a middle school across the street and our northern neighbor's house faces Craig St."

11

Summary

- Applicants have never run an operation like this before
- Applicant's estimate that two staff can handle full-time care of residents while managing operations – not realistic
  - RA limits to 2 staff
- Parking app not practical – unlikely to be used by visitors or contractors
- "Operational Plan" is optimistic and dubious – not based on experience

12

Summary – Bottom Line

- Far too risky to approve 10 residents, above code, without hard data
- Applicants did not consider “environmental” factors, only house layout
- Seneca only increased to 10 residents after operating for several years

13

Summary – Bottom Line (cont’d)

- Operational plan mostly same and constraints exactly the same as when P&Z denied the project on 3/23/2022.
- Same issues of public health and safety exist with the current application as existed with the previous application
- A group home at more than the allowed intensity at this location jeopardizes neighborhood health and safety

14

Recommended Approach

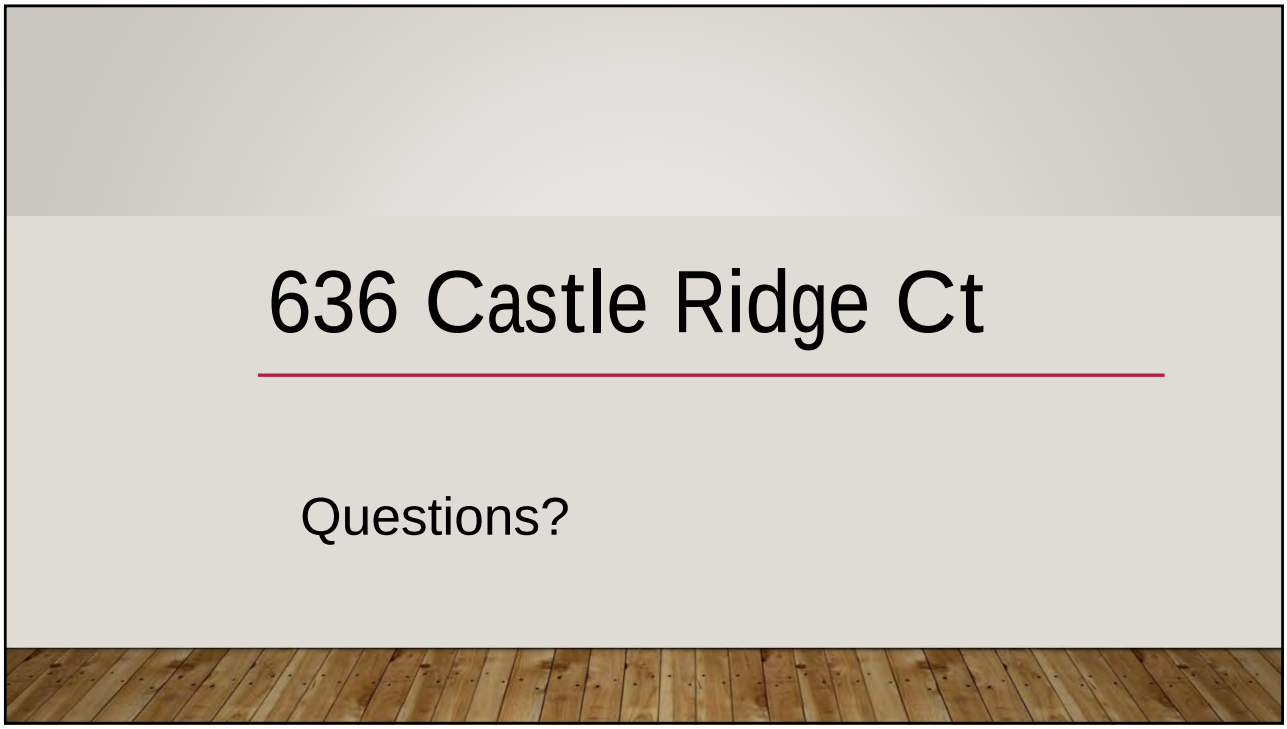
- Deny initial application for 10 residents
- Gain experience for several years first within code
- Neighborhood and applicants gather actual parking data
- If appropriate, subsequent Type 2 review to assess feasibility for any increase based on operational success, parking data, and demonstrated compatibility

15

Additional Conditions Independent of Intensity

- **NOTE: Not a solution for proposed intensity, for consideration within code**
- 1. No bus/van parking on-site or on Castle Ridge (agreed to at neighborhood meeting)
- 2. Deliveries and short term visits to exclusively use the driveway, which enforces the proposed staggering

16



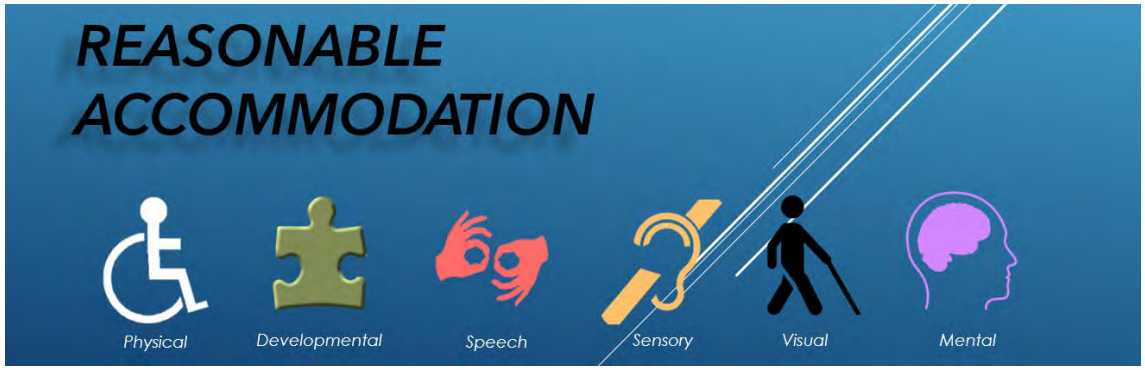
17

Staff Presentation to the Planning and Zoning Commission December 15, 2022

Castle Ridge Group Home – Project Development Plan

Planning & Zoning Commission Hearing – 12.15.22

The Reasonable Accommodation Process



- Federal Fair Housing Act (FHA) and Americans with Disabilities Act (ADA) require reasonable accommodation in zoning regulations
- Purpose is to provide people with disabilities with an equal opportunity to enjoy housing on same basis as persons without disabilities
- City adopted regulations in 2017
- Since that time, 9 reasonable accommodations have been submitted and determined.

Process

- Decided by Community Development and Neighborhood Services Director
- Not open to public input, and LUC does not require outreach or hearing
- Only the applicant may appeal a decision
- Appeals are decided by the City Manager

Evaluation Criteria

- The user of the property at issue has a disability.
- Granting the request is necessary to make specific housing available to a person with a disability.
- Granting the request would not impose an undue financial or administrative burden on the City.
- Granting the request would not require a fundamental alteration in the nature of a land use code provision.

Application First Submitted: July 09, 2021

First Hearing: March 23, 2022

Resubmittal: September 23, 2022

Second Hearing: December 15, 2022

- Location: 636 Castle Ridge Ct
- Lot Size: 22,226 square feet
- Zone: Low-Density Residential District (R-L)
- Proposal:
  - Group Home for Assisted Living - Memory Care*
  - 10-residents
  - 2 off-site parking spaces
  - Additional landscaping, fencing, and screening

LITTLE PEOPLES LANDING
E Harmony Rd
FORT COLLINS
LITTLE LAMBS PRESCHOOL
KOHL'S
Oakridge Dr
Palmer Dr
Hogan Dr
Player Dr
Venturi Ln
Frontage Rd
S College Ave
S Lemay Ave
Rule D
Fairway Ln
287
Bluestem Ct
Boardwalk Ln
MIRAMONT PARK
Miramont Park
Miramont
DISCOUNT TIRE
Griffith Dr
Parkway Cir E
Mail Creek Ln
WERNER ELEMENTARY
Belvedere Ct
Milan Terrace Dr
Pinnacle Pl
Southridge Greens Blvd
Roma Valley Dr
Fossil Creek Pkwy
Fossil Ridge
NATURAL AREA
TWO CREEKS NATURAL AREA
Natural Area
Fossil Creek Condos
Buena Dr
Smokey St
FOSSIL CREEK COMMUNITY PARK
Fossil Creek Community

Mail Creek Ditch
SAWGRASS CT
BULRUSH CT
CASTLE RIDGE CT
HIGHCASTLE DR
HIGHCASTLE CT
Werner Elementary

- Area was annexed into the City as part of the 617-acre Keenland Annexation.
- Single-family detached dwelling
- Lot platted as part of 18-lot Castle Ridge at Miramont PUD, 1993.
- Home built-in 2002.
- Served by a 28’ curb to curb cul-de-sac system.

A Reasonable Accommodation request to increase the maximum allowable residents from 8 to 10 was approved by the City, subject to the following conditions:

1. The proposal for a group home is subject to a type two review by the Planning and Zoning Commission.
2. The facility will be required to comply with all other standards and requirements of the Land Use Code for group homes as permitted in the RL zone and may be subject to conditions of approval including but not limited to requirements for parking, limitation of hours of drop-off and pick-up, regulation of lighting intensity and hours of illumination, requirements related to trash and recycling, screening, storage, and fencing.
3. As described in the application materials, **the facility will implement measures to mitigate impacts and retain residential character including maintenance of the garage doors, no signage indicating that this is a group home, and no more than two staff working shifts on-site at any given time (with the exception of emergencies and shift changes).**

Neighborhood Meeting & Subsequent Comments

- Neighborhood Meeting Held on July 28, 2022. Discussion and following comments included:
  - Questions and concerns were raised about the number of residents proposed at the group home and the parking impacts generated by the number of residents in a neighborhood already experiencing parking and movement issues on the street.
  - A general feeling by the community that this was not an appropriate land use within the neighborhood and that neighbors do not feel that they are being heard and that this use is being forced by the City.
  - Concerns around procedural requirements being met for sign posting and neighborhood meeting
  - Impacts to the privacy of neighboring properties related to window placement outdoor activities.
  - Concerns about administrative staff and who will be living in the residence long term.

City of Fort Collins

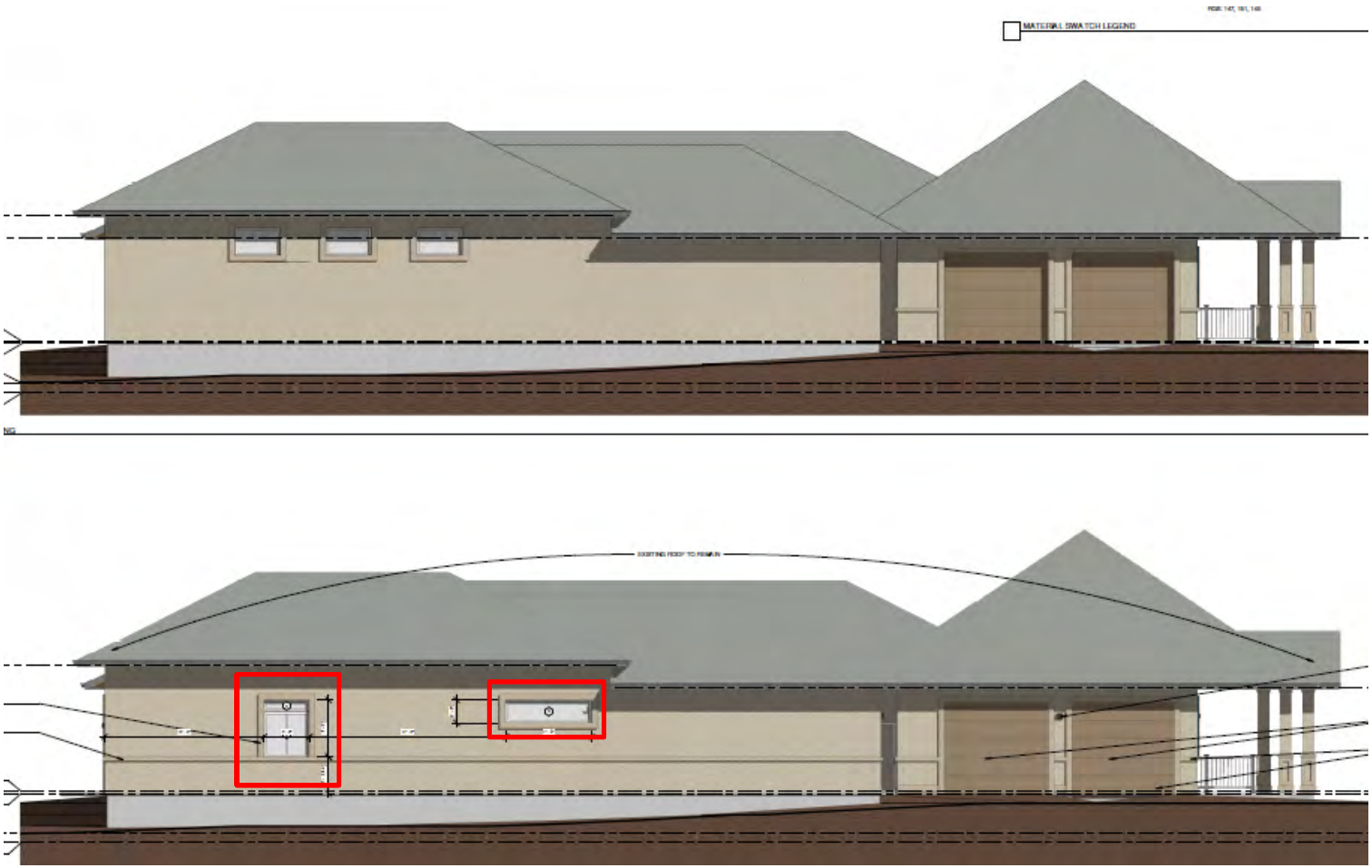
Site & Landscape Plan

City of Fort Collins

Front Facade

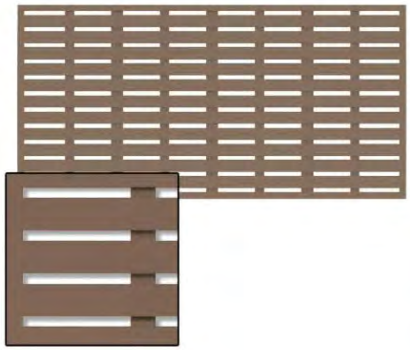
City of Fort Collins

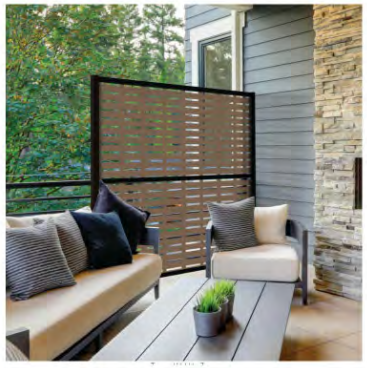
North Elevation



Barrette Outdoor Living (Brand Rating: 4.1/5)

3 ft. x 6 ft. Boardwalk Saddle Vinyl Decorative Screen Panel





TRELLIS DETAILS

Specifications

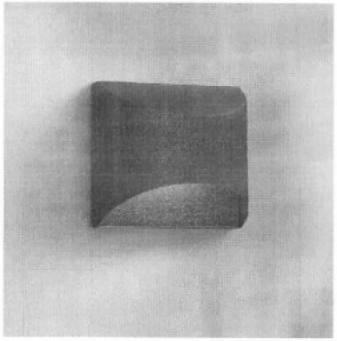
Device functions	EO, L, L-BE
Dogging	LD – Less Dogging
Device length	3', 4'
Center case dimensions	8" x 2 ¼" x 2 ¼" (203mm x 70mm x 60mm)
Mechanism case dimension	2 ¼" x 2 ¼" (57mm x 57mm)
Latch bolt	Deadlocking, ¾" (19mm) throw
Trims	252-L, 252-LBE
Strike	699 roller strike
Finishes	US26D (626), 313 (710)
Options	WH – Weep Holes

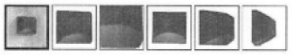
How to order

1	Dogging	LD (Less Dogging) only
2	Device type	98/9952
3	Function	EO, L, LBE
4	Finish	US26D, 313
5	Device width	3' (standard default), or 4'
6	Handing	RHR, LHR
7	Trim	252, L, LBE functions
8	Lever style	06 (standard default), 03
9	Optional	WH (weep holes)

OVERALL DIMENSIONS

/ Outdoor Lighting / Dark Sky / Style # 33H43





MOST POPULAR

Possini Euro Ratner 5 1/2" High Black Modern LED Outdoor Wall Light

5 Reviews | 21 Questions, 28 Answers

$79.99

Comparable Value $119.99

FREE SHIPPING & **FREE RETURNS***
SHIPS TODAY! (orders by 3 PM Mountain)

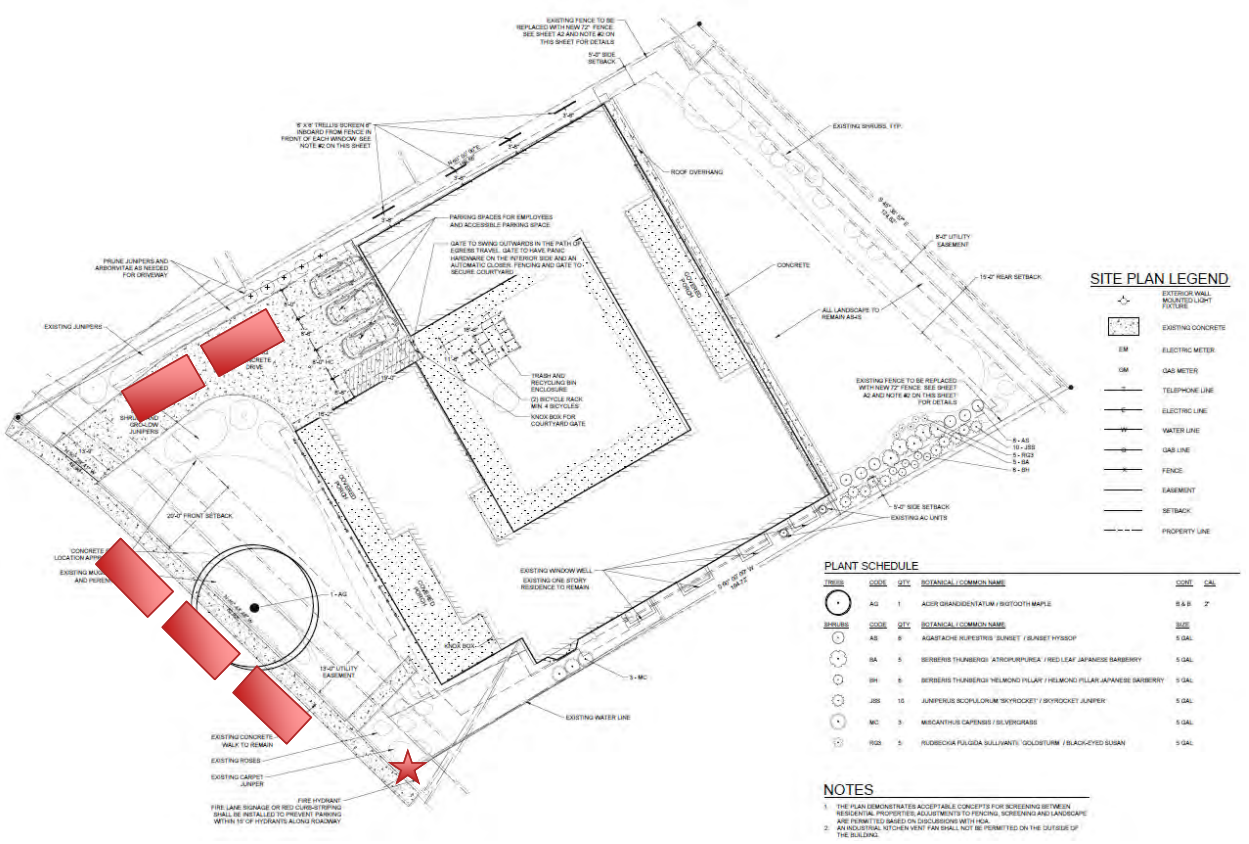
1 ADD TO CART ♡ SAVE

Check Store Availability | Open Box Available

VIEW IN YOUR ROOM

Condition #1 – Hours of Operation and Deliveries

Condition #1 – Hours of Operation and Deliveries



Condition #1

To the extent feasible the hours of operation during which third-party services, such as massages, housekeeping, haircuts, pet therapy, food delivery, and the like, shall be limited to the hours of 8:00 a.m. and 6:00 p.m. Monday through Saturday. Services shall be staggered in a way to reduce the impact of on-street parking within the neighborhood.

To the extent feasible deliveries and short-term visits shall be limited to available space within the driveway and street frontage that shares a common boundary with 636 Castle Ridge Court.

Condition #2

Condition # 2

The property owner or representative thereof shall cooperate in good faith to remedy any unforeseen impacts created through the operation of the group home and provide a designated person who can be contacted 24-hours a day, 7-days a week.

1. The Project Development Plan complies with the applicable procedural and administrative requirements of Article 2 of the Land Use Code.
2. The Project Development Plan complies with relevant standards located in Article 3 – General Development Standards, subject to two conditions.
3. The Project Development Plan complies with relevant standards located in Division 4.4 – Low Density Residential District (R-L).

Staff recommends conditional approval of the Castle Ridge Group Home Project Development Plan, PDP220013.

Applicant Presentation to the Planning and Zoning Commission December 15, 2022

MIRAMONT MEMORY CARE

PLANNING AND ZONING COMMISSION

DECEMBER 15, 2022

ERIC SHENK AND XIOMA DIAZ

Craft Studio LLC

F9 PRODUCTIONS

PINKOWSKI LAW & Policy Group LLC

WHO?

Xioma Diaz is a physical therapist with 28 years of experience in assisted living and memory care communities.

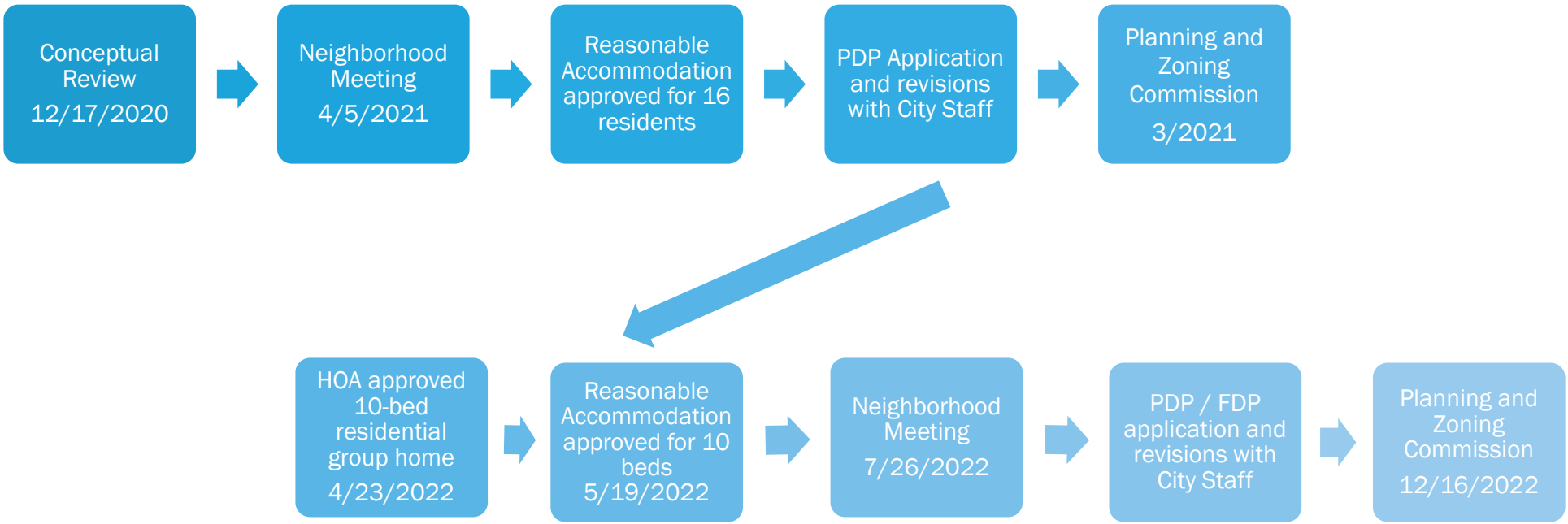
WHAT?

The vision**: To own and manage a high-quality residential home to care for disabled seniors. Currently and legally serving two residents.**

WHY HERE?

This property is already accessible and only requires minor renovations. The home has an internal courtyard for safe exterior amenities.

TIMELINE


Conceptual Review
12/17/2020
Neighborhood Meeting
4/5/2021
Reasonable Accommodation approved for 16 residents
PDP Application and revisions with City Staff
Planning and Zoning Commission
3/2021
HOA approved 10-bed residential group home
4/23/2022
Reasonable Accommodation approved for 10 beds
5/19/2022
Neighborhood Meeting
7/26/2022
PDP / FDP application and revisions with City Staff
Planning and Zoning Commission
12/16/2022

CONCERNS 2021 NM

- Too big of an impact on neighborhood
- Don’t want anyone parking on the street
- Privacy of windows
- Emergency vehicles

SOLUTIONS

- Residents can’t have cars
- Mandate employees to park on public streets outside of neighborhood
- Changed exterior renovations to keep garage doors
- Didn’t show/utilize parking on the street
- Offered to build larger driveway so cars wouldn’t park on the street
- Added landscape and screening in front of the windows
- Showed that the street is wide enough for a fire truck to get through

CONCERNS P&Z

- Not enough parking
- Too many residents / 8 residents would be acceptable

SOLUTIONS

- Reduced the number of number of residents by 6 to a total of 10
- Only 2 over request by neighbors which allows 1 fewer employee and maintains standard of care
- Kept 2 garage parking spaces
- Utilizing a parking App (Parkalot)

CONCERNS 2022 NM

- Too many residents
- Traffic has increased
- Not enough parking
- Privacy of windows
- Total trips down to 24
  - 10th Edition Trip Generation manual states Single Family home has 18 trips
- Emergency vehicles

SOLUTIONS

- Only 2 above the compromise that was offered to us at P&Z
  - 10 residents is a threshold number that maintains high staff to resident ratio and still be financially viable – Unfortunately, had to remove medicare beds
- Currently there is a family of 5 plus 2 residents living in the home with 4 drivers - this will be reduced when the family moves out
- Staff will park in the garage
- Therapists, nurse visits, grocery shopping will occur T, W, Thu between 9am-2pm outside of school hours and typical work commuting hours
- Windows have been reduced on the north elevation
- HOA – covenants say that no one can create a nuisance. If parking becomes a problem there are policies in place to solve the issue
- Residents are DNR (95%) 0 emergency vehicles called so far - hospice care has occurred

NEIGHBOR OUTREACH

- Held another neighborhood meeting
- Consulted the HOA and they agreed to 10 residents.
- Approached neighbors on both sides and offered a tour of the house and meeting. They considered but declined.
- Were asked to have a second neighborhood meeting and requested to know what solutions were going to be presented and who would be in attendance. We didn't hear back.

"Booking a spot requires very little effort from the uses. It makes it easy to implement it in the company. The app is quite fast. User does not have to refresh, to see currently available spots"

5/5

★★★★★

Michal Czernek

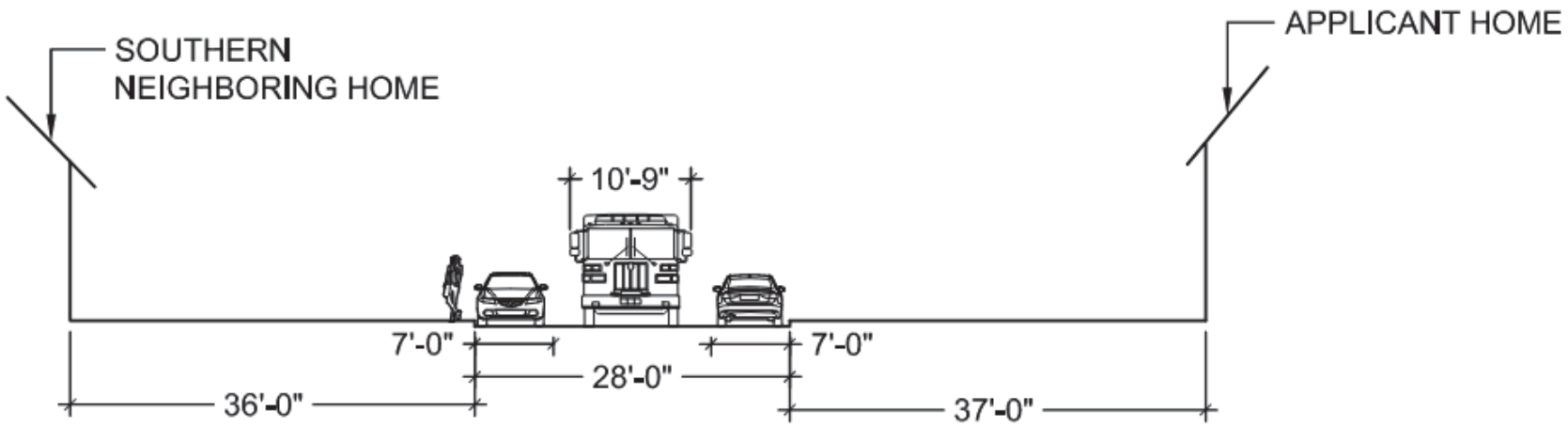
Senior Client Assistant

parkalot

Managing parking spots with Parkalot

Your coworkers will always know if they can go to work by car and find a parking space a day ahead

STAFF PARKING
GARAGE
SHORT TERM SPACES
HC
COURTYARD
FRONT DOOR
NO PARKING WITHIN 15' OF THE FIRE HYDRANT
Castle Ridge Ct
PARKING SPACE EXHIBIT


SOUTHERN
NEIGHBORING HOME
APPLICANT HOME
10'-9"
7'-0"
7'-0"
28'-0"
36'-0"
37'-0"

FIRE ACCESS

NORTH ELEVATION

EXISTING

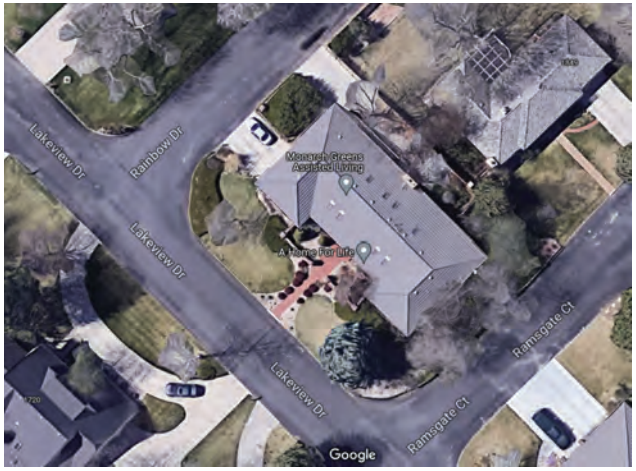
PROPOSED - PREVIOUS

PROPOSED – CURRENT

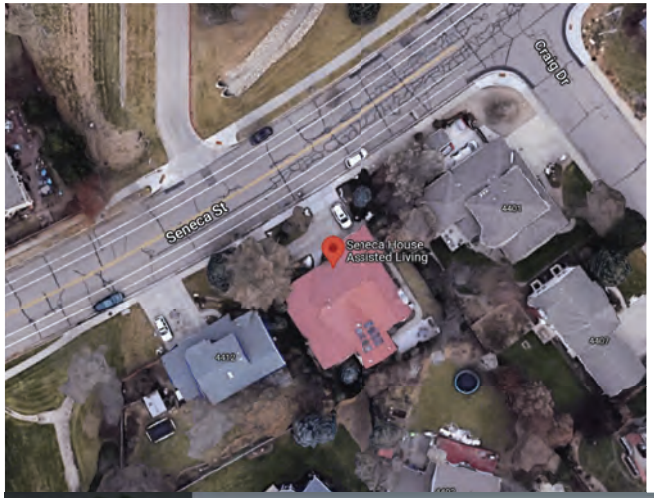
VIEW FROM FUTURE WINDOW IN WINTER

MONARCH GREENS

(1 CAREGIVER PER 7 RESIDENTS)



SENECA HOUSE (10 RESIDENTS)

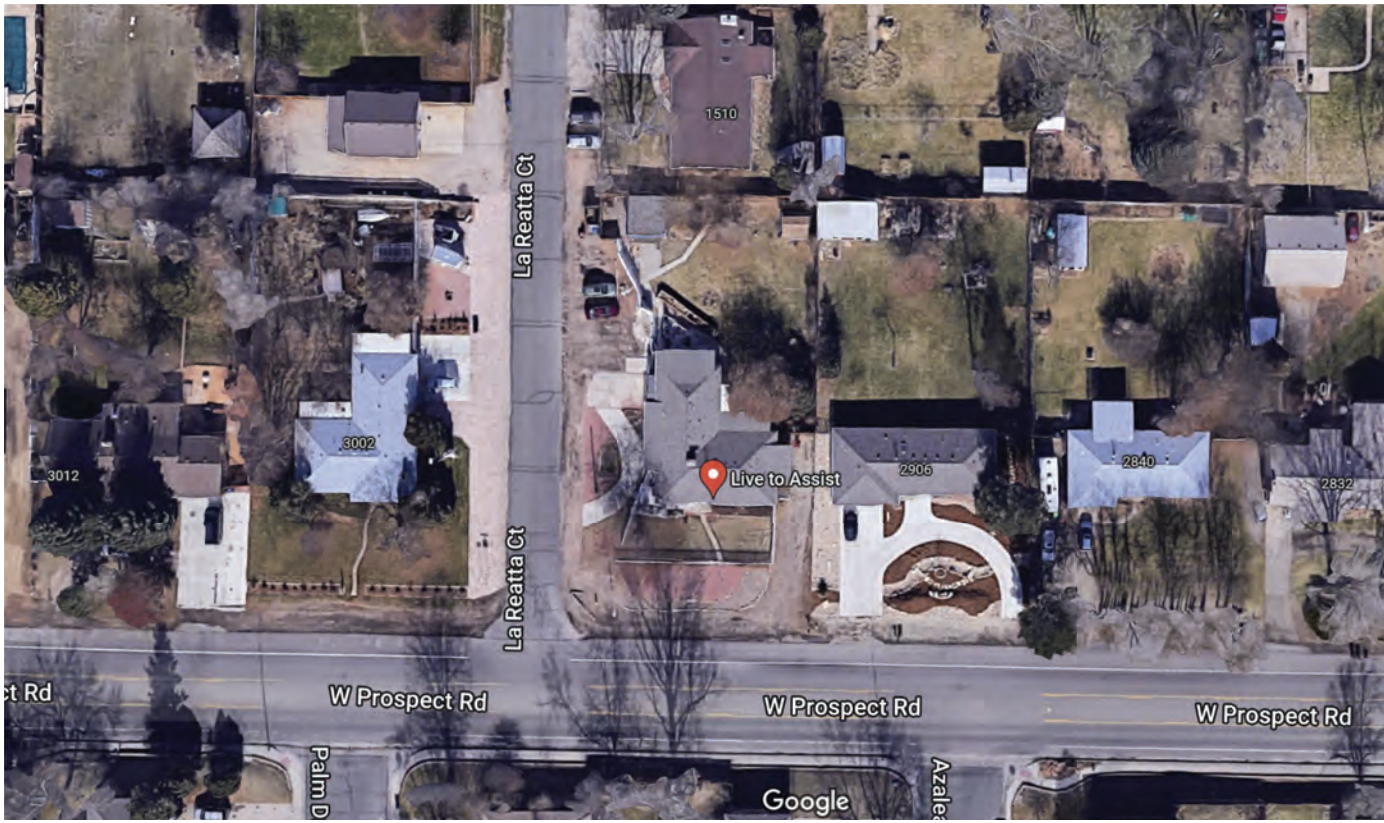


TURNBERRY PLACE

EAGLES NEST

Salmon Run
N Co Rd 5
N Co Rd 5
Eagles Nest
Assisted Living
Google

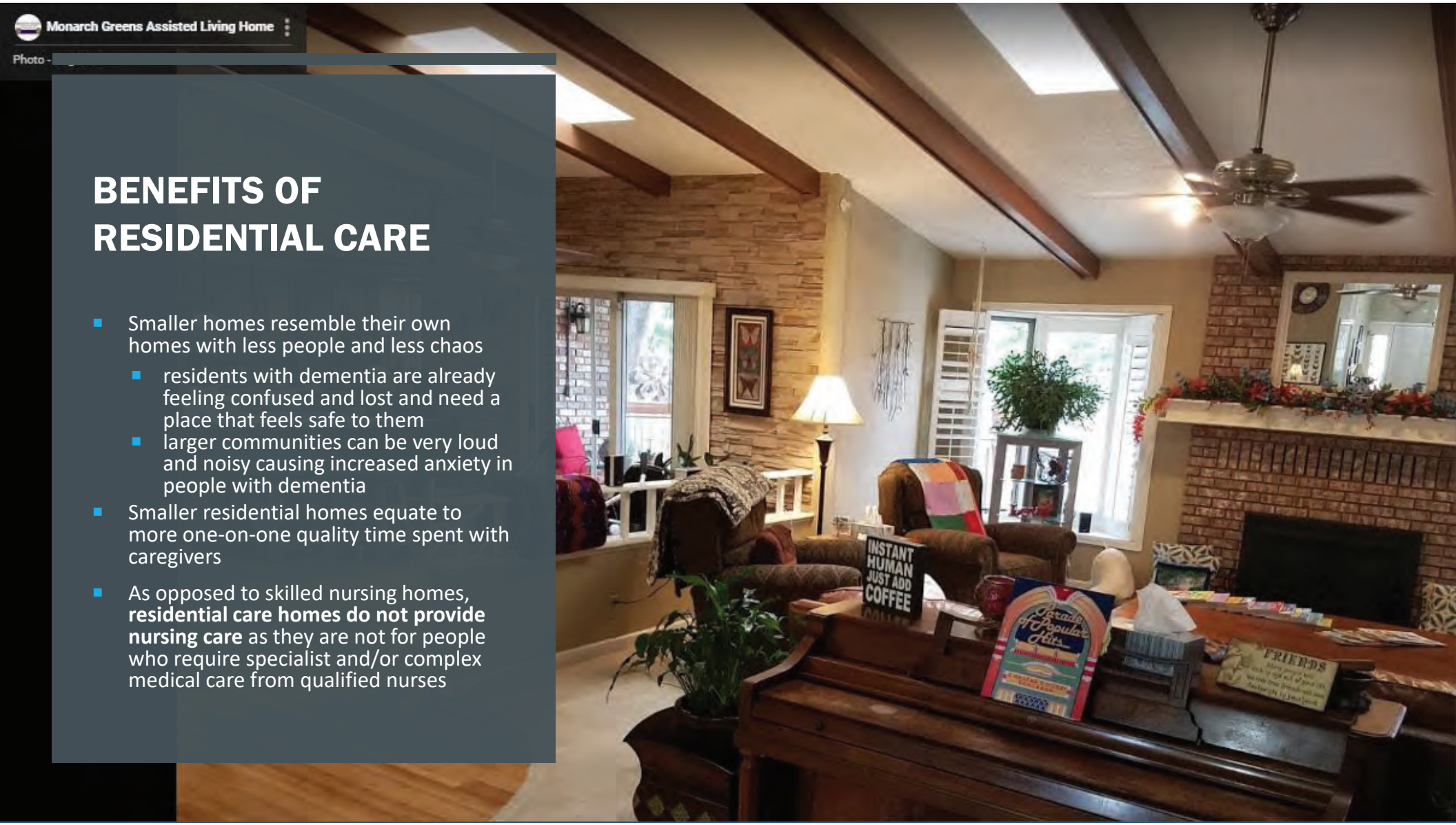
LIVE TO ASSIST



PRESTIGE LIVING

EXISTING RESIDENTIAL GROUP HOMES:

- 3 or less cars parked
- No large dumpsters
- No cars blocking streets
- Blend into the surrounding neighborhoods



BENEFITS OF RESIDENTIAL CARE

- Smaller homes resemble their own homes with less people and less chaos
  - residents with dementia are already feeling confused and lost and need a place that feels safe to them
  - larger communities can be very loud and noisy causing increased anxiety in people with dementia
- Smaller residential homes equate to more one-on-one quality time spent with caregivers
- As opposed to skilled nursing homes, **residential care homes do not provide nursing care** as they are not for people who require specialist and/or complex medical care from qualified nurses

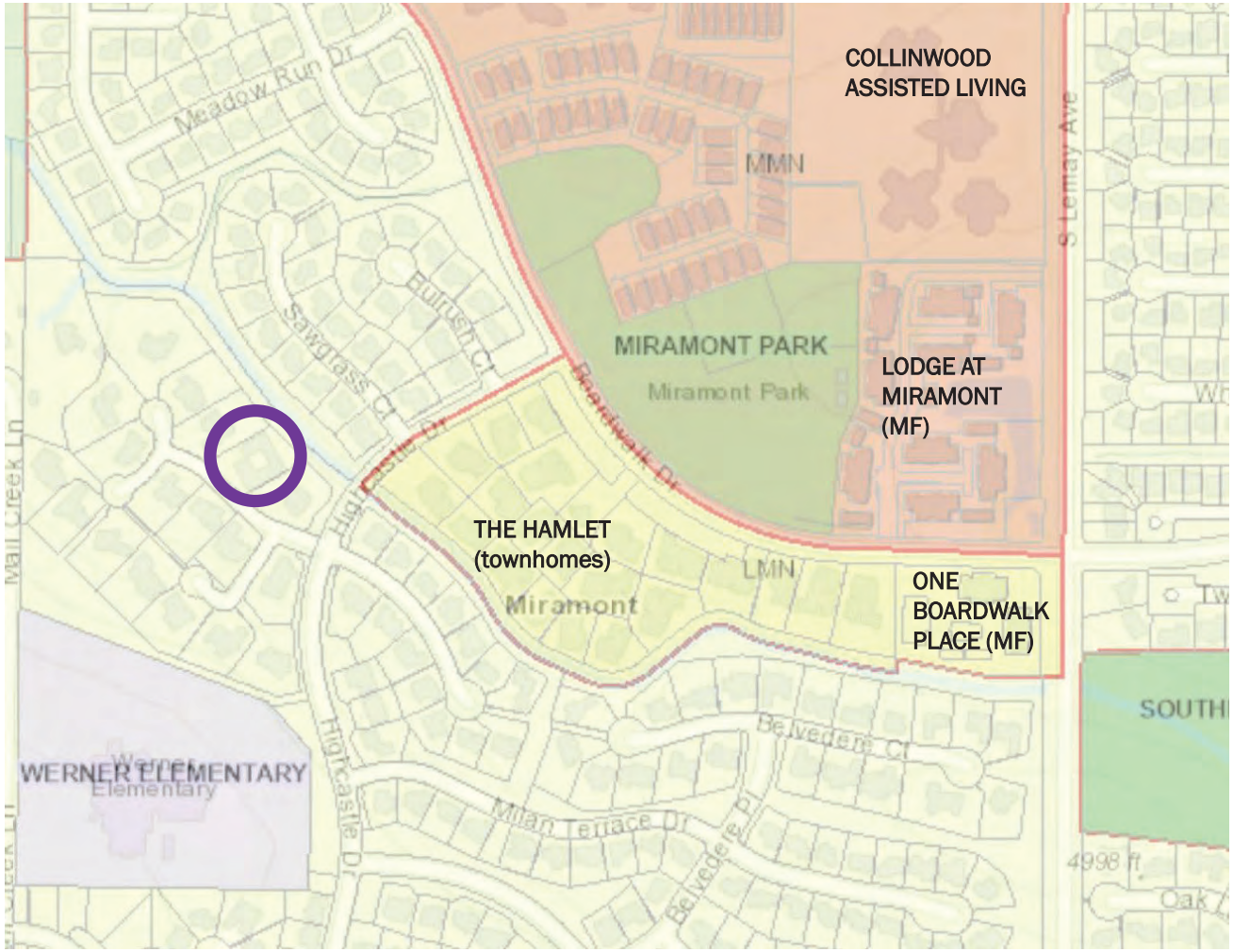
Project meets the Land Use Code
No Modifications and no Alternative Means and Methods

Better quality of life for disabled seniors

QUESTIONS?

LOW DENSITY RESIDENTIAL PERMITTED USES

- Single-family detached
- Minor public facilities
- Places of worship
- Group homes
- Schools
- Community facilities
- Childcare centers
- Adult day/respite centers
- Solar energy systems
- Wireless telecommunication facilities



TRAFFIC MEMO 2021

- Based on assisted living where residents may have cars
- Uses trip generation, 10th Addition ITE
- 9 cars coming and going for single family
- 18 cars coming and going for an assisted living facility

TABLE 1
Trip Generation for the Existing Single Family Dwelling Unit

Code	Use	Size	AWDTE		AM Peak Hour		PM Peak Hour	
			Rate	Trip Ends	Rate	Trip Ends	Rate	Trip Ends
210	Single Family Detached Housing	1 DU	9.44	10	0.74	1	0.99	1
210	Single Family Detached Housing	4 Vehicles	6.36	26	0.50	2	0.69	3
Average Trip Generation				18		2		2

TABLE 2
Trip Generation for the Proposed Residential Assisted Living Home

Code	Use	Size	AWDTE		AM Peak Hour		PM Peak Hour	
			Rate	Trip Ends	Rate	Trip Ends	Rate	Trip Ends
254	Assisted Living	16 Beds	2.60	42	0.19	3	0.26	4
254	Assisted Living	7 Employees	4.24	30	0.39	3	0.49	3
Average Trip Generation				36		3		4

TRAFFIC MEMO 2022

- Based on assisted living where residents may have cars
- Uses trip generation, 11th Addition ITE
- 5 cars coming and going for single family
- 12 cars coming and going for an assisted living facility

TABLE 1
Trip Generation for the Existing Single Family Dwelling Unit

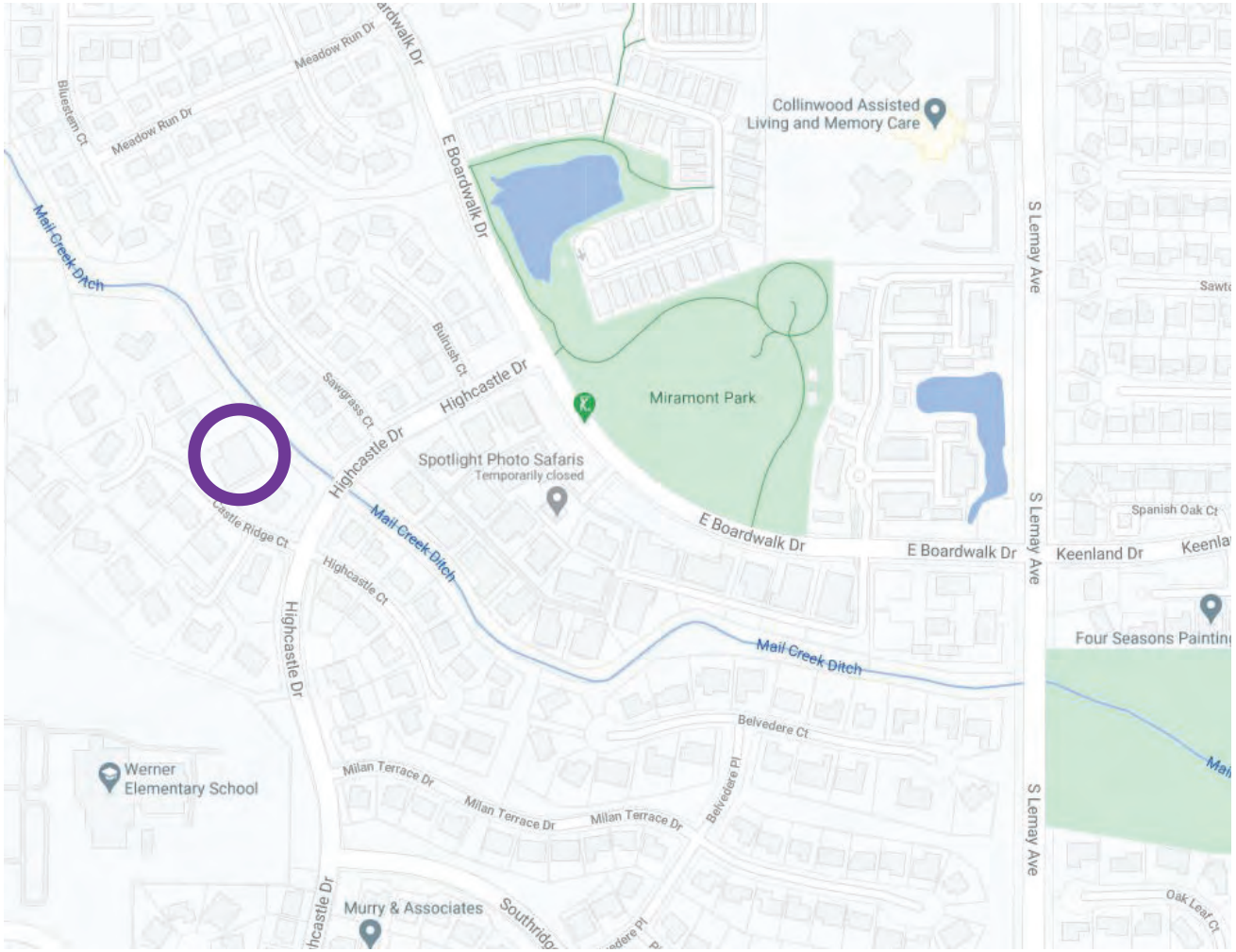
Code	Use	Size	AWDTE		AM Peak Hour		PM Peak Hour	
			Rate	Trip Ends	Rate	Trip Ends	Rate	Trip Ends
210	Single Family Detached Housing	1 DU	9.43	10	0.70	1	0.94	1
210	Single Family Detached Housing	4 Residents	2.65	10	0.21	1	0.28	1
Average Trip Generation				10		1		1

TABLE 2
Trip Generation for the Proposed Residential Assisted Living Home

Code	Use	Size	AWDTE		AM Peak Hour		PM Peak Hour	
			Rate	Trip Ends	Rate	Trip Ends	Rate	Trip Ends
254	Assisted Living	10 Beds	2.60	26	0.18	2	0.24	2
254	Assisted Living	5 Employees	4.24	22	0.42	2	0.48	2
Average Trip Generation				24		2		2

SITE LOCATION

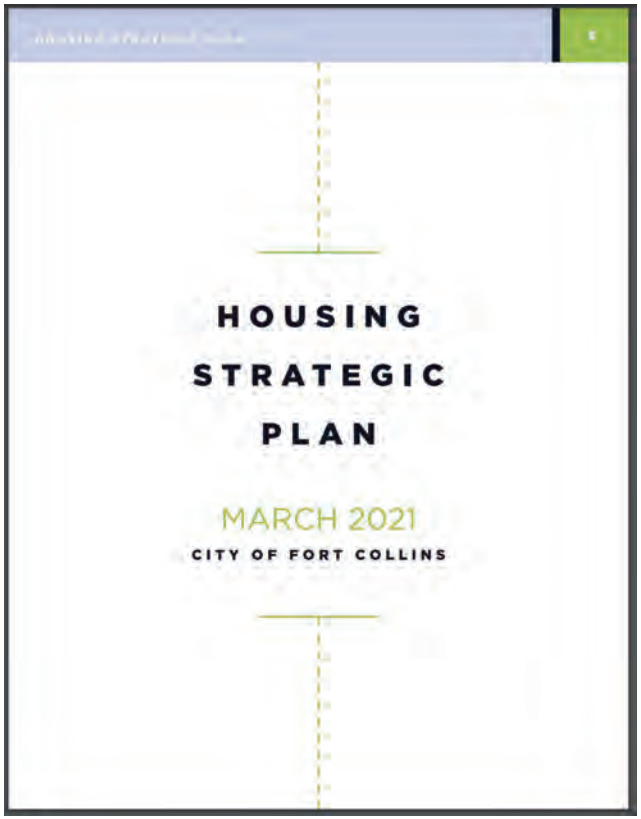
- 636 Castle Ridge Ct.
- 6,400 sf residence
- RL Zone District
  - Minor change of use from Residential to Group Home
  - Group homes are permitted in this zone district

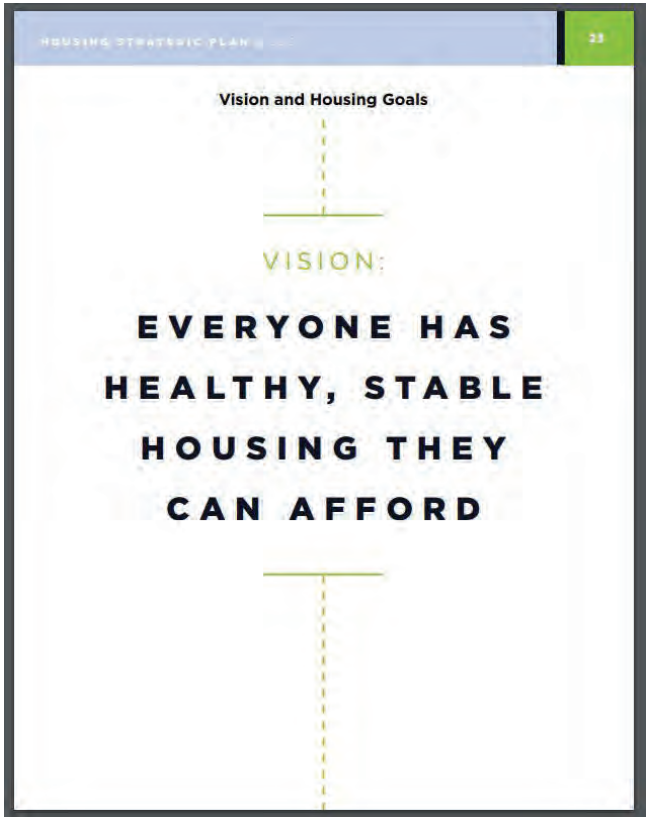


HOUSING STRATEGIC PLAN

- Vision: *everyone in Fort Collins has healthy, stable housing they can afford.*

- Desired Outcomes:
  - Increase housing supply and affordability
  - Increase housing diversity and choice
  - Increase stability and/or renter protections
  - Improve housing equity
  - Preserve existing affordable housing
  - Increase accessibility





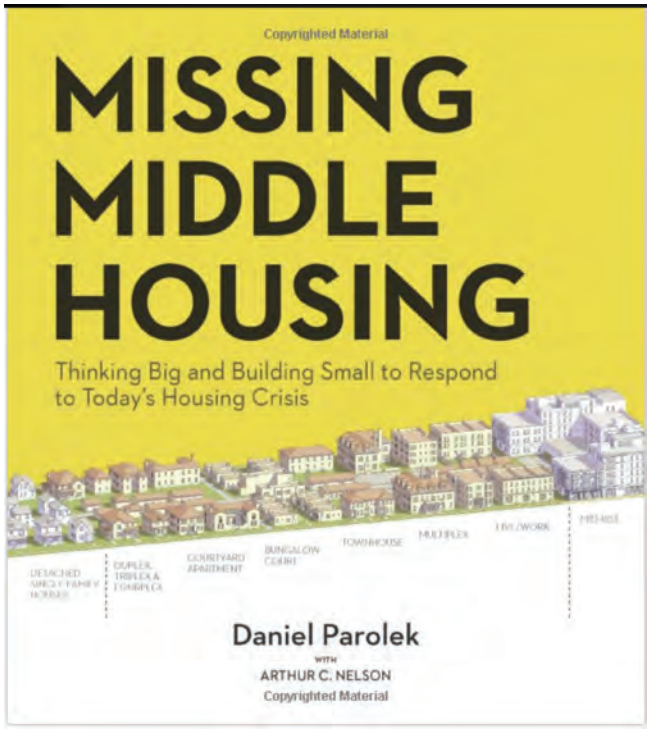
STRATEGIES:

1. Assess displacement and gentrification risk

2. Promote inclusivity, housing diversity, and affordability as community values

MISSING MIDDLE HOUSING

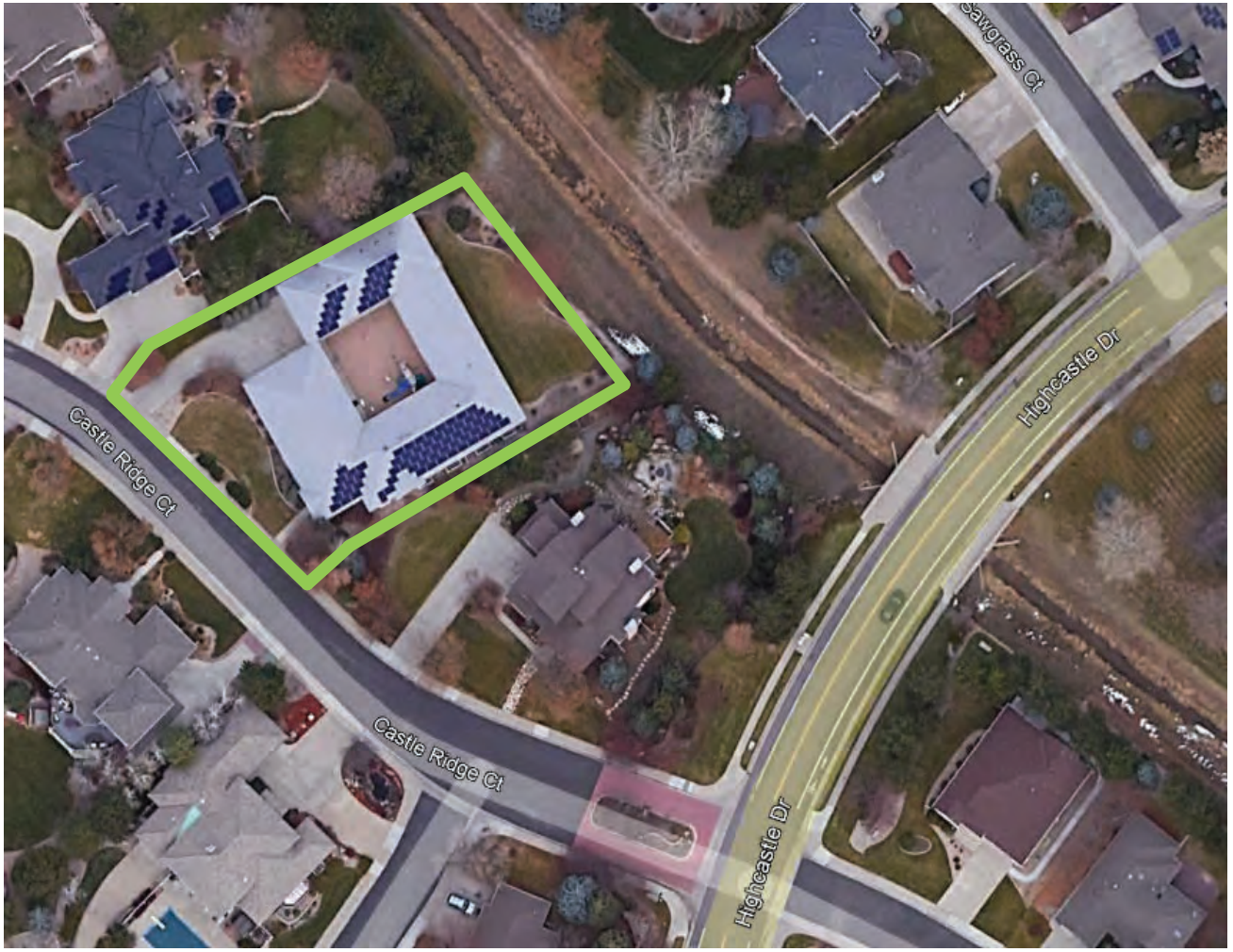
- ... "a range of multiunit or clustered housing types, compatible in scale with single-family homes, that help meet the growing demand for walkable urban living , respond to shifting household demographics, and meet the need for more housing choices at different price points."



"AARP (formerly the American Association of Retired Persons) has been a champion of Missing Middle Housing through its Livable Communities initiative."

MINIMAL RENOVATIONS PROPOSED

- Additional northwest facing window
- Fire sprinkler system
- Added security monitoring
- Landscape screening
- Retaining existing driveway and garage for on-site parking



OPERATIONS

- Traffic
  - Residents do not drive or have cars
    - Traffic memo is based on national standards for assisted living, not memory care
    - Existing house has 9 cars coming and going
    - Proposed use has 18 cars coming and going = 1.5 cars coming and going per hour per national standards. Reality is less
  - Visitation generally by appointment only (Current visitation rate is .09 visitors per day)
  - Three caregivers to care for residents during the day; one at night
- Deliveries
  - Normal sized vehicle is used for groceries and day trips
  - Deliveries will only happen during the day
- Emergency Vehicles
  - Approach without sirens
  - Significantly less than existing large scale assisted living facilities nearby
- Safety
  - Procedures in place so that memory care residents do not leave unattended
  - Electronic locks will be installed on all external doors

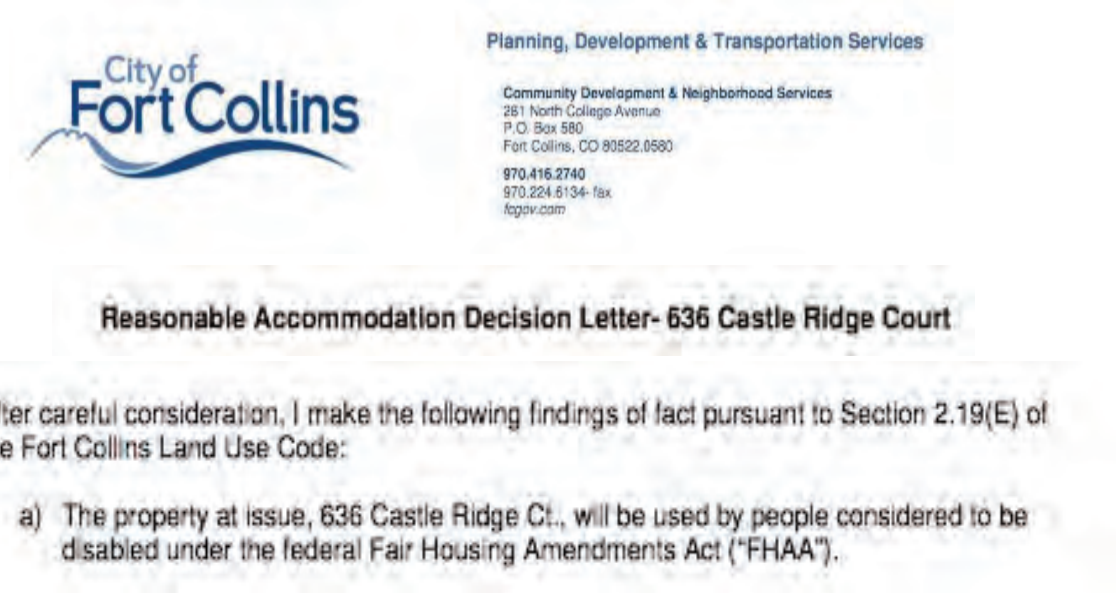
LANDSCAPE SCREENING

COMPATIBILTY (LUC 5.1 – DEFINITIONS)

- ***Compatibility*** *shall mean the characteristics of different uses or activities or design which allow them to be located near or adjacent to each other in harmony. Some elements affecting* ***compatibility*** *include height, scale, mass and bulk of structures. Other characteristics include pedestrian or vehicular traffic, circulation, access and parking impacts. Other important characteristics that affect* ***compatibility*** *are landscaping, lighting, noise, odor and architecture.* ***Compatibility*** *does not mean "the same as." Rather,* ***compatibility*** *refers to the sensitivity of development proposals in maintaining the character of existing development.*

REASONABLE ACCOMMODATION

- “Reasonable Accommodation” means making an exception to rules, policies, practices, or services when necessary to provide people with disabilities equal opportunity to use and enjoy a dwelling.
- Reasonable accommodation was granted by the city on June 30, 2021 by the Director of Community Development and Neighborhood Services with the advice of legal counsel.



City of Fort Collins

Planning, Development & Transportation Services

Community Development & Neighborhood Services
281 North College Avenue
P.O. Box 580
Fort Collins, CO 80522.0580

970.416.2740
970.224.6134- fax
fcgov.com

Reasonable Accommodation Decision Letter- 636 Castle Ridge Court

After careful consideration, I make the following findings of fact pursuant to Section 2.19(E) of the Fort Collins Land Use Code:

a) The property at issue, 636 Castle Ridge Ct., will be used by people considered to be disabled under the federal Fair Housing Amendments Act (“FHAA”).

REASONABLE ACCOMMODATION (CONT.)

Does reasonable accommodation follow property or use or owner?

This reasonable accommodation was granted for *this use* on *this property* for *this population*. As long as these factors stay the same, the accommodation remains valid even with a change of owner/operator, assuming the operations remain essentially the same and any conditions imposed are met.

Miscellaneous Items

1. Photo submitted by resident during the hearing

2. List of time donations for public comment

3. Staff list of attendees at the hearing

4. Conflict of Interest disclosure – Ted Shepard

Tues Dec 6 11:45 AM

Castle Ridge
Gregg Lesarde

Time Donations for Castle Ridge Court Public Comments

December 15 Planning and Zoning Commission Hearing

Commenter: Steve Sunderman, 607 Castle Ridge Court

Donations:

Josh Sunderman – VERIFIED
607 Castle Ridge Court,
970-449-2218
jsunderm970@gmail.com

Brandon Hess – VERIFIED
5220 Parkway Circle E.
970-690-0475
Brandonthehess@gmail.com

Vanesa Hess – VERIFIED
5220 Parkway Circle E.
970-690-0475
Vanesaf@msn.com

Brad Sisson - VERIFIED
600 Castle Ridge Ct

Sandy Richards – VERIFIED
500 Mail Creek Court
srjkr@comcast.net

Total Time : 18 minutes (5 donations)

Commenter: Kurt Johnson, 612 Castle Ridge Court

Steve Chacho
Kathy Chacho
schacho@aol.com
631 Castle Ridge Ct

Greg Lesavoy
Daniel Clawson

30 Minutes

Katie Salter
Doug Salter
kathleenmary127@gmail.com
Kdapw2015@gmail.com
613 Castle Ridge Ct

Tom Graff
Debbie Graff
tomjgraff@gmail.com
624 Castle Ridge Ct

Lawrence Mauch
625 Castle Ridge Ct
kotecki_mauch@msn.com

~~34 minutes~~

Karen Kotecki
kotecki_mauch@msn.com
625 Castle Ridge Ct

Laurie Johnson
lbjmom@comcast.net
612 Castle Ridge Ct

Angie Lee
angie.lee05@gmail.com
637 Castle Ridge Ct

Troy Tafoya
Carrie Tafoya
5213 Castle Ridge Pl
troyt@pds-co.com

Barbara Schwerin
601 Castle Ridge Ct
btschwerin@gmail.com

Steve Williams
Beth Williams
5301 Highcastle Ct
artarama@comcast.net

Tracey Patrick
Ken Patrick
Lily Patrick
642 Castle Ridge Ct.
Ft Collins, CO 80525
traceyken@comcast.net
wkmp26@gmail.com

Stacey Luezze
5225 Castle Ridge Pl

Sarah Doing
sarahmdoing@yahoo.com
5206 Castle Ridge Place
Fort Collins. Co 80525

Total time: 63 minutes (20 donations)

End: 1:09am
Dec 16

P&Z December 15, 2022 Attendees

Break: 8:48 - 9:05
Break: 10:54 - 11:05

Hearing Attendees – Staff and Commission

- Staff (in person)
  - Rebecca Everette
  - Shar Manno
  - Em Myler (to greet)
  - Brad Yatabe
  - Katie Claypool
  - Will Lindsey
  - Kai Kleer
  - Ryan Mounce
- Staff (Virtual)
  - Paul Sizemore
  - ~~Jenny Axmacher (?)~~ Tim Dinger
  - ~~Steve Gilchrest~~ Tyler Stamey
  - ~~Clay Frickey~~
- Commission Members
  - Michelle Haefele – Absent
  - David Katz
  - Per Hogestad
  - Jeff Schneider
  - Jeff Hansen
  - Ted Shepard
  - Adam Sass

Hearing Attendees - Applicant Attendees

Item 2 (Impala)

- Kristin Fritz
- Carly Johannson
- Nichole Rex – presenter
- Russ Lee, Ripley Design
- Danny Weber
- Chris Russell
- Jeff Dawson
- Aaron Rieger

Item 3 (Seven Generations)

- Russell Baker, Black Timber
- Sam Coutts, Ripley Design – presenter
- Joel Weikert, Ripley Design

- Jason Claeys, Highland Development Services
- Ian Shuff, alm2s

Item 4 (Landings at Lemay)

- Jessica Tuttle
- Monica Unger
- Shayan Soltanian
- Calvin Riddle
- Russell Lee, Ripley Design – presenter
- Danny Webber

Item 5 (Castle Ridge)

- Stephanie Hansen – presenter
- Eric Shenk (applicant)
- Diaz Xioma (applicant)
- Community Member: Kurt Johnson

Update packet
- Impala comment
- castle Ridge exhibit item

CONFLICT OF INTEREST DISCLOSURE STATEMENT
CITY OF FORT COLLINS, COLORADO

The following disclosure statement is submitted to the Clerk of the City of Fort Collins pursuant to the requirements of Article IV, Section 9 of the City Charter and, to the extent applicable, Section 24-18-109(3)(a), C.R.S. or pursuant to City of Fort Collins Personnel Policy 5.7.2.F.

Name:
Ted Shepard

Title:
Vice Chair, Planning and Zoning Commission

Decision(s) or contract affected (give description of item to be addressed by Council, Board, Service Area Director, etc.):
Castle Ridge Group Home, P & Z Agenda December 15, 2022

Brief statement of interest:

I am currrently the president of the Foothills Gateway Foundation Board. This Board owns three host homes serving adults with intellectual and physical disabilities. Because of this position, there may be a perception that I have a conflict of interest and would not be unbiased in consideration of this item. Please note that I did not participate in the discussion of this item at the Board's Worksession on December 9, 2022. Nor did I participate on this item when it appeared before P & Z on a previous occassion.

Date: December 14, 2022.	Signature: Ted Shepard

REMOVAL OF CONFLICT OF INTEREST

I affirm that the above-stated conflict of interest no longer exists.

Date:	Signature:

cc (if Councilmember or Board or Commission member): City Attorney and City Manager
cc (if City employee): HR Director

Updated: March 2014

Verbatim Transcript
Planning and Zoning Commission
December 15, 2022

CITY OF FORT COLLINS

Planning and Zoning Commission

Held December 15, 2022

Council Chambers, 300 Laporte Avenue, Fort Collins, Colorado

In the Matter of:

Castle Ridge Group Home Project Development Plan/Final Development Plan

Meeting Time: 6:00 PM, December 15, 2022

Board Members Present:

David Katz, Chair

Ted Shepard, Vice Chair (recused)

Per Hogestad

Jeff Schneider

Adam Sass

Julie Stackhouse

Staff Members Present:

Rebecca Everette

Shar Manno

Em Myler

Katie Claypool

Brad Yatabe

Will Lindsey

Kai Kleer

Ryan Mounce

Paul Sizemore

Tim Dinger

Tyler Stamey

CHAIR DAVID KATZ: Alright, our final agenda item this evening is the Castle Ridge Group Home Project Development Plan and FDP, PDP220013. I believe we have a conflict on the Commission?

VICE CHAIR TED SHEPARD: Thank you, Mr. Chair. I am currently the president of the Foothills Gateway Foundation Board. This Board owns three host homes serving adults with intellectual and physical disabilities. Because of this position, there may be a perception that I have a conflict of interest and that I would not be totally fair and unbiased in consideration of this item. Please note that I did not participate in the discussion of this item at the Board's [*sic*] work session on December 9th, nor did I participate on this item when it appeared before the Planning and Zoning Commission on a previous occasion. So, with that, I'll be recusing myself. And thank you, Jeff and Per for serving on the Board [*sic*]; I know this is your last meeting.

CHAIR KATZ: Thank you, Ted. As Ted is packing up, Shar, have we received any new information on this agenda item?

MS. SHAR MANNO: We have; we've received several emails both in favor and in opposition to the project. These have been listed as attachment nine for this item in the hearing packet. And then also, I have handed out a photo that was given to us by Gregg Lesartre that has been listed in exhibits as being received during the hearing and will be updated on the document log and added to the site once we are wrapped up here.

CHAIR KATZ: Thank you, Shar. Alright, we'll turn it over to Kai for a brief introduction.

MR. KAI KLEER: Yeah, good evening, Chair Katz and members of the Commission; my name is Kai Kleer, I'm a City Planner for the City of Fort Collins. Before you tonight, as you already know, Castle Ridge Group Home Project Development Plan. As part of the project, the applicant team submitted a reasonable accommodation request to grant relief from Land Use Code Standard 3.8(A) to allow for ten residents, or relief from the standard that would typically limit the amount of residents for this type of project to eight. The City is required to provide the ability for applicants to request reasonable accommodation by the Fair Housing Act and the Americans with Disabilities Act, and the City adopted these resolutions in 2017. In the next slide, I'll go over the process and sort of our evaluation criteria, and the relevance to your decision tonight. Since the time of the adopted regulations, nine accommodations have been submitted and decided on by the Director of Community Development and Neighborhood Services, Paul Sizemore…not specifically by him, but he is the decision maker for this particular reasonable accommodation request. This is a process that's not open to public input. Only the applicant can appeal the decision, and the Planning and Zoning Commission cannot alter this decision as part of your decision tonight, or as part of your consideration of the project tonight. The applicant's reasonable accommodation was conditionally approved, and was approved with the following three conditions: the proposal must be reviewed by the Planning and Zoning Commission, which is something that is already required by the residential low-density zone district, that the property will be subject to the requirements of the low-density residential zone district, and that the project may be subject to conditions of approval including, but not limited to, requirements for parking, limitation of hours of drop-off and pick-up, regulations of lighting intensity and hours of illumination, requirements related to trash and recycling, screening storage and fencing, and finally, the facility will implement measures…the last condition…the facility will be required to implement measures to mitigate impacts and retain the residential character, including the maintenance of the garage doors that you'll see in some of the later slides in the elevations, no signage indicating that this is a group home, so no visible signage on the

exterior…posted on the exterior of the building or in the yard, and no more than two staff working shifts on-site at any given time. And there is an exception for emergencies and shift changes for this condition.

As previously mentioned, the original proposal that the Planning and Zoning Commission heard on March 23rd in 2020 was a proposal for sixteen residents and included three conditions. At the March hearing, the Commission denied the project and found that parking could not be adequately managed through the staff's recommended condition which would have required employees to park down the street approximately 800 to 1250 feet away, and also require active management of parking in the driveway and on the street.

The location of the project is at 636 Castle Ridge Court…oh, sorry…I do not have the conditions on a slide, so I can maybe put that together later. Okay, thank you…that was the correct slide. So, the project is located at 636 Castle Ridge Court. It is about a half-acre lot located in the residential zone district, as mentioned. The project proposes a ten-resident group home for assisted living, the retention of two garage spaces for the use of employees, four parking spaces within the driveway, which includes one handicap-accessible space, and then parking is proposed to be managed through a parking app that is meant for employees and visitor parking, and the applicant should have some more information on that in their presentation. The area was annexed to the city as part of the Keelan Annexation; the lot was later platted as part of an 18-lot subdivision in the Castle…named Castle Ridge at Miramont PUD in 1993. It wasn't until 2002 that this home was developed on the site. The site is served by a private street system, Castle Ridge Court, that connects into a public street system, the Highcastle Drive. This is just a street view image of the property.

A neighborhood meeting was held on July 28th this year. Discussion…comments and discussion included questions and concerns about the number of residents proposed in the group home, and the parking impacts generated by the number of residents in a neighborhood that was already experiencing parking and movement issues on the street. Some of those comments related to the narrowness of the street and the ability for cars to pass each other bidirectionally, a general feeling by the community that this was not an appropriate land use within the neighborhood, and neighbors did not feel like they were being heard and that the use is being forced by the City, concerns about procedural requirements being met for sign postings and neighborhood meetings, impacts to the privacy of neighboring properties related to window placement and outdoor activities, concerns about administrative staff and speculation they will be living in the residence long-term. These are a high level summary of the documents; in your packet is a more complete picture of notes from the neighborhood meeting and then additional comments that we've received since the neighborhood meeting, and up until tonight. And that concludes our overview.

CHAIR KATZ: Thank you for that introduction, Kai. Who will be presenting on behalf of the applicant? Stephanie, do you think you can do it in thirty minutes or less?

MS. STEPHANIE HANSEN: Yes, sir.

CHAIR KATZ: Thank you so much. Start whenever you are ready.

MS. HANSEN: Thank you, Commissioners. I appreciate you spending your late night with us this evening so that we could have this hearing completed this week, so that hopefully we can all enjoy Christmas next week. My name is Stephanie Hansen; I work for Craft X Studio, and I am a land planner in the city of Fort Collins.

So, just a brief overview of why we're here tonight. Xioma and Eric currently live in the home with their two grown daughters who also have vehicles, and their young son, so a family of five, along

with two residents that currently legally live in the facility, in their home, and so there are a total of seven people currently living in the house. The intent is that those five, the family of five, will be moving out once this is a residential home for seniors. So, where we currently have four vehicles coming and going everyday, that will…those will be leaving when this home is opened. So, the property is already accessible. It was owned by a woman who needed extra care moving around. I understand she had some sight issues. So, as far as the perfect property in the city for this use, that's why this selection was chosen. And that's why this house was a perfect fit for this use.

So, as you know, we started this process back in 2020 with the conceptual review, and at that time, we had the reasonable accommodation approved for sixteen residents. We did submit the PDP application and came before you in March. That was denied, as Kai mentioned, with those concerns. Back to the drawing board, and we had to review the threshold of how many residents with how many staff will still provide an excellent level of care and still reduce the number of residents. And so, we were able to come up with the number of ten with two staff members, which is still a one to five ratio, which is still higher than most of the memory care facilities that are in town. Once we determined that that ten would work, eleven won't, nine won't, it was kind of a magic number, a threshold number, we went back and asked for a reasonable accommodation for those ten beds, which was approved in May. We then had another neighborhood meeting, and we also went to the HOA board, and the HOA board did approve the ten-bed residential group home. So, we then went and had another neighborhood meeting, as Kai mentioned and gave a great review of, and then submitted our PDP/FDP application, and then we're here back before you tonight.

So, obviously we heard a lot of concerns. This is a change; this is a change to an existing neighborhood, and we understand that change is difficult and it's scary. So, at the first neighborhood meeting, we heard that it was too big of an impact on the neighborhood, and we heard that the neighbors didn't want any parking on the street, and so the application we came before you with was only showing parking in the driveway and off-street. We heard concerns about the privacy of the windows and potential for emergency vehicles coming in the neighborhood more often. So, again, I just want to reiterate that the residents cannot have cars; they are memory care patients so they cannot drive. We…at that time, mandated that the employees park on public streets, but I'll show you our new revised plan that the employees are not walking from further away public streets, they are now parking on site. We did originally take away the garage doors, we brought that back when you saw it last, and then we offered to build a larger driveway on site, but the neighbors did not like that approach either with paving more of the front yard. So, we then came before you and heard a few more concerns specifically about the parking, and we also heard some information back from the neighbors saying that fewer residents would be acceptable, that it is a good use. No one was against, necessarily, the use, but that maybe it was too intense. And so that's when we took that information that we learned, and that's where we came up with that threshold of ten residents instead of sixteen. So, the housing model was re-envisioned for the number of ten residents. Like I said, it still gives that good ratio of one to five. And then we also kept the garage as is rather than converting it to bedrooms. So, the garage is still functional and the two staff members will be required to park in the garage for their shifts. And we found this parking app called Park-a-Lot that we are proposing to use even though a parking app is certainly not required by the Land Use Code, and certainly, in our view, is probably not warranted; however, we are willing to go above and beyond and require that all of our guests use this app.

So, we went back and had another neighborhood meeting, but then we kind of heard some conflicting information where it was still…ten was still too many, and that there still wasn't enough parking. Again, the privacy of windows. And, even with the change from sixteen residents down to ten,

the total trips generated were too much, and again, the emergency vehicles. So, to respond to those concerns, we…like I said, we bumped it down to ten. Like I said, there is currently a family of five, so staff will park in the garage. So, I heard a concern that there may be a perception that traffic has already increased because of this use, but I would venture to say that it's because there's four adult drivers in this home, currently. And so, will there be traffic increasing, you know, with this use? Absolutely. We're not saying that we're going to add zero cars to this neighborhood; there will absolutely be a traffic increase. But, it won't be as substantial as it would have been with sixteen residents. So, we've now dropped that to ten to help with those traffic trips.

What we also did was that the therapists, the nurse visits, the grocery shopping, those can only occur between Tuesday, Wednesday, Thursday, nine AM to two PM, so we're avoiding all of those trips…we're moving them from peak hour…during peak hours morning, peak hours afternoon. We can have…we have the ability to tell all of those deliveries that they have to happen between nine AM and two PM off peak hours. So then, by keeping the garage, we also reduced the number of windows on that north elevation. And as far as policing, you know, who parks where on what street, the HOA covenants do that already, that we can't create a nuisance. So, obviously, we are going to completely comply with all of the HOA regulations that are currently in place.

Like I mentioned, we have had two residents for the past year, since last November, and we have had zero emergency vehicle calls. So, as far as neighbor outreach that we've done since then, we did hold a neighborhood meeting, we met with…we consulted with the HOA board that agreed to the ten residents, we approached the neighbors on both sides of the home and offered to meet privately and give them a tour of the home to show them really what our intent was, and those invitations have yet to be accepted, but those invitations remain open; we're still more than willing to do that, but they did not agree to meet with us. And then, we did get some correspondence from the City asking for another neighborhood meeting, and we were asking, okay, what solutions are going to be presented to us? Is there any information that we will learn? How can we best respond to your concerns? Unfortunately, we didn't really get that information back, and so that meeting didn't ever happen. But again, we reached out to the neighbors on both sides to ask if there was any way we could meet privately, and that was not accepted.

So, regarding the parking spaces, you can see that the two spaces in the garage, those will be for staff. We have two spaces directly behind those, and an additional two all within the driveway for those short-term delivery spaces and visitors. And since there was a concern that on-street parking…you know, we will utilize those three spaces of on-street parking very last; those will not be utilized unless absolutely necessary. So, there are a total of six parking spaces on-site now that we can utilize for deliveries, staff, and visitors. And how we'll manage that…this is a Park-a-Lot app; apparently it has five out of five stars, so somebody likes it, and it's useful. But, you go on your phone, and you say, I'm going to park here at this time, and you just hit the button, and then that reserves you a spot. So, we are not by any means restricting any family members from coming and visiting their loved ones, but now they just have to say, okay, if all the spots are full, I'm going to have to wait an hour until someone leaves, and then I can come and park and visit my relatives. And there is screening at the driveway. You'll see the neighbor has an RV, and so I couldn't imagine that a couple cars in the driveway are more impactful. If RV's are temporarily allowed to be on-site per HOA covenants, then I certainly would expect that some cars in a driveway would be less impactful than that, especially with the screening of the shrubs that we have along that driveway.

So, just to give you an idea of the street width. The top image is the LUCASS standards…the Larimer County Urban Area Streetscape Standard…street width, which shows that 30-foot roadway, and ours is simply two feet less, and it has the fourteen-foot travel lane instead of the sixteen-foot travel lane.

There is similar parking on both sides, that seven-foot space. So, if two-way traffic is completely possible on sixteen feet, I don't understand why two-way traffic wouldn't be possible on fourteen feet; however, we never anticipate our uses needing to park on both sides of the street as well as in our driveway. We have spoken with numerous of the other operators in town…we've spoken…because this isn't a new concept; we have these residential homes, several of them, in town. We have spoken with them, and they very, very, very rarely have more than five cars at the absolute most, and then it just goes down from there. So, we honestly do not believe, based on facts and figures of speaking to people who run these homes, that the parking will be a problem; however, like I said, we are willing to go above and beyond and do this parking app.

This is an image of the street that was taken a little while ago, and you can see that there is parking on both sides of the street, but I will also tell you that none of these cars were coming to our home; they were all for a home across the street or next door…across the street. So, this was a party that was held across the street. None of these people were coming to our residence. So, does parking happen on both sides of the street, existing today? Yes, it does. So, we're not creating an issue that doesn't exist currently; we are bringing more people to the neighborhood, I understand that, but again, I believe that all of our residents' guests will be able to park within the driveway and not on the street. The other changes we made were to that north elevation where we removed the larger windows. So, the top image is the existing home today, the bottom image is what we're currently proposing. And so, it has the one window with the screening rather than the three, and then it has that one higher up window. And even without that screen, this is the view that you have if you were to stand in that bedroom that we're proposing, looking out of the house. So, we are going to be putting a screen in front of this landscape; we feel that it is sufficient for privacy for the neighbors.

So, I want to bring our attention to some of the other facilities that are around town, some of the other homes. If you look at these photos, this looks like a normal, single-family home. This is exactly what we're trying to do. And with the reduced number of people down to ten rather than sixteen, now we're comparing apples to apples to these other existing homes in town. This looks and feels…this is our ideal. We do not want to stick out. We are not trying to build some mega multi-family development in an existing neighborhood. We want to be exactly…look, feel exactly how we are now. That is the whole point of a residential home, is we want these residents to feel like they are in…still in their own home. So, this, for example, has one car parked outside of the building. You'll notice there aren't cars on both sides of the street. Granted, Google…this is a snapshot…the street view is probably taken at a different time than the aerial, but absolutely, this is just a snapshot in time. An hour later, could there be more cars? Absolutely. But, what I did is I went around to all of the different homes in town on Google, and not a single one of them had more than two cars parked at their facility. So, there is a fear that this is bringing a lot of traffic, but that's just not what the facts and figures and existing homes show, even with talking to the operators of those homes. Here is another home called Live to Assist; you'll notice, again, there is one car parked out front. There are two on the side…there's one in the street view, and then there's two on a different day up on the other street, so a maximum of two cars parked at this facility. Here is another one, again, it just looks and feels like a single-family home; that is our goal. We want to blend in; we do not want to stick out, and we want to mitigate any potential impact that we do have. And again, just one vehicle at this residence, and these have eight to ten residents living in these houses. You also didn't see any large dumpsters out front, or cars blocking the street, and again, we want to blend into the surrounding neighborhood.

So, just to reiterate, I mean, the whole idea of this is to be a home for these people, not an institution. So, we want smaller homes with less people, less chaos. Especially the memory care patients,

we want them to feel like they are just in their own living room. And, in summary, our project meets the Land Use Code; we are not asking for any modifications. We are not asking for any alternative means and methods, no variances whatsoever. We are simply trying to provide a better quality of life for elderly people with disabilities. And we understand that this is a change to the neighborhood, but we are fully intending to work with our neighbors as much as possible to make sure that this is a smooth transition. From what we have heard from others, you know, there is that initial gut reaction where people are hesitant, but then once the home has been in place, then people understand that those fears are not warranted, and they can live cohesively together. Thank you.

CHAIR KATZ: Thank you, Stephanie. Kai, do you have a detailed analysis for us? Whenever you are ready.

MR. KLEER: Yeah, thank you Chair Katz. Again, Kai Kleer, City Planner, City of Fort Collins. Okay…so this is an overhead view of the site, and I'll walk through some of the changes that are proposed as part of the group home and sort of detail out why the changes are proposed, and what some of the reaction…or, the changes proposed and how they relate to some of the neighborhood comments and concerns that we've heard throughout the review of the project.

So, starting at the very top corner, you'll see sort of a red line that outlines the perimeter of the backyard. The applicant is proposing to replace the existing fence with a six-foot wrought iron fence. I think that is the requirement for the type of occupants for this group home, to provide a secure backyard for if they want to enjoy the backyard. To the left of that, on the north side of the building…Stephanie had covered this in her presentation…one of the things that we heard from the abutting neighbor is concerns around privacy. In some of the elevation views that you've seen, they are proposing an egress window, a single egress window, on the northeast corner of the building, and a high transom window as well. They are providing a six-foot-by-six-foot screen wall in front of that window to help with privacy concerns. As you move sort of clockwise around the site, and this is in the backyard, you can see I've highlighted here in green, the shrub bed that they are proposing. This is a layered shrub bed that will provide year-round screening for the adjacent neighbors' yard. As you move further clockwise, this would be to the southwest, three ornamental grasses in front of a bay window, an existing bay window, to help with privacy concerns in the neighboring yard. And just highlighting…the last thing I'll mention…or last two things I'll mention…as part of scaling back some of the interior rooms that were on the north side of the building, they are proposing to enclose a covered patio on the back side of the site, and you'll see those in your packet on the rear elevations of the building. And then the other thing I highlight is the garage spaces that will be retained and the proposed parking configuration within the driveway, and the parking that they're proposing to manage in the adjacent street frontage as part of the parking app. Next slide please?

This is a picture that just highlights the changes that will be noticeable from the street. So, the relocation of front window, a single front window, moving it in the façade plane, and a replacement of the front door. There's a side transom window for that front door; that's being eliminated with their newly proposed front door. Next slide please?

In the staff report, I just want to provide a point of clarification. In the architectural section of the staff report, some leftover information that indicated there would be four windows on the north façade was incorrectly stated, and there will just be the two windows that are depicted in the elevation view on this slide. Next slide?

These are detail images of the bicycle parking that will be required on site. The site lighting that they are proposing to change…these are all wall packs that would replace existing lighting on the

building, and then the security gate for that central courtyard on the bottom left of the screen, and then that six-foot-by-six-foot screen wall that would be in front of the window. Next slide?

So, these conditions will look a little bit…somewhat familiar to you. They were similar conditions that what we were…staff was recommending in the previous project that you heard back in March. One of the major…next slide please? One of the major…next slide after this, sorry. One of the major concerns that the neighborhood has been…that we've heard from the neighborhood…is concerns around the increased amount of traffic. So, if you look in your packet and the traffic study, the increase will be from a single-family home was estimated at ten daily trips, and the proposed increase would be fourteen daily trips to a total of twenty-four daily trips for the expansion of this use to a ten resident group home. So, one of the…to highlight…through the analysis of the traffic study, and the operational plan, staff is recommending this condition to reduce the potential impacts of on-street parking, noise, and other types of disturbances that have been described as…from the neighborhood. And, the condition is, to the extent reasonably feasible, that the hours of operation during which third-party services such as massages, housekeeping, haircuts, pet therapy, and the like, shall be limited to the hours of eight to six Monday through Saturday, and staggered in a way to reduce the impact for on-street parking within the neighborhood. To the extent feasible, the deliveries and short-term visits shall be limited to available space within the driveway and the street frontage that shares a common boundary with the property. In Stephanie's presentation, she sort of went over some new information that we didn't see before…that the project would be able to limit deliveries and operations beyond what we're recommending as part of this condition. So, in some sense, this condition may be moot.

The second condition that we're recommending is that the property owner just cooperate in good faith to remedy any unforeseen impacts created through the operation of the group home. Much of the communication…you know, staff has acted as sort of an intermediary between much of the communication between the neighborhood and applicants, and this condition is really just an effort to keep an open dialogue and keep a 24/7 point of contact for the neighborhood should issues arise…unforeseen issues arise…that we can't control this part of the Land Use Code what we just don't foresee at this time. In conclusion, the project development plan…staff finds that the project development plan complies with the applicable procedural and administrative requirements in Article 2, that the project development plan conditionally complies with Article 3, and then the project development plan complies with all relevant standards in Article 4, and staff is recommending conditional approval of the Castle Ridge Group Home. And that concludes our analysis. Thank you.

CHAIR KATZ: Thank you for that analysis, Kai. I'm going to open it up to the Commission for clarifying questions to either the applicant or staff.

COMMISSIONER JULIE STACKHOUSE: Yeah, I just want to be sure I understand what it means when it was stated that the homeowner's association has approved the occupancy level. Is there any more color to that?

MS. HANSEN: Sure, the HOA saw the reasonable accommodation and that they agreed that they would approve the ten residents for the reasonable accommodation request.

COMMISSIONER JEFF SCHNEIDER: So, question on the parking app. How can you control on-street parking with an app when you have no control of who is going to park on street or in front of what property and everything else?

MS. HANSEN: Yep, the parking app specifically would be for the off-street spaces.

MR. ERIC SHENK: Can you…I'm sorry, restate the question, so I know…

COMMISSIONER SCHNEIDER: Sure, do you mind stating your name for the record?

MR. SHENK: Oh, yeah, sorry, Eric Shenk.

COMMISSIONER SCHNEIDER: Thank you. So, my question is how is a parking app going to control on-street parking conditions when you can't control who parks on the street? Because the neighbor across the way could have another party, and the three spots that are in front of your property could be taken. How would you know if those are taken or not taken?

MR. SHENK: I would know if they are taken or not taken within the context of who is visiting our property. So, no, I could not control the on-street parking for other members of the neighborhood. That being said, the number of cars that are there…the peak number of cars there at any one time, assuming a normal day, is somewhere in the five to seven range, at most. So, that should be…we should be able to mitigate it with the parking app in that way since we have six slots available on site.

COMMISSIONER SCHNEIDER: So, if the neighbor across the way is having a party like your picture…

MR. SHENK: Right.

COMMISSIONER SCHNEIDER: …showed, and the seventh car came, where would they park?

MR. SHENK: Assuming that a party is a fairly infrequent event, they would have to do street…I mean they would have to park elsewhere on the street, along the street. But, there's not a party going on every day either.

COMMISSIONER SCHNEIDER: No, I understand, but that potentially…I'm just trying to understand how you can control…how can an app help you control your available parking spots that you're proposing for the need.

MR. SHENK: Well, the app will let us know ahead of time who is coming and when.

COMMISSIONER SCHNEIDER: Well, for your property…but it doesn't control for any other one in the community that may be coming down your street and parking in front of your home.

MR. SHENK: Correct.

COMMISSIONER SCHNEIDER: So, let's hypothetically say that you're having some sort of an event at your property, and need all nine spots, but someone else in the neighborhood is parking in front of your property, that's dispersing other parking spots throughout the neighborhood, or impacting the neighborhood more because the app doesn't know that there's an even happening across the way, or whoever is parking…so I'm just trying to understand how this app is truly going to help the argument for the help of mitigating parking, when I just…I'm having a hard time justifying and understanding how this app is going to truly help.

MS. HANSEN: And I'll just add a couple more things to that is that the app will first, obviously, assign people to the off-street parking spaces with the on-street parking spaces being last. And, exactly like you mentioned, like if someone is having a party and they are parking in front of our residence, what's to say that we can't park ten feet more down the street? So, those three spaces, are they painted on the street? Absolutely not. This is a public street. Any resident of this entire city is allowed to park wherever they want on this street. So, if the spaces are taken up by our neighbors needing the spaces in

front of our property, then, yes, if we have someone else show up, then if someone else is parked in front of our house, we could park in front of theirs, because it is all public parking.

COMMISSIONER STACKHOUSE: How do you plan to encourage family and friends to use the app?

MS. HANSEN: We can write it into the lease.

COMMISSIONER STACKHOUSE: Okay, thank you.

MS. HANSEN: And we have tested that with the current resident, and they signed it without a problem; they agreed to use the app. So, that is in practice.

COMMISSIONER PER HOGESTAD: So, the app is for guests and employees, is that right?

MS. HANSEN: The employees will have the garage spaces, and so…

COMMISSIONER HOGESTAD: So they won't use the app at all?

MS. HANSEN: It'll be like those spaces are taken. They will still have to use the app; they will still say, I'm parking in the left spot in the garage, I'm parking in the right spot in the garage. So, the employees will still be using the app as well.

COMMISSIONER HOGESTAD: And guests?

MS. HANSEN: And guests, yes.

COMMISSIONER HOGESTAD: People, family, friends, and stuff that are visiting someone that is housed in your facility?

MS. HANSEN: Correct, and that's how it's written in the current lease, that, say, hey, if you want your relative to live here, we understand that we might have…we understand that parking is an issue in this neighborhood, and we don't want to contribute to an increase of that, and therefore, if you would like to visit your relative in our home, please use this app, and the people have said, absolutely, we'll use that, and they signed it no problem.

COMMISSIONER HOGESTAD: So then for deliveries and service vehicles, somebody repairing a furnace, or unclogging a toilet, whatever, they have to use an app also?

MS. HANSEN: Correct.

COMMISSIONER HOGESTAD: Do you think you can find a service contractor to do that? Okay…yeah.

MS. HANSEN: It's a quick download onto your phone, and if they park in the driveway and they come inside for that service, we'll be like, hey, you know, can you move to this space and we'll reserve it for you? Are you parked on the street? Please pull into the driveway.

COMMISSIONER HOGESTAD: And then doctors, how do you regulate that? I mean they probably don't have a lot of time to reschedule to meet your requirements.

MS. HANSEN: All of our service industry staff has agreed that the Tuesday, Wednesday, Thursday between those certain hours is acceptable for them.

COMMISSIONER HOGESTAD: So how does that make it better parking if it's Tuesday, Wednesday, whatever?

MS. HANSEN: It's off-peak hours.

COMMISSIONER HOGESTAD: Okay.

MS. HANSEN: So, we're trying…we understand that there are certain peak hours of trips, certain peak hours of parking, and so, if someone is having a dinner party, rather than having our nurses come at 5:30 PM, you know, if they come at two, then they won't be interfering with someone else who needs that on-street parking.

COMMISSIONER HOGESTAD: Thank you.

CHAIR KATZ: Any other questions from Commission members? Okay, thank you, Stephanie. At this time, we're going to open it up for public comment. A couple things, first, thank you all who showed up tonight. It is a late night already, appreciate your patience, thank you for coming out. Kai brought this up about the reasonable accommodation…this was approved by the Director of CNDS, and because the reasonable accommodation decision cannot be altered by this Commission, discussion of the reasonable accommodation is not relevant to the Commission's decision, and that we ask that it is avoided. I just wanted to remind everybody that. Now, I understand, or I believe, there is going to be some pooling of time. Who in the audience wishes to speak this evening? One, two, three, four, five, six…eight. Remember, you can't pool time and speak. So, is anyone here dedicating time to anybody else? One, two, three, four, five, six, seven. Yeah, I think so…perfect. So, alright, who is accepting the seven people's dedicated time? Okay, well there's seven people here, so. No, no, I approve it. So, there's seven people here dedicating time? Okay, who is taking how many? How many are you taking? Are you taking all seven? Okay…

COMMISSIONER SCHNEIDER: Can we please go to the microphone so this…

CHAIR KATZ: Sir…

COMMISSIONER SCHNEIDER: Sir, can you please go to the microphone…this needs to get on record.

CHAIR KATZ: Yeah, you're right.

DR. STEVE SUNDERMAN: My name is Dr. Steve Sunderman; I live three doors down from the proposed residence. We were told in email, and Kai can verify this for us, that those that wanted to donate time could donate time, and we sent that in and it was approved via email. Kai, it would be very helpful if you would actually verify that for me. And then when we came in this evening, we were told, oh, no, no, no, we're not going to let you do that. I've been silenced multiple times throughout the hearings here trying to get my point across, and I really would appreciate an opportunity to get my point across this time. Thank you.

CHAIR KATZ: Thank you, you will have…

DR. SUNDERMAN: I have eighteen minutes which I don't plan to use all of, but I do have eighteen minutes promised to me.

CHAIR KATZ: Okay, so six of the seven people are donating to you?

DR. SUNDERMAN: No.

CHAIR KATZ: So, there was a…excuse me…

DR. SUNDERMAN: I have minutes donated from Brandon Hass, Vanessa…

CHAIR KATZ: Sir, sir…they are not here, so…we were allowing remote participation. That ordinance expired a couple months ago. So, to participate, you need to be here in person, as of today. So, how many people's three minutes are you accepting? You have seven?

DR. SUNDERMAN: I have Brandon Hass…

CHAIR KATZ: Where is Brandon Hass?

DR. SUNDERMAN: Joshua Sunderman…

CHAIR KATZ: Not here, not here.

DR. SUNDERMAN: Brad Sisson, Barbara Schwerin, and Sandy Richards…

CHAIR KATZ: Mr. Sunderman…sir…

DR. SUNDERMAN: …email notification that I can have minutes for each one of them.

CHAIR KATZ: Mr. Sunderman, you were given an opportunity to speak. Everyone in the public is given an opportunity to speak who came down today. If there's people in this room that would like to dedicate their time, you absolutely…I'm giving those to you.

DR. SUNDERMAN: Kai, could you help me please?

CHAIR KATZ: No more.

MR. KLEER: I am looking for previous communication from Em, who is our development review liaison, to confirm.

CHAIR KATZ: I'm making the call. Okay, I'm making the call. I'm not changing the rules last second. So, if you would like to speak, please come up. Yes, sir. Absolutely.

COMMISSIONER SCHNEIDER: So, can we get clarification between…

CHAIR KATZ: I need clarification of who is donating time to Mr. Sunderman. One, two, three, four…five…you have eighteen.

DR. SUNDERMAN: I believe I can get done in about ten minutes here.

CHAIR KATZ: Perfect, sir. You may say your name and the address again, and then you will have eighteen minutes.

DR. SUNDERMAN: Thank you. Good evening; I am Dr. Steve Sunderman, I live at 607 Castle Ridge Court, just three doors down from the home on this proposal. I'd like to thank you for your time and dedication related to your previous review of the initial group home application. We as residents in the neighborhood are most appreciative of your prior efforts to evaluate the merits of this proposal, and of your decision to decline the approval, which was unanimously declined at the initial proposal. The applicants are now coming forward with a new proposal, which is nothing more than the very same proposal with only a minimal reduction of residents. This would lead to the same devastating results to our community that the original proposal would have had. The reasons for you to reject this second

proposal are numerous; I will highlight only a few, any one of which should be solid reason to reject this proposal.

First, truthfulness and honesty in the application. The applicants began their application process by stating that they surveyed the neighbors, explained their proposals, and found no resistance from the surrounding neighbors; this is absolutely untrue. I have communicated with nearly everyone in our neighborhood, and without exception, not one person has told me they ever supported this proposal. Objections from our neighbors have been universal. The applicants have repeatedly asserted to City planners that they want to be good neighbors in this community. Their actions, however, tell an entirely different story. They have repeatedly presented false expectations about traffic, parking, visitation, change in residential appearance, noise, and safety. A short video clip of the real street in action has been provided for showing tonight. It shows the high traffic expected by this proposal would not fit on this narrow street. Would you please run the video? Stephanie has said tonight that there's plenty of room for two-way traffic to go with cars parked on both sides. This video shows that's absolutely not true.

Stephanie has said tonight that she has invited all of us to come over and have a conversation with them. I have never been invited, in fact I've asked multiple times to have an opportunity to discuss with them, and I've been declined. Kai can verify that, and he has written email communication that verifies that. After being questioned multiple times, the applicants have finally admitted, in the most recent recorded session, that they're long-range plan, after setting up this high-density commercial business in the middle of our well-planned, low-density residential neighborhood, is to actually move out themselves, and let this house just function as a business for their profit. Even the applicants have admitted that they would not want to live in or by this commercial use that they are proposing; Stephanie has confirmed that for you tonight, that they intend to move out, they wouldn't like it.

Reasonableness…the neighborhood was carefully planned as a low-density residential neighborhood for single-family dwellings only. Part of the agreement from the original developer, Gary Nordic, was to also provide high-density homes in nearby areas, which he did to the letter as per his prior agreements with City planners. The street in front of this house is a private street which is significantly narrower than the conventional streets. It was planned and authorized as such with the understanding and agreement by City planners and the developer that traffic and parking would remain very minimal due to the design of single-family dwellings only, and that there would be three- or four-car garages required for each home. It was agreed from the beginning, and it's written in the covenants, that there will be no high traffic businesses allowed whatsoever. Off-street parking is severely limited on this narrow, private road. It cannot accommodate the massive increase that would be required if this proposal should be approved.

Next is misrepresentation. The applicants have intentionally misrepresented their credentials, and in particular, their portrayal of Eric Shenk as a physician. We have discovered, and Eric Shenk has finally admitted in recorded session, that he no longer has a medical practice, and in fact, he no longer even has a license to practice medicine. We've asked and he has refused to give details of the loss of his license or of his medical practice. Nevertheless, multiple physicians in the area have told me that he was ousted by his own peers many years ago; it must have been bad. Further, Eric Shenk openly admitted in recorded session, and Stephanie has admitted again here tonight, that Eric and his wife are currently housing at least two at-risk individuals in what we understand is a lockdown situation without a license. He's refused to answer questions as to the legalities of this. A formal inquiry request has been filed with the division of regulatory agencies. The investigation is still in process, and this must be resolved before any approval can even be considered; we're very concerned about an illegal operation.

Misapplication of the FHA…the applicants are wrongfully trying to apply rules of the FHA to this project. The Fair Housing Act has strict limitations. Any application under FHA rules is required to be a reasonable application; this proposal in this neighborhood is not reasonable. It must fit the neighborhood; this large business does not fit the neighborhood. It must be safe for the neighborhood; this high-traffic business, and as you can see from that video clip, would be very unsafe for our children. Any accommodations made must be reasonable accommodations; the accommodations that they're asking for would require…that they're asking for for this project are everything but reasonable. Any application of this rule must not take away substantial value from one group of individuals while it gives substantial value to another. This application does just the opposite with consequences estimated to be well into the millions of dollars; I'll elaborate later. It must be necessary for a clearly defined, protected class. This proposal is not necessary for these applicants. Further, the owners of 636 Castle Ridge Court do not even belong to a protected class; they are both able-bodied, and in no way disabled or protected. What they're doing is they are wrongfully flying the banner of a protected class that they don't even belong to. The goal of these owners is to gather together in the near future a group of memory-impaired individuals…it doesn't exist yet…claim that they, as owners of this business, are part of that disabled body, and then use these individuals for personal profit, all at tremendous damage to our neighborhood, and at tremendous expense to all of us surrounding neighbors. It does not get any more wrong than somebody intentionally using an at-risk individual or individuals for one's own personal enrichment.

Current City Codes, HOA covenants, and the requirements of the FHA all require that ongoing development fit the community. This proposal in no way fits. These covenants, as well as fire and safety codes, are in place for a reason. This proposal violates all.

Harm to the neighborhood…trying to sardine ten Alzheimer's individuals onto one floor of a single-family home, along with nursing staff, aides, pharmacy, PT, OT, cooking services, cleaning services, laundry services, plus ten families of regular visitors, would clearly be a disservice to the at-risk residents who would be forcefully packed into very small rooms into this home. It would destroy the beauty of the neighborhood. Recoverable financial damages to the residents of Castle Ridge alone could conservatively be estimated to be into the millions of dollars if this proposal should be allowed to go through. We, as affected neighbors, will plan to use every legal avenue available to protect our homes and our community from anyone who would wrongfully try to enrich himself in this way. Our documentation for legal purposes, if that is needed, is very solid.

City staff has made it clear from the outset that they are determined to push forward this proposal. They have repeatedly failed to follow due process. They have accepted clearly deceptive and inaccurate statements from the applicants even after the inaccuracies have been clearly pointed out to them. And again, a couple of those inaccuracies were presented to you tonight. They have bypassed the required rules of notice and meetings. City staff has silenced those of us who hold valid objections by actively censoring some of us at prior meetings. I've been censored several times because they know that my comments would have some effect. This is verified by email chains that I have sent into you for your prior review for this meeting. I believe you've all had a chance to read those email chains that verify exactly what Kai has done. City staff has repeatedly promised opportunities for us to have open and honest communication with them and with the applicants, and then they have repeatedly reneged on these promises. This, too, is verified in those same email chains.

Duty…in the prior review by the P and Z Commission, this Commission upheld its duty to the community by rejecting what was clearly a plan by these applicants to wrongfully fly the banner of a protected class and to actually use that protected class for their own enrichment. We give you our most sincere thanks for upholding that duty to protect our community. The fire marshal, at the very beginning

of this process, correctly asserted that approving this large business on this lot, and on this narrow, private street, along with its reasonably expected parking and traffic congestion, did not comply with even the most basic of fire codes. Then, after threats from their attorney, the fire marshal and the City both decided to simply ignore the clear safety and fire code requirements. This was an illegal, political move. It must be corrected.

Some members of City staff have tried to push this project through without due process. Sadly, the massive harm would be borne by our neighborhood, not theirs. My own home has been reappraised since the proposal for this group home has come up. As it was done prior to formal approval or disapproval, it was decided the value would have to have a large conditional delta in its value. I was given a tentative value if there were no home…no group home there, and then a large tentative delta. We've taken that to court. All parties have finally agreed to devalue my home by $130,000 for court purposes just due to this pending proposal. My home is just one out of eighteen on this street. We're talking well over two million dollars just to our street from decreased attractiveness to somebody that might want to come and buy.

To the P and Z Commission, my most sincere thanks to you in advance for exercising rational judgement, for protecting our community, and for upholding your duty to our neighborhood. Please, do continue to uphold your duty and reject this proposal in its entirety. Thank you so much.

CHAIR KATZ: Thank you. So, that was twelve minutes…you obviously had your three, so I will only dock you three people, so if anyone else wants to pool time. So, would you come up next? Yep…eight…there's five left, fifteen, so…eighteen.

MR. : That will work.

CHAIR KATZ: Okay.

MR. KURT JOHNSON: Just give me a second before you start the clock. Are we sure my screen and everything is good to go?

MS. REBECCA EVERETTE: You're trying to share your screen?

MR. JOHNSON: I thought I did…

MS. EVERETTE: Are you logged into…through the Zoom link…oh, okay, you are promoted. Yeah, you should be able to press share screen from within Zoom.

MR. JOHNSON: There we go…operator error…sorry for the…

CHAIR KATZ: That's alright, and then just remember to state your name and address for the record, and then get started.

MR. JOHNSON: My name is Kurt Johnson; I live at 612 Castle Ridge Court, which is two doors down from the proposed property. So, we're…again, this is a group effort on the presentation. I will be speaking for a number of the neighbors in the neighborhood. I'm just going to go quickly over some previous parking conclusions, the review of the current constraints, a comparison with another group home, the Seneca House, which I think would be quite illuminating, a summary, and then a recommended approach, perhaps, for your consideration.

So, previous parking conclusions. The visitors and contractors will park on the street; the driveway is not inviting or obvious. When cars are parked on both sides of the street, it becomes one

lane; we established that at the last meeting, and that really is not that controversial. Sidewalks blend into the curb, driveways are not obvious, and we have, as mentioned here, a narrow street where a variance was originally given predicated on three-car garages. So, this is just another…just a quick review. Back in March, we presented this as well. You can see that there's…it's restrictive, but then you have this little bottleneck right here right in front of the property, which is where this is going to more likely occur. And what seems to be lost a lot of times in this whole debate here, is that there are seventeen other residences that have their own parking; it's not just parties. People sometimes remodel, people sometimes have people park in front of their house to go visit, and the likelihood that cars are going to be parked on both sides of the street are much greater due to this because you're almost always going to have on one side now, which rather than just the law of averages, and if you do the math and the statistics associated with it. So, there is definitely a big impact where the concern being that cars are going to be parked on both sides of the street as more of a general rule than an occasional situation as it is today. So, current constraints, the street width is unchanged, the driveway layout is unchanged. It's not obvious, you can see the picture there, that's kind of if you drive up, it's thin, it's long, you know it requires musical cars to achieve the stated capacity because if you're in the garage, you've got to get the car back out, how do you get in, how do you get out? Who is going to be there when that is all occurring? And so, human nature is at work here. I mean, part…yes, there's been some proposals for mitigation and so forth, but let's understand also that people are people and they're going to eventually, over time, even if everything is all gung ho in the beginning, and everybody is all trying their best, what's going to be the situation a couple years from now?

So, let's do a comparison here, to Seneca House, which is another group home. There was some comparisons to some group homes, I'd like to make it to this one. Seneca House was recently approved for ten residents. It operated at eight residents for several years. It demonstrated compatibility, but what is really key here is for the ten residents is they have key built-in advantages related to parking that do not exist at Castle Ridge. Let's first start with the driveway. Castle Ridge on the left, single entrance and exit, narrow, hard…you know, you drive up, you're not going to necessarily think that there's going to be five cars parking in the driveway if you could fit that many. Seneca, however, has a circular layout; it's obvious to visitors and contractors, it provides much better circulation and more space. And on the street, Castle Ridge is, of course, as we've belabored quite a bit, is a narrow, private street, constrained already, not designed for parking on both sides, whereas Seneca Street is a city secondary street. It is designed to support on-street parking on both sides. And Seneca House also has no neighbors to the west, meaning people are parking over there not in front of anybody. So, as you can see, then, you have a…if you're going to consider a proposal that supercharges the number of residents over code, this has distinct advantages that you can have a worthwhile conversation about that as opposed to Castle Ridge which has significant disadvantages associated with having a supercharged intensity of impact. And, in your email packet from the last P and Z meeting in March, there was a quote from Seneca House which is relevant here, which they say, sometimes we run out of on-site parking, but we have so much on-street parking that is never an issue. We are in a unique, emphasis on unique, situation because there is a middle school across the street and our northern neighbor's house faces Craig Street, on top of being on a secondary street with a parking lane and a wider street. So, here, okay, perhaps you go above code, perhaps there is more possibilities there, but that does not exist in ours.

So, in summary, the applicants have never run an operation like this before. The applicants' estimate of two staff can handle full-time care of residents while managing operations is simply not realistic. Keep in mind, they are limited to two staff, so it's not like they can pop in another full-time staff. They could probably get around it, perhaps, by having several part-timers or something, and then still meet the RA, but you can see where this goes.

The parking app, interesting gimmick…is it practical? Is it likely to last over time? Because once this is approved, this is approved forever, I mean this goes on ad infinitum. And all of the attempted mitigations and operations have to be lasting, and they have to be…it's not just a, we're going to go do this, we get approval, three months, six months, and then it just kind of disintegrates and devolves over time to where we're left holding the bag.

And finally, the operational plan is optimistic and dubious. It's not based on experience. With all due respect to the applicants, they have not run an operation like this before. And so, where is this operational plan coming from, and what…real impact associated?

So, in summary, bottom line, it's far too risky to approve ten residents above code without hard data. We're throwing…there's a lot of assumptions, a lot of rosy scenario that's being given. Really would like you to consider that, to go above code, to go above ten, we need a lot more hard data to go do that. And, what is obvious during this whole process for the last year and a half, is the applicants just did not consider, probably due to their inexperience, the environmental factors. They looked at the house layout, they could see how many people they can fit in there, this is going to be great, but the parking, the impact to the neighborhood, they jumped in, they didn't consider the entire picture, and here we are. And then, finally, Seneca only increasing to ten residents after operating for several years. So, continuing on, operational plan is mostly the same, constraints are exactly the same as the last denial. The same issues of public health and safety exist with the current application, and simply put, a group home at more than the allowed intensity at this location jeopardizes neighborhood health and safety.

So, there is an approach here though. I mean…so, first would be to deny the initial application for ten residents, and perhaps follow the Seneca approach. Gain experience for several years first within code, learn how to operate it. Let's get the hard data done and let's look at what the impact is and figure out what the level of intensity really should be at the end of the day here. And then, if it is appropriate, and it looks like it's possible, a subsequent type two review to assess that feasibility for an increase based on operational success, demonstrated compatibility. We talk a lot about what's going to happen and all these rosy type of things going to happen…the onus should be on proving it, proving it at a level that is within code.

So, finally, last slide, additional conditions for you to consider independent of intensity; this is not a solution for ten residents, but just, in the back of your minds is something to think about. One would be no bus or van parking on site or on Castle Ridge. This was agreed to at the neighborhood meeting, but was not one of the conditions that staff recommended. Second, there's all this talk about staggering and getting deliveries, and all of this is going to all work out for the best…perhaps a condition, when you get a proposal within code, that deliveries and short-term visits would exclusively use the driveway, and force and have some teeth that that actually enforces the proposed staggering as opposed to what will almost invariably happen, which is a devolution and, you know, the applicants will move out, there will be two staff there, the whole management of this has to be…the two staff are going to take care of the residents, that's what they're there for. They're not going to worry about…parking is going to be last, only if they have time…managing all of the ins and outs and all of that. And, so we need something that manages that kind of itself, and that's not existing in this proposal as is.

Finally, I just did want to mention on the HOA that is kind presented as an endorsement…the HOA did not endorse the project. There was…they were essentially pressured by the applicant's lawyer to approve it. They had taken the position prior that, we'll wait for the City process to come through, and then we'll go with whatever the City goes…we have to…so just don't confuse that statement with that the HOA is behind the project. That's not necessarily the case. And, another point, just in rebuttal since I

have another minute here. On the deliveries, which they were proposing a more aggressive delivery schedule perhaps than what Kai had proposed as City staff. Well, when an in-code proposal comes up, make that a condition. I mean other to say you're going to do it, and then don't do it later and there's no recourse.

And then finally, this idea that the HOA can enforce parking is a bit dubious. First, there is a nuisance clause in the covenants, that's true; however, nuisance is not defined. What is a nuisance? How is the HOA going to go in and tell…come up with parking rules…that's just not necessarily realistic. So, you can't look to the HOA to solve this. So, that's…that's the conclusion. Again, it's about…deny the initial application for ten, let's gain experience, let's gain hard data, and then arrive at the optimal point, as opposed to jumping in all at once, go above, and then we can't go back. And that's it, if there's any questions…

CHAIR KATZ: Thank you, Kurt. So…I believe that there's five more people that wish to speak. If you could…maybe three line up in the middle, two on the end. And we'll start in the middle. State your name, address for the record and you'll have three minutes.

MR. MIKE LEUZZE: Are you ready?

CHAIR KATZ: Yep.

MR. LEUZZE: Okay, Mike Leuzze, resident, 5225 Castle Ridge Place, thank you for staying so late. Just a couple comments on some of the things I've been hearing. Number one, the applicants state that their whole purpose here is to provide residential living for the residents that they want to have in that home. I think all of us have gone on vacations with family or friends. Ten unrelated people packed into a single-family home is not residential living. They will be in small cells, and maybe with occasional opportunities to go outside. This is not being done out of the goodness of somebody's heart, this is for financial gain. And then to reiterate some other things we've heard, from our own HOA, the reason they agreed to this proposal is because they were threatened with legal action and monetary punishment if they go to court against this. It was not, they looked at a proposal and they thought it made sense and they agreed to it; it was done out of fear of reprisal. And then the last thing I want to reiterate is this is a small, private street. When it snows, even for those of us who have snow-worthy vehicles, getting in and out of this neighborhood is extremely difficult, not only on the few days after the snowfall, but the days after that when it's melted and become ice. This is not an easy street to get in and out of during the weather. Thank you so much for taking the time to listen to us.

CHAIR KATZ: Thank you, Mike. Over here, please?

MS. BARBARA SUHRSTEDT: My name is Barbara Suhrstedt; I actually don't live in their neighborhood, I live on Boardwalk Drive, which is right across the street. And I'm not going to reiterate what everybody else said, but one thing that occurred to me, this is a zoned residential neighborhood, nobody is making a profit, but they're proposing to put in a profit-making business. And this is opening the door to a lot of unintended consequences. So, that's all I had to say.

CHAIR KATZ: Thank you, Barbara. Go ahead, sir.

MR. STEVE RHODES: My name is Steve Rhodes; I live at 5000 Boardwalk, and I'd just like to voice my objection to this whole plan as well. These people are putting in a long-term care facility; it's there for patients that are in decline, it's not a group home to help people integrate into the community. They're going to be kept within the facility and within the area, so this is not a group home type setting. That being said, they're also going to…since the patients are in decline…two staff members to take care

of ten is also a rather unreasonable expectation when there's going to be thirty meals per day that need to be made, there's going to be housekeeping that needs to be done, there's going to be meds that need to be passed, you need a therapist to come through and visit, occupational, physical, just like the doctor said. There is a constant flow within these facilities of ancillary care givers. So, the idea that it's going to be limited to two people that could fit in one garage all day long is unreasonable. There's going to be shift changes; shift changes happen at all hours of the day. Some of the care facilities I've worked in, we start at five AM, others we start at six, so there's going to be traffic at odd hours. Are you going to rotate twelves or eight-hour shifts? Who's going to move the cars out of the garage so the people can move in? And then visitors are totally unpredictable and no app is going to regulate where visitors go and when they show up to visit. So, that being said, I'm trying to be respectful of your time. And again, I just don't think that this is a well though out…there is a need for this type of facility in our city, but this is not the right location for it. It doesn't have the access and the availability of other services. Thank you.

CHAIR KATZ: Thank you.

MR. TONY DOING: Tony Doing, 5206 Castle Ridge Place. And so, again, similar points. It's a private road that we had tried to give it back to the City, but it was too narrow. They said they couldn't get snowplows in and out. So, you saw the footage of the cars on both sides. One truck could get through the middle on a good day, going slowly. And having no snow removal is going to complicate that for sure. And then I submitted a picture…it wasn't Greg Lesartre, that was me. You know, there's a big white van…they are unlucky, number one, they are unlucky that they have a fire hydrant right there in front of their place, and then there's a big white truck on the other side…I don't know if that was theirs or not, but it's the two sides…but can you imagine that truck trying to get into that driveway and then trying to back out of that driveway to come out again? Like…not really feasible. And then we saw the pictures with…even they pointed out, boy, there's cars on both sides of the street, look at this…and the other people…but, you know, you don't expect for there to be parties every day, because if there were, you would say, boy, that's not a great way to set up a neighborhood.

In regard to forcing…enforcing the parking…also, I thought that was a funny thing…that's one of their cars right in front of the fire hydrant. So, they're not doing that right now as far as enforcing neighborhood parking. And that's only with two residents. And then, lastly, do you realize that they have a four car garage? There's four spots that they could totally use, but they don't want to because they want to get more people in there and have a bigger home. And so, that's what…so, to me…again, they found a house that people had made it accessible for this…for a lady who needed the help, and in fact the neighbors gave them leeway to make the house bigger on both sides, but the other parts of the house where it's located on the street, in the neighborhood…the next street is a school zone. You know, it's not working out very well, I don't think, for that plan. Thank you.

CHAIR KATZ: Thank you.

MR. ERIN ELLIS: Good evening and thank you for your time. My name is Erin Ellis; I am an owner and operator of a residential assisted living home in the Fort Collins area. I also represent A Home for Life which is a group of…a collaboration of homes like this. Homes where individuals can be cared for in a residential assisted living environment have unfortunately been disparaged here tonight. This is an important resource in our community that's a part of what makes communities better. Our neighborhood, which is a high-end residential neighborhood in Fort Collins, is made better by having a residential assisted living home in the neighborhood. I do recognize that when the home was first established in our neighborhood…we're in the Country Club, Nedrah Acres area in north Fort Collins…and, there was opposition to our home coming into the neighborhood originally, and most of it

was, not in our backyard, it was fear of the unknown, what is this really going to be like. And the reality, as you saw on the slides tonight, Monarch Greens is a wonderful example. In fact, we improved the property values in our neighborhood because we have a really significant income, not that we're getting rich what we're doing, but we put a lot into curb appeal, and how our home looks in the neighborhood, and how we operate within the neighborhood as a whole. Within this collaboration, there's homes like Terry Lake Assisted Living along the high-end Terry Lake neighborhood in north Fort Collins, there's Turnberry Place along the Fort Collins Country Club…it backs up directly to the Country Club. These do not disparage property values…there's Live to Assist on West Prospect that has only continued to improve over time and improve that neighborhood. Seneca House, which was brought up here today, actually has far less on-site parking and works incredibly, compatibly well with that neighborhood. Bright Assisted Living in the heart of Windsor, Colorado, is a compliment to its community. So, residential assisted living is important for all of our communities. It works well in residential neighborhoods. And I understand opposition to it, but I really encourage people to come learn the truth about residential assisted living before disparaging it. Thank you for your time tonight.

CHAIR KATZ: Thank you. I think that's everyone that's either spoken or donated their time. So, thank you to the public who came out today. At this time, would the applicant like to respond to any of the comments they have heard from the public?

MS. HANSEN: Yes, thank you. So I took a few notes here and hopefully I get the summary. So, again, we didn't say we reached out to every single neighbor in the neighborhood; we reached out to those adjacent to us. And in fact, my clients have unfortunately had to get a cease-and-desist order because of some harassment, and so therefore, we didn't want to necessarily approach certain individuals. Like I said, Eric and Xioma, yes, they are able-bodied people. They are moving out of the home; however, there will be 24/7 access to a property manager to handle any potential issue that could possibly come up. So, they are able-bodied people; we're not trying to sneak around any laws. These are disabled seniors who will be living here who have memory care issues. So, while they are…and the two seniors that are currently living in the home are doing so completely legally. There is nothing illegal about any operation that's happening at all; everything is completely above board.

The…I wanted to address Mr. Johnson's comment. The parking app does have a map associated with it so people will know, hey, here's the map, here's where I need to get into the driveway, here's where I need to park. We did offer a circular driveway layout that would have provided more parking off-street. We showed that at the first neighborhood meeting. It was immediately rejected and a huge negative feedback from adding that circle driveway, so that's why we didn't add that. The staff ratios at other facilities, such as Morning Star, the staff ratio is one to twelve in those larger facilities. We're offering a staff ratio of one to five. So, I think it's unfair to say that our care will be worse in this location when we have one staff person for five residents instead of per twelve residents.

The code allows eight residents; we're simply asking for two more at this point, and it appeared as if Mr. Johnson was saying one of the solutions could be we operate under code, so I would ask what is so substantially different…versus ten…that he is potentially okay with, and the group of people that he represented are potentially okay with, to adding just two more which then allows us to be financially stable and allow this project to happen. They brought up Seneca House; the reason why they had to go up to ten residents is because they could not afford to run the home at eight. It was a financial move that they had to increase those two beds. In our perfect world, we wanted sixteen because we could have…at sixteen beds, we could have provided two Medicaid beds, and we could have helped lower income individuals. Unfortunately, because of the feedback that we've gotten, in order to do ten beds, we had to remove those two Medicaid beds, which in my mind is so unfortunate.

We will not have a bus; there will not be a bus on this site. Oh, and then we did send a message to our legal counsel asking if she ever threatened the HOA and she said, absolutely not, that would be incredibly unethical; that did not happen. So, I'm not sure where that came from, but I'm deeply sorry if anyone felt like that was their arm being twisted.

And then, the fire hydrant. Yes, this vehicle that is parked in front of the fire hydrant was coming to our home at the time. The curb in front of the fire hydrant, as part of this application, will now be striped. It will be the only striped fire hydrant in this entire subdivision, but we are going to stripe it so that no one can park in front of that fire hydrant. The truck across the street was not for our home; that was someone else in the neighborhood. Thank you.

CHAIR KATZ: Alright, thank you, Stephanie. Would staff like to address any of the comments?

MR. KLEER: Yeah, I can address a few comments. So, there was an assertion by Mr. Sunderman that it is staff's goal to push this project through for approval. Staff is simply just processing the application as we would any other development app…project development plan application, where we evaluate the application through staff rounds of review for compliance with applicable City codes, and we present our recommendation to the Commission, or whoever the decision maker is for that particular project. And ultimately, the decision is up to the decision maker, not staff.

There was some conversation from Mr. Sunderman that staff was looking to bypass rules and notice requirements for neighborhood meetings. There was some issues, I think, originally, when we did have our neighborhood meeting for this project in July, where the sign posting that was originally posted for the first submittal of the project was taken down for some lawn work that the applicant was doing at the time. We have since rectified that situation. The required two-week mailed notice for neighborhood meetings went out in compliance with Article 2 of the Land Use Code. And, further, the Land Use Code does require a sign to be posted for neighborhood meetings, but it doesn't clarify the timing of the sign posting. Generally, our practice is to get the sign out prior to the neighborhood meeting, and in this case, I think it was three days that we realized…we received communication from the neighborhood that there wasn't a sign posted, and we were able to respond to that immediately and have the applicants reestablish it in the front yard.

Parking app…there were some questions from Mr. Johnson around the parking app. What if it disintegrates? This is…this is actually something that I think is familiar to the City in the sense that we have a parking app for our parking garages downtown. We've recently changed parking apps. The expectation of the project would be to provide a parking app; it doesn't necessarily need to be this app, but it needs to be something to manage that parking in a similar way that you would experience in a downtown parking garage where you're assigning a zone, you're assigning a space, and being able to manage that actively through the application for, essentially, their clients.

There was a comment from…I didn't catch his name, but I believe that he lived on 5000 Boardwalk…with an assertion that this is a long-term care facility. This does qualify under the definition of a group home. We actually define what a long-term care facility is in Article 5 of the Land Use Code; it can be one of four different types of care, and I'll spare you reading them all off, but staff did evaluate the project and made the determination that it does qualify as a group home under Land Use Code definitions and standards. And that concludes staff's responses. I'd be happy to answer anything that maybe I missed.

CHAIR KATZ: Kai, there is one comment accusing staff of censoring the individual. Is that something you want to comment, or decline to comment?

MR. KLEER: Yeah, so there was a lot of coordination on staff's end to try to set up a secondary meeting after the neighborhood meeting for some of the neighbors…the residents that didn't feel like they were heard at the neighborhood meeting. We tried to…or staff tried to coordinate that meeting. I think, in the end, it was just found to…the applicant team found it to be not potentially beneficial to have that meeting…or productive to have that meeting. So, there was an effort to hold the meeting, it just didn't work out.

MS. EVERETTE: I would like to add to that, Mr. Chair. As staff, we host neighborhood meetings; they are not necessarily hosted by applicant teams. It's City staff and our Neighborhood Development Liaison, in particular, who facilitates those meetings, and we always reserve the right to facilitate those meetings in a way that promotes respectful and productive dialogue, and any time that that's not occurring, we have the ability to either cut off the conversation that's happening, or end the meeting if it's needed to keep our staff safe, to keep our community members safe, and to ensure productive conversation is happening in the community…that is how we facilitate our neighborhood meetings.

CHAIR KATZ: Thank you so much for that clarification. Did any other Commissioners catch anything from public input that they don't feel was addressed by staff or the applicant? Okay. Are there any last clarifying questions for the applicant or staff before we get into deliberation? This will be the last opportunity to address the applicant. Go ahead, Adam.

COMMISSIONER ADAM SASS: Is it within our purview to ask about how trash is going to be handled at a group home?

CHAIR KATZ: I think, to the extent there's trash enclosures, then I think it's fair to ask a specific question, like is there going to be…

COMMISSIONER SASS: I guess, let me take a step back. Is trash handled through the HOA so everyone has the same and does your HOA fee, the four hundred bucks a year, cover your trash pick-up, or whatever it is?

MS. HANSEN: I am happy to answer that. The HOA does not cover everyone's trash; everybody has individual. One neighbor has a dumpster. We will not have a dumpster; we will have three individual trash cans that will stay in the garage or in the courtyard out of site, one recycle bin, that then will come to the curb just as normal, as a residential house does, on trash pick-up day. And then just to clarify about the neighborhood meeting sign being down…we were resodding the front yard, so we took the sign down to resod, and then we put the sign back up.

CHAIR KATZ: Thank you.

COMMISSIONER SASS: Thanks.

CHAIR KATZ: Clarifying questions?

COMMISSIONER HOGESTAD: I do have one. So, the help in the facility…there's two nurses or nurse-like people, is that correct? And then is there any other people in there? Janitors, maintenance people, anything else?

MS. HANSEN: As far as like, maintenance…

COMMISSIONER HOGESTAD: That are in the house.

MS. HANSEN: There are only two staff members on-site.

COMMISSIONER HOGESTAD: That's it?

MS. HANSEN: That's it.

COMMISSIONER HOGESTAD: Okay. That's what I needed to know; thank you.

CHAIR KATZ: Thank you. Any other questions? This is our last opportunity to address the applicant. Alright, who would like to start deliberation? Is it 12:42?

COMMISSIONER STACKHOUSE: Well, I don't know if I want to start deliberation, but you know, I do think really for the benefit of everyone here, it's really important to reiterate what our role is, and that is to assess compliance with the Land Use Code, and that is the Code that's been in existence for some time. And just to be really sure that everyone is clear, small group homes are permitted in low-density residential zone areas. So, that piece of it is permitted under the Land Use Code. A reasonable accommodation request was given. Yes, Planning and Zoning did deny the first application, and if my memory serves, it was based on the off-street parking for sixteen, for the caregivers for sixteen residents, and the expectation that the care workers would walk, I don't know what it was, a half a mile, or whatever. So, you know, I think it's really important that we remember that that is what we are assessing is compliance with the Land Use Code, not do we believe the ratio to care givers to staff is sufficient, or those sorts of things. So, I hope that's beneficial to the audience, just to you understand what our role is and what it is not.

CHAIR KATZ: Yeah, thank you, Julie. I was thinking similar as we were hearing public comment. I heard a lot of comments addressed towards the applicant and towards the operation, but really it is our role to assess how this complies or does not comply with the Land Use Code. So, thank you so much, Commissioner Stackhouse.

COMMISSIONER HOGESTAD: I think, though, in the consideration of parking and that kind of impact, that we have to understand the operation, how many people are in there, what are they doing in there. I find it difficult to believe that two people are going to manage this entire operation when there's the laundry to be done, beds to be made, meals to be prepared, clean-up of all of this, maintenance of mechanical systems, and bathrooms, and plumbing, and all of that. It seems odd to be that two people would be the amount of people taking care of this whole operation. I just don't believe it's going to be that way.

COMMISSIONER SASS: Earlier this year, my mom was in one of these similar situations, so I'm empathetic to this need in the community. Two seems low on the surface, but I don't believe that it would be, because they're not the plumbers, they're the caregivers, and we've been told that the ratio is much different in the larger facilities. And two people staying with these patients, I think feels…one to five doesn't seem that atrocious to me, but maybe I'm off there.

COMMISSIONER HOGESTAD: Yeah, I don't know that either. It seems like that would be a lot of work for one person to deal with five people that need that kind of care. But, the point is that, if they're not taking care of making meals and doing that, where's that coming from and where are they parking? There's still more to it than I think has been presented to us here. And I guess, ultimately, the issue is, it's not enforceable. So, whatever conditions we put on this…these are operational restrictions, and there's no way to enforce that. We've seen that with a daycare not too terribly long ago, that operational conditions just don't work. So, you know, it's one thing when you build something and you have to follow a certain plan, you know, that's different. This…you know, it will be up for grabs in a

matter of weeks. I don't see how you can get people delivering food, or doing maintenance or any of that, are going to use an app to do it. You're lucky to get people to come and do maintenance on your property. It's a dream, in my opinion, that that will work smoothly, and it won't impact the neighborhood. And then, at any given time, you can have an emergency, a medical emergency, and then there's several vehicles that turn out for those. And the street is so terribly narrow, it just simply seems like it's stretching the ability of that neighborhood to deal with this.

COMMISSIONER SCHNEIDER: So I guess where I'm at is, fully understand the need, I'm not questioning the ratio…that's not my expertise…I don't know…that's not part of our purview and everything else. My concern that I'm working through and wrestling with is…is the parking impact. The other properties that you've shown as examples are on the periphery of neighborhoods. This one is in the middle of the neighborhood. And so, the in and out…the impact of the traffic in and out of the overall neighborhood…if it was on the periphery, I may have a different feeling. I'm not saying I can't get around it, but that's my struggle, is I do think with the narrow roads and streets in the neighborhood, that there will be an impact. And I'm sorry, you can use whatever app you want, you can tell people to do whatever you want them to do, it's not going to happen. Let's be honest about it. We can plan for the best thing, and it's just reality. I look at the impacts in my neighborhood with my neighbors and what's going on and everything else. So, I'm empathetic to the congestion and potential concerns with that. I'm empathetic to the need, because there is a need for your operation. So, I'm just struggling with how to balance this. And, looking at the Land Use Code, you know, I'm looking at it more of a compatibility with the parking and the concerns that are being raised, especially with the narrowness of the existing conditions out there. And that's what I'm struggling to work through is that aspect, and trying to be talked off the fence one side or the other to be honest.

COMMISSIONER HOGESTAD: For me, it's the assumption that these are the numbers, and that's really how it's going to work, and the mitigation. It's simply not going to work. So, I think the parking really is ultimately the problem here.

COMMISSIONER STACKHOUSE: Can someone remind me how many off-street parking we had on the original proposal versus this one? I don't remember in the original. I know I'm going back to clarifying questions; I apologize for that.

COMMISSIONER SCHNEIDER: Wasn't there five? Because wasn't there two that were further away? So there was three in front and then two…that's what I'm saying, off-street.

MR. KLEER: It is a similar amount. The only addition for this particular project would be the garage spaces.

COMMISSIONER STACKHOUSE: So two more?

MR. KLEER: Two more.

COMMISSIONER STACKHOUSE: Thank you.

CHAIR KATZ: So, Jeff, contextually, its really still down to the parking for compatibility?

COMMISSIONER SCHNEIDER: That's where I'm at. And, like I said, if this property was on the peripheral edge of the neighborhood, and it wasn't the impact of getting in and out of…I mean, this is in the heart of the neighborhood, and that's where I'm struggling with the location of it with the impact, potential impact, that this would have. And it's not impacting one or two homes, it's impacting several homes as the trips go in and out of the neighborhood. So…

CHAIR KATZ: So, what standards specifically are you feeling that it may or may not…

COMMISSIONER SCHNEIDER: Now you're going to make me think at one in the morning?

COMMISSIONER STACKHOUSE: It's 3.5.1(J), operation and physical compatibility. It's the same standard we talked about last time. Well, I'll admit I'm…I've struggled. I was very concerned about parking the first time around. In fact, I think I made the motion. The…I think this is an improved proposal. There are two more off-street spaces, but the big change is the number of residents, so the number of potential visitors is substantially less than what we saw in the earlier proposal. I don't think eight or ten is going to make a difference here. I think it's really…Per, your point, which is, there's going to be deliveries and other things, best effort to keep to these non-peak hours, I think that's great, but you know, it is…there are going to be deliveries and other things. And so, the question then becomes, how do we apply the Land Use Code when clearly small group homes are permitted. You know, at what point do you say street width becomes the defining factor? I'm really struggling with that, because I don't know, for the next proposal then, how you draw that line.

COMMISSIONER SCHNEIDER: Well, it's just…that two feet makes a big difference. I'm trying to get two parking spots, and then through traffic, safely. You know, having the normal width of a traffic lane is eight feet, with the proposed, we're going down to fourteen. So, if you're trying to get two vehicles through, you're talking seven feet; that's tight, even with smaller vehicles. It's definitely tight. And I can appreciate and understand the concern. How often is that going to happen? Who knows.

COMMISSIONER STACKHOUSE: I mean, that's the real point.

COMMISSIONER SCHNEIDER: Correct, but I can also say, if I had a family member in this facility, I would want to go see them when I want to go see them. If one of my parents were there and having issues, respectfully, I'm not going to use an app, I'm going to go take care of them and be part of a situation that they may be experiencing. And that's just the reality. So, to control how many visitors are in and out, it's very difficult. And that's the struggle that I think I'm having, personally, is there's so many unknowns with this and potential impacts. So…and it just…so, I respect the challenge, but I also…and that's what I'm saying, I'm on the fence because I can see both sides.

COMMISSIONER HOGESTAD: You know, if this wasn't a private street and it had a little more width, I think that it might work, and you know, sort of ignore all of these operational restrictions, because they aren't going to work; in six months it'll be gone. So, I think we have to deal with this based on that very narrow street. You know, it's really even too narrow of a street to be a residential neighborhood with people coming and going and parking on the street. The people who are parking on driveways, that'd be a different thing. But people are out in the street in this particular neighborhood. We see it in the pictures.

CHAIR KATZ: There's a lot we're trying to…there's a lot unknown and we can't solve for is, and we can't control everything, to Julie's point. You know, how do we use the Land Use Code, that's the only tool we really have. You know, if there's two staff and then services, visitors, I don't know if they're all coming at the same time. I don't know how often they will have someone in the street.

COMMISSIONER HOGESTAD: No, but we do know that houses require maintenance and laundry and all of those things that those caregivers probably aren't doing.

CHAIR KATZ: Right. But do they all come at once? They might, they might not.

COMMISSIONER HOGESTAD: Yeah, maybe not. But, it's an increase anyway. You know, street parking no doubt.

COMMISSIONER SASS: They would need four of those additional people at the same time, in addition to the two staff, to fill up their six spots that are off-street. Right? Because there's six off-street spots. So, they would need four…they would need a plumber, a laundry person, a medicine person…you know, I mean, we're getting into their operations of doing business, but to kind of ease your concern there, they've got six spots off-street that would have to be full before you're putting someone out into the street.

COMMISSIONER HOGESTAD: That's so unlikely that there aren't those people along with the two caregivers, not unlikely at all. Somebody is preparing the food, somebody is cleaning up after the food, all of those things. Somebody is doing the laundry.

COMMISSIONER STACKHOUSE: I could be wrong, but I think when we talked about that at the last meeting, the care providers are doing the cooking and laundry.

COMMISSIONER HOGESTAD: There's only two. You know, they're giving care to five people and then doing lunches, dinners, breakfasts, all of those…changing bedding, doing all of that kind of stuff…I think it's…

COMMISSIONER SCHNEIDER: But, keep in mind, they're not…it's memory care that they're helping with, so it's not that they're incompatible [*sic*] of doing stuff. They may be incompatible [*sic*] of remembering what they did yesterday, but it doesn't mean they're incompatible [*sic*] of doing things on their own.

COMMISSIONER HOGESTAD: But they aren't preparing meals, they aren't doing laundry.

COMMISSIONER SCHNEIDER: You never know, and that's where getting into the operations…we can't make those assumptions, and it's not part of the Land Use Code.

CHAIR KATZ: We're starting to go down rabbit holes as we are really good at doing, a lot of what ifs, a lot of unknowns, a lot of trying to over-control everything, and really just trying to look at this through the lens of the Land Use Code. Are they meeting it? You know…I mean, that's the question, and if there's one specific standard, and it's that compatibility, then, you know. Does anyone have a strong decision, yes or no, or is everybody on the fence?

COMMISSIONER STACKHOUSE: I don't have a copy of the Code like you probably do underneath your desk there, but 3.5.1(J), is the wording contained in the staff memo? The complete wording from the Code?

MS. EVERETTE: We can always pull it up on screen if that's helpful.

COMMISSIONER STACKHOUSE: That would be helpful.

MR. KLEER: If you can, that would be great. My battery…

CHAIR KATZ: I think the compatibility, the 3.5.1(A) and (B) was at least what Jeff was of question. So, are you still on the fence, Jeff?

COMMISSIONER SCHNEIDER: Yeah, I mean, in all honesty, I'm struggling with how much of an impact is this going to be, and is it reasonable…is the impact reasonable enough or not.

CHAIR KATZ: And you're struggling because we don't know…

COMMISSIONER SCHNEIDER: Correct.

CHAIR KATZ: …we don't have crystal balls.

COMMISSIONER SCHNEIDER: Correct.

CHAIR KATZ: And there's speculation, some of which may be true.

COMMISSIONER SCHNEIDER: Correct, and it may not be an issue at all, which has been cited by other…

CHAIR KATZ: And I think we can all agree that it will…the impact will ebb and flow.

COMMISSIONER SCHNEIDER: Correct.

CHAIR KATZ: Throughout the day, throughout the week, throughout the year.

COMMISSIONER SCHNEIDER: Well, just like, when both my kids…well, my third one isn't able, but when my two older kids start driving, there's going to be a bigger impact to my neighborhood. And I, I mean, I fully respect that, so…but, it is an impact, you know, that I will be creating and that I know is going to happen.

CHAIR KATZ: Okay…Julie, I know you're talking about (J) still…3.5.1(A), (B), the compatibility. Is every single person on the fence or is one person feeling one way or the other? Adam? Julie?

COMMISSIONER SASS: Group homes are allowed. We are not here to talk about ten versus eight, that's been talked about, that's…and group homes are allowed. I think there's six parking places that aren't on the street that this home has room for, and I don't think it's going to be any more of an impact than someone with three kids that drive and have two parent vehicles and three…I don't think it's that incompatible with a 7,000 square foot house three houses down. That's my…I would have a hard time saying it's incompatible.

COMMISSIONER STACKHOUSE: I'm leaning there, and I will tell you this has been a real personal struggle to get there. But, as I read and re-read the standard in the Land Use Code, which talks about compatibility, but then when you get into this particular provision of the Land Use Code, it specifically talks about imposing conditions. And so, it doesn't say…if we go to item seven there, which is location and the number of off-street parking spaces, it doesn't say you have to have so many off-street parking spaces, it's just saying you could impose that as a condition. I have to look back at where our concerns were before…it was just a larger group home. It's now a smaller group home, and I think there will be on-street parking, but I think there is in a lot of neighborhoods with narrow streets. And I guess my leaning this time is that it is permitted by the Land Use Code, and that the parking considerations are substantially mitigated from our earlier decision.

CHAIR KATZ: Okay, thank you, Julie? Per, project compatibility?

COMMISSIONER HOGESTAD: I think, pretty clear, that I think the parking impact is very great. When that street was built, there was no sense that there would be any sort of commercial use in that neighborhood. You know, if the street had been wider, I would have probably said, yeah, you know, that neighborhood could sustain that kind of parking and that kind of additional traffic. It can't.

CHAIR KATZ: So, project is incompatible? Mostly based on the street width?

COMMISSIONER HOGESTAD: Yeah.

CHAIR KATZ: Okay, thank you. Julie, you were talking about 3.5.1(J), and I kind of want to get through that first. Do you want to circle back with staff on that?

COMMISSIONER STACKHOUSE: No.

CHAIR KATZ: Okay. We've got a couple people leaning one way, a couple people on the fence. I'm the Chair, I don't have to say where I'm at yet. Would anybody like to make a motion, one way or the other? Adam?

COMMISSIONER SASS: I want to make sure that if we don't believe that they're…I don't want to put a condition or something that's not enforceable, because that doesn't make any sense. And it's not really within our purview to manage how they run their business, right? I mean maybe I'm wrong in that. So, it's…I can't come up with a use code…or part of the Code to reference that says, you have to do that app, right?

COMMISSIONER STACKHOUSE: I would not base anything on the app.

COMMISSIONER SASS: That's what I'm saying, like I can't…

CHAIR KATZ: I'd put nothing on the app, zero.

COMMISSIONER STACKHOUSE: I think the two conditions staff recommended.

COMMISSIONER SASS: That's where it's at, right?

CHAIR KATZ: Kai, if this was only eight people in the Code, would it be a type two hearing?

MR. KLEER: It would be.

CHAIR KATZ: Okay, thank you. So, maybe this will help, if there was eight people here, instead of ten residents, you're still having the services come…eight to ten doesn't have…the increase is very negligible to me. Sixteen was a lot, that was not negligible; this, to me, is negligible…the increase. So, I guess with that said, I'll fall one way off the fence, and I will support.

COMMISSIONER SASS: I'll make a motion then.

CHAIR KATZ: Thank you, Adam.

COMMISSIONER SASS: I'm not a hundred percent sure, do I want to read the conditions, or as they were presented…is that an acceptable way to say it, or should I read them?

COMMISSIONER STACKHOUSE: If you want to read them, there's one and there's two.

COMMISSIONER SASS: Does it matter? Do I need to read them, or say as presented? Can I deliver the motion that way? Perfect.

COMMISSIONER STACKHOUSE: He wants to know if he needs to read the specific conditions.

MR. BRAD YATABE: Are you okay with all of the conditions…I'm sorry.

COMMISSIONER SASS: Both of them.

MR. YATABE: Okay, yeah, I think if…I think with the prior item, there were three conditions and you wanted two of them, and it was not clear, but if you're okay with all of the conditions, and it's clear what you are okay with, then I think that's fine…

COMMISSIONER SASS: Okay.

MR. YATABE: …to reference them as in the staff report.

COMMISSIONER SASS: Thanks, Brad. I move that the Fort Collins Planning and Zoning Commission approve the Castle Ridge Group Home, Project Development Plan and Final Development Plan, PDP220013, with staff recommended conditions as stated in the staff report. This approval is only for a group home for memory care described in the agenda materials and not for any other type of group home. The Commission finds in consideration of the conditions and approved reasonable accommodation that the project development plan and final development plan comply with all applicable Land Use Code requirements. This decision is based upon the agenda materials, the information and materials presented during the work session and this hearing, and the Commission discussion on this item. Further, this Commission hereby adopts the information, analysis, findings of fact, and conclusions regarding this project development plan and final development plan contained in the staff report included in the agenda materials for this hearing.

CHAIR KATZ: Thank you, Adam. Do we have a second?

COMMISSIONER STACKHOUSE: Second.

CHAIR KATZ: Before we ask for a roll call, anybody have any final comments?

COMMISSIONER SCHNEIDER: I do just want to say, first of all, it's one o'clock in the morning, and everyone is still sitting here, so I greatly respect everyone being part of the conversation and being engaged. My decision tonight is not against the neighborhoods, and it's not against the operators of what is a need. So, I'm truly on the fence, and I'm struggling with this one. So, my decision will not be based on anything other than my interpretation of the Land Use Code.

COMMISSIONER STACKHOUSE: If I could also add, I really do appreciate everyone coming out as well. These are really hard; I know they are very emotional for the neighborhood, but they're really hard for us, too. And, unfortunately, the Land Use Code as its currently stated, has a lot of really, really gray areas. And I know you're saying no, but we're the ones that have to make the interpretations, and that can be very difficult. I might add for those that were interested in the accommodation request, a copy of those conditions…Kai, we forgot to put it up, it's on page 666 of the staff report for anyone interested in looking at that.

