

# **City Council Agenda Packet**

**For 3-7-2023**

**Part 3**

**Item 12 – Appeal Part B**

**Packet Pages 1012-1381**



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](mailto: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.



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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.

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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

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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.

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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](mailto: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 more 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,  $Q_u$ , psf

Unconfined Compressive Strength, $Q_u$ , 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 BEDROCKDEGREE 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	Can be scratched easily with knife.
Hard	Cannot be scratched with fingernail.
Soft	Can be scratched with fingernail.
<u>Shale, Siltstone and Claystone:</u>	
Hard	Can be scratched easily with knife, cannot be scratched with fingernail.
Moderately	Can be scratched with fingernail.
Hard	
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	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	$Cu \geq 4$ and $1 < Cc \leq 3^E$	GW	Well-graded gravel <sup>F</sup>
			$Cu < 4$ and/or $1 > Cc > 3^E$	GP	Poorly-graded gravel <sup>F</sup>
		Gravels with Fines more than 12% fines	Fines classify as ML or MH Fines Classify as CL or CH	GM GC	Silty gravel <sup>G,H</sup> Clayey Gravel <sup>F,G,H</sup>
	Sands 50% or more coarse fraction passes No. 4 sieve	Clean Sands Less than 5% fines	$Cu \geq 6$ and $1 < Cc \leq 3^E$	SW	Well-graded sand <sup>I</sup>
			$Cu < 6$ and/or $1 > Cc > 3^E$	SP	Poorly-graded sand <sup>I</sup>
		Sands with Fines more than 12% fines	Fines classify as ML or MH Fines classify as CL or CH	SM SC	Silty sand <sup>G,H,I</sup> Clayey sand <sup>G,H,I</sup>
Fine-Grained Soils 50% or more passes the No. 200 sieve	Silt and Clays Liquid Limit less than 50	inorganic	$PI > 7$ and plots on or above "A" Line	CL	Lean clay <sup>K,L,M</sup>
			$PI < 4$ or plots below "A" Line	ML	Silt <sup>K,L,M</sup>
		organic	Liquid Limit - oven dried < 0.75	OL	Organic clay <sup>K,L,M,N</sup>
			Liquid Limit - not dried		Organic silt <sup>K,L,M,O</sup>
	Silt and Clays Liquid Limit 50 or more	inorganic	$PI$ plots on or above "A" Line	CH	Fat clay <sup>K,L,M</sup>
			$PI$ plots below "A" Line	MH	Elastic Silt <sup>K,L,M</sup>
		organic	Liquid Limit - oven dried < 0.75	OH	Organic clay <sup>K,L,M,P</sup>
			Liquid Limit - not dried		Organic silt <sup>K,L,M,O</sup>
	Highly organic soils	Primarily organic matter, dark in color, and organic odor		PT	Peat

<sup>A</sup>Based on the material passing the 3-in. (75-mm) sieve

<sup>B</sup>If field sample contained cobbles or boulders, or both, add "with cobbles or boulders, or both" to group name.

<sup>C</sup>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

<sup>D</sup>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

$$^E C_u = D_{60}/D_{10} \quad C_c = \frac{(D_{30})^2}{D_{10} \times D_{60}}$$

<sup>F</sup>If soil contains  $\geq 15\%$  sand, add "with sand" to

<sup>G</sup>If fines classify as CL-ML, use dual symbol GC-CM, or SC-SM.

<sup>H</sup>If fines are organic, add "with organic fines" to group name

<sup>I</sup>If soil contains  $> 15\%$  gravel, add "with gravel" to group name

<sup>J</sup>If Atterberg limits plots shaded area, soil is a CL-ML, Silty clay

<sup>K</sup>If soil contains 15 to 29% plus No. 200, add "with sand" or "with gravel", whichever is predominant.

<sup>L</sup>If soil contains  $\geq 30\%$  plus No. 200 predominantly sand, add "sandy" to group name.

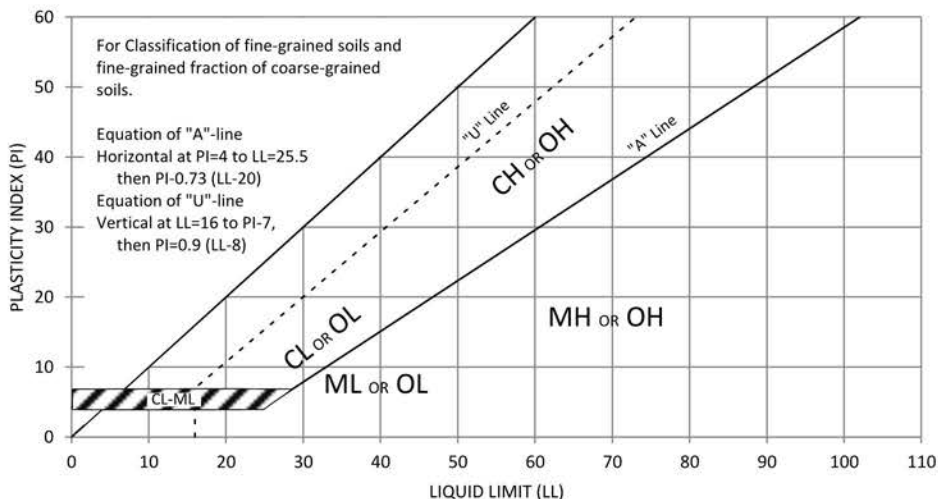
<sup>M</sup>If soil contains  $\geq 30\%$  plus No. 200 predominantly gravel, add "gravelly" to group name.

<sup>N</sup> $PI \geq 4$  and plots on or above "A" line.

<sup>O</sup> $PI \leq 4$  or plots below "A" line.

<sup>P</sup> $PI$  plots on or above "A" line.

<sup>Q</sup> $PI$  plots below "A" line.



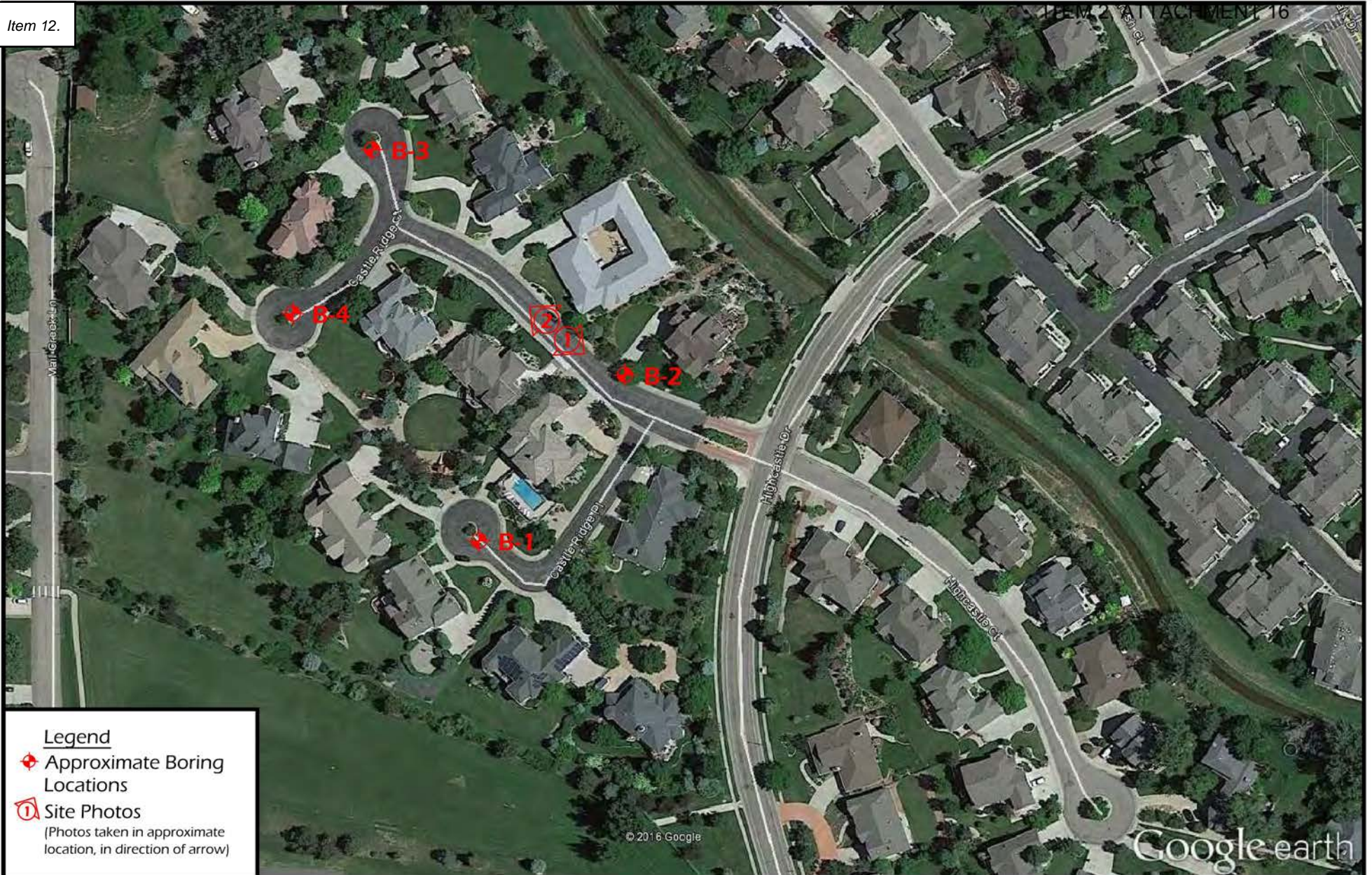




CASTLE RIDGE COURT PAVEMENTS  
FORT COLLINS, COLORADO  
EEC PROJECT NO. 1162090  
SEPTEMBER 2016







**Legend**

- ◆ Approximate Boring Locations
- ① Site Photos  
(Photos taken in approximate location, in direction of arrow)



Boring Location Diagram  
 Castle Ridge at Miramont HOA  
 Fort Collins, Colorado  
 EEC Project #: 1162090 Date: September 2016



Item 12.

**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	N	QU	MC	DD	A-LIMITS		-200	SWELL	
		(FEET)	(BLOWS/FT)	(PSF)	(%)	(PCF)	LL	PI	(%)	PRESSURE	% @ 500 PSF
ASPHALT - 4"		--									
ABC - 6.5"		1									% @ 150 psf
SANDY LEAN CLAY (CL) brown / grey very stiff with calcareous deposits	CS	2	9	8000	15.2	115.0	36	22	59.7	1500 psf	1.9%
		3									
		4									
	SS	5	13	9000+	16.2						
		6									
		7									
		8									
SILTSTONE / CLAYSTONE / SANDSTONE brown / grey / rust	SS	9									
*bedrock classified as LEAN CLAY with SAND (CL)		10	53	8000	17.4		36	16	75.8		
BOTTOM OF BORING DEPTH 10.0'		11									
		12									
		13									
		14									
		15									
		16									
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		24									
		25									

Item 12.

**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	N	QU	MC	DD	A-LIMITS		-200	SWELL	
		(FEET)	(BLOWS/FT)	(PSF)	(%)	(PCF)	LL	PI	(%)	PRESSURE	% @ 500 PSF
ASPHALT - 3.5"		--									
ABC - 8"		1									% @ 150 psf
SANDY LEAN CLAY (CL) brown / grey / rust very stiff	CS	2	12	7500	17.8	106.5				1400 psf	1.6%
		3									
		4									
with traces of gravel	SS	5	10	9000+	17.4						
		6									
		7									
CLAYSTONE / SILTSTONE brown / grey / rust highly weathered		8									
	SS	9									
		10	55	9000+	18.3						
BOTTOM OF BORING DEPTH 10.5'		--									
		11									
		12									
		13									
		14									
		15									
		16									
		17									
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Item 12.

**CASTLE RIDGE AT MIRAMONT  
FORT COLLINS, COLORADO**

PROJECT NO: 1162090		LOG OF BORING B-3 SHEET 1 OF 1					DATE: SEPTEMBER 2016					
RIG TYPE: CME55							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		D (FEET)	N (BLOWS/FT)	QU (PSF)	MC (%)	DD (PCF)	A-LIMITS		-200 (%)	SWELL		
							LL	PI		PRESSURE	% @ 500 PSF	
ASPHALT - 3.5"		--										
ABC - 10"		1									% @ 150 psf	
LEAN CLAY with SAND (CL) brown very stiff		CS	2	10	8000	18.2	109.9	38	23	70.2	1750 psf	1.3%
with calcareous deposits		SS	4									
			5	13	9000+	16.4						
SILTSTONE / CLAYSTONE / SANDSTONE brown / grey / rust, highly weathered		SS	10	6	5000	27.8						
BOTTOM OF BORING DEPTH 10.0'			11									
			12									
			13									
			14									
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Item 12.

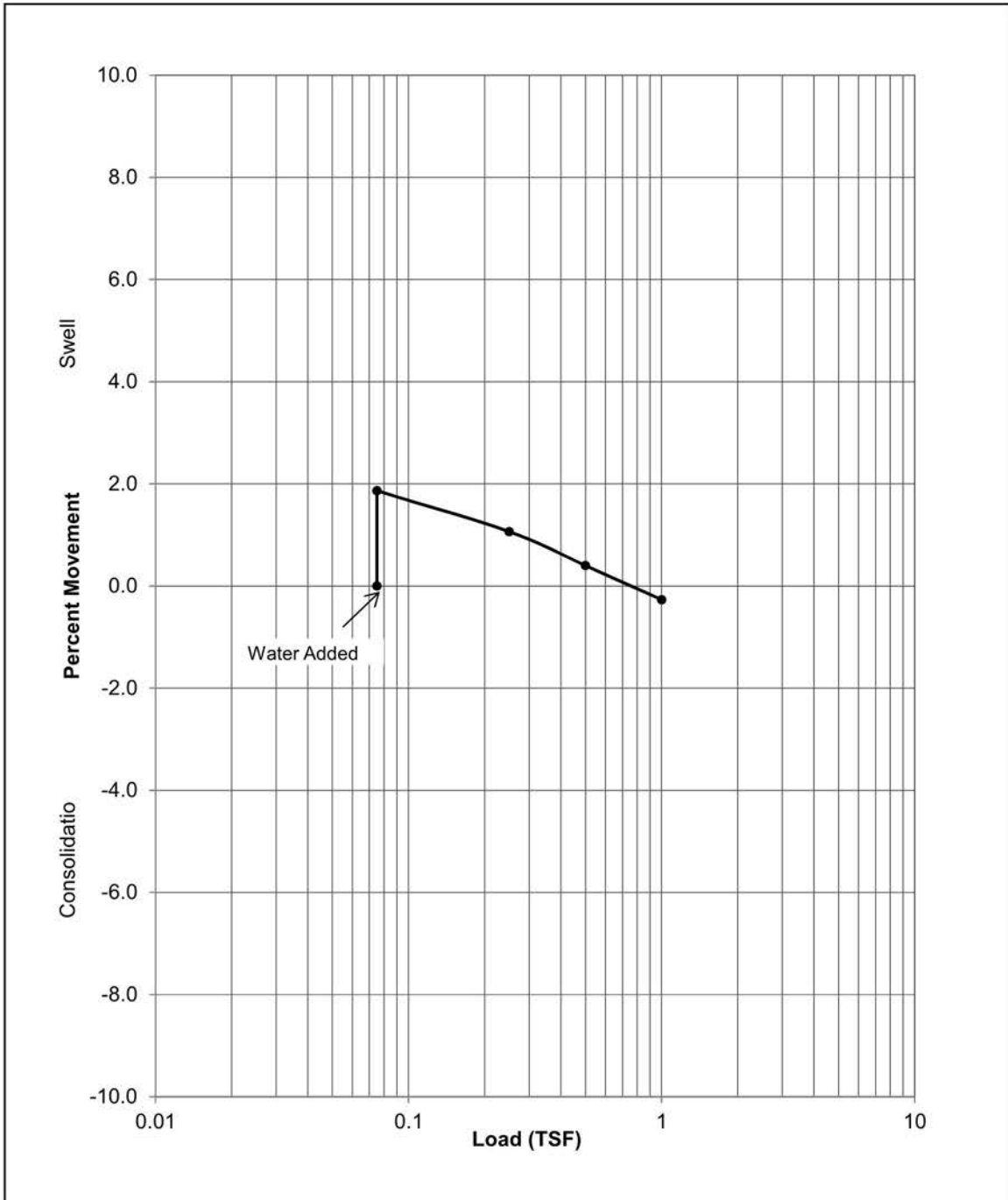
**CASTLE RIDGE AT MIRAMONT  
FORT COLLINS, COLORADO**

PROJECT NO: 1162090		LOG OF BORING B-4 SHEET 1 OF 1					DATE: SEPTEMBER 2016				
RIG TYPE: CME55							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		-200 (%)	SWELL	
							LL	PI		PRESSURE	% @ 500 PSF
ASPHALT - 2.5"		--									
ABC - 10"		1									% @ 150 psf
SANDY LEAN CLAY (CL) brown / grey medium stiff to very stiff	CS	2	6	2000	16.3	106.7	38	21	59.2	1000 psf	1.1%
		3									
		4									
CLAYSTONE / SILTSTONE / SANDSTONE grey / brown / rust with calcareous deposits	SS	4	48	9000+	17.1		36	16	72		
		5									
		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'		--									
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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%

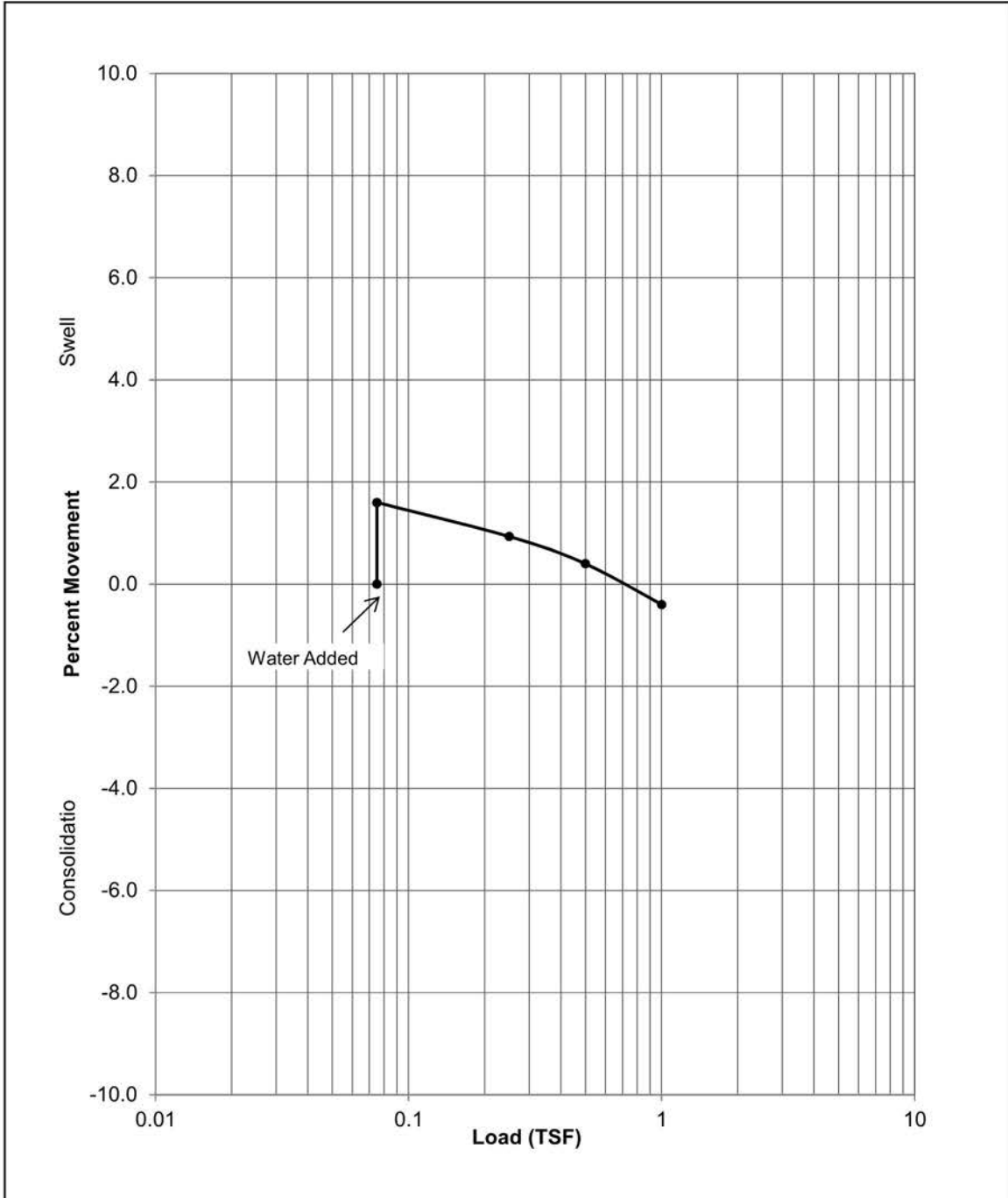


Project: Castle Ridge at Miramont  
Location: Fort Collins, Colorado  
Project #: 1162090  
Date: October 2016



**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%	

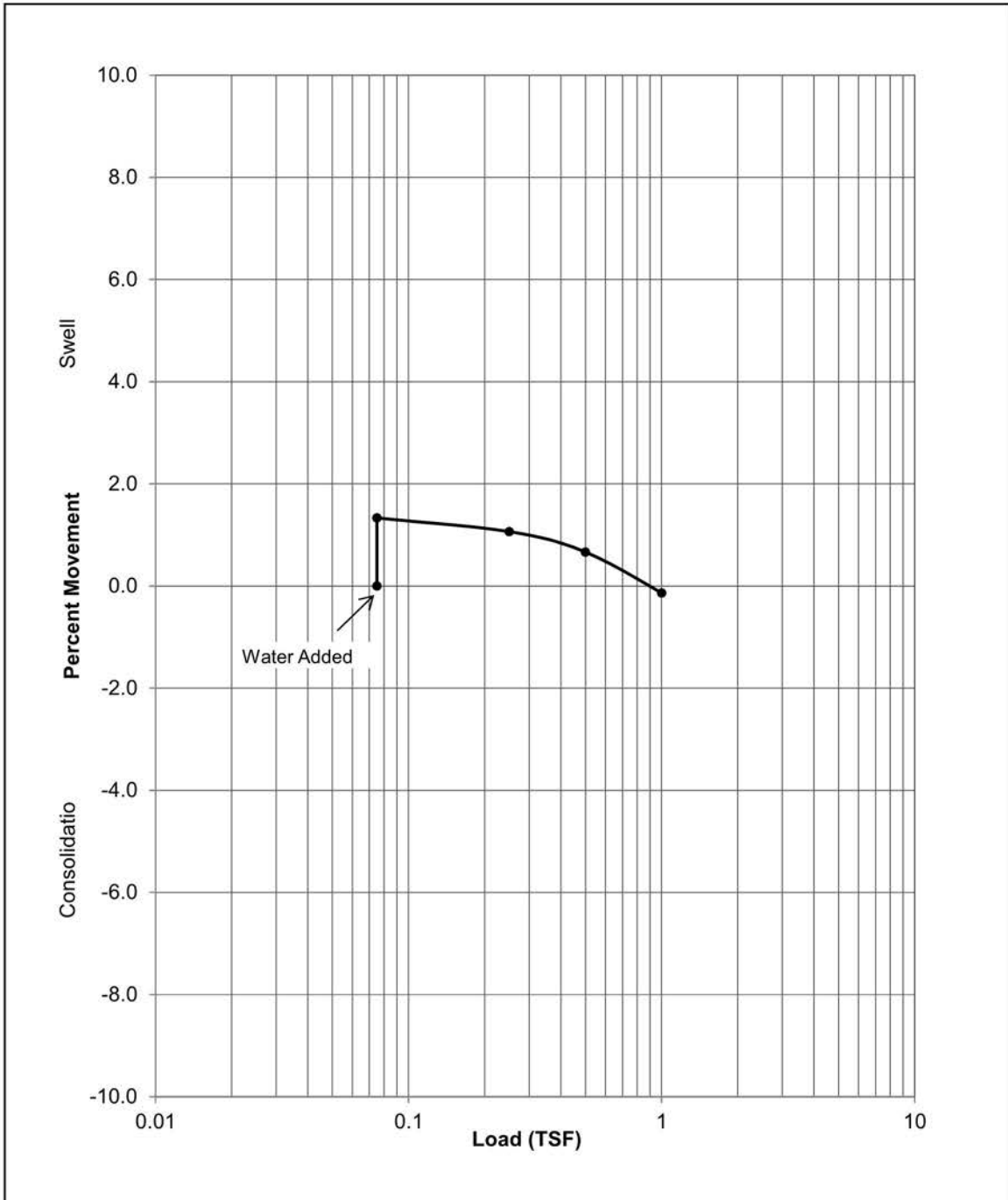


Project: Castle Ridge at Miramont  
 Location: Fort Collins, Colorado  
 Project #: 1162090  
 Date: October 2016



### 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%

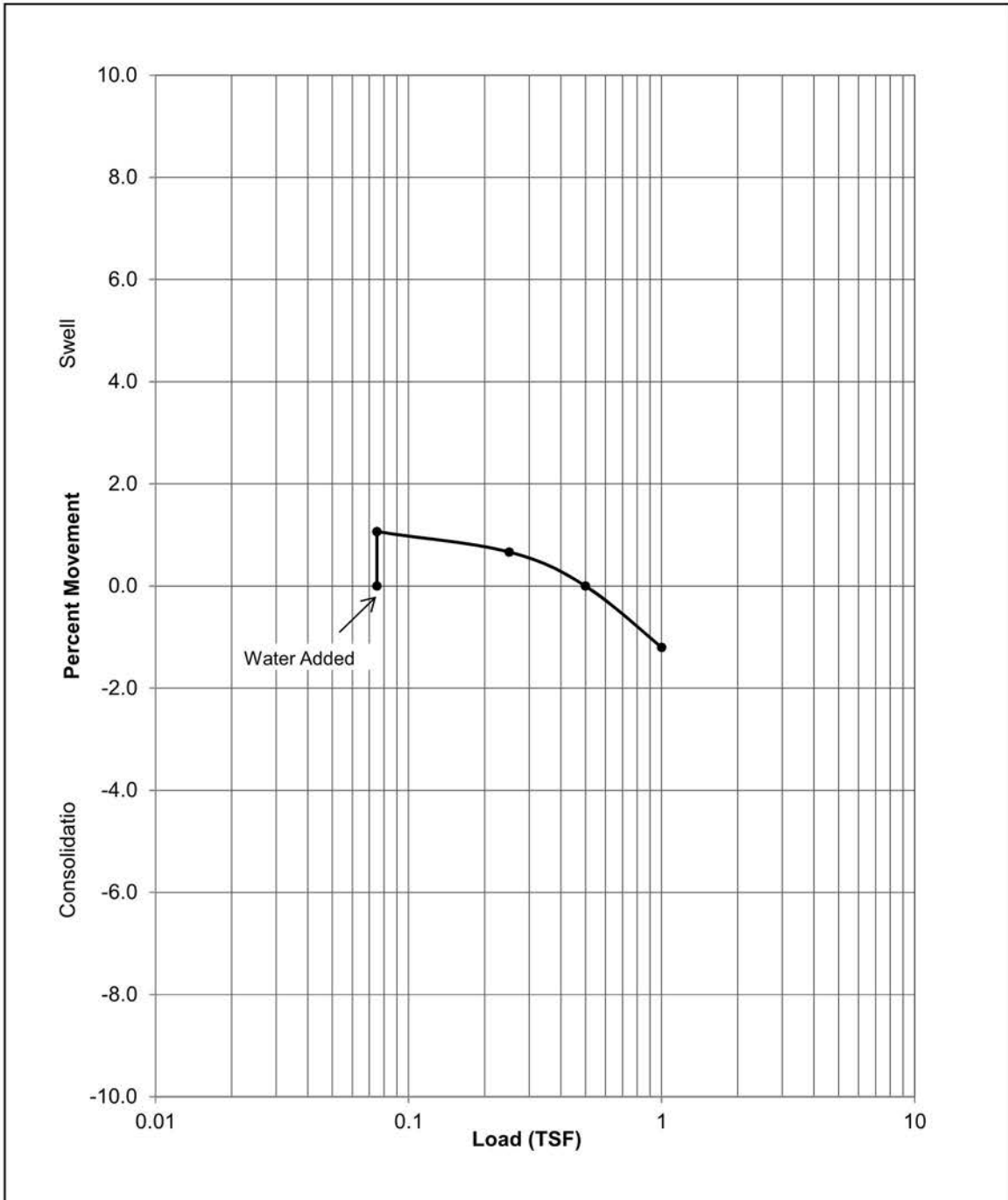


Project: Castle Ridge at Miramont  
Location: Fort Collins, Colorado  
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Date: October 2016