CHAIR KATZ: Thank you, Julie. These are really, really, really difficult, you know. The neighbors have rights, the neighborhoods have rights, the applicants have rights, too. And, we try to accommodate everybody, but that's almost always impossible to do. So, with that, could I have a roll call, please? And, happy birthday Shar; it's past midnight.

MS. MANNO: Thanks. Alright, roll call. Stackhouse?

COMMISSIONER STACKHOUSE: Yes.

MS. MANNO: Hogestad?

COMMISSIONER HOGESTAD: No.

MS. MANNO: Schneider?

COMMISSIONER SCHNEIDER: Sorry, but no.

MS. MANNO: Sass?

COMMISSIONER SASS: Yes.

MS. MANNO: And Katz?

CHAIR KATZ: Yes. With that, the motion passes.

Link to Video

Planning and Zoning Commission
December 15, 2022

https://youtu.be/5EMkop5t21g

Staff Report
(with attachments)
and Supplemental Materials
Presented to the
Planning and Zoning
Commission
March 23, 2022

Development Review Staff Report

Agenda Item 2

Planning & Zoning Commission Hearing: March 23, 2022

Castle Ridge Group Home, Project Development Plan – PDP210012

Summary of Request

This is a request for a Project Development Plan to convert an existing single-family dwelling into a 16-resident group home for memory care residents. The project is located within the Low-Density Residential (RL) zone district and is subject to Planning & Zoning Board (Type 2) Review.

Zoning Map (ctrl + click map to follow link)

Next Steps

If approved by the decision-maker, the applicant will be eligible to submit a Final Development Plan. Subsequent rounds of review will be required to finalize site and landscape plans before the applicant can apply for the site and building permits.

Site Location

The site is located adjacent to Mail Creek Ditch and approximately 800 feet southwest of Miramont Park (parcel #9601408002).

Zoning

Low-Density Residential District (R-L)

Property Owner

Diaz Xiomara
Eric Shenk
636 Castle Ridge Ct
Fort Collins, CO 80525

Applicant/Representative

Stephanie Hansen
Ripley Design, Inc
419 Canyon Ave STE 200
Fort Collins, CO 80521

Staff

Kai Kleer. City Planner

Contents

1. Project Introduction 2
2. Public Outreach 3
3. Article 2 – Applicable Standards 4
4. Article 3 - Applicable Standards 4
5. Article 4 – Applicable Standards: 10
6. Findings of Fact/Conclusion 10
7. Recommendation 11
8. Attachments 11
9. Links ..... **Error! Bookmark not defined.**

Staff Recommendation

Conditional Approval of Project Development Plan.

1. Project Introduction

A. PROJECT DESCRIPTION

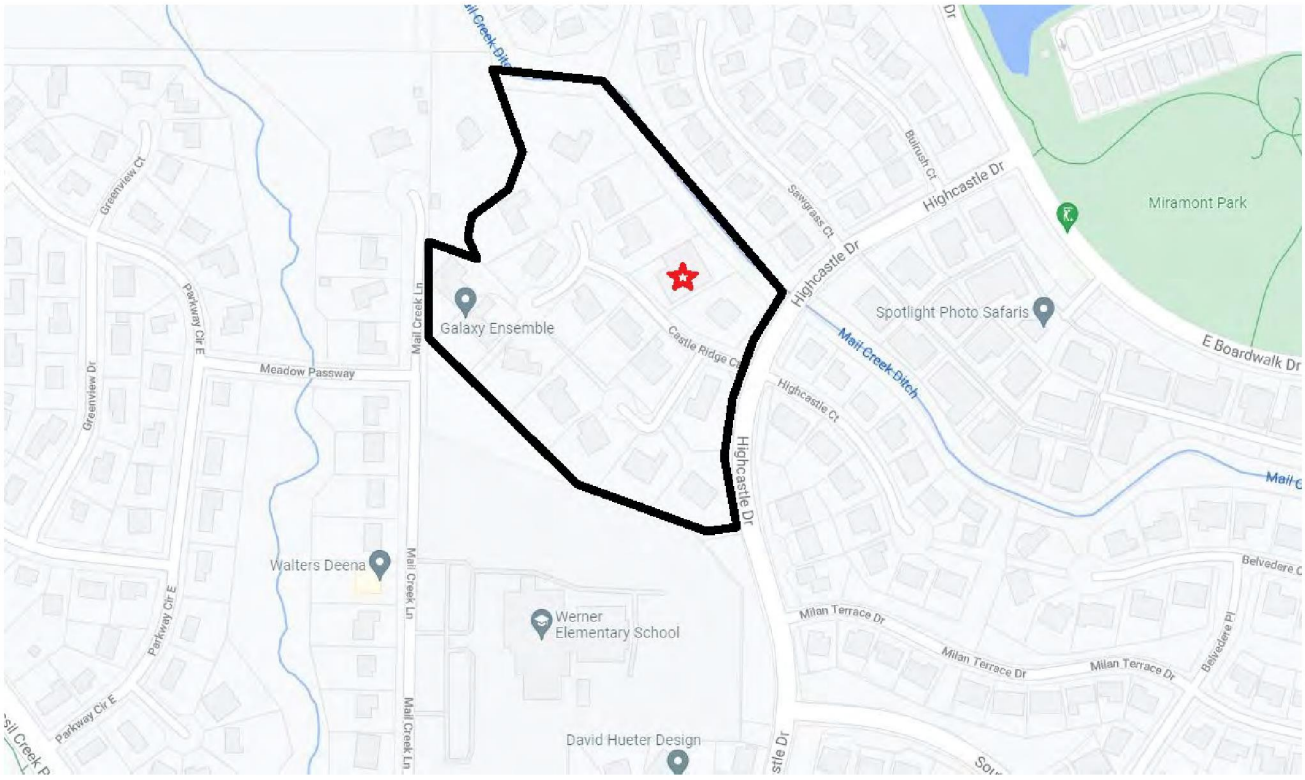
This is a proposal to convert an existing single-family detached home into a 16-resident group home located at 636 Castle Ridge Court. The proposal includes adding exterior windows, screen walls, landscaping, and closing off two side-facing garage doors.

B. SITE CHARACTERISTICS

1. Development Status/Background

The property is located within the 617-acre Keenland Annexation that was annexed into the City in 1980. After annexation, the area was developed over the decades and included projects such as Sam's Club (Pace Warehouse), Oakridge Crossing, Miramont, Werner Elementary, and numerous other commercial, institutional, industrial, and residential projects.

The project site was created in 1993 as part of the 18-lot Castle Ridge at Miramont PUD. The lot is approximately 22,200 square feet in size and contains a 6,400+ square foot home that was constructed in 2002. The homes in the subdivision are served by a private cul-de-sac system with dual lanes for on-street parking and attached sidewalks. Mail Creek Ditch and Werner Elementary act as book ends to the north and south potions of the subdivision.



2. Surrounding Zoning and Land Use

	North	South	East	West
Zoning	Miramont Neighborhood; Low Density Residential (R-L)	Werner Elementary School; Low Density Residential (R-L)	Miramont Neighborhood; Low Density Residential (R-L)	Miramont Neighborhood; Low Density Residential (R-L)
Land Use	Single-family detached dwellings	Single-family detached dwellings	Single-family detached dwellings	Single-family detached dwellings

C. OVERVIEW OF MAIN CONSIDERATIONS

The plan has gone through five rounds of review with development of an operational plan, and extensive exploration of traffic, parking, screening, exterior window placement, street width, fire access, façade character, and landscaping.

The project includes an approved reasonable accommodation request which grants relief from 3.8.6(A) to increase maximum permissible residents from 8 to 16.

2. Public Outreach

A virtual neighborhood meeting was held to discuss the project on April 9, 2021. A video of the meeting can be viewed at: https://youtu.be/nmoiLeG0Cpw.

Questions and concerns were raised about the number of residents proposed at the group home and the parking impacts generated by the number of residents in a neighborhood already experiencing parking and movement issues on the street.

Questions on whether the proposed facility should be processed as a group home or considered as a commercial use such as a long term care facility.

- Staff believes a residential group home is the appropriate classification of the land use based on the operating characteristics, and state licensing. The State of Colorado classifies the applicants proposed use as an ‘assisted living residence’. Licensure under this group home type can only include room and board; regular supervision available on a 24-hour basis; assistance with activities of daily living, such as bathing, dressing and laundry, medication management; recreational activities; arrangements for transportation; and other miscellaneous services of the like. If the scope of service goes beyond these limits and require skilled nursing, residents will be required to move off-site in a timely manner.

Impacts of additional traffic and ongoing maintenance of the private street system.

- The traffic memo was analyzed and anticipates an increase from 18 to 36 average trips per day. At the neighborhood meeting the applicant agreed to discuss what a proportional share of costs would be with respect to the long-term maintenance of the road.

Compliance with HOA covenants and architectural requirements.

- City staff worked with the neighborhood and applicant team during the review process to refine the proposed improvements of the site. Generally, the proposed landscaping, lighting, window placement, and fencing are a culmination of collaboration between all parties.

Parking needs not being sufficiently addressed through the minimum requirements of the land use code.

- City staff has worked with the applicant team to accurately depict parking needs of the project through refinement of the operational plan. Staff is recommending a condition of approval to help mitigate any additional need for off-street parking site.

Emergency services and the ability for fire trucks and ambulances to have adequate roadway width to access the neighborhood.

- As part of the subdivision's original approval a 2 foot narrower (28 ft) roadway was approved. The roadway width was reviewed by Poudre Fire Authority and was determined to be adequate.

3. Article 2 – Applicable Standards

A. PROJECT DEVELOPMENT PLAN PROCEDURAL OVERVIEW

1. Conceptual Review – CDR200096

A conceptual review meeting was held on December 17, 2020.

2. Neighborhood Meeting

According to *LUC Section 2.2.2 – Step 2: Neighborhood Meetings*, a neighborhood meeting is required for Planning and Zoning Commission (Type 2) projects. A virtual neighborhood meeting was held for this project on April 9, 2021.

3. First Submittal – PDP210012

The first submittal of this project was completed on July 9, 2021. The PDP required 5 rounds of staff review.

4. Notice (Posted, Written, and Published)

Posted Notice: March 19, 2021; Sign #615.

Written Hearing Notice: February 24, 2022; 533 addresses mailed.

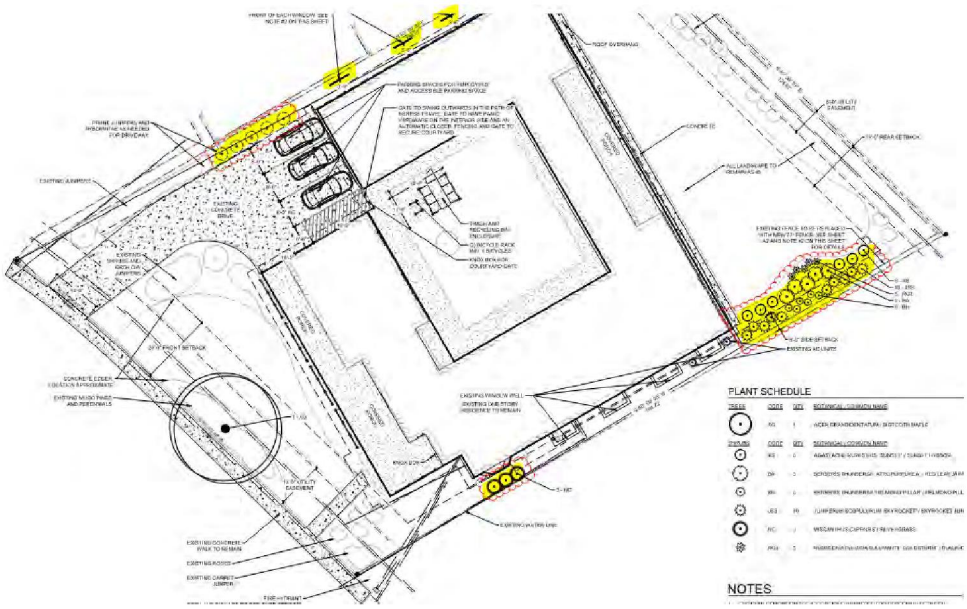
Published Hearing Notice: February 27, 2022.

Secondary Published Hearing Notice: March 6, 2022.

4. Article 3 - Applicable Standards

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	The standards of this section require that a development plan demonstrate a comprehensive approach to landscaping that enhances the appearance and function of the neighborhood, buildings, and pedestrian environment. This is an existing home within a well-landscaped subdivision. The proposed planting scheme builds on existing landscaping and adds three additional elements to help maximize screening and privacy with the two abutting single-family homes on the east and west sides of the site (highlighted below). Elements of the plan include: • Preserving a mature stand of arborvitae on the west side of the driveway that will help screen parking and two new windows that will be added to replace the existing side-facing garage doors. • Adding a 6x6-foot screen panel in front of four newly proposed side-facing windows. • Adding a landscape bed that includes 32 deciduous and evergreen shrubs that are layered in a way that provides year-round screening for the rear yard.	Complies

	• Adding three ornamental grasses to fit the narrow space between the bay window and side property line to prevent a direct view into the neighboring property.  	
3.2.1(F) – Tree Preservation and Mitigation	This standard requires that developments provide on-site mitigation in the form of a defined number of replacement trees if existing significant trees are removed. The number of mitigation trees is determined by City Forestry staff based on existing tree species, breast diameter, and health/condition. Mitigation values can range between 1 and 6 for a tree that is removed. Dead, dying, and certain invasive species are exempt from this standard. City Forestry has identified and assessed nine on-site trees that are not proposed to be removed as part of this project.	Complies
3.2.2(C)(4) – Bicycle Parking Space Requirements	Bicycle parking is not a requirement for group homes. However, as part of an overall effort to encourage alternative forms of transportation for employees. The plan proposes two fixed racks to support space for 4 bicycles within the courtyard.	Complies
3.2.2(K)(1)(f) – Parking	Group homes require two parking spaces for every three (3) employees, and in addition, one (1) parking space for each four (4) adult residents, unless residents are prohibited from owning or operating personal automobiles. The project proposes three employees for each of the three 8-9 hour daily shifts while memory-care residents will be prohibited from owning cars. Standards of this section require the project to provide two off-street parking spaces for every three employees. Two spaces are proposed while the third is expected to accommodate a facility van that will be used to transport residents. A condition is recommended under 3.5.1(J) address operational elements of the group home.	Complies

3.2.4 – Site Lighting	This standard requires that exterior lighting not adversely affect the properties, neighborhood, or natural features adjacent to the development. Further, the standard requires exterior lighting to be examined in a way that considers the light source, level of illumination, hours of illumination, and need. The PDP proposes to replace all exterior wall-mounted light fixtures with fully shielded, down-directional, 3,000 Kelvin or less fixtures.	Complies
3.2.5 – Trash and Recycling Enclosures	The purpose of this standard is to ensure the provision of areas, compatible with surrounding land uses, for the collection, separation, storage, loading, and pickup of trash, waste cooking oil, compostable and recyclable materials. The PDP proposes to manage all trash and recycling within the courtyard of the home, entirely screened from public view. Six 96-gallon containers will be distributed equally between trash and recycling and wheeled to the street on typical collection days. The applicant has indicated that there will be no hazardous materials on site and that medical waste, such as pill bottles, will be in a locked container and removed by a professional company once a quarter.	Complies

B. 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
3.5.1(A) and (B) – Building Project and Compatibility, Purpose and General Standard	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. The Fort Collins Land Use Code defines **compatibility** as: *"the characteristics of different uses or activities or design which allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include height, scale, mass, and bulk of structures. Other characteristics include pedestrian or vehicular traffic, circulation, access, and parking impacts. Other important characteristics that affect compatibility are landscaping, lighting, noise, odor, and architecture. Compatibility does not mean "the same as." Rather, compatibility refers to the sensitivity of development proposals in maintaining the character of existing development."* Staff's review has focused on architecture, landscaping, parking, lighting, and traffic which are described in other sections of this report. No new buildings are proposed with this project.	N/A
3.5.1(D) – Privacy Considerations	Elements of the development plan must be arranged to maximize the opportunity for privacy by the residents of the project and minimize infringement on the privacy of adjoining land uses. Additionally, the development plan shall create opportunities for interactions among neighbors without sacrificing privacy or security. As described earlier, the plan provides a 6x6-foot screen panel in front of four newly-proposed side-facing windows as well as the addition and preservation of landscaping to rear- and side-yard areas to provide year-round screening for residents and neighbors. The screen panel placement and landscaping quantity, arrangement, and species selection are appropriate, however, staff acknowledges changes may be needed based on the architectural requirements of the homeowners association.	Complies

3.5.1(J) – Operation and Physical Compatibility Standards	Conditions may be imposed upon the approval of development applications to ensure that development will be compatible with existing neighborhoods and uses. Such conditions may include, but need not be limited to, restrictions on or requirements for: 1) hours of operation and deliveries; 2) Location on a site of activities that generate potential adverse impacts on adjacent uses such as noise and glare; 3) placement of trash receptacles; 4) location of loading and delivery zones; 5) light intensity and hours of full illumination; 6) placement and the illumination of outdoor vending machines; 7) location and the number of off-street parking spaces. Staff is recommending three conditions to help address certain elements of the proposal. **Condition 1 Analysis:** One of the major concerns from the neighborhood has been related to increased amounts of traffic and the types of services typically related with group homes that are muted by the numbers represented in the traffic study. Through analysis of the operational plan, memory care residents will require a dozen or more services sometimes on a weekly or monthly basis. It is anticipated that there will be approximately 36 daily trips - some less than 10 or 20 minutes others more. To reduce impacts to on-street parking and minimize early morning or late afternoon disturbances staff is recommending a limit to limit certain types of visits to typical business hours and that the applicant schedule services in a way to reduce service overlap. **Condition 1:** To the extent feasible the hours of operation during which third-party services, such as massages, housekeeping, haircuts, pet therapy, food delivery, and the like, shall be limited to the hours of 8:00 a.m. and 6:00 p.m. Monday through Saturday. Services shall be staggered in a way to reduce the impact to on-street parking within the neighborhood. To the extent feasible deliveries and short-term visits shall be limited to available space within the driveway and street frontage that shares a common boundary with 636 Castle Ridge Court. **Condition 2 Analysis:** The project is proposing three employees three shifts a day. In addition to the baseline of three employees, the group home is also proposing to offer hospice care which will require a skilled nurse (fourth employee). During the times where a fourth employee is required, it is anticipated that the need for off-street parking will increase. Staff is recommending a condition that would require group home staff to use on-street parking on nearby public streets and not within the private streets of the subdivision. An attached exhibit shows the nearest available on-street parking which varies from 800 feet to about 1,250 feet from the group home. **Condition 2:** Group home staff who cannot be accommodated by designated off-street parking spaces within the driveway shall utilize on-street parking along public streets such as Highcastle Drive and E Boardwalk Drive. **Condition 3 Analysis:** During ongoing conversation between the neighborhood and the applicant team City staff has acted as an intermediary to concerns around ongoing operational elements of the group home. During research of other like group homes, staff understands that there may be a range of issues that may be best dealt through the HOA or neighbor to neighbor communication. Examples include, house and yard maintenance, outdoor smoking, noise, or on-street parking. Staff is recommending that the applicant act in good faith to remedy any situation that may arise.	Conditions Recommended

	Condition 3: The property owner or representative thereof shall cooperate in good faith to remedy any unforeseen impacts created through the operation of the group home and provide a designated person who can be contacted 24-hours a day, 7-days a week.	

C. 3.8.6 - GROUP HOME REGULATIONS AND SHELTERS FOR VICTIMS OF DOMESTIC VIOLENCE

<table>
<tr><th>Applicable Code Standard</th><th>Summary of Code Requirement and Analysis</th><th>Staff Findings</th></tr>
<tr><td>3.8.6(A)</td><td>Residential group homes shall conform to the lot area and separation requirements specified in the following table:
<table>
<tr><th>Zone District</th><th>Maximum number of residents excluding supervisors, for minimum lot size</th><th>Additional lot area for each additional resident (square feet)</th><th>Maximum permissible residents, excluding supervisors</th><th>Minimum separation requirements between any other group home (feet)*</th></tr>
<tr><td>R-L,</td><td>3</td><td>1,500</td><td>8</td><td>1,500</td></tr>
</table>
The project was granted relief from the maximum permissible resident standard as part of the Reasonable Accommodation Request.

Regarding minimum separation distances, the project is not located within 1,500 feet of any other known group home.</td><td>Complies</td></tr>
<tr><td>3.8.6(C)(1)</td><td>Before any group home shall be approved in any zone that requires a Type 1 or Types 2 review, the decision-maker shall conduct such review to approve, deny or approve with conditions the application for a group home use in such zone. If approved, the decision-maker shall, with such approval, establish the type of group home permitted and the maximum number of residents allowed in such group home.

Staff is recommending that the Planning and Zoning Commission conditionally approve the project as a 16-resident memory-care group home.</td><td>Complies</td></tr>
</table>

5. Article 4 – Applicable Standards:

A. DIVISION 4.4 – LOW DENSITY RESIDENTIAL DISTRICT (R-L)

The R-L Low Density Residential District designation is intended for predominately single-family residential areas located throughout the City which were existing at the time of adoption of this Code.

Applicable Code Standard	Summary of Code Requirement and Analysis	Staff Findings
4.4(B) – Permitted Uses	The proposed project is classified as a group home and is a permitted land use subject to review by the Planning and Zoning Commission. The Land Use Code definition of a group home is, "a residence operated as a single dwelling, licensed by or operated by a governmental agency, or by an organization that is as equally qualified as a government agency and having a demonstrated capacity for oversight as determined by the Director, for the purpose of providing special care or rehabilitation due to homelessness, physical condition or illness, mental condition or illness, elderly age or social, behavioral or disciplinary problems, provided that authorized supervisory personnel is present on the premises." Peacock Assisted Living, LLC, the proposed operator of the group home, proposes an assisted living facility to provide services for seniors with disabilities. The group home is subject to the general licensure and regulatory standards of the Colorado Department of Public Health and will be required to provide the City with a state-approved license before a Certificate of Occupancy can be issued.	Complies

6. Findings of Fact/Conclusion

In evaluating the request for the Castle Ridge Group Home Project Development Plan, PDP210012, Staff makes the following findings of fact:

1. The Project Development Plan complies with the applicable procedural and administrative requirements of Article 2 of the Land Use Code.
2. The Project Development Plan complies with relevant standards located in Article 3 – General Development Standards, subject to the following conditions:
    a) To the extent feasible the hours of operation during which third-party services, such as massages, housekeeping, haircuts, pet therapy, food delivery, and the like, shall be limited to the hours of 8:00 a.m. and 6:00 p.m. Monday through Saturday. Services shall be staggered in a way to reduce the impact to on-street parking within the neighborhood.

    To the extent feasible deliveries and short-term visits shall be limited to available space within the driveway and street frontage that shares a common boundary with 636 Castle Ridge Court.

    b) Group home staff who cannot be accommodated by designated off-street parking spaces within the driveway shall utilize on-street parking along public streets such as Highcastle Drive and E Boardwalk Drive.

    c) The property owner or representative thereof shall cooperate in good faith to remedy any unforeseen impacts created through the operation of the group home and provide a designated person who can be contacted 24-hours a day, 7-days a week.

2. The Project Development Plan complies with relevant standards located in Division 4.4 – Low Density Residential District (R-L).

7. Recommendation

Staff recommends conditional approval of the Castle Ridge Group Home Project Development Plan, PDP210012, based on the aforementioned Findings of Fact.

8. Attachments

1. Vicinity Map
2. Project Narrative
3. Site Plan
4. Utility Plan
5. Architectural Elevations
6. Operational Plan
7. List of vendors
8. Staff Parking Exhibit
9. TIS Memo
10. Neighborhood Meeting Summary
11. Conceptual Review Comments
12. Round 1 Comments
13. Round 2 Comments
14. Round 3 Comments
15. Round 4 Comments
16. Public Comments
17. Reasonable Accommodation Decision Letter
18. Staff Presentation
19. Applicant Presentation

Item 12.

Castle Ridge Group Home

Legend

- Street Names
- Parcels
- City Zoning
  - Community Commercial
  - Community Commercial North Colle
  - Community Commercial Poudre Riv
  - General Commercial
  - Limited Commercial
  - Service Commercial
  - CSU
  - Downtown
  - Employment
  - Harmony Corridor
  - Industrial
  - High Density Mixed-Use Neighborh
  - Low Density Mixed-Use Neighborhc
  - Manufactured Housing
  - Medium Density Mixed-Use Neighb
  - Neighborhood Commercial
  - Neighborhood Conservation Buffer
  - Neighborhood Conservation Low D
  - Neighborhood Conservation Mediu
  - Public Open Lands
  - River Conservation
  - River Downtown Redevelopment
  - Residential Foothills
  - Low Density Residential
  - Rural Lands District

1: 6,859

Notes

1,143.0 0 571.50 1,143.0 Feet

This map is a user generated static output from the City of Fort Collins FCMaps Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

eb_Mercator_Auxiliary_Sphere
ins - GIS

ripley design
LANDSCAPE ARCHITECTURE, LAND PLANNING

CASTLE RIDGE GROUP HOME
PROJECT DEVELOPMENT PLAN NARRATIVE
7 July 2021

Conceptual Review: 12/17/2020
Neighborhood Meeting: 5/4/2021

General Information
The property at 636 Castle Ridge Court represents a unique opportunity in our city to provide a home-based memory care home option for seniors with Alzheimer's dementia. The proposed project is a renovation of an existing accessible residence from a single-family home to a group home. The purpose being a family-like setting for seniors with disabilities to age in place comfortably. Additional equity for this home will include 2 permanent Medicaid beds to service seniors with limited financial resources. The house is located within the Castle Ridge at Miramont PUD and within the Low Density Residential (R-L) Zone District. Single-family homes are adjacent to the property on the northwest, southeast, and across the street to the southwest. Mail Creek Ditch runs along the northeast property line.

A neighborhood meeting was held on April 5th, 2021. Concerns voiced included increased traffic, the need for 16 residents instead of the 8, who the investors were, and compatibility with existing neighborhood character.

Architecturally, the footprint will not change. In fact, there are not any renovations to the hardscape planned either. The minimal exterior renovation anticipated is the addition of windows in place of the northwest facing garage doors as well as along the northwest side of the house. Therefore, the change of use does not alter the residential character of the home. There will be no signage posted to distinguish this home from any other in the neighborhood. Within the home, a sprinkler system will be added and both garages and the swimming pool room will be converted to bedrooms, bathrooms, family rooms and dining rooms for a total of 16 residents. They will have 24-hour supervision and care including enhanced door security/video monitoring. The existing home is already handicap accessible and wraps around a courtyard which provides a protected, safe, outdoor space.

The residents do not have access to personal cars due to their cognitive deficits from dementia. Guests will notify the home when they plan on visiting to provide secured entry and to ensure on-street parking is kept to a minimum. Three parking spaces, as required, are provided for staff. An additional 4 spaces for secure bike parking will be provided in the central courtyard to accommodate multimodal transit options. Laundry will be done on-site, and groceries will be delivered once or twice a week. While there will be additional traffic trips to and from the site compared to the existing use, these will be minimized as much as possible. Xioma and Eric are willing to work with adjacent neighbors if any impacts arise.

Trash and recycling will be located in the central courtyard and will only be visible when brought to the street on trash days, similar to the other existing homes.

A reasonable accommodation request has been approved for 16 residents in this group home at this location.

Current and future owners: Xiomara Diaz and Christopher Eric Shenk – 636 Castle Ridge Ct.

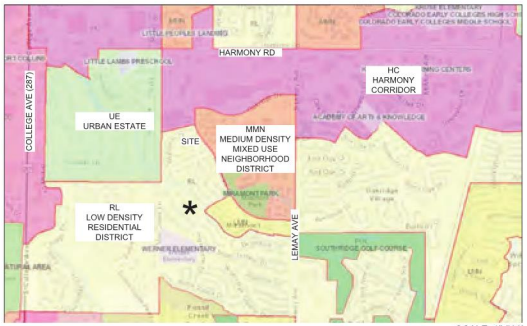
CASTLE RIDGE GROUP HOME

PROJECT DEVELOPMENT PLAN

Lot 2, Castle Ridge at Miramount P.U.D., City of Ft. Collins, County of Larimer, State of Colorado.

Containing 22.225 square feet or 0.510 acres, more or less.

VICINITY MAP



SCALE: 1":500'

OWNER'S CERTIFICATE

THE UNDERSIGNED DOES/DO HEREBY CERTIFY THAT I/WE ARE THE LAWFUL OWNERS OF THE REAL PROPERTY DESCRIBED ON THIS SITE PLAN AND DO HEREBY CERTIFY THAT I/WE ACCEPT THE CONDITIONS AND RESTRICTIONS SET FORTH ON SAID SITE PLAN.

OWNER (SIGNED) Date

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME

THIS _____ DAY OF _____ A.D., 20 _____, BY

(PRINT NAME)

AS _____

MY COMMISSION EXPIRES: _____

WITNESS MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC ADDRESS

PLANNING CERTIFICATE

APPROVED BY THE DIRECTOR OF COMMUNITY DEVELOPMENT AND NEIGHBORHOOD SERVICES OF THE CITY OF FORT COLLINS, COLORADO ON THIS _____ DAY OF _____, 20__.

Director Signature

LAND USE CHARTS

EXISTING ZONING - LOW DENSITY RESIDENTIAL (RL)		
DENSITY GROSS AND NET		
GROSS AREA	22,225 SF (.51 AC)	
TOTAL DWELLING UNITS	1	
GROSS DENSITY	2 DU/AC	
AREA COVERAGE GROSS AND NET		
	AREA (SF)	%
BUILDING COVERAGE	7,333	32.99
DRIVES AND PARKING (EXCLUDES PUBLIC ROW)	1,830	8.23
OPEN SPACE AND LANDSCAPE (EXCLUDES PUBLIC ROW)	13,062	58.77
TOTAL GROSS COVERAGE	**22,225.00 SF (0.51 AC)**	**100.00**

NOTES:
BUILDING COVERAGE INCLUDES PORCHES

DWELLING UNIT	QUANTITY	TOTAL BEDROOMS
GROUP HOME	1	16

FLOOR AREA RATIO	
BUILDING AREA (SF)	7,333
LOT AREA (SF)	22,225
FLOOR AREA RATIO	0.33

BUILDING HEIGHT		
	MAXIMUM HEIGHT	STORIES
BUILDING 01	23'-2"	1

PROJECT PARKING		
	PROVIDED	*REQUIRED
PARKING STALLS	3	3
HANDICAP	1	1
TOTAL	**3**	**3**

NOTES:
*ASSUMES 3 EMPLOYEES ON A NORMAL MAJOR SHIFT

(f) Group Homes: For each group home there shall be two (2) parking spaces for every three (3) employees, and in addition, one (1) parking space for each four (4) adult residents, unless residents are prohibited from owning or operating personal automobiles.

RESIDENTS AT THIS FACILITY ARE PROHIBITED FROM OWNING OR OPERATING PERSONAL AUTOMOBILES.

BICYCLE PARKING		
	PROVIDED	REQUIRED
BICYCLE SPACES	**4**	0

BICYCLE SPACES WILL BE LOCATED WITHIN THE SECURED COURTYARD

GENERAL LANDSCAPE NOTES

1. PLANT QUALITY: ALL PLANT MATERIAL SHALL BE A-GRADE OR NO. 1 GRADE - FREE OF ANY DEFECTS, OF NORMAL HEALTH, HEIGHT, LEAF DENSITY AND SPREAD APPROPRIATE TO THE SPECIES AS DEFINED BY THE AMERICAN ASSOCIATION OF NURSERYMEN (AAN) STANDARDS. ALL TREES SHALL BE BALL AND BURLAP OR EQUIVALENT.
2. IRRIGATION: ALL LANDSCAPE AREAS WITHIN THE SITE INCLUDING TURF, SHRUB BEDS AND TREE AREAS SHALL BE IRRIGATED WITH AN AUTOMATIC IRRIGATION SYSTEM. THE IRRIGATION PLAN MUST BE REVIEWED AND APPROVED BY THE CITY OF FORT COLLINS WATER UTILITIES DEPARTMENT PRIOR TO THE ISSUANCE OF A BUILDING PERMIT. ALL TURF AREAS SHALL BE IRRIGATED WITH AN AUTOMATIC POP-UP IRRIGATION SYSTEM. ALL SHRUB BEDS AND TREES, INCLUDING IN NATIVE SEED AREAS, SHALL BE IRRIGATED WITH AN AUTOMATIC DRIP (TRICKLE) IRRIGATION SYSTEM, OR WITH AN ACCEPTABLE ALTERNATIVE APPROVED BY THE CITY WITH THE IRRIGATION PLANS. THE IRRIGATION SYSTEM SHALL BE ADJUSTED TO MEET THE WATER REQUIREMENTS OF THE INDIVIDUAL PLANT MATERIAL.
3. TOPSOIL: TO THE MAXIMUM EXTENT FEASIBLE, TOPSOIL THAT IS REMOVED DURING CONSTRUCTION ACTIVITY SHALL BE CONSERVED FOR LATER USE ON AREAS REQUIRING REVEGETATION AND LANDSCAPING.
4. SOIL AMENDMENTS: SOIL AMENDMENTS SHALL BE PROVIDED AND DOCUMENTED IN ACCORDANCE WITH CITY CODE SECTION 12-132. THE SOIL IN ALL LANDSCAPE AREAS, INCLUDING PARKWAYS AND MEDIANS, SHALL BE THOROUGHLY LOOSENED TO A DEPTH OF NOT LESS THAN EIGHT(8) INCHES AND SOIL AMENDMENT SHALL BE THOROUGHLY INCORPORATED INTO THE SOIL OF ALL LANDSCAPE AREAS TO A DEPTH OF AT LEAST SIX(6) INCHES BY TILLING, DISCING OR OTHER SUITABLE METHOD, AT A RATE OF AT LEAST THREE (3) CUBIC YARDS OF SOIL AMENDMENT PER ONE THOUSAND (1,000) SQUARE FEET OF LANDSCAPE AREA. PRIOR TO THE ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY, A WRITTEN CERTIFICATION MUST BE SUBMITTED TO THE CITY THAT ALL PLANTED AREAS, OR AREAS TO BE PLANTED, HAVE BEEN THOROUGHLY LOOSENED AND THE SOIL AMENDED, CONSISTENT WITH THE REQUIREMENTS SET FORTH IN SECTION 12-132.
5. INSTALLATION AND GUARANTEE: ALL LANDSCAPING SHALL BE INSTALLED ACCORDING TO SOUND HORTICULTURAL PRACTICES IN A MANNER DESIGNED TO ENCOURAGE QUICK ESTABLISHMENT AND HEALTHY GROWTH. ALL LANDSCAPING FOR EACH PHASE MUST BE EITHER INSTALLED OR THE INSTALLATION MUST BE SECURED WITH AN IRREVOCABLE LETTER OF CREDIT, PERFORMANCE BOND, OR ESCROW ACCOUNT FOR 125% OF THE VALUATION OF THE MATERIALS AND LABOR PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR ANY BUILDING IN SUCH PHASE.
6. MAINTENANCE: TREES AND VEGETATION, IRRIGATION SYSTEMS, FENCES, WALLS AND OTHER LANDSCAPE ELEMENTS WITH THESE FINAL PLANS SHALL BE CONSIDERED AS ELEMENTS OF THE PROJECT IN THE SAME MANNER AS PARKING, BUILDING MATERIALS AND OTHER SITE DETAILS. THE APPLICANT, LANDOWNER OR SUCCESSORS IN INTEREST SHALL BE JOINTLY AND SEVERALLY RESPONSIBLE FOR THE REGULAR MAINTENANCE OF ALL LANDSCAPING ELEMENTS IN GOOD CONDITION. ALL LANDSCAPING SHALL BE MAINTAINED FREE FROM DISEASE, PESTS, WEEDS AND LITTER, AND ALL LANDSCAPE STRUCTURES SUCH AS FENCES AND WALLS SHALL BE REPAIRED AND REPLACED PERIODICALLY TO MAINTAIN A STRUCTURALLY SOUND CONDITION.
7. REPLACEMENT: ANY LANDSCAPE ELEMENT THAT DIES, OR IS OTHERWISE REMOVED, SHALL BE PROMPTLY REPLACED IN ACCORDANCE WITH THE REQUIREMENTS OF THESE PLANS.
8. THE FOLLOWING SEPARATIONS SHALL BE PROVIDED BETWEEN TREES/SHRUBS AND UTILITIES:

   40 FEET BETWEEN CANOPY TREES AND STREET LIGHTS
   15 FEET BETWEEN ORNAMENTAL TREES AND STREETLIGHTS
   10 FEET BETWEEN TREES AND PUBLIC WATER, SANITARY AND STORM SEWER MAIN LINES
   6 FEET BETWEEN TREES AND PUBLIC WATER, SANITARY AND STORM SEWER SERVICE LINES.
   4 FEET BETWEEN SHRUBS AND PUBLIC WATER AND SANITARY AND STORM SEWER LINES
   4 FEET BETWEEN TREES AND GAS LINES

9. ALL STREET TREES SHALL BE PLACED A MINIMUM EIGHT (8) FEET AWAY FROM THE EDGES OF DRIVEWAYS AND ALLEYS PER LUC 3.2.1(D)(2)(a).
10. PLACEMENT OF ALL LANDSCAPING SHALL BE IN ACCORDANCE WITH THE SIGHT DISTANCE CRITERIA AS SPECIFIED BY THE CITY OF FORT COLLINS. NO STRUCTURES OR LANDSCAPE ELEMENTS GREATER THAN 24" SHALL BE ALLOWED WITHIN THE SIGHT DISTANCE TRIANGLE OR EASEMENTS WITH THE EXCEPTION OF DECIDUOUS TREES PROVIDED THAT THE LOWEST BRANCH IS AT LEAST 6' FROM GRADE. ANY FENCES WITHIN THE SIGHT DISTANCE TRIANGLE OR EASEMENT MUST BE NOT MORE THAN 42" IN HEIGHT AND OF AN OPEN DESIGN.
11. THE DEVELOPER SHALL ENSURE THAT THE FINAL LANDSCAPE PLAN IS COORDINATED WITH ALL OTHER FINAL PLAN ELEMENTS SO THAT THE PROPOSED GRADING, STORM DRAINAGE, AND OTHER DEVELOPMENT IMPROVEMENTS DO NOT CONFLICT WITH NOR PRECLUDE INSTALLATION AND MAINTENANCE OF LANDSCAPE ELEMENTS ON THIS PLAN.
12. MINOR CHANGES IN SPECIES AND PLANT LOCATIONS MAY BE MADE DURING CONSTRUCTION – AS REQUIRED BY SITE CONDITIONS OR PLANT AVAILABILITY. OVERALL QUANTITY, QUALITY, AND DESIGN CONCEPT MUST BE CONSISTENT WITH THE APPROVED PLANS. IN THE EVENT OF CONFLICT WITH THE QUANTITIES INCLUDED IN THE PLANT LIST, SPECIES AND QUANTITIES ILLUSTRATED SHALL BE PROVIDED. ALL CHANGES OF PLANT SPECIES AND LOCATION MUST HAVE WRITTEN APPROVAL BY THE CITY PRIOR TO INSTALLATION.
13. ALL PLANTING BEDS SHALL BE MULCHED TO A MINIMUM DEPTH OF THREE INCHES.
14. IRRIGATED TURF SHALL BE TEXAS BLUEGRASS/KENTUCKY BLUEGRASS HYBRID VORTEXT BY KORBY SOD LLC OR APPROVED EQUAL.
15. EDGING BETWEEN GRASS AND SHRUB BEDS SHALL BE 18" X 4" ROLLED TOP STEEL SET LEVEL WITH TOP OF SOD OR APPROVED EQUAL.

SHEET INDEX

Sheet Number	Sheet Title
C	COVER
1	UTILITY PLANS COVER SHEET
2	GRADING AND UTILITY PLAN
A1	ARCHITECTURAL SITE DETAILS
A2	NORTH ELEVATION
A3	SOUTH ELEVATION
A4	EAST ELEVATION
A5	WEST ELEVATION
L1	ARCHITECTURAL SITE AND PLANTING PLAN
L2	PLANTING DETAILS
L3	TREE MITIGATION

SITE PLAN NOTES

1. THE PROJECT SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE FINAL PLANS. AMENDMENTS TO THE PLANS MUST BE REVIEWED AND APPROVED BY THE CITY PRIOR TO THE IMPLEMENTATION OF ANY CHANGES TO THE PLANS.
2. REFER TO FINAL UTILITY PLANS FOR EXACT LOCATIONS AND CONSTRUCTION INFORMATION FOR STORM DRAINAGE STRUCTURES, UTILITY MAINS AND SERVICES, PROPOSED TOPOGRAPHY, STREET IMPROVEMENTS.
3. REFER TO THE SUBDIVISION PLAT AND UTILITY PLANS FOR EXACT LOCATIONS, AREAS AND DIMENSIONS OF ALL EASEMENTS, LOTS, TRACTS, STREETS, WALKS AND OTHER SURVEY INFORMATION.
4. ALL ROOFTOP AND GROUND MOUNTED MECHANICAL EQUIPMENT MUST BE SCREENED FROM VIEW FROM ADJACENT PROPERTY AND PUBLIC STREETS. IN CASES WHERE BUILDING PARAPETS DO NOT ACCOMPLISH SUFFICIENT SCREENING, THEN FREE-STANDING SCREEN WALLS MATCHING THE PREDOMINANT COLOR OF THE BUILDING SHALL BE CONSTRUCTED. OTHER MINOR EQUIPMENT SUCH AS CONDUIT, METERS AND PLUMBING VENTS SHALL BE SCREENED OR PAINTED TO MATCH SURROUNDING BUILDING SURFACES.
5. ALL CONSTRUCTION WITH THIS DEVELOPMENT PLAN MUST BE COMPLETED IN ONE PHASE UNLESS A PHASING PLAN IS SHOWN WITH THESE PLANS.
6. A REASONABLE ACCOMMODATION REQUEST HAS BEEN APPROVED FOR LUC SECTION 3.8.6(A) AND SECTION 4.4(D) ALLOWING 16 RESIDENTS AND THE EXISTING FLOOR AREA SIZE AND LOT SIZE TO REMAIN.
7. ALL EXTERIOR LIGHTING PROVIDED SHALL COMPLY WITH THE FOOT-CANDLE REQUIREMENTS IN SECTION 3.2.4 OF THE LAND USE CODE AND SHALL USE A CONCEALED, FULLY SHIELDED LIGHT SOURCE WITH SHARP CUT-OFF CAPABILITY SO AS TO MINIMIZE UP-LIGHT, SPILL LIGHT, GLARE AND UNNECESSARY DIFFUSION.
8. SIGNAGE AND ADDRESSING ARE NOT PERMITTED WITH THIS PLANNING DOCUMENT AND MUST BE APPROVED BY SEPARATE CITY PERMIT PRIOR TO CONSTRUCTION. SIGNS MUST COMPLY WITH CITY SIGN CODE UNLESS A SPECIFIC VARIANCE IS GRANTED BY THE CITY.
9. FIRE HYDRANTS MUST MEET OR EXCEED POUDRE FIRE AUTHORITY STANDARDS. ALL BUILDINGS MUST PROVIDE AN APPROVED FIRE EXTINGUISHING SYSTEM.
10. ALL BIKE RACKS PROVIDED MUST BE PERMANENTLY ANCHORED.
11. ALL SIDEWALKS AND RAMPS MUST CONFORM TO CITY STANDARDS. ACCESSIBLE RAMPS MUST BE PROVIDED AT ALL STREET AND DRIVE INTERSECTIONS AND AT ALL DESIGNATED ACCESSIBLE PARKING SPACES. ACCESSIBLE PARKING SPACES MUST SLOPE NO MORE THAN 1:48 IN ANY DIRECTION. ALL ACCESSIBLE ROUTES MUST SLOPE NO MORE THAN 1:20 IN DIRECTION OF TRAVEL AND WITH NO MORE THAN 1:48 CROSS SLOPE.
12. COMMON OPEN SPACE AREAS AND LANDSCAPING WITHIN RIGHT OF WAYS, STREET MEDIANS, AND TRAFFIC CIRCLES ADJACENT TO COMMON OPEN SPACE AREAS ARE REQUIRED TO BE MAINTAINED BY A PROPERTY OWNERS' ASSOCIATION. THE PROPERTY OWNERS' ASSOCIATION IS RESPONSIBLE FOR SNOW REMOVAL ON ALL ADJACENT STREET SIDEWALKS AND SIDEWALKS IN COMMON OPEN SPACE AREAS.
13. THE PROPERTY OWNER FOR EACH RESIDENTIAL LOT IS RESPONSIBLE FOR SNOW REMOVAL ON ALL STREET SIDEWALKS ADJACENT TO EACH RESIDENTIAL LOT.
14. PRIVATE CONDITIONS, COVENANTS, AND RESTRICTIONS (CC&R'S), OR ANY OTHER PRIVATE RESTRICTIVE COVENANT IMPOSED ON LANDOWNERS WITHIN THE DEVELOPMENT, MAY NOT BE CREATED OR ENFORCED HAVING THE EFFECT OF PROHIBITING OR LIMITING THE INSTALLATION OF XERISCAPE LANDSCAPING, SOLAR/PHOTO-VOLTAIC COLLECTORS (IF MOUNTED FLUSH UPON ANY ESTABLISHED ROOF LINE), CLOTHES LINES (IF LOCATED IN BACK YARDS), ODORCONTROLLED COMPOST BINS, OR WHICH HAVE THE EFFECT OF REQUIRING THAT A PORTION OF ANY INDIVIDUAL LOT BE PLANTED IN TURF GRASS.
15. ANY DAMAGED CURB, GUTTER AND SIDEWALK EXISTING PRIOR TO CONSTRUCTION, AS WELL AS STREETS, SIDEWALKS, CURBS AND GUTTERS, DESTROYED, DAMAGED OR REMOVED DUE TO CONSTRUCTION OF THIS PROJECT, SHALL BE REPLACED OR RESTORED TO CITY OF FORT COLLINS STANDARDS AT THE DEVELOPER'S EXPENSE PRIOR TO THE ACCEPTANCE OF COMPLETED IMPROVEMENTS AND/OR PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY.
16. FIRE LANE MARKING: A FIRE LANE MARKING PLAN MUST BE REVIEWED AND APPROVED BY THE FIRE OFFICIAL PRIOR TO THE ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY. WHERE REQUIRED BY THE FIRE CODE OFFICIAL, APPROVED SIGNS OR OTHER APPROVED NOTICES THAT INCLUDE THE WORDS NO PARKING FIRE LANE SHALL BE PROVIDED FOR FIRE APPARATUS ACCESS ROADS TO IDENTIFY SUCH ROADS OR PROHIBIT THE OBSTRUCTION THEREOF. THE MEANS BY WHICH FIRE LANES ARE DESIGNATED SHALL BE MAINTAINED IN A CLEAN AND Revised November 12, 2015 3 LEGIBLE CONDITION AT ALL TIMES AD BE REPLACED OR REPAIRED WHEN NECESSARY TO PROVIDE ADEQUATE VISIBILITY.
17. PREMISE IDENTIFICATION: AN ADDRESSING PLAN IS REQUIRED TO BE REVIEWED AND APPROVED BY THE CITY AND POUDRE FIRE AUTHORITY PRIOR TO THE ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY. UNLESS THE PRIVATE DRIVE IS NAMED, MONUMENT SIGNAGE MAY BE REQUIRED TO ALLOW WAY-FINDING. ALL BUILDINGS SHALL HAVE ADDRESS NUMBERS, BUILDING NUMBERS OR APPROVED BUILDING IDENTIFICATION PLACED IN A POSITION THAT IS PLAINLY LEGIBLE, VISIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY, AND POSTED WITH A MINIMUM OF SIX-INCH NUMERALS ON A CONTRASTING BACKGROUND. WHERE ACCESS IS BY MEANS OF A PRIVATE ROAD AND THE BUILDING CANNOT BE VIEWED FROM THE PUBLIC WAY, A MONUMENT, POLE OR OTHER SIGN OR MEANS SHALL BE USED TO IDENTIFY THE STRUCTURE.

CASTLE RIDGE GROUP HOME

PDP SUBMITTAL

FORT COLLINS, CO

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NORTH SCALE: 1"=30'-0" (0, 15, 30, 60)

ORIGINAL SIZE 24X36

ISSUED

No.	DESCRIPTION	DATE
01	PDP	7/7/2021
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REVISIONS

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COVER

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PROJECT No.:	R21-016
DRAWN BY:	SH
REVIEWED BY:	RL

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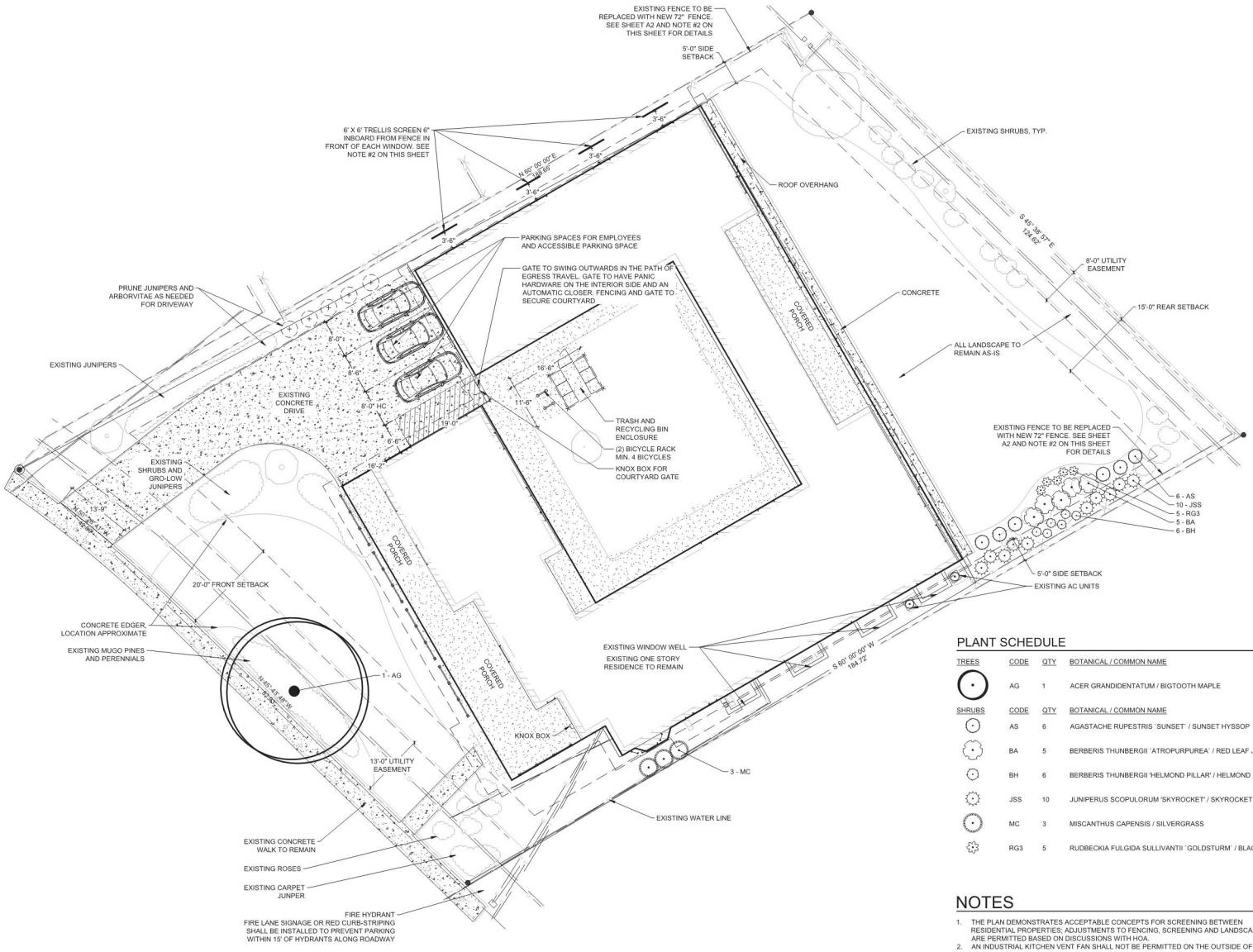
C OF 11

Plotted By: Ngoc Vu Layout: COVER Printed On: 2/11/2022 10:47 AM File Name: 0 COVER.dwg



SITE PLAN LEGEND

	EXTERIOR WALL MOUNTED LIGHT FIXTURE
	EXISTING CONCRETE
EM	ELECTRIC METER
GM	GAS METER
T	TELEPHONE LINE
E	ELECTRIC LINE
W	WATER LINE
G	GAS LINE
X	FENCE
	EASEMENT
	SETBACK
	PROPERTY LINE

PLANT SCHEDULE

TREES	CODE	QTY	BOTANICAL / COMMON NAME	CONT	CAL
	AG	1	ACER GRANDIDENTATUM / BIGTOOTH MAPLE	B & B	2"

SHRUBS	CODE	QTY	BOTANICAL / COMMON NAME	SIZE
	AS	6	AGASTACHE RUPESTRIS `SUNSET` / SUNSET HYSSOP	5 GAL
	BA	5	BERBERIS THUNBERGII `ATROPURPUREA` / RED LEAF JAPANESE BARBERRY	5 GAL
	BH	6	BERBERIS THUNBERGII 'HELMOND PILLAR' / HELMOND PILLAR JAPANESE BARBERRY	5 GAL
	JSS	10	JUNIPERUS SCOPULORUM 'SKYROCKET' / SKYROCKET JUNIPER	5 GAL
	MC	3	MISCANTHUS CAPENSIS / SILVERGRASS	5 GAL
	RG3	5	RUDBECKIA FULGIDA SULLIVANTII `GOLDSTURM` / BLACK-EYED SUSAN	5 GAL

NOTES

1. THE PLAN DEMONSTRATES ACCEPTABLE CONCEPTS FOR SCREENING BETWEEN RESIDENTIAL PROPERTIES; ADJUSTMENTS TO FENCING, SCREENING AND LANDSCAPE ARE PERMITTED BASED ON DISCUSSIONS WITH HOA.
2. AN INDUSTRIAL KITCHEN VENT FAN SHALL NOT BE PERMITTED ON THE OUTSIDE OF THE BUILDING.

CASTLE RIDGE GROUP HOME

PDP SUBMITTAL

FORT COLLINS, CO

PREPARED BY:

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NORTH SCALE: 1"=10'-0" (0, 5, 10, 20)

ORIGINAL SIZE 24X36

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ARCHITECTURAL SITE AND PLANTING PLAN

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PROJECT No.:	R21-016
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REVIEWED BY:	RL

DRAWING NUMBER:

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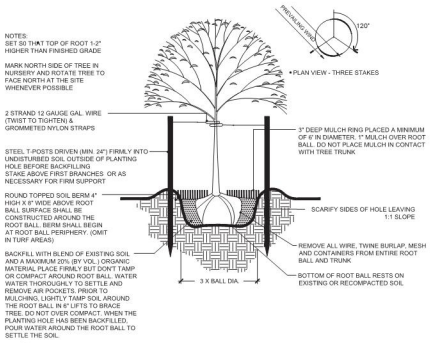

1 TREE PLANTING DETAIL - STEEL POSTS

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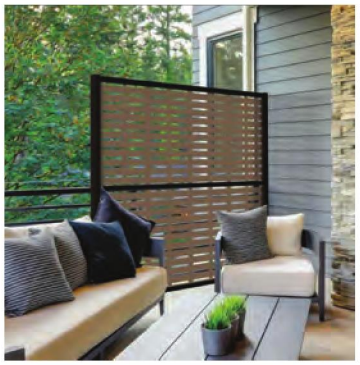
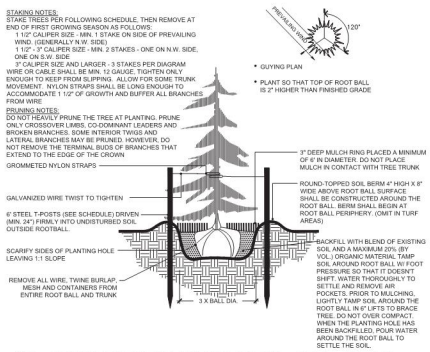


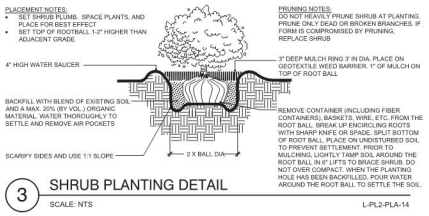
4 BARRETTE OUTDOOR LIVING

3' x 6' BOARDWALK SADDLE VINYL DECORATIVE SCREEN PANEL



2 CONIFER TREE PLANTING DETAIL - STEEL POSTS

SCALE: NTS L-PL2-PLA-01



3 SHRUB PLANTING DETAIL

SCALE: NTS L-PL2-PLA-14

CASTLE RIDGE GROUP HOME

PDP SUBMITTAL

FORT COLLINS, CO

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PLANTING DETAILS

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PROJECT No.:	R21-016
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REVIEWED BY:	RL

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L2 OF 11

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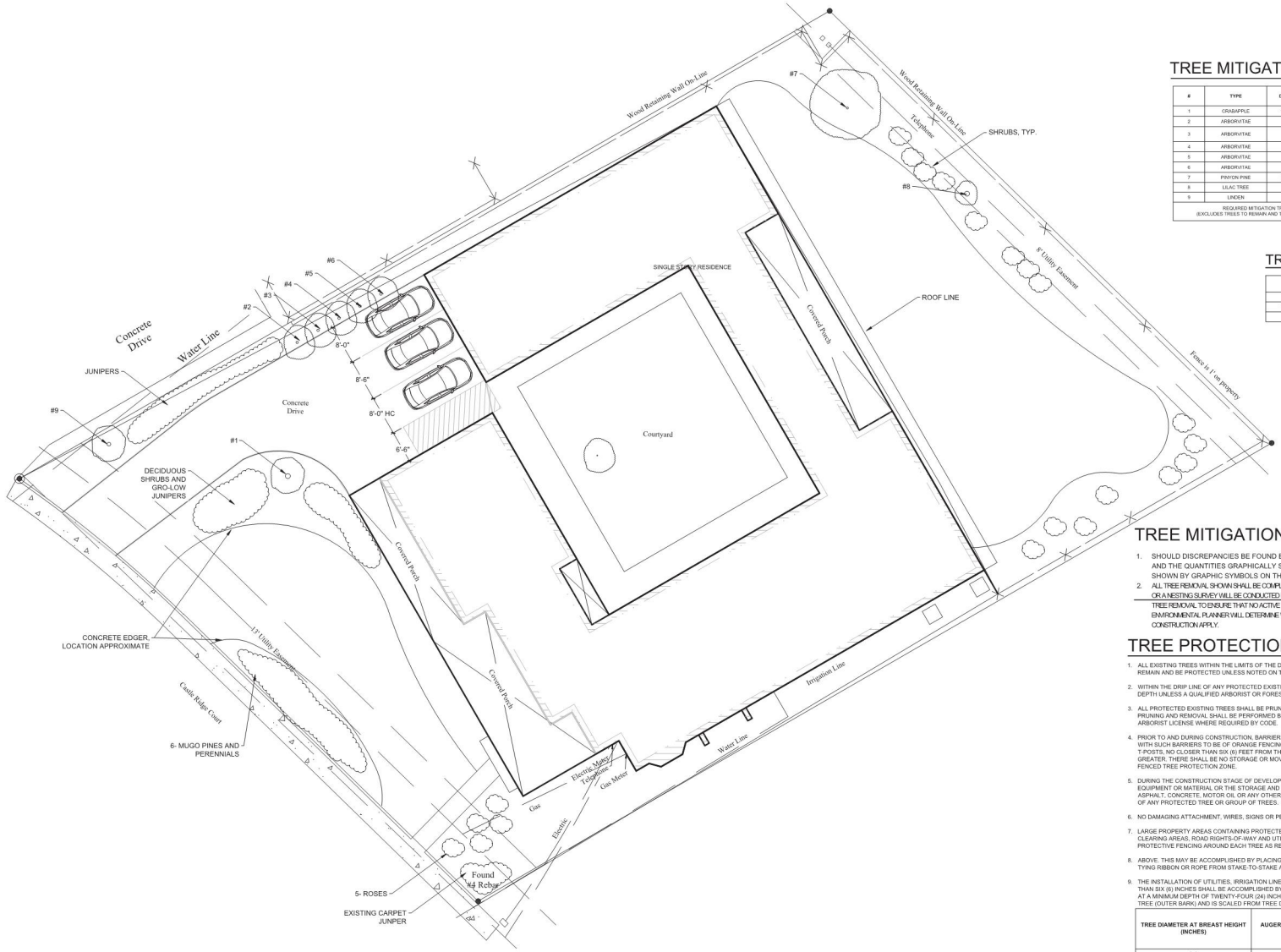


TREE MITIGATION LEGEND

#	TYPE	DBH	CONDITION	MITIGATION	NOTES	PRESERVE / REMOVE AND REASON
1	CRABAPPLE	11"	FAIR	1.5		PRESERVE
2	ARBORVITAE	7"	FAIR +	1.5		PRESERVE
3	ARBORVITAE	8"	FAIR +	1.5		PRESERVE
4	ARBORVITAE	7"	FAIR +	1.5		PRESERVE
5	ARBORVITAE	7"	FAIR +	1		PRESERVE
6	ARBORVITAE	7"	FAIR +	1		PRESERVE
7	PINYON PINE	3.5	FAIR -	1		PRESERVE
8	LILAC TREE	6"	FAIR	1		PRESERVE
9	LINDEN	9"	FAIR +	1		PRESERVE
REQUIRED MITIGATION TREES (EXCLUDES TREES TO REMAIN AND THOSE OFF SITE)				0		

TREE MITIGATION SUMMARY

TYPE	MITIGATION COUNT	REQUIRED MITIGATION TREE COUNT
TREES PRESERVED	9	0
TREES TO BE REMOVED	0	0.00
TOTAL	9	0.00

TREE MITIGATION NOTES

1. SHOULD DISCREPANCIES BE FOUND BETWEEN THE QUANTITIES LISTED IN THE PLANT TABLE AND THE QUANTITIES GRAPHICALLY SHOWN ON THE LANDSCAPE PLANS, THEN THE QUANTITIES SHOWN BY GRAPHIC SYMBOLS ON THE LANDSCAPE PLANS SHALL CONTROL
2. ALL TREE REMOVAL SHOWN SHALL BE COMPLETED OUTSIDE OF THE SONGBIRD NESTING SEASON (FEB 1 - JULY 31) OR A NESTING SURVEY WILL BE CONDUCTED BY A PROFESSIONAL ECOLOGIST OR WILDLIFE BIOLOGIST PRIOR TO TREE REMOVAL TO ENSURE THAT NO ACTIVE NESTS ARE PRESENT. IF ACTIVE NESTS ARE FOUND, THE CITY ENVIRONMENTAL PLANNER WILL DETERMINE WHETHER ADDITIONAL RESTRICTIONS ON TREE REMOVAL AND CONSTRUCTION APPLY.

TREE PROTECTION NOTES

1. ALL EXISTING TREES WITHIN THE LIMITS OF THE DEVELOPMENT AND WITHIN ANY NATURAL AREA BUFFER ZONES SHALL REMAIN AND BE PROTECTED UNLESS NOTED ON THESE PLANS FOR REMOVAL.
2. WITHIN THE DRIP LINE OF ANY PROTECTED EXISTING TREE, THERE SHALL BE NO CUT OR FILL OVER A FOUR-INCH DEPTH UNLESS A QUALIFIED ARBORIST OR FORESTER HAS EVALUATED AND APPROVED THE DISTURBANCE.
3. ALL PROTECTED EXISTING TREES SHALL BE PRUNED TO THE CITY OF FORT COLLINS FORESTRY STANDARDS. TREE PRUNING AND REMOVAL SHALL BE PERFORMED BY A BUSINESS THAT HOLDS A CURRENT CITY OF FORT COLLINS ARBORIST LICENSE WHERE REQUIRED BY CODE.
4. PRIOR TO AND DURING CONSTRUCTION, BARRIERS SHALL BE ERECTED AROUND ALL PROTECTED EXISTING TREES WITH SUCH BARRIERS TO BE OF ORANGE FENCING A MINIMUM OF FOUR (4) FEET IN HEIGHT, SECURED WITH METAL T-POSTS, NO CLOSER THAN SIX (6) FEET FROM THE TRUNK OR ONE-HALF (½) OF THE DRIP LINE, WHICHEVER IS GREATER. THERE SHALL BE NO STORAGE OR MOVEMENT OF EQUIPMENT, MATERIAL, DEBRIS OR FILL WITHIN THE FENCED TREE PROTECTION ZONE.
5. DURING THE CONSTRUCTION STAGE OF DEVELOPMENT, THE APPLICANT SHALL PREVENT THE CLEANING OF EQUIPMENT OR MATERIAL OR THE STORAGE AND DISPOSAL OF WASTE MATERIAL SUCH AS PAINTS, OILS, SOLVENTS, ASPHALT, CONCRETE, MOTOR OIL OR ANY OTHER MATERIAL HARMFUL TO THE LIFE OF A TREE WITHIN THE DRIP LINE OF ANY PROTECTED TREE OR GROUP OF TREES.
6. NO DAMAGING ATTACHMENT, WIRES, SIGNS OR PERMITS MAY BE FASTENED TO ANY PROTECTED TREE.
7. LARGE PROPERTY AREAS CONTAINING PROTECTED TREES AND SEPARATED FROM CONSTRUCTION OR LAND CLEARING AREAS, ROAD RIGHTS-OF-WAY AND UTILITY EASEMENTS MAY BE "RIBBONED OFF," RATHER THAN ERECTING PROTECTIVE FENCING AROUND EACH TREE AS REQUIRED IN SUBSECTION (G)(3)
8. ABOVE. THIS MAY BE ACCOMPLISHED BY PLACING METAL T-POST STAKES A MAXIMUM OF FIFTY (50) FEET APART AND TYING RIBBON OR ROPE FROM STAKE-TO-STAKE ALONG THE OUTSIDE PERIMETERS OF SUCH AREAS BEING CLEARED.
9. THE INSTALLATION OF UTILITIES, IRRIGATION LINES OR ANY UNDERGROUND FIXTURE REQUIRING EXCAVATION DEEPER THAN SIX (6) INCHES SHALL BE ACCOMPLISHED BY BORING UNDER THE ROOT SYSTEM OF PROTECTED EXISTING TREES AT A MINIMUM DEPTH OF TWENTY-FOUR (24) INCHES. THE AUGER DISTANCE IS ESTABLISHED FROM THE FACE OF THE TREE (OUTER BARK) AND IS SCALED FROM TREE DIAMETER AT BREAST HEIGHT AS DESCRIBED IN THE CHART BELOW:

TREE DIAMETER AT BREAST HEIGHT (INCHES)	AUGER DISTANCE FROM FACE OF TREE (FEET)
0-2	1
3-4	2
5-9	5
10-14	10
15-19	12
OVER 19	15

10. ALL TREE REMOVAL SHOWN SHALL BE COMPLETED OUTSIDE OF THE SONGBIRD NESTING SEASON (FEB 1 - JULY 31) OR CONDUCT A SURVEY OF TREES ENSURING NO ACTIVE NESTS IN THE AREA.

TREE MITIGATION LEGEND

EXISTING TREES TO SAVE IN PLACE

MITIGATION SIZING CHART

TYPE	MINIMUM SIZE
CANOPY SHADE TREE	2.0" CALIPER AND B&B OR EQUIVALENT
EVERGREEN TREE	8.0" HEIGHT AND B&B OR EQUIVALENT
ORNAMENTAL TREE	2.0" CALIPER AND B&B OR EQUIVALENT

CASTLE RIDGE GROUP HOME

PDP SUBMITTAL

FORT COLLINS, CO

PREPARED BY:

riplydesign
LANDSCAPE ARCHITECTURE, LAND PLANNING

419 Canyon Ave, Suite 200 Fort Collins, CO 80521
phone 970.224.5828 | fax 970.225.6657 | www.ripleydesigninc.com

PLANNER / LANDSCAPE ARCHITECT
RIPLEY DESIGN INC.
Stephanie Hansen, PLA
419 Canyon Ave. Suite 200
Fort Collins, CO 80521
p. 970.224.5828
f. 970.225.6657

APPLICANT
PEACOCK ASSISTED LIVING, LLC
Xioma Diaz and Eric Shenk
636 Castle Ridge Ct
Fort Collins, CO 80525
970.412.9314

ARCHITECT
F9 PRODUCTIONS
Lance Cayko and Alex Gresh
825 Crisman Drive #100
Longmont, CO 80501
720.340.1372

ENGINEER
RAPTOR CIVIL ENGINEERING
www.raptor-civil.com
p. 720.774.7736

NORTH SCALE: 1"=10'-0"
0 5 10 20
ORIGINAL SIZE 24X36

ISSUED

No.	DESCRIPTION	DATE
01	PDP	7/7/2021
02	PDP	8/25/2021
03	PDP	12/8/21

REVISIONS

No.	DESCRIPTION	DATE
----	----	----

TREE MITIGATION

SEAL:

ENTITLEMENT DRAWINGS NOT FOR CONSTRUCTION

PROJECT No.:	R21-016
DRAWN BY:	SH
REVIEWED BY:	RL

DRAWING NUMBER:

L3 OF 11

Plotted By: Ngoc Vu **Layout:** TREE MITIGATION **Printed On:** 2/11/2022 10:47 AM **File Name:** Tree Mitigation.dwg

UTILITY PLANS FOR 636 CASTLE RIDGE CT DEVELOPMENT

CIVIL CONSTRUCTION DRAWINGS

LOCATED IN A PORTION OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 6 NORTH, RANGE 69 WEST OF THE 6TH P.M.
CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO
CASTLE RIDGE AT MIRAMONT P.U.D., LOT 2
ADDRESS: 636 CASTLE RIDGE COURT, FORT COLLINS, CO, 80525

RAPTOR CIVIL ENGINEERING
WORK@RAPTOR-CIVIL.COM
WWW.RAPTOR-CIVIL.COM
720-774-7736

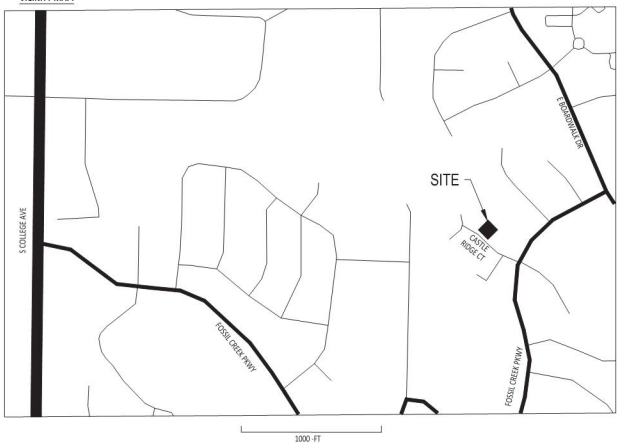
SURVEY STATEMENT:
RAPTOR CIVIL ENGINEERING RELIED ON THE LAND SURVEY PREPARED BY PATTERSON PARTNERS. RCE TAKES NO RESPONSIBILITY FOR ERRORS/OMISSIONS BY LAND SURVEYOR.

BASIS OF BEARING NOTE:
A. BEARINGS ARE BASED ON THE SOUTH LINE OF LOT 2, CASTLE RIDGE AT MIRAMONT P.U.D., AS BEARINGS S60°00'00"W ACCORDING TO THE SHOWN FOUND MONUMENTS ON THIS DRAWING AS SHOWN ON THE RECORD SUBDIVISION PLAT.
B. EASEMENTS WERE TAKEN FROM THE RECORDED SURDIVISION PLAT AND LEGAL DESCRIPTION WAS PROVIDED BY THE CLIENT AND NEITHER WERE RESEARCHED.
C. DISTANCES SHOWN ARE IN U.S. SURVEY FEET.
D. UTILITIES SHOWN WERE LOCATED IN THE FIELD BASED ON FOUND EVIDENCE AND UTILITY LOCATES.

BENCHMARK NOTES:
A. ELEVATIONS ARE BASED ON CITY OF FORT COLLINS BENCHMARK #4-96 WITH AN ELEVATION OF 4,939.14' (NAVD 1988) DATUM.

SITE PLAN NOTES:
1. REFER TO FINAL UTILITY PLANS FOR EXACT LOCATIONS AND CONSTRUCTION INFORMATION FOR STORM DRAINAGE STRUCTURES, UTILITY MAINS AND SERVICES, PROPOSED TOPOGRAPHY, STREET IMPROVEMENTS.
2. REFER TO THE SUBDIVISION PLAT AND UTILITY PLANS FOR EXACT LOCATIONS, AREAS AND DIMENSIONS OF ALL EASEMENTS, LOTS, TRACTS, STREETS, WALKS AND OTHER SURVEY INFORMATION.
3. THE PROJECT SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE FINAL PLANS. AMENDMENTS TO THE PLANS MUST BE REVIEWIED AND APPROVED BY THE CITY PRIOR TO THE IMPLEMENTATION OF ANY CHANGES TO THE PLANS.
4. ALL ROOFTOP AND GROUND MOUNTED MECHANICAL EQUIPMENT MUST BE SCREENED FROM VIEW FROM ADJACENT PROPERTY AND PUBLIC STREETS. IN CASES WHERE BUILDING PARAPETS DO NOT ACCOMPLISH SUFFICIENT SCREENING, THEN FREE-STANDING SCREEN WALLS MATCHING THE PREDOMINANT COLOR OF THE BUILDING SHALL BE CONSTRUCTED. OTHER MINOR EQUIPMENT SUCH AS CONDUIT, METERS AND PLUMBING VENTS SHALL BE SCREENED OR PAINTED TO MATCH SURROUNDING BUILDING SURFACES.
5. ALL CONSTRUCTION WITH THIS DEVELOPMENT PLAN MUST BE COMPLETED IN ONE PHASE UNLESS A PHASING PLAN IS SHOWN WITH THESE PLANS.
6. [IF APPLICABLE – INCLUDE LANGUAGE FOR ANY MODIFICATIONS AND CONDITIONS APPROVED WITH PDP/ODP].
7. [IF APPLICABLE] ALL SINGLE FAMILY DETACHED HOMES SHALL MEET OR EXCEED THE GARAGE DOOR STANDARDS AS OUTLINED IN 3.5.2(E) OF THE LAND USE CODE.
8. [IF APPLICABLE] A MINIMUM OF (NUMBER TBD) HOUSING MODELS FOR THE SINGLE FAMILY HOMES SHALL BE REQUIRED. THESE HOUSING MODELS SHALL MEET OR EXCEED THE STANDARDS AS OUTLINED IN 3.5.2(C) OF THE LAND USE CODE.
9. ALL EXTERIOR LIGHTING PROVIDED SHALL COMPLY WITH THE FOOT-CANDLE REQUIREMENTS IN SECTION 3.2.4 OF THE LAND USE CODE AND SHALL USE A CONCEALED, FULLY SHIELDED LIGHT SOURCE WITH SHARP CUT-OFF CAPABILITY SO AS TO MINIMIZE UP-LIGHT, SPILL LIGHT, GLARE AND UNNECESSARY DIFFUSION.
10. SIGNAGE AND ADDRESSING ARE NOT PERMITTED WITH THIS PLANNING DOCUMENT AND MUST BE APPROVED BY SEPARATE CITY PERMIT PRIOR TO CONSTRUCTION. SIGNS MUST COMPLY WITH CITY SIGN CODE UNLESS A SPECIFIC VARIANCE IS GRANTED BY THE CITY.
11. FIRE HYDRANTS MUST MEET OR EXCEED POUDRE FIRE AUTHORITY STANDARDS. ALL BUILDINGS MUST PROVIDE AN APPROVED FIRE EXTINGUISHING SYSTEM.
12. ALL BIKE RACKS PROVIDED MUST BE PERMANENTLY ANCHORED.
13. ALL SIDEWALKS AND RAMPS MUST CONFORM TO CITY STANDARDS. ACCESSABLE RAMPS MUST BE PROVIDED AT ALL STREET AND DRIVE INTERSECTIONS AND AT ALL DESIGNATED ACCESSABLE PARKING SPACES. ACCESSABLE PARKING SPACES MUST SLOPE NO MORE THAN 1:48 IN ANY DIRECTION. ALL ACCESSIBLE ROUTES MUST SLOPE NO MORE THAN 1:20 IN DIRECTION OF TRAVEL AND WITH NO MORE THAN 1:48 CROSS SLOPE.
14. COMMON OPEN SPACE AREAS AND LANDSCAPING WITHIN RIGHT OF WAYS, STREET MEDIANS, AND TRAFFIC CIRCLES ADJACENT TO COMMON OPEN SPACE AREAS ARE REQUIRED TO BE MAINTAINED BY THE PROPERTY OWNER OF THE COMMON AREA. THE PROPERTY OWNER IS RESPONSIBLE FOR SNOW REMOVAL ON ALL ADJACENT STREET SIDEWALKS AND SIDEWALKS IN COMMON OPEN SPACE AREAS.
15. DESIGN AND INSTALLATION OF ALL PARKWAY/TREE LAWN AND MEDIAN AREAS IN THE RIGHT-OF-WAY SHALL BE IN ACCORDANCE WITH CITY STANDARDS, UNLESS OTHERWISE AGREED TO BY THE CITY WITH THE FINAL PLANS, ALL ONGOING MAINTENANCE OF SUCH AREAS IS THE RESPONSIBILITY OF THE OWNER/DEVELOPER.
16. THE PROPERTY OWNER FOR EACH RESIDENTIAL LOT IS RESPONSIBLE FOR SNOW REMOVAL ON ALL STREET SIDEWALKS ADJACENT TO EACH RESIDENTIAL LOT.
17. PRIVATE CONDITIONS, COVENANTS, AND RESTRICTIONS (CC&R'S), OR ANY OTHER PRIVATE RESTRICTIVE COVENANT IMPOSED ON LANDOWNERS WITHIN THE DEVELOPMENT, MAY NOT BE CREATED OR ENFORCED HAVING THE EFFECT OF PROHIBITING OR LIMITING THE INSTALLATION OF XERISCAPE LANDSCAPING, SOLAR/PHOTO-VOLTAIC COLLECTORS (IF MOUNTED FLUSH UPON ANY ESTABLISHED ROOF LINE), CLOTHES LINES (IF LOCATED IN BACK YARDS), ODORCONTROLLED COMPOST BINS, OR WHICH HAVE THE EFFECT OF REQUIRING THAT A PORTION OF ANY INDIVIDUAL LOT BE PLANTED IN TURF GRASS.
18. ANY DAMAGED CURB, GUTTER AND SIDEWALK EXISTING PRIOR TO CONSTRUCTION, AS WELL AS STREETS, SIDEWALKS, CURBS AND GUTTERS, DESTROYED, DAMAGED OR REMOVED DUE TO CONSTRUCTION OF THIS PROJECT, SHALL BE REPLACED OR RESTORED TO CITY OF FORT COLLINS STANDARDS AT THE DEVELOPER'S EXPENSE PRIOR TO THE ACCEPTANCE OF COMPLETED IMPROVEMENTS AND/OR PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY.
19. FIRE LANE MARKING: A FIRE LANE MARKING PLAN MUST BE REVIEWED AND APPROVED BY THE FIRE OFFICIAL PRIOR TO THE ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY. WHERE REQUIRED BY THE FIRE CODE OFFICIAL, APPROVED SIGNS OR OTHER APPROVED NOTICES THAT INCLUDE THE WORDS NO PARKING FIRE LANE SHALL BE PROVIDED FOR FIRE APPARATUS ACCESS ROADS TO IDENTIFY SUCH ROADS OR PROHIBIT THE OBSTRUCTION THEREOF. THE MEANS BY WHICH FIRE LANES ARE DESIGNATED SHALL BE MAINTAINED IN A CLEAN AND LEGIBLE CONDITION AT ALL TIMES AD BE REPLACED OR REPAIRED WHEN NECESSARY TO PROVIDE ADEQUATE VISIBILITY.
20. PREMISE IDENTIFICATION: AN ADDRESSING PLAN IS REQUIRED TO BE REVIEWED AND APPROVED BY THE CITY AND POUDRE FIRE AUTHORITY PRIOR TO THE ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY. UNLESS THE PRIVATE DRIVE IS NAMED, MONUMENT SIGNAGE MAY BE REQUIRED TO ALLOW WAY-FINDING. ALL BUILDINGS SHALL HAVE ADDRESS NUMBERS, BUILDING NUMBERS OR APPROVED BUILDING IDENTIFICATION PLACED IN A POSITION THAT IS PLAINLY LEGIBLE, VISIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY, AND POSTED WITH A MINIMUM OF SIX-INCH NUMERALS ON A CONTRASTING BACKGROUND. WHERE ACCESS IS BY MEANS OF A PRIVATE ROAD AND THE BUILDING CANNOT BE VIEWED FROM THE PUBLIC WAY, A MONUMENT, POLE OR OTHER SIGN OR MEANS SHALL BE USED TO IDENTIFY THE STRUCTURE.

VICINITY MAP:



TOTAL FIRE FLOW REQUIRED FOR THIS SITE IS 1500 GPM MINIMUM AT 20 PSI RESIDUAL PRESSURE
THIS FLOW MUST BE PROVIDED FROM A MINIMUM OF 1 FIRE HYDRANTS INDIVIDUALLY, EACH FIRE HYDRANT MUST SUPPLY 1750 GPM MINIMUM AT 20 PSI RESIDUAL PRESSURE

CODE USED FOR ANALYSIS: 2021 IBC
OCCUPANCY GROUP(S): R-4
CONSTRUCTION TYPE(S): V-B
FIRE FLOW CALCULATION AREA: 9,346 SF
*50% FIRE FLOW REDUCTION BY FIRE SPRINKLER SYSTEM

SHEET INDEX	
1	COVER SHEET
2	GRADING & UTILITY PLAN

ENGINEER'S QUANTITY ESTIMATE

DESCRIPTION	QUANTITY	UNIT
4" DIP FIRE LATERAL	69	LF
4" WET TAP WITH THRUST BLOCK	**1**	**EA**
4" GATE VALVE WITH MECHANICAL JOINT RESTRAINTS	**1**	**EA**

CITY OF FORT COLLINS, COLORADO
UTILITY PLAN APPROVAL

APPROVED: _____ CITY ENGINEER, _____	_____ APPROVED SHEETS	_____ DATE	
APPROVED: _____ WATER & WASTEWATER UTILITY, _____	_____ APPROVED SHEETS	_____ DATE	
APPROVED: _____ STORMWATER UTILITY, _____	_____ APPROVED SHEETS	_____ DATE	
APPROVED: _____ PARK PLANNING AND DEVELOPMENT, _____	_____ APPROVED SHEETS	_____ DATE	
APPROVED: _____ TRAFFIC OPERATIONS, _____	_____ APPROVED SHEETS	_____ DATE	
APPROVED: _____ ENVIRONMENTAL PLANNER, _____	_____ APPROVED SHEETS	_____ DATE	

636 CASTLE RIDGE CT. DEVELOPMENT
CIVIL CONSTRUCTION DRAWINGS
CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO
CASTLE RIDGE AT MIRAMONT P.U.D., LOT 2

21-32

FOR CONSTRUCTION

REVISION BLOCK

#	DATE	BY
1	08/10/2021	HWJ
2	01/19/2022	HWJ
3	02/09/2022	HWJ

COVER SHEET

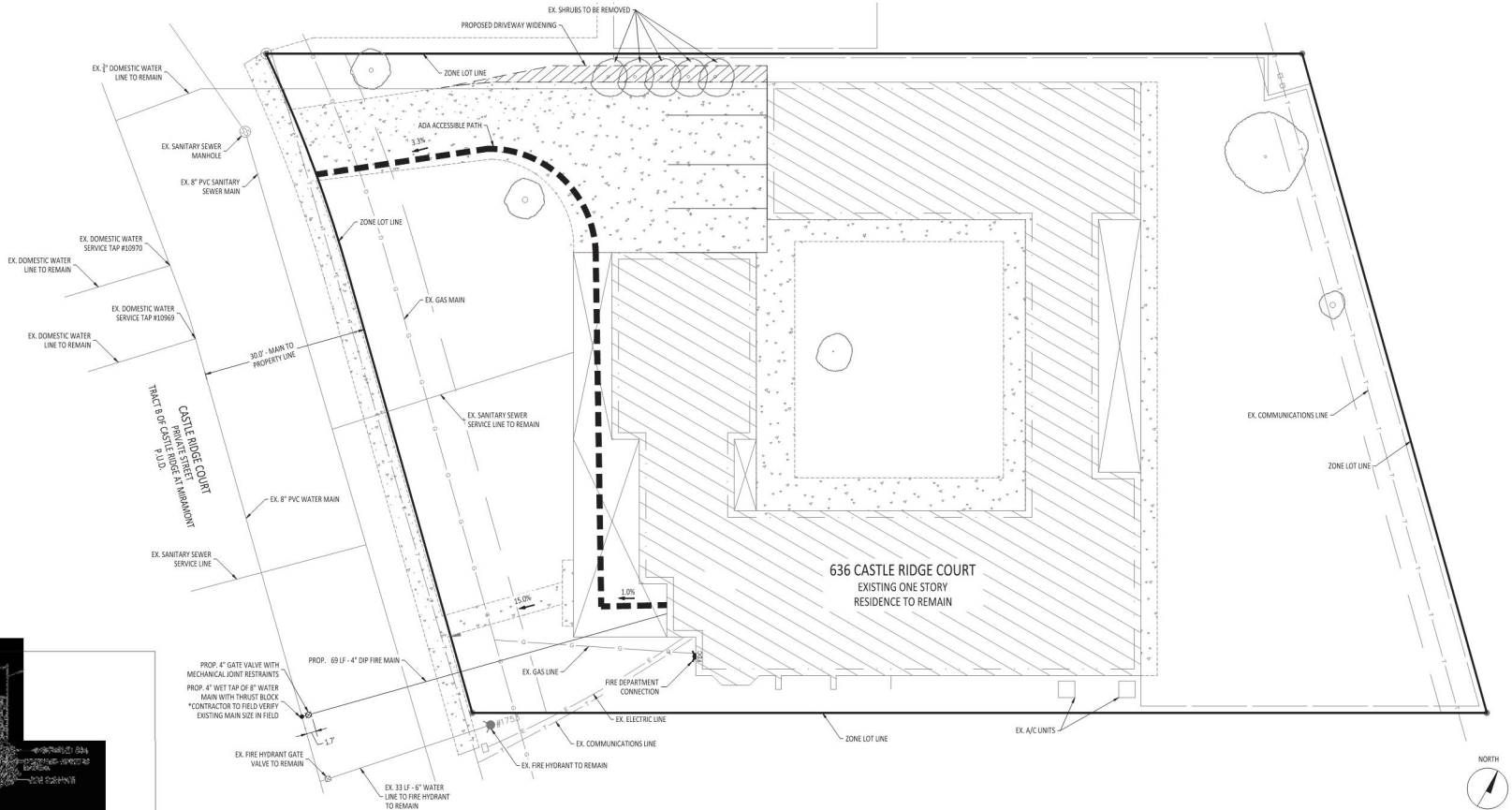
1

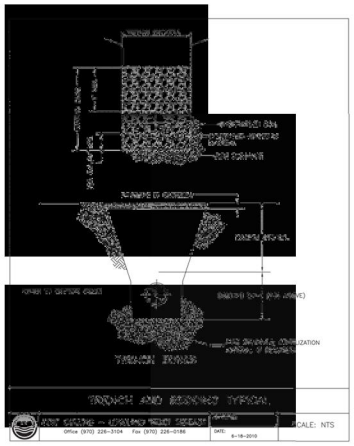
SHEET 1 OF 02

UTILITY PLANS FOR 636 CASTLE RIDGE CT DEVELOPMENT

CIVIL CONSTRUCTION DRAWINGS

LOCATED IN A PORTION OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 6 NORTH, RANGE 69 WEST OF THE 6TH P.M.
CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO
CASTLE RIDGE AT MIRAMONT P.U.D., LOT 2
ADDRESS: 636 CASTLE RIDGE COURT, FORT COLLINS, CO, 80525





FORT COLLINS-LOVELAND WATER DISTRICT & SOUTH FORT COLLINS SANITATION DISTRICT NOTES:

1) ALL WATER AND SANITARY SEWER CONSTRUCTION SHALL BE PERFORMED ACCORDING TO THE FORT COLLINS-LOVELAND WATER DISTRICT AND THE SOUTH FORT COLLINS SANITATION DISTRICT STANDARDS AND SPECIFICATIONS.
2) CONSTRUCTION OF WATER AND SEWER FACILITIES REQUIRE A PRECON MEETING WITH DISTRICT INSPECTION STAFF PRIOR TO CONSTRUCTION.
3) CONTRACTOR SHALL NOTIFY DISTRICT INSPECTORS PRIOR TO STARTING WORK.
4) CONTRACTOR SHALL CONTACT THE SANITATION DISTRICT INSPECTOR FOR SEWER INSPECTION 48 HOURS PRIOR TO CONNECTING TO EXISTING SEWER STUBS.
5) IF GROUNDWATER IS ENCOUNTERED WITHIN DEPTH OF SEWER CONSTRUCTION, MANHOLES MUST BE WATER-PROOFED.
6) CONTRACTOR SHALL CONTACT THE WATER DISTRICT FOR WATER INSPECTION 48 HOURS PRIOR TO CONNECTING TO EXISTING INFRASTRUCTURE.
7) ALL COMMERCIAL DOMESTIC SERVICES REQUIRE A REDUCED PRESSURE PRINCIPLE BACKFLOW PREVENTION DEVICE.
8) ALL WATER LINES SHALL BE A MINIMUM OF (5) FIVE FEET AND A MAXIMUM OF (6) SIX FEET BELOW FINAL GRADE.
9) ALL DISTRICT VALVES SHALL ONLY BE OPERATED BY DISTRICT OPERATIONS STAFF.
10) PIPE PRESSURE AND VACUUM TESTING SHALL BE WITNESSED BY DISTRICT INSPECTORS. WATERLINE BACTERIA TESTS SHALL ALSO BE TAKEN BY DISTRICT INSPECTORS.
11) ONCE THE SYSTEM IS OPERATIONAL AND ALL TESTS HAVE PASSED, CONTRACTOR SHALL REQUEST SUBSTANTIAL COMPLETION WITH A LETTER TO THE DISTRICT.
12) AS-BUILTS SHALL BE SUBMITTED IN PDF AND DWG TO THE DISTRICT FOR FINAL APPROVAL.
13) ONCE ALL PUNCH LIST ITEMS ARE COMPLETE, EASEMENTS ARE RECORDED, AND AS-BUILT FILES ARE APPROVED, THE CONTRACTOR SHALL REQUEST FINAL COMPLETION WITH A LETTER TO THE DISTRICT THAT INCLUDES THE DOLLAR VALUE OF THE WATER AND SEWER IMPROVEMENTS LISTED SEPARATELY.

GRADING NOTES:

1) NO ON-SITE GRADING PROPOSED AS PART OF THIS DEVELOPMENT. RCE HAS DETERMINED THAT EXISTING ADA PATH MEETS CURRENT ADA ACCESSIBILITY REQUIREMENTS.
2) IF CONTRACTOR REQUIRES GRADING CHANGES ON SITE, RCE SHALL BE INFORMED IMMEDIATELY AS ADDITIONAL PERMITS/PLANS MAY BE NECESSARY.

RAPTOR CIVIL ENGINEERING
WORK@RAPTOR-CIVIL.COM
WWW.RAPTOR-CIVIL.COM
720-774-7736

636 CASTLE RIDGE CT. DEVELOPMENT
CIVIL CONSTRUCTION DRAWINGS
CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO
CASTLE RIDGE AT MIRAMONT P.U.D., LOT 2

21-32

FOR CONSTRUCTION

REVISION BLOCK		
#	DATE	BY
1	08/10/2021	HWJ
2	01/19/2022	HWJ
3	02/09/2022	HWJ

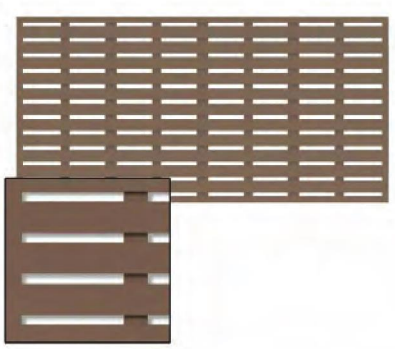
GRADING & UTILITY PLAN

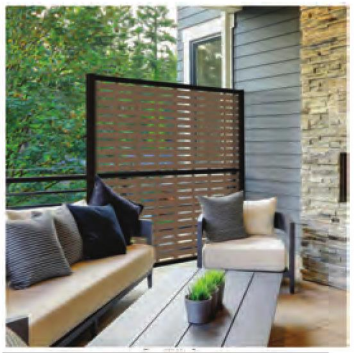
2

SHEET 2 OF 02

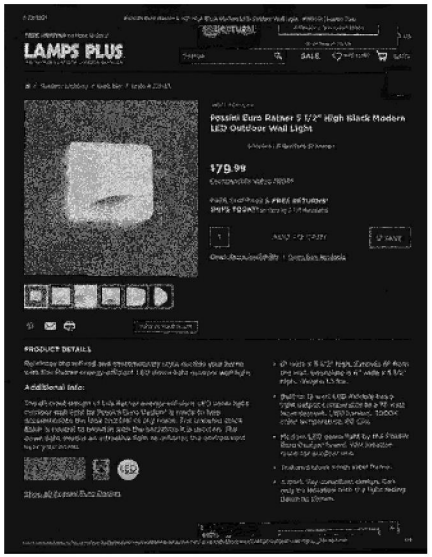
NOT FOR CONSTRUCTION

Barrette Outdoor Living (Brand Rating: 4.1/5)
3 ft. x 6 ft. Boardwalk Saddle Vinyl Decorative Screen Panel

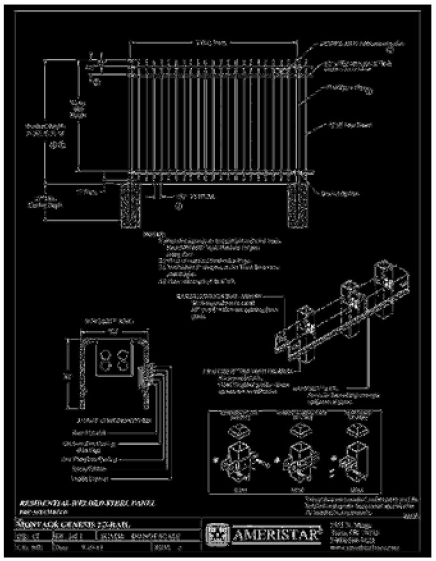




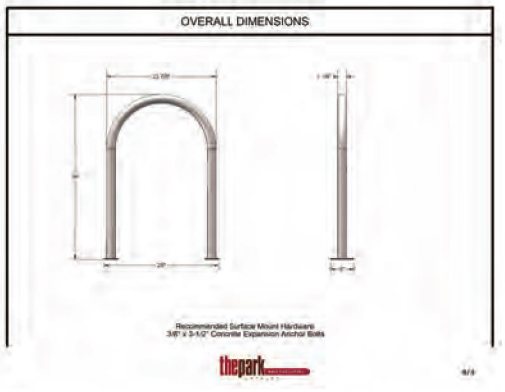
TRELLIS DETAILS



EXTERIOR LIGHT FIXTURE DETAILS



NEW EXTERIOR FENCE DETAILS



U BIKE RACK DETAILS

COURTYARD GATE DETAILS

F9

ISSUE NUMBER 201125
TIME STAMP 2/10/2022 1:31:07 PM

CASTLE RIDGE GROUP HOME
636 Castle Ridge Ct.
Fort Collins, Colorado 80525

ARCHITECTURE | CONSTRUCTION MANAGEMENT | DEVELOPMENT
F9 PRODUCTIONS INC.

A1

ARCHITECTURAL SITE DETAILS

625 CHISMAN DRIVE #100 LONGMONT, CO 80501 PH 303.775.7490 F 303.656.9846 EMAIL MAIL@F9PRODUCTIONS.COM

1:07 PM

NOT FOR CONSTRUCTION

NOTE

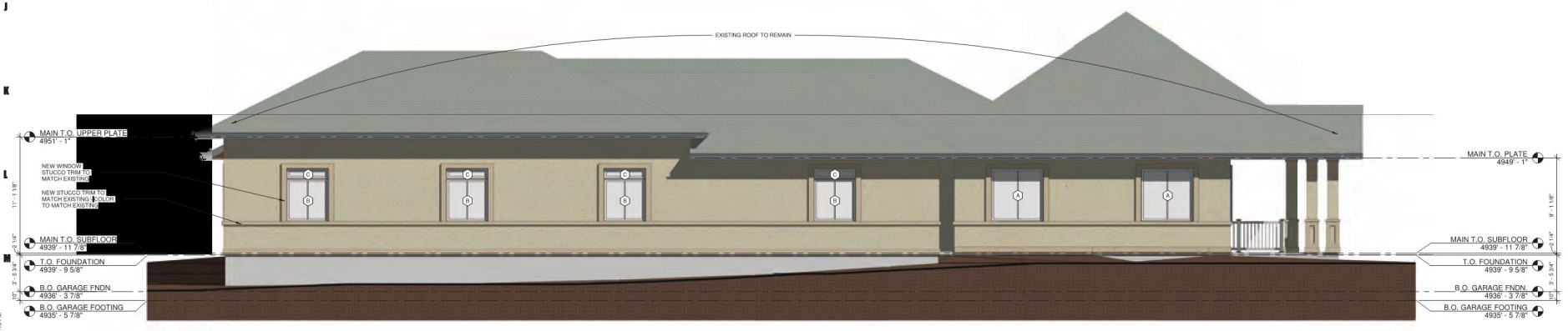
ALL MATERIAL COLORS ARE TO MATCH EXISTING COLORS TO THE BEST OF THE CONTRACTOR'S ABILITY

STUCCO	CMU WALL	DOOR AND WINDOW TRIM	ROOF FASCIA	ROOF SOFFIT	GUTTER AND DOWNSPOUT
3 COAT STUCCO COLOR: TAN RGB: 229, 206, 174	PAINTED CMU COLOR: LIGHT BROWN RGB: 191, 176, 155	1X6 STUCCO WRAPPED COLOR: LIGHT BROWN RGB: 191, 176, 155	PAINTED HARDIE TRIM BOARD 4/4 COLOR: GRAY RGB: 238, 238, 234	PAINTED HARDIE FIBER CEMENT SOFFIT COLOR: GRAY RGB: 238, 238, 234	PAINTED ALUMINUM COLOR: GRAY RGB: 238, 238, 234

WINDOW FRAMES	DOOR FRAMES	ROOF SHINGLES	GARAGE DOOR
VINYL CLAD COLOR: WHITE RGB: 250, 250, 250	WOOD CLAD COLOR: WHITE RGB: 250, 250, 250	ASPHALT ARCHITECTURAL ROOF SHINGLES COLOR: GREY RGB: 147, 151, 145	PAINT COLOR: BROWN RGB: 147, 128, 105

MATERIAL SWATCH LEGEND

1 NORTH ELEVATION -EXISTING
1/4" = 1'-0"



NORTH ELEVATION -NEW

F9

ISSUE NUMBER 201125
TIME STAMP 2/10/2022 1:31:13 PM

CASTLE RIDGE GROUP HOME
636 Castle Ridge Ct.
Fort Collins, Colorado 80525

F9 PRODUCTIONS INC.
ARCHITECTURE / CONSTRUCTION MANAGEMENT / DEVELOPMENT
625 CREEKMAN DRIVE #100 LONGMONT, CO 80501 PH 303.775.7496 F 303.656.9846 EMAIL MAIL@F9PRODUCTIONS.COM

A2
NORTH ELEVATION

1:13 PM

A3

NOT FOR CONSTRUCTION

NOTE

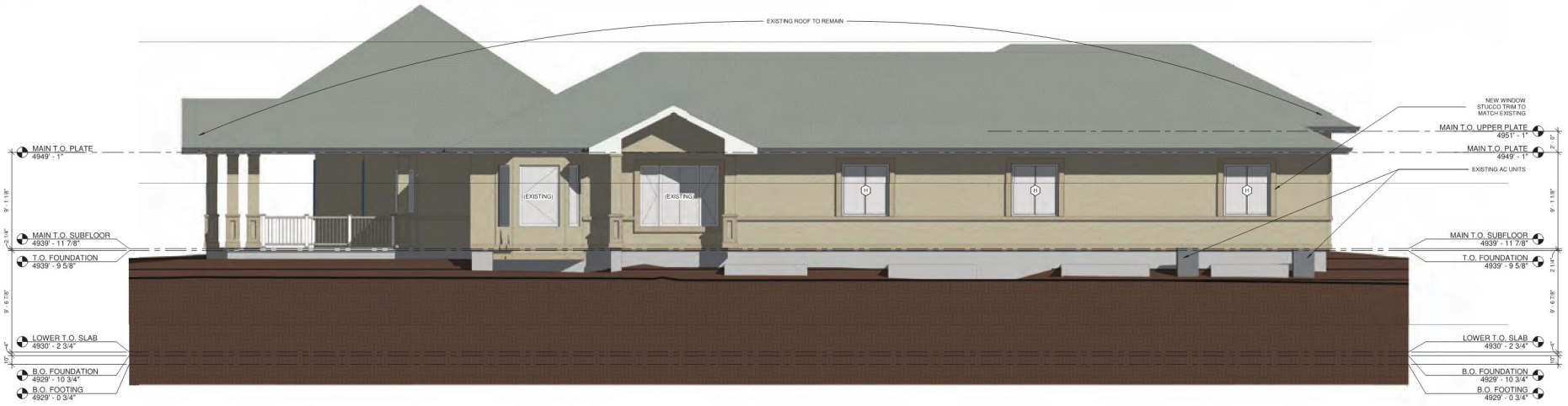
ALL MATERIAL COLORS ARE TO MATCH EXISTING COLORS TO THE BEST OF THE CONTRACTOR'S ABILITY

STUCCO	CMU WALL	DOOR AND WINDOW TRIM	ROOF FASCIA	ROOF SOFFIT	GUTTER AND DOWNSPOUT
3 COAT STUCCO COLOR: TAN RGB: 229, 206, 174	PAINTED CMU COLOR: LIGHT BROWN RGB: 191, 176, 155	1X6 STUCCO WRAPPED COLOR: LIGHT BROWN RGB: 191, 176, 155	PAINTED HARDIE TRIM BOARD 4/4 COLOR: GRAY RGB: 238, 238, 234	PAINTED HARDIE FIBER CEMENT SOFFIT COLOR: GRAY RGB: 238, 238, 234	PAINTED ALUMINUM COLOR: GRAY RGB: 238, 238, 234

WINDOW FRAMES	DOOR FRAMES	ROOF SHINGLES	GARAGE DOOR
VINYL CLAD COLOR: WHITE RGB: 250, 250, 250	WOOD CLAD COLOR: WHITE RGB: 250, 250, 250	ASPHALT ARCHITECTURAL ROOF SHINGLES COLOR: GREY RGB: 147, 151, 145	PAINT COLOR: BROWN RGB: 147, 128, 105

MATERIAL SWATCH LEGEND

1 SOUTH ELEVATION - EXISTING
1/4" = 1'-0"



UTH ELEVATION - NEW
4" = 1'-0"

F9

ISSUE NUMBER 201125
TIME STAMP 2/10/2022 1:31:18 PM

CASTLE RIDGE GROUP HOME
636 Castle Ridge Ct.
Fort Collins, Colorado 80525

F9 PRODUCTIONS INC.
ARCHITECTURE / CONSTRUCTION MANAGEMENT / DEVELOPMENT
625 CRISMAN DRIVE #100 LONGMONT, CO 80501 PH 303.775.7496 F 303.656.9846 EMAIL MAIL@F9PRODUCTIONS.COM

A3

SOUTH ELEVATION

A4

NOT FOR CONSTRUCTION

NOTE

ALL MATERIAL COLORS ARE TO MATCH EXISTING COLORS TO THE BEST OF THE CONTRACTOR'S ABILITY

STUCCO	CMU WALL	DOOR AND WINDOW TRIM	ROOF FASCIA	ROOF SOFFIT	GUTTER AND DOWNSPOUT
3 COAT STUCCO COLOR: TAN RGB: 229, 206, 174	PAINTED CMU COLOR: LIGHT BROWN RGB: 191, 176, 155	1X6 STUCCO WRAPPED COLOR: LIGHT BROWN RGB: 191, 176, 155	PAINTED HARDIE TRIM BOARD 4/4 COLOR: GRAY RGB: 238, 238, 234	PAINTED HARDIE FIBER CEMENT SOFFIT COLOR: GRAY RGB: 238, 238, 234	PAINTED ALUMINUM COLOR: GRAY RGB: 238, 238, 234

WINDOW FRAMES	DOOR FRAMES	ROOF SHINGLES	GARAGE DOOR
VINYL CLAD COLOR: WHITE RGB: 250, 250, 250	WOOD CLAD COLOR: WHITE RGB: 250, 250, 250	ASPHALT ARCHITECTURAL ROOF SHINGLES COLOR: GREY RGB: 147, 151, 145	PAINT COLOR: BROWN RGB: 147, 128, 105

MATERIAL SWATCH LEGEND

1 EAST ELEVATION - EXISTING
1/4" = 1'-0"

EN - NEW

F9

ISSUE NUMBER 201125
TIME STAMP 2/10/2022 1:31:26 PM

CASTLE RIDGE GROUP HOME
636 Castle Ridge Ct.
Fort Collins, Colorado 80525

ARCHITECTURE / CONSTRUCTION MANAGEMENT / DEVELOPMENT
F9 PRODUCTIONS INC.

A4

EAST ELEVATION

625 CREEKMAN DRIVE #100 LONGMONT, CO 80501 PH 303.775.7496 F 303.656.9846 EMAIL MAIL@F9PRODUCTIONS.COM

1:26 PM

A5

NOT FOR CONSTRUCTION

NOTE

ALL MATERIAL COLORS ARE TO MATCH EXISTING COLORS TO THE BEST OF THE CONTRACTOR'S ABILITY

STUCCO	CMU WALL	DOOR AND WINDOW TRIM	ROOF FASCIA	ROOF SOFFIT	GUTTER AND DOWNSPOUT
3 COAT STUCCO COLOR: TAN RGB: 229, 206, 174	PAINTED CMU COLOR: LIGHT BROWN RGB: 191, 176, 155	1X6 STUCCO WRAPPED COLOR: LIGHT BROWN RGB: 191, 176, 155	PAINTED HARDIE TRIM BOARD 4/4 COLOR: GRAY RGB: 238, 238, 234	PAINTED HARDIE FIBER CEMENT SOFFIT COLOR: GRAY RGB: 238, 238, 234	PAINTED ALUMINUM COLOR: GRAY RGB: 238, 238, 234

WINDOW FRAMES	DOOR FRAMES	ROOF SHINGLES	GARAGE DOOR
VINYL CLAD COLOR: WHITE RGB: 250, 250, 250	WOOD CLAD COLOR: WHITE RGB: 250, 250, 250	ASPHALT ARCHITECTURAL ROOF SHINGLES COLOR: GREY RGB: 147, 151, 145	PAINT COLOR: BROWN RGB: 147, 128, 105

MATERIAL SWATCH LEGEND

1 WEST ELEVATION - EXISTING
1/4" = 1'-0"

ATION - NEW

F9

ISSUE NUMBER 201125
TIME STAMP 2/10/2022 1:33:33 PM

CASTLE RIDGE GROUP HOME
636 Castle Ridge Ct.
Fort Collins, Colorado 80525

F9 PRODUCTIONS INC.
ARCHITECTURE / CONSTRUCTION MANAGEMENT / DEVELOPMENT

A5
WEST ELEVATION

625 CREEMAN DRIVE #100 LONGMONT, CO 80501 PH 303.775.7496 F 303.656.9846 EMAIL MAIL@F9PRODUCTIONS.COM

1:33 PM

Change of Shift Procedure

Shift change for morning shift begins at 6:30 AM and ends at 7:15 AM
Shift change for evening shift begins at 2:30PM and ends at 3:15:PM
Shift change for night shift begins at 10:30 PM and ends at 10:50 PM

- Staff will arrive in 15-minute windows with preferred parking option being off-site public parking. We want to be respectful of our neighbors and create as little traffic as possible.
- Please be aware of pedestrians around you and DRIVE SLOW through the neighborhood.
- Monetary incentivization for carpooling and multimodal transit use.

Visitation Procedure

- At the time of client admission inform the power of attorney of visiting hours and importance of advanced notification of visitation.
- Attempt to schedule client visitation with minimal overlap from 3rd party vendors and services

Future Changes of Shift Complaint Mitigation

- Be proactive
- Remind staff of our policies and **enforce**
- Extend shift arrival windows
- Take suggestions from community and collaborate

Future Parking Complaint Mitigation

- Seek collaboration with neighbors
- Seek collaboration with the City

Future Complaint Mitigation

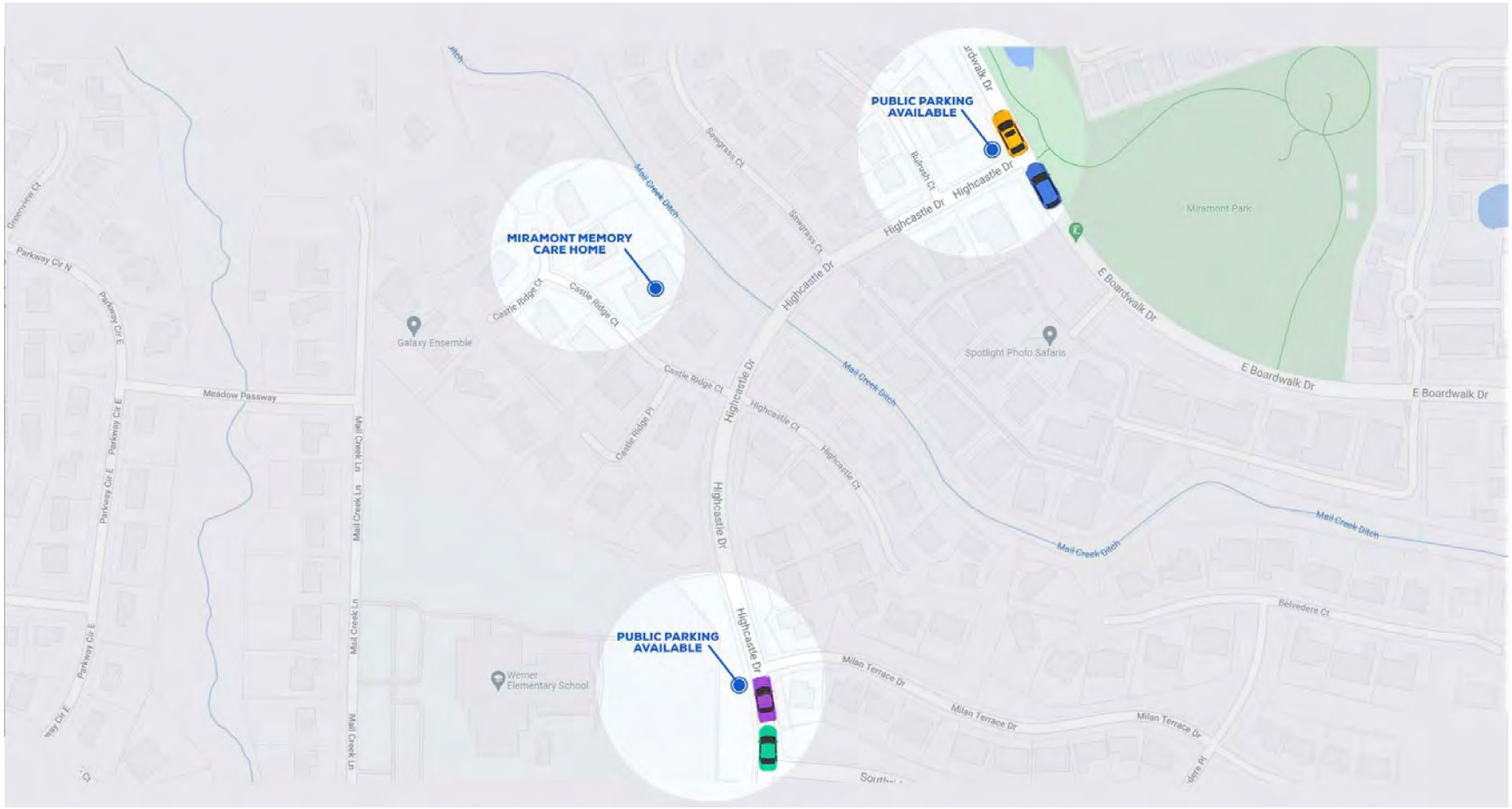
- Be proactive
- Be open to input and advice form the community

Service	Schedule	Description	Mitigation	Impact to Local Traffic and Parking
Staff	3 shifts (6:30 AM - 3:15 PM), (2:30 PM - 11:15 PM), (11:00 PM - 7:00 AM) 7 days/week	Zero to three single passenger vehicles. Scheduled shift start times are off-set to better accommodate local traffic patterns	To mitigate traffic congestion during shift changes, this home shall implement both a parking plan and offer monetary incentives for multimodal and carpooling transit options. Strategies to be implemented include 1) last mile carpooling from Fossil Creek Park; 2) public transit and multimodal transit (bicycle) options; 3)utilization off off-site public parking Werner Elementary starts at 8:50 AM and lets out at 3:28 PM. Start times for morning shift (3 caregivers) will be staggered at 15 minute intervals starting at 6:30. This will mitigate conflict with traffic for school drop off or pedestrian students. The evening shift (3 caregivers) will be staggered at 15 minute intervals starting at 2:30 PM There should be minimal conflict with any school traffic picking up students and no conflict with pedestrian students. The night shift (one caregiver) starts at 11:00 PM and there should be no conflicts with traffic or pedestrians. Parking conflicts between morning and afternoon shifts should be minimal. There is sufficient onsite and street parking to accommodate the change of shifts in a staggered fashion with inclement weather. Parking and traffic mitigation will also occur via the use of off-site public parking for staff. Both East Boardwalk Drive and Highcastle Drive offer public parking solutions that are within acceptable walking distances.	Moderate to minimal depending on carpooling, use of multimodal transit options, and weather.
Visitors	9:00 AM - 6:00 PM 7 days/week	Single passenger vehicle, visitation by appointment is strongly encouraged.	There is a natural increase in number of visits when a client first arrives at a new home by either local friends or family. There is also a variation of visitation relative to the local weather. On average it is expected that there will be 1 visitor per client per week. These visits are generally 15 to 30 minutes in length for the dementia population. By pro-actively working with a clients family and friends to regulate when visitation occurs we can spread out traffic impacts and mitigate large clusters of visitors at any one time. The power of attorney of new clients will be asked to sign a visitation policy that includes pre-scheduled visitation times between the preferred visitation hours.	Moderate
Physician Services	1 hour/week	Single passenger vehicle, morning visits.	Coordinate arrival and departure with other vendors and visitors	Minimal
Physical Therapy	2 hours/week	Single passenger vehicle, morning visits limited to 4-6 total visits per client depending on insurance and/or ongoing issues. Clients at this home will be ambulatory to start and ongoing PT services after the initial evaluation should be limited.	Coordinate arrival and departure with other vendors and visitors	Minimal
Occupational Therapy	< 1 hour/week	Single passenger vehicle, morning visits limited to 4-6 total visits per client depending on insurance and/or ongoing issues. Clients at this home will have limited OT needs after the initial evaluation.	Coordinate arrival and departure with other vendors and visitors	Minimal

Service	Schedule	Description	Mitigation	Impact to Local Traffic and Parking
Trash	5 minutes/week	Standard residential trash service with 95-gallon containers x 4.	No mitigation needed.	None
Recycling	5 minutes/week	Standard residential recycling service with 95 gallon containers x 2.	No mitigation needed.	None
Medical Waste Disposal	none	Blister packs and pill bottles will be recycled at local pharmacy or hospital pharmacy.	No mitigation needed	None
Entertainment	2 hours/month x 2 (6:00 PM - 8:00 PM)	Single passenger vehicle. This vendor would be the only scheduled visitor outside of normal visitation hours. This would most commonly be a musician.	Coordinate arrival and departure with other vendors and visitors	Minimal
Pet Therapy	2 hours/month	Single passenger vehicle	Coordinate arrival and departure with other vendors and visitors	Minimal
Massages	3 hours/every other week	Single passenger vehicle	Coordinate arrival and departure with other vendors and visitors	Minimal
Haircuts	4 hours/month	Single passenger vehicle	Coordinate arrival and departure with other vendors and visitors	Minimal
Outings	2 hours/month	Multi-passenger van	Outings will be no more than 5 clients at a time. Transportation will be with a rental van and will not be kept onsite. Loading and unloading of clients will occur in the driveway.	Minimal
Hospice	Unknown	Delivery vehicle + single passenger vehicles. Hospice care is highly variable in terms of frequency, length of service required, and acuity of care. In terms of traffic impacts there is a single delivery of a hospital type bed, IV pole (possible), incontinence supplies, etc., via the driveway and central courtyard doors. Hospice services include a nurse case manager, CNA, social worker, and chaplain . Length of visitation can range from range from 15 minutes once/week to > one hour at end of life.	A hospice care nurse would potentially require a 4th staff parking space during the morning and evening shifts. For these limited time events we would be more proactive with carpooling, other transit options, and off-site parking.	Moderate to Minimal
Food Delivery	30 minutes/week	Single passenger vehicle. We plan to purchase our own food so there will be no delivery service. Food will be transported in a standard car or SUV and unloaded via the driveway through the front door of the house.	No mitigation needed	Minimal
House Keeping	4 hours/week	Single passenger vehicle, morning arrival	Coordinate arrival and departure with other vendors and visitors	Minimal

Service	Schedule	Description	Mitigation	Impact to Local Traffic and Parking
Lawn Maintenance	2 hours/week	Single passenger vehicle, possible trailer	Coordinate arrival and departure with other vendors and visitors.	Minimal
General Maintenance	2 hours/week	Single passenger vehicle	Coordinate arrival and departure with other vendors and visitors.	Minimal
Snow Removal	as needed	Single passenger vehicle, possible trailer	No mitigation needed	
Laundry	not applicable	All laundry will be done on site.	No mitigation needed	None
Medication Delivery	5 minutes/2-3 times week	Single passenger vehicle. Medication deliveries typically occur at night between 8:00 PM and 9:00 PM.	None	Minimal
Emergency Medical Services	Unknown. Less than 30 minutes on site if called.	Fire truck and/or ambulance. EMS calls fall into two general categories. Acute medical emergencies (heart attack, stroke, etc.) and acute non-medical incidents (falls).	EMS entities can be asked to use neither sirens or flashing lights for calls to this home. This is a common practice among even among larger assisted living facilities that are within residential neighborhoods. This home is also able to leverage its technological assets to allow for telemedicine evaluation of residents who fall. This should further mitigate the need for EMS calls.	Moderate to Minimal
Holidays	To be determined	Certain holidays have a potential natural increase in visitation numbers (Mother's Day, Father's day, Christmas).	This home can communicate well ahead of time to family and friends that for certain holidays we need a hard count of potential visitors. For warm weather holidays we would plan for off-site events at local park shelters to accommodate a larger number of visitors if needed. For cold weather holidays an off-site event is one option. Another option being a series of smaller event weekend events around a given holiday to spread out the traffic and parking pressures on the neighborhood.	Moderate to Minimal
Clergy/Spiritual Services	1 hour/2 months	Single passenger vehicle. In person visitation for this client population is rare outside of end of life visitation.	Coordinate arrival and departure with other vendors and visitors.	Minimal
Administrator	not applicable	Administrator lives on site	None	None
Medical Transportation (non-emergent)	As needed	Single passenger vehicle. Unless prearranged this is the responsibility of the clients family or friends. Clients with extensive medical needs would not fall under the licensing guidelines for this home.	Coordinate scheduling with family and	Minimal
Funeral Home Services	30 minutes	Single passenger van	No mitigation needed	Minimal
Coroner	30 minutes	Single passenger vehicle	No mitigation needed	Minimal

Miramont Memory Care
Off-site Employee Parking



There is **PLENTY** of **PUBLIC STREET PARKING** along East Boardwalk Drive and Highcastle Drive

DELICH ASSOCIATES Traffic & Transportation Engineering
2272 Glen Haven Drive Loveland, Colorado 80538
Phone: (970) 669-2061 Fax: (970) 669-5034

MEMORANDUM

TO: C. Eric Shenk, M.D.
Stephanie Hansen, Ripley Design
Alex Gresh, F9 Productions
Steve Gilchrist, Fort Collins Traffic Operations

FROM: Matt Delich

DATE: May 13, 2021

SUBJECT: Residential Assisted Living Home at 636 Castle Ridge Court Traffic Impact Study
(File: 2118ME01)

A change of use is proposed in the single family home at 636 Castle Ridge Court in Fort Collins. It is proposed to be converted to a residential assisted living home with 16 beds. Castle Ridge Court is classified as a Local Street on the Fort Collins Master Street Plan. It has a two-lane cross section (not striped) with on-street parking. There are sidewalks along Castle Ridge Court. Castle Ridge Court intersects with Highcastle Drive to the east. Highcastle Drive is classified as a 2-Lane Collector Street. The site plan is provided in the Appendix. There is a driveway that accesses garages on the northwest side of the house. The following comment was provided in the Concept Review letter for this proposal: "*We will need the applicant to provide us with a letter or memo detailing the anticipated traffic they can expect on a daily basis at this site. Please include hours of operation, number of staff, deliveries, and expected daily guests. This will allow us to determine if a more thorough evaluation, or Traffic Impact Study, will be needed.*" In addition to addressing this comment, the scope was discussed with Steve Gilchrist, Fort Collins Traffic Operations. Since the trip generation is expected to be low, a memorandum documenting compliance with the ***Larimer County Urban Area Street Standards (LCUASS)***, 4.2.2E – No TIS Required, was prepared.

The existing house is a single family residence. **Trip Generation, 10th Edition**, ITE was used as the reference document in calculating the trip generation for the existing and the proposed land uses in these analyses. The existing house is large with a four car garage. The house is currently not occupied. Given its size, it is reasonable to expect that a former/future resident would have multiple drivers and have vehicles in 3 or 4 of the garage spaces. Since number of vehicles is a trip generation variable, with a high trip generation correlation, it was used in the trip generation calculation, along with the dwelling unit variable. For the trip generation analysis, 4 vehicles was used. The average daily and peak hour trip generation was calculated as shown in Table 1. The calculated trip

generation for the existing house: 18 daily trip ends, 2 morning peak hour trip end, and 2 afternoon peak hour trip end.

The proposed residential assisted living home will have 16 beds. There will be seven employees: three on each of two 'active' shifts (day and evening) and one on the night shift. According to information provided, visitors will be required to make appointments in order to limit/monitor this travel aspect. Assisted Living (Code 254), with both floor area and number of employees as the trip generation variables, were used to calculate the trip generation. Table 2 shows the trip generation for the proposed residential assisted living home. The average calculated trip generation for the proposed use is: 36 daily trip ends, 3 morning peak hour trips ends, and 4 afternoon peak hour trip ends.

The following addresses each of the items in ***LCUASS***, 4.2.2E - No TIS Required (Fort Collins Criteria): 1. The peak hour trip generation will be 36 daily trip ends, 3 morning peak hour trip ends, and 4 afternoon peak hour trip ends. However, the difference (net increase) in traffic will be: 18 more daily trip ends, 1 more morning peak hour trip end, and 2 more afternoon peak hour trip ends; 2. No additional accesses are proposed; 3. This is a redevelopment; 4. The primary mode of travel for employees and visitors will be by private automobile. There will be small truck delivery of food, etc. However, it is not likely that this will occur on a daily basis; 5. The land use will not likely cause less than acceptable level of service on the adjacent streets and intersections; 6. There is no known significant accident history on adjacent streets and intersections; 7. The land use proposal does not directly access a State Highway; 8. Site traffic will not significantly impact adjacent, existing residential areas; 9. In the neighborhood meeting, there was neighborhood opposition concerning a number of issues, including traffic; and 10. Site traffic will not negatively impact bicycle and pedestrian facilities.

There are sidewalks along the adjacent street frontage. Bike lanes are currently striped on Highcastle Drive.

The trip generation related to the proposed residential assisted living home will be minimal. It is respectfully requested that no further traffic impact analyses be required for the proposed residential assisted living home.

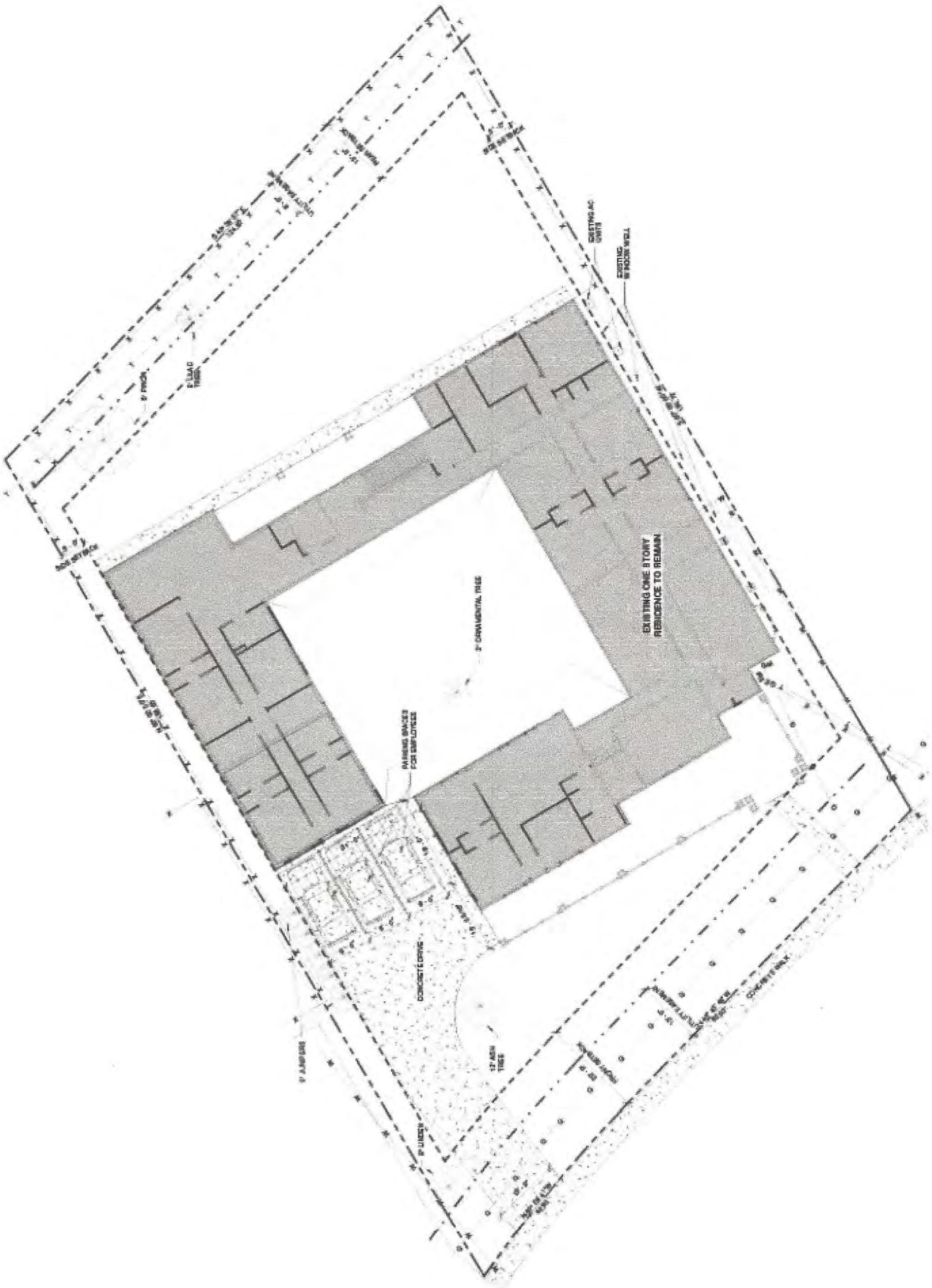
TABLE 1
Trip Generation for the Existing Single Family Dwelling Unit

Code	Use	Size	AWDTE		AM Peak Hour		PM Peak Hour	
			Rate	Trip Ends	Rate	Trip Ends	Rate	Trip Ends
210	Single Family Detached Housing	1 DU	9.44	10	0.74	1	0.99	1
210	Single Family Detached Housing	4 Vehicles	6.36	26	0.50	2	0.69	3
Average Trip Generation				**18**		**2**		**2**

TABLE 2
Trip Generation for the Proposed Residential Assisted Living Home

Code	Use	Size	AWDTE		AM Peak Hour		PM Peak Hour	
			Rate	Trip Ends	Rate	Trip Ends	Rate	Trip Ends
254	Assisted Living	16 Beds	2.60	42	0.19	3	0.26	4
254	Assisted Living	7 Employees	4.24	30	0.39	3	0.49	3
Average Trip Generation				**36**		**3**		**4**

APPENDIX


EXISTING ONE STORY
RESIDENCE TO REMAIN
3" ORNAMENTAL TREE
PARKING SPACES
FOR EMPLOYEES
CONCRETE DRIVE
12" ASH
TREE

Neighborhood Meeting Summary

636 Castle Ridge Court – Group Home
April

City Staff Attending:

Alyssa Stephens—Development Review Liaison
Kai Kleer—City Planner
Dave Betley—Civil Engineering Manager

Applicants:

Xioma Diaz and Eric Shenk

Summary

- **Meeting Topic:** A proposal for a group home for 16 people at 636 Castle Ridge Ct. The project would include modifications to the interior and exterior.
- **Meeting Details:**
  - ~70 attendees, including staff and applicants
  - Meeting was recorded and posted online at OurCity.FCGov.com/DevReview
- **Overview:**
  - Q&A primarily focused on:
    - Traffic and safety concerns for vehicles and pedestrians, particularly related to the narrow street width and increased traffic from staff, delivery vehicles, trash pickup, and emergency vehicles,
    - Compatibility of a group home with nearby residential areas and HOA covenants, and
    - The owners' business and operational plans.
  - Attendees who spoke or submitted questions via chat were mostly opposed to the development, though there were comments in the chat in support of the project because of the need for care services. Attendees were not in support of accommodating a larger 16-bed facility instead of the code limit of eight. Reasons for opposition included safety concerns related to increased vehicle traffic and parking, a concern over the sustainability of the business, and concerns over impacts to property values and neighborhood livability.
  - Though the meeting ending with many high-level questions answered, there were still questions remaining. Another neighborhood meeting is recommended if the plans move forward when applicants can provide clearer answers regarding their business plans. This would also give attendees an opportunity to provide feedback on driveway design, landscaping, etc.

Applicant Overview

- Proposal for an assisted living facility (memory care). Goal is to provide more personalized care at a small scale.
- Additional windows are proposed to be added facing northwest
- The project is for a 16-resident facility
- It is anticipated that a sprinkler system and security system will be added to the home.

- Fence will need to be installed around the perimeter of the rear yard
- Examples of group homes in the community:
    - Turnberry Place
    - Eagles Nest
    - Monarch Greens
    - Seneca House
- Residents will not and cannot have cars
- Visitation by appointment only (this is debated later in the comment summary)
- Three caregivers to provide service for residents
- Normal sized van is used for groceries and day trips
- Deliveries will only happen during the day
- Memory care patients cannot leave unattended
- Electronic locks will be installed on all exterior doors

Question & Answer

C. The City should locate or identify other places for this proposal to go. I would like this project to go away.

C. We are trying to enjoy property in peace. This is commercial in nature.

Q. Who is the buyer?
A. Eric Shenk and Xioma Diaz

Q. Couldn't this turn into a drug rehab facility?
A. The proposal is for a medical care facility.

A. The group home use covers a large group of people who are considered a protected class by the Americans with Disabilities Act and Fair Housing Act. Any approval of the project could be conditioned to limit the scope of group home to what is being proposed by the applicant team.

Streets and Traffic

C. This is a street that is not maintained by the City. There are concerns about snow removal and the ability to access the site.
A. The applicant indicated that they would contract with a snow removal company for their site. It is unclear how the street would be managed or if there are other agreements in place that are covered by the HOA.

Q. There are young children in the area, why is it reasonable to put a use that generates a greater amount traffic.
A. Matt Delich, traffic engineer, commented that a typical single-family home generates 10 trips a day. Could go up 18-20 depending on how many drivers are in the house and that a traffic study has not been generated.

Q. Because this is a private street and is maintained by homeowners. How does the applicant anticipate participating in future maintenance?

A. This property is at the edge of the subdivision and we are happy to talk about what is fair, based on a proportionate impact of the project.

Q. What is the protocol for visitation?
A. Appointment only is anticipated. It works well, allows more control by the facility.

C. This is a low density, large lot neighborhood; this one proposal is close to doubling the amount of people on the street. This is a need that can be met somewhere else.

C. This is a high-density commercial use. We are against the additional impacts of parking and traffic that this project will create.

Q. What will the exterior lighting plan look like?
A. There are no plans for exterior lighting other than what is currently present. Security system will be infrared.

Q. How will this be classified as taxes go?
A. It is not clear.

C. Solid fences are against the HOA rules.

Q. What are the plans on fencing.
A. In order to make the rear yard usable we will be required to fence the space in. Additionally, for privacy purposes we are thinking that a 15-foot long fence would be needed along the northwest property line.

Q. How is parking being met?
A. We anticipate three caregivers to need to park on the site. There are several ways that we think parking can be managed and laid out and would like to receive input from the neighborhood on.

C. It is expected that visitations will go back to being in-person after COVID becomes less prominent. The concern is that less digital or scheduled visitation will happen and that this will in turn generate unexpected traffic in the neighborhood.

C. Two thirds of the fire calls are medical related. There are concerns that fire trucks and ambulances will create additional disruptions such as traffic and noise for the neighborhood.

There are concerns about landscaping in front of the home being modified or removed and creating unscreened parking.
C. There are concerns about encroaching on the privacy of our back yard to the east of the site.

C. Caregivers are responsible for preparing meals, cleaning, and bathing residents. Six residents per one caregiver is the maximum ratio permitted.

C. Pharmacies will bring a 90-day supply of meds for the facility. It is anticipated that a pharmacy would visit 1-2 times a week.

C. Visitation by appointment will be part of the operating protocol of the facility.

C. If the group home goes through there is nothing that says you need to have an ambulatory resident there. Consideration needs to be given to the entire umbrella that the use will allow.

Q. How do we ensure accountability of what happens on the site?
A. There is a very clear distinction of what is allowed by the state. If a resident requires any type of medical attention and if someone declines in health below a threshold defined by the State, a resident will be required to be transferred to a skilled nursing facility.

C. All examples of group homes are 8-people or less. There are state rights to allow visitations from loved ones whenever they would like. It would not be possible to restrict visits to appointment only.

Q. Are you allowing hospice? Are there a limit on the number of hospice residents? There are concerns that this will drive the number of visitors up.
A. We will be allowing hospice and there is not a limit to the number of hospice residents.

Q. When will the plans be submitted to the City?
A. We are expecting to submit by the end of the month.

Q. What are the plans for waste disposal?
A. Medical waste will be limited to pill bottles. They may need to be collected monthly and is contracted by a private company. The receptacle would be in the courtyard, gated. Regular waste will be disposed of in 3-4 65-gallon bins and will be stored in the courtyard area, wheeled out to be picked up by the standard trash service.

Q. The HOA has long standing covenants that require single-family residents only. This is not an appropriate use for this neighborhood.
A. The attorney for the applicant response provided a background on the American with Disability Act. She also indicated that the applicant is here in good faith and the property is zoned for the group home use.

Q. Development to be harmonious with the neighborhood. What is special about the project that allows this project to go beyond eight?
A. Staffing ratios and the cost of memory care homes.

C. This seems like a bad business model.

C. Assisted living facilities required a critical mass to operate. 16-residents allow for an adequate number of caregivers

C. This seems like too small of a house for 16-residents.

Q. What is the required square footage pre resident of the group home.
A. 120 square feet per resident and for bathrooms 6 residents per 1 bathroom.

Q. What if the street does not meet PFA standards? Whose responsibility is it to improve the road?

A. Typically, development is required to pay-its-way. PFA will be required to review the project and provide comment. It is not clear to what extent the development will be required to improve the street.

C. Group home classification could be very broad and that there may be unanticipated impacts if a different type of user takes over operation of the property.

Q. What is the next steps in process to receive clear answers to the project?
A. Conditions can be imposed on the project to help mitigate some of the concerns.

Q. What is the consideration on what the proximity to the school with respect to pick-up and drop-off and pedestrian traffic?
A. We are willing to work through any issues the community might have about these topics and can be addressed through the iterative process.

C. This would be the first group home of 16 in the community.

Q. How would fire access be ensured to the back yard if landscaping were added to the sides of the house?

Q. What type of fencing would be required?
A. Wrought iron is permitted by the covenants; there are design details that need to be reviewed by the HOA.

Community Development and Neighborhood Services
281 North College Avenue
PO Box 580
Fort Collins, CO 80522
970.221.6689
970.224.6134 - fax
fcgov.com

December 17, 2020

Eric Shenk
Fort Collins, CO

Re: 636 Castle Ridge Ct Group Home
Description of project: This is a request to convert an existing single-family dwelling located at 636 Castle Ridge Ct (parcel #9601408002) into a group home. The proposed facility would be 16 bedrooms total, with a focus on residential assisted living for retirement age tenants. Access will be taken from Castle Ridge Ct to the southwest. The property is located approximately .4 miles west of S Lemay Ave. The property is within the Low Density Residential (RL) zone district and is subject to Planning & Zoning Board (Type 2) Review.

Please see the following summary of comments regarding 636 Castle Ridge Ct Group Home. The comments offered informally by staff during the Conceptual Review will assist you in preparing the detailed components of the project application. Modifications and additions to these comments may be made at the time of formal review of this project. If you have any questions regarding these comments or the next steps in the review process, please contact your Development Review Coordinator, Brandy Bethurem Harras via phone at 970-416-2744 or via email at bbethuremharras@fcgov.com.

Comment Summary

Development Review Coordinator

Contact: Brandy Bethurem Harras, 970-416-2744, bbethuremharras@fcgov.com

1. I will be your primary point of contact throughout the development review and permitting process. If you have any questions, need additional meetings with the project reviewers, or need assistance throughout the process, please let me know and I can assist you and your team. Please include me in all email correspondence with other reviewers and keep me informed of any phone conversations. Thank you!
   Acknowledged
2. The proposed development project is subject to a Type 2 (Planning and Zoning Board) review and public hearing. The applicant for this development request is required to hold a neighborhood information meeting prior to formal submittal of the proposal. Neighborhood meetings offer an informal way to get feedback from your surrounding neighbors and discover any potential hiccups prior to the formal hearing. Please contact me, at 221-6750, to assist you in setting a date, time, and location. I and possibly other City staff,

would be present to facilitate the meeting.
A neighborhood meeting was held on April 5th, 2021

3. I will provide you a roadmap specific to your development review project, helping to identify each step of the process. For more detailed process information, see the Development Review Guide at www.fcgov.com/drg . This online guide features a color coded flowchart with comprehensive, easy to read information on each step in the process. This guide includes links to just about every resource you need during development review.
Acknowledged.

4. I will provide a Project Submittal Checklist to assist in your submittal preparation. Please use the checklist in conjunction with the Submittal Requirements located at: http://www.fcgov.com/developmentreview/applications.php.
The checklist provided is specific to this Conceptual project; if there are any significant changes to this project, please let me know so we can adjust the checklist accordingly. I can send an updated copy of the Submittal Checklist to ensure you are submitting the correct materials.
Acknowledged.

5. As part of your submittal you will respond to the comments provided in this letter. This letter is provided to you in Microsoft Word format. Please use this document to insert responses to each comment for your submittal, using a different font color. When replying to the comment letter please be detailed in your responses, as all comments should be thoroughly addressed. Provide reference to specific project plans or explanations of why comments have not been addressed, when applicable.
Acknowledged.

6. The request will be subject to the Development Review Fee Schedule: https://www.fcgov.com/developmentreview/fees.php.
I will provide estimated fees, which are due at time of project submittal for formal review. This is an estimate of the initial fees to begin the development review process based on your Conceptual Review Application. As noted in the comments, there are additional fees required by other departments, and additional fees at the time of building permit. The City of Fort Collins fee schedule is subject to change - please confirm these estimates before submitting. If you have any questions about fees, please reach out to me.
Acknowledged.

7. Submittals are accepted any day of the week, with Wednesday at noon being the cut-off for routing the same week. Upon initial submittal, your project will be subject to a completeness review. Staff has until noon that Friday to determine if the project contains all required checklist items and is sufficient for a round of review. If complete, a formal Letter of Acceptance will be emailed to you and the project would be officially routed with a three-week round of review, followed by a formal meeting.
Acknowledged.

8. When you are ready to submit your formal plans, please make an appointment with me at least 24 hours in advance. Applications and plans are submitted electronically with initial fees. Pre-submittal meetings can be beneficial to ensure you have everything for a complete submittal. Please reach out and I will assist in those arrangements.
Acknowledged.

Planning Services

ontact: Kai Kleer, 970-416-4284, kkleer@fcgov.com

1. Numerous community members have raised concerns about compliance with subdivision covenants. Please know that these are separate, private matters that must be addressed independent from the development review process.
   Acknowledged, this conversation is on-going
2. This project is subject to a Type II review process and will require a neighborhood meeting prior to any formal submittal.
   A neighborhood meeting was held on April 5th, 2021
3. Pursuant to 3.8.5(A), the maximum number of residents for a residential group home is 8.
   A request for reasonable accommodation for 16 beds was approved in June of 2021
4. Pursuant to 3.2.2(K)(1)(f), two (2) parking spaces for every three (3) employees, and in addition, one (1) parking space for each four (4) adult residents, unless residents are prohibited from owning or operating personal automobiles.
   Three employees are anticipated at one time. The residents will not have vehicles. See site plan for parking space locations.
5. In the narrative, there was mention that additional windows would be provided for each bedroom. Please consider the placement of the windows in a way that preserve privacy for the occupants and neighbors. More details may be needed at time of a formal review.
   See elevations
6. Regarding noise, is it anticipated that a commercial exhaust fan will be required for the kitchen? If so, please detail where this would be located and a spec sheet that details decibel rating of the unit. Municipal Code limits the noise level measured at the property line is limited to 50-55 decibels depending on the time of day.
   No commercial exhaust fans are required.
7. How will trash, recycling, and linens be handled on site? Please ensure any containers related these services are fully screened from public view.
   Residential sized bins will be used and stored out of view within the courtyard.
8. Please note that at time of building permit, no permanent certificate of occupancy will be issued by the City for a group home until the person applying for the group home has submitted a valid license, or other appropriate authorization, or copy thereof, from a governmental agency having jurisdiction.
   Acknowledged.
9. This development proposal will be subject to all applicable standards of the Fort Collins Land Use Code (LUC), including Article 3 General Development Standards. The entire LUC is available for your review on the web at http://www.colocode.com/ftcollins/landuse/begin.htm.
   Acknowledged.
10. If this proposal is unable to satisfy any of the requirements set forth in the LUC, a Modification of Standard Request will need to be submitted with your formal development proposal. Please see Section 2.8.2 of the LUC for more information on criteria to apply for a Modification of Standard.
    Acknowledged. See modification submitted.

Department: Fire Authority

ontact: Jim Lynxwiler, 970-416-2869, jlynxwiler@poudre-fire.org

1. OCCUPANCY GROUP CLASSIFICATION & CHANGE OF USE
   Poudre Fire Authority and the City of Fort Collins have adopted the 2018 International Fire Code (IFC). Should this property undergo a change of use, the building will require upgrades consistent with current code requirements for the assigned occupancy group. While the Building Dept. assigns the occupancy classification, it appears from the conceptual material submitted that a Group R-4, Condition 2 occupancy is being proposed with memory care and up to 16 persons. The following comments are based upon that classification. Contact the building department for occupancy group details.
   Acknowledged.
2. FIRE CONTAINMENT VS FIRE SPRINKLER SYSTEM
   With a change of use, local amendment to the IFC requires buildings exceeding 5,000 square feet to be sprinklered or fire contained; however, if the occupancy classification should be a Group R-4, Condition 2 a fire sprinkler system shall be installed.
   Acknowledged. A fire sprinkler system will be installed in accordance with the IFC.
3. AUTOMATIC FIRE SPRINKLER SYSTEM - GROUP R-4
   > An automatic sprinkler system shall be provided throughout buildings with a Group R-4, Condition 2 fire area.
   Acknowledged. A fire sprinkler system will be installed in accordance with the IFC.
   > Indicate the location of the fire service line on the Utility Plan.
   See plans
   > Indicate the location of the Fire Department Connection (FDC), street side on the Utility Plan.
   See plans
4. FIRE ALARM & DETECTION SYSTEMS – GROUP R-4
   Single or multiple-station smoke alarms shall be installed and maintained regardless of occupant load as per IFC 907.2.10.2.
   Acknowledged
5. FIRE APPARATUS ACCESS
   Fire access is required to within 150 feet of all exterior portions of any building's ground floor as measured by an approved route around the perimeter. As measured from Castle Ridge Ct, the total perimeter distance is estimated at 410 feet. That measure exceeds the maximum allowable distance of 300 feet by 110 feet. As the building is required to be equipped with a fire sprinkler system as a Group I-2, the out-of-access condition will be allowed so long as no other changes to the building's area or footprint are being proposed.
   Acknowledged. No changes to the footprint are proposed.
6. WATER SUPPLY
   A fire hydrant capable of providing 1500 gpm at 20 psi residual pressure is required within 300 feet of any commercial building as measured along an approved path of vehicle travel. An existing hydrant located at the SW corner of the property is appropriately located, however it is the responsibility of the applicant to verify pressure and volume.
   Acknowledged. Please provide instructions on how to acquire that information.
7. KEY BOXES REQUIRED
   Poudre Fire Authority requires at least one key box ("Knox Box") to be mounted in an approved, exterior location (or locations) on every new or existing building equipped with a required fire sprinkler or fire alarm system. The box shall be positioned 3 to 7 feet above finished floor and within 10 feet of the front door, or closest door to the fire alarm panel.
   Acknowledged

8. ADDRESS POSTING
   New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible, visible from the street or road fronting the property, and posted with a minimum of eight-inch numerals on a contrasting background.
   The property complies.
9. COMMERCIAL KITCHEN HOODS
   A Type I hood shall be installed at or above all commercial cooking appliances and domestic cooking appliances used for commercial purposes that produce grease vapors.
   There will not be any commercial exhaust hoods or fans needed.

Department: Building Code Review

Contact: Russell Hovland, 970-416-2341, rhovland@fcgov.com

1. A group home with 6 to 16 occupants is a change of occupancy to R-3 in the IBC building code and requires a building permit to approve this occupancy. A fire sprinkler system is required for this change.
   Acknowledged. A sprinkler system is proposed.
2. A group home with 6 to 16 occupants who receive custodial care is a change of occupancy to R-4 in the IBC and requires a building permit to approve this occupancy. A fire sprinkler system is required for this change.
   Acknowledged. A sprinkler system is proposed.

Department: Engineering Development Review

Contact: Spencer Smith, 970-221-6603, smsmith@fcgov.com

1. This project is responsible for dedicating any easements and/or rights-of-way that are necessary or required by the City for this project. If required, the applicant will be required to submit legal descriptions and exhibits to the City to review as part of this project. The legal descriptions and exhibits will need to be prepared by a licensed Colorado Land Surveyor. A completed Transportation Development Review Fee application and associated fees ($250/easement) will need to accompany the submittal of the legal descriptions and exhibits. Please coordinate with Engineering Development Review staff regarding the easement dedication process. Additional information on the dedication process can be found at: http://www.fcgov.com/engineering/devrev.php
   Castle Ridge Court is a private street. We do not anticipate dedication of any easements and or rights-of-way.
2. Larimer County Road Impact Fees and Transportation Expansion Fees are due at the time of building permit. Please contact Kyle Lambrecht at (970)-221-6566 if you have any questions.
   Acknowledged.
   3. The City's Transportation Development Review Fee (TDRF) is due at the time of submittal. For additional information on these fees, please see: http://www.fcgov.com/engineering/dev-review.php
   Acknowledged.
4. All public sidewalk, driveways and ramps, existing or proposed, adjacent or within the site, need to meet ADA standards. If they currently do not, they will need to be

reconstructed so that they do meet current ADA standards as a part of this project.
Acknowledged.

Department: Traffic Operations

Contact: Steve Gilchrist, 970-224-6175, sgilchrist@fcgov.com

1. TRAFFIC IMPACT STUDY: We will need the applicant to provide us with a letter or memo detailing the anticipated traffic they can expect on a daily basis at this site. Please include hours of operation, number of staff, deliveries, and expected daily quests. This will allow us to determine if a more thorough evaluation, or Traffic Impact Study, will be needed.
   See submitted memo

Department: Electric Engineering

Contact: Austin Kreager, 970-224-6152, akreager@fcgov.com

1. Due to the change in use for the property, Light and Power would no longer own, or maintain your service conductor. It would become the responsibility of the property owner.
   Acknowledged.
2. Do you anticipate any changes to the existing service capacity? If so, you will be responsible for any system modifications as well as the additional capacity fee.
   Understood.
3. You may contact Austin Kreager, project engineering if you have questions. (970) 224-6152. You may reference Light & Power's Electric Service Standards at http://www.fcgov.com/utilities/img/site_specific/uploads/ElectricServiceStandards_FINAL_18November2016_Amendment.pdf
   You may reference our policies, development charge processes, and use our fee estimator at http://www.fcgov.com/utilities/business/builders-and-developers.
   Acknowledged

Department: Erosion Control

Contact: Chandler Arellano, (970) 420-6963, carellano@fcgov.com

1. No Comment from Erosion Control. Based upon the submitted Planning Materials it has been determined that this project; will disturb less than 10,000 sq. ft., is not proposed to be in a sensitive area, has no steep slopes (greater than 3H:1V) within or adjacent to the project, and is not part of a larger common development that will or is under construction. Therefore, no Erosion Control Material submittal is needed. If this project substantially changes in size or design where the above criteria now apply, erosion control materials should be submitted. Though the project at this time requires no erosion control material submittal, the project still must be swept and maintained to prevent dirt, saw cuttings, concrete wash, trash debris, landscape materials and other pollutants from the potential of leaving the site and entering the storm sewer at all times during the project in accordance with City Code 26-498. If complaint driven or site observation of the project seem not to prevent the pollutant discharge the City may require the project to install erosion and sediment control measures. Nearby inlets that

may be impacted by the pollutants, in particular dirt, should be protected as a good preventative practice and individual lots should be protected from material escaping onto the sidewalk. If at building permit issuance any issues arise please email erosion@fcgov.com to help facilitate getting these permits signed off.
Acknowledged.

Department: Stormwater Engineering
Contact: Matt Simpson, (970)416-2754, masimpson@fcgov.com

2. No site improvements (site specific comment):
No improvements or increases in impervious area are indicated in the application, so there are no Stormwater requirements. Please contact Water Utilities Engineering (WaterUtilitiesEng@FCgov.com) if site improvements are anticipated.
Acknowledged.

Department: Water-Wastewater Engineering

Contact: Matt Simpson, (970)416-2754, masimpson@fcgov.com

1. Other service district (site specific comment):
This project site is located within the Fort Collins Loveland Water District and the South Fort Collins Sanitation District for water and sewer service. Please contact them at (970) 226-3104 for development requirements.
Acknowledged. Messages have been left.

Department: Environmental Planning

Contact: Scott Benton, , sbenton@fcgov.com

1. INFORMATION ONLY: Our city cares about the quality of life it offers its residents now and generations from now. The City of Fort Collins has many sustainability programs and goals that may benefit this project. Of particular interest may be:
1) Zero Waste Plan and the Waste Reduction and Recycling Assistance Program (WRAP) provides communication materials and on-site assessments to support recycling program. Also provides rebates for new compost programs: http://fcgov.com/recycling/wrap.php
2) Solar Rebate Program offers up to $50,000 in rebates to Fort Collins Utility customers for the installation of solar PV: www.fcgov.com/solar, contact Rhonda Gatzke at 970-416-2312 or rgatzke@fcgov.com
3) Integrated Design Assistance Program offers financial incentives and technical support for new construction and major renovation projects. Must apply early in the design phase: http://fcgov.com/idap, contact David Suckling at 970-416-4251 or dsuckling@fcgov.com
Acknowledged. The building is currently equipped with a solar array.

Department: Forestry

Contact: Christine Holtz, , choltz@fcgov.com

1. Is there any tree impact anticipated? If so, please contact City Forestry (choltz@fcgov.com) to obtain tree inventory and mitigation information. This meeting should occur prior to a PDP submittal. Significant trees should be retained to the extent reasonably feasible.

At this time, we do not anticipate any site improvements or tree impacts.

Department: Technical Services

Contact: Jeff County, 970-221-6588, jcounty@fcgov.com

1. As of January 1, 2015, all development plans are required to be on the NAVD88 vertical datum. Please make your consultants aware of this, prior to any surveying and/or design work. Please contact our office for up to date Benchmark Statement format and City Vertical Control Network information.
   Acknowledged.

2. If submitting a replat is required for this property/project, addresses are not acceptable in the Subdivision Plat title/name. Numbers in numeral form may not begin the title/name. Please contact our office with any questions.
   No Subdivision Plat is proposed.

Community Development and Neighborhood Services
281 North College Avenue
PO Box 580
Fort Collins, CO 80522
970.221.6689
970.224.6134 - fax
fcgov.com/developmentreview

August 17, 2021

Stephanie Hansen
Ripley Design, Inc
419 Canyon Ave.
Suite 200
Fort Collins, CO 80521

RE: Castle Ridge Group Home, PDP210012, Round Number 1

Please see the following summary of comments from City staff and outside reviewing agencies for your submittal of Castle Ridge Group Home. If you have questions about any comments, you may contact the individual commenter or direct your questions through your Development Review Coordinator, Brandy Bethurem Harras via phone at 970-416-2744 or via email at bbethuremharras@fcgov.com.

Responses in Orange contact architect

Responses in Purple contact landscape architect

Responses in Blue contact owner

Comment Summary:

Department: Development Review Coordinator
Contact: Brandy Bethurem Harras, 970-416-2744, bbethuremharras@fcgov.com
Topic: General

Comment Number: 1
07/15/2021: INFORMATION:
I will be your primary point of contact throughout the development review and permitting process. If you have any questions, need additional meetings with the project reviewers, or need assistance throughout the process, please let me know and I can assist you and your team. Please include me in all email correspondence with other reviewers and keep me informed of any phone conversations. Thank you!

Response: Will do

Comment Number: 2
07/15/2021: INFORMATION:
As part of your resubmittal you will respond to the comments provided in this letter. This letter is provided to you in Microsoft Word format. Please use this

document to insert responses to each comment for your submittal, using a different font color. When replying to the comment letter please be detailed in your responses, as all comments should be thoroughly addressed. Provide reference to specific project plans or explanations of why comments have not been addressed, when applicable, avoiding responses like noted or acknowledged.

Response: Noted!

Comment Number: 3

07/15/2021: INFORMATION:

Please follow the Electronic Submittal Requirements and File Naming Standards found at https://www.fcgov.com/developmentreview/files/electronic submittal requirements and file naming standards_v1_8 1 19.pdf?1566857888. File names should begin with the file type, followed by the project information, and round number. Example: UTILITY PLANS_PROJECT NAME_PDP_Rd2.pdf It may be appropriate to abbreviate some file types, such as Traffic Impact Study to TIS.

Response: Files names have been updated

Comment Number: 4

07/15/2021: INFORMATION:

Resubmittals are accepted any day of the week, with Wednesday at noon being the cut-off for routing the same week. When you are ready to resubmit your plans, please notify me advanced notice as possible.

Response: Understood

Comment Number: 5

07/15/2021: INFORMATION:

Temporary Service Changes - City of Fort Collins Development Review

In order to continue providing thorough reviews and giving every project the attention it deserves, the City of Fort Collins is implementing temporary changes in how we serve our development customers. As you may be aware, we are experiencing staff shortages in a number of key departments, which has begun to impact the timeliness of our reviews. We recognize that development and construction play a critical role in our community's vibrancy and economic recovery, and we have been exploring options for mitigating impacts to our customers. As a result, we will be making some temporary service changes. Beginning Monday May 10th one additional week of review time will be added to all 1st and 2nd round submittals (increase from 3 weeks to 4 weeks).

Response: Understood

Comment Number: 6

07/15/2021: INFORMATION:

LUC 2.211 Lapse, Rounds of Review: Applicants, within one hundred eighty (180) days of receipt of written comments and notice to respond from the City on any submittal (or subsequent revision to a submittal) of an application for approval of a development plan, shall file such additional or revised submittal documents as are necessary to address such comments from the City. If the additional submittal information or revised submittal is not filed within said period of time, the development application shall automatically lapse and become null and void.

Response: Understood

Comment Number: 7

07/15/2021: FOR HEARING:

This proposed project is processing as a Type 2 Development Plan. The decision maker for Type 2 is the Planning and Zoning (P&Z) Commission. For the hearing, we will formally notify surrounding property owners within 800 feet (excluding public right-of-way and publicly owned open space). Staff would need to be in agreement the project is ready for Hearing approximately 3-5 weeks prior to the hearing. I have attached the P&Z schedule, which has key dates leading up to the hearing.

Response: Understood

Comment Number: 8

07/15/2021: FOR HEARING:

All "For Hearing" comments need to be addressed and resolved prior to moving forward with scheduling the Hearing. Staff would need to be in agreement the project is ready for Hearing approximately 3 5 weeks prior to the hearing.

Response: Understood

Department: Planning Services

Contact: Kai Kleer, 970-416-4284, kkleer@fcgov.com

Topic: General

Comment Number: 1

08/02/2021: FOR HEARING:

The intent of the group home standards are largely to integrate the use into the existing neighborhood and to ensure compatibility through the preservation of residential character.

Modifications to the front façade should be limited to the maximum extent feasible. Regarding the addition of the two doors to the street facing façade, please consider facing the door inward to the courtyard or eliminating the door.

Response: Existing garage doors that face the street are to remain aesthetically. Please see updated elevation on Sheet A9. The proposed man door north of the kitchen has been relocated to exit through the courtyard. Please see updated elevation on Sheet A9.

Comment Number: 2

08/02/2021: FOR HEARING:

Regarding privacy, there are several areas of significant concern. First being the north elevation of the house where seven large side facing windows are proposed to be added. It is required that the placement of the windows maximize the privacy for neighboring properties. Staff recommends the use of a high-transom windows that still allow for daylight into each respective room but preserve the privacy of the neighbors.

Response: Glazed egress windows are located on the bottom with high transom windows above. Glazed windows will be translucent on exterior and transparent on interior.

Comment Number: 3

08/02/2021: FOR HEARING:

Second, along the south property line, additional landscaping should be provided for the rear yard and existing bay window that provide direct views into the neighboring property.

The following elements should be integrated into the overall screening scheme to the extent feasible:

- dense stands of evergreen trees, canopy shade trees, ornamental trees,shrubs,

vines, planters or other plantings
- plant material in conjunction with a screen panel, arbor, garden wall
- berming or other grade changes where it will help screen

Response: Due to a water line and other utilities it isn't possible to add plantings. Therefore, the fence has been extended to the front corner of the home.

Comment Number: 4

08/02/2021: FOR HEARING:
It appears that a fence is proposed around the site, please provide specification sheet of the proposed fencing. Details should include height, material, color, manufacturer. At the neighborhood meeting it was communicated that only certain types of fencing (wrought iron) were permitted within the site. Has the applicant been in contact with the HOA to ensure what is being proposed is consistent with the neighborhood requirement?

Response: The existing fence will remain as-is or be replaced with a matching fence 1'-0" taller. The fence will be extended to the front, south corner of the home.

Comment Number: 5

08/02/2021: FOR HEARING:
Regarding the garage doors, it was communicated at the neighborhood meeting that the doors would remain in an effort to ensure architectural compatibility with the neighborhood. It is now being demonstrated that the garage doors will we reduced in width to accommodate a person door. What opportunities exist to orient the door toward the courtyard or side lot line?

Response: Existing garage doors that face the street are to remain aesthetically. Please see updated elevation on Sheet A9.

Comment Number: 6

08/02/2021: FOR HEARING:
Please demonstrate the bike rack location on the site plan, it is not clear where the four required spaces will be provided. Please also include a specification sheet of the bike rack.

Response: Please see bike rack location in the courtyard. Please see specification sheet. Bike rack will be this bike rack or similar.

Comment Number: 7

08/02/2021: FOR HEARING:
Please provide the specification sheet for newly proposed doors. Doors should be residential in character and provide similar architectural detailing to what exists.

Response: No new street facing exterior doors are proposed. All new exterior doors will face courtyard.

Comment Number: 8

08/02/2021: FOR HEARING:
How trash, recycling, hazardous materials, and laundry be managed on site? For any pick-up service, please indicate the location and size of containers and where they will be stored.

Response: Trash and recycling will be in the courtyard as shown on the revised plans. Typical residential sized containers. Laundry will be done on-site.

Comment Number: 9

08/02/2021: FOR HEARING:
Regarding lighting, it appears many of the wall mounted fixtures are not fully

shielded and down directional. Please provide a cut sheet of the proposed lighting and locations of fixtures.

Response: Please see provided cut sheet.

Comment Number: 10

08/02/2021: FOR HEARING:

Regarding the kitchen, will there be any additional need for a vent fan on the outside of the building? Please consider the location in a way that minimizes noise impacts to neighbors and demonstrate the location on the site plan.

Response: Kitchen cooking and venting capacity are to remain the same.

Comment Number: 11

08/02/2021: FOR HEARING:

Please ensure all on-site landscaping is identified on the site/landscape plan. The goal is to ensure that existing screening around the vehicle parking and other elements around the site are maintained through the life of the project.

Response: Additional landscape is shown on the new tree mitigation sheet.

Comment Number: 12

08/02/2021: FOR HEARING:

How will the central courtyard be secured. It is not clear from the elevation plans or site plan on how this area is secured and it appears that it will be open to the Driveway. Please include specifications of this area.

Response: The courtyard will be secured with a gate that swings outward with the path of egress travel, has panic hardware on the interior side and an automatic closer. A knox box will be provided on one of the adjacent walls for fire access. Please see specification sheet. Gate will be this specific gate or similar.

Department: Engineering Development Review

Contact: Spencer Smith, 970-221-6603, smsmith@fcgov.com

Topic: General

Comment Number: 1

08/03/2021: INFORMATION ONLY:

This project is responsible for dedicating any easements and/or rights-of-way that are necessary or required by the City for this project. If required, the applicant will be required to submit legal descriptions and exhibits to the City to review as part of this project. The legal descriptions and exhibits will need to be prepared by a licensed Colorado Land Surveyor. A completed Transportation Development Review Fee application and associated fees ($250/easement) will need to accompany the submittal of the legal descriptions and exhibits. Please coordinate with Engineering Development Review staff regarding the easement dedication process. Additional information on the dedication process can be found at: http://www.fcgov.com/engineering/devrev.php

Response: No dedications of easements or ROW is anticipated.

Comment Number: 2

08/03/2021: INFORMATION ONLY:

Larimer County Road Impact Fees and Transportation Expansion Fees are due

at the time of building permit.
Please contact Kyle Lambrecht at (970)-221-6566 if you have any questions.

Response: Understood

Comment Number: 3

08/03/2021: INFORMATION ONLY:
All public sidewalk, driveways and ramps, existing or proposed, adjacent or within the site, need to meet ADA standards. If they currently do not, they will need to be reconstructed so that they do meet current ADA standards as a part of this project.

Response: All existing driveways and ramps meet ADA standards. All proposed driveways and ramps will mee ADA standards.

Department: Traffic Operation

Contact: Steve Gilchrist, 970-224-6175, sgilchrist@fcgov.com

Topic: General

Comment Number: 1

08/03/2021: FOR HEARING:
We have received and reviewed the Traffic Memo and narrative provided by the applicant detailing the anticipated traffic to be generated by this facility. Based on the estimated trip generation provided, this would not meet the threshold outlined in the Larimer County Urban Area Street Standard to require a full Traffic Impact Study.
We would however like to get more information, like an operational plan with regard to the how the shift change will function with staff already utilizing the existing spaces in the driveway. There is also a question about the legality of limiting visitation to residents. This could potentially have an impact on peak hour traffic, that may require further review.

Response: Our research has determined that it is legal to limit visitation. See provided operational plan.

Department: PFA

Contact: Marcus Glasgow, 970-416-2869, marcus.glasgow@poudre-fire.org

Topic: General

Comment Number: 1

07/27/2021: FOR HEARING:
Fire access is required to within 150 feet of all exterior portions of any building, interior courtyard or facility ground floor as measured by an approved route around the perimeter. This measurement is taken from Castle Ridge Ct. Perimeter access around the building is within an allowable distance with an approved automatic fire-sprinkler system. It is unclear how access is provided to the interior courtyard. If a gate is installed, it must be accessible by an approved method. If the courtyard is closed off, an alternative method must be requested for approval.

Response: There is a gate near the front of the house for access into the courtyard.

UPDATED:
The private street used for Fire Access is currently 28 feet in width. 20 feet of access is required for 2 way traffic. The North side of Castle Ridge Ct. will be

required to be striped with signage as no parking, fire lane. Refer to LCUASS detail #1418 & #1419 for sign type, placement, spacing and add details to the plans.

Response: Please see submitted alternative means and methods letter.

Comment Number: 2

07/27/2021: FOR HEARING:

ALTERNATIVE MEANS & METHODS - Where project size and scope and/or site constraints conflict with fire code compliance, the intent of the fire code may be met via alternative means and methods, as approved by the fire marshal. As per IFC 104.8 & 104.9, the fire marshal may allow this approach when perimeter access and/or aerial apparatus access requirements cannot be met on the site plan. A written plan to meet the intent of the code via alternative means and methods will need to be submitted to the Fire Marshal for review and approval prior to FDP approval.

Response: Please see submitted alternative means and methods letter.

Department: Stormwater Engineering

Contact: Matt Simpson, (970)416-2754, masimpson@fcgov.com

Topic: General

Comment Number: 2

08/02/2021: INFORMATION ONLY:

No improvements or increases in impervious area are indicated in the application. If there are no site improvements that require grading or an increase in impervious area, there are no Stormwater requirements. Please contact Water Utilities Engineering (WaterUtilitiesEng@FCgov.com) if site improvements are anticipated.

Response: See site plan for widening of driveway

Department: Water-Wastewater Engineering

Contact: Matt Simpson, (970)416-2754, masimpson@fcgov.com

Topic: General

Comment Number: 1

08/02/2021: INFORMATION ONLY:

This project site is located within the Fort Collins Loveland Water District and the South Fort Collins Sanitation District for water and sewer service. Please contact them at (970) 226-3104 for development requirements.

Response: Redlines have been received and plans have been revised.

Department: Light And Power

Contact: Austin Kreager, 970-224-6152, akreager@fcgov.com

Topic: General

Comment Number: 1

07/22/2021: INFORMATION:

As stated in the conceptual review, this change in use will make this a

commercial service both in monthly billing, and also in practice that the service wire will now be customer owned.
Service Contact
Barb Andrews, Utility Services, 970.221.6394, bandrews@fcgov.com

Response: Understood

Comment Number: 2

07/22/2021: INFORMATION:
Is this project going to need an increase in capacity? If so, please provide a one line diagram and a C-1 form to Light and Power Engineering. The C-1 form can be found at: https://www.fcgov.com/utilities/img/site_specific/uploads/c-1_form.pdf?1597677310

Response: One line diagram and C-1 form to Light and Power Engineering are in the process of being completed.

Comment Number: 3

07/22/2021: INFORMATION:
You may contact Austin Kreager, project engineering if you have questions. (970) 224-6152. You may reference Light & Power's Electric Service Standards at http://www.fcgov.com/utilities/img/site_specific/uploads/ElectricServiceStandards_FINAL_18November2016_Amendment.pdf
You may reference our policies, development charge processes, and use our fee estimator at http://www.fcgov.com/utilities/business/builders-and-developers.

Response: Understood

Department: Environmental Planning
Contact: Scott Benton, (970)416-4290, sbenton@fcgov.com
Topic: General

Comment Number: 1

07/26/2021: INFORMATION ONLY:
Mail Creek Ditch qualifies as a natural habitat or feature meriting protection under LUC 3.4.1. Will the rear landscaping or exterior lighting be altered?

-If rear landscaping is altered please provide a landscape plan that details the species (with scientific names) of the species to be used, quantities, seed mixes/turf varieties, etc.

-If the rear exterior lighting is altered, please provide a photometric plan, fixture cutsheets, etc. to ensure compliance with LUC 3.2.4 that prohibits light spillage into natural habitats and features.

Response: No changes to the rear landscape or lighting are planned. The rear fence will be replaced with a taller fence in the same location. The retaining wall will not be altered.

Department: Forestry
Contact: Christine Holtz, , choltz@fcgov.com
Topic: General

Comment Number: 1

08/02/2021: FOR HEARING:

Thank you for including the existing trees labeled on the landscape plan. Please also include the tree inventory table from the tree inventory conducted in March of 2021—this is available from choltz@fcgov.com if necessary. Although there are no tree impacts anticipated, we still need a record of existing trees.

Response: Please see tree mitigation plan

Comment Number: 2

08/02/2021: FOR HEARING:

Though there are no anticipated site improvements or landscaping anticipated, in addition to the Site Plan notes, please also include the General Landscape notes, and Tree Protection notes on the landscape plan. These are available from the Development Review Coordinator or from choltz@fcgov.com

Response: Notes have been added to the plans

Department: Erosion Control

Contact: Basil Hamdan, 970-222-1801, bhamdan@fcgov.com

Topic: Erosion Control

Comment Number: 1

07/27/2021: INFORMATION ONLY:

Since no outside site improvements are proposed with this proposal, there are no comments or requirements from Erosion and Sediment Control.

Response: A slight increase of concrete driveway is now proposed.

Department: Building Services

Contact: Katy Hand, , khand@fcgov.com

Topic: Building Insp Plan Review

Comment Number: 1

08/02/2021: BUILDING PERMIT:

This will be a complete change of occupancy from a single family house building under the IRC to a group home under the IBC and appears to be classified as an R-4 occupancy.

Response: Understood

Comment Number: 2

08/02/2021: BUILDING PERMIT:

Accessibility upgrades are required throughout for a complete change of occupancy per 305.4.2 (2018 IEBC). Exterior site impacts include: accessible parking with passenger loading zone, accessible route, and entry.

Response: Please see added accessible parking space with passenger loading zone.

Comment Number: 3

08/02/2021: BUILDING PERMIT:

Change of occupancy with an increase in energy usage requires insulation upgrades. For questions on this requirement, Contact Brad Smith Brsmith@fcgov.com

Response: Understood.

Comment Number: 4

08/02/2021: INFORMATION:

Please visit our website for a list of current adopted building codes and local amendments for building permit submittal:

https://www.fcgov.com/building/codes.php
https://www.fcgov.com/building/energycode

Comment Number: 5

08/02/2021: FOR HEARING:
If the 'fire area' of the existing building exceeds 5,000 sf, then a fire suppression system is required.

Response: A fire suppression system is being provided.

Department: Technical Services

Contact: Jeff County, 970-221-6588, jcounty@fcgov.com

Topic: General

Comment Number: 1

08/03/2021: INFORMATION ONLY:
Unless required during PDP, a complete review of all plans will be done at FDP.

Response: Acknowledged.

Department: Outside Agencies

Contact: Sam Lowe, FCLWD/SFCSD, (970) 226-3104 Ext 113, SLowe@FCLWD.com,

Topic: General

Comment Number: 1

08/06/2021: FOR HEARING:
Please see attached.

Response: See updated drawings and responses

Community Development and Neighborhood Services
281 North College Avenue
PO Box 580
Fort Collins, CO 80522
970.221.6689
970.224.6134 - fax
fcgov.com/developmentreview

Applicant response to comments-12-8-21

November 30, 2021

Stephanie Hansen
Ripley Design, Inc
419 Canyon Ave.
Suite 200
Fort Collins, CO 80521

RE: Castle Ridge Group Home, PDP210012, Round Number 2

Please see the following summary of comments from City staff and outside reviewing agencies for your submittal of Castle Ridge Group Home. If you have questions about any comments, you may contact the individual commenter or direct your questions through your Development Review Coordinator, Brandy Bethurem Harras via phone at 970-416-2744 or via email at bbethuremharras@fcgov.com.

Comment Summary:

Department: Development Review Coordinator

Contact: Brandy Bethurem Harras, 970-416-2744, bbethuremharras@fcgov.com

Topic: General

Comment Number: 1

07/15/2021: INFORMATION:

I will be your primary point of contact throughout the development review and permitting process. If you have any questions, need additional meetings with the project reviewers, or need assistance throughout the process, please let me know and I can assist you and your team. Please include me in all email correspondence with other reviewers and keep me informed of any phone conversations. Thank you!

Comment Number: 2

07/15/2021: INFORMATION:

As part of your resubmittal, you will respond to the comments provided in this letter. This letter is provided to you in Microsoft Word format. Please use this document to insert responses to each comment for your submittal, using a different font color. When replying to the comment letter please be detailed in your responses, as all comments should be thoroughly addressed. Provide reference to specific project plans or explanations of why comments have not been addressed, when applicable, avoiding responses like noted or acknowledged.

Comment Number: 3

07/15/2021: INFORMATION:

Please follow the Electronic Submittal Requirements and File Naming Standards found at https://www.fcgov.com/developmentreview/files/electronic submittal requirements and file naming standards_v1_8 1 19.pdf?1566857888.
File names should begin with the file type, followed by the project information, and round number. Example: UTILITY PLANS_PROJECT NAME_PDP_Rd2.pdf
It may be appropriate to abbreviate some file types, such as Traffic Impact Study to TIS.
*Please disregard any references to paper copies, flash drives, or CDs.

Comment Number: 4

07/15/2021: INFORMATION:

Resubmittals are accepted any day of the week, with Wednesday at noon being the cut-off for routing the same week. When you are ready to resubmit your

plans, please notify me advanced notice as possible.

Comment Number: 5

07/15/2021: INFORMATION:

Temporary Service Changes - City of Fort Collins Development Review

In order to continue providing thorough reviews and giving every project the attention it deserves, the City of Fort Collins is implementing temporary changes in how we serve our development customers. As you may be aware, we are experiencing staff shortages in a number of key departments, which has begun to impact the timeliness of our reviews. We recognize that development and construction play a critical role in our community's vibrancy and economic recovery, and we have been exploring options for mitigating impacts to our customers. As a result, we will be making some temporary service changes.

Beginning Monday May 10th one additional week of review time will be added to all 1st and 2nd round submittals (increase from 3 weeks to 4 weeks).

Comment Number: 6

07/15/2021: INFORMATION:

LUC 2.211 Lapse, Rounds of Review: Applicants, within one hundred eighty (180) days of receipt of written comments and notice to respond from the City on any submittal (or subsequent revision to a submittal) of an application for approval of a development plan, shall file such additional or revised submittal documents as are necessary to address such comments from the City. If the additional submittal information or revised submittal is not filed within said period of time, the development application shall automatically lapse and become null and void.

Comment Number: 7

07/15/2021: FOR HEARING:

This proposed project is processing as a Type 2 Development Plan. The decision maker for Type 2 is the Planning and Zoning (P&Z) Commission. For the hearing, we will formally notify surrounding property owners within 800 feet

(excluding public right-of-way and publicly owned open space). Staff would need to be in agreement the project is ready for Hearing approximately 3-5 weeks prior to the hearing. I have attached the P&Z schedule, which has key dates leading up to the hearing.

Comment Number: 8

07/15/2021: FOR HEARING:

All "For Hearing" comments need to be addressed and resolved prior to moving forward with scheduling the Hearing. Staff would need to be in agreement the project is ready for Hearing approximately 3 to 5 weeks prior to the hearing.

Department: Planning Services

Contact: Kai Kleer, 970-416-4284, kkleer@fcgov.com

Topic: General

Comment Number: 2

09/21/2021 FOR HEARING - UPDATED:

Windows should be translucent on both sides. – **Screen trellis have been provided to screen windows. Windows will be transparent.**

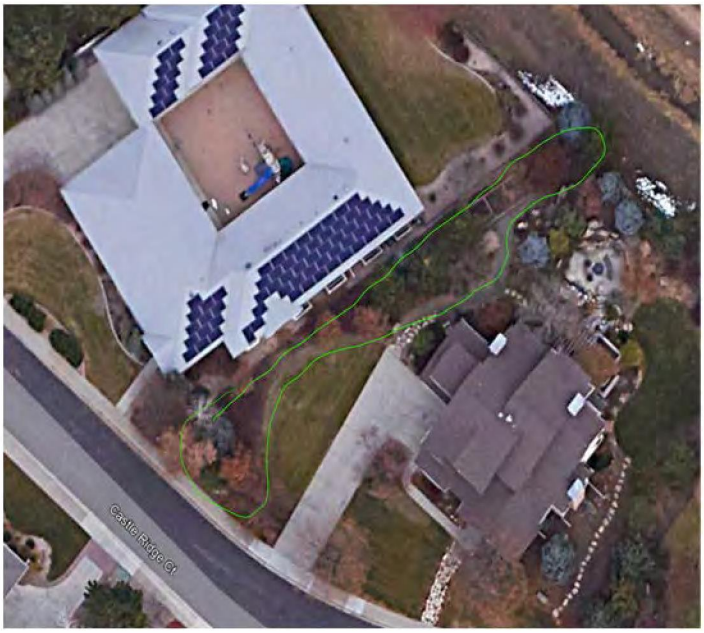
08/02/2021: FOR HEARING:

Regarding privacy, there are several areas of significant concern. First being the north elevation of the house where seven large side facing windows are proposed to be added. It is required that the placement of the windows maximize the privacy for neighboring properties. Staff recommends the use of a high-transom windows that still allow for daylight into each respective room but preserve the privacy of the neighbors.

We have added trellises with vining plants in front of the windows to help maximize the privacy of the neighboring properties.

Comment Number: 3

09/21/2021 FOR HEARING - UNRESOLVED: **- Significant tree and plant material exists on the southern neighbor's property that currently provides screening. Additional plant material between the house and the property line would be in conflict with the neighbor's landscape (see photos below) A waterline also currently runs along the southern property. The separation requirements from shrubs and trees to waterlines makes planting along a portion of the house unfeasible. A screen trellis has been provided to screen the bay window from the neighbor.**



08/02/2021: FOR HEARING:

Second, along the south property line, additional landscaping should be provided for the rear yard and existing bay window that provide direct views into the neighboring property. The following elements should be integrated into the overall screening scheme to the extent feasible:

- dense stands of evergreen trees, canopy shade trees, ornamental trees, shrubs, vines, planters or other plantings
- plant material in conjunction with a screen panel, arbor, garden wall
- berming or other grade changes where it will help screen

The addition of vined trellises in front of the bay window has been added to help obstruct the direct views and maximize the privacy of the neighboring property.

Comment Number: 4

09/21/2021 FOR FINAL PLAN - UPDATED: **- See site plan for fence location and details. Fencing requirements for the backyard will be a 72-inch tall 3 rail wright iron style fence. This request will go through the architectural review committee via a reasonable accommodation request for this project.**

Please add specifications to site plan set.

08/02/2021: FOR HEARING:

It appears that a fence is proposed around the site, please provide specification sheet of the proposed fencing. Details should include height, material, color, manufacturer. At the neighborhood meeting it was communicated that only certain types of fencing (wrought iron) were permitted within the site. Has the applicant been in contact with the HOA to ensure what is being proposed is consistent with the neighborhood requirement?

Comment Number: 6

09/21/2021 FOR FINAL PLAN - UPDATED:

Please add bike rack specs to site plan set.

08/02/2021: FOR HEARING:

Please demonstrate the bike rack location on the site plan, it is not clear where the four required spaces will be provided. Please also include a specification sheet of the bike rack.

Response: Please see location of bike racks in courtyard on the Site Plan – New on Sheet A1. Please see added U Bike Rack to Sheet A2

Comment Number: 8

09/21/2021 FOR HEARING - UNRESOLVED:

How will hazardous materials be handled on site? Container location, size, etc..?

08/02/2021: FOR HEARING:

How trash, recycling, hazardous materials, and laundry be managed on site?

For any pick-up service, please indicate the location and size of containers and where they will be stored.

Please see added trash enclosure to the courtyard on the Site Plan – New on Sheet A1. Trash enclosure can only be accessed by employees. Employees will move trash and recycling bins to the necessary location on trash pick up. There will be no hazardous materials on site. Medical waste (pill bottles) will be in a locked container and removed by professional company approximately once a quarter. All laundry will be managed on site.

Comment Number: 9

09/21/2021 FOR HEARING - UNRESOLVED:

Plan still does not show locations of light fixtures on the building.

08/02/2021: FOR HEARING:

Regarding lighting, it appears many of the wall mounted fixtures are not fully shielded and down directional. Please provide a cut sheet of the proposed lighting and locations of fixtures.

Please see added location of all exterior wall mounted light fixtures that are to be replaced on the Site Plan – New on Sheet A1. Please see added cut sheet of proposed light fixture on Sheet A2.

Comment Number: 10

09/21/2021 FOR HEARING - UPDATED:

Please add note to site plan indicating, "An industrial kitchen vent fan shall not be permitted on the outside of the building."

08/02/2021: FOR HEARING:

Regarding the kitchen, will there be any additional need for a vent fan on the outside of the building? Please consider the location in a way that minimizes noise impacts to neighbors and demonstrate the location on the site plan.

There will be no need for additional venting.

Comment Number: 12

09/21/2021 FOR FINAL PLAN - UPDATED:

Please add these specifications to the site plan.

08/02/2021: FOR HEARING:

How will the central courtyard be secured. It is not clear from the elevation plans or site plan on how this area is secured and it appears that it will be open to the driveway. Please include specifications of this area.

Central courtyard will be secured with a gate equipped with a closer, panic hardware and knox box hardware. Please see location on the Site Plan – New and Courtyard Gate Details on Sheet A1 and A2. Gate opens to driveway in the direction of egress travel for life safety.

Comment Number: 13

09/21/2021 FOR HEARING:

There is significant concern around the removal of existing arborvitae along the driveway. These are seen to provide critical screening for the site and adjacent property. 3.2.2(K) allows for a reduced stall dimension. One compact 8x15 stall can be utilized and the other can be classified as "long-term" and be a dimension of 8.5x18 and the last one "van accessible" space can be 16x18.

Stall dimensions have been adjusted and arborvitae are now to remain.

Comment Number: 14

09/21/2021 FOR HEARING:

Regarding the Operation Plan, staff would only consider the operation of the facility under its full occupancy and not a staged approach. The operational plan should really describe each individual element of traffic (e.g., deliveries, trash, employee 1, 2, 3, mail, etc...). I've asked Traffic Engineering to provide you with an example that would be appropriate.

From the initial review of the Operational Plan staff will be recommending the following conditions:

"Visiting hours shall be limited from 9AM to 6PM, 7-days a week"

"Visitation shall be scheduled in a way that limits the impacts to on-street

parking and staggers traffic in and out of the neighborhood."

"In an effort to mitigate overlap in the need for staff parking during shift changes,

the group home shall provide monetary incentives to encourage: 1) last mile

carpooling from Fossil Creek Park; 2) public transit 3) bicycle ridership"

"Supply, food, and medication delivery shall be limited to certain times of day

that do not overlap employee shift changes and should be limited to 9-6PM, 7-days a week"

We realize that these will require some tweaking based on how the Operation

Plan is updated, however, once finalized we will ask that the notes be added to the site plan.

Operational Plan for Miramont Memory Care

- **Visiting hours shall be limited from 9AM to 6PM, 7 days a week and scheduled in a way that limits the impacts to on street parking and staggers traffic in and out of the neighborhood. Until such a time as COVID is no longer a public health concern we can enforce both scheduled visitation times and numbers of visitors.**
- **To mitigate overlap in the need for staff parking during shift changes, the group home shall provide monetary incentives to encourage: 1) last mile carpooling from Fossil Creek Park; 2) public transit 3) bicycle ridership. Morning and night staff shift changes will not impact traffic and pedestrian concerns with Werner Elementary School as these shift changes occur greater than 2 hours before or after school is in session. The afternoon shift change will be completed at least 30 minutes prior to the last school bell and will have minimal traffic and pedestrian impacts on Werner Elementary School.**
- **Medication delivery, consultants, and planned deliveries shall be limited from 9 AM to 6 PM, 7 days a week and not overlap employee shift changes.**
- **Trash will be picked up with standard residential service on Mondays with the rest of Castle Ridge community.**

Department: Engineering Development Review

Contact: Spencer Smith, 970-221-6603, smsmith@fcgov.com

Topic: General

Comment Number: 4

09/21/2021: FOR HEARING:

Engineering is ready for hearing.

Department: Traffic Operation

Contact: Steve Gilchrist, 970-224-6175, sgilchrist@fcgov.com

Topic: General

Comment Number: 2

09/21/2021: FOR HEARING: -

Thank you for providing the Operational Plan. We would like to get some additional details with regard to how the facility will operate once it is at full capacity, with Covid restrictions lifted in order to gauge the impacts of the peak traffic times for this facility. More information about the staggering of shifts, i.e. will you have six staff members on site during the shift change? Will deliveries, doctors visits, be restricted to certain times outside of shift changes?

Werner Elementary starts at 8:50 AM and lets out at 3:28 PM. Morning shift starts at 6:45 AM (three care givers) and does not conflict with traffic for school drop off or pedestrian students. The evening shift (3 caregivers) will arrive at 2:45, a 15 minute (at most) check out from the morning staff will occur and the morning staff should be off site by 3:00 PM. There should be minimal conflict with any school pick up traffic and no conflict with pedestrian students. The night shift (one care giver) starts at 10:45 PM and there should be no conflicts with traffic or pedestrians. To mitigate traffic and parking constraints between the morning and evening shift changes caregivers will be monetarily incentivized for carpooling and/or using multimodal transit options.

Department: Stormwater Engineering

Contact: Matt Simpson, (970)416-2754, masimpson@fcgov.com

Topic: General

Comment Number: 2

09/21/2021: INFORMATION:

Thank you for the response.

08/02/2021: INFORMATION:

No improvements or increases in impervious area are indicated in the application. If there are no site improvements that require grading or an increase in impervious area, there are no Stormwater requirements. Please

contact Water Utilities Engineering (WaterUtilitiesEng@FCgov.com) if site improvements are anticipated.

Department: Outside Agencies

Contact: Sam Lowe, FCLWD/SFCSD, (970) 226-3104 Ext 113, SLowe@FCLWD.com,

Topic: General

Comment Number: 2

09/21/2021: FOR HEARING:

Please see attached.

Department: Light And Power

Contact: Austin Kreager, 970-224-6152, akreager@fcgov.com

Topic: General

Comment Number: 1

09/21/2021: INFORMATION - UPDATED:

We have been in contact with our legal team within utilities to try to determine what the appropriate billing rate would be for this property after the change of use. There has not been an official determination yet, but we will keep you updated as we receive information.

07/22/2021: INFORMATION:

As stated in the conceptual review, this change in use will make this a commercial service both in monthly billing, and also in practice that the service wire will now be customer owned.

Comment Number: 2

07/22/2021: INFORMATION:

Is this project going to need an increase in capacity? If so, please provide a one line diagram and a C-1 form to Light and Power Engineering. The C-1 form can be found at: https://www.fcgov.com/utilities/img/site_specific/uploads/c-1_form.pdf?1597677310

Comment Number: 3

07/22/2021: INFORMATION:

You may contact Austin Kreager, project engineering if you have questions. (970) 224-6152. You may reference Light & Power's Electric Service Standards at http://www.fcgov.com/utilities/img/site_specific/uploads/ElectricServiceStandards_FINAL_18November2016_Amendment.pdf

You may reference our policies, development charge processes, and use our fee estimator at http://www.fcgov.com/utilities/business/builders-and-developers.

Department: PFA

Contact: Marcus Glasgow, 970-416-2869, marcus.glasgow@poudre-fire.org

Topic: General

Comment Number: 1

07/27/2021: FOR HEARING:

Fire access is required to within 150 feet of all exterior portions of any building, interior courtyard or facility ground floor as measured by an approved route around the perimeter. This measurement is taken from Castle Ridge Ct. Perimeter access around the building is within an allowable distance with an approved automatic fire-sprinkler system. It is unclear how access is provided to the interior courtyard. If a gate is installed, it must be accessible by an approved method. If the courtyard is closed off, an alternative method must be requested for approval.

The private street used for Fire Access is currently 28 feet in width. 20 feet of access is required for 2 way traffic. The North side of Castle Ridge Ct. will be required to be striped with signage as no parking, fire lane. Refer to LCUASS detail #1418 & #1419 for sign type, placement, spacing and add details to the plans.

Central courtyard will be secured with a gate equipped with a closer, panic hardware and knox box hardware. Please see location on the Site Plan – New and Courtyard Gate Details on Sheet A1 and A2. Gate opens to driveway in the direction of egress travel for life safety.

Comment Number: 2

9/17/2021: FOR HEARING - UPDATED:

The submitted alternative method of compliance does not meet the intent of the code. A fire lane for two-way traffic is required to be minimum of 20 ft wide. As the street would be looked at as a fire lane, the width is required the entire distance in order for the fire apparatus to travel and turnaround. The fire lane would need to be dedicated EAE and signed on the north side to allow for this.

The applicant has had further conversations and correspondence with PFA. The issue has been resolved

07/27/2021: FOR HEARING:

ALTERNATIVE MEANS & METHODS - Where project size and scope and/or site constraints conflict with fire code compliance, the intent of the fire code may be met via alternative means and methods, as approved by the fire marshal. As per IFC 104.8 & 104.9, the fire marshal may allow this approach when perimeter access and/or aerial apparatus access requirements cannot be met on the site plan. A written plan to meet the intent of the code via alternative means and methods will need to be submitted to the Fire Marshal for review and approval prior to FDP approval.

Department: Environmental Planning

Contact: Scott Benton, (970)416-4290, sbenton@fcgov.com

Topic: General

Comment Number: 2

09/21/2021: INFORMATION:

Was a turf conversion undertaken at this property?

Turf has been removed from the front lawn. Lower-water use Texas bluegrass has been planted.

Department: Forestry

Contact: Christine Holtz, , choltz@fcgov.com

Topic: General

Comment Number: 3

09/21/2021: FOR HEARING:

Please provide an "Existing Tree Removal Feasibility Letter" for City Forestry staff to review. Proposals to remove significant existing trees must provide a justification letter with specific details of the reasons for removal. For example, tree X removed due t grading; grading proposed to enhance storm water flow in this section of the development. This is required for all development projects proposing significant tree removal regardless of the scale of the project. The purpose of this letter is to provide a document of record with the project's approval and for the City to maintain a record of all proposed significant tree removals and justifications. Existing significant trees within the project's Limits of Disturbance (LOD) and within natural area buffer zones shall be preserved to the extent reasonably feasible. Streets, buildings, and lot layouts shall be designed to minimize the disturbance to significant existing trees.
(Extent reasonably feasible shall mean that, under the circumstances, reasonable efforts have been undertaken to comply with the regulation, that the costs of compliance clearly outweigh the potential benefits to the public or would unreasonably burden the proposed project, and reasonable steps have been undertaken to minimize any potential harm or adverse impacts resulting from noncompliance with the regulation.) Where it is not feasible to protect and retain significant existing tree(s) or to transplant them to another on-site location, the applicant shall replace such tree(s) according to City mitigation requirements.

The existing trees will now remain with a redesign of the driveway per planning's recommendations

Comment Number: 4

09/21/2021:FOR HEARING:

Now that there are anticipated tree impacts, please include the following City of Fort Collins notes:

Tree Protection Notes

These notes are available from the City Planner or by following the link below and clicking on Standard Plan Set Notes: https://www.fcgov.com/developmentreview/applications.php

Comment Number: 5

09/21/2021: : FOR HEARING:

As 7 mitigation trees are required with the 5 tree removals, please ensure all mitigation trees are the required size (see below). Please also indicate on the landscape plan which trees are mitigation trees.

Required mitigation tree sizes:

Canopy Shade Tree: 2.0" caliper balled and burlapped

Evergreen tree: 8.0' height balled and burlapped

Ornamental tree: 2.0" caliper balled and burlapped

Comment Number: 5

09/21/2021: FOR HEARING:

According to Land Use Code 3.2.1.(D)(c), canopy shade trees shall constitute at least (50%) of all tree plantings. Due do your spatial constraints I understand that ornamental trees are best for this site. Please include a request for variance in your existing tree removal feasibility letter.

Department: Building Services

Contact: Katy Hand, , khand@fcgov.com

Topic: Building Insp Plan Review

Comment Number: 1

08/02/2021: BUILDING PERMIT:

This will be a complete change of occupancy from a single family house building under the IRC to a group home under the IBC and appears to be classified as an R-4 occupancy.

Acknowledged.

Comment Number: 2

08/02/2021: BUILDING PERMIT:

Accessibility upgrades are required throughout for a complete change of occupancy per 305.4.2 (2018 IEBC). Exterior site impacts include: accessible parking with passenger loading zone, accessible route, and entry.

Site is has one ADA space and an accessible route.

Comment Number: 3

08/02/2021: BUILDING PERMIT:

Change of occupancy with an increase in energy usage requires insulation upgrades. For questions on this requirement, Contact Brad Smith Brsmith@fcgov.com

In conversation with building department on what these insulation upgrades may be.

Comment Number: 4

08/02/2021: INFORMATION:

Please visit our website for a list of current adopted building codes and local amendments for building permit submittal:

https://www.fcgov.com/building/codes.php

https://www.fcgov.com/building/energycode

Acknowledged.

Comment Number: 6

09/20/2021: BUILDING PERMIT:

Garage spaces converting to habitable space need to be insulated to current code (walls + floor/foundation + roof).

Acknowledged.

Department: Technical Services

Contact: Jeff County, 970-221-6588, jcounty@fcgov.com

Topic: General

Comment Number: 1

09/20/2021: INFORMATION ONLY:

Unless required during PDP, a complete review of all plans will be done at FDP.

Community Development and Neighborhood Services
281 North College Avenue
PO Box 580
Fort Collins, CO 80522
970.221.6689
970.224.6134 - fax
fcgov.com/developmentreview

January 05, 2022

Russ Lee
Ripley Design, Inc
419 Canyon Ave.
Suite 200
Fort Collins, CO 80521

RE: Castle Ridge Group Home, PDP210012, Round Number 3

Please see the following summary of comments from City staff and outside reviewing agencies for your submittal of Castle Ridge Group Home. If you have questions about any comments, you may contact the individual commenter or direct your questions through your Development Review Coordinator, Brandy Bethurem Harras via phone at 970-416-2744 or via email at bbethuremharras@fcgov.com.

Landscape Architecture

Architecture

Civil

Comment Summary:

Department: Development Review Coordinator

Contact: Brandy Bethurem Harras, 970-416-2744, bbethuremharras@fcgov.com

Topic: General

Comment Number: 1

07/15/2021: INFORMATION:
I will be your primary point of contact throughout the development review and permitting process. If you have any questions, need additional meetings with the project reviewers, or need assistance throughout the process, please let me know and I can assist you and your team. Please include me in all email correspondence with other reviewers and keep me informed of any phone conversations. Thank you!

Ripley: Acknowledged.

Comment Number: 2

07/15/2021: INFORMATION:
As part of your resubmittal, you will respond to the comments provided in this letter. This letter is provided to you in Microsoft Word format. Please use this

document to insert responses to each comment for your submittal, using a different font color. When replying to the comment letter please be detailed in your responses, as all comments should be thoroughly addressed. Provide reference to specific project plans or explanations of why comments have not been addressed, when applicable, avoiding responses like noted or acknowledge

Ripley: Acknowledged.

Comment Number: 3

01/05/0222: INFORMATION:
Please follow the Electronic Submittal Requirements and File Naming Standards found at https://www.fcgov.com/developmentreview/files/electronic submittal requirements and file naming standards_v1_8 1 19.pdf?1566857888.
File names should begin with the file type, followed by the project information, and round number. Example: UTILITY PLANS_PROJECT NAME_PDP_Rd2.pdf
It may be appropriate to abbreviate some file types, such as Traffic Impact Study to TIS.
*Please disregard any references to paper copies, flash drives, or CDs.

Ripley: Acknowledged.

Comment Number: 4

07/15/2021: INFORMATION:
Resubmittals are accepted any day of the week, with Wednesday at noon being the cut-off for routing the same week. When you are ready to resubmit your plans, please notify me advanced notice as possible.

Ripley: Acknowledged.

Comment Number: 5

07/15/2021: INFORMATION:
Temporary Service Changes - City of Fort Collins Development Review

In order to continue providing thorough reviews and giving every project the attention it deserves, the City of Fort Collins is implementing temporary changes in how we serve our development customers. As you may be aware, we are experiencing staff shortages in a number of key departments, which has begun to impact the timeliness of our reviews. We recognize that development and construction play a critical role in our community's vibrancy and economic recovery, and we have been exploring options for mitigating impacts to our customers. As a result, we will be making some temporary service changes.

Beginning Monday May 10th one additional week of review time will be added to all 1st and 2nd round submittals (increase from 3 weeks to 4 weeks).

Ripley: Acknowledged.

Comment Number: 6

07/15/2021: INFORMATION:
Please resubmit within 180 days, approximately 6 months, to avoid the expiration of your project.
(LUC 2.211 Lapse, Rounds of Review).

Ripley: Acknowledged.

Comment Number: 7

07/15/2021: FOR HEARING:
This proposed project is processing as a Type 2 Development Plan. The decision maker for Type 2 is the Planning and Zoning (P&Z) Commission. For the hearing, we will formally notify surrounding property owners within 800 feet (excluding public right-of-way and publicly owned open space). Staff would need to be in agreement the project is ready for Hearing approximately 3-5 weeks prior to the hearing. I have attached the P&Z schedule, which has key dates leading up to the hearing.

Ripley: Acknowledged.

Comment Number: 8

07/15/2021: FOR HEARING:
All "For Hearing" comments need to be addressed and resolved prior to moving forward with scheduling the Hearing. Staff would need to be in agreement the project is ready for Hearing approximately 3 to 5 weeks prior to the hearing.

Ripley: Acknowledged.

Comment Number: 9

01/05/2022: FOR FINAL PLAN:
All plans should be saved as optimized/flattened PDFs to reduce file size and remove layers.
Per the Electronic Submittal Requirements AutoCAD SHX attributes need to be removed from the PDF's.
AutoCAD turns drawing text into comments that appear in the PDF plan set, and these must be removed prior to submittal as they can cause issues with the PDF file. The default setting is "1" ("on") in AutoCAD. To change the setting and remove this feature, type "EPDFSHX" in the command line and enter "0".
Read this article at Autodesk.com for more tips on this topic:
https://knowledge.autodesk.com/support/autocad/troubleshooting/caas/sfdcarticles/sfdcarticles/Drawing-text-appears-as-Comments-in-a-PDF-created-by-AutoCAD.html

Ripley: Acknowledged.

Comment Number: 10

01/05/2022: FOR FINAL PLAN:
The request will be subject to the Development Review Fee Schedule: https://www.fcgov.com/developmentreview/fees.php. Final Development Plan
As noted in the comments, there are additional fees required by other departments, and additional fees at the time of building permit. The City of Fort Collins fee schedule is subject to change – please confirm fees before submitting.

Payments can be made by check or credit card.
If paying by check, make payable to City of Fort Collins. This is accepted at the Development Review Center, 281 N College Ave, Fort Collins, CO 80524 by mail or can be placed in the blue drop box located at the west side of the building. Please mark it to my attention and reference the project it is associated with.
If paying by credit card, I can process the payment over the phone with you.
Credit card payments include a convenience fee of 2% + $0.25 added to all payments under $2,500.00, and 2.75% added to all payments over $2,500.00.

Ripley: Acknowledged.

Comment Number: 11

01/05/2022: INFORMATION:
LUC 2.211(D) Project Development Plan. Following the approval of a project development plan and upon the expiration of any right of appeal, or upon the final decision of the City Council following appeal, if applicable, the applicant must submit a final plan for all or part of the project development plan within three (3) years... If such approval is not timely obtained, the project development plan (or any portion thereof which has not received final approval) shall automatically lapse and become null and void.

Ripley: Acknowledged.

Department: Planning Services
Contact: Kai Kleer, 970-416-4284, kkleer@fcgov.com

Topic: General

Comment Number: 2

01/03/2022: FOR HEARING - POINT OF CONVERSATION:
It is unlikely that the climbing vines will be successful on the north side of the home because the existing vegetation would create too much shading for the plants to be successful. It's suggested that the proposal use some kind of fixed or adjustable louvered window treatment on the exterior of the home. Ultimately, if not resolved before hearing a condition will be recommended to the commission for this to be adequately addressed.

Please see updated proposed screening lattice on Sheet A2. No vegetation will grow on lattice, but lattice has increased in opacity to increase privacy.

An alternative, and unfavorable, option to the lattices would be similar to the following product - https://pcshuttersusa.com/products/bahama-shutters/

This product would increase privacy, but at the cost of the health and well being of the facility's residents due to the lack of natural light, ventilation and views to nature.

09/21/2021 FOR HEARING:
Windows should be translucent on both sides.

08/02/2021: FOR HEARING:
Regarding privacy, there are several areas of significant concern. First being the north elevation of the house where seven large side facing windows are

proposed to be added. It is required that the placement of the windows maximize the privacy for neighboring properties. Staff recommends the use of a high-transom windows that still allow for daylight into each respective room but preserve the privacy of the neighbors.

Comment Number: 3

01/03/2022 FOR HEARING - UNRESOLVED:
Additional screening along the south property line was to block views into the rear yard. There was a previously approved landscape plan that did a good job in vegetating the area, however, it appears that all the plants have since died. Let's chat in greater detail about this.

Ripley: We have added dense landscaping along the south property line to block views into the neighboring rear yard.

09/21/2021 FOR HEARING - UNRESOLVED:

08/02/2021: FOR HEARING:
Second, along the south property line, additional landscaping should be provided for the rear yard and existing bay window that provide direct views into the neighboring property. The following elements should be integrated into the overall screening scheme to the extent feasible:

- dense stands of evergreen trees, canopy shade trees, ornamental trees, shrubs, vines, planters, or other plantings
- plant material in conjunction with a screen panel, arbor, garden wall
- berming or other grade changes where it will help screen

Comment Number: 8

01/03/2022 INFORMATION ONLY:
A point of conversation for the trash, it appears that the location in the courtyard has morphed into being located within an enclosure. This is something that is not required by code. The standard only requires that the bins contain equal capacity between trash/recycling and that they be screened from public view.

This enclosure is to keep residents from tampering with the trash.

09/21/2021 FOR HEARING - UNRESOLVED:
How will hazardous materials be handled on site? Container location, size, etc..?

Ripley: As this is only a memory care facility and not a medical facility, there will be no hazardous materials handled on site.

08/02/2021: FOR HEARING:
How trash, recycling, hazardous materials, and laundry be managed on site? For any pick-up service, please indicate the location and size of containers and where they will be stored.

Comment Number: 10

09/21/2021 FOR HEARING - UPDATED:
Please add note to site plan indicating, "An industrial kitchen vent fan shall not be permitted on the outside of the building."

Note has been added to the Site Plan – New on Sheet A1.

08/02/2021: FOR HEARING:

Regarding the kitchen, will there be any additional need for a vent fan on the outside of the building? Please consider the location in a way that minimizes noise impacts to neighbors and demonstrate the location on the site plan.

Comment Number: 14

01/03/2022 FOR HEARING:
The operational plan has not been updated in accordance with the previous comment.

Ripley: We have provided an updated operational plan that is accordance with the previous comment.

09/21/2021 FOR HEARING:
Regarding the Operation Plan, staff would only consider the operation of the facility under its full occupancy and not a staged approach. The operational plan should really describe each individual element of traffic (e.g., deliveries, trash, employee 1, 2, 3, mail, etc...). I've asked Traffic Engineering to provide you with an example that would be appropriate.

From the initial review of the Operational Plan staff will be recommending the following conditions:

"Visiting hours shall be limited from 9AM to 6PM, 7-days a week"
"Visitation shall be scheduled in a way that limits the impacts to on-street parking and staggers traffic in and out of the neighborhood."
"In an effort to mitigate overlap in the need for staff parking during shift changes, the group home shall provide monetary incentives to encourage: 1) last mile carpooling from Fossil Creek Park; 2) public transit 3) bicycle ridership"
"Supply, food, and medication delivery shall be limited to certain times of day that do not overlap employee shift changes and should be limited to 9-6PM, 7-days a week"

We realize that these will require some tweaking based on how the Operation Plan is updated, however, once finalized we will ask that the notes be added to the site plan.

Department: Engineering Development Review

Contact: Marc Virata, 970-221-6567, mvirata@fcgov.com

Topic: General

Comment Number: 5

01/04/2022: FOR HEARING:
On the Utility Plans, please correct the depiction of Castle Ridge Court by eliminating "Right Of Way Varies" as this implies a public street. "Right Of Way Varies" should be changed to "Private Street". I would suggest further adding that Caste Ridge Court is "Tract B of Castle Ridge at Miramont P.U.D." and is a "Utility, Drainage and Access Easement" which provides the clarity for the work to occur in the Castle Ridge Court as a private (and not public) street.

RE: Street label name changed to “CASTLE RIDGE COURT, PRIVATE STREET, TRACT B OF CASTLE RIDGE AT MIRAMONT P.U.D.”

Comment Number: 6

01/04/2022: FOR HEARING:
Please correct the misspelling of Miramont on the site and utility plans, there is no "u" in Miramont.

RE: Corrected Miramont spelling at all applicable instances.

Comment Number: 7

01/04/2022: FOR FINAL PLAN:

Please provide the utility plan approval block linked below at the bottom right corner of the cover sheet for the utility plan set:
https://www.fcgov.com/engineering/files/utilitysigblock.pdf?1611856399

RE: Utility Plan approval block added to Cover Sheet at bottom right of page.

Department: Light and Power
Contact: Austin Kreager, 970-224-6152, akreager@fcgov.com
Topic: General

Comment Number: 1
01/04/2022: INFORMATION - UPDATED:
After consulting with our legal team and our finance department, it has been determined that this property will remain a residential service, and we will continue maintaining and owning the service wire. Thank you for your patience.
07/22/2021: INFORMATION:
As stated in the conceptual review, this change in use will make this a commercial service both in monthly billing, and also in practice that the service wire will now be customer owned.

Comment Number: 2
07/22/2021: INFORMATION:
Is this project going to need an increase in capacity? If so, please provide a one line diagram and a C-1 form to Light and Power Engineering. The C-1 form can be found at: https://www.fcgov.com/utilities/img/site_specific/uploads/c-1_form.pdf?1597677310

Comment Number: 3
07/22/2021: INFORMATION:
You may contact Austin Kreager, project engineering if you have questions. (970) 224-6152. You may reference Light & Power's Electric Service Standards at http://www.fcgov.com/utilities/img/site_specific/uploads/ElectricServiceStandards_FINAL_18November2016_Amendment.pdf
You may reference our policies, development charge processes, and use our fee estimator at http://www.fcgov.com/utilities/business/builders-and-developers.

Department: Building Services
Contact: Katy Hand, , khand@fcgov.com
Topic: Building Insp Plan Review

Comment Number: 1
08/02/2021: BUILDING PERMIT:
This will be a complete change of occupancy from a single-family house building under the IRC to a group home under the IBC and appears to be classified as an R-4 occupancy.

RE: Fire Flow Data Block changed to reference 2021 IBC. Occupancy group maintained at R-4 ("Group Homes"). Refer to updated Cover Sheet.

Comment Number: 2
08/02/2021: BUILDING PERMIT:
Accessibility upgrades are required throughout for a complete change of occupancy per 305.4.2 (2018 IEBC). Exterior site impacts include accessible parking with passenger loading zone, accessible route, and entry.

Acknowledged. Site already accessible

Comment Number: 3

08/02/2021: BUILDING PERMIT:
Change of occupancy with an increase in energy usage requires insulation upgrades. For questions on this requirement, Contact Brad Smith Brsmith@fcgov.com

Acknowledged. Already in discussion with Brad

Comment Number: 4

08/02/2021: INFORMATION:
Please visit our website for a list of current adopted building codes and local amendments for building permit submittal:
https://www.fcgov.com/building/codes.php
https://www.fcgov.com/building/energycode

Comment Number: 6

09/20/2021: BUILDING PERMIT:
Garage spaces converting to habitable space need to be insulated to current code (walls + floor/foundation + roof).

Acknowledged. Already in discussion with Brad

Department: Technical Services
Contact: Jeff County, 970-221-6588, jcounty@fcgov.com
Topic: General

Comment Number: 1

01/03/2022: INFORMATION ONLY:
Unless required during PDP, a complete review of all plans will be done at FDP.

Department: Water Conservation
Contact: Eric Olson, 970-221-6704, eolson@fcgov.com
Topic: General

Comment Number: 1

12/27/2021: Irrigation plans are required no later than at the time of building permit. The irrigation plans must comply with the provisions outlined in Section 3.2.1(J) of the Land Use Code. Direct questions concerning irrigation requirements to Eric Olson, at 221-6704 or eolson@fcgov.com

Community Development and Neighborhood Services
281 North College Avenue
PO Box 580
Fort Collins, CO 80522
970.221.6689
970.224.6134 - fax
fcgov.com/developmentreview

February 04, 2022

Russ Lee
Ripley Design, Inc
419 Canyon Ave.
Suite 200
Fort Collins, CO 80521

RE: Castle Ridge Group Home, PDP210012, Round Number 4

Please see the following summary of comments from City staff and outside reviewing agencies for your submittal of Castle Ridge Group Home. If you have questions about any comments, you may contact the individual commenter or direct your questions through your Development Review Coordinator, Brandy Bethurem Harras via phone at 970-416-2744 or via email at bbethuremharras@fcgov.com.

Comment Summary:

Department: Development Review Coordinator

Contact: Brandy Bethurem Harras, 970-416-2744, bbethuremharras@fcgov.com

Topic: General

Comment Number: 1

07/15/2021: INFORMATION:
I will be your primary point of contact throughout the development review and permitting process. If you have any questions, need additional meetings with the project reviewers, or need assistance throughout the process, please let me know and I can assist you and your team. Please include me in all email correspondence with other reviewers and keep me informed of any phone conversations. Thank you!

Ripley: Acknowledged, thank you.

Comment Number: 2

01/31/2022: FOR FINAL PLAN:
As part of your FDP submittal you will respond to the comments provided in this letter. This letter is provided to you in Microsoft Word format. Please use this document to insert responses to each comment for your submittal, using a different font color. When replying to the comment letter please be detailed in

your responses, as all comments should be thoroughly addressed. Provide reference to specific project plans or explanations of why comments have not been addressed, when applicable, avoiding responses like noted or acknowledged.

Ripley: Acknowledged.

Comment Number: 3

01/31/2022: FOR FINAL PLAN:
Please follow the Electronic Submittal Requirements and File Naming Standards found at https://www.fcgov.com/developmentreview/files/electronic submittal requirements and file naming standards_v1_8 1 19.pdf?1566857888.
File names should begin with the file type, followed by the project information, and round number. Example: UTILITY PLANS_PROJECT NAME_PDP_Rd2.pdf
It may be appropriate to abbreviate some file types, such as Traffic Impact Study to TIS.
*Please disregard any references to paper copies, flash drives, or CDs.

Ripley: Acknowledged.

Comment Number: 4

01/31/2022: FOR FINAL PLAN:
Submittals are accepted any day of the week, with Wednesday at noon being the cut-off for routing the same week. When you are ready to resubmit your plans, please notify me advanced notice as possible.

Ripley: Acknowledged.

Comment Number: 5

01/31/2022: FOR FINAL PLAN:
Temporary Service Changes - City of Fort Collins Development Review

In order to continue providing thorough reviews and giving every project the attention it deserves, the City of Fort Collins is implementing temporary changes in how we serve our development customers. As you may be aware, we are experiencing staff shortages in a number of key departments, which has begun to impact the timeliness of our reviews. We recognize that development and construction play a critical role in our community's vibrancy and economic recovery, and we have been exploring options for mitigating impacts to our customers. As a result, we will be making some temporary service changes.

Beginning Monday May 10th one additional week of review time will be added to all 1st and 2nd round submittals (increase from 3 weeks to 4 weeks).

Ripley: Acknowledged.

Comment Number: 7

01/31/2022: FOR HEARING - UPDATED:
We are anticipating the project will be heard at the March 2022 Planning and Zoning Commission. Final applicant materials are due 02/14/2022, the work session is scheduled for 03/04/2022, and the hearing is scheduled for 03/10/2022.

I will send additional information about the work session and hearing once we are closer to those dates.

07/15/2021: FOR HEARING:
This proposed project is processing as a Type 2 Development Plan. The decision maker for Type 2 is the Planning and Zoning (P&Z) Commission. For the hearing, we will formally notify surrounding property owners within 800 feet (excluding public right-of-way and publicly owned open space). Staff would need to be in agreement the project is ready for Hearing approximately 3-5 weeks prior to the hearing. I have attached the P&Z schedule, which has key dates leading up to the hearing.

Ripley: Acknowledged.

Comment Number: 8
07/15/2021: FOR HEARING:
All "For Hearing" comments need to be addressed and resolved prior to moving forward with scheduling the Hearing. Staff would need to be in agreement the project is ready for Hearing approximately 3 to 5 weeks prior to the hearing.

Ripley: Acknowledged.

Comment Number: 9
01/31/2022: FOR FINAL PLAN:
All plans should be saved as optimized/flattened PDFs to reduce file size and remove layers.
Per the Electronic Submittal Requirements AutoCAD SHX attributes need to be removed from the PDF's.
AutoCAD turns drawing text into comments that appear in the PDF plan set, and these must be removed prior to submittal as they can cause issues with the PDF file. The default setting is "1" ("on") in AutoCAD. To change the setting and remove this feature, type "EPDFSHX" in the command line and enter "0".
Read this article at Autodesk.com for more tips on this topic:
https://knowledge.autodesk.com/support/autocad/troubleshooting/caas/sfdcarticles/sfdcarticles/Drawing-text-appears-as-Comments-in-a-PDF-created-by-AutoCAD.html

Ripley: Acknowledged.

Comment Number: 10
01/31/2022: FOR FINAL PLAN:
The request will be subject to the Development Review Fee Schedule:
https://www.fcgov.com/developmentreview/fees.php
As noted in the comments, there are additional fees required by other departments, and additional fees at the time of building permit. The City of Fort Collins fee schedule is subject to change – please confirm fees before submitting.

Payments can be made by check or credit card.
If paying by check, make payable to City of Fort Collins. This is accepted at the Development Review Center, 281 N College Ave, Fort Collins, CO 80524 by

mail or can be placed in the blue drop box located at the west side of the building. Please mark it to my attention and reference the project it is associated with.
If paying by credit card, I can process the payment over the phone with you.
Credit card payments include a convenience fee of 2% + $0.25 added to all payments under $2,500.00, and 2.75% added to all payments over $2,500.00.

Ripley: Acknowledged.

Comment Number: 11

01/05/2022: INFORMATION:
LUC 2.211(D) Project Development Plan and Plat. Following the approval of a project development plan and upon the expiration of any right of appeal, or upon the final decision of the City Council following appeal, if applicable, the applicant must submit a final plan for all or part of the project development plan within three (3) years... If such approval is not timely obtained, the project development plan (or any portion thereof which has not received final approval) shall automatically lapse and become null and void.

Ripley: Acknowledged.

Department: Planning Services
Contact: Kai Kleer, 970-416-4284, kkleer@fcgov.com
Topic: General

Comment Number: 14

01/31/2022: FOR HEARING - UPDATED:
Further discussion is needed to finalize the operational plan.

~~01/03/2022 FOR HEARING - UNRESOLVED~~:
The operational plan has not been updated in accordance with the previous comment.
~~09/21/2021 FOR HEARING~~:
Regarding the Operation Plan, staff would only consider the operation of the facility under its full occupancy and not a staged approach. The operational plan should really describe each individual element of traffic (e.g., deliveries, trash, employee 1, 2, 3, mail, etc...). I've asked Traffic Engineering to provide you with an example that would be appropriate.

From the initial review of the Operational Plan staff will be recommending the following conditions:

"Visiting hours shall be limited from 9AM to 6PM, 7-days a week"
"Visitation shall be scheduled in a way that limits the impacts to on-street parking and staggers traffic in and out of the neighborhood."
"In an effort to mitigate overlap in the need for staff parking during shift changes, the group home shall provide monetary incentives to encourage: 1) last mile carpooling from Fossil Creek Park; 2) public transit 3) bicycle ridership"
"Supply, food, and medication delivery shall be limited to certain times of day that do not overlap employee shift changes and should be limited to 9-6PM, 7-days a week"

We realize that these will require some tweaking based on how the Operation Plan is updated, however, once finalized we will ask that the notes be added to the site plan.

Ripley: An updated Operational Plan illustrating the facility under full occupancy has been provided.

Department: Traffic Operation

Contact: Steve Gilchrist, 970-224-6175, sgilchrist@fcgov.com

Topic: General

Comment Number: 2

02/01/2022: FOR HEARING - UPDATED:
Staff will want to see a more detailed operational/parking plan that attempts to provide a typical daily schedule for various services, deliveries, etc. that will create site traffic. This should be the basis for an operational plan or standard operating procedure, that will identify how site traffic will be scheduled/planned and dictated to minimize traffic impacts and ensure that the number of on-site parking spaces is sufficient to prevent overflow parking into the adjacent private drive.

09/21/2021: FOR HEARING:
Thank you for providing the Operational Plan. We would like to get some additional details with regard to how the facility will operate once it is at full capacity, with Covid restrictions lifted in order to gauge the impacts of the peak traffic times for this facility. More information about the staggering of shifts, i.e. will you have six staff members on site during the shift change? Will deliveries, doctors visits, be restricted to certain times outside of shift changes?

Ripley: A more detailed Operational Plan illustrating the facility under full occupancy has been provided.

Department: PFA

Contact: Marcus Glasgow, 970-416-2869, marcus.glasgow@poudre-fire.org

Topic: General

Comment Number: 3

02/03/2022: FOR PERMIT:
To prevent obstruction of access to the fire hydrant, fire lane signage or red curb-striping shall installed to prevent parking within 15' of hydrants along access drives or roadways.

Ripley: A note has been added to the site plan stating, “FIRE LANE SIGNAGE OR RED CURB-STRIPING SHALL BE INSTALLED TO PREVENT PARKING WITHIN 15' OF HYDRANTS ALONG ROADWAY,” to address this comment.

From: Katie Salter
To: Alyssa Stephens
Subject: [EXTERNAL]
Date: Monday, April 5, 2021 9:58:51 PM

Hi Alyssa,

This is Doug Salter. Katie Salter and I live at 613 Castleridge Court. We were both on the neighborhood meeting zoom call for the development application in our neighborhood tonight.

First, thanks for preserving through a long call.

Second, I want to ensure that it is clear that we would like to follow all laws in the process - federal, state, and city. I think it would help the neighbors to keep the process clear as to what is in accordance with what law.

There were multiple comments made that I found concerning. I think it is incumbent on the applicant to be not only forthright but also forthcoming as to what is an enforceable commitment and what is not.

Points of concern:

1. The applicants stated in their application that they had talked to neighbors about the development. Tonight they admitted that this was not really the case.

2. The applicants started by saying tonight that they wanted a home that had better ratios of staff to resident than other facilities, but then later stated that they were following the maximum ratio of 6:1 per state law.

3. There was a lot of dialog on parking and most of it unclear and concerning. The applicants were quite loose on the service providers who will need to visit. Please ensure that this is well analyzed.

4. The applicants said that they would use appointment only visitation. State law appears to be in conflict with this assertion. The answer was COVID has allowed it. I think we all hope that COVID is a transitory situation. It is not at all beyond reason to think that on holidays 50% of the residents will have at least one visitor. Clarity on how the appointment scheme complies with state law is required. In addition, the applicants never stated the limit on number of visitors they were planning.

5. They stated that they have read the covenants, but do have not indicated which ones they will look for variances on. I fully understand that some federal, state, and city laws will trump covenants, but I think they should be clear on which they are asking for a variance on and under what basis.

6. I left the conversation completely unclear as to the recourse that neighbors would have legally and practically for any limitations and riders put on the permit by the city. This needs much further explanation to be viewed as an acceptable recourse to concerns.

7. The questions about fire codes on the streets was not answered. The city requires some size

of cul de sac to allow a fire truck to turn around. From the earlier public review it appeared that the street was not compliant. We have no answer to this yet.

8. The comments on what was permitted through the process under city and state law was unclear. It seemed that Kai stated it was broad and the applicants said it was narrow. It was completely not understandable.

Thanks again for your listening, moderating the discussion, and continued transparency in the process.

Finally, I would like it definitively in the record that my wife and I do not support this development proposal. We were never contacted about it prior to the first exploratory meeting with the city. We expect the city to uphold all safety and fire regulations, and justify on the record by responsible city employee for any exception.

Please include my email in addition to my wife's on future communications.

Thanks,
Doug Salter

From: Ruth Fleming
To: Brandy Bethurem Harras; Kai Kleer
Subject: [EXTERNAL] 636 Castle Ridge Court
Date: Friday, July 09, 2021 3:21:01 PM

Mrs Ruth Fleming
970-222-3323
ruth.e.fleming@gmail.com

July 9th, 2021

Brandy Harras (Development Review Coordinator)
BBethuremHarras@fcgov.com

Kai Kleer (City Planner and Coordinator)
kkleer@fcgov.com

Dear Brandy and Kai

RE: PEACOCK ASSISTED LIVING (636 Castle Ridge Ct)

I have direct experience with people living with dementia - my brother-in-law was diagnosed with frontotemporal dementia.

I have learned that residents of such homes are not a problem nor a danger to the community when they are cared for by experienced people. They need to feel reassured by having consistent treatment by people they can trust. Living in a smaller home with a homey feel (rather than a large institution) is a definite advantage for the treatment of dementia. They are reassured by their fellow housemates and don't feel estranged because there are too many people to get to know/recognize.

I have been inside this home and feel it would be ideal for use as an assisted living facility because it would need very little alteration (and therefore not much upheaval for neighbors). The hallways are wide (suitable for wheelchairs) and the open center is ideal for patient recreation. The situation is excellent (being among other family dwellings) which also benefits patients as there is less noise from surrounding dwellings.

I feel that permission should be given to Peacock Assisted Living to go ahead with their plans to convert 636 Castle Ridge Court into a 16-bed facility.

Yours sincerely

Ruth Fleming

Email: ruth.e.fleming@gmail.com

Cell: 970-222-3323

From: Andrea Rogers
To: Development Review Comments
Subject: [EXTERNAL] 636 Castle Ridge Court
Date: Friday, September 3, 2021 12:48:30 PM

To whom it may concern,
My name is Andrea Rogers and I am an owner in Miramont subdivision. It has come to my attention that 636 Castle Ridge Court is seeking "reasonable accommodation" for Peacock Assisted Living LLC.

As a resident owner in the neighborhood I am opposed to this business operating in our small neighborhood. Our neighborhood is not set-up for commercial businesses. In addition, this would cause additional traffic to our neighborhood puting children and families in danger. In addition, this will cause a tremendous amount of noise to our neighborhood. With 16 residents and the likelihood of nightly Emergency and Fire visits this would greatly impact the sleep of surrounding neighbors. According to Sleep Guidelines by the Sleep Foundation (https://www.sleepfoundation.org/sleep-guidelines-covid-19-isolation) they say this about the importance of sleep in today's times, "Sleep is ***critical*** to physical health and effective functioning of the immune system. It's also a key promoter of emotional wellness and mental health, helping to beat back stress, depression, and anxiety."

Lastly, this operation will jeopardize the property value of the entire community making this property an "Institution" not a "Residence". I see this request by Peacock Assisted Living LLC as an individual trying to "skirt" the system. We cannot allow this to happen. Fort Collins has long been a community of safe and well cared for ***residential*** neighborhoods. This property will no longer be operating as a single residence and will jeopardize the safety, wellbeing and financial livelihood of the entire community and should not be allowed to further it's plans in expanding it's resident capacity to operate on a commercial basis.

For these reasons amongst other concerns not mentioned for the sake of valuing your time, I hope that the Planning and Zoning Commission will not approve the request of Peacock Assisted Living. Thank you for your careful examination in this matter.

Sincerely,

Andrea V. Rogers

720-299-5133

From: srsunde@aol.com
To: Alyssa Stephens; Development Review Comments
Cc: troyt@pds-co.com; sashagwoodard25@gmail.com
Subject: [EXTERNAL] 636 Castle Ridge Court
Date: Saturday, February 27, 2021 8:24:53 AM

Alyssa,

Thank you for your recent site visit to our neighborhood to see first hand the issues before us concerning 636 Castle Ridge Court.

More than one of us in our development has filed formal ethics complaints against the selling realtor for intentionally marketing this property to be sold for use in flagrant violation of our HOA Codes and Covenants and also in violation of current city traffic, parking, safety, and zoning regulations of Fort Collins.

I have just received a reply from the Colorado Realtors Association that a citation was issued against both Janelle McGill and Jennifer Kelly of Keller Williams Realty for their ethics violations. There will be more to come as formal ethics hearings against these realtors are being scheduled.

I have enclosed that communication below for you.

Your actions to protect our city and neighborhoods are most appreciated. Please do not allow this opportunist to circumvent our zoning regulations in this beautiful city.

Steve Sunderman, MD
970-215-3162

Copy:
Development Review Board,
Miramont HOA Directors

-----Original Message-----
From: Ryan Summers <rsummers@coloradorealtors.com>
To: srsunde@aol.com <srsunde@aol.com>
Cc: Lauren Feigin <lfeigin@coloradorealtors.com>
Sent: Tue, Feb 23, 2021 10:11 am
Subject: CASE #010521E - Your Ethics Complaint

February 23, 2021

COMPLAINANT:
Steve Sunderman
607 Castle Ridge Ct.
Ft. Collins, CO 80525

RESPONDENTS:
Janelle McGill
Jennifer Kelly, REALTOR Principal
Keller Williams Realty
3720 S College Ave
Ft. Collins, CO 80525

Reference: Case #010521E

Dear Steve,

An email was sent to you previously notifying you that the Grievance Committee of the Colorado Association of REALTORS® (CAR) reviewed your ethics complaint and issued a $300 citation to Janelle McGill and Jennifer Kelly. As Respondents, they had the option to either: 1) Pay the citation and the case would be closed, or 2) Request an ethics hearing. The Respondents have chosen to request an ethics hearing. CAR will proceed with the ethics hearing process in accordance with the procedures of the *Code of Ethics and Arbitration Manual* of the National Association of REALTORS®.

The Colorado Association of REALTORS® Grievance Committee convened on January 28, 2021 to evaluate the filing of Ethics Complaint Case #010521E - *Sunderman vs. McGill & Kelly*, and the Articles of the Code of Ethics that were cited in the complaint: **Articles 1, 2, 11 & 12**. The Grievance Committee determined that the allegations made, if taken as true, may support a violation of **Article 12** of the Code of Ethics, and this case has been forwarded to the Professional Standards Committee for a hearing. However, the Grievance Committee deleted **Articles 1, 2, & 11** from the complaint because they determined the allegations in the complaint do not demonstrate a violation of those Articles.

As the Complainant, if you do not agree with the Grievance Committee's decision to delete Articles, you may appeal the dismissal of **Articles 1, 2, & 11** to the Board of Directors within 20 days of receipt of this notice using the attached Appeal Form. If no appeal is filed, the complaint, as amended, shall be forwarded to the Professional Standards Committee for a hearing. If an appeal is filed, then no hearing will be held until the appeal is heard.

The Respondents have been informed of the complaint filed against them and they will be sent a copy of the complaint. The Respondents will be given 15 days to file a response with the Association. When we receive the response, you will be sent a copy.

After the reply is received, a date shall be set for an ethics hearing. Each party will then be sent a list of potential hearing panel members from CAR's Professional Standards Committee. You will have the opportunity to challenge anyone on the list before the panel is selected. All parties shall have the opportunity to present their case at the ethics hearing to an appointed hearing panel of REALTOR® members.

CAR has received at least one additional ethics complaint against Janelle McGill which is based on similar allegations surrounding 636 Castle Ridge Court in Fort Collins, Colorado. Complaints arising out of the same set of circumstances are to be consolidated and heard in a single hearing. Therefore, both complaints will be heard at the ethics hearing.

In any ethics hearing or other hearing convened to consider the alleged violations of membership duties, the ultimate burden of proving that the Code of Ethics or other membership duty has been violated is at all times on the Complainant(s).

"Clear, strong, and convincing" shall be the standard of proof by which alleged violations of all membership duties, including violations of the Code of Ethics, are determined. Clear, strong, and convincing shall be defined as that measure or degree of proof which will produce a firm belief or conviction as to the allegations sought to be established.

If you have any questions pertaining to these procedures, please call me at 303-785-7125.

Sincerely,

Ryan Summers
Legal & Risk Coordinator

Knowledge Happens Here

309 Inverness Way South, Englewood, CO 80112
D | 303.785.7115
rsummers@coloradorealtors.com
facebook | twitter | linkedin | youtube

This email message, together with any attachments, is intended only for the use of the individual or entity to which it is addressed. It may contain information that is confidential and prohibited from disclosure. If you are not the intended recipient, you are hereby notified that any dissemination or copying of this message or any attachment is strictly prohibited. If you have received this email in error, please notify the original sender at (800)944-6550 and destroy this email, along with any attachments. Thank you.

From: Pete Dauster
To: Alyssa Stephens
Subject: [EXTERNAL] 636 Castle Ridge Court
Date: Wednesday, December 8, 2021 7:07:30 PM
Attachments: Plat.pdf
Notice No. 2.pdf

Good evening Alyssa. I represent the Miramont Planned Community Association. The board has requested that I reach out to the City of Fort Collins to make sure that the City and its representatives fully understand that Castle Ridge Court is a private road that is maintained solely by the residents that live on Castle Ridge Court. This is based on the following:

Attached is the recorded plat for Castle Ridge at Miramont PUD. The last paragraph on the first page of the plat provides: *All maintenance of the above described streets shall be performed by the undersigned (and his/her successors in interest) until such time as the City expressly assumes, in writing, the duty of such maintenance.*

Also attached is the Second Amendment to the Miramont PUD Declaration, which specifically provides in Article I, Section 2, as follows: *On the plat of CASTLE RIDGE AT MIRAMONT P.U.D. the roads and streets named Castle Ridge Court and Castle Ridge Place, also shown on the plat as Tract B, are reserved as private roads and streets and will be conveyed to the Association.* Article I, Section adds a provision to the original Declaration that provides the lots on the Castle Ridge at Miramont Plat shall pay an additional assessment for the maintenance, repair and upkeep of Castle Ridge Court and Castle Ridge Place until the City takes them over.

The City has not taken over Castle Ridge Court so its maintenance remains the responsibility of the residents. The residents want to make sure that the City understands this fact in considering the requests of the owners of 636 Castle Ridge Court moving forward.

Please feel free to give me a call to discuss this matter further. Pete.

Peter J. Dauster
Johnson Muffly & Dauster PC
323 South College Avenue, Suite 1
Fort Collins, Colorado 80524
Office (970) 482-4846
Facsimile (970) 482-3038
E-Mail: pdauster@nocolawgroup.com

I will be out of the country from December 10 through December 17, returning to the office on December 20. During this time I will not be checking or returning emails.

COVID-19 UPDATE
Johnson Muffly & Dauster PC remains open to assist our clients. All of our attorneys and staff are fully vaccinated. For in-person meetings we will continue to observe COVID protocols including social distancing and mask wearing. Please plan to wear a mask while in our office in compliance with Larimer County guidelines. We are also happy to conduct client meetings by Zoom or phone for convenience and safety.

CONFIDENTIALITY NOTICE: This message is confidential and may be privileged. If you have received this message in error, please (1) do not open any attachments, (2) reply to the sender that you have received this message in error, and (3) delete this message. Thank you.

MODIFICATION DISCLAIMER: Any modifications you make to any documents enclosed with this correspondence may change their legal significance, including their interpretation and enforceability. We are not responsible for any modifications made to these documents, which have not been approved by our office. We encourage you to consult with us regarding any proposed changes to the attached documents.

From: Linda Schamaun
To: Kai Kleer
Cc: peacockassistedliving@gmail.com
Subject: [EXTERNAL] 636 Castle Ridge Ct Group Home, CDR200096
Date: Friday, May 07, 2021 3:52:06 PM
Attachments: 2021-04-05.development-review.pdf

Dear folks,

My name is Linda Campbell and I've known Vera and Michael for many years. When Vera told me they were selling their beautiful home, I knew it would take very special buyers to be able to appreciate the magnitude of what they were able to accomplish in that space.

Vera has shared with me the intention of love and service you folks hope to offer to a very underserved community - memory care. She also shared some of the neighborhood "push back" you folks are now experiencing, and I am specifically writing to encourage you!

My mother died with Alzheimer's in 2017. Had we, as a family only had a facility such as you're proposing, for her. One of 4 siblings who all tried to take her in ourselves, I can personally attest to the heartrending sorrow we each experienced watching our mom slip away from us. We did the best we could, but we all felt she would have done so much better in comforting, home-like surroundings - the like that you intend to provide.

I encourage you to pursue this venture with all your hearts. It is a profession, I know - but also a gift of compassion to families in such need. And who knows - maybe one of your present day detractors may find even themselves, one day in such need, and be so grateful you pursued this God-given passion of service.

Hang in there, stay the course. There is a crown waiting for those who persevere!

Linda Campbell

Sent from my iPhone

From: Brian Raisley
To: Julie Pignataro; Alyssa Stephens
Subject: [EXTERNAL] 636 Castle Ridge Ct public comment
Date: Thursday, September 2, 2021 11:36:45 AM

Representatives,
Thank you for providing the opportunity to provide input and perspective. I live directly behind the property in question and have for just over 10 years. Some of the characteristics of the neighborhood that makes it attractive are its walking culture to and from Werner Elementary, the walking path along the canal and bike lanes on High Castle that are heavily traveled. For these reasons, as well as large speed bumps, streets like this are not typically used as access routes for other parts of town. This makes seeing and expecting emergency vehicles a rarity in the area.
If this facility is approved, it is a reasonable expectation that emergency vehicle use on this road will increase on a regular basis. These types of facilities also create increased travel from larger delivery vehicles in order to support medical supply needs, therapy personnel and transport vans for residents needing to move about non-emergent. A typical response for any type of medical emergency is at least 1 ambulance, 1 fire apparatus and often 1 or 2 police vehicles. The police response may not be intuitive, patients with memory care needs often have episodes of violent responses to staff, self or other in house residents. This is why a police response would be indicated.
This would create an access challenge on a regular basis for what would be considered a routine response to this facility. I am unsure how many parking spaces would be provided off the street. 16 residents receiving visitors and care staff parking would place cars on both sides of the street in both directions with the exception of the fire lane in front of the property. Loading patients into an ambulance on a narrow street increases safety concerns for emergency responders as well as the patient.
Due to the fact that there is only one way in and out of this neighborhood, turning large vehicles around also becomes a challenge. This may create a situation due to cars being parked on both sides remote from the property for emergency response vehicles to back all the way out to High Castle. This would also increase safety concerns for responders and motorists alike in the area. The entrance to the neighborhood is at the crest of a hill decreasing visibility for oncoming motorists to see a large apparatus backing out completely blocking the road. The fire apparatus that would be responding to this location would range from 33' long and weigh 40,000 lbs to 46' long and weigh 84,000 lbs.. Keeping in mind this would be for the most basic medical services needs. A fire response to this type of facility would be a minimum of : 3 engines (each 33'L and 40K lb), 2 Support trucks (each 46'L and 82K lb), 1 full size SUV and 1 ambulance. This would be at a minimum, a working fire confirmed would cause this to be upgraded to 2 additional engines (each 33'L and 40K lb) and at least 1 additional ambulance. This would again likely require additional resources based on 16 residents varying in mobility. As you can see, having a facility in an established neighborhood designed like this one comes with significant challenges and safety concerns for all involved.
Thank you again for providing the opportunity to give perspective and input on this important matter.

Brian Raisley

From: Thomas Graff
To: Alyssa Stephens
Subject: [EXTERNAL] 636 Castle Ridge Ct.
Date: Saturday, July 24, 2021 2:16:40 PM

Alyssa, I have just reviewed the plan that went forward to the decision maker. I am shocked that two known errors were included.

This project will require varying degrees of renovation throughout the interior of the house. There are no plans, however, for exterior additions. The only planned modification of the exterior house would be the addition of windows for client rooms.

There are two emergency exit doors being added to the front of the building. This will dramatically change the single family residential appearance.

Informal community outreach has been had with surrounding property owners regarding the conversion of this property to a RAL home. No objections were raised in these talks to the general development principle being outlined in this proposal.

I was present for discussions with the agent named on the application, Janelle, and never heard anything other than objections to the plan. I'm sure you are aware of the amount of concern and objection from the neighbors. I would hope that if the city were to approve this based on false information that there is a reason to expect it to be overturned by council or the courts.

Can you please tell me how I can clarify if the decision was based on this information, and if so, how I should proceed to appeal the decision.

Thanks,
Tom Graff
next door neighbor

From: Janie Arndt
To: Kai Kleer; Brandy Bethurem Harras; Development Review Comments; City Leaders
Subject: [EXTERNAL] 636 Castle Ridge Review
Date: Monday, April 12, 2021 10:56:14 AM

Thank you for the opportunity to virtually attend the neighborhood meeting regarding the property at 636 Castle Ridge Ct. It was very well run by Alyssa Stephens (I don't have her email to include her here). I have lived in my present Miramont home for 22 years. I don't live close enough to the property for its use to have a direct affect on me. I tried to listen to the meeting as if I was the next door neighbor.
I am a retired Registered Nurse and my mother in law had dementia and lived in a memory care facility before her death (Morning Star, Fort Collins). These experiences contribute to my knowledge base on this subject. I like the idea of small group homes to care for the cognitively impaired of any age. I have a little familiarity with the home on Turnberry.
I DO NOT support the Castle Ridge home being allowed to have 16 residents. I probably could support a smaller group home of up to 8 residents with concessions agreed upon by the neighboring homeowners for yard screening and if parking is adequate. My reasons:

- Developers state 3 caregivers can give care and provide meals, cleaning, and laundry for 16 residents. This is unrealistic. They have provided no examples of group homes of 16 doing this.
- Future visitors will not tolerate needing appointments to visit their loved ones. During the Covid pandemic concessions have been made but I maintain family will want to be able to drop in on their resident to help ensure the level of care is acceptable.
- Residents will qualify for various therapies and these practitioners will need parking spaces.
- Residents will have spiritual needs that will also need to be met which will necessitate visits from clergy and laypersons.
- Volunteers are common in group homes to help with recreational needs (music, crafts, nail care) and this would also require parking.

Without these types of services I can't imagine anyone choosing this home. These activities and more are commonplace in larger memory care facilities.

Another concern of mine for the neighbors is smoking of the staff—will smoking be allowed on the property to prevent the staff from crossing the street and smoking? I know that sounds fairly entitled but it's real. People don't like it and cigarette butts end up on the ground.

In conclusion I think it is wrong to introduce this density in this neighborhood. This home will require more parking spaces than can be accommodated. The streets in Miramont are narrower than the city usually allows and I believe this was originally allowed because of the RL zoning and the unlikelihood of any high traffic volumes.

Thank you for your attention.

Mary Jane Arndt (Janie)
1027 Pinnacle Pl
Fort Collins, CO 80525

From: Laurie Johnson
To: Kai Kleer; Marc Virata; Steve Gilchrist
Subject: [EXTERNAL] 636 Group Home - Outside issues with Jan. 22 applicant comments
Date: Sunday, January 30, 2022 5:18:08 PM
Attachments: colorado_code_assistant_living Jan22.pdf
colorado_code_hospice Jan22.pdf
Jan "22 Group Hm comments to Dev Rev.docx

Hi attached are items which Kurt and I have reviewed and would appreciate your review and comments back. Also, there are various items which need cleared up on site, utility, and landscaping plans.

We look forward to your comments/concerns back to us.

Kurt and Laurie Johnson
612 Castle Ridge Court owners

From: Barbara Schwerin
To: Kai Kleer
Subject: [EXTERNAL] Castle Ridge Court Group Home in Miramont
Date: Friday, January 07, 2022 12:19:06 PM

Kai,

I'll be sending pictures in separate emails.

Barbara Schwerin
601 Castle Ridge Court
970.420.0111

Click to Download

From: Barbara Schwerin
To: Kai Kleer
Subject: [EXTERNAL] Castle Ridge Court Group Home in Miramont
Date: Friday, January 07, 2022 12:15:48 PM

Hello Kai,

I am a resident on Castle Ridge Court. I am concerned about vehicle access on our street. I will be sending you several pictures in separate emails of trucks/cars on Castle Ridge Court with limited access to our homes.

In one video there is a small sanitation truck with very limited space with vehicles parked on both sides of the street. Larger trash trucks, FedEx and UPS trucks will have limited space to 'thread the needle'.

I am very concerned about the safety of Castle Ridge Court residents. How will EMS/Fire trucks access our homes in an emergency?

Thank you,

Barbara Schwerin
601 Castle Ridge Court
970.420.0111

From: Barbara Schwerin
To: Kai Kleer
Subject: [EXTERNAL] Castle Ridge Court Group Home in Miramont
Date: Friday, January 07, 2022 12:21:57 PM

Car has very little space on cul de sac

Barbara Schwerin
601 Castle Ridge Court
970.420.0111

Preview attachment IMG_1919.jpgIMG_1919.jpg1 MB

From: KEN PATRICK
To: Kai Kleer; Alyssa Stephens
Subject: [EXTERNAL] Castle Ridge Ct. traffic
Date: Wednesday, December 01, 2021 10:19:19 AM

Hello Kai and Alyssa,

I live in the home right next door to the proposed business on Castle Ridge Ct. I noted in prior documents that there was a request from the proposed business owners to send information to the P&Z about estimated traffic/visits to the business for services to the residents/patients including things such as physical therapy, occupational therapy, etc. (to also include, in my opinion, and not limited to speech therapy, wound care, pharmacy, medical waste, oxygen, food deliveries, counseling, etc.). Have you received any response from the proposed business owners that the neighbors can review? Will you be forwarding any and all responses to the neighbors that you receive from the proposed business owners so we can access and review prior to P&Z?

Please accept this a formal request to notify myself and other neighbors of any documents received from the proposed business owners with attachment of response and/or link to documents. Alyssa, I know you previously sent a link where all documents can be found but I am requesting notification on any updated documents.

Thank you in advance for your time.

Tracey Stefanon

From: Barbara Schwerin
To: Kai Kleer
Subject: [EXTERNAL] Castle Ridge Group Home in Miramont
Date: Friday, January 07, 2022 12:24:46 PM
Attachments: Castle Ridge Group Home in Miramont.eml.msg

Delivery Truck on Castle Ridge Court

Barbara Schwerin
601 Castle RidgeCourt
970.420.0111

From: James Dubler
To: Brandy Bethurem Harras
Subject: [EXTERNAL] Castle Ridge Group Home
Date: Monday, July 19, 2021 10:50:36 AM
Attachments: Castle Ridge Group Home.docx

Letter of support attached.

From: KEN PATRICK
To: City Leaders; Kai Kleer; Alyssa Stephens; Kurt Johnson; Lawrence Mauch & Karen Kotecki; Troy Tafoya; Jesus Martin; Steve Chacho; Doug Salter
Subject: [EXTERNAL] Castle Ridge proposed project
Date: Thursday, January 06, 2022 8:48:08 PM

Hello all,

This email is in response to the recent documents submitted for the Castle Ridge Group Home proposal. My family and I live in the home next door to this proposed project.

In review of the updated documents, they do not appear to include PFA comments regarding the proposed fire lane. The comment is that this has been "resolved". Please provide further information on how this is "resolved" as I do not see any documents with updated information. The last documentation from PFA noted that nearly the entire street on our side would need to be marked and zoned as a fire lane. If there has been an update or change in PFA response then we would appreciate access to the PFA response to review.

Additional comments on documents reviewed:

Comment 3: This is in regard to privacy measures on our side of the home. Applicants noted they would place a 72" trellis screen" in front of the bay window.

RESPONSE: There are actually two large bay windows and two room windows that directly face our property in the front. It is unclear if the trellis screen would be over both bay windows and no comment on screening of other windows. I request you receive clarification. We would appreciate the applicants provide other solutions in addition to trellis as well as a better conceptualization of what this would actually look like from our vantage point. The trellis does not appear to be consistent with the esthetics of the neighborhood. In addition, applicant notes "significant tree and plant material exists in southern neighbor's property that currently provides screening". This statement is incorrect. The tree and plant material does not provide screening of bay windows noted above nor does it provide screening along a significant portion along the property line in the backyard. The applicants state that "waterlines make planting along a portion of the house unfeasible". This does not include the privacy in the backyard area. The prior owners had plantings and a large tree in the area directly across the fence area in the applicants backyard. The tree and bushes have been removed prior to purchase of the home. It appears that the applicants should be able to provide tree and plant material on their side of the fence for screening.

Finally, the proposed wrought iron fence appears to be slated and therefore would not provide much in the way of screening or privacy nor, as far as I understand it, is it within HOA regulations.

Please see attached photos for details.

Comment 8: This is in regards to trash. Applicant states laundry would be managed on site and medical waste as "pill bottles".

RESPONSE: It would seem unusual that there would not be more medical waste or biohazardous waste for a proposed memory care facility potentially serving 16 residents. Please request clarification from applicants.

Comment 14: This is in regards to traffic. The applicants do not appear to have responded entirely to the question regarding traffic. The request was to "really describe each individual element of traffic, i.e. deliveries, trash, employee, mail, etc.)".

RESPONSE: The amount of traffic and employees needed to run a facility such as this with a possible 16 residents appears to be grossly underrepresented or underestimated by the applicants. The number of staff noted is the state minimum for ratio of caregiver to resident. The applicants also discuss only 3 staff members per shift during the day. Again, this is the minimum required by the state for caregivers. The caregiver to staff ratio is designed for the caring of the residents and not facility tasks. Caregivers at similar facilities are not likely to also provide all food prep and cooking, food delivery, dishes, bed changes, laundry, housecleaning, yard maintenance, facility maintenance, etc.

Additional services performed at similar facilities who care for memory care residents include items such as pharmacy delivery, medication administration by certified personnel, oxygen and other durable medical equipment delivery and maintenance, occupational therapy, physical therapy, exercise class, activities or performances, etc. There is no comment or estimate to the amount of traffic and parking anticipated from such services. One of the applicants stated that she is a therapist by training and worked in several facilities who cared for similar residents. Do the applicants assume that none of their residents will need such services or activities? The residents will need continued medical care, dental care, eye/vision care, hearing care, etc. Will providers be coming on site or will the residents be transported to these appointments? What about religious services or visits? What about resident outings or use of services in the community?

According to the Colorado Compendium of Residential Care and Assisted Living Regulations and Policy: 2015 Edition, “Facilities must provide protective oversight and a physically safe and sanitary environment; personal services (i.e., assistance with activities of daily living, instrumental activities of daily living, individualized social supervision, and transportation); and social and recreational services, both within the facility and in the local community, based on residents’ interests”.

The applicants state they will limit visitation, however, per Colorado Code of Regulations for Assisted Living (CCR 1011-1 Chapter 7, http://havenseniorliving.org/wp-content/uploads/2018/12/State-Rules-for-Assisted-Living-facilities.pdf) – section 13.1, A4 under residents rights indicate a “right to have visitors at any time”. The applicants have noted that they will take residents who are

on hospice care. Hospice patient visitation cannot be restricted. With the potential for 16 residents, some at the end of life, there is likely to be higher traffic levels and parking needs for visitation.

Traffic and parking for the additional services, visitation and for the complete operation of the facility need to be taken into consideration. The solution of carpooling, public transit (closest bus stop is nearly a mile away) and bike ridership does not appear to be a realistic solution for not only staff and visitors but for other traffic such as deliveries that may need closer parking. This neighborhood has only one entrance and exit point with a 3 court area with limited on street parking given driveways.

REQUEST: We request that the applicants provide a full and detailed traffic and parking description and that the planning and zoning department make assessment on accuracy when in comparison to similar facilities. Such an increase in traffic and parking in this neighborhood would substantially alter the nature, character and possibly the safety of the neighborhood. With such increase in business and visitation traffic and parking within the residential neighborhood there is a high likelihood that there would be parking on both sides of the narrow street thus likely impeding emergency response vehicles maneuvering. At current residential levels this is not an issue.

Finally, as previously submitted, we are opposed to the determination of reasonable accommodation for 16 residents in a residential area due to significantly increased impact from a traffic, parking and safety as well as substantially changing the nature and character of the neighborhood.

Thank you for your time and consideration. Again, please see attachments for pictures of areas needing screening.

Please contact me if you have any questions or need further information.

Kindest regards,

Tracey Stefanon and Ken Patrick
642 Castle Ridge Ct.
Traceyken@comcast.net

From: KEN PATRICK
To: City Leaders; Kai Kleer; Alyssa Stephens; Kurt Johnson; Lawrence Mauch & Karen Kotecki; Troy Tafoya; Jesus Martin; Steve Chacho; Doug Salter
Subject: [EXTERNAL] Castle Ridge proposed project
Date: Thursday, January 6, 2022 8:48:07 PM

Hello all,

This email is in response to the recent documents submitted for the Castle Ridge Group Home proposal. My family and I live in the home next door to this proposed project.

In review of the updated documents, they do not appear to include PFA comments regarding the proposed fire lane. The comment is that this has been "resolved". Please provide further information on how this is "resolved" as I do not see any documents with updated information. The last documentation from PFA noted that nearly the entire street on our side would need to be marked and zoned as a fire lane. If there has been an update or change in PFA response then we would appreciate access to the PFA response to review.

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Please contact me if you have any questions or need further information.

Kindest regards,

Tracey Stefanon and Ken Patrick
642 Castle Ridge Ct.
Traceyken@comcast.net

From: Laurie Johnson
To: Kai Kleer
Cc: "Kurt Johnson"
Subject: [EXTERNAL] Comments from Johnsons, Kurt and Laurie on the December 8, 2021, 636 Group Home proposal
Date: Friday, January 14, 2022 1:41:35 PM
Attachments: Group home ROUND 3 Jan 2021.docx

Hello Kai

Here are Kurt and my comments on the latest group home applicant responses to the city on 12-8-21.

This is from us, not me as an ACC lead. There is so much more we could add, but it has been said before. We look forward to your responses. Kurt does have the PFA letter; he had to do a FOIA. Once we respond to the fire marshal, we shall copy you too. We want all our comments on public record. Can you have this uploaded into the appropriate files?

I have attached quite a few pictures which show the property with no blooming bushes. It shows some we just took with snow which really allows you to see where there is no shielding/screening. The rear ones were taken across the Mail Creek Ditch.

They did add cameras in the front but they did not put them where they said they were going to be. We are very skeptical that they will follow rules or do what they said they would do.

As stated, look forward to your responses. Note, we have not seen the water district persons comments. Can those be uploaded too?

Take care,

Kurt and Laurie Johnson
612 Castle Ridge Court

From: JAMES H BARNETT
To: Development Review Comments
Subject: [EXTERNAL] Comments on Castle Ridge Group Home Proposal / Parcel # 9601408002
Date: Monday, April 5, 2021 6:03:30 PM

Sirs:
I wish to express my opposition to the group home proposal on Castle Ridge Court in Fort Collins.

My mother currently resides in an eight resident group home in Fort Collins. While we like the care she receives there, I often wonder how the neighbors feel about this business venture in their neighborhood.

There are two employees on duty during the day and (I believe) only one employee there at night. This home sits on a corner lot on a major east/west street in Fort Collins.
So, there is parking along the front of the home and probably at least six cars can park in designated parking spaces along the west side of the home. Now, compare that to Castle Ridge Court. Castle Ridge is not a major thoroughfare! Other than the driveway and maybe a couple of spaces in front, there is NO parking! With cars parked on each side of the street, only one car can get through!

On Easter Sunday, at my mother's home, all but one lady, (seven residents) had visitors and they were all there in the morning! I realize every day isn't a holiday; but, on any given day, in addition to the regular visitors, there are hospice employees who come in twice a week to check and bathe the ladies (3) on Hospice, physical therapists, one lady has speech pathology regularly, some families have hired healthcare agencies to check on their loved ones, the Hospice chaplain comes every so often, as does Assoc. in Family Medicine to check on their patients, the hairdresser just received permission to come in again every two weeks, and, upon a death or emergency, a fire truck and ambulance will arrive. I admit even I have been amazed at all the different people, representing many different entities coming and going!

Since I now have first hand knowledge of such a facility, it is beyond my imagination how a little narrow street could possibly accommodate a group home of any size, let alone a facility for 16 residents! It would really ruin the peace and quiet those homeowners now enjoy when they chose to live there.

The saying, "it takes a village" is so relevant in a care facility for our valued senior citizens. Please consider thoughtfully my comments when you make your decision.

Respectfully submitted,
Peggy Barnett
821 Southridge Greens Blvd
Fort Collins, CO. 80525

Sent from my iPad

From: lhaake35@aol.com
To: Brandy Bethurem Harras
Subject: [EXTERNAL] Diaz Memory Care community
Date: Wednesday, July 28, 2021 8:44:18 AM

Brandy Harras,
I am writing in regards to the development of the new memory care community in Fort Collins with the Diaz family. I have personally worked with Xioma and find her an outstanding physical therapist. She is very conscientious about her clients and I foresee that she would also be the same with this memory care community.
I highly recommend the Diaz's to run a smaller community where staffing is based more on a personal basis than a larger community.
I hope that you will consider them in the development and encourage the small business to care for a senior population in Fort Collins.
Sincerely,
LouAnne McBride PTA

Sent from the all new AOL app for Android

From: Mike Leuzze
To: Alyssa Stephens
Subject: [EXTERNAL] Follow-up questions from neighborhood meeting
Date: Monday, April 5, 2021 7:47:23 PM

Hi Alyssa,

Thanks for organizing and moderating the neighborhood meeting today for 636 Castle Ridge Ct.

I have some questions for you more related to the overall process than the specifics of resolving this dispute.

What was the expected purpose of the meeting today? It appears to me the process was to enable the Applicants and the Residents to share concerns with each other, however, I don't really see any of the discussions today either swaying the Applicants from their plans (unless they are convinced their plans won't go through, or will be limited such that they aren't financially viable) nor the residents significantly swayed from their concerns and their desire not to have this happen from any discussions that took place today.

I suspect most or all residents expected this discussion to include the people who would be responsible for either making the decision or mitigating the decision (such as limiting to 8 residents instead of 16), instead we just apparently spoke to each other. Our thinking was that we'd be able to let the decision makers aware of the concerns, not the Applicants.

And being a resident and being generally opposed to this group home, it feels all we actually did today was to equip the Applicants with the details of all the objections, to enable them to analyze these and think up of reasons and rationales to convince this city it should go through.

Is there a future part of the process where the residents speak to the decision makers directly with their concerns?

Thanks, Mike

From: Kurt Johnson
To: Alyssa Stephens
Subject: [EXTERNAL] Fw: Email regarding Castle Ridge Roads.pdf
Date: Tuesday, March 23, 2021 6:19:29 PM
Attachments: 10-19-2016 Existing Pavement Evaluation (EEC).pdf
Castle Ridge Street Acceptance Report.pdf

Alyssa, attached are the two relevant reports concerning the road.

Kurt

----- Forwarded Message -----
From: Laurie Johnson <lbjmom@comcast.net>
To: "kejlbj@yahoo.com" <kejlbj@yahoo.com>
Sent: Saturday, March 6, 2021, 08:53:47 AM MST
Subject: Fwd: Email regarding Castle Ridge Roads.pdf

Sent from my iPad

Begin forwarded message:

> **From:** Robert Mosbey <rmosbey@fcgov.com>
> **Date:** March 5, 2021 at 2:14:04 PM MST
> **To:** Laurie Johnson <lbjmom@comcast.net>
> **Cc:** Alyssa Stephens <astephens@fcgov.com>
> **Subject: RE: Email regarding Castle Ridge Roads.pdf**
>
> Hi Laurie,
>
> Attached are the reports and a couple of invoices for repairs that were provided to me when we were evaluating acceptance of the roadways.
>
> Let me know if you have any further questions.
>
> Thanks and enjoy the weekend!
>
> Rob
>
> . . . . . .
>
> **ROB MOSBEY, MNAS**
> Asset Manager – Engineering
>
> City of Fort Collins
> 970-416-4259 office

From: Laurie Johnson <lbjmom@comcast.net>
Sent: Thursday, March 4, 2021 10:34 AM
To: Robert Mosbey <rmosbey@fcgov.com>
Cc: Alyssa Stephens <astephens@fcgov.com>
Subject: [EXTERNAL] Email regarding Castle Ridge Roads.pdf

Hi
This is Laurie Johnson, Of Castle Ridge Court.
Here is the email I was given by Faith who is property mgr for Miramont PUD.

It cites boring results, other items which must have been measured in person. We are looking for the detailed engineering report analyses.

Does this help locate those detailed reports? They should be in your file during that date timeframe.

Thanks we the residents need those please. There is a proposed P&Z change so that is why we the residents need the detailed engineering reports.

Regards
Laurie Johnson
Castle ridge resident

Sent from my iPad

From: Don Huss
To: Kai Kleer
Cc: Development Review Comments
Subject: [EXTERNAL] Group home at 636 Castle Ridge Ct. Ft Collins 80525
Date: Monday, April 5, 2021 1:10:07 PM

This is a residential neighborhood and is zoned as such.
There is no business zoning within several thousand yards
Of the proposed business. There is no place for ample parking
In the neighborhood. The business would require 8 to 12 spaces
And there is no room for that many spaces.

Traffic is a major problem as we have a grade school a block
From the proposed business at 636 Castle Ridge Ct. We have
Children being dropped off and picked up less than a block from
This proposed business. We have a lot of traffic up and down
Highcastle as it is, with houses and apartments to our south.
People use Highcastle as a short-cut to shopping on Harmony Road.
The next thing they will want to do is put a stop light at Castle Ridge Ct
And Highcastle.

Last, other than devaluing our neighborhood, it would be dangerous
For residents of this home because of all of the activity in the area.
We live on Highcastle and love our neighborhood. Because of the added
Employees and visitors to group home, this will add a huge burden on
The neighborhood.

Sent from Mail for Windows 10

From: Debbie Graff
To: KEN PATRICK
Cc: Alyssa Stephens; Kurt Johnson; cbsisson@gmail.com; srsunde@aol.com; schacho@aol.com; Karen Kotecki; tomjgraff@gmail.com; sarahmdoing@yahoo.com; lbjmom@comcast.net; ednjoj@gmail.com; Jen Ryan; kchacho@aol.com; JESSIEMARTIN_2000@yahoo.com
Subject: [EXTERNAL] No objections!!!!! What???
Date: Saturday, July 24, 2021 2:26:56 PM

Also. In the comments:

As an RAL home this project would fall under the licensing prevue of the Colorado Department of Public Health and Environment. In addition to local building codes this project would have to comply with the 2018 Facility Guidelines Institute Guidelines for Design and Construction of Residential Health, Care, and Support Facilities.
Informal community outreach has been had with surrounding property owners regarding the conversion of this property to a RAL home. No objections were raised in these talks to the general development principle being outlined in this proposal.
Thank you for you time and expertise in reviewing the project.

Debbie's iPhone

> On Jul 7, 2021, at 9:19 PM, KEN PATRICK <traceyken@comcast.net> wrote:
>
> Thank you for the update Alyssa. I would like further clarification on the implications of Mr. Sizemore's approval of the request as stated in the attachment and what the next steps including timing are with regards to further meetings and hearing.
> Thank you.
> Tracey Stefanon
>
> > On 07/07/2021 2:47 PM Alyssa Stephens <astephens@fcgov.com> wrote:
> >
> > Hi all,
> >
> > I'm reaching out to provide an update on the Reasonable Accommodation process for 636 Castle Ridge Ct. The attached letter includes the findings by CDNS Director Paul Sizemore. Apologies that this wasn't shared sooner—I was out of office last week.
> >
> > As of this morning, an application has been received for the project, and is being checked for completeness. All the comments previously received on this project will be attached to this application, and shared with decision-makers if the project goes to a hearing.

I'd be happy to set up a time to chat about what the process looks like from here if folks are interested.

Please do share this with your neighbors—I know this isn't everyone who has emailed me regarding this project in the past.

Best,

Alyssa Stephens MA

Neighborhood Development Liaison

City of Fort Collins Neighborhood Services

Submit a public comment| Track Development Proposals

From: nancypell@aol.com
To: Julie Pignataro; Alyssa Stephens
Subject: [EXTERNAL] Proposal at 636 Castle Ridge Ct.
Date: Tuesday, September 7, 2021 6:18:02 PM

Dear Ms. Pignataro and Ms. Stephens,

We have read the documents regarding the proposal to convert the residential home at 636 Castle Ridge Ct. into a 16 resident Assisted Living business. We are much opposed to the proposal. We understand that the group doing this has claimed that they should be allowed to do this under the Fair Housing Amendment. That may be the case for 8 residents, but why are they being granted "accommodation" for 16 residents. Our city ordinance allows 8 residents. The Fair Housing Act does not require any community to give special "accommodation" that goes against set city ordinances. We are concerned this was offered without the community's input and wonder how that could have happened.

Having a 16 Resident Assisted Living business in the neighborhood will be a major safety issue. The increased traffic and parking from residents, service providers and visitors is concerning as we have a school close by and a lot of small children living in the area.

The modifications necessary to accommodate 16 residents will change the entire community. What was once a beautiful residential community will now look like an industrial development. The city ordinances require so much land front and back to make residents look attractive. Again why are you giving special "accommodation" to this proposal? We are much opposed.

Thank you!

Nancy and Mark Pellman
815 Napa Valley Drive
Fort Collins, CO 80525
#970-690-0524-Nancy
#970-691-0524-MArk

From: SHERRY GARDNER
To: Julie Pignataro; Alyssa Stephens
Subject: [EXTERNAL] Proposed Castle Ridge Group Home
Date: Sunday, September 12, 2021 9:44:06 PM

Ms. Pignataro and Ms. Stephens

Like those who attended the Sept 7, 2021, City Council meeting, we too are frustrated at the lack of follow up information regarding the proposed group home to be located at 636 Castle Ridge Ct.

To date, it seems like City staff are merely accumulating information and not sharing what happens with the information. Moreover, our neighborhood members would like to know how this process works so that we can proactively express our concerns about the proposal.

This group home would have a significant impact on the neighborhood. Safety would be compromised, the facility will look and feel like an industrial institution following the proposed modifications, and the number of proposed residents is completely outside of the current number allowed in Fort Collins.

We appreciate your adding these comments to those submitted by others as this process has drawn on or forwarding them as appropriate.

Thank you
Hank and Sherry Gardner
5331 Highcastle Ct

From:	Lisa Whittington
To:	Development Review Comments
Cc:	eric.shenk@gmail.com; peacockassistedliving@gmail.com; Brandy Bethurem Harras; stephanie@ripleydesigninc.com
Subject:	[EXTERNAL] Re the Castle Ridge Group Home – PDP210012
Date:	Sunday, September 5, 2021 3:45:08 PM

DATE:
September 5, 2021
TO:
Fort Collins Development Review, @Development Review Comments
devreviewcomments@fcgov.com
cc to:
Brandy Harras, City of Fort Collins Development Review Coordinator
BBethuremHarras@fcgov.com
cc to:
Eric Shenk, *ceric.shenk@gmail.com*
Xioma Diaz, *peacockassistedliving@gmail.com*
cc to:
Stephanie Hansen, *stephanie@ripleydesigninc.com*
FROM:
Lisa Whittington, *lisawhittington28@gmail.com*
RE:
Castle Ridge Group Home – PDP210012

Dear Fort Collins Development Review, and to whom it may concern:

I am writing this letter in support of the Castle Ridge Group Home project and wish to express my personal opinions based on my experiences touring the home and also on my experiences helping a family member live with disabilities. I'd also like to note that I have a degree in Urban Studies & Planning from UCSD.

1. My undergraduate degree and my research.
My degree's thesis focused specifically on how communities can better provide accommodations for people living with age-related infirmities and intellectual disabilities. My understanding of the Castle Ridge Group Home is that it appears to be in line with my undergraduate research, which showed that people requiring help exist on a spectrum of needs and they do best when they are involved with the design and functioning of their own home environments such that that those environments meet their specific needs as they understand them within the framework of legal and institutional safety and health regulations of the community.

a. Specifically, my research revealed that people who need to live in congregate settings for support overwhelmingly prefer to live in their own rooms without roommates, and further, they prefer to have control over their own lighting and environmental controls, including doors to the rooms over which they have some measure of control and input. My understanding of the Castle Ridge Group Home is that the home will provide accommodations for 1 person per room, which is ideally suited for meeting the specific needs of that 1 person's specific level of limitations, with accompanying necessary monitoring by staff for safety and health purposes. A room of one's own for each person living with a limitation or disability provides a safe haven, which research shows supports thriving and growing to the best of that person's ability.

b. The layout also means that residents' private doors open only to the inside of the house and not

the outside, which adds an extra layer of security and protection for all stakeholders. My research showed that residents of group homes overwhelmingly preferred that their doors lead to the inside of the house.

c. The Castle Ridge Group Home's layout is further conducive to supporting multiple levels of needs within a framework of safety for residents' specific limitations as well as minimizing disturbance to the neighborhood surroundings. For instance, I feel the home offers a secluded, private, completely enclosed courtyard that allows the safe social interaction that residents need to enjoy fresh air and sunshine securely with close monitoring by the on-site staff, who as I understand it will be present in abundant staff-patient ratios.

2. My personal experience.
I speak of these issues from a perspective of personal experience. I strongly feel this home meets a need and not a want in the community. My mother lived with a spinal cord disorder most of her adult life, and my father was her primary caretaker. After he died, she wanted to live as independently as possible and therefore turned down offers to live with me and my sister, so we spent months looking for a group-home situation that would allow her to live out her days in safety and independence as she wished. But such a home did not exist in our community. My mother ended up deciding to live in an impersonal, corporate-owned retirement-apartment community that did not fully meet her needs because that was all that was available to her at the time. The Castle Ridge Home, on the other hand, would clearly have been able to meet her needs had it been available to us.

I wish the Castle Ridge Home had been an option for my family. We would have jumped on it and I believe my mother would have thrived in it and lived out her days peacefully in its comfort and safety, and I feel it would have been of great benefit not only to her but also to our entire family and our surrounding community.

Thank you for your consideration.

Respectfully submitted,
Lisa Whittington
lisawhittington28@gmail.com

From: nancypell
To: Alyssa Stephens
Subject: [EXTERNAL] RE: Proposal at 636 Castle Ridge Ct.
Date: Thursday, September 9, 2021 10:41:01 AM

Thank you for your response. We still dont understand why "Reasonable accommodation" was given to this project when what they are doing is anything but reasonable for our neighborhood. Having read the Federal Housing Act and the American with Disabilities Act we still feel that the project goes beyond their requirements by allowing 16 units, not 8. 8 units meet the standards of those acts and our city ordinances. Makes us feel like something was done that should be scrutinized more closely. Hopefully, you will not rush into making this happen before it can be researched fully.
As for us, we still do not support the project and will not support the city council members and other city employees who dont realize the negative impact this will have on our neighborhood community.

Nancy and Mark Pellman
815 Napa Valley Drive
Fort Collins, CO 80525

Sent from my T-Mobile 4G LTE Device

-------- Original message --------
From: Alyssa Stephens <astephens@fcgov.com>
Date: 9/9/21 10:20 AM (GMT-07:00)
To: nancypell@aol.com
Subject: RE: Proposal at 636 Castle Ridge Ct.

Hi Nancy,

Thank you so much for reaching out and sharing your concerns about the potential group home on Castle Ridge Ct. As you may have heard, the property recently went through a “Reasonable Accommodation” process. This is a process designed to protect the housing rights of what the federal government calls “protected classes”, including folks with a disability.

The Reasonable Accommodation process is a bit different than other development review processes as far as neighbor feedback goes. It is very narrowly focused on whether the property should be exempted from certain zoning regulations (in this case, the maximum number allowed in a group home) in order to allow equal housing access to a protected class (eg, disabled people). The process is based in the Federal Fair Housing Act and Americans with Disabilities Act, and local governments are limited in how they can regulate these types of facilities.

There's also a strong privacy component that is meant to protect the personal information and rights of those with disabilities. As a result, there aren't any public hearings or public notice for a Reasonable Accommodation determination, and it doesn't consider many of things like parking or architecture that are a huge part of the development review process. You can find the City's codes related to Reasonable Accommodations are located here: https://library.municode.com/co/fort_collins/codes/land_use?nodeId=ART2AD_DIV2.19REACPR.

The RA was approved for 16 people, but there was a condition of approval that they go through the development review process and meet all the standards for group homes in the RL zone. While the Land Use Code (LUC) was written with "complete" neighborhoods in mind —where people can find a mix of different types of housing to meet their needs, as well as access services nearby, the LUC does recognize that some types of uses (including group homes) are a bit more "intensive" or impactful than others, which is why there are generally additional reviews and requirements in place for group homes (including neighborhood meetings, parking requirements, review by the Planning and Zoning Commission, etc.).

Issues like increased traffic and parking are being considered as part of the development review process, so I would encourage you to review the application materials (posted here about one week after they are received) and provide feedback on these elements. The development review process provides a greater opportunity for public input, testimony, and appeal of a project, as well as more specific discussion of the impacts of a group home on the surrounding neighborhood (parking, traffic, etc.).

The project is currently undergoing staff review to ensure it meets the standards in the Land Use Code. Once the project goes through staff review, it would go to the Planning and Zoning Commission for a decision. That would mean a public hearing with opportunity for testimony from you and your neighbors. If you got a letter in the mail for the neighborhood meeting, you'll also get one prior to any hearing. The Commission makes a decision at the hearing. There's then a fourteen day appeal period where applicants or neighbors can appeal a decision to City Council.

I know this is a lot of information—please let me know if you'd like to chat on the phone about what to expect in the development review process, and how you can provide comments on traffic, parking, etc.

Best,

Alyssa Stephens MA

Neighborhood Development Liaison

City of Fort Collins Neighborhood Services

Submit a public comment| Track Development Proposals

From: nancypell@aol.com <nancypell@aol.com>
Sent: Tuesday, September 7, 2021 6:18 PM
To: Julie Pignataro <jpignataro@fcgov.com>; Alyssa Stephens <astephens@fcgov.com>
Subject: [EXTERNAL] Proposal at 636 Castle Ridge Ct.

Dear Ms. Pignataro and Ms. Stephens,

We have read the documents regarding the proposal to convert the residential home at 636 Castle Ridge Ct. into a 16 resident Assisted Living business. We are much opposed to the proposal. We understand that the group doing this has claimed that they should be allowed to do this under the Fair Housing Amendment. That may be the case for 8 residents, but why are they being granted "accommodation" for 16 residents. Our city ordinance allows 8 residents. The Fair Housing Act does not require any community to give special "accommodation" that goes against set city ordinances. We are concerned this was offered without the community's input and wonder how that could have happened.

Having a 16 Resident Assisted Living business in the neighborhood will be a major safety issue. The increased traffic and parking from residents, service providers and visitors is concerning as we have a school close by and a lot of small children living in the area.

The modifications necessary to accommodate 16 residents will change the entire community. What was once a beautiful residential community will now look like an industrial development. The city ordinances require so much land front and back to make residents look attractive. Again why are you giving special "accommodation" to this proposal? We are much opposed.

Thank you!

Nancy and Mark Pellman

815 Napa Valley Drive

Fort Collins, CO 80525

#970-690-0524-Nancy

#970-691-0524-MArk

From:	KEN PATRICK
To:	jessiemartin_2000@yahoo.com; Development Review Comments; Alyssa Stephens; Kai Kleer
Cc:	cbsisson@gmail.com; srsunde@aol.com; schacho@aol.com; Karen Kotecki; kchacho@aol.com; debbiegraff@gmail.com; tomjgraff@gmail.com; sarahmdoing@yahoo.com; kejlbj@yahoo.com; lbjmom@comcast.net; ednjoj@gmail.com; Jen Ryan
Subject:	[EXTERNAL] RE: 636 Castle Ridge Court Development Proposal
Date:	Wednesday, April 7, 2021 2:45:03 PM

Hello Kai,
We are a family of four living in the home on the corner, direct neighbor to the house proposed for this project. We would also like to thank you for holding the neighborhood meeting and we agree with other said sentiments that we are even more opposed to the project proposed. The applicants made what appears to be, at least in part, a fraudulent application to the city stating they had talked with the neighbors and that the appearance of the house from the street would not change. I agree with previous comments from other neighbors that their responses were ad hoc and inconsistent. I have no confidence that what the applicants are presenting to the city is exactly what the project entails.
Initially, they stated that the appearance of the front of the house would not change then l ater in the meeting it was revealed that they would remove the front landscaping and replace with parking. There is not enough room for a turn around or drive thru in the front of the house without taking out all of the landscaping and further impacting the proposed spaces in the driveway. This would totally change the appearance of the house and not consistent with the neighborhood. In addition, the question regarding how they were going to deal with the exposure to our backyard (which is a much larger line) was not addressed nor did it appear that the applicants had even taken this into consideration.
I feel they are misrepresenting the type of residents that would be at the facility therefore misrepresenting the project and the amount of traffic and emergency calls. They stated in the meeting that the residents would not have significant medical issues and even stated taking insulin as an example to decline a resident. Then later stated that they would take residents on hospice. It is unclear to me how a person could be on hospice and have no significant medical conditions.
I feel they are misrepresenting the amount of traffic that would be coming in and out of the facility with regards to not only staff, but also visitors, delivery trucks, other ancillary medical providers and medical equipment, etc. The average number of visits (from all sources) should be based on data and not on a best guess or the applicants prior experience in working in larger facilities as it would be quite unusual that an employed physical therapist not living at the facility would be privy to all the comings and goings at the facility at all hours of the day and night. I would request in the traffic study there be accurate data on the average number of EMS calls/response to similar facilities. As stated in the meeting, EMS (ambulance) response is often accompanied by a fire truck in respiratory related calls and many other medical calls that require lift and/or assistance. I have a study from Poudre Fire Authority noting that 2/3 of the response calls they attend on an annual basis are medical calls. With regards to visitation, it appears unrealistic to have a long term policy for visitation of the residents on an appointment only basis. I would request that the city consider an independent assessment of the traffic.
I hope that you will take all of the concerns and considerations sent to you when

looking at this project.
Thank you in advance for your time.
Kindest regards,
Tracey Stefanon and Ken Patrick
642 Castle Ridge Ct.

On 04/07/2021 1:25 PM jessiemartin_2000@yahoo.com wrote:

Hello Kai,

My name is Jesus Martin, I live across the street from 636 Castle Ridge. Thank you for holding the neighborhood meeting regarding this project.

I couldn't agree more with the emails below.

I was not moved by the introductory speech by Ms. Diaz, as the applicants deserve no trust what so ever after it was demonstrated that they blatantly lied in their preliminary application to the city.

I have a 6 year old and a 3 year old, and we hope to make our home and our street a safe and pleasant environment for them to grow up in. My daughter keeps asking me when is the new family going to move to the house across the street. I know this has no bearing on the decision criteria, and neither do the motives explained by Ms. Diaz in her presentation.

Ms. Diaz and Mr. Shenk's presentation only demonstrated a lack of understanding of what a project like this requires and the carelessness of the impact to the surrounding neighbors and community. Should a project like this move forward it will forever condemn this property to a commercial activity. We all know that businesses can fail, specially if managed by unexperienced owners. I don't question the capacity of the applicants, however should this business fail, the property would be left in a state that will not be suitable for a family to move in, leaving a property with 8-10 small rooms, a number of shared bathrooms and no garage. In an area with hefty prices for homes, there will be no family interested in such a property.

Furthermore, Castle Ridge Court is a private street that was never intended to support commercial activity. The applicants have not provided a traffic study and apparently do not even have one to base their assumptions on.

Parking is an obvious show stopper for this project. Not only the applicants do not know the actual use they will have, but their sloppy proposals violate the covenants, completely alter the look of the property, and effectively turn the home into a motel-like design.

You will also understand the problem that emergency vehicles will have when there is a need for speedy intervention. The dimensions of Castle Ridge Ct do not allow a large emergency vehicle to pass through with cars parked on the street, and to add more difficulty, the access from Highcastle Dr to Castle Ridge is further restricted by the divider island.

To end my comments, I would like to state that there is no reasonable accommodation here which can be made, the project would have an adverse impact on the public good and establish a terrible precedent. I reiterate my opposition to the project, and would like to emphasize the absolute general feeling of the surrounding community to also oppose this project.

Thank you.

Jesus Martin Roman

(970) 999-2332

From: Karen Kotecki <kotecki_mauch@msn.com>
Sent: Wednesday, April 7, 2021 12:38 PM
To: srsunde@aol.com; devreviewcomments@fcgov.com; kkleer@fcgov.com; astephens@fcgov.com
Cc: cbsisson@gmail.com; schacho@aol.com; kchacho@aol.com; jessiemartin_2000@yahoo.com; debbiegraff@gmail.com; tomjgraff@gmail.com; sarahmdoing@yahoo.com; kejlbj@yahoo.com; lbjmom@comcast.net; traceyken@comcast.net; ednjoj@gmail.com
Subject: Re: 636 Castle Ridge Court Development Proposal

Kai,

I agree that the meeting provided an opportunity for the neighborhood to understand the latest thinking of the applicant.

My opposition increased during the meeting because of the applicant's ad hoc and inconsistent responses to critically important issues - and, the "on the fly" design changes. (eg. concrete parking area at front of property)

As you know, the Fort Collins Land Use and Municipal Code contains several references that any development should be "harmonious w.r.t. residential character, design, aesthetic, views, material of the neighborhood".

I assume those rules and regulations have been put in place to codify that intent.

So much of what I heard is inconsistent and not harmonious with our, or any, neighborhood.

In my opinion, the applicant is asking for the neighborhood and the city for "unreasonable accomodations".

I strongly urge the city departments involved to not set the precedent of allowing a group home greater than 8 people. In my opinion, to do so would be in direct violation of established code and intent.

Respectfully,

Lawrence Mauch

625 Castle Ridge Ct.

Sent from Nine

From: srsunde@aol.com
Sent: Wednesday, April 7, 2021 10:53 AM
To: devreviewcomments@fcgov.com; kkleer@fcgov.com; astephens@fcgov.com
Cc: srsunde@aol.com; cbsisson@gmail.com; schacho@aol.com; kchacho@aol.com; jessiemartin_2000@yahoo.com; debbiegraff@gmail.com; tomjgraff@gmail.com; sarahmdoing@yahoo.com; kejlbj@yahoo.com; lbjmom@comcast.net; kotecki_mauch@msn.com; traceyken@comcast.net; ednjoj@gmail.com
Subject: 636 Castle Ridge Court Development Proposal

To Mr Kai Kleer and to the Development Review Committee for Fort Collins

Thank you for the opportunity to attend the neighborhood Zoom meeting 4/5/2021 to discuss the proposal for 636 Castle Ridge Court. This was highly attended by well over 70 persons due to tremendously high opposition to this terribly flawed proposal. It would totally devastate our community if it should be allowed to go through. There was not nearly enough time for all of us with severe concerns about this proposal to get our feelings across at

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The City Development Team of Fort Collins does not have any duty to a pair of selfish opportunists who are trying to circumvent longstanding zoning requirements and residential covenants in an attempt to enrich themselves at the expense of surrounding neighbors. This team, though, does have an absolute duty to our current homeowners and residents of our community to enforce the zoning rules and covenants exactly as written.

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Respectfully submitted,

Steve Sunderman, MD

970-215-3162

From: jessiemartin_2000@yahoo.com
To: Development Review Comments; Alyssa Stephens; Kai Kleer
Cc: cbsisson@gmail.com; srsunde@aol.com; schacho@aol.com; "Karen Kotecki"; kchacho@aol.com; debbiegraff@gmail.com; tomjgraff@gmail.com; sarahmdoing@yahoo.com; kejlbj@yahoo.com; lbjmom@comcast.net; traceyken@comcast.net; ednjoj@gmail.com
Subject: [EXTERNAL] RE: 636 Castle Ridge Court Development Proposal
Date: Wednesday, April 7, 2021 1:25:56 PM

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Furthermore, Castle Ridge Court is a private street that was never intended to support commercial activity. The applicants have not provided a traffic study and apparently do not even have one to base their assumptions on.

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Steve Sunderman, MD
970-215-3162

From: Anthony Doing
To: Alyssa Stephens
Subject: [EXTERNAL] RE: 636 Castle Ridge Court Development Proposal
Date: Thursday, April 8, 2021 7:33:44 PM

Greetings, I am hoping this email can also make it to the decision making team.

I am just re-iterating that the proposed group home is on a private street that does not receive snow plow service. We requested service but were told the road was too narrow.

Any snow storm over 8-12 inches will be a real problem for a normal car. We have 2 SUV's but still had to hand shovel the road 50 feet to get out 3 days after the last storm. The landscaping company we had hired to shovel our drive way did not make it until Thursday (5 days after storm) bc they could not get through the neighborhood.

It makes no sense to put 16 at risk people on a street that does not get plowed. They have done so little home work (although they had a "traffic engineer") they did not know that the street was narrow (you can't turn around) or private. To take care of 16 people there will be: food, medicine, laundry, physical therapy, occupational therapy, doctors visits. That's a lot of traffic to assume they would be ok on unplowed roads.

Also that is a lot of traffic across the street from 3 year old and a 6 year children. Also a lot of traffic in a school zone for an elementary school with foot traffic from the neighborhood.

Lastly for the above reasons street parking is limited. Is the plan to put a parking lot in the front yard? Is there other neighborhoods where that's ok. Are there examples of group homes on private streets in Colorado? This street and neighborhood is not a reasonable choice for a place of business.

Thank you
Anthony Doing

Sent from Mail for Windows 10

From:	kchacho@aol.com
To:	"KEN PATRICK"; jessiemartin_2000@yahoo.com; Development Review Comments; Alyssa Stephens; Kai Kleer
Cc:	cbsisson@gmail.com; srsunde@aol.com; schacho@aol.com; "Karen Kotecki"; debbiegraff@gmail.com; tomjgraff@gmail.com; sarahmdoing@yahoo.com; kejlbj@yahoo.com; lbjmom@comcast.net; ednjoj@gmail.com; "Jen Ryan"
Subject:	[EXTERNAL] RE: 636 Castle Ridge Court Development Proposal
Date:	Wednesday, April 7, 2021 8:03:36 PM

Hello Kai,

My family is in agreement with all of the comments and concerns stated by the other homeowners during the zoom meeting on April 5th and in the emails below. The meeting was very informative and revealed how Ms. Diaz and Mr. Shenk are completely inexperienced, unprepared and not forthcoming with their development proposal or their intentions. I am more opposed now than even before the meeting.

They didn't have answers or statistics to support the most basic of issues and concerns for this project. They stated that the exterior of the home would blend in with the neighborhood and then proceeded to describe a home with a parking lot for a front yard, high/solid fences lining the perimeter and windows similar to a motel. They didn't seem to consider the school zone nor have a basis of what the HOA covenants allow and don't allow. They began their presentation with a deep concern for the elderly population who need better care in smaller surroundings, but their business plan is no different than larger facilities who have similar staff ratios and better resources. They plan to re-design this home to accommodate 16 resident rooms, adjoining bathrooms, add security and fire systems and then they had the nerve to state that it could easily convert back to a single-family home if the business disbanded.

Their accountability was extremely weak. They did not make me feel confident in their long-term intentions or in the success of their business. They have the ability to walk away and leave the neighborhood with a blighted residence or one which could serve other types of residents in the future who drive, own pets, require more caregivers or need more accommodations.

Allowing a 16-bed group home at 636 Castle Ridge Court will set a precedence in Fort Collins that will be very difficult to reverse. If allowed, this will open the flood gates to other opportunistic, inexperienced and short-term entrepreneurs who don't care about the fallout of a flawed business plan or who it affects (including the group home residents themselves).

I hope that you and your team will sincerely consider the devastating, long-term effects of allowing a 16-bed group home in any neighborhood in Fort Collins.

Respectfully,
Kathy Chacho

From: KEN PATRICK <traceyken@comcast.net>

Sent: Wednesday, April 7, 2021 2:45 PM
To: jessiemartin_2000@yahoo.com; devreviewcomments@fcgov.com; astephens@fcgov.com; kkleer@fcgov.com
Cc: cbsisson@gmail.com; srsunde@aol.com; schacho@aol.com; Karen Kotecki <kotecki_mauch@msn.com>; kchacho@aol.com; debbiegraff@gmail.com; tomjgraff@gmail.com; sarahmdoing@yahoo.com; kejlbj@yahoo.com; lbjmom@comcast.net; ednjoj@gmail.com; Jen Ryan <ryantj2@hotmail.com>
Subject: RE: 636 Castle Ridge Court Development Proposal

Hello Kai,

We are a family of four living in the home on the corner, direct neighbor to the house proposed for this project. We would also like to thank you for holding the neighborhood meeting and we agree with other said sentiments that we are even more opposed to the project proposed. The applicants made what appears to be, at least in part, a fraudulent application to the city stating they had talked with the neighbors and that the appearance of the house from the street would not change. I agree with previous comments from other neighbors that their responses were ad hoc and inconsistent. I have no confidence that what the applicants are presenting to the city is exactly what the project entails.

Initially, they stated that the appearance of the front of the house would not change then l ater in the meeting it was revealed that they would remove the front landscaping and replace with parking. There is not enough room for a turn around or drive thru in the front of the house without taking out all of the landscaping and further impacting the proposed spaces in the driveway. This would totally change the appearance of the house and not consistent with the neighborhood. In addition, the question regarding how they were going to deal with the exposure to our backyard (which is a much larger line) was not addressed nor did it appear that the applicants had even taken this into consideration.

I feel they are misrepresenting the type of residents that would be at the facility therefore misrepresenting the project and the amount of traffic and emergency calls. They stated in the meeting that the residents would not have significant medical issues and even stated taking insulin as an example to decline a resident. Then later stated that they would take residents on hospice. It is unclear to me how a person could be on hospice and have no significant medical conditions.

I feel they are misrepresenting the amount of traffic that would be coming in and out of the facility with regards to not only staff, but also visitors, delivery trucks, other ancillary medical providers and medical equipment, etc. The average number of visits (from all sources) should be based on data and not on a best guess or the applicants prior experience in working in larger facilities as it would be quite unusual that an employed physical therapist not living at the facility would be privy to all the comings and goings at the facility at all hours of the day and night. I would request in the traffic study there be accurate data on the average number of EMS calls/response to similar facilities. As stated in the meeting, EMS (ambulance) response is often

accompanied by a fire truck in respiratory related calls and many other medical calls that require lift and/or assistance. I have a study from Poudre Fire Authority noting that 2/3 of the response calls they attend on an annual basis are medical calls. With regards to visitation, it appears unrealistic to have a long term policy for visitation of the residents on an appointment only basis. I would request that the city consider an independent assessment of the traffic.

I hope that you will take all of the concerns and considerations sent to you when looking at this project.

Thank you in advance for your time.

Kindest regards,
Tracey Stefanon and Ken Patrick
642 Castle Ridge Ct.

On 04/07/2021 1:25 PM jessiemartin_2000@yahoo.com wrote:

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Ms. Diaz and Mr. Shenk's presentation only demonstrated a lack of understanding of what a project like this requires and the carelessness of the impact to the surrounding neighbors and community. Should a project like this move forward it will forever condemn this property to a commercial activity. We all know that businesses can fail, specially if managed by unexperienced owners. I don't question the capacity of the applicants, however should this business fail, the property would be left in a state that will not be suitable for a family to move in, leaving a property with 8-10 small rooms, a number of shared bathrooms and no garage. In an area with hefty prices for homes, there will be no family interested in such a property.

Furthermore, Castle Ridge Court is a private street that was never intended to support commercial activity. The applicants have not provided a traffic study and apparently do not even have one to base their assumptions on.

Parking is an obvious show stopper for this project. Not only the applicants do not know the actual use they will have, but their sloppy proposals violate the covenants, completely alter the look of the property, and effectively turn the home into a motel-like design.

You will also understand the problem that emergency vehicles will have when there is a need for speedy intervention. The dimensions of Castle Ridge Ct do not allow a large emergency vehicle to pass through with cars parked on the street, and to add more difficulty, the access from Highcastle Dr to Castle Ridge is further restricted by the divider island.

To end my comments, I would like to state that there is no reasonable accommodation here which can be made, the project would have an adverse impact on the public good and establish a terrible

precedent. I reiterate my opposition to the project, and would like to emphasize the absolute general feeling of the surrounding community to also oppose this project.

Thank you.

Jesus Martin Roman
(970) 999-2332

From: Karen Kotecki <kotecki_mauch@msn.com>
Sent: Wednesday, April 7, 2021 12:38 PM
To: srsunde@aol.com; devreviewcomments@fcgov.com; kkleer@fcgov.com; astephens@fcgov.com
Cc: cbsisson@gmail.com; schacho@aol.com; kchacho@aol.com; jessiemartin_2000@yahoo.com; debbiegraff@gmail.com; tomjgraff@gmail.com; sarahmdoing@yahoo.com; kejlbj@yahoo.com; lbjmom@comcast.net; traceyken@comcast.net; ednjoj@gmail.com
Subject: Re: 636 Castle Ridge Court Development Proposal

Kai,

I agree that the meeting provided an opportunity for the neighborhood to understand the latest thinking of the applicant.

My opposition increased during the meeting because of the applicant's ad hoc and inconsistent responses to critically important issues - and, the "on the fly" design changes. (eg. concrete parking area at front of property)

As you know, the Fort Collins Land Use and Municipal Code contains several references that any development should be "harmonious w.r.t. residential character, design, aesthetic, views, material of the neighborhood".

I assume those rules and regulations have been put in place to codify that intent.

So much of what I heard is inconsistent and not harmonious with our, or any, neighborhood.

In my opinion, the applicant is asking for the neighborhood and the city for "unreasonable accomodations".

I strongly urge the city departments involved to not set the precedent of allowing a group home greater than 8 people. In my opinion, to do so would be in direct violation of established code and intent.

Respectfully,

Lawrence Mauch
625 Castle Ridge Ct.

Sent from Nine

From: srsunde@aol.com
Sent: Wednesday, April 7, 2021 10:53 AM
To: devreviewcomments@fcgov.com; kkleer@fcgov.com; astephens@fcgov.com
Cc: srsunde@aol.com; cbsisson@gmail.com; schacho@aol.com; kchacho@aol.com; jessiemartin_2000@yahoo.com; debbiegraff@gmail.com; tomjgraff@gmail.com; sarahmdoing@yahoo.com; kejlbj@yahoo.com; lbjmom@comcast.net; kotecki_mauch@msn.com; traceyken@comcast.net; ednjoj@gmail.com
Subject: 636 Castle Ridge Court Development Proposal

To Mr Kai Kleer and to the Development Review Committee for Fort Collins

Thank you for the opportunity to attend the neighborhood Zoom meeting 4/5/2021 to discuss the proposal for 636 Castle Ridge Court. This was highly attended by well over 70 persons due to tremendously high opposition to this terribly flawed proposal. It would totally devastate our community if it should be allowed to go through. There was not nearly enough time for all of us with severe concerns about this proposal to get our feelings across at that Zoom meeting.

Even so, it was very clear that Eric Shenk and Xioma Diaz are trying to convince the city to give them special treatment so they can set up a business to profit off of what would be a tremendous loss of value from all of the surrounding neighbors.

Zoning Rules, Codes, and Covenants, are in place in Fort Collins for a purpose. They are there to preserve the safety, the beauty, and the value of our communities. Eric Shenk and Xioma Diaz appear to feel a sense of entitlement in which those rules should apply to everyone else but them.

The City Development Team of Fort Collins does not have any duty to a pair of selfish opportunists who are trying to circumvent longstanding zoning requirements and residential covenants in an attempt to enrich themselves at the expense of surrounding neighbors. This team, though, does have an absolute duty to our current homeowners and residents of our community to enforce the zoning rules and covenants exactly as written.

636 Castle Ridge Court does not even come close to meeting the most basic requirements of our current zoning rules and covenants if this property were to be used in the manner proposed by the potential buyers. I've outlined just a few below:

The street is too narrow

The driveway is too narrow

There is grossly inadequate parking

The road is a private road

There would be fire code violations:

for access,

for turn around space,

for required sprinkler systems,

for inadequate building evacuation options

for a basement which is a fire trap

You cannot allow special consideration to someone seeking to circumvent longstanding Zoning Rules and Covenants if that would take away from the beauty, from the safety, and from the property values of surrounding households. This proposal would totally devastate our planned residential neighborhood if it would be allowed to go through. Both the City of Fort Collins and the Miramont HOA have an absolute duty to reject this entire flawed and selfish proposal and to uphold the zoning requirements and the Development Covenants exactly as written.

Respectfully submitted,

Steve Sunderman, MD
970-215-3162

From: Karen Kotecki
To: srsunde@aol.com; Development Review Comments; Kai Kleer; Alyssa Stephens
Cc: cbsisson@gmail.com; schacho@aol.com; kchacho@aol.com; jessiemartin_2000@yahoo.com; debbiegraff@gmail.com; tomjgraff@gmail.com; sarahmdoing@yahoo.com; kejlbj@yahoo.com; lbjmom@comcast.net; traceyken@comcast.net; ednjoj@gmail.com
Subject: [EXTERNAL] Re: 636 Castle Ridge Court Development Proposal
Date: Wednesday, April 7, 2021 12:38:07 PM

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My opposition increased during the meeting because of the applicant's ad hoc and inconsistent responses to critically important issues - and, the "on the fly" design changes. (eg. concrete parking area at front of property)

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I strongly urge the city departments involved to not set the precedent of allowing a group home greater than 8 people. In my opinion, to do so would be in direct violation of established code and intent.

Respectfully,

Lawrence Mauch
625 Castle Ridge Ct.

Sent from Nine

From: srsunde@aol.com
Sent: Wednesday, April 7, 2021 10:53 AM

To: devreviewcomments@fcgov.com; kkleer@fcgov.com; astephens@fcgov.com
Cc: srsunde@aol.com; cbsisson@gmail.com; schacho@aol.com; kchacho@aol.com; jessiemartin_2000@yahoo.com; debbiegraff@gmail.com; tomjgraff@gmail.com; sarahmdoing@yahoo.com; kejlbj@yahoo.com; lbjmom@comcast.net; kotecki_mauch@msn.com; traceyken@comcast.net; ednjoj@gmail.com
Subject: 636 Castle Ridge Court Development Proposal

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Respectfully submitted,

Steve Sunderman, MD
970-215-3162

From: cbsisson@gmail.com
To: Alyssa Stephens
Cc: srsunde@aol.com
Subject: [EXTERNAL] RE: 636 Castle Ridge Ct. Applicant Neighborhood Development Meeting Sign Posted
Date: Friday, April 2, 2021 12:52:54 PM

Questions:

There are several issues that must be addressed.

1. City Codes are not met.
2. Fort Collins has a U + 2 is violated.
3. Financial Burden of putting a group home on 600 Castle Ridge Court on City of Fort Collins and Miramont HOA.
4. Consumer Fraud in Marketing the home by the seller and the realtor.
5. Bait and switch potential of the buyer and seller with respect to FHA statues.
6. Failure of buyer to follow City of Fort Collins due process proceedings from day one.
7. Ethical issues of buyer seller and realtor.
8. City statues permit eight beds not sixteen.
9. No parking requirements for a healthcare facility are not even close to being met.
10. Decline in property values, loss of tax revenue.

Is the city going to enforce its own statues?

The street is a private street.
The street of 600 Castle Ridge does not meet city codes.
There is no snow removal.
It was not built nor cannot handle the weight of fire trucks and emergency vehicles on a routine basis.
The cul de sac is NOT 200 feet in diameter.
Will the buyer pay for these upgrades?
The city should not.
The HOA should not.
There is clear legal precedence that a group home should NOT be permitted if it puts undo financial burden on the city or on the HOA.
Please address.

The city statutes only allow for eight beds the buyer wants sixteen. This is not a reasonable accommodation and the city should prohibit it.
It is ridiculous based on the square footage of building and the size of the lot and the lack of parking that is no where near city and state codes.
Please address.

The HOA statues clearly prohibit a group home.
The owner of home and relator knew this and marketed home as a group home site.

This is consumer fraud.
The buyer and the DA would be well within there rights to sue the seller, the realtor, and the realty company for consumer fraud.

The buyer claims this will be a memory care facility.
However, since they are liars how does the city plan to insure this.
Alternative uses such as a sober home does not meet FHA disability statues nor do halfway houses for convicted criminals and they can do whatever they want if they get city approval.
Please address.

The buyer NEVER spoke to a sole in the neighborhood before submitting a request to the city.
This is a violation of the due process in the city requirement.
Since they have not followed the cities rules from day one why the city should not believe a thing these people say.
They have proven themselves to be liars and deny any consideration to move forward.
Please address.

I have reason to believe the seller and the realtor are investors in the group home and is conspiring with the buyer.
This is an unethical conflict of interest.
They must be required to disclose the business plan and the investors.
If the business fails, the next thing will be having a halfway house living across the street from a grade school.
Will the buyer be willing to compensate the street for the decline in the neighborhood property values?
Will the city lower our property taxes as a result?
Please address.

Thank you,

Brad Sisson

From: Alyssa Stephens <astephens@fcgov.com>
Sent: Friday, April 2, 2021 11:41 AM
To: schacho@aol.com; Kurt Johnson <kejlbj@yahoo.com>; Laurie Johnson <lbjmom@comcast.net>
Cc: troyt@pds-co.com; ctafoya@pds-co.com; traceyken@comcast.net; ryantj2@hotmail.com; kchacho@aol.com; debbiegraff@gmail.com; pam@pamsundermandesign.com; ANGIE.LEE05@gmail.com; btschwerin@gmail.com; ednjoj@gmail.com; kathleenmcnamaraphd@gmail.com; kotecki_mauch@msn.com; sarahmdoing@yahoo.com; Kathleenmary127@gmail.com; danclawson9@gmail.com; tomjgraff@gmail.com; JESSIEMARTIN_2000@yahoo.com; kejlbj@yahoo.com; clawson42@comcast.net; cbsisson@gmail.com; lbjmom@comcast.net; Wiselyinvest@aol.com; sleuzze@vmware.com; srsunde@aol.com
Subject: RE: 636 Castle Ridge Ct. Applicant Neighborhood Development Meeting Sign Posted

Good morning!
I'm reaching out to provide the meeting information for Monday night at 6:00 PM:

On your phone: Dial +1 301 715 8592 and enter Meeting ID: 992 6195 0723

Online: Visit https://fcgov.zoom.us/j/99261950723

In the Zoom app: Enter Meeting ID: 992 6195 0723

As I believe I mentioned previously, the meeting will include time for Q&A. If you would like to submit questions in advance, you are welcome to email those to me and I'll make sure we get through as many of them as we can during our meeting on Monday.