**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





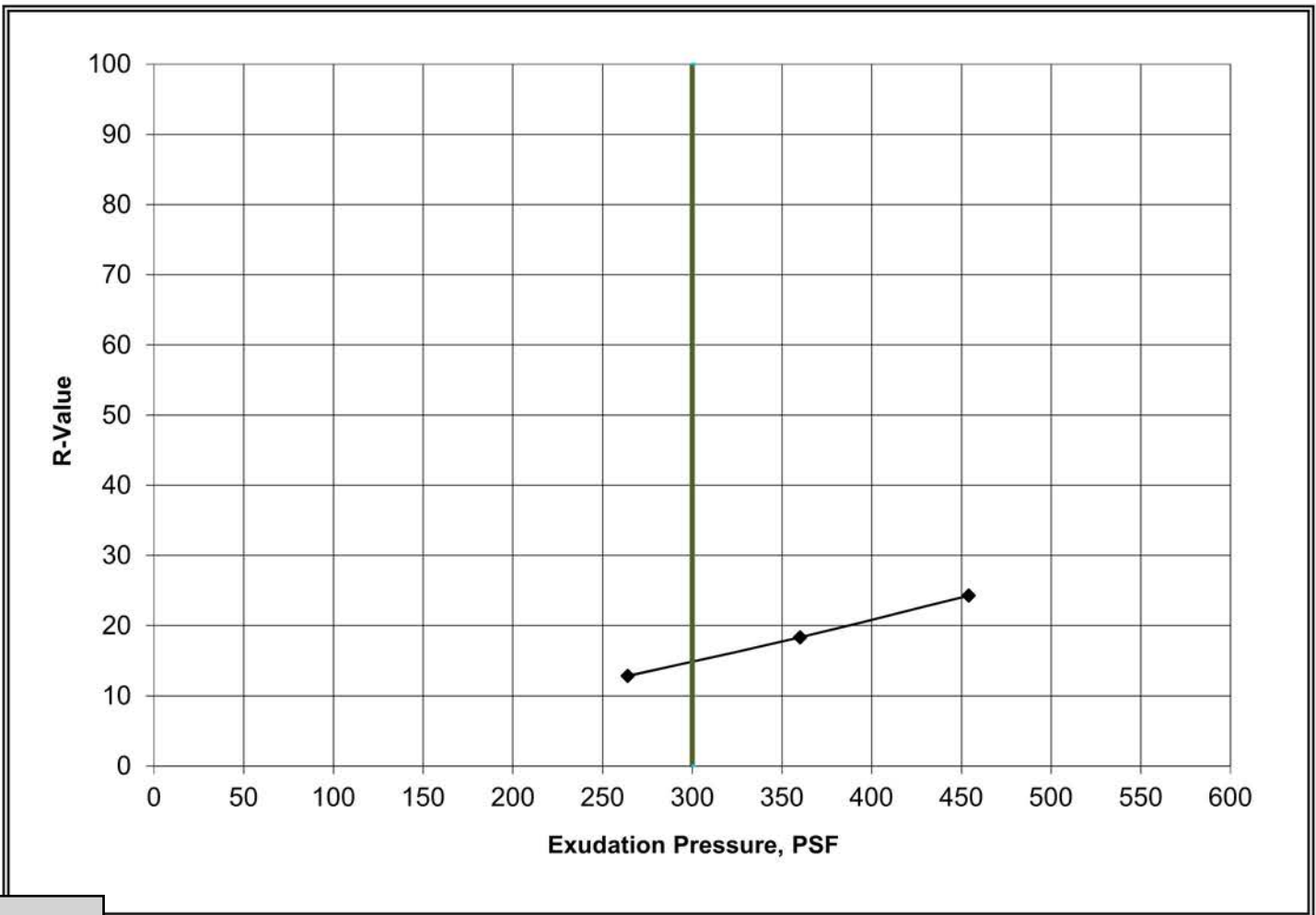
## RESISTANCE R-VALUE & EXPANSION PRESSURE OF COMPACTED SOIL - ASTM D2844



<b>PROJECT:</b> High Castle Court - Pavement Evaluation		<b>PROJECT NO.</b> 1162090	
<b>LOCATION:</b> Fort Collins, Colorado		<b>DATE</b> Sep-16	
<b>MATERIAL DESCRIPTION:</b> Sandy Lean Clay (CL) AASHTO A-6			
<b>SAMPLE LOCATION:</b> Composite Subgrade Sample Borings B-1 thru B-4 @ 1.0' - 5.0'			
<b>LIQUID LIMIT:</b> 36	<b>PLASTICITY INDEX:</b> 16	<b>%PASSING #200:</b>	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

<b>R-VALUE @ 300 PSI EXUDATION PRESSURE =</b> 15	<b>RESILIENT MODULUS, PSI =</b> 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



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**APPENDIX I**

final plat of Castle Ridge at Miramont P.U.D.

**APPENDIX II**

Utility Plans for Castle Ridge at Miramont P.U.D.

**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

**APPENDIX IV**

LCUASS Figure 7-10F; Narrow Residential Local Street  
LCUASS Drawing 1607; Truncated Dome Warning for Access Ramp

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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)

**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.

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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)

**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.



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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)

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.



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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)

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

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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)

- 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).



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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)

- 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.



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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)

- 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.



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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)

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.

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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)



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



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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)



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.*

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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)

- 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.

RCPTN # 93082809 11/04/93 10:54:00 # PAGES - 2 FEE - \$20.00  
M RODENBERGER RECORDER, LARIMER COUNTY CO STATE DOC FEE - \$ .00

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 10<sup>th</sup> 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 A. Marshall  
Address: Sixth Floor, Above Federal Building  
Fort Collins, Colo. 80521  
Registration No. 8755

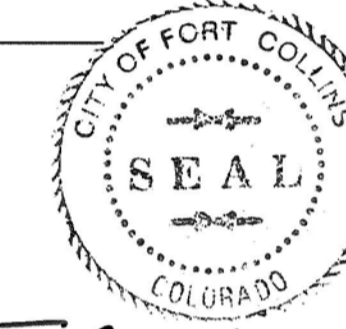
STATEMENT OF OWNERSHIP, SUBDIVISION, DEDICATION

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°22'09" 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 Werny 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.

Approved as to form by the Director of Engineering of the City of Fort Collins, on the 2<sup>nd</sup> day of November, A.D., 1993

Michael R. Benzig  
Director of Engineering



Approved by the City of Fort Collins Planning and Zoning Board  
12th day of July, A.D., 1993

Sharon Albright 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 hereon 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.

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.

Witness our hands and seals this 12<sup>th</sup> day of August, A.D., 1993

By: Oak Farm Inc.  
A Colorado Corporation

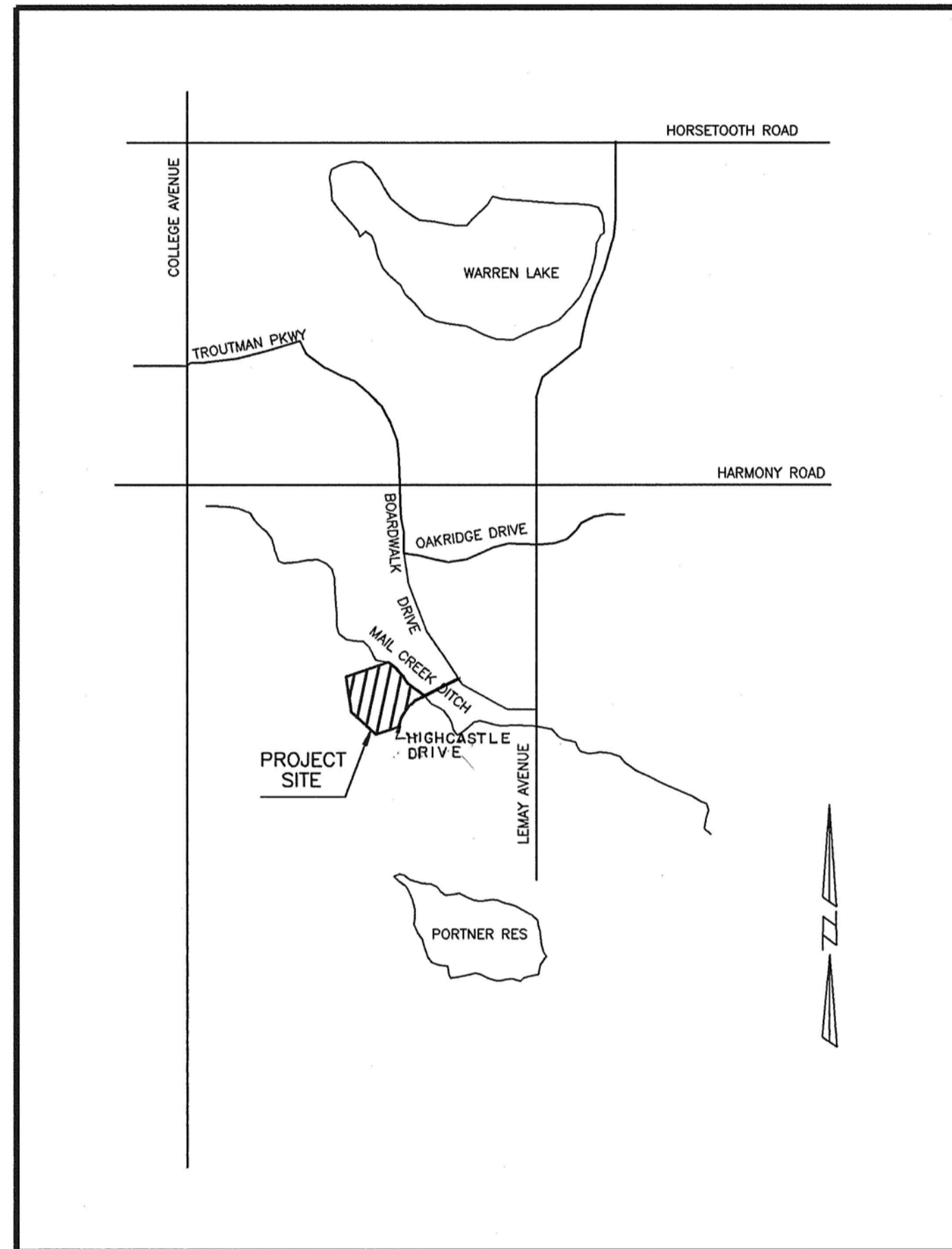
By: Michael S. Byrne Attest: Roberta S. Martin  
Michael S. Byrne, President Roberta S. Martin, Sec.

STATE OF COLORADO )  
COUNTY OF LARIMER ) ss.

The foregoing instrument was acknowledged before me this 12<sup>th</sup> 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 12<sup>th</sup> day of August, A.D., 1993

My Notarial Commission expires February 8, 1994  
Shirley D. J.  
Notary Public  
2555 Stanford Road Suite 105  
Address  
Fort Collins CO 80525  
City, State, ZIP Code



VICINITY MAP  
SCALE: 1"=2000'

**F3D** Inc.  
Engineering Consultants  
209 South Meldrum Street  
Fort Collins, Colorado 80521  
(303) 482-5922

1421

Item 12

DRAWING NUMBER  
1421

DRAWING NUMBER  
1082

DRAWING NUMBER  
1082

DRAWING NUMBER  
1421



# 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.

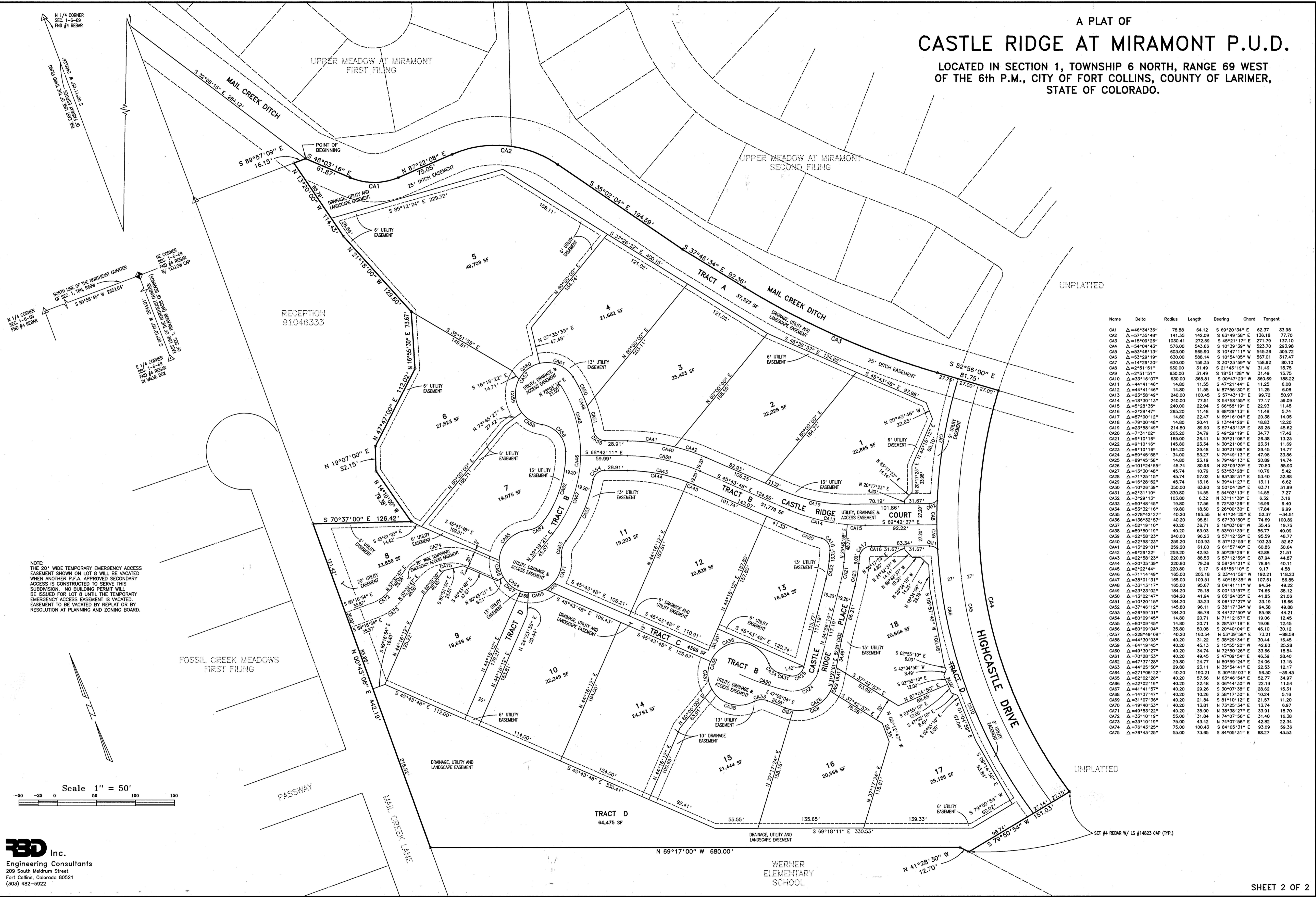
Item 12

DRAWING NUMBER  
**1421**

DRAWING NUMBER  
**2 of 2**

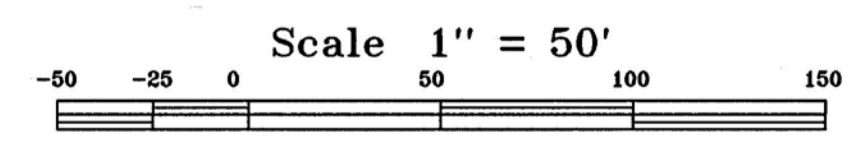
DRAWING NUMBER  
**2 of 2**

DRAWING NUMBER  
**1421**



Name	Delta	Radius	Length	Bearing	Chord	Tangent
CA1	Δ=46°34'36"	78.88	64.12	S 69°20'34" E	62.37	33.95
CA2	Δ=57°35'48"	141.35	142.09	S 63°49'58" E	136.18	77.70
CA3	Δ=15°09'28"	1030.41	272.59	S 45°21'17" E	271.79	137.10
CA4	Δ=54°04'43"	576.00	543.66	S 10°39'39" W	523.70	283.98
CA5	Δ=53°46'13"	603.00	565.90	S 10°47'11" W	545.36	305.72
CA6	Δ=53°29'13"	630.00	588.14	S 10°54'05" W	567.01	317.47
CA7	Δ=14°29'30"	630.00	159.35	S 30°23'59" W	158.92	80.10
CA8	Δ=2°51'51"	630.00	31.49	S 21°43'19" W	31.49	15.75
CA9	Δ=2°51'51"	630.00	31.49	S 18°51'28" W	31.49	15.75
CA10	Δ=33°18'07"	630.00	365.81	S 00°47'29" W	365.69	188.22
CA11	Δ=44°41'46"	14.80	11.55	S 47°21'44" E	11.25	6.08
CA12	Δ=44°41'46"	14.80	11.55	N 87°58'30" E	11.25	6.08
CA13	Δ=23°58'49"	240.00	100.45	S 57°43'13" E	93.72	50.97
CA14	Δ=18°30'13"	240.00	77.51	S 54°58'50" E	77.17	39.09
CA15	Δ=5°28'35"	240.00	22.94	S 68°58'19" E	22.93	11.48
CA16	Δ=2°28'47"	265.20	11.45	S 68°28'13" E	11.45	5.74
CA17	Δ=87°00'12"	14.80	22.47	N 69°18'04" E	20.38	14.05
CA18	Δ=79°00'48"	14.80	20.41	S 13°44'28" E	18.83	12.20
CA19	Δ=23°58'49"	214.80	89.90	S 57°43'13" E	89.25	45.62
CA20	Δ=7°31'02"	265.20	34.79	S 89°23'19" E	34.77	17.42
CA21	Δ=9°10'16"	165.00	26.41	N 30°21'06" E	26.38	13.23
CA22	Δ=9°10'16"	145.80	23.34	N 30°21'06" E	23.31	11.69
CA23	Δ=8°10'16"	184.20	28.48	N 30°21'06" E	28.45	14.77
CA24	Δ=89°45'58"	34.00	53.27	N 79°49'13" E	47.98	33.66
CA25	Δ=89°45'58"	14.80	23.19	N 79°49'13" E	20.89	14.74
CA26	Δ=101°24'55"	45.74	80.96	N 82°09'29" E	70.80	55.90
CA27	Δ=1°30'48"	45.74	10.79	S 53°43'28" E	10.78	5.42
CA28	Δ=71°25'15"	45.74	57.02	N 83°38'31" E	53.40	32.88
CA29	Δ=16°28'52"	45.74	13.16	N 39°41'27" E	13.11	6.62
CA30	Δ=10°26'39"	350.00	63.80	S 50°04'28" E	63.71	31.99
CA31	Δ=2°31'10"	330.80	14.55	S 54°02'13" E	14.55	7.27
CA32	Δ=3°29'13"	103.80	6.32	N 33°11'38" E	6.32	3.16
CA33	Δ=50°48'45"	19.80	17.56	S 72°32'28" E	16.99	9.40
CA34	Δ=5°32'16"	19.80	18.50	S 80°30'00" E	17.84	9.99
CA35	Δ=278°42'27"	40.20	195.55	N 41°24'25" E	52.37	-34.51
CA36	Δ=136°32'57"	40.20	96.81	S 67°30'50" E	74.69	100.89
CA37	Δ=52°19'10"	40.20	35.71	S 18°03'06" W	35.45	19.75
CA38	Δ=89°50'19"	40.20	63.03	S 53°01'39" E	56.77	40.09
CA39	Δ=22°58'23"	240.00	96.23	S 57°12'59" E	95.59	48.77
CA40	Δ=22°58'23"	299.20	103.93	S 57°12'59" E	103.23	52.67
CA41	Δ=13°29'01"	259.20	61.00	S 11°57'40" E	60.86	30.64
CA42	Δ=9°29'22"	259.20	42.93	S 50°28'29" E	42.88	21.51
CA43	Δ=22°58'23"	220.80	85.53	S 57°12'59" E	87.94	44.87
CA44	Δ=20°35'39"	220.80	79.36	S 58°24'21" E	78.94	40.11
CA45	Δ=22°42'44"	220.80	81.17	S 46°55'10" E	81.17	45.8
CA46	Δ=71°14'49"	165.00	205.18	S 23°41'56" W	192.21	118.23
CA47	Δ=38°01'31"	165.00	109.51	S 40°18'35" W	107.51	56.85
CA48	Δ=3°11'31"	165.00	95.67	S 04°41'11" W	94.34	49.22
CA49	Δ=23°32'02"	184.20	75.18	S 00°13'57" E	74.66	38.12
CA50	Δ=13°02'47"	184.20	41.94	S 05°24'05" E	41.85	21.06
CA51	Δ=10°20'15"	184.20	33.23	S 06°17'27" W	33.19	16.66
CA52	Δ=37°46'12"	145.80	86.11	S 58°17'34" W	84.38	49.68
CA53	Δ=26°59'31"	184.20	86.78	S 44°37'50" W	85.98	44.21
CA54	Δ=80°09'45"	14.80	20.71	N 71°12'57" E	19.06	12.45
CA55	Δ=80°09'45"	14.80	20.71	S 28°37'18" E	19.06	12.45
CA56	Δ=80°09'45"	35.80	50.08	S 20°40'04" E	46.10	30.12
CA57	Δ=228°49'08"	40.20	160.54	N 53°39'58" E	73.21	-88.58
CA58	Δ=44°30'05"	40.20	31.22	S 38°29'54" E	30.41	16.45
CA59	Δ=64°18'45"	40.20	45.13	S 15°55'20" W	42.80	28.28
CA60	Δ=49°30'27"	40.20	34.74	N 72°50'26" E	33.66	18.54
CA61	Δ=70°28'53"	40.20	49.45	S 47°09'54" E	46.39	28.40
CA62	Δ=47°37'28"	29.80	24.77	N 80°59'24" E	24.06	13.15
CA63	Δ=44°25'50"	29.80	23.11	N 35°54'41" E	22.53	12.17
CA64	Δ=271°06'22"	40.20	190.21	S 30°45'03" E	56.30	-39.43
CA65	Δ=82°02'28"	40.20	57.56	N 63°48'54" E	52.77	34.97
CA66	Δ=32°02'19"	40.20	22.48	S 08°44'30" W	22.19	11.54
CA67	Δ=41°41'57"	40.20	29.26	S 30°07'38" E	28.62	15.31
CA68	Δ=14°37'47"	40.20	10.26	S 58°17'30" E	10.24	5.16
CA69	Δ=31°10'12"	40.20	21.84	S 81°10'12" E	21.57	11.20
CA70	Δ=19°40'53"	40.20	13.81	N 73°25'34" E	13.74	6.97
CA71	Δ=49°53'22"	40.20	35.00	N 38°38'27" E	33.91	18.70
CA72	Δ=33°10'19"	55.00	31.84	N 74°07'56" E	31.40	16.38
CA73	Δ=33°10'19"	75.00	43.42	N 74°07'56" E	42.82	22.34
CA74	Δ=76°43'25"	75.00	100.43	S 84°05'31" E	93.09	59.36
CA75	Δ=76°43'25"	55.00	73.65	S 84°05'31" E	68.27	43.53

NOTE:  
THE 20' WIDE TEMPORARY EMERGENCY ACCESS  
EASEMENT SHOWN ON LOT 8 WILL BE VACATED  
WHEN ANOTHER P.F.A. APPROVED SECONDARY  
ACCESS IS CONSTRUCTED TO SERVE THIS  
SUBDIVISION. NO BUILDING PERMIT WILL  
BE ISSUED FOR LOT 8 UNTIL THE TEMPORARY  
EMERGENCY ACCESS EASEMENT IS VACATED.  
EASEMENT TO BE VACATED BY REPLAT OR BY  
RESOLUTION AT PLANNING AND ZONING BOARD.



**BD Inc.**  
Engineering Consultants  
209 South Meldrum Street  
Fort Collins, Colorado 80521  
(303) 482-5922

WERNER  
ELEMENTARY  
SCHOOL



# **APPENDIX II**

Utility Plans for Castle Ridge at Miramont P.U.D.

# UTILITY PLANS FOR

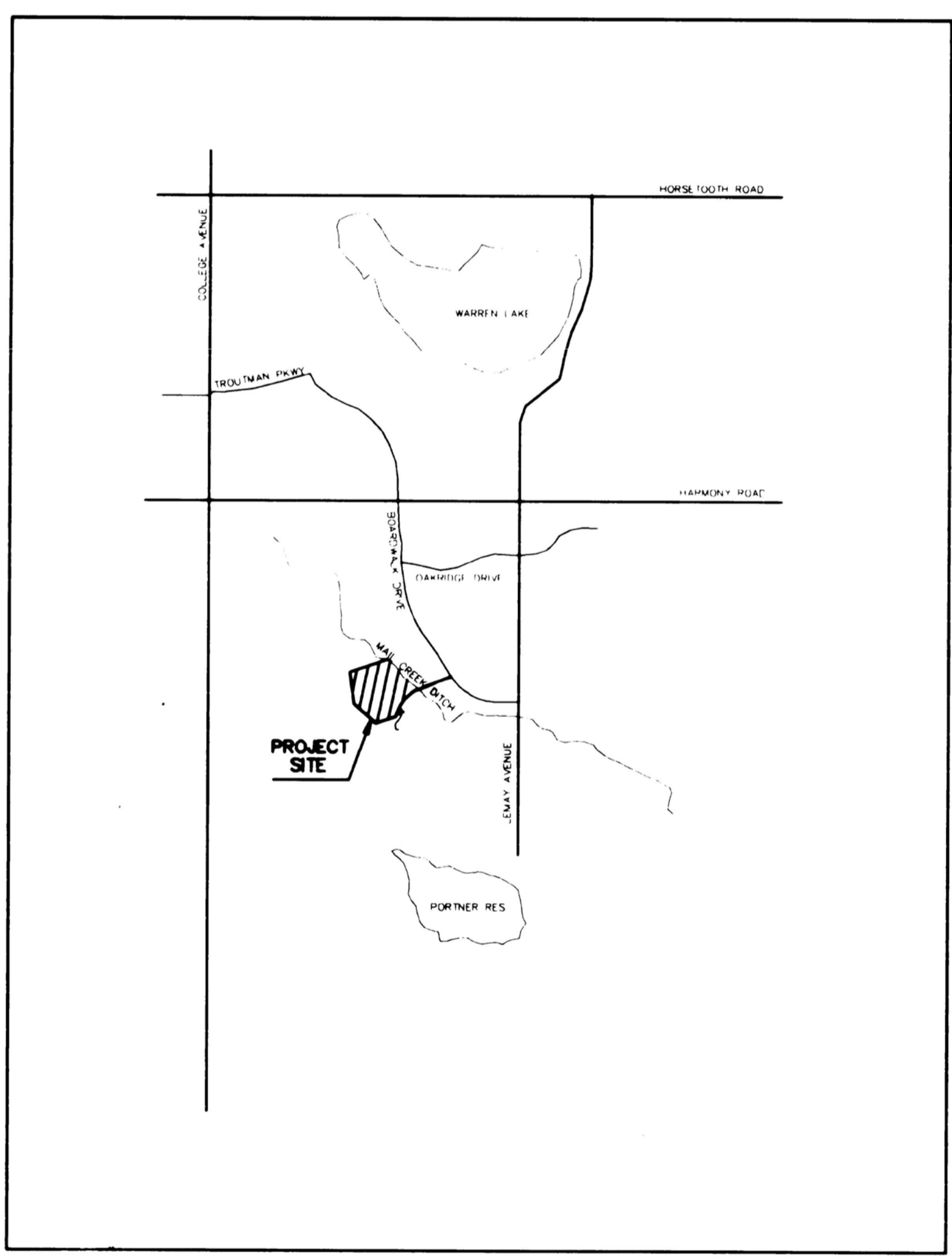
## *Castle Ridge*

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 PAYMENT 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 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 WASTE WATER 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, WOOD-PE-BZ, 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.

### 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

FORT COLLINS - LOVELAND WATER DISTRICT  
SOUTH FORT COLLINS SANITATION DISTRICT  
**UTILITY PLAN APPROVAL**

APPROVED: *[Signature]*  
MANAGER  
DATE: 8-23-93

APPROVED: *[Signature]*  
SYSTEMS ENGINEER  
DATE: 5-20-93



**FED** Inc.  
Engineering Consultants

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, BRIDGE, OR EXCAVATE  
FOR THE MARKING OF UNDERGROUND  
MEMBER UTILITIES.