Please do let me know if you have any other questions for me about what to expect on Monday!

Thanks,

Alyssa Stephens MA
Neighborhood Development Liaison
City of Fort Collins Neighborhood Services
Submit a public comment| Track Development Proposals

From: schacho@aol.com <schacho@aol.com>
Sent: Monday, March 22, 2021 8:23 AM
To: Alyssa Stephens <astephens@fcgov.com>
Cc: troyt@pds-co.com; ctafoya@pds-co.com; traceyken@comcast.net; ryantj2@hotmail.com; kchacho@aol.com; debbiegraff@gmail.com; pam@pamsundermandesign.com; ANGIE.LEE05@gmail.com; btschwerin@gmail.com; ednjoj@gmail.com; kathleenmcnamaraphd@gmail.com; kotecki_mauch@msn.com; sarahmdoing@yahoo.com; Kathleenmary127@gmail.com; danclawson9@gmail.com; tomjgraff@gmail.com; JESSIEMARTIN_2000@yahoo.com; kejlbj@yahoo.com; clawson42@comcast.net; cbsisson@gmail.com; lbjmom@comcast.net; Wiselyinvest@aol.com; sleuzze@vmware.com; srsunde@aol.com
Subject: [EXTERNAL] 636 Castle Ridge Ct. Applicant Neighborhood Development Meeting Sign Posted

Alyssa, we see a neighborhood development meeting sign posted on the front lawn of 636 Castle Ridge Ct. Please reply to all with the date and time when scheduled.
Thanks, Steve Chacho

-----Original Message-----
From: Alyssa Stephens <astephens@fcgov.com>
To: schacho@aol.com <schacho@aol.com>; Laurie Johnson <lbjmom@comcast.net>; Kurt Johnson <kejlbj@yahoo.com>; jessiemartin_2000@yahoo.com <jessiemartin_2000@yahoo.com>
Sent: Tue, Mar 9, 2021 11:31 am
Subject: Castle Ridge Ct. Neighborhood Meeting

Hi all,
Just wanted to reach out and let you know that the Castle Ridge Ct. applicant did email the City requesting a neighborhood meeting. We don't have a date set yet, but I wanted to make sure you knew that it would be coming, likely in early April. Generally those meetings are on a Monday, Wednesday, or Thursday from 6:00-7:30 PM. I'll send another email to you once it's scheduled, and perhaps then we can set up a Zoom call to talk about the process and prepare any documents or information before the meeting. Please do share this with your neighbors, and feel free to reach out with questions in the meantime.

Best,

Alyssa Stephens MA
Neighborhood Development Liaison
City of Fort Collins Neighborhood Services
Submit a public comment| Track Development Proposals

From: Barbara Schwerin
To: Kai Kleer
Subject: [EXTERNAL] Re: Castle Ridge Court Group Home in Miramont
Date: Friday, January 07, 2022 9:17:38 PM

Thank you Kai. I appreciate it.

Barbara Schwerin

> On Jan 7, 2022, at 3:12 PM, Kai Kleer <kkleer@fcgov.com> wrote:
>
> Hello Barbara,
>
> Thanks for your comments and pictures. I'm going to loop in Marcus Glasgow with Poudre Fire Authority to help answer your question. Marcus, would you mind speaking to minimum access widths and service expectations for this neighborhood?
>
> Sincerely,
>
> . . . . . .
> **KAI KLEER, AICP**
> City Planner
> City of Fort Collins
>
> ---
>
> **From:** Barbara Schwerin <btschwerin@gmail.com>
> **Sent:** Friday, January 07, 2022 12:15 PM
> **To:** Kai Kleer <kkleer@fcgov.com>
> **Subject:** [EXTERNAL] Castle Ridge Court Group Home in Miramont
>
> Hello Kai,
>
> I am a resident on Castle Ridge Court. I am concerned about vehicle access on our street. I will be sending you several pictures in separate emails of trucks/cars on Castle Ridge Court with limited access to our homes.
>
> In one video there is a small sanitation truck with very limited space with vehicles parked on both sides of the street. Larger trash trucks, FedEx and UPS trucks will have limited space to 'thread the needle'.
>
> I am very concerned about the safety of Castle Ridge Court residents. How will EMS/Fire trucks access our homes in an emergency?
>
> Thank you,

Barbara Schwerin
601 Castle Ridge Court
970.420.0111

From: Troy Tafoya
To: Steve Gilchrist
Cc: Brandy Bethurem Harras; Alyssa Stephens; Kai Kleer
Subject: [EXTERNAL] RE: Castle Ridge Group Home, PDP210012
Date: Friday, August 20, 2021 1:25:23 PM
Attachments: image001.png

Thank you Steve, that clarified a lot of things and I apologize it really is not in your bucket; we clearly do not meet, or come near that threshold, in this case. Have a great weekend, and thank you for the quick response, the City employee's during this whole process, have been top notch. Thank you again.

Troy Tafoya | President
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From: Steve Gilchrist <sgilchrist@fcgov.com>
Sent: Friday, August 20, 2021 11:09 AM
To: Troy Tafoya <troyt@pds-co.com>
Cc: Brandy Bethurem Harras <BBethuremHarras@fcgov.com>; Alyssa Stephens <astephens@fcgov.com>; Kai Kleer <kkleer@fcgov.com>
Subject: RE: Castle Ridge Group Home, PDP210012

Mr. Tafoya,

Thank you for reaching out with your concerns. I understand the issues that you have expressed and would like to clarify the general purpose of a Traffic Impact Study and the standards that we follow in making these determinations. These standards are outlined in Chapter 4 of the *Larimer County Urban Area Street Standards (LCUASS.)* The purpose of a traffic impact Study (or TIS) is to evaluate the impacts to the transportation system from a proposed development. This includes the evaluation of intersection capacity for vehicles as well as bicycle and pedestrian facilities. This evaluation is considered only in the context of whether or not the transportation system can accommodate the total traffic based on those Level of Service standards.

In most cases, the threshold for when a traffic study is required is when the proposed development will generate at least 200 daily trips and/or 20 trips in the peak hour. (As an example, this roughly equates to a proposal for 20 new homes.) The type and scale of study is dependent on the size of the proposal and this criteria is detailed in *(LCUASS)* and identifies Level of Service (LOS) standards that a development must meet. These standards outline the procedure to evaluate vehicle delay at

intersections and report those using letter grades A – F (including E). The City of Fort Collins standards within LCUASS focus on the intersection level of service and not the street level of service.

When determining the amount of traffic that will be generated by a development, the *Trip Generation Manual* from the Institute of Transportations Engineers is typically used. This data within the *Trip Generation Manual* is the result of traffic studies completed on actual sites for different land uses, such as Assisted Living Facilities. The results provide an average daily, and peak hour volume of all traffic entering and existing the site, including deliveries, trash, employees, guests, etc. This data is then used to compile a Traffic Impact Study under the supervision of, and sealed by, a Licensed Professional Engineer in the state of Colorado with experience in traffic engineering and transportation planning. It is the responsibility of the applicant to provide the assessment of traffic impacts for a development, while the City serves only in a review capacity.

For this development, we requested a letter with information in regard to the anticipated traffic generated by this site with details about the expected numbers of employees, deliveries, and guests, etc., even though we did not expect this site to meet the threshold for a full Traffic Impact Study. That information that was provided by their Traffic Engineer and is what we based our determination on, that a Full Traffic Impact Study would not be required. We have asked for further clarification on the limitations on visitations that they have described, and hope to get a better explanation from the applicant.

With regard to parking issues you have detailed, these requirements are not covered within a Traffic Impact Study, but are determined through the Land Use Code by the Planning Department. The amount and placement of available parking for a development is based on the different land uses. The availability of on street parking and fire lanes are based on the Engineering and Poudre Fire Authority standards for each street as they were built. In the case of Castle Ridge, this street was built to a standard that allowed on street parking on both sides of the street, even though this creates a narrow shared spaced for cars to transverse if vehicles are parked on both sides of the street from this development or any other area of this neighborhood. As we continue to coordinate the review of this project internally, we will coordinate with Engineering, PFA and our Planning Department to make sure all their standards are met as well.

If you have any further questions, please feel free to reach out.

Steve

STEVEN GILCHRIST
Technical Project Manager
City of Fort Collins
Traffic Operations
626 Linden Street
970-224-6175 office
sgilchrist@fcgov.com

From: Brandy Bethurem Harras <BBethuremHarras@fcgov.com>
Sent: Wednesday, August 18, 2021 2:06 PM
To: Alyssa Stephens <astephens@fcgov.com>
Cc: Steve Gilchrist <sgilchrist@fcgov.com>
Subject: FW: Castle Ridge Group Home, PDP210012

Thanks Alyssa

Brandy Bethurem Harras
Development Review Coordinator
City of Fort Collins Planning & Development Services
281 N. College Ave.
Fort Collins, CO 80524
970.416.2744
BBethuremHarras@fcgov.com

From: Troy Tafoya <troyt@pds-co.com>
Sent: Wednesday, August 18, 2021 1:57 PM
To: Steve Gilchrist <sgilchrist@fcgov.com>
Cc: Brandy Bethurem Harras <BBethuremHarras@fcgov.com>
Subject: [EXTERNAL] Castle Ridge Group Home, PDP210012

Steve, I want to state I am not against a group home, just one of this size, and want to voice the neighborhoods biggest concern about this group home, it is traffic and safety for elderly and children (there are 2 toddlers across the street)and all parking for visitors to other nearby homes will be taken by staff and visitors for this proposed group home. Neighbors will be trapped in their homes due to one way traffic, and may not have a place for friends and family to park when visiting. I believe there does to be a traffic study, due to the size of this house 16 beds combined with a narrow private street (the 18 homeowners pay for the upkeep) since the city would not take it over because it did not meet code (it originally was going to be a gated community). The largest group home in the state in a planned urban development (PUD) is 8 beds (8 beds is also current city code), which this is twice that size, nobody has an idea of the impact of this size group home in a PUD because there is not one. The garages are going to be bedrooms, so the only parking is in the driveway, which if planned could accommodate one shift, during shift changes, the rest will be on the street. I do not see this as a huge problem, what will be a problem is during birthdays, holidays, and emergency vehicles, with 16 residents there could easily be 30 cars at peak times. Cars parked on both sides of road, renders it to one way traffic, which in my mind is a traffic safety hazard. Marcus Glasgow(PFD) in his report stated “the North side of Castle Ridge Ct. will be required to be striped with signage as no parking, fire lane” since that is the only way for two way traffic”. So all cars are parked on the other side of the road impacting other homes? I know the proposers of the group home also say they can limit visitation, but that is only true now, due to COVID 19 protocols, that limit the spread to these very vulnerable elderly. Group homes under normal everyday traffic

will include, doctors, therapists, hospice, daily deliveries, emergency vehicles, and of course visitors to loved ones. I see my father at Brookdale every other day. I guess, I am hoping you would reconsider and look at the road, and traffic concerns with this many people, and consider a traffic study. Thank you for your time, I know you will do what is best for the city, and I have no experience with traffic, just wanted to make you aware of the narrow street and very limited parking situation, compared to the 4406 seneca group home in Fort Collins that has street parking on both sides, bike lanes on both sides, and easy two way traffic. The Seneca home is 8 beds.

Troy Tafoya | President
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From: KEN PATRICK
To: Kai Kleer
Cc: Alyssa Stephens; Kurt Johnson; Lawrence Mauch & Karen Kotecki; Troy Tafoya; Jesus Martin; Steve Chacho; Doug Salter
Subject: [EXTERNAL] RE: Castle Ridge proposed project
Date: Wednesday, January 12, 2022 9:47:17 AM

Good morning Kai,

I want to thank you for your timely and thoughtful response to our concerns. I have to say with regards to the multiple submissions of concerns regarding this project, that this is the first time a clear and detailed response has been received and I cannot thank you enough. This has been such a stressful process for the neighbors and it is nice to feel heard. If you can forward, or make us aware of any updated documents, we would certainly appreciate it.

Have a nice day.

Tracey

> On 01/12/2022 9:25 AM Kai Kleer <kkleer@fcgov.com> wrote:
>
> ---
>
> Hello Tracey and Ken,
>
> Thank you for the time you spent reviewing the Castle Ridge Group Home resubmittal and waiting on a response from me. Please see my responses to your comments below in green. City staff has a follow-up meeting with the applicant today in order to go over similar concerns.
>
> Please feel free to reach out to me directly by calling 970-416-4284.
>
> Sincerely,
>
> Kai Kleer
>
> **From:** KEN PATRICK <traceyken@comcast.net>
> **Sent:** Thursday, January 06, 2022 8:48 PM

To: City Leaders <CityLeaders@fcgov.com>; Kai Kleer <kkleer@fcgov.com>; Alyssa Stephens <astephens@fcgov.com>; Kurt Johnson <kjlbj@yahoo.com>; Lawrence Mauch & Karen Kotecki <kotecki_mauch@msn.com>; Troy Tafoya <troyt@pds-co.com>; Jesus Martin <JESSIEMARTIN_2000@yahoo.com>; Steve Chacho <schacho@aol.com>; Doug Salter <doug.salter@woodward.com>
Subject: [EXTERNAL] Castle Ridge proposed project

Hello all,

This email is in response to the recent documents submitted for the Castle Ridge Group Home proposal. My family and I live in the home next door to this proposed project.

In review of the updated documents, they do not appear to include PFA comments regarding the proposed fire lane. The comment is that this has been "resolved". Please provide further information on how this is "resolved" as I do not see any documents with updated information. The last documentation from PFA noted that nearly the entire street on our side would need to be marked and zoned as a fire lane. If there has been an update or change in PFA response then we would appreciate access to the PFA response to review.

The status of the comment was changed to “resolved” to reflect the decision of the Chief Fire Marshal to withdraw the comment requiring the fire lane. Kurt Johnson has made a request to PFA for a release of the record, however, I’m unsure of where that request is within PFA’s process. The best person to contact about it would be Sarah Carter, Assistant Fire Marshal – she can be contacted at 970-290-6764 or sarah.carter@poudre-fire.org.

Additional comments on documents reviewed:

Comment 3: This is in regard to privacy measures on our side of the home. Applicants noted they would place a 72" trellis screen" in front of the bay window.

RESPONSE: There are actually two large bay windows and two room windows that directly face our property in the front. It is unclear if the

trellis screen would be over both bay windows and no comment on screening of other windows. I request you receive clarification. We would appreciate the applicants provide other solutions in addition to trellis as well as a better conceptualization of what this would actually look like from our vantage point. The trellis does not appear to be consistent with the esthetics of the neighborhood. In addition, applicant notes "significant tree and plant material exists in southern neighbor's property that currently provides screening". This statement is incorrect. The tree and plant material does not provide screening of bay windows noted above nor does it provide screening along a significant portion along the property line in the backyard. The applicants state that "waterlines make planting along a portion of the house unfeasible". This does not include the privacy in the backyard area. The prior owners had plantings and a large tree in the area directly across the fence area in the applicants backyard. The tree and bushes have been removed prior to purchase of the home. It appears that the applicants should be able to provide tree and plant material on their side of the fence for screening.

Great feedback on this topic. City staff has consistently made comments regarding this that have gone unaddressed. We have a follow up meeting with the applicant to let them know that we will be recommending a condition to require additional landscape and screening elements on this and other sides of the property. My hope is that they respond with an update to their plan so that we do not have to craft a condition to address this. I'll mention you comments regarding the bay windows, trellis, lack of evergreen material, and back-yard landscaping. City staff comments largely align with what you've mentioned in your response.

Finally, the proposed wrought iron fence appears to be slated and therefore would not provide much in the way of screening or privacy nor, as far as I understand it, is it within HOA regulations.

Please see attached photos for details.

Staff is recommending the use of additional landscaping to provide screening because of the fence type.

Comment 8: This is in regards to trash. Applicant states laundry would be managed on site and medical waste as "pill bottles".

RESPONSE: It would seem unusual that there would not be more medical waste or biohazardous waste for a proposed memory care facility potentially serving 16 residents. Please request clarification from applicants.

Acknowledged. Staff has been pressing to get a full response on this.

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RESPONSE: The amount of traffic and employees needed to run a facility such as this with a possible 16 residents appears to be grossly underrepresented or underestimated by the applicants. The number of staff noted is the state minimum for ratio of caregiver to resident. The applicants also discuss only 3 staff members per shift during the day. Again, this is the minimum required by the state for caregivers. The caregiver to staff ratio is designed for the caring of the residents and not facility tasks. Caregivers at similar facilities are not likely to also provide all food prep and cooking, food delivery, dishes, bed changes, laundry, housecleaning, yard maintenance, facility maintenance, etc.

Additional services performed at similar facilities who care for memory care residents include items such as pharmacy delivery, medication administration by certified personnel, oxygen and other durable medical equipment delivery and maintenance, occupational therapy, physical therapy, exercise class, activities or performances, etc. There is no comment or estimate to the amount of traffic and parking anticipated from such services. One of the applicants stated that she is a therapist by training and worked in several facilities who cared for similar residents. Do the applicants assume that none of their residents will need such services or activities? The residents will need continued medical care, dental care, eye/vision care, hearing care, etc. Will providers be coming on site or will the residents be transported to these appointments? What about religious services or visits? What about resident outings or use of services in the community?

According to the Colorado Compendium of Residential Care and Assisted Living Regulations and Policy: 2015 Edition, “Facilities must provide protective oversight and a physically safe and sanitary environment; personal services (i.e., assistance with activities of daily living, instrumental activities of daily living, individualized social supervision, and transportation); and social and recreational services, both within the facility and in the local community, based on residents’ interests”.

The applicants state they will limit visitation, however, per Colorado Code of Regulations for Assisted Living (CCR 1011-1 Chapter 7, http://havenseniorliving.org/wp-content/uploads/2018/12/State-Rules-for-Assisted-Living-facilities.pdf) – section 13.1, A4 under residents rights indicate a “right to have visitors at any time”. The applicants have noted that they will take residents who are on hospice care. Hospice patient visitation cannot be restricted. With the potential for 16 residents, some at the end of life, there is likely to be higher traffic levels and parking needs for visitation.

Traffic and parking for the additional services, visitation and for the complete operation of the facility need to be taken into consideration. The solution of carpooling, public transit (closest bus stop is nearly a mile away) and bike ridership does not appear to be a realistic solution for not only staff and visitors but for other traffic such as deliveries that may need closer parking. This neighborhood has only one entrance and exit point with a 3 court area with limited on street parking given driveways.

REQUEST: We request that the applicants provide a full and detailed traffic and parking description and that the planning and zoning department make assessment on accuracy when in comparison to similar facilities. Such an increase in traffic and parking in this neighborhood would substantially alter the nature, character and possibly the safety of the neighborhood. With such increase in business and visitation traffic and parking within the residential neighborhood there is a high likelihood that there would be parking on both sides of the narrow street thus likely impeding emergency response vehicles maneuvering. At current residential levels this is not an issue.

Great comment, City planning and traffic staff fully agree. The response to our request for additional information has been largely insufficient. We have a follow-up meeting with the applicant to see why this has gone unaddressed. Stay tuned.

Finally, as previously submitted, we are opposed to the determination of reasonable accommodation for 16 residents in a residential area due to significantly increased impact from a traffic, parking and safety as well as substantially changing the nature and character of the neighborhood.

Thank you for your comment.

Thank you for your time and consideration. Again, please see attachments for pictures of areas needing screening.

Please contact me if you have any questions or need further information.

Kindest regards,

Tracey Stefanon and Ken Patrick

642 Castle Ridge Ct.

Traceyken@comcast.net

From: KEN PATRICK
To: Kai Kleer
Cc: Alyssa Stephens; Kurt Johnson; Lawrence Mauch & Karen Kotecki; Troy Tafoya; Jesus Martin; Steve Chacho; Doug Salter
Subject: [EXTERNAL] RE: Castle Ridge proposed project
Date: Monday, January 24, 2022 5:13:40 PM

Hello Kai,

Hope all is well with you. I am checking in to see if the applicants have submitted any response to questions both you and I posed noted in the letter I submitted to you and city leaders regarding traffic, parking, screening, etc.

In addition, has there been any explanation by the applicants of what they mean by "therapeutic" in their request for reasonable accommodation for the increased number of residents? I feel this is a significant issue as the word may be misconstrued or misinterpreted to imply that there is a medical or other care benefit that the residents receive by having 16 residents at the facility. As stated in my letter, the applicants are only meeting state minimum ratio for residents to staff with the staffing model. In the review process to the P&Z it should be clearly stated what the applicant is implying or stating with the use of the term "therapeutic" and what the benefit is to the residents.

I would be happy to send additional pictures if needed.

Thank you for your time.

Tracey Stefanon and Ken Patrick

> On 01/12/2022 9:25 AM Kai Kleer <kkleer@fcgov.com> wrote:
>
> Hello Tracey and Ken,
>
> Thank you for the time you spent reviewing the Castle Ridge Group Home resubmittal and waiting on a response from me. Please see my responses to your comments below in green. City staff has a follow-up meeting with the applicant today in order to go over similar concerns.
>
> Please feel free to reach out to me directly by calling 970-416-4284.
>
> Sincerely,

Kai Kleer

From: KEN PATRICK <traceyken@comcast.net>
Sent: Thursday, January 06, 2022 8:48 PM
To: City Leaders <CityLeaders@fcgov.com>; Kai Kleer <kkleer@fcgov.com>; Alyssa Stephens <astephens@fcgov.com>; Kurt Johnson <kjlbj@yahoo.com>; Lawrence Mauch & Karen Kotecki <kotecki_mauch@msn.com>; Troy Tafoya <troyt@pds-co.com>; Jesus Martin <JESSIEMARTIN_2000@yahoo.com>; Steve Chacho <schacho@aol.com>; Doug Salter <doug.salter@woodward.com>
Subject: [EXTERNAL] Castle Ridge proposed project

Hello all,

This email is in response to the recent documents submitted for the Castle Ridge Group Home proposal. My family and I live in the home next door to this proposed project.

In review of the updated documents, they do not appear to include PFA comments regarding the proposed fire lane. The comment is that this has been "resolved". Please provide further information on how this is "resolved" as I do not see any documents with updated information. The last documentation from PFA noted that nearly the entire street on our side would need to be marked and zoned as a fire lane. If there has been an update or change in PFA response then we would appreciate access to the PFA response to review.

The status of the comment was changed to “resolved” to reflect the decision of the Chief Fire Marshal to withdraw the comment requiring the fire lane. Kurt Johnson has made a request to PFA for a release of the record, however, I’m unsure of where that request is within PFA’s process. The best person to contact about it would be Sarah Carter, Assistant Fire Marshal – she can be contacted at 970-290-6764 or sarah.carter@poudre-fire.org.

Additional comments on documents reviewed:

Comment 3: This is in regard to privacy measures on our side of the home. Applicants noted they would place a 72" trellis screen" in front of the bay window.

RESPONSE: There are actually two large bay windows and two room windows that directly face our property in the front. It is unclear if the trellis screen would be over both bay windows and no comment on screening of other windows. I request you receive clarification. We would appreciate the applicants provide other solutions in addition to trellis as well as a better conceptualization of what this would actually look like from our vantage point. The trellis does not appear to be consistent with the esthetics of the neighborhood. In addition, applicant notes "significant tree and plant material exists in southern neighbor's property that currently provides screening". This statement is incorrect. The tree and plant material does not provide screening of bay windows noted above nor does it provide screening along a significant portion along the property line in the backyard. The applicants state that "waterlines make planting along a portion of the house unfeasible". This does not include the privacy in the backyard area. The prior owners had plantings and a large tree in the area directly across the fence area in the applicants backyard. The tree and bushes have been removed prior to purchase of the home. It appears that the applicants should be able to provide tree and plant material on their side of the fence for screening.

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Do the applicants assume that none of their residents will need such services or activities? The residents will need continued medical care, dental care, eye/vision care, hearing care, etc. Will providers be coming on site or will the residents be transported to these appointments? What about religious services or visits? What about resident outings or use of services in the community?

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that there would be parking on both sides of the narrow street thus likely impeding emergency response vehicles maneuvering. At current residential levels this is not an issue.

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Thank you for your comment.

Thank you for your time and consideration. Again, please see attachments for pictures of areas needing screening.

Please contact me if you have any questions or need further information.

Kindest regards,

Tracey Stefanon and Ken Patrick

642 Castle Ridge Ct.

Traceyken@comcast.net

From: Andrea Buus
To: Alyssa Stephens
Subject: [EXTERNAL] Re: Letter for Castle Ridge Ct.
Date: Wednesday, July 21, 2021 7:28:47 PM

Hi Alyssa,
Here is the letter I sent....

To Whom It May Concern,

I am writing this letter in support of smaller, boutique, residential memory care communities vs. larger, more institutionalized memory care facilities because of the numerous benefits this kind of environment has on the residents. I am an Occupational Therapist and have been working with patients with a variety of diagnosis in a variety of settings for over 18 years, including Alzheimers and Dementia in secured memory care communities.
With smaller, residential memory care communities, the focus is on meeting not just the residents' basic needs but also puts in place programs and activities to address their physical and psychosocial needs as well as emotional wellbeing. Unfortunately, with the larger, more institutional facilities, residents often fall between the cracks for a variety of reasons. They often have a low staff to resident ratio where caregiver burden is so great, mistakes are often made and severe changes in the condition of the resident's health and behavior go unnoticed, leading to detrimental problems that could have easily been prevented. With the larger, institutional facilities, the focus is not on the resident as a whole, taking into account who this person was or how they lived their lives up until that point. Instead, they barely get their basic nutritional and hygienic needs met, let alone making sure they feel supported and comfortable in their environment.
With a higher staff to resident ratio and less residents living in a community, resident changes in condition rarely go unnoticed and mistakes with meds or residents falling through the cracks rarely occur. Also with the philosophy these smaller, residential memory care communities adopt, the focus is on creating a safe, comfortable and happy environment for each individual person.
If I needed to have a loved one move into a memory care facility, I would definitely be seeking out a smaller, residential memory care community over a large, institutional facility in order to ensure the best, most supportive environment with the most competent care provided.

Sincerely,
Andrea Buus OTR

On Wed, Jul 21, 2021 at 3:23 PM Alyssa Stephens <astephens@fcgov.com> wrote:

Hi Andrea,

I was forwarded your email with a letter regarding the potential group home facility on Castle Ridge Ct, but wasn't able to open the file. Would you be able to re-send it?

Thanks!

Alyssa Stephens MA

Neighborhood Development Liaison

City of Fort Collins Neighborhood Services

Submit a public comment| Track Development Proposals

From: srsunde@aol.com
To: Alyssa Stephens; rosenberg.2@hotmail.com; Kai Kleer
Cc: schacho@aol.com; jennifer@faithproperty.com; mike@faithproperty.com; kchacho@aol.com; Brandy Bethurem Harras; traceyken@comcast.net; ryantj2@hotmail.com; debbiegraff@gmail.com; pam@pamsundermandesign.com; ANGIE.LEE05@gmail.com; btschwerin@gmail.com; ednjoj@gmail.com; hlcp187@aol.com; kathleenmcnamaraphd@gmail.com; kotecki_mauch@msn.com; sarahmdoing@yahoo.com; Kathleenmary127@gmail.com; lbjmom@comcast.net; danclawson9@gmail.com; sleuzze@vmware.com; tomjgraff@gmail.com; JESSIEMARTIN_2000@yahoo.com; kejlbj@yahoo.com; ctafoya@pds-co.com; rosenberg.2@hotmail.com; sashagwoodard25@gmail.com; cliffmoore80525@gmail.com; troyt@pds-co.com; pdauster@gjmlawfirm.com
Subject: [EXTERNAL] Re: Objection to 636 Castle Ridge Ct. Retirement Home Proposal
Date: Wednesday, December 16, 2020 6:56:13 AM

I would like to take this opportunity to add my vehement objections to the proposal by the potential buyer of 636 Castle Ridge Court to convert this single family residence in our neighborhood into a nursing home facility.

Any claim made by the potential buyer that he has canvassed the neighborhood about his proposal and has not seen any resistance is untrue. I, for one, have never been contacted by the buyer nor by any representative of the buyer. My objections are huge.

Miramont and the Castle Ridge Sub-development within Miramont were designed and developed with great forethought to keep this as a highly desirable residential area within Fort Collins. The codes and covenants that were originally drawn up were done with the specific purpose of preserving this single family neighborhood as one of the most desirable in Fort Collins. We must protect that.

Whether the proposal from the potential buyer is to convert this beautiful single family home into a 16 bed, 8 bed, or 4 bed nursing home facility is immaterial. The numbers don't matter. The entire concept is wrong on every level. This was designed as a single family, and as a strictly residential neighborhood. It must remain that way.

Several individuals have already outlined multiple codes and covenants that the proposed new use would violate. Several individuals have already pointed out the concerns of safety, congestion, and the inadequacy of the width of the street in front of 636 Castle Ridge Court. This street is a private street, not a public street. It is owned and maintained by the households it serves. The proposals by this buyer are entirely illegal.

This proposal by this one self-centered businessman is a proposal that would completely destroy the beautiful atmosphere of our neighborhood - all for the financial benefit of one outsider. It is wrong on every level.

My sincere request to the City of Fort Collins, to the Miramont HOA, to the Castle Ridge Sub-development, and to all the surrounding neighbors is that we must all stand together and flatly reject this wrongful proposal outright.

Thank you,

Steve Sunderman, MD
607 Castle Ridge Court

-----Original Message-----
From: Alyssa Stephens <astephens@fcgov.com>
To: Amy and Dave Rosenberg <rosenberg.2@hotmail.com>; Kai Kleer <kkleer@fcgov.com>
Cc: schacho@aol.com <schacho@aol.com>; jennifer@faithproperty.com <jennifer@faithproperty.com>; mike@faithproperty.com <mike@faithproperty.com>; kchacho@aol.com <kchacho@aol.com>; Brandy Bethurem Harras <BBethuremHarras@fcgov.com>; 'Tracey Patrick' <traceyken@comcast.net>; 'Tom Ryan' <ryantj2@hotmail.com>; 'Debbie Graff' <debbiegraff@gmail.com>; 'Pam Sunderman'

<pam@pamsundermandesign.com>; 'Steve Sunderman' <srsunde@aol.com>; 'Angie Lee' <ANGIE.LEE05@gmail.com>; 'Barbara Schwerin' <btschwerin@gmail.com>; ednjoj@gmail.com <ednjoj@gmail.com>; 'Stacy Lesartre' <hlcp187@aol.com>; 'Kate McNamara' <kathleenmcnamaraphd@gmail.com>; 'Karen Kotecki' <kotecki_mauch@msn.com>; 'Sarah Doing' <sarahmdoing@yahoo.com>; 'Katie Salter' <Kathleenmary127@gmail.com>; 'Laurie Johnson' <lbjmom@comcast.net>; danclawson9@gmail.com <danclawson9@gmail.com>; 'Stacey Leuzze' <sleuzze@vmware.com>; 'Tom Graff' <tomjgraff@gmail.com>; 'Jesus Martin' <JESSIEMARTIN_2000@yahoo.com>; 'Kurt Johnson' <kejlbj@yahoo.com>; ctafoya@pds-co.com <ctafoya@pds-co.com>; Amy and Dave Rosenberg <rosenberg.2@hotmail.com>; sashagwoodard25@gmail.com <sashagwoodard25@gmail.com>; cliffmoore80525@gmail.com <cliffmoore80525@gmail.com>; troyt@pds-co.com <troyt@pds-co.com>; pdauster@GJMLawfirm.com <pdauster@gjmlawfirm.com>
Sent: Tue, Dec 15, 2020 9:42 am
Subject: Re: Re: Objection to 636 Castle Ridge Ct. Retirement Home Proposal

Hi Dave,
I was just working on an email to you! It was great to speak with you on the phone yesterday about the conceptual review process.

As I mentioned, this is the very earliest stage in the development review process, so nothing official has been submitted and nothing will be decided at this meeting. These reviews are meant to provide an opportunity for discussion between staff and potential applicants.

Community members are always welcome to attend conceptual review meetings as observers. We ask that you remain muted throughout the meeting. Any questions or comments you have during or after the meeting can be emailed to myself or Kai.

10:15am Conceptual Review Meeting
https://zoom.us/j/96246475877
Meeting ID: 962 4647 5877
Dial +1 301 715 8592

If you're having trouble connecting to the meeting, or if there's anything else you need before Thursday, please don't hesitate to reach out! I'm here as a resource for you.

Best,

Alyssa

Get Outlook for iOS

From: Amy and Dave Rosenberg <rosenberg.2@hotmail.com>
Sent: Tuesday, December 15, 2020 9:33:11 AM
To: Kai Kleer <kkleer@fcgov.com>; Alyssa Stephens <astephens@fcgov.com>
Cc: schacho@aol.com <schacho@aol.com>; jennifer@faithproperty.com <jennifer@faithproperty.com>; mike@faithproperty.com <mike@faithproperty.com>; kchacho@aol.com <kchacho@aol.com>; Brandy Bethurem Harras <BBethuremHarras@fcgov.com>; 'Tracey Patrick' <traceyken@comcast.net>; 'Tom Ryan' <ryantj2@hotmail.com>; 'Kathy Chacho' <kchacho@aol.com>; 'Steve Chacho' <schacho@aol.com>; 'Debbie Graff' <debbiegraff@gmail.com>; 'Pam Sunderman' <pam@pamsundermandesign.com>; 'Steve Sunderman' <srsunde@aol.com>; 'Angie Lee' <ANGIE.LEE05@gmail.com>; 'Barbara Schwerin' <btschwerin@gmail.com>; ednjoj@gmail.com <ednjoj@gmail.com>; 'Stacy Lesartre' <hlcp187@aol.com>; 'Kate McNamara' <kathleenmcnamaraphd@gmail.com>; 'Karen Kotecki'

<kotecki_mauch@msn.com>; 'Sarah Doing' <sarahmdoing@yahoo.com>; 'Katie Salter' <Kathleenmary127@gmail.com>; 'Laurie Johnson' <lbjmom@comcast.net>; danclawson9@gmail.com <danclawson9@gmail.com>; 'Stacey Leuzze' <sleuzze@vmware.com>; 'Tom Graff' <tomjgraff@gmail.com>; 'Jesus Martin' <JESSIEMARTIN_2000@yahoo.com>; 'Kurt Johnson' <kejlbj@yahoo.com>; ctafoya@pds-co.com <ctafoya@pds-co.com>; Amy and Dave Rosenberg <rosenberg.2@hotmail.com>; sashagwoodard25@gmail.com <sashagwoodard25@gmail.com>; cliffmoore80525@gmail.com <cliffmoore80525@gmail.com>; troyt@pds-co.com <troyt@pds-co.com>; 'Mike Adams' <mike@faithproperty.com>; 'Jennifer Adams' <jennifer@faithproperty.com>; pdauster@GJMLawfirm.com <pdauster@gjmlawfirm.com>
Subject: [EXTERNAL] RE: Re: Objection to 636 Castle Ridge Ct. Retirement Home Proposal

Alyssa,

Please send the zoom link to me and all others in the “Copy” line of this email.

Thank you,
Dave Rosenberg

From: Kai Kleer <kkleer@fcgov.com>
Sent: Tuesday, December 15, 2020 8:56 AM
To: schacho@aol.com; Alyssa Stephens <astephens@fcgov.com>; mike@faithproperty.com; jennifer@faithproperty.com; Rosenberg.2@hotmail.com
Cc: kchacho@aol.com; Brandy Bethurem Harras <BBethuremHarras@fcgov.com>
Subject: RE: Re: Objection to 636 Castle Ridge Ct. Retirement Home Proposal

Brandy or Alyssa,

Would you mind sending Steve the Zoom information and general ground rules for this Thursday’s Conceptual Review meeting?

Best,

Kai

From: schacho@aol.com <schacho@aol.com>
Sent: Tuesday, December 15, 2020 8:46 AM
To: Kai Kleer <kkleer@fcgov.com>; Alyssa Stephens <astephens@fcgov.com>; mike@faithproperty.com; jennifer@faithproperty.com; Rosenberg.2@hotmail.com
Cc: kchacho@aol.com
Subject: [EXTERNAL] Re: Objection to 636 Castle Ridge Ct. Retirement Home Proposal

Thank you and yes I would like to receive a copy of the Conceptual Review Comment Letter and attend the Conceptual Review meeting scheduled this Thursday. Is it a Zoom type meeting?

Steve Chacho
970-217-7344

-----Original Message-----
From: Kai Kleer <kkleer@fcgov.com>
To: schacho@aol.com <schacho@aol.com>; Alyssa Stephens <astephens@fcgov.com>; mike@faithproperty.com <mike@faithproperty.com>; jennifer@faithproperty.com <jennifer@faithproperty.com>; Rosenberg.2@hotmail.com <Rosenberg.2@hotmail.com>
Sent: Tue, Dec 15, 2020 8:40 am
Subject: RE: Objection to 636 Castle Ridge Ct. Retirement Home Proposal

Hello Mr. Chacho,

Thanks for your input. Your comment will be added to the record for this project. As for the proposal, we are currently in the process of a preliminary review and nothing formal has been submitted. Based on City-staff comments It is likely that the scope of the project will change (only 8 beds are permitted under current law). When finalized on Friday, would you like to receive a copy of the Conceptual Review Comment Letter? You're also welcome to attend the Conceptual Review meeting that is scheduled for this Thursday @ 10:15.

Please let me know if this is something you're interested in and I'll have our development review coordinator reach out to you with the details.

Sincerely,

Kai Kleer

From: schacho@aol.com <schacho@aol.com>
Sent: Tuesday, December 15, 2020 8:13 AM
To: Kai Kleer <kkleer@fcgov.com>; Alyssa Stephens <astephens@fcgov.com>; mike@faithproperty.com; jennifer@faithproperty.com; Rosenberg.2@hotmail.com
Subject: [EXTERNAL] Objection to 636 Castle Ridge Ct. Retirement Home Proposal

We have just been made aware that a 16 bed retirement home is being proposed for 636 Castle Ridge Ct. As residents of Castle Ridge Court we are opposed to this and have never been contacted by anyone for our consideration.

Steve Chacho
631 Castle Ridge Ct.
Fort Collins, CO 80525
970-217-7344

From: KEN PATRICK
To: Kai Kleer
Cc: Alyssa Stephens; Kurt Johnson; Lawrence Mauch & Karen Kotecki; Troy Tafoya; Jesus Martin; Steve Chacho; Doug Salter
Subject: [EXTERNAL] RE: RE: Castle Ridge proposed project
Date: Thursday, January 27, 2022 3:02:12 PM

Thank you for the update Kai. A couple of questions as you review the documents:

1. How tall will the projected plantings in the back?
2. Visitation cannot be limited and the estimation of visits appears grossly underestimated or misrepresented. Can they provide a reference where they are getting the estimation of "1 visitor per resident per week and 1 hour visit"? This appears to be a guess and an underestimation. We request city personnel be verify the accuracy of the data presented by the applicants via objective measures, standards, and/or state codes.

In addition, I appreciate your research into "therapeutic" but, just to reiterate so I am conveying my question accurately, I feel it is appropriate and necessary for us not to make assumptions on the applicants intended meaning of the word. If the applicant is requesting accommodation based on a "therapeutic" model or basis then it should be clearly stated for all involved parties, decision making personnel and volunteers to understand what they mean by "therapeutic". It appears that it would be difficult to make a determination on accommodation for a condition that is not clearly understood or stated. We request that the applicant provide a clear description and statement of what they mean by "therapeutic" model and what benefit this is to the residents.

Thank you again for your time and we look forward to your review.

Kindest regards,
Tracey Stefanon and Ken Patrick

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KAI KLEER, AICP
City Planner

City of Fort Collins

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RESPONSE: There are actually two large bay windows and two room windows that directly face our property in the front. It is unclear if the trellis screen would be over both bay windows and no comment on screening of other windows. I request you receive clarification. We would appreciate the applicants provide other solutions in addition to trellis as well as a better conceptualization of what this would actually look like from our vantage point. The trellis does not appear to be consistent with the esthetics of the neighborhood. In addition, applicant notes "significant tree and plant material exists in southern neighbor's property that currently provides screening". This statement is incorrect. The tree and plant material does not provide screening of bay windows noted above nor does it provide screening along a significant portion along the property line in the backyard. The applicants state that "waterlines make planting along a portion of the house unfeasible". This does not include the privacy in the backyard area. The prior owners had plantings and a large tree in the area directly across the fence area in the applicants backyard. The tree and bushes have been removed prior to purchase of the home. It appears that the applicants should be able to provide tree and plant material on their side of the fence for screening.

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staff ratio is designed for the caring of the residents and not facility tasks. Caregivers at similar facilities are not likely to also provide all food prep and cooking, food delivery, dishes, bed changes, laundry, housecleaning, yard maintenance, facility maintenance, etc.

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According to the Colorado Compendium of Residential Care and Assisted Living Regulations and Policy: 2015 Edition, “Facilities must provide protective oversight and a physically safe and sanitary environment; personal services (i.e., assistance with activities of daily living, instrumental activities of daily living, individualized social supervision, and transportation); and social and recreational services, both within the facility and in the local community, based on residents’ interests”.

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Please contact me if you have any questions or need further information.

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642 Castle Ridge Ct.

Traceyken@comcast.net

From: KEN PATRICK
To: Kai Kleer
Subject: [EXTERNAL] RE: RE: Castle Ridge proposed project
Date: Thursday, February 10, 2022 11:39:42 AM

Good morning Kai,

Hope all is well with you. I was wondering if you would have time to chat about this project over the phone? I promise not to take too much time but thought it would be easier and more efficient to have a brief fluid conversation as I prepare for P&Z meeting.

If so, can you send some times? Otherwise, you can just call my cell (970) 988-7440.

Thank you,
Tracey Stefanon

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Tracey Stefanon and Ken Patrick

642 Castle Ridge Ct.

Traceyken@comcast.net

From: Pia Chamberlain
To: Brandy Bethurem Harras
Subject: [EXTERNAL] support for group home project at 636 Castle Ridge Ct.
Date: Friday, July 09, 2021 5:53:57 PM

Ms. Harras,

I wanted to reach out in support of the group home project at 636 Castle Ridge Ct. The design of that property is a great match for that kind of use. On top of that, keeping group homes small and integrated into the community is a huge win for all of us (because we are all getting older!). I hope you will support this project and give the green light for it to go ahead.

-Pia Chamberlain

From: Andrea Buus
To: Brandy Bethurem Harras
Subject: [EXTERNAL] support for small, residential memory care communities
Date: Tuesday, July 13, 2021 4:18:19 PM
Attachments: memory care facilities.webarchive

I have included my letter of support, thank you for your time and consideration on this matter.

Please let me know if you have any further questions.

Take care,
Andrea Buus OTR

From: Merry Phillips
To: Brandy Bethurem Harras; Kai Kleer
Cc: Merry Phillips
Subject: [EXTERNAL] Support in Favor of 636 Castle Ridge Court Group Home
Date: Sunday, July 25, 2021 6:21:10 PM

Dear Development Review Coordinators & Planners (Brandy & Kai),

I'm writing to express my strong support for the Memory Care Project (Group Home) at 636 Castle Ridge Court in Fort Collins. With the aging population and increase in memory related illnesses among our loved ones, there is a growing need for this type of quality care facility in a lovely setting run by experts such as Xioma and Eric. Xioma has been working as a skilled nurse in the memory field for over 20 years and Eric has the administrative skills to make this a well-run, highly sought after senior care facility in a domestic setting.

Having spent time in the area, I believe it's an excellent location and if approved, I'm certain it will only augment the neighborhood and the lives of those being cared for. I hope that you will give it your sincere consideration for immediate planning and zoning.

Please feel free to contact me via phone or text at 916-660-3610.

Thanks & Regards,
Meredith Phillips

EARTH ENGINEERING CONSULTANTS, LLC

October 19, 2016

Castle Ridge at Miramont HOA
c/o Faith Property Management
300 East Boardwalk Drive; Building 6, Suite B
Fort Collins, Colorado 80525

Attn: Ms. Lauren Winn (lauren@faithproperty.com)

Re: Existing Pavements Evaluation
Castle Ridge Court and Castle Ridge Place
Fort Collins, Colorado
EEC Project No. 1162090

Ms. Winn;

Earth Engineering Consultants, LLC (EEC) personnel have completed the subsurface exploration and engineering evaluation requested for the existing roadways within the Castle Ridge at Miramont development located west of Highcastle Drive and south of the Mail Creek Ditch in Fort Collins, Colorado. The roadways in this evaluation include Castle Ridge Court and Castle Ridge Place. Results of the field and laboratory testing for this project as well as our evaluation of those test results are provided with this report.

Earth Engineering Consultants, Inc. completed a geotechnical exploration for this development in 1993. We believe the reference roadways were constructed shortly thereafter. The 1993 pavement section recommendations suggested at least 3-inches of hot bituminous pavement (HBP) over at least 6-inches of aggregate base, which was consistent with the minimum standards at that time. The in-place roadways appear to be in reasonably good shape based on visual observations. Several areas of concrete curb-and-gutter appear to have been replaced and the roadways appear to have been seal coated relatively recently. Photographs of the pavement areas taken at the time of our field exploration are included with this report.

To help determine the existing pavement sections and evaluate existing subgrade conditions, soil borings were completed at four (4) locations within the referenced roadway alignments. A diagram indicating the approximate boring locations is included with this report. Those borings were extended to depths of approximately 10 feet below existing surface grades with samples of the subsurface materials encountered obtained using split-barrel and California barrel sampling techniques in general accordance with ASTM Specifications D1586 and D3550, respectively.

4396 GREENFIELD DRIVE
WINDSOR, COLORADO 80550
(970) 545-3908 FAX (970) 663-0282

In the split-barrel and California barrel sampling procedures, standard sampling spoons are driven into the ground by means of a 140-pound hammer falling a distance of 30 inches. The number of blows required to advance the split-barrel and California barrel samplers is recorded and is used to estimate the in-situ relative density of cohesionless soils and, to a lesser degree of accuracy, the consistency of cohesive soils and hardness of weathered bedrock. In the California barrel sampling procedure, relatively intact samples are obtained in removable brass liners. Samples obtained in the field were sealed and returned to our laboratory for further examination, classification and testing.

Laboratory moisture content tests were completed on each of the recovered samples. Select samples were tested for dry density, unconfined strength, swell/consolidation, fines content and plasticity. Results of the outlined tests are indicated on the attached boring logs and summary sheets. One (1) Hveem stabilometer R-value was completed on a composite sample of the subgrade soils. As a part of the testing program, all samples were examined in the laboratory and classified in general accordance with the attached General Notes and the Unified Soil Classification System, based on the soil's texture and plasticity. The estimated group symbol for the Unified Soil Classification System is indicated on the borings and a brief description of that classification system is included with this report.

Based on results of the field borings and laboratory testing, subsurface conditions can be generalized as follows. The existing pavement surface observed in the field borings consisted of approximately 2½ to 4 inches of hot bituminous pavement in the cul-de-sacs (i.e. general vicinity of borings B-1, B-3 and B-4) and approximately 3½ inches in the local roadway (i.e. general vicinity of boring B-2). The HBP was underlain by approximately 6½ to 10 inches of aggregate base course. At all boring locations, the pavement sections were underlain by moderate plasticity lean clays with varying amounts of sand. The cohesive subgrade soils were generally moist and stiff to very stiff. The moist soils showed generally low potential for swelling at current moisture and density conditions. The lean clay soils were underlain at depths of approximately 3½ to 9 feet by claystone/siltstone/sandstone bedrock. The test borings were terminated at depths on the order of 10 feet below existing pavement surface in moderately to highly plastic bedrock.

Observations were made while drilling and after completion of the borings to detect the presence and depth to free groundwater. No free water was observed in the test borings at the time of drilling. The borings were backfilled after drilling and the pavements patched so that longer-term observations of groundwater levels were not possible.

Fluctuations in groundwater levels can occur over time depending on variations in hydrologic conditions and other conditions not apparent at the time of this report. Perched groundwater may be encountered in the subgrade soils particularly immediately above the low permeability bedrock. Soil stratification boundaries indicated on the boring logs were based on visual and tactual observation of the field samples. In-situ, the change of materials may be gradual and indistinct.

ANALYSIS AND RECOMMENDATIONS

The pavement section observed within the roadway borings consisted of 2½ to 4 inches of HBP on 6½ to 10 inches of aggregate base. The pavement sections are generally deficient on HBP surfacing based on a current minimum standard of 4 inches of hot bituminous pavement overlying 6 inches of aggregate base course for local residential streets and 5 inches of HBP over 6 inches of aggregate base for cul-de-sacs. Furthermore, the contribution of the approximate 25 year old HBP is substantially less than new HBP, further contributing to the deficiency of the pavement.

Reconstruction or a significant overlay of the existing roadways would be required to upgrade the roadways into current LCUASS standards.

For reconstruction, the existing pavement surface and adjacent concrete pans should be removed along with sufficient aggregate base/subgrade to establish top-of-subgrade or top-of-base elevations. We expect the subgrades would be unstable upon removal of the pavements thereby requiring stabilization. If the exposed materials are unstable, it might be necessary to remove base materials to a depth where the subgrades can be stabilized and appropriate base placed for the roadways. Stabilization of the subgrades, if required, could include incorporation of at least 12 percent Class C fly ash in the top 12 inches of subgrade. The stabilized zone would be adjusted in moisture content to slightly dry of standard Proctor optimum moisture and compacted to at least 95% of standard Proctor maximum dry density.

Pavement sections for the thru-streets classified as local residential, should consist of 4 inches of hot bituminous pavement overlying 6 inches of base course. The new pavement section for the cul-de-sacs should include 5 inches of hot bituminous pavement overlying 6 inches of base course. Aggregate base course should consist of Class 5 or Class 6 aggregate base in accordance with LCUASS standards. Hot bituminous pavement should consist of Grading S 75 with 58-28

binder. Aggregate base course should be compacted to at least 95% of standard Proctor maximum dry density at a workable moisture content. Hot bituminous pavement should be compacted to be with the range of 92 to 96% of maximum theoretical specific gravity (Rice Value) at the time of placement.

Concerning an overlay approach, we suggest at least 2½ inches of new asphalt would be required in the cul-de-sacs and 1½ inches required in the local roadways to bring the structural number of the streets up to meet current design. As an alternative, 2-inches of the in-place HBP could be milled and overlay of 4 inches and 3 inches, respectively, placed in the cul-de-sacs and roadways. Adding 2 to 2½ inches of pavement above the existing grades would significantly alter the roadway cross slopes; care would be needed to match existing curb-and-gutter and driveways. Areas of thinner pavements may not provide adequate support of the milling operation.

Positive drainage should be developed across and away from the new pavements to prevent wetting of the pavement subgrades. Pavement subgrades allowed to become wetted subsequent to construction can result in an unacceptable performance of the pavements. In addition, care should be taken to place and compact cohesive soil subgrades behind the new curbs lines to prevent ponding of water behind curbs.

General Comments

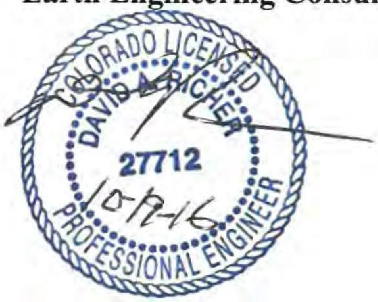
The analysis and recommendations presented in this report are based upon the data obtained from the borings completed at the indicated locations and from any other information discussed in this report. This report does not reflect any variations which may occur between borings or across the site. The nature and extent of such variations may not become evident until construction. If variations appear evident, it will be necessary to re-evaluate the recommendations of this report.

It is recommended that the geotechnical engineer be retained to review the plans and specifications so that comments can be made regarding the interpretation and implementation of our geotechnical recommendations in the design and specifications. It is further recommended that the geotechnical engineer be retained for testing and observations during earthwork and pavement construction phases to help determine that the design requirements are fulfilled.

This report has been prepared for the exclusive use of Castle Ridge at Miramont HOA c/o Faith Property Management personnel for specific application to the project discussed, and has been prepared in accordance with generally accepted geotechnical engineering practices. No warranty, express or implied, is made. In the event that any changes in the nature, design or location of the project as outlined in this report are planned, the conclusions and recommendations contained in this report shall not be considered valid unless the changes are reviewed and the conclusions of this report modified or verified in writing by the geotechnical engineer.

We appreciate the opportunity to be of service to you on this project. If you have any questions concerning this report, or if we can be of further service to you in any other way, please do not hesitate to contact us.

Very truly yours,
Earth Engineering Consultants, LLC



David A. Richer, P.E.
Senior Geotechnical Engineer

Reviewed by: Lester L. Litton, P.E.
Principal Engineer

DAR/LLL/dla

cc: Shear Engineering Corporation – Brian Shear (bshear@shearengineering.com)

DRILLING & SAMPLING SYMBOLS:

SS: Split Spoon - 13/8" I.D., 2" O.D., unless otherwise noted
ST: Thin-Walled Tube - 2" O.D., unless otherwise noted
R: Ring Barrel Sampler - 2.42" I.D., 3" O.D. unless otherwise noted
PA: Power Auger
HA: Hand Auger
DB: Diamond Bit = 4", N, B
AS: Auger Sample
HS: Hollow Stem Auger
PS: Piston Sample
WS: Wash Sample
FT: Fish Tail Bit
RB: Rock Bit
BS: Bulk Sample
PM: Pressure Meter
WB: Wash Bore

Standard "N" Penetration: Blows per foot of a 140 pound hammer falling 30 inches on a 2-inch O.D. split spoon, except where noted.

WATER LEVEL MEASUREMENT SYMBOLS:

WL : Water Level
WCI: Wet Cave in
DCI: Dry Cave in
AB : After Boring
WS : While Sampling
WD : While Drilling
BCR: Before Casing Removal
ACR: After Casting Removal

Water levels indicated on the boring logs are the levels measured in the borings at the time indicated. In pervious soils, the indicated levels may reflect the location of ground water. In low permeability soils, the accurate determination of ground water levels is not possible with only short term observations.

DESCRIPTIVE SOIL CLASSIFICATION

Soil Classification is based on the Unified Soil Classification system and the ASTM Designations D-2488. Coarse Grained Soils have move than 50% of their dry weight retained on a #200 sieve; they are described as: boulders, cobbles, gravel or sand. Fine Grained Soils have less than 50% of their dry weight retained on a #200 sieve; they are described as : clays, if they are plastic, and silts if they are slightly plastic or non-plastic. Major constituents may be added as modifiers and minor constituents may be added according to the relative proportions based on grain size. In addition to gradation, coarse grained soils are defined on the basis of their relative in-place density and fine grained soils on the basis of their consistency. Example: Lean clay with sand, trace gravel, stiff (CL); silty sand, trace gravel, medium dense (SM).

CONSISTENCY OF FINE-GRAINED SOILS

Unconfined Compressive Strength, Qu, psf	Consistency
< 500	Very Soft
500 - 1,000	Soft
1,001 - 2,000	Medium
2,001 - 4,000	Stiff
4,001 - 8,000	Very Stiff
8,001 - 16,000	Very Hard

RELATIVE DENSITY OF COARSE-GRAINED SOILS:

N-Blows/ft	Relative Density
0-3	Very Loose
4-9	Loose
10-29	Medium Dense
30-49	Dense
50-80	Very Dense
80 +	Extremely Dense

PHYSICAL PROPERTIES OF BEDROCK

DEGREE OF WEATHERING:

Slight	Slight decomposition of parent material on joints. May be color change.
Moderate	Some decomposition and color change throughout.
High	Rock highly decomposed, may be extremely broken.

HARDNESS AND DEGREE OF CEMENTATION:

Limestone and Dolomite:

Hard	Difficult to scratch with knife.
Moderately Hard	Can be scratched easily with knife.
Hard	Cannot be scratched with fingernail.
Soft	Can be scratched with fingernail.

Shale, Siltstone and Claystone:

Hard	Can be scratched easily with knife, cannot be scratched with fingernail.
Moderately Hard	Can be scratched with fingernail.
Soft	Can be easily dented but not molded with fingers.

Sandstone and Conglomerate:

Well Cemented	Capable of scratching a knife blade.
Cemented	Can be scratched with knife.
Poorly Cemented	Can be broken apart easily with fingers.

UNIFIED SOIL CLASSIFICATION SYSTEM

Criteria for Assigning Group Symbols and Group Names Using Laboratory Tests					Soil Classification: Group Symbol	Soil Classification: Group Name
Coarse - Grained Soils more than 50% retained on No. 200 sieve	Gravels more than 50% of coarse fraction retained on No. 4 sieve	Clean Gravels Less than 5% fines	Cu≥4 and 1<Cc≤3[E]		GW	Well-graded gravel [F]
			Cu<4 and/or 1>Cc>3[E]		GP	Poorly-graded gravel [F]
		Gravels with Fines more than 12% fines	Fines classify as ML or MH		GM	Silty gravel [G,H]
			Fines Classify as CL or CH		GC	Clayey Gravel [F,G,H]
	Sands 50% or more coarse fraction passes No. 4 sieve	Clean Sands Less than 5% fines	Cu≥6 and 1<Cc≤3[E]		SW	Well-graded sand [I]
			Cu<6 and/or 1>Cc>3[E]		SP	Poorly-graded sand [I]
		Sands with Fines more than 12% fines	Fines classify as ML or MH		SM	Silty sand [G,H,I]
			Fines classify as CL or CH		SC	Clayey sand [G,H,I]
Fine-Grained Soils 50% or more passes the No. 200 sieve	Silts and Clays Liquid Limit less than 50	inorganic	PI>7 and plots on or above "A" Line		CL	Lean clay [K,L,M]
			PI<4 or plots below "A" Line		ML	Silt [K,L,M]
		organic	Liquid Limit - oven dried / Liquid Limit - not dried	<0.75	OL	Organic clay [K,L,M,N] / Organic silt [K,L,M,O]
	Silts and Clays Liquid Limit 50 or more	inorganic	PI plots on or above "A" Line		CH	Fat clay [K,L,M]
			PI plots below "A" Line		MH	Elastic Silt [K,L,M]
		organic	Liquid Limit - oven dried / Liquid Limit - not dried	<0.75	OH	Organic clay [K,L,M,P] / Organic silt [K,L,M,O]
Highly organic soils		Primarily organic matter, dark in color, and organic odor			PT	Peat

[A]Based on the material passing the 3-in. (75-mm) sieve

[B]If field sample contained cobbles or boulders, or both, add "with cobbles or boulders, or both" to group name.

[C]Gravels with 5 to 12% fines required dual symbols:
GW-GM well graded gravel with silt
GW-GC well-graded gravel with clay
GP-GM poorly-graded gravel with silt
GP-GC poorly-graded gravel with clay

[D]Sands with 5 to 12% fines require dual symbols:
SW-SM well-graded sand with silt
SW-SC well-graded sand with clay
SP-SM poorly graded sand with silt
SP-SC poorly graded sand with clay

[E]$Cu=D_{60}/D_{10}$ $Cc=\frac{(D_{30})^2}{D_{10} \times D_{60}}$

[F]If soil contains ≥15% sand, add "with sand" to

[G]If fines classify as CL-ML, use dual symbol GC-CM, or SC-SM.

[H]If fines are organic, add "with organic fines" to group name

[I]If soil contains >15% gravel, add "with gravel" to group name

[J]If Atterberg limits plots shaded area, soil is a CL-ML, Silty clay

[K]if soil contains 15 to 29% plus No. 200, add "with sand" or "with gravel", whichever is predominant.

[L]If soil contains ≥ 30% plus No. 200 predominantly sand, add "sandy" to group name.

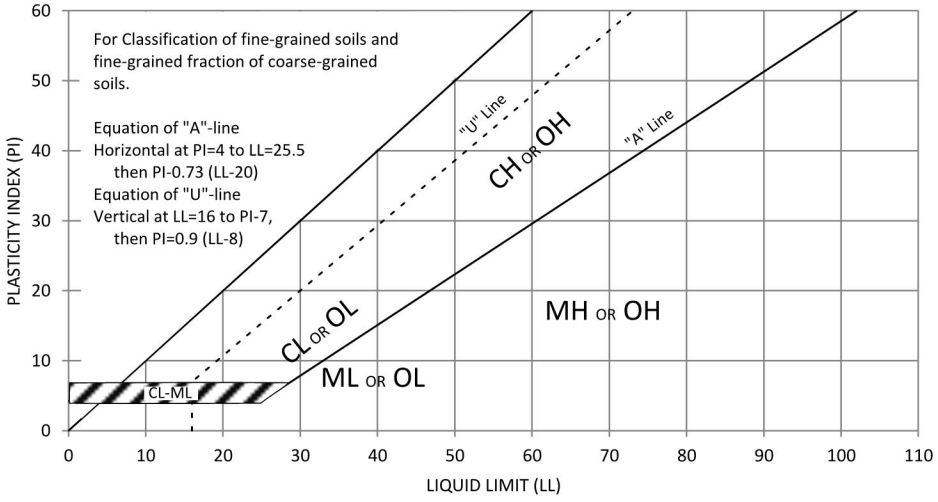
[M]If soil contains ≥30% plus No. 200 predominantly gravel, add "gravelly" to group name.

[N]PI≥4 and plots on or above "A" line.

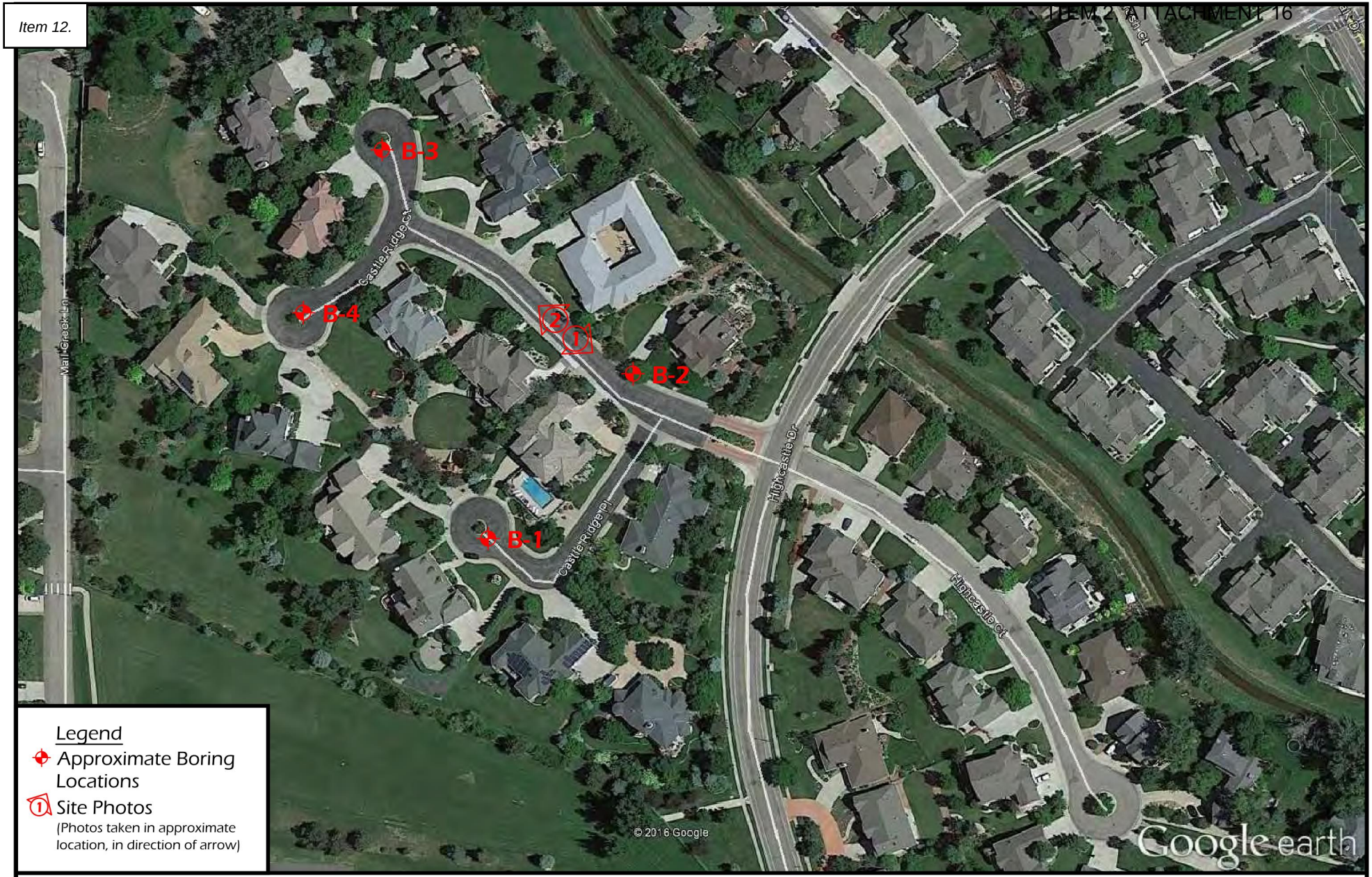
[O]PI≤4 or plots below "A" line.

[P]PI plots on or above "A" line.

[Q]PI plots below "A" line.



CASTLE RIDGE COURT PAVEMENTS
FORT COLLINS, COLORADO
EEC PROJECT NO. 1162090
SEPTEMBER 2016



Legend
- Approximate Boring Locations
- Site Photos (Photos taken in approximate location, in direction of arrow)

North

Boring Location Diagram
Castle Ridge at Miramont HOA
Fort Collins, Colorado
EEC Project #: 1162090 Date: September 2016

CASTLE RIDGE AT MIRAMONT

FORT COLLINS, COLORADO

PROJECT NO: 1162090	**LOG OF BORING B-1**		**DATE: SEPTEMBER 2016**
RIG TYPE: CME55	*SHEET 1 OF 1*		**WATER DEPTH**
FOREMAN: DG	**START DATE**	**9/23/2016**	**WHILE DRILLING** **None**
AUGER TYPE: 4" CFA	**FINISH DATE**	**9/23/2016**	**AFTER DRILLING** **N/A**
SPT HAMMER: AUTOMATIC	**SURFACE ELEV**	**N/A**	**24 HOUR** **N/A**

SOIL DESCRIPTION	TYPE	D (FEET)	N (BLOWS/FT)	QU (PSF)	MC (%)	DD (PCF)	A-LIMITS LL	A-LIMITS PI	-200 (%)	SWELL PRESSURE	SWELL % @ 500 PSF
ASPHALT - 4"		1									
ABC - 6.5"											% @ 150 psf
SANDY LEAN CLAY (CL)	CS	2	9	8000	15.2	115.0	36	22	59.7	1500 psf	1.9%
brown / grey											
very stiff		3									
with calcareous deposits		4									
	SS	5	13	9000+	16.2						
		6									
		7									
		8									
SILTSTONE / CLAYSTONE / SANDSTONE		9									
brown / grey / rust	SS		53	8000	17.4		36	16	75.8		
*bedrock classified as LEAN CLAY with SAND (CL)		10									
BOTTOM OF BORING DEPTH 10.0'		11									
		12									
		13									
		14									
		15									
		16									
		17									
		18									
		19									
		20									
		21									
		22									
		23									
		24									
		25									

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CASTLE RIDGE AT MIRAMONT

FORT COLLINS, COLORADO

PROJECT NO: 1162090	**LOG OF BORING B-2**		**DATE: SEPTEMBER 2016**
RIG TYPE: CME55	*SHEET 1 OF 1*		**WATER DEPTH**
FOREMAN: DG	**START DATE**	**9/23/2016**	**WHILE DRILLING** **None**
AUGER TYPE: 4" CFA	**FINISH DATE**	**9/23/2016**	**AFTER DRILLING** **N/A**
SPT HAMMER: AUTOMATIC	**SURFACE ELEV**	**N/A**	**24 HOUR** **N/A**

SOIL DESCRIPTION	TYPE	D (FEET)	N (BLOWS/FT)	QU (PSF)	MC (%)	DD (PCF)	A-LIMITS LL	A-LIMITS PI	-200 (%)	SWELL PRESSURE	SWELL % @ 500 PSF
ASPHALT - 3.5"		1									
ABC - 8"											% @ 150 psf
SANDY LEAN CLAY (CL)	CS	2	**12**	**7500**	**17.8**	**106.5**				**1400 psf**	**1.6%**
brown / grey / rust											
very stiff		3									
		4									
with traces of gravel	SS	**5**	**10**	**9000+**	**17.4**						
		6									
		7									
CLAYSTONE / SILTSTONE		8									
brown / grey / rust		9									
highly weathered	SS	**10**	**55**	**9000+**	**18.3**						
BOTTOM OF BORING DEPTH 10.5'		11									
		12									
		13									
		14									
		15									
		16									
		17									
		18									
		19									
		20									
		21									
		22									
		23									
		24									
		25									

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CASTLE RIDGE AT MIRAMONT

FORT COLLINS, COLORADO

PROJECT NO: 1162090	**LOG OF BORING B-3**		**DATE: SEPTEMBER 2016**
RIG TYPE: CME55	*SHEET 1 OF 1*		**WATER DEPTH**
FOREMAN: DG	**START DATE**	**9/23/2016**	**WHILE DRILLING** **None**
AUGER TYPE: 4" CFA	**FINISH DATE**	**9/23/2016**	**AFTER DRILLING** **N/A**
SPT HAMMER: AUTOMATIC	**SURFACE ELEV**	**N/A**	**24 HOUR** **N/A**

SOIL DESCRIPTION	TYPE	D (FEET)	N (BLOWS/FT)	QU (PSF)	MC (%)	DD (PCF)	A-LIMITS LL	A-LIMITS PI	-200 (%)	SWELL PRESSURE	SWELL % @ 500 PSF
ASPHALT - 3.5"											
ABC - 10"		1									% @ 150 psf
LEAN CLAY with SAND (CL)	CS	2	**10**	**8000**	**18.2**	**109.9**	**38**	**23**	**70.2**	**1750 psf**	**1.3%**
brown											
very stiff		3									
with calcareous deposits		4									
	SS	**5**	**13**	**9000+**	**16.4**						
		6									
		7									
		8									
		9									
SILTSTONE / CLAYSTONE / SANDSTONE	SS	**10**	**6**	**5000**	**27.8**						
brown / grey / rust, highly weathered											
BOTTOM OF BORING DEPTH 10.0'		11									
		12									
		13									
		14									
		15									
		16									
		17									
		18									
		19									
		20									
		21									
		22									
		23									
		24									
		25									

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CASTLE RIDGE AT MIRAMONT

FORT COLLINS, COLORADO

PROJECT NO: 1162090	**LOG OF BORING B-4**		**DATE: SEPTEMBER 2016**
RIG TYPE: CME55	*SHEET 1 OF 1*		**WATER DEPTH**
FOREMAN: DG	**START DATE**	**9/23/2016**	**WHILE DRILLING** **None**
AUGER TYPE: 4" CFA	**FINISH DATE**	**9/23/2016**	**AFTER DRILLING** **N/A**
SPT HAMMER: AUTOMATIC	**SURFACE ELEV**	**N/A**	**24 HOUR** **N/A**

SOIL DESCRIPTION	TYPE	D (FEET)	N (BLOWS/FT)	QU (PSF)	MC (%)	DD (PCF)	A-LIMITS LL	A-LIMITS PI	-200 (%)	SWELL PRESSURE	SWELL % @ 500 PSF
ASPHALT - 2.5"											
ABC - 10"		1									% @ 150 psf
SANDY LEAN CLAY (CL)	CS	2	**6**	**2000**	**16.3**	**106.7**	**38**	**21**	**59.2**	**1000 psf**	**1.1%**
brown / grey											
medium stiff to very stiff		3									
	SS	4	**48**	**9000+**	**17.1**		**36**	**16**	**72**		
CLAYSTONE / SILTSTONE / SANDSTONE											
grey / brown / rust		**5**									
with calcareous deposits		6									
		7									
*bedrock classified as LEAN CLAY with SAND (CL)		8									
		9									
	SS	**10**	**78/11"**	**9000+**	**19.5**						
BOTTOM OF BORING DEPTH 10.0'		11									
		12									
		13									
		14									
		15									
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		25									

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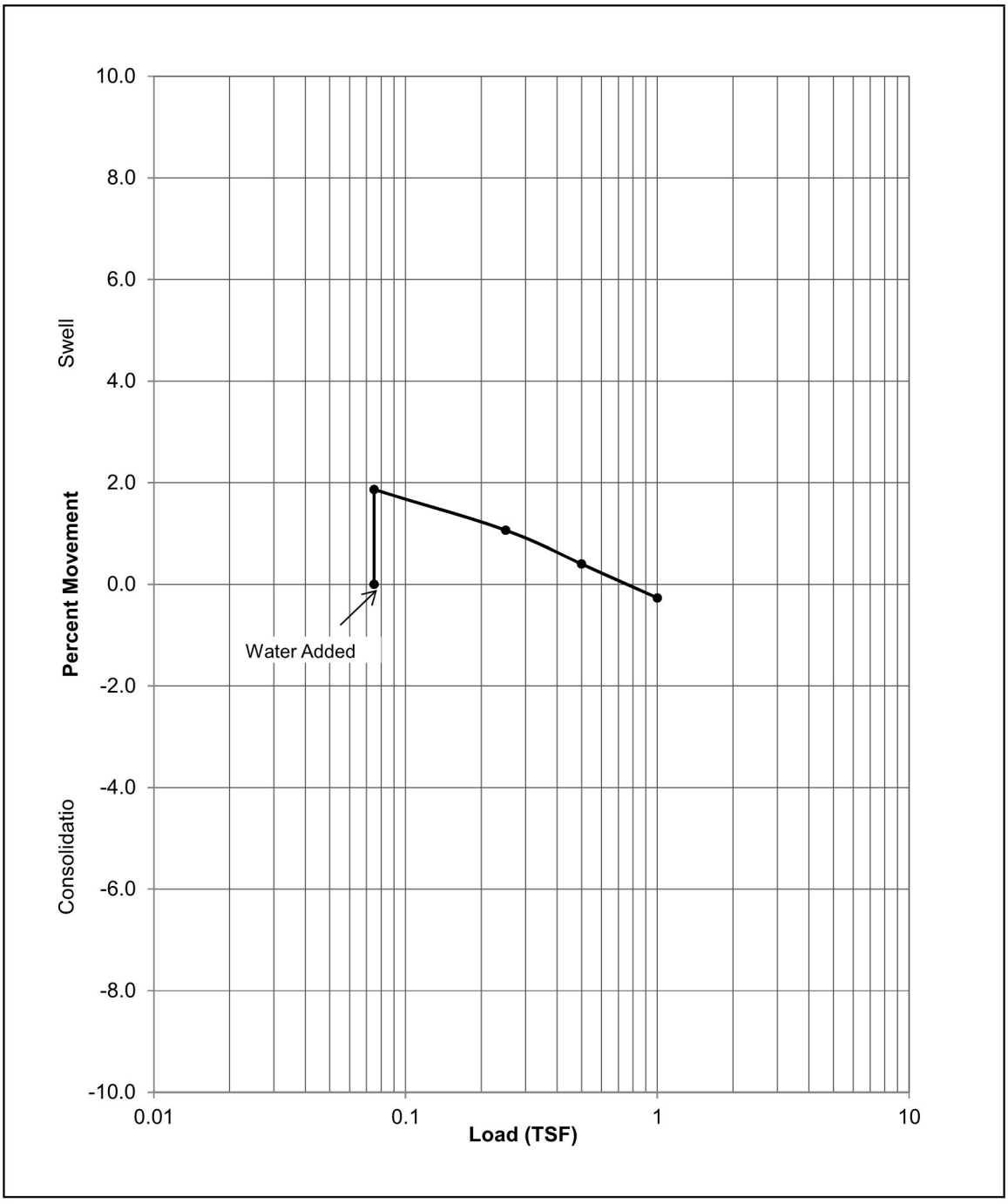
SWELL / CONSOLIDATION TEST RESULTS

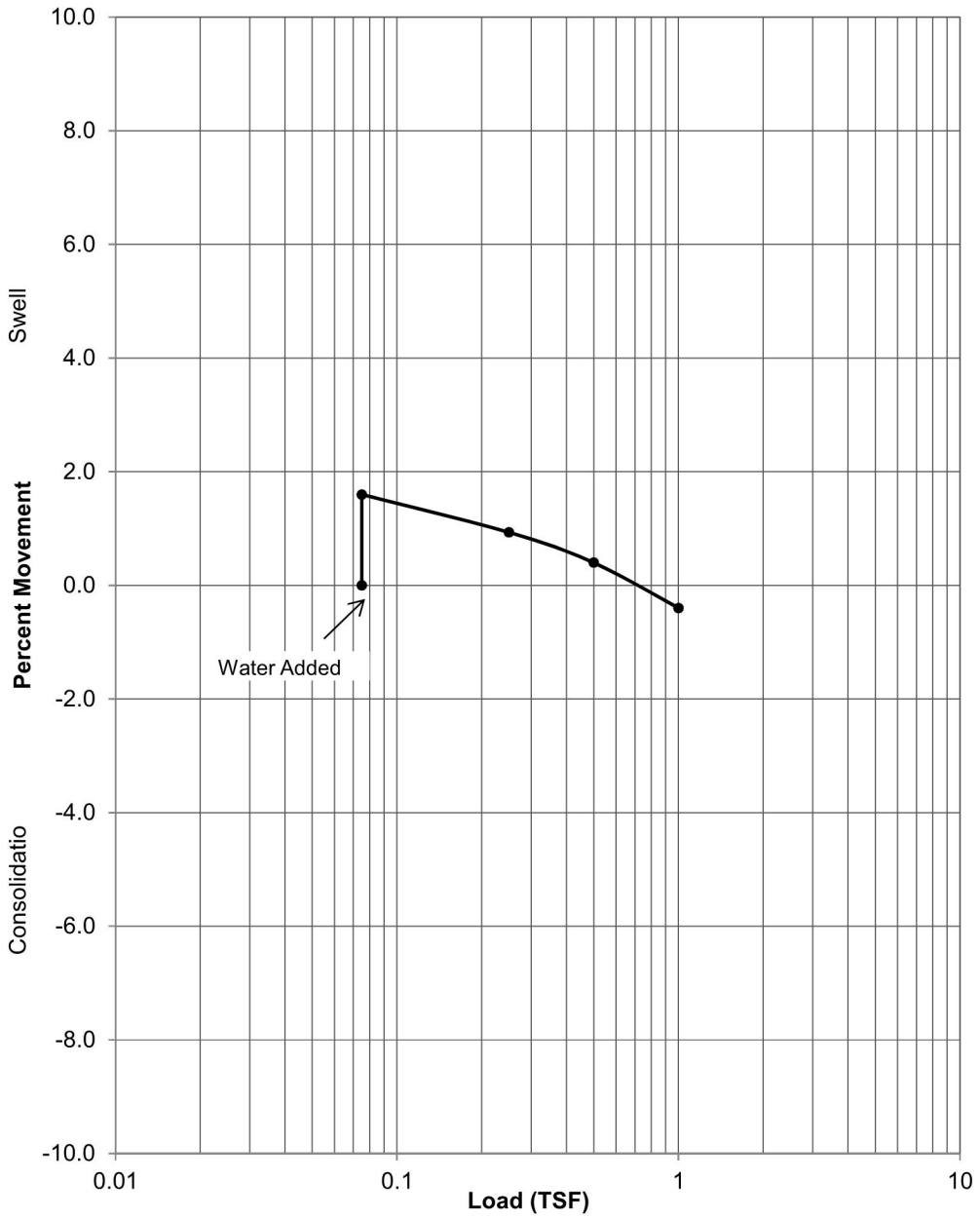
Material Description:	Brown / Grey Lean Clay (CL)	
Sample Location:	Boring 1, Sample 1, Depth 1'	
Liquid Limit: 36	Plasticity Index: 22	% Passing #200: 59.7%
Beginning Moisture: 15.2%	Dry Density: 115.6 pcf	Ending Moisture: 18.4%
Swell Pressure: 1500 psf	% Swell @ 150: 1.9%	



Project: Castle Ridge at Miramont
Location: Fort Collins, Colorado
Project #: 1162090
Date: October 2016

SWELL / CONSOLIDATION TEST RESULTS

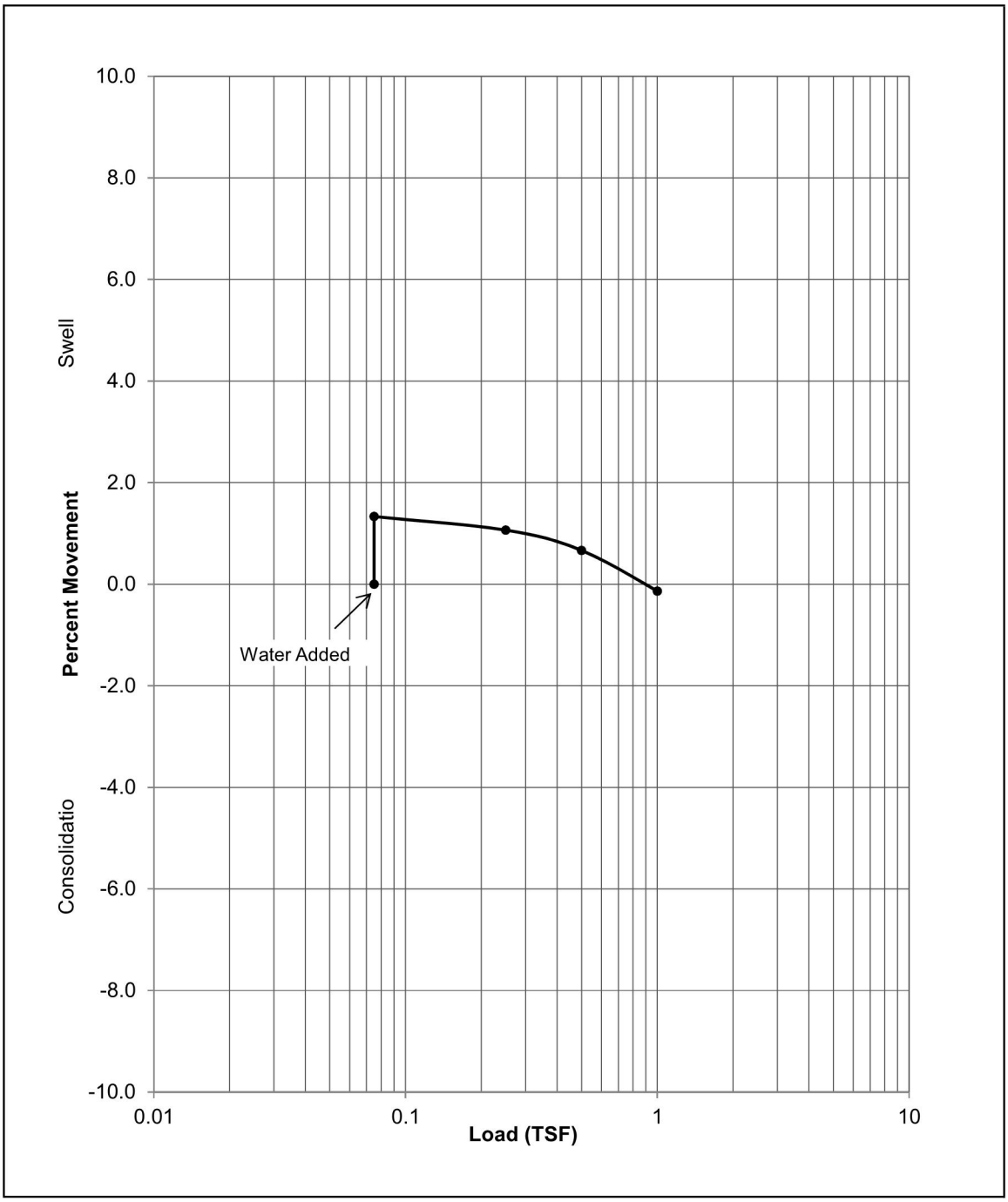
Material Description:	Brown / Grey / Rust Lean Clay (CL)	
Sample Location:	Boring 2, Sample 1, Depth 1'	
Liquid Limit: - -	Plasticity Index: - -	% Passing #200: - -
Beginning Moisture: 17.8%	Dry Density: 126 pcf	Ending Moisture: 17.5%
Swell Pressure: 1400 psf	% Swell @ 150: 1.6%	



Project: Castle Ridge at Miramont
Location: Fort Collins, Colorado
Project #: 1162090
Date: October 2016

SWELL / CONSOLIDATION TEST RESULTS

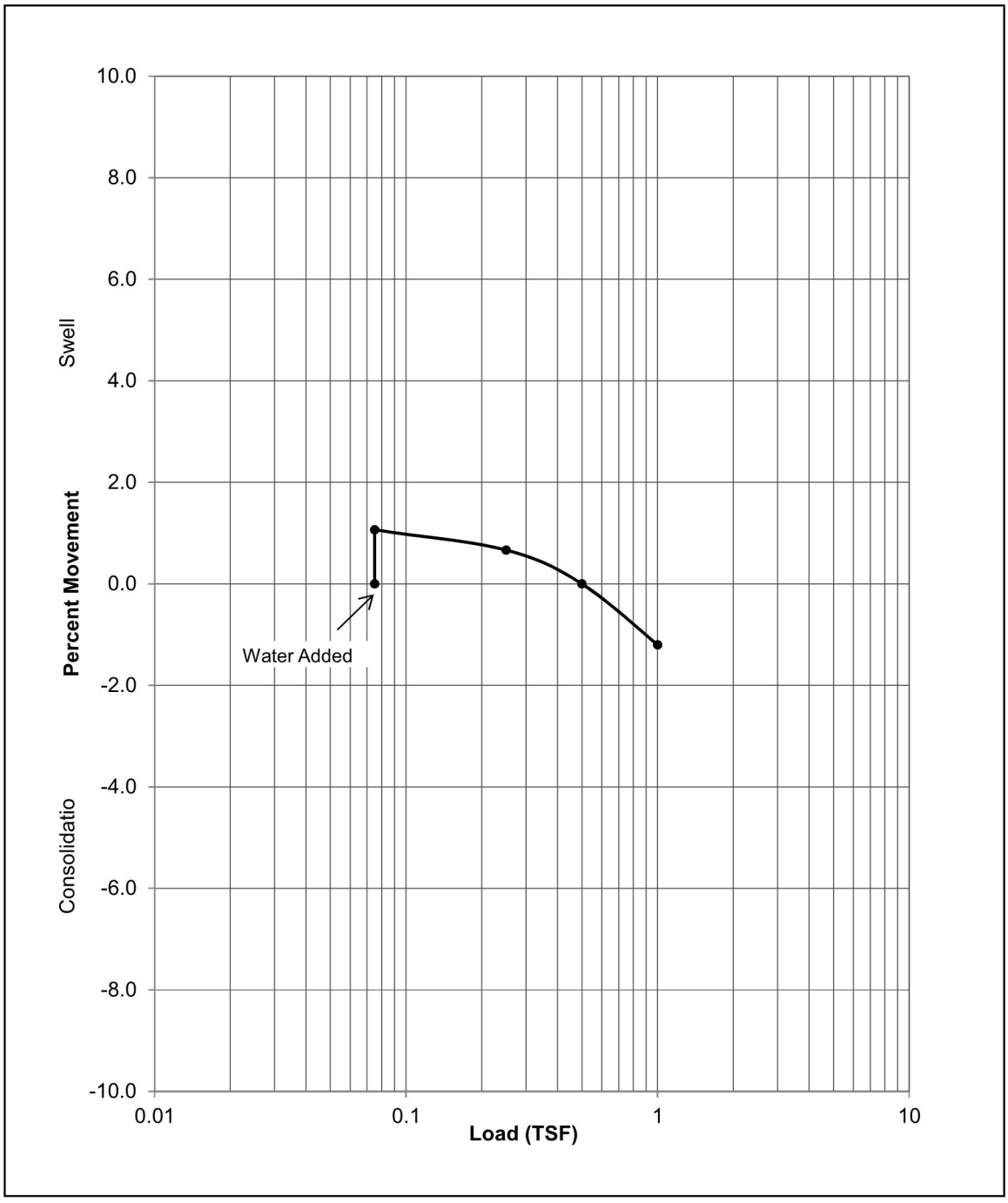
Material Description:	Brown Lean Clay with Sand (CL)	
Sample Location:	Boring 3, Sample 1, Depth 1'	
Liquid Limit: 38	Plasticity Index: 23	% Passing #200: 70.2%
Beginning Moisture: 18.2%	Dry Density: 105.6 pcf	Ending Moisture: 18.3%
Swell Pressure: 1750 psf	% Swell @ 150: 1.3%	



Project: Castle Ridge at Miramont
Location: Fort Collins, Colorado
Project #: 1162090
Date: October 2016

SWELL / CONSOLIDATION TEST RESULTS

Material Description:	Brown / Grey Sandy Lean Clay (CL)		
Sample Location:	Boring 4, Sample 1, Depth 1'		
Liquid Limit: 38	Plasticity Index: 21	% Passing #200: 59.2%	
Beginning Moisture: 16.3%	Dry Density: 112.8 pcf	Ending Moisture: 20.4%	
Swell Pressure: 1000 psf	% Swell @ 150: 1.1%		



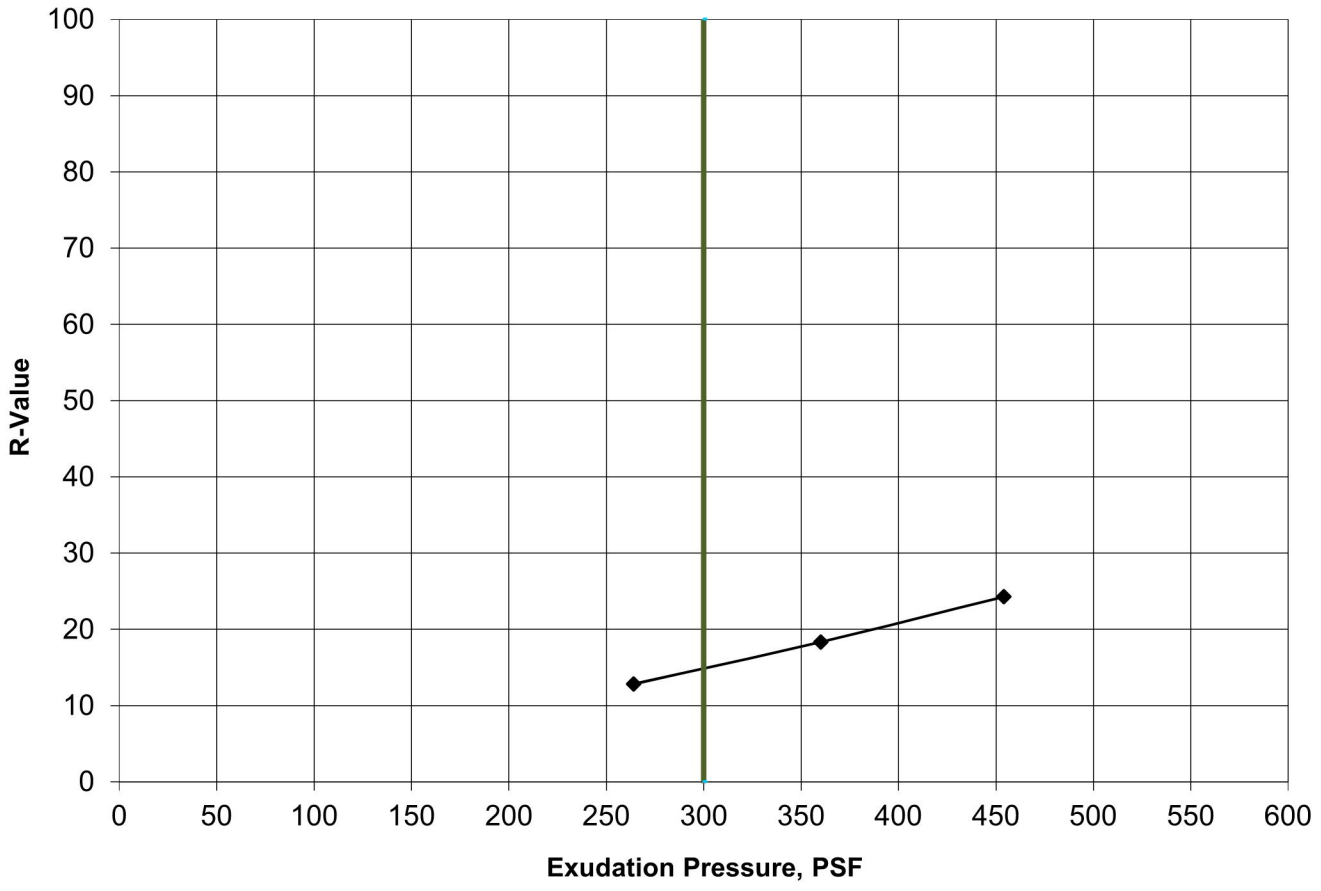
Project: Castle Ridge at Miramont
Location: Fort Collins, Colorado
Project #: 1162090
Date: October 2016

RESISTANCE R-VALUE & EXPANSION PRESSURE OF COMPACTED SOIL - ASTM D2844

PROJECT:	High Castle Court - Pavement Evaluation			**PROJECT NO.**	1162090
LOCATION:	Fort Collins, Colorado			**DATE**	Sep-16
MATERIAL DESCRIPTION:	Sandy Lean Clay (CL) AASHTO A-6				
SAMPLE LOCATION:	Composite Subgrade Sample Borings B-1 thru B-4 @ 1.0' - 5.0'				
LIQUID LIMIT:	36	**PLASTICITY INDEX:**	16	**%PASSING #200:**	63

R-VALUE LABORATORY TEST RESULTS			
TEST SPECIMEN NO.	**1**	2	3
COMPACTION PRESSURE (PSI)	125	150	175
DENSITY (PCF)	110.1	111.9	113.2
MOISTURE CONTENT (%)	17.6	16.6	15.6
EXPANSION PRESSURE (PSI)	0.00	0.00	0.00
HORIZONTAL PRESSURE @ 160 PSI	132	121	110
SAMPLE HEIGHT (INCHES)	2.50	2.45	2.45
EXUDATION PRESSURE (PSI)	264.0	360.1	454.1
UNCORRECTED R-VALUE	12.8	18.3	24.3
CORRECTED R-VALUE	12.8	18.3	24.3

R-VALUE @ 300 PSI EXUDATION PRESSURE = **15**	**RESILIENT MODULUS, PSI =** **4,195**



Request for acceptance of Private Drives, Private Streets, and Privately Maintained Public Streets as Publicly Maintained Right-of-Way

for

Castle Ridge at Miramont P.U.D.

(Castle Ridge Court / Castle Ridge Place)

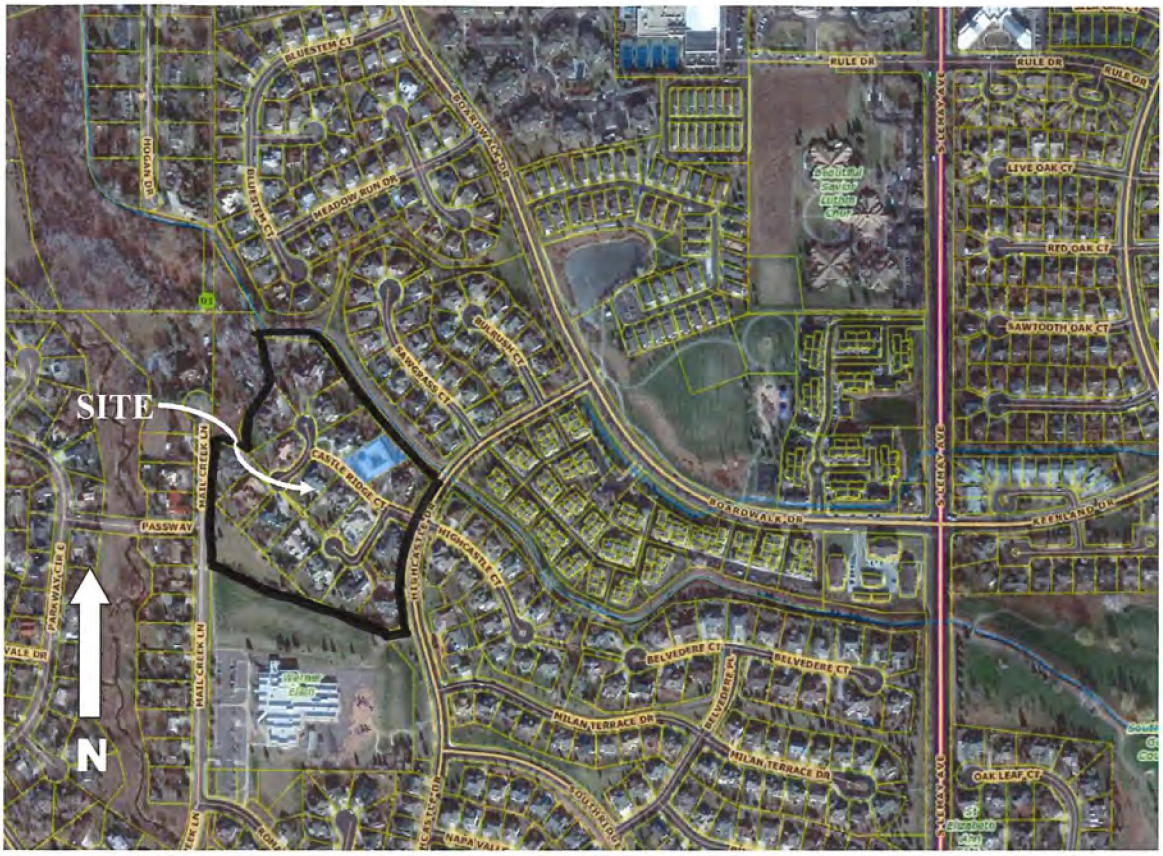
Fort Collins, Colorado

Prepared for:

Castle Ridge at Miramont Home Owner's Association
c/o Faith Property Management, Inc.
300 East Boardwalk, Building 6B
Fort Collins, Colorado 80525

Prepared by:

SHEAR ENGINEERING CORPORATION
Project No: 2504-11-16
Date: December, 2016



VICINITY MAP

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Vicinity Map

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Castle Ridge at Miramont Preliminary & Final Site Plan
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LCUASS Drawing 1607; Truncated Dome Warning for Access Ramp

I. INTRODUCTION:

1. This report presents a complete summary of the minimal requirements for private streets to be accepted as public streets for Castle Ridge at Miramont P.U.D. based on the following items provided by the City of Fort Collins Engineering Department:

    a. Process for requesting acceptance of Private Drives, Private Streets, and Privately Maintained Public Streets (hereafter to be known as "Private Streets") as Publicly Maintained Right-of-Way.

    b. Minimal Requirements for a Private Street to be accepted as a Public Street.

II. GENERAL LOCATION AND DESCRIPTION

A. Property location

1. Castle Ridge at Miramont P.U.D. is located in the East half of Section 1, Township 6 North, Range 69 West of the 6th Principal Meridian, City of Fort Collins, County of Larimer, State of Colorado.

    a. Refer to final plat of Castle Ridge at Miramont P.U.D. in Appendix I.

2. Castle Ridge at Miramont P.U.D. is located in the Miramont P.U.D. neighborhood. It is west of Highcastle Drive, east of Fossil Creek Meadows and directly north and adjacent to Werner Elementary School.

3. Refer to the vicinity map located near the beginning of this report.

B. Description of Property

1. Castle Ridge at Miramont P.U.D. was approved in 1993 and developed in 1994.

2. Castle Ridge at Miramont P.U.D. was developed prior to the adoption of the Larimer County Urban Area Street Standards (LCUASS).

3. Castle Ridge at Miramont P.U.D. consists of eighteen (18) single family lots on 14.061 acres.

    a. Refer to final plat of Castle Ridge at Miramont P.U.D. in Appendix I.

III. MINIMAL REQUIRMENTS FOR A PRIVTESTREET TO BE ACCEPTED AS A PUBLIC STREET

A. Building setbacks

1. Approved setbacks are noted on the Castle Ridge at Miramont Preliminary & Final Site Plan prepared by Cityscape Urban Design, Inc.; plan dated 06/07/1993

2. The Castle Ridge at Miramont Preliminary & Final Site Plan as approved by the City of Fort Collins Planning and Zoning Board in 1993.

    a. Refer to Castle Ridge at Miramont Preliminary & Final Site Plan in Appendix III.

3. Several individual lot site plans were found on City e-docs including Lots 1, 2, 5, 8, 9,10,12, 13, 14, 15, and 17.

4. Based on our review of those site plans, it appears that all lots meet all setback requirements noted on the approved Castle Ridge at Miramont Preliminary & Final Site Plan.

5. We have included a site-specific site plan for Lot 1, Castle Ridge at Miramont P.U.D. for reference.

    a. Refer to Lot 1, Castle Ridge at Miramont P.U.D. (642 Castle Ridge Court) Site Plan in Appendix III.

B. Right-of-way

1. Castle Ridge Court and Castle Ridge Place are contained in Tract B defined as a utility, drainage and access easement according to the final plat for Castle Ridge at Miramont P.U.D. prepared by RBD, Inc. Engineering Consultants. The width of Tract B is thirty-eight feet (38.40').

    a. Refer to final plat of Castle Ridge at Miramont P.U.D. in Appendix I.

2. Right-of-way was not dedicated with the final plat for Castle Ridge Court and Castle Ridge Place.

    a. Refer to final plat of Castle Ridge at Miramont P.U.D. in Appendix I.

3. Right-of-way will need to be dedicated by separate document in accordance with the City of Fort Collins right-of-way dedication process.

C. Sidewalks

1. Driveover curb, gutter and sidewalk was installed on both sides of the streets.

Viewing west on east-west portion of Castle Ridge Court

a. Driveover curb, gutter and sidewalk was installed according to the standard at the time with a 3'-9" width walk.

i. Refer to Sheet 14 of 15 (Details) of the Utility Plans for Castle Ridge at Miramont P.U.D. in Appendix II.

2. All sidewalks and driveway crossings appear to be ADA (Americans with Disability Act) compliant.

3. Sidewalk ramps exist at corners and crossings and appear to meet ADA standards.

D. Curb and Gutter

1. Driveover curb, gutter and sidewalk was installed on both sides of the streets. Refer to item C. Sidewalks above.

E. On street parking

1. The streets are twenty-eight feet (28') wide according to the typical street section provided on Sheet 15 of 15 (Details) of the Utility Plans for Castle Ridge at Miramont P.U.D. prepared by RBD, Inc. Engineering Consultants; plan dated August, 1993; Director of Engineering approval date: 11/12/93.

2. The City of Fort Collins "Narrow Residential Local Street" section is twenty-four feet (24') wide in a forty-five foot (45') right-of-way. This section allows parking on one side.

    a. Refer to Figure 7-10F "Narrow Residential Local Street" from the Larimer County Urban Area Street Standards in the Appendix IV.

3. Based on the narrower twenty-four feet (24') wide "Narrow Residential Local Street" allowing parking on one side, it is assumed that the wider twenty-eight foot (28') wide Castle Ridge streets would allow parking on one side.

F. Connection to a Public Street

1. Castle Ridge Court intersects with Highcastle Drive.

Castle Ridge Court viewing west from Highcastle Court intersecting with Highcastle Drive

2. Highcastle Drive is a thirty-six foot (36') wide street in a fifty-four foot (54') right-of-way according to the typical street section provided on Sheet 15 of 15 (Details) of the Utility Plans for Castle Ridge at Miramont P.U.D. prepared by RBD, Inc. Engineering Consultants; plan dated August, 1993; Director of Engineering approval date: 11/12/93.

G. Paving

1. Pavement design was initially provided in the original subdivision subsurface exploration report by Earth Engineering Consultants, Inc. titled "Subsurface Engineering Report Proposed Castle Ridge Estates"; report dated August 10, 1993; EEC Project No. 1932024. **3" of asphalt over 6" base** is the pavement section represented in the original subdivision subsurface exploration report.

Existing pavement / Viewing east on east-west portion of Castle Ridge Place

2. According to Table 10-1 from the Larimer County Urban Area Street Standards the default pavement section for local streets is 4" of asphalt over 6" of base.

3. An existing pavement evaluation has been completed by Earth Engineering Consultants, LLC and is titled "Existing Pavements Evaluation Castle Ridge Court and Castle Ridge Place Fort Collins, Colorado"; report dated October 19, 2016; EEC Project No. 1162090. Report was completed in accordance with current Larimer County Urban Area Standards (LCUASS).

a. Boring B-1: existing pavement section in the Castle Ridge Place cul-de-sac is 4" of pavement over 6.5" of base.

b. Boring B-2: existing pavement section in the Castle Ridge Court near the intersection of Castle Ridge Court and Castle Ridge Place is 3.5" of pavement over 8" of base.

c. Boring B-3: existing pavement section in the Castle Ridge Court north cul-de-sac is 3.5" of pavement over 10" of base.

d. Boring B-4: existing pavement section in the Castle Ridge Court south cul-de-sac is 2.5" of pavement over 10" of base.

4. The existing pavement evaluation report by Earth Engineering Consultants, LLC is a separate report and is not included with this report but is being submitted as separate document with this request.

H. Maintenance History

1. Faith Property Management reported that their research indicates that there was an asphalt seal coat placed in 2007 and concrete repair work conducted in 2014.

2. There is field evidence of the 2014 concrete repair work. Concrete is stamped with a 2014 date. Vogel Concrete did the work.

3. At least one intersection ramp was replaced with a truncated dome warning pad detection.

    a. Refer to LCUASS Drawing 1607; Truncated Dome Warning for Access Ramp detail in Appendix V.

Southeast corner of Castle Ridge Court and Castle Ridge Place

I. Bridges and Box Culverts

1. A box culvert was installed for the Mail Creek Ditch on the north side of Castle Ridge at Miramont P.U.D. under Highcastle Drive with this project. However, this structure has no effect on this request.

J. Street Lighting

1. Street lighting exists. It is assumed that these lights were installed by City of Fort Collins Light and Power with the City electric system and therefore met City standards at the time of installation.

Viewing north on north-south portion of Castle Ridge Court

K. Utilities

1. The water system is within the Fort Collins – Loveland Water District.

2. The sanitary sewer system is within the South Fort Collins Sanitation District.

3. Electric facilities provided by City of Fort Collins Light and Power.

L. Storm Drainage System

1. The drainage and erosion control report for Castle Ridge at Miramont P.U.D. was prepared by RBD, Inc. Engineering Consultants and is titled "Final Drainage and Erosion Control Study for Castle Ridge at Miramont First Filing"; report dated: October 7, 1993; RBD Job No. 504-004.

2. Drainage design was in general conformance with City of Fort Collins storm drainage design criteria current at the time of construction. The detention pond outfall is a direct pipe outfall to the Mail Creek Drive drainage swale. There is no outlet control or water quality structure.

Sidewalk culvert at low point of Castle Ridge Court cul-de-sac pond outfall pipe in far background

Detention pond viewing west / pond outfall pipe in far background

Detention pond viewing east from Mail Creek Drive / pond outfall pipe in foreground

3. A total of 20.46 acres contribute runoff to the detention pond with a 100-year storm peak runoff of 31.1 cfs based on storm design intensities current at the time of design. Refer to Sheet 4 of 15 (Drainage and Erosion Control Plan) of the Utility Plans for Castle Ridge at Miramont P.U.D. prepared by RBD, Inc. Engineering Consultants; plan dated August, 1993; Director of Engineering approval date: 11/12/93.

M. Groundwater

1. Groundwater was not noted in any of the borings provided by Earth Engineering Consultants, LLC in the existing pavement evaluation report titled "Existing Pavements Evaluation Castle Ridge Court and Castle Ridge Place Fort Collins, Colorado".

2. The following statement is made in the existing pavement evaluation report: *Fluctuations in groundwater levels can occur over time depending on variations in hydrologic conditions and other conditions not apparent at the time of this report. Perched groundwater may be encountered in the subgrade soils particularly immediately above the low permeability bedrock. Soil stratification boundaries indicated on the boring logs were based on visual and tactual observation of the field samples. In-situ, the change of materials may be gradual and indistinct.*

3. Page 5 of the original subsurface engineering report by Earth Engineering Consultants, Inc. titled "Subsurface Engineering Report Proposed Castle Ridge Estates" indicates that groundwater was noted at depths on the order of seven feet (7') to eleven feet (11').

4. A subdrain system was not included with the initial subdivision design.

N. Larimer County Urban Area Street Standards (LCUASS)

1. All required improvements that may be necessary for the City of Fort Collins to accept Castle Ridge Court and Castle Ridge Place as publicly maintained streets, will need to meet current Larimer County Urban Area Street Standards.

IV. VARIANCE REQUESTS

A. Variance from City of Fort Collins Requirements or Larimer County Street standards may be required.

1. No variances have been identified at this time.

V. REFERENCES

A. City of Fort Collins Stormwater Criteria Manual; City of Fort Collins, December 2011

B. Final Plat for Castle Ridge at Miramont P.U.D. recorded in Larimer County records at Reception # 93082809; RBD, Inc. Engineering Consultants; 1994

C. Utility Plans for Castle Ridge at Miramont P.U.D.; RBD, Inc. Engineering Consultants; plan dated August, 1993; Director of Engineering approval date: 11/12/93

D. Final Drainage and Erosion Control Study for Castle Ridge at Miramont First Filing; report dated: October 7, 1993; RBD Job No. 504-004

E. Castle Ridge at Miramont Preliminary & Final Site Plan; Cityscape Urban Design, Inc.; plan 06/07/1993

F. Subsurface Engineering Report Proposed Castle Ridge Estates; Earth Engineering Consultants, Inc.; report dated August 10, 1993; EEC Project No. 1932024

G. Existing Pavements Evaluation Castle Ridge Court and Castle Ridge Place Fort Collins, Colorado; report dated October 19, 2016; EEC Project No. 1162090

APPENDIX I

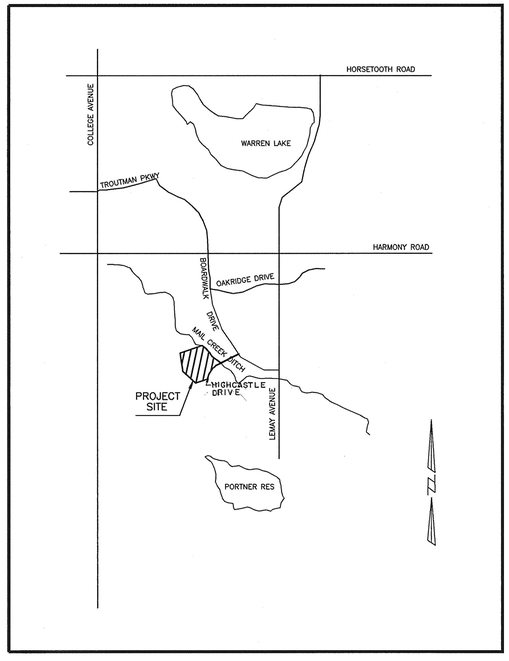
final plat of Castle Ridge at Miramont P.U.D.

DRAWING NUMBER 1421
PLAN HOLD CORPORATION • IRVINE, CALIFORNIA
REPORT BY NUMBER ONLY
PERSON LOSE OF PAGE ON THIS LINE

DRAWING NUMBER 1 of 2
PLAN HOLD CORPORATION • IRVINE, CALIFORNIA
REPORT BY NUMBER ONLY
PERSON LOSE OF PAGE ON THIS LINE

DRAWING NUMBER 1421
PLAN HOLD CORPORATION • IRVINE, CALIFORNIA
REPORT BY NUMBER ONLY
PERSON LOSE OF PAGE ON THIS LINE

RCPTN # 93082809 11/04/93 10:54:00 # PAGES - 2 FEE - $20.00
M RODENBERGER RECORDER, LARIMER COUNTY CO STATE DOC FEE - $.00



VICINITY MAP
SCALE: 1"=2000'

A PLAT OF
CASTLE RIDGE AT MIRAMONT P.U.D.

LOCATED IN SECTION 1, TOWNSHIP 6 NORTH, RANGE 69 WEST OF THE 6th P.M., CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO.

ATTORNEY'S CERTIFICATE

This is to certify that on the 10th day of August, 1993, I examined the title to the property as described hereon and established that the owners and proprietors of record of the said property as construed in C.R.S. 1973, 31-23-111, are as shown hereon as of said date.

Michael S. Maxwell
Address: Sixth Floor, Horac Federal Building
Fort Collins, Colo. 80521
Registration No. 8755

Approved as to form by the Director of Engineering of the City of Fort Collins, on the 22nd day of November, A.D., 1993.

Michael R. Klassy
Director of Engineering

Approved by the City of Fort Collins Planning and Zoning Board 26th day of July, A.D., 1993

Sherry Albertson-Clark
Secretary of Planning and Zoning Board

SURVEYOR'S STATEMENT

I, Terry G. Everett, a Professional Land Surveyor in the State of Colorado, do hereby state that the survey and legal description shown heron was made under my direct responsibility, supervision and checking and that this plat accurately represents said survey and that all monuments exist as shown hereon.

Terry G. Everett
Terry G. Everett
Registered Land Surveyor
Colorado Registration No. 17483

8/9/93
Date

NOTICE: According to Colorado Law, you must commence any legal action based upon any defect on this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of survey shown hereon.

Witness our hands and seals this 12th day of August, A.D., 1993.

By: Oak Farm Inc.
A Colorado Corporation

By: Michael S. Byrne, President Attest Roberta S. Martin, Sec.

STATE OF COLORADO)
)ss.
COUNTY OF LARIMER)

The foregoing instrument was acknowledged before me this 12th day of August, A.D., 1993 by Michael S. Byrne and Roberta S. Martin, as President and Secretary, respectively, of Oak Farm Inc., a Colorado Corporation.

Subscribed and sworn before me this 12th day of August, A.D., 1993.

My Notarial Commission expires February 8, 1994

Notary Public
3555 Stanford Road Suite 105
Address
Fort Collins CO 80525
City, State, ZIP Code

STATEMENT OF OWNERSHIP, SUBDIVISION, DEDICATION

Know all men by these presents; that the undersigned being owners of the following described land:

A tract of land located in the East Half of Section 1, Township 6 North, Range 69 West of the 6th Principal Meridian, City of Fort Collins, County of Larimer, State of Colorado, being more particularly described as follows:

Considering the East line of the Northeast Quarter of said Section 1 as bearing, South 00°10'00" West from a number four rebar with a yellow cap at the Northeast corner of said Section 1 to a rebar in a valve box at the East Quarter corner of said Section 1 and with all bearings contained herein relative thereto:

Commencing at the North Quarter corner of said Section 1; thence along said East line of the Third Filing of Fairway Estates according to the plat recorded in the records of said County, South 00°11'05" West, 2400.26 feet; thence, South 32°08'15" East, 284.12 feet to a point on the Southerly line of Upper Meadow at Miramont, First Filing recorded in the records of said County and being the POINT OF BEGINNING; thence along said Southerly line South 46°03'16" East, 61.87 feet to a point on a curve concave to the North having a central angle of 46°34'36", a radius of 78.88 feet and the chord of which bears South 69°20'34" East, 62.37 feet; thence along the arc of said curve 64.12 feet; thence, North 87°22'08" East, 75.05 feet to a point on a curve concave to the South having a central angle of 57°35'48", a radius of 141.35 feet and the chord of which bears South 63°49'58" East, 136.18 feet; thence along said Southerly line of Upper Meadow at Miramont, First Filing and continuing along the Southerly line of Upper Meadow at Miramont, Second Filing and along the arc of said curve 142.09 feet; thence continuing along said Southerly line of said Second Filing, South 35°02'04" East, 194.59 feet; thence, South 37°46'34" East, 92.36 feet to a point on a curve concave to the Northeast having a central angle of 15°09'26", a radius of 1030.41 feet and the chord of which bears South 45°21'17" East, 271.79 feet; thence along the arc of said curve 272.59 feet; thence, South 52°56'00" East, 81.75 feet to a point on a curve concave to the East having a central angle of 54°04'43", a radius of 576.00 feet and the chord of which bears South 10°39'39" West, 523.70 feet; thence departing said Southerly line of said Second Filing and along the arc of said curve 543.66 feet; thence, South 79°50'54" West, 151.03 feet to a point on the North line of Werner Elementary School parcel described in Reception Number 86016017, recorded in the records of said County; thence along said North line, North 41°28'30" West, 12.70 feet; thence, North 69°17'00" West, 680.00 feet to a point on the East line of Fossil Creek eadows, First Filing recorded in the records of said County; thence along said East line North 00°43'06" East, 442.19 feet to a point on the South line of a parcel of land described in Reception Number 91046333; thence along said South line, South 70°37'00" East, 126.42 feet; thence continuing along the East line of said Reception Number 91046333, thence, North 14°10'00" West, 79.38 feet; thence, North 19°07'00" East, 32.15 feet; thence, North 47°47'00" East, 112.02 feet; thence, North 16°55'30" East, 73.67 feet; thence, North 21°18'00" West, 129.60 feet; thence, North 13°20'00" West, 114.43 feet; thence departing said East line of Reception Number 91046333, South 89°57'09" East, 16.15 feet to the Point of Beginning.

The above described tract contains 14.061 acres more or less.

The undersigned have cause the above described land to be surveyed and subdivided into lots, tracts and streets as shown on this plat to be known as Castle Ridge at Miramont P.U.D., subject to all easements and rights-of-ways now of record or existing or indicated on this plat.

The undersigned does hereby dedicate and convey to and for public use, forever, the streets and easements as laid out and designated on this plat; provided, however, that: 1) acceptance by the City a duty to maintain the easements so dedicated and 2) acceptance by the City of this dedication of streets does not impose upon the City a duty to maintain streets so dedicated until such time as the street are inspected and accepted by the Director of Engineering.

All maintenance of the above described streets shall be performed by the undersigned (and his/her successors in interest) until such time as the City expressly assumes, in writing, the duty of such maintenance.

RBD Inc.
Engineering Consultants
209 South Meldrum Street
Fort Collins, Colorado 80521
(303) 482-5922

1421

DRAWING NUMBER 1421
PLAN HOLD CORPORATION • IRVINE, CALIFORNIA
REORDER BY NUMBER 070341
PLOTTED 1/2/22 @ 7:49:01 AM by SHELLEY
PLOTTED SIZE 24" WIDE BY 36" HIGH

DRAWING NUMBER 2 of 2
PLAN HOLD CORPORATION • IRVINE, CALIFORNIA
REORDER BY NUMBER 070341
PLOTTED 1/2/22 @ 7:49:01 AM by SHELLEY
PLOTTED SIZE 24" WIDE BY 36" HIGH

DRAWING NUMBER 1421
PLAN HOLD CORPORATION • IRVINE, CALIFORNIA
REORDER BY NUMBER 070341
PLOTTED 1/2/22 @ 7:49:01 AM by SHELLEY
PLOTTED SIZE 24" WIDE BY 36" HIGH

A PLAT OF
CASTLE RIDGE AT MIRAMONT P.U.D.

LOCATED IN SECTION 1, TOWNSHIP 6 NORTH, RANGE 69 WEST OF THE 6th P.M., CITY OF FORT COLLINS, COUNTY OF LARIMER, STATE OF COLORADO.

N 1/4 CORNER SEC. 1-6-69 FND #4 REBAR

NE CORNER SEC. 1-6-69 FND #4 REBAR W/ YELLOW CAP

N 1/4 CORNER SEC. 1-6-69 FND #4 REBAR

E 1/4 CORNER SEC. 1-6-69 FND #4 REBAR IN VALVE BOX

NORTH LINE OF THE NORTHEAST QUARTER OF SEC. 1-T6N-R69W

S 89°58'45" W 2652.04'

EAST LINE OF THE NORTHWEST QUARTER OF SEC. 1-T6N-R69W

S 00°11'09" W 2644.21' (BASIS OF BEARINGS)

THE EAST LINE OF THE NW1/4 OF SEC. 1-T6N-R69W HAVING A BEARING OF S 00°11'09" W, MONUMENTED AS SHOWN HEREON, IS CONSIDERED THE BASIS OF BEARINGS FOR THIS SURVEY.

UPPER MEADOW AT MIRAMONT FIRST FILING

UPPER MEADOW AT MIRAMONT SECOND FILING

UNPLATTED

RECEPTION 91046333

FOSSIL CREEK MEADOWS FIRST FILING

MAIL CREEK DITCH

S 32°08'15" E 284.12'

POINT OF BEGINNING

S 89°57'09" E 16.15'

S 46°03'16" E 61.87'

N 87°22'08" E 75.05'

CA1

CA2

25' DITCH EASEMENT

DRAINAGE, UTILITY AND LANDSCAPE EASEMENT

S 85°12'24" E 229.32'

N 13°20'00" W 65.79'

N 21°18'00" W 114.43'

N 21°18'00" W 129.80'

S 35°02'04" E 194.59'

S 37°46'34" E 92.36'

S 37°26'22" E 400.15'

158.11'

359.64'

6' UTILITY EASEMENT

TRACT A 37,527 SF

MAIL CREEK DITCH

CA3

S 52°56'00" E 81.75'

27.75' 27.00' 27.00'

S 45°43'48" E 97.98'

S 38°51'55" E 149.81'

N 18°55'30" E 73.67'

N 47°47'00" E 112.02'

N 19°07'00" E 32.15'

N 14°10'00" W 70.39'

S 70°37'00" E 126.42'

N 00°43'06" E 442.19'

N 69°17'00" W 680.00'

S 45°43'48" E 330.41'

S 45°43'48" E 124.66'

S 45°43'48" E 106.21'

S 45°43'48" E 110.91'

S 45°43'48" E 125.67'

S 45°43'48" E 112.00'

S 45°43'48" E 106.43'

S 69°18'11" E 330.53'

N 69°00'00" E 154.74'

N 60°00'00" E 200.11'

N 60°00'00" E 188.39'

N 50°00'00" E 184.72'

N 44°16'12" E 157.60'

N 44°16'12" E 180.67'

N 44°16'12" E 179.27'

N 44°16'12" E 153.61'

N 44°16'12" E 194.00'

N 44°16'12" E 100.69'

N 37°17'24" E 158.16'

N 37°17'24" E 115.81'

N 24°23'38" E 28.44'

N 73°45'27" E 27.42'

N 18°18'22" E 14.71'

N 07°35'39" E 47.48'

N 78°04'39" E 41.00'

S 68°42'11" E 59.99'

S 37°42'57" E 91.95'

S 37°42'57" E 78.58'

N 00°43'48" W 22.63'

N 85°17'23" E 14.14'

N 20°17'23" E 4.80'

N 89°17'23" E 33.98'

S 01°01'59" E 57.04'

S 79°50'54" W 60.02'

S 79°50'54" W 151.03'

S 79°50'54" W 95.74'

N 41°28'30" W 12.70'

SET #4 REBAR W/ LS #14823 CAP (TYP.)

CA4

CA5

CA6

HIGHCASTLE DRIVE

TRACT B CASTLE RIDGE UTILITY, DRAINAGE & ACCESS EASEMENT 51,779 SF

TRACT C CASTLE RIDGE PLACE UTILITY, DRAINAGE & ACCESS EASEMENT 4388 SF

TRACT D 64,475 SF

CASTLE RIDGE COURT UTILITY, DRAINAGE & ACCESS EASEMENT S 69°42'37" E 101.86'

92.22'

63.34' 31.67'

CA16 31.67'

TRACT B UTILITY, DRAINAGE & ACCESS EASEMENT 143.07'

TRACT D 30.00'

TRACT D 14.00'

TRACT B 70.19' 31.67'

TRACT B 101.74'

TRACT B 41.33'

TRACT B 24.65'

TRACT B 1.42'

TRACT B 30.00'

TRACT B 28.91'

TRACT B 28.91'

TRACT B 82.93'

TRACT B 23.39'

TRACT B 106.25'

TRACT B 1.42'

TRACT B 30.00'

TRACT B 24.65'

TRACT B 30.00'

TRACT B 30.00'

TRACT B 30.00

APPENDIX II

Utility Plans for Castle Ridge at Miramont P.U.D.

C-3 1362

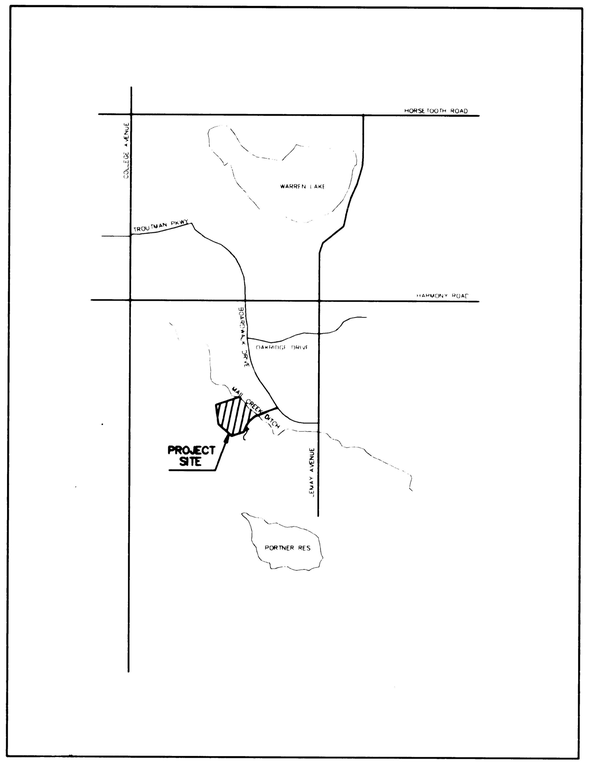
UTILITY PLANS FOR

Castle Ridge at MiraMont

P.U.D.

FORT COLLINS, COLORADO

AUGUST 1993



VICINITY MAP

SCALE: 1"=2000'

GENERAL NOTES

1. ALL STREET AND STORM SEWER CONSTRUCTION SHALL CONFORM TO THE CITY OF FORT COLLINS STANDARDS AND SPECIFICATIONS CURRENT TO DATE OF APPROVAL OF THESE PLANS. ANY CONSTRUCTION OCCURRING THREE YEARS AFTER THE APPROVAL OF THESE PLANS SHALL REQUIRE RE-EXAMINATION OF THE PLANS BY THE DIRECTOR OF ENGINEERING, WHO MAY REQUIRE THAT THEY BE MADE TO CONFORM TO STANDARDS AND SPECIFICATIONS CURRENT AT THAT TIME.
2. STREET PAVING SHALL NOT START UNTIL THE SOILS REPORT AND PAVEMENT DESIGN ARE APPROVED BY THE DIRECTOR OF ENGINEERING AND SUBGRADE COMPACTION TESTS ARE TAKEN AND APPROVED.
3. THE TYPE, SIZE, LOCATION, AND NUMBER OF ALL KNOWN UNDERGROUND UTILITIES ARE APPROXIMATE AS SHOWN ON THE DRAWINGS. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE EXISTENCE AND LOCATION OF ALL UNDERGROUND UTILITIES ALONG THE ROUTE OF THE WORK. BEFORE COMMENCING NEW CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING UNKNOWN UNDERGROUND UTILITIES.
4. THE ENGINEER WHO HAS PREPARED THESE PLANS, BY EXECUTION AND/OR SEAL HEREOF, DOES HEREBY AFFIRM RESPONSIBILITY TO THE CITY AND FORT COLLINS AS A BENEFICIARY OF SAID ENGINEER'S WORK, FOR ANY ERRORS AND OMISSIONS CONTAINED IN THESE PLANS, AND APPROVAL OF THE PLANS BY THE CITY OR THE DISTRICT ENGINEER SHALL NOT RELIEVE THE ENGINEER WHO HAS PREPARED THESE PLANS OF ALL SUCH RESPONSIBILITY.
5. WHEN EXISTING ASPHALT MUST BE CUT, THE ASPHALT MUST BE RESTORED TO A CONDITION EQUAL TO OR BETTER THAN ITS ORIGINAL CONDITION. THE EXISTING CONDITION SHALL BE DOCUMENTED BY THE CITY CONSTRUCTION INSPECTOR BEFORE ANY CUTS ARE MADE. PATCHING SHALL BE DONE IN CONFORMANCE WITH THE CITY OF FORT COLLINS STREET REPAIR STANDARDS. THE FINISHED PATCH SHALL BLEND SMOOTHLY INTO THE EXISTING SURFACE. ALL LARGE PATCHES SHALL BE PAVED WITH AN ASPHALT LAY-DOWN MACHINE.
6. PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION, THE CONTRACTOR SHALL CONTACT ALL UTILITIES TO COORDINATE SCHEDULES, AND CONTACT THE CITY FORESTER TO SCHEDULE A SITE INSPECTION FOR ANY TREE REMOVAL REQUIRING A PERMIT.
7. PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION, THE CONTRACTOR SHALL GIVE THE CITY ENGINEERING DEPARTMENT TWENTY-FOUR (24) HOURS ADVANCE NOTICE.
8. PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION THAT WILL EFFECT TRAFFIC SIGNS OF ANY TYPE, THE CONTRACTOR SHALL CONTACT THE CITY OF FORT COLLINS STREETS DIVISION, WHO WILL TEMPORARILY REMOVE OR RELOCATE THE SIGN AT NO COST TO THE CONTRACTOR; HOWEVER, IF THE CONTRACTOR MOVES THE TRAFFIC SIGN HIMSELF, THE CONTRACTOR WILL BE CHARGED FOR THE LABOR, MATERIALS AND EQUIPMENT TO REINSTALL THE SIGN AS NEEDED.
9. ALL EXISTING CONCRETE CURB, GUTTER & SIDEWALK DAMAGED DURING CONSTRUCTION SHALL BE REPAIRED PRIOR TO ACCEPTANCE OF COMPLETED IMPROVEMENTS.
10. BENCHMARKS:

    NORTH BONNET BOLT OF FIRE HYDRANT @ W. ENTRANCE & SOUTH SIDE OF BUILDERS SQUARE, N. SIDE OF OAKRIDGE DRIVE. ELEV. 4998.22

    NORTH BONNET BOLT OF FIRE HYDRANT @ S.W. CORNER OF PACE NORTH SIDE OF OAKRIDGE DRIVE & 200' + EAST OF BOARDWALK DRIVE. ELEV. 4998.07
11. ALL RECOMMENDATIONS OF FINAL DRAINAGE AND EROSION CONTROL STUDY FOR CASTLERIDGE AT MIRAMONT FORT COLLINS, COLORADO BY RBD INC. SHALL BE COMPLIED WITH.
12. CITY SHALL NOT BE RESPONSIBLE FOR MAINTENANCE OF ONSITE STORM DRAINAGE FACILITIES, OR THE OFFSITE SWALE(S) SHOWN ON THESE PLANS. DEVELOPER WILL BE RESPONSIBLE FOR MAINTENANCE OF THE OFFSITE SWALES & TEMPORARY DETENTION POND. HOMEOWNERS ASSOCIATION WILL BE RESPONSIBLE FOR MAINTENANCE OF PERMANENT DETENTION FACILITIES.
13. THE DESIGN OF THESE PLANS CONFORM TO THE CITY OF FORT COLLINS REQUIREMENTS FOR SPECIFICATION AND CRITERIA.
14. PRIOR TO FINAL INSPECTION AND ACCEPTANCE BY THE CITY, CERTIFICATION OF THE DRAINAGE FACILITIES, BY A REGISTERED ENGINEER, MUST BE SUBMITTED TO AND APPROVED BY THE STORMWATER UTILITY.
15. IF DEWATERING IS USED TO INSTALL UTILITIES THEN A STATE CONSTRUCTION DEWATERING WASTEWATER DISCHARGE PERMIT IS REQUIRED IF DISCHARGE INTO A STORMSEWER, CHANNEL, IRRIGATION DITCH, OR ANY WATERS OF THE UNITED STATES.
16. THIS DEVELOPMENT IS ADJACENT TO THE MAIL CREEK IRRIGATION DITCH AND SEEPAGE FROM SAID DITCH MAY IMPACT THE GROUNDWATER LEVELS IN THE DEVELOPMENT. ACCORDINGLY, THE CITY SHALL NOT BE RESPONSIBLE FOR ANY DAMAGES OR INJURIES SUSTAINED IN THE DEVELOPMENT AS A RESULT OF GROUNDWATER SEEPAGE, WHETHER RESULTING FROM GROUNDWATER FLOODING, STRUCTURAL DAMAGE OR OTHER DAMAGE UNLESS SUCH DAMAGES OR INJURIES ARE SUSTAINED AS A RESULT OF THE CITY'S FAILURE TO PROPERLY MAINTAIN ITS WATER, WASTEWATER AND/OR STORM DRAINAGE FACILITIES IN THE DEVELOPMENT.
17. ALL CONSTRUCTION ACTIVITY MUST COMPLY WITH THE STATE OF COLORADO PERMITTING PROCESS FOR "STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITIES". FOR INFORMATION, PLEASE CONTACT COLORADO DEPT. OF HEALTH, WATER QUALITY CONTROL DIVISION, WQCD-PE-B2, ATTN: PERMITS & ENFORCEMENT SECTION, PHONE (303)692-3590.
18. ALL SANITARY SEWER CONSTRUCTION SHALL CONFORM TO THE SOUTH FORT COLLINS SANITATION DISTRICT STANDARD SPECIFICATIONS FOR SANITARY SEWER LINE CONSTRUCTION.
19. ALL WATER LINE CONSTRUCTION SHALL CONFORM TO THE FORT COLLINS-LOVELAND WATER DISTRICT STANDARD SPECIFICATIONS FOR WATER DISTRIBUTIONS.

CALL UTILITY NOTIFICATION CENTER OF COLORADO
1-800-922-1987
OR **534-6700** IN METRO DENVER
CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

CASTLE RIDGE SHEET INDEX

SHEET NO.	DESCRIPTION
1	COVER SHEET
2-3	FILING PLAT
4	DRAINAGE & EROSION CONTROL PLAN
5	FHA GRADING PLAN
6	OVERALL UTILITY PLAN
7-9	STREET PLAN AND PROFILES
10-11	SANITARY SEWER PLAN AND PROFILES
12	BOX CULVERT SITE LAYOUT & STRUCTURAL DETAILS
13-15	DETAIL SHEETS

Nordic Homes, Inc.

RBD Inc
Engineering Consultants

FORT COLLINS - LOVELAND WATER DISTRICT
SOUTH FORT COLLINS SANITATION DISTRICT
UTILITY PLAN APPROVAL

APPROVED _____ MANAGER
DATE 8-25-93

APPROVED _____ SYSTEMS ENGINEER
DATE 8-26-93

APPROVED: Michael R. Klemp, Director of Engineering — 11/16/93 Date
CHECKED BY: NA, Water & Wastewater Utility — Date
CHECKED BY: _____, Stormwater Utility — 11-05-93 Date
CHECKED BY: NA, Parks & Recreation — Date
CHECKED BY: _____ — Date
CHECKED BY _____ — Date

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For additional information or an official copy, please contact Engineering Office 281 North College Fort Collins, CO 80521 USA

NPDES PERMIT NOTES

1. SITE DESCRIPTION
   a. Residential home construction including streets, water, sewer, and storm sewer utility construction is planned on the site.
   b. The major activities are planned in the following sequence: Overlot grading, utility installation, street installation, and residential home construction.
   c. The site contains 14.06 acres of which all the area is to undergo clearing, excavation or grading.
   d. Rational "C" = 0.20 before construction, Rational "C" = 0.41 after construction. The site within the Moderate Rainfall Erodibility Zone and Moderate Wind Erodibility Zone per the City of Fort Collins zone maps. With the existing site slopes of approximately 4.0%, the new improvements will be subjected to both wind and rainfall erosion.
   e. The property has consisted of cultivated farm land. Before construction, the site consisted of 100% cultivated farm land.
   f. No other potential pollution sources are located near the site.
   g. The Mail Creek Ditch runs along the northerly boundary line of this site.
   h. The downstream receiving water is Mail Creek. Runoff from the site will ultimately Mail Creek after first entering either a storm sewer system, grass swale, or detention pond. All devices eventually discharge into Mail Creek, which drains into Fossil Creek Reservoir, which eventually outlets to the Cache La Poudre River.
2. SITE MAP
   a. See Drainage and Erosion Control Plan (this sheet)
3. BMP'S FOR STORMWATER POLLUTION PREVENTION
   a. Erosion and Sediment Controls

      See Erosion Control Notes and Sequence Table this sheet.
   b. Materials Handling and Spill Prevention

      Measures should be undertaken to control building materials and waste, and dispose of excess asphalt and concrete to ensure these materials do not leave the site and enter the detention pond which eventually outlets to Mail Creek. Asphalt, concrete, building materials, waste, and cleanup by products should not be discharged into the on-site drainage swales and ditches nor should they enter the detention pond. In the event of a spill from the site into an on-site drainage swale or ditch, appropriate measures should be undertaken immediately to remove the spilled materials and prevent future spills from occurring.
4. FINAL STABILIZATION AND LONG-TERM STORMWATER MANAGEMENT
   a. See Erosion Control notes on this sheet for final stabilization measures to control pollutants in stormwater discharges. Final stabilization of the soils on individual lots will be reached upon the closing sale of each individual lot. Until the closing of each individual lot, interim measures should be undertaken to control pollutants per this sheet.
5. OTHER CONTROLS
   a. Measures should be undertaken to remove excess waste products from the site and dispose of these waste materials off-site in an appropriate manner. In addition, measures should be undertaken to limit off-site soil tracking of mud and debris spillage from vehicles leaving the site. Mud and debris should not be tracked along roadways and allowed to enter non-protected drainageways which discharge eventually into the Cache La Poudre River.
6. INSPECTION AND MAINTENANCE
   a. Inspection and maintenance should be undertaken on a regular basis as outlined in Section 6 of the Terms and Conditions of the CDPS General Permit.

Table 11.2 Recommended Species and Application Rates of Seeds for Temporary Vegetation and/or Cover Crops.

Species	Season(1)	Drilled Pounds/Acre
Annual Ryegrass	Cool	20
Oats	Cool	70
Cereal Rye	Cool	40
Wheat - Winter	Cool	40
Wheat - Spring	Cool	60
Barley	Cool	60
Millet	Warm	30
Hybrid Sudan	Warm	15
Sorghum	Warm	10

Cool season grasses make their major growth in the spring. Warm season grasses make their major growth in late spring and summer. Table 11.4 identifies planting dates for perennial and temporary/cover crop grasses.

Table 11.4. Planting Dates for Perennial and Temporary/Cover Crop Grasses.

DATE	PERENNIAL GRASSES		TEMPORARY/COVER CROP GRASSES	
	Warm	Cool	Warm	Cool
Jan 01 - Feb 28	Yes	Yes	No	No
Mar 01 - May 15	Yes	Yes	No	Yes
May 16 - May 31	Yes	No	Yes	No
Jun 01 - Jul 31	No	No	Yes	No
Aug 01 - Aug 31	No	Yes	No	Yes
Sep 01 - Sep 30	No	No	No	Yes
Oct 01 - Dec 31	Yes	Yes	No	No

Mulching shall be used to assist in establishment of vegetation. One or more of the following mulches shall be used with a perennial dryland grass seed mixture, or a temporary vegetation or cover crop.

Mulch	Acceptable Dates of use	Application Rate
Straw or Hay	Jan 01 - Dec 31	2 tons/acre
Hydraulic (wood or paper)	Mar 15 - May 15	2 tons/acre
Erosion control (mats or blankets)	Jan 01 - Dec 31	Not applicable

Hay or straw mulch shall be free of noxious weeds and at least 50% of the fiber shall be 10 inches or more in length. When seeding with native grasses hay from a native grass is a suggested mulching material, if available.

If irrigation is used, hydraulic mulches may be applied from March 15 through September 30.

Hay or Straw Mulch

1. Hay or straw mulch will be anchored to the soil by one of the following methods:
   (a) A crimper which will crimp the fiber four inches or more into the soil. At least 50% of the fiber shall be 10 inches or more in length.
   (b) Manufactured mulch netting installed over the hay or straw according to manufacturers' instructions.
   (c) Tackifiers sprayed on the mulch to the manufacturer's recommendation.
2. All straw or hay must be free of noxious weeds.

EXISTING SITE HYDROLOGY

Total Disturbed Area – 13.60 acres
Rational "C" – 0.20

DRAINAGE BASIN STATISTICS

Gross Platted Area – 14.06 acres
Gross Area "C" – 0.41
Net Platted Area – 12.17 acres
Net Area "C" – 0.33

DEVELOPED SITE HYDROLOGY

DESIGN POINT	BASIN	AREA (ac)	"C"	Q_2 (cfs)	Q_{100} (cfs)
1	1	1.91	0.31	1.0	3.7
2	2	1.77	0.63	2.7	10.3
3	3	1.66	0.44	2.0	7.5
4	4	1.00	0.53	1.5	5.4
5	5	3.02	0.34	1.7	6.5
6	3,4,5,6	9.87	0.41	6.7	24.7
7	1,2,7	4.35	0.49	3.4	12.5
8	1,2,7,8	6.36	0.45	4.5	16.0
9	1,2,7,8,9	20.46	0.31	8.5	31.1

CONSTRUCTION SEQUENCE

PROJECT: CASTLE RIDGE AT MIRAMONT STANDARD FORM C

SEQUENCE FOR 1993/94 ONLY COMPLETED BY: LB DATE: 6-3-93

Indicate by use of a bar line or symbols when erosion control measures will be installed. Major modifications to an approved schedule may require submitting a new schedule for approval by the City Engineer.

YEAR 1993
MONTH S O N D J F M A M J J

OVERLOT GRADING

WIND EROSION CONTROL
Soil Roughening
Perimeter Barrier
Additional Barriers
Vegetative Methods
Soil Sealant
Other

RAINFALL EROSION CONTROL
STRUCTURAL:
Sediment Trap/Basin
Inlet Filters
Straw Barriers
Silt Fence Barriers
Sand Bags
Bare Soil Preparation
Contour Furrows
Terracing
Asphalt/Concrete Paving
Other

VEGETATIVE:
Permanent Seed Planting
Mulching/Sealant
Temporary Seed Planting
Sod Installation
Nettings/Mats/Blankets
Other

STRUCTURES: INSTALLED BY _____ MAINTAINED BY _____

VEGETATION/MULCHING CONTRACTOR _____

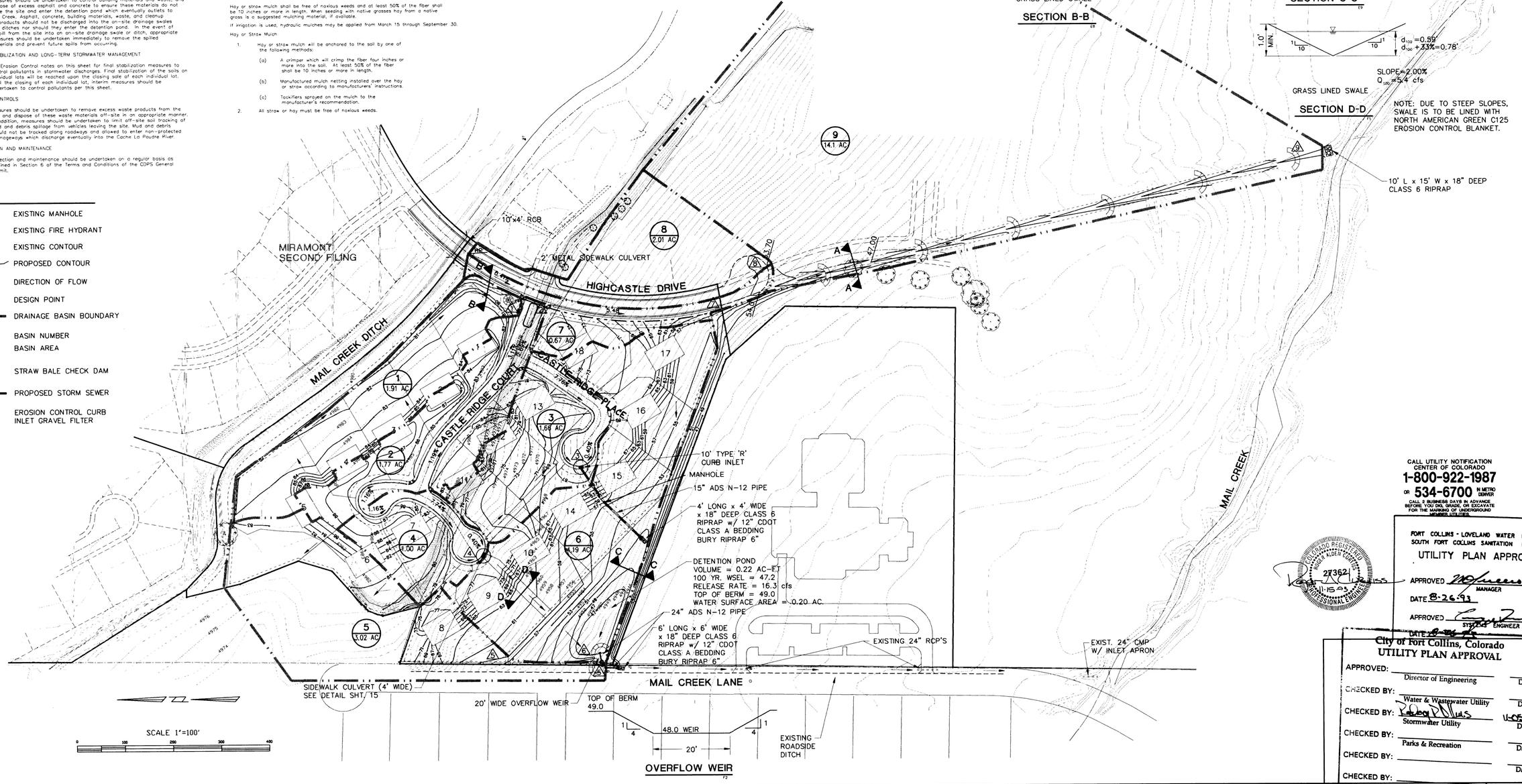
DATE SUBMITTED _____ APPROVED BY CITY OF FORT COLLINS ON _____

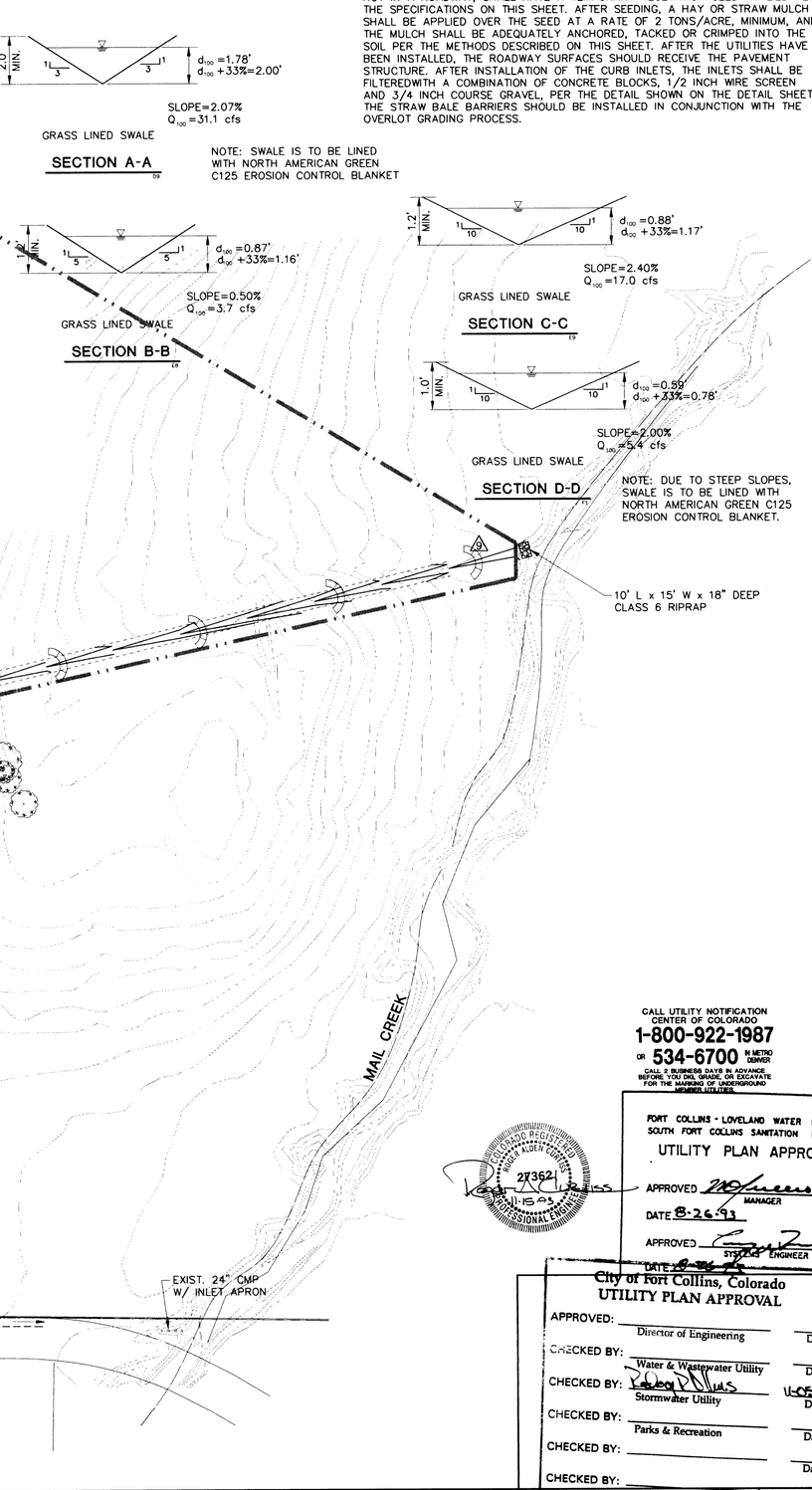
EROSION CONTROL NOTES

AFTER THE OVERLOT GRADING HAS BEEN COMPLETED, ALL DISTURBED AREAS, NOT IN A ROADWAY, SHALL HAVE A TEMPORARY VEGETATION SEED APPLIED PER THE SPECIFICATIONS ON THIS SHEET. AFTER SEEDING, A HAY OR STRAW MULCH SHALL BE APPLIED OVER THE SEED AT A RATE OF 2 TONS/ACRE, MINIMUM, AND THE MULCH SHALL BE ADEQUATELY ANCHORED, TACKED OR CRIMPED INTO THE SOIL PER THE METHODS DESCRIBED ON THIS SHEET. AFTER THE UTILITIES HAVE BEEN INSTALLED, THE ROADWAY SURFACES SHOULD RECEIVE THE PAVEMENT STRUCTURE. AFTER INSTALLATION OF THE CURB INLETS, THE INLETS SHALL BE FILTEREDWITH A COMBINATION OF CONCRETE BLOCKS, 1/2 INCH WIRE SCREEN AND 3/4 INCH COURSE GRAVEL, PER THE DETAIL SHOWN ON THE DETAIL SHEET. THE STRAW BALE BARRIERS SHOULD BE INSTALLED IN CONJUNCTION WITH THE OVERLOT GRADING PROCESS.

LEGEND

- EXISTING MANHOLE
- EXISTING FIRE HYDRANT
- 4982 EXISTING CONTOUR
- 86 PROPOSED CONTOUR
- DIRECTION OF FLOW
- DESIGN POINT
- DRAINAGE BASIN BOUNDARY
- 1 / 1.44 AC BASIN NUMBER / BASIN AREA
- STRAW BALE CHECK DAM
- PROPOSED STORM SEWER
- EROSION CONTROL CURB INLET GRAVEL FILTER





CALL UTILITY NOTIFICATION CENTER OF COLORADO
1-800-922-1987
OR **534-6700** M METRO DENVER
CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES

COLORADO REGISTERED 27362 PROFESSIONAL ENGINEER

FORT COLLINS - LOVELAND WATER DISTRICT
SOUTH FORT COLLINS SANITATION DISTRICT
UTILITY PLAN APPROVAL
APPROVED _____ MANAGER
DATE 8-26-93
APPROVED _____ SYSTEMS ENGINEER
DATE 8-26-93

City of Fort Collins, Colorado
UTILITY PLAN APPROVAL
APPROVED: _____ Director of Engineering Date
CHECKED BY: _____ Water & Wastewater Utility Date
CHECKED BY: _____ Stormwater Utility Date 11-05-93
CHECKED BY: _____ Parks & Recreation Date
CHECKED BY: _____ Date
CHECKED BY: _____ Date

NO.	BY	DATE	REVISION DESCRIPTION

JBB DRAWN | TJB DESIGNED | . . . CHECKED
. . . APPROVED | AUG 1993 DATE | 504-004 PROJECT NO.

RBD Inc. Engineering Consultants
209 South Meldrum Street, Fort Collins, Colorado 80521, 303 / 482-5922
2480 W. 26th Ave., Suite 46, Bldg. C, Denver, Colorado 80211, 303 / 458-5526
953 So. Frontage Rd. West, # 202, Vail, Colorado 81657, 303 / 476-6340

CASTLE RIDGE AT MIRAMONT P.U.D.
FIRST FILING

DRAINAGE AND EROSION CONTROL PLAN

SHEET 15 OF SHEET 4

C-3 1362

DWG NAME: 504DR42.DWG ATTACHED XREFS = 504DR09.E1:E2.E3.E4.E5.E8.E9.F1:F2.02

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CALL UTILITY NOTIFICATION CENTER OF COLORADO
1-800-922-1987
OR **534-6700** IN METRO DENVER
CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

THIS PLAN HAS BEEN REVIEWED AND IS ACCEPTABLE TO THE NEW MERCER DITCH CO.

9-7-93
BY Pres. New Mercer Irrigation Co. DATE

SCALE 1"=50'

MIRAMONT SECOND FILING

BOARDWALK DRIVE

MAIL CREEK DITCH

MAIL CREEK LANE

HIGHCASTLE DRIVE

20' WIDE EMERGENCY ACCESS ROAD WITH 4" AGGREGATE BASE

OVERLOT GRADING NOTES

1. All overlot drainage shall be graded to a minimum slope of 2%.
2. All lots shall be graded with a minimum fall of 0.5' in the first 10' away from foundations.
3. The minimum cover for finished grade to the lowest extremity of the foundation wall shall be 36".
4. The finished grade around the lower end of houses on steep streets may be dropped to minimize the slope down to the protective swales as long as 36" minimum cover is maintained.
5. The minimum foundation exposure above finished grade shall be 8".
6. Slopes of 4:1 or greater shall be sodded to minimize erosion.
7. The driveway shall be constructed on the high side of the lot in all cases unless lot grading is specifically designed to allow driveway construction otherwise.
8. All lots with overlot grading fills of 8" or greater shall be constructed in accordance with data sheet 79G (FHA).
9. Sanitary sewer Service lines shall be installed with a minimum slope of 2% to the sanitary sewer main.
10. The maximum driveway centerline grade shall be 10% unless separate sidewalk to the house is installed at 10% in which case maximum driveway centerline grade shall be 14%.
11. Each lot shall be evaluated by a registered soils engineer at the time of construction to determine the type and extent of the subdrain system required.
12. The minimum distance from house finished floor elevation to the sanitary sewer main invert shall be 12' vertically.
13. The finished grade and finished top of foundation elevations are based on a scaled building setback shown from property line and an assumed house envelope of 47' x 70'. Any variation of setback or building size enlargement may require the finished top of foundation elevations to change.
14. This development is adjacent to the Mail Creek Irrigation ditch and seepage from said ditch may impact the groundwater levels in the development.Accordingly, the City shall not be responsible for any damages or injuries sustained in the development as a result from groundwater seepage, whether resulting from groundwater flooding, structural damage or other damage unless such damages or injuries are sustained as a result of the City's failure to properly maintain its water, wastewater and/or storm drainage facilities in the development.

COLORADO REGISTERED ROGER ALDEN FORBES 27362 11-15-94 PROFESSIONAL ENGINEER

FORT COLLINS - LOVELAND WATER DISTRICT
SOUTH FORT COLLINS SANITATION DISTRICT
UTILITY PLAN APPROVAL
APPROVED _____ MANAGER
DATE 9-26-93
APPROVED _____ SYSTEMS ENGINEER
DATE 9-26-93

CITY OF FORT COLLINS, COLORADO
UTILITY PLAN APPROVAL
Michael R Roberts 11/16/93
NA
9-16-93
NA

LEGEND

A or B	FHA GRADING DESIGNATION
85.50	PROPOSED SPOT ELEVATION
83	PROPOSED CONTOUR
	EXISTING CONTOUR
TF	TOP OF CONCRETE FOUNDATION WALL
FFLL	FINISHED FLOOR LOWER LEVEL

NO.	BY	DATE	REVISION DESCRIPTION

JBB DRAWN — TJB DESIGNED — CHECKED
APPROVED — AUG 1993 DATE — 504-004 PROJECT NO.

RBD Inc. Engineering Consultants

CASTLE RIDGE AT MIRAMONT P.U.D.
FIRST FILING

FHA GRADING PLAN

SHEETS 15 — SHEET 5

C-3 1362

DWG. NAME: 50400403.DWG ATTACHED XREFS = 50400485

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1-800-922-1987
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CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

MIRAMONT SECOND FILING

BOARDWALK DRIVE

MAIL CREEK DITCH

MAIL CREEK LANE

HIGHCASTLE DRIVE

TAP INTO EXIST. WATER w/ T.B. 8" G.V. W

83 L.F. 8" PVC

215 L.F. 8" PVC

294 L.F. 8" PVC

381 L.F. 8" PVC

310 L.F. 8" PVC

106 L.F. 8" PVC

42 L.F. 8" PVC

111 L.F. 8" PVC

156 L.F. 8" PVC

139 L.F. 8" PVC

242 L.F. 8" PVC

117 L.F. 8" PVC

138 L.F. 8" PVC

187 L.F. 8" PVC

100 L.F. 8" PVC

50 L.F. 8" PVC

40 L.F. 8" PVC

125 L.F. 8" PVC

179 L.F. 8" PVC

376 L.F. 8" PVC

200 L.F. 8" PVC

108 L.F. 6" PVC

185 L.F. 6" PVC

35 L.F. 6" PVC

94 L.F. 8" PVC

6 PVC WATER

MH 1
MH 2
MH 2A
MH 3
MH 4
MH 5
MH 5A
MH 6
MH 7
MH 7A
MH 8
MH 9
MH 10
MH 11

8" 45° BEND

8"x 8"x 8" TEE w/ T.B. 8" G.V. S & E

8"x 8"x 6" TEE w/ T.B. 6" G.V. S

8"x 8"x 8" TEE w/ T.B. 8" G.V. S, W & E

8" PLUG w/ T.B.

24" ADS PIPE

15" ADS PIPE

10' TYPE 'R' CURB INLET

6" 45° BEND w/ T.B.

FH ASS'Y

FH ASS'Y w/ T.B.

DRIVEOVER SIDEWALK CULVERT

METAL SIDEWALK CULVERT

80' DIA. TEMP. TURNAROUND

8" G.V. & 8"x 6" REDUCER

SAN

8"W

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18

SCALE 1"=50'

0 50 100 150 200

LEGEND

- EXISTING CONTOUR
- SAN — EXISTING SANITARY SEWER w/ MANHOLE
- 16"W — EXISTING WATERLINE (w/VALVE AND FIRE HYDRANT)
- PROPOSED WATERLINE w/ VALVE
- FIRE HYDRANT ASSEMBLY w/ THRUST BLOCK (F.H. ASS'Y & T.B.)
- PROPOSED SANITARY SEWER w/ MANHOLE
- PROPOSED STORM DRAIN PIPE
- ROAD RIGHT-OF-WAY OR PROPERTY LINE

NOTES:

1. ALL WATER SERVICES SHALL BE 3/4" DIAMETER.
2. ALL SANITARY SEWER SERVICES SHALL BE 4" DIAMETER.
3. ALL WATERLINES SHALL HAVE A MINIMUM OF 5' COVER AND A MAXIMUM OF 5 1/2' COVER UNLESS OTHERWISE NOTED.
4. ALL SANITARY SEWER CONSTRUCTION SHALL CONFORM TO THE SOUTH FORT COLLINS SANITATION DISTRICT STANDARD SPECIFICATIONS FOR SANITARY SEWER LINE CONSTRUCTION.
5. ALL DISTANCES SHOWN ARE HORIZONTAL DISTANCES.

COLORADO REGISTERED ROGER ALDEN BRANNEN 27862 PROFESSIONAL ENGINEER

FORT COLLINS - LOVELAND WATER DISTRICT
SOUTH FORT COLLINS SANITATION DISTRICT

UTILITY PLAN APPROVAL

APPROVED _____ MANAGER
DATE 8-26-93

APPROVED _____ SYSTEMS ENGINEER
DATE 8-26-93

UTILITY PLAN APPROVAL

APPROVED: Michael R. Roberts Director of Engineering 11/12/93 Date

CHECKED BY: NA Water & Wastewater Utility Date

CHECKED BY: Debby D Ellis Stormwater Utility 11-16-93 Date

CHECKED BY: NA Parks & Recreation Date

CHECKED BY: _____ Date

CHECKED BY: _____ Date

NO.	BY	DATE	REVISION DESCRIPTION

JBB DRAWN — TJB DESIGNED — RAC CHECKED
APPROVED — JUNE 1993 DATE — 504-004 PROJECT NO.

RBD Inc. Engineering Consultants

CASTLE RIDGE AT MIRAMONT P.U.D.
FIRST FILING

OVERALL UTILITY PLAN

SHEETS 15 — SHEET 6

C-3 1362

DWG. NAME: 50400404.DWG ATTACHED XREFS = . . .

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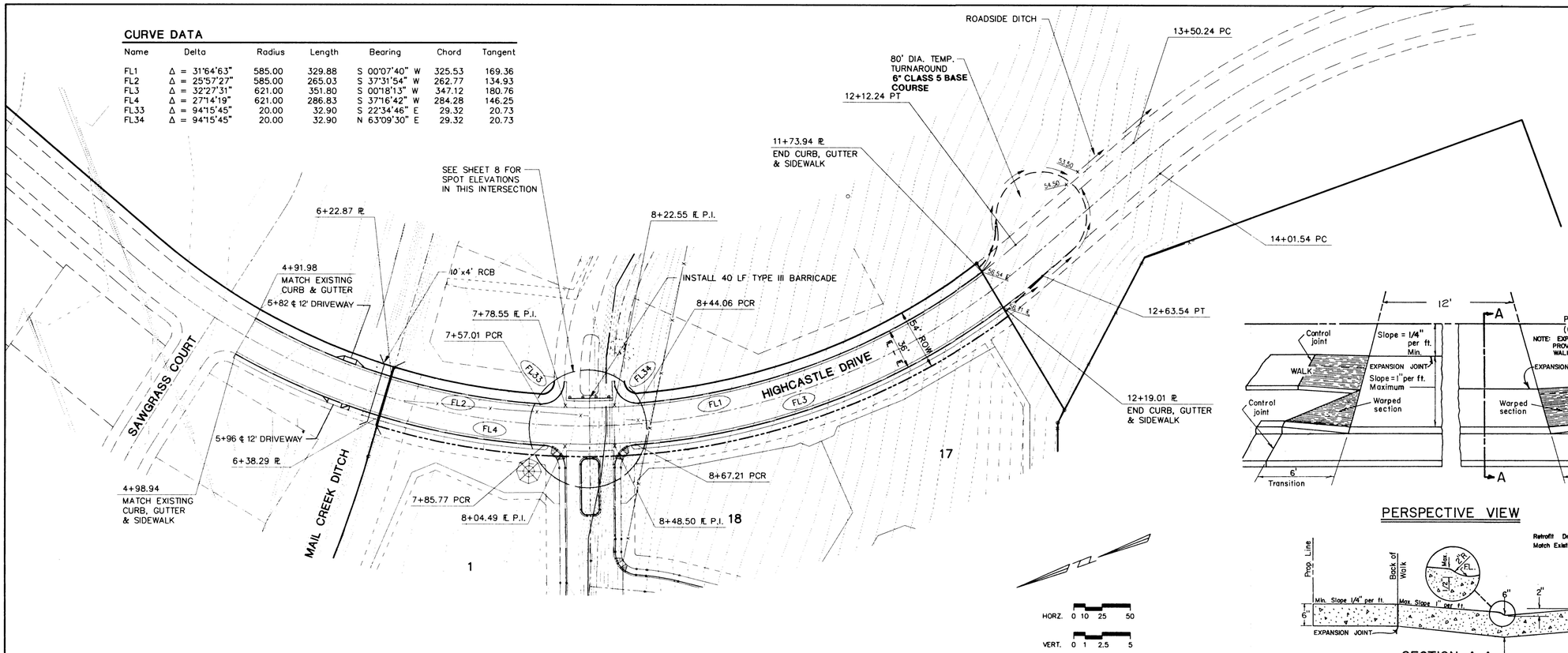
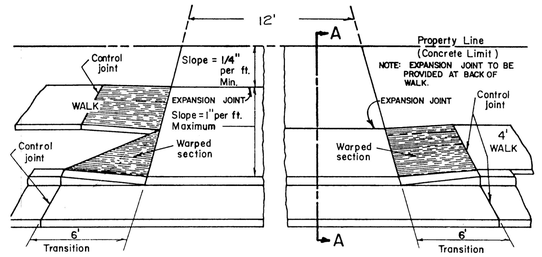
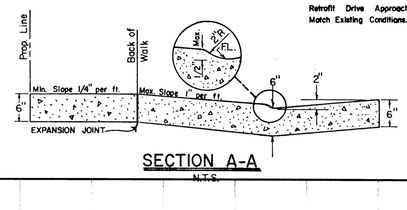
CURVE DATA

Name	Delta	Radius	Length	Bearing	Chord	Tangent
FL1	Δ = 31°64'63"	585.00	329.88	S 00°07'40" W	325.53	169.36
FL2	Δ = 25°57'27"	585.00	265.03	S 37°31'54" W	262.77	134.93
FL3	Δ = 32°27'31"	621.00	351.80	S 00°18'13" W	347.12	180.76
FL4	Δ = 27°14'19"	621.00	286.83	S 37°16'42" W	284.28	146.25
FL33	Δ = 94°15'45"	20.00	32.90	S 22°34'46" E	29.32	20.73
FL34	Δ = 94°15'45"	20.00	32.90	N 63°09'30" E	29.32	20.73





PERSPECTIVE VIEW



SECTION A-A

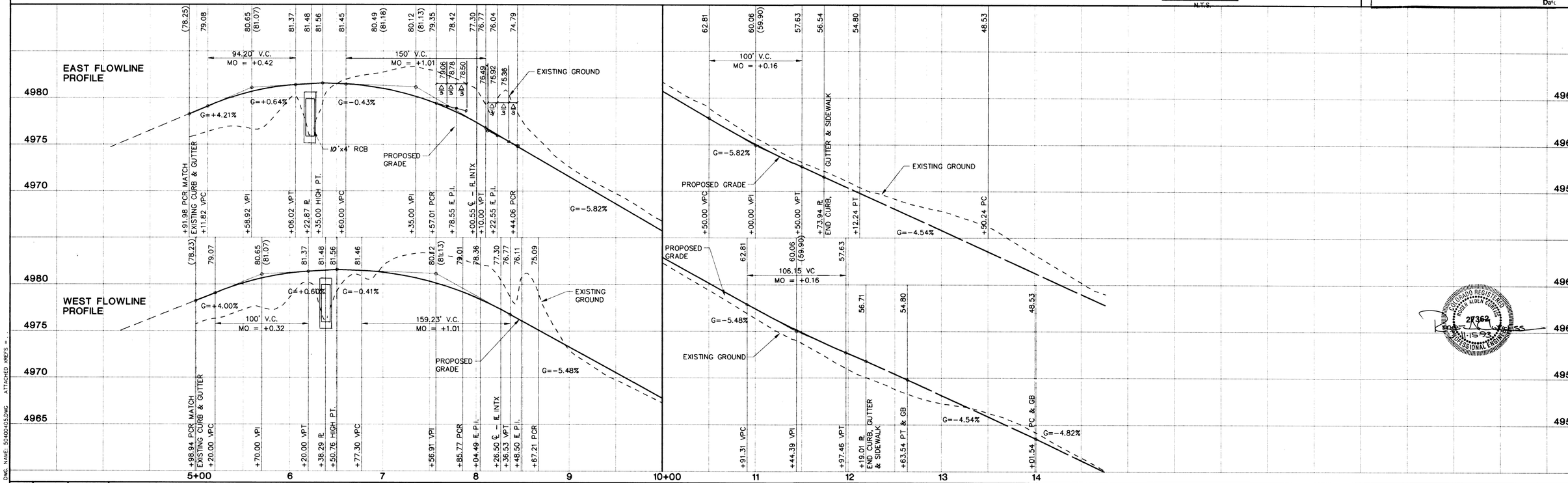
N.T.S.

NOTE
Retrofit Drive Approaches Shall Match Existing Conditions.

CALL UTILITY NOTIFICATION CENTER OF COLORADO
1-800-922-1987
OR **534-6700** IN METRO DENVER
CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

FORT COLLINS - LOVELAND WATER DISTRICT
SOUTH FORT COLLINS SANITATION DISTRICT
UTILITY PLAN APPROVAL
APPROVED _____ MANAGER
DATE 8-26-93
APPROVED _____ SYSTEMS ENGINEER
DATE 8-26-93

City of Fort Collins, Colorado
UTILITY PLAN APPROVAL
APPROVED: Michael P. Herzig, Director of Engineering — 11/12/93 Date
CHECKED BY: NA, Water & Wastewater Utility — Date
CHECKED BY: Bobby D. Mills, Stormwater Utility — 11-05-93 Date
CHECKED BY: NA, Parks & Recreation — Date
CHECKED BY: _____ — Date
CHECKED BY: _____ — Date



COLORADO REGISTERED ROGER ALDEN GRIGGS 27362 PROFESSIONAL ENGINEER

NO.	BY	DATE	REVISION DESCRIPTION

JBB DRAWN | TJB DESIGNED | . . CHECKED
. . APPROVED | AUG 1993 DATE | 504-004 PROJECT NO.

RBD Inc. Engineering Consultants

CASTLE RIDGE AT MIRAMONT P.U.D.
FIRST FILING

HIGHCASTLE DRIVE PLAN & PROFILE

SHEETS 15 | SHEET 7

C-3 1362

DWG. NAME: 504004S.DWG ATTACHED XREFS =

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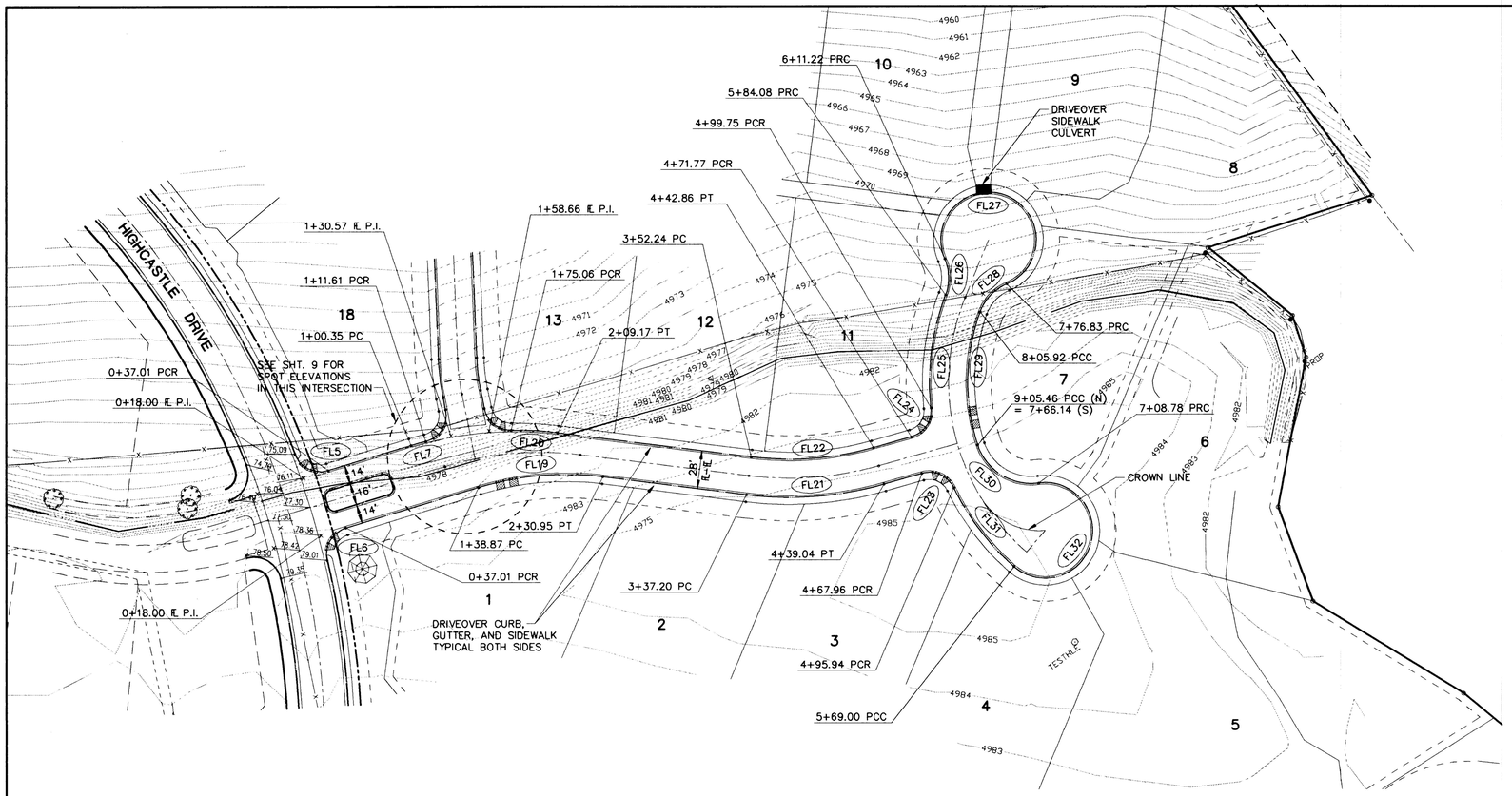


CURVE DATA

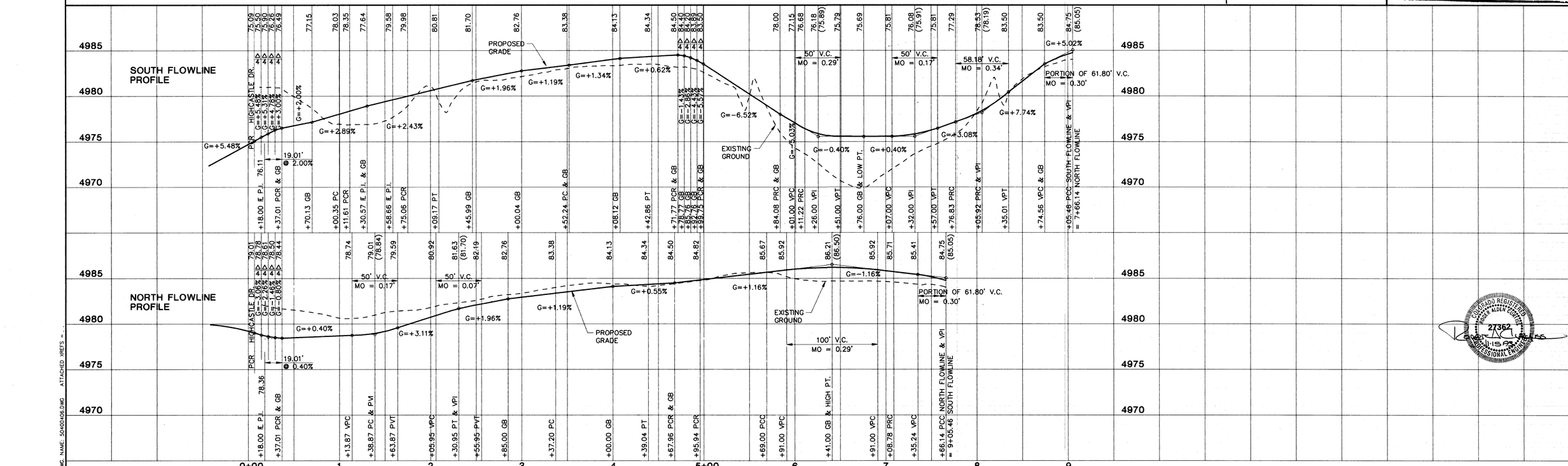
Name	Delta	Radius	Length	Bearing	Chord	Tangent
FL5	Δ = 86°14'35"	20.00	30.10	N 26°35'19" W	27.34	18.73
FL6	Δ = 86°14'35"	20.00	30.10	S 67°10'06" W	27.34	18.73
FL7	Δ = 2°28'47"	260.00	11.25	N 68°28'13" W	11.25	5.63
FL19	Δ = 23°58'49"	220.00	92.08	N 57°43'13" W	91.41	46.72
FL20	Δ = 7°31'02"	260.00	34.11	N 49°29'19" W	34.09	17.08
FL21	Δ = 22°58'23"	254.00	101.84	N 57°12'59" W	101.16	51.61
FL22	Δ = 22°58'23"	226.00	90.62	N 57°12'59" W	90.01	45.92
FL23	Δ = 80°09'45"	20.00	27.98	N 28°37'18" W	25.75	16.83
FL24	Δ = 80°09'45"	20.00	27.98	S 71°12'57" W	25.75	16.83
FL25	Δ = 26°59'31"	179.00	84.33	S 44°37'50" W	83.55	42.96
FL26	Δ = 44°25'50"	35.00	27.14	S 35°54'41" W	26.47	14.29
FL27	Δ = 271°06'22"	35.00	165.61	N 30°45'03" W	49.02	−34.33
FL28	Δ = 47°37'28"	35.00	29.09	N 80°59'24" E	28.26	15.45
FL29	Δ = 37°46'12"	151.00	99.54	N 38°17'34" E	97.75	51.65
FL30	Δ = 80°09'04"	41.00	57.35	N 20°40'04" W	52.79	34.50
FL31	Δ = 2°32'02"	179.00	73.05	N 00°13'57" W	72.55	37.04
FL32	Δ = 228°49'08"	35.00	139.78	S 53°39'58" W	63.74	−77.12

CALL UTILITY NOTIFICATION CENTER OF COLORADO
1-800-922-1987
OR **534-6700** IN METRO DENVER
CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

HORZ. 0 10 25 50
VERT. 0 1 2.5 5
SCALE IN FEET

FORT COLLINS - LOVELAND WATER DISTRICT
SOUTH FORT COLLINS SANITATION DISTRICT
UTILITY PLAN APPROVAL
APPROVED _____ MANAGER
DATE 8-26-93
APPROVED _____ SYSTEMS ENGINEER
DATE 8-26-93

City of Fort Collins
UTILITY PLAN APPROVAL
APPROVED: Michael R. Herring Director of Engineering 11/16/95 Date
CHECKED BY: _____ Water & Wastewater Utility Date
CHECKED BY: Pelton Phillips Stormwater Utility 11-06-95 Date
CHECKED BY: _____ Parks & Recreation Date
CHECKED BY: NA Date
CHECKED BY: NA



COLORADO REGISTERED ROGER ALDEN FORTIN 27362 PROFESSIONAL ENGINEER 11-15-95

NO.	BY	DATE	REVISION DESCRIPTION

JBB DRAWN | TJB DESIGNED | . . . CHECKED
. . . APPROVED | AUG 1993 DATE | 504-004 PROJECT NO.

RBD Inc. Engineering Consultants
209 South Meldrum Street, Fort Collins, Colorado 80521, 303 / 482-5922
2480 W. 26th Ave., Suite 46, Bldg. C, Denver, Colorado 80211, 303 / 458-5526
953 So. Frontage Rd. West, # 202, Vail, Colorado 81657, 303 / 476-6340

CASTLE RIDGE AT MIRAMONT P.U.D.
FIRST FILING

CASTLE RIDGE COURT
STREET PLAN & PROFILE

SHEETS 15 | SHEET 8

C-3 1362

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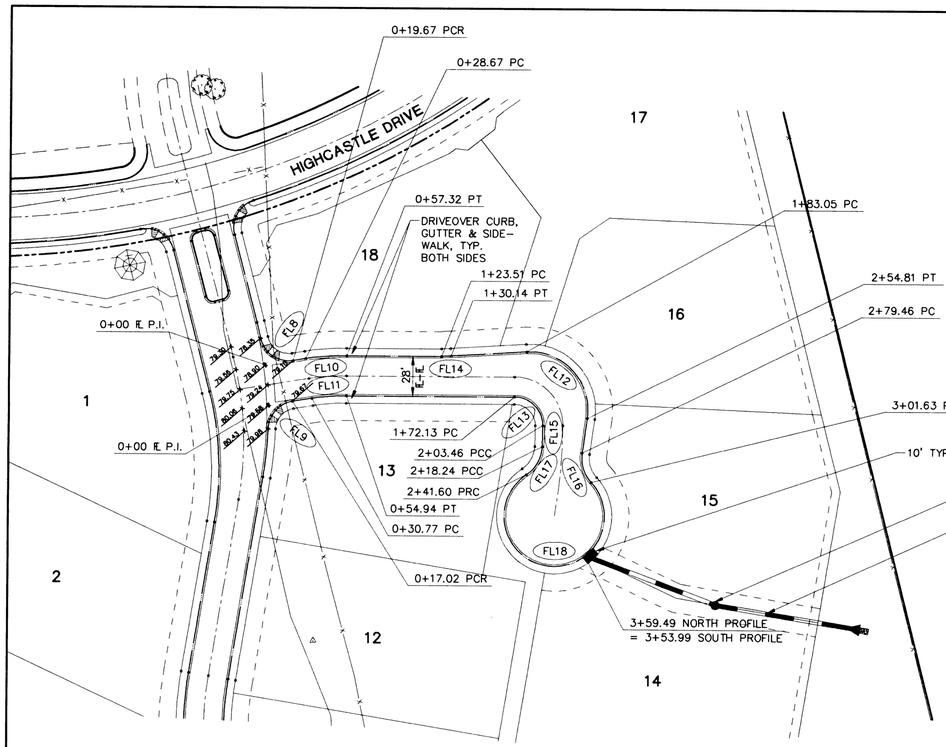
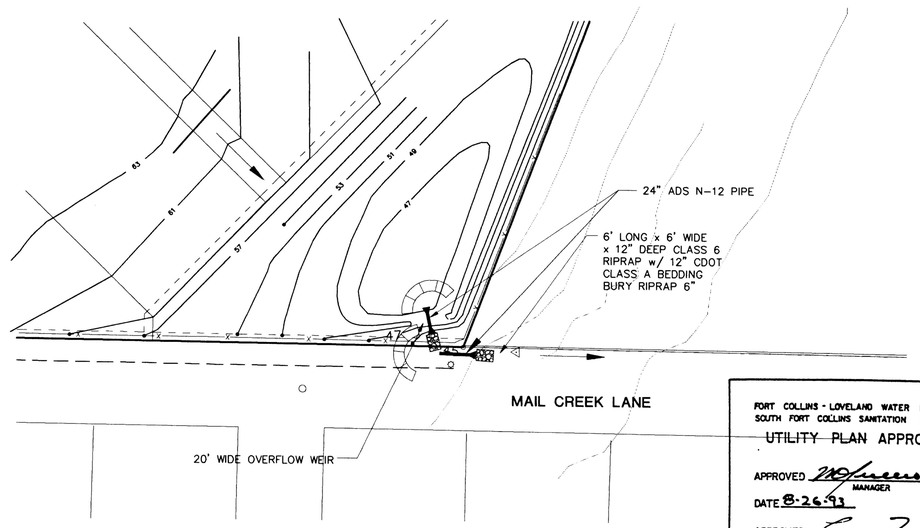


CURVE DATA

Name	Delta	Radius	Length	Bearing	Chord	Tangent
FL8	Δ = 87°00'12"	20.00	30.37	S 69°16'04" W	27.54	18.98
FL9	Δ = 79°00'48"	20.00	27.58	S 13°44'26" E	25.45	16.49
FL10	Δ = 9°10'16"	179.00	28.65	S 30°21'06" W	28.62	14.36
FL11	Δ = 9°10'16"	151.00	24.17	S 30°21'06" W	24.14	12.11
FL12	Δ = 101°24'55"	40.54	76.76	S 82°09'28" W	62.75	49.55
FL13	Δ = 89°45'58"	20.00	31.33	S 79°49'13" W	28.23	19.92
FL14	Δ = 3°29'13"	109.00	6.63	N 33°11'37" W	6.63	3.32
FL15	Δ = 2°31'10"	336.00	14.78	N 54°02'13" W	14.77	7.39
FL16	Δ = 50°48'45"	25.00	22.17	N 72°32'26" W	21.45	11.87
FL17	Δ = 53°32'16"	25.00	23.36	N 26°00'30" W	22.52	12.61
FL18	Δ = 278°42'27"	35.00	170.25	S 41°24'25" W	45.60	-30.05



HORZ. 0 10 25 50

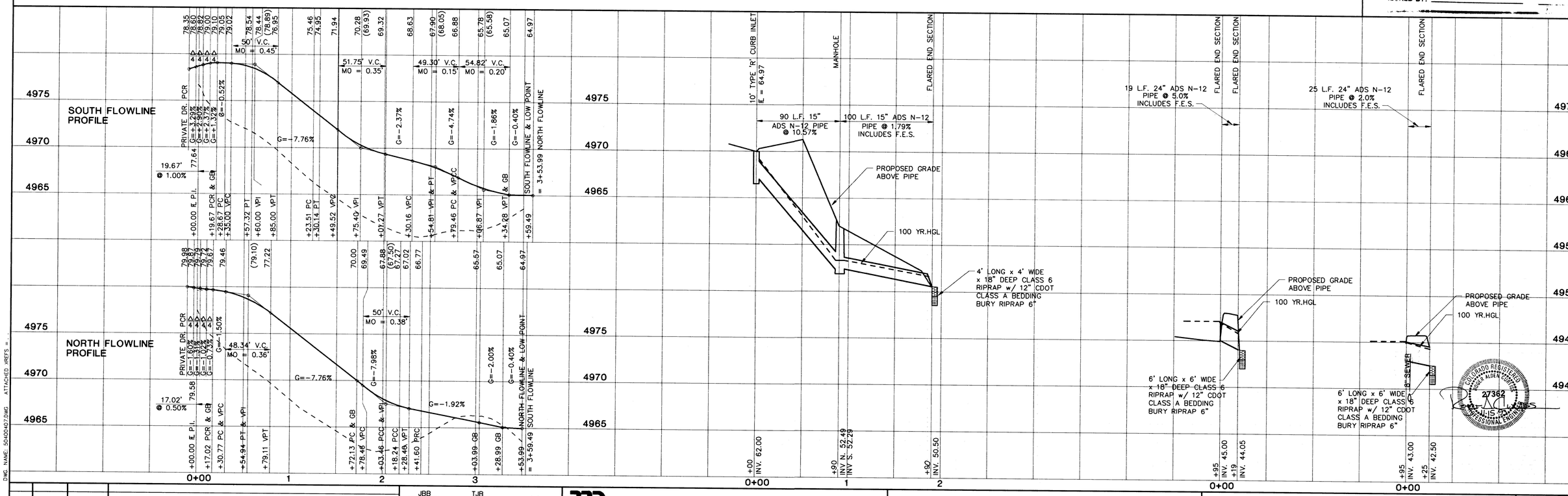
VERT. 0 1 2.5 5

SCALE IN FEET

CALL UTILITY NOTIFICATION CENTER OF COLORADO
1-800-922-1987
OR **534-6700** IN METRO DENVER
CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

FORT COLLINS - LOVELAND WATER DISTRICT
SOUTH FORT COLLINS SANITATION DISTRICT
UTILITY PLAN APPROVAL
APPROVED _____ MANAGER
DATE 8-26-93
APPROVED _____ SYSTEMS ENGINEER

City of Fort Collins, Colorado
UTILITY PLAN APPROVAL
APPROVED: Michael P. Herzig, Director of Engineering — 11/12/93 Date
CHECKED BY: NA, Water & Wastewater Utility — Date
CHECKED BY: Stormwater Utility — 11-05-93 Date
CHECKED BY: NA, Parks & Recreation — Date
CHECKED BY: _____ — Date
CHECKED BY: _____



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JBB DRAWN | TJB DESIGNED | . . CHECKED
. . . APPROVED | AUG 1993 DATE | 504-004 PROJECT NO.

RBD Inc. Engineering Consultants
209 South Meldrum Street, Fort Collins, Colorado 80521, 303 / 482-5922
2480 W. 26th Ave., Suite 46, Bldg. C, Denver, Colorado 80211, 303 / 458-5526
953 So. Frontage Rd. West, # 202, Vail, Colorado 81657, 303 / 476-6340

CASTLE RIDGE AT MIRAMONT P.U.D.
FIRST FILING

CASTLE RIDGE PLACE
STREET PLAN & PROFILE

SHEETS	SHEET
15	9

C-3 1362

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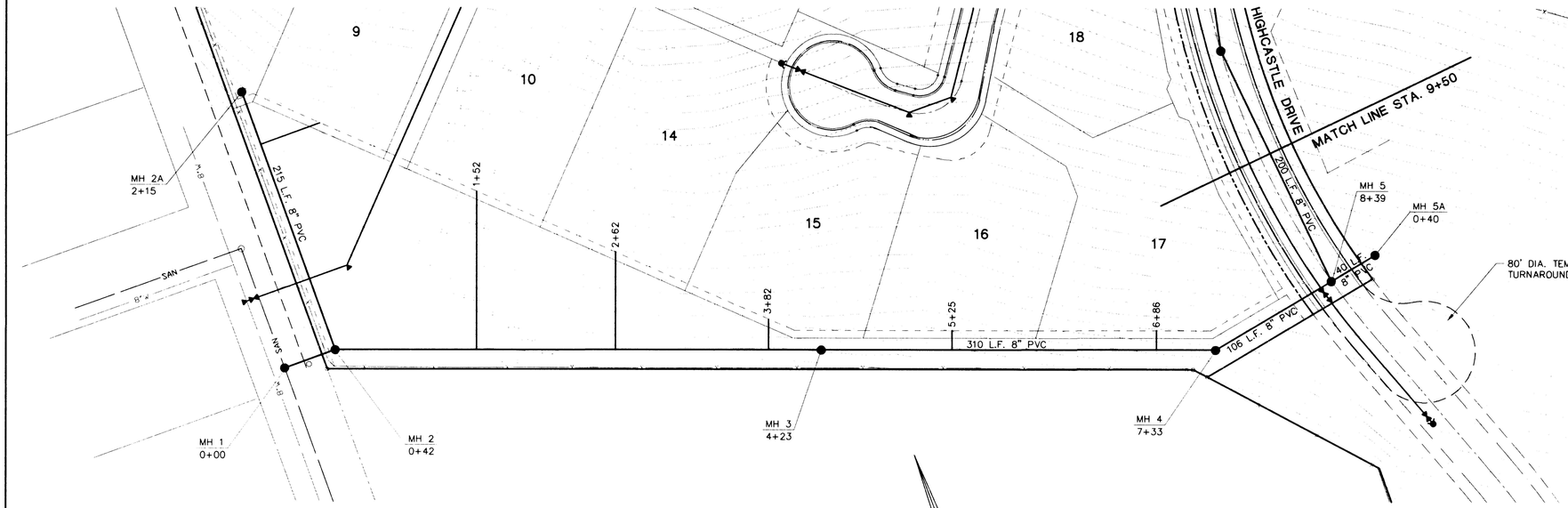


HORZ. 0 10 25 50

VERT. 0 1 2.5 5

SCALE IN FEET

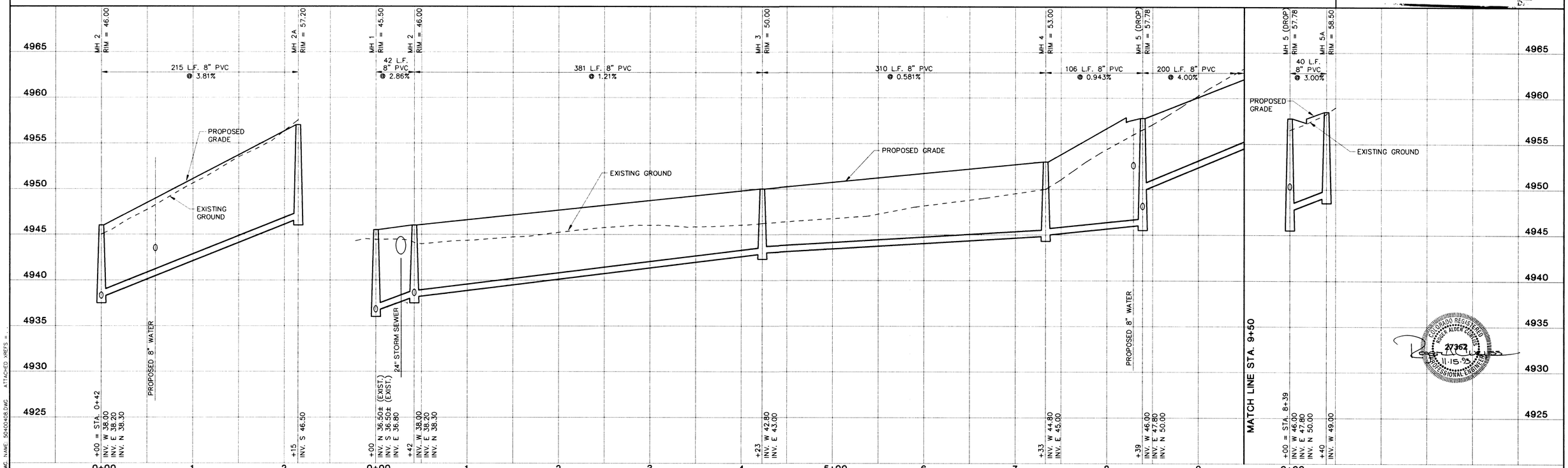
CALL UTILITY NOTIFICATION CENTER OF COLORADO
1-800-922-1987
OR **534-6700** IN METRO DENVER
CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

FORT COLLINS - LOVELAND WATER DISTRICT
SOUTH FORT COLLINS SANITATION DISTRICT
UTILITY PLAN APPROVAL

APPROVED _____ MANAGER
DATE 8-26-93
APPROVED _____ SYSTEMS ENGINEER
DATE 8-26-93

City of Fort Collins, Colorado
UTILITY PLAN APPROVAL

APPROVED: Michael R. Herzig Director of Engineering — 11/16/93 Date
CHECKED BY: NA Water & Wastewater Utility — Date
CHECKED BY: Stormwater Utility — 11-05-93 Date
CHECKED BY: NA Parks & Recreation — Date
CHECKED BY: _____ — Date
CHECKED BY: _____ — Date



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JBB DRAWN — TJB DESIGNED — . . CHECKED
. . APPROVED — AUG 1993 DATE — 504-004 PROJECT NO.

RBD Inc. Engineering Consultants

CASTLE RIDGE AT MIRAMONT P.U.D.
FIRST FILING

SANITARY SEWER PLAN & PROFILE

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COLORADO REGISTERED ROGER ALDEN CONRAD 27362 11-15-93 PROFESSIONAL ENGINEER

C-3 1362

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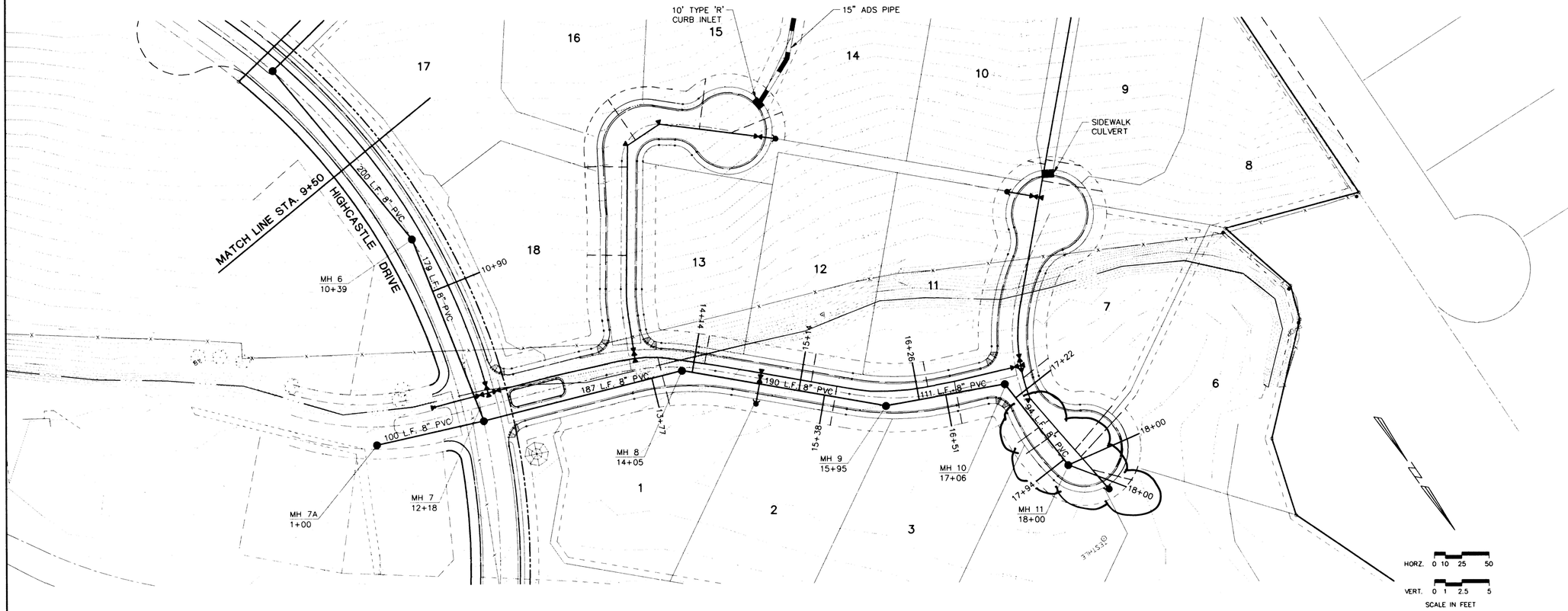


FORT COLLINS - LOVELAND WATER DISTRICT
SOUTH FORT COLLINS SANITATION DISTRICT

UTILITY PLAN APPROVAL

APPROVED _____ MANAGER
DATE 8-26-93

APPROVED _____ SYSTEMS ENGINEER
DATE 8-26-93

CALL UTILITY NOTIFICATION CENTER OF COLORADO
1-800-922-1987
OR **534-6700** IN METRO DENVER
CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

City of Fort Collins, Colorado
UTILITY PLAN APPROVAL

APPROVED: _____ CITY ENGINEER — 11/26/93 Date

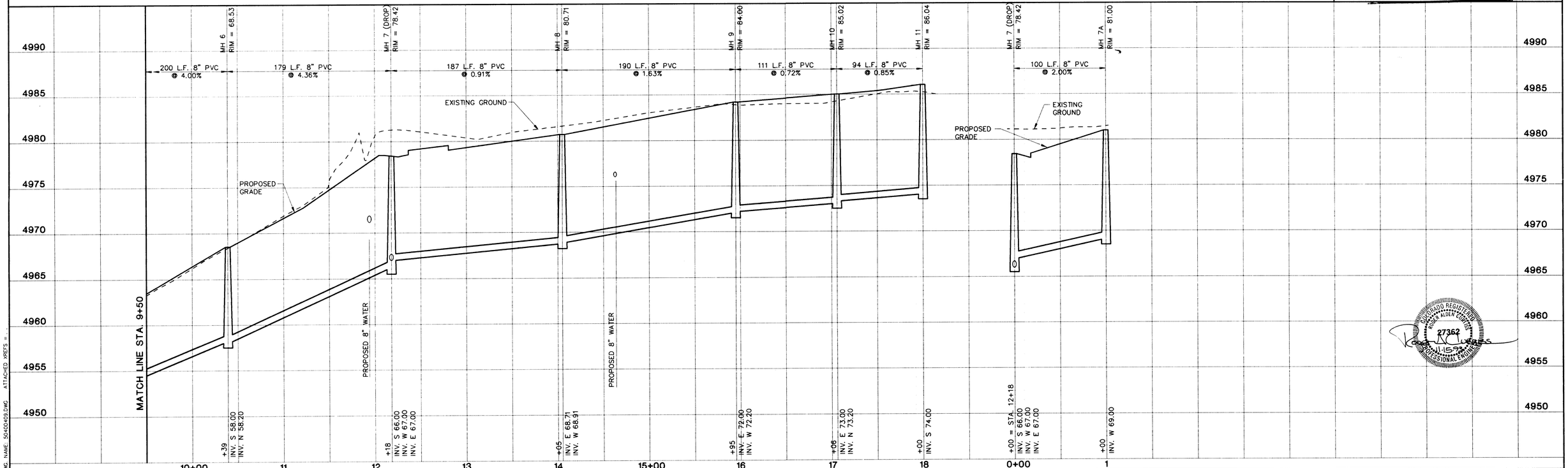
CHECKED BY: NA Water & Wastewater Utility — Date

CHECKED BY: _____ Stormwater Utility — 11-05-93 Date

CHECKED BY: NA Parks & Recreation — Date

CHECKED BY: _____ — Date

CHECKED BY: _____ — Date



COLORADO REGISTERED ROGER ALDEN CURTIS 27362 PROFESSIONAL ENGINEER
11-15-93

NO.	BY	DATE	REVISION DESCRIPTION

JBB DRAWN | TJB DESIGNED | RAC CHECKED
APPROVED | AUG 1993 DATE | 504-004 PROJECT NO.

RBD Inc. Engineering Consultants

CASTLE RIDGE AT MIRAMONT P.U.D.
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SHEETS 15 | SHEET 11

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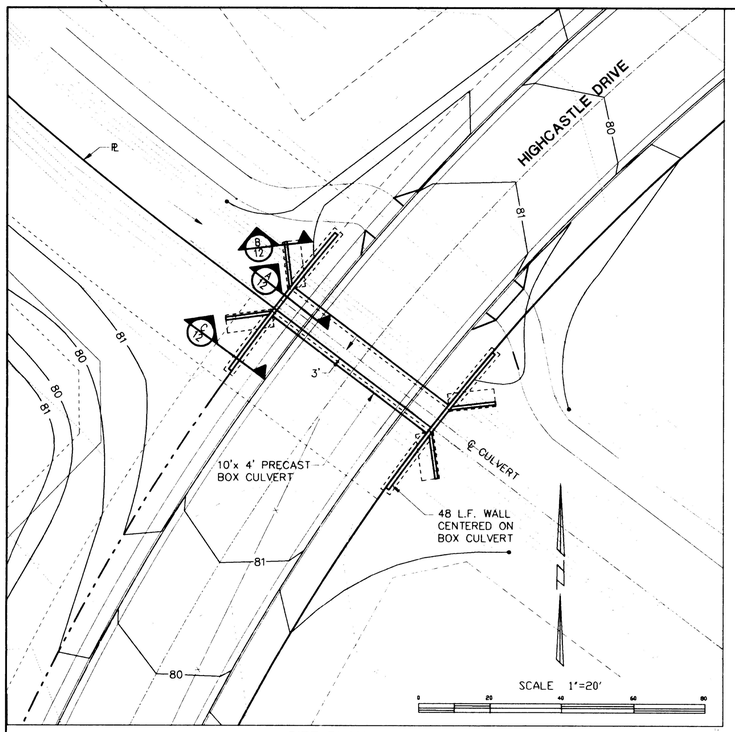
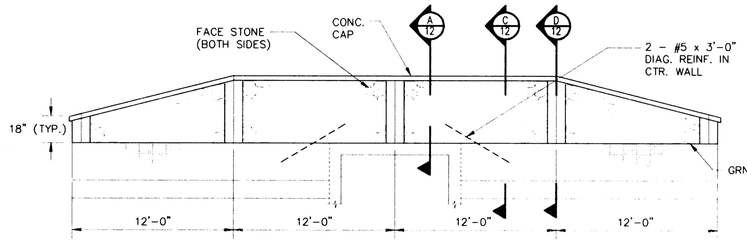
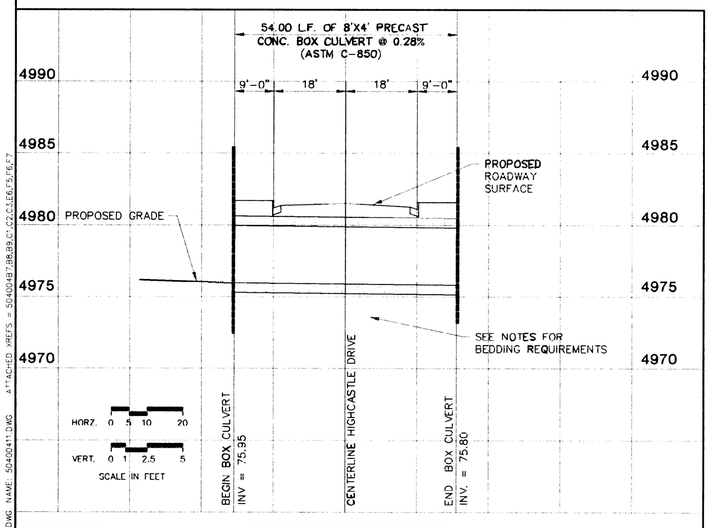
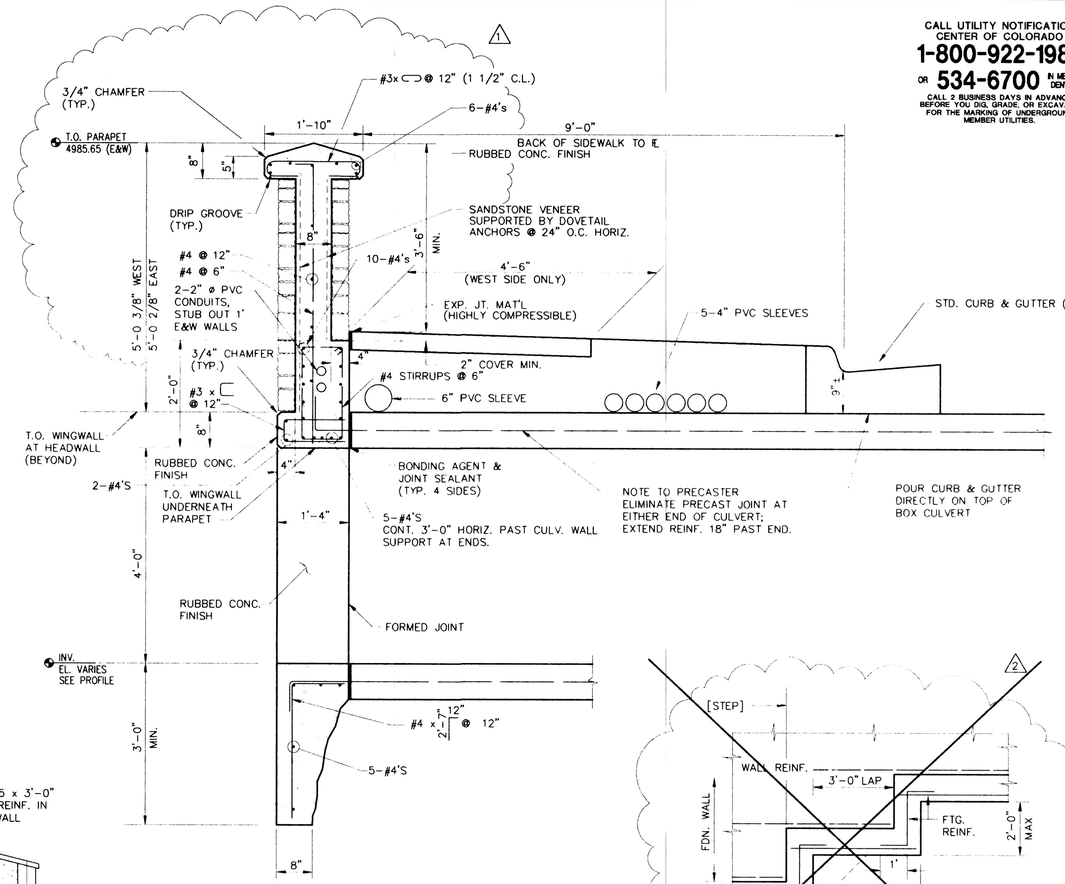


SITE PLAN

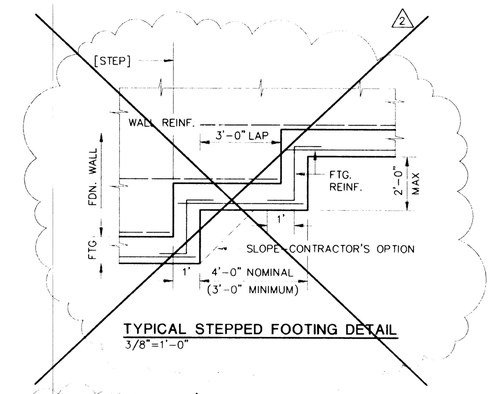


CULVERT RAILING ELEVATION
NTS

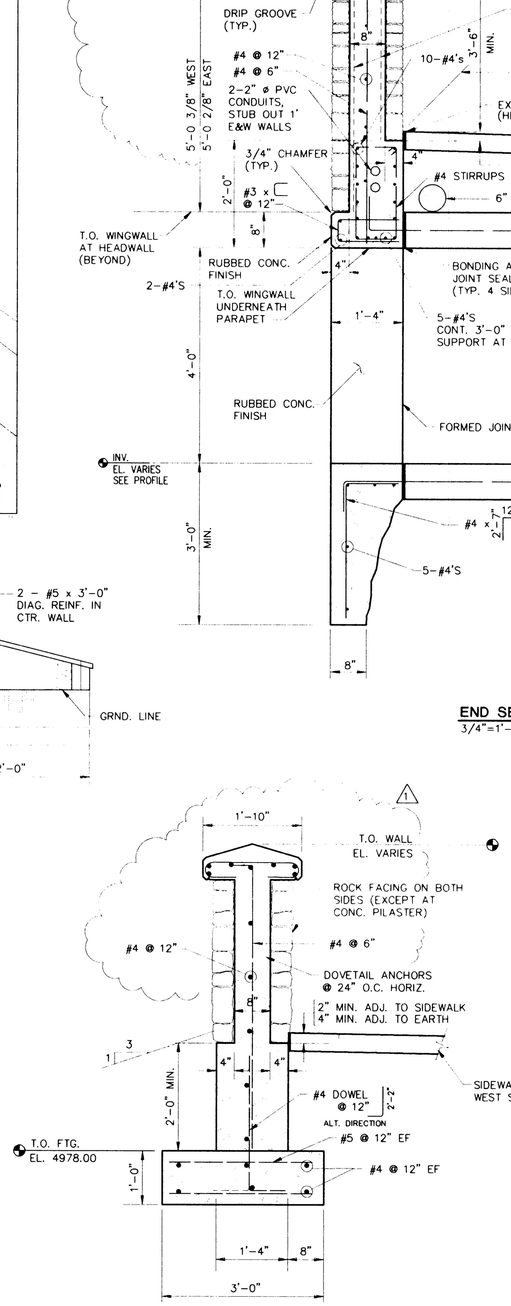




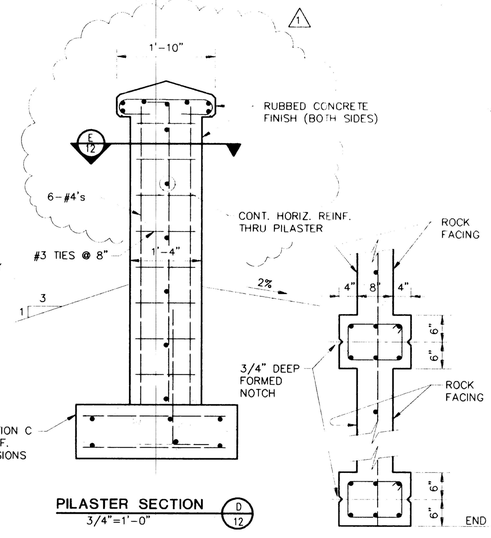
END SECTION
3/4"=1'-0"



TYPICAL STEPPED FOOTING DETAIL
3/8"=1'-0"

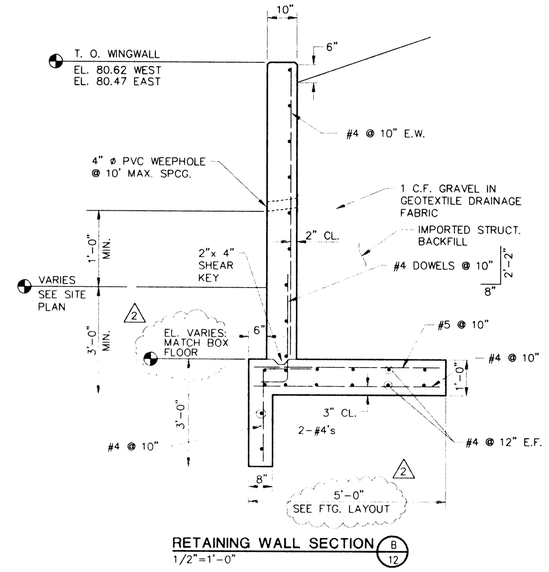


WALL SECTION
3/4"=1'-0"



PILASTER SECTION
3/4"=1'-0"

CALL UTILITY NOTIFICATION CENTER OF COLORADO
1-800-922-1987
OR **534-6700** IN METRO DENVER
CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.



RETAINING WALL SECTION (B/12)
1/2"=1'-0"

STRUCTURAL BACKFILL

IMPORTED STRUCTURAL BACKFILL SHALL CONFORM TO THE FOLLOWING GRADATION REQUIREMENTS:

SIEVE SIZE	% BY WEIGHT PASSING SQUARE MESH SIEVES
2 inch	100
No. 4	30 – 100
No. 50	10 – 60
No. 200	5 – 20

THE BACKFILL MATERIAL SHALL HAVE A LIQUID LIMIT NOT EXCEEDING 35 AND A PLASTICITY INDEX OF NOT OVER SIX WHEN DETERMINED IN CONFORMITY WITH AASHTO T89 AND T90 RESPECTIVELY.

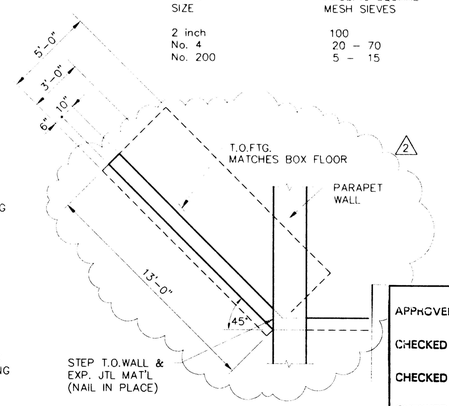
BEDDING REQUIREMENTS

BEDDING MATERIAL FOR THE PRECAST BOX CULVERT SHALL CONSIST OF ONE OF THE FOLLOWING ALTERNATIVES:

1) 6" OF AGGREGATE BASE COURSE (CDOT CLASS 6), COMPACTED TO NOT LESS THAN 95% MAXIMUM DENSITY, BY AASHTO T180.

2) 3" OF LEAN CONCRETE BASE, WITH MINIMUM CONCRETE CONTENT OF 250 LBS. PER CUBIC YARD. THE AGGREGATE GRADATION SHALL BE AS FOLLOWS:

SIEVE SIZE	% BY WEIGHT PASSING SQUARE MESH SIEVES
2 inch	100
No. 4	20 – 70
No. 200	5 – 15



FOOTING LAYOUT
1/4"=1'-0"
(TYPICAL 4 CORNERS)

COLORADO REGISTERED JOELLE K. KOSTER 25485 1/14/94 PROFESSIONAL ENGINEER

APPROVED: Michael R. Herzog, Director of Engineering 1/26/94 Date
CHECKED BY: NA, Water & Wastewater Utility Date
CHECKED BY: Doug Nims, Stormwater Utility 1-25-94 Date
CHECKED BY: NA, Parks & Recreation Date
CHECKED BY: Date
CHECKED BY. Date

NO.	BY	DATE	REVISION DESCRIPTION
1	JKO	12/30/93	REVISE PARAPET WALL: PEAKED CAP, TALLER HT.
2	JKO	12/30/93	REVISE T.O. FTG. ELEV. TO ELIMINATE STEP

TAR/JBB DRAWN | JKO DESIGNED | CHECKED
APPROVED | AUG. 1993 DATE | 504-004 PROJECT NO.

RBD Inc. Engineering Consultants

CASTLE RIDGE AT MIRAMONT P.U.D.
FIRST FILING

BOX CULVERT SITE LAYOUT & STRUCTURAL DETAILS

SHEETS 15 | SHEET 12

DWG. NAME: 50400411.DWG ATTACHED XREFS = 50400487.BB,BB,C:\C2\C1\E\F\G\F\G\F

Rev

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Packet pg. 270

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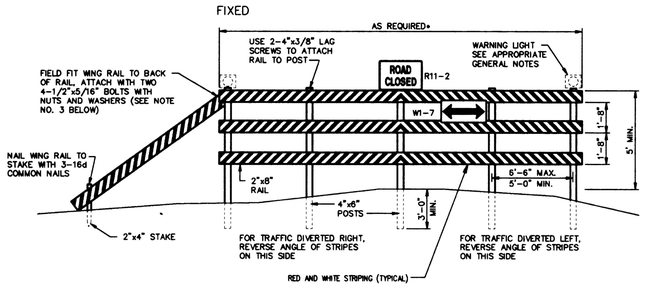
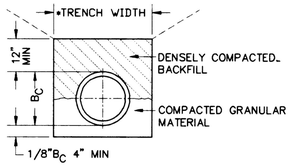


RAIL LENGTH TABLE*		
TYPE 3 BARRICADE		LENGTH
FIXED	MOVABLE	
F-A	M-A	8'-14'
F-B	M-B	15'-24'
F-C	M-C	25'-35'
F-D	M-D	> 35'

1. MAY BE FABRICATED OF LUMBER, ALUMINUM OR OTHER SUITABLE LIGHT WEIGHT MATERIALS OF STRUCTURAL SOUNDNESS.
2. TYPE 3 BARRICADES HAVE 3 REFLECTORIZED RAIL FACES IF FACING TRAFFIC IN ONE DIRECTION AND 6 IF FACING TRAFFIC IN TWO DIRECTIONS.
3. FIXED BARRICADES FABRICATED WITH TIMBER POSTS SHALL HAVE THE PORTION OF THE POSTS BELOW THE GROUND LINE DIPPED IN HOT CREOSOTE OIL. THE PORTION OF THE POST ABOVE THE GROUND LINE SHALL BE PAINTED IN ACCORDANCE WITH THE APPROPIATE GENERAL NOTE.
4. DETACHABLE EXTENSION RAILS FOR BYPASSING OF CONST-RUCTION EQUIPMENT ARE PERMITTED, WHEN NECESSARY, ON FIXED OR MOVABLE TYPE 3 BARRICADES. THE LENGTH SHALL BE ADEQUATE TO CLOSE THE BORROW PIT AND/OR SHOULDER AS REQUIRED.

TYPICAL TYPE 3 BARRICADE

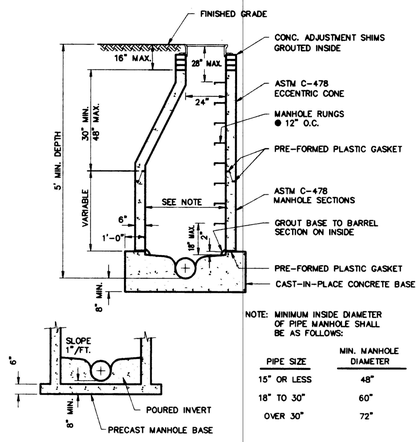


• PER CITY OF FT. COLLINS, SPEC.

WATER AND SEWER BEDDING

NOTE: 1. FOR SANITARY SEWER BEDDING EXTEND COMPACTED GRANULAR MATERIAL TO A POINT 12" ABOVE TOP OF PIPE

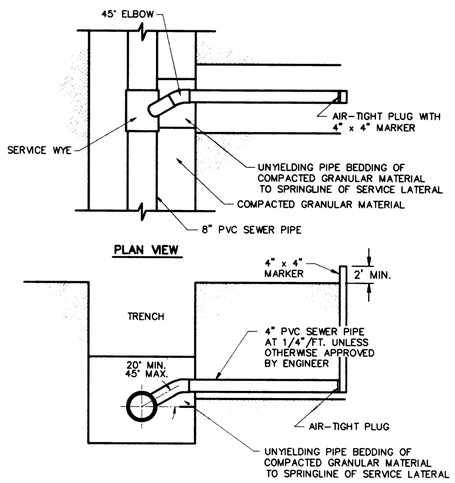
2. USE CLASS B BEDDING PER DETAIL ABOVE FOR STORM DRAIN PIPE. TRENCH WIDTH = B_C + 24"



NOTE: MINIMUM INSIDE DIAMETER OF PIPE MANHOLE SHALL BE AS FOLLOWS:

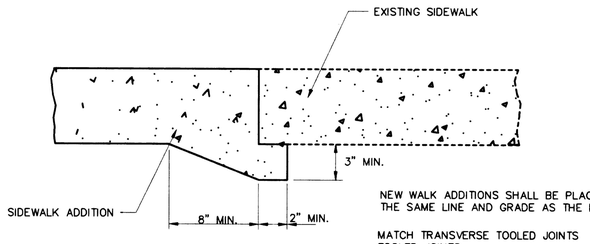
PIPE SIZE	MIN. MANHOLE DIAMETER
15" OR LESS	48"
18" TO 30"	60"
OVER 30"	72"

STANDARD MANHOLE



NOTE: WYE CONNECTION NOT ALLOWED ON VCP

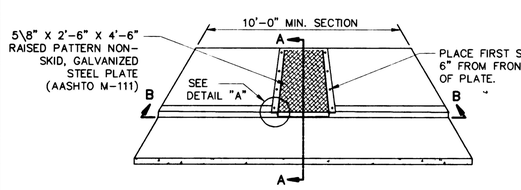
SEWER SERVICE WYE



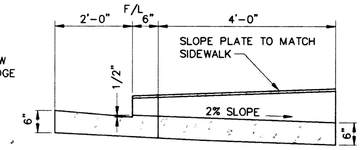
NEW WALK ADDITIONS SHALL BE PLACED TO THE SAME LINE AND GRADE AS THE EXISTING WALK

MATCH TRANSVERSE TOOLED JOINTS TO EXISTING TOOLED JOINTS

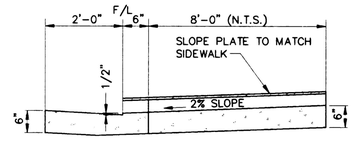
ADDITIONS TO EXISTING SIDEWALKS



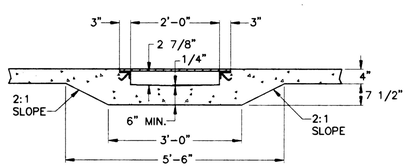
PLAN VIEW



SECTION A-A (ALTERNATE)

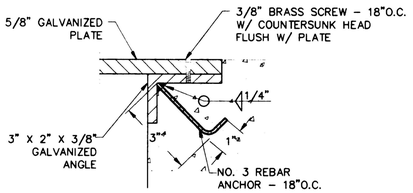


SECTION A-A



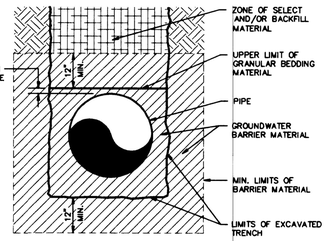
SECTION B-B

NOTE: WHEN THE CURB IS SEPARATED FROM THE SIDEWALK, THE STEEL PLATE SHALL BE PLACED ON THE SIDEWALK AND THE CONCRETE CHANNEL (WITH 6" THICK WALLS ON EACH SIDE) CONTINUED INTO THE CURB AND GUTTER.

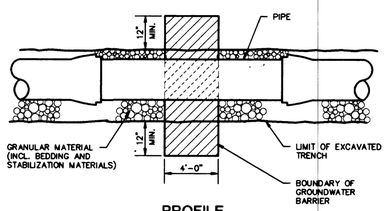


DETAIL "A"

METAL SIDEWALK CULVERT FOR CURB, GUTTER AND SIDEWALK



SECTION

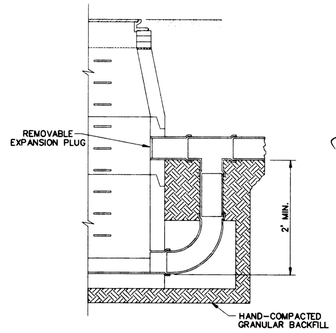


PROFILE

GROUNDWATER BARRIER DETAIL

NTS F9

BARRIERS TO BE PLACED 10' DOWNSTREAM OF SEWER MANHOLES



DROP MANHOLE

FORT COLLINS - LOVELAND WATER DISTRICT
SOUTH FORT COLLINS SANITATION DISTRICT

UTILITY PLAN APPROVAL

APPROVED _____ MANAGER
DATE 8-26-93
APPROVED _____ SYSTEMS ENGINEER
DATE 8-26-93

CALL UTILITY NOTIFICATION CENTER OF COLORADO
1-800-922-1987
OR **534-6700** IN METRO DENVER
CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

REGISTERED PROFESSIONAL ENGINEER — ROGER ALDEN COMPTON — 11593 — COLORADO

City of Fort Collins, Colo.
UTILITY PLAN APPROVAL

APPROVED: _____ Director of Engineering — Date 11/16/93
CHECKED BY: NA Water & Wastewater Utility — Date
CHECKED BY: _____ Stormwater Utility — Date 11-08-93
CHECKED BY: NA Parks & Recreation — Date
CHECKED BY: _____ — Date
CHECKED BY: _____ — Date

NO.	BY	DATE	REVISION DESCRIPTION

TAR DRAWN | DESIGNED | CHECKED
APPROVED | AUG 1993 DATE | 504-004 PROJECT NO.

RBD Inc. Engineering Consultants
209 South Meldrum Street, Fort Collins, Colorado 80521, 303 / 482-5922
2480 W. 26th Ave., Suite 100B Bldg. B, Denver, Colorado 80211, 303 / 458-5545
953 Sir Frontage Rd. West, # 230, Vail, Colorado 81657, 303 / 476-6340

CASTLE RIDGE AT MIRAMONT P.U.D.
FIRST FILING

DETAILS

SHEETS 15 | SHEET 13

C-3 1362

UWG NAME: 504004401.UWG
ATTACHED XREFS = 504004A1,A2,A4,B6,F3,F8,F9,G1

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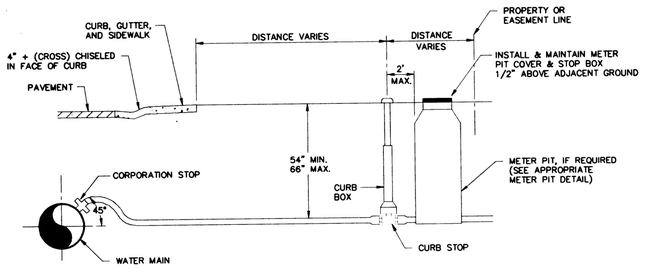
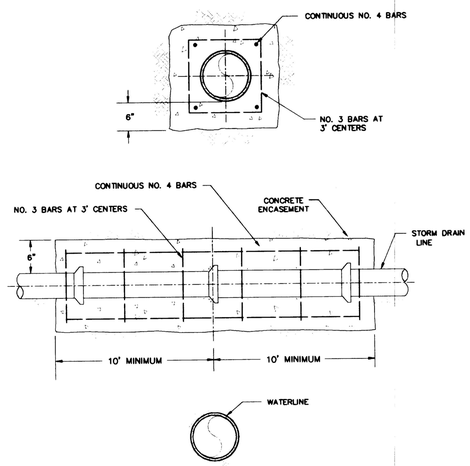
For additional information or an official copy, please contact Engineering Office 281 North College Fort Collins, CO 80521 USA



GENERAL NOTES:

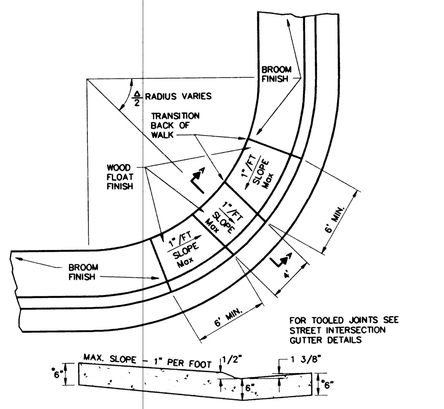
1. FOR 3/4-INCH AND 1-INCH SERVICES, USE DIRECT TAP AS SHOWN.
2. FOR 1 1/2-INCH AND 2-INCH SERVICES, INSTALL WITH TAPPED TEE AND CORPORATION STOP AT TIME OF CONSTRUCTION OR USE A TAPPING SADDLE.
3. LOCATION OF CURB BOX AND METER PIT SHALL BE ACCORDING TO APPROVED UTILITY DRAWINGS.
4. CITY'S RESPONSIBILITY FOR MAINTENANCE SHALL BE THE WATER MAIN, CORPORATION STOP, SERVICE PIPING UP TO AND INCLUDING THE CURB STOP. OWNER'S RESPONSIBILITY SHALL BE FROM CURB STOP (INCLUDING THE OUTLET COUPLING) TO THE BUILDING.
5. NO COUPLINGS SHALL BE ALLOWED BETWEEN CURB STOP AND METER SETTER.
6. SERVICE SHALL BE TYPE K COPPER FROM CORPORATION STOP TO 5-FEET PAST METER PIT (MINIMUM).

TYPICAL SERVICE DETAIL



NOTE: CONCRETE ENCASEMENT WILL BE REQUIRED ON STORM DRAIN WHEN CLEAR VERTICAL DISTANCE FROM WATERLINE IS LESS THAN 1'-6" OR HORIZONTAL DISTANCE IS LESS THAN 10' BETWEEN PARALLEL LINES. CONCRETE ENCASEMENT REQUIRED IN ALL CASES WHERE STORM DRAIN IS ABOVE WATERLINE OR IS UNDER A WATERWAY CROSSING.

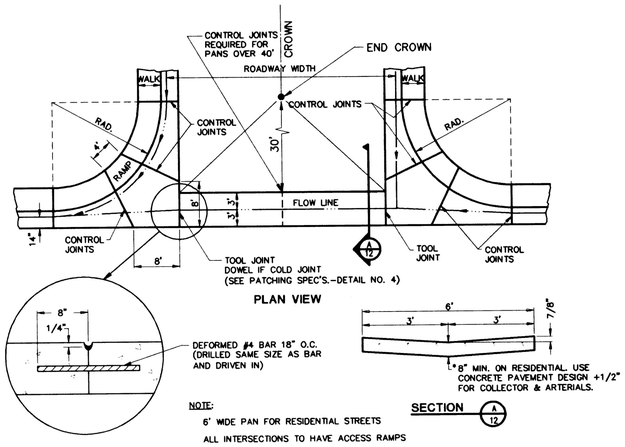
CONCRETE ENCASEMENT DETAIL



SECTION A-A
N.T.S.

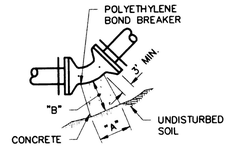
*6" DEPTH APPLIES FOR ENTIRE CURB RETURN AREA (PC TO PC)

ACCESS RAMP DETAIL

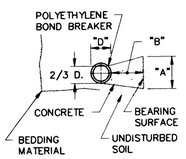


NOTE:
6' WIDE PAN FOR RESIDENTIAL STREETS
ALL INTERSECTIONS TO HAVE ACCESS RAMPS

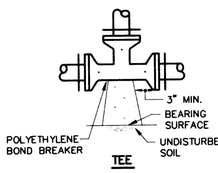
STREET INTERSECTION GUTTER DETAIL DRIVEOVER CURB, GUTTER & SIDEWALK



TYPICAL BEND

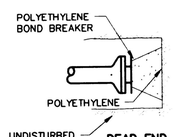


TYPICAL CROSS SECTION



TEE

MINIMUM BEARING SURFACE AREA (SQ. FT.)					
PIPE SIZE	BENDS				TEE OR DEAD END
	11 1/4°	22 1/2°	45°	90°	
6"	1.0	1.5	2.5	4.5	3.5
8"	1.5	2.5	4.5	8.0	5.5
12"	3.0	4.5	9.0	16.5	12.0

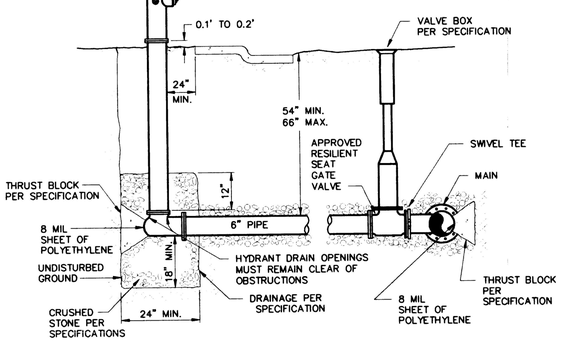


DEAD END

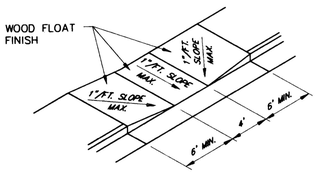
GENERAL NOTES:

1. Bearing surface areas shown in chart are minimum.
2. All fittings to be wrapped with polyethylene.
3. Pipe installed under conditions different from those normally encountered shall require thrust blocks designed for those particular conditions.
4. Thrust blocks on pipe larger than 12" shall be designed for conditions existing at the installation site.
5. Refer to Section 03300 City of Fort Collins std. specification for concrete requirements.

THRUST BLOCK DETAIL

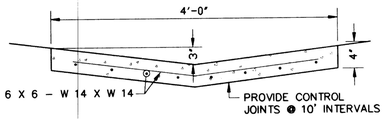


FIRE HYDRANT DETAIL

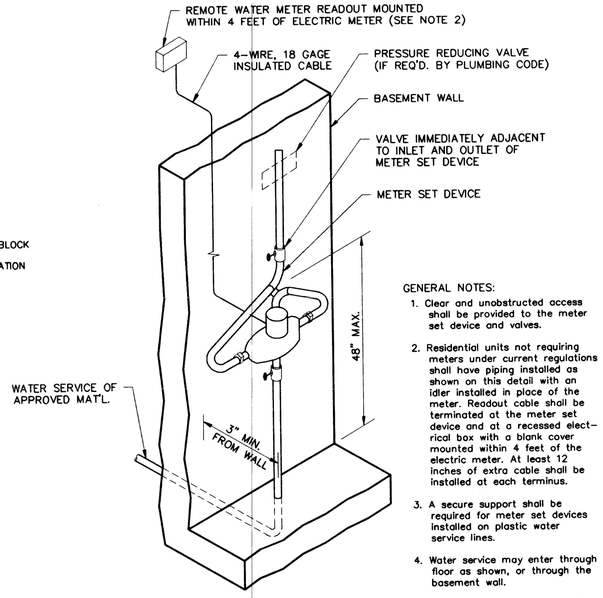


MID-BLOCK ACCESS RAMP DETAIL

CALL UTILITY NOTIFICATION CENTER OF COLORADO
1-800-922-1987
OR **534-6700** IN METRO DENVER
CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.



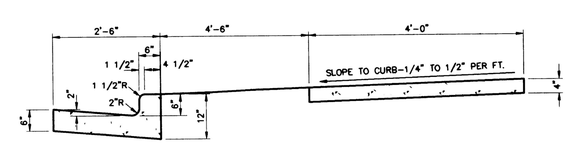
CONCRETE TRICKLE PAN



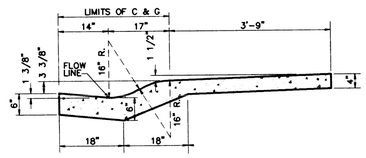
GENERAL NOTES:

1. Clear and unobstructed access shall be provided to the meter set device and valves.
2. Residential units not requiring meters under current regulations shall have piping installed as shown on this detail with an idler installed in place of the meter. Readout cable shall be terminated at the meter set device and at a recessed electrical box with a blank cover mounted within 4 feet of the electric meter. At least 12 inches of extra cable shall be installed at each terminus.
3. A secure support shall be required for meter set devices installed on plastic water service lines.
4. Water service may enter through floor as shown, or through the basement wall.
5. All tees and connections shall be a minimum of 2 feet past outlet valve.

STANDARD METER SETTING FOR 3/4" & 1" METERS



VERTICAL 6" CURB, GUTTER AND SIDEWALK



DRIVEOVER CURB, GUTTER & SIDEWALK

COLORADO REGISTERED ROGER ALDEN CONTOS 27362 11-15-93 PROFESSIONAL ENGINEER

City of Fort Collins, Colorado
UTILITY PLAN APPROVAL
APPROVED: Michael R. Rewing 11/12/93 Director of Engineering Date
CHECKED BY: NA Water & Wastewater Utility Date
CHECKED BY: [signature] 11-05-93 Stormwater Utility Date
CHECKED BY: NA Parks & Recreation Date
CHECKED BY: Date
CHECKED BY: Date

FORT COLLINS - LOVELAND WATER DISTRICT
SOUTH FORT COLLINS SANITATION DISTRICT
UTILITY PLAN APPROVAL
APPROVED [signature] MANAGER
DATE 8-26-93
APPROVED [signature] STORM ENGINEER
DATE 8-26-93

NO.	BY	DATE	REVISION DESCRIPTION

JBB DRAWN | TJB DESIGNED | CHECKED
APPROVED | AUG 1993 DATE | 505-004 PROJECT NO.

RBD Inc. Engineering Consultants
209 South Meldrum Street, Fort Collins, Colorado 80521, 303 / 482-5422
2480 W. 26th Ave., Suite 4F, Bldg. B, Denver, Colorado 80211, 303 / 458-1629
643 So. Frontage Rd. West, # 202, Vail, Colorado 81657, 303 / 479-6740

CASTLE RIDGE AT MIRAMONT P.U.D.
FIRST FILING

DETAILS

SHEETS 15 | SHEET 14

C-3 1362

DWG. NAME: 505D0410.DWG ATTACHED XREFS = 5040042S,06,07,08,09,D1,D2,D3,D4,F4,D5

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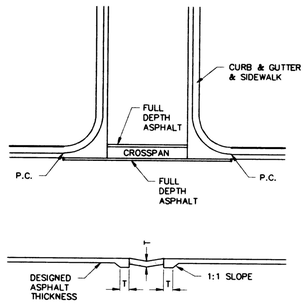
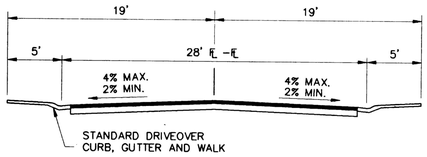
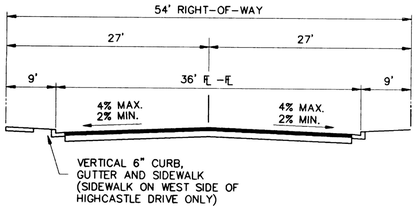
For additional information or an official copy, please contact Engineering Office 281 North College Fort Collins, CO 80521 USA



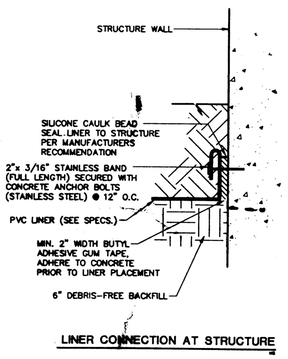
ASPHALT PAVING DETAIL AT CROSSPANS



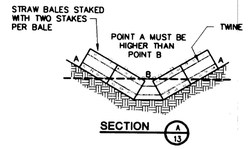
TYPICAL SECTION PRIVATE DRIVE



TYPICAL SECTION LOCAL STREET
HIGHCASTLE DRIVE

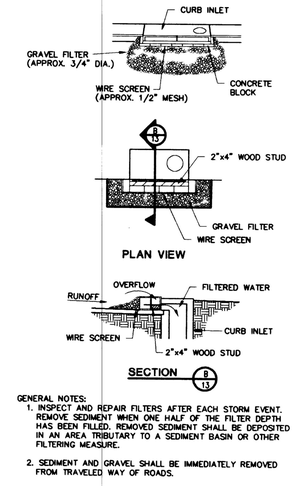


LINER CONNECTION AT STRUCTURE



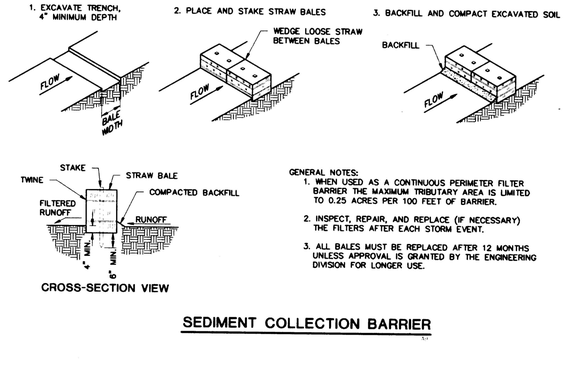
GENERAL NOTES:
1. INSPECT, REPAIR, AND REPLACE, (IF NECESSARY) THE FILTERS AFTER EACH STORM EVENT.
2. ALL BALES MUST BE REPLACED AFTER 12 MONTHS UNLESS APPROVAL IS GRANTED BY THE ENGINEERING DIVISION FOR LONGER USE.

EROSION BALE CHECK DAM



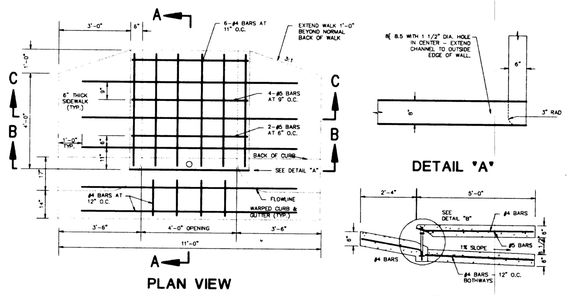
GENERAL NOTES:
1. INSPECT AND REPAIR FILTERS AFTER EACH STORM EVENT. REMOVE SEDIMENT WHEN ONE HALF OF THE FILTER DEPTH HAS BEEN FILLED. REMOVED SEDIMENT SHALL BE DEPOSITED IN AN AREA TRIBUTARY TO A SEDIMENT BASIN OR OTHER FILTERING MEASURE.
2. SEDIMENT AND GRAVEL SHALL BE IMMEDIATELY REMOVED FROM TRAVELED WAY OF ROADS.

EROSION CONTROL CURB INLET GRAVEL FILTER



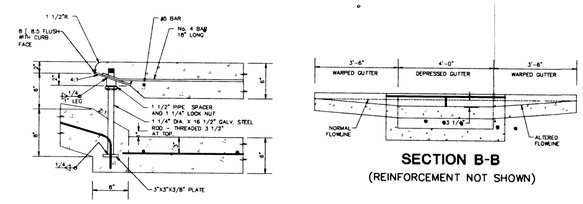
GENERAL NOTES:
1. WHEN USED AS A CONTINUOUS PERIMETER FILTER BARRIER THE MAXIMUM TRIBUTARY AREA IS LIMITED TO 0.25 ACRES PER 100 FEET OF BARRIER.
2. INSPECT, REPAIR, AND REPLACE (IF NECESSARY) THE FILTERS AFTER EACH STORM EVENT.
3. ALL BALES MUST BE REPLACED AFTER 12 MONTHS UNLESS APPROVAL IS GRANTED BY THE ENGINEERING DIVISION FOR LONGER USE.

SEDIMENT COLLECTION BARRIER



DETAIL "A"

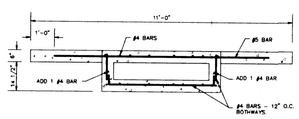
SECTION A-A



DETAIL "B"

GENERAL NOTES:
1. SIDEWALK SHALL BE 6" THICK FOR 3'-0" ON EITHER SIDE OF CULVERT.
2. TOP SLAB OF CULVERT SHALL BE SLOPED TO MATCH SIDEWALK. SEE D-6.
3. EXPOSED STEEL SHALL BE GALVANIZED IN ACCORDANCE WITH AASHTO M-111.
4. KEY JOINTS WHERE WALLS CONNECT TO TOP SLAB AND BASE.
5. REINFORCEMENT IN WALLS AND BASE SHALL BE 3" FROM THE SIDE EXPOSED TO EARTH. REINFORCEMENT IN TOP SLAB SHALL BE 1 1/2" CLEAR.
6. FOR 8'-0" WIDTH USE 6" WIDE CENTER WALL.

SECTION B-B
(REINFORCEMENT NOT SHOWN)



SECTION C-C

CONCRETE SIDEWALK CULVERT FOR DRIVEOVER CURB, GUTTER AND WALK

GRADATION FOR FILTER MATERIAL

SIEVE SIZE	% BY WEIGHT PASSING SQUARE MESH SIEVES TYPE I (CDOH CONCRETE SAND SPECIFICATION (AASHTO M6) SECTION 703.01)	TYPE II (CDOH CLASS A, SECTION 703.09)
3"	....	90-100
1-1/2"	....	....
3/4"	....	20-90
3/8"	100	....
#4	95-100	0-20
#16	45-80	....
#50	10-30	....
#100	2-10	....
#200	0-2	0-3

CLASSIFICATION AND GRADATION OF ORDINARY RIPRAP

RIPRAP DESIGNATION	% OF TOTAL WEIGHT SMALLER THAN THE GIVEN SIZE	STONE SIZE (IN POUNDS)	d_{50}† (INCHES)
CLASS 6 ††	70-100	85	
	50-70	35	
	25-50	10	6
	2-10	<1	
CLASS 12	70-100	440	
	50-70	275	
	25-50	85	12
	2-10	3	
CLASS 18	100	1275	
	50-70	655	
	25-50	275	18
	2-10	10	
CLASS 24	100	3500	
	50-70	1700	
	25-50	655	24
	2-10	35	

†d_{50}=MEAN PARTICLE SIZE. AT LEAST 50 PERCENT OF THE MASS SHALL BE STONES EQUAL TO OR LARGER THAN THIS DIMENSION.
†† BURY ON 4 TO 1 SIDE SLOPES OR GROUT ROCK IF SLOPES ARE STEEPER.

TYPICAL PAVEMENT SECTION ALTERNATIVE

HIGHCASTLE DRIVE AND PRIVATE DRIVES	(EDLA=5) WSN=2.14
FULL DEPTH ASPHALT	
SURFACE COURSE	2"
BASE COURSE	4"
ASPHALT WITH AGGREGATE BASE	
SURFACE COURSE A/C	3"
AGGREGATE BASE	7 1/2"
ASPHALT WITH BASE AND SUBBASE	
SURFACE COURSE A/C	2"
AGGREGATE BASE	6"
AGGREGATE SUBBASE	6"

COLORADO REGISTERED ROGER ALDEN CORNES 27382 11-15-93 PROFESSIONAL ENGINEER

FORT COLLINS - LOVELAND WATER DISTRICT
SOUTH FORT COLLINS SANITATION DISTRICT
UTILITY PLAN APPROVAL
APPROVED _____ MANAGER
DATE 8-26-93
APPROVED _____ SYSTEMS ENGINEER
DATE 8-26-93

City of Fort Collins, Colorado
UTILITY PLAN APPROVAL
APPROVED: Director of Engineering — Date 11/4/93
CHECKED BY: Water & Wastewater Utility — Date NA
CHECKED BY: Stormwater Utility — Date 11/05/93
CHECKED BY: Parks & Recreation — Date NA
CHECKED BY: _____ Date
BY: _____

CALL UTILITY NOTIFICATION CENTER OF COLORADO
1-800-922-1987
OR **534-6700** IN METRO DENVER
CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

NO.	BY	DATE	REVISION DESCRIPTION

TAR DRAWN | . . DESIGNED | . . CHECKED
. . APPROVED | AUG 1993 DATE | 504-004 PROJECT NO.

RBD Inc. Engineering Consultants
209 South Meldrum Street, Fort Collins, Colorado 80521, 303 / 482-5927
3480 W. 26th Ave., Suite 110B, Bldg. B, Denver, Colorado 80211, 303 / 458-5574
458 So. Frontage Rd. West, # 202, Vail, Colorado 81657, 303 / 476-6140

CASTLE RIDGE AT MIRAMONT P.U.D.
FIRST FILING

DETAILS

SHEETS 15 | SHEET 15

C-3 1362

DWG. NAME: 504D0402.DWG
ATT:*DHED, XREFS = 504D0417,A8,A8,B1,B2,B3,B4,C4,D5,D7

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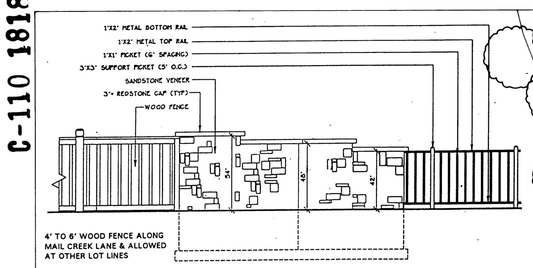
APPENDIX III

Castle Ridge at Miramont Preliminary & Final Site Plan

Lot 1, Castle Ridge at Miramont P.U.D. (642 Castle Ridge Court) Site Plan

C-110 1818



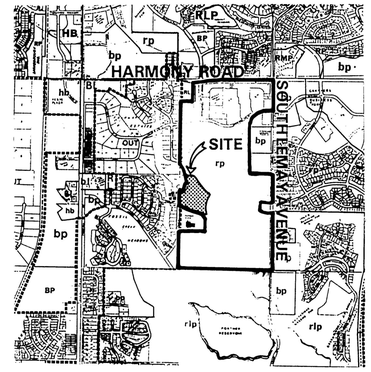
TYPICAL STREETSCAPE FENCE (ALONG HIGHCASTLE)

NOT TO SCALE

GENERAL NOTES

1. Final subdivision plat and utility plans to define all easements, lot areas and dimensions, and design of streets and walks.
2. All public streets meet or exceed City of Fort Collins design criteria unless variances are granted. Private drives are to be clearly marked as such, and maintained by the Castle Ridge Homeowners' Association.
3. Common open space areas are to be maintained by a Homeowners Association or other appropriate entity.
4. Signs to comply with City Sign Code unless a specific variance is granted.
5. Open space tracts are landscape, drainage and utility easements.
6. Accent lighting of the project identity sign, entry feature, decorative walls, sculpture, and/or special landscape features is allowed at Castle Ridge.
7. Fencing on property lines adjacent to the open space/detention areas exceeding 30' in width to be restricted to 4' for solid fences. Above 4', up to a 2' extension of framed lattice work or other "open" design may be allowed.
8. All lots included in Castle Ridge at Miramont are over 15,000 sq. ft. in area, and are therefore exempt from the solar orientation ordinance.
9. A variance to the minimum density standard of 3 du/ac. is a part of this development. The lower density at this location is justified because:
   - The overall density of the residential portions of the Oak/Cottonwood Farm Amended ODP is over 4 du/ac.
   - This site includes some of the steepest slopes at Oak/Cottonwood Farm; spectacular views of Long's Peak; a wooded area of approximately ¾ acre ±; the Mail Creek ditch along the north boundary; Werner Elementary School immediately adjacent to the south; and is the most highly visible phase of the development from the adjacent large (¾ to ¾ acre) lots in Fossil Creek Meadows. Sensitivity to all these elements is best achieved with the proposed plan and a density of between 1 du/ac. and 1.8 du/ac.

VICINITY MAP



DESCRIPTION

A tract of land located in the East Half of Section 1, Township 6 North, Range 69 West of the 6th Principal Meridian, City of Fort Collins, County of Larimer, State of Colorado, being more particularly described as follows:

Considering the East line of the Northeast Quarter of said Section 1 as bearing, South 00°10'00" West from a number four rebar with a yellow cap at the Northeast corner of said Section 1 to a rebar in a valve box at the East Quarter corner of said Section 1 and with all bearings contained herein relative thereto:

Commencing at the North Quarter corner of said Section 1; thence along said East line of the Third Filing of Fairway Estates according to the plat recorded in the records of said County, South 00°11'05" West, 2400.26 feet; thence, South 32°08'15" East, 284.12 feet to a point on the Southerly line of Upper Meadow at Miramont, First Filing recorded in the records of said County; to the true point of beginning thence along said Southerly line South 46°03'16" East, 61.87 feet to a point on a curve concave to the North having a central angle of 46°34'36", a radius of 78.88 feet and the chord of which bears South 69°20'34" East, 62.37 feet; thence along the arc of said curve 64.12 feet; thence, North 87°22'08" East, 75.05 feet to a point on a curve concave to the South having a central angle of 57°35'48", a radius of 141.35 feet and the chord of which bears South 63°49'58" East, 136.18 feet; thence along said Southerly line of Upper Meadow at Miramont, First Filing and continuing along the Southerly line of Upper Meadow at Miramont, Second Filing and along the arc of said curve 142.09 feet; thence continuing along said Southerly line of said Second Filing, South 35°02'04" East, 194.59 feet; thence, South 37°46'34" East, 92.36 feet to a point on a curve concave to the Northeast having a central angle of 15°09'26", a radius of 1030.41 feet and the chord of which bears South 45°21'17" East, 271.79 feet; thence along the arc of said curve 272.59 feet; thence, South 52°56'00" East, 81.75 feet to a point on a curve concave to the East having a central angle of 54°04'43", a radius of 576.00 feet and the chord of which bears South 10°39'39" West, 523.70 feet; thence departing said Southerly line of said Second Filing and along the arc of said curve 543.66 feet; thence, South 79°50'54" West, 151.03 feet to a point on the North line of Werner Elementary School parcel described in Reception Number 86016017, recorded in the records of said County; thence along said North line, North 41°26'30" West, 12.70 feet; thence, North 89°17'00" West, 680.00 feet to a point on the East line of Fossil Creek Meadows, First Filing recorded in the records of said County; thence along said East line North 00°43'06" East, 442.19 feet to a point on the South line of a parcel of land described in Reception Number 91046333; thence along said South line, South 70°37'00" East, 126.42 feet; thence continuing along the East line of said Reception Number 91046333, North 14°10'00" West, 79.38 feet; thence, North 19°07'00" East, 32.15 feet; thence, North 47°47'00" East, 112.02 feet; thence, North 16°55'30" East, 73.67 feet; thence, North 21°18'00" West, 129.60 feet; thence, North 13°20'00" West, 114.43 feet; thence departing said East line of Reception Number 91046333, South 89°57'09" East, 16.15 feet to the Point of Beginning.

The above described tract of land contains 14.061 acres and is subject to all easements and rights-of-way now on record or existing.

LAND USE BREAKDOWN

Area				
Gross	588,383	sq. ft.	13.74	acres
Net	580,648	sq. ft.	13.33	acres
Dwelling Units				
Single Family	18			
Other	0			
Total Units	18			
Density				
Gross			1.31	du/ac
Net			1.35	du/ac
Coverage				
Buildings	83,000	sq. ft.	10.83	%
Street R.O.W.	17,817	sq. ft.	2.88	%
Parking & Drives	78,778	sq. ft.	13.17	%
Open Space:				
Common	108,370	sq. ft.	17.78	%
Private	332,397	sq. ft.	66.55	%
Total Open Space	438,767	sq. ft.	73.33	%
Floor Area				
Residential	72,000	sq. ft.		
Parking Provided				
Garages	36	spaces	2.00	/ unit
Other		spaces		
Total Vehicles	36	spaces	2.00	/ unit
*Note:	Garages and / or driveways will accommodate Handicapped, Motorcycle, and Bike parking			
Max. Building Height	40	ft.		
Setbacks (unless otherwise noted)				
Front	25	ft.		
Side	12	ft.		
Corner Side	12	ft.		
Rear	40	ft.		

SIGNATURE BLOCK

This is to certify that, as of the 30th day of July, 1993, the undersigned parties are sole owners of record of the real property described in the above site plan as constructed in C.R.S. 31-23-11, and consent to the development of said property as shown according to said plan.

Name OAK Farm Inc
Of 67 Land Co Corp
32553 Solomon Pl 80202
Address Ft Collins Co 80525

Approved by the Planning and Zoning Board of the City of Fort Collins, Colorado on the 26th day of July A.D. 1993.

Secretary of the Planning and Zoning Board

Cityscape
urban design, inc.
3555 stanford road, suite 105
fort collins, colorado 80525
(303)226-4074

Castle Ridge at Miramont

PRELIMINARY & FINAL SITE PLAN

ACAD FILE: 7177S1
PROJECT NO. 7177
SCALE: 1"=50'

DATE OF PREPARATION: 6-07-93
REVISIONS:

DATE	DESCRIPTION	BY
7-7-93	CITY COMMENTS	SM

SHEET NO. 1 OF 2

LEGEND

R HANDICAPPED ACCESS RAMP
ID IDENTITY SIGN

MINOR AMENDMENT APPROVED TO ALLOW 40' TO 34' REDUCTION ON S.E. SIDE REAR SETBACK, AND 40' TO 30' REDUCTION ON THE S.W. SIDE REAR SETBACK WITH THE CONDITION THAT THERE IS NO ENCROACHMENT INTO THE 6' UTILITY EASEMENT AT THE REAR PROPERTY LINE. EFFEC. 7-2-98 TED SHEPARD

ADMINISTRATIVE CHANGE
SIDEYARD SETBACK FROM 40' to 36'6" LOT 18.
APPROVED 1-23-96 MIKE LUDWIG

EFFECTIVE 10-1-97 MINOR AMENDMENT TO ALLOW SETBACK REDUCT. SEE PLAT FILE #5T-87J FOR CONDITIONS OF APPROVAL. MIKE LUDWIG.

ADMIN CHANGE modify bldg envelopes Lots 8-18
Approved 10/5/94 Steve Olt/dmw
W/cond except where side lot easements exceed the setback

ADMINISTRATIVE CHANGE TO APPROVE THE LANDSCAPE AS-BUILT HOMEOWNERS & DEVELOPER HAVE AGREED LANDSCAPE ALONG MAIL CREEK DITCH, AND IN THE EAST-WEST STRIP BETWEEN LOTS AND STREET TREES ALONG PRIVATE DRIVEWAYS WILL BE PROVIDED BY ADJACENT HOMEOWNERS. EFFECTIVE 6-20-96

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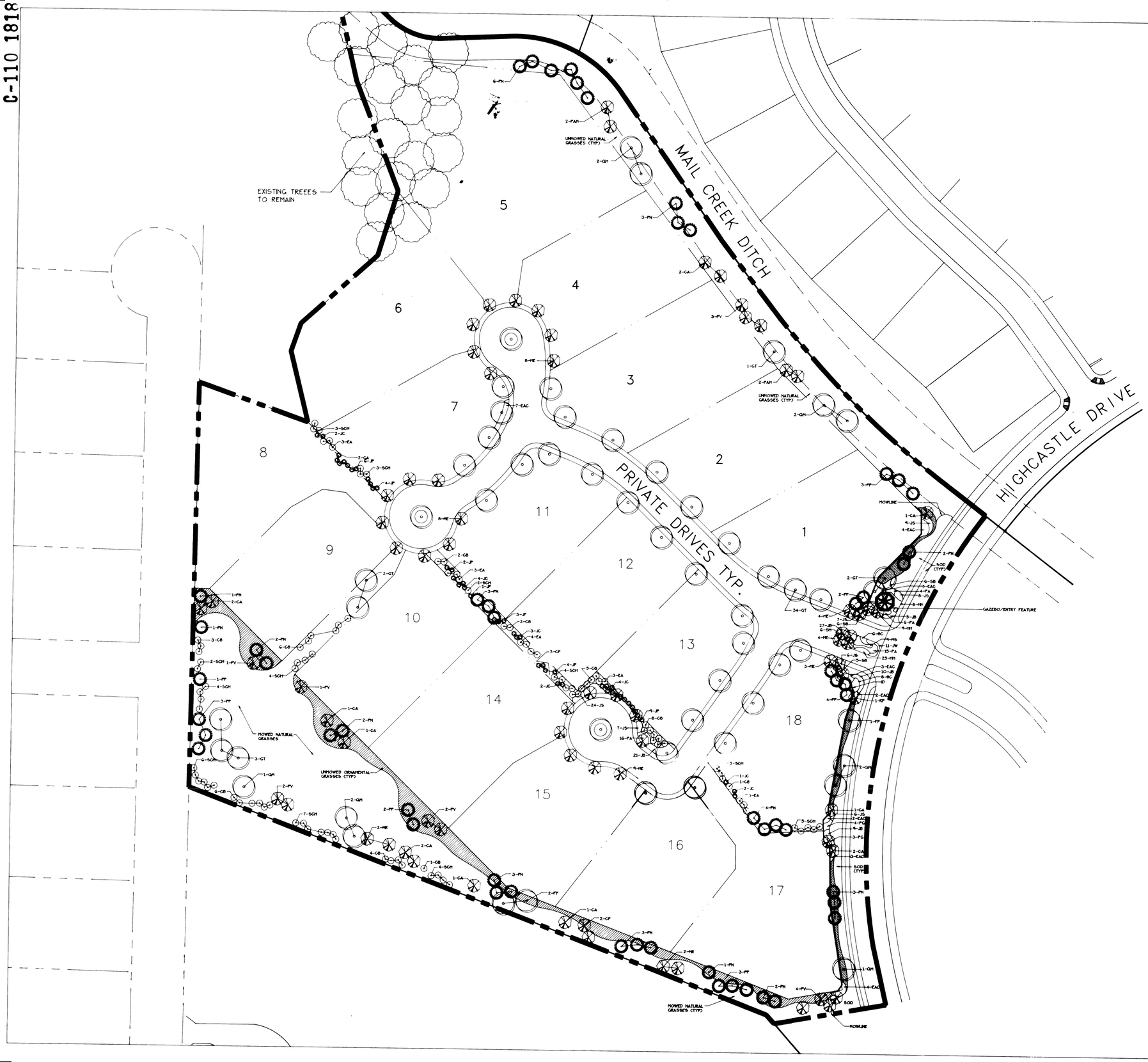

PLANT LIST

KEY	BOTANICAL NAME	COMMON NAME	SIZE	QUANTITY
	DECIDUOUS TREES			
FP	Fraxinus pennsylvanica 'Marshalls Seedless'	Marshalls Seedless Green Ash	2" Cal.	3
GT	Gleditsia triacanthos inermis 'Shademaster'	Shademaster Honeylocust	2" Cal.	42
QM	Quercus macrocarpa	Burr Oak	2" Cal.	10
	ORNAMENTAL TREES			
CA	Crataegus ambigua	Russian Hawthorn	1½" Cal.	16
CP	Crataegus phaenopyrum	Washington Hawthorn	1½" Cal.	5
KP	Koelreuteria paniculata	Golden Rain Tree	15 Gal. Clump	1
MB	Malus sp. 'Brandywine'	Brandywine Crabapple	1½" Cal.	22
ME	Malus sp. 'Centurian'	Centurian Crabapple	1½" Cal.	36
MR	Malus sp. 'Radiant'	Radiant Crabapple	1½" Cal.	4
PAM	Prunus americana	American Plum	15 Gal. Clump	4
PV	Prunus virginina 'Shubert'	Canada Red Chokecherry	1½" Cal.	12
	DECIDUOUS SHRUBS			
BC	Berberbis thunbergii 'Crimson Pygmy'	Crimson Pygmy Barberry	5 Gal.	14
CB	Caragana aborescens	Siberian Peashrub	5 Gal.	38
EA	Euonymus alata	Burning Bush	5 Gal.	16
EAC	Euonymus alata 'Compacta'	Compact Burning Bush	5 Gal.	31
PA	Caryopteris x clandonensis	Blue Mist Spirea	5 Gal.	41
PG	Prunus glandulosa	Pink Flowering Almond	5 Gal.	7
SB	Spiraea bumalda 'Froebeli'	Froebel Spirea	5 Gal.	17
SC	Syringa meyeri	Dwarf Korean Lilac	5 Gal.	6
SCH	Syringa chinese-rothmagenais	Chinese Lilac	5 Gal.	47
	CONIFEROUS TREES			
PN	Pinus nigra	Austrian Pine	6-8' Ht.	36
PP	Picea pungens	Colorado Spruce	6-8' Ht.	18
	EVERGREEN SHRUBS			
JB	Juniperus sabina 'Buffalo'	Buffalo Juniper	5 Gal.	67
JC	Juniperus chinensis 'Sea Green'	Sea Green Juniper	5 Gal.	14
JP	Juniperus chinensis 'Pfitzeriana Compact'	Compact Pfitzer Juniper	5 Gal.	29
JS	Juniperus sabina 'Scandia'	Scandia Juniper	5 Gal.	67
JW	Juniperus horizontalis 'Blue Chip'	Blue Chip Juniper	5 Gal.	11
	PERENNIALS			
HH	Hemerocallis 'Red Magic'	Daylily	1 Gal.	42
MS	Miscanthus sinensis 'Gracillimus'	Maiden Grass	1 Gal.	9

GRASSES

Native Grass Mixture:
30% Hard Fescue, 40% Chewings Fescue, 30% Creeping Red Fescue, 10% Linn Perennial Rye
Sown at the rate of 10.5 lb/ac (drilled) or 21 lb/ac broadcast

Ornamental Grasses:
20% Smooth Brome, 25% Little Bluestem, 35% Crested Wheatgrass, 20% Intermediate Wheatgrass
Sown at the rate of 8 lb/ac

Sod Grass:
Fescue Sod: blend of 3 of the following varieties:
Rubble Jr., Menareh, Crew Cut
Source: Turf Master Sod Farms
493-8311 (Brian)

Wildflowers:
Knee-Hi Mixture sown at the rate of 10 lb/ac
Overseed with Chrysanthemum maximum at the rate of 2 lb/ac
Source: Applewood Seed Co. (303) 431-8283

PLANT NOTES

1. All plant materials shall be in accordance with AAN specifications for Number One Grade.
2. All turf areas shall be irrigated with an automatic irrigation system. All shrub beds and trees to be irrigated with an automatic drip (trickle) irrigation systems.
3. All trees to be balled & burlapped or containerized.
4. All shrub beds to be mulched with pole peelings (3" average depth) on typar filter fabric.
5. Edging between grass and shrub beds shall be 1/8" x 4" steel set level with top of sod.
6. Areas shown on the plans within the "Mow Line" will be seeded with ornamental grasses. This area will have an informal character with minimum maintenance, deriving its interest from grass seed heads. The native grass areas outside the mowing line will require minimal mowing (2-3 times per season) to blend it into the manicured grass along Boardwalk Dr., and to facilitate walking through the open space.
7. A free permit must be obtained from the City Forester before any trees or shrubs as noted on this plan are planted, pruned, or removed on the public right-of-way.
8. Additional detail of shrub beds, planting specifications, directions regarding seeding or sodding of turf areas, and other planting installation information must be provided by Landscape Architect prior to construction.
9. Minor changes in species and plant locations may be made during construction. Overall quantity and quality to be consistent with approved plans.
10. Landscaping indicated in common open space tracts is to be provided with this development and maintained by Homeowners Association. Landscaping on individual lots as required by Miramont Protective Covenants is to be provided and maintained by the individual home owners.
11. Sleeves to be provided across streets as needed; if required, and encroachment permits will be obtained.
12. The irrigation system should be adjusted to a low water requirement, based on the needs of selected plant material.
13. Landscape improvements in common areas, as indicated, are to be completed prior to issuance of certificates of occupancy for over 10 lots in Castle Ridge at Miramont.
14. A minimum 4' horizontal clearance must be provided between large trees and Public Service Company gas lines. Final landscape plans are to be provided for PSCO review prior to installation of landscaping in common areas.

Cityscape
urban design, inc.
3555 stanford road, suite 105
fort collins, colorado 80525
(303)226-4074

Castle Ridge at MiraMont

PRELIMINARY & FINAL LANDSCAPE PLAN

ACAD FILE: 7177S1
PROJECT NO. 7177
SCALE: 1"=50'

DATE OF PREPARATION: 6-07-93
REVISIONS:

DATE	DESCRIPTION	BY

0 50 100

SHEET NO. 2 OF 2

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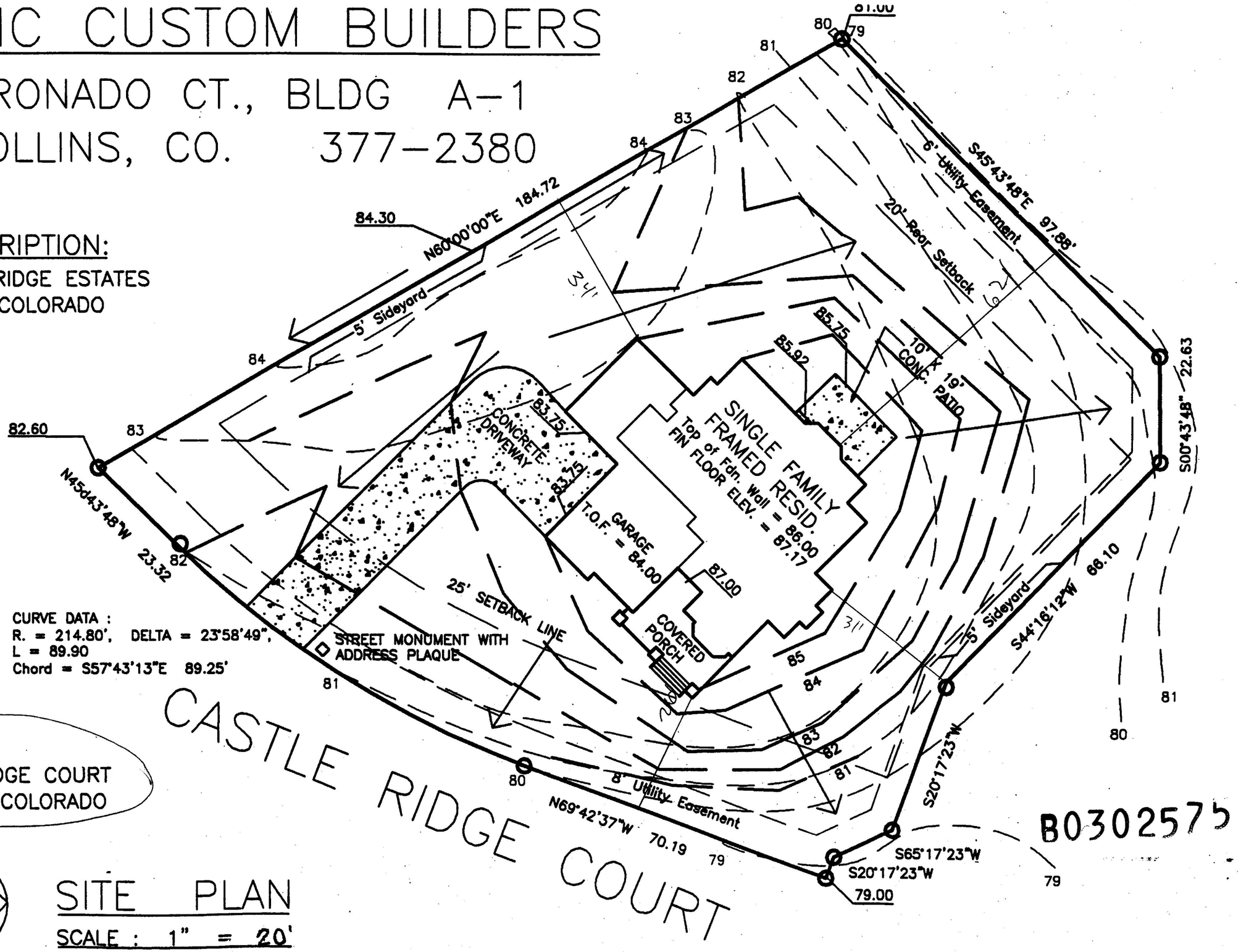
C-110 1818

CLASSIC CUSTOM BUILDERS

113 CORONADO CT., BLDG A-1
FORT COLLINS, CO. 377-2380

LEGAL DESCRIPTION:

LOT 1 CASTLE RIDGE ESTATES
FORT COLLINS, COLORADO



ADDRESS :
642 CASTLE RIDGE COURT
FORT COLLINS, COLORADO

SF NEW
6-5-03

B0302575

SITE PLAN

SCALE : 1" = 20'

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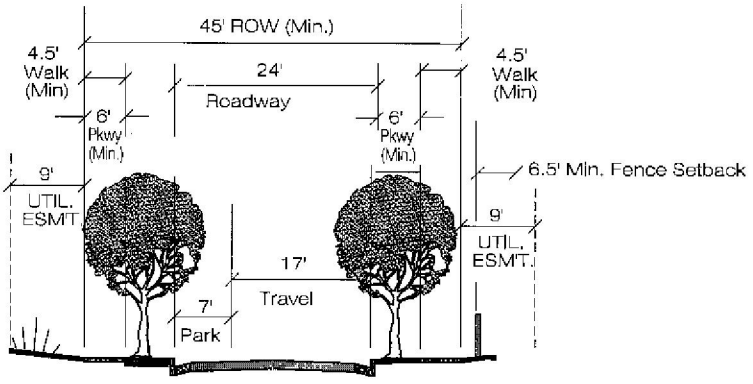
APPENDIX IV

LCUASS Figure 7-10F; Narrow Residential Local Street

LCUASS Drawing 1607; Truncated Dome Warning for Access Ramp

FORT COLLINS ONLY



ROADWAY WIDTH: 24'

RIGHT OF WAY WIDTH: 45' (min.)

TRAVEL LANES: 17' wide.

LEFT TURN LANES: none.

BIKE LANES: Bicyclists to share travel lane with motor vehicle. Additional street width, up to 4' wider, may be required in the travel lane to accomodate bike traffic to serve activity areas, such as schools and parks.

PARKING: One lane 7' wide. Parking shall be removed at intersections where space is needed for two travel lanes.

SIDEWALK: 4.5' (min.) width. Additional width may be required for pedestrian routes to schools, parks, or other activity areas.

WHERE USED: This street may be used for single family dwelling areas where: (1) the dwelling units all have off-street parking accesss from an alley; (2) blocks do not exceed 660 feet in length and; (3) traffic volume, on the street is anticipated to be 700 vpd or less.

DESIGN SPEED: 25 MPH

SPEED LIMIT: 25 MPH

ACCESS: None. Access will be taken from the alley.

CONTINUITY: The street shall be continuous for no more than 660 feet.

FENCES: Fences shall be setback a minimum of 6.5' from the parkway edge of the sidewalk.

CURB AND GUTTER: Vertical curb and gutter.

SIGNS: "No Parking" signs are required on one side of the street.

NARROW RESIDENTIAL LOCAL STREET (Used w/Alleys Only)

LARIMER COUNTY URBAN AREA STREET STANDARDS	DESIGN FIGURE	REVISION NO:	FIGURE
		DATE: 09/11/00	7-10F

FORT COLLINS ONLY

ITEM 2, ATTACHMENT 16

℄ Center line of ramp
BOC-Back of Curb
FOC -Face of Curb
℄ -Flow line

Case 3-Mid-Block Ramps

Case 2-Non-Directional Ramps

Case 1-Directional Ramps

Notes:

1. Truncated dome warning panel: Install panels along with the concrete pour for the ramp. Specifications for the panel and installation instructions will be provided upon request.
2. This drawing shows vertical curb. For Drive Over Curb the warning detection location shall be placed in the same position 6" back from the back of curb.
3. If curb and gutter are poured monolithic with ramp, place dome edge at back of curb as shown. If not poured monolithic, place dome edge 6" from back of curb.

Ramp Width	Panel Width Combinations:
4.5'	2'+2.5'
5.0'	2.5'+2.5'
6.0'	2'+2'+2'
7.0'	2.5'+2'+2.5'
8.0'	2'+2'+2'+2'

Note:
Truncated dome panels are available in 2'x2' squares and 2'x2.5' rectangles. Combine the widths to fit the ramp. Panels may be cut to no less than a 2'x1.5' size.

Section A-A (Center line of ramp)

NTS

NOT TO SCALE

TRUNCATED DOME WARNING FOR ACCESS RAMPS

R COUNTY URBAN AREA STREET STANDARDS	CONSTRUCTION DRAWINGS	REVISION NO: 3	DRAWING
		DATE: 02/17/15	1607

19 July 2021

TO: whom it may concern
RE: Castle Ridge Group Home

My name is Nana Dubler. I live in Ft. Collins. I am writing this letter in support of the Castle Ridge Court Residential Group home project.

This residential setting will be an ideal home environment for Alzheimers, Dementia, and similar patients who are in need of safe and personal memory care. This type of residential care will be greatly helpful to various families in our community.

I'd like to stress the importance of approving this project based on my personal experience. My father had Dementia for about a year before he died 15 years ago and my mother has been suffering from Alzheimers for a couple of years so far. It was very difficult to take care of my father at home and has continued to be a hardship on our family to now be care givers for our mother 24 hours a day. Having an experienced and dedicated staff trained to understand the needs of the memory care patients and the consistency of care givers being available to our community through this project present a fantastic alternative for our families to ensure proper and affordable care for our loved ones.

I believe this group home will provide great relief for other families struggling to care for their elderly as our family does every day. We all become dependent as we grow older and become weaker. Many of us prefer to avoid becoming a burden on our families. Being able to choose to receive care at a place that feels like home and doesn't burden our family is highly desirable to many people.

Many families don't have the training and knowledge of the specific approach and care for different cases of mental health. It will be a blessing for our beloved family members and relatives to be the recipients of the professional care in this residential memory care home.

I urge you to please take into consideration this important need that

exists in our community and how this project is effective in meeting the needs of our families and their loved ones who are in need of memory care.

Thank you in advance for your time and attention!

With much respect,

Nana Dubler

From: Sarah Carter
To: Kai Kleer
Cc: Marcus Glasgow-Contact
Subject: FW: 636 Castle Ridge Ct fire lane
Date: Friday, January 21, 2022 12:14:44 PM
Attachments: image001.png
image002.png
image003.png
image004.png
image006.png
image007.png
street_in_action.MOV
ITE Parking Generation Manual (5th Edition) - Assisted Living.pdf
Castle_Ridge_Fire_Rebuttal.pdf

Just keeping you in the loop. See below for the latest communication from the neighbors.

Sarah Carter
Assistant Fire Marshal
102 Remington St. | Fort Collins, CO 80524
sarah.carter@poudre-fire.org
Cell: 970-290-6764 | Office: 970-416-2864
www.poudre-fire.org
Follow us for incident information and safety education.

From: Kurt Johnson <kejlbj@yahoo.com>
Sent: Friday, January 21, 2022 12:08 PM
To: Jerry Howell <jerry.howell@poudre-fire.org>
Cc: Sarah Carter <Sarah.Carter@poudre-fire.org>; Jesus Martin <jessiemartin_2000@yahoo.com>; Doug Salter <doug.salter@woodward.com>; Marcus Glasgow <Marcus.Glasgow@poudre-fire.org>
Subject: [EXTERNAL] 636 Castle Ridge Ct fire lane

[**NOTICE:** This message originated outside of Poudre Fire Authority -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Mr. Howell,

Attached is a letter and supporting documentation outlining our concerns on your November decision concerning this proposed project.

We appreciate your consideration.

Regards,

Castle Ridge residents

This message contains confidential information and is intended only for the individual(s) addressed in the message. If you are not the named addressee, you should not disseminate, distribute, or copy this e-mail. If you are not the intended recipient, you are notified that disclosing, distributing, or copying this e-mail is strictly prohibited.

From: Brandy Bethurem Harras
To: Development Review Comments
Subject: FW: [EXTERNAL] 636 Castle Ridge Court
Date: Friday, July 9, 2021 3:26:30 PM

Brandy Bethurem Harras
Development Review Coordinator
City of Fort Collins Planning & Development Services
281 N. College Ave.
Fort Collins, CO 80524
970.416.2744
BBethuremHarras@fcgov.com

From: Ruth Fleming <ruth.e.fleming@gmail.com>
Sent: Friday, July 09, 2021 3:21 PM
To: Brandy Bethurem Harras <BBethuremHarras@fcgov.com>; Kai Kleer <kkleer@fcgov.com>
Subject: [EXTERNAL] 636 Castle Ridge Court

Mrs Ruth Fleming
970-222-3323
ruth.e.fleming@gmail.com

July 9th, 2021

Brandy Harras (Development Review Coordinator)
BBethuremHarras@fcgov.com

Kai Kleer (City Planner and Coordinator)
kkleer@fcgov.com

Dear Brandy and Kai

RE: PEACOCK ASSISTED LIVING (636 Castle Ridge Ct)

I have direct experience with people living with dementia - my brother-in-law was diagnosed with frontotemporal dementia.

I have learned that residents of such homes are not a problem nor a danger to the community when they are cared for by experienced people. They need to feel reassured by having consistent treatment by people they can trust. Living in a smaller home with a homey feel (rather than a large institution) is a definite advantage for the treatment of dementia. They are reassured by their fellow housemates and don't feel estranged because there are too many people to get to know/recognize.

I have been inside this home and feel it would be ideal for use as an assisted living

facility because it would need very little alteration (and therefore not much upheaval for neighbors). The hallways are wide (suitable for wheelchairs) and the open center is ideal for patient recreation. The situation is excellent (being among other family dwellings) which also benefits patients as there is less noise from surrounding dwellings.

I feel that permission should be given to Peacock Assisted Living to go ahead with their plans to convert 636 Castle Ridge Court into a 16-bed facility.

Yours sincerely

Ruth Fleming

Email: ruth.e.fleming@gmail.com
Cell: 970-222-3323

From: Spencer M. Smith
To: Alyssa Stephens
Subject: FW: [EXTERNAL] 636 Castle Ridge Ct project
Date: Monday, April 5, 2021 8:40:26 AM
Attachments: castle_ridge_road_letter.pdf
castle_ridge_road_report.pdf

Alyssa,

I don't know if you were forwarded this email from a citizen regarding the 636 Castle Ridge Ct. Group Home project

Spencer M. Smith, PE
City of Fort Collins
Engineering - Development Review
281 N. College Avenue
Fort Collins, Colorado 80524
970.221.6603
smsmith@fcgov.com

From: Kurt Johnson <kejlbj@yahoo.com>
Sent: Thursday, March 25, 2021 7:07 AM
To: Spencer M. Smith <smsmith@fcgov.com>; Steve Gilchrist <sgilchrist@fcgov.com>
Subject: [EXTERNAL] 636 Castle Ridge Ct project

Hello,

Concerning the proposed project on 636 Castle Ridge Ct, wanted to make sure you had these city reports concerning the road.

Notably how it is substandard, and recommendation for parking on only one side of the street.

Regards,

Kurt Johnson

From: Melanie Clark
To: Rebecca Everette; Alyssa Stephens
Cc: SAR Admin Team; Delynn Coldiron
Subject: FW: [EXTERNAL] 636 Castle Ridge Ct variance for more than 8 persons
Date: Tuesday, April 6, 2021 2:47:51 PM
Attachments: image001.png

Hi Rebecca,

Please see the below email and respond accordingly.

Thank you,

Melanie

. . . . . .

Melanie Clark
Executive Administrative Assistant
City Manager's Office
970-416-4312

COVID19 Resources
For all residents: https://www.fcgov.com/eps/coronavirus
For businesses: https://www.fcgov.com/business/
Want to help: https://www.fcgov.com/volunteer/

From: T & B & ... <tynben@gmail.com>
Sent: Monday, April 5, 2021 4:59 PM
To: Kai Kleer <kkleer@fcgov.com>; Brandy Bethurem Harras <BBethuremHarras@fcgov.com>; Development Review Comments <devreviewcomments@fcgov.com>; City Leaders <CityLeaders@fcgov.com>
Subject: [EXTERNAL] 636 Castle Ridge Ct variance for more than 8 persons

Dear Fort Collins government,

We are strongly against allowing a variance for the property at 636 Castle Ridge for the purpose of having more than 8 families. The traffic increase from not only residents but workers, guests and deliveries worries us greatly. We would never have moved to this neighborhood had this type of residence/business been here before and see no reason why they should be granted an exception to a rule that has good reasons to cover all of Fort Collins.

Thanks,
Jonathan Dunaisky and Teresa Hughey
5125 Bulrush Ct.

On Thu, Mar 25, 2021, 11:52 AM Jennifer Adams <jennifer@faithproperty.com> wrote:

> Hello Miramont Homeowners,
>
> The property at 636 Castle Ridge Court has recently come under contract. The Board has been advised by the purchasers that the purchasers are planning to convert the home to a Group Home Nursing facility with 16 beds. The purchasers have filed a formal application with City planning departments for this proposal. The HOA Board has hired legal counsel to provide advice on how to proceed pursuant to Federal and State laws regarding this type of situation.
>
> The HOA has been advised that pursuant to the Federal Housing Act the HOA may have to provide reasonable accommodations or modifications to the covenants and rules of the HOA with regards to group homes. If any owner or tenant is protected under the FHA, reasonable accommodations or modification may have to be afforded to them to allow them to enjoy the property in a similar manner as other owners within the community. A reasonable accommodation/modification is by definition a change, exception, or adjustment to a rule, policy, practice, or service that may be necessary for a person with disabilities to have an equal opportunity to use and enjoy a dwelling. The Board has retained additional counsel to help deal with this matter as it pertains to the HOA as this is not an everyday issue the Association deals with.
>
> The City of Fort Collins typically limits group homes to 8 residents per home pursuant to municipal code. Despite what others have suggested, the Board has been advised that under Colorado case law, the Association cannot prohibit any and all group homes from the community. The Board is aware of concerns from members of the Association who are concerned with the density of the proposed group home being larger than what is allowed per the covenants or the City, as well as, traffic concerns in relation to the density of the proposed group home, and safety with regards to the possibility of numerous cars being parked on the street. The HOA is following the advice of legal counsel in dealing with these issues as they pertain to the City, the potential buyer, and the HOA and to ensure that the HOA is complying with State and Federal laws.
>
> **What can you do?** The purchasers are requesting a variance for the home to exceed the typically-approved 8 person home. A meeting for members of the HOA is currently being organized by the City and the potential buyer. The meeting is scheduled to take place on April 5th at 6:00pm. **Please see forwarded email from Alyssa Stephens of City of Fort Collins** following this message. Members of the HOA should let their voices be heard either in support of the City allowing a variance for more than the typically allowed 8 bed unit, or against it. Members can email the City with their approval or concerns of such a variance, appear at this meeting to voice those opinions or both. This is your opportunity to let your feelings about the situation be heard. The Board recognizes that there are likely members who fall on both sides of this issue. Those members who see there is a benefit and need of having a place for their parents or grandparents to live close by in a neighborhood setting with proper support, and the Board is also aware of concerns surrounding the property as it relates to traffic and density as stated above. All of these opinions are valid and you as members of the HOA

have the right and are being provided the forum to express those opinions as you see fit to the City.

The Board looks forward to seeing you all at the community meeting. If you would like to voice your opinion either in favor or against a variance by the City, below is contact information for the pertinent City officials.

kkleer@fcgov.com

bbethuremharras@fcgov.com

devreviewcomments@fcgov.com

cityleaders@fcgov.com

Please reach out to Faith Property Management with any questions,

Jennifer Adams
CAM, CMCA
Faith Property Management
300 E. Boardwalk # 6B
Fort Collins, CO. 80525
P- 970.377.1626 F- 970.377.1628
Emergency After Hours 970.488.1390
Office Hours: Monday- Thursday 9-5, Friday 9-1.
www.faithproperty.com
HOA Information www.associationonline.com

This email message and its contents do not constitute legal or accounting advice nor should they be relied upon as such. You should consult your tax professional and/or attorney should you have any questions or concerns regarding legal or tax issues.

The following information was sent by Alyssa Stephens, City of Fort Collins Neighborhood Services on March 22, 2021. This email provides information on a neighborhood development meeting function and what to expect:

The neighborhood meeting for 636 Castle Ridge Ct. is scheduled for Monday, April 5th at 6:00 PM. I apologize—I know that I shared it with a few neighbors, and was hoping that it had already been passed along.

The meeting will be remote, and Zoom information will be posted on our website 48 hours in advance of the meeting. There will be options for phone or computer participation, but computer is definitely recommended so you can see any presentation they provide. The meeting will also be recorded and made available online for anyone who is unable to attend.

The first 30 minutes or so are generally presentations, then the last hour is open for question-and-answer. This will be great opportunity to speak directly with the applicants about their plans, and make suggestions to them. You'll be able to ask questions directly to the applicants, or write them in the chat feature on Zoom and I'll make sure they get asked. Any questions that don't get answered during the meeting itself will get answered in writing and included in the meeting notes.

The applicants will be eligible to submit materials ten days after the neighborhood meeting. Since there isn't an official application yet, we don't have any new plans from them. Generally we don't see their plans or presentations in advance, but I'll see if they would be willing to provide them to us before the meeting. That may help you coordinate some of the questions among yourselves. I'm also happy to accept questions in advance to use during the Q&A portion of the meeting.

In general, I usually provide the following guidelines to folks on how to make effective comments during the development review process:

- Be specific in providing input. In addition to sharing what you like or don't like, it's helpful to say why. For example, in addition to saying "I don't like that building", it is often helpful to say, "I don't like the color" or "I think it's too tall." Those more specific pieces of feedback are much easier to consider and respond to.
- Be constructive, and provide alternatives when possible. It is often helpful to talk about what you would like to see in a specific project in addition to what you are concerned about. For example, in addition to sharing concerns about the effect of projects on traffic in the neighborhood, you could add "Walking in my neighborhood is important to me. I would like to see safe sidewalks around this property." Or, in addition to sharing concerns about effects on your property values, you could add, "It is important to me that this matches with the look and feel of the surrounding neighborhood. I would like to see different colors and materials on the buildings."
- Stay plugged in. Neighborhood meetings are a great opportunity to provide early feedback, but projects often continue to evolve as they go through rounds of review with staff. All those plans are shared online, and I'm happy to go through those with you at any point to talk about them. Comments made throughout the process are shared with the planners so they can consider them in their ongoing reviews.

I know this was a lot of information—feel free to reach out if you need any additional information or clarification in the coming weeks.

Thanks!

Alyssa Stephens MA
Neighborhood Development Liaison
City of Fort Collins Neighborhood Services
Submit a public comment | Track Development Proposals

From: Melanie Clark
To: Rebecca Everette; Alyssa Stephens
Cc: SAR Admin Team; Delynn Coldiron
Subject: FW: [EXTERNAL] 636 Castle Ridge Review
Date: Monday, April 12, 2021 1:22:40 PM
Attachments: image001.png

Hi Rebecca,

Please see the below email and respond accordingly.

Thank you,

Melanie

. . . . . .

Melanie Clark
Executive Administrative Assistant
City Manager's Office
970-416-4312

COVID19 Resources
For all residents: https://www.fcgov.com/eps/coronavirus
For businesses: https://www.fcgov.com/business/
Want to help: https://www.fcgov.com/volunteer/

From: Janie Arndt <janiearndt@gmail.com>
Sent: Monday, April 12, 2021 10:56 AM
To: Kai Kleer <kkleer@fcgov.com>; Brandy Bethurem Harras <BBethuremHarras@fcgov.com>; Development Review Comments <devreviewcomments@fcgov.com>; City Leaders <CityLeaders@fcgov.com>
Subject: [EXTERNAL] 636 Castle Ridge Review

Thank you for the opportunity to virtually attend the neighborhood meeting regarding the property at 636 Castle Ridge Ct. It was very well run by Alyssa Stephens (I don't have her email to include her here). I have lived in my present Miramont home for 22 years. I don't live close enough to the property for its use to have a direct affect on me. I tried to listen to the meeting as if I was the next door neighbor.
I am a retired Registered Nurse and my mother in law had dementia and lived in a memory care facility before her death (Morning Star, Fort Collins). These experiences contribute to my knowledge base on this subject. I like the idea of small group homes to care for the cognitively impaired of any

age. I have a little familiarity with the home on Turnberry.
I DO NOT support the Castle Ridge home being allowed to have 16 residents. I probably could support a smaller group home of up to 8 residents with concessions agreed upon by the neighboring homeowners for yard screening and if parking is adequate. My reasons:

- Developers state 3 caregivers can give care and provide meals, cleaning, and laundry for 16 residents. This is unrealistic. They have provided no examples of group homes of 16 doing this.
- Future visitors will not tolerate needing appointments to visit their loved ones. During the Covid pandemic concessions have been made but I maintain family will want to be able to drop in on their resident to help ensure the level of care is acceptable.
- Residents will qualify for various therapies and these practitioners will need parking spaces.
- Residents will have spiritual needs that will also need to be met which will necessitate visits from clergy and laypersons.
- Volunteers are common in group homes to help with recreational needs (music, crafts, nail care) and this would also require parking.

Without these types of services I can't imagine anyone choosing this home. These activities and more are commonplace in larger memory care facilities.

Another concern of mine for the neighbors is smoking of the staff—will smoking be allowed on the property to prevent the staff from crossing the street and smoking? I know that sounds fairly entitled but it's real. People don't like it and cigarette butts end up on the ground.

In conclusion I think it is wrong to introduce this density in this neighborhood. This home will require more parking spaces than can be accommodated. The streets in Miramont are narrower than the city usually allows and I believe this was originally allowed because of the RL zoning and the unlikelihood of any high traffic volumes.

Thank you for your attention.

Mary Jane Arndt (Janie)
1027 Pinnacle Pl
Fort Collins, CO 80525

From: Melanie Clark
To: Rebecca Everette; Alyssa Stephens
Cc: SAR Admin Team; Delynn Coldiron
Subject: FW: [EXTERNAL] in opposition to 636 Castle Ridge Ct -Group Home, CDR200096
Date: Friday, April 9, 2021 4:37:37 PM
Attachments: image001.png

Good afternoon Rebecca,

Please see the below email and respond accordingly.

Thank you,

Melanie

. . . . . .

Melanie Clark
Executive Administrative Assistant
City Manager's Office
970-416-4312

COVID19 Resources
For all residents: https://www.fcgov.com/eps/coronavirus
For businesses: https://www.fcgov.com/business/
Want to help: https://www.fcgov.com/volunteer/

From: elee@elbdsn.com <elee@elbdsn.com>
Sent: Friday, April 9, 2021 2:36 PM
To: Kai Kleer <kkleer@fcgov.com>; Brandy Bethurem Harras <BBethuremHarras@fcgov.com>; Development Review Comments <devreviewcomments@fcgov.com>; City Leaders <CityLeaders@fcgov.com>
Subject: [EXTERNAL] in opposition to 636 Castle Ridge Ct -Group Home, CDR200096

To whom it may concern,
I would like to voice my objection to the Group Home, proposed for 636 Castle Ridge Ct, Fort Collins, # CDR200096. I live in a few blocks from this location. I do not believe this very small area/neighborhood with very limited parking is an appropriate place for such a facility. The proposed occupancy of 16 residence plus care givers and visitors will completely overwhelm the neighborhood. Should the business at this property not survive and the house is put back on the market, I worry that due to the extensive remodeling that will take place, it will prevent this property from becoming a single resident home again. This would have a lasting harmful effect on the area.

I had an elderly father that lived in Fort Collins for that last years of his life. At the time he moved here, we found several excellent facilities to serve him in a non-residential neighborhood setting. He lived in both independent living and a nursing facility. We were very happy with the opinions available in Fort Collins for elderly living and care in Fort Collins.

In summary, I oppose the approve of the use of this property as a group home with 16 residence.

Regards,
Eddie Lee Brown
633 Roma Valley Dr
Fort Collins

Eddielee Brown
elee@elbdsn.com
www.elbdsn.com

From: Kai Kleer
To: Development Review Comments
Subject: FW: [EXTERNAL] Memory Care Home Recommendation
Date: Tuesday, August 10, 2021 1:10:31 PM

Kai Kleer, AICP
City Planner

City of Fort Collins
281 N. College Ave., Fort Collins, CO 80526
T: 970.416.4284 | F: 970.224.6134
kkleer@fcgov.com

Tell us about our service, we want to know!

From: Daniel B <drbower86@gmail.com>
Sent: Tuesday, August 10, 2021 12:17 PM
To: Brandy Bethurem Harras <BBethuremHarras@fcgov.com>; Kai Kleer <kkleer@fcgov.com>
Subject: [EXTERNAL] Memory Care Home Recommendation

Kia & Brandy,

I'm contacting you in support of my colleague Xioma Diaz, who has been working towards opening a smaller residential memory Care building. Thanks for your time and consideration.

I'm a Speech-Language Pathologist who works in memory care buildings throughout Longmont, Loveland, Fort Collins and Greeley. Besides being able to offer a sterling professional recommendation regarding Xioma and her motivations, I would so welcome any movement towards smaller memory care buildings. Residents get treated better and are safer because knowledge of each resident *per caregiver is higher. Caregiver turnover tends to be less in the smaller buildings too and that can make all the difference.

Please reach out if I can clarify or help in any way. With respect and thanks,

Daniel Bower, MS
CCC-SLP

From: Melanie Clark
To: Rebecca Everette; Alyssa Stephens
Cc: SAR Admin Team; Delynn Coldiron
Subject: FW: [EXTERNAL] Opposition to 636 Castle Ridge Court Development Proposal
Date: Monday, April 5, 2021 3:05:39 PM
Attachments: image001.png

Hi Rebecca,

Please see the below email.

Please respond accordingly to Sherry Gardner.

Thank you,

Melanie

. . . . . .

Melanie Clark
Executive Administrative Assistant
City Manager's Office
970-416-4312

COVID19 Resources
For all residents: https://www.fcgov.com/eps/coronavirus
For businesses: https://www.fcgov.com/business/
Want to help: https://www.fcgov.com/volunteer/

From: SHERRY GARDNER <gardnerhs@comcast.net>
Sent: Monday, April 5, 2021 2:57 PM
To: Kai Kleer <kkleer@fcgov.com>; Brandy Bethurem Harras <BBethuremHarras@fcgov.com>; Development Review Comments <devreviewcomments@fcgov.com>; City Leaders <CityLeaders@fcgov.com>
Cc: jennifer@faithproperty.com
Subject: [EXTERNAL] Opposition to 636 Castle Ridge Court Development Proposal

To: Fort Collins City Leaders and Decision-making officials

We oppose the variance request and overall development proposal being considered for 636 Castle Ridge Court.

The variance for a 16-resident home (plus employees) is inconsistent with an overall low density neighborhood. The negative effects would include, at minimum:

- an unsafe increase in traffic on a relatively narrow street;
- a dangerous increase in cars near Werner Elementary school where many young children walk to and from school each day;
- likely increased emergency-vehicle activity on a narrow street due to the inherent nature of multiple and emergent health care needs of the elderly clients; and,
- a more than the acceptable number of cars parked on Castle Ridge Ct

The need for this type of facility seems completely unnecessary given the numerous similar facilities - offering all levels of care - within a mile of this property. Those facilities are also in and nearby neighborhoods to offer a neighborhood setting.