APPROVED: *Michael R. Benig* 11/2/93  
Director of Engineering Date

CHECKED BY: *NA* Water & Wastewater Utility Date

CHECKED BY: *[Signature]* Stormwater Utility 11-05-93 Date

CHECKED BY: *NA* Parks & Recreation Date

CHECKED BY: \_\_\_\_\_ Date

CHECKED BY: \_\_\_\_\_ Date





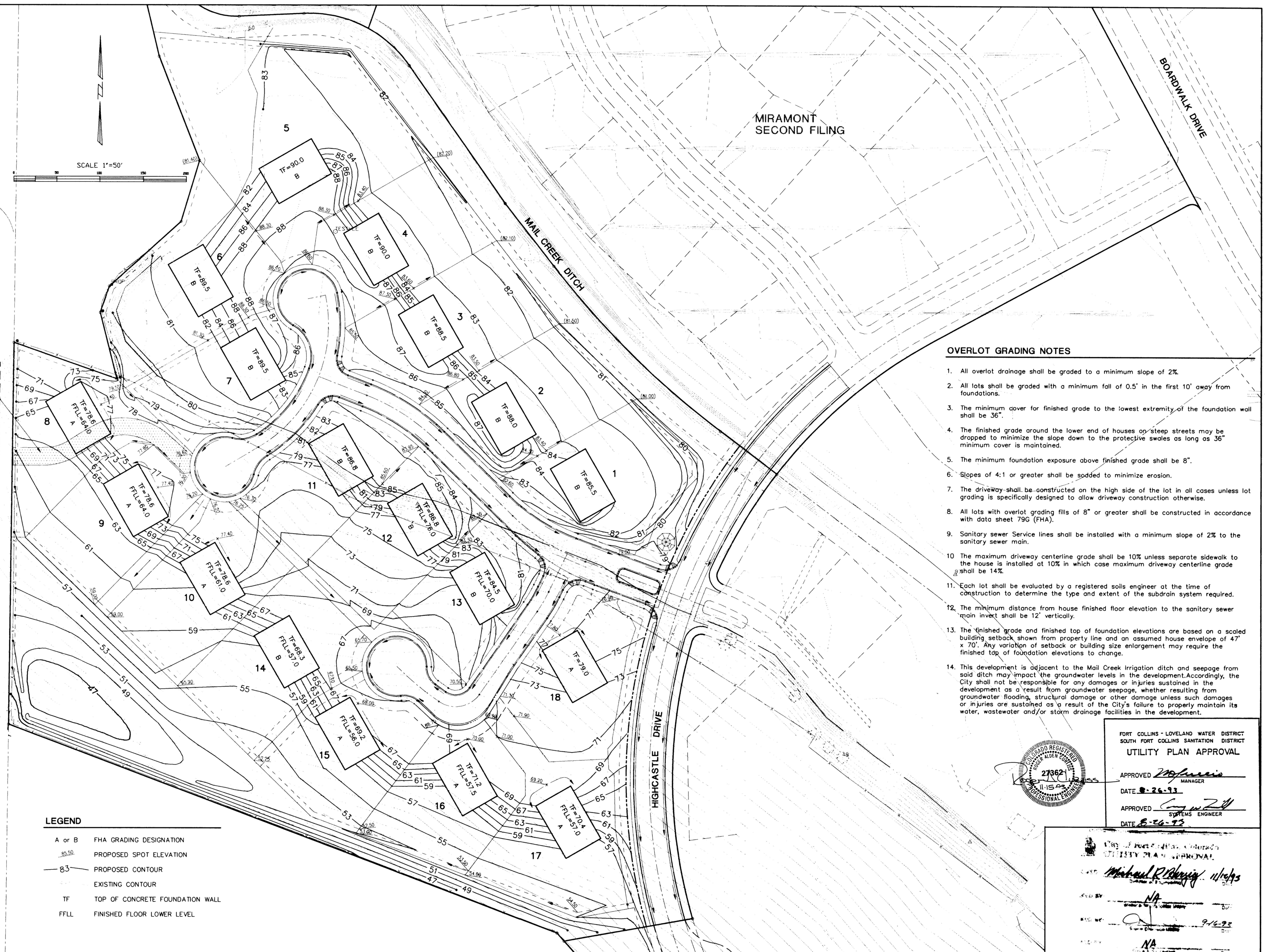


CALL UTILITY NOTIFICATION  
CENTER OF COLORADO  
1-800-922-1987  
OR 534-6700

THIS PLAN HAS  
BEEN REVIEWED AND  
IS ACCEPTABLE TO THE  
NEW MERCER DITCH CO.

9-7-93  
DATE  
BY PRES. New Mercer  
IRRIGATION CO.

SCALE 1"=50'



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.

LEGEND

- A or B FHA GRADING DESIGNATION
- 65.50 PROPOSED SPOT ELEVATION
- 83 PROPOSED CONTOUR
- EXISTING CONTOUR
- TF TOP OF CONCRETE FOUNDATION WALL
- FFLL FINISHED FLOOR LOWER LEVEL

FORT COLLINS - LOVELAND WATER DISTRICT  
SOUTH FORT COLLINS SANITATION DISTRICT  
UTILITY PLAN APPROVAL



APPROVED [Signature] MANAGER  
DATE 8-26-93  
APPROVED [Signature] SYSTEMS ENGINEER  
DATE 8-26-93

City of Fort Collins  
UTILITY PLAN APPROVAL  
[Signature]  
DATE 9-16-93

DWG. NAME: 90400403.DWG ATTACHED XREFS = 504004B5

NO.	BY	DATE	REVISION	DESCRIPTION

JBB	TJB
DRAWN	DESIGNED
APPROVED	DATE

**R3D** Engineering Consultants  
504-004 PROJECT NO.  
AUG 1993 DATE

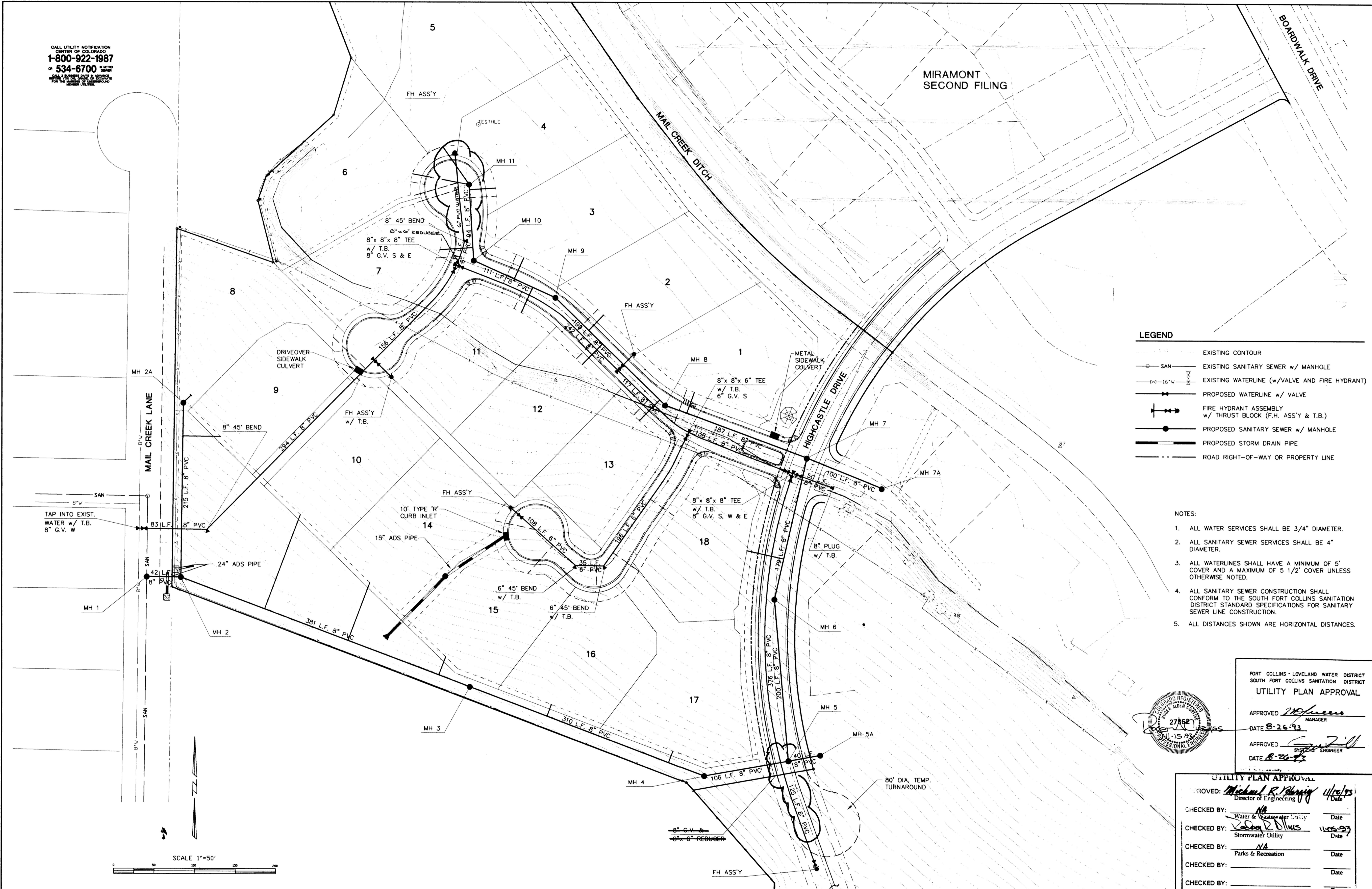
CASTLE RIDGE AT MIRAMONT P.U.D.  
FIRST FILING

SHEET NO.	SHEET
15	5

C-3 1362



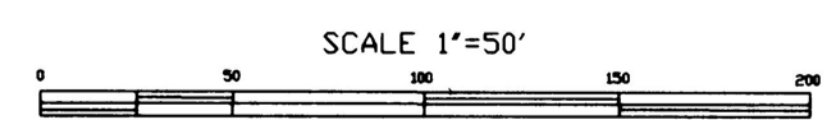
CALL UTILITY NOTIFICATION  
CENTER OF COLORADO  
1-800-922-1987  
or 534-6700



**LEGEND**

- EXISTING CONTOUR
- SAN EXISTING SANITARY SEWER w/ MANHOLE
- 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.



FORT COLLINS - LOVELAND WATER DISTRICT  
SOUTH FORT COLLINS SANITATION DISTRICT  
**UTILITY PLAN APPROVAL**

APPROVED: *[Signature]*  
MANAGER  
DATE: 8-26-93

APPROVED: *[Signature]*  
SYSTEMS ENGINEER  
DATE: 8-26-93

**UTILITY PLAN APPROVAL**

APPROVED: <i>Michael R. Blum</i>	<i>[Signature]</i>	Date
Director of Engineering		
CHECKED BY: <i>[Signature]</i>		Date
Water & Wastewater Utility		
CHECKED BY: <i>[Signature]</i>		Date
Stormwater Utility		
CHECKED BY: <i>NA</i>		Date
Parks & Recreation		
CHECKED BY: _____		Date
CHECKED BY: _____		Date

DWG. NAME: 504004.DWG ATTACHED SHEETS =

NO.	BY	DATE	REVISION	DESCRIPTION

JBB DRAWN	TJB DESIGNED	RAC CHECKED	<b>33D</b> Inc. Engineering Consultants
APPROVED	JUNE 1993 DATE	504-004 PROJECT NO.	

**CASTLE RIDGE AT MIRAMONT P.U.D.  
FIRST FILING**

**OVERALL UTILITY PLAN**

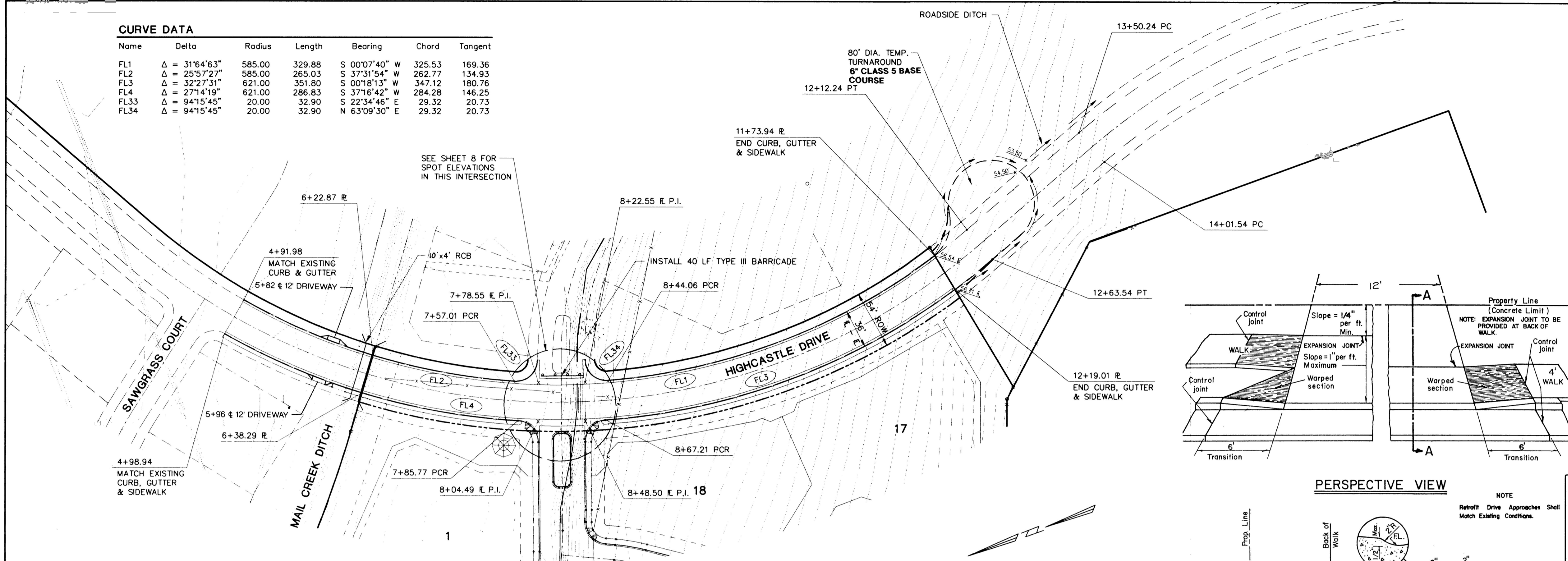
SHEETS	SHEET
15	6

6-3 1362

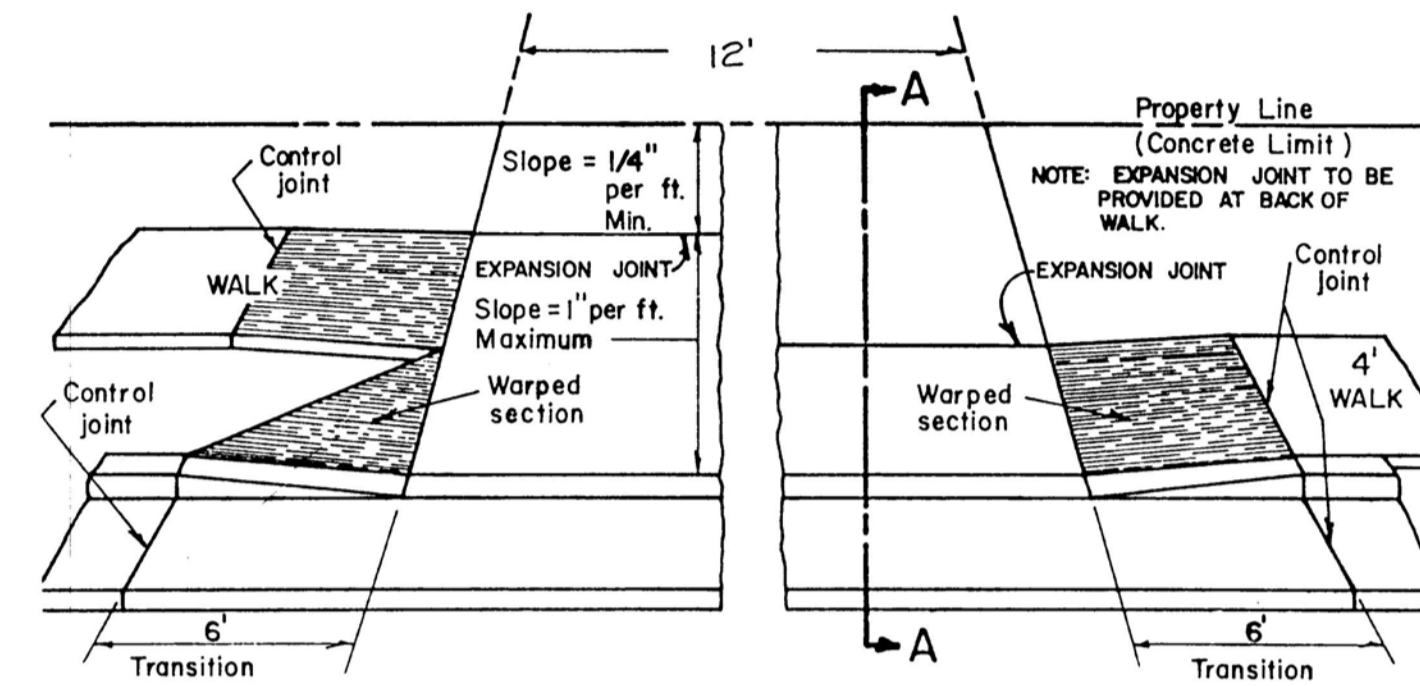


CURVE DATA

Name	Delta	Radius	Length	Bearing	Chord	Tangent
FL1	$\Delta = 31^{\circ}6'48.3''$	585.00	329.88	S 00°07'40" W	325.53	169.36
FL2	$\Delta = 25^{\circ}5'7.2''$	585.00	265.03	S 37°31'54" W	262.77	134.93
FL3	$\Delta = 32^{\circ}27'31''$	621.00	351.80	S 00°18'13" W	347.12	180.76
FL4	$\Delta = 27^{\circ}14'19''$	621.00	286.83	S 37°16'42" W	284.28	146.26
FL33	$\Delta = 94^{\circ}15'45''$	20.00	32.90	S 22°34'46" E	29.32	20.73
FL34	$\Delta = 94^{\circ}15'45''$	20.00	32.90	N 63°09'30" E	29.32	20.73

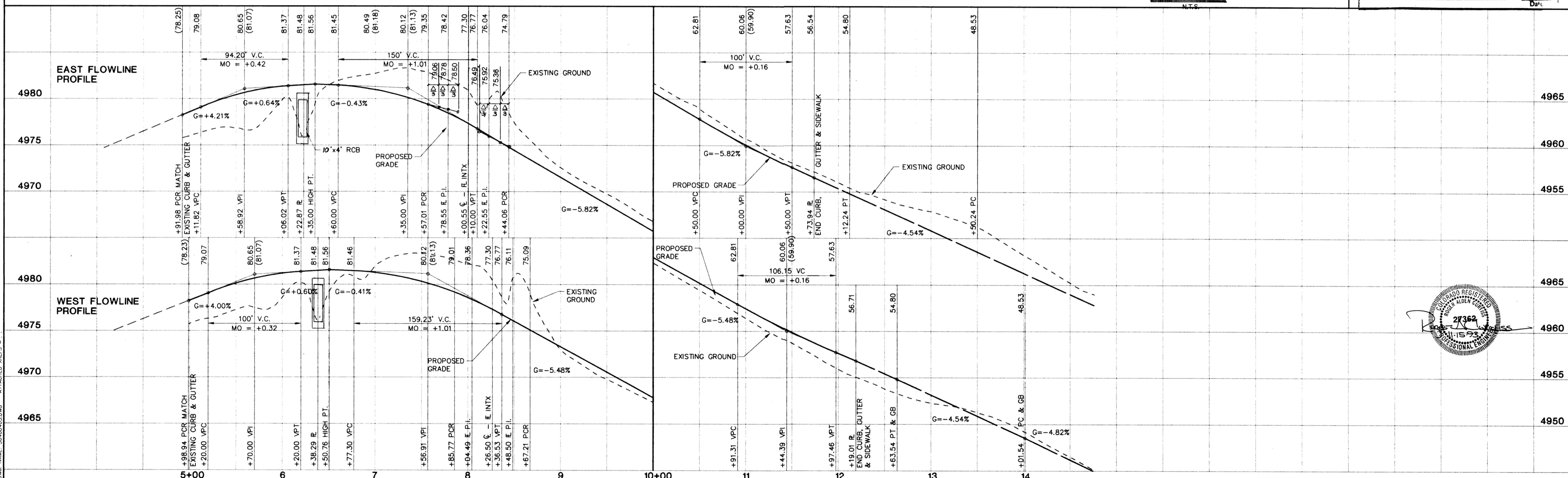
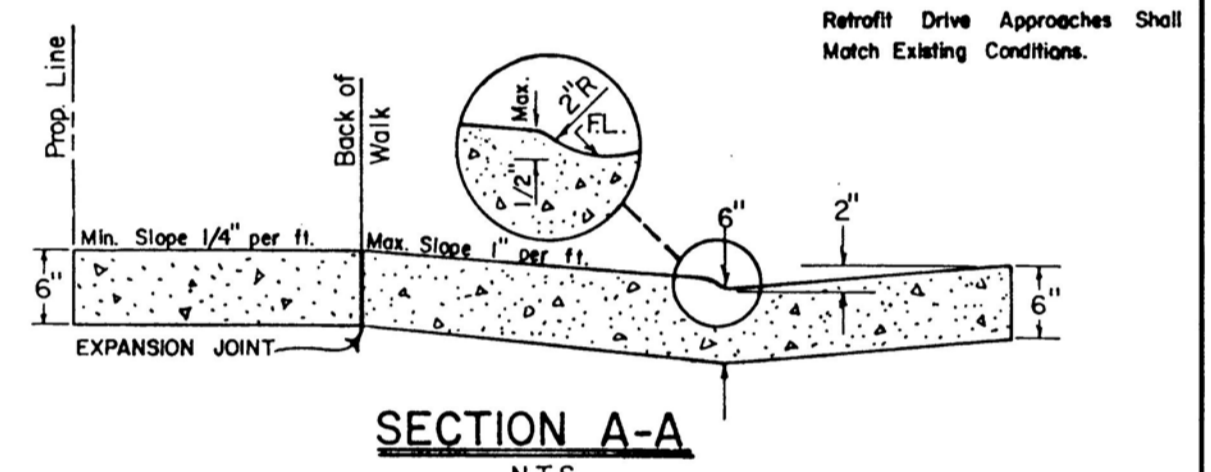
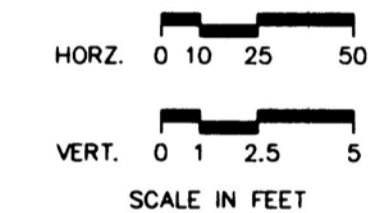


CALL UTILITY NOTIFICATION CENTER OF COLORADO  
**1-800-922-1987**  
 OR **534-6700** METRO SEWER  
 CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.



PORT COLLINS - LOVELAND WATER DISTRICT  
 SOUTH FORT COLLINS SANITATION DISTRICT  
**UTILITY PLAN APPROVAL**  
 APPROVED: *[Signature]* MANAGER  
 DATE: 8-26-93  
 APPROVED: *[Signature]* SYSTEMS ENGINEER  
 DATE: 8-26-93  
 Fort Collins, Colo.

**UTILITY PLAN APPROVAL**  
 APPROVED: *[Signature]* Director of Engineering  
 Date: 11/2/93  
 CHECKED BY: NA Water & Wastewater Utility Date: \_\_\_\_\_  
 CHECKED BY: [Signature] Stormwater Utility Date: 11-05-93  
 CHECKED BY: NA Parks & Recreation Date: \_\_\_\_\_  
 CHECKED BY: \_\_\_\_\_ Date: \_\_\_\_\_  
 CHECKED BY: \_\_\_\_\_ Date: \_\_\_\_\_



NO.	BY	DATE	REVISION	DESCRIPTION

JBB DRAWN	TJB DESIGNED		

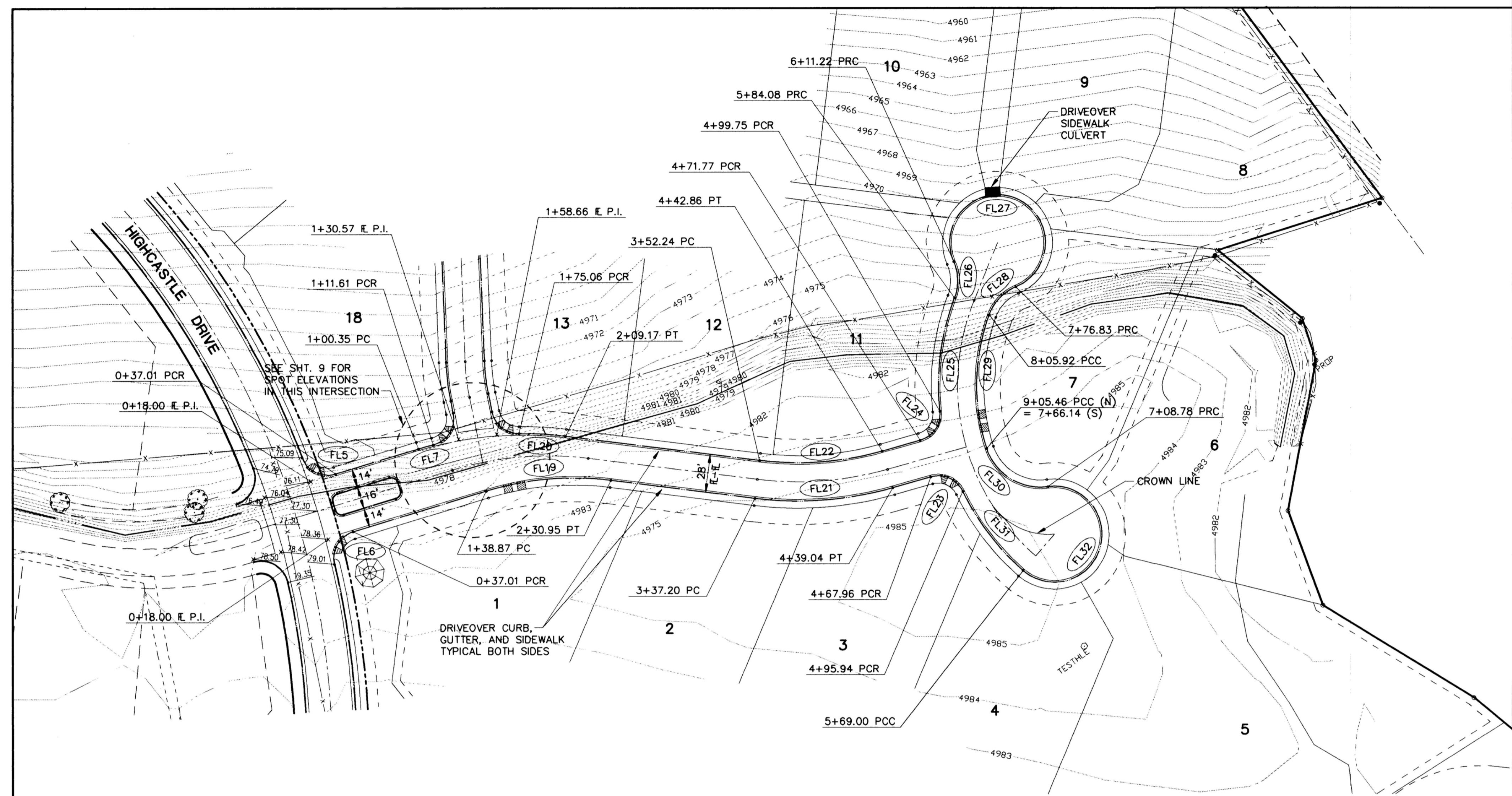
**R3D** Engineering Consultants  
 3000 W. 10th Ave., Suite 200  
 Fort Collins, CO 80521 USA  
 Phone: 970-226-1111  
 Fax: 970-226-1112  
 Email: info@r3d.com

**CASTLE RIDGE AT MIRAMONT P.U.D.**  
**FIRST FILING**

<b>HIGHCASTLE DRIVE PLAN &amp; PROFILE</b>		SHEETS	SHEET
		15	7

0-9 1362

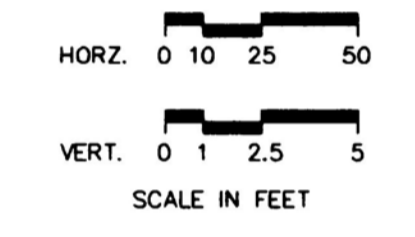




**CURVE DATA**

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 = 2°35'49"	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°09'31"	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°23'02"	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  
DOWNEY  
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: *[Signature]* MANAGER  
DATE: 8-26-93

APPROVED: *[Signature]* STAFF ENGINEER  
DATE: 8-26-93

**UTILITY PLAN APPROVAL**

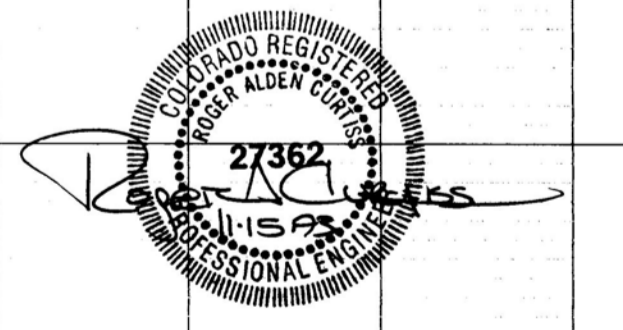
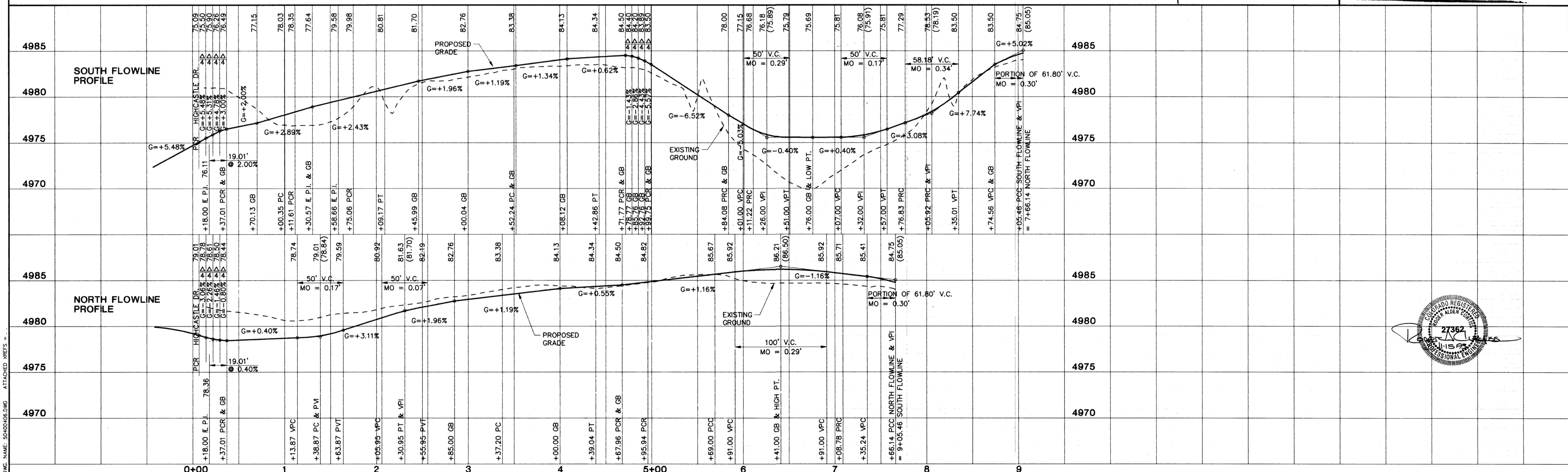
PROVED: *[Signature]* Director of Engineering  
DATE: *[Signature]*

CHECKED BY: *[Signature]* Water & Wastewater Utility  
DATE: *[Signature]*

CHECKED BY: *[Signature]* Stormwater Utility  
DATE: *[Signature]*

CHECKED BY: *[Signature]* Parks & Recreation  
DATE: *[Signature]*

CHECKED BY: *[Signature]*  
DATE: *[Signature]*



NO.	BY	DATE	REVISION	DESCRIPTION

JBB DRAWN	TJB DESIGNED	CHECKED
APPROVED	AUG 1993 DATE	504-004 PROJECT NO.