This proposal does not appear to have the necessary space to accommodate the required parking for staff and residents.

This type of high-density property would negatively affect the property values of neighboring properties.

Questions that should be answered include:
Are group homes regulated by the city, county, and/or state?
What are the local standards and requirements for a group home?
How many employees would be at this location at any one time and how many residents "could" have vehicles - how much parking will be required and where will they park?
What skill level of "nursing home" is being proposed?
What type of security would be afforded the residents of the home to assure they do not wander off of the property, into the street, or into the ditch behind the property?
Is this a for-profit or not-for-profit endeavor?

While we appreciate the purchasers' apparent concern for the elderly, this type of home seems unnecessary and inappropriate for this neighborhood.

Sincerely
Hank and Sherry Gardner
5331 Highcastle Court

From: Brandy Bethurem Harras
To: Development Review Comments
Subject: FW: [EXTERNAL] support for group home project at 636 Castle Ridge Ct.
Date: Friday, July 9, 2021 7:52:03 PM

Brandy Bethurem Harras
Development Review Coordinator
City of Fort Collins Planning & Development Services
281 N. College Ave.
Fort Collins, CO 80524
970.416.2744
BBethuremHarras@fcgov.com

From: Pia Chamberlain <piac58@gmail.com>
Sent: Friday, July 09, 2021 5:54 PM
To: Brandy Bethurem Harras <BBethuremHarras@fcgov.com>
Subject: [EXTERNAL] support for group home project at 636 Castle Ridge Ct.

Ms. Harras,

I wanted to reach out in support of the group home project at 636 Castle Ridge Ct. The design of that property is a great match for that kind of use. On top of that, keeping group homes small and integrated into the community is a huge win for all of us (because we are all getting older!). I hope you will support this project and give the green light for it to go ahead.

-Pia Chamberlain

From: Alyssa Stephens
To: Kai Kleer
Cc: Brad Yatabe; Paul S. Sizemore; Brandy Bethurem Harras
Subject: FW: 636 Castle Ridge Court
Date: Thursday, December 09, 2021 8:28:57 AM
Attachments: Plat.pdf
Notice No. 2.pdf

Good morning,
Please see below for a note from the Castle Ridge Ct neighborhood regarding street maintenance. I will respond and acknowledge receipt. Please let me know if there is specific information I should share with Mr. Dauster regarding how this will factor into the review process moving forward, if at all.

Best,

Alyssa Stephens MA
Neighborhood Development Liaison
City of Fort Collins Neighborhood Services
Submit a public comment| Track Development Proposals

From: Pete Dauster <pdauster@nocolawgroup.com>
Sent: Wednesday, December 8, 2021 7:07 PM
To: Alyssa Stephens <astephens@fcgov.com>
Subject: [EXTERNAL] 636 Castle Ridge Court

Good evening Alyssa. I represent the Miramont Planned Community Association. The board has requested that I reach out to the City of Fort Collins to make sure that the City and its representatives fully understand that Castle Ridge Court is a private road that is maintained solely by the residents that live on Castle Ridge Court. This is based on the following:

Attached is the recorded plat for Castle Ridge at Miramont PUD. The last paragraph on the first page of the plat provides: *All maintenance of the above described streets shall be performed by the undersigned (and his/her successors in interest) until such time as the City expressly assumes, in writing, the duty of such maintenance.*

Also attached is the Second Amendment to the Miramont PUD Declaration, which specifically provides in Article I, Section 2, as follows: *On the plat of CASTLE RIDGE AT MIRAMONT P.U.D. the roads and streets named Castle Ridge Court and Castle Ridge Place, also shown on the plat as Tract B, are reserved as private roads and streets and will be conveyed to the Association.* Article I, Section adds a provision to the original Declaration that provides the lots on the Castle Ridge at Miramont Plat shall pay an additional assessment for the maintenance, repair and upkeep of Castle Ridge Court and Castle Ridge Place until the City takes them over.

The City has not taken over Castle Ridge Court so its maintenance remains the responsibility of the residents. The residents want to make sure that the City understands this fact in considering the requests of the owners of 636 Castle Ridge Court moving forward.

Please feel free to give me a call to discuss this matter further. Pete.

Peter J. Dauster
Johnson Muffly & Dauster PC
323 South College Avenue, Suite 1
Fort Collins, Colorado 80524
Office (970) 482-4846
Facsimile (970) 482-3038
E-Mail: pdauster@nocolawgroup.com

-

I will be out of the country from December 10 through December 17, returning to the office on December 20. During this time I will not be checking or returning emails.

COVID-19 UPDATE
Johnson Muffly & Dauster PC remains open to assist our clients. All of our attorneys and staff are fully vaccinated. For in-person meetings we will continue to observe COVID protocols including social distancing and mask wearing. Please plan to wear a mask while in our office in compliance with Larimer County guidelines. We are also happy to conduct client meetings by Zoom or phone for convenience and safety.

CONFIDENTIALITY NOTICE: This message is confidential and may be privileged. If you have received this message in error, please (1) do not open any attachments, (2) reply to the sender that you have received this message in error, and (3) delete this message. Thank you.

MODIFICATION DISCLAIMER: Any modifications you make to any documents enclosed with this correspondence may change their legal significance, including their interpretation and enforceability. We are not responsible for any modifications made to these documents, which have not been approved by our office. We encourage you to consult with us regarding any proposed changes to the attached documents.

From: Brandy Bethurem Harras
To: Alyssa Stephens
Cc: Kai Kleer
Subject: FW: Miramont Planned Community Association / 636 Castle Ridge Court
Date: Tuesday, December 15, 2020 4:26:03 PM
Attachments: image003.png
SKM_C454e20121512030.pdf

Not sure if Kai already forwarded to you – Thanks

Brandy Bethurem Harras
Development Review Coordinator
City of Fort Collins Planning & Development Services
281 N. College Ave.
Fort Collins, CO 80524
970.416.2744
BBethuremHarras@fcgov.com

From: Pete Dauster <pdauster@gjmlawfirm.com>
Sent: Tuesday, December 15, 2020 2:02 PM
To: Kai Kleer <kkleer@fcgov.com>; Brandy Bethurem Harras <BBethuremHarras@fcgov.com>
Cc: Amy and Dave Rosenberg (rosenberg.2@hotmail.com) <rosenberg.2@hotmail.com>; cliffmoore80525@gmail.com; troyt@pds-co.com; Mike@faithproperty.com; Jennifer Wheelock (jennifer@faithproperty.com) <jennifer@faithproperty.com>; santina, giovanna <giovanna.santina@judicial.state.co.us>
Subject: [EXTERNAL] Miramont Planned Community Association / 636 Castle Ridge Court

Mr. Kleer and Ms. Bethurem-Harras:

I am legal counsel for the Miramont Planned Community Association (the "Association"). I write to you on behalf of the Association with regard to the proposed group home to be located at 636 Castle Ridge Court.

The Association is governed by the provisions of the Declaration of Covenants, Conditions, and Restrictions for Miramont Planned Unit Development (A Common Interest Community), as amended (the "Declaration"). The Declaration is clear as to the permitted occupancy of residences within the Association. Specifically, while it is clear that there is some contemplation of multi-family use within the Association as Article II, Section 19, "Multi-family Residence," contemplates "a building or buildings on a Lot that has more than one dwelling occupied by a single family," this section clearly contemplates an apartment or townhome as it references a single family living in the multi-family residence.

Article II, Section 28 of the Declaration, "Single-family," defines "Single-family" as "any individual or group of persons related by blood or marriage or any unrelated group of not more than four (4) persons living together." (emphasis added.) Also, Article II, Section 24, defines a "Residence" as "a single-family residential dwelling constructed on a Lot." (See also, Article IX, Section 5 (Land Use and Building Type) which prohibits anything other than one single-family residence, with an attached garage, per Lot.) I have attached copies of the cited portions of the Declaration for your review.

Based upon the above, it is my opinion that a group home that allows more than four unrelated persons to live together on the property located at 636 Castle Ridge Court violates the Association's Declaration.

I would be happy to discuss the above at your convenience.

Peter J. Dauster
Gast Johnson & Muffly PC
323 South College Ave, Suite 1
Fort Collins, Colorado 80524
Telephone: (970) 482-4846
Facsimile: (970) 482-3038
E-mail: pdauster@gjmlawfirm.com

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MODIFICATION DISCLAIMER: Any modifications you make to any documents enclosed with this correspondence may change their legal significance, including their interpretation and enforceability. We are not responsible for any modifications made to these documents, which have not been approved by our office. We encourage you to consult with us regarding any proposed changes to the attached documents.

February 4, 2021

To whom it may concern:

I live at 624 Castle Ridge Court in the Miramont subdivision in southeast Fort Collins. My concern is a proposed group home at 936 Castle Ridge Court, which is next door to my home of 25 years.

Michael Pruznick is the current owner, and his intention is to sell his property to be used as a group home in our quiet residential neighborhood. I understand we cannot prevent a group home for eight people in a neighborhood in Fort Collins. I write to ask that, in order to maintain the residential nature of our street and neighborhood, do not allow a variance for a group home of more than eight people.

Castle Ridge Court is a narrow street. Each resident in an assisted living group home will have day caregivers, night caregivers, therapists, and visitors coming and going during the day. In addition, laundry and food deliveries will occur often. Even though this is not considered a commercial business, the action outside the house could contradict this. This will change the nature of our quiet neighborhood. I worry about many young children who ride their bikes and play on our street just hundreds of feet from Werner Elementary School.

I have a friend who had a stroke this summer. She lives in her own home. Eight months after her stroke, she has a day caregiver, a night caregiver, a physical therapist, an occupational therapist, and a speech therapist coming to her home many times a week. In addition, she has many family and friends who visit frequently.

The group home proposed is for up to sixteen residents. City residents may be unaware that an eight-person group homes can locate in any residential location. While I do not know the land-use history and logic, I assume that City experts have always understood that more than eight people in a group home would fundamentally change and potentially ruin a residential neighborhood. We simply ask that the City maintain this limit.

We live next door to the Pruznick home. When the owners built their home in 2001, they asked us if they could have permission to build their home closer to our lot line. To accommodate Mrs. Pruznick's disability (blindness), we agreed to their request. Therefore, our houses are closer together than any other two homes in our neighborhood. Our prior accommodation will now effectively punish us as we will be exceedingly close to a group home rather than a single-family home.

As the next door neighbor, I simply ask that the City maintains the eight-person limit and not provide a variance. Thanks for listening.

Sincerely,
Debbie Graff
debrae47@gmail.com
970-988-3638

LINCOLN
MKC
UAD-323
Lockman & Lockman
Drywall Systems, LLC
SpareDaysBear

From: Sarah Carter
To: btschwerin@gmail.com
Cc: Marcus Glasgow-Contact; Kai Kleer
Subject: RE: Castle Ridge Court Group Home in Miramont
Date: Thursday, January 13, 2022 9:46:46 AM
Attachments: image001.png
image008.png
image009.png
image012.png
image013.png
image014.png
image004.png

Hello Barbara,

Thank you for your concern for the safety of your area. We care very much about serving our community quickly and effectively.

The current road design was approved through City of Fort Collins development review in the late 1990's and continues to be maintained according to that design approval. We will continue to respond to Castle Ridge Court as we have since the neighborhood was built and do not expect to encounter any issues that would prevent us from doing so.

Sincerely,

Sarah Carter
Assistant Fire Marshal
102 Remington St. | Fort Collins, CO 80524
sarah.carter@poudre-fire.org
Cell: 970-290-6764 | Office: 970-416-2864
www.poudre-fire.org
Follow us for incident information and safety education.

From: Marcus Glasgow <Marcus.Glasgow@poudre-fire.org>
Sent: Wednesday, January 12, 2022 10:28 AM
To: Sarah Carter <Sarah.Carter@poudre-fire.org>
Subject: FW: Castle Ridge Court Group Home in Miramont

Marcus Glasgow
Fire Safety Inspector | Plan Review
102 Remington St. | Fort Collins, CO 80524
marcus.glasgow@poudre-fire.org
Cell: 970-732-1701 | Office: 970-416-2869
www.poudre-fire.org

Follow us for incident information and safety education.

From: Kai Kleer <kkleer@fcgov.com>
Sent: Friday, January 7, 2022 3:12 PM
To: Barbara Schwerin <btschwerin@gmail.com>
Cc: Marcus Glasgow <Marcus.Glasgow@poudre-fire.org>
Subject: RE: Castle Ridge Court Group Home in Miramont

[**NOTICE:** This message originated outside of Poudre Fire Authority -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Hello Barbara,

Thanks for your comments and pictures. I'm going to loop in Marcus Glasgow with Poudre Fire Authority to help answer your question. Marcus, would you mind speaking to minimum access widths and service expectations for this neighborhood?

Sincerely,

. . . . . .
KAI KLEER, AICP
City Planner
City of Fort Collins

From: Barbara Schwerin <btschwerin@gmail.com>
Sent: Friday, January 07, 2022 12:15 PM
To: Kai Kleer <kkleer@fcgov.com>
Subject: [EXTERNAL] Castle Ridge Court Group Home in Miramont

Hello Kai,

I am a resident on Castle Ridge Court. I am concerned about vehicle access on our street. I will be sending you several pictures in separate emails of trucks/cars on Castle Ridge Court with limited access to our homes.

In one video there is a small sanitation truck with very limited space with vehicles parked on both sides of the street. Larger trash trucks, FedEx and UPS trucks will have limited space to

'thread the needle'.

I am very concerned about the safety of Castle Ridge Court residents. How will EMS/Fire trucks access our homes in an emergency?

Thank you,

Barbara Schwerin
601 Castle Ridge Court
970.420.0111

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From: Sarah Carter
To: "Kurt Johnson"
Cc: Kai Kleer; Marcus Glasgow-Contact; Jerry Howell
Subject: RE: Re: 636 Castle Ridge fire lane
Date: Tuesday, January 04, 2022 12:20:18 PM
Attachments: image001.png
image002.png
image003.png
image004.png
image006.png
image007.png
image008.png

Hello,

In order to release a copy of that letter, we'll need you to fill out a report request on our website here: https://www.poudre-fire.org/programs-services/community-safety-services-fire-prevention/incident-report-request/-fsiteid-1

Not all of the fields in the form will apply to your request, but please provide your name and contact information (as the "Applicant Information"), along with a description of the report you're looking for.

Thanks,

Sarah Carter
Assistant Fire Marshal
102 Remington St. | Fort Collins, CO 80524
sarah.carter@poudre-fire.org
Cell: 970-290-6764 | Office: 970-416-2864
www.poudre-fire.org
Follow us for incident information and safety education.

From: Kurt Johnson <kejlbj@yahoo.com>
Sent: Tuesday, January 4, 2022 11:13 AM
To: Sarah Carter <Sarah.Carter@poudre-fire.org>
Cc: 'kkleer@fcgov.com' <kkleer@fcgov.com>; Marcus Glasgow <Marcus.Glasgow@poudre-fire.org>; Jerry Howell <jerry.howell@poudre-fire.org>
Subject: [EXTERNAL] Re: 636 Castle Ridge fire lane

[**NOTICE:** This message originated outside of Poudre Fire Authority -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Hello,

Can we get a copy of the letter that is referred to in the email you sent?

Thank you,

Kurt Johnson

On Monday, January 3, 2022, 10:31:53 AM MST, Sarah Carter <sarah.carter@poudre-fire.org> wrote:

Good morning,

The status of the comment was changed to “resolved” to reflect the decision of the Chief Fire Marshal to withdraw the comment requiring the fire lane.

Sincerely,

Sarah Carter

Assistant Fire Marshal

102 Remington St. | Fort Collins, CO 80524

sarah.carter@poudre-fire.org

Cell: 970-290-6764 | Office: 970-416-2864

www.poudre-fire.org

Follow us for incident information and safety education.

From: Marcus Glasgow <Marcus.Glasgow@poudre-fire.org>
Sent: Monday, January 3, 2022 10:06 AM
To: Sarah Carter <Sarah.Carter@poudre-fire.org>
Subject: FW: [EXTERNAL] 636 Castle Ridge fire lane

From: Kurt Johnson <kejlbj@yahoo.com>
Sent: Wednesday, December 29, 2021 10:23 AM
To: Marcus Glasgow <Marcus.Glasgow@poudre-fire.org>; Kai Kleer <kkleer@fcgov.com>
Subject: [EXTERNAL] 636 Castle Ridge fire lane

[**NOTICE:** This message originated outside of Poudre Fire Authority -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Hello,

I downloaded the latest response to the group home. There is a comment concerning the fire lane that there have been conversations and the issue is now resolved.

Can you elaborate on what the resolution exactly is?

Also, do you happen to know if this is going to hearing in January, or would it be February?

thank you,

Kurt Johnson

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From: Development Review Comments
To: Andrea Rogers
Subject: RE: [EXTERNAL] 636 Castle Ridge Court
Date: Monday, September 13, 2021 1:39:00 PM

Hi Andrea,
Thanks for taking the time to share your concerns about the Castle Ridge Ct. proposal for a group home currently going through the development review process. I've saved this in our files so if the project goes to the Planning and Zoning Commission for a hearing, your comment can be reviewed by the Board prior to their decision.

Let me know if you have any additional questions for me.

Thanks!

Alyssa Stephens MA
Neighborhood Development Liaison
City of Fort Collins Neighborhood Services
Submit a public comment| Track Development Proposals

From: Andrea Rogers <andreavrogers@gmail.com>
Sent: Friday, September 3, 2021 12:48 PM
To: Development Review Comments <devreviewcomments@fcgov.com>
Subject: [EXTERNAL] 636 Castle Ridge Court

To whom it may concern,
My name is Andrea Rogers and I am an owner in Miramont subdivision. It has come to my attention that 636 Castle Ridge Court is seeking "reasonable accommodation" for Peacock Assisted Living LLC.

As a resident owner in the neighborhood I am opposed to this business operating in our small neighborhood. Our neighborhood is not set-up for commercial businesses. In addition, this would cause additional traffic to our neighborhood puting children and families in danger. In addition, this will cause a tremendous amount of noise to our neighborhood. With 16 residents and the likelihood of nightly Emergency and Fire visits this would greatly impact the sleep of surrounding neighbors. According to Sleep Guidelines by the Sleep Foundation (https://www.sleepfoundation.org/sleep-guidelines-covid-19-isolation) they say this about the importance of sleep in today's times, "Sleep is ***critical*** to physical health and effective functioning of the immune system. It's also a key promoter of emotional wellness and mental health, helping to beat back stress, depression, and anxiety."

Lastly, this operation will jeopardize the property value of the entire community making this property an "Institution" not a "Residence". I see this request by Peacock Assisted Living LLC as an individual trying to "skirt" the system. We cannot allow this to happen. Fort Collins has long been a community of safe and well cared for ***residential*** neighborhoods. This property will no longer be

operating as a single residence and will jeopardize the safety, wellbeing and financial livelihood of the entire community and should not be allowed to further it's plans in expanding it's resident capacity to operate on a commercial basis.

For these reasons amongst other concerns not mentioned for the sake of valuing your time, I hope that the Planning and Zoning Commission will not approve the request of Peacock Assisted Living. Thank you for your careful examination in this matter.

Sincerely,

Andrea V. Rogers

720-299-5133

From: Development Review Comments
To: Kurt Johnson
Subject: RE: [EXTERNAL] 636 Castle Ridge Ct Project
Date: Tuesday, April 20, 2021 8:49:00 AM

Hi Kurt,
Just reaching out to confirm that this has been received and will be saved in our project files. Thanks for providing this thoughtful and detailed argument, and for continuing to participate in the development review process!

Best,

Alyssa Stephens MA
Neighborhood Development Liaison
City of Fort Collins Neighborhood Services
Submit a public comment| Track Development Proposals

From: Kurt Johnson <kejlbj@yahoo.com>
Sent: Thursday, April 15, 2021 7:54 PM
To: Development Review Comments <devreviewcomments@fcgov.com>; Paul S. Sizemore <psizemore@fcgov.com>; Noah Beals <nbeals@fcgov.com>
Subject: [EXTERNAL] 636 Castle Ridge Ct Project

In response to the neighborhood meeting, and to the request for accommodation to 16 residents, the developers exposed themselves to be significantly challenged in running a business. There were continuous contradictions regarding what a memory care facility needs to accommodate the residents. They claim this to be a "unique" property, however the plans for 16 residents barely meet the minimum standards per Colorado Code for minimum bedroom space and bathroom access for memory care. This therefore becomes at best on par and likely below the care level offered by larger facilities in Fort Collins. The motivation is clearly profit driven.

The property is priced well above market (evidenced by recent sales and that the tax assessed rate was the lowest in the Castle Ridge subdivision), and despite what has been said, the renovation costs are far more significant for 16 persons than for 8 or less. At 8 or less, an example is both garages need not be renovated, leaving one for parking, and allowing for the property to revert back to a home (less bedrooms) far more easily. They said they need 16 because with a staff of 3 if one is bathing that leaves 2 for the rest - a ratio then of 7.5:1, and that "8 doesn't work". Using this argument, at 8 with a staff of 2, that leaves a ratio of 7:1 (better than 16 when one occupied) - the argument for 16 is based on pure additional profit. Their math is faulty.

In addition to falsely stating there were no objections (and not admitting to such) to the project at the preliminary review, they continue to claim that they will limit visitations. Per Colorado Code of Regulations for Assisted Living (CCR 1011-1 Chapter 7, http://havenseniorliving.org/wp-content/uploads/2018/12/State-Rules-for-Assisted-Living-facilities.pdf) – section 13.1, A4 under residents rights indicate a “right to have visitors at any time”. They claim there will be no shots, "not even diabetics" - what cases are they citing? An example of a group home taking diabetics can be seen at Colorado Assisted Living Homes (Colorado Assisted Living Facilities - Colorado Assisted Living, LLC), is this not discriminatory in itself? Hospice (which plans to be allowed) nurses ensure end of life with

dignity and less pain, which will include schedule 1 medications near/at death. Hospice also includes frequent visitations including general care (bathing, interaction, etc), adds a significant increase in activity. In addition, there will be other supportive caregivers either privately or publicly provided.

We have personal experience as we have had parents with both Alzheimer's/Parkinsons/Type 1 diabetes and severe dementia case. This is in fact a sad and very intensive challenging end of life. A memory care facility is different from general assisted living, as the patients are closer to end of life. The required security for memory care is a "lock" in environment where the resident cannot leave unaccompanied. Therefore it requires possibly solid fencing which is not allowed per our CC&Rs. The house is on the minimal lot line on the north lot line and is elevated with a retaining wall, therefore not allowing for any emergency egress, or screening with landscaping.

Egress for emergency vehicles need to go to the patio interior, again at 8 or less this can be accomplished. Also note there is no egress at the back of the property facing the ditch as this crosses property lines and ditch property.

Turning the front yard into a parking lot (or "driveway") eliminating the rest of the landscaping is a non-starter for the CCRs. The street is private and simply can't handle the added parking. The traffic study, if patterns continue, will be dramatically understated - it is important that all the considerations that are being raised from the neighbors are factored in to produce a REALISTIC traffic study, and its effect on a substandard road which the city confirmed in 2016 and has the appropriate documents proving it.

Significant challenges exist in a project for 8 residents, consistent with city precedent. A project for 16 residents produces a non-conforming property in an R1 zone.

Regards,

Kurt and Laurie Johnson
612 Castle Ridge Ct

From: Spencer M. Smith
To: Marc Virata; Kai Kleer; Steve Gilchrist
Subject: RE: [EXTERNAL] 636 Group Home - Outside issues with Jan. 22 applicant comments
Date: Tuesday, February 01, 2022 11:14:44 AM

I had forgotten to bring this up yesterday when we were chatting about the project. I wasn't sure how we want to coordinate a response to the citizen concerns.

I can provide my thoughts on the Traffic related ones.

Kai, do you think we should run this all through you or Alyssa?

From: Marc Virata <MVIRATA@fcgov.com>
Sent: Tuesday, February 1, 2022 8:59 AM
To: Kai Kleer <kkleer@fcgov.com>; Steve Gilchrist <sgilchrist@fcgov.com>
Cc: Spencer M. Smith <smsmith@fcgov.com>
Subject: RE: [EXTERNAL] 636 Group Home - Outside issues with Jan. 22 applicant comments

Replying internally, and my apologies if this was discussed at T-Coord yesterday, I had a conflict with another meeting. In looking at Laurie's email and in case we discuss this morning for coordination, I would offer this response:

The sidewalk is located within Tract B of the Castle Ridge at Miramont P.U.D. This would have underlying ownership of the sidewalk along with the street being that of the HOA as a common ownership area. Presumably there are covenants that would address maintenance responsibilities of the sidewalk that would typically be assigned to the abutting individual lot owners for their frontage along the sidewalk. The City would not typically have covenant information established with the development to confirm these responsibilities and believe that the HOA would be in a better position to confirm this.

Thanks!
Marc

ENGINEERING – Marc Virata

Question???: Since private road, please explain the sidewalk ownership and responsibility so it is clear for the Castle Ridge residents and Miramont PUD. Thanks.

From: Laurie Johnson <lbjmom@comcast.net>
Sent: Sunday, January 30, 2022 5:17 PM
To: Kai Kleer <kkleer@fcgov.com>; Marc Virata <MVIRATA@fcgov.com>; Steve Gilchrist <sgilchrist@fcgov.com>
Subject: [EXTERNAL] 636 Group Home - Outside issues with Jan. 22 applicant comments

Hi attached are items which Kurt and I have reviewed and would appreciate your review and comments back. Also, there are various items which need cleared up on site, utility, and landscaping plans.

We look forward to your comments/concerns back to us.

Kurt and Laurie Johnson
612 Castle Ridge Court owners

From: Kelly DiMartino
To: KEN PATRICK; City Leaders; Kai Kleer; Alyssa Stephens; Kurt Johnson; Lawrence Mauch & Karen Kotecki; Troy Tafoya; Jesus Martin; Steve Chacho; Doug Salter
Cc: SAR Admin Team
Subject: RE: [EXTERNAL] Castle Ridge proposed project
Date: Friday, January 07, 2022 9:43:25 AM
Attachments: image001.png

Hello Tracey Stefanon and Ken Patrick,

Thank you for your email and request.

Your request is being processed as a Service Area Request and is being sent to the appropriate department. You'll be hearing from staff within five business days with an update on the request.

I appreciate you reaching out,

Kelly

Kelly DiMartino
Interim City Manager
City of Fort Collins, CO
970.416.2028 office
970.217.3293 cell

From: KEN PATRICK <traceyken@comcast.net>
Sent: Thursday, January 06, 2022 8:48 PM
To: City Leaders <CityLeaders@fcgov.com>; Kai Kleer <kkleer@fcgov.com>; Alyssa Stephens <astephens@fcgov.com>; Kurt Johnson <kjlbj@yahoo.com>; Lawrence Mauch & Karen Kotecki <kotecki_mauch@msn.com>; Troy Tafoya <troyt@pds-co.com>; Jesus Martin <JESSIEMARTIN_2000@yahoo.com>; Steve Chacho <schacho@aol.com>; Doug Salter <doug.salter@woodward.com>
Subject: [EXTERNAL] Castle Ridge proposed project

Hello all,

This email is in response to the recent documents submitted for the Castle Ridge Group Home proposal. My family and I live in the home next door to this proposed project.

In review of the updated documents, they do not appear to include PFA comments regarding the proposed fire lane. The comment is that this has been "resolved". Please provide further information on how this is "resolved" as I do not see any documents with updated information. The last documentation from PFA noted that nearly the entire street on our side would need to be marked and zoned as a fire lane. If there has been an update or change in PFA response then we would appreciate access to the PFA response to review.

Additional comments on documents reviewed:

Comment 3: This is in regard to privacy measures on our side of the home. Applicants noted they would place a 72" trellis screen" in front of the bay window.

RESPONSE: There are actually two large bay windows and two room windows that directly face our property in the front. It is unclear if the trellis screen would be over both bay windows and no comment on screening of other windows. I request you receive clarification. We would appreciate the applicants provide other solutions in addition to trellis as well as a better conceptualization of what this would actually look like from our vantage point. The trellis does not appear to be consistent with the esthetics of the neighborhood. In addition, applicant notes "significant tree and plant material exists in southern neighbor's property that currently provides screening". This statement is incorrect. The tree and plant material does not provide screening of bay windows noted above nor does it provide screening along a significant portion along the property line in the backyard. The applicants state that "waterlines make planting along a portion of the house unfeasible". This does not include the privacy in the backyard area. The prior owners had plantings and a large tree in the area directly across the fence area in the applicants backyard. The tree and bushes have been removed prior to purchase of the home. It appears that the applicants should be able to provide tree and plant material on their side of the fence for screening.

Finally, the proposed wrought iron fence appears to be slated and therefore would not provide much in the way of screening or privacy nor, as far as I understand it, is it within HOA regulations.

Please see attached photos for details.

Comment 8: This is in regards to trash. Applicant states laundry would be managed on site and medical waste as "pill bottles".

RESPONSE: It would seem unusual that there would not be more medical waste or biohazardous waste for a proposed memory care facility potentially serving 16 residents. Please request clarification from applicants.

Comment 14: This is in regards to traffic. The applicants do not appear to have responded entirely to the question regarding traffic. The request was to "really describe each individual element of traffic, i.e. deliveries, trash, employee, mail, etc.)".

RESPONSE: The amount of traffic and employees needed to run a facility such as this with a possible 16 residents appears to be grossly underrepresented or underestimated by the applicants. The number of staff noted is the state minimum for ratio of caregiver to resident. The applicants also discuss only 3 staff members per shift during the day. Again, this is the minimum required by the state for caregivers. The caregiver to staff ratio is designed for the caring of the residents and not facility tasks. Caregivers at similar facilities are not likely to also provide all food prep and cooking, food delivery, dishes, bed changes, laundry, housecleaning, yard maintenance, facility maintenance, etc.

Additional services performed at similar facilities who care for memory care residents include items such as pharmacy delivery, medication administration by certified personnel, oxygen and other durable medical equipment delivery and maintenance, occupational therapy, physical therapy, exercise class, activities or performances, etc. There is no comment or estimate to the amount of traffic and parking anticipated from such services. One of the applicants stated that she is a therapist by training and worked in several facilities who cared for similar residents. Do the applicants assume that none of their residents will need such services or activities? The residents will need continued medical care, dental care, eye/vision care, hearing care, etc. Will providers be coming on site or will the residents be transported to these appointments? What about religious services or visits? What about resident outings or use of services in the community?

According to the Colorado Compendium of Residential Care and Assisted Living Regulations and Policy: 2015 Edition, “Facilities must provide protective oversight and a physically safe and sanitary environment; personal services (i.e., assistance with activities of daily living, instrumental activities of daily living, individualized social supervision, and transportation); and social and recreational services, both within the facility and in the local community, based on residents’ interests”.

The applicants state they will limit visitation, however, per Colorado Code of Regulations for Assisted Living (CCR 1011-1 Chapter 7, http://havenseniorliving.org/wp-content/uploads/2018/12/State-Rules-for-Assisted-Living-facilities.pdf) – section 13.1, A4 under residents rights indicate a “right to have visitors at any time”. The applicants have noted that they will take residents who are on hospice care. Hospice patient visitation cannot be restricted. With the potential for 16 residents, some at the end of life, there is likely to be higher traffic levels and parking needs for visitation.

Traffic and parking for the additional services, visitation and for the complete operation of the facility need to be taken into consideration. The solution of carpooling, public transit (closest bus stop is nearly a mile away) and bike ridership does not appear to be a realistic solution for not only staff and visitors but for other traffic such as deliveries that may need closer parking. This neighborhood has only one entrance and exit point with a 3 court area with limited on street parking given driveways.

REQUEST: We request that the applicants provide a full and detailed traffic and parking description and that the planning and zoning department make assessment on accuracy when in comparison to similar facilities. Such an increase in traffic and parking in this neighborhood would substantially alter the nature, character and possibly the safety of the neighborhood. With such increase in business and visitation traffic and parking within the residential neighborhood there is a high likelihood that there would be parking on both sides of the narrow street thus likely impeding emergency response vehicles maneuvering. At current residential levels this is not an issue.

Finally, as previously submitted, we are opposed to the determination of reasonable accommodation for 16 residents in a residential area due to significantly increased impact from a traffic, parking and safety as well as substantially changing the nature and character of the neighborhood.

Thank you for your time and consideration. Again, please see attachments for pictures of areas needing screening.

Please contact me if you have any questions or need further information.

Kindest regards,

Tracey Stefanon and Ken Patrick
642 Castle Ridge Ct.
Traceyken@comcast.net

From: Kai Kleer
To: Laurie Johnson
Subject: RE: [EXTERNAL] Comments from Johnsons, Kurt and Laurie on the December 8, 2021, 636 Group Home proposal
Date: Tuesday, January 18, 2022 10:49:00 AM
Attachments: Group home ROUND 3 Jan 2021 (002).docx
CASTLE RIDGE GROUP HOME - PDP210012 - SUBMITTAL DOCUMENTS - ROUND 2 - UTILI_FCLWD.pdf

Hello Laurie,

Hope you had a great holiday weekend and thanks for your patience. Please see the attached word document and PDF with respect to your comments/questions.

Best,

. . . . . .
KAI KLEER, AICP
970-416-4284
City Planner
City of Fort Collins

From: Laurie Johnson <lbjmom@comcast.net>
Sent: Friday, January 14, 2022 1:41 PM
To: Kai Kleer <kkleer@fcgov.com>
Cc: 'Kurt Johnson' <kejlbj@yahoo.com>
Subject: [EXTERNAL] Comments from Johnsons, Kurt and Laurie on the December 8, 2021, 636 Group Home proposal

Hello Kai

Here are Kurt and my comments on the latest group home applicant responses to the city on 12-8-21.

This is from us, not me as an ACC lead. There is so much more we could add, but it has been said before. We look forward to your responses. Kurt does have the PFA letter; he had to do a FOIA. Once we respond to the fire marshal, we shall copy you too. We want all our comments on public record. Can you have this uploaded into the appropriate files?

I have attached quite a few pictures which show the property with no blooming bushes. It shows some we just took with snow which really allows you to see where there is no shielding/screening. The rear ones were taken across the Mail Creek Ditch.

They did add cameras in the front but they did not put them where they said they were going to be. We are very skeptical that they will follow rules or do what they said they would do.

As stated, look forward to your responses. Note, we have not seen the water district persons comments. Can those be uploaded too?

Take care,

Kurt and Laurie Johnson
612 Castle Ridge Court

From: Development Review Comments
To: BETH WILLIAMS
Subject: RE: [EXTERNAL] Comments on Proposed Memory Care Facility at 636 Castle Ridge Ct.
Date: Monday, April 19, 2021 1:21:09 PM

From: BETH WILLIAMS <bethawilliams@comcast.net>
Sent: Monday, April 12, 2021 7:25 PM
To: Development Review Comments <devreviewcomments@fcgov.com>; Kai Kleer <kkleer@fcgov.com>; jpignitaro@fcgov.com; City Leaders <CityLeaders@fcgov.com>
Cc: debbiegraff@gmail.com; tomjgraff@gmail.com; mimidreid@gmail.com; denjmurphy@aol.com; deborahsul@aol.com; rosenberg.2@hotmail.com; cliffmoore80525@gmail.com; srsunde@aol.com; artarama@comcast.net; traceyken@comcast.net; troyt@pds-co.com; sashagwoodward25@gmail.com; lbjmom@comcast.net
Subject: [EXTERNAL] Comments on Proposed Memory Care Facility at 636 Castle Ridge Ct.

Dear Alyssa,

Having first-hand, recent knowledge of the challenges of caring for my elderly parents and careful observation of group home facilities for our seniors, I can only conclude that the people proposing the zoning change for the residential house in Castle Ridge are at a minimum disingenuous in their promise of little or no impact to the neighborhood, or that they plan on operating a grossly negligent facility .

Memory Care patients are the oldest and most feeble of our elderly population. They need constant monitoring, help with basic activities of daily living including dressing, grooming, bathing, administering medication, meal prep and even help with eating. The excellent facilities I have been to in Fort Collins offer all these services along with cleaning and laundry services, exercise classes, activities, physical therapy, transportation to and from medical appointments, and even visiting hair stylists so the seniors do not have to leave the building for a hair cut or nail trim. To say the least, the support staff for these facilities are numerous and specialized.

Let us really think about what it would take to care for 16 elderly, memory impaired people. As a reference, it would be like having 16 children aged 3 - 7 years old. There are staff members who clean the bedrooms and bathrooms, change the sheets, do the laundry including each resident's personal clothing; take care of the common area rooms, hallways, and maintain the outdoor areas. These tasks are done on a daily to weekly basis and would at minimum require 2-3 people. There are staff members who help the resident with dressing, bathing, brushing their teeth; medically trained nurses monitor the health of the residents with weight, blood pressure, and once, twice, or three times daily dispensing of medication, physical therapy for injuries or effects of strokes or the diminishing brain function due to Alzheimer's disease, at a bare bones minimum of 2-3 personnel; there are true angels working with the elderly

on activities including social gatherings, sing-alongs, exercise classes, hand crafts, and outings; 1-2 people. The staff necessary to prepare and serve three nutritious meals each day for a facility of this type would require at least 2-3 hard working kitchen staff and at least one food delivery per day. Of course, seeing as this would be a for-profit facility, there is always a director handling the prospective tenant tours, family and social services concerns, reception for all the deliveries, and administrative staff which may occur on-site or off, but with hopefully frequent oversite at the location According to the proposal, the daily staff load for this facility is 3 people. That is simply ludicrous if any standard of care is to be maintained for 16 memory impaired patients, and it is truly frightening that any person would think that would be sufficient for our beloved parents and grandparents at the end of their lives.

A true medical emergency would be handled by a call to emergency services, and given the advanced age and delicate health of the population, we can expect ambulance and fire emergency personnel to arrive at any hour of the day or night at least a couple times a month, and possibly more often. The narrow street and tight cul-de-sac at this location has been addressed by other objectors, but this kind of disruption in a residential neighborhood cannot be taken lightly.

One last and profoundly serious concern is the heartbreaking effects on the personality of the Alzheimer's patient. It is not unusual for these people to have periods of great anxiety, fear, and lashing out. This includes screaming, crying, calling out for loved ones, and physical aggressiveness. Often these patients are compelled to wander, and even plan devious escapes from their facility. It is terribly sad, and I will be forever grateful for the top-notch memory care facilities already available in Fort Collins who take such kind and loving care of our most vulnerable elderly citizens.

Thank you for your thoughtful consideration.

Beth Williams
5301 Highcastle Ct.
Fort Collins, CO 80525

From: Development Review Comments
To: Don Huss
Bcc: Kai Kleer
Subject: RE: [EXTERNAL] Group home at 636 Castle Ridge Ct. Ft Collins 80525
Date: Wednesday, April 7, 2021 9:43:00 AM

Hi Don,
Thank you so much for reaching out and sharing your concerns. It is always helpful for residents to highlight important issues like traffic, parking, and safety for our staff prior to the project entering the official review project.

Were you able to attend the neighborhood meeting on Monday? If not, I'm happy to share the link so you can see the conversation between applicants and neighbors. It hit on many of the points you shared below.

I'll be sure to save this email so it can be shared with decision-makers if the project moves forward to hearing. Our Planning and Zoning Board is made up of community volunteers, and always appreciates hearing from residents about their thoughts and concerns on projects.

Please don't hesitate to reach out to me with any additional questions or comments.

Best,

Alyssa Stephens MA
Neighborhood Development Liaison
City of Fort Collins Neighborhood Services
Submit a public comment| Track Development Proposals

From: Don Huss <dhuss@verinet.com>
Sent: Monday, April 5, 2021 1:10 PM
To: Kai Kleer <kkleer@fcgov.com>
Cc: Development Review Comments <devreviewcomments@fcgov.com>
Subject: [EXTERNAL] Group home at 636 Castle Ridge Ct. Ft Collins 80525

This is a residential neighborhood and is zoned as such.
There is no business zoning within several thousand yards
Of the proposed business. There is no place for ample parking
In the neighborhood. The business would require 8 to 12 spaces
And there is no room for that many spaces.

Traffic is a major problem as we have a grade school a block
From the proposed business at 636 Castle Ridge Ct. We have
Children being dropped off and picked up less than a block from
This proposed business. We have a lot of traffic up and down

Highcastle as it is, with houses and apartments to our south.
People use Highcastle as a short-cut to shopping on Harmony Road.
The next thing they will want to do is put a stop light at Castle Ridge Ct
And Highcastle.

Last, other than devaluing our neighborhood, it would be dangerous
For residents of this home because of all of the activity in the area.
We live on Highcastle and love our neighborhood. Because of the added
Employees and visitors to group home, this will add a huge burden on
The neighborhood.

Sent from Mail for Windows 10

From: Development Review Comments
To: Lisa Whittington
Subject: RE: [EXTERNAL] Re the Castle Ridge Group Home – PDP210012
Date: Monday, September 13, 2021 1:43:00 PM

Hi Lisa,
Thank you so much for reaching out and providing comment on the Castle Ridge Ct. proposal. Your comment has been saved so it can be provided to the Planning and Zoning Commission prior to any hearing on the item.

Please don't hesitate to reach out if you have questions for me about the project or process.

Thanks!

Alyssa Stephens MA
Neighborhood Development Liaison
City of Fort Collins Neighborhood Services
Submit a public comment| Track Development Proposals

From: Lisa Whittington <lisawhittington28@gmail.com>
Sent: Sunday, September 5, 2021 3:45 PM
To: Development Review Comments <devreviewcomments@fcgov.com>
Cc: eric.shenk@gmail.com; peacockassistedliving@gmail.com; Brandy Bethurem Harras <BBethuremHarras@fcgov.com>; stephanie@ripleydesigninc.com
Subject: [EXTERNAL] Re the Castle Ridge Group Home – PDP210012

DATE:
September 5, 2021
TO:
Fort Collins Development Review, @Development Review Comments
devreviewcomments@fcgov.com
cc to:
Brandy Harras, City of Fort Collins Development Review Coordinator
BBethuremHarras@fcgov.com
cc to:
Eric Shenk, *ceric.shenk@gmail.com*
Xioma Diaz, *peacockassistedliving@gmail.com*
cc to:
Stephanie Hansen, *stephanie@ripleydesigninc.com*
FROM:
Lisa Whittington, *lisawhittington28@gmail.com*
RE:
Castle Ridge Group Home – PDP210012

Dear Fort Collins Development Review, and to whom it may concern:

I am writing this letter in support of the Castle Ridge Group Home project and wish to express my

personal opinions based on my experiences touring the home and also on my experiences helping a family member live with disabilities. I'd also like to note that I have a degree in Urban Studies & Planning from UCSD.

1. My undergraduate degree and my research.
My degree's thesis focused specifically on how communities can better provide accommodations for people living with age-related infirmities and intellectual disabilities. My understanding of the Castle Ridge Group Home is that it appears to be in line with my undergraduate research, which showed that people requiring help exist on a spectrum of needs and they do best when they are involved with the design and functioning of their own home environments such that that those environments meet their specific needs as they understand them within the framework of legal and institutional safety and health regulations of the community.

a. Specifically, my research revealed that people who need to live in congregate settings for support overwhelmingly prefer to live in their own rooms without roommates, and further, they prefer to have control over their own lighting and environmental controls, including doors to the rooms over which they have some measure of control and input. My understanding of the Castle Ridge Group Home is that the home will provide accommodations for 1 person per room, which is ideally suited for meeting the specific needs of that 1 person's specific level of limitations, with accompanying necessary monitoring by staff for safety and health purposes. A room of one's own for each person living with a limitation or disability provides a safe haven, which research shows supports thriving and growing to the best of that person's ability.

b. The layout also means that residents' private doors open only to the inside of the house and not the outside, which adds an extra layer of security and protection for all stakeholders. My research showed that residents of group homes overwhelmingly preferred that their doors lead to the inside of the house.

c. The Castle Ridge Group Home's layout is further conducive to supporting multiple levels of needs within a framework of safety for residents' specific limitations as well as minimizing disturbance to the neighborhood surroundings. For instance, I feel the home offers a secluded, private, completely enclosed courtyard that allows the safe social interaction that residents need to enjoy fresh air and sunshine securely with close monitoring by the on-site staff, who as I understand it will be present in abundant staff-patient ratios.

2. My personal experience.
I speak of these issues from a perspective of personal experience. I strongly feel this home meets a need and not a want in the community. My mother lived with a spinal cord disorder most of her adult life, and my father was her primary caretaker. After he died, she wanted to live as independently as possible and therefore turned down offers to live with me and my sister, so we spent months looking for a group-home situation that would allow her to live out her days in safety and independence as she wished. But such a home did not exist in our community. My mother ended up deciding to live in an impersonal, corporate-owned retirement-apartment community that did not fully meet her needs because that was all that was available to her at the time. The Castle Ridge Home, on the other hand, would clearly have been able to meet her needs had it been available to us.

I wish the Castle Ridge Home had been an option for my family. We would have jumped on it and I believe my mother would have thrived in it and lived out her days peacefully in its comfort and safety, and I feel it would have been of great benefit not only to her but also to our entire family and our surrounding community.

Thank you for your consideration.

Respectfully submitted,
Lisa Whittington
lisawhittington28@gmail.com

From: Alyssa Stephens
To: KEN PATRICK
Cc: Kai Kleer
Subject: RE: [EXTERNAL] Re: Castle Ridge Ct. traffic
Date: Wednesday, December 08, 2021 9:57:01 AM
Attachments: Operational PLan_Castle Ridge_ PDP Rnd2.docx

Hi Tracy,
Apologies for the delay in getting back to you. We did receive a brief "operational plan" in response to staff's request, which I've attached here. In their most recent comments, Kai requested some additional information on that operational plan, and suggested some conditions of approval (which would be taken to P&Z for consideration). Here's the text of that comment:

Regarding the Operation Plan, staff would only consider the operation of the facility under its full occupancy and not a staged approach. The operational plan should really describe each individual element of traffic (e.g., deliveries, trash, employee 1, 2, 3, mail, etc...). I've asked Traffic Engineering to provide you with an example that would be appropriate.

From the initial review of the Operational Plan staff will be recommending the following conditions:

"Visiting hours shall be limited from 9AM to 6PM, 7-days a week"
"Visitation shall be scheduled in a way that limits the impacts to on-street parking and staggers traffic in and out of the neighborhood."
"In an effort to mitigate overlap in the need for staff parking during shift changes, the group home shall provide monetary incentives to encourage: 1) last mile carpooling from Fossil Creek Park; 2) public transit 3) bicycle ridership"
"Supply, food, and medication delivery shall be limited to certain times of day that do not overlap employee shift changes and should be limited to 9-6PM, 7-days a week"

We realize that these will require some tweaking based on how the Operation Plan is updated, however, once finalized we will ask that the notes be added to the site plan.

I will continue to make sure that I notify folks when new documents are submitted from the applicants. We are expecting to see some new documents on this soon.

Let me know what other questions you have!

Best,

Alyssa Stephens MA
Neighborhood Development Liaison
City of Fort Collins Neighborhood Services
Submit a public comment| Track Development Proposals

From: KEN PATRICK <traceyken@comcast.net>

Sent: Thursday, December 2, 2021 6:03 PM
To: Kai Kleer <kkleer@fcgov.com>; Alyssa Stephens <astephens@fcgov.com>
Subject: [EXTERNAL] Re: Castle Ridge Ct. traffic

Hello Kai and Alyssa,

Please see email below. I am sending again in case you missed it. Please confirm receipt. I understand it may take some time to find an answer, but want to be sure it is received.

In addition to email below, can you please send a link to the land use code that specifies how many parking spaces are required for assisted living, resident care, etc. facilities. I am able to pull up in other municipalities but am having trouble navigating FC code.

Thank you in advance for your time.

Tracey Stefanon

On 12/01/2021 10:18 AM KEN PATRICK <traceyken@comcast.net> wrote:

> Hello Kai and Alyssa,
>
> I live in the home right next door to the proposed business on Castle Ridge Ct. I noted in prior documents that there was a request from the proposed business owners to send information to the P&Z about estimated traffic/visits to the business for services to the residents/patients including things such as physical therapy, occupational therapy, etc. (to also include, in my opinion, and not limited to speech therapy, wound care, pharmacy, medical waste, oxygen, food deliveries, counseling, etc.). Have you received any response from the proposed business owners that the neighbors can review? Will you be forwarding any and all responses to the neighbors that you receive from the proposed business owners so we can access and review prior to P&Z?
>
> Please accept this a formal request to notify myself and other neighbors of any documents received from the proposed business owners with attachment of response and/or link to documents. Alyssa, I know you previously sent a link where all documents can be found but I am requesting notification on any updated documents.
>
> Thank you in advance for your time.
>
> Tracey Stefanon

From: Kai Kleer
To: KEN PATRICK
Cc: Alyssa Stephens; Kurt Johnson; Lawrence Mauch & Karen Kotecki; Troy Tafoya; Jesus Martin; Steve Chacho; Doug Salter
Subject: RE: [EXTERNAL] RE: Castle Ridge proposed project
Date: Wednesday, January 26, 2022 9:01:00 AM
Attachments: Comment-responses_Castle Ridge_PDP_Rd4.zip

Hello Tracey and Ken,

They have submitted a response, though, I haven't had a chance to review it yet (our review deadline is February 1). I've attached the contents of their resubmittal package if it's helpful.

With respect to your question about what therapeutic means in their reasonable accommodation request, I did look to see if there were any specific state definitions for this and there were not. I dug into what therapeutic memory care means and generally found that it was defined as services provided by a licensed or certified memory care nurse or specialist that include:

- Art therapy
- Music therapy
- Pet therapy
- Aromatherapy
- Sensory stimulation
- Light therapy

Hopefully this helps and let me know if you have any questions about the material attached. I should have my review done by Monday next week.

Best,

. . . . . .
KAI KLEER, AICP
City Planner
City of Fort Collins

From: KEN PATRICK <traceyken@comcast.net>
Sent: Monday, January 24, 2022 5:03 PM
To: Kai Kleer <kkleer@fcgov.com>
Cc: Alyssa Stephens <astephens@fcgov.com>; Kurt Johnson <kjlbj@yahoo.com>; Lawrence Mauch & Karen Kotecki <kotecki_mauch@msn.com>; Troy Tafoya <troyt@pds-co.com>; Jesus Martin <JESSIEMARTIN_2000@yahoo.com>; Steve Chacho <schacho@aol.com>; Doug Salter <doug.salter@woodward.com>
Subject: [EXTERNAL] RE: Castle Ridge proposed project

Hello Kai,

Hope all is well with you. I am checking in to see if the applicants have submitted any

response to questions both you and I posed noted in the letter I submitted to you and city leaders regarding traffic, parking, screening, etc.

In addition, has there been any explanation by the applicants of what they mean by "therapeutic" in their request for reasonable accommodation for the increased number of residents? I feel this is a significant issue as the word may be misconstrued or misinterpreted to imply that there is a medical or other care benefit that the residents receive by having 16 residents at the facility. As stated in my letter, the applicants are only meeting state minimum ratio for residents to staff with the staffing model. In the review process to the P&Z it should be clearly stated what the applicant is implying or stating with the use of the term "therapeutic" and what the benefit is to the residents.

I would be happy to send additional pictures if needed.

Thank you for your time.

Tracey Stefanon and Ken Patrick

On 01/12/2022 9:25 AM Kai Kleer <kkleer@fcgov.com> wrote:

Hello Tracey and Ken,

Thank you for the time you spent reviewing the Castle Ridge Group Home resubmittal and waiting on a response from me. Please see my responses to your comments below in green. City staff has a follow-up meeting with the applicant today in order to go over similar concerns.

Please feel free to reach out to me directly by calling 970-416-4284.

Sincerely,

Kai Kleer

From: KEN PATRICK <traceyken@comcast.net>
Sent: Thursday, January 06, 2022 8:48 PM
To: City Leaders <CityLeaders@fcgov.com>; Kai Kleer <kkleer@fcgov.com>; Alyssa Stephens <astephens@fcgov.com>; Kurt Johnson <kjlbj@yahoo.com>; Lawrence Mauch & Karen Kotecki <kotecki_mauch@msn.com>; Troy Tafoya <troyt@pds-co.com>; Jesus Martin <JESSIEMARTIN_2000@yahoo.com>; Steve Chacho <schacho@aol.com>; Doug Salter <doug.salter@woodward.com>
Subject: [EXTERNAL] Castle Ridge proposed project

Hello all,

This email is in response to the recent documents submitted for the Castle

Ridge Group Home proposal. My family and I live in the home next door to this proposed project.

In review of the updated documents, they do not appear to include PFA comments regarding the proposed fire lane. The comment is that this has been "resolved". Please provide further information on how this is "resolved" as I do not see any documents with updated information. The last documentation from PFA noted that nearly the entire street on our side would need to be marked and zoned as a fire lane. If there has been an update or change in PFA response then we would appreciate access to the PFA response to review.

The status of the comment was changed to "resolved" to reflect the decision of the Chief Fire Marshal to withdraw the comment requiring the fire lane. Kurt Johnson has made a request to PFA for a release of the record, however, I'm unsure of where that request is within PFA's process. The best person to contact about it would be Sarah Carter, Assistant Fire Marshal – she can be contacted at 970-290-6764 or sarah.carter@poudre-fire.org.

Additional comments on documents reviewed:

Comment 3: This is in regard to privacy measures on our side of the home. Applicants noted they would place a 72" trellis screen" in front of the bay window.

RESPONSE: There are actually two large bay windows and two room windows that directly face our property in the front. It is unclear if the trellis screen would be over both bay windows and no comment on screening of other windows. I request you receive clarification. We would appreciate the applicants provide other solutions in addition to trellis as well as a better conceptualization of what this would actually look like from our vantage point. The trellis does not appear to be consistent with the esthetics of the neighborhood. In addition, applicant notes "significant tree and plant material exists in southern neighbor's property that currently provides screening". This statement is incorrect. The tree and plant material does not provide screening of bay windows noted above nor does it provide screening along a significant portion along the property line in the backyard. The applicants state that "waterlines make planting along a portion of the house unfeasible". This does not include the privacy in the backyard area. The prior owners had plantings and a large tree in the area directly across the fence area in the applicants backyard. The tree and bushes have been removed prior to purchase of the home. It appears that the applicants should be able to provide tree and plant material on their side of the fence for screening.

Great feedback on this topic. City staff has consistently made comments regarding this

that have gone unaddressed. We have a follow up meeting with the applicant to let them know that we will be recommending a condition to require additional landscape and screening elements on this and other sides of the property. My hope is that they respond with an update to their plan so that we do not have to craft a condition to address this. I'll mention you comments regarding the bay windows, trellis, lack of evergreen material, and back-yard landscaping. City staff comments largely align with what you've mentioned in your response.

Finally, the proposed wrought iron fence appears to be slated and therefore would not provide much in the way of screening or privacy nor, as far as I understand it, is it within HOA regulations.

Please see attached photos for details.

Staff is recommending the use of additional landscaping to provide screening because of the fence type.

Comment 8: This is in regards to trash. Applicant states laundry would be managed on site and medical waste as "pill bottles".

RESPONSE: It would seem unusual that there would not be more medical waste or biohazardous waste for a proposed memory care facility potentially serving 16 residents. Please request clarification from applicants.

Acknowledged. Staff has been pressing to get a full response on this.

Comment 14: This is in regards to traffic. The applicants do not appear to have responded entirely to the question regarding traffic. The request was to "really describe each individual element of traffic, i.e. deliveries, trash, employee, mail, etc.)".

RESPONSE: The amount of traffic and employees needed to run a facility such as this with a possible 16 residents appears to be grossly underrepresented or underestimated by the applicants. The number of staff noted is the state minimum for ratio of caregiver to resident. The applicants also discuss only 3 staff members per shift during the day. Again, this is the minimum required by the state for caregivers. The caregiver to staff ratio is designed for the caring of the residents and not facility tasks. Caregivers at similar facilities are not likely to also provide all food prep and cooking, food delivery, dishes, bed changes, laundry, housecleaning, yard maintenance, facility maintenance, etc.

Additional services performed at similar facilities who care for memory care residents include items such as pharmacy delivery, medication administration by certified personnel, oxygen and other durable medical

equipment delivery and maintenance, occupational therapy, physical therapy, exercise class, activities or performances, etc. There is no comment or estimate to the amount of traffic and parking anticipated from such services. One of the applicants stated that she is a therapist by training and worked in several facilities who cared for similar residents. Do the applicants assume that none of their residents will need such services or activities? The residents will need continued medical care, dental care, eye/vision care, hearing care, etc. Will providers be coming on site or will the residents be transported to these appointments? What about religious services or visits? What about resident outings or use of services in the community?

According to the Colorado Compendium of Residential Care and Assisted Living Regulations and Policy: 2015 Edition, "Facilities must provide protective oversight and a physically safe and sanitary environment; personal services (i.e., assistance with activities of daily living, instrumental activities of daily living, individualized social supervision, and transportation); and social and recreational services, both within the facility and in the local community, based on residents' interests".

The applicants state they will limit visitation, however, per Colorado Code of Regulations for Assisted Living (CCR 1011-1 Chapter 7, http://havenseniorliving.org/wp-content/uploads/2018/12/State-Rules-for-Assisted-Living-facilities.pdf) – section 13.1, A4 under residents rights indicate a "right to have visitors at any time". The applicants have noted that they will take residents who are on hospice care. Hospice patient visitation cannot be restricted. With the potential for 16 residents, some at the end of life, there is likely to be higher traffic levels and parking needs for visitation.

Traffic and parking for the additional services, visitation and for the complete operation of the facility need to be taken into consideration. The solution of carpooling, public transit (closest bus stop is nearly a mile away) and bike ridership does not appear to be a realistic solution for not only staff and visitors but for other traffic such as deliveries that may need closer parking. This neighborhood has only one entrance and exit point with a 3 court area with limited on street parking given driveways.

REQUEST: We request that the applicants provide a full and detailed traffic and parking description and that the planning and zoning department make assessment on accuracy when in comparison to similar facilities. Such an increase in traffic and parking in this neighborhood would substantially alter the nature, character and possibly the safety of the neighborhood. With such increase in business and visitation traffic and parking within the residential neighborhood there is a high likelihood that there would be parking on both sides of the narrow street thus likely impeding emergency response vehicles maneuvering. At current

residential levels this is not an issue.

Great comment, City planning and traffic staff fully agree. The response to our request for additional information has been largely insufficient. We have a follow-up meeting with the applicant to see why this has gone unaddressed. Stay tuned.

Finally, as previously submitted, we are opposed to the determination of reasonable accommodation for 16 residents in a residential area due to significantly increased impact from a traffic, parking and safety as well as substantially changing the nature and character of the neighborhood.

Thank you for your comment.

Thank you for your time and consideration. Again, please see attachments for pictures of areas needing screening.

Please contact me if you have any questions or need further information.

Kindest regards,

Tracey Stefanon and Ken Patrick
642 Castle Ridge Ct.
Traceyken@comcast.net

From: Kai Kleer
To: Greg Baustert
Subject: RE: [EXTERNAL] Re: Group Home Questions
Date: Thursday, February 03, 2022 4:40:00 PM

Greg,

I really appreciate your responses.

Best,

. . . . . .
KAI KLEER, AICP
City Planner
City of Fort Collins

From: Greg Baustert <greg@stjohnal.com>
Sent: Wednesday, February 02, 2022 2:14 PM
To: Kai Kleer <kkleer@fcgov.com>
Subject: [EXTERNAL] Re: Group Home Questions

- What are your busiest times of day? **Busiest time is usually weekday mornings.**
- Are there ever any shortages with on-site parking? Do you wish you had more or less? **Sometimes we run out of on-site parking but we have so much off-street parking that it is never an issue. We are in a unique situation because there is a middle school across the street and our northern neighbor's house faces Craig St.**
- Did you see any significant need to increase off-street parking as you went from 6-beds to 10-beds? **We have not filled the house with 10 residents yet. We went from 8 beds to 10 beds.**
- With services, do you think 6-beds vs 10-beds creates more visits from service providers? **More people will always create more visits but it is rarely an issue.**
- With the many services that are often needed with group homes (e.g., physician services, therapies, entertainment, haircuts, food delivery, housekeeping), are there peak times where everyone shows up at once, or is it pretty well spread out? **We do not let everyone show up at once, especially during Covid. We spread things out, I cannot speak for other locations.**
- Do you have an operational plan or protocol to manage visits or deliveries so that things do not become overwhelming for staff? **Like I said, we usually do not have more than 2 different family visitors. If more want to come we would spread out the visitation times.**

Greg Baustert
Seneca House Assisted Living
(970)795-8600
(970)682-6060 fax
www.SenecaRAL.com

On Tue, Feb 1, 2022 at 5:19 PM Kai Kleer <kkleer@fcgov.com> wrote:

Greg,

I really appreciate your time today and hope your wife gets well soon. Please let me know when a good time would be to chat some more. As mentioned, the project we are currently reviewing is called Castle Ridge Group Home where they are proposing a 16-resident group home. My questions are mainly just to see what your experience is with visitors, deliveries, employees, etc. Here is what I'd be interested to learn more about:

- What are your busiest times of day?
- Are there ever any shortages with on-site parking? Do you wish you had more or less?
- Did you see any significant need to increase off-street parking as you went from 6-beds to 10-beds?
- With services, do you think 6-beds vs 10-beds creates more visits from service providers?
- With the many services that are often needed with group homes (e.g., physician services, therapies, entertainment, haircuts, food delivery, housekeeping), are there peak times where everyone shows up at once, or is it pretty well spread out?
- Do you have an operational plan or protocol to manage visits or deliveries so that things do not become overwhelming for staff?

Please let me know when a good time to chat would be.

Sincerely,

. . . . . .

KAI KLEER, AICP
City Planner
Community Development & Neighborhood Services
City of Fort Collins
281 N College Ave
970-416-4284 office
kkleer@fcgov.com

Tell us about our service, we want to know!

From: Alyssa Stephens
To: TyNBen@gmail.com
Cc: Kai Kleer
Subject: RE: [EXTERNAL] Re: missing documents for Castle Ridge Group Home Project #PDP210012
Date: Thursday, December 02, 2021 2:30:33 PM

Hi Jonathan,
Unfortunately we don't have any of the financial documents on record. I checked in with the folks involved in the Reasonable Accommodation process, and they confirmed that the applicants showed them on-screen during a meeting, but did not submit a copy to us as part of their application. Sorry about that!

We do expect a new submittal on the development review side soon. I'll be sure to share information out with neighbors as it comes through!

Thanks,

Alyssa Stephens MA
Neighborhood Development Liaison
City of Fort Collins Neighborhood Services
Submit a public comment| Track Development Proposals

From: T & B & ... <tynben@gmail.com>
Sent: Wednesday, December 1, 2021 11:38 AM
To: Alyssa Stephens <astephens@fcgov.com>
Cc: Kai Kleer <kkleer@fcgov.com>
Subject: [EXTERNAL] Re: missing documents for Castle Ridge Group Home Project #PDP210012

Hi Alyssa, thanks for the documents and info. Is there an update on the financial supporting documents from the reasonable accommodation request?
Regards,
Jonathan

On Wed, Nov 17, 2021, 12:38 PM Alyssa Stephens <astephens@fcgov.com> wrote:

> Hi Jonathan,
> I'll have to check on the Reasonable Accommodation documentation—that is separate from the development review process, so those documents are handled a bit differently.
>
> In the meantime, I'm attaching the P&Z schedule referenced in the comment letter (which doesn't generally doesn't get uploaded into the folder) and the operational plan (which may be included under "supplemental documents").
>
> Let me know if there are other questions I can answer for you!

Thanks,

Alyssa Stephens MA
Neighborhood Development Liaison
City of Fort Collins Neighborhood Services
Submit a public comment| Track Development Proposals

From: T & B & ... <tynben@gmail.com>
Sent: Tuesday, November 16, 2021 12:30 PM
To: Kai Kleer <kkleer@fcgov.com>
Subject: [EXTERNAL] missing documents for Castle Ridge Group Home Project #PDP210012

Hi Kai,
I'm new to looking at these documents, so forgive me if I missed something. I cannot find these documents on the website under Castle Ridge Group Home Project #PDP210012 (https://records.fcgov.com/WebLink/Search.aspx?dbid=0&searchcommand={LF:Basic%20~=%20%22PDP210012%22,%20option=%22FNLT%22}%20&%20{LF:Name=%22*%22,%20Type=%22D%22}&cr=1):

1. The documentation referenced in Paul Sizemore's Reasonable Accommodation Decision Letter dated June 30, 2021, which he says supports the assertion that 16 residents are threshold for achieving financial viability.
2. The "P&Z schedule" referenced in 9/7/2021 Round 2 Response to Staff Review Comments page 3, 7/15/2021 comment #7 of Development Review Coordinator department.
3. The operational plan referenced in 9/7/2021 Round 2 Response to Staff Review Comments page 6, under the response to comment #1 of Traffic Operation department.

thanks,
Jonathan Dunaisky, nearby neighbor

From: Kai Kleer
To: KEN PATRICK
Subject: RE: [EXTERNAL] RE: RE: Castle Ridge proposed project
Date: Friday, January 28, 2022 11:27:00 AM

Hello Ken,

- Regarding the plant along the south fence line, it looks like the tallest plants (Dogwood) will be around 6' in height then then step down to 4' and 2' as you move more to the center of the back yard. The combination of all of these elements will provide a nice balance between screening and allowing sunlight to reach the neighboring garden.
- Regarding visitation, staff (traffic, engineering and planning) will discuss this next week – stay tuned.
- Regarding how therapeutic is defined by the applicant, I'll ask if they can be prepared to address this in their presentation to the planning and zoning commission. However, from a land-use perspective a residential group home is defined as a residence operated as a single dwelling, licensed by or operated by a governmental agency, or by an organization that is as equally qualified as a government agency and having a demonstrated capacity for oversight as determined by the Director, for the purpose of providing special care or rehabilitation due to homelessness, physical condition or illness, mental condition or illness, elderly age or social, behavioral or disciplinary problems, provided that authorized supervisory personnel are present on the premises. My understanding is that the reasonable accommodation is based on the proposal's qualification as a group home and that the occupants are a federally protected class - not the type of treatment model (e.g., alternative medicine, therapeutics) that is administered by the care-takers.

I'd be happy to chat more and hopefully I understood your questions accurately.

Best,

. . . . . .
KAI KLEER, AICP
City Planner
City of Fort Collins

From: KEN PATRICK <traceyken@comcast.net>
Sent: Thursday, January 27, 2022 3:02 PM
To: Kai Kleer <kkleer@fcgov.com>
Cc: Alyssa Stephens <astephens@fcgov.com>; Kurt Johnson <kjlbj@yahoo.com>; Lawrence Mauch & Karen Kotecki <kotecki_mauch@msn.com>; Troy Tafoya <troyt@pds-co.com>; Jesus Martin <JESSIEMARTIN_2000@yahoo.com>; Steve Chacho <schacho@aol.com>; Doug Salter <doug.salter@woodward.com>
Subject: [EXTERNAL] RE: RE: Castle Ridge proposed project

Thank you for the update Kai. A couple of questions as you review the documents:

1. How tall will the projected plantings in the back?

2. Visitation cannot be limited and the estimation of visits appears grossly underestimated or misrepresented. Can they provide a reference where they are getting the estimation of "1 visitor per resident per week and 1 hour visit"? This appears to be a guess and an underestimation. We request city personnel be verify the accuracy of the data presented by the applicants via objective measures, standards, and/or state codes.

In addition, I appreciate your research into "therapeutic" but, just to reiterate so I am conveying my question accurately, I feel it is appropriate and necessary for us not to make assumptions on the applicants intended meaning of the word. If the applicant is requesting accommodation based on a "therapeutic" model or basis then it should be clearly stated for all involved parties, decision making personnel and volunteers to understand what they mean by "therapeutic". It appears that it would be difficult to make a determination on accommodation for a condition that is not clearly understood or stated. We request that the applicant provide a clear description and statement of what they mean by "therapeutic" model and what benefit this is to the residents.

Thank you again for your time and we look forward to your review.

Kindest regards,
Tracey Stefanon and Ken Patrick

On 01/26/2022 9:01 AM Kai Kleer <kkleer@fcgov.com> wrote:

Hello Tracey and Ken,

They have submitted a response, though, I haven't had a chance to review it yet (our review deadline is February 1). I've attached the contents of their resubmittal package if it's helpful.

With respect to your question about what therapeutic means in their reasonable accommodation request, I did look to see if there were any specific state definitions for this and there were not. I dug into what therapeutic memory care means and generally found that it was defined as services provided by a licensed or certified memory care nurse or specialist that include:

- Art therapy
- Music therapy
- Pet therapy
- Aromatherapy
- Sensory stimulation
- Light therapy

Hopefully this helps and let me know if you have any questions about the material attached. I should have my review done by Monday next week.

Best,

. . . . . .

KAI KLEER, AICP
City Planner
City of Fort Collins

From: KEN PATRICK <traceyken@comcast.net>
Sent: Monday, January 24, 2022 5:03 PM
To: Kai Kleer <kkleer@fcgov.com>
Cc: Alyssa Stephens <astephens@fcgov.com>; Kurt Johnson <kjlbj@yahoo.com>; Lawrence Mauch & Karen Kotecki <kotecki_mauch@msn.com>; Troy Tafoya <troyt@pds-co.com>; Jesus Martin <JESSIEMARTIN_2000@yahoo.com>; Steve Chacho <schacho@aol.com>; Doug Salter <doug.salter@woodward.com>
Subject: [EXTERNAL] RE: Castle Ridge proposed project

Hello Kai,

Hope all is well with you. I am checking in to see if the applicants have submitted any response to questions both you and I posed noted in the letter I submitted to you and city leaders regarding traffic, parking, screening, etc.

In addition, has there been any explanation by the applicants of what they mean by "therapeutic" in their request for reasonable accommodation for the increased number of residents? I feel this is a significant issue as the word may be misconstrued or misinterpreted to imply that there is a medical or other care benefit that the residents receive by having 16 residents at the facility. As stated in my letter, the applicants are only meeting state minimum ratio for residents to staff with the staffing model. In the review process to the P&Z it should be clearly stated what the applicant is implying or stating with the use of the term "therapeutic" and what the benefit is to the residents.

I would be happy to send additional pictures if needed.

Thank you for your time.

Tracey Stefanon and Ken Patrick

> On 01/12/2022 9:25 AM Kai Kleer <kkleer@fcgov.com> wrote:
>
> ---
>
> Hello Tracey and Ken,
>
> Thank you for the time you spent reviewing the Castle Ridge

Group Home resubmittal and waiting on a response from me. Please see my responses to your comments below in green. City staff has a follow-up meeting with the applicant today in order to go over similar concerns.

Please feel free to reach out to me directly by calling 970-416-4284.

Sincerely,

Kai Kleer

From: KEN PATRICK <traceyken@comcast.net>
Sent: Thursday, January 06, 2022 8:48 PM
To: City Leaders <CityLeaders@fcgov.com>; Kai Kleer <kkleer@fcgov.com>; Alyssa Stephens <astephens@fcgov.com>; Kurt Johnson <kjlbj@yahoo.com>; Lawrence Mauch & Karen Kotecki <kotecki_mauch@msn.com>; Troy Tafoya <troyt@pds-co.com>; Jesus Martin <JESSIEMARTIN_2000@yahoo.com>; Steve Chacho <schacho@aol.com>; Doug Salter <doug.salter@woodward.com>
Subject: [EXTERNAL] Castle Ridge proposed project

Hello all,

This email is in response to the recent documents submitted for the Castle Ridge Group Home proposal. My family and I live in the home next door to this proposed project.

In review of the updated documents, they do not appear to include PFA comments regarding the proposed fire lane. The comment is that this has been "resolved". Please provide further information on how this is "resolved" as I do not see any documents with updated information. The last documentation from PFA noted that nearly the entire street on our side would need to be marked and zoned as a fire lane. If there has been an update or change in PFA response then we would appreciate access to the PFA response to review.

The status of the comment was changed to “resolved” to reflect the decision of the Chief Fire Marshal to withdraw the comment requiring the fire lane. Kurt Johnson has made a request to PFA for a release of the record, however, I’m unsure of where that request is within PFA’s process. The best person to contact about it would be Sarah Carter, Assistant Fire Marshal – she can be contacted at 970-290-6764 or sarah.carter@poudre-fire.org.

Additional comments on documents reviewed:

Comment 3: This is in regard to privacy measures on our side of the home. Applicants noted they would place a 72" trellis screen" in front of the bay window.

RESPONSE: There are actually two large bay windows and two room windows that directly face our property in the front. It is unclear if the trellis screen would be over both bay windows and no comment on screening of other windows. I request you receive clarification. We would appreciate the applicants provide other solutions in addition to trellis as well as a better conceptualization of what this would actually look like from our vantage point. The trellis does not appear to be consistent with the esthetics of the neighborhood. In addition, applicant notes "significant tree and plant material exists in southern neighbor's property that currently provides screening". This statement is incorrect. The tree and plant material does not provide screening of bay windows noted above nor does it provide screening along a significant portion along the property line in the backyard. The applicants state that "waterlines make planting along a portion of the house unfeasible". This does not include the privacy in the backyard area. The prior owners had plantings and a large tree in the area directly across the fence area in the applicants backyard. The tree and bushes have been removed prior to purchase of the home. It appears that the applicants should be able to provide tree and plant material on their side of the fence for screening.

Great feedback on this topic. City staff has consistently made comments regarding this that have gone unaddressed. We have a follow up meeting with the applicant to let them know that we will be recommending a condition to require additional landscape and screening elements on this and other sides of the property. My hope is that they respond with an update to their plan so that we do not have to craft a condition to address this. I'll mention you comments regarding the bay windows, trellis, lack of evergreen material, and back-yard landscaping. City staff comments largely align with what you've mentioned in your response.

Finally, the proposed wrought iron fence appears to be slated and therefore would not provide much in the way of screening or privacy nor, as far as I understand it, is it within HOA regulations.

Please see attached photos for details.

Staff is recommending the use of additional landscaping to provide screening because of the fence type.

Comment 8: This is in regards to trash. Applicant states laundry would be managed on site and medical waste as "pill bottles".

RESPONSE: It would seem unusual that there would not be more medical waste or biohazardous waste for a proposed memory care facility potentially serving 16 residents. Please request clarification from applicants.

Acknowledged. Staff has been pressing to get a full response on this.

Comment 14: This is in regards to traffic. The applicants do not appear to have responded entirely to the question regarding traffic. The request was to "really describe each individual element of traffic, i.e. deliveries, trash, employee, mail, etc.)".

RESPONSE: The amount of traffic and employees needed to run a facility such as this with a possible 16 residents appears to be grossly underrepresented or underestimated by the applicants. The number of staff noted is the state minimum for ratio of caregiver to resident. The applicants also discuss only 3 staff members per shift during the day. Again, this is the minimum required by the state for caregivers. The caregiver to staff ratio is designed for the caring of the residents and not facility tasks. Caregivers at similar facilities are not likely to also provide all food prep and cooking, food delivery, dishes, bed changes, laundry, housecleaning, yard maintenance, facility maintenance, etc.

Additional services performed at similar facilities who care for memory care residents include items such as pharmacy delivery, medication administration by certified personnel, oxygen and other durable medical equipment delivery and maintenance, occupational therapy, physical therapy, exercise class, activities or performances, etc. There is no comment or estimate to the amount of traffic and parking anticipated from such services. One of the applicants stated that she is a therapist by training and worked in several facilities who cared for similar residents. Do the applicants assume that none of their residents will need such services or activities? The residents will need continued medical care, dental care, eye/vision care, hearing care, etc. Will providers be coming on

site or will the residents be transported to these appointments? What about religious services or visits? What about resident outings or use of services in the community?

According to the Colorado Compendium of Residential Care and Assisted Living Regulations and Policy: 2015 Edition, "Facilities must provide protective oversight and a physically safe and sanitary environment; personal services (i.e., assistance with activities of daily living, instrumental activities of daily living, individualized social supervision, and transportation); and social and recreational services, both within the facility and in the local community, based on residents' interests".

The applicants state they will limit visitation, however, per Colorado Code of Regulations for Assisted Living (CCR 1011-1 Chapter 7, http://havenseniorliving.org/wp-content/uploads/2018/12/State-Rules-for-Assisted-Living-facilities.pdf) – section 13.1, A4 under residents rights indicate a "right to have visitors at any time". The applicants have noted that they will take residents who are on hospice care. Hospice patient visitation cannot be restricted. With the potential for 16 residents, some at the end of life, there is likely to be higher traffic levels and parking needs for visitation.

Traffic and parking for the additional services, visitation and for the complete operation of the facility need to be taken into consideration. The solution of carpooling, public transit (closest bus stop is nearly a mile away) and bike ridership does not appear to be a realistic solution for not only staff and visitors but for other traffic such as deliveries that may need closer parking. This neighborhood has only one entrance and exit point with a 3 court area with limited on street parking given driveways.

REQUEST: We request that the applicants provide a full and detailed traffic and parking description and that the planning and zoning department make assessment on accuracy when in comparison to similar facilities. Such an increase in traffic and parking in this neighborhood would substantially alter the nature, character and possibly the safety of the neighborhood. With such increase in business and visitation traffic and parking within the residential neighborhood there is a high likelihood that there would be parking on both sides of the narrow street thus likely impeding emergency response vehicles maneuvering. At current residential levels this is not an issue.

Great comment, City planning and traffic staff fully agree. The response to our request for additional information has been largely insufficient. We have a follow-up meeting with the applicant to see why this has gone unaddressed. Stay tuned.

Finally, as previously submitted, we are opposed to the determination of reasonable accommodation for 16 residents in a residential area due to significantly increased impact from a traffic, parking and safety as well as substantially changing the nature and character of the neighborhood.

Thank you for your comment.

Thank you for your time and consideration. Again, please see attachments for pictures of areas needing screening.

Please contact me if you have any questions or need further information.

Kindest regards,

Tracey Stefanon and Ken Patrick
642 Castle Ridge Ct.
Traceyken@comcast.net

From: Alyssa Stephens
To: Doug Salter; Kyle Stannert; KEN PATRICK; Lawrence Mauch & Karen Kotecki; Jesus Martin; Carrie Tafoya; Steve Sunderman; Steve Chacho; kdapw2015@gmail.com
Cc: Kai Kleer; Caryn M. Champine; Paul S. Sizemore
Subject: RE: [EXTERNAL] RE: RE: RE: RE: Re: Follow up on questions regarding Reasonable Accommodations (RA) Process & Next Steps
Date: Tuesday, January 04, 2022 3:47:53 PM
Attachments: image001.png
image002.png
image003.png
image004.png
image005.png

Hi Doug,
Your timing is impeccable! Staff just met today to discuss the most recent submittal. This project did not meet the deadline for the January hearing, but it is expected that they will meet the deadline for February. There is an unresolved issue related to screening that the applicant will need to address prior to hearing, but that is considered a "cleanup" item that would not require another full round of submittal/comment. The comment letter from staff to the applicants is still being finalized, but I'm happy to share it with you once it is complete.

Once you review the comment letter, I'm happy to work with you to route any additional comments or questions for either staff (for anything related to the requirements in the Land Use Code) or for the Planning & Zoning Commission (for anything related to approving or denying the application, or putting "conditions" on the project's approval). As I think I mentioned, the Planning & Zoning Commission will not receive any comments until the hearing has been scheduled and the packet created. They will not respond specifically to each individual written comment, but may reference comments in their discussion. Any comments that are given during the hearing (either over Zoom or in-person) will be noted, and the Commission will ask for responses from either City staff or the applicants.

I know there's been a lot of frustration and confusion around this process. I just want to reiterate that I am here as a resource to help you navigate the remainder of the project and prepare the hearing. Please let me know how I can be of assistance.

Best,

Alyssa Stephens MA
Neighborhood Development Liaison
City of Fort Collins Neighborhood Services
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From: Doug Salter <Doug.Salter@woodward.com>
Sent: Tuesday, January 4, 2022 9:15 AM
To: Alyssa Stephens <astephens@fcgov.com>; Kyle Stannert <kstannert@fcgov.com>; KEN PATRICK <traceyken@comcast.net>; Lawrence Mauch & Karen Kotecki <kotecki_mauch@msn.com>; Jesus Martin <JESSIEMARTIN_2000@yahoo.com>; Carrie Tafoya <ctafoya@pds-co.com>; Steve

Sunderman <srsunde@aol.com>; Steve Chacho <schacho@aol.com>; kdapw2015@gmail.com
Cc: Kai Kleer <kkleer@fcgov.com>; Caryn M. Champine <cchampine@fcgov.com>; Paul S. Sizemore <psizemore@fcgov.com>
Subject: RE: [EXTERNAL] RE: RE: RE: RE: Re: Follow up on questions regarding Reasonable Accommodations (RA) Process & Next Steps

Hi Alyssa,

Happy New Year!

Could you tell us whether the applicants have submitted their materials by the December 27th due date?

Best Regards / Sincères salutations / Mit freundlichen Grüßen / Z poważaniem / Поздрави
Douglas W. Salter
Chief Technology Officer

Woodward Inc.
1081 Woodward Way, Fort Collins, CO 80524, USA
Phone +1 970-498-3391, Mobile +1 970-481-4382
doug.salter@woodward.com
www.woodward.com

From: Alyssa Stephens <astephens@fcgov.com>
Sent: Friday, November 19, 2021 5:21 PM
To: Doug Salter <Doug.Salter@woodward.com>; Kyle Stannert <kstannert@fcgov.com>; KEN PATRICK <traceyken@comcast.net>; Lawrence Mauch & Karen Kotecki <kotecki_mauch@msn.com>; Jesus Martin <JESSIEMARTIN_2000@yahoo.com>; Carrie Tafoya <ctafoya@pds-co.com>; Steve Sunderman <srsunde@aol.com>; Steve Chacho <schacho@aol.com>; kdapw2015@gmail.com
Cc: Kai Kleer <kkleer@fcgov.com>; Caryn M. Champine <cchampine@fcgov.com>; Paul S. Sizemore <psizemore@fcgov.com>
Subject: [EXTERNAL] RE: RE: RE: RE: Re: Follow up on questions regarding Reasonable Accommodations (RA) Process & Next Steps

Hi Doug,
Apologies that it's taken me a few days to respond to this. I'm certainly glad to hear that you feel like you have a better grasp on the process! I've been reflecting a lot on your comment about feeling disenfranchised, and would like to take a few more days to put together some thoughtful ideas and responses for you and your neighborhood to what you shared below.

In the meantime, I'll confirm that this is a Type 2 application, and that we always commit to that two-week mailing period. I'll also share that it doesn't actually look like this project will be ready for

rd

hearing in December. Applicant materials are due this coming Tuesday (Nov 23) for the December hearing, and we're not anticipating that they will make that deadline. That may give us some more time to have a deeper dialogue about some of the neighborhood comments that you've shared with us, including concerns about parking, additional trips from visitors, delivery drivers, and emergency vehicles, etc. If they were ready for the January hearing, their materials would be due December 27th, and those notices would go out on January 6th.

I look forward to continuing this conversation, and hope that you have an enjoyable weekend.

Best,

Alyssa Stephens MA
Neighborhood Development Liaison
City of Fort Collins Neighborhood Services
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From: Doug Salter <Doug.Salter@woodward.com>
Sent: Sunday, November 14, 2021 8:18 PM
To: Alyssa Stephens <astephens@fcgov.com>; Kyle Stannert <kstannert@fcgov.com>; KEN PATRICK <traceyken@comcast.net>; Lawrence Mauch & Karen Kotecki <kotecki_mauch@msn.com>; Jesus Martin <JESSIEMARTIN_2000@yahoo.com>; Carrie Tafoya <ctafoya@pds-co.com>; Steve Sunderman <srsunde@aol.com>; Steve Chacho <schacho@aol.com>; kdapw2015@gmail.com
Cc: Kai Kleer <kkleer@fcgov.com>; Caryn M. Champine <cchampine@fcgov.com>; Paul S. Sizemore <psizemore@fcgov.com>; Julie Pignataro <jpignataro@fcgov.com>
Subject: RE: [EXTERNAL] RE: RE: RE: Re: Follow up on questions regarding Reasonable Accommodations (RA) Process & Next Steps

Hi Alyssa,

A lot to unpack in there. I think we understand the process. We simply feel quite disenfranchised by it. We will discuss as a group submitting a shorter, clearer set of comments in hopes that they actually get the attention afforded the applicants. We will also attend and make comments at the review meeting, and reserve our rights to appeal. The process specifically requires written notice be sent via the mail a minimum of two weeks prior to a hearing. We would appreciate that this is followed.

- To confirm this is a Type 2 application?
- As a result the City will have to mail out notices on December 2nd for the meeting to take place in December?

A couple of notes:

1. The Development Review Flow Chart is really written for the city and applicant not for the residents.
2. The Citizen's Role in Development Review shows seven (7) steps of which only three actually have any input by the residents.
    a. DRO didn't seem to happen.
    b. Neighborhood meeting is the only input to date. Although process envisions the possibility of a second neighborhood meeting, as far as we know it didn't happen?
    c. There is one (1) public meeting
    d. Then there is appeal
3. ***By which method can we ensure that specific concerns are being heard by the decision makers?***
    a. No real answer here. Again, as stated earlier, the applicant gets specific responses. It appears that the process intends for residents to be heard, but there is no mechanism to ensure that this actually takes place. This is disappointing.
4. ***The Request for Accommodation was granted without a chance for review or comment by the neighborhood. When and by what means can we express concerns? How will these concerns be documented? How can we be assured that they are read and considered?***
    a. Essentially the answer is that residents have no say. We are fully aware of the FHA and understand Colorado State laws in this regard. We fully support the fair and equal treatment of all in regards to race, color, religion, or national origin. We were very surprised that a decision was made that seems to set City Policy on density and focused heavily on the profitability of the applicants. This is disappointing.

Thanks for you time and continued effort,

Doug

Best Regards / Sincères salutations / Mit freundlichen Grüßen / Z poważaniem / Поздрави
Douglas W. Salter
Chief Technology Officer

Woodward Inc.
1081 Woodward Way, Fort Collins, CO 80524, USA
Phone +1 970-498-3391, Mobile +1 970-481-4382
doug.salter@woodward.com
www.woodward.com

From: Alyssa Stephens <astephens@fcgov.com>
Sent: Thursday, November 4, 2021 11:23 AM
To: Doug Salter <Doug.Salter@woodward.com>; Kyle Stannert <kstannert@fcgov.com>; KEN PATRICK <traceyken@comcast.net>; Lawrence Mauch & Karen Kotecki <kotecki_mauch@msn.com>; Jesus Martin <JESSIEMARTIN_2000@yahoo.com>; Carrie Tafoya <ctafoya@pds-co.com>; Steve

Sunderman <srsunde@aol.com>; Steve Chacho <schacho@aol.com>; kdapw2015@gmail.com
Cc: Kai Kleer <kkleer@fcgov.com>; Caryn M. Champine <cchampine@fcgov.com>; Paul S. Sizemore <psizemore@fcgov.com>; Julie Pignataro <jpignataro@fcgov.com>
Subject: [EXTERNAL] RE: RE: RE: Re: Follow up on questions regarding Reasonable Accommodations (RA) Process & Next Steps

Hi Doug,
Just wanted to check in and see if there was any other information I could provide at this stage. I know this is a lot to get through, and I'm happy to help however I can.

Best,

Alyssa Stephens MA
Neighborhood Development Liaison
City of Fort Collins Neighborhood Services
Submit a public comment| Track Development Proposals

From: Doug Salter <Doug.Salter@woodward.com>
Sent: Thursday, October 28, 2021 10:56 AM
To: Alyssa Stephens <astephens@fcgov.com>; Kyle Stannert <kstannert@fcgov.com>; KEN PATRICK <traceyken@comcast.net>; Lawrence Mauch & Karen Kotecki <kotecki_mauch@msn.com>; Jesus Martin <JESSIEMARTIN_2000@yahoo.com>; Carrie Tafoya <ctafoya@pds-co.com>; Steve Sunderman <srsunde@aol.com>; Steve Chacho <schacho@aol.com>; kdapw2015@gmail.com
Cc: Kai Kleer <kkleer@fcgov.com>; Caryn M. Champine <cchampine@fcgov.com>; Paul S. Sizemore <psizemore@fcgov.com>; Julie Pignataro <jpignataro@fcgov.com>
Subject: RE: [EXTERNAL] RE: RE: Re: Follow up on questions regarding Reasonable Accommodations (RA) Process & Next Steps

Hi Alyssa,

Thanks for the response. We appreciate it. It will take us a little time to unpack the answers and then to discuss. We all have day jobs…

We will get back to you with our thoughts and requests.

Best Regards / Sincères salutations / Mit freundlichen Grüßen / З поважаniем / Поздрави
Douglas W. Salter
Chief Technology Officer

Woodward Inc.
1081 Woodward Way, Fort Collins, CO 80524, USA
Phone +1 970-498-3391, Mobile +1 970-481-4382
doug.salter@woodward.com

www.woodward.com

WOODWARD

From: Alyssa Stephens <astephens@fcgov.com>
Sent: Thursday, October 28, 2021 10:34 AM
To: Kyle Stannert <kstannert@fcgov.com>; Doug Salter <Doug.Salter@woodward.com>; KEN PATRICK <traceyken@comcast.net>; Lawrence Mauch & Karen Kotecki <kotecki_mauch@msn.com>; Jesus Martin <JESSIEMARTIN_2000@yahoo.com>; Carrie Tafoya <ctafoya@pds-co.com>; Steve Sunderman <srsunde@aol.com>; Steve Chacho <schacho@aol.com>; kdapw2015@gmail.com
Cc: Kai Kleer <kkleer@fcgov.com>; Caryn M. Champine <cchampine@fcgov.com>; Paul S. Sizemore <psizemore@fcgov.com>
Subject: [EXTERNAL] RE: RE: Re: Follow up on questions regarding Reasonable Accommodations (RA) Process & Next Steps

Good morning, everyone!
I am attaching a document with written responses to the questions below. I would be happy to set up a phone call or Zoom to go through answers with folks if that is still of interest after reviewing this information. I know there is a LOT here, so I'm happy to answer follow-ups and can coordinate to make sure we have the right folks in the virtual "room" for any meetings.

Best,

Alyssa Stephens MA
Neighborhood Development Liaison
City of Fort Collins Neighborhood Services
Submit a public comment| Track Development Proposals

From: Kyle Stannert <kstannert@fcgov.com>
Sent: Sunday, October 24, 2021 8:40 PM
To: Doug Salter <Doug.Salter@woodward.com>; KEN PATRICK <traceyken@comcast.net>; Lawrence Mauch & Karen Kotecki <kotecki_mauch@msn.com>; Jesus Martin <JESSIEMARTIN_2000@yahoo.com>; Carrie Tafoya <ctafoya@pds-co.com>; Steve Sunderman <srsunde@aol.com>; Steve Chacho <schacho@aol.com>; kdapw2015@gmail.com
Cc: Kai Kleer <kkleer@fcgov.com>; Caryn M. Champine <cchampine@fcgov.com>; Paul S. Sizemore <psizemore@fcgov.com>; Alyssa Stephens <astephens@fcgov.com>
Subject: RE: [EXTERNAL] RE: Re: Follow up on questions regarding Reasonable Accommodations (RA) Process & Next Steps

Hello Doug -

I'm including Alyssa on this thread for her to coordinate a response. I understand not wanting to hold a meeting to discuss these, and will leave it to Alyssa and her team to follow-up in writing.

Kyle

KYLE STANNERT
Deputy City Manager
City Manager's Office
City of Fort Collins

From: Doug Salter <Doug.Salter@woodward.com>
Sent: Saturday, October 23, 2021 2:56 PM
To: Kyle Stannert <kstannert@fcgov.com>; KEN PATRICK <traceyken@comcast.net>; Lawrence Mauch & Karen Kotecki <kotecki_mauch@msn.com>; Jesus Martin <JESSIEMARTIN_2000@yahoo.com>; Carrie Tafoya <ctafoya@pds-co.com>; Steve Sunderman <srsunde@aol.com>; Steve Chacho <schacho@aol.com>; kdapw2015@gmail.com
Cc: Kai Kleer <kkleer@fcgov.com>; Caryn M. Champine <cchampine@fcgov.com>; Paul S. Sizemore <psizemore@fcgov.com>
Subject: RE: [EXTERNAL] RE: Re: Follow up on questions regarding Reasonable Accommodations (RA) Process & Next Steps

Hi Kyle,

Here are our questions. In general, we are concerned that Alyssa will not be able to answer these questions, and we are concerned that the city will assume that you are answering our questions by simply setting up a meeting which does not meet our requests. Again, to date we believe we are fully disenfranchised from this process. You will note that we are asking for answers in writing. The city provides written responses to the applicant.

1. *We would appreciate an overview of the process. Specifically:*
    a. *Who are the ultimate decision makers on granting a permit for the Memory Care facility?*
    b. *By which method can we ensure that specific concerns are being heard by the decision makers?*
2. *The Request for Accommodation was granted without a chance for review or comment by the neighborhood.*

    a. *When and by what means can we express concerns?*
        i. *How will these concerns be documented?*
        ii. *How can we be assured that they are read and considered?*

3. *If there are blatant inconsistencies in the application for the Memory Care facility, how do we go about having them removed from the application?*
    a. *Ex: the applicants stated that they had talked to the neighbors and the neighbors were in favor of the home. During the one and only neighborhood meeting they admitted that this was not true.*
    b. *It is very concerning that an admitted falsehood would remain in the application for decision makers to read.*

4. *The neighbors have submitted a series of comments*

    a. *How are they documented as received?*
    b. *How are they documented to have been read?*
    c. *Who has read which documents?*

4. *Is there a preferred method of submitting concerns such that we can ensure that they are being reviewed?*

    a. *To date all we know is that the applicants' application and request for accommodation have been read.*

5. *We would appreciate our questions being answered in writing and then followed up with call to discuss that answers.*

Best Regards / Sincères salutations / Mit freundlichen Grüßen / Z poważaniem / Поздрави
Douglas W. Salter
Chief Technology Officer

Woodward Inc.
1081 Woodward Way, Fort Collins, CO 80524, USA
Phone +1 970-498-3391, Mobile +1 970-481-4382
doug.salter@woodward.com
www.woodward.com

From: Kyle Stannert <kstannert@fcgov.com>
Sent: Wednesday, October 13, 2021 6:14 AM
To: KEN PATRICK <traceyken@comcast.net>; Doug Salter <Doug.Salter@woodward.com>; Lawrence Mauch & Karen Kotecki <kotecki_mauch@msn.com>; Jesus Martin <JESSIEMARTIN_2000@yahoo.com>; Carrie Tafoya <ctafoya@pds-co.com>; Steve Sunderman <srsunde@aol.com>; Steve Chacho <schacho@aol.com>; kdapw2015@gmail.com
Cc: Kai Kleer <kkleer@fcgov.com>; Caryn M. Champine <cchampine@fcgov.com>; Paul S. Sizemore <psizemore@fcgov.com>
Subject: [EXTERNAL] RE: Re: Follow up on questions regarding Reasonable Accommodations (RA) Process & Next Steps

Tracey –

Absolutely understand the concern about 'looping' back to the same point, and we don't want that either. Doug had chimed in with the suggestion of submitting questions ahead of the meeting to help focus the converation. That would also help Alyssa have answers on hand, or perhaps even bring another resource with her into the meeting. While I know that would take a bit more up-front work on all sides, it would help the outcome of the meeting.

Kyle

KYLE STANNERT
Deputy City Manager
City Manager's Office
City of Fort Collins

From: KEN PATRICK <traceyken@comcast.net>
Sent: Monday, October 11, 2021 1:00 PM
To: Kyle Stannert <kstannert@fcgov.com>; Doug Salter <Doug.Salter@woodward.com>; Lawrence Mauch & Karen Kotecki <kotecki_mauch@msn.com>; Jesus Martin <JESSIEMARTIN_2000@yahoo.com>; Carrie Tafoya <ctafoya@pds-co.com>; Steve Sunderman <srsunde@aol.com>; Steve Chacho <schacho@aol.com>; kdapw2015@gmail.com
Cc: Kai Kleer <kkleer@fcgov.com>; Caryn M. Champine <cchampine@fcgov.com>; Paul S. Sizemore <psizemore@fcgov.com>
Subject: [EXTERNAL] Re: Follow up on questions regarding Reasonable Accommodations (RA) Process & Next Steps

Thank you Kyle. We have been in contact with Alyssa all along the way in the project. She has been the main point of contact for the neighbors. We were not feeling heard, nor have we been provided with information on how and who was/were notified, or provided with, all of the comments, concerns and submissions sent forward. There were key documents omitted from the original package sent to us. It was due to these concerns that we elevated our voice to city council. Now we are once again referred back to go through Alyssa with our questions. Frustrating.

I have concerns that Alyssa may not be able to address our questions, many of which revolve around the details of how our voice (comments, concerns, responses to proposals, etc.) has been reviewed in the chain of command. In addition, I believe we would like information on who, if anyone, in the city is responsible for reviewing the project, as proposed by the applicants, for accuracy and reasonable representation. Several of our concerns revolve around the accuracy and representation of the project and how that contradicts what was discussed at the neighborhood meeting and what we know about what is involved in providing care for similar populations, both from a personal and professional standpoint.

If Alyssa is able to address these and similar questions, in addition to timeline and location information, then a meeting with her may be beneficial. If not, then I would request an alternative solution.

Respectfully,

Tracey Stefanon

On 10/10/2021 10:30 AM Kyle Stannert <kstannert@fcgov.com> wrote:

Good morning,

Alyssa confirmed that she remains avaliable to meet with you and your neighbors to answer your questions regarding next steps in the recent reasonable accommodation (RA), as well as receive feedback on the process overall. As she'll be able to explain, there are differences between what is followed for a RA process and the city's Development Review Process, and staff is interested in feedback to inform possible revisions to bring forward.

Alyssa (cc'd on this email or avaliable directly at astephens@fcgov.com) is available to either schedule a meeting for your entire neighborhood or a sub-set, and appreciated Doug's offer to provide a consolidated list of questions ahead of time to help make sure she is able to address the points of interest and make best use of your time.

This sounds like the best next step to help make sure clear answers can be provided. And while I don't want my calendar to be a barrier to have the conversation takes place, I'll plan to join if I'm able.

Sincerely,
Kyle

KYLE STANNERT
Deputy City Manager
City Manager's Office
City of Fort Collins

From: Kyle Stannert
Sent: Friday, October 8, 2021 6:58 AM
To: Doug Salter <Doug.Salter@woodward.com>; KEN PATRICK <traceyken@comcast.net>; Lawrence Mauch & Karen Kotecki <kotecki_mauch@msn.com>; Jesus Martin <JESSIEMARTIN_2000@yahoo.com>; Carrie Tafoya <ctafoya@pds-co.com>; Steve Sunderman <srsunde@aol.com>; Steve Chacho <schacho@aol.com>; kdapw2015@gmail.com
Subject: RE: [EXTERNAL] RE: City Council meeting citizen participation 9/7

Good morning Doug, Tracey and all –

I am absolutely sorry for not responding to your email on September 13. As I re-read it, I can see that you were looking for some assurance that you would be heard. What I interpreted when I first saw it was that Alyssa had connected with you for a meeting, which seemed like a positive step. My hope had been this helped clarify the process and how your feedback would be applied.

Let me circle back with PDT staff today to ensure the offer to meet with Alyssa is still timely (I'm certain it is) and to see what options there are to bring together a set of questions as Doug proposes below. I'll aim to respond again today, if not this weekend.

Kyle

KYLE STANNERT
Deputy City Manager
City Manager's Office
City of Fort Collins

From: Doug Salter <Doug.Salter@woodward.com>
Sent: Thursday, October 7, 2021 3:33 PM
To: KEN PATRICK <traceyken@comcast.net>; Kyle Stannert <kstannert@fcgov.com>; City Leaders <CityLeaders@fcgov.com>; Lawrence Mauch & Karen Kotecki <kotecki_mauch@msn.com>; Jesus Martin <JESSIEMARTIN_2000@yahoo.com>; Carrie Tafoya <ctafoya@pds-co.com>; Steve Sunderman <srsunde@aol.com>; Steve Chacho <schacho@aol.com>
Cc: kdapw2015@gmail.com
Subject: RE: [EXTERNAL] RE: City Council meeting citizen participation 9/7

Hi Kyle,

I would like to echo Tracey's comments below. When you and I talked outside of the City Council Meeting in September, you made the comment that items submitted "would be included as part of the package". Because we are not in the process, not familiar with the process, and not allowed to even discuss at an open Council meeting, we collectively feel disenfranchised by the process. I don't believe this is the intent, but it is the consistent perception with which we are left. Alyssa Stephens, the Neighborhood Development Liaison has offered to walk us through the process. This would be a good thing to schedule and hold if it included some lifting of the veil into how our concerns are reviewed and considered.

Unfortunately, to date, we have had one neighborhood meeting with the city and the applicant, and elsewise have been simply informed of events. The process appears to be between the city and the applicant only. The applicant submits, the city responds, and the applicant resubmits. Please note:

1. In the email chain below we have been informed that we are not allowed, by process, to speak of this item at the City Council.
2. We are forbidden, by process, to appeal, inquire on, or have input to the "Reasonable Accommodation" process

I think I can speak for the neighborhood when I say that we would be happy to consolidate our questions and concerns into a single list if we had an understanding of how they are reviewed and some assurance of a reasonable response. If for some reason, by process, the city is not allowed to respond, it, at a minimum, is a common

courtesy to let us know.

Thank you for your attention to this matter.

Best Regards / Sincères salutations / Mit freundlichen Grüßen / Z poważaniem / Поздрави

Douglas W. Salter
Chief Technology Officer

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1081 Woodward Way, Fort Collins, CO 80524, USA
Phone +1 970-498-3391, Mobile +1 970-481-4382
doug.salter@woodward.com
www.woodward.com

From: KEN PATRICK <traceyken@comcast.net>
Sent: Thursday, October 7, 2021 12:58 PM
To: Kyle Stannert <kstannert@fcgov.com>; CityLeaders@fcgov.com; Doug Salter <Doug.Salter@woodward.com>; Lawrence Mauch & Karen Kotecki <kotecki_mauch@msn.com>; Jesus Martin <JESSIEMARTIN_2000@yahoo.com>; Carrie Tafoya <ctafoya@pds-co.com>; Steve Sunderman <srsunde@aol.com>; Steve Chacho <schacho@aol.com>
Subject: [EXTERNAL] RE: City Council meeting citizen participation 9/7

Hello Kyle,

I am sending this email a third time in hopes to receive a response. Please see email sent to you 9/13 and sent again one week later. In reminder, several neighbors attended city council meeting on 9/7 to discuss our concerns regarding a business project at 636 Castle Ridge Ct. in our residential neighborhood. You met with us after the meeting and assured us that our concerns would be heard. I sent you the email (see below) with no response.

We, as neighbors, have sent numerous responses to city employees regarding our concerns about this project, following due process as it was explained to us. Yet, there is no evidence that supports that anyone directly involved in the decision making are actually receiving them and taking them into consideration. We have received no direct feedback on our comments or concerns from those directly involved in the project. There are notable inconsistencies in the proposal and significant impacts to our neighborhood that are not being addressed.

We have been told that our comments and feedback have been included

in the project evaluation. We are requesting a list of the comments and feedback that have been received and included in the project file for our assessment to check whether these have been forwarded to appropriate decision makers as we formulate our next steps forward. Please send any information that would note how we would be assured that the comments, concerns and responses were actually read.

We have been asked to submit additional comments on the most recent submissions for the project, yet we have no objective evidence that any of our comments, concerns or submissions thus far have been heard or taken into consideration.

Thank you in advance for your time.

Tracey Stefanon

On 09/13/2021 8:28 PM KEN PATRICK <traceyken@comcast.net> wrote:

Good evening Kyle,

Thank you for your response. Unfortunately, it was not received timely enough to change our plans to attend the meeting. I was at work at all day attending a busy clinic then home to scoop up the family to get to the meeting on time. My personal email was not checked so close to the meeting.

I appreciate your time after the meeting to speak with our neighborhood members that attended. This has been frustrating and stressful for all of us to say the least. The most frustrating piece is what appears to be such an arbitrary determination on the part Mr. Sizemore in the RA determination. It is mind boggling that one city director can have such unabridged authority to make a determination twice the limit of the current municipal code without any accountability. This determination will not only have dire consequences for our neighborhood, but risks setting a new precedent in the city and likely front range as you can be sure other businesses will be citing this case in future requests. Based on criteria Mr. Sizemore used, it would be difficult for the city to argue that any request would be unreasonable. All of this without any voter or citizen input or oversight.

We as a neighborhood have been involved since as soon as we found out that a business purchased the home with the intent to have a "memory care" operating in the single family home. The owners noted in their initial proposal that they had spoken to neighbors about the project and that we were ok.

This was a flat out lie...from the start and every step further. This was followed by a neighborhood meeting where the business owners were inconsistent in their presentation and appeared to be misrepresenting the project. This has been the case the whole way through. We have submitted significant concerns about the project and proposal from the beginning, but it does not appear that any of these submissions have been reviewed or taken into consideration. The documents for the project from planning and zoning have not been uploaded timely or in entirety to review. We have just received a new email from Alyssa Stephens reaching out and offering a meeting. To what end? It does not appear that any of the submitted concerns have been taken into consideration. Now there are a new round of documents to review and we are to submit additional concerns???

We are concerned that the city is not doing its due diligence in investigating this project. What they have presented and what they are doing are not the same and the project is moving forward. They are doing construction inside and out. The project is based on the 16 accommodation. Why would there be no appeal process to a key component of the planning and zoning evaluation and proposal submissions? Why would we have to wait to the end of the process to appeal? We have been told we cannot appeal the decisions, nor can we present to city council. How does the average citizen navigate this arduous process? How does the average citizen wade through these city documents and processes to be heard? The city has to take into account all involved parties, not just businesses with lawyers spearheading their interests. We have been guided by city employees to legal resources. It seems that the only way to be heard by the city is to be represented.

I urge you to take a close look at the project and do due diligence to investigate the project thoroughly including proposal, the RA and multitude of requests from the business owners which will ultimately be at the expense of the neighbors and the neighborhood.

Regards,
Tracey Stefanon

> On 09/07/2021 4:43 PM Kyle Stannert <kstannert@fcgov.com> wrote:
>
> Good evening Tracey,

Thank you for your email to City Leaders and for clarifying the intent to allow multiple neighbors to voice your concerns at tonight's meeting. While your email does not specifically address the topic of concern, I wanted to reach out in the event that the focus of testimony is a project that is going through the city's development review process. As your inquiry about seeking additional time was circulated, someone noted that the topic could be related to a matter at 636 Castle Ridge Court, which has an associated Project Development Plan application that has been submitted and is under review.

If that is the case, there is a chance that the project may be later appealed to the City Council for a Quasi-Judicial matter (in short, meaning the Council holds an administrative hearing upon) and because of that role the Council meeting rules do not allow for public comment cannot about the project at this time. While comments can be sent to devreviewcomments@fcgov.com, which will then be included within the record considered by Council if the matter is appealed, they cannot receive direct testimony at tonight's meeting.

I wanted to make sure you and your neighbors were aware that testimony cannot be received tonight on that topic in the event this is what you intend to speak on as soon as possible, and hopefully before you come to City Hall tonight. While you are of course welcome to attend the meeting, we don't want you to make the trip only to then learn you are unable to speak on the topic of 636 Castle Ridge Court.

If you intend to speak on any other topic, please disregard the above. If you have any questions or need additional information, please feel free to call me tonight. The best number to catch me on before the meeting begins at 6 pm will be my cell phone, which is 425-418-5385.

Sincerely,

Kyle

--
Kyle Stannert
Deputy City Manager

City of Fort Collins

From: KEN PATRICK <traceyken@comcast.net>
Sent: Tuesday, September 7, 2021 10:30 AM
To: City Leaders <CityLeaders@fcgov.com>; Tammi Pusheck <tpusheck@fcgov.com>; Tyler Marr <tmarr@fcgov.com>
Subject: [EXTERNAL] City Council meeting citizen participation 9/7

Good morning,

Julie from the city clerks office recommended notifying you all of the plan to attend the city council meeting this evening for citizen participation to discuss an issue important to our neighborhood. There will be multiple neighbors present and additional members attending via Zoom. There are 3-4 of us that plan to speak at the meeting to represent our neighborhood as to give you a more consolidated voice of our concerns. We are requesting that we may have some additional time each to speak on behalf of our neighborhood.

We thank you in advance for your time and consideration.

Kindest regards,
Tracey Stefanon

***
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The information in this email is confidential and intended solely for the individual or entity to whom it is addressed. If you have received this email in error please notify the sender by return e-mail, delete this email, and refrain from any disclosure or action based on the information.
***

From:	KEN PATRICK
To:	Doug Salter; Alyssa Stephens; Kyle Stannert; Lawrence Mauch & Karen Kotecki; Jesus Martin; Carrie Tafoya; Steve Sunderman; Steve Chacho; kdapw2015@gmail.com
Cc:	Kai Kleer; Caryn M. Champine; Paul S. Sizemore
Subject:	RE: [EXTERNAL] RE: RE: RE: RE: RE: Re: Follow up on questions regarding Reasonable Accommodations (RA) Process & Next Steps
Date:	Thursday, January 06, 2022 5:14:57 PM
Attachments:	image001.png image002.png image003.png image004.png image005.png image012.png

It seems like the traffic question was not answered in entirety as well. I am planning on send a response letter with attachments of pictures from our house as the screening issue has not be covered appropriately.

Tracey

> On 01/06/2022 7:16 AM Doug Salter <doug.salter@woodward.com> wrote:
>
> Thanks Alyssa,
>
> We appreciate the follow up.
>
> **Best Regards / Sincères salutations / Mit freundlichen Grüßen / Z poważaniem / Поздрави**
>
> **Douglas W. Salter**
> Chief Technology Officer
>
> **Woodward Inc.**
> 1081 Woodward Way, Fort Collins, CO 80524, USA
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> doug.salter@woodward.com
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> WOODWARD

From: Alyssa Stephens <astephens@fcgov.com>
Sent: Tuesday, January 4, 2022 3:48 PM
To: Doug Salter <Doug.Salter@woodward.com>; Kyle Stannert <kstannert@fcgov.com>; KEN PATRICK <traceyken@comcast.net>; Lawrence Mauch & Karen Kotecki <kotecki_mauch@msn.com>; Jesus Martin <JESSIEMARTIN_2000@yahoo.com>; Carrie Tafoya <ctafoya@pds-co.com>; Steve Sunderman <srsunde@aol.com>; Steve Chacho <schacho@aol.com>; kdapw2015@gmail.com
Cc: Kai Kleer <kkleer@fcgov.com>; Caryn M. Champine <cchampine@fcgov.com>; Paul S. Sizemore <psizemore@fcgov.com>
Subject: [EXTERNAL] RE: RE: RE: RE: RE: Re: Follow up on questions regarding Reasonable Accommodations (RA) Process & Next Steps

Hi Doug,

Your timing is impeccable! Staff just met today to discuss the most recent submittal. This project did not meet the deadline for the January hearing, but it is expected that they will meet the deadline for February. There is an unresolved issue related to screening that the applicant will need to address prior to hearing, but that is considered a "cleanup" item that would not require another full round of submittal/comment. The comment letter from staff to the applicants is still being finalized, but I'm happy to share it with you once it is complete.

Once you review the comment letter, I'm happy to work with you to route any additional comments or questions for either staff (for anything related to the requirements in the Land Use Code) or for the Planning & Zoning Commission (for anything related to approving or denying the application, or putting "conditions" on the project's approval). As I think I mentioned, the Planning & Zoning Commission will not receive any comments until the hearing has been scheduled and the packet created. They will not respond specifically to each individual written comment, but may reference comments in their discussion. Any comments that are given during the hearing (either over Zoom or in-person) will be noted, and the Commission will ask for responses from either City staff or the applicants.

I know there's been a lot of frustration and confusion around this process. I just want to reiterate that I am here as a resource to help you navigate the remainder of the project and prepare the hearing. Please let me know how I can be of assistance.

Best,

Alyssa Stephens MA

Neighborhood Development Liaison

City of Fort Collins Neighborhood Services

Submit a public comment| Track Development Proposals

From: Doug Salter <Doug.Salter@woodward.com>
Sent: Tuesday, January 4, 2022 9:15 AM
To: Alyssa Stephens <astephens@fcgov.com>; Kyle Stannert <kstannert@fcgov.com>; KEN PATRICK <traceyken@comcast.net>; Lawrence Mauch & Karen Kotecki <kotecki_mauch@msn.com>; Jesus Martin <JESSIEMARTIN_2000@yahoo.com>; Carrie Tafoya <ctafoya@pds-co.com>; Steve Sunderman <srsunde@aol.com>; Steve Chacho <schacho@aol.com>; kdapw2015@gmail.com
Cc: Kai Kleer <kkleer@fcgov.com>; Caryn M. Champine <cchampine@fcgov.com>; Paul S. Sizemore <psizemore@fcgov.com>
Subject: RE: [EXTERNAL] RE: RE: RE: RE: Re: Follow up on questions regarding Reasonable Accommodations (RA) Process & Next Steps

Hi Alyssa,

Happy New Year!

Could you tell us whether the applicants have submitted their materials by the December 27th due date?

Best Regards / Sincères salutations / Mit freundlichen Grüßen / Z poważaniem / Поздрави

Douglas W. Salter
Chief Technology Officer

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1081 Woodward Way, Fort Collins, CO 80524, USA
Phone +1 970-498-3391, Mobile +1 970-481-4382

doug.salter@woodward.com

www.woodward.com

From: Alyssa Stephens <astephens@fcgov.com>
Sent: Friday, November 19, 2021 5:21 PM
To: Doug Salter <Doug.Salter@woodward.com>; Kyle Stannert <kstannert@fcgov.com>; KEN PATRICK <traceyken@comcast.net>; Lawrence Mauch & Karen Kotecki <kotecki_mauch@msn.com>; Jesus Martin <JESSIEMARTIN_2000@yahoo.com>; Carrie Tafoya <ctafoya@pds-co.com>; Steve Sunderman <srsunde@aol.com>; Steve Chacho <schacho@aol.com>; kdapw2015@gmail.com
Cc: Kai Kleer <kkleer@fcgov.com>; Caryn M. Champine <cchampine@fcgov.com>; Paul S. Sizemore <psizemore@fcgov.com>
Subject: [EXTERNAL] RE: RE: RE: RE: Re: Follow up on questions regarding Reasonable Accommodations (RA) Process & Next Steps

Hi Doug,

Apologies that it's taken me a few days to respond to this. I'm certainly glad to hear that you feel like you have a better grasp on the process! I've been reflecting a lot on your comment about feeling disenfranchised, and would like to take a few more days to put together some thoughtful ideas and responses for you and your neighborhood to what you shared below.

In the meantime, I'll confirm that this is a Type 2 application, and that we always commit to that two-week mailing period. I'll also share that it doesn't actually look like this project will be ready for hearing in December. Applicant materials are due this coming Tuesday (Nov 23rd) for the December hearing, and we're not anticipating that they will make that deadline. That may give us some more time to have a deeper dialogue about some of the neighborhood comments that you've shared with us, including concerns about parking, additional trips from visitors, delivery drivers, and emergency vehicles, etc. If they were ready for the January hearing, their materials would be due December 27th, and those notices would go out on January 6th.

I look forward to continuing this conversation, and hope that you have an enjoyable weekend.

Best,

Alyssa Stephens MA

Neighborhood Development Liaison

City of Fort Collins Neighborhood Services

Submit a public comment| Track Development Proposals

From: Doug Salter <Doug.Salter@woodward.com>
Sent: Sunday, November 14, 2021 8:18 PM
To: Alyssa Stephens <astephens@fcgov.com>; Kyle Stannert <kstannert@fcgov.com>; KEN PATRICK <traceyken@comcast.net>; Lawrence Mauch & Karen Kotecki <kotecki_mauch@msn.com>; Jesus Martin <JESSIEMARTIN_2000@yahoo.com>; Carrie Tafoya <ctafoya@pds-co.com>; Steve Sunderman <srsunde@aol.com>; Steve Chacho <schacho@aol.com>; kdapw2015@gmail.com
Cc: Kai Kleer <kkleer@fcgov.com>; Caryn M. Champine <cchampine@fcgov.com>; Paul S. Sizemore <psizemore@fcgov.com>; Julie Pignataro <jpignataro@fcgov.com>
Subject: RE: [EXTERNAL] RE: RE: RE: Re: Follow up on questions regarding Reasonable Accommodations (RA) Process & Next Steps

Hi Alyssa,

A lot to unpack in there. I think we understand the process. We simply feel quite disenfranchised by it. We will discuss as a group submitting a shorter, clearer set

of comments in hopes that they actually get the attention afforded the applicants. We will also attend and make comments at the review meeting, and reserve our rights to appeal. The process specifically requires written notice be sent via the mail a minimum of two weeks prior to a hearing. We would appreciate that this is followed.

- To confirm this is a Type 2 application?
- As a result the City will have to mail out notices on December 2nd for the meeting to take place in December?

A couple of notes:

1. The Development Review Flow Chart is really written for the city and applicant not for the residents.
2. The Citizen's Role in Development Review shows seven (7) steps of which only three actually have any input by the residents.
    a. DRO didn't seem to happen.
    b. Neighborhood meeting is the only input to date. Although process envisions the possibility of a second neighborhood meeting, as far as we know it didn't happen?
    c. There is one (1) public meeting
    d. Then there is appeal
3. ***By which method can we ensure that specific concerns are being heard by the decision makers?***
    a. No real answer here. Again, as stated earlier, the applicant gets specific responses. It appears that the process intends for residents to be heard, but there is no mechanism to ensure that this actually takes place. This is disappointing.
4. ***The Request for Accommodation was granted without a chance for review or comment by the neighborhood. When and by what means can we express concerns? How will these concerns be documented? How can we be assured that they are read and considered?***
    a. Essentially the answer is that residents have no say. We are fully aware of the FHA and understand Colorado State laws in this regard. We fully support the fair and equal treatment of all in regards to race, color, religion, or national origin. We were very surprised that a decision was made that seems to set City Policy on density and focused heavily on the profitability of the applicants. This is disappointing.

Thanks for you time and continued effort,

Doug

Best Regards / Sincères salutations / Mit freundlichen Grüßen / Z

poważaniem / Поздрави

Douglas W. Salter
Chief Technology Officer

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From: Alyssa Stephens <astephens@fcgov.com>
Sent: Thursday, November 4, 2021 11:23 AM
To: Doug Salter <Doug.Salter@woodward.com>; Kyle Stannert <kstannert@fcgov.com>; KEN PATRICK <traceyken@comcast.net>; Lawrence Mauch & Karen Kotecki <kotecki_mauch@msn.com>; Jesus Martin <JESSIEMARTIN_2000@yahoo.com>; Carrie Tafoya <ctafoya@pds-co.com>; Steve Sunderman <srsunde@aol.com>; Steve Chacho <schacho@aol.com>; kdapw2015@gmail.com
Cc: Kai Kleer <kkleer@fcgov.com>; Caryn M. Champine <cchampine@fcgov.com>; Paul S. Sizemore <psizemore@fcgov.com>; Julie Pignataro <jpignataro@fcgov.com>
Subject: [EXTERNAL] RE: RE: RE: Re: Follow up on questions regarding Reasonable Accommodations (RA) Process & Next Steps

Hi Doug,

Just wanted to check in and see if there was any other information I could provide at this stage. I know this is a lot to get through, and I'm happy to help however I can.

Best,

Alyssa Stephens MA

Neighborhood Development Liaison

City of Fort Collins Neighborhood Services

Submit a public comment| Track Development Proposals

From: Doug Salter <Doug.Salter@woodward.com>
Sent: Thursday, October 28, 2021 10:56 AM
To: Alyssa Stephens <astephens@fcgov.com>; Kyle Stannert <kstannert@fcgov.com>; KEN PATRICK <traceyken@comcast.net>; Lawrence Mauch & Karen Kotecki <kotecki_mauch@msn.com>; Jesus Martin <JESSIEMARTIN_2000@yahoo.com>; Carrie Tafoya <ctafoya@pds-co.com>; Steve Sunderman <srsunde@aol.com>; Steve Chacho <schacho@aol.com>; kdapw2015@gmail.com
Cc: Kai Kleer <kkleer@fcgov.com>; Caryn M. Champine <cchampine@fcgov.com>; Paul S. Sizemore <psizemore@fcgov.com>; Julie Pignataro <jpignataro@fcgov.com>
Subject: RE: [EXTERNAL] RE: RE: Re: Follow up on questions regarding Reasonable Accommodations (RA) Process & Next Steps

Hi Alyssa,

Thanks for the response. We appreciate it. It will take us a little time to unpack the answers and then to discuss. We all have day jobs…

We will get back to you with our thoughts and requests.

Best Regards / Sincères salutations / Mit freundlichen Grüßen / Z poważaniem / Поздрави

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From: Alyssa Stephens <astephens@fcgov.com>
Sent: Thursday, October 28, 2021 10:34 AM
To: Kyle Stannert <kstannert@fcgov.com>; Doug Salter <Doug.Salter@woodward.com>; KEN PATRICK <traceyken@comcast.net>; Lawrence Mauch & Karen Kotecki <kotecki_mauch@msn.com>; Jesus Martin <JESSIEMARTIN_2000@yahoo.com>; Carrie Tafoya <ctafoya@pds-co.com>; Steve Sunderman <srsunde@aol.com>; Steve Chacho <schacho@aol.com>; kdapw2015@gmail.com
Cc: Kai Kleer <kkleer@fcgov.com>; Caryn M. Champine <cchampine@fcgov.com>; Paul S. Sizemore <psizemore@fcgov.com>
Subject: [EXTERNAL] RE: RE: Re: Follow up on questions regarding Reasonable Accommodations (RA) Process & Next Steps

Good morning, everyone!

I am attaching a document with written responses to the questions below. I would be happy to set up a phone call or Zoom to go through answers with folks if that is still of interest after reviewing this information. I know there is a LOT here, so I'm happy to answer follow-ups and can coordinate to make sure we have the right folks in the virtual "room" for any meetings.

Best,

Alyssa Stephens MA

Neighborhood Development Liaison

City of Fort Collins Neighborhood Services

Submit a public comment| Track Development Proposals

From: Kyle Stannert <kstannert@fcgov.com>
Sent: Sunday, October 24, 2021 8:40 PM
To: Doug Salter <Doug.Salter@woodward.com>; KEN PATRICK <traceyken@comcast.net>; Lawrence Mauch & Karen Kotecki <kotecki_mauch@msn.com>; Jesus Martin <JESSIEMARTIN_2000@yahoo.com>; Carrie Tafoya <ctafoya@pds-co.com>; Steve Sunderman <srsunde@aol.com>; Steve Chacho <schacho@aol.com>; kdapw2015@gmail.com
Cc: Kai Kleer <kkleer@fcgov.com>; Caryn M. Champine <cchampine@fcgov.com>; Paul S. Sizemore <psizemore@fcgov.com>; Alyssa Stephens <astephens@fcgov.com>
Subject: RE: [EXTERNAL] RE: Re: Follow up on questions regarding Reasonable Accommodations (RA) Process & Next Steps

Hello Doug -

I'm including Alyssa on this thread for her to coordinate a response. I understand not wanting to hold a meeting to discuss these, and will leave it to Alyssa and her team to follow-up in writing.

Kyle

. . . . . .
KYLE STANNERT
Deputy City Manager

City Manager's Office

City of Fort Collins

From: Doug Salter <Doug.Salter@woodward.com>
Sent: Saturday, October 23, 2021 2:56 PM
To: Kyle Stannert <kstannert@fcgov.com>; KEN PATRICK <traceyken@comcast.net>; Lawrence Mauch & Karen Kotecki

<kotecki_mauch@msn.com>; Jesus Martin <JESSIEMARTIN_2000@yahoo.com>; Carrie Tafoya <ctafoya@pds-co.com>; Steve Sunderman <srsunde@aol.com>; Steve Chacho <schacho@aol.com>; kdapw2015@gmail.com
Cc: Kai Kleer <kkleer@fcgov.com>; Caryn M. Champine <cchampine@fcgov.com>; Paul S. Sizemore <psizemore@fcgov.com>
Subject: RE: [EXTERNAL] RE: Re: Follow up on questions regarding Reasonable Accommodations (RA) Process & Next Steps

Hi Kyle,

Here are our questions. In general, we are concerned that Alyssa will not be able to answer these questions, and we are concerned that the city will assume that you are answering our questions by simply setting up a meeting which does not meet our requests. Again, to date we believe we are fully disenfranchised from this process. You will note that we are asking for answers in writing. The city provides written responses to the applicant.

1. *We would appreciate an overview of the process. Specifically:*
    a. *Who are the ultimate decision makers on granting a permit for the Memory Care facility?*
    b. *By which method can we ensure that specific concerns are being heard by the decision makers?*
2. *The Request for Accommodation was granted without a chance for review or comment by the neighborhood.*

    a. *When and by what means can we express concerns?*

        i. *How will these concerns be documented?*

        ii. *How can we be assured that they are read and considered?*

3. *If there are blatant inconsistencies in the application for the Memory Care facility, how do we go about having them removed from the application?*
    a. *Ex: the applicants stated that they had talked to the neighbors and the neighbors were in favor of the home. During the one and only neighborhood meeting they admitted that this was not true.*
    b. *It is very concerning that an admitted falsehood would remain in the application for decision makers to read.*
4. *The neighbors have submitted a series of comments*

    a. *How are they documented as received?*
    b. *How are they documented to have been read?*
    c. *Who has read which documents?*
4. *Is there a preferred method of submitting concerns such that we can ensure that they are being reviewed?*

a. *To date all we know is that the applicants' application and request for accommodation have been read.*

5. *We would appreciate our questions being answered in writing and then followed up with call to discuss that answers.*

Best Regards / Sincères salutations / Mit freundlichen Grüßen / Z poważaniem / Поздрави

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Chief Technology Officer

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From: Kyle Stannert <kstannert@fcgov.com>
Sent: Wednesday, October 13, 2021 6:14 AM
To: KEN PATRICK <traceyken@comcast.net>; Doug Salter <Doug.Salter@woodward.com>; Lawrence Mauch & Karen Kotecki <kotecki_mauch@msn.com>; Jesus Martin <JESSIEMARTIN_2000@yahoo.com>; Carrie Tafoya <ctafoya@pds-co.com>; Steve Sunderman <srsunde@aol.com>; Steve Chacho <schacho@aol.com>; kdapw2015@gmail.com
Cc: Kai Kleer <kkleer@fcgov.com>; Caryn M. Champine <cchampine@fcgov.com>; Paul S. Sizemore <psizemore@fcgov.com>
Subject: [EXTERNAL] RE: Re: Follow up on questions regarding Reasonable Accommodations (RA) Process & Next Steps

Tracey –

Absolutely understand the concern about 'looping' back to the same point, and we

don't want that either. Doug had chimed in with the suggestion of submitting questions ahead of the meeting to help focus the converation. That would also help Alyssa have answers on hand, or perhaps even bring another resource with her into the meeting. While I know that would take a bit more up-front work on all sides, it would help the outcome of the meeting.

Kyle

KYLE STANNERT
Deputy City Manager

City Manager's Office

City of Fort Collins

From: KEN PATRICK <traceyken@comcast.net>
Sent: Monday, October 11, 2021 1:00 PM
To: Kyle Stannert <kstannert@fcgov.com>; Doug Salter <Doug.Salter@woodward.com>; Lawrence Mauch & Karen Kotecki <kotecki_mauch@msn.com>; Jesus Martin <JESSIEMARTIN_2000@yahoo.com>; Carrie Tafoya <ctafoya@pds-co.com>; Steve Sunderman <srsunde@aol.com>; Steve Chacho <schacho@aol.com>; kdapw2015@gmail.com
Cc: Kai Kleer <kkleer@fcgov.com>; Caryn M. Champine <cchampine@fcgov.com>; Paul S. Sizemore <psizemore@fcgov.com>
Subject: [EXTERNAL] Re: Follow up on questions regarding Reasonable Accommodations (RA) Process & Next Steps

Thank you Kyle. We have been in contact with Alyssa all along the way in the project. She has been the main point of contact for the neighbors. We were not feeling heard, nor have we been provided with information on how and who was/were notified, or provided with, all of the comments, concerns and submissions sent forward. There were key documents omitted from the original package sent to us. It was due to these concerns that we elevated our voice to city council. Now we are once again referred back to go through Alyssa with our questions. Frustrating.

I have concerns that Alyssa may not be able to address our questions, many of which revolve around the details of how our voice (comments,

concerns, responses to proposals, etc.) has been reviewed in the chain of command. In addition, I believe we would like information on who, if anyone, in the city is responsible for reviewing the project, as proposed by the applicants, for accuracy and reasonable representation. Several of our concerns revolve around the accuracy and representation of the project and how that contradicts what was discussed at the neighborhood meeting and what we know about what is involved in providing care for similar populations, both from a personal and professional standpoint.

If Alyssa is able to address these and similar questions, in addition to timeline and location information, then a meeting with her may be beneficial. If not, then I would request an alternative solution.

Respectfully,

Tracey Stefanon

> On 10/10/2021 10:30 AM Kyle Stannert <kstannert@fcgov.com> wrote:
>
> Good morning,
>
> Alyssa confirmed that she remains avaliable to meet with you and your neighbors to answer your questions regarding next steps in the recent reasonable accommodation (RA), as well as receive feedback on the process overall. As she'll be able to explain, there are differences between what is followed for a RA process and the city's Development Review Process, and staff is interested in feedback to inform possible revisions to bring forward.
>
> Alyssa (cc'd on this email or avaliable directly at astephens@fcgov.com) is available to either schedule a meeting for your entire neighborhood or a sub-set, and appreciated Doug's offer to provide a consolidated list of questions ahead of time to help make sure she is able to address the points of interest and make best use of your time.

This sounds like the best next step to help make sure clear answers can be provided. And while I don't want my calendar to be a barrier to have the conversation takes place, I'll plan to join if I'm able.

Sincerely,

Kyle

KYLE STANNERT
Deputy City Manager

City Manager's Office

City of Fort Collins

From: Kyle Stannert
Sent: Friday, October 8, 2021 6:58 AM
To: Doug Salter <Doug.Salter@woodward.com>; KEN PATRICK <traceyken@comcast.net>; Lawrence Mauch & Karen Kotecki <kotecki_mauch@msn.com>; Jesus Martin <JESSIEMARTIN_2000@yahoo.com>; Carrie Tafoya <ctafoya@pds-co.com>; Steve Sunderman <srsunde@aol.com>; Steve Chacho <schacho@aol.com>; kdapw2015@gmail.com
Subject: RE: [EXTERNAL] RE: City Council meeting citizen participation 9/7

Good morning Doug, Tracey and all –

I am absolutely sorry for not responding to your email on September 13. As I re-read it, I can see that you were looking for some assurance that you would be heard. What I interpreted when I first saw it was that Alyssa had connected with you for a meeting, which seemed like a positive step. My hope had been this helped clarify the process and how your feedback would be applied.

Let me circle back with PDT staff today to ensure the offer to meet with Alyssa is still timely (I'm certain it is) and to see what options there are to bring together a set of questions as Doug proposes

below. I'll aim to respond again today, if not this weekend.

Kyle

KYLE STANNERT
Deputy City Manager

City Manager's Office

City of Fort Collins

From: Doug Salter <Doug.Salter@woodward.com>
Sent: Thursday, October 7, 2021 3:33 PM
To: KEN PATRICK <traceyken@comcast.net>; Kyle Stannert <kstannert@fcgov.com>; City Leaders <CityLeaders@fcgov.com>; Lawrence Mauch & Karen Kotecki <kotecki_mauch@msn.com>; Jesus Martin <JESSIEMARTIN_2000@yahoo.com>; Carrie Tafoya <ctafoya@pds-co.com>; Steve Sunderman <srsunde@aol.com>; Steve Chacho <schacho@aol.com>
Cc: kdapw2015@gmail.com
Subject: RE: [EXTERNAL] RE: City Council meeting citizen participation 9/7

Hi Kyle,

I would like to echo Tracey's comments below. When you and I talked outside of the City Council Meeting in September, you made the comment that items submitted "would be included as part of the package". Because we are not in the process, not familiar with the process, and not allowed to even discuss at an open Council meeting, we collectively feel disenfranchised by the process. I don't believe this is the intent, but it is the consistent perception with which we are left. Alyssa Stephens, the Neighborhood Development Liaison has offered to walk us through the process. This would be a good thing to schedule and hold if it included some lifting of the veil into how our concerns are reviewed and considered.

Unfortunately, to date, we have had one neighborhood meeting with the city and the applicant, and elsewise have been simply informed of events. The process appears to be between the city and the applicant only. The applicant submits, the city responds, and the applicant resubmits. Please note:

1. In the email chain below we have been informed that we are not allowed, by process, to speak of this item at the City Council.
2. We are forbidden, by process, to appeal, inquire on, or have input to the "Reasonable Accommodation" process

I think I can speak for the neighborhood when I say that we would be happy to consolidate our questions and concerns into a single list if we had an understanding of how they are reviewed and some assurance of a reasonable response. If for some reason, by process, the city is not allowed to respond, it, at a minimum, is a common courtesy to let us know.

Thank you for your attention to this matter.

Best Regards / Sincères salutations / Mit freundlichen Grüßen / Z poważaniem / Поздрави

Douglas W. Salter
Chief Technology Officer

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Phone +1 970-498-3391, Mobile +1 970-481-4382

doug.salter@woodward.com

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From: KEN PATRICK <traceyken@comcast.net>
Sent: Thursday, October 7, 2021 12:58 PM
To: Kyle Stannert <kstannert@fcgov.com>; CityLeaders@fcgov.com; Doug Salter <Doug.Salter@woodward.com>; Lawrence Mauch & Karen Kotecki <kotecki_mauch@msn.com>; Jesus Martin <JESSIEMARTIN_2000@yahoo.com>; Carrie Tafoya <ctafoya@pds-co.com>; Steve Sunderman <srsunde@aol.com>; Steve Chacho <schacho@aol.com>
Subject: [EXTERNAL] RE: City Council meeting citizen participation 9/7

Hello Kyle,

I am sending this email a third time in hopes to receive a response. Please see email sent to you 9/13 and sent again one week later. In reminder, several neighbors attended city council meeting on 9/7 to discuss our concerns regarding a business project at 636 Castle Ridge Ct. in our residential neighborhood. You met with us after the meeting and assured us that our concerns would be heard. I sent you the email (see below) with no response.

We, as neighbors, have sent numerous responses to city employees regarding our concerns about this project, following due process as it was explained to us. Yet, there is no evidence that supports that anyone directly involved in the decision making are actually receiving them and taking them into consideration. We have received no direct feedback on our comments or concerns from those directly involved in the project. There are notable inconsistencies in the proposal and significant impacts to our neighborhood that are not being addressed.

We have been told that our comments and feedback have been included in the project evaluation. We are requesting a list of the comments and feedback that have been received and included in the project file for our assessment to check whether these have been forwarded to appropriate decision makers as we formulate our next steps forward. Please send any information that would note how we would be assured that

the comments, concerns and responses were actually read.

We have been asked to submit additional comments on the most recent submissions for the project, yet we have no objective evidence that any of our comments, concerns or submissions thus far have been heard or taken into consideration.

Thank you in advance for your time.

Tracey Stefanon

> On 09/13/2021 8:28 PM KEN PATRICK <traceyken@comcast.net> wrote:
>
> Good evening Kyle,
>
> Thank you for your response. Unfortunately, it was not received timely enough to change our plans to attend the meeting. I was at work at all day attending a busy clinic then home to scoop up the family to get to the meeting on time. My personal email was not checked so close to the meeting.
>
> I appreciate your time after the meeting to speak with our neighborhood members that attended. This has been frustrating and stressful for all of us to say the least. The most frustrating piece is what appears to be such an arbitrary determination on the part Mr. Sizemore in the RA determination. It is mind boggling that one city director can have such unabridged authority to make a determination twice the limit of the current municipal code without any accountability. This determination will not only have dire consequences for our neighborhood, but risks setting a new precedent in the city and likely

front range as you can be sure other businesses will be citing this case in future requests. Based on criteria Mr. Sizemore used, it would be difficult for the city to argue that any request would be unreasonable. All of this without any voter or citizen input or oversight.

We as a neighborhood have been involved since as soon as we found out that a business purchased the home with the intent to have a "memory care" operating in the single family home. The owners noted in their initial proposal that they had spoken to neighbors about the project and that we were ok. This was a flat out lie...from the start and every step further. This was followed by a neighborhood meeting where the business owners were inconsistent in their presentation and appeared to be misrepresenting the project. This has been the case the whole way through. We have submitted significant concerns about the project and proposal from the beginning, but it does not appear that any of these submissions have been reviewed or taken into consideration. The documents for the project from planning and zoning have not been uploaded timely or in entirety to review. We have just received a new email from Alyssa Stephens reaching out and offering a meeting. To what end? It does not appear that any of the submitted concerns have been taken into consideration. Now there are a new round of documents to review and we are to submit additional concerns???

We are concerned that the city is not doing its due diligence in investigating this project. What they have presented and what they are doing are not the same and the project is moving forward. They are doing construction inside and out. The project is based on the 16 accommodation. Why would there be no appeal process to a key component of the planning and zoning evaluation and proposal submissions? Why would we have to wait to the end of the process to appeal? We have been told we cannot appeal the decisions, nor can we present to city council. How does the average

citizen navigate this arduous process? How does the average citizen wade through these city documents and processes to be heard? The city has to take into account all involved parties, not just businesses with lawyers spearheading their interests. We have been guided by city employees to legal resources. It seems that the only way to be heard by the city is to be represented.

I urge you to take a close look at the project and do due diligence to investigate the project thoroughly including proposal, the RA and multitude of requests from the business owners which will ultimately be at the expense of the neighbors and the neighborhood.

Regards,

Tracey Stefanon

> On 09/07/2021 4:43 PM Kyle Stannert <kstannert@fcgov.com> wrote:
>
> Good evening Tracey,
>
> Thank you for your email to City Leaders and for clarifying the intent to allow multiple neighbors to voice your concerns at tonight's meeting. While your email does not specifically address the topic of concern, I wanted to reach out in the event that the focus of testimony is a project that is going through the city's development review process. As your inquiry about seeking additional time was circulated, someone noted that the topic could be related to a matter at 636 Castle Ridge Court, which has an associated Project Development Plan application that has been submitted and is under review.

If that is the case, there is a chance that the project may be later appealed to the City Council for a Quasi-Judicial matter (in short, meaning the Council holds an administrative hearing upon) and because of that role the Council meeting rules do not allow for public comment cannot about the project at this time. While comments can be sent to devreviewcomments@fcgov.com, which will then be included within the record considered by Council if the matter is appealed, they cannot receive direct testimony at tonight's meeting.

I wanted to make sure you and your neighbors were aware that testimony cannot be received tonight on that topic in the event this is what you intend to speak on as soon as possible, and hopefully before you come to City Hall tonight. While you are of course welcome to attend the meeting, we don't want you to make the trip only to then learn you are unable to speak on the topic of 636 Castle Ridge Court.

If you intend to speak on any other topic, please disregard the above. If you have any questions or need additional information, please feel free to call me tonight. The best number to catch me on before the meeting begins at 6 pm will be my cell phone, which is 425-418-5385.

Sincerely,

Kyle

--

Kyle Stannert

Deputy City Manager

City of Fort Collins

From: KEN PATRICK <traceyken@comcast.net>
Sent: Tuesday, September 7, 2021 10:30 AM
To: City Leaders <CityLeaders@fcgov.com>; Tammi Pusheck <tpusheck@fcgov.com>; Tyler Marr <tmarr@fcgov.com>
Subject: [EXTERNAL] City Council meeting citizen participation 9/7

Good morning,

Julie from the city clerks office recommended notifying you all of the plan to attend the city council meeting this evening for citizen participation to discuss an issue important to our neighborhood. There will be multiple neighbors present and additional members attending via Zoom. There are 3-4 of us that plan to speak at the meeting to represent our neighborhood as to give you a more consolidated voice of our concerns. We are requesting that we may have some additional time each to speak on behalf of our neighborhood.

We thank you in advance for your time and consideration.

Kindest regards,

Tracey Stefanon

***
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***

From: Steve Gilchrist
To: Troy Tafoya
Cc: Brandy Bethurem Harras; Alyssa Stephens; Kai Kleer
Subject: RE: Castle Ridge Group Home, PDP210012
Date: Friday, August 20, 2021 11:09:27 AM
Attachments: image001.png

Mr. Tafoya,

Thank you for reaching out with your concerns. I understand the issues that you have expressed and would like to clarify the general purpose of a Traffic Impact Study and the standards that we follow in making these determinations. These standards are outlined in Chapter 4 of the *Larimer County Urban Area Street Standards (LCUASS.)* The purpose of a traffic impact Study (or TIS) is to evaluate the impacts to the transportation system from a proposed development. This includes the evaluation of intersection capacity for vehicles as well as bicycle and pedestrian facilities. This evaluation is considered only in the context of whether or not the transportation system can accommodate the total traffic based on those Level of Service standards.

In most cases, the threshold for when a traffic study is required is when the proposed development will generate at least 200 daily trips and/or 20 trips in the peak hour. (As an example, this roughly equates to a proposal for 20 new homes.) The type and scale of study is dependent on the size of the proposal and this criteria is detailed in *(LCUASS)* and identifies Level of Service (LOS) standards that a development must meet. These standards outline the procedure to evaluate vehicle delay at intersections and report those using letter grades A – F (including E). The City of Fort Collins standards within LCUASS focus on the intersection level of service and not the street level of service.

When determining the amount of traffic that will be generated by a development, the *Trip Generation Manual* from the Institute of Transportations Engineers is typically used. This data within the *Trip Generation Manual* is the result of traffic studies completed on actual sites for different land uses, such as Assisted Living Facilities. The results provide an average daily, and peak hour volume of all traffic entering and existing the site, including deliveries, trash, employees, guests, etc. This data is then used to compile a Traffic Impact Study under the supervision of, and sealed by, a Licensed Professional Engineer in the state of Colorado with experience in traffic engineering and transportation planning. It is the responsibility of the applicant to provide the assessment of traffic impacts for a development, while the City serves only in a review capacity.

For this development, we requested a letter with information in regard to the anticipated traffic generated by this site with details about the expected numbers of employees, deliveries, and guests, etc., even though we did not expect this site to meet the threshold for a full Traffic Impact Study. That information that was provided by their Traffic Engineer and is what we based our determination on, that a Full Traffic Impact Study would not be required. We have asked for further clarification on the limitations on visitations that they have described, and hope to get a better explanation from the applicant.

With regard to parking issues you have detailed, these requirements are not covered within a Traffic Impact Study, but are determined through the Land Use Code by the Planning Department. The amount and placement of available parking for a development is based on the different land uses.

The availability of on street parking and fire lanes are based on the Engineering and Poudre Fire Authority standards for each street as they were built. In the case of Castle Ridge, this street was built to a standard that allowed on street parking on both sides of the street, even though this creates a narrow shared spaced for cars to transverse if vehicles are parked on both sides of the street from this development or any other area of this neighborhood. As we continue to coordinate the review of this project internally, we will coordinate with Engineering, PFA and our Planning Department to make sure all their standards are met as well.

If you have any further questions, please feel free to reach out.

Steve

. . . . . .

STEVEN GILCHRIST
Technical Project Manager
City of Fort Collins
Traffic Operations
626 Linden Street
970-224-6175 office
sgilchrist@fcgov.com

From: Brandy Bethurem Harras <BBethuremHarras@fcgov.com>
Sent: Wednesday, August 18, 2021 2:06 PM
To: Alyssa Stephens <astephens@fcgov.com>
Cc: Steve Gilchrist <sgilchrist@fcgov.com>
Subject: FW: Castle Ridge Group Home, PDP210012

Thanks Alyssa

Brandy Bethurem Harras
Development Review Coordinator
City of Fort Collins Planning & Development Services
281 N. College Ave.
Fort Collins, CO 80524
970.416.2744
BBethuremHarras@fcgov.com

From: Troy Tafoya <troyt@pds-co.com>
Sent: Wednesday, August 18, 2021 1:57 PM
To: Steve Gilchrist <sgilchrist@fcgov.com>
Cc: Brandy Bethurem Harras <BBethuremHarras@fcgov.com>
Subject: [EXTERNAL] Castle Ridge Group Home, PDP210012

Steve, I want to state I am not against a group home, just one of this size, and want to voice the neighborhoods biggest concern about this group home, it is traffic and safety for elderly and children (there are 2 toddlers across the street)and all parking for visitors to other nearby homes will be taken by staff and visitors for this proposed group home. Neighbors will be trapped in their homes due to one way traffic, and may not have a place for friends and family to park when visiting. I believe there does to be a traffic study, due to the size of this house 16 beds combined with a narrow private street (the 18 homeowners pay for the upkeep) since the city would not take it over because it did not meet code (it originally was going to be a gated community). The largest group home in the state in a planned urban development (PUD) is 8 beds (8 beds is also current city code), which this is twice that size, nobody has an idea of the impact of this size group home in a PUD because there is not one. The garages are going to be bedrooms, so the only parking is in the driveway, which if planned could accommodate one shift, during shift changes, the rest will be on the street. I do not see this as a huge problem, what will be a problem is during birthdays, holidays, and emergency vehicles, with 16 residents there could easily be 30 cars at peak times. Cars parked on both sides of road, renders it to one way traffic, which in my mind is a traffic safety hazard. Marcus Glasgow(PFD) in his report stated “the North side of Castle Ridge Ct. will be required to be striped with signage as no parking, fire lane” since that is the only way for two way traffic”. So all cars are parked on the other side of the road impacting other homes? I know the proposers of the group home also say they can limit visitation, but that is only true now, due to COVID 19 protocols, that limit the spread to these very vulnerable elderly. Group homes under normal everyday traffic will include, doctors, therapists, hospice, daily deliveries, emergency vehicles, and of course visitors to loved ones. I see my father at Brookdale every other day. I guess, I am hoping you would reconsider and look at the road, and traffic concerns with this many people, and consider a traffic study. Thank you for your time, I know you will do what is best for the city, and I have no experience with traffic, just wanted to make you aware of the narrow street and very limited parking situation, compared to the 4406 seneca group home in Fort Collins that has street parking on both sides, bike lanes on both sides, and easy two way traffic. The Seneca home is 8 beds.

Troy Tafoya | President
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Planning, Development & Transportation Services

Community Development & Neighborhood Services
281 North College Avenue
P.O. Box 580
Fort Collins, CO 80522.0580

970.416.2740
970.224.6134- fax
fcgov.com

June 30, 2021

Michelle Pinkowski
Delivered via email to:
michelle@pinkowskilaw.com

Reasonable Accommodation Decision Letter- 636 Castle Ridge Court

Ms. Pinkowski,

On April 9, 2021, you submitted a Reasonable Accommodation request to the City of Fort Collins ("City") on behalf of your client Peacock Assisted Living, LLC, regarding a proposed assisted living facility to be located at 636 Castle Ridge Court. The subject property is zoned Low Density Residential (RL). The applicant is seeking relief from Section 3.8.6 (A) of the Land Use Code, which limits the occupancy of a group home in the RL district subject to lot size limitations. The request is to allow 16 people with disabilities to reside at 636 Castle Ridge Court.

After careful consideration, I make the following findings of fact pursuant to Section 2.19(E) of the Fort Collins Land Use Code:

a) The property at issue, 636 Castle Ridge Ct., will be used by people considered to be disabled under the federal Fair Housing Amendments Act ("FHAA").

b) Based upon the nature of the group living model utilized by Peacock Assisted Living LLC, the Reasonable Accommodation is necessary to make housing at 636 Castle Ridge Ct. available to people with disabilities. Through the documentation provided with the application and during the interactive meeting held on May 21, 2021, the applicant has demonstrated that the ratio of staff to residents impacts the therapeutic benefit of the caregiving model and is related to the ability of disabled residents to reside in the home, and that the number of residents permitted directly impacts the financial and operational viability of this facility. The documentation supports the assertion that sixteen residents with three non-resident staff caregivers per shift is a threshold for achieving the intended therapeutic benefit and financial viability of the operational model.

c) The requested reasonable accommodation would not impose an undue financial or administrative burden upon the City.

d) The requested reasonable accommodation would not require a fundamental alteration in the nature of a Land Use Code provision.

- Pursuant to the FHAA, the City is required to reasonably accommodate disabled people with regards to zoning regulations that might otherwise deny disabled individuals certain housing opportunities.
- The Land Use Code allows other uses in the RL zone with similar or greater impacts to the proposed Reasonable Accommodation in situations that do not involve people considered to be disabled under the FHAA. Examples include:
    - The Land Use Code allows an unlimited number of people comprising a family to live in the house. A family of 16 related individuals could occupy this home with no required review, notification, or other consideration.
    - The Land Use Code allows shelters for victims of domestic violence in the RL zone without a limit to the number of residents permitted.
    - Other more intense uses with greater potential for traffic, noise, and visual impacts are permitted in the RL zone such as places of worship and assembly (permitted subject to administrative review) and schools and childcare centers (permitted subject to review by the Planning and Zoning Commission).
- The effect on the built environment of the lot size and other requirements for group homes in the RL zone is maintenance of single-family residential character of development, and a pattern of development that conforms to certain proportions between building size and lot size. In this case, the property has already been developed and the application does not propose any new construction. Because the external physical characteristics of the building will not change as a result of the proposed Reasonable Accommodation, it is reasonable to exempt the property from the lot size requirements for group homes.
- The RL zone district permits group homes of up to eight residents subject to lot size limitations. This request is specifically to allow up to sixteen disabled people to live in this home according to the operational model, financial conditions, and other specific circumstances described in the application materials and interactive meeting. As a group home, this proposal is subject to a type two review by the Planning and Zoning Commission, and this process is not affected by this Reasonable Accommodation. Aside from the number of residents, the facility will be required to comply with all other standards and requirements of the Land Use Code for group homes as permitted in the RL zone.

Based upon these findings, I am granting the Reasonable Accommodation request to allow sixteen unrelated individuals with disabilities (not including non-resident on-site staff) as described in the Reasonable Accommodation request to live at 636 Castle Ridge Ct., subject to the following conditions:

- The proposal for a group home is subject to a type two review by the Planning and Zoning Commission.
- The facility will be required to comply with all other standards and requirements of the Land Use Code for group homes as permitted in the RL zone and may be subject to conditions of approval including but not limited to requirements for parking, limitation of hours of drop-off and pick-up, regulation of lighting intensity and hours of illumination, requirements related to trash and recycling, screening, storage, and fencing.

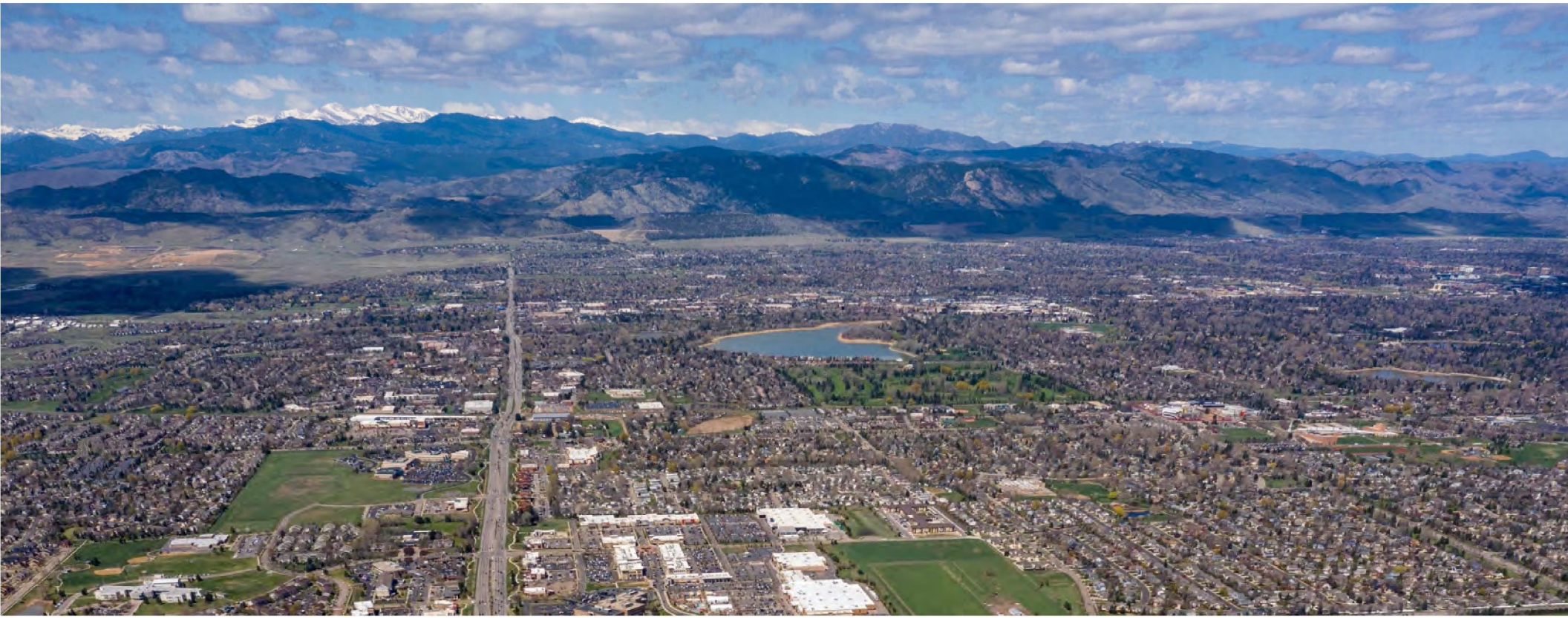
- As described in the application materials, the facility will implement measures to mitigate impacts and retain residential character including maintenance of the garage doors, no signage indicating that this is a group home, and no more than three staff working shifts on-site at any given time (with the exception of emergencies and shift changes).

In granting the Reasonable Accommodation request, I am not finding that the people that are the subject of the Reasonable Accommodation request constitute a family as defined under the Land Use Code. However, in part because a family without limitation to numbers could live at 636 Castle Ridge Ct., I find it reasonable to accommodate the request in consideration of the FHAA.

This Reasonable Accommodation is applicable to the specified provisions of the Land Use Code and does not modify Building Code requirements. The applicant is advised to consult with the Building Services Division to ensure compliance with the Building Code.

Regards,

Paul Sizemore
Director of Community Development and Neighborhood Services



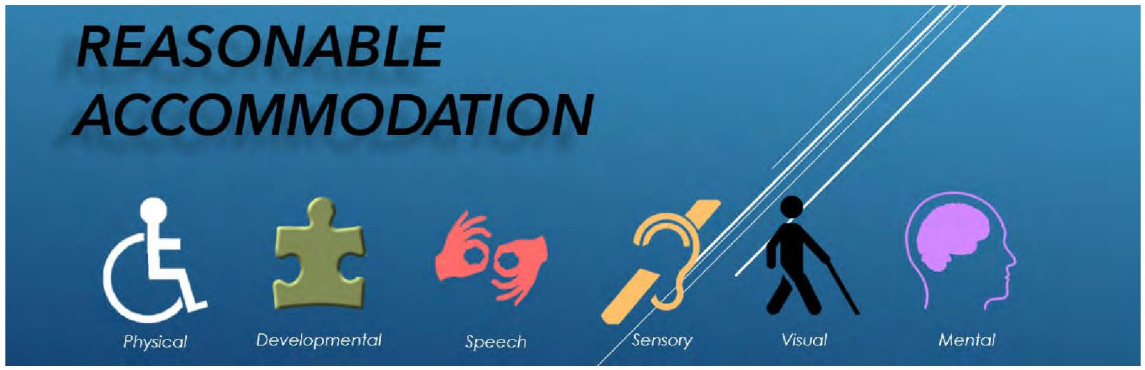
City of Fort Collins

Castle Ridge Group Home – Project Development Plan

Planning & Zoning Commission Hearing – 03.23.22

City of Fort Collins

The Reasonable Accommodation Process



- Federal Fair Housing Act (FHA) and Americans with Disabilities Act (ADA) require reasonable accommodation in zoning regulations
- Purpose is to provide people with disabilities with an equal opportunity to enjoy housing on same basis as persons without disabilities
- City adopted regulations in 2017
- Since that time, 9 reasonable accommodations have been submitted and determined.

Process

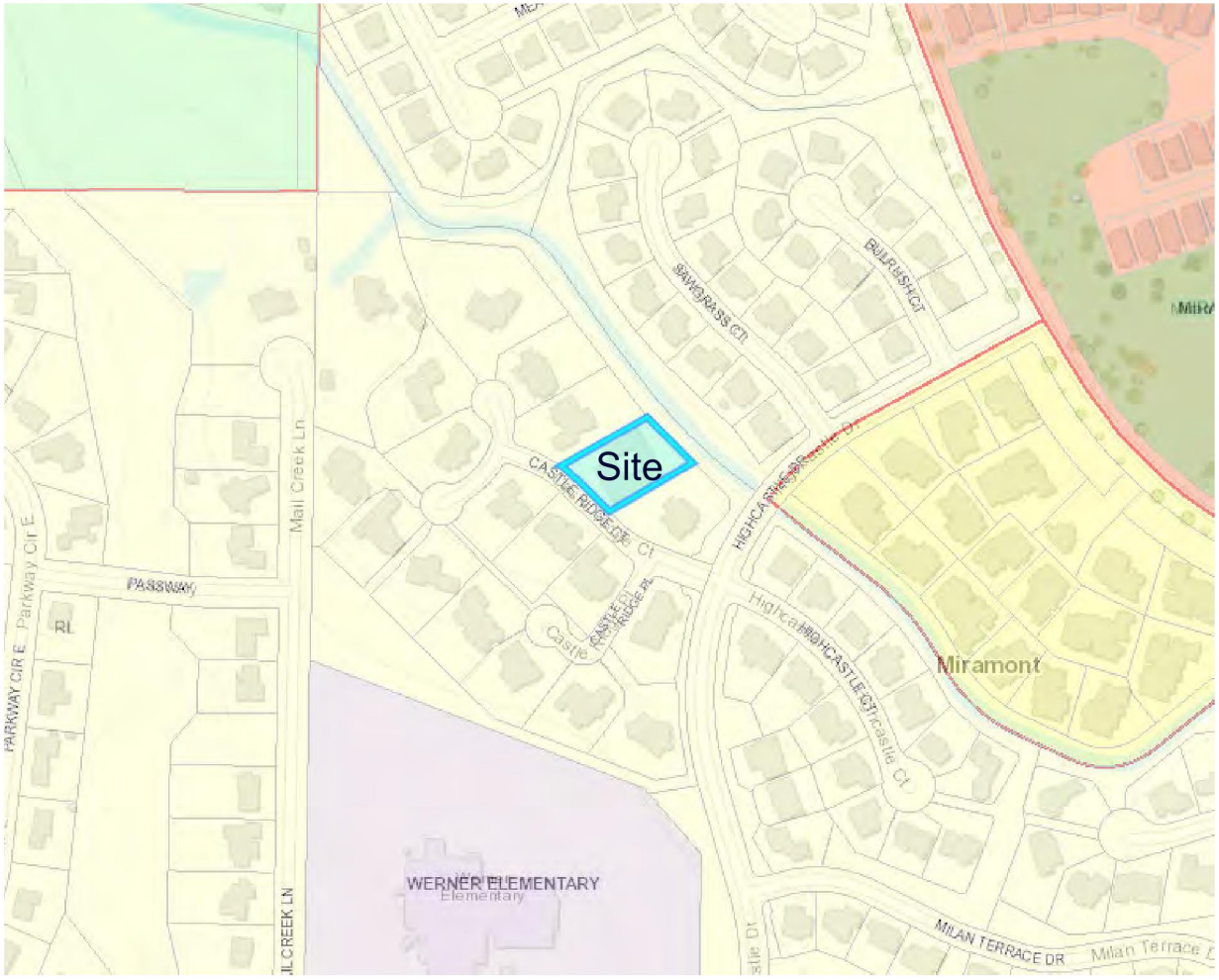
- Decided by Community Development and Neighborhood Services Director
- Not open to public input, and LUC does not require outreach or hearing
- Only the applicant may appeal a decision
- Appeals are decided by the City Manager

Evaluation Criteria

- The user of the property at issue has a disability.
- Granting the request is necessary to make specific housing available to a person with a disability.
- Granting the request would not impose an undue financial or administrative burden on the City.
- Granting the request would not require a fundamental alteration in the nature of a land use code provision.

City of Fort Collins

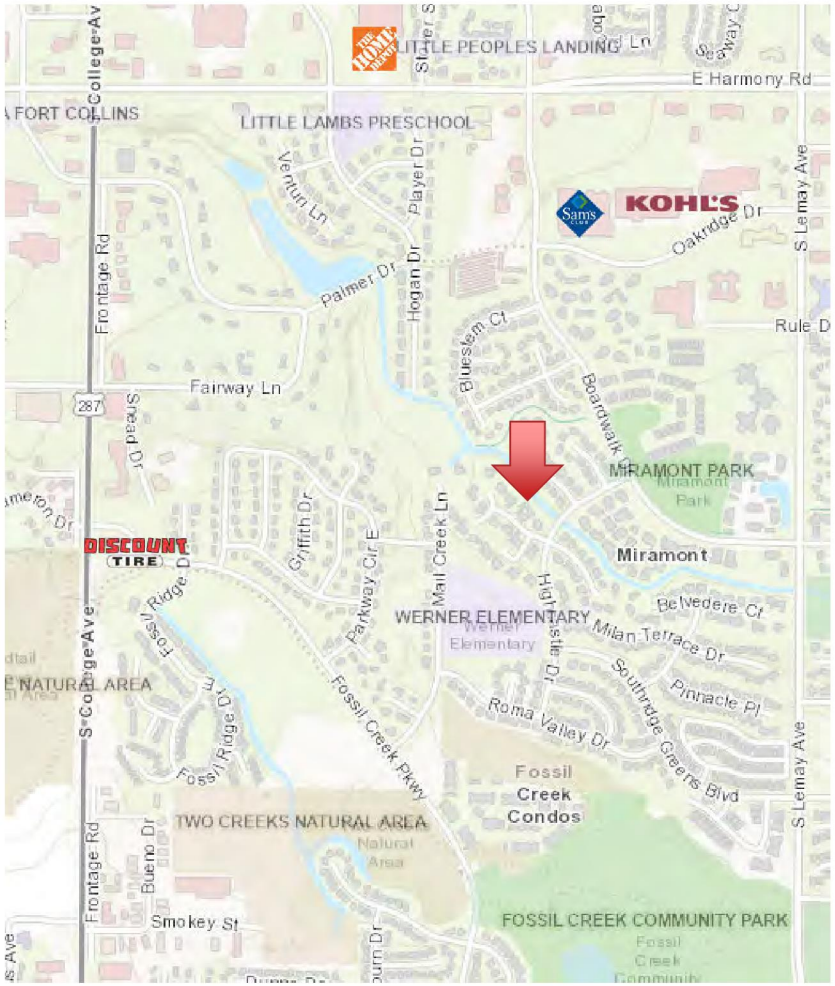
Project Overview



- Location: 636 Castle Ridge Ct
- Lot Size: 22,226 square feet
- Zone: Low-Density Residential District (R-L)
- Proposal:
  - Group Home for Assisted Living - Memory Care*
  - 16-residents
  - 3 off-site parking spaces
  - Additional landscaping, fencing, and screening
  - Three conditions

City of Fort Collins

Aerial



City of Fort Collins

Background

- Area was annexed into the City as part of the 617-acre Keenland Annexation.
- Single-family detached dwelling
- Lot platted as part of 18-lot Castle Ridge at Miramont PUD, 1993.
- Home built-in 2002.
- Served by a 28’ curb to curb cul-de-sac system.

City of Fort Collins

Reasonable Accommodation Request

A Reasonable Accommodation request to increase the maximum allowable residents from 8 to 16 was approved by the City, subject to the following conditions:

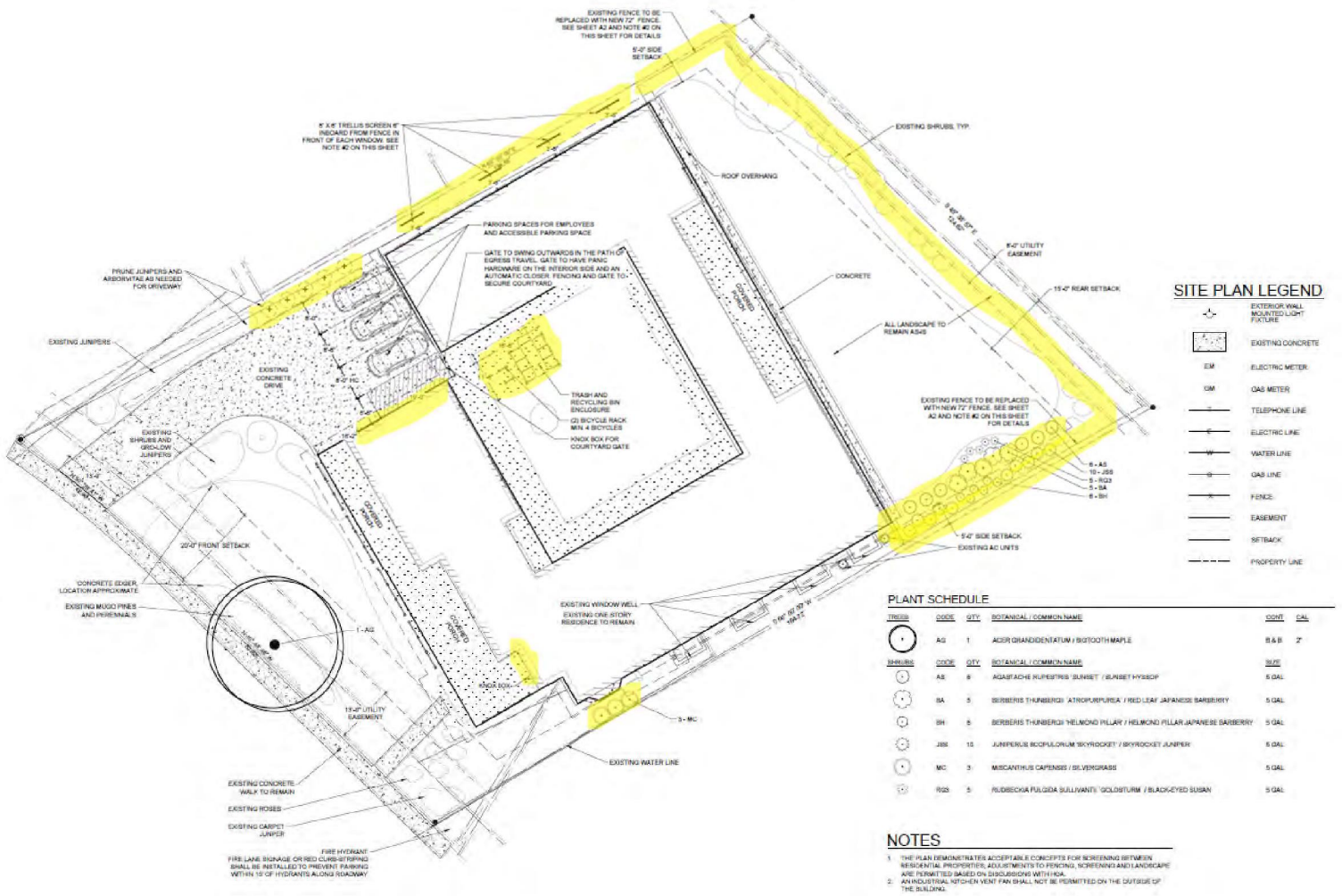
1. The proposal for a group home is subject to a type two review by the Planning and Zoning Commission.
2. The facility will be required to comply with all other standards and requirements of the Land Use Code for group homes as permitted in the RL zone and may be subject to conditions of approval including but not limited to requirements for parking, limitation of hours of drop-off and pick-up, regulation of lighting intensity and hours of illumination, requirements related to trash and recycling, screening, storage, and fencing.
3. As described in the application materials, **the facility will implement measures to mitigate impacts and retain residential character including maintenance of the garage doors, no signage indicating that this is a group home, and no more than three staff working shifts on-site at any given time (with the exception of emergencies and shift changes).**

Neighborhood Meeting & Subsequent Comments

- Neighborhood Meeting Held on April 9, 2021. Discussion and following comments included:
  - Concerns over on-street parking.
  - Intensity of 16 residents the increase of residents granted by the Reasonable Accommodation.
  - Concerns that the group home could be converted to other types of group home (alcoholism, drug addiction homes)
  - Street maintenance responsibilities.
  - Compliance with subdivision covenants.
  - Emergency response vehicles, road width, and access.
  - Providing adequate and appropriate screening for privacy.
  - Concerns with an increase in traffic.
  - Concerns about setbacks

City of Fort Collins

Site & Landscape Plan



SITE PLAN LEGEND

	EXTERIOR WALL MOUNTED LIGHT FIXTURE
	EXISTING CONCRETE
EM	ELECTRIC METER
GM	GAS METER
T	TELEPHONE LINE
E	ELECTRIC LINE
W	WATER LINE
G	GAS LINE
X	FENCE
	EASEMENT
	SETBACK
	PROPERTY LINE

PLANT SCHEDULE

TREES	CODE	QTY	BOTANICAL / COMMON NAME	CONT	CAL
	AG	1	ACER GRANDIDENTATUM / BIGTOOTH MAPLE	B & B	2"
SHRUBS	**CODE**	**QTY**	**BOTANICAL / COMMON NAME**	**SIZE**	
	AS	6	AGASTACHE RUPESTRIS 'SUNSET' / SUNSET HYSSOP	5 GAL	
	BA	5	BERBERIS THUNBERGII 'ATROPURPUREA' / RED LEAF JAPANESE BARBERRY	5 GAL	
	BH	6	BERBERIS THUNBERGII 'HELMOND PILLAR' / HELMOND PILLAR JAPANESE BARBERRY	5 GAL	
	JSS	10	JUNIPERUS SCOPULORUM 'SKYROCKET' / SKYROCKET JUNIPER	5 GAL	
	MC	3	MISCANTHUS CAPENSIS / SILVERGRASS	5 GAL	
	RG5	5	RUDBECKIA FULGIDA SULLIVANTII 'GOLDSTURM' / BLACK-EYED SUSAN	5 GAL	

NOTES

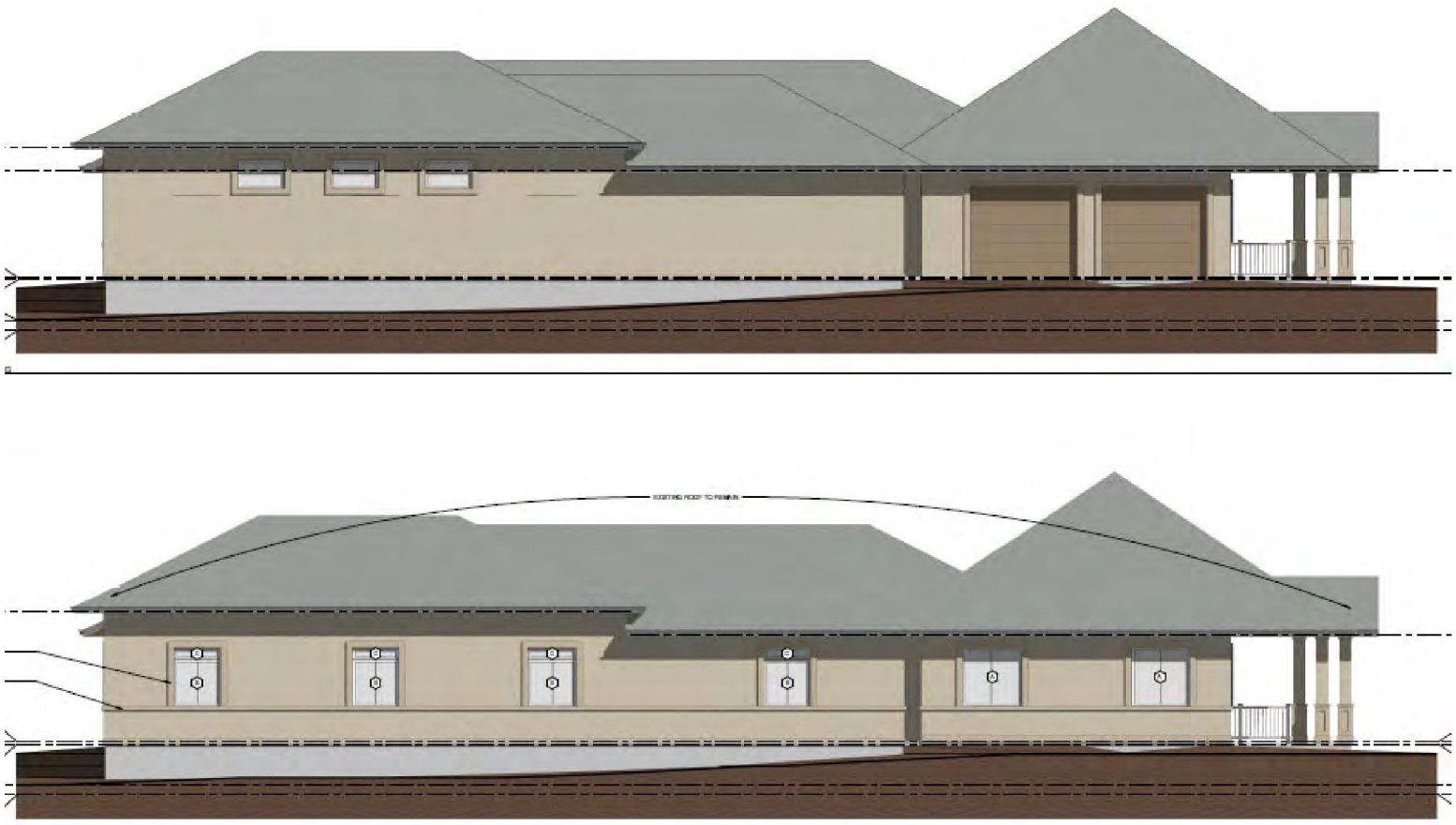
1. THE PLAN DEMONSTRATES ACCEPTABLE CONCEPTS FOR SCREENING BETWEEN RESIDENTIAL PROPERTIES. ADJUSTMENTS TO FENCING, SCREENING AND LANDSCAPE ARE PERMITTED BASED ON DISCUSSIONS WITH HOA.
2. AN INDUSTRIAL KITCHEN VENT FAN SHALL NOT BE PERMITTED ON THE OUTSIDE OF THE BUILDING.

City of Fort Collins

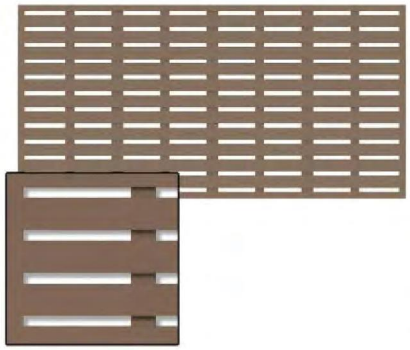
Front Facade

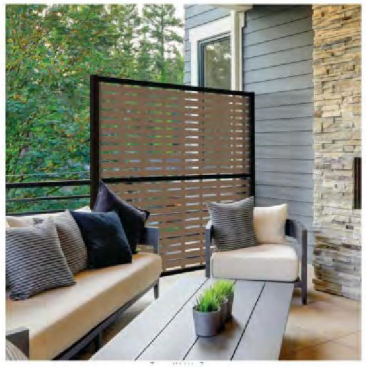
City of Fort Collins

North Elevation



Barrette Outdoor Living (Brand Rating: 4.1/5)
3 ft. x 6 ft. Boardwalk Saddle Vinyl Decorative Screen Panel





TRELLIS DETAILS

Specifications

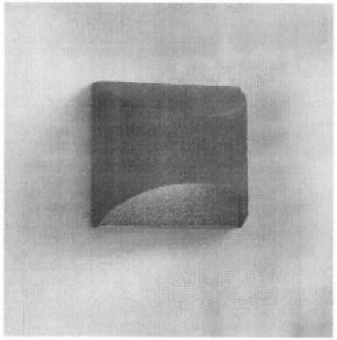
Device functions	EO, L, L-BE
Dogging	LD – Less Dogging
Device length	3', 4'
Center case dimensions	8" x 2 ¼" x 2 ¼" (203mm x 70mm x 60mm)
Mechanism case dimension	2 ¼" x 2 ¼" (57mm x 57mm)
Latch bolt	Deadlocking, ¾" (19mm) throw
Trims	252-L, 252-LBE
Strike	699 roller strike
Finishes	US26D (626), 313 (710)
Options	WH – Weep Holes

How to order

1	Dogging	LD (Less Dogging) only
2	Device type	98/9952
3	Function	EO, L, LBE
4	Finish	US26D, 313
5	Device width	3' (standard default), or 4'
6	Handing	RHR, LHR
7	Trim	252, L, LBE functions
8	Lever style	06 (standard default), 03
9	Optional	WH (weep holes)

OVERALL DIMENSIONS

Outdoor Lighting / Dark Sky / Style # 33H43



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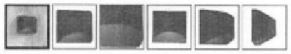


VIEW IN YOUR ROOM

Staff is recommending three conditions.

3.5.1(J) Operation & Physical Compatibility Standards

Conditions may be imposed upon the approval of development applications to ensure that new development will be compatible with existing neighborhoods and uses. Such conditions may include, but need not be limited to, restrictions on or requirements for:

1) hours of operation and deliveries;
2) location on a site of activities that generate potential adverse impacts on adjacent uses such as noise and glare;
3) placement of trash receptacles;
4) location of loading and delivery zones;
5) light intensity and hours of full illumination;
6) placement and illumination of outdoor vending machines;
7) location and number of off-street parking spaces.

Requiring the applicant to provide a 24/7 point of contact for the neighborhood.

Condition #1 – Hours of Operation and Deliveries

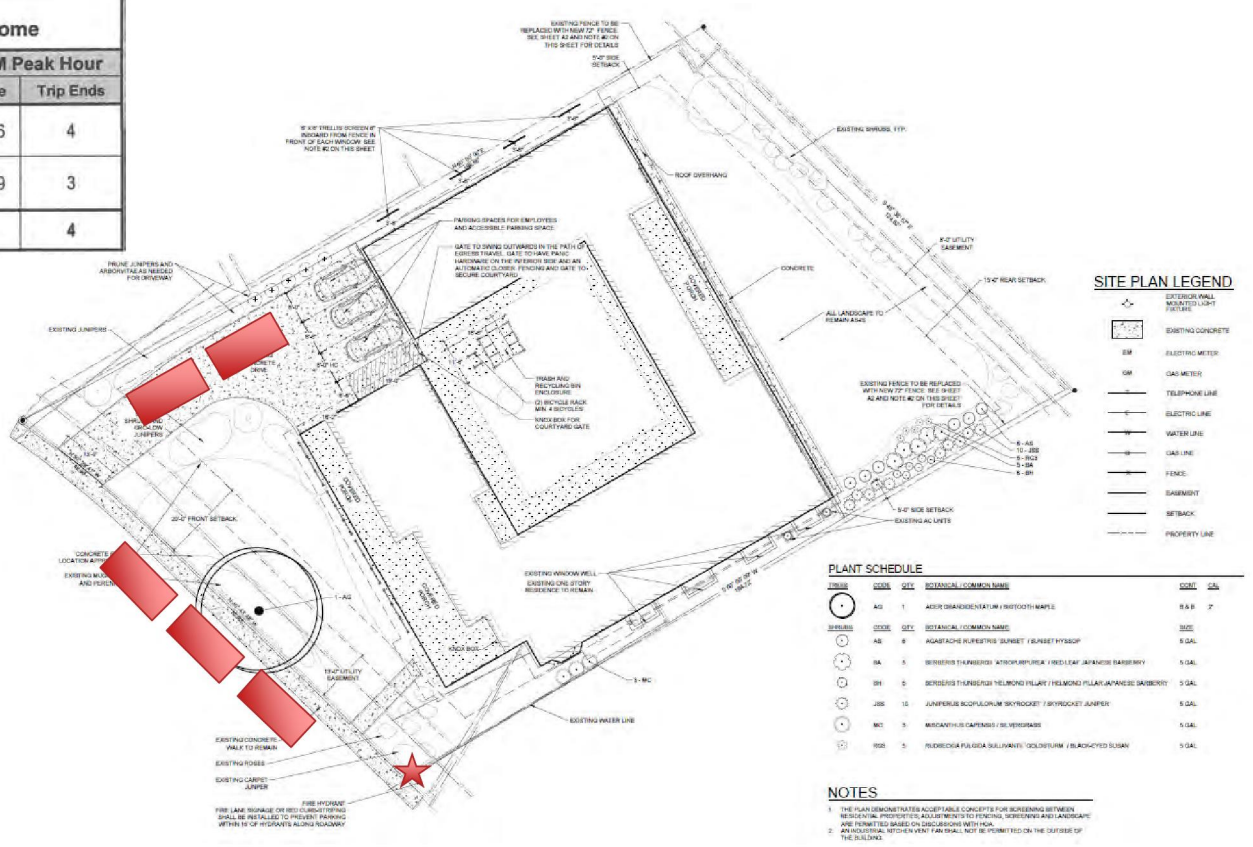
City of Fort Collins

Condition #1 – Hours of Operation and Deliveries

TABLE 2
Trip Generation for the Proposed Residential Assisted Living Home

Code	Use	Size	AWDTE		AM Peak Hour		PM Peak Hour	
			Rate	Trip Ends	Rate	Trip Ends	Rate	Trip Ends
254	Assisted Living	16 Beds	2.60	42	0.19	3	0.26	4
254	Assisted Living	7 Employees	4.24	30	0.39	3	0.49	3
Average Trip Generation				36		3		4

Table 2 from TIS



Condition #1

To the extent feasible the hours of operation during which third-party services, such as massages, housekeeping, haircuts, pet therapy, food delivery, and the like, shall be limited to the hours of 8:00 a.m. and 6:00 p.m. Monday through Saturday. Services shall be staggered in a way to reduce the impact of on-street parking within the neighborhood.

To the extent feasible deliveries and short-term visits shall be limited to available space within the driveway and street frontage that shares a common boundary with 636 Castle Ridge Court.

Condition #2 – Location and number of off-street parking spaces.

City of Fort Collins

Condition #2

ITE Parking Generation Manual

Assisted Living
(254)

Peak Period Parking Demand vs: Beds
On a: Weekday (Monday - Friday)
Setting/Location: General Urban/Suburban
Peak Period of Parking Demand: 11:00 a.m. - 3:00 p.m.
Number of Studies: 10
Avg. Num. of Beds: 103

Peak Period Parking Demand per Bed

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
0.39	0.27 - 0.60	0.34 / 0.58	***	0.11 (28%)

16-Beds

Range: 4.23 – 9.6

Average: 6.24

Fort Collins Data

Facility Name	Parking Count	Bed Count	Address	Land Use	Ratio Parking/Beds
Seneca House Assisted Living	4	10	4406 Seneca Street	Group Home	0.40
Terry Lake Assisted Living Turnbettery Place Assisted Living	4	8	3629 Woodridge Road	Group Home	0.50
Turnberry Place Assisted Living	4	8	2401 Turnberry Road	Group Home	0.50
Monarch Greens Assisted Living	6	8	1725 Lakeview Drive	Group Home	0.75
Presitge Living LLC	6	8	700 Greenbriar Drive	Group Home	0.75
Live to Assist	7	8	2914 W Prospect	Group Home	0.88
Faith Family Hospitality	8	15	321 South Sherwood	Group Home	0.53
New Mercer Commons	27	120	900 Centre Avenue	Long-term care facility	0.23
Fort Collins Good Samaritan Retirement Village	19	56	508 W Trilby Road	Long-term care facility	0.34
Creekside Gardens Assisted Living Facility	96	282	1000 E Stuart	Long-term care facility	0.34
Brookdale Fort Collins	63	142	1002 Rule Drive	Long-term care facility	0.44
Mackenzie Place	39	61	4750 Pleasant Oak Drive	Long-term care facility	0.64
Residence at Oakridge	78	120	4750 Wheaton Drive	Long-term care facility	0.65
Aspen at Fort Collins	51	64	3150 Rock Creek Drive	Long-term care facility	0.80
Center at Rock Creek MC	100	100	4880 Ziegler Rd	Long-term care facility	1.00
				Range	**.23-1.00**
				Average	**0.58**

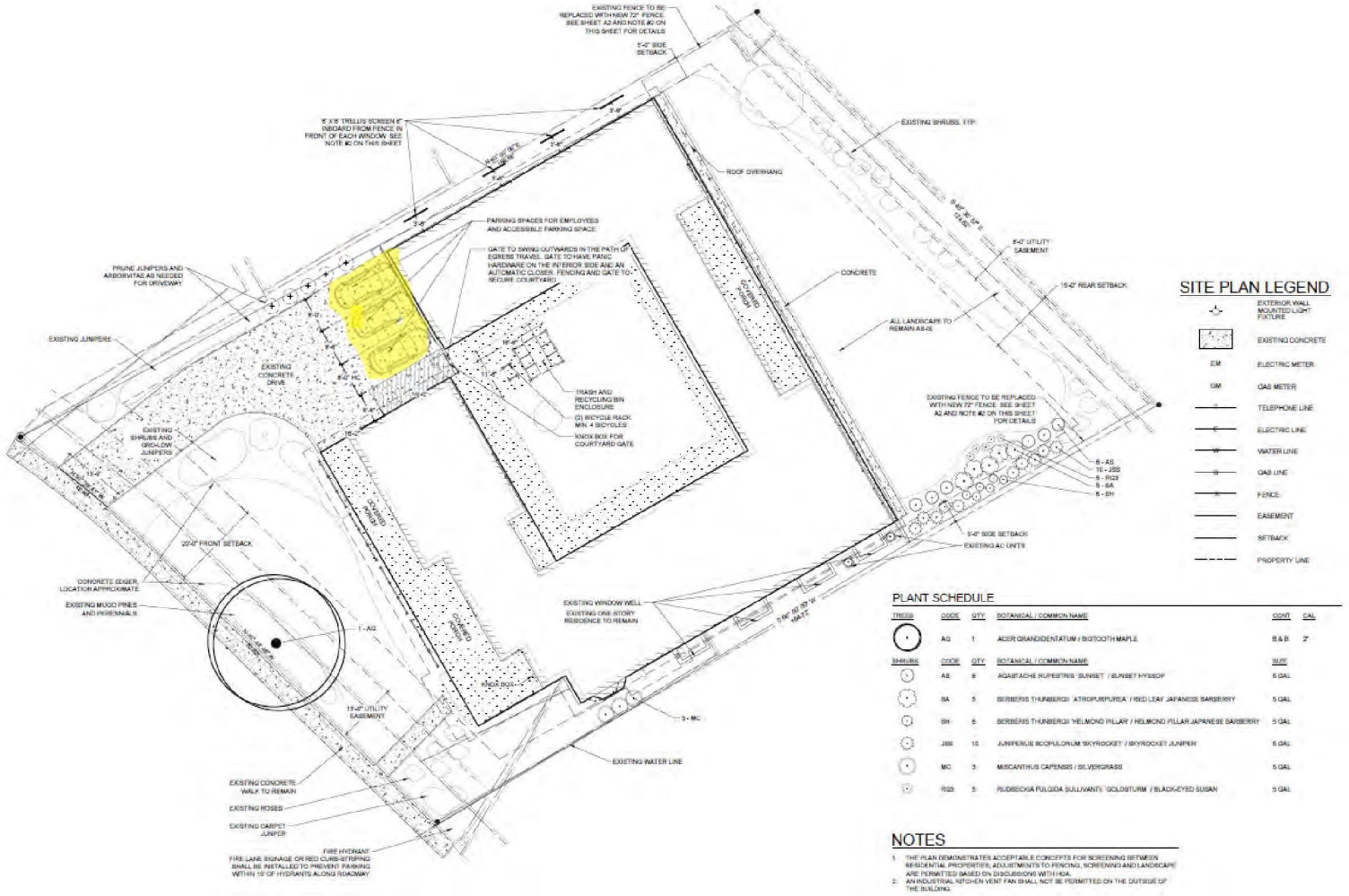
16-Beds

Range: 3.68-16

Average: 9.28

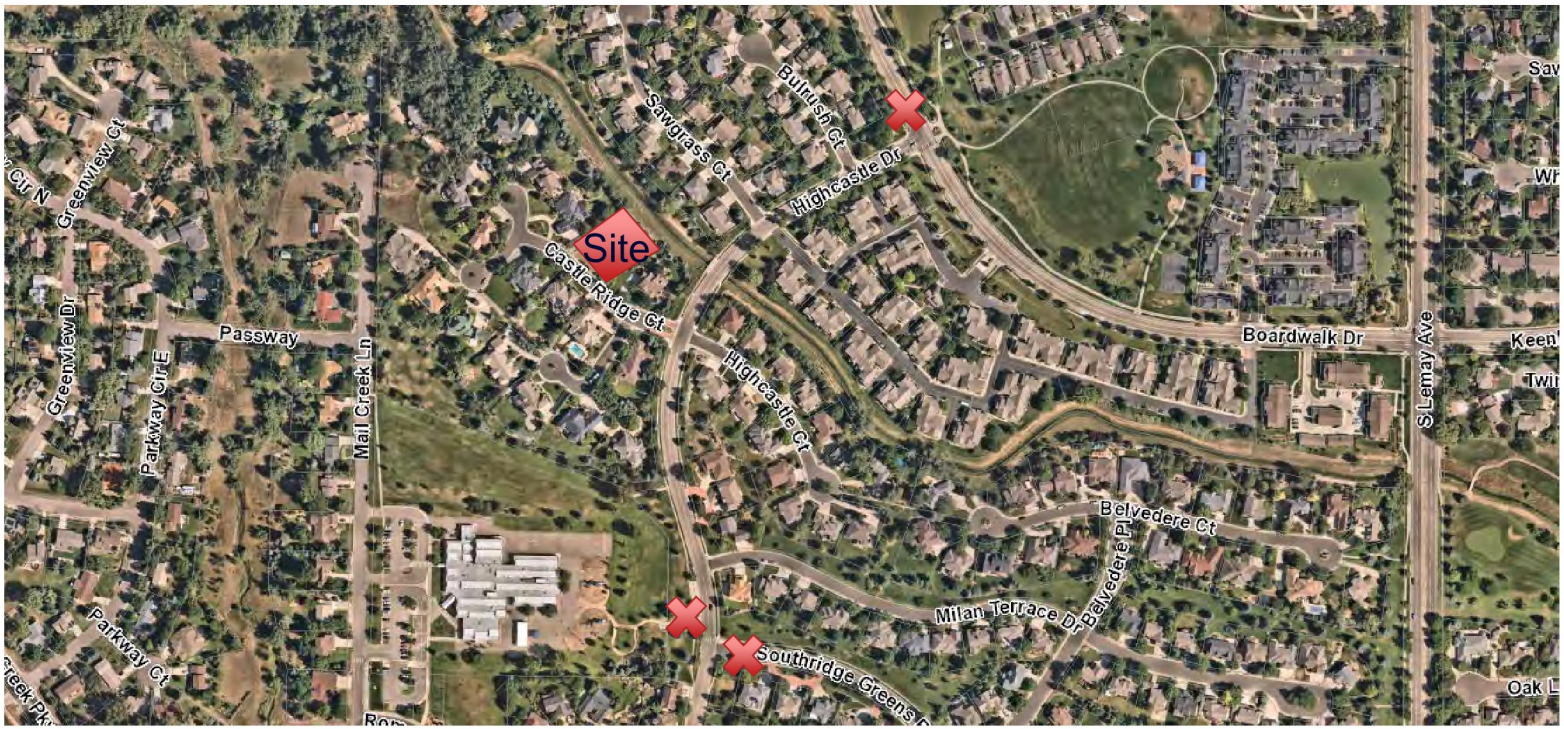
City of Fort Collins

Condition #2



Condition #2

Group home staff who cannot be accommodated by designated off-street parking spaces within the driveway shall utilize on-street parking along public streets such as Highcastle Drive and E Boardwalk Drive.



Condition #3

Condition # 3

The property owner or representative thereof shall cooperate in good faith to remedy any unforeseen impacts created through the operation of the group home and provide a designated person who can be contacted 24-hours a day, 7-days a week.

City of Fort Collins

Conclusion & Findings

1. The Project Development Plan complies with the applicable procedural and administrative requirements of Article 2 of the Land Use Code.
2. The Project Development Plan complies with relevant standards located in Article 3 – General Development Standards, subject to the following conditions:

   a) To the extent feasible the hours of operation during which third-party services, such as massages, housekeeping, haircuts, pet therapy, food delivery, and the like, shall be limited to the hours of 8:00 a.m. and 6:00 p.m. Monday through Saturday. Services shall be staggered in a way to reduce the impact to on-street parking within the neighborhood.

   To the extent feasible deliveries and short-term visits shall be limited to available space within the driveway and street frontage that shares a common boundary with 636 Castle Ridge Court.

   b) Group home staff who cannot be accommodated by designated off-street parking spaces within the driveway shall utilize on-street parking along public streets such as Highcastle Drive and E Boardwalk Drive.

   c) The property owner or representative thereof shall cooperate in good faith to remedy any unforeseen impacts created through the operation of the group home and provide a designated person who can be contacted 24-hours a day, 7-days a week.

3. The Project Development Plan complies with relevant standards located in Division 4.4 – Low Density Residential District (R-L).

City of Fort Collins

Recommendation 25

Staff recommends conditional approval of the Castle Ridge Group Home Project Development Plan, PDP210012.

Resource Slides

City of Fort Collins

Group Home Definition

Group home shall mean either of the following:

(1) Residential group home shall mean a residence operated as a single dwelling, licensed by or operated by a governmental agency, or by an organization that is as equally qualified as a governmental agency and having a demonstrated capacity for oversight as determined by the Director, for the purpose of providing special care or rehabilitation due to homelessness, physical condition or illness, mental condition or illness, elderly age or social, behavioral or disciplinary problems, provided that authorized supervisory personnel are present on the premises.

(2) Large group care facility shall mean a residential facility that is planned, organized, operated and maintained to offer facilities and services to a specified population and is licensed by or operated by a governmental agency, or by an organization that is as equally qualified as a governmental agency and having a demonstrated capacity for oversight as determined by the Director, for the purpose of providing special care or rehabilitation due to homelessness, physical condition or illness, mental condition or illness, elderly age or social, behavioral or disciplinary problems, provided that authorized supervisory personnel are present on the premises.

City of Fort Collins

State Requirements for Residential Group Homes

Classified by the State of Colorado as an 'Assisted Living Residence'.

- A residential facility that makes available to three or more adults not related to the owner of such facility, either directly or indirectly through a resident agreement with the resident, room and board and at least the following services: personal services; protective oversight; social care due to impaired capacity to live independently; and regular supervision that shall be available on a twenty-four-hour basis, but not to the extent that regular twenty-four hour medical or nursing care is required.

Other Requirements

Assisted Living
(254)

Peak Period Parking Demand vs: Beds
On a: Weekday (Monday - Friday)
Setting/Location: General Urban/Suburban
Peak Period of Parking Demand: 11:00 a.m. - 3:00 p.m.
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Peak Period Parking Demand per Bed

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0.39	0.27 - 0.60	0.34 / 0.58	***	0.11 (28%)

Range: 5-10
Average:7

MIRAMONT MEMORY CARE

PLANNING AND ZONING COMMISSION

MARCH 23, 2022

ERIC SHENK AND XIOMA DIAZ

ripley design
LANDSCAPE ARCHITECTURE, LAND PLANNING

F9
PRODUCTIONS

PINKOWSKI | LAW
& Policy Group LLC

WHO?

Xioma Diaz is a physical therapist with 28 years of experience in assisted living and memory care communities. Eric is an MD

WHAT?

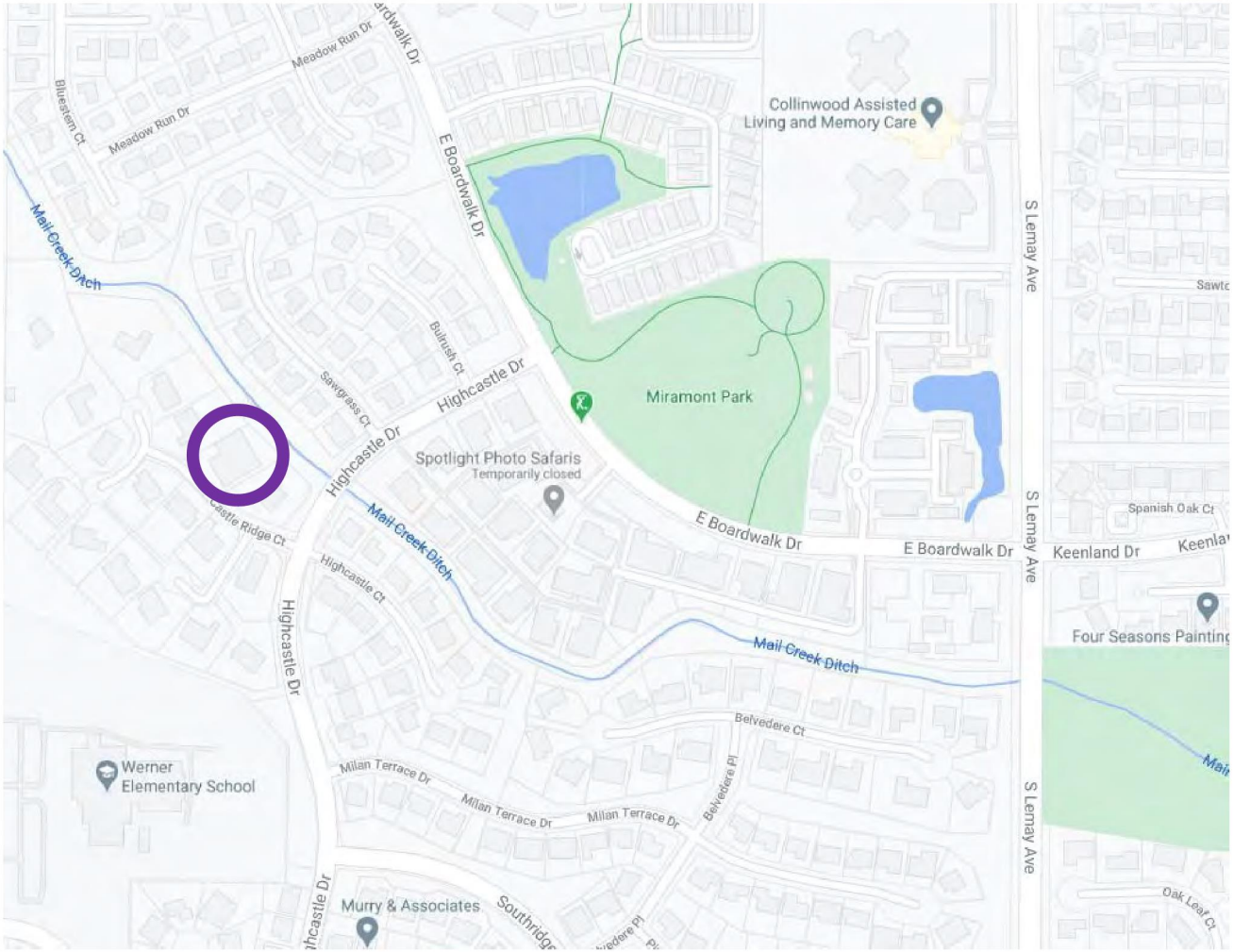
The vision**: To own and manage a high-quality residential home to care for disabled seniors.**

WHY HERE?

This property is already accessible and only requires minor renovations. The home has an internal courtyard for safe exterior amenities.

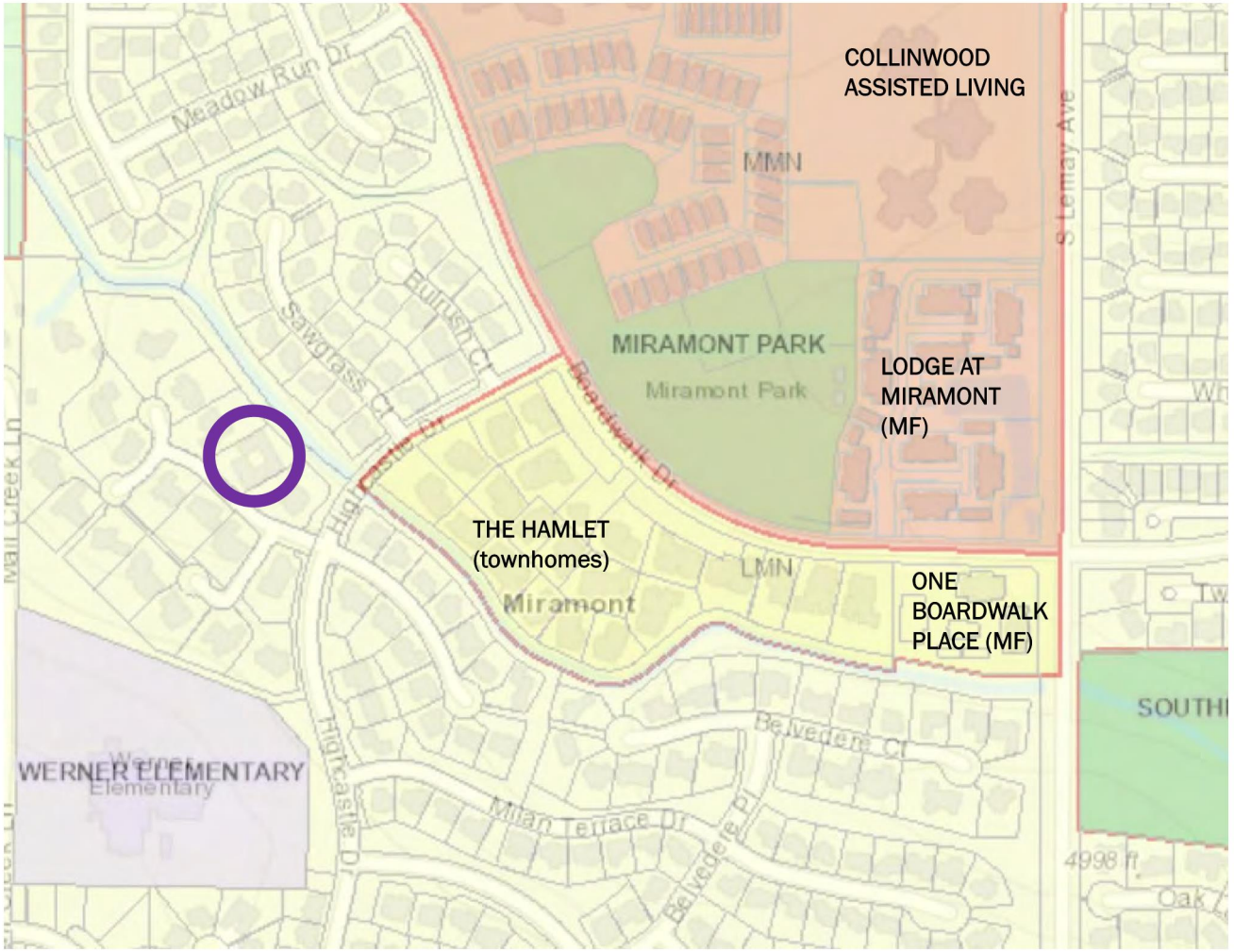
SITE LOCATION

- 636 Castle Ridge Ct.
- 8,220 sf residence
- RL Zone District
  - Minor change of use from Residential to Group Home
  - Group homes are permitted in this zone district



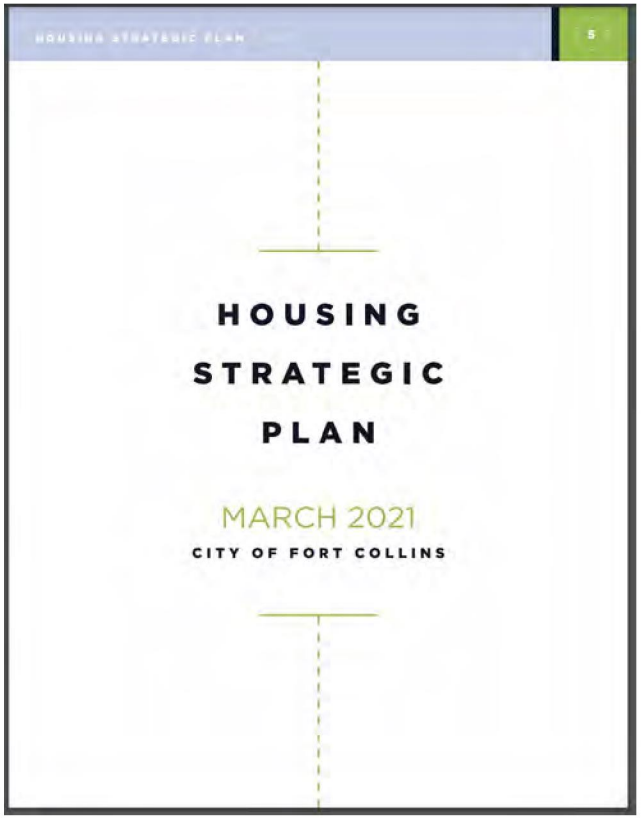
LOW DENSITY RESIDENTIAL PERMITTED USES

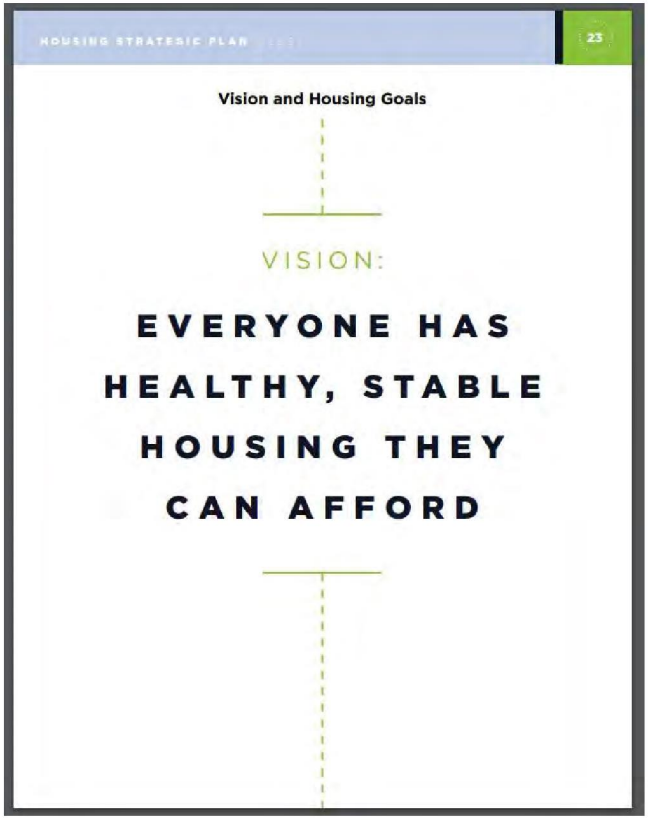
- Single-family detached
- Minor public facilities
- Places of worship
- Group homes
- Schools
- Community facilities
- Childcare centers
- Adult day/respite centers
- Solar energy systems
- Wireless telecommunication facilities



HOUSING STRATEGIC PLAN

- Vision: *everyone in Fort Collins has healthy, stable housing they can afford.*
- Desired Outcomes:
  - Increase housing supply and affordability
  - Increase housing diversity and choice
  - Increase stability and/or renter protections
  - Improve housing equity
  - Preserve existing affordable housing
  - Increase accessibility



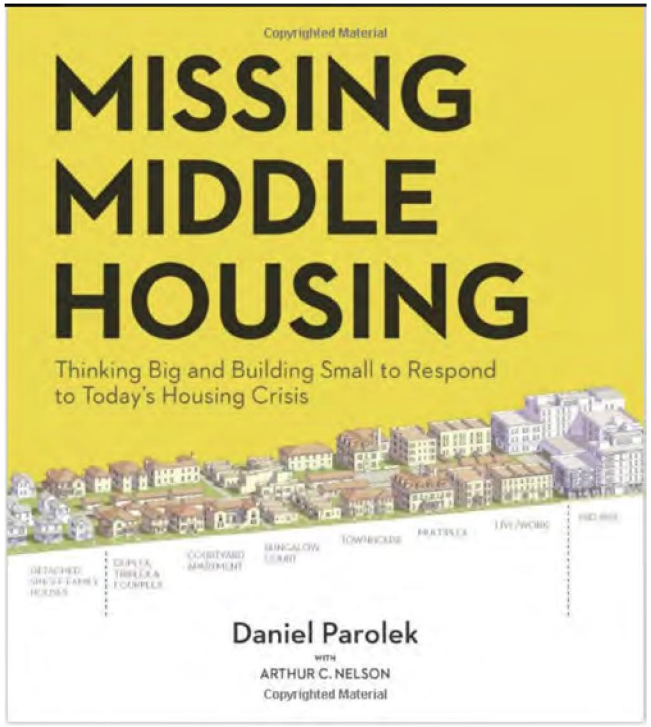


STRATEGIES:

1. Assess displacement and gentrification risk
2. Promote inclusivity, housing diversity, and affordability as community values

MISSING MIDDLE HOUSING

- ... "a range of multiunit or clustered housing types, compatible in scale with single-family homes, that help meet the growing demand for walkable urban living , respond to shifting household demographics, and meet the need for more housing choices at different price points."



"AARP (formerly the American Association of Retired Persons) has been a champion of Missing Middle Housing through its Livable Communities initiative."

OTHER RESIDENTIAL CARE HOMES (ASSISTED LIVING)

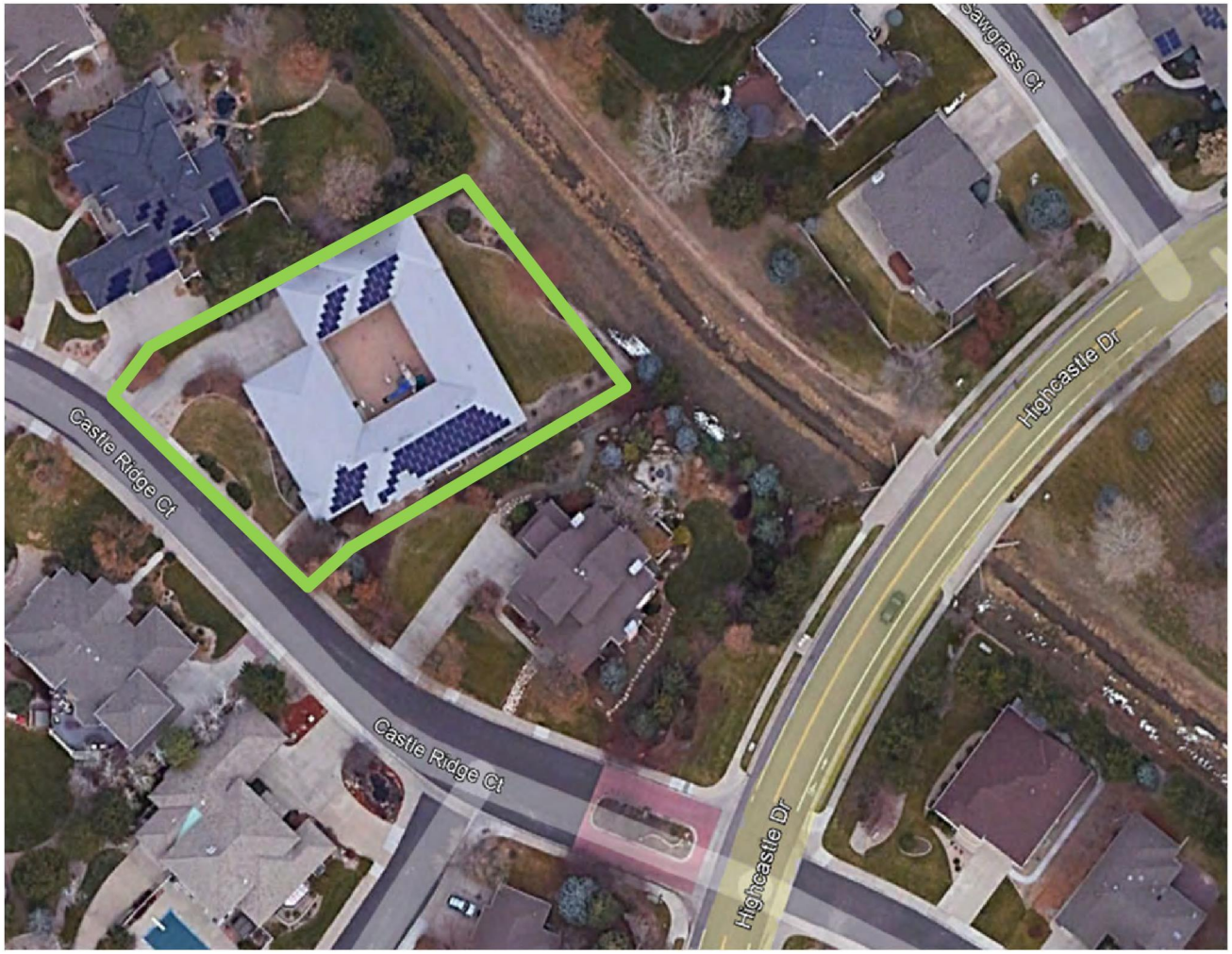
- Turnberry Place
- Monarch Greens
- Seneca House

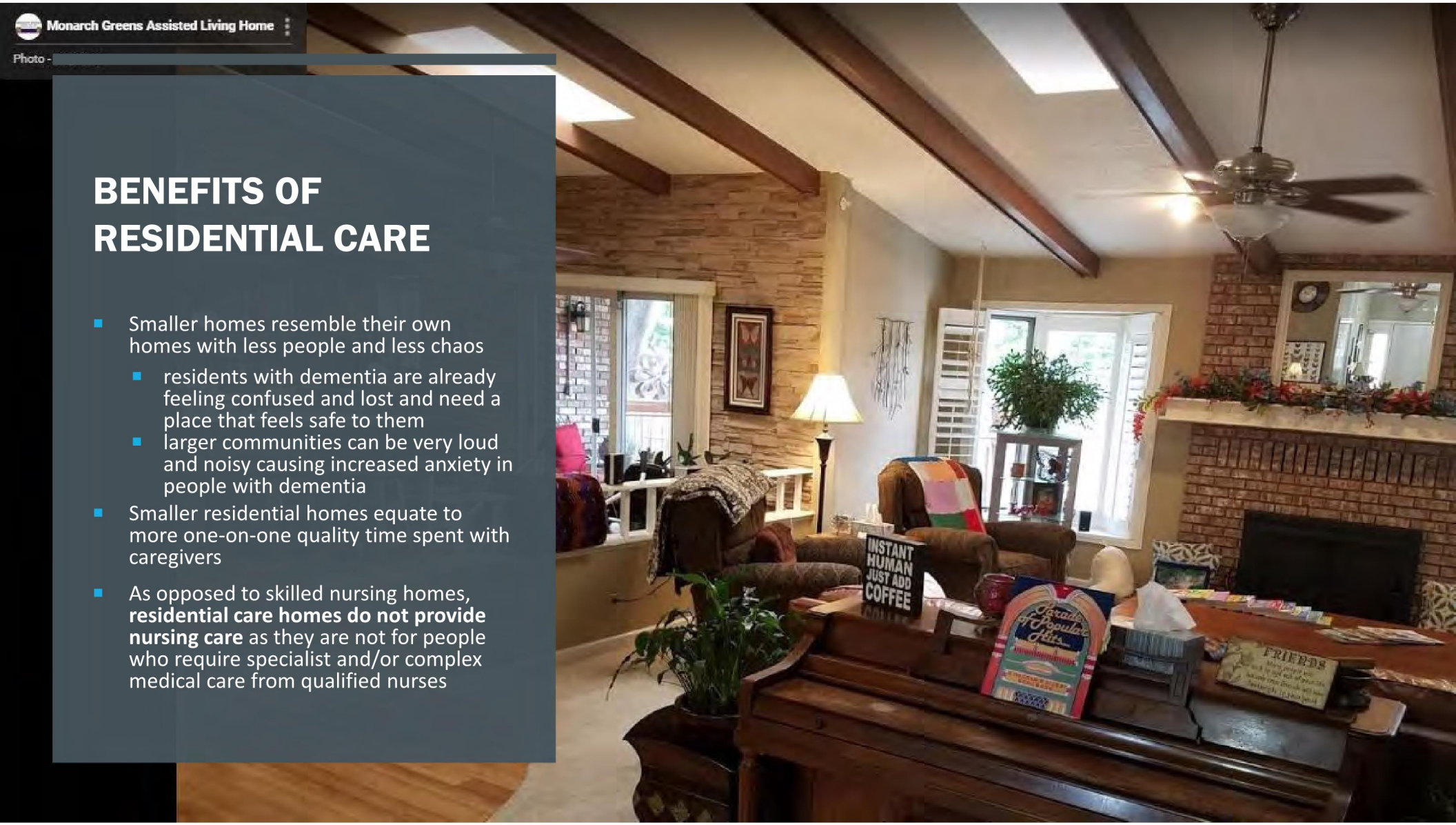
MEMORY CARE FACLITIES

- Creekside Village
- Lemay Ave Health and Rehab
- Mackenzie Place

MINIMAL RENOVATIONS PROPOSED

- Additional northwest facing windows
- Fire sprinkler system
- Added security monitoring
- Landscape screening
- On-site parking
  - Retaining existing driveway for on-site parking





BENEFITS OF RESIDENTIAL CARE

- Smaller homes resemble their own homes with less people and less chaos
  - residents with dementia are already feeling confused and lost and need a place that feels safe to them
  - larger communities can be very loud and noisy causing increased anxiety in people with dementia
- Smaller residential homes equate to more one-on-one quality time spent with caregivers
- As opposed to skilled nursing homes, **residential care homes do not provide nursing care** as they are not for people who require specialist and/or complex medical care from qualified nurses

OPERATIONS

- Traffic
  - Residents do not drive or have cars
    - Traffic memo is based on national standards for assisted living, not memory care
    - Existing house has 9 cars coming and going
    - Proposed use has 18 cars coming and going = 1.5 cars coming and going per hour per national standards. Reality is less
  - Visitation generally by appointment only (Current visitation rate is .09 visitors per day)
  - Three caregivers to care for residents during the day; one at night
- Deliveries
  - Normal sized vehicle is used for groceries and day trips
  - Deliveries will only happen during the day
- Emergency Vehicles
  - Approach without sirens
  - Significantly less than existing large scale assisted living facilities nearby
- Safety
  - Procedures in place so that memory care residents do not leave unattended
  - Electronic locks will be installed on all external doors

Slide 10

A0 Eric and Xioma - will you have a van? Or are we saying that this will be a normal delivery vehicle?
Author, 2022-03-15T22:52:49.823

A0

EXISTING & PROPOSED

Slide 11

A0 Ngoc, photoshop off the garage from the elevation, make them the same scale, add the shrubs out front if they are still there. I want these two images to look identical. Thanks

Author, 2022-03-17T13:06:18.651

WEST ELEVATION

EXISTING

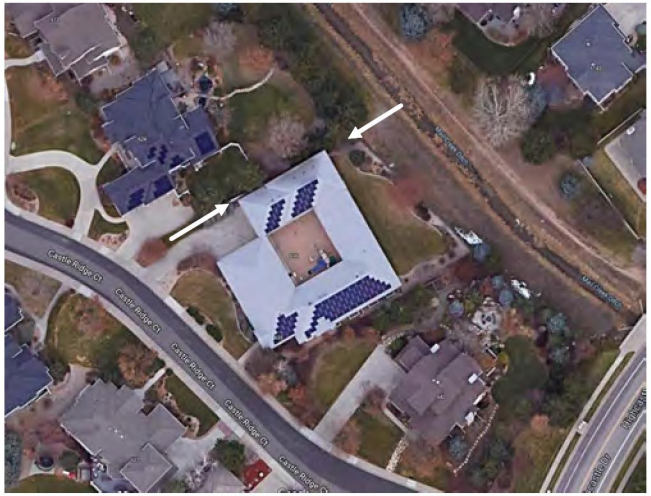
PROPOSED

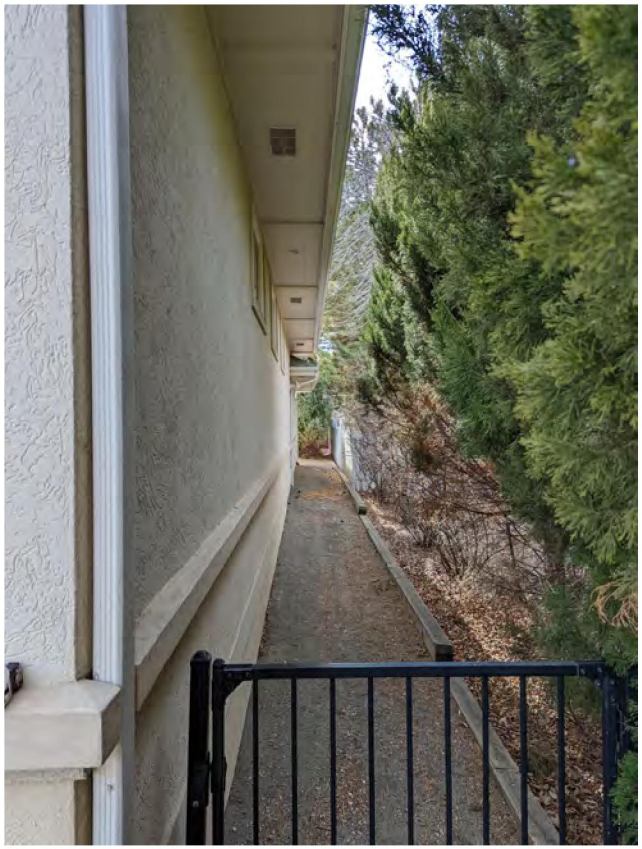
NORTH ELEVATION

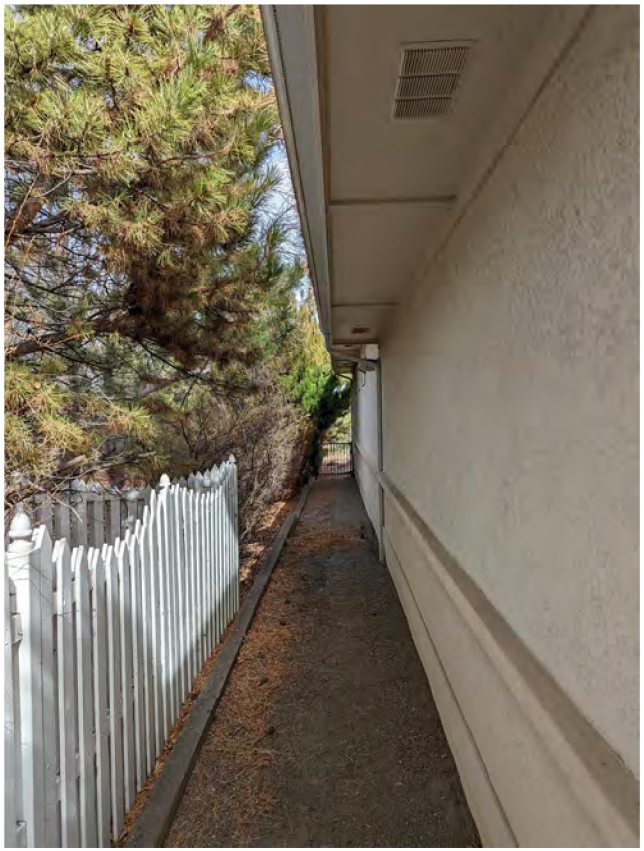
EXISTING

PROPOSED

LANDSCAPE SCREENING







SOUTH ELEVATION

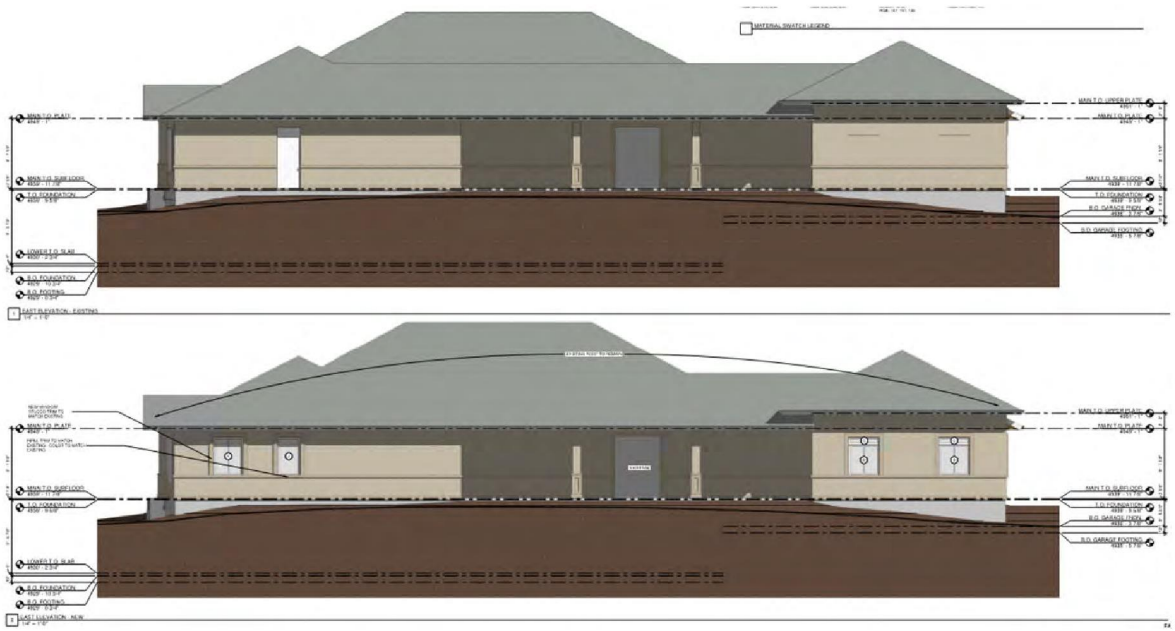
EXISTING

PROPOSED

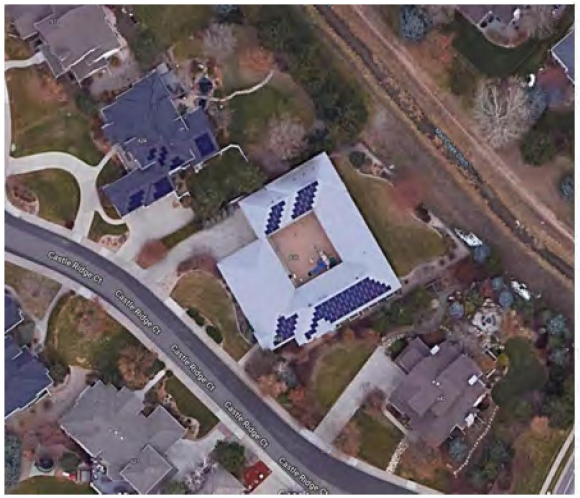
EAST ELEVATION

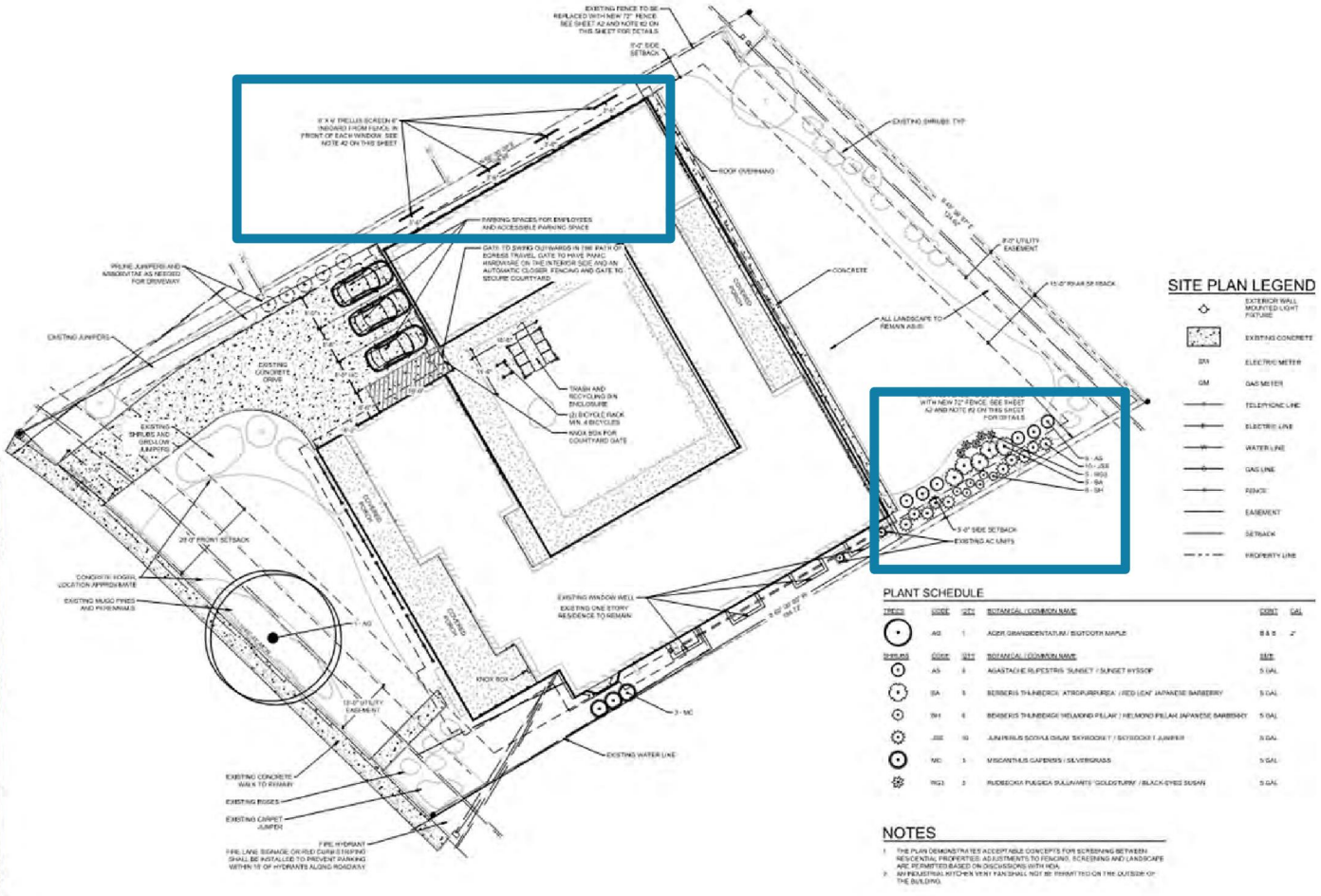
EXISTING

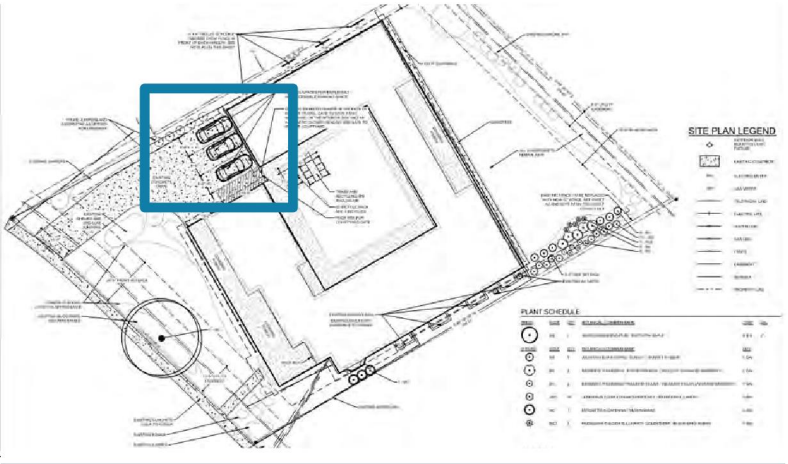
PROPOSED



LANDSCAPE SCREENING

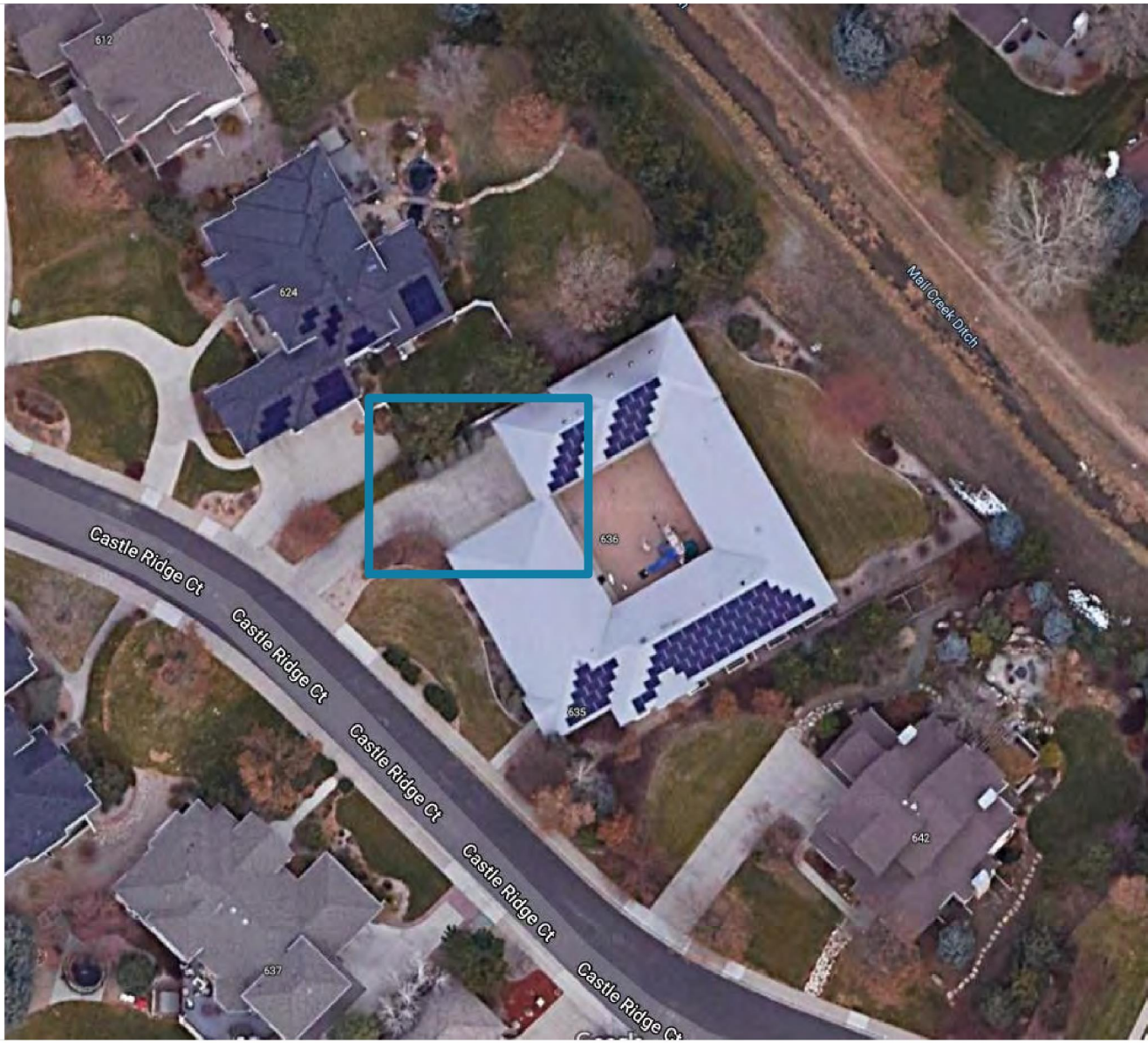






STAFF PARKING

A0

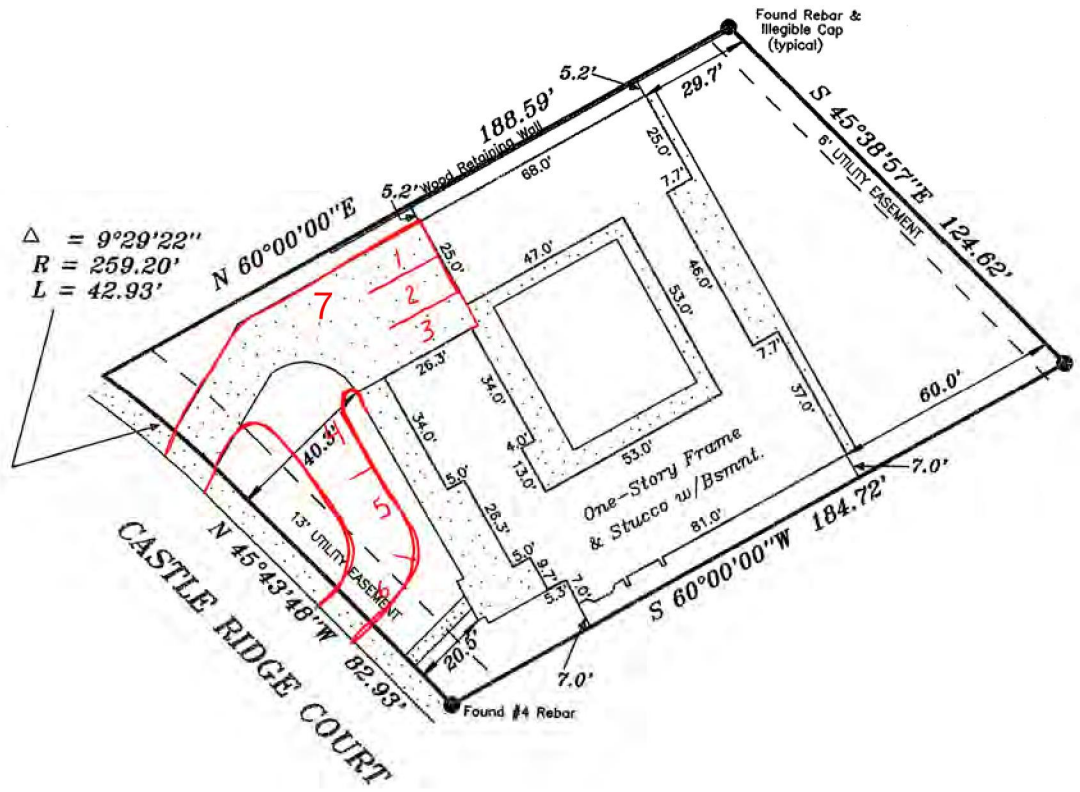


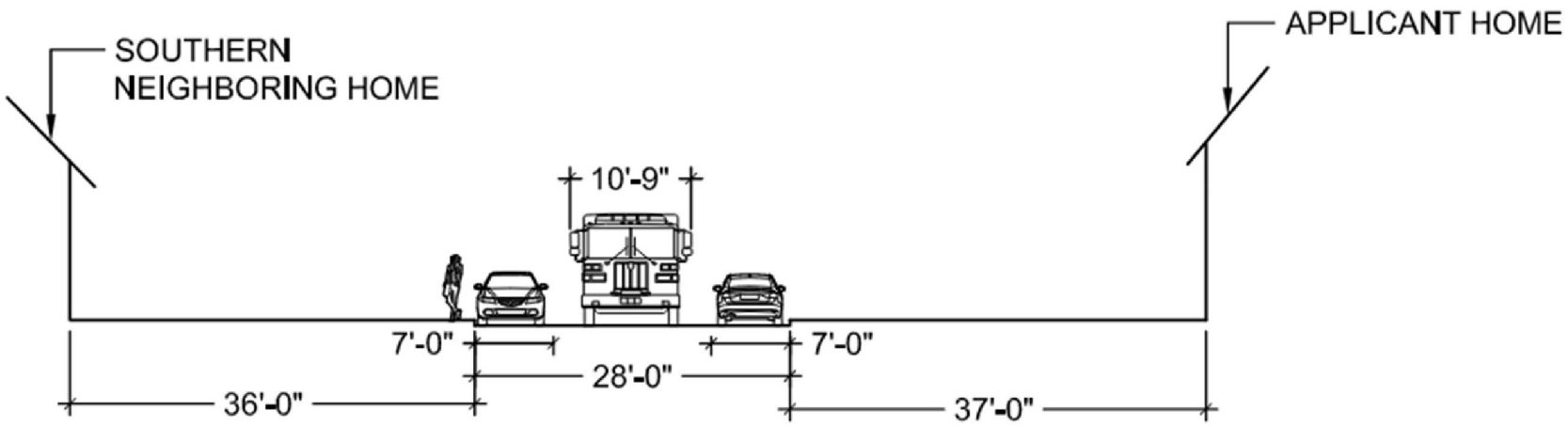
Slide 18

A0 Find and add parking and trips/day info

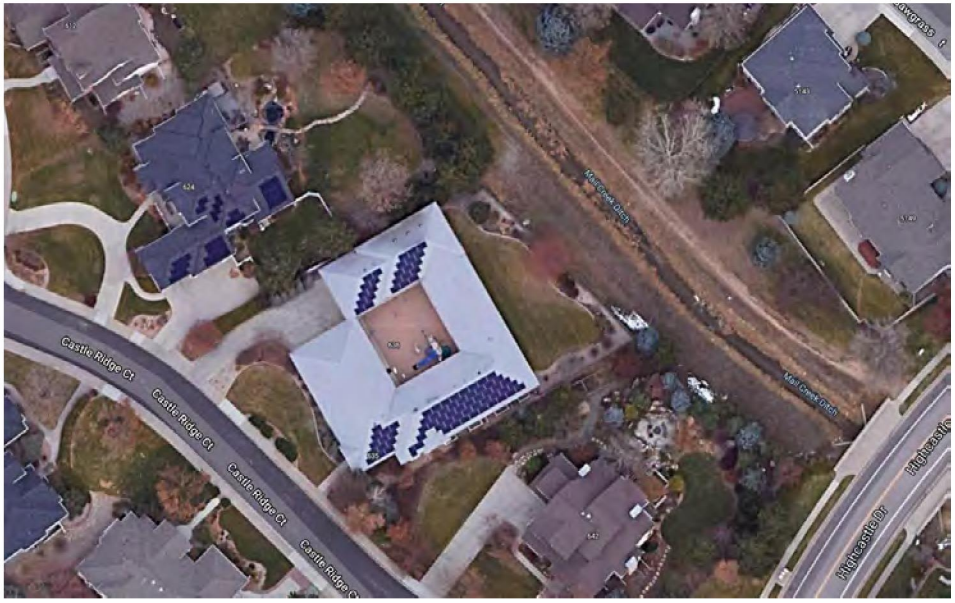
Author, 2022-03-15T14:43:50.591

ALTERNATIVE PARKING




SOUTHERN
NEIGHBORING HOME
APPLICANT HOME
10'-9"
7'-0"
7'-0"
28'-0"
36'-0"
37'-0"

FIRE ACCESS



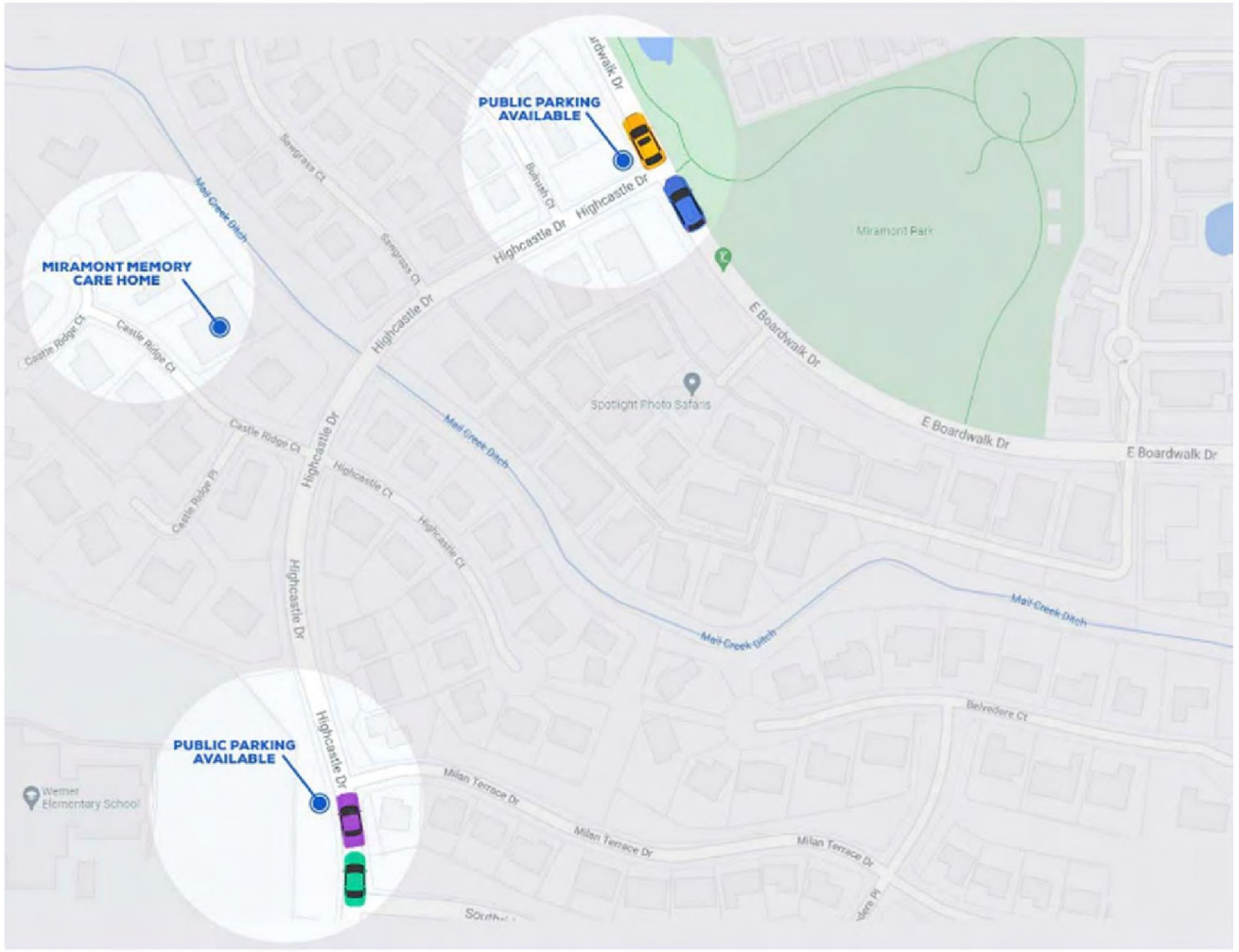
Project meets the Land Use Code
No Modifications and no Alternative Means and Methods

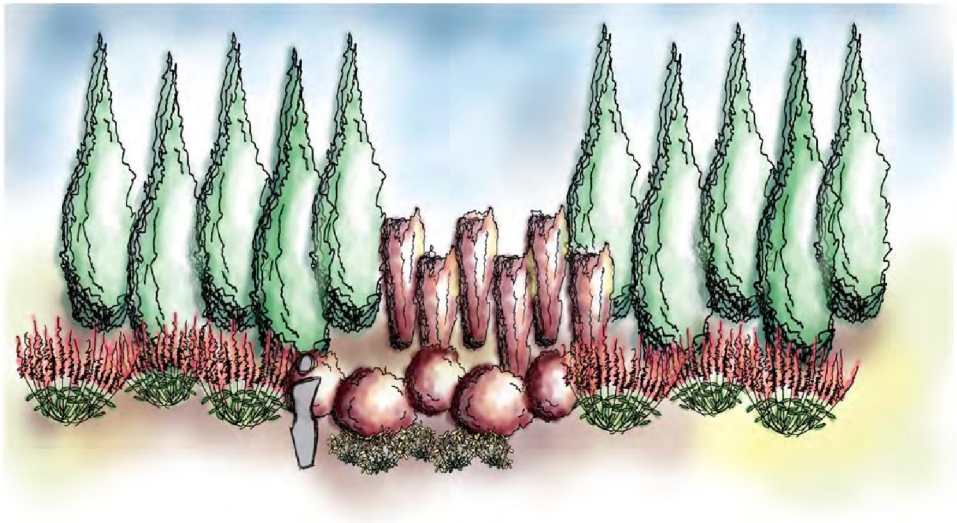
Better quality of life for disabled seniors

QUESTIONS?

OFF-SITE EMPLOYEE PARKING

- High Castle Drive
- Boardwalk Drive



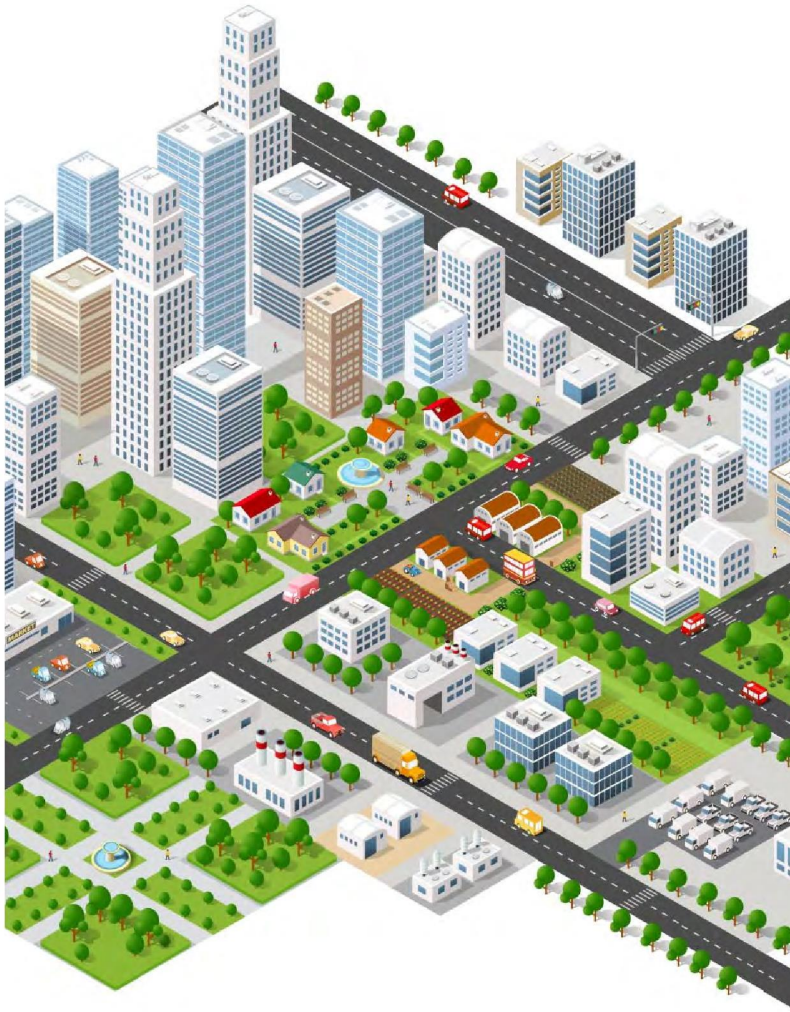


QTY	BOTANICAL / COMMON NAME	SIZE
6	AGASTACHE RUPESTRIS `SUNSET` / SUNSET HYSSOP	5 GAL
5	BERBERIS THUNBERGII `ATROPURPUREA` / RED LEAF JAPANESE BARBERRY	5 GAL
6	BERBERIS THUNBERGII 'HELMOND PILLAR' / HELMOND PILLAR JAPANESE BARBERRY	5 GAL
10	JUNIPERUS SCOPULORUM 'SKYROCKET' / SKYROCKET JUNIPER	5 GAL
3	MISCANTHUS CAPENSIS / SILVERGRASS	5 GAL
5	RUDBECKIA FULGIDA SULLIVANTII `GOLDSTURM` / BLACK-EYED SUSAN	5 GAL

NORTHERN LANDSCAPE SCREENING

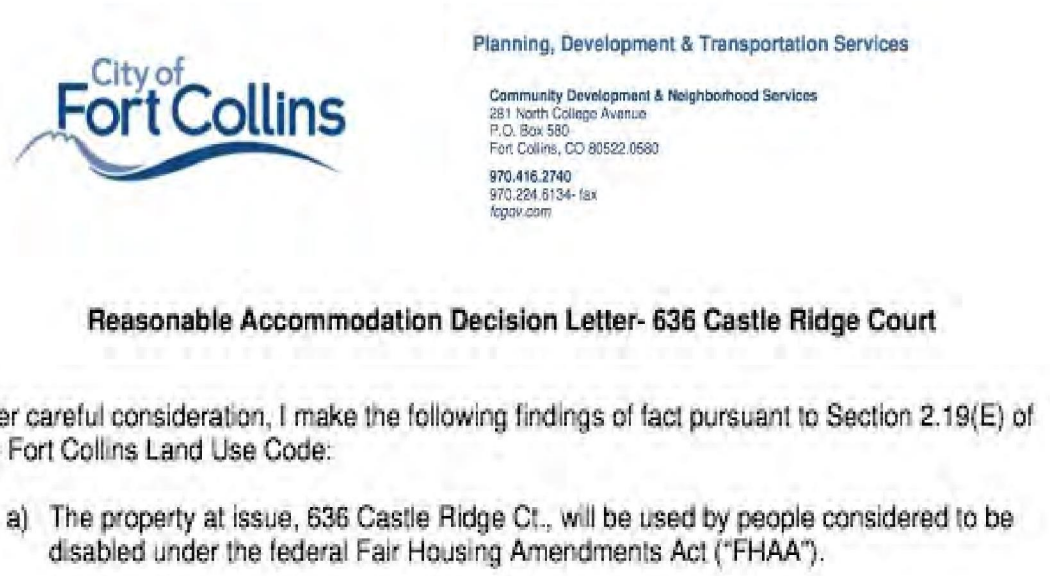
COMPATIBILTY (LUC 5.1 – DEFINITIONS)

- Compatibility shall mean the characteristics of different uses or activities or design which allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include height, scale, mass and bulk of structures. Other characteristics include pedestrian or vehicular traffic, circulation, access and parking impacts. Other important characteristics that affect compatibility are landscaping, lighting, noise, odor and architecture. Compatibility does not mean "the same as." Rather, compatibility refers to the sensitivity of development proposals in maintaining the character of existing development.



REASONABLE ACCOMMODATION

- "Reasonable Accommodation" means making an exception to rules, policies, practices, or services when necessary to provide people with disabilities equal opportunity to use and enjoy a dwelling.
- Reasonable accommodation was granted by the city on June 30, 2021 by the Director of Community Development and Neighborhood Services with the advice of legal counsel.



City of Fort Collins

Planning, Development & Transportation Services

Community Development & Neighborhood Services
281 North College Avenue
P.O. Box 580
Fort Collins, CO 80522-0580

970.416.2740
970.224.6134- fax
fcgov.com

Reasonable Accommodation Decision Letter- 636 Castle Ridge Court

After careful consideration, I make the following findings of fact pursuant to Section 2.19(E) of the Fort Collins Land Use Code:

a) The property at issue, 636 Castle Ridge Ct., will be used by people considered to be disabled under the federal Fair Housing Amendments Act ("FHAA").

REASONABLE ACCOMMODATION (CONT.)

Does reasonable accommodation follow property or use or owner?

This reasonable accommodation was granted for *this use* on *this property* for *this population*. As long as these factors stay the same, the accommodation remains valid even with a change of owner/operator, assuming the operations remain essentially the same and any conditions imposed are met.

TIMELINE MOVING FORWARD

Community Development & Neighborhood Services
Planning & Development Services
281 North College Avenue
P.O. Box 580
Fort Collins, CO 80522.0580

970.221.6376
970.224.6111- fax

MEMORANDUM

Date: March 2, 2022

To: Chair Katz and Members of the Planning & Zoning Commission

From: Kai Kleer, City Planner

Re: **Staff Report Clarifying Questions – Castle Ridge Group Home, PDP210012**

Clarifying Questions & Staff Responses

The following three clarifying questions were asked by Julie Stackhouse of the Planning & Zoning Commission:

1. Packet page 8 Indicates that "the project includes an approved (emphasis added) reasonable accommodation request which grants relief from 3.8(A) to increase maximum permissible residents from 8 to 16. My question: who was the approver of this request?

    - *Paul Sizemore, Director of Community Development and Neighborhood Services, approved the request pursuant to Land Use Code Division 2.19.*

2. Packet page 8, section 2, includes the following statement: If the scope of service goes beyond these limits and requires skilled nursing care, residents will be required to move off-site in a timely manner. However, page 12 indicates that: the group home is also proposing to offer hospice care which will require a skilled nurse. These statements, on their face, seem inconsistent. Please explain and indicate the maximum number of hospice care patients that will be admitted and address the associated parking considerations for the maximum number of additional workers.

    - *Hospice care staff includes a combination of skilled nursing and non-skilled services. The service will be contracted through a third party and is meant to complement the care of full-time group home staff. It's expected that visits from hospice care staff (e.g., registered nurse, certified nursing assistant, or clergy) could range from 15 minutes to hours depending on the stage of health the patient is in. It is unlikely that all types of staff would be present at once, however, some overlap may exist.*

    - *Concerning the maximum number of hospice care patients, the applicant indicates that a maximum of four hospice patients may be possible, however, the number is largely variable due to the unpredictability of death.*

3. Packet page 12, condition 1 states: To the extent possible, deliveries and short-term visits shall be limited to available space within the driveway and street frontage that shares a common boundary with 636 Castle Ridge Drive. Please explain how "to the extent possible" should be interpreted, how

enforcement will occur, and what is expected on days when the group home hosts holiday or special events. Please also provide information on the previous experience of the owners in addressing traffic considerations with a 16- person memory/hospice care facility.

- *'To the extent possible' is typically used when there are variables that cannot be controlled by an all-encompassing rule or set of rules. The goal is to reduce the impacts of the group home on the neighborhood and the use of the phrase 'to the extent possible' allows for some flexibility due to unforeseen circumstances (e.g., those visits that are unexpected or out of the ordinary).*

- *Regarding enforcement, it is the expectation that the applicant understands the limits of the condition and works to maintain the limited scope of operations. If a complaint were filed by a community member, City Zoning staff will start an investigation into the allegations of the complaint. If a violation is found corrective action by the owner will be required within a certain time period or would be subject to Land Use Code Section 2.14.4 - Criminal and Civil Liabilities; Penalties.*

- *With holidays or special events, the applicant has indicated that an effort would be made to host events off-site during good weather and to stagger in-home events to reduce the number of visitors at any one time. This can certainly be considered as an additional condition imposed by the Planning and Zoning Commission to more strictly limit large gatherings that would impact on and off-street parking.*

- *Regarding the applicant's previous experience addressing traffic, staff will ask that they cover this in their presentation at the March 23, 2022, Regular Meeting.*

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MEMORANDUM

Date: March 15, 2022

To: Mayor Arndt and City Councilmembers

Thru: Kelly DiMartino, Interim City Manager DS
Kyle Stannert, Deputy City Manager DS
Caryn Champine, Planning Development and Transportation Director DS

From: Paul Sizemore, Community Development and Neighborhood Services Director PS

Re: Overview of the Reasonable Accommodation Process

The purpose of this memo is to provide an overview of and context for the Reasonable Accommodation process adopted by City Council in 2017, to describe how this process has been implemented since its inception, and to discuss policy alignment with City policies and strategic objectives. This information is being provided in response to a Councilmember request following a reasonable accommodation determination in 2021, and due to public contacts with Council regarding a group home project currently in the development review process that includes a reasonable accommodation determination.

Background

This memorandum describes the impetus for the creation of the process, how the process works, some history and context regarding the application of the process, and information about alignment with City policies and strategic objectives. This memorandum does not provide a legal analysis of the basis for the City's regulations, or evaluate the legal issues involved with potential modifications to the regulations. The City Attorney's office will address these legal considerations separately.

In 2016 the United States Department of Justice and the United States Department of Housing and Urban Development (HUD) issued a joint statement indicating that federal laws take precedence over any local zoning ordinances that do not provide reasonable accommodations to protected classes of people, including people with disabilities. The joint statement clarifies that reasonable accommodation provisions of the federal Fair Housing Act (FHA) and the Americans with Disabilities Act (ADA) require the City to make reasonable accommodations to its zoning regulations when necessary to afford disabled persons an equal opportunity to use and enjoy housing of their choosing on the same basis as persons without disabilities.

At the time of the joint statement the City did not have a formal procedure for evaluating these types of reasonable accommodations and was faced with a request for a reasonable accommodation without a codified review process. In 2017 the City adopted its reasonable accommodation process to create a formal procedure to allow people with disabilities to request the waiver or modification of City zoning laws, policies, or practices.

Review Process

Land Use Code (LUC) Division 2.19 sets forth the City's reasonable accommodation process. Under this process, the Community Development and Neighborhood Services (CDNS) Director reviews and decides reasonable accommodation requests. The reasonable accommodation review process is not open to the public for input and the Code does not require public outreach or a public hearing. The process was purposely designed to protect the privacy of individuals with disabilities and to avoid the possibility that discriminatory public comments might influence or be attributed to the decision maker.

It is important to note that the result of a reasonable accommodation determination is not based on a common definition of "reasonableness" as it may be perceived by neighbors or members of the public; rather, the accommodation is determined to be reasonable if it meets the specific criteria established in the LUC. In order to grant a reasonable accommodation request, the CDNS Director must find:

- The user of the property at issue has a disability.
- Granting the request is necessary to make specific housing available to a person with a disability.
- Granting the request would not impose an undue financial or administrative burden on the City.
- Granting the request would not require a fundamental alteration in the nature of a land use code provision.

As a matter of practice, when a request is received the CDNS Director assembles a small group of staff who are subject matter experts in the particular regulation under consideration, including a representative from the City Attorney's Office. This group reviews information submitted by the applicant, asks for additional details or verification as necessary, and entertains the option to hold an interactive meeting with the applicant's representatives to ask questions and collect any additional information needed to make a decision. The CDNS Director may impose conditions of approval to ensure the accommodation granted meets the criteria.

At the conclusion of the process, the CDNS Director issues a letter stating the decision on the request and the basis for that decision according to the LUC criteria. The applicant for a reasonable accommodation is the only party that may appeal a City reasonable accommodation decision, and appeals are heard by the City Manager or their designee.

History and Context

Since its inception, the CDNS Director has issued a total of 9 reasonable accommodations, in each of the following years:

- 2017: 1
- 2018: 0
- 2019: 3
- 2020: 1
- 2021: 4

As of the writing of this memorandum, no formal challenges have been made to the City's reasonable accommodation procedures either in the form of an appeal of a Director decision or through the filing of a lawsuit related to the LUC provisions. In the majority of cases, City staff do not receive complaints from neighbors near the recipient of a reasonable accommodation. In some instances when the accommodation relates to a facility such as a group home or sober living facility, neighbors will contact staff when it comes to their attention that a facility is moving into a residential building. In these cases, neighbors will sometimes express frustration that the reasonable accommodation process does not include public notification or an opportunity for the public to comment on the request, influence the process or appeal the decision.

Policy Alignment

In addition to meeting the legal requirements of the FHA and ADA, the City's reasonable accommodation process helps to advance diversity, equity, and inclusion goals outlined in the adopted 2020 Strategic Plan, City Plan and the Housing Strategic Plan. The following objectives and policies relate to issues of access, equity, and specialized housing needs that are relevant to the reasonable accommodation process:

Strategic Objective NLSH 1.4: "Advance equity for all, leading with race, so that a person's identity or identities is not a predictor of outcomes."

City Plan Policy LIV 6.1 - BASIC ACCESS: "Support construction of housing units with practical features that provide access and functionality for people of all ages and widely varying mobilities."

City Plan Policy LIV 6.2 - SPECIALIZED HOUSING NEEDS: "Plan for populations who have specialized housing needs. Integrate residential-care and treatment facilities, shelters, permanent supportive housing, group homes and senior housing throughout the GMA in areas that are well served by amenities and public transportation."

City Plan Policy LIV 7.1 - ACCEPTANCE, INCLUSION AND RESPECT: "Identify opportunities to promote acceptance, inclusion and respect for diversity.

Discourage all forms of discrimination, in addition to the specific characteristics that are protected by law."

City Plan Policy LIV 7.4 - EQUITY CONSIDERATIONS: "Include considerations for equity in decision making processes across the City organization to ensure that the benefits and/or burdens of City actions or investments are shared fairly and do not disproportionately affect a particular group or geographic location over others."

Housing Strategic Plan Strategy 2: "Promote inclusivity, housing diversity, and affordability as community values

- *Community engagement should address structural racism, counter myths related to affordable housing and density, prioritize storytelling and be culturally appropriate."*

Housing Strategic Plan Strategy 3: "Implement the 2020 Analysis of Fair Housing Choice Action Steps

- *This HUD-required document analyzes fair housing (the intersection of civil rights and housing) challenges for protected class populations in Fort Collins."*

- The purpose of the reasonable accommodation process is to make housing choices available to people with disabilities when existing zoning regulations would otherwise prevent them from living in a particular location.
- For example, a person with a mental health related disability may not be able to live in a single-family house in a neighborhood if zoning regulations prevent certain types of support from being made available in their home, or a person with a physical disability may not be able to live in a multifamily apartment building if zoning regulations would prevent ramps or structures for access to their home.
- These are the types of cases that could be considered for reasonable accommodations and evaluated against the LUC criteria.
- If granted, a reasonable accommodation may allow these individuals to live in the same neighborhood and with a comparable quality of life to individuals without these disabilities.

A tension does exist between the legal and ethical imperative to provide equal housing access to individuals with disabilities and the City's goals to provide transparent processes and empower neighbors to resolve problems.

Strategic Objective NLSH 1.5: "Enhance the quality of life in neighborhoods, empower neighbors to solve problems, and foster respectful relations."

- For neighbors who find out about a reasonable accommodation process in their neighborhood after the fact, it can feel like their quality of life is being impacted without an opportunity to provide input.
- This can leave these neighbors feeling disempowered rather than empowered.
- In evaluating the potential polarity between these two objectives, an important consideration is that the FHA, ADA, and the City's reasonable accommodation process are all designed to provide greater consideration for those who may be marginalized or underrepresented in regulatory processes in order to provide greater equity in outcomes.

Next Steps

If Council desires additional information or to discuss alternatives to the current process, options might include a work session, executive session, or additional staff correspondence. Councilmembers can discuss their preference with the City Manager, who will bring these requests forward to the Leadership Planning Team.

City of Fort Collins P&Z Board

Type 2 Review for proposed group home at 636 Castle Ridge Ct.

Neighborhood Response

Representation

Kurt/Laurie Johnson
612 Castle Ridge Ct

Jesus Martin/Angie Lee
637 Castle Ridge Ct

Steve/Kathy Chacho
631 Castle Ridge Ct

Ed/Joann Jaeger
643 Castle Ridge Ct

Troy/Carrie Tafoya
5213 Castle Ridge Pl

Barbara Schwerin
601 Castle Ridge Ct

Tracey Stefanon/Ken Patrick
Lily/Weston Patrick
642 Castle Ridge Ct

Steve/Josh Sunderman
607 Castle Ridge Ct

Lawrence Mauch/Karen Kotecki
625 Castle Ridge Ct

Tom/Debbie Graff
624 Castle Ridge Ct

Steve/Beth Williams
5301 Highcastle Ct

Gregg/Stacy Lesartre
619 Castle Ridge Ct

Tony/Sarah Doing
5206 Castle Ridge Pl

Brad Sisson/Amanda Bartels
600 Castle Ridge Ct

Michael Leuzze
5225 Castle Ridge Pl

Dan Clawson
5219 Castle Ridge Pl

Douglas/Katie Salter
613 Castle Ridge Ct

Details - speakers

- Overview and introduction – land use alterations
  - Kurt Johnson – 612 Castle Ridge Ct
- On-street parking and traffic
  - Tracey Stefanon – 642 Castle Ridge Ct
- Character
  - Jesus Martin – 637 Castle Ridge Ct
- Legal issues
  - Harmon Zuckerman, Esq.
- Summary
  - Kurt Johnson – 612 Castle Ridge Ct

Reasonable Accommodation – no fundamental alterations (2.19)

- The Reasonable Accommodation process: ***deny*** if fundamental alterations to a Land Use Code provision.
- RA conditioned to 3 staff, now there is 4-5 staff per operational plan (live in administrator(s) added) + contractors

(E) *Findings and Decision.*

(1) *Findings.* The written decision to grant, grant with conditions or deny a request for reasonable accommodation shall be based on consideration of the following factors:

(a) Whether the property, which is the subject of the request, will be used by an individual disabled under the Acts;

(b) Whether the request for reasonable accommodation is necessary to make specific housing available to an individual with a disability under the Acts;

(c) Whether the requested reasonable accommodation would impose an undue financial or administrative burden on the City;

(d) Whether the requested reasonable accommodation would require a fundamental alteration in the nature of a land use code provision; and

(e) Any other applicable requirements of the FHA and ADA.

A "Large Group Care Facility" in a "Low Density Residential" Neighborhood is a "fundamental alteration" of the Land Use Code.

Intensity Impact

- 16 vs. 8 residents – doubling the impact from previously-approved group homes
  - Group homes a matter of statewide concern – *up to* 8 residents
  - Originally stated "no neighborhood opposition" – no attempt at collaboration
  - Canvass of Fort Collins memory care capacity – 21% vacancy rate
- Is there a special circumstance that lessens the impact of 16 residents?
  - Extra-wide street with ample parking on both sides (like Seneca St)? No
  - Buffering via long private drive/no adjacent neighbors? No
  - Other/large acreage? No, unlike Eagles Nest Assisted Living (8 residents on 3.3 acres)
- In fact, nothing unique to justify increased activity
- ALL impact will be felt by the surrounding neighborhood
- If >8 does not violate code, what is the limit? Is there a limit? Why wouldn't Eagles Nest expand?

Seneca St

Section 3.8.6 of Fort Collins specifically defines “Large Group Care Facility”

- Maximum number of residents for “Large Group Care Facilities” range from 6 - 15 or 6 – 20 depending on zone
- Even for a “Large Group Care Facility” 16 residents is **not** allowed for:
  - Low Density Mixed Use (L-M-N), Neighborhood Conservation, Medium Density (N-C-M), Manufacturing Housing District (M-H), River Downtown Redevelopment District (R-D-R)
- > 15 residents is only allowed in:
  - **Commercial** Districts (D, C-S, C-C-N, N-C, C-G, C-C, C-L, C-C-R)
  - Neighborhood Conservation **Buffer** Districts(N-C-B)
  - **High & Medium Density Mixed-Use** Districts (M-M-N, H-M-N)

(B) Large group care facilities shall conform to the lot area and separation requirements specified in the following table:

EXPAND

Zone	*Maximum number of residents excluding supervisors, for minimum lot size*	*Additional lot area for each additional resident (square feet)*	*Maximum permissible residents, excluding supervisors*	*Minimum separation requirements between any other group home (feet)**
L-M-N, N-C-M,	6	750	15	1,000
M-H, R-D-R				
N-C-B, D, C-S,	6	500	20**	700
C-C-N, M-M-N,				
H-M-N, N-C, C-G,				
C-C, C-L, C-C-R				

A “Large Group Care Facility” are envisioned in Commercial & Higher Density Districts

Land Use Code Requirements for Exceeding the Maximum Number of Residents (3.8.6)

- Note: by the Land Use Code this is only allowed for “Large Group Care Facility”
- Must take into account:
  - Traffic Impact
  - Parking
  - “Architecturally” and “Size & Scale” Compatible with Character of area

* The minimum separation distance required between group homes that are located in different zone districts shall be the one that requires the greatest distance.

** The decision maker may determine a higher maximum number of residents to be allowed to occupy the facility upon finding that the facility as so occupied will satisfy the following criteria:

a. the adjacent street system is sufficient to accommodate the traffic impacts generated by the large group care facility;

b. the large group care facility has made adequate, on-site accommodations for its parking needs;

c. the architectural design of the large group care facility is compatible with the character of the surrounding neighborhood;

d. the size and scale of the large group care facility is compatible with the character of the surrounding neighborhood; and

e. the types of treatment activities or the rendering of services proposed to be conducted upon the premises are substantially consistent with the activities permitted in the zone district in which the facility is proposed to be located.

Traffic, Parking, Size and Scale must be taken into account by the “Decision Maker”

"Consistent with the PUD master plan" Section 2.4.2 (H)

- "The project development plan shall be consistent with the overall development plan or PUD Master Plan associated with such PUD Overlay"
- Variance granted to PUD to allow narrow street width
  - Based on 3+ car garages, larger lot size, assumption of minimal parking needs
  - Change in use violates the conditions by which the variance was granted
- Variance granted to 636 Castle Ridge to allow 5' side setbacks where 12' is required
  - Change in use, with added privacy concerns, violates the conditions by which the variance was granted

Architecture – character of the area

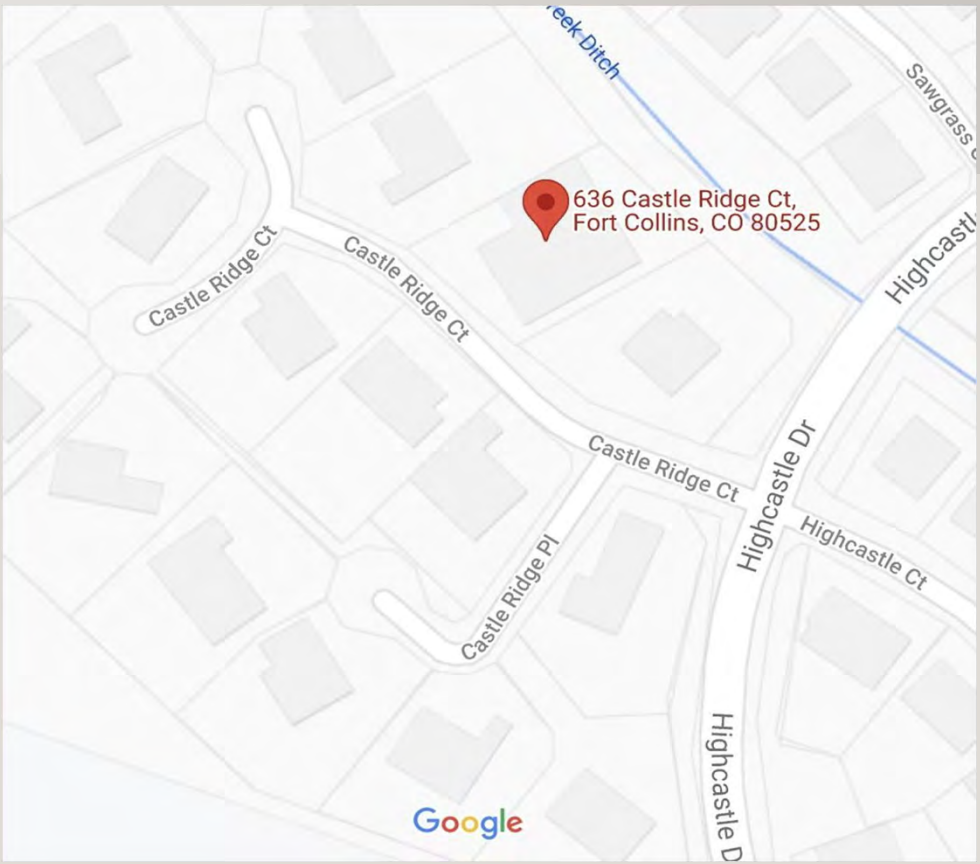
- Dormitory style with all 16 residents on single floor
  - Note basement is NOT walkout, shouldn't be considered in useable square footage
  - Intensity leads to uniform row of bedroom windows, especially on north side (current plan is larger windows than state requires)
  - North side of facility less than 5ft from property line
    - Screening issues, egress issues
  - Propose to eliminate both two car garages (eliminating 4 parking spaces)

636 Castle Ridge Ct

Traffic and Parking

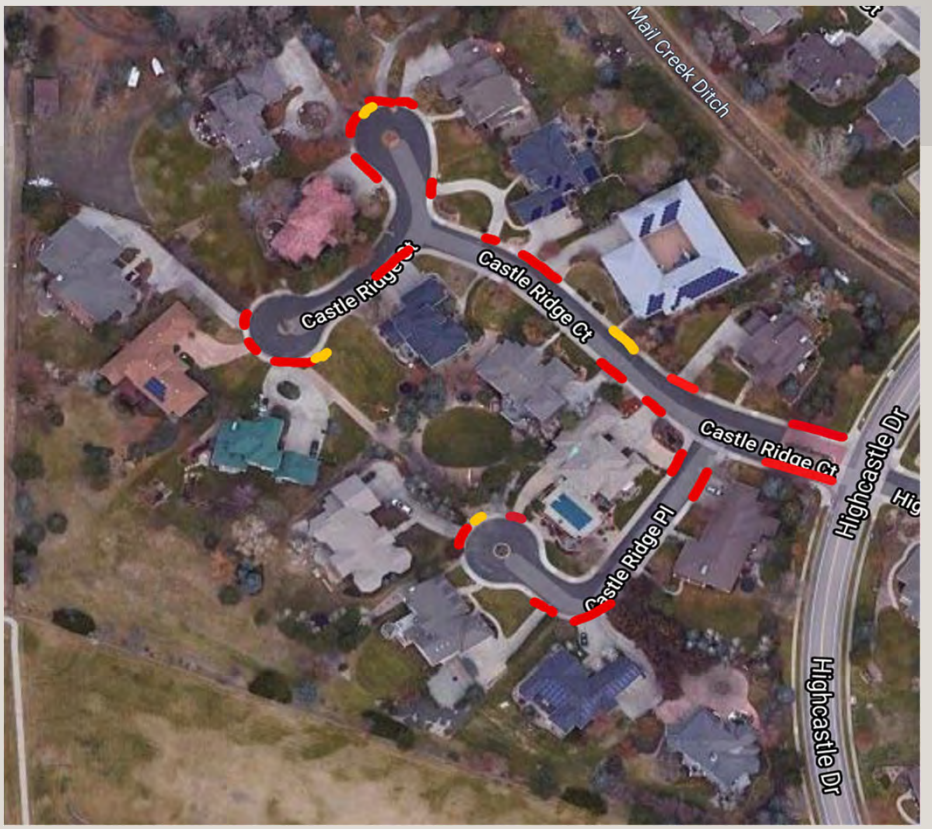
Overview of Area

- Three court area, one entrance and one exit off of High Castle Drive
- Private road maintained by the HOA at the cost via special assessment paid by the homeowners
- No snow removal
- Off-street parking on Highcastle Drive is 1,000-1,500 feet away



Satellite Image with Driveways

- Street parking is very limited outside driveways and fire hydrant areas
- Visitors likely to park in front of and across the street from subject property
- 17 other residences with visitors, deliveries, services, maintenance, and potential need for emergency services

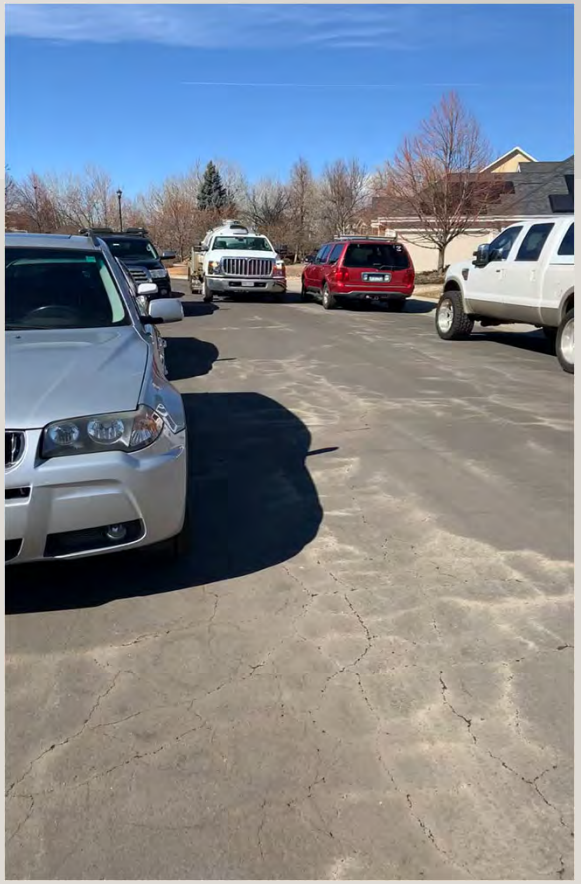


Institute of Traffic Engineers Parking Reference Manual

- Use will likely generate 7-10 parked cars
- Assume high end of range due to specific use
- City survey of existing group home parking results in need for 7-14 parking spaces for 16-bed group home
  - Lowest # off-street parking in FC for double residents

Impact of Traffic and Parking

- NORMALLY to have cars parked on both sides
- SAFETY IMPACTS for facility residents and other homeowners
- SIGNIFICANT number of emergency response calls anticipated



10 Additional Cars Parked on the Street (mockup)

Traffic, Parking and Safety

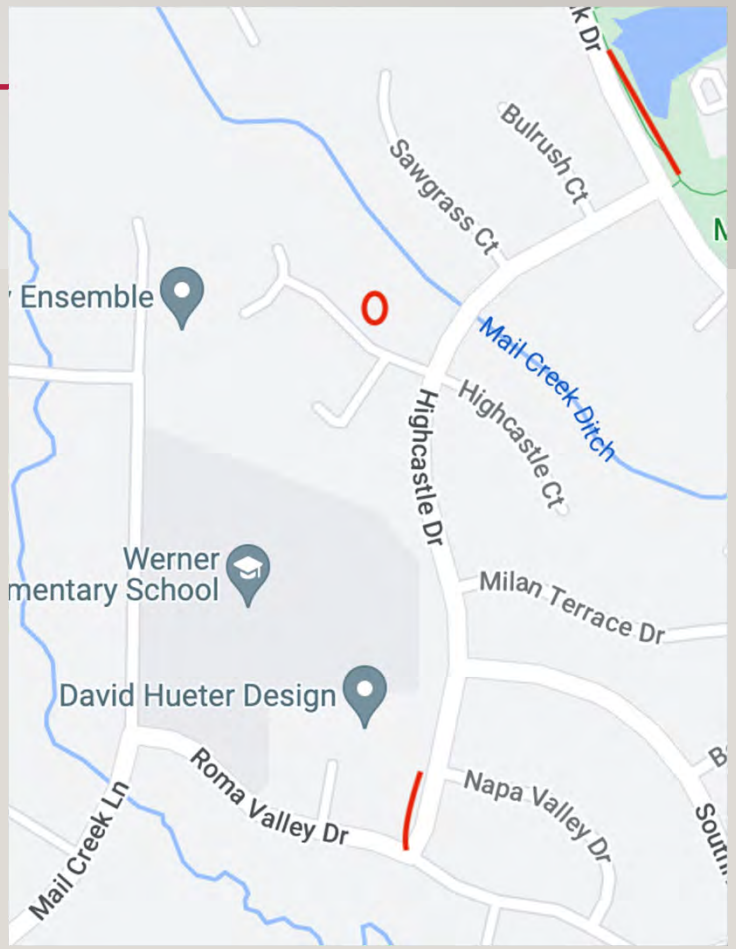
- PFA fire lane requirement – first 3 rounds of review
- PFA removed requirement before round 4 after applicant:
  - Termed the *Change of Use* to be a "remodel project"
  - Represented parking on both sides of the street as unusual and a "worst case scenario"
  - Made legal threat
- PFA withdrawal of requirement was based on FALSE information
  - Operational plan was not submitted at this time

Parking and presented alternate options

10+ cars would just be for that ONE residence - 17 other residences

Proposed parking mitigation (Highcastle or Boardwalk (1000 to 1500 feet away) – NOT REALISTIC especially in winter

-Only potentially enforceable to the 5 staff -



Colorado Regulations -- Assisted Living and Hospice

CCR 1011-1 Chapter 7, section 13.1, A4 for Assisted Living

- Residents' may "have visitors at any time"

CCR 1011-1 Chapter 21 for hospice

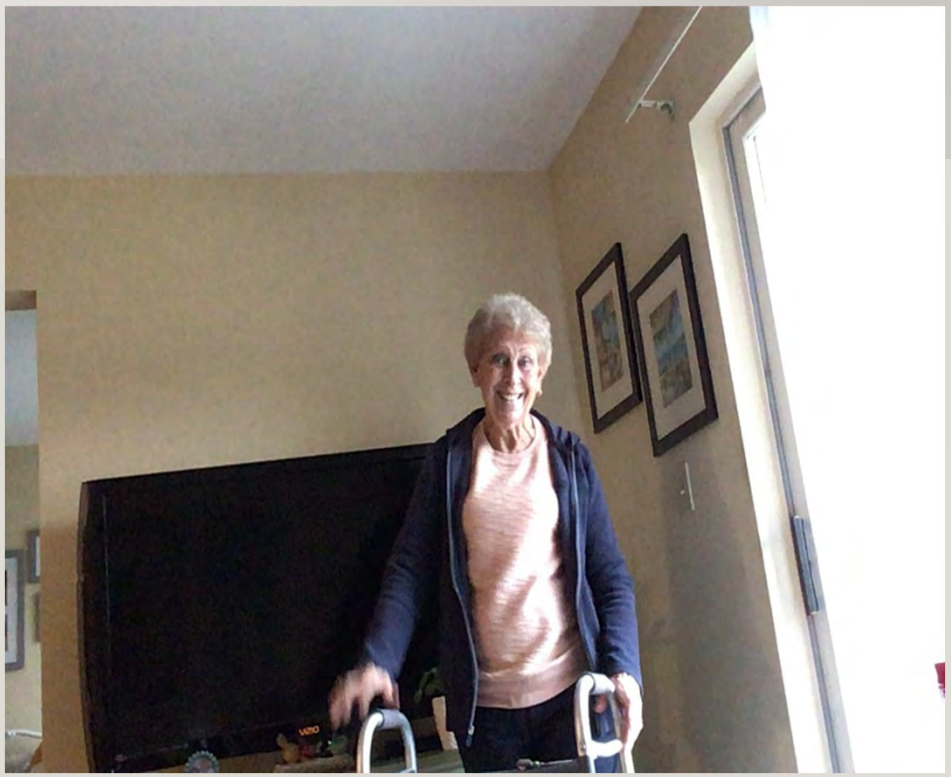
- "Visiting hours shall be flexible"
- Family may "remain with the patient overnight"
- "Interdisciplinary team" of staff required

Applicant's statements are inconsistent with law:

- "can spread out traffic impacts and prevent large clusters of visitors at any one time"
- "average expected one visitor per client per week…generally one hour or less"

Visitation

- Disconnect between Colorado Code for resident RIGHTS and the operational plan
- Disconnect between personal/professional experience of expected visitation and the operational plan
  - End of life
  - Hospice



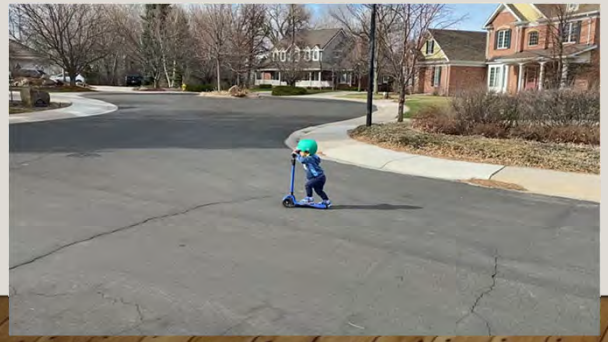
Traffic, Parking and Safety Concerns Summary

- Applicant significantly understated the traffic and parking needs
- Liability
  - Intensity – number of residents/visitors/support increases liability risk for surrounding properties
- School
  - Significant number of school kids walking to-from school

636 Castle Ridge Ct

Change in the character of the neighborhood

What kids can do now and how the street looks like with forecasted traffic/parking



Operational Plan Issues – completed *after* traffic study
Understated – and how to enforce an impact limit?

- Late additions to Operational Plan (e.g., live-in administrators, van/bus) not studied
  - Now 5 staff and van/bus vehicle impact
- Staff shifts (3) unlikely to use driveway, carpooling/biking unlikely to materialize, no handicapped spaces?
- Patient visitation rights not considered
- Hospice creates more visitation than stated – *multiple providers* in FC
- Van/bus to use one of three minimum size spaces?
- Housekeeping – 4hrs/wk and Medical – 4hrs every other week?
- Events on holidays not fully conditioned
- Coordinating in-demand services to specific times unrealistic
- Clergy is not rare, medical transports understated
- ***Realistic view is in-line with ITE/city data***

636 Castle Ridge Ct

Legal issues

636 Castle Ridge Ct

Requested Conditions and Summary

Requested Conditions

- Letter sent had requested conditions in conjunction with intensity limitation
  - Assumed Commission had authority to limit number of residents
- Understanding that may not be the case – project at 16 residents should be ***denied***
  - Multiple Land Use Code violations
  - Staff suggested conditions unrealistic
  - As proposed, lowest parking for double the residents per city data
  - Plans never correct

Summary

- New exceptions built on top of existing exceptions (street width, setbacks, fire lane, parking, …)
  - Mayor: "If we don't like the plan, we should work on changing the plan, (rather than) constantly be making exceptions to plans." (Coloradoan, 1/19/22, re: Sams Club gas station)
- Note that all operational mitigation efforts are voluntary, would need stronger enforcement mechanism
  - Unlikely to be realized best case, if realizable at all – neighbors have to monitor/report
  - Impact already is greater than submitted – also what if more services added?
  - What happens when change of ownership or operational head? A: New plan.
  - Impact is in perpetuity, must plan for worst case
- *If such intensity is approved here, then it will need to be approved anywhere – bad precedent*
  - By definition, this is a fundamental alteration which needs to be further conditioned or denied

636 Castle Ridge Ct

Backup

Requested Conditions

- Limit residents to 8 (helps parking, can keep a garage)
- Limit parking to in front of property/in driveway only
  - No van/bus parking in driveway or on street – pickup/drop-off only
- Require that HOA – ACC stipulations be met related to:
  - Windows/Trim
  - Gates/Landscaping/lighting
  - Privacy/Character
- Submit copy of state operating license to HOA
- Yearly submittal to HOAof required certificate of inspection for water supply backflow preventer
- Group home pay ½ of PUD road maintenance
- South side picture windows continuously incorrect on plans – both need screening
- Six trash bins for pickup to be placed in front of group home property only (not neighbor property). Must put back in place by end of trash pickup day.

To: Fort Collins Planning and Zoning Commission
Development Review Comments

Delivery via electronic mail at devreviewcomments@fc.gov

Re: 636 Castle Ridge Ct. Group Home Project

Overview

As you are aware, the project at 636 Castle Ridge Court proposes 16 residents for a memory care facility within an R-1 zone. If approved, this would fundamentally alter the character of our neighborhood and threaten our health and safety in violation of the Land Use Code.

The applicant has received a reasonable accommodation to allow 16 residents, but the proposed project must still pass a Type 2 Review. A key basis for such passage is the demonstration of "community need" – although a canvassing of Fort Collins memory care facilities shows that the current vacancy rate is 21% (see attached spreadsheet for data), and there are three new facilities in the planning phase.

Type 2 review requires that the Commission ensure that the physical and operational characteristics of proposed buildings and uses are compatible with the surrounding neighborhood. A memory care facility of the size proposed is fundamentally incompatible. The applicant has asked that you allow an unprecedented doubling of the Land Use Code limit for group homes. We request that you deny this application or significantly limit the intensity of the use proposed. Eight is enough.

True, the subject property is a big house. But it is not in a location that is conducive to the intensity being proposed. Castle Ridge Court is a narrow, private street that was approved as part of an 18-unit PUD with a variance to allow the street's substandard width (see attached document). Also, the house itself received a variance for setbacks to 5' (also referenced below), where all other properties in the PUD have 12' setbacks – this means that some mitigation efforts that could have been required would be ineffective as they relate to the subject property.

Other group homes in similar neighborhoods have not attempted to push the envelope so hard when it comes to intensity. For example, the group home located on Seneca Street, which is a wide secondary street with parking on each side, is an 8-resident facility. Eagles Nest Assisted Living, for another example, has 8 residents and is on 3.3 acres.

If the Commission approves the current application at 16 residents, what is to stop other similarly situated group homes from applying for expansion? This is not a precedent that makes sense to set in Fort Collins today. The Land Use Code should not be interpreted to allow itself to be stretched to the point where no real limit on intensity exists.

Land Use Code Issues

Section 3.8.6

This section limits the number of residents for different classes of group homes. A group home with 16 residents is defined as a "large group care facility" (which category is for group homes with 15 or more residents). Large group care facilities not only are prohibited in the R-1 zone. They are also not allowed in medium density, manufacturing housing, and the downtown river

redevelopment districts. These facilities actually require an even higher classification and are only allowed in commercial districts, neighborhood conservation buffer districts, or high and medium density mixed use districts.

(B) Large group care facilities shall conform to the lot area and separation requirements specified in the following table:

EXPAND

Zone	Maximum number of residents excluding supervisors, for minimum lot size	Additional lot area for each additional resident (square feet)	Maximum permissible residents, excluding supervisors	Minimum separation requirements between any other group home (feet)*
L-M-N, N-C-M, M-H, R-D-R	6	750	15	1,000
N-C-B, D, C-S, C-C-N, M-M-N, H-M-N, N-C, C-G, C-C, C-L, C-C-R	6	500	20**	700

Section 2.19

The reasonable accommodation process suggests **denial** of requests which require a fundamental alteration in the nature of a land use code provision. Here, allowing a "large group care facility" in the R-1 district, which district specifically prohibits such a use, is a clear example of a land use code provision which would be violated by the approval of this project. Staff erred in granting the reasonable accommodation, and it is up to the Commission to either deny this application or significantly limit the intensity of the use proposed.

Section 2.4.2

This section specifically states that the "project development plan shall be consistent with the overall development plan or PUD Master Plan associated with such PUD overlay". There are specific items that are decidedly inconsistent:

1. The variance that Miramont PUD received allowing Castle Ridge Court to be of substandard street width was predicated on low traffic and parking needs and all houses having 3+ car garages. This project would be inconsistent with the PUD as-approved.
2. The Castle Ridge PUD master plan (see attached document) provides for 18 single-family residential houses and requires 12' side setbacks for each house for privacy and separation. But 636 Castle Ridge Court was granted a variance allowing for 5' setbacks. As such, and as a 16-person memory care facility with on-site staff, frequent deliveries, and the other accoutrements of a large group home use, the project would be inconsistent with the PUD.

Architecture Issues

The project proposes a one-level dormitory-style facility housing 16 residents, plus 3 full-time staff, plus live in administrator(s), plus support and services. Because the basement is not a walkout, it cannot be used as living area, so the actual living area is proposed to be 6,400 square feet. This intensity explains

the proposed uniform rows of windows, especially on the north side, which seems institutional and not residential in character and is markedly different from any other house in the PUD. And despite the 5' setback variance previously mentioned, the north side setback actually measures out as less than that, and it has a retaining wall due to elevation difference. This makes the alleviation of privacy issues quite a challenge – a challenge which at a lower intensity would not be a problem.

Traffic and Parking

The Castle Ridge PUD is a three cul-de-sac design with a single entrance/exit off of Highcastle Drive. Castle Ridge Court is a private street maintained by the HOA at the expense of the homeowners, paid by special assessment shared equally per house. The proposed facility would contribute to much more street wear and tear, but the application makes no offer to pay a greater share of the maintenance cost.

The planning staff memo contains a proposed condition requiring facility employees to park along Highcastle Drive past Werner Elementary or on E. Boardwalk to alleviate what would be a major parking problem caused by the group care facility. There is only parking on Highcastle at the south end of the street past Werner Elementary, however, and this is nearly a quarter-mile away. The parking on E. Boardwalk is nearly a fifth of mile away. It seems unlikely that this condition will be met or enforced, resulting in dangerous overparking on Castle Ridge Court.

The below satellite image shows how limited the parking is in Miramont after taking into account driveways, fire hydrants, etc. (shown in yellow and red):

Per the Institute of Traffic Engineers, or ITE, Manual (relevant excerpt attached), parking requirements for assisted living are made in term of percentile. Memory care would appropriately fall into the 50-85th percentile data, because it is a subcategory of assisted living with a more intense service requirement (due to the health conditions of folks who are closer to end of life). This percentile range results in a parking need of 7-10 spaces during business hours.

This data contradicts the applicant's claims of impact. In a response to the Poudre Fire Authority (PFA) concerning a potential need for a fire lane, the applicant called cars parking on both sides of the street a "worst case scenario" with a "low probability" of occurring. Quite the contrary, given the limited parking available. In fact, cars parking on both sides of the street is almost a certainty. And with such a narrow street, this would make emergency vehicle access a crapshoot, which is a risk no one – and no neighbor – should be asked to take.

Operational Plan Issues

The applicant's operational plan significantly understates the impact of the proposed project and therefore proposes inadequate mitigation measures. For example, the plan speaks to limiting visiting hours. However, Colorado Code of Regulations for Assisted Living, CCR 1011-1 Chapter 7 (attached) provides for patients' rights, including the right to visitation at any time. The applicant may have tacitly admitted this, in that its during Round 3 on limiting visitation was that it would occur "Until such a time COVID is no longer a public health concern we can enforce …".

It should also be noted that the operational plan has evolved over time, even changing between the last round of staff review and the publication of the planning staff memorandum. This makes the mitigation measures proposed even more suspect. For example, the operation plan in the packet, for the first time, includes a live-in administrator and on-site van parking. The trip generation and parking need analysis, however, were submitted months ago. Therefore, the traffic and parking impact of the project being proposed have not been studied. The Commission is being asked to approve a project whose application should be rejected as incomplete.

Additional issues with operational plan are as follows:

- Staff parking: While it may be possible to limit employee parking on the street, it is likely impossible to limit parking related to support visits by family, deliveries, and other vehicular visits. As such, the project would create a dangerous situation where emergency access is not always going to be easy or, in some cases, possible. In addition, during a shift change, incoming staff will not be able to park in the driveway, creating congestion on the street.
    - No designated handicapped space is called out. If one is required, another off-street space may become unavailable.
- Visitors: Despite its claims, the applicant cannot prevent clusters of visitors, or limit visitations to the mornings, etc. The estimate of 1 hour of visitation/week/resident is highly understated.
- Physician services: A total of 4 hours of doctor visits every other week for the entire facility, which is meant to house 16 end-of-life patients, stretches credulity to the breaking point. On top of what will likely be a much greater amount of doctor visitation, some patients will surely entertain visits from their own personal physicians and specialists.
- Physical therapy: the plan speaks to PT being "ambulatory to start" but does not specify what it will become over time. A previous iteration of the plan provided that patients would not be ambulatory.
- Outings: A van will be used for outings, and is proposed to use one of the three minimum-sized spaces in the driveway.
- Holidays: May involve large gatherings; the plan contains no provision to manage such impacts.