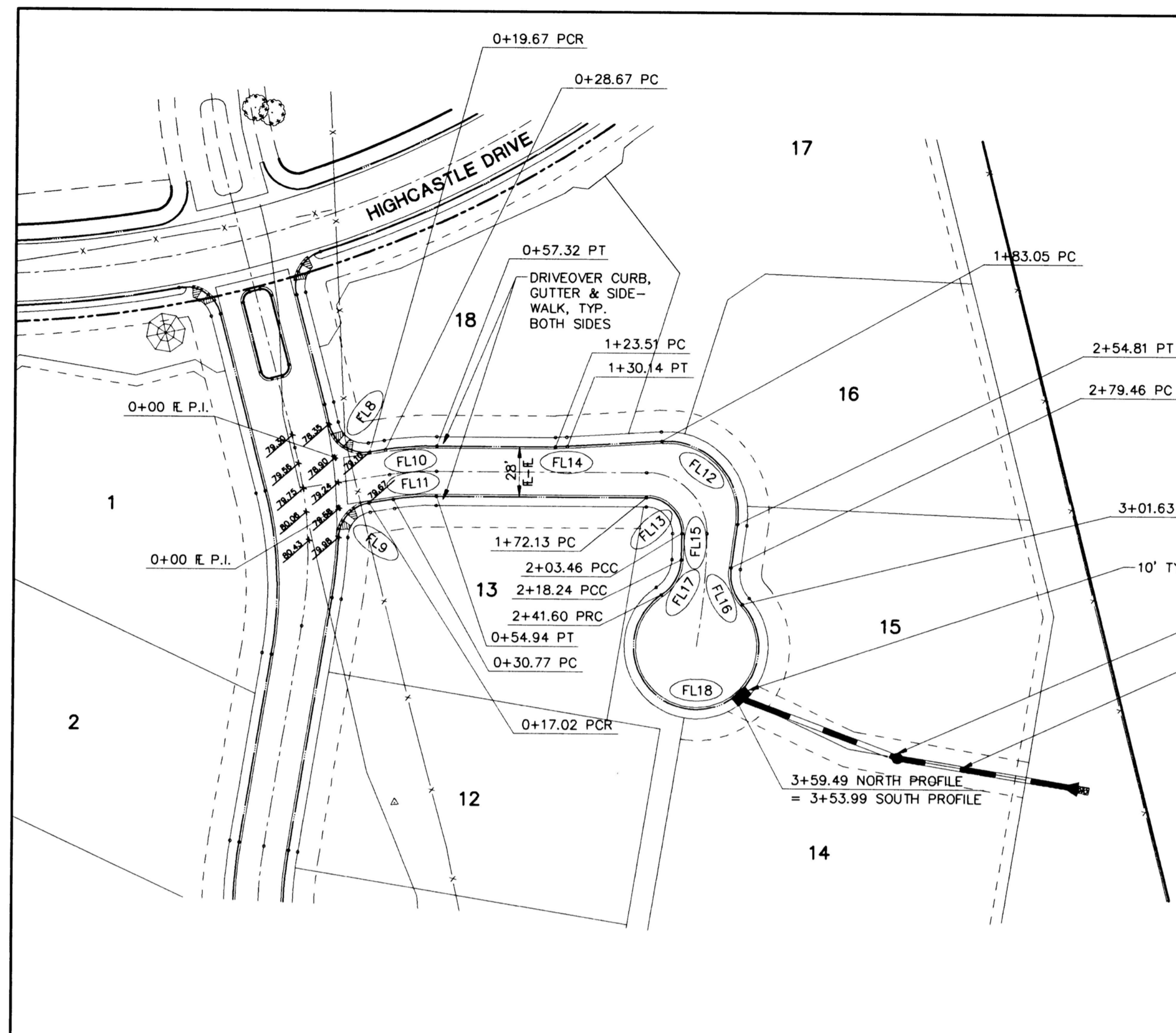
**3SD** Engineering Consultants  
209 South Meldrum Street Fort Collins, Colorado 80521 303 / 482-9922  
2480 W. 26th Ave., Suite 46, Bldg. C Denver, Colorado 80211 303 / 458-5526  
953 So. Frontage Rd. West, # 202 Vail, Colorado 81657 303 / 476-6340

**CASTLE RIDGE AT MIRAMONT P.U.D.  
FIRST FILING**

**CASTLE RIDGE COURT  
STREET PLAN & PROFILE**

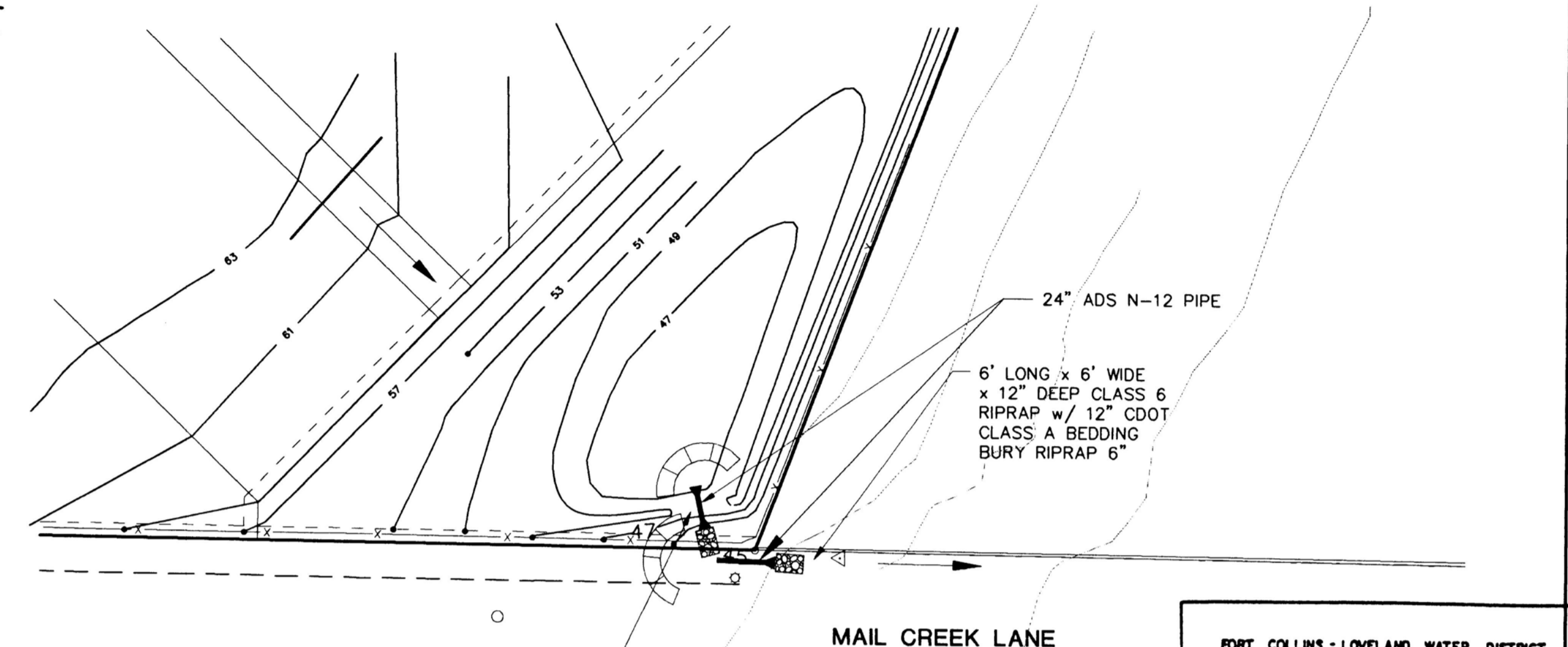
SHEETS	SHEET
15	8





**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	18.49
FL10	Δ = 91°0'16"	179.00	28.65	S 30°21'06" W	28.62	14.36
FL11	Δ = 91°0'16"	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



FORT COLLINS - LOVELAND WATER DISTRICT  
SOUTH FORT COLLINS SANITATION DISTRICT  
**UTILITY PLAN APPROVAL**

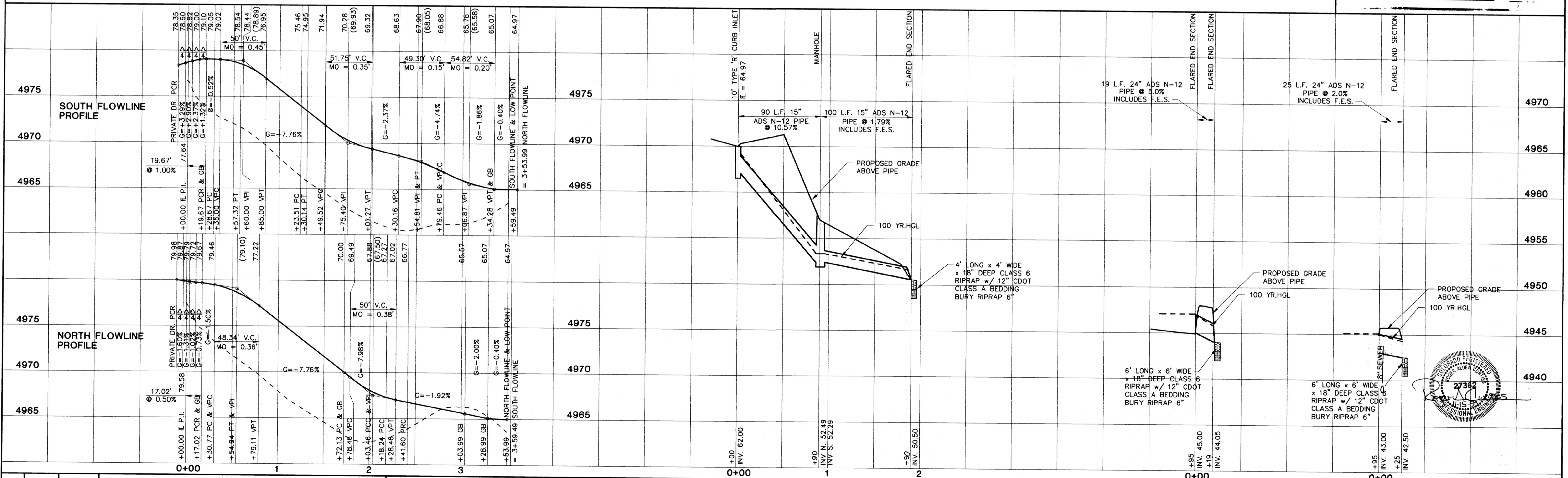
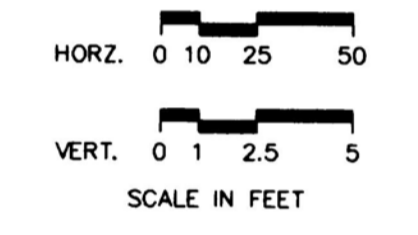
APPROVED: *[Signature]*  
MANAGER  
DATE: **8-26-93**

APPROVED: *[Signature]*  
SYSTEMS ENGINEER

City of Fort Collins, Colorado  
**UTILITY PLAN APPROVAL**

APPROVED: <i>[Signature]</i>	11/14/93	Date
CHECKED BY: <i>[Signature]</i>	NA	Date
CHECKED BY: <i>[Signature]</i>	11-05-93	Date
CHECKED BY: <i>[Signature]</i>	NA	Date
CHECKED BY: _____	_____	Date

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

JBB DRAWN	TJB DESIGNED		CHECKED
APPROVED	AUG 1993 DATE	504-004 PROJECT NO.	

**R3D** Engineering Consultants  
209 South Meldrum Street  
Fort Collins, Colorado 80521  
303 / 482-5922

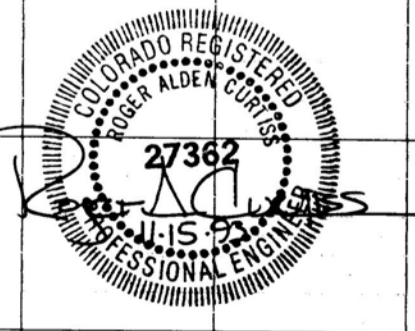
2480 W. 26th Ave., Suite 46, Bldg. C  
Denver, Colorado 80211  
303 / 458-5526

953 So. Frontage Rd. West, # 202  
Vail, Colorado 81657  
303 / 476-6340

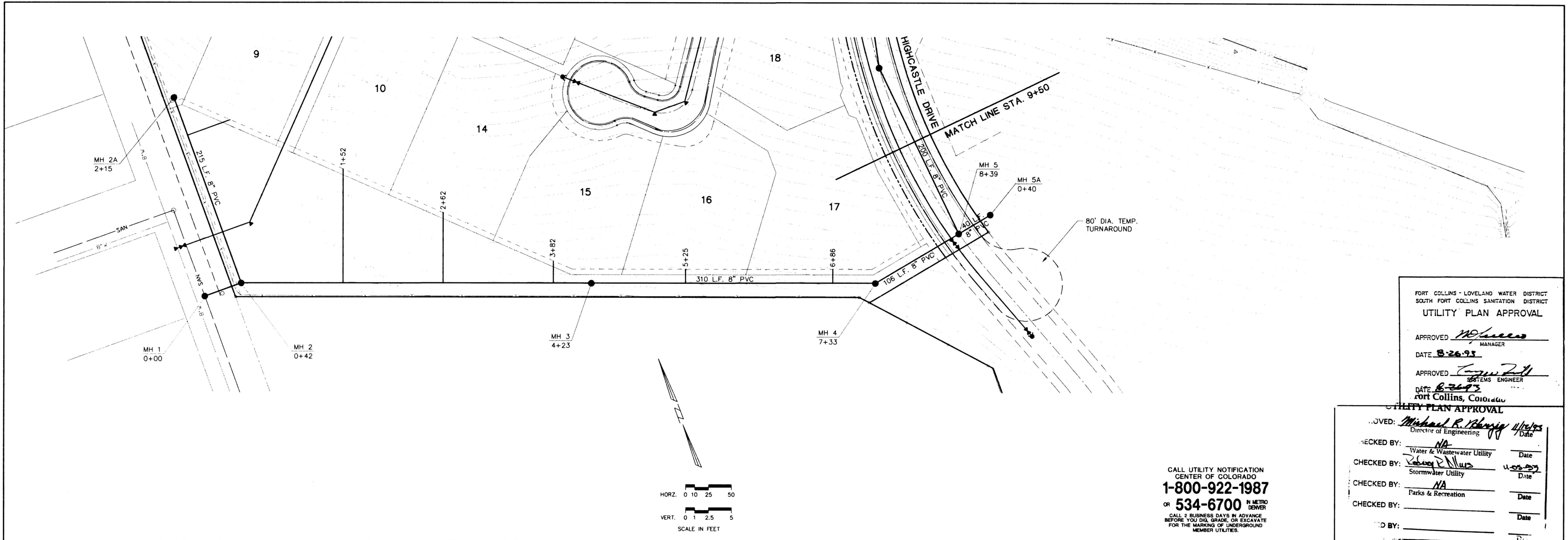
**CASTLE RIDGE AT MIRAMONT P.U.D.**  
**FIRST FILING**

**CASTLE RIDGE PLACE**  
**STREET PLAN & PROFILE**

SHEETS SHEET  
15 9







FORT COLLINS - LOVELAND WATER DISTRICT  
 SOUTH FORT COLLINS SANITATION DISTRICT  
**UTILITY PLAN APPROVAL**

APPROVED: *[Signature]*  
 DATE: 8-26-93  
 MANAGER

APPROVED: *[Signature]*  
 DATE: 8-26-93  
 SYSTEMS ENGINEER

Fort Collins, Colorado

**UTILITY PLAN APPROVAL**

APPROVED: *[Signature]*  
 Director of Engineering Date

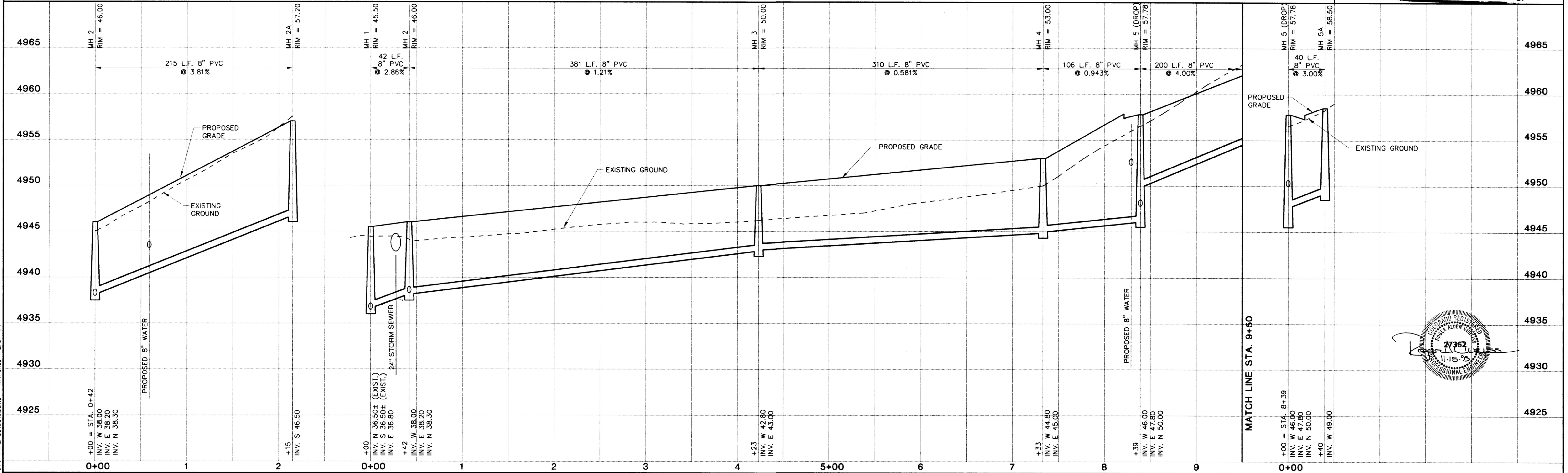
CHECKED BY: *[Signature]*  
 Water & Wastewater Utility Date

CHECKED BY: *[Signature]*  
 Stormwater Utility Date

CHECKED BY: *[Signature]*  
 Parks & Recreation Date

BY: \_\_\_\_\_ Date

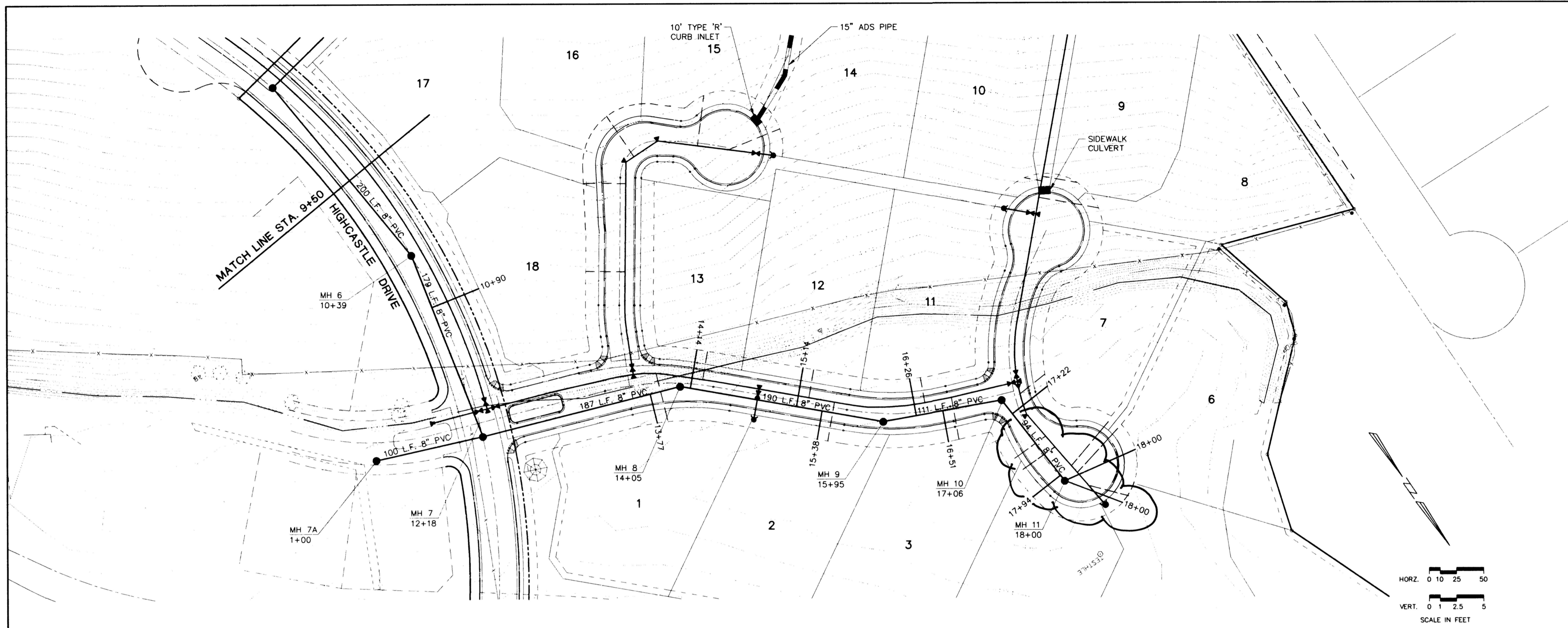
CALL UTILITY NOTIFICATION  
 CENTER OF COLORADO  
**1-800-922-1987**  
 OR **534-6700** IN METRO  
 AREA  
 CALL 2 BUSINESS DAYS IN ADVANCE  
 BEFORE YOU DIG, GRADE, OR EXCAVATE  
 FOR THE MARKING OF UNDERGROUND  
 MEMBER UTILITIES.



NO.		BY	DATE	REVISION	DESCRIPTION
JBB		TJB			
DRAWN		DESIGNED	CHECKED		
APPROVED		DATE	PROJECT NO.		
<b>REB inc. Engineering Consultants</b>					
<b>CASTLE RIDGE AT MIRAMONT P.U.D.</b> <b>FIRST FILING</b>					
<b>SANITARY SEWER PLAN &amp; PROFILE</b>					
					SHEETS
					15
					SHEET
					10

C-3 1362

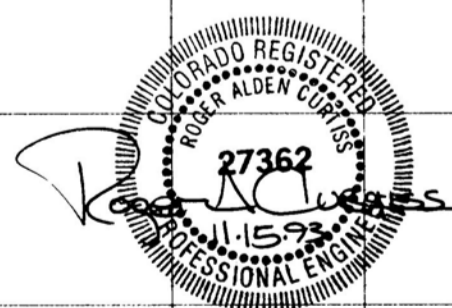
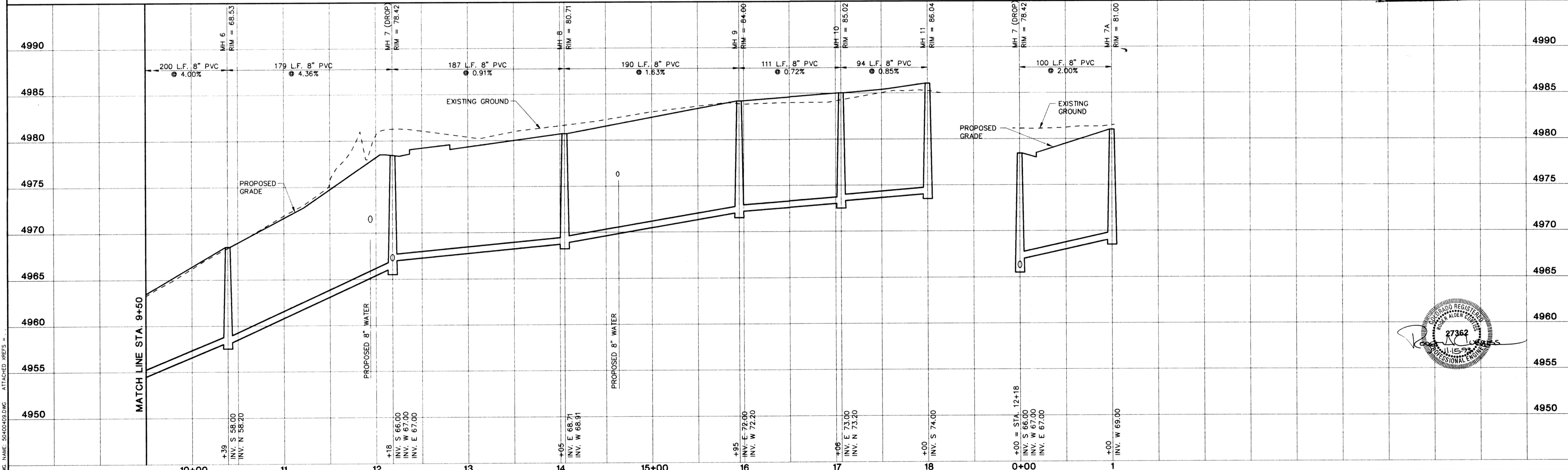




FORT COLLINS - LOVELAND WATER DISTRICT  
 SOUTH FORT COLLINS SANITATION DISTRICT  
**UTILITY PLAN APPROVAL**  
 APPROVED: *[Signature]*  
 DATE: **6-26-93**  
 MANAGER  
 APPROVED: *[Signature]*  
 DATE: **8-10-93**  
 SYSTEMS ENGINEER

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.

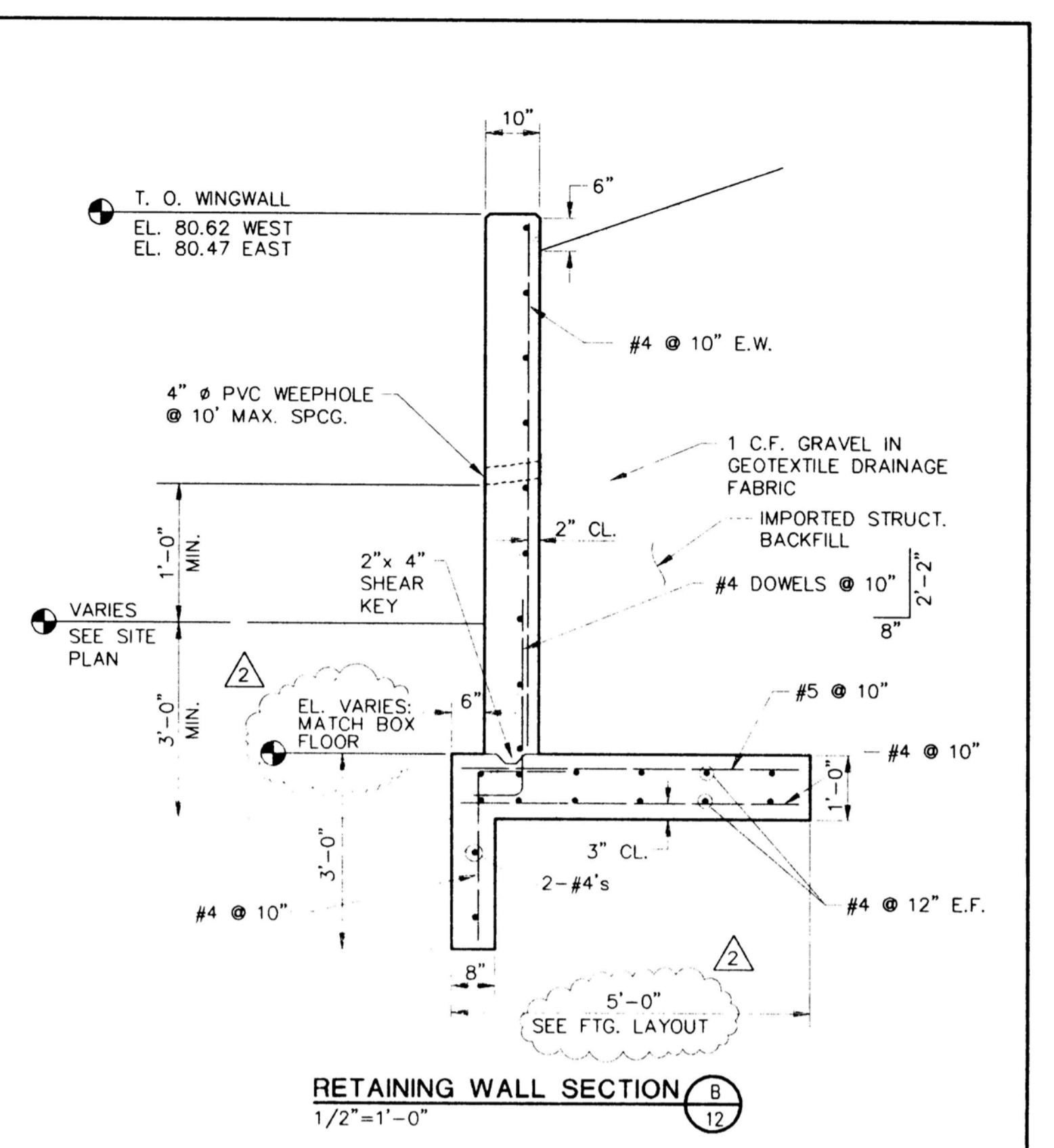
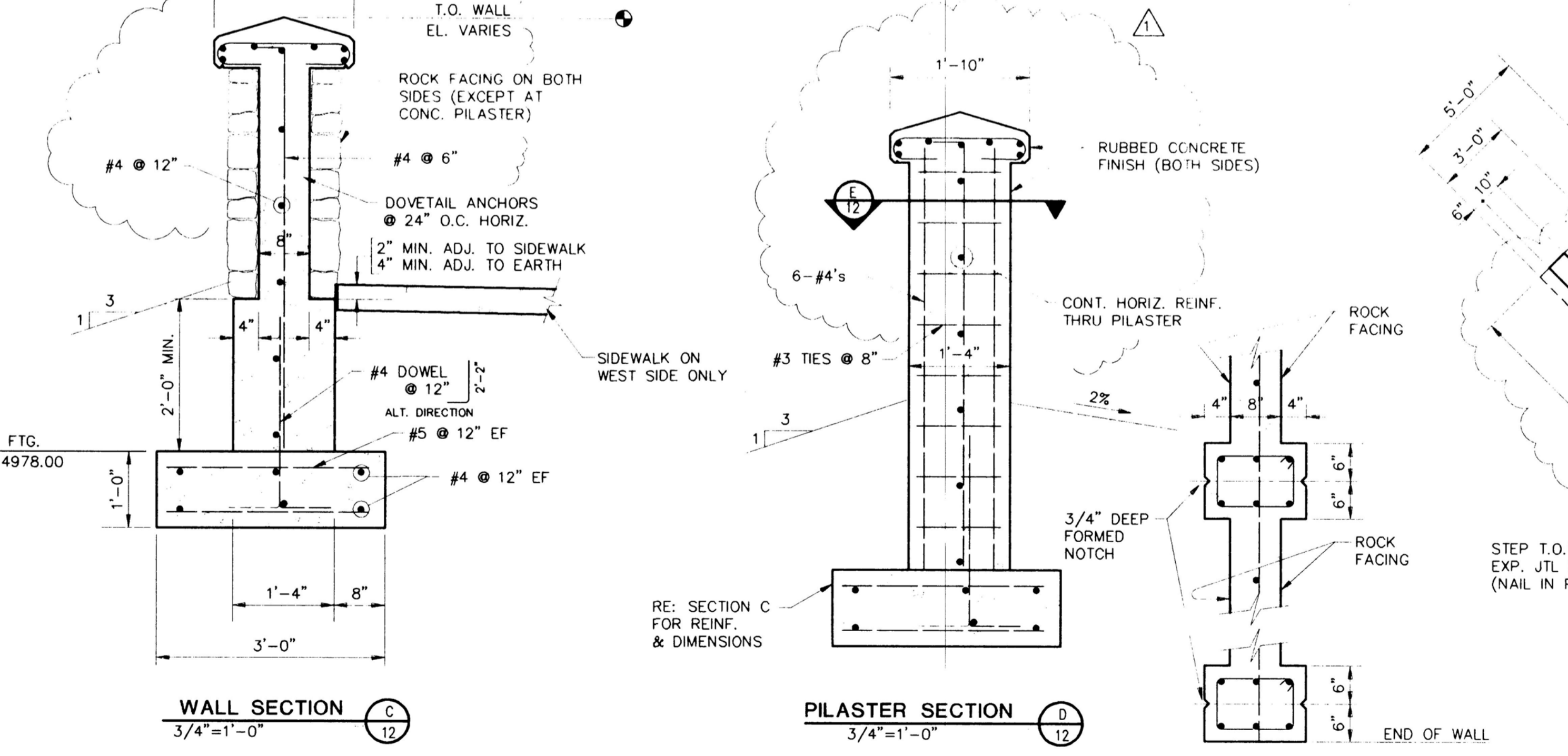
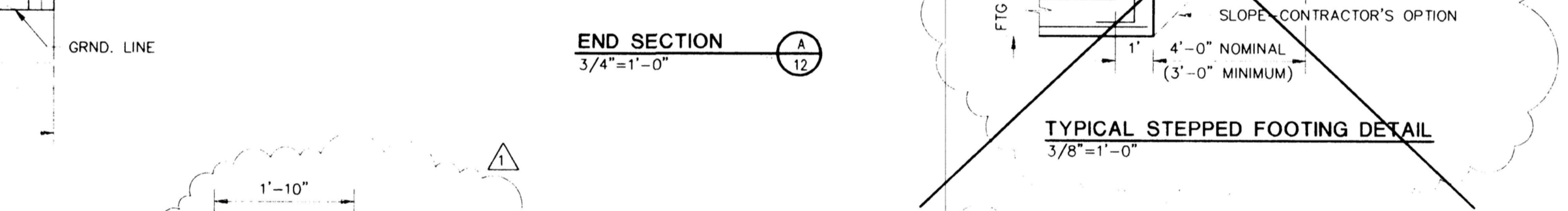
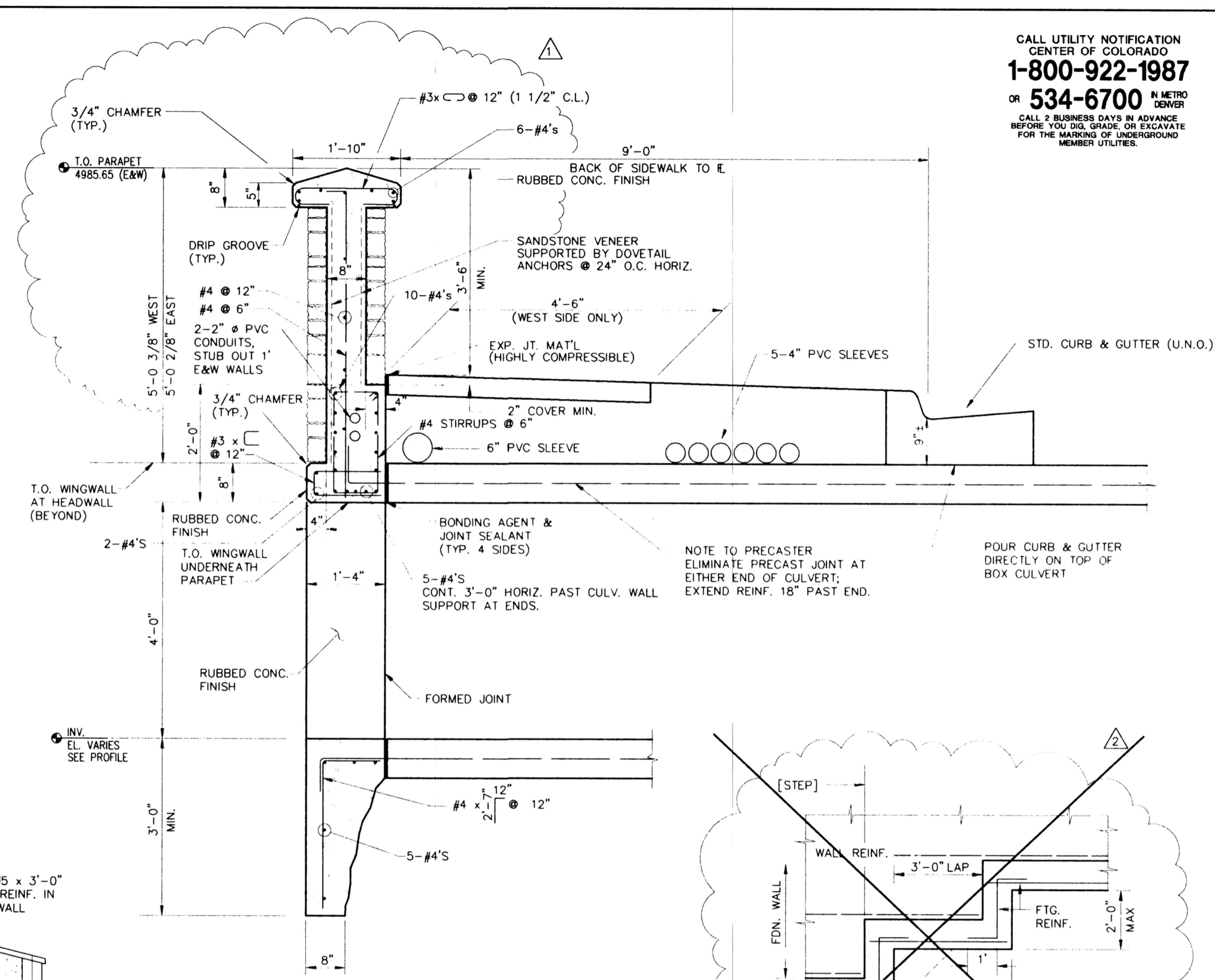
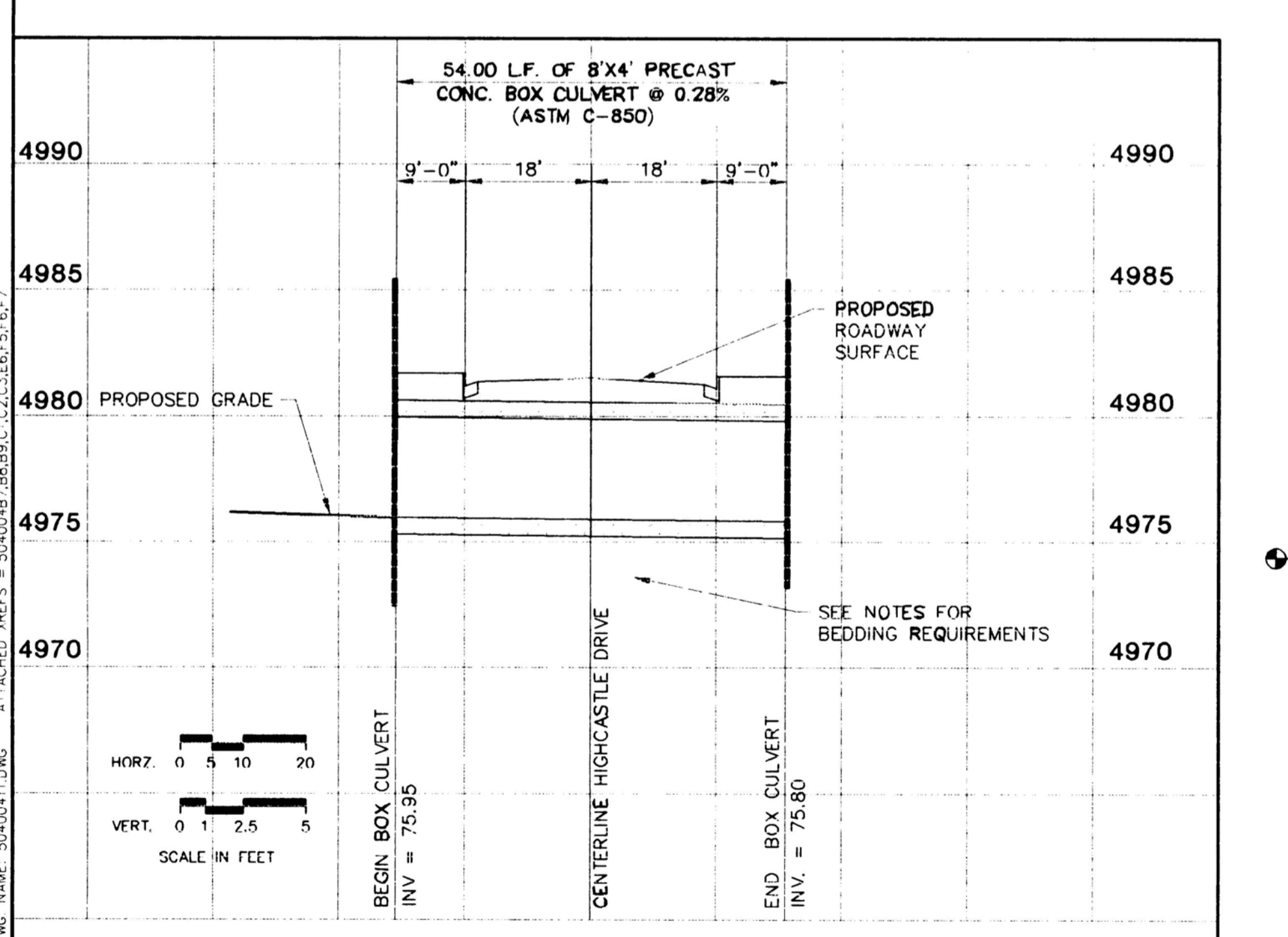
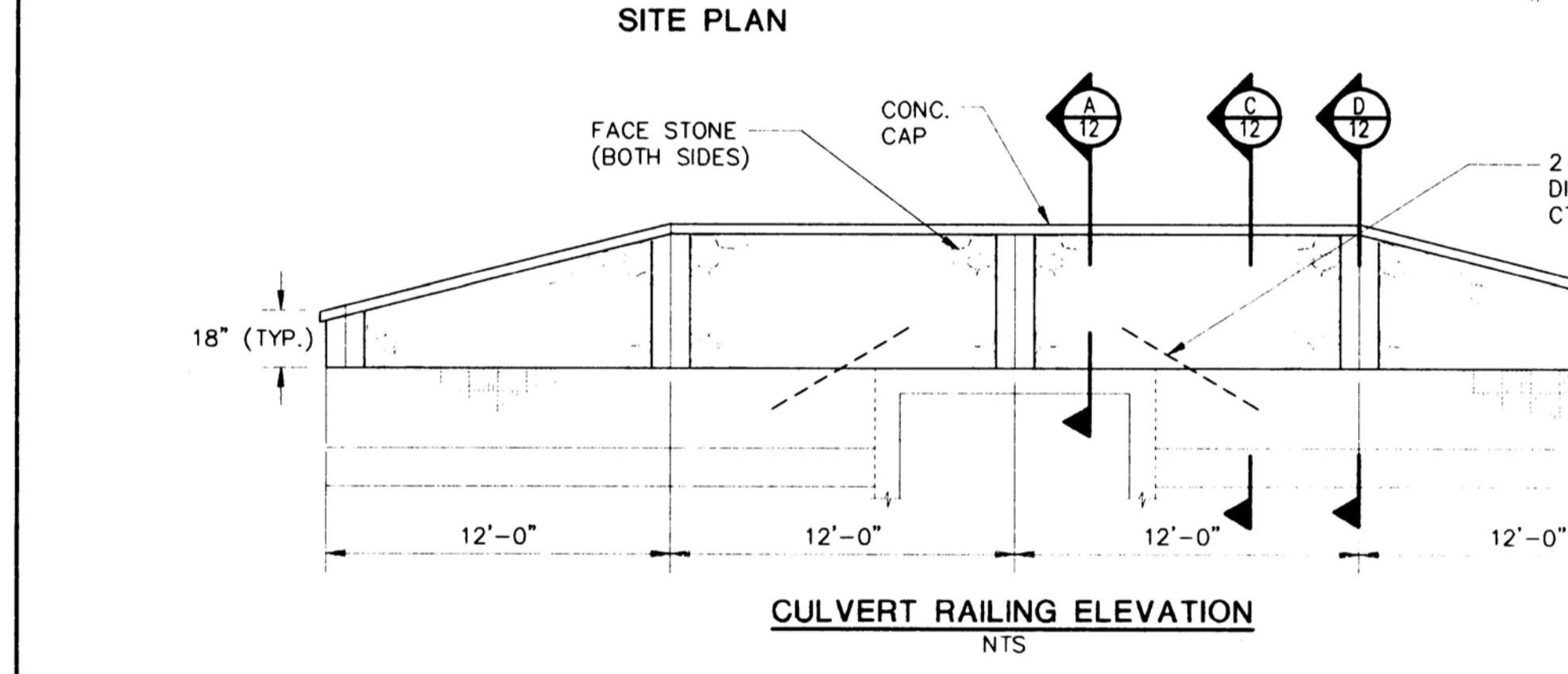
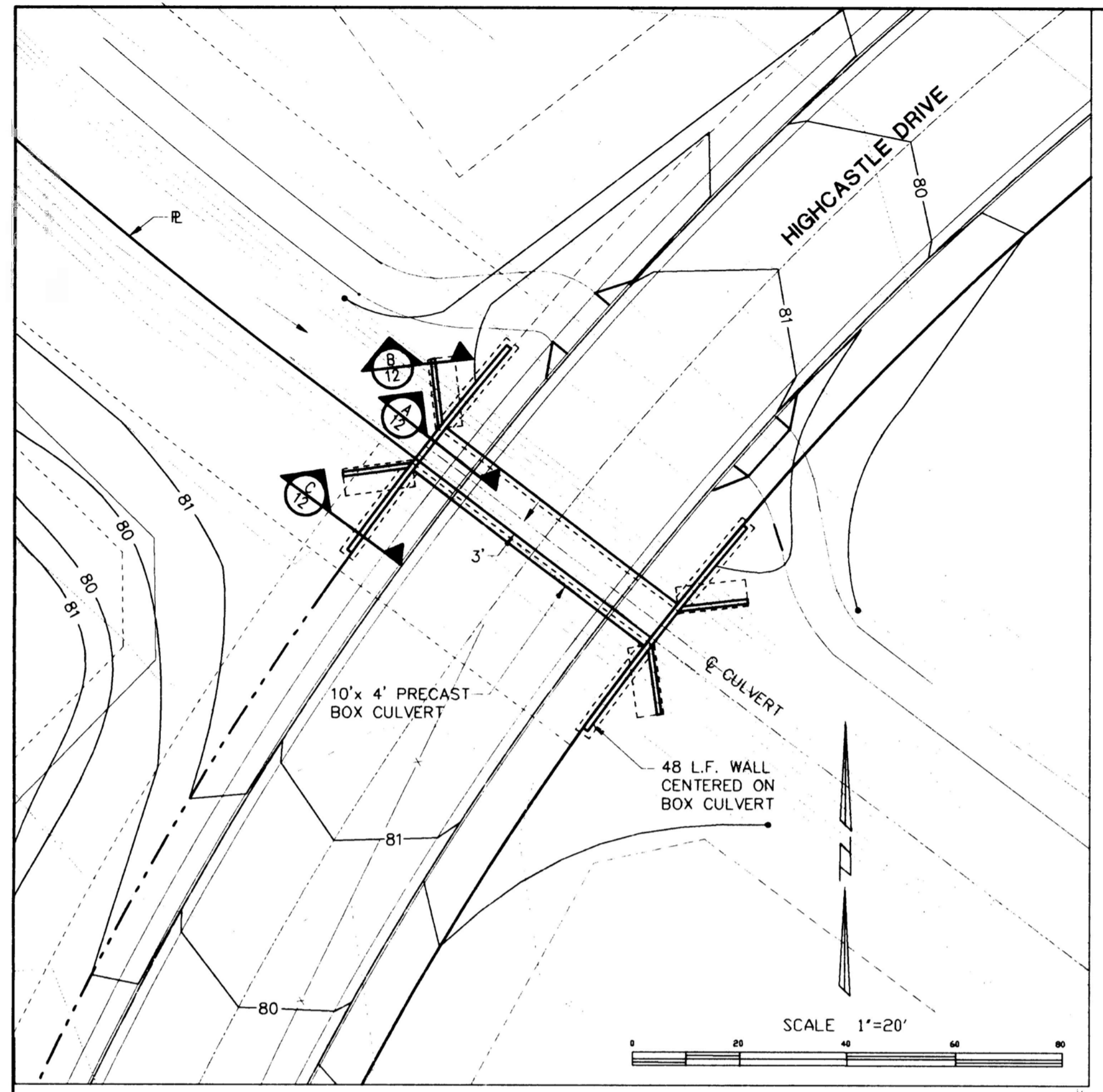
Fort Collins, Colorado  
**UTILITY PLAN APPROVAL**  
 APPROVED: *[Signature]*  
 DATE: **11-05-93**  
 CHECKED BY: *[Signature]* Date  
 Water & Wastewater Utility  
 CHECKED BY: *[Signature]* Date  
 Stormwater Utility  
 CHECKED BY: *[Signature]* Date  
 Parks & Recreation  
 CHECKED BY: \_\_\_\_\_ Date



NO.		BY	DATE	REVISION	DESCRIPTION	JBB DRAWN	TJB DESIGNED	PAC CHECKED	<b>3BD</b> Inc. Engineering Consultants	CASTLE RIDGE AT MIRAMONT P.U.D. FIRST FILING		SHEETS	SHEET
										SANITARY SEWER PLAN & PROFILE		15	11

**C-3 1362**





**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:

- 6" OF AGGREGATE BASE COURSE (CDOT CLASS 6), COMPACTED TO NOT LESS THAN 95% MAXIMUM DENSITY, BY AASHTO T180.
- 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)

5'-0"

3'-0"

6'-10"

T.O. FTG. MATCHES BOX FLOOR

PARAPET WALL

13'-0"

45°

STEP T.O. WALL & EXP. JTL MAT'L (NAIL IN PLACE)



APPROVED: *Michael R. Blasing* 11/15/93  
Director of Engineering

CHECKED BY: *NA* Date: \_\_\_\_\_  
Water & Wastewater Utility

CHECKED BY: *Robert Williams* 11/15/93 Date: \_\_\_\_\_  
Stormwater Utility

CHECKED BY: *NA* Date: \_\_\_\_\_  
Parks & Recreation

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

CHK'D

APPROVED

AUG. 1993 DATE

504-004 PROJECT NO.

**Engineering Consultants**

CASTLE RIDGE AT MIRAMONT P.U.D.

FIRST FILING

**BOX CULVERT SITE LAYOUT & STRUCTURAL DETAILS**

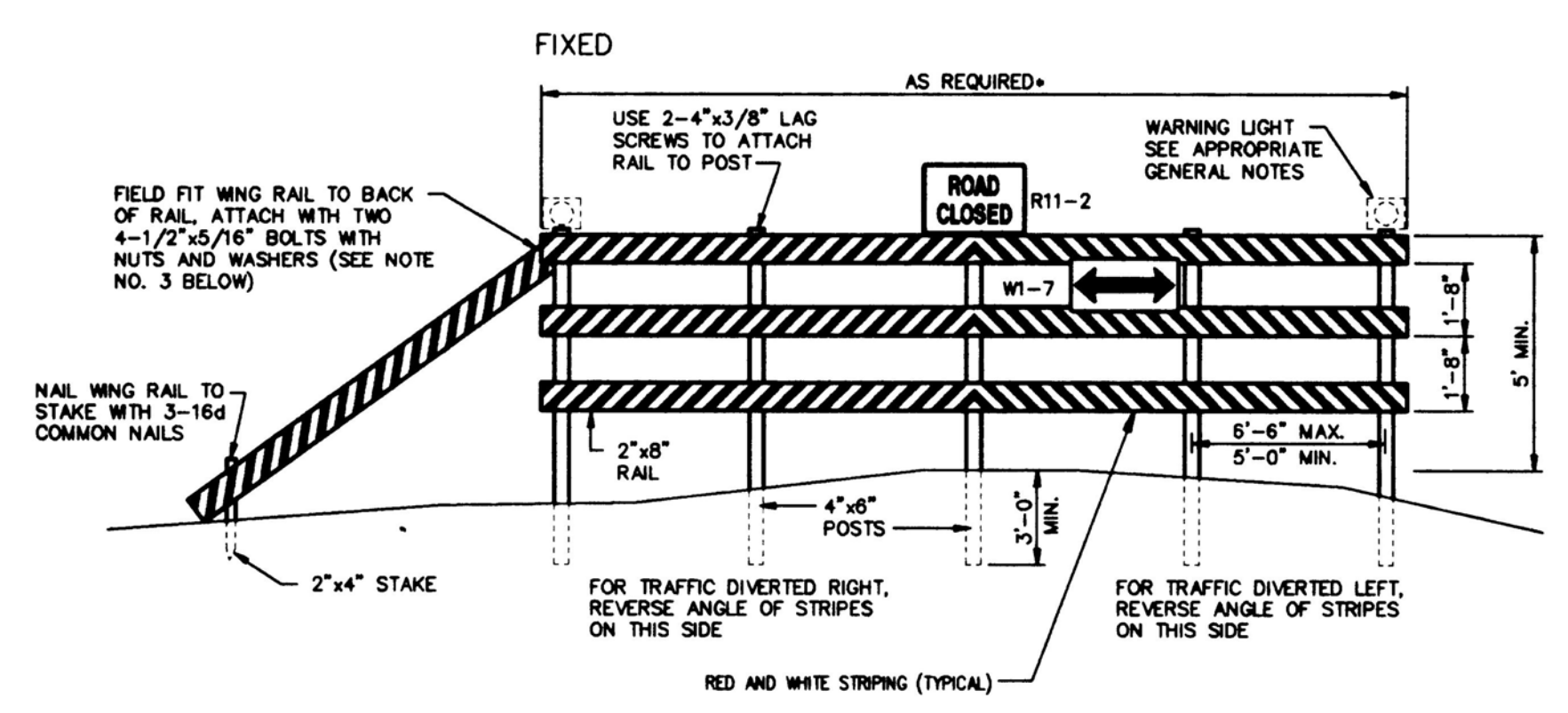
SHEETS 15 SHEET 12

Rev

C 3 1362

Packet pg. 270



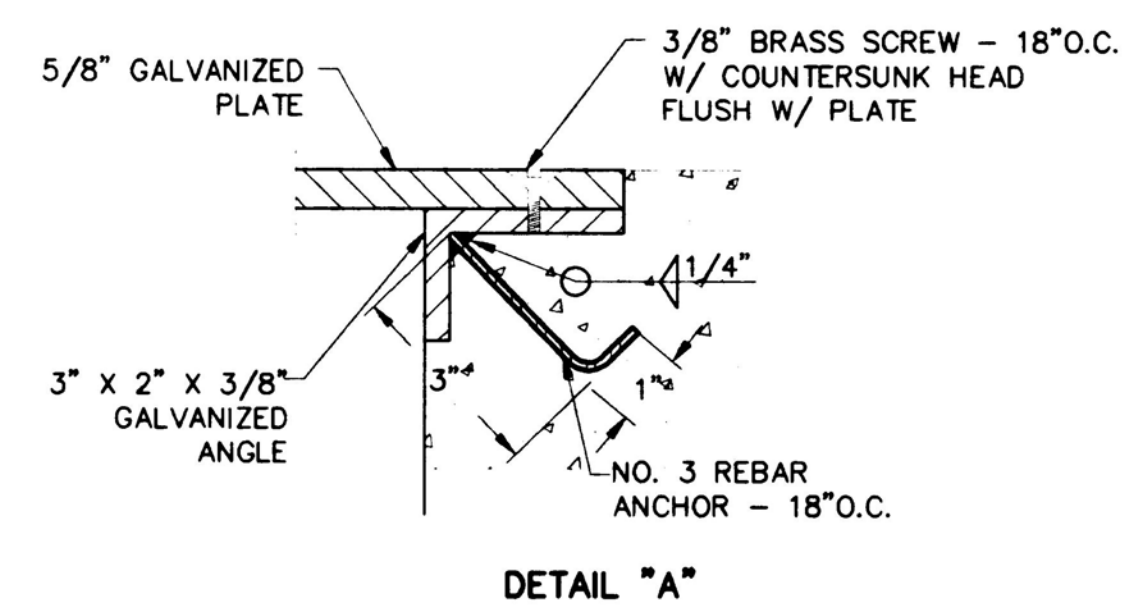
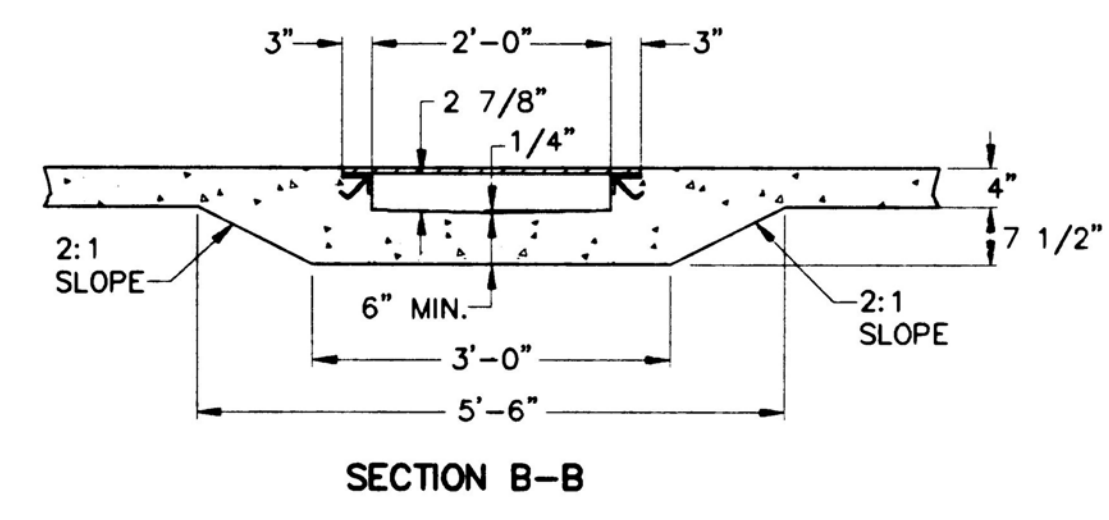
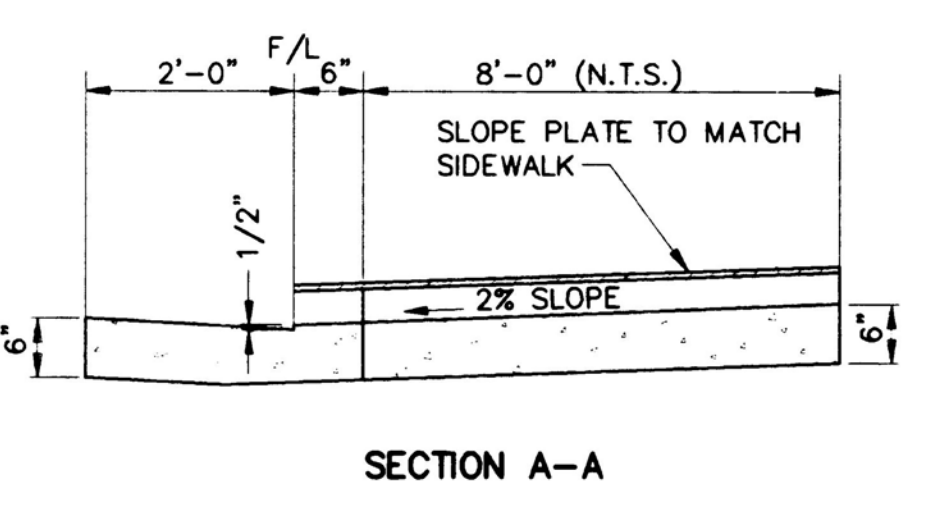
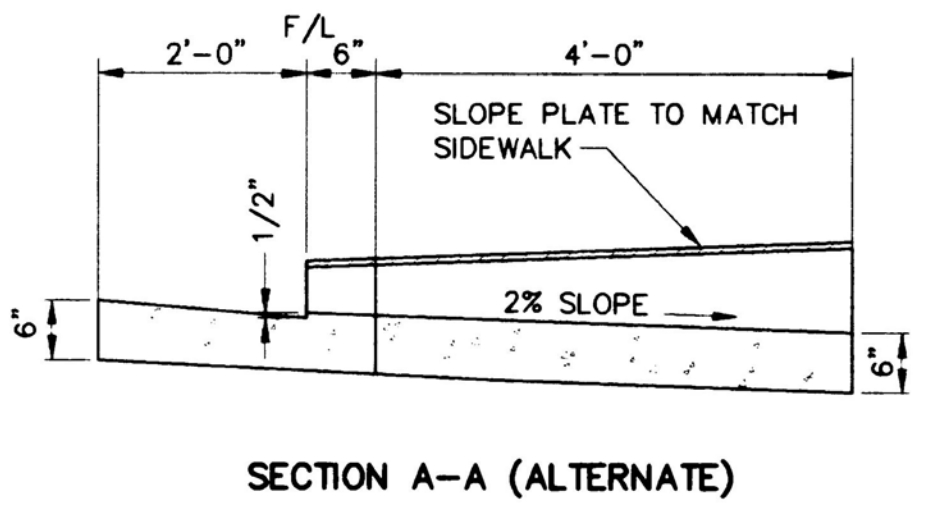
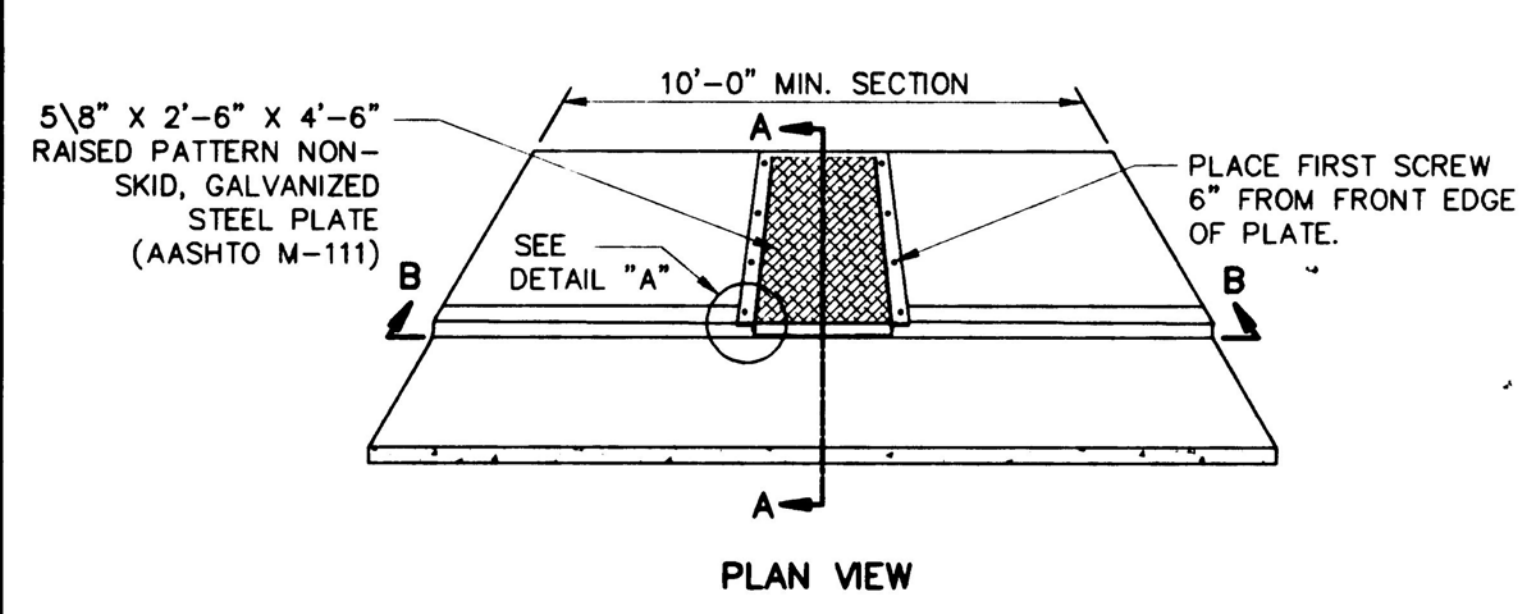


RAIL LENGTH TABLE

TYPE 3 BARRICADE	LENGTH
F-A M-A	8'-14'
F-B M-B	15'-24'
F-C M-C	25'-35'
F-D M-D	> 35'

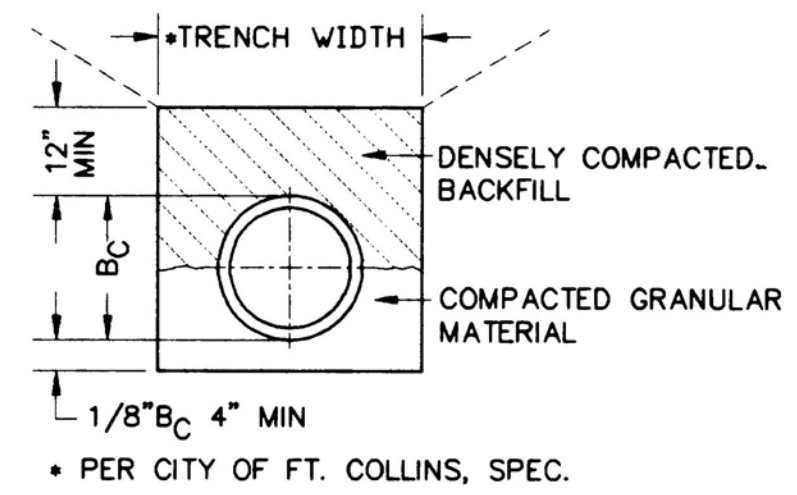
- MAY BE FABRICATED OF LUMBER, ALUMINUM OR OTHER SUITABLE LIGHT WEIGHT MATERIALS OF STRUCTURAL SOUNDNESS.
- TYPE 3 BARRICADES HAVE 3 REFLECTORIZED RAIL FACES IF FACING TRAFFIC IN ONE DIRECTION AND 6 IF FACING TRAFFIC IN TWO DIRECTIONS.
- FIXED BARRICADES FABRICATED WITH TIMBER POSTS SHALL HAVE THE PORTION 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 APPROPRIATE GENERAL NOTE.
- DETACHABLE EXTENSION RAILS FOR BYPASSING OF CONSTRUCTION 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



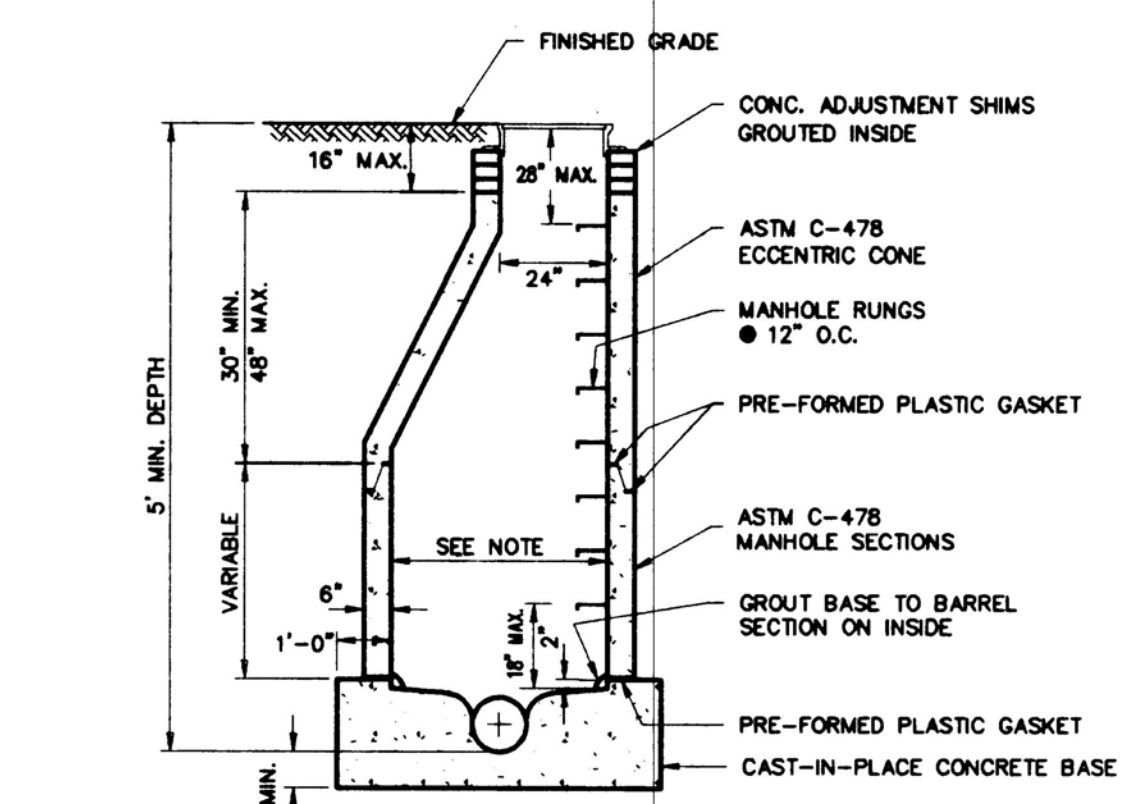
METAL SIDEWALK CULVERT FOR CURB, GUTTER AND SIDEWALK

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.



WATER AND SEWER BEDDING

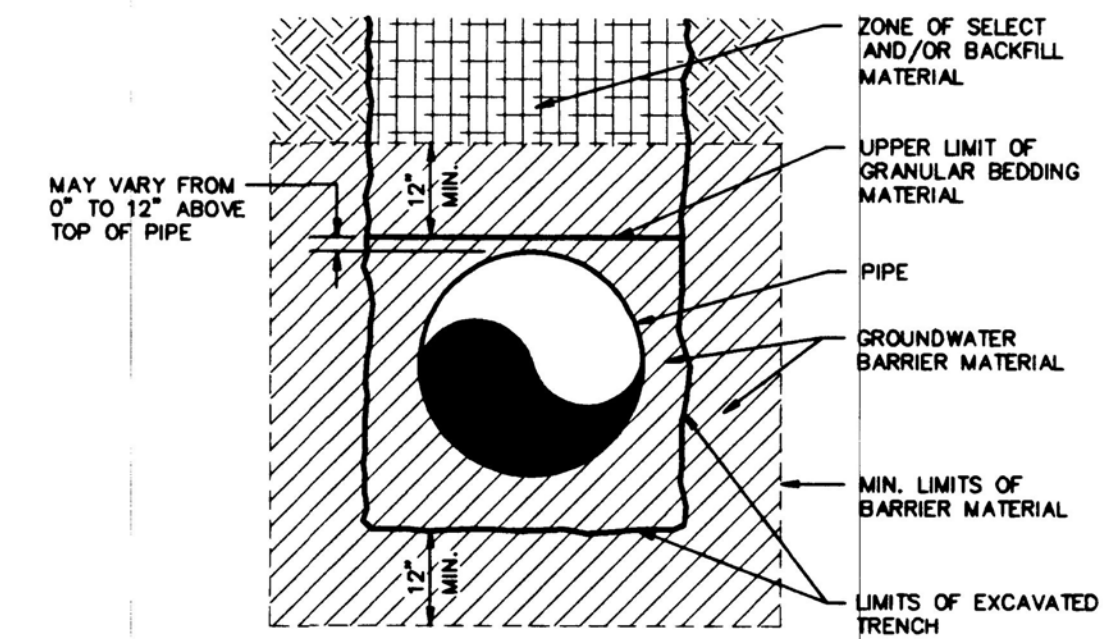
- NOTE: 1. FOR SANITARY SEWER BEDDING EXTEND COMPACTED GRANULAR MATERIAL TO A POINT 12" ABOVE TOP OF PIPE  
2. USE CLASS B BEDDING PER DETAIL ABOVE FOR STORM DRAIN PIPE. TRENCH WIDTH = B<sub>C</sub> + 24"



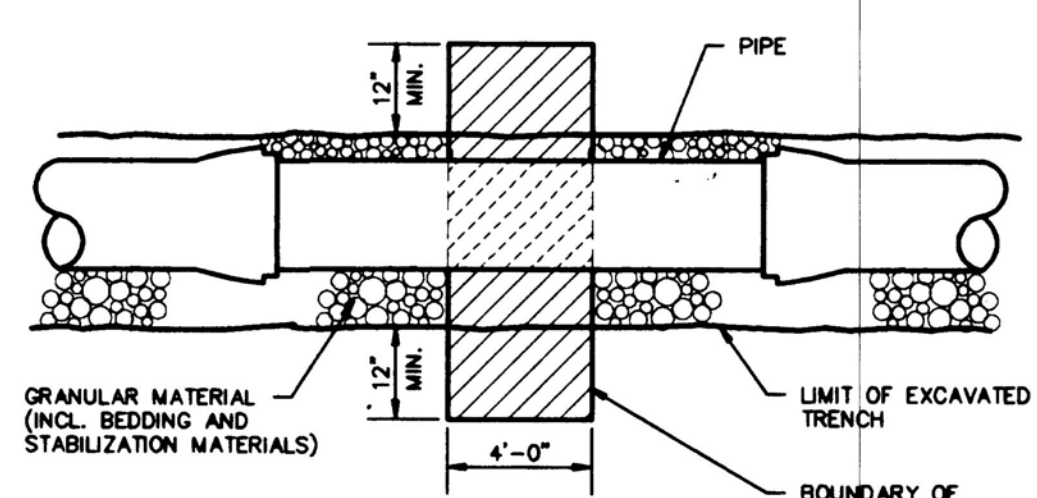
NOTE: MINIMUM INSIDE DIAMETER OF PIPE MANHOLE SHALL BE AS FOLLOWS:

PIPE SIZE	MIN. MANHOLE DIAMETER
15" OR LESS	48"
18" TO 30"	60"
OVER 30"	72"

STANDARD MANHOLE

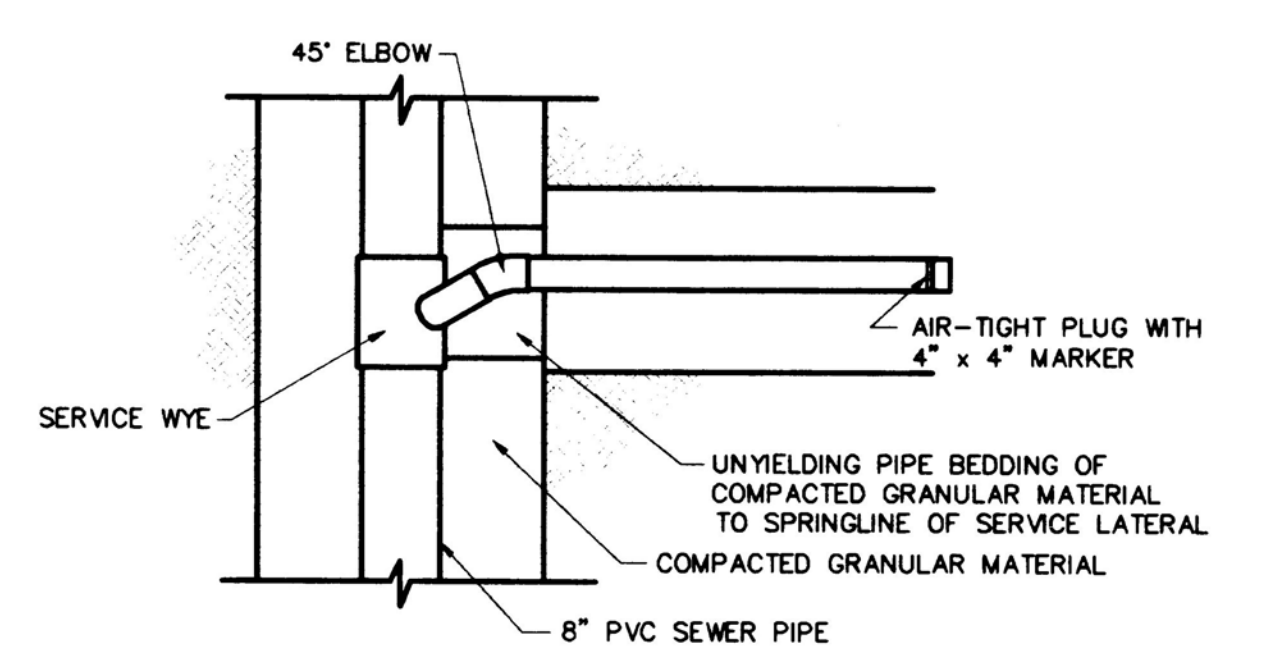


SECTION

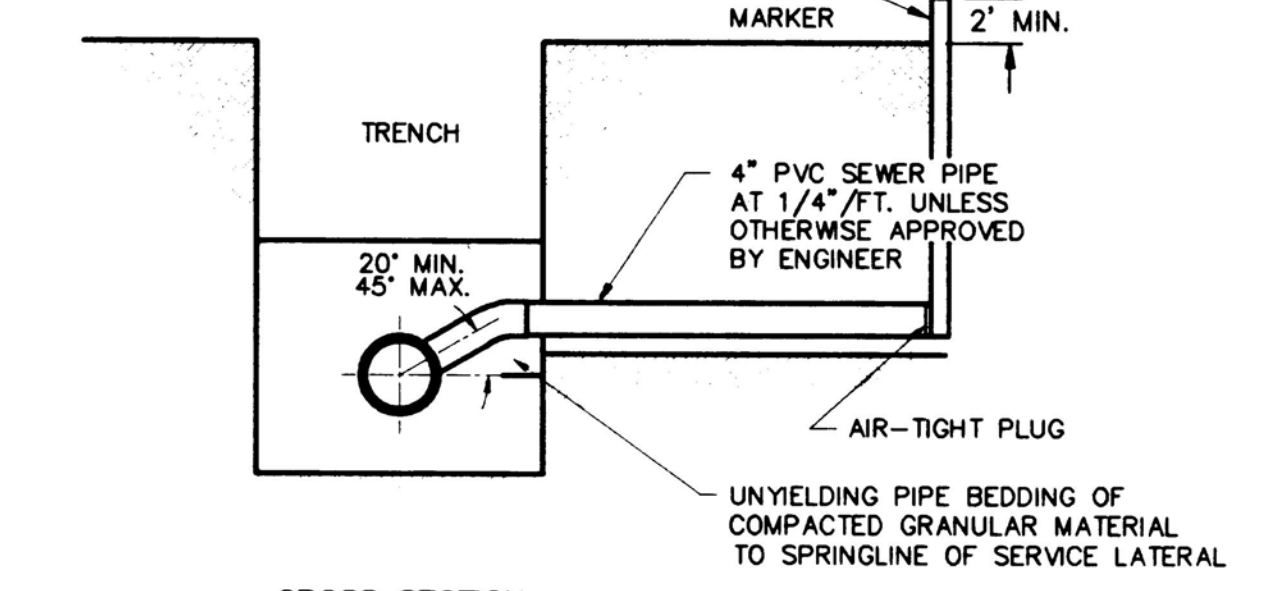


GROUNDWATER BARRIER DETAIL

BARRIERS TO BE PLACED 10' DOWNSTREAM OF SEWER MANHOLES

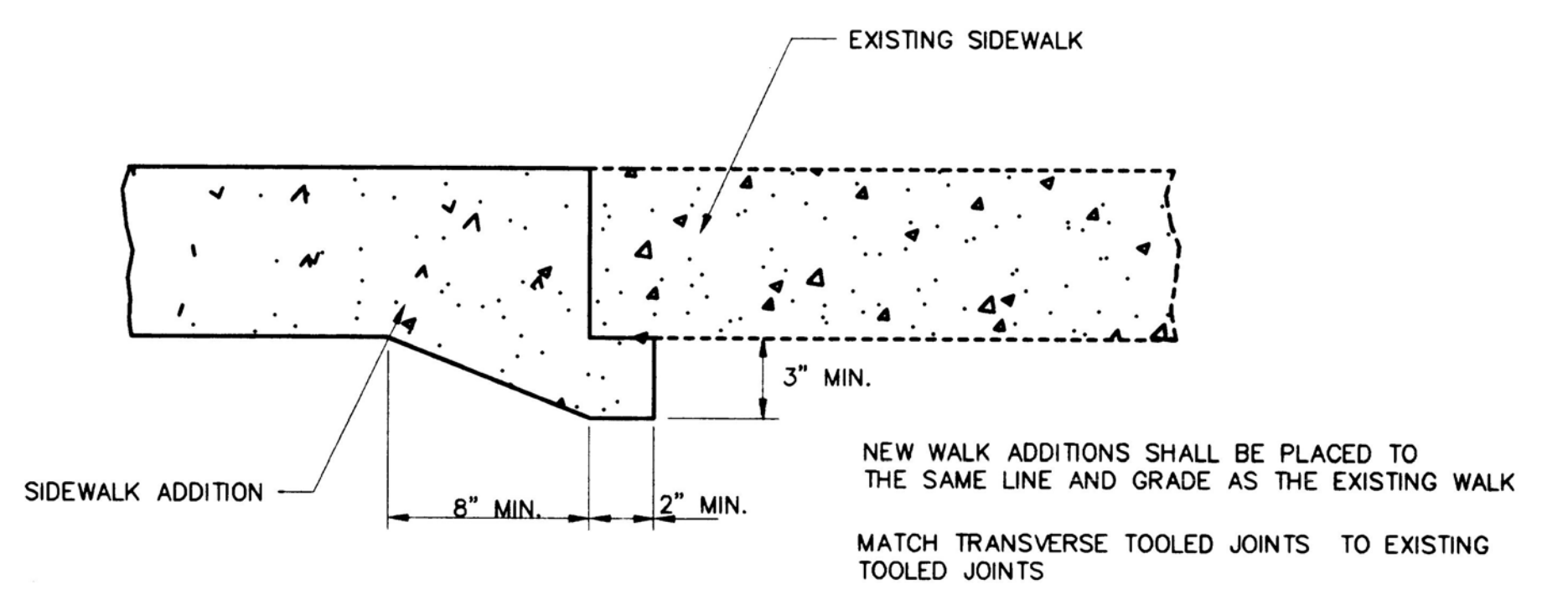


PLAN VIEW

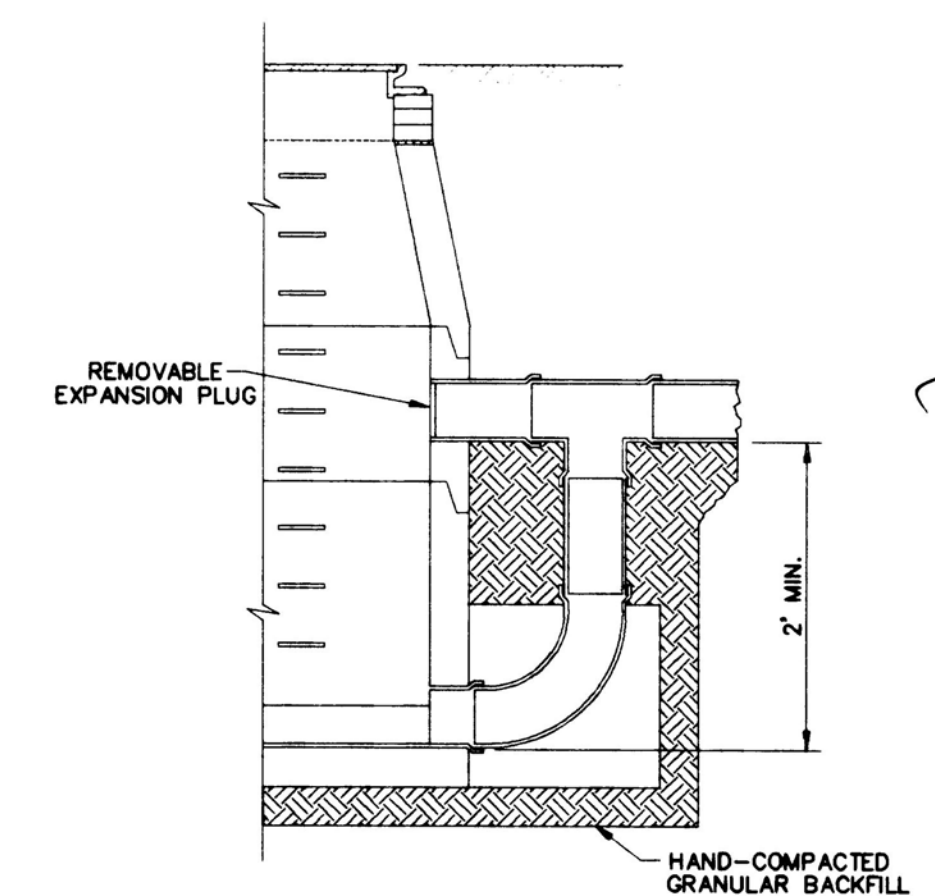


SEWER SERVICE WYE

NOTE: WYE CONNECTION NOT ALLOWED ON VCP



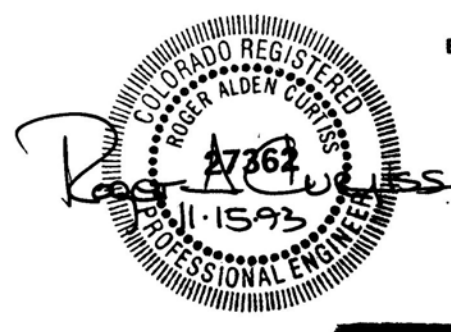
ADDITIONS TO EXISTING SIDEWALKS



DROP MANHOLE

FORT COLLINS - LOVELAND WATER DISTRICT  
SOUTH FORT COLLINS SANITATION DISTRICT  
UTILITY PLAN APPROVAL  
APPROVED: *[Signature]* MANAGER  
DATE: 8-26-73  
APPROVED: *[Signature]* SYSTEMS ENGINEER  
DATE: 8-26-73

CALL UTILITY NOTIFICATION CENTER OF COLORADO  
1-800-922-1987  
OR 534-6700 IN METRO CENTER  
CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MAINTENANCE OF UNDERGROUND MEMBER UTILITIES.



City of Fort Collins, CO  
UTILITY PLAN APPROVAL  
APPROVED: *Michael R. Florig* 11/20/95 Director of Engineering  
CHECKED BY: *NA* Water & Wastewater Utility Date: *11-20-95*  
CHECKED BY: *NA* Stormwater Utility Date: *11-20-95*  
CHECKED BY: *NA* Parks & Recreation Date: *11-20-95*  
CHECKED BY: \_\_\_\_\_ Date: \_\_\_\_\_

DWG. NAME: 50400401.DWG  
ATTACHED SHEETS = 504004A1, A2, A4, A6, A8, A9, B1, B3, B5, B7, B9, C1

NO.	BY	DATE	REVISION	DESCRIPTION

TAR	DESIGNED	CHECKED
DRAWN	AUG 1993	504-004
APPROVED	DATE	PROJECT NO.

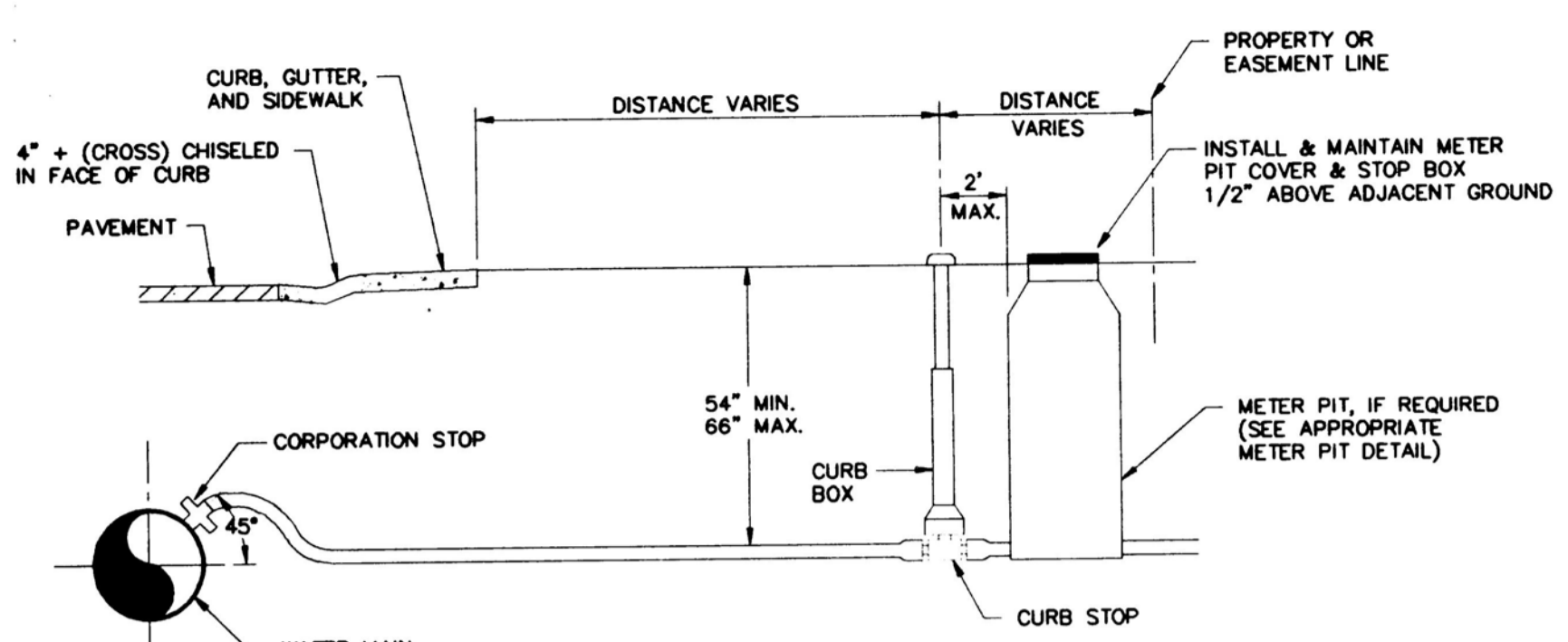
**33D** inc. Engineering Consultants  
209 South Midway Street Fort Collins, Colorado 80521 303 / 482-5922  
2480 W. 26th Ave., Suite 115B Bldg. 9 Denver, Colorado 80211 303 / 458-55,6  
953 S. Frontage Rd. West, # 232 924, Colorado 80647 303 / 476-6340

CASTLE RIDGE AT MIRAMONT P.U.D.  
FIRST FILING

DETAILS

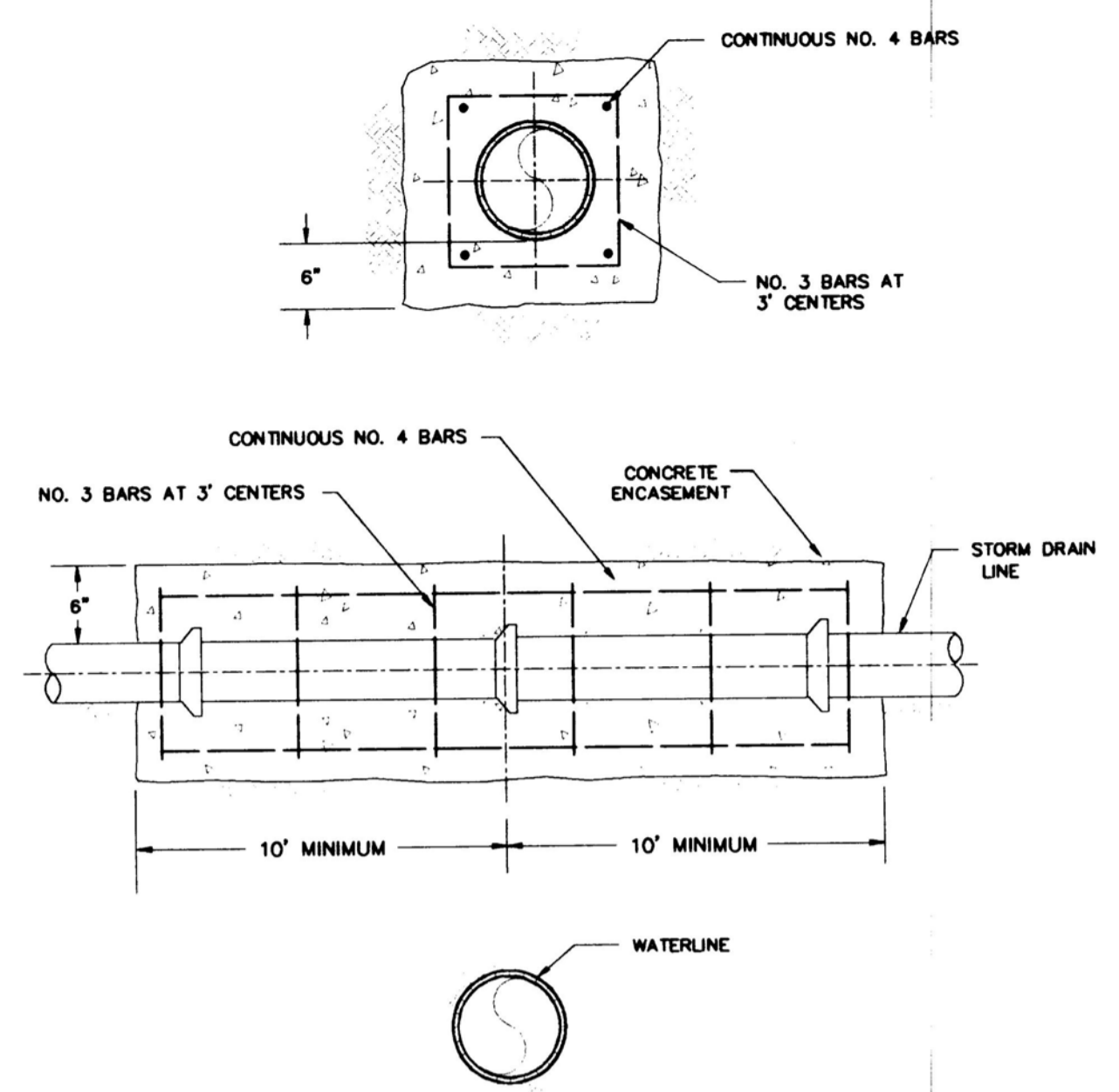
SHEETS	SHEET
15	13





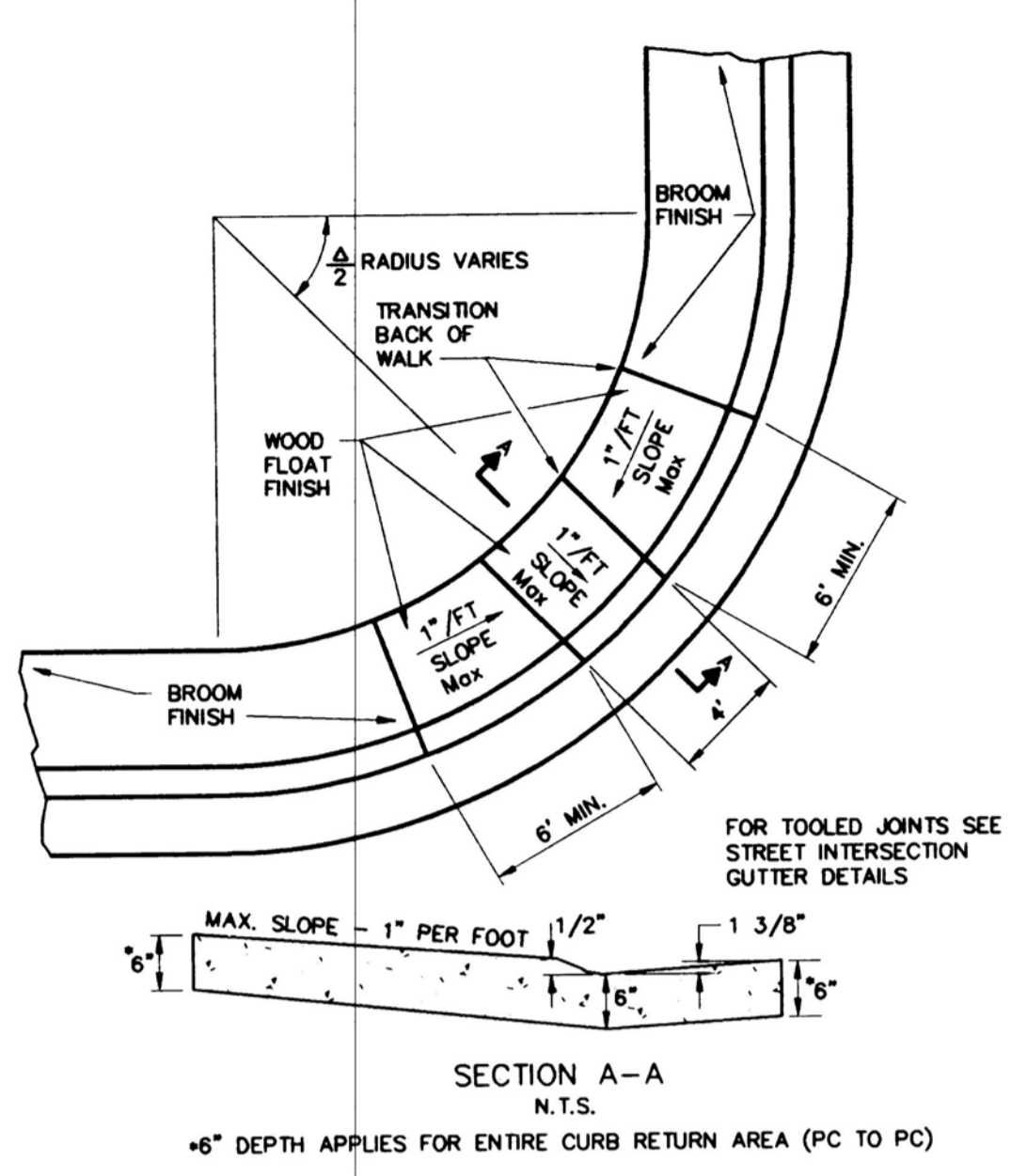
- GENERAL NOTES:
- FOR 3/4-INCH AND 1-INCH SERVICES, USE DIRECT TAP AS SHOWN.
  - FOR 1 1/2-INCH AND 2-INCH SERVICES, INSTALL WITH TAPPED TEE AND CORPORATION STOP AT TIME OF CONSTRUCTION OR USE A TAPPING SADDLE.
  - LOCATION OF CURB BOX AND METER PIT SHALL BE ACCORDING TO APPROVED UTILITY DRAWINGS.
  - 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.
  - NO COUPLINGS SHALL BE ALLOWED BETWEEN CURB STOP AND METER SETTER.
  - SERVICE SHALL BE TYPE K COPPER FROM CORPORATION STOP TO 5-FEET PAST METER PIT (MINIMUM).

TYPICAL SERVICE DETAIL

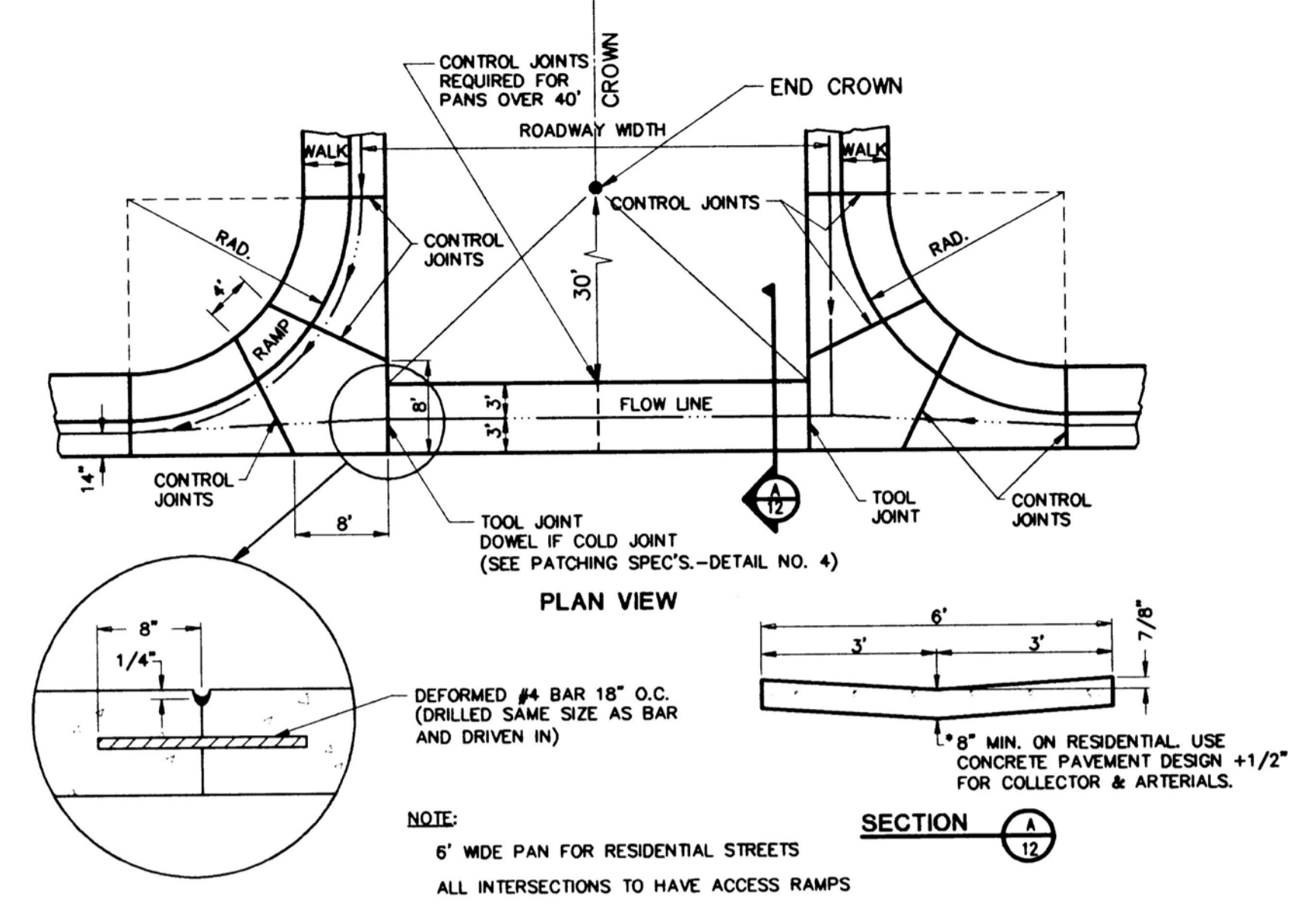


NOTE: CONCRETE ENCASEMENT WILL BE REQUIRED ON STORM DRAIN WHEN CLEAR VERTICAL DISTANCE FROM WATERLINE IS LESS THAN 1'-0" OR HORIZONTAL DISTANCE IS LESS THAN 10' BETWEEN PARALLEL LINES. CONCRETE ENCASEMENT REQUIRED IN ALL CASES WHERE STORM DRAIN IS ABOVE WATERLINE OR IS UNDER A WATERWAY CROSSING.

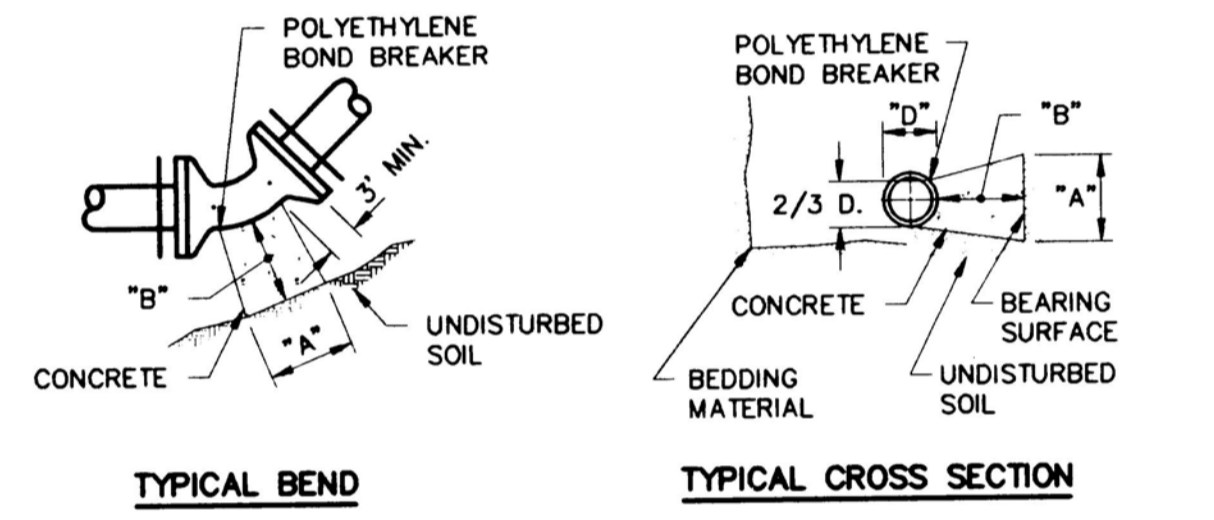
CONCRETE ENCASEMENT DETAIL



ACCESS RAMP DETAIL



STREET INTERSECTION GUTTER DETAIL DRIVEOVER CURB, GUTTER & SIDEWALK



TYPICAL BEND TYPICAL CROSS SECTION

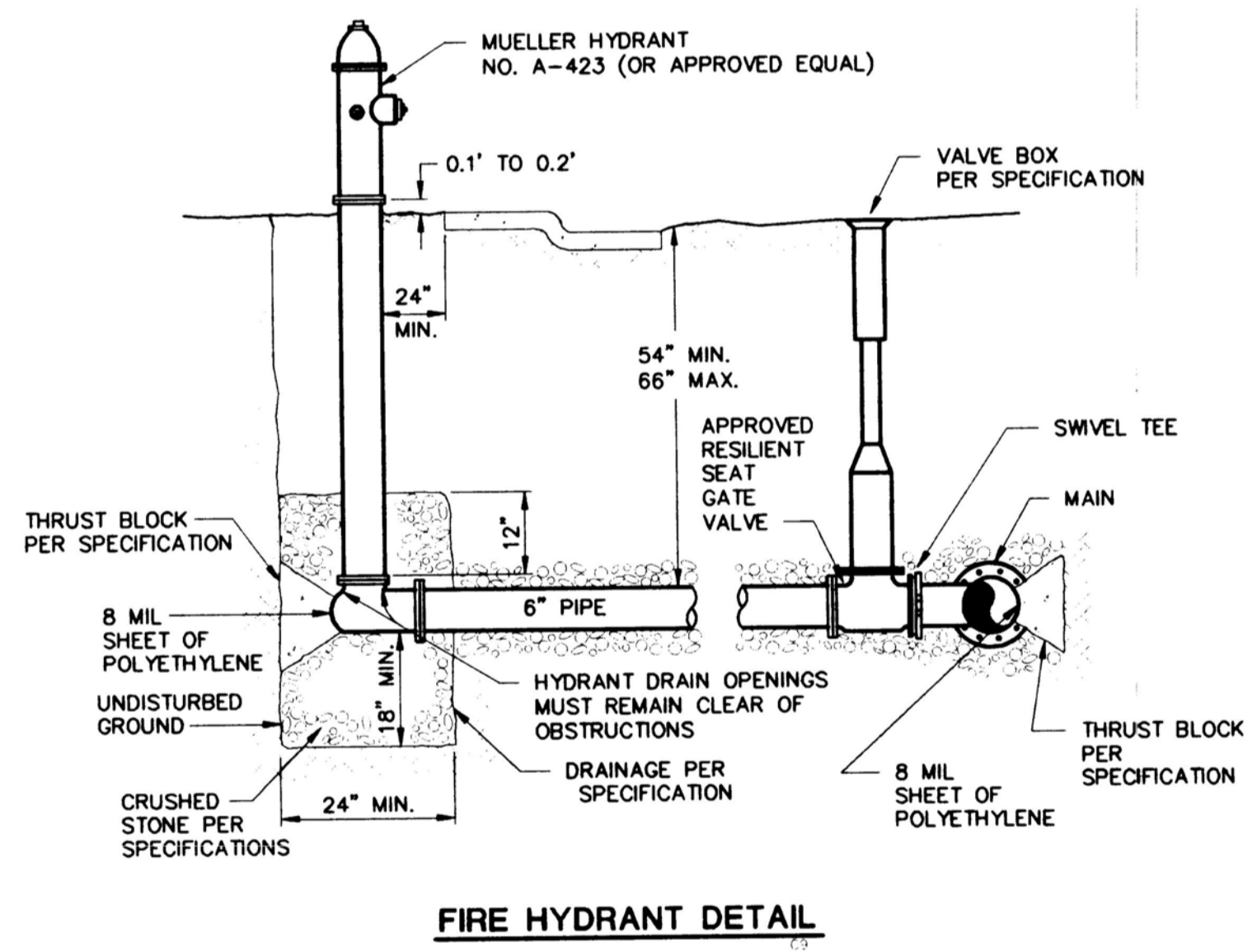
MINIMUM BEARING SURFACE AREA (SQ. FT.)

PIPE SIZE	BENDS	TEE OR DEAD END
6"	1.0 1.5 2.5 4.5 3.5	3.5
8"	1.5 2.5 4.5 8.0 5.5	5.5
12"	3.0 4.5 9.0 16.5 12.0	12.0

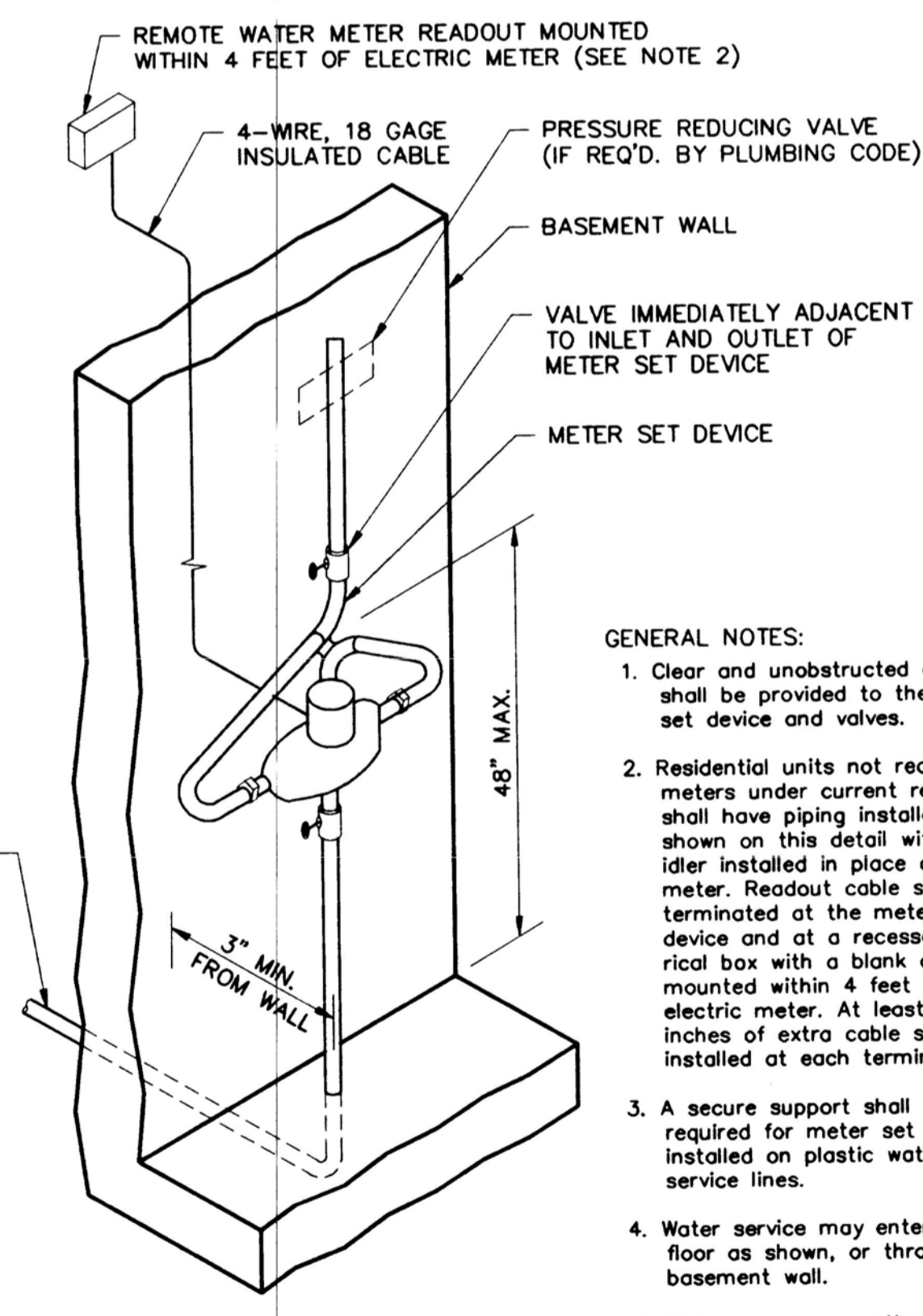
GENERAL NOTES:

- Bearing surface areas shown in chart are minimum.
- All fittings to be wrapped with polyethylene.
- Pipe installed under conditions different from those normally encountered shall require thrust blocks designed for those particular conditions.
- Thrust blocks on pipe larger than 12" shall be designed for conditions existing at the installation site.
- Refer to Section 03300 City of Fort Collins std. specification for concrete requirements.

THRUST BLOCK DETAIL

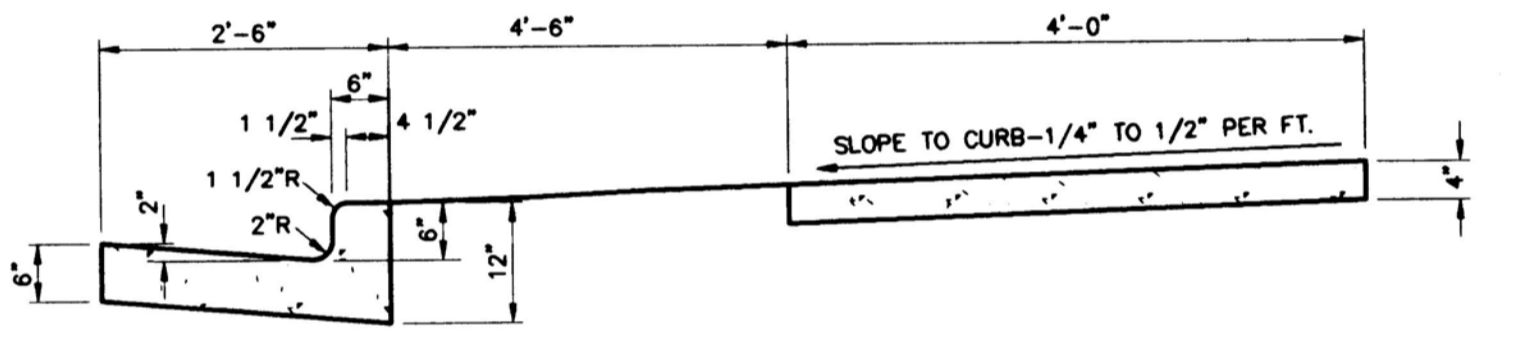


FIRE HYDRANT DETAIL

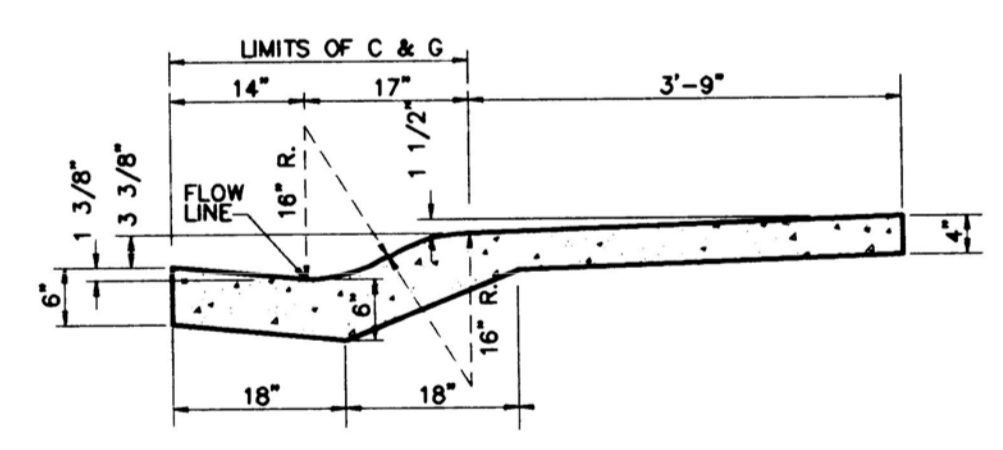


STANDARD METER SETTING FOR 3/4" & 1" METERS

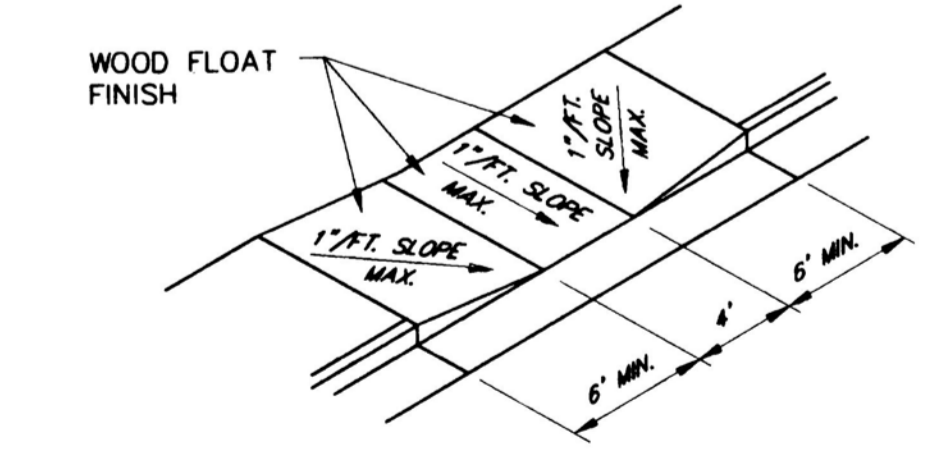
- GENERAL NOTES:
- Clear and unobstructed access shall be provided to the meter set device and valves.
  - Residential units not requiring meters under current regulations shall have piping installed as shown on this detail with an idler installed in place of the meter. Readout cable shall be terminated 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.
  - A secure support shall be required for meter set devices installed on plastic water service lines.
  - Water service may enter through floor as shown, or through the basement wall.
  - All tees and connections shall be a minimum of 2 feet past outlet valve.



VERTICAL 6" CURB, GUTTER AND SIDEWALK



DRIVEOVER CURB, GUTTER & SIDEWALK



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.

**R3D** Inc. Engineering Consultants  
 209 South Meadway Street Fort Collins, Colorado 80521  
 2480 W. 24th Ave., Suite 48, Bldg Denver, Colorado 80211  
 970 / 458-5529 970 / 458-5529

CASTLE RIDGE AT MIRAMONT P.U.D. FIRST FILING

DETAILS

SHEETS 15 14

FORT COLLINS - LOVELAND WATER DISTRICT SOUTH FORT COLLINS SANITATION DISTRICT

**UTILITY PLAN APPROVAL**

APPROVED: *Michael R. Blumig* 11/16/15  
 Director of Engineering / Date

CHECKED BY: *NA* / Date

CHECKED BY: *Water & Wastewater Utility* / Date

CHECKED BY: *Stormwater Utility* 11-06-15 / Date

CHECKED BY: *NA* / Date

CHECKED BY: *Parks & Recreation* / Date

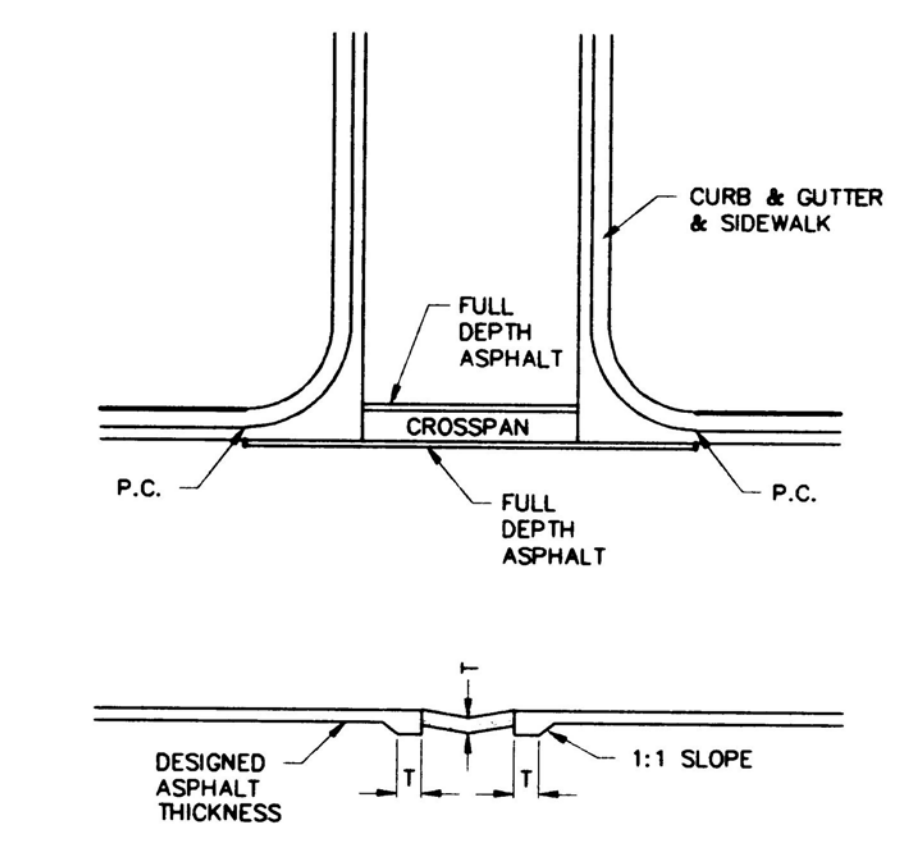
APPROVED: *W. J. ...* MANAGER  
 DATE: 8-26-13

APPROVED: *Engel ...* SYSTEMS ENGINEER  
 DATE: 8-26-13

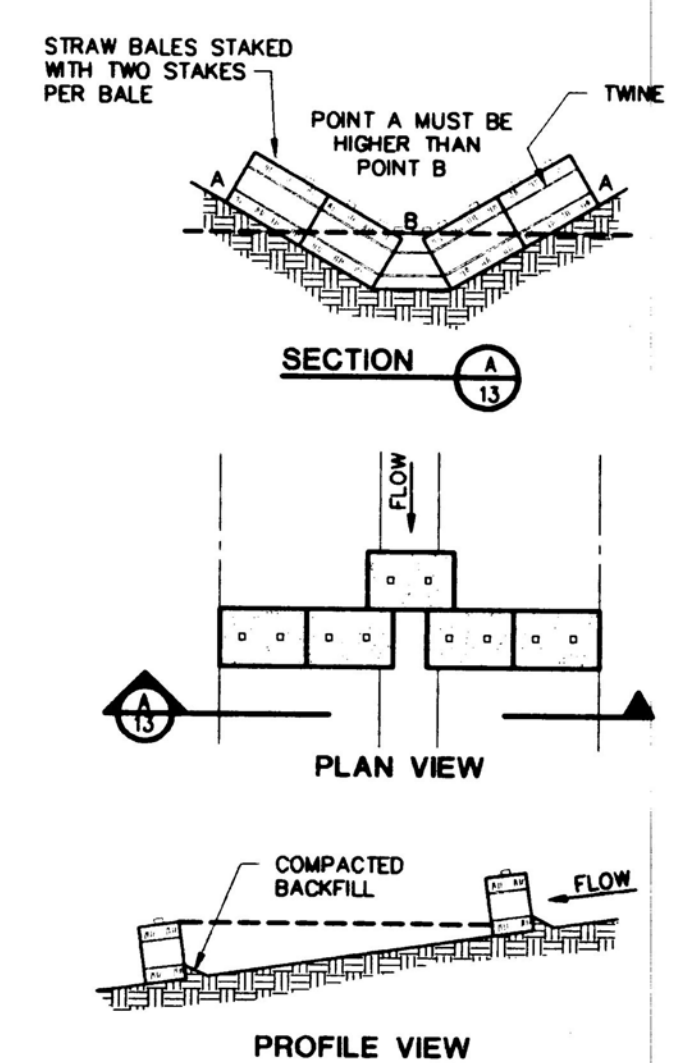


DWG. NAME: 50500410.DWG ATTACHED XREFS = 5040045,06,07,08,09,10,11,12,13,14,15,16,17,18,19,20,21,22,23,24,25,26,27,28,29,30,31,32,33,34,35,36,37,38,39,40,41,42,43,44,45,46,47,48,49,50,51,52,53,54,55,56,57,58,59,60,61,62,63,64,65,66,67,68,69,70,71,72,73,74,75,76,77,78,79,80,81,82,83,84,85,86,87,88,89,90,91,92,93,94,95,96,97,98,99,100



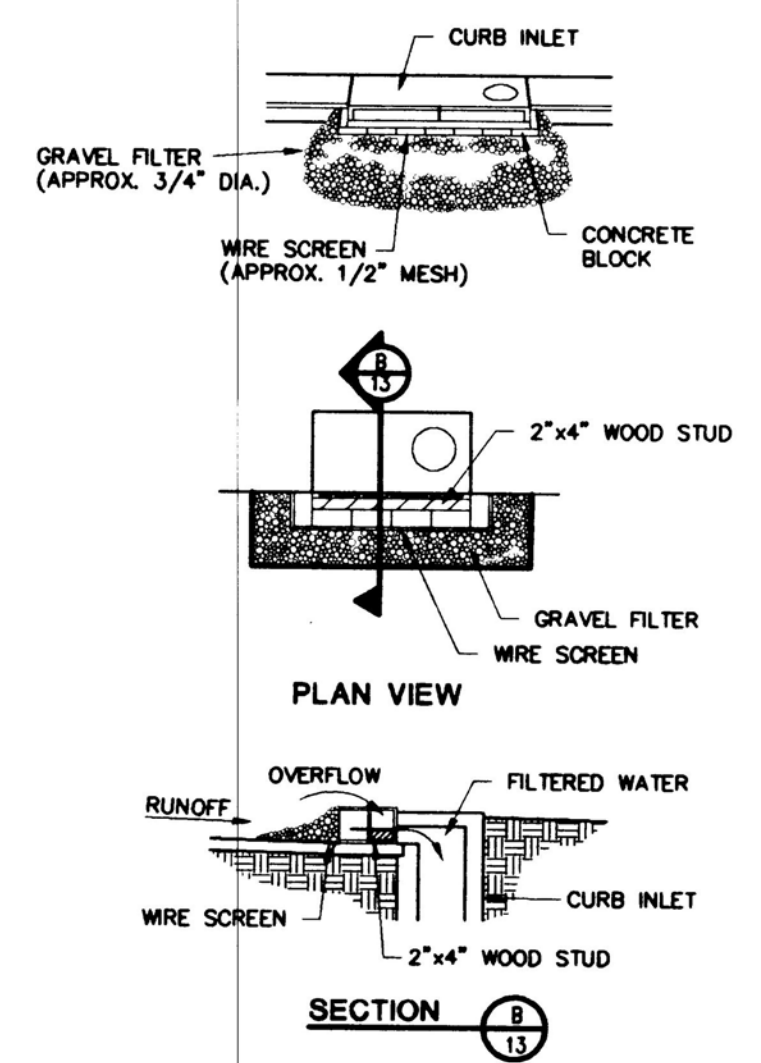


ASPHALT PAVING DETAIL AT CROSSPANS



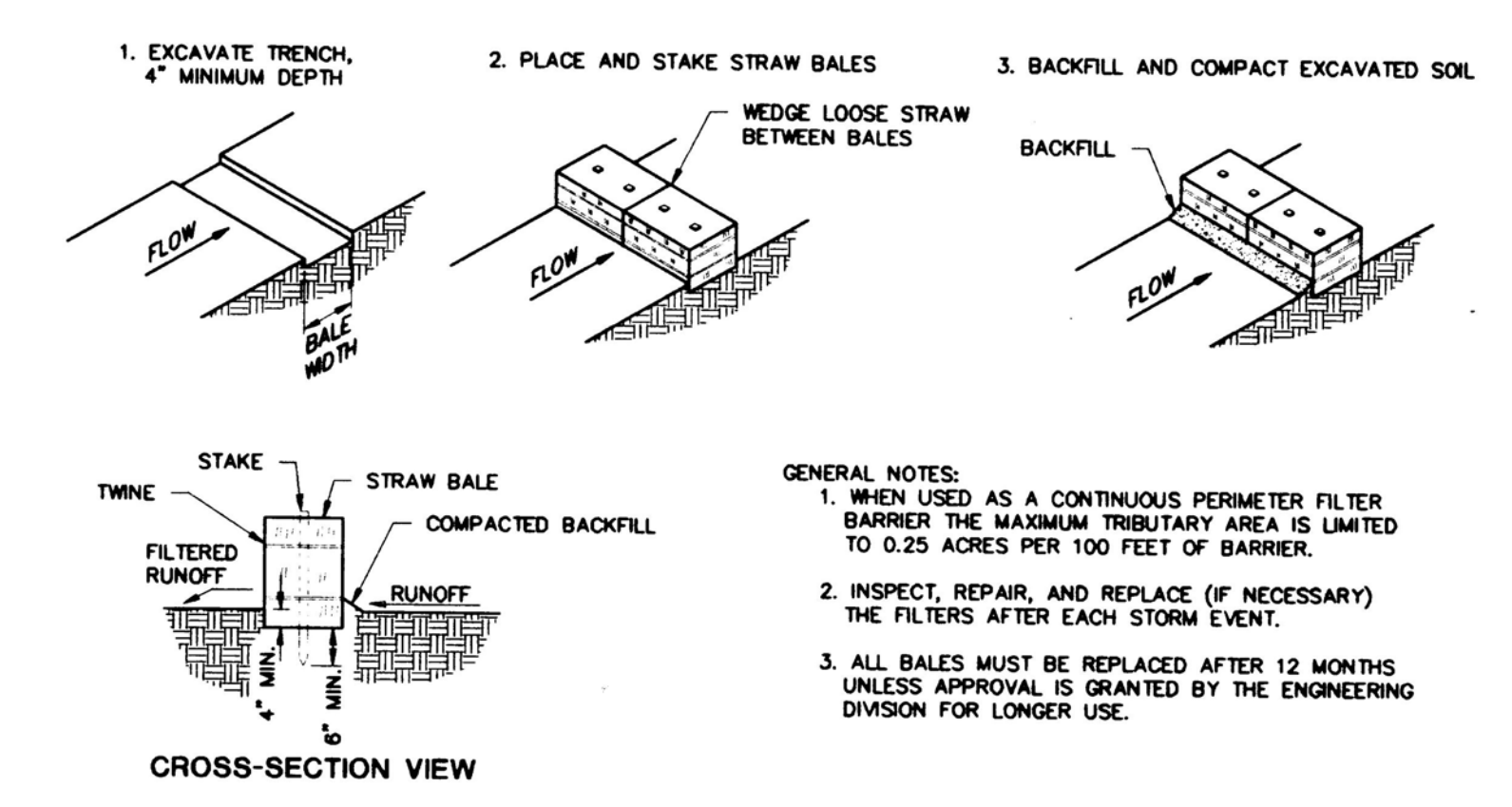
GENERAL NOTES:  
 1. INSPECT, REPAIR, AND REPLACE, (IF NECESSARY) THE FILTERS AFTER EACH STORM EVENT.  
 2. ALL BALES MUST BE REPLACED AFTER 12 MONTHS UNLESS APPROVAL IS GRANTED BY THE ENGINEERING DIVISION FOR LONGER USE.

EROSION BALE CHECK DAM



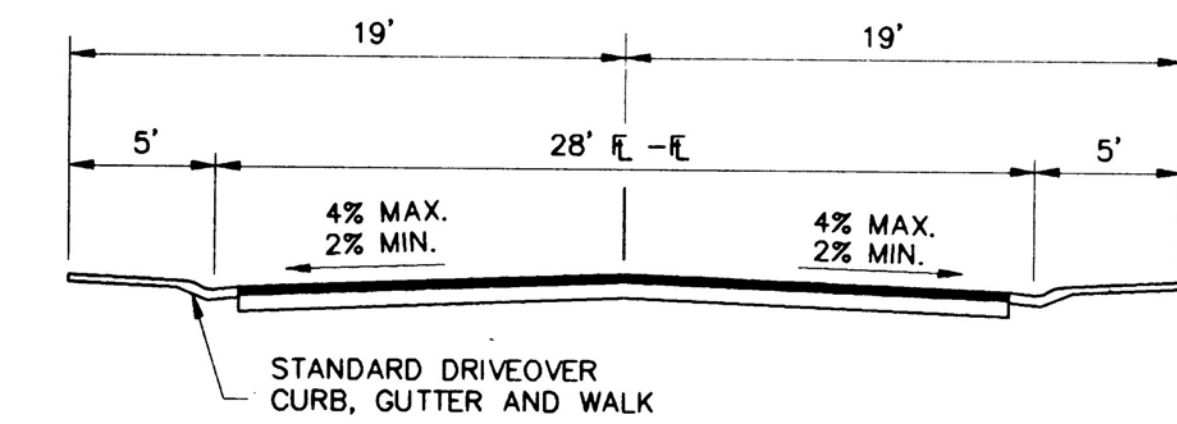
GENERAL NOTES:  
 1. INSPECT AND REPAIR FILTERS AFTER EACH STORM EVENT. REMOVE SEDIMENT WHEN ONE HALF OF THE FILTER DEPTH HAS BEEN FILLED. REMOVED SEDIMENT SHALL BE DEPOSITED IN AN AREA TRIBUTARY TO A SEDIMENT BASIN OR OTHER FILTERING MEASURE.  
 2. SEDIMENT AND GRAVEL SHALL BE IMMEDIATELY REMOVED FROM TRAVELED WAY OF ROADS.

EROSION CONTROL CURB INLET GRAVEL FILTER

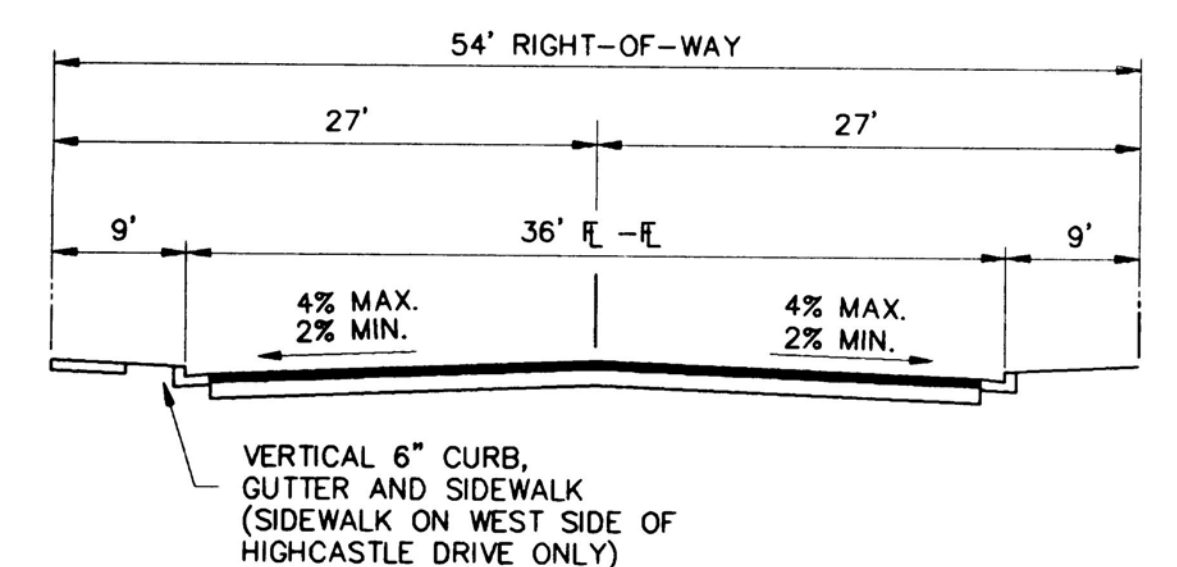


GENERAL NOTES:  
 1. WHEN USED AS A CONTINUOUS PERIMETER FILTER BARRIER THE MAXIMUM TRIBUTARY AREA IS LIMITED TO 0.25 ACRES PER 100 FEET OF BARRIER.  
 2. INSPECT, REPAIR, AND REPLACE (IF NECESSARY) THE FILTERS AFTER EACH STORM EVENT.  
 3. ALL BALES MUST BE REPLACED AFTER 12 MONTHS UNLESS APPROVAL IS GRANTED BY THE ENGINEERING DIVISION FOR LONGER USE.

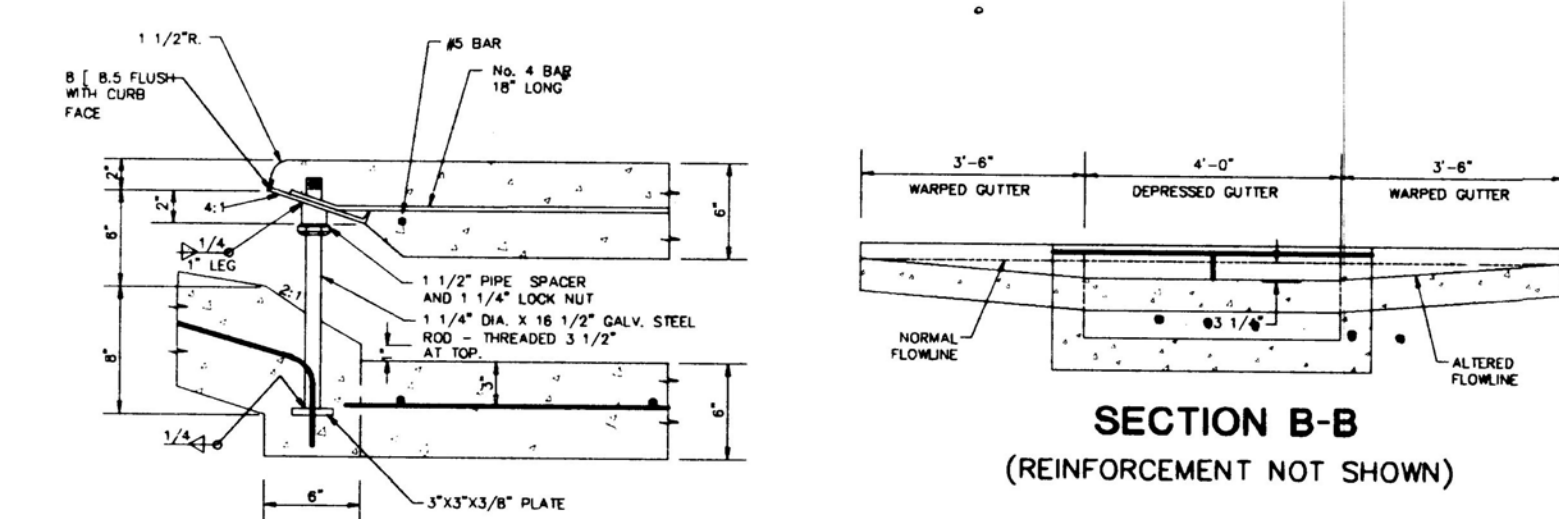