- Live-in administrator: At minimum of one and possibly two (if husband/wife) parked cars that per the plan would be permanently on the street. This was only seen at the staff report and added at the last minute.
- Hospice: Colorado code (see relevant excerpt attached) defines "hospice" care as far more than just a periodic nurse visit. Rather, it encompasses "a comprehensive set of services … to provide for the physical, psychological, spiritual, and emotional needs." At some point, the facility could house a majority of residents who need hospice care. Yet, the plan grossly understates both the impact of hospice and the number of potential hospice care recipients. The facility likely will support multiple hospice providers.
- Housekeeping: We wish our homes only needed 4 hours of housekeeping per week. The operational plain claims the facility will only receive a single 4-hour housekeeping visit per week?
- Clergy/spiritual service impacts were grossly understated. Clergy visits will likely not be "rare".
- Real emergencies were not cited.
- Medical transports for hospital care (non-emergency) and physician appointments were assumed to be taken care of by family and friends. These patients may be very difficult to move and likely will require professional help when these situations occur. The applicant is assuming these situations are rare and fails to fully study and provide measures to mitigate their impacts.
- Transports upon death were not cited, along with potential investigations.

Besides the three conditions which planning staff is proposing, which conditions deal with (1) hours where third-party services may be rendered, (2) limiting street parking, and (3) a requirement that the facility have a neighborhood ombudsman, the rest of the mitigation is voluntary and proposed by the applicant. *No enforcement mechanism exists* with specified measures to ensure impacts are quantified and limited. And given the applicant's consistent underestimation of such impacts, we do not believe that the project can avoid being incompatible when considered within the context of the surrounding area, which is a violation of code section 3.5.1(A) and (B) – Building Project and Compatibility, Purpose and General Standard. Therefore, we request that you deny this application or significantly limit the intensity of the use proposed.

Safety Concerns

A facility at this level brings with it impacts that go beyond just traffic and parking.

During the first three rounds of review, PFA had cited the fire code, which requires 20' of passage. The proposed project would result in the street routinely falling below that standard, and PFA's solution in its review comments during those first three rounds was to require a fire lane extending to the neighboring houses – thus prohibiting parking in front of the subject property and the neighboring properties across more than 200 feet of Castle Ridge Court. This condition would have jeopardized the project, and the applicant appealed to PFA in what amounted to a legal threat supported by an overly-optimistic statement of impact. Attached is a short video of cars parked on both sides of the street and a small port-o-potty truck trying to get through. Imagine a full-size fire truck needing to service a residence through that gauntlet. The cold fact is that the street is not wide enough to absorb the impact of the proposed project and still provide for the health and safety of the residents.

Another safety concern involves neighborhood children. Many Werner Elementary school children cross Castle Ridge Court daily as they walk or bike to school along Highcastle Drive. The level of vehicular activity caused by such an intense use as that which is proposed would create significant new risk for these kids.

Neighborhood Character

As the Land Use Code requires that the project be consistent with the character of the neighborhood, significant concerns apply here as well.

The Castle Ridge PUD facilitates an environment where families can play, entertain, ride bikes, etc. In fact, small children live directly across the street. Children often learn to ride on small bicycles, go see the ice cream truck, play on scooters – in the safe environment which is the Castle Ridge Court of today. This project's impact would significantly change that character, whereby the intensity of the proposed use would markedly increase the risk level over what families now enjoy.

Taken from the house across the street

Reasonable Accommodation Issues

This project is subject to Type 2 review and must meet the requirements of such review on the merits. Independent of that, significant flaws exist on the granting of the RA in the first place.

The RA process is closed to the public. Unlike the Type 2 review, where the public is at least able to provide rebuttal, no such opportunity existed during the RA process. As a result, the only information the Director was provided was that which the applicants provided. It does not appear that such information was made to stand up to any critical scrutiny.

The RA was granted on several faulty arguments:

- That the Land Use Code does not limit family size and therefore the group home size limit is discriminatory:
    - This is simply false and is debunked by HUD and the DOJ – as the issue at hand is related to the number of unrelated persons in a domicile. Fort Collins in fact makes an exception for group homes allowing for up to 8 unrelated persons as opposed to a smaller amount elsewhere.
- That 16 persons are necessary to provide therapeutic effectiveness:
    - This is false, as there are examples throughout the Front Range of group homes of 8 residents providing memory care. In fact, the ratio of residents to staff should this project be approved at 8 residents would be 2:1, where the as-proposed ratio is 3.3:1.
- That 16 residents are needed for financial viability:
    - This is false in that many group homes are quite viable at 8 residents. Also, the property objectively was bought at an inflated price – it had the lowest tax assessment of any house on the street but was purchased for 40% more than any other house in the entire Miramont PUD. Reasonable Accommodations are not meant to provided additional profit to excuse a bad buying decision by a group home operator.

Requested Conditions

Code provides the P&Z Board with the power, under 3.5.1(J) Operational/Physical Compatibility Standards, to impose condition "upon the approval of development applications to ensure that new development will be compatible with existing neighborhoods and uses. Such conditions may include, ***but need not be limited to*** (emphasis added), restrictions on or requirements for:(1)hours of operation and deliveries;(2)location on a site of activities that generate potential adverse impacts on adjacent uses such as noise and glare;(3)placement of trash receptacles;(4)location of loading and delivery zones;(5)light intensity and hours of full illumination;(6)placement and illumination of outdoor vending machines;(7)location and number of off-street parking spaces."

As such, we are requesting that at minimum the following conditions be applied:

1. Limit the number of residents to 8, or deny approval for 16, consistent with the Land Use Code and the state of Colorado declaration of *up to* 8 residents being of statewide concern. At this level the parking impact is still a challenge, although the facility itself can certainly more readily accommodate privacy issues, keep a garage for added on-site parking (there are 2 garages proposed to be eliminated), and nearly cut in half the impact. Fort Collins limited the size of group homes in R-1 zones for a reason. If this proposal is consistent, apparently there is no limit across the city as a whole?
2. Limit street parking to in front of 636 Castle Ridge Ct only. If the claims the applicants are making are close to true (they aren't for 16 residents, perhaps they are closer at 8 residents) then maintaining this limitation makes the operational plan enforceable and at least mitigates somewhat the impact to surrounding neighbors. The city should put in a place a mechanism for this to be enforced (working with the HOA), with penalties up to and including shutdown, if this condition is violated.
    a. No van parking on street or in driveway (must come from offsite)

3. All HOA – ACC stipulations concerning architecture designed to ensure the project fits in to the surrounding area need to be fully adopted. These include but are not limited to:
   a. Windows
   b. Trim
   c. Landscaping/lighting
   d. Gates
   e. Privacy
   f. Character
4. Submittal of the state operating license to the HOA
5. Yearly submittal of required certificate of inspection for water supply backflow preventor to HOA
6. If approved, applicants to agree to pay a minimum of half the total neighborhood road maintenance assessment. For example, if 16 homes pay $X, the group home pays 16*$X due to doubling the traffic impact (per staff estimate) and wear and tear on the street.
7. South side two picture windows have been continuously incorrectly portrayed on site plan, needs corrected and both picture windows need screening.
8. Six trash bins for pickup to be placed in front of group home property only (not neighbor property). Must put back in place by end of trash pickup day.

CONCLUSION

The memory care facility in front of the Commission is a series of exceptions on top of exceptions. In reference to another proposed project (the Sam's Club gas station), the mayor recently stated: "If we don't like the plan, we should work on changing the plan, (rather than) constantly be making exceptions to plans" (Coloradoan, 1/19/22). As proposed, this facility is simply a flawed plan, and it is one which cannot be integrated into the neighborhood, and whose impacts cannot be mitigated.

The above realities lead to the obvious conclusion that a project for 16 memory care residents in an R-1 zone, on a narrow private street with limited parking and limited egress, simply violates the Land Use Code, and it does so in many respects. Approval of this project would fly in the face of the code itself, and therefore, we request that you deny this application or significantly limit the intensity of the use proposed. Eight is enough.

We appreciate your diligence in assessing this most complicated and controversial project.

Castle Ridge Residents

Kurt/Laurie Johnson 612 Castle Ridge Ct	Steve/Kathy Chacho 631 Castle Ridge Ct	Carrie Tafoya 5213 Castle Ridge Pl
Steve/Josh Sunderman 607 Castle Ridge Ct	Karen Kotechi/Lawrence Mauch 625 Castle Ridge Ct	Jesus Martin 637 Castle Ridge Ct
Ed/JoAnn Jaerger 643 Castle Ridge Ct	Tracey Stefanon/Ken Patrick Lily Patrick 642 Castle Ridge Ct	

Memory Care Facilities Larimer County			
Facility Name and Location	Number of Secured Beds	Vacancies Avail Feb 2022	Contact
Aspens at FC 970-372-5835 (formerly Aspire, formerly Windsong)	64	39	Theodore
Brookdale FC Memory Care 970-229-9777	59	13	Tauren
Collinwood Ass Liv & Mem Care FC 970-223-3552	35	0	
Columbine West FC 970-221-2273	15	3	Issac Bush
Creekside Village HR FC Secured 970-482-5712	18	2	
Golden Peaks Care Secured 719-323-3637	12	1	
Lemay Avenue H&R Fort Collins 970-482-1584	15	0	
Mackenzie Place Fort Collins 970-207-1939	26	4	Susan Walker
Morningstar of Fort Collins 970-999-8790	24	0	Greg Witten 970-631-5133
New Mercer Commons Mem Care FC 970-999-3851	34	2	Gabby Rivera
Totals	302	64	21% vacancy rate
Source: Larimer County Office on Aging, 2021 Aging Resource Guide, verification by phone Beth Williams			

MATTHEW J. DELICH, P.E.
TRAFFIC • TRANSPORTATION • CIVIL ENGINEERING
3413 BANYAN AVENUE • LOVELAND • COLORADO • 80538
303-669-2061

July 6, 1993 (File: 9346LT01)

Mr. Mike Herzig
Fort Collins Development Engineer
P.O. Box 580
Fort Collins, CO 80522-0580

Dear Mike:

Castle Ridge at Miramont is proposing to build 28 foot wide public streets within this portion of the development. The streets proposed to be 28 feet wide are "private drives" west of Highcastle Drive. According to the Fort Collins Design Criteria and Standards for Streets, this street width will require a variance by the City of Fort Collins.

The reasons for requesting/granting this variance are listed below:

- The streets will have less than 750 ADT on them. The development itself will have 18 dwelling units, which will generate 180 vehicle trips on an average weekday. There is not likely to be any external traffic passing through this development. Therefore, the highest traffic volume at a given worst case location will be 180 ADT.
- The streets that are proposed to be 28 feet are all cul-de-sacs.
- The cul-de-sacs do not access an arterial street.
- This is a large lot development. The density is considered to be low (2 or less dwelling units per acre). Based upon criteria in "Recommended Guidelines for Subdivision Streets, A Recommended Practice," Institute of Transportation Engineers, 1984, the pavement width should be 22-27 feet. The proposed 28 feet exceeds this recommended practice.
- Typical development with lot size of $\geq$0.5 acres provide more than four off-street parking spaces per dwelling unit. A comparable development is the First Filing of Clarendon Hills. Based upon observation at various times on a number of days, the average number of vehicles parked on Hinsdale Drive in Clarendon Hills was 3 in a length of 1300 feet. This observation was conducted where there were dwelling units on both sides of the street. The number of parked, on-street vehicles would enable Hinsdale Drive to have been a 28 foot wide street with no traffic or parking problems.

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I recommend that the streets in Castle Ridge at Miramont be 28 feet wide (curb to curb). I would further recommend that parking be allowed on both sides of the streets, if at least four off-street parking spaces are provided per dwelling unit.

If you have any questions or desire additional information, do not hesitate to call me.

Sincerely,

Matthew J. Delich, P.E.

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HPDesk Local Print for Mike HERZIG

Start of Item 2.

Message. Dated: 07/19/93 at 0903.
Subject: 28' Street Width Variance for Castle Ridge at Miramont
Sender: Warren JONES / CFC52/01 Contents: 2.
TO: Mike HERZIG / CFC52/01

Part 1.

FROM: Warren JONES / CFC52/01

TO: Mike HERZIG / CFC52/01

Part 2.

RE: 28' Street Width Variance for Castle Ridge at Miramont

Our research indicates that the on-street parking demands in large lot, high end single family housing projects is very low. The strongest correlating factor we have observed is the use of three car garages. If this project fits this scenario, including the three car garages, I have no opposition to a 28' street width.

End of Item 2.

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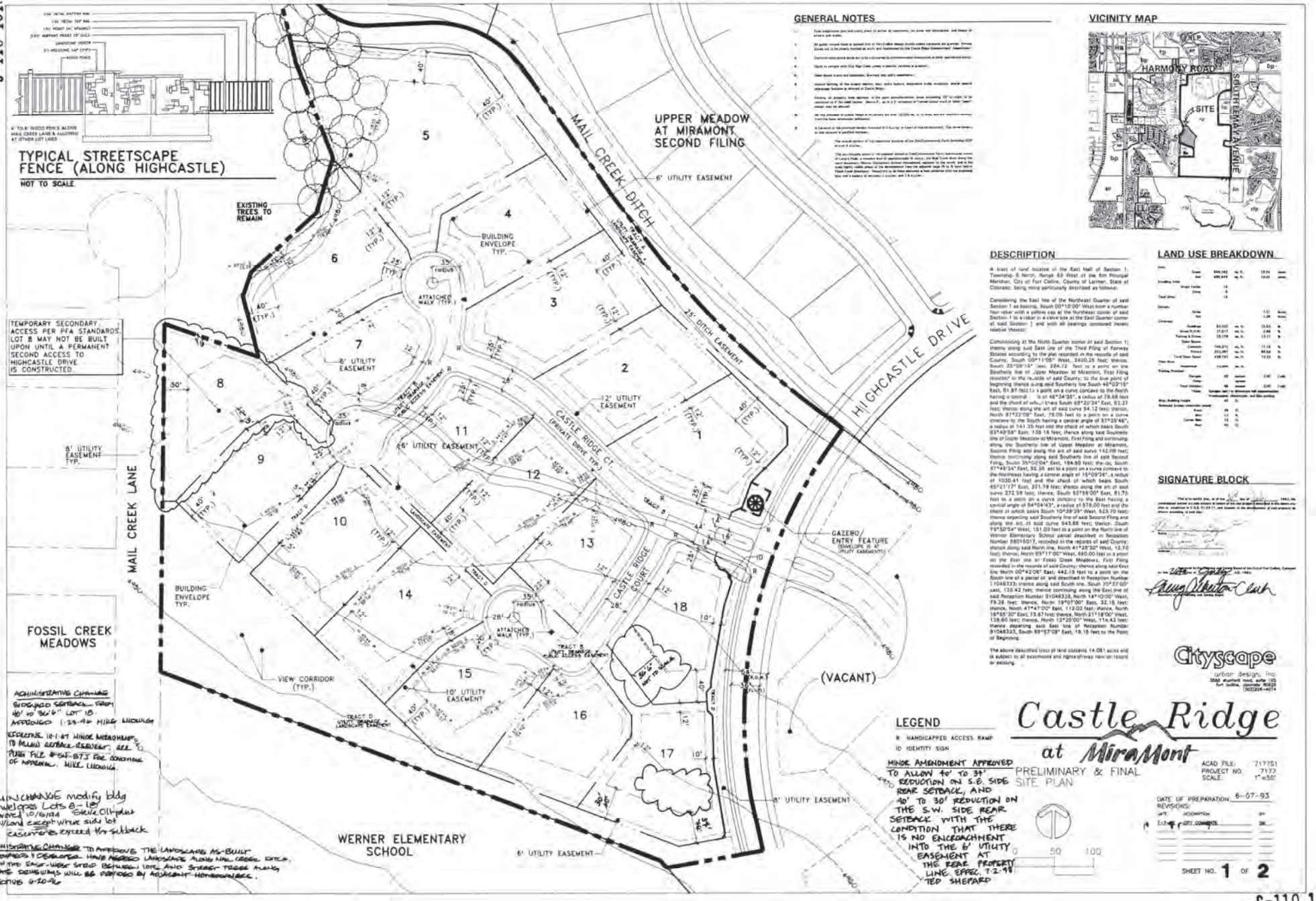

C-110 1818
TYPICAL STREETSCAPE FENCE (ALONG HIGHCASTLE)
NOT TO SCALE
GENERAL NOTES
VICINITY MAP
HARMONY ROAD
SOUTH LEMAY AVENUE
SITE
UPPER MEADOW AT MIRAMONT SECOND FILING
MAIL CREEK DITCH
6' UTILITY EASEMENT
EXISTING TREES TO REMAIN
BUILDING ENVELOPE TYP.
ATTACHED WALK (TYP.)
25' DITCH EASEMENT
HIGHCASTLE DRIVE
8' UTILITY EASEMENT
12' UTILITY EASEMENT
CASTLE RIDGE CT. (PRIVATE DRIVE TYP.)
TEMPORARY SECONDARY ACCESS PER PFA STANDARDS. LOT 8 MAY NOT BE BUILT UPON UNTIL A PERMANENT SECOND ACCESS TO HIGHCASTLE DRIVE IS CONSTRUCTED.
8' UTILITY EASEMENT TYP.
MAIL CREEK LANE
6' UTILITY EASEMENT (TYP.)
CASTLE RIDGE COURT
GAZEBO/ ENTRY FEATURE (ENVELOPE & 10' UTILITY EASEMENTS)
BUILDING ENVELOPE TYP.
FOSSIL CREEK MEADOWS
VIEW CORRIDOR (TYP.)
(VACANT)
10' UTILITY EASEMENT
WERNER ELEMENTARY SCHOOL
6' UTILITY EASEMENT
8' UTILITY EASEMENT
DESCRIPTION
LAND USE BREAKDOWN
SIGNATURE BLOCK
LEGEND
R HANDICAPPED ACCESS RAMP
ID IDENTITY SIGN
MINOR AMENDMENT APPROVED TO ALLOW 0' TO 34' REDUCTION ON S.E. SIDE REAR SETBACK, AND 40' TO 30' REDUCTION ON THE S.W. SIDE REAR SETBACK WITH THE CONDITION THAT THERE IS NO ENCROACHMENT INTO THE 6' UTILITY EASEMENT AT THE REAR PROPERTY LINE. EFFEC. 7-2-99 TED SHEPARD
ADMINISTRATIVE CHANGE
BUILDING SETBACK - FROM 40' TO 36'6" LOT 10. APPROVED 1-23-96 MIKE LUCKING
EFFECTIVE 10-1-97 MINOR AMENDMENT TO ALLOW SETBACK REDUCTION. SEE PLAT FILE #SUF-873 FOR CONDITIONS OF APPROVAL. MIKE LUCKING.
ADMIN CHANGE modify bldg envelopes Lots 8-10 Approved 10/6/94 Steve Olt/dlw w/land except where side lot easements exceed the setback
ADMINISTRATIVE CHANGE TO APPROVE THE LANDSCAPE AS-BUILT HOMEOWNERS ASSOCIATION HAVE AGREED LANDSCAPE ALONG MAIL CREEK DITCH AND IN THE EAST-WEST STRIP BETWEEN LOTS AND STREET TO BE ALONG PRIVATE DRIVEWAYS WILL BE MAINTAINED BY ADJACENT HOMEOWNERS. EFFECTIVE 6-20-96
Cityscape urban design, inc.
Castle Ridge at MiraMont
PRELIMINARY & FINAL SITE PLAN
ACAD FILE: 717751
PROJECT NO. 7173
SCALE: 1"=50'
DATE OF PREPARATION: 6-07-93
REVISIONS:
SHEET NO. 1 OF 2
C-110 1818

C-110 1818

PLANT LIST

KEY	BOTANICAL NAME	COMMON NAME	SIZE	QUANTITY
	DECIDUOUS TREES			
GF	Fraxinus pennsylvanica 'Marshalls Seedless'	Marshalls Seedless Green Ash	2" Cal.	3
GT	Gleditsia triacanthos inermis 'Shademaster'	Shademaster Honeylocust	2" Cal.	42
QM	Quercus macrocarpa	Burr Oak	2" Cal.	10
	ORNAMENTAL TREES			
CA	Crataegus ambigua	Russian Hawthorn	1 ½" Cal.	15
CP	Crataegus phaenopyrum	Washington Hawthorn	1 ½" Cal.	9
KP	Koelreuteria paniculata	Golden Rain Tree	14 Gal. Clump	1
MB	Malus sp. 'Brandywine'	Brandywine Crabapple	1 ½" Cal.	32
MC	Malus sp. 'Centurion'	Centurion Crabapple	1 ½" Cal.	38
MR	Malus sp. 'Radiant'	Radiant Crabapple	1 ½" Cal.	4
PAM	Prunus americana	American Plum	15 Gal. Clump	4
PV	Prunus virginia 'Shubert'	Canada Red Chokecherry	1 ½" Cal.	12
	DECIDUOUS SHRUBS			
BC	Berberis thunbergii 'Crimson Pygmy'	Crimson Pygmy Barberry	5 Gal.	14
CS	Caragana sibirica/arb	Siberian Peashrub	5 Gal.	38
EA	Euonymus alata	Burning Bush	5 Gal.	16
EAC	Euonymus alata 'Compacta'	Compact Burning Bush	5 Gal.	31
FA	Caryopteris x clandonensis	Blue Mist Spirea	5 Gal.	41
PC	Prunus glandulosa	Pink Flowering Almond	5 Gal.	7
SB	Spiraea bumalda 'Froebeli'	Froebel Spirea	5 Gal.	17
SC	Syringa meyeri	Dwarf Korean Lilac	5 Gal.	4
SCH	Syringa chinensis-colmaegenas	Chinese Lilac	5 Gal.	47
	CONIFEROUS TREES			
PN	Pinus nigra	Austrian Pine	6-8' Ht.	28
PP	Pinus pungens	Colorado Spruce	6-8' Ht.	16
	EVERGREEN SHRUBS			
JB	Juniperus sabina 'Buffalo'	Buffalo Juniper	5 Gal.	47
JC	Juniperus chinensis 'Sea Green'	Sea Green Juniper	5 Gal.	74
JP	Juniperus chinensis 'Pfitzeriana Compact'	Compact Pfitzer Juniper	5 Gal.	28
JS	Juniperus sabina 'Scandia'	Scandia Juniper	5 Gal.	47
JW	Juniperus horizontalis 'Blue Chip'	Blue Chip Juniper	5 Gal.	11
	PERENNIALS			
HH	Hemerocallis 'Red Magic'	Daylily	1 Gal.	41
MS	Miscanthus sinensis 'Gracillimus'	Maiden Grass	1 Gal.	5

GRASSES

Native Grass Mixture:
30% Hard Fescue, 40% Chewings Fescue, 30% Creeping Red Fescue, 10% Lion Perennial Rye
Seed at the rate of 10.5 lb/ac (240lbs) or 21 lb/ac broadcast.

Ornamental Grasses:
20% Smooth Brome, 25% Little Bluestem, 25% Crested Wheatgrass, 20% Intermediate Wheatgrass
Seed at the rate of 8 lb/ac

Sod Grass:
Fescue Sod: blend of 3 of the following varieties:
Rubbie Jr., Monarch, Dove Gal
Source: Turf Master Sod Farms
493-8311 (Boise)

Wildflowers:
Rose Hi Mixture sown at the rate of 10 lb/ac
Overseed with Chrysanthemum leucanthemum at the rate of 2 lb/ac
Source: Applewood Seed Co. (303) 431-6283

PLANT NOTES

1. All plant materials shall be in accordance with AAN specifications for Number One Grade.
2. All Turf areas shall be irrigated with an automatic irrigation system. All shrub beds and trees to be irrigated with an automatic drip installed irrigation systems.
3. All trees to be staked & tied/guyed in conventional.
4. All shrub beds to be mulched with pine peedings (3" average depth) on dyed filter fabric.
5. Edging between grass and shrub beds shall be 1/8" x 4" steel set level with top of sod.
6. Areas shown on the plans within the "Active Line" will be seeded with ornamental grasses. This area will have an informal character, with occasional maintenance, starting no inclined from grass seed heads. The native grass areas outside the mowing line will require minimal mowing (3-4 times per season) to blend it into the ornamental grass along Boardwalk Dr., and to facilitate walking through the open space.
7. A tree permit must be obtained from the City Forester before any trees or shrubs are noted on the plan are planted, pruned, or removed on the public right-of-way.
8. Additional types of shrub beds, planting specifications, directions regarding seeding or sodding of turf areas, and other planting installation information must be provided by Landscape Architect prior to construction.
9. Minor changes in species and plant locations may be made during construction. Overall quantity and quality to be consistent with approved plans.
10. Landscaping indicated in common open areas beds is to be provided with this development and maintained by Homeowners Association. Landscaping on individual lots as required by Miramont Protective Covenants is to be provided and maintained by the individual home owners.
11. Swales to be provided across streets as needed, if required, and encroachment permits will be obtained.
12. The irrigation system should be adjusted to a low water requirement, based on the needs of established plant material.
13. Landscape improvements in common areas, as indicated, are to be completed prior to occupancy of townhomes or occupancy for over 10 lots in Castle Ridge or Miramont.
14. A minimum 4' horizontal clearance must be provided between large trees and Public Service Company gas lines. Final landscape plans are to be provided for PSCO review prior to installation of landscaping in common areas.

Cityscape
urban design, inc
3858 Walnut road, suite 105
Fort Collins, Colorado 80525
(303)226-8171

Castle Ridge at MiraMont

PRELIMINARY & FINAL LANDSCAPE PLAN

ACAD FILE: 717751
PROJECT NO. 7177
SCALE: 1"=50'

DATE OF PREPARATION: 6-07-93
REVISIONS:

DATE	DESCRIPTION	BY

0 50 100

SHEET NO. 2 OF 2

C-110 1818

ite
Parking Generation Manual
5th Edition
JANUARY 2019
INSTITUTE OF TRANSPORTATION ENGINEERS

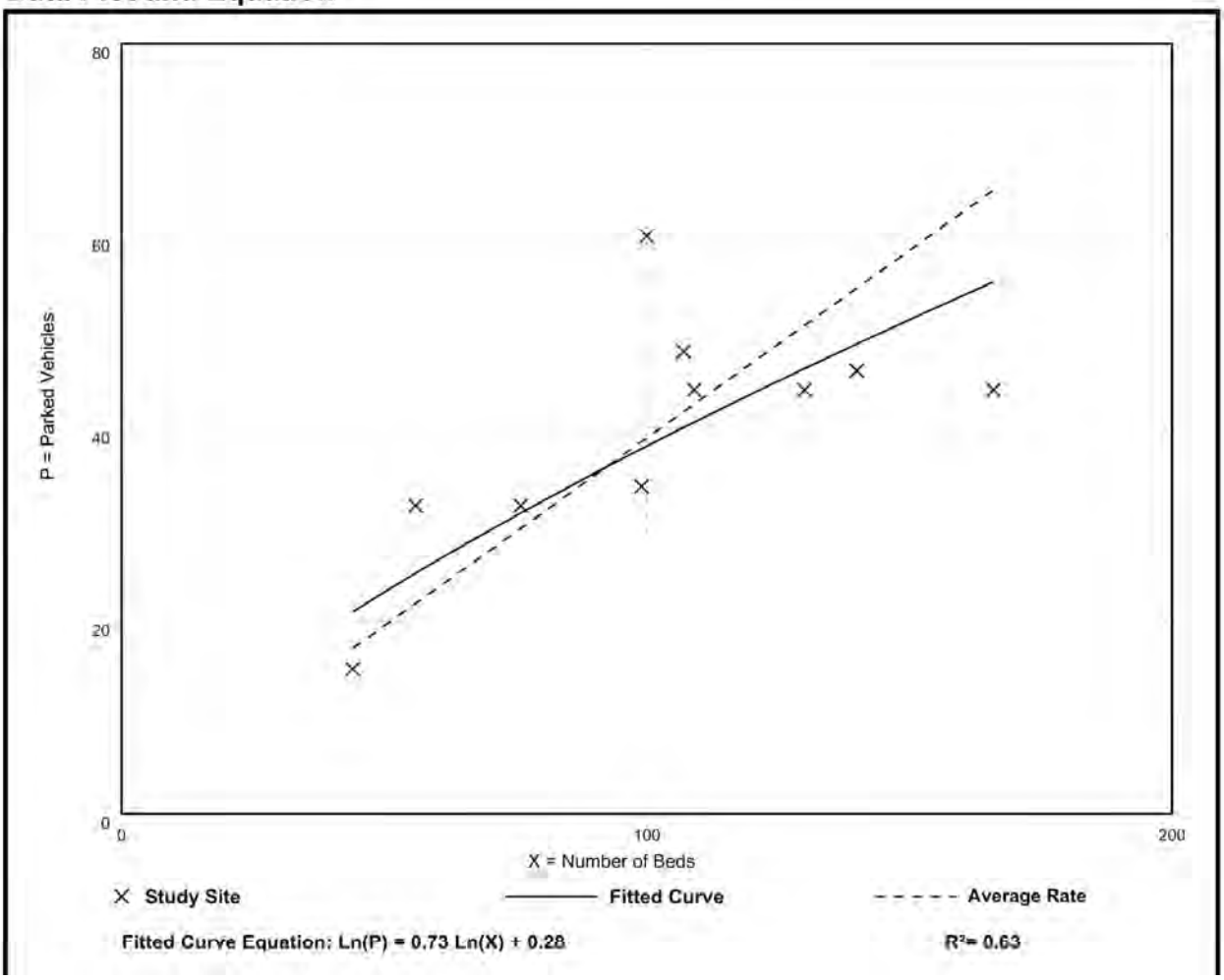
Assisted Living
(254)

Peak Period Parking Demand vs: Beds
On a: Weekday (Monday - Friday)
Setting/Location: General Urban/Suburban
Peak Period of Parking Demand: 11:00 a.m. - 3:00 p.m.
Number of Studies: 10
Avg. Num. of Beds: 103

Peak Period Parking Demand per Bed

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
0.39	0.27 - 0.60	0.34 / 0.58	***	0.11 (28%)

Data Plot and Equation



DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

Health Facilities and Emergency Medical Services Division

STANDARDS FOR HOSPITALS AND HEALTH FACILITIES

CHAPTER 7 - ASSISTED LIVING RESIDENCES

6 CCR 1011-1 Chapter 7

[Editor's Notes follow the text of the rules at the end of this CCR Document.]

Adopted by the Board of Health on December 16, 2020. Effective, June 14, 2021.

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Use of Volunteers

12.30 Each assisted living residence shall encourage participation of volunteers in resident engagement opportunities. All such volunteers shall be supervised and directed by the administrator or staff member primarily responsible for resident engagement.

Physical Space and Equipment:

12.31 Each assisted living residence shall have sufficient physical space to accommodate both indoor and outdoor resident engagement. Such accommodations shall include, at a minimum:

(A) A comfortable, appropriately furnished area such as a living room, family room, or great room available to all residents for their relaxation and for socializing with friends and relatives; and

(B) An outdoor activity area which is easily accessible to residents and protected from traffic. Outdoor spaces shall be sufficient in size to comfortably accommodate all residents participating in an activity.

12.32 Each assisted living residence shall provide sufficient recreational equipment and supplies to meet the needs of the resident engagement program. Special equipment and supplies necessary to accommodate persons with special needs shall be made available as appropriate. When not in use, recreational equipment and supplies shall be stored in such a way that they do not create a safety hazard.

12.33 Each assisted living residence shall ensure that staff who accompany residents away from the assisted living residence have ready access to the pertinent personal information of those residents in the event of an emergency.

PART 13 – RESIDENT RIGHTS

13.1 The assisted living residence shall adopt, and place in a publically visible location, a statement regarding the rights and responsibilities of its residents. The assisted living residence and staff shall observe these rights in the care, treatment, and oversight of the residents. The statement of rights shall include, at a minimum, the following items:

(A) The right to privacy and confidentiality, including:

(1) The right to have private and unrestricted communications with any person of choice;

(2) The right to private telephone calls or use of electronic communication;

(3) The right to receive mail unopened;

(4) The right to have visitors at any time; and

(5) The right to private, consensual sexual activity.

(B) The right to civil and religious liberties, including:

(1) The right to be treated with dignity and respect;

(2) The right to be free from sexual, verbal, physical or emotional abuse, humiliation, intimidation, or punishment;

(3) The right to be free from neglect;

(4) The right to live free from financial exploitation, restraint as defined in this chapter, and involuntary confinement except as allowed by the secure environment requirements of this chapter;

(5) The right to vote;

(6) The right to exercise choice in attending and participating in religious activities;

(7) The right to wear clothing of choice unless otherwise indicated in the care plan; and

(8) The right to care and services that are not conditioned or limited because of a resident's disability, sexual orientation, ethnicity, and/or personal preferences.

(C) The right to personal and community engagement, including:

(1) The right to socialize with other residents and participate in assisted living residence activities, in accordance with the applicable care plan;

(2) The right to full use of the assisted living residence common areas in compliance with written house rules;

(3) The right to participate in resident meetings, voice grievances, and recommend changes in policies and services without fear of reprisal;

(4) The right to participate in activities outside the assisted living residence and request assistance with transportation; and

(5) The right to use of the telephone including access to operator assistance for placing collect telephone calls.

(a) At least one telephone accessible to residents utilizing an auxiliary aid shall be available if the assisted living residence is occupied by one or more residents utilizing such an aid.

(D) The right to choice and personal involvement regarding care and services, including:

(1) The right to be informed and participate in decision making regarding care and services, in coordination with family members who may have different opinions;

(2) The right to be informed about and formulate advance directives;

(3) The right to freedom of choice in selecting a health care service or provider;

(4) The right to expect the cooperation of the assisted living residence in achieving the maximum degree of benefit from those services which are made available by the assisted living residence;

(a) For residents with limited English proficiency or impairments that inhibit communication, the assisted living residence shall find a way to facilitate communication of care needs.

(5) The right to make decisions and choices in the management of personal affairs, funds, and property in accordance with resident ability;

(6) The right to refuse to perform tasks requested by the assisted living residence or staff in exchange for room, board, other goods or services;

(7) The right to have advocates, including members of community organizations whose purposes include rendering assistance to the residents;

(8) The right to receive services in accordance with the resident agreement and the care plan; and

(9) The right to thirty (30) calendar days written notice of changes in services provided by the assisted living residence including, but not limited to, involuntarily change of room or changes in charges for a service. Exceptions to this notice are:

(a) Changes in the resident's medical acuity that result in a documented decline in condition and that constitute an increase in care necessary to protect the health and safety of the resident; and

(b) Requests by the resident or the family for additional services to be added to the care plan.

Ombudsman Access

13.2 In accordance with the Supporting Older Americans Act of 2020 (P.L. 116-131), and Sections 26-11.5-108 and 25-27-104(2)(d), C.R.S., an assisted living residence shall permit access to the premises and residents by the state ombudsman and the designated local long-term care ombudsman at any time during an ALR's regular business hours or regular visiting hours, and at any other time when access may be required by the circumstances to be investigated.

(A) For the purposes of complying with this Part 13.2, access to residents shall include access to the assisted living residence's contact information for the resident and the resident's representative.

House Rules

13.3 The assisted living residence shall establish written house rules and place them in a publically visible location so that they are always available to residents and visitors.

13.4 The house rules shall list all possible actions which may be taken by the assisted living residence if any rule is knowingly violated by a resident. House rules shall not supersede or contradict any regulation herein, or in any way discourage or hinder a resident's exercise of his or her rights. House rules shall address, at a minimum, the following items:

(A) Smoking, including the use of electronic cigarettes and vaporizers;

(B) Cooking;

(C) Protection of valuables on premises;

(D) Visitors;

(E) Telephone usage, including frequency and duration of calls;

Water

22.7 There shall be an adequate supply of safe, potable water available for domestic purposes.

22.8 There shall be a sufficient supply of hot water during peak usage demand.

22.9 Hot water shall not measure more than 120 degrees Fahrenheit at taps which are accessible by residents.

Common Areas

22.10 Common areas shall be sufficient in size to reasonably accommodate all residents.

22.11 All common and dining areas shall be accessible to a resident using an auxiliary aid without requiring transfer from a wheelchair to walker or from a wheelchair to a stationary chair for use in the dining area. All doors to those rooms requiring access shall be at least 32 inches wide.

22.12 An assisted living residence that has one or more residents using an auxiliary aid shall have a minimum of two means of access and egress from the building unless local code requires otherwise.

Sleeping Room

22.13 No resident shall be assigned to reside in any room other than one regularly designated for sleeping.

22.14 No more than two residents shall occupy a sleeping room.

(A) An assisted living residence initially licensed prior to July 1, 1986, is permitted to have up to four residents per room unless the ALR undertakes renovation or changes ownership, at which time the newer, more stringent requirement shall apply.

22.15 Sleeping rooms, exclusive of bathroom areas and closets, shall have the following minimum square footage:

(A) 100 square feet for single occupancy, and

(B) 60 square feet per person for double occupancy.

22.16 Each resident shall have storage space, such as a closet, for clothing and personal articles.

22.17 Each sleeping room shall have at least one window of 8 square feet which shall have opening capability.

(A) An assisted living residence initially licensed prior to January 1, 1992, is permitted to have a window of smaller dimensions unless the ALR undertakes renovation or changes ownership, at which time the newer, more stringent requirement shall apply.

22.18 In assisted living residences that provide furnishings for residents pursuant to a resident agreement, each resident shall be provided, at a minimum, with the following items:

(A) A standard-sized bed with a comfortable, clean mattress; mattress protector, pad, and pillow (Rollaway type beds, cots, folding beds, futons, or bunk beds are prohibited); and

(B) A standard-sized chair in good condition.

Care and Services

25.20 In addition to the requirements for resident care services in Part 12, each assisted living residence with a secure environment shall establish policies and procedures for the delivery of resident care and services that include, at a minimum, the following:

(A) A system or method of accounting for the whereabouts of each resident;

(B) The system or method staff members are to use for observation, identification, evaluation, individualized approach to and documentation of resident behavioral expression; and

(C) Assistance with the transition of residents to and from the secure environment and when changing rooms within a secure environment.

25.21 Residents who indicate a desire to go outside the secured area shall be permitted to do so with staff supervision except in those situations where it would be detrimental to the resident's health, safety or welfare.

(A) If the assisted living residence is aware of an ongoing issue or pattern of behavioral expression that would be exacerbated by allowing a resident to go outside the secure area, it shall be documented in the resident's enhanced, individualized care plan.

Family Council

25.22 The assisted living residence shall meet the requirements of Part 13.10 regarding the internal grievance and complaint resolution process. In addition, the assisted living residence shall hold regular meetings to allow residents, their family members, friends, and representatives to provide mutual support and share concerns and/or recommendations about the care and services within each separate secure environment.

(A) Such meetings shall be held at least quarterly, at a place and time that reasonably accommodates participation; and

(B) The assisted living residence shall provide adequate advance notice of the meeting and ensure that details regarding any meeting are readily available in a common area within the secure environment.

Resident Rights

25.23 The assisted living residence shall ensure that residents in a secure environment have all the same resident rights as set forth in Part 13 of this chapter including, but not limited to, the right to privacy and confidentiality.

Discharge

25.24 The assisted living residence shall follow the requirements of Parts 11.11 through 11.17 regarding resident discharge when moving a resident out of a secure environment unless the move is voluntarily initiated by the resident's legal representative.

Physical Design, Environment and Safety

25.25 The assisted living residence shall ensure that residents have freedom of movement to common areas and resident personal spaces.

25.26 A secure environment shall meet the following criteria:

(A) There shall be a multipurpose room for dining, group and individual activities, and family visits;

(B) Resident access to appliances shall only be allowed with staff supervision;

(C) There shall be a storage area which is inaccessible to residents for storage of items that could pose a risk or danger such as chemicals, toxic materials, and sharp objects;

(D) The corridors and passageways shall be free of objects or obstacles that could pose a hazard;

(E) There shall be documentation of routine monthly testing of all equipment and devices used to secure the environment; and

(F) There shall be a secure outdoor area that is available for resident use year-round that:

(1) Is directly supervised by staff,

(2) Is independently accessible to residents without staff assistance for entrance or exit,

(3) Has comfortable seating areas,

(4) Has one or more areas that provide protection from weather elements, and

(5) Has a fence or enclosure around the perimeter of the outdoor area that is no less than six (6) feet in height and constructed to reduce the risk of resident wandering or elopement from the area.

(a) If the fence or enclosure has gated access which is locked, all staff assigned to the secure environment shall have a readily available means of unlocking the gate in case of emergency.

Editor's Notes

6 CCR 1011-1 has been divided into separate chapters for ease of use. Versions prior to 05/01/2009 are located in the main section, 6 CCR 1011-1. Prior versions can be accessed from the All Versions list on the rule's current version page. To view versions effective on or after 05/01/2009, select the desired chapter, for example 6 CCR 1011-1 Chap 04 or 6 CCR 1011-1 Chap 18.

History

Sections 1.102, 1.104, 1.105, 1.113 eff. 11/01/2008.

Sections 1.103, 1.113(2) eff. 12/30/2008.

Section 1.104(5)(n) repealed eff. 04/30/2011.

Sections 103(2)(d), 103(2)(f) eff. 09/30/2011.

Sections 103(2), 105(2)(c)(ii) eff. 03/17/2013.

Sections 1.102(25), 1.102(31), 1.103(3), 1.104(3)f)(ii)(B), 1.104(4)(a)(i), 104(5)(b), 1.108(9), 1.109(2)(b), 1.111(1)(a), 1.111(2)(a), 1.113 eff. 08/14/2013.

Sections 1.102(1), 1.102(8), 1.102(34), 1.105(1)(b)(iv), 1.106(3) eff. 07/15/2014.

Sections 1.102(6)(c), 1.105(1)(b)(iii), 1.105(6)(a)(iii) eff. 12/15/2014.

Sections 1.103(2)-1.103(2)(d)(ii)(B) eff. 08/14/2015.

DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

Health Facilities and Emergency Medical Services Division

STANDARDS FOR HOSPITALS AND HEALTH FACILITIES CHAPTER 21 - HOSPICES

6 CCR 1011-1 Chapter 21

[Editor's Notes follow the text of the rules at the end of this CCR Document.]

Adopted by the Board of Health on April 15, 2020. Effective July 1, 2020

SECTION 1 STATUTORY AUTHORITY AND APPLICABILITY

1.1 The statutory authority for the promulgation of these rules is set forth in Section 25-1.5-103, *et seq.*, C.R.S.;

1.2 A provider of hospice services, as defined herein, shall comply with all applicable federal and state statutes and regulations, including but not limited to, the following:

(A) This Chapter 21 as it applies to the type of services provided.

(B) 6 CCR 1011-1, Chapter 2, General Licensure Standards, unless otherwise specifically modified herein.

SECTION 2 DEFINITIONS

2.1 "Bereavement counseling" means emotional, psychosocial, and spiritual support and services provided before and after the death of the patient to assist with issues related to grief, loss, and adjustment.

2.2 "Comprehensive Assessment" means a thorough evaluation of the patient's physical, psychosocial, emotional and spiritual status related to the terminal illness and related conditions. This includes a thorough evaluation of the caregiver's and family's willingness and capability to care for the patient.

2.3 "Core Services" means physician, nursing, counseling and medical social services. These services are routinely and substantially provided by hospice employees except for physician services that may be contracted.

2.4 "Department" means the Colorado Department of Public Health and Environment.

2.5 "Employee" means paid staff or volunteers providing hospice services on behalf of the hospice.

2.6 "Hospice Care" means a comprehensive set of services identified and coordinated by an interdisciplinary group to provide for the physical, psychosocial, spiritual, and emotional needs of a terminally ill patient and family members as delineated in a specific patient plan of care. Hospice care services are available 24 hours a day, 7 days a week in the patient's place of residence and/or licensed health facility.

2.7 "Hospice Inpatient Facility" is a unit or building operated by a licensed hospice delivering hospice services 24 hours a day, 7 days a week, in a homelike setting.

(D) Review the plan of care at least every 90 days.

6.11 Nursing Services: The hospice shall provide nursing care and services by or under the direction and supervision of a registered nurse with training and experience to direct hospice nursing care who shall be an employee of the hospice. Nursing services shall ensure that the patient's needs are met as identified in the patient's initial assessment, comprehensive assessment and updated assessments.

6.12 Highly specialized nursing services that are provided so infrequently that the provision of such services by direct hospice employees would be impracticable and prohibitively expensive, may be provided under contract.

6.13 Medical Social Services: The hospice shall provide medical social services provided by a qualified medical social worker based on the initial and comprehensive assessments, the patient/family's needs and acceptance of services.

6.14 Volunteer Services: The hospice shall utilize volunteers in roles as defined by the hospice that support patient care and administrative services.

6.15 The hospice shall maintain a volunteer program which meets the operational needs of the hospice and demonstrates overall coordination of volunteer services. The program shall include recruitment, orientation, training, supervision, monitoring and evaluation.

6.16 Patient services provided by volunteers shall be in accordance with the plan of care and shall be documented in the clinical record.

6.17 Bereavement Counseling: Before and for one year following the patient's death, the hospice shall provide bereavement services to families and others including individuals in residential facilities where the patient resided. These services shall be provided in accordance with the needs of the individual and furnished under the supervision of a qualified professional with experience or education in grief or loss counseling.

6.18 Spiritual Counseling: The hospice shall provide spiritual counseling services based on the initial and comprehensive assessment of the spiritual needs and acceptance of this service by the patient, family and significant others.

6.19 Hospice Aide Services: The hospice shall ensure that hospice aides have successfully completed a state approved certified nurse aide (CNA) training program and are currently certified by the Colorado Department of Regulatory Agencies (DORA).

6.20 Hospice Aide Services: Hospice Aides shall be supervised by a registered nurse every 14 days to assess the quality of care and services provided by the aide. The hospice aide does not need to be present during this visit. On-site supervision and evaluation of the hospice aide will be completed by a registered nurse annually and when an area of concern is noted.

6.21 Nursing services, physician services, drugs and biologicals shall be available 24 hours a day, seven days a week. Other hospice services shall be available 24 hours a day when medically necessary to meet the needs of the patient and family.

6.22 Termination of care: The hospice shall establish specific criteria for termination of care, including, but not limited to, the following:

(A) There shall be policies and procedures related to termination of care and/or referral; and

(B) The clinical record shall contain documentation of the reason care has been terminated.

6.7 A system of effective communication shall be developed and maintained to assure that all services are coordinated and provided in accordance with the plan of care, including family, attending physician or nurse practitioner and others providing care.

(A) To facilitate continuity of care when transferring within the hospice, to another hospice or to another provider, pertinent documentation shall be immediately forwarded to the receiving care provider.

(B) At the time of discharge, the hospice shall provide pertinent clinical records and any other documentation that may be requested to assist in post-discharge continuity of care.

6.8 Medical Director: The hospice shall designate a physician who shall act as medical director. The physician shall be a doctor of medicine or osteopathy who is an employee, or is under contract with the hospice, and has a current license in good standing to practice in the State of Colorado.

6.9 The medical director or physician designee shall be a member of the interdisciplinary group and be responsible for the medical component of the hospice's patient care program including, but not limited to, the following:

(A) Reviewing appropriate clinical material from the referring physician to validate the prognosis as anticipated by the patient's attending physician or nurse practitioner;

(B) Assisting in developing and medically validating the interdisciplinary plan of care for each patient/family with the coordination of the patient's attending physician or nurse practitioner;

(C) Rendering, as necessary, or supervising active medical care of the patient and maintaining a record of such care;

(D) Maintaining a regular schedule of participation in pertinent components of the hospice patient care program;

(E) Being readily available to the hospice program personally or naming a qualified physician designee;

(F) Acting as a consultant to and maintaining liaison with the attending physician or nurse practitioner and other members of the interdisciplinary group;

(G) Helping to develop and review patient/family care policies and procedures;

(H) Serving on appropriate committees;

(I) Reporting issues regarding the delivery of medical care; and

(J) Approving written protocols for symptom control such as pain or nausea.

6.10 Physician Services: The hospice shall ensure that each patient has an attending physician or nurse practitioner. If a patient has no attending physician or nurse practitioner, there shall be a mechanism for assuring the availability of one. The attending physician or nurse practitioner shall:

(A) Approve and sign the plan of care for the patient/family;

(B) Be available to the interdisciplinary group as necessary;

(C) Provide information to the interdisciplinary group in developing the plan of care; and

SECTION 7 PERSONNEL

7.1 The hospice shall provide physician services, nursing services, medical social work or counseling services, spiritual counseling, and trained volunteers. These services shall be consistent with acceptable standards of practice.

7.2 The hospice shall routinely provide substantially all core services directly by hospice employees.

7.3 There shall be written policies that govern employment and personnel practices.

7.4 The hospice shall require any prospective employee to submit to a criminal history record check that shall be conducted not more than 90 days prior to employment of the individual. The hospice shall develop and implement policies and procedures regarding the potential employment of any individual who is convicted of a felony or misdemeanor in order to ensure that the individual does not pose a risk to the health, safety and welfare of the patient.

7.5 Before employing any individual to provide direct patient care or services, the hospice shall verify with the Colorado Department of Regulatory Agencies (DORA) whether a license, registration or certification exists and is in good standing. A copy of the verification shall be placed in the individual's personnel file.

7.6 There shall be an initial orientation for each employee that includes:

(A) History, philosophy and structure of the hospice concept;

(B) The interdisciplinary approach;

(C) Communication skills;

(D) Hospice services offered;

(E) Agency organizational structure;

(F) Access to agency policies and procedures;

(G) Personnel policies;

(H) Continuing educational requirements; and

(I) Infection control.

7.7 The hospice shall assess and document the competence and skills of each employee prior to providing direct patient care. The hospice shall have written policies and procedures describing its methods of assessment of competency.

7.8 The hospice shall ensure that each hospice aide is competent to carry out all assigned tasks in the patient's place of residence.

(A) Prior to initial assignment, a registered nurse shall conduct a competency evaluation including, but not limited to, the tasks listed in this subsection:

(1) Bathing,

(2) Skin care,

To: Fort Collins Planning and Zoning Board
Miramont Memory Care Home
Castle Ridge Group Home.
Owners: Eric Shenk and Xioma Diaz
March 14, 2022.

Dear Sirs:

Thanks for consideration for this home and zoning to serve early memory care seniors in Fort Collins. Fort Collins has been the leading voice in aging and reframing how Colorado responds to the real time needs of the seniors who have resided in the community for many years.

Fort Collins has been remarkable to meet the needs and desires of the aging population. Early Memory Care is a specialty focus that allows engagement of the community as Fort Collins is a Dementia Friendly and Aging Destination site. This community is located in an area that will serve that concept with ***gold*** standards.

I have been a consultant during this process of developing the home; respecting neighborhood norms and thinking through the complexities. I will remain a consultant while they go through the last phase of the city process and then the Colorado Department of Health and Environment. If the community desires, I will remain a consultant and assist them in the complex regulations and processes. COVID taught us what we need to have a safe environment with ventilation and space to minimize viral complications of today and the future.

Technology has moved in lightning speed in the medical and behavioral health arena. This facility will have the state of the art systems to be able to handle situations and minimize EMS calls. I do not expect EMS will be accessed at any higher rate than any other family in the neighborhood.

Early Memory Care has been proven across the state to do well in neighborhoods. I have worked through other communities who were fearful of aging as well. The bottom line, with cooperative focus the facility sowed into the neighborhood and vice versa. The neighborhood also used the facility for their family members. Property values have not been impacted which is a typical fear and have gone up as any other neighborhood in Fort Collins with similar homes.

If I can be of assistance, I am glad to visit with the board how current regulations from the federal and state entities impact the industry. This facility is not for skilled care, but unskilled care with amenities to support the residents at the highest functional status possible for as long as possible. Relationships with skilled, memory care facilities is part of the business process so that smooth transition is available for families and not be caught up in a crisis mode. As a senior myself, choice where I age is important aspect for me.

I look forward to the board giving the final approval.

Sincerely;

Patricia Cook RN BSN MA
Colorado Gerontological Society
patriciaplcrn@comcast.net
855-293-6911

Katharine Claypool

From: Development Review Comments
Sent: Tuesday, March 15, 2022 9:16 AM
To: Katharine Claypool; Sharlene Manno
Cc: Kai Kleer
Subject: FW: [EXTERNAL] Castle Ridge Group Home Project

Categories: P&Z

Hi Katie and Shar,

This comment came in yesterday evening about the Castle Ridge Group Home proposal. I've saved it here in the public comments folder for the project.

Take care,

Yani

YANI JONES
Pronouns: She/Her (What's this?)
Program Coordinator
City of Fort Collins Neighborhood Services
(970) 658-0263
FCGov.com/NeighborhoodServices

From: ADDISON SCHOLES <mercys@comcast.net>
Sent: Monday, March 14, 2022 5:37 PM
To: Development Review Comments <devreviewcomments@fcgov.com>
Subject: [EXTERNAL] Castle Ridge Group Home Project

Dear Fort Collins Planning and Zoning Board Members,

The purpose of this correspondence is to express support for the Castle Ridge Group Home project. My wife and I feel that approval of this project would benefit memory care patients, their supportive families and friends, as well as the City of Fort Collins. Memory care patients would benefit by having a personalized, home-like alternative to the traditional institutional setting. Families and friends of these patients would benefit by having the assurance that their loved ones will receive the individual care they need, in an intimate, small-scale residential environment. I know from the experience of trying to find care for my aging mother that I did not want to place her in a large institution. I did not believe that she would be comfortable in that setting or that she would feel "at home". To be uprooted from your home at an advanced age, with diminished capacity to comprehend the circumstances of the move, must be a traumatic and frightening experience. And here is where we believe that the most powerful advantage of the residential, small-scale setting exists. It resembles home, and therefore the patient will be more likely to feel "at home". They are unlikely to feel as comfortable in a large institution. Finally, we believe that approval of the Castle Ridge Group Home project will benefit the City of Fort Collings by demonstrating progressive thinking regarding care of mental health patients as well as embracing the well thought-out Fort Collins Housing Strategic Plan.

you for your consideration of these thoughts.

Best regards,

Addison and Mercedes Scholes

From:	James Scalzo
To:	Development Review Comments; Development Review Coordinators; Current_Planning; Kai Kleer
Cc:	City Leaders
Subject:	[EXTERNAL] #PRIVATE Inquiry on cancellation of Planning and Zoning Commision hearing for Castle Ridge Group Home, PDP210012
Date:	Thursday, March 10, 2022 8:33:10 PM

March 10, 2022

Attn:
City of Fort Collins
Development Review and Planning Department
281 N College
Fort Collins, CO 80524

cc: City of Fort Collins, City Leaders

Dear City of Fort Collins Development Review and Planning Committees,

I'm writing to inquire as to why residents were not properly informed of the cancellation of this evening's Planning and Zoning Commission for the hearing on the Castle Ridge Group Home, PDP210012?

As a property owner in the neighborhood of the Castle Ridge Group Home proposal, I received proper notification via U.S. mail of the time, date, and place of the hearing. That was to be this evening, March 10th, at 6pm. When I attempted to find the Zoom information online this evening, I could not locate it. Looking at the project I see the meeting was rescheduled for March 23rd.

As of today, no notification has been received via U.S. mail of this updated time, date, and place of the hearing. Additionally notice of a hearing via a mailing must be sent out no less than 10 business days prior to the hearing.

It is not reasonable to expect a citizen to continuously check the city's Planning and Zoning site for a rescheduled meeting, so any notice of a meeting being rescheduled should also be done through the same means of the original notification. Additionally, there are not 10 business days before March 23rd.

I am requesting that the meeting be rescheduled to a date and time that allows for proper notification to property owners through U.S. mail with at least 10 business days' notice.

Sincerely,

Jim Scalzo

Resident - Miramont Planned Unit Development

CONFIDENTIALITY NOTICE: This message and any accompanying documents contain information belonging to the sender which may be confidential and legally privileged. This information is only for the use of the individual or entity to which it was intended. If you are not the intended recipient, any disclosure, copying, distribution, or action taken in reliance on the contents of the

information contained in this message and any accompanying documents is strictly prohibited. If you have received this message in error, please contact the sender immediately and delete the message. Thank you.

Testimony in support of the Miramont Memory Care Home or Castle Ridge Group Home

My name is Gustavo Espinosa, and I would like to express my support for the Castle Ridge Group Home Project.

Like many other people dealing with challenges of family members with Alzheimer's / Dementia we want to support and assist and keep them in their own home for as long as possible. However, we recognize the progressive nature of their condition and witness firsthand how they lose their abilities to live independently. When no longer possible, we look and advocate for homelike alternatives. The Castle Ridge Group is one of those alternatives we are presently considering for my 89-year-old sister who is a widow with no children. The Castle Ridge Group Home is a small, affordable and well-located alternative to have available for my sister.

Please consider that Castle Ridge is taking a big step by investing in the community. By adhering to the rules and regulations, it hopes to ensure the safety and the integration of the home residents, and the safety and comfort of their neighbors.

The difference that places like this make for the well being of those who need that kind of care and for the peace of mind of their families is priceless.

Thank you for your consideration of this request.

Gustavo Espinosa

3239 Barbera Ct.

Greeley CO 80634

Gespinosa2002@yahoo.com

From: Octavio Noda
To: Development Review Comments
Subject: [EXTERNAL] Project Miramont Memory Care Home
Date: Sunday, March 20, 2022 8:30:45 PM

March 20, 2022

TO WHOM IT MAY CONCERN:

This is a brief note to express support for the project Miramont Memory Care Home, owned by Eric and Xioma Díaz.

A few days ago, I had the opportunity to tour the home, courtesy of Mr. Erick Shenk, one of the owners. He gave a few of us a complete tour of the house and answered all our questions. I was impressed by the design of the place. It is very attractive, and it seems like a very suitable place to serve persons suffering from Alzheimer's and Dementia. It is a well-equipped house to receive only a small number of people, a condition which almost assures excellent personal care.

The sector of town is tranquil and convenient for an enterprise such as the one that is proposed. I learned that this memory care home is unique in northern Colorado, and as such, it means that a significant contribution to the community will be made by its existence. Also, this enterprise will not interrupt the peace of the neighborhood.

Thank you for your attention to his letter.

Sincerely,

Octavio Noda
Berthoud, Colorado

From: srsunde@aol.com
To: Development Review Comments
Cc: Alyssa Stephens; Kai Kleer
Subject: [EXTERNAL] 636 Castle Ridge Court
Date: Sunday, March 20, 2022 11:32:30 AM

To the P and Z Commision and to the City of Fort Collins:

I plan to attend in person the P and Z meeting scheduled for Wednesday, March 23, 2022. My home is 3 doors down from the subject home.

The Petitioners for this proposed large-scale business, from day one, have been completely disingenuous about their plan, and they have been grossly misapplying the concept of the FHA in an effort to simply enrich themselves at the expense of all others in the area.

The FHA was written with the intent to provide fair and reasonable opportunity to a protected class. There are several qualifications included in both the intent and the letter of the Act. Some of these include, but are not limited to:

A genuine need in the community

Fairness to all involved and affected

"Reasonable" accommodations - emphasis on "Reasonable"

The project must fit into the overall environment of the community and not drastically alter the environment

The project must adhere to general safety, parking, and traffic rules

The project must not "Take Away" value from others in the community

The proposal by the petitioners does not fit any of the above. There is no genuine need for what they are proposing. There are currently multiple other group homes in the area with a current vacancy rate of over 20%. Setting up a large business in the middle of a planned low density housing development in direct violation to codes and covenants so one opportunist can make massive profits at a tremendous expense to all of the others in the community has no fairness in it at all. The petitioners are asking for grossly "Unreasonable Accommodations" and wrongfully labeling them as "Reasonable" for self-serving massive profits. The simple fact that the petitioners propose to sardine 16 residents with special needs into a single level of a one family home gives very clear evidence that this couple has no intent to serve this protected class, but rather to "USE" this protected class for their own personal profit. This is a total abomination of the intent of fairness in housing. The impact on the surrounding community would be devastating.

I believe the P and Z Committee and the City of Fort Collins has an undeniable duty to the entire community we live in and also an undeniable duty to ALL of the residents in our community for fairness. The P and Z Committee and the City of Fort Collins have no duty to give unilateral preference to one opportunistic couple at the expense of the entire rest of the community or to give special preference to one couple who is wrongfully "Using" the label of a protected class for their own personal profit.

This proposal is wrong on every level.

This proposal needs to be flatly denied.

Thank you for your attention to this serious matter.

Respectfully submitted,

Steve Sunderman, MD

From: ernesto espinosa
To: Development Review Comments
Subject: [EXTERNAL] 23MAR2022 Agenda Item #4: Castle Ridge Group Home Project
Date: Sunday, March 20, 2022 10:44:48 AM

Hello,
I'm commenting on behalf of Castle Ridge Group Home.
There are always those who oppose any kind of change. We typically refer to them as NIMBYs (Not In My Backyard). But some change can be a good thing for both sides. As communities we all too often look to place individuals with special needs in places where they are out of sight and out of mind to the detriment of those individuals. This type of group of home inside a residential community can provide huge benefits to the residents of the home as they are not locked away in some commercial location in a large size group home where they are treated more as an amazon package to be warehoused. This is a place where they can feel that they are in a home with multi generational neighbors and children playing in the streets. In a small size group home they can receive the attention and caring they deserve as individuals. Care and attention that is no longer possible at their own homes. These people will not be foreigners, or dangerous elements. They will be our mothers or fathers. People who raised our children, who've led wonderful lives that sacrificed for and contributed to our communities being what they are today and through no fault of their own now struggle to remember those lives and can no longer continue on their own. Should we not do what we can to help them and make them feel comfortable, valued, and wanted? In time, the current residents of this neighborhood may actually become residents of this group home. Imagine the benefit of not having to even leave their neighborhood. To have family so close by that a small walk is all that is needed to be visited by family.

Much is made of the maximum size of 16, but 16 allows for fluctuations in vacancy rates. With a size of 8, a single vacancy for any amount of time carries a large impact. In addition there is an over emphasis placed on parking on one time events such as holidays. There are always parking issues in those cases. All it takes is for one family or more to decide to hold a party. This shouldn't be a consideration. Besides I'm sure accommodations could be made. Perhaps the owners could arrange to shuttle people to/from a staging area should it be an extreme situation. There are always ways to make things happen without overly inconveniencing the neighbors.

I think "Neighborhood character" should be outlawed as a reason to ever deny a project. Neighborhoods change and should overtime as residents come and go overtime. Change is good for all of us. America is built on change. Colorado is built on change. Ft. Collins is built on change. Could you imagine if we never allowed a neighborhood's character to change? If you don't believe neighborhoods change may I suggest an online visit to the Fort Collins History Connection.

To summarize, I believe the Castle Ridge Group Home project can provide a positive and beneficial impact for the citizens of Fort Collins as well as the residents of Castle Ridge Court. We should say NNIMBYs (No Not In My Back Yards) who just throw everything at the wall hoping something will stick because they resist all change.

Thank you for your thoughtful consideration of my words,

--
Thank you,
Ernesto Espinosa

Alfonso and Delia Rodríguez
3120 66th Avenue
Greeley, CO 80634
leyendapub@comcast.net

March 21, 2022

Planning and Zoning Board
Fort Collins, Colorado

Dear Members of the Board:

On the afternoon of March 18 my wife and I were given a tour of the Castle Ridge Group Home (Miramont Memory Care Home) owned by Mr. Eric Shenk and Miss Xioma Díaz. We were interested in learning of the operation of such services, since perhaps in the future we may be candidates for similar services. Thus, this is a letter of support for that initiative.

Mr. Shenk was kind enough to provide us with a thorough presentation of the premises, including plans for renovations in certain areas, and their goals in providing quality care to persons suffering with Alzheimer's and Dementia. He indicated that Castle Ridge Group Home would be, at this time, the only enterprise devoted exclusively to that type of service in northern Colorado. If this is the case, then it would constitute an important contribution to the community.

The place is impeccably clean and would only serve up to fifteen clients, which would almost guarantee a high quality of individual care. We have visited assisted living institutions in Loveland and other places, and have noticed that in those places some of the clients feel neglected and depressed due to low quality care. The Home, in this case, could easily become like a large family where people can enjoy many moments of real fellowship and amiable communication.

Also, Castle Ridge Group Home would be small enough to prevent uncomfortable traffic in the neighborhood.

In conclusion, for the reasons stated above we support the inauguration of CRGH. Thank you very much.

Respectfully,

Alfonso and Delia Rodríguez

From: SUSAN HUNT
To: Development Review Comments
Subject: [EXTERNAL] 23MAR2022 Agenda Item #4: Castle Ridge Group Home Project
Date: Monday, March 21, 2022 2:07:28 PM

To whom it may concern,

I am writing on behalf of Castle Ridge Group Home. What a forward thinking and much needed housing option they are giving to the parents of our community suffering from Alzheimer's and Dementia. They should be applauded for their efforts and most certainly granted the ability to offer the seniors of our community suffering from these illnesses with an affordable small scale housing option. These are our mom's and dad's and I don't know about you but I want mine intermingled within our community in a home environment where they are still part of our community and afforded more personal, unique care and not placed in an institutional like setting.

This is not a vacation rental home or a party pad but rather a home that will provide a service that does not stash away our seniors in institutional like places away from view. It will be inclusive and respectful and provides a much needed change in how we live and treat our aging family members with Alzheimer's and dementia.

Please think of your own family members when making this decision and make sure you think of the larger picture because it is much bigger than "parking" which can be worked through. It is time for change and we need this service in our community.

Thank you,

Susan

From: Fabiola Marks
To: Development Review Comments
Subject: [EXTERNAL] Testimony supporting Castle Ridge Group Home
Date: Monday, March 21, 2022 6:04:44 PM

Home: Alzheimer's / Dementia Miramont Memory Care Home

Project: Castle Ridge Group Home

I, Fabiola Marks, am supporting the Castle Ridge Group Home. I'd like to keep my aunt, who's about to turn 90, in her own condo for the rest of her life. But as time goes on, her dementia becomes worse, and it's dangerous for her to be living there. The Miramont Memory Care Home would be a smaller homelike environment that's still affordable and not a large institutional setting. The unique needs of my aunt would be well served here with a better potential selection of working staff in this small building. Fort Collins should increase the housing supply and accessibility for all.

Fabiola Marks

marksfabiola@gmail.com

Sent from my iPad

From: Karraker,Nancy
To: Development Review Comments
Subject: [EXTERNAL] Castle Ridge Group House
Date: Tuesday, March 22, 2022 12:26:55 PM

I wish to show my support for this smaller facility for persons with dementia. I have known several people who have been in large settings as well as smaller ones. I can tell you that the ones in the smaller environments seem to thrive, not just exist.
The care seems to be more personalized and support is more readily available when needed. The staff has the opportunity to become more familiar with both family and friends of the persons in their care.
Thank You,
Nancy Karraker

Sent from my iPhone

From: Fenglai Jiang
To: Development Review Comments
Subject: [EXTERNAL] Concerns on PDP210012
Date: Wednesday, March 23, 2022 2:42:48 PM

Dear officer,

I received the Fort Collins city notice about the Castle Ridge Group Home proposal PDP210012, and want to speak out about my concern on the proposal as a neighbor of the area. This neighborhood is a low density residential area including the Werner Elementary School. This project for 16-resident group home will alter the residential density of the neighborhood hence lower the values of the houses in the area. More people will also increase the traffic flow around the school area, which is already very busy on the school hours.

Based on the considerations above, I am strongly against the project and hope the Planning and Zooning Commission will reject the proposal at today's public hearing.

Regards,
Fenglai Jiang
5113 Bulrush Ct
Fort Collins, CO 80525

From: hector espinosa
To: Development Review Comments
Subject: [EXTERNAL] Testimony in support of Castle Ridge Group Home
Date: Tuesday, March 22, 2022 10:15:06 PM

March 22, 2022

My name is Hector Espinosa, I would like to express my support for the Castle Ridge Group Home Project. .
We all know that the demand for care for family members with Alzheimer's or dementia is growing. We also know the challenge their care represents for their love ones.
They could be any one of our siblings, parents or partners.
And what a better opportunity for these Seniors with these conditions to have a place like Castle Ridge where they could live in small homelike environment.
A place where they could get more personalized attention and care; than in large Institutos with 40 or 50 other individual's with the same condition.
The Castle Ridge is investing in the community and adhering to the Rules and Regulations, to ensure the safety and the integration of the home residents
and the safety and confort of their neighbors.
Thank you very much for your consideration of my request
Sincerely
Hector Espinosa
hespinosa78@g mail.com

2022-03-23 Michael Pruznick, Previous owner of the subject property and a project investor.

When I was little I met this girl that walked funny. I asked the mom what was wrong with the daughter, she said nothing, that the problem was in my head. I only saw a problem in the mom's head too. But, after years of watching this girl out compete many boys in baseball, football, and boxing, I realized the mom was right. Likewise, tonight. The problem is not this project but in the minds of the opposition.

Thus, I support the proposal without the conditions as they are discriminatory.

When we first learned of the opposition, we offered to meet, they refused, stating things like no wiggle room to negotiate, they would never warm up to the project, the HOA would never allow it, that castle ridge was for millionaires, doctors, dentists, lawyers, politicians, BUT NOT THESE PEOPLE. It was suggested that I breach the contract with my agent and buyer so they could bring in a good single family or face consequences. Are you aware of the violence against the project and that my family was forced into hiding for four months? This defines the character of the neighborhood, this project is not the problem, it is the solution.

The opposition also bragged about their influence with the city. I see opposition comments provided by the CTO of city-funded Woodward and the president of city contractor PDS, both using the full strength of their official corporate contact info. Also part of the opposition is medical professionals from city partner UCH. What about the Representative Kipp letter, crimes against children not a state interest, but Realtor ethics under the jurisdiction of the Board of Realtors are. I can only imagine the influence needed to get a progressive socialist to change sides, but then the environmentalists on council did vote to block my fossil fuel home project with O70,2019. I just hope the standards used in Fort Collins v Gutowsky campaign finance violations and Pruznick v Gutowsky ethics violations complaint don't apply here.

My 50 page written comments document over 30 ways this project helps the city meet its goals and objectives. Residential care saves lives, C19, 1 residential facility death compared to 130 institutional deaths. Should the institutional facility that lost a client resulting in reverse 911 warning calls be the only option? Why are neighborhood day cares with 2 daily trips per client generally welcomed, but parent care with less trips so unwelcome even though elderly is a protected class?

The neighbors supported my wife's physical disability with a waiver. Do you realize that SSDI plus LTDI makes my wife's physical disability treatment a commercial enterprise, no different than employees and customers for a home business. No one complained about her state funded paid SSP or city funded CVNA needing to coordinate with other support services as condition 1 suggests this project should do for mental disability. The neighborhood character is to accept paid support for its physically disabled residents, thus the character must to to accept

pa rt for its mentally disabled residents.

Did you see all the pictures of the neighbors with their overflowing trash cans on the side walk, basket ball hoops and Realtor signs in the right of way, neighbor construction project in the street for weeks, and the car on the wrong side of the road to get around the mail truck, and other encroachments, violations, fire hazards, illegal parked RV and RV road damage? This defines the character of the neighborhood and that this project is an improvement. Would you tell whites they could put trash cans on the side walk and blacks to park down the road and walk around those cans in the street and get hit by cars? If not, then why condition 2 for this project? Is it to prevent physically disabled employees from working for the project?

We've seen the opposition support the wooden fence to the north but not here, the parkway to the north while calling it ridiculous here. We've seen them support non-single family use by the school, while opposing single family use here. We've seen them call the traffic here dangerous, but statistics show that their ice cream trucks, garage trucks (and optional yard waste trucks), and Internet package delivery trucks are more dangerous. We see the clients called dangerous, but the law prohibits dangerous people from living in this home, but not other Castle Ridge homes. The fears expressed about Red Tail ponds never came to be, nor will they here. Condition 3 exposes this project a denial of service attack by frivolous and merit-less fear based complaints.

When you hear the opposition speak about this facility, replace client with black, brown, Islamic, or LGBT, then ask yourself if the complaint is valid or discriminatory.

I'll close by thanking Uncle Jim and Uncle Bob for introducing me to group homes at an early age and teaching me that the mentally disabled are people too.

I hope you will vote unanimously to protect the federal ADA/FHA rights of this project and to educate the opposition so they will see an appeal has no chance, so the healing can begin tonight.

Thank you

These comments are my personal opinion as a private citizen.

ORDINANCE NO. 070, 2019
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING SECTION 26-391 OF THE CODE OF THE CITY OF FORT COLLINS TO ADD AND REVISE DEFINITIONS RELATED TO THE CITY'S MUNICIPAL ELECTRIC UTILITY SYSTEM

WHEREAS, the City owns and operates a municipal electric distribution system to deliver electric power purchased by the City to retail customers and to accommodate interconnection of customer-owned renewable power generation devices; and

WHEREAS, Chapter 26 of the City Code regulates and governs the provision of utility services and sets forth definitions of terms used to describe and applicable to conditions for receipt of utility services; and

WHEREAS, such provisions require updating and modification from time to time, for purposes of clarification and to ensure the Code remains a dynamic document capable of responding to issues identified by staff, customers, and citizens and changes in the law regarding the delivery of public utility services; and

WHEREAS, staff has proposed that identified definitions be added and amended in Chapter 26 of the City Code to clarify how net-metered customer generation technologies are managed, and to better inform customers and align with current utility practices; and

WHEREAS, in light of the foregoing, the City Council has determined the amendment and supplementation of definitions in Chapter 26 of the City Code is necessary and will be beneficial for the ratepayers of the City's Electric Utility and for the efficient administration of Utility functions.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That Section 26-391 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 26-391. - Definitions.

The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this Section:

. . .

Average annual electricity consumption shall mean the average monthly consumption of the previous twenty-four (24) months of electricity use times twelve (12x).

. . .

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For additional information or an official copy, please contact City Clerk's Office City Hall West 300 LaPorte Avenue Fort Collins, CO 80521 USA

Qualifying renewable technology shall mean a qualifying facility that generates electricity using renewable resources such as solar, fuel cell, wind, geothermal, combined heat and power or biomass technology, or that stores energy.

. . .

Introduced, considered favorably on first reading, and ordered published this 21st day of May, A.D. 2019, and to be presented for final passage on the 4th day of June, A.D. 2019.

Mayor

ATTEST:

Chief Deputy City Clerk

Passed and adopted on final reading on the 4th day of June, A.D. 2019.

Mayor Pro Tem

ATTEST:

City Clerk

This unofficial copy was downloaded on Jul-17-2019 from the City of Fort Collins Public Records Website: http://citydocs.fcgov.com
For additional information or an official copy, please contact City Clerk's Office City Hall West 300 LaPorte Avenue Fort Collins, CO 80521 USA

From: Cathy Kipp <cathy@cathykipp.com>
To: "mikepruz@gmail.com" <mikepruz@gmail.com>
Cc: Senator Joann Ginal <SenatorJoannGinal@gmail.com>
Subject: Re: Castle Ridge Group Home Needs Your Help
Date: Sun, 25 Apr 2021 21:28:59 -0600

Dear Michael and Vera,

This is really an issue that needs to be resolved between you, your neighbors, and the city of Fort Collins. There is not a legislative role here. If your agent made representations regarding the zoning of your home, that may be another issue.

Best,
Cathy

Representative Cathy Kipp
She/Her/Hers
Colorado House of Representatives for House District 52
Cell: 970-219-5267 Legislative office: 303-866-4569
200 East Colfax, Room 635, Denver, CO 80203

On Sun, Apr 25, 2021 at 7:09 PM <mikepruz@gmail.com> wrote:

> 2021-04-25
>
> Dear Fort Collins State Legislators, Ginal, Arndt, and Kipp,
>
> We are asking for your explicit support and endorsement of the Castle Ridge Group Home. As you know we turned this home into the leading Environmental Sustainability home in town. Now, our buyers wish to also make this the leading Social Sustainability home in town.
>
> During the for sale open house, our agent clearly stated that a group home was a possible use (this was indicated in the MLS and flier) and no one expressed any concerns or issues. However, once the Conceptual Review was posted early/mid December 2020, strong opposition occurred. We reached out to the opposition to meet and explain the FHA, ADA, and the great benefit this project would bring to the neighborhood. However, the neighbors refused to meet, and instead, chose to respond with hate messages, threats, extortion, and cyberbullying.
>
> Michael's uncles started and ran group homes on the east coast, even hiring the first female overnight staff member in an all male client group home. Michael spent many summers in the environment and has a much better understanding and experience than most. One of Michael's uncles even produced a video called, "The American Dream, but Not In My Back Yard," so we knew to expect some organized opposition, but what has occurred has gone beyond our wildest fears.
>
> As showings are not compatible with Vera's disabilities, we took an extended vacation to give Michael's sister a care giving break from their father. However, because of the hate expressed to us and fear our return would result in escalations, we chose to go into hiding until the sale completed. Our fears were proven true in March when a neighbor accosted the buyer and their 9 month old child at the house.
>
> Even after being told of the FHA / ADA rights by the HOA, many neighbors [illegible] made hate based discriminatory arguments against the project at

> the April 5th Development Review Meeting.
>
> Unfortunately, things are getting worse. Since the sale completed and the buyers moved in, the number of negative interactions have increased.
>
> Both the buyers and we want this to be a successful project and role model for future integrated housing as supported by the new Fort Collins Housing Strategic Plan.
>
> Due to your authority and respect in the community, your strong support and endorsement for the project can help turn the dysfunctional confrontation into productive cooperation. You can do a much better job exposing the discrimination and calling for cooperation that we could.
>
> Please take a stand for social justice and against those that would harm and threaten a child and the rights of the disabled.
>
> Michael and Vera Pruznick, SD14, HD53
>
> REFERENCES:
>
> These just a few highlights.
>
> SELECTED MESSAGING:
>
> Selected opposition statements showing elitist white privilege republican ignorance, hate, and discrimination based view. Imagine if these were said about BIPOC, LGBT+, or similar protected groups.
>
> These are million dollar homes and a 16 bed assisted living proposal with millionaires around will never fly. [What if it were, a BIPOC neighbor will never fly, instead of that group home?]
>
> Neighbors are doctors and/or attorneys, and litigation against you personally, was brought up. [What if it were, to stop the sale to that LGBT+ couple, instead of that group home]
>
> There is no wiggle room here, as a neighbor, and HOA board member is there is NO WAY this will be approved by the HOA we are prepared to litigate and spend whatever is needed. [What if "this" was Muslim family?]
>
> Our request is for you to terminate the relationship with the Realtor and start over and do this in a correct manner, we want to get a good single family, hopefully we can put an end to what is going on here. We will do everything we can to help you guys get this home sold in the correct manner. ["CORRECT MANNER ... "A GOOD SINGLE FAMILY", What if that were, correct manner for Decent White Family?]
>
> The "[]" example text make it clear how hateful these statements would be if the target was another protected class. We hope these examples help you see how hateful these statements are towards this protected class.
>
> LARIMER COUNTY COVID-19 DATA:
>
> As of 2021-04-04, there 131 Larimer County C-19 Outbreak Deaths.
>
> Only 1 (0.08%) came from a residential facility, and this was full skilled nursing facility, not a limited memory care center.
>

> 130 (91.6%) came from institutional facilities, which is 56% of all Larimer County C-19 deaths.
>
> Residential facilities are life savers, institutional facilities are life takers.
>
> DEVELOPMENT REVIEW MEETING:
>
> https://ourcity.fcgov.com/devreview/widgets/18709/videos/2550
>
> When reviewing the video, keep in mind disability has the same protected status as BIPOC, LGBT+, religion, and others.
>
> How come the neighbor to the north is allowed a parkway, but a former HOA board member characterizes the same for this property as ridiculous?
>
> How come the neighbor to the north has a wooden privacy fence, but commenters insisted that such would not be allowed for this property?
>
> How come PSD was given an exception to the covenants single family home rule and allowed to use two lots for parking and two lots for a playground, but this project isn't allowed to exercise its FHA / ADA protected rights that the covenants violate.
>
> When it comes to the 3 and 5 year old across the street, how come neighbors are not concerned about the unfenced fish pond one home to the south? Reach for fish, slip, hit head, fall into pond, certain death.
>
> When it comes to snow and ice, how come none of the neighbors brought up the ice dam that forms at the Castle Ridge exit?
>
> Discrimination is hate statements made out of false fear of the unknown to stop something legal and lawful, especially after refusing to be educated, yet letting friends and family get away with actual violations.
>
> SINGLE FAMILY USE:
>
> Keep in mind that OctoMom, OctoDad, and their live in Support Person, 19 people in all would be a valid U+2 single family use. Think of all the birthdays, owner cars, visitors, trash, activities, and such. If the higher footprint Octo Family Home is allowed, then clearly the lower footprint Castle Ridge Group Home is a reasonable accommodation.
>
> NEIGHBORHOOD NIGHT OUT:
>
> As for fire department access, see attached. If there is enough access for a party, there is enough access for an emergency.
>

City of Fort Collins

CITY COUNCIL VOTING RESULTS
May 21, 2019

Councilmembers Present:	Cunniff, Gorgol, Gutowsky, Pignataro, Stephens, Summers, Troxell
Councilmembers Absent:	None

ITEM		ACTION
CONSENT AGENDA		
1.	Second Reading of Ordinance No. 064, 2019, Appropriating Prior Year Reserves for Natural Areas Programming Not Included in the 2019 Adopted City Budget.	Adopted on Consent 7-0
2.	Second Reading of Ordinance No. 065, 2019, Vacating Portions of Hobbit Street Right-of-Way East of Shields Street.	Adopted on Consent 7-0
3.	First Reading of Ordinance No. 066, 2019, Making Appropriations for a Federal Lobbying Contract Related to Regulation of Train Horn Noise.	Adopted on Consent 7-0
4.	First Reading of Ordinance No. 067, 2019, Appropriating Unanticipated Revenue and Authorizing Transfers of Appropriations for a Great Outdoors Colorado Grant Project to Update the Parks and Recreation Policy Plan.	Adopted on Consent 7-0
5.	First Reading of Ordinance No. 068, 2019, Amending Section 23-194 of the Code of the City of Fort Collins Regarding Natural Areas Permits.	Adopted on Consent 7-0
6.	Items Relating to Various Amendments to City Code Chapter 26 Pertaining to Utility Services. A. First Reading of Ordinance No. 069, 2019, Amending Section 26-491 of the Code of the City of Fort Collins to Add and Revise Definitions Related to the City's Stormwater System. B. First Reading of Ordinance No. 070, 2019, Amending Section 26-391 of the Code of the City of Fort Collins to Add and Revise Definitions Related to the City's Municipal Electric Utility System.	 Adopted on Consent 7-0 Adopted on Consent 7-0
7.	First Reading of Ordinance No. 071, 2019, Approving the Second Amendment to the Amended and Restated Intergovernmental Agreement for the Joint Operation of the Fort Collins-Loveland Municipal Airport, Now Known as the Northern Colorado Regional Airport.	Adopted as amended on Consent 7-0
8.	First Reading of Ordinance No. 072, 2019, Designating the Kamal/Livingston Property, 608 West Laurel Street, Fort Collins, Colorado, as a Fort Collins Landmark Pursuant to Chapter 14 of the Code of the City of Fort Collins.	Adopted on Consent 7-0
9.	First Reading of Ordinance No. 073, 2019, Designating the Alfred Parker Duplexes I and II, 221-229 West Mulberry Street, Fort Collins, Colorado, as a Fort Collins Landmark Pursuant to Chapter 14 of the Code of the City of Fort Collins.	Adopted on Consent 7-0

ITEM	ACTION
10. Resolution 2019-060 Authorizing the City Manager to Sign a Master Lease Agreement with Smartlink for AT&T Small Wireless Communication Equipment Attachments on City Facilities in Public Rights of Way	Adopted on Consent 7-0
11. Resolution 2019-061 Authorizing the City Manager to Sign a Master Lease Agreement with Zayo Group LLC for Sprint Small Wireless Communication Equipment Attachments on City Facilities in Public Rights-of-Way.	Adopted as amended on Consent 7-0
12. Resolution 2019-063 Authorizing the City Manager to Enter into an Agreement with the Poudre School District R-1 for the School Resource Officer Program.	Adopted on Consent 7-0
13. Resolution 2019-062 Appointing Brandi Lynn Nieto as an Assistant Municipal Judge of the Fort Collins Municipal Court and Authorizing the Execution of an Employment Agreement.	Adopted on Consent 7-0
14. Resolution 2019-064 Adopting Amended Rules of Procedure Governing the Conduct of City Council Meetings and Council Work Sessions.	Adopted on Consent 7-0
ITEMS NEEDING INDIVIDUAL CONSIDERATION	
15. Resolution 2019-066 Adopting of FoCo Creates Arts and Culture Master Plan.	Adopted as amended 7-0
16. First Reading of Ordinance No. 074, 2019, Making Appropriations and Authorizing Transfers of Appropriations for the Lemay and Vine Intersection Improvements Project and Related Art in Public Places.	Adopted 7-0
17. Resolution 2019-065 Making Board and Commission Liaison and Council Committee Assignments and Making Appointments to Various External Boards and Authorities.	Adopted as amended 7-0
18. Possible Motion Directing the City Attorney on Next Steps Related to Litigation Regarding the City's Public Nudity Ordinance.	Motion to direct City Attorney to negotiate a settlement adopted 4-3 (Nays: Gutowsky, Summers, Troxell)

Meeting Adjourned at 9:54 p.m.

City of Fort Collins

CITY COUNCIL VOTING RESULTS
June 4, 2019

Councilmembers Present:	Cunniff, Gorgol, Gutowsky, Pignataro, Stephens, Summers,
Councilmembers Absent:	Troxell

ITEM	ACTION
CONSENT AGENDA	
1. Consideration and Approval of the Minutes of the May 7, and May 21, 2019, Regular Council Meetings	Adopted on Consent 6-0
2. Second Reading of Ordinance No. 066, 2019, Making Appropriations for a Federal Lobbying Contract Related to Regulation of Train Horn Noise.	Adopted on Consent 6-0
3. Items Relating to a Great Outdoors Colorado Grant Project to Update the Parks and Recreation Policy Plan.	
A. Second Reading of Ordinance No. 067, 2019, Appropriating Unanticipated Revenue and Authorizing Transfers of Appropriations for a Great Outdoors Colorado Grant Project to Update the Parks and Recreation Policy Plan.	Adopted on Consent 6-0
B. Resolution 2019-067 Authorizing the City Manager to Enter into a Grant Agreement with the State Board of the Great Outdoors Colorado Trust Fund for the Receipt of Funds for the Project to Update the Parks and Recreation Policy Plan.	Adopted on Consent 6-0
4. Second Reading of Ordinance No. 068, 2019, Amending Section 23-194 of the Code of the City of Fort Collins Regarding Natural Areas Permits.	Adopted on Consent 6-0
5. Items Relating to Various Amendments to City Code Chapter 26 Pertaining to Utility Services.	
A. Second Reading of Ordinance No. 069, 2019, Amending Section 26-491 of the Code of the City of Fort Collins to Add and Revise Definitions Related to the City's Stormwater System.	Adopted on Consent 6-0
B. Second Reading of Ordinance No. 070, 2019, Amending Section 26-391 of the Code of the City of Fort Collins to Add and Revise Definitions Related to the City's Municipal Electric Utility System.	Adopted on Consent 6-0
6. Second Reading of Ordinance No. 071, 2019, Approving the Second Amendment to the Amended and Restated Intergovernmental Agreement for the Joint Operation of the Fort Collins-Loveland Municipal Airport, Now Known as the Northern Colorado Regional Airport.	Adopted on Consent 6-0
7. Second Reading of Ordinance No. 072, 2019, Designating the Kamal/Livingston Property, 608 West Laurel Street, Fort Collins, Colorado, as a Fort Collins Landmark Pursuant to Chapter 14 of the Code of the City of Fort Collins.	Adopted on Consent 6-0

ITEM	ACTION
8. Second Reading of Ordinance No. 073, 2019, Designating the Alfred Parker Duplexes I and II, 221-229 West Mulberry Street, Fort Collins, Colorado, as a Fort Collins Landmark Pursuant to Chapter 14 of the Code of the City of Fort Collins.	Adopted on Consent 6-0
9. Second Reading of Ordinance No. 074, 2019, Making Appropriations and Authorizing Transfers of Appropriations for the Lemay and Vine Intersection Improvements Project and Related Art in Public Places.	Adopted on Consent 6-0
10. First Reading of Ordinance No. 075, 2019, Making Appropriations and Authorizing Transfers of Appropriations for the Drake Water Reclamation Facility Sidestream Treatment Project and Related Art in Public Places.	Adopted on Consent 6-0
11. First Reading of Ordinance No. 076, 2019, Approving, Affirming and Ratifying Funding of the Non-City Share of the NECCO Project by Offering to Owners and Developers of Property Within the NECCO Area a Proportionate Buy-In to Connect to the NECCO Project.	Adopted on Consent 6-0
12. Items Relating to Various Amendments to the City of Fort Collins Land Use Code. A. First Reading of Ordinance No.077, 2019, Making Various Amendments to the City of Fort Collins Land Use Code. B. First Reading of Ordinance No. 078, 2019, Amending the City of Fort Collins Land Use Code Regarding Community Development and Neighborhood Services Director Variances to Certain Land Use Code Standards	Withdrawn from consideration
13. First Reading of Ordinance No. 079, 2019, Authorizing Execution of a Deed of Dedication to the City of Loveland for the Extension of Rockwell Avenue Across Jointly Owned City and City of Loveland Property at the Northern Colorado Regional Airport.	Adopted on Consent 6-0
14. Resolution 2019-068 Approving Fort Fund Grant Disbursements.	Adopted on Consent 6-0
15. Resolution 2019-069 Naming the Gardens on Spring Creek Pavilion in Honor of the Everitt Family.	Adopted on Consent 6-0
16. Resolution 2019-070 Accepting a Proposed Donation of a Sculpture to be Placed at the Gardens on Spring Creek.	Adopted on Consent 6-0
17. Resolution 2019-071 Authorizing the Assignment of the City's Private Activity Bond Allocation for 2019 to Housing Catalyst to Finance the New Construction of Affordable Housing Units.	Adopted on Consent 6-0
18. Items Relating to the Shared Use of Regional Broadband Transport and Access Services. A. Resolution 2019-072 Authorizing the Execution of an Intergovernmental Agreement Between the City and the City of Loveland for the Shared Use of Regional Broadband Transport and Access Services. B. Resolution 2019-073 Authorizing the Execution of an Intergovernmental Agreement Between the City and the Town of Estes Park for the Shared Use of Regional Broadband Transport and Access Services.	 Adopted on Consent 6-0 Adopted on Consent 6-0

ITEMS NEEDING INDIVIDUAL CONSIDERATION	
19. City Financial Resources to Affordable Housing and Community Development Activities Utilizing Funds from the Federal Community Development Block Grant (CDBG) Program, Federal HOME Investment Partnerships (HOME) Program, the City's Affordable Housing Fund (AHF) and the City's Human Services Program (HSP), and Appropriating Funding Consistently Therewith.	
A. Public Hearing and Resolution 2019-074 Approving the Programs and Projects that will Receive Funds from the Federal Community Development Block Grant Program, HOME Investment Partnerships Program, the City's Affordable Housing Fund, and the City's Human Services Program.	Adopted 5-0 (Gorgol recused)
B. Public Hearing and First Reading of Ordinance No. 080, 2019, Appropriating Unanticipated Revenue in the Community Development Block Grant Fund.	Adopted 5-0 (Gorgol recused)
C. Public Hearing and First Reading of Ordinance No. 081, 2019, Appropriating Unanticipated Revenue in the HOME Investment Partnerships Fund.	Adopted 5-0 (Gorgol recused)
20. Items Relating to Regulating Electric Scooters.	
A. First Reading of Ordinance No. 082, 2019, Amending the Fort Collins Traffic Code Relating to Electric Scooters.	Adopted 5-0 (Summers absent)
B. First Reading of Ordinance No. 083, 2019, Amending Chapter 24 of the Code of the City of Fort Collins Relating to Parking of Electric Scooters.	Adopted 5-0 (Summers absent)
Consideration of a motion to cancel the June 18, 2019 Regular Council Meeting.	Adopted 5-0 (Summers absent)

Meeting Adjourned at 8:35 p.m.

Planning and Zoning Commission March 23, 2022 Meeting Minutes

Planning and Zoning Commission Minutes

David Katz, Chair
Ted Shepard, Vice Chair
Michelle Haefele
Per Hogestad
Adam Sass
Jeff Schneider
Julie Stackhouse

Virtual Hearing
City Council Chambers
300 Laporte Avenue
Fort Collins, Colorado

Cablecast on FCTV, Channel 14 on Connexion &
Channels 14 & 881 on Comcast

The City of Fort Collins will make reasonable accommodations for access to City services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call 221-6515 (TDD 224-6001) for assistance.

Regular Hearing
March 23, 2022

Chair Katz called the meeting to order at 6:00 p.m.

Roll Call: Haefele, Katz, Sass, Schneider, Shepard, Stackhouse

Absent: Hogestad

Staff Present: Everette, Sizemore, Claypool, Yatabe, Stephens, Axmacher, Kleer, Smith, Buckingham, Glasgow, Betley, Wray, Manno

Chair Katz provided background on the Commission's role and what the audience could expect as to the order of business. He described the role of the Commission, noted that members are volunteers appointed by city council. The Commission members review the analysis by staff, the applicants' presentations, and input from the public and make a determination regarding whether each proposal meets the land use code. He noted that this is a legal hearing, and that he will moderate for civility and fairness.

Agenda Review

CDNS Director Sizemore reviewed the items on the Consent and Discussion agendas, stating that all items will be heard as originally advertised.

Public Input on Items Not on the Hearing Agenda:

None noted.

Consent Agenda:

1. Draft Minutes from January 20, 2022, P&Z Hearing

Public Input on Consent Agenda:

None noted.

Chair Katz did a final review of the items that are on consent and reiterated that those items will not have a separate presentation unless pulled from the consent agenda.

Member Shepard made a motion that the Planning and Zoning Commission approve the Consent Agenda for the March 23, 2022, Planning and Zoning Commission hearing as originally advertised. Member Stackhouse seconded the motion. Vote: 6:0.

Discussion Agenda:

2. Castle Ridge Group Home

Project Description: This is a request for a Project Development Plan to convert an existing single-family dwelling into a 16-resident group home for memory care residents. The project is located within the Low-Density Residential (RL) zone district and is subject to Planning & Zoning Board (Type 2) Review.

Recommendation: Approval

Disclosures:

Member Shepard serves as the Board of Directors President for a private non-profit foundation that serves all of Larimer County. The foundation owns three (3) host homes that are similar in character to this item. There could be a perception that there is a conflict of interest and that he may not be fair and impartial. Due to this, he recused himself from the item and left the meeting.

Secretary Manno reported that a presentation from concerned neighbors had been received, as well as 15 emails varying in either support of or opposition to the item had been added to the supplemental document packet.

Staff and Applicant Presentations

CDNS Director Sizemore and Planner Kleer gave a brief verbal/visual overview of this project.

Stephanie Hansen, Ripley Design, Inc., Eric Shenk and Xioma Diaz, Owners/developer, provided a brief verbal/visual presentation.

Public Input (3 minutes per person)

Curt Johnson, Tracy Stefanon, Jesus Martin Roman, Harmon Zuckerman (attorney representation), as representatives for larger neighborhood group - They are questioning whether the size of the group home and the location meets the requirements of the Land Use Code and if the impact is consistent with Code. They provided a brief verbal/visual presentation. They feel there are numerous Code issues, such as the size of the lot and number of patients allowed, and the zone district this type of facility is allowed to operate within. Another concern is with parking and the increased amount of traffic generated by this business. The street is narrow, and this could increase the number of emergency calls. There are questions about the number of people will be living in the house and the addition of a minibus. They question the parking solutions posed. Is this a home or just a crowded facility? They noted that an operational plan is lacking and believe many items are underestimated. They are recommending that the Commission deny the application.

Beth Williams, 5301 Highcastle Ct. – Is opposed to this item. She feels that there are two people that want to ruin their peace. Please reconsider.

Jason Green, 5820 Fossil Creek Pkwy - Nothing exists like this for a reason.

Dillion Chambersfaust – 4470 S. Lemay Ave. – Boyfriend works at this facility. Strategies such as carpooling and drop off will be used for staff members. From a personal point of view, he would rather die in a suburb, and it is not fair that we separate these people out into traditional facilities.

Sarah McBride, 721 Yarnell Ct. – She supports the memory care facility. She is a close friend to one of the patients and commented that his quality of life has improved. The neighbors have been negative and confrontational.

Lisa Faust, 7034 Mount Adams St. – This is like a David and Goliath situation. She is in support of the project. Believes the neighbors and applicant should work together and try to make this work a lot better than they are right now and not make it such a fight.

Peggy Barnett – 821 Southridge Greens Blvd. – She is opposed to the project due to parking issues, policy issues, number of staff and homeownership dreams.

Fran Richardson – Owns homes all over that are in residential neighborhoods. She is in support of this project.

Tony Doing – This is a private street in a school zone that is not plowed. This is a difficult setup. He believes there are more investors. This is not a neighborhood that is kicking people out; rather, this is a neighborhood of nice people, but putting in a business is difficult.

Angie Scholterburger, 1571 Redtail Rd. – She is in support of the project as it is much needed.

Mike Pruznick - He is in support of this project. He did submit a 50-pg. written comment for the work session.

Cory Green, 801 Hinsdale Dr. – There is a need for smaller group homes in Fort Collins, but it needs to be located in the right area. She is in opposition to this project.

Carrie Galyardt, 4304 Idledale Dr. – She is opposed to the project. There needs to be more thought put into the logistics.

Katie Teruel – 1619 Redberry Ct. – She does not feel anyone is not being compassionate, but this needs to be thoughtful for both the patients and the kids in the community. This is the wrong location, and she opposes the project.

Jamie, 4143 Knox Ct. – Opposes this project.

Staff Response

Mrs. Hansen responded to public input. She commented that if there were errors or discrepancies in the plans, then she takes full responsibility for it. The City's Final Development Plan process is forthcoming; the plans are not set in stone. The Operational Plan has had changes to get to this point because of feedback received from staff and the community. The number of occupants will remain regardless of the number of patients. There are only three (3) live-in staff; the family currently in the facility will be moving out as the number of patients increases. The applicants have agreed to pay a larger share for street maintenance. This is a long-term residence; they will not be selling anytime soon.

Michelle Pinkowski of Pinkowski Law and Policy Group, spoke to Fort Collins as being on the cutting edge and very familiar with this a project of this request. This type of project is designed to be in the community, completely integrated. As for traffic, this will not be anything near the employee levels as a large institution. This is efficient and a lower traffic impact. Parking impact will be low.

Mr. Shenk thanked the Commission and the neighbors. This project is meant to enhance the neighborhood. They want open lines of communication.

Planner Kleer responded to public input. He noted that Mr. Zuckerman stated that in the staff report, the city failed to properly analyze the use based on the Land Use Code. He noted that under article 4 of the Code, group homes are a permitted use in residential low-density zone areas. This project was analyzed as part of the Article 4 findings

and not under the Article 3 findings. Tony Doing commented about how the private street was not plowed during the winter. This may be an issue with on-street parking in some capacity. Typically, in cities, residential local streets do not get plowed unless they are some sort of priority for the bus systems or provide access to a critical facility. As a point of clarification to Mrs. Pinkowski to the parking generation manual, the 5th addition is based on 10 different facilities that averaged 103 beds per facility. The analysis was broad, and staff feels confident that it depicts accurately the potential minimums and maximums of an assisted living facility.

Traffic Operations Spencer Smith clarified the manuals used.

Commission Questions / Deliberation

Questions

Member Haefele asked what the required ratio of caregivers to patients according to regulations. Mr. Shenk responded that Colorado regulations require a 6:1 ratio.

Member Stackhouse asked if there were currently caregivers in the house, and how many, as there are two patients. Mr. Shenk responded that there are two 8-hour shifts with one caregiver each shift. Member Stackhouse also asked what experience the applicants had with respect to managing parking situations, particularly requiring, and enforcing staff to park off-site and how the applicant envisioned using best efforts to keep parking within the front of the building or in the open parking spaces. Mr. Shenk responded that as far as mitigating staff parking on-site and using off-site parking, they have done some of that already. They have had staff voluntarily do it. There have not been any complaints yet. As far as parking is concerned, he noted that Applewood Homes in Denver runs 4-16 bed, and one 12-bed memory care homes. The experience is that peak parking is about 7 vehicles around noon. In terms of being able to handle the parking load, most of the visits are short term. In terms of family visits, the issue has been raised that individuals will want to come after work. It is known that evening hours are not a good time to visit and that since this is a residential neighborhood, we must treat this differently. They are going to ask people to make an appointment so that staff knows when visitors are coming. There is no personal experience with parking management.

Member Haefele asked if the facility was already licensed given there are two patients there? Mr. Shenk responded 'no' because the State allows for two individuals to be in a residential home without needing a license.

Chair Katz commented that one of the conditions suggested by staff was Condition #3, having a 24-hour designated person. He asked whether this has been considered for context, and who it would that be? Mr. Shenk responded that every home must have an administrator, and that his wife would be the administrator (Mrs. Diaz). Once licensed, they will go to three (3) shifts, so that there will always be someone there. There will also be a house manager. The house manager or the administrator will be the point of contact.

Member Haefele asked if the house manager would be in addition to the three (3) caregivers? Mrs. Hansen responded no; this person would be one (1) of the three (3) caregivers. Member Haefele also asked whether there would be someone there cooking and cleaning? Mr. Shenk responded that the cleaning is part of the caregivers' tasks. They will complete a daily cleaning. The kitchen will be cleaned every meal. The caregivers will also be required to give a light cleaning of the patient's room every day. Member Haefele asked for clarification on the number of total staff at the house. Mr. Shenk responded that there will be three (3) staff at any given shift; three (3) morning, afternoon/evening and two (2) at night. Member Haefele asked if there would be an additional staff person that will cook meals? Mr. Shenk responded that cooking is also the responsibility of the caregivers.

Mr. Shenk commented that he is available to be the point of contact for the community at large.

Chair Katz commented that the Article 5 definition does distinguish between group homes and large group homes. Does Article 4 distinguish as well? Planner Kleer responded 'yes'. The Land Use Code does provide in Article 5 the definition of group home; the distinction between a residential and a large group home is that a residential group home is in a single-family residence, whereas a large group home is defined as a purpose-built structure. Chair Katz asked for clarification that to meet the definition of large group how, it would have to be constructed for that purpose? Planner Kleer responded affirmatively. Chair Katz asked about the approval history of the neighborhood, and whether there a POD overlay with additional standards that are not being considered. He also

asked whether there was an ODP. Planner Kleer responded that there is a PUD and that he would have to double check on the ODP. He suspects that would be a part of the larger Miramont development area. For the PUD, there are standards that are built into the PUD; however, there was a variance at the time of the building construction for the facility now proposed that was granted to provide exemption from the 10' or a varied setback from the typical 10' requirement. Curt Johnson stated this was accurate. Member Katz stated that sometimes PUDs have approved uses written on the PUD recorded documents. What would prevail if it did not have group home written on it, but Code had group home? Planner Kleer responded that the PUD was approved as single-family detached dwellings. You can change the use of an approved PUD or specific lot within an approved PUD through a city process, such as a Type II review. Since a group home is permitted in Article 4 or in this zone district, you can propose it and you can go through the city's procedural requirements to get the use approved. Planning Manager Everette clarified that the section of code that the commentor had referenced is written in relationship to our current PUD overlay, PUD Master Plan Process and Standards in the Code that were adopted in the last few years. It is not in reference to PUDs that were created under the Land Development Guidance System or previous regulatory systems prior to our current Land Use Code. There is question of applicability of that standard that was brought into question to an older PUD. The term is the same, but the code standard is different. Chair Katz commented that the PUD would not need to be amended because it is driven by the current Land Use Code. Planner Kleer responded that this is application is considered planning over an old plan. It is covered under the administrative section of the Land Use Code; this would supersede the PUD in some sense.

Member Haefele asked if the change of use would ordinarily be required with this property. In other words, did this not have to go through a change of use process? Chair Katz feels this is what the Type II hearing is. Planning Manager Everette responded that the purpose of the PDP is to request a change of use for the property.

Member Haefele asked for clarification on the street width. Mrs. Hansen responded that with the Larimer County Urban Area Street Scape Standards, if you take the 28' wide street that is currently there, subtract 7' from each side for parking, that leaves 14' in the middle. This is sufficient. Two (2) cars can get past.

Member Haefele asked if potential hospice care is an additional service that facility will provide or is It expected that it will be necessary as part of a continuum of care. Mr. Shenk responded that hospice care would be provided by a third-party and that they would not take in a hospice care patient that was not already a resident.

Member Haefele asked if they were intending to do any type of proactive enforcement under the proposed operating plan or if compliance with the standards and conditions would be entirely based on complaints. Planner Kleer responded that the City functions on a complaint basis, and that any enforcement of the conditions would have to be on a complaint basis. There would be subsequent investigation of the complaint and confirmation that it is happening and then potentially a violation.

Member Stackhouse asked, if the road becomes encumbered with snow since it is not plowed, will there still be the ability for two-way traffic on the street with parking on both sides? Traffic Engineer Smith responded that it is narrower by 2' over the local residential street section, and for that reason it would be close for two vehicles to pass depending on the vehicle. Potentially you would need one vehicle to move through at a time.

Member Sass asked if it was correct that the city classifies the streets as priority 1-4 on snow removal. Traffic Engineer Smith responded that he was not familiar with streets classification on the snow removal. Planner Kleer responded that High Castle is a public street, and that this street has attached sidewalks so there may be a tendency that cars park further away from the sidewalk. It is likely that this would be a one-way street.

Member Stackhouse noted that the street was privately maintained and asked what this includes. Engineer Betley responded that since it is privately maintained, the city does not perform any public maintenance on the street. Rather, the HOA completes the maintenance. This includes snow removal and surface seal and any other kind of maintenance that would be required for the asphalt surface. High Castle would get city maintenance if it were public.

Member Schneider asked how the applicant could guarantee that only one nurse would come in to take care of all the patients, given different insurance providers and other factors. Mr. Shenk responded that there is a contract with a service that has a nurse practitioner that will come in and see the patients. It is possible for the patient to maintain his/her private physician, but most clients would be serviced by a single nurse practitioner. This person will

come in and do a 15-minute visit once a month. Member Schneider asked if they would require that the clients use the same service? Mr. Shenk responded that the visits fall under Medicare. Member Schneider asked about other services like hairdressers, etc., how this would be enforced or maintained? Mrs. Diaz responded that a service will be hired to come in and take care of residence all at once while they are there. This helps reduce the anxiety and confusion with the residents. She noted that families receive information beforehand and understand how the facility operates; however, a common service provider cannot be guaranteed.

Chair Katz had some concern over characteristic, compliance, compatibility and 3.5.1 (called out the word use not being compatible) and asked for staff's response. Planner Kleer restated that the use, residential group home, is a permitted use within the low-density residential zone district. In some sense, that permissibility provided by Article IV subject to the Planning and Zoning Commission makes the use compatible; however, Article III provides the operational compatibility requirements for the particular uses that are permitted within the Article IV district. Article III is essentially a giant book of mitigating factors for the uses that are listed in Article IV. When evaluating the use, the operation is typically on a site-by-site basis. All the elements are looked at and mitigated through the Article III portion. Chair Katz asked whether staff was confident that these mitigation factors in Article III addressed the context portion of the stated code? Planner Kleer responded that the context is predominately large lot, single-family detached homes. Group homes are defined as single-family detached homes. This definition is in Article V. It is contextually compatible. Member Schneider asked further about the Article V definition of group homes, and what in the definition separates a group home from a large group home? Planner Kleer responded that under Article V, the group home definition does not provide any numerical quantities to what classifies it as residential or large group home facility. The distinction between the two are that a large group home facility is a purpose-built structure for a group home and the residential group home is simply just the integration of a group home into a single-family residence. Member Schneider asked a hypothetical question: If he came to the Commission with a 4-resident group home as the intent, would that be considered a large group care facility? Planner Kleer responded that if you were going to build it for the purpose of 4 residents, under 3.8.6 provides context for large group homes, it does assign a maximum number depending on the zone district. Planning Manager Everette clarified the difference in these two definitions or types of group homes, noting that the purpose-built facility is something that would not be built as single-family residence and would not be built in a way that could be converted back to a single-family residence in the same way. It would likely be designed with individual bathrooms for each unit or each room. It would not be an easy conversion back and forth to a single-family dwelling versus a building that is built as a home. There is not a clear threshold for number of people. Planner Kleer also stated that there is no minimum number of residents for large group home facility.

Deliberation

Member Haefele pointed out that in the justification for the project, pgs. 398 and 399 of the agenda, the number of patients proposed is necessary for both the financial viability of the prospective business and to improve the therapeutic care. She noted that if there were eight (8) residents because you cannot split staff, you would have a patient-to-care-giver ratio of 4:1. With 16 patients and 3 staff, you are going to have 5.3 patients to one care giver. This implies a lower level of therapeutic care. Member Haefele is supportive of this type of arrangement in general; however, she cannot imagine putting her mom in with 16 people. She questioned whether the proposal to try to limit visitation, while noting that it would not be enforceable, could violate State laws that protect patient rights. Everything about the operation plan seems to be based on unrealistic assumptions about the amount of parking and traffic. To suggest that the physical or mental limitations of the patients will result in fewer family visits again implies that the care is going to be subpar because family visits are better than no family visits. She also is not convinced that there are enough hours in the day for 16 patients to be served by one care giver. She also believes that a visiting nurse once a month does not support the therapeutic benefits argued by this proposal. This cannot meet the Land Use Code requirements being operationally and physically compatibility.

Member Stackhouse stated that she believes the applicants are well intended and she is sensitive to the comments toward small facilities and the attractiveness to many. She has a concern, however, with the parking in this situation and what is does to the character of the neighborhood. Staff commented that 9.28 spaces would be appropriate. She is not convinced that that parking can be managed. With snow removal, there could be some dangerous situations. Staff that will be doing the cooking, cleaning, and caring will have very little time to manage parking.

Member Schneider agrees that the staff is not going to want to park far away to go to work. Parking is a concern of his as well. Chair Katz also agreed that if they are carrying supplies, it could be difficult. The question is whether it

complies or not. Member Schneider commented that realistically you could get 5 parking spaces in the driveway. Member Sass asked if this would be defined as a group home, or a large group home. Member Katz responded that the Commission is looking at this as a group home, not a large group home. Member Haefele responded that per staff analysis, it proposes three (3) employees and group homes require two (2) parking spaces for every three (3) employees. The problem is that there will be three (3) employees that will live there 100% of the time who will require parking plus as parking for those that are asked to come, like hairdressers, physical therapists, etc. While not defined as full-time staff, but they are necessary. There will be more than three (3) staff people at any given time.

Chair Katz feels this is unlikely as they there will be three shifts of 3, 3, and 2. Chair Katz asked for clarification on off-street parking. Planner Kleer responded that the requirement would be for providing off-street parking spaces, typically when parking requirements are listed in 3.2.2, they are always for off-street parking spaces. There is an exception for on-street for multi-family dwellings if the road is specifically built to serve that multi-family development. If that situation, you can count your on-street parking towards that parking minimums. Group homes require two (2) parking spaces for every three (3) employees, long-term care facilities require .33 off-street parking spaces per bed, plus one (1) space for every two (2) employees.

Member Schneider questioned how it could be guaranteed that this could not potentially become a long-term care facility as well? Planner Kleer responded that it can be a combination of different things; senior living, assisted living, and nursing, etc. Chair Katz questioned the number of cars that could fit in the driveway Member Stackhouse noted that 3.5.1(J) might be the relevant provision to discuss. Staff has indicated that conditions be applied, keeping third-party services between 8 am and 6 pm Monday through Saturday to the extent feasible, deliveries and short-term visits limited to available space within the driveway and street frontage to the extent possible, and that the group home staff that cannot be accommodated by designated off-street parking within the driveway shall park off-site at certain designated locations and someone to be designated on-call 24-hours per day. She does not feel these can be reasonably achieved given the location of the facility and the likely level of traffic. Member Sass cannot reasonably say he can't send a therapist to see his mom, etc. not on Sunday. This seems unreasonable. Member Haefele agrees. Chair Katz has concerns as well. If asked for clarification that if condition 2 was not adopted/considered, we would interpret this provision as being non-compliant. Planner Kleer responded that would be accurate. Chair Katz is comfortable with everything except for this part of the conditions. There is no reasonable way to enforce this. Member Schneider commented that this will also limit visitation hours.

Member Sass referenced 3.8.6(A). the lot area is an additional 1,500 s.f. per resident. What is this lot size? Is there enough lot size to have 16 residents? Planner Kleer responded that it is just shy of the required minimum lot size. This would be trumped by the reasonable accommodations.

Member Stackhouse made a motion that the Fort Collins Planning and Zoning Commission deny the Castle Ridge Group Home Project Plan PDP210012., finding that the proposal does not comply with Section 3.5.1(J) of the Land Use Code and operational elements related to parking cannot be adequality addressed through conditions. The Commission further finds that other than the stated reasons by the project development plan does not comply with the Land Use Code and in consideration of the approve reasonable accommodation, the project development plan complies with all other applicable Land Use Code requirements and the Commission adopts the findings and conclusions in the staff report regarding compliance with these other requirements. This decision is based upon agenda materials, the information and materials presented during the work session and this hearing and the Commission discussion on this item. Member Haefele seconded. Member Schneider understands the need and desire. However, he unfortunately agrees that 16 is too large of a facility for this location. He does see the need and the demand. Member Sass feels very strongly that the need is there. Member Stackhouse agrees there is a need, but the parking situation needs to be addressed. Member Haefele also agrees and that asking the neighborhood to enforce conditions or monitor and report on a complaint basis adds to the burden. The number of residents should be less. Chair Katz feels there is a need for this type of setting. **Vote: 5:0.**

For more complete details on this hearing, please view our video recording located here:
https://www.fcgov.com/fctv/video-archive.php?search=PLANNING%20ZONING

Other Business

- **None**

Adjournment

Chair Katz moved to adjourn the P&Z Commission hearing. The meeting was adjourned at 8:25pm.

Minutes respectfully submitted by Shar Manno.

Minutes approved by a vote of the Commission on: May 19, 2022.

Paul Sizemore, CDNS Director

David Katz, Chair

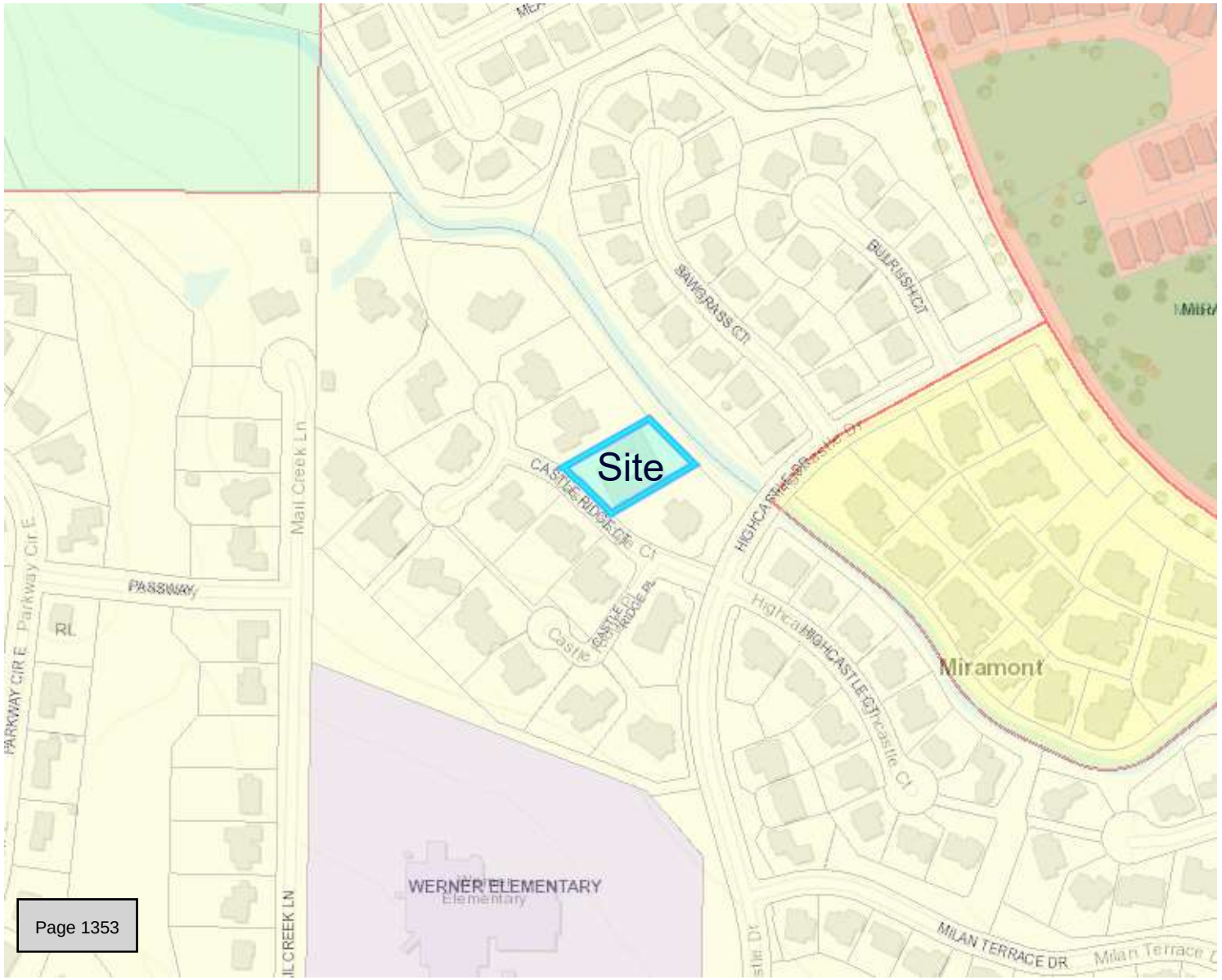
Link to Video

Planning and Zoning Commission
March 23, 2022

https://reflect-vod-fcgov.cablecast.tv/CablecastPublicSite/show/1769?channel=1

Castle Ridge Group Home Appeal

Paul Sizemore – CDNS Director
Kai Kleer – City Planner



- Location: 636 Castle Ridge Ct
- Lot Size: 22,226 square feet
- Zone: Low-Density Residential District (R-L)
- Proposal:
  - Group Home for Assisted Living - Memory Care*
  - 10-residents
  - 2 off-site parking spaces
  - Additional landscaping, fencing, and screening

LITTLE PEOPLES LANDING Ln
E Harmony Rd
FORT COLLINS
LITTLE LAMBS PRESCHOOL
Venturi Ln
Player Dr
KOHL'S
Oakridge Dr
S Lemay Ave
Palmer Dr
Hogan Dr
Bluestem Ct
Rule D
Frontage Rd
College Ave
287
Fairway Ln
Boardwalk Dr
MIRAMONT PARK
Miramont Park
Griffith Dr
Parkway Cir E
Mail Creek Ln
DISCOUNT TIRE
Miramont
Belvedere Ct
WERNER ELEMENTARY
Werner Elementary
Milan Terrace Dr
Pinnacle Pl
Southridge Greens Blvd
Roma Valley Dr
Fossil Creek Pkwy
Fossil Creek Condos
TWO CREEKS NATURAL AREA
Natural Area
FOSSIL CREEK COMMUNITY PARK
Fossil Creek Community
Smokey St
S College Ave

Mail Creek Ditch
CASTLE RIDGE CT
HIGH CASTLE DR
HIGH CASTLE CT
SAWGRASS CT
BULRUSH CT
Werner Elementary

Background

- Area was annexed into the City as part of the 617-acre Keenland Annexation.
- Single-family detached dwelling
- Home built-in 2002.
- Served by a private street that features a 28’ curb to curb cul-de-sac system.

Application Timeline

Notices of Appeal – Sunderman & Johnson

The combined appeals allege the Planning and Zoning Commission committed the following errors:

1. Failure to conduct a fair hearing in that it exceeded its authority or jurisdiction as contained in the Code
2. Failure to conduct a fair hearing by substantially ignoring its previously established rules of procedure.
3. Failure to conduct a fair hearing by considering evidence relevant to its findings which was substantially false or grossly misleading
4. Failure to conduct a fair hearing by improperly failing to receive all relevant evidence offered by the appellant.
5. Failure to conduct a fair hearing because it was biased against the appellant by reason of a conflict of interest or other close business, personal or social relationship that interfered with the Commission's independence of judgment.
6. Failure to properly interpret and apply the relevant provisions of the City's Land Use Code.

Did the Planning and Zoning Commission fail to conduct a fair hearing in that it exceeded its authority or jurisdiction as contained in the Code?

The first issue on the Sunderman Notice of Appeal restates an assertion made under a separate ground for appeal (Sixth Issue of Appeal) which relates to the Planning and Zoning Commission failing to interpret and apply relevant provisions of the Land Use Code. This assertion does not appear to be related to a failure to conduct a fair hearing and includes the following statements which are replicated under the Sixth Issue on Appeal:

- The purpose statements found under Sections 1.2.2(K) and 1.2.2(M) of the Land Use Code were not properly applied.
- That 1.2.5 – Minimum Standards of the Land Use Code have not been met and that the applicants are asking for deviations far and above the current standards.
- The proposal violates criterion 1.3.4(C)(1)(a) – (e) of Section 1.3.4 – Addition of Permitted Uses.

Did the Planning and Zoning Commission fail to conduct a fair hearing by substantially ignoring its previously established rules of procedure?

The Sunderman Notice of Appeal asserts that City staff failed to follow through with required procedures and meetings and made repeated efforts to silence neighbors opposed to the development application.

Sunderman Third Issue on Appeal

Did the Planning and Zoning Commission fail to conduct a fair hearing by considering evidence relevant to its findings which was substantially false or grossly misleading?"

The Sunderman Notice of Appeal alleges character matters related to the applicant and the legality of the applicant's current operation. The appellant also alleges that the Traffic & Parking Operational Plan is a gross underestimation of traffic related to the proposed land use.

Did the Planning and Zoning Commission fail to conduct a fair hearing by improperly failed to receive all relevant evidence offered by the appellant?

The Sunderman Notice of Appeal alleges that city staff actively silenced neighbors at a neighborhood meeting and that Chairman Katz tried to censor the appellant from speaking on time that was donated by five (5) other neighbors.

Did the Planning and Zoning Commission fail to conduct a fair hearing because it was biased against the appellant by reason of a conflict of interest or other close business, personal or social relationship that interfered with the Decision Maker's independence of judgment?

The Sunderman Notice of Appeal p.10 provides the following allegations:

- Comments contained within a city staff e-mail to the Appellant clearly asserts that the decision to approve this application had been predetermined.
- Chairman Katz tried to prevent the appellant from speaking and was biased against the appellant and that demonstrated a clear political ideology with intense anger against the Appellant for issuing objections to the project.
- Commissioner Haefele, who was not present at the hearing, would have denied the project and the motion to approve the project would have failed.
- The decision makers decision was driven by extreme political ideology.

Did the Planning and Zoning Commission fail to properly interpret and apply the relevant provisions of the City's Land Use Code?

The Sunderman Notice of Appeal provides the following allegations:

- The purpose statements found under Sections 1.2.2(K) and 1.2.2(M) of the Land Use Code were not properly applied.
- That 1.2.5 – Minimum Standards of the Land Use Code have not been met and that the applicants are asking for deviations far and above the current standards.
- The proposal violates criterion 1.3.4(C)(1)(a) – (e) of Section 1.3.4 – Addition of Permitted Uses.
- The narrow, private street does not meet fire and safety code regulations.

Did the Planning and Zoning Commission fail to properly interpret and apply Land Use Code Section 3.5.1(J) – Operational/Physical Compatibility Standards?

The Johnson Notice of Appeal contends that the proposal fails to meet 3.5.1(J) due to the following allegations:

- The private street was designed to have a reduced width based on findings that the neighborhood was low density and that every house was required to have a minimum of a 3-car garage. The proposal adds an increased amount of traffic that changes the character of the neighborhood and causes safety concerns related to accessibility by emergency services, and fire egress.
- The five proposed parking spaces and narrow design of the driveway require users to shuffle vehicles which subsequently make off-street parking impractical.
- Commission members who voted in favor of the proposal failed to cite any specific mitigation which merited approval of the new proposal. Conversely, Commission members who denied the proposal cited specific reasons for doing so. Because of this, the Code was not properly applied.

QUESTIONS?

Appellant Kurt Johnson
Appeal Presentation Materials

To: Fort Collins City Council
From: Kurt Johnson
Cc: Anissa Hollingshead, City Clerk
Date: February 24, 2023
Re: Appeal to City Council of Planning & Zoning Commission approval of memory care facility at 636 Castle Ridge Court (docket FDP220013)

This written statement is in support of an appeal submitted by Kurt Johnson and 11 co-appellants (collectively, "Johnson") with respect to the Planning and Zoning Commission's ("P&Z") 12/15/22 decision approving a 10-resident memory care facility at 636 Castle Ridge Court. The grounds for the appeal are that P&Z failed to properly interpret and apply relevant provisions of the Fort Collins Land Use Code (the "Code"). Specifically, Johnson asserts that P&Z improperly applied Code Section 3.5.1 (J).

Code Section 3.5.1 (J) focuses on **compatibility** as follows:

> ***Operational/Physical Compatibility Standards.*** Conditions may be imposed upon the approval of development applications to ensure that new development will be compatible with existing neighborhoods and uses. Such conditions may include, but need not be limited to, restrictions on or requirements for:
>
> 1. Hours of operation and deliveries
> 2. location on a site of activities that generate potential adverse impacts on adjacent uses such as noise and glare;
> 3. placement of trash receptacles;
> 4. location of loading and delivery zones;
> 5. light intensity and hours of full illumination;
> 6. placement and illumination of outdoor vending machines; and
> 7. location and number of off-street parking spaces.

The Problem

On 3/23/22, P&Z held a public hearing to consider docket PDP210012, which was essentially the same group home application as the one being appealed today (FDP220013), except that it was for 16 residents instead of 10. One of the key points of deliberation in the 3/23/22 hearing occurred when Commissioner Stackhouse focused on the Operational/Physical Compatibility Standards and stated that she didn't believe that the criteria therein could be satisfied. P&Z unanimously denied the application (5-0 vote).

At the 12/15/22 P&Z hearing, the Operational/Physical Compatibility Standards in Code Section 3.5.1(j) again took center stage. Commissioner

Stackhouse asked, at approximately 6 hours and 31 minutes into the hearing, whether staff had applied these Standards in its review of the application. She never received an answer. At approximately 6 hours and 34 minutes into the hearing, Commissioner Stackhouse re-read the Code and pointed out that the Standards are related to conditions which can be imposed, not criteria which need to be met. It was this realization that appears to have swung her vote from denial to approval.

We believe that Commissioner Stackhouse was correct in asserting that the Operational/Physical Compatibility Standards are not criteria which need to be met, but conditions which may be imposed to ensure that new development will be compatible with the existing neighborhood. This appeal is based on P&Z failing to apply conditions, which conditions they were empowered by Code to apply, and which are necessary to ensure that the memory care facility is compatible with the neighborhood.

While we recognize that group homes are allowed, the subject property's location presents unique challenges that other previously-approved group homes do not. This was recognized by P&Z, as evidenced by their deliberations, which at times veered towards denying the proposed project for simply being incompatible, even as reduced from 16 to 10 residents. For example, see Commissioner Schneider's comments at approximately 6 hours and 21 minutes (parking issues) and 6 hours and 25 minutes into the hearing (traffic safety). In seeking to understand why the P&Z Commission failed to apply conditions which are necessary to ensure the compatibility of the memory care facility with the close-knit community of Castle Ridge Court, it is vital to recognize that P&Z's deliberations took place well after midnight, at the end of a nearly 7-hour long meeting, and that the application was only narrowly approved (3-to-2).

When applying the Code to a particular project, one can classify a location as (a) advantageous, (b) neutral, or (c) challenged. An example of an "advantageous" location is that of Seneca House, which is the only true residential group home in Fort Collins approved for 10 residents. Its location on Seneca Street allows for on-street parking which does not encroach into the driving lanes on the street. There are no neighbors to the west. There is additional parking around the corner on Craig Street to the north, regular City snow plowing, a circular driveway which accommodates 4 cars, and dual egress from both directions. These advantages allow consideration of a 10-resident facility. The other approved group homes in residential neighborhoods, all at the Code-allowed 8 residents, fall into the "neutral" category – perhaps on a standard residential street, with some on the fringes of the neighborhood, having accessible driveways.

The location at Castle Ridge Court, however, is a "challenged" one. The subject property is uniquely challenged as follows:

- It is on a private street not constructed to City standards.

- The street is narrow – as part of the approval of the original subdivision, a variance was given to allow the substandard street width because of a supposition regarding low traffic levels (see screenshot below from traffic engineer's July 6, 1993 letter) and a requirement that each house have a 3-car garage (see variance, attached).

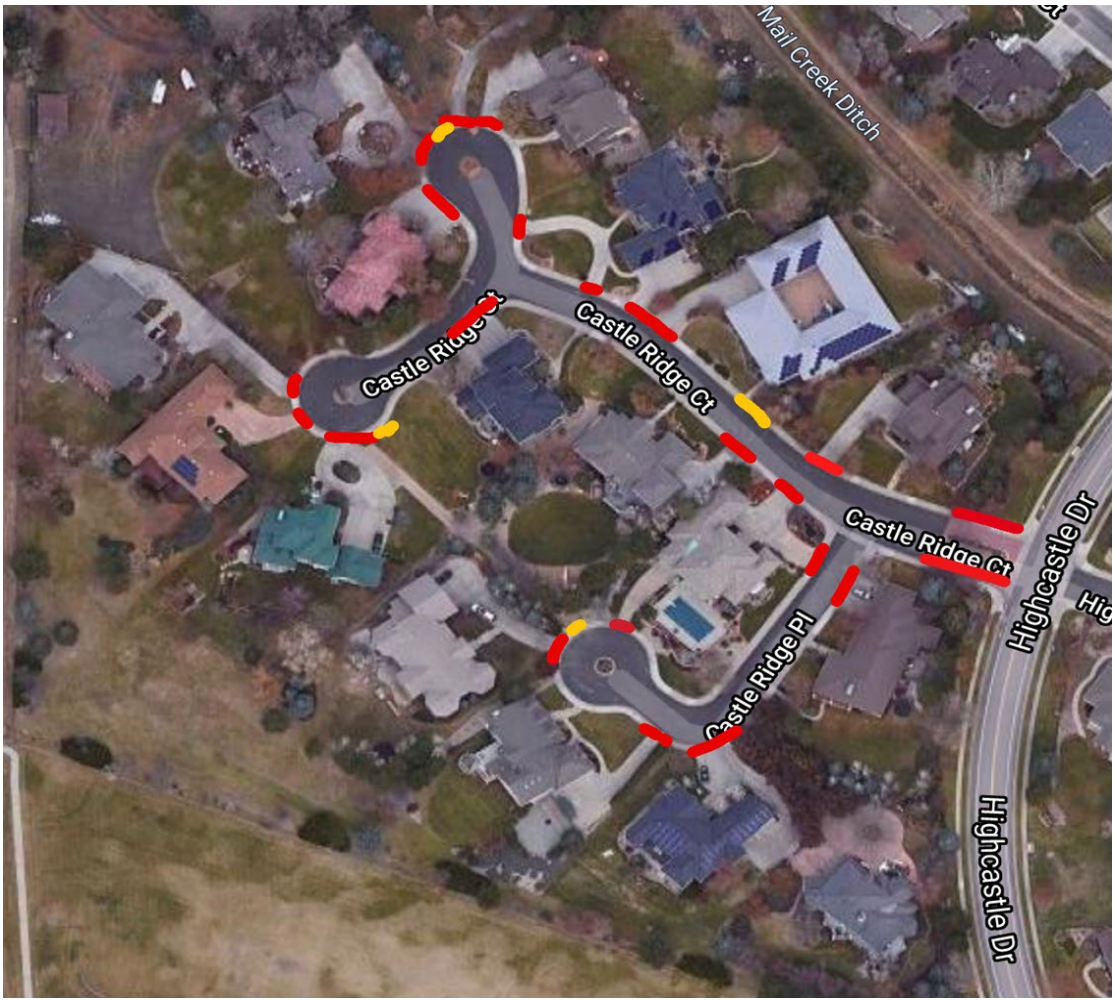
The reasons for requesting/granting this variance are listed below:

- The streets will have less than 750 ADT on them. The development itself will have 18 dwelling units, which will generate 180 vehicle trips on an average weekday. There is not likely to be any external traffic passing through this development. Therefore, the highest traffic volume at a given worst case location will be 180 ADT.
- The streets that are proposed to be 28 feet are all cul-de-sacs.
- The cul-de-sacs do not access an arterial street.

- When cars are parked on both sides of Castle Ridge Court, the parking encroaches into the driving lanes, making a one-lane condition occur. This is unsafe, as is shown in the photo below:

- There is no City maintenance or snow plowing of Castle Ridge Court (the City rejected a proposal to take a dedication of the street some years ago).

- P&Z's approval involves the conversion of garage space to living space to support the additional residents proposed by the applicant. This violates the condition precedent to the variance which allowed the substandard street width.
- The subject property has a long, narrow driveway which the applicant claims would allow the off-street parking of 5 cars. In all practicality, the driveway, at best, could perhaps support 3 parked vehicles without a "musical cars" situation.
- Castle Ridge Court is a dead-end cul-de-sac street with a single egress. If cars are parked on both sides, it creates a one-way chokepoint, especially for those "downstream" of the subject property.
- The subject property is located mid-block (not at the end, such as Seneca House is). As such, it has impact on the entire neighborhood.
- Between the layout of the driveways (shown in red), the location of fire hydrants (shown in yellow), and sidewalks blending into driveways, there is very little remaining on-street parking on Castle Ridge Court, as shown in the photo below:



The proposed solution falls into two parts:

Solution 1: Conditions

Regardless of the number of residents (even if the number of residents was within Code), this project is insufficiently conditioned under Code Section 3.5.1 (J) due to its location falling in the "challenged" category. At the P&Z hearing, the Commission failed to add conditions necessary to ensure neighborhood compatibility, even though the applicant offered to accept additional conditions as part of their presentation. Perhaps this was due to the late hour (approx. 1:00am) and P&Z members being too exhausted to draft, debate, and apply additional conditions.

As such, we propose the following conditions, each of which is directly supported in Code Section 3.5.1 (J):

1. **Limit deliveries, including nurse visits and visits from other professionals, to the hours of 9:00am to 2:00pm, Tuesday through Thursday**.
    a. This is supported by 3.5.1(J)(1) *hours of operation and deliveries*, and the applicant specifically offered to accept this condition in their presentation during the hearing.
2. **Require that all deliveries which can be scheduled are made in the driveway or the garage, and all nurses and other professionals who visit will park their vehicles in the driveway or the garage**.
3. **Limit on-street parking to the spaces which are adjacent to the property on the same side of the street**.
    a. The above two conditions are supported by 3.5.1(J)(2) *location on a site of activities that generate potential adverse impacts on adjacent uses such as noise and glare*;
4. **Limit applicant to three (3) residential-size trash receptacles which will be placed on the street in front of the group home property for trash day like any other residence in the neighborhood**.
    a. This is supported by 3.5.1(J)(3) *Placement of trash receptacles*, and the applicant specifically offered to accept this condition in their presentation during the hearing.
5. **Require that all loading takes place in the driveway or the garage**.
    a. This is supported by 3.5.1(J)(4) *location of loading and delivery zones*.
6. **Require 5 off-street parking spaces where each space can accommodate a car or full-size SUV, which vehicles can park and depart without necessitating any other parked car to move**.
7. **No van/bus permanent parking on-site or on-street**.
    a. The above two conditions are supported by 3.5.1(J)(7) *location and number of off-street parking spaces*, and the applicant offered to accept the van/bus restriction at the neighborhood meeting and discussed it in front of P&Z.

The fact that multiple of the above conditions were offered up by the applicant, and yet P&Z did not add these conditions to the approval, is evidence that that the Commission failed to properly apply relevant provisions of the Code which were necessary to ensure the compatibility of the project with the neighborhood.

Solution 2: Number of Residents – Risk Management

At the P&Z hearing, one Commissioner argued that 10 residents would not have much greater impact than the 8 which normally would be allowed under the Code without a Reasonable Accommodation. This, in fact, is not the case. Each additional resident has potentially their own family, friends, clergy, physicians/PAs, physical therapists, hospice, or other personal contractors. The difference between 10 residents and 8 residents is a 25% increase in impact.

Due to the challenged nature of the subject property's location, there is significant risk of these conditions being violated even if the number of residents were within Code. Along with applying the conditions above in Solution 1, a practical risk management approach would be for the group home to operate at a lower level initially, allowing for impact data to be collected at a baseline within code. These data can then be analyzed at a subsequent Type 2 review to assess the feasibility of adding two residents and increasing the total intensity to 10. Therefore, Johnson requests that City Council:

1. Limit the number of residents to 8, which is what the Code allows without a Reasonable Accommodation.
2. Apply the conditions described in Solution 1 above.
3. Allow the memory care facility to operate within code for two years while the applicant, staff, and the neighbors collect data on the impact of the use.
4. Invite a second Type 2 review to analyze data and determine if a group home with additional residents could meet the conditions after the expiration of the two-year study period.

Summary

At question is how a group home with 10 residents can be compatible at such a challenged location. The above two-pronged approach would ensure neighborhood compatibility through the proper application of Code Section 3.5.1 (J) via the appropriate application of additional, necessary conditions, as well as managing impact risk via a staged and data-driven approach to number of residents, ultimately resulting in an optimal result for all concerned parties.

Letting the current approval stand as-is threatens our neighborhood with health and safety problems. It may also create an unintended precedent whereby subsequent proposals for residential group homes use this basically unconditioned approval to force similar approvals that also go beyond what the Code generally allows.

Considering the foregoing, Johnson asks that Council modify the approval of the Planning and Zoning Commission as requested in the Solutions proposed above.

Regards,

Castle Ridge Parties of Interest

Kurt/Laurie Johnson 612 Castle Ridge Ct	Steve/Kathy Chacho 631 Castle Ridge Ct	Tracey Stefanon/Ken Patrick 642 Castle Ridge Ct
Barbara Schwerin 601 Castle Ridge Ct	Jesus Martin/Angie Lee 637 Castle Ridge Ct	Lawrencr Mauch/Karen Kotechi 625 Castle Ridge Ct
Troy/Carrie Tafoya 5213 Castle Ridge Pl	Tom/Debbie Graff 621 Castle Ridge Ct	Steve/Beth Williams 5301 Highcastle Ct
Dan Clawson 5219 Castle Ridge Pl	Gregg Lesartre 619 Castle Ridge Ct	Katie/Douglas Salter 613 Castle Ridge Ct
Michael/Stacey Leuzze 5225 Castle Ridge Pl	Anthony/Sarah Doing 5206 Castle Ridge Pl	Brad Sisson 600 Castle Ridge Ct

HPDesk Local Print for Mike HERZIG

Start of Item 2.

Message. Dated: 07/19/93 at 0903.
Subject: 28' Street Width Variance for Castle Ridge at Miramont
Sender: Warren JONES / CFC52/01 Contents: 2.
TO: Mike HERZIG / CFC52/01

Part 1.

FROM: Warren JONES / CFC52/01

TO: Mike HERZIG / CFC52/01

Part 2.

RE: 28' Street Width Variance for Castle Ridge at Miramont

Our research indicates that the on-street parking demands in large lot, high end single family housing projects is very low. The strongest correlating factor we have observed is the use of three car garages. If this project fits this scenario, including the three car garages, I have no opposition to a 28' street width.

End of Item 2.

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Applicant
Appeal Presentation Materials

PINKOWSKI | LAW
& Policy Group LLC

March 1, 2023

VIA EMAIL (cityclerk@fcgov.com)
Anissa Hollingshead
City Clerk
City of Fort Collins
300 LaPorte Avenue
Fort Collins, Colorado 80522

RE: Appeal of the Planning & Zoning Commission Decision
regarding the Castle Ridge Group Home
Docket FDP220013

Dear Ms. Hollingshead:

I understand that appellants Kurt Johnson, et al have submitted a new written statement dated February 24, 2023 in support of their appeal. Please find attached our **Objection and Response** to this statement.

Sincerely,

PINKOWSKI LAW & POLICY GROUP, LLC

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cc: Eric Shenk and Xioma Diaz
Stephanie Hansen
Brad Yatabe, byatabe@fcgov.com
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Objection & Response to Written Statement of Kurt Johnson

Eric Shenk and Xioma Diaz, through counsel, Pinkowski Law & Policy Group, LLC, submit this Objection and Response to a written statement filed by Kurt Johnson on behalf of himself and others in support of their December 28, 2022 Notice of Appeal ("Johnson Appeal"). This new statement is dated February 24, 2023 and was provided to us on February 28, 2023 ("New Statement").

Objection

Objection is made to the New Statement and any contents that go beyond the scope of the Johnson Notice of Appeal, present new evidence, and/or are not allowed by the City's Appeals Procedures (Fort Collins Municipal Code ("Code"), Sections 2-46 to 2-56). The New Statement should be excluded from the public record and disregarded by City Council for the following reasons:

1. The Johnson Appeal is based exclusively on Code Sec. 2-48(b) and argues that the Planning and Zoning Commission ("P&Z") failed to properly apply Land Use Code ("LUC") Section 3.5.1(J).
2. The City's Appeals Procedures make no provision for submitting advance written statements such as the one filed by Mr. Johnson on February 24, 2023. Mr. Johnson had a right to, and did, file a notice of appeal within 14 days of the P&Z decision. Code. Sec. 2-49(a). This notice of appeal included a narrative statement. The New Statement was filed long after the appeal filing deadline and is untimely.
3. The City's Appeals Procedures provide a mechanism for Mr. Johnson, et al to make their arguments in the appeals hearing. Code Sec. 2-54(a). The Appeals Procedures also provide a mechanism for parties in opposition to object to the propriety of statements made and evidence presented in the hearing. Code Sec. 2-55(e). Allowing the submission of the New Statement, however, circumvents this process and deprives the appellants of due process.
4. The New Statement does not fall within the scope of the record the City Council is to consider, which makes sense in light of the above-noted due process concern. Code Sec. 2-55(a)(" The City Council shall consider an appeal based upon the record on appeal, including any new evidence admitted for or at the appeal hearing [when new evidence is allowed], the relevant provisions of the Code and Charter and any other applicable legal authorities, the grounds for appeal cited in the notice of appeal, *the arguments made by parties-in-interest at the hearing on the appeal,* and the City staff report and presentation prepared for the appeal…")(emphasis added).

For these reasons, we ask that the New Statement submitted by Johnson, et al be disallowed.

Response

To the extent that the New Statement is not disallowed, we ask that this responsive statement be accepted for submittal.

P&Z Commission Correctly Found that this Small Group Home is Allowed

Mr. Johnson asserts that the application considered by the Planning and Zoning Commission on December 15, 2022 was "essentially the same" as the one it previously considered on March 23, 2022. This is not the case. Significant changes were made specifically to address neighbors' concerns and requests.

The neighbors have been active in their comments. We listened to what they said. In response, the development proposal was changed in the following ways:

- The requested occupancy was reduced by almost 40%, from 16 to 10.
- The number of staff on site at any given time was reduced by 33%, from 3 to 2.
- Off-street parking was increased by 20%, from 3 to 5 spaces.
- The number of windows on the north, objected to by the neighbor on that side, was reduced by 66%, from 3 to 1.

In the March 23, 2022 P&Z Hearing, neighbors testified that they would not object to the proposed group home "if only it was smaller." Now, the approved development *is* smaller. The P&Z Commission noted this and also correctly pointed out that "small group homes" are allowed uses in this zoning district.

Mr. Johnson now argues that the home should be approved for 8 people rather than 10. The P&Z Commission correctly observed that there is little difference between 8 and 10 from the perspective of the impact on the neighborhood.

The evidence presented supports this conclusion:

- All residents will have disabilities that make it impossible for them to drive. Thus, no resident will drive or own a car. Whether there are 8 or 10 residents, the number of resident cars is still zero.[1]
- The number of staff members will be the same. Whether there are 8 or 10 residents, there will be 2 staff members on site at a time during the day and 1 at night. Thus, the number of staff cars is the same.[2]
- Deliveries for groceries, pharmacy, etc. will be the same.[3]
- If third-party providers come – such as for haircuts, therapy, etc. - they serve multiple residents at a time, so there is no difference between 8 and 10.[4]

[1] Source: Proponents' presentations at P&Z December 15, 2022 (slide 4).
[2] Source: Proponents' presentations at P&Z December 15, 2022 (slide 5).
[3] Source: Proponents' presentations at P&Z December 15, 2022 (slide 6).
[4] Source: Xioma Diaz testimony, P&Z March 23, 2022.

Commissioner Stackhouse noted in her comments[5] before a vote in favor that the project as proposed remains a small group home.[6]

What is especially important to consider, however, is that the decision of whether the home should house 8 people with disabilities or 10 people with disabilities ***was not up for decision by the P&Z Commission and is not on appeal here.***

The City has a well-defined mechanism to determine whether it is appropriate to increase the occupancy level from 8 to 10. This process is found in the Reasonable Accommodation provision of LUC Sec. 2-19. The City was specific about why it established this procedure:

> *It is the policy of Fort Collins to provide reasonable accommodation for exemptions in the application of its zoning laws to rules, policies, and practices for the siting, development, and use of housing, as well as other related residential services and facilities, to persons with disabilities seeking fair access to housing. The purpose of this section is to provide a process for making a request for reasonable accommodation to individual persons with disabilities.*

LUC, Sec. 2-19(A).

Reasonable accommodation was an oft-discussed issue during both P&Z hearings. The letter granting reasonable accommodation is in the record, as are a number of other communications regarding same.

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[5] Source: P&Z December 15, 2022 at 6:14.

[6] "Small group home" refers to the residential scale group home recognized in the LUC, which are distinguished from large facilities:

> *Group home* shall mean either of the following:
> (1) Residential group home shall mean a residence operated as a single dwelling, licensed by or operated by a governmental agency, or by an organization that is as equally qualified as a government agency and having a demonstrated capacity for oversight as determined by the Director, for the purpose of providing special care or rehabilitation due to homelessness, physical condition or illness, mental condition or illness, elderly age or social, behavioral or disciplinary problems, provided that authorized supervisory personnel are present on the premises.
> (2) *Large group care facility* shall mean a residential facility that is planned, organized, operated and maintained to offer facilities and services to a specified population and is licensed by or operated by a governmental agency, or by an organization that is as equally qualified as a government agency and having a demonstrated capacity for oversight as determined by the Director, for the purpose of providing special care or rehabilitation due to homelessness, physical condition or illness, mental condition or illness, elderly age or social, behavioral or disciplinary problems, provided that authorized supervisory personnel are present on the premises.

LUC, Sec. 5.1.2.

The decision whether to grant reasonable accommodation rests with city staff, who are well informed about the technical needs of the project, the City Code, and – importantly –the City's responsibilities for inclusion set forth in state and federal civil rights laws, including the Fair Housing Act.

Reasonable accommodation decisions are made by the Director of Community Development and Neighborhood Services (LUC Sec. 2-19(D)) after consideration of specific factors (LUC Sec. 2-19(E)). This decision may ***only*** be appealed by the applicant and to the City Manager.

> ***Appeal of Determination.*** *The applicant may appeal a determination granting or denying a request for reasonable accommodation to the City Manager in accordance with Chapter 2, Article VI of the Code of the City of Fort Collins. No other review of a reasonable accommodation determination shall be allowed except as expressly provided within this Section.*

LUC, Sec. 2-19(F).

Here, the applicants (Eric Shenk and Xioma Diaz) and the City precisely followed the procedures set out by the LUC. Reasonable accommodation to increase the number of residents from 8 to 10 has already been granted. This was not something the P&Z Commission could have considered and it would be improper for the City Council to overturn its decision on appeal.

P&Z Properly Applied LUC Sec. 3.5.1(J)

At the hearing, we will provide a full presentation of how this use is compatible with the surrounding neighborhood and we reserve all right to do so. Without waiving this right, a few key points are provided here.

1. The Planning and Zoning Commission may apply conditions, but it's not required to do so. LUC Sec. 3.5.1(J) ("Conditions *may* be imposed upon the approval of development applications.")

2. Group homes are allowed in this neighborhood. LUC, Sec. 4.4.

3. This home provides 150% more off-street parking than the Land Use Code's required minimum. The LUC requires 2 spaces; we are providing 5.

   "Group homes require two parking spaces for every three (3) employees, and in addition, one (1) parking space for each four (4) adult residents, unless residents are prohibited from owning or operating personal automobiles." LUC, Sec. 3.2.2(K)(1)(f).

In short, the City, through adoption of the Land Use Code, has already assessed whether group homes are compatible with residential neighborhoods and it concluded that they are. Like every other "regular" home in a residential neighborhood, every group home will have people who

live there and who will visit. Its residents will need to eat and have other supplies and provisions brought into the home. And invariably, every group home, like every family, will generate garbage that it puts out for collection each week.

The City already considered these facts. There is nothing in the LUC that makes these predeterminations less true for *this* group home in *this* neighborhood. The LUC does not condition a group home's existence on what kind of road it's on. There is no actual evidence that this group home will make any greater impact on this neighborhood than any other group home in any other neighborhood. In fact, the evidence indicates that this home will have minimal traffic and parking impacts.

Residential group homes are needed in the City; they are allowed by the City; and they are consistent with the City's housing goals. This home is well suited for the use and will provide a valuable community asset. The P&Z Commission's approval was proper.

On behalf of Eric Shenk and Xioma Diaz:

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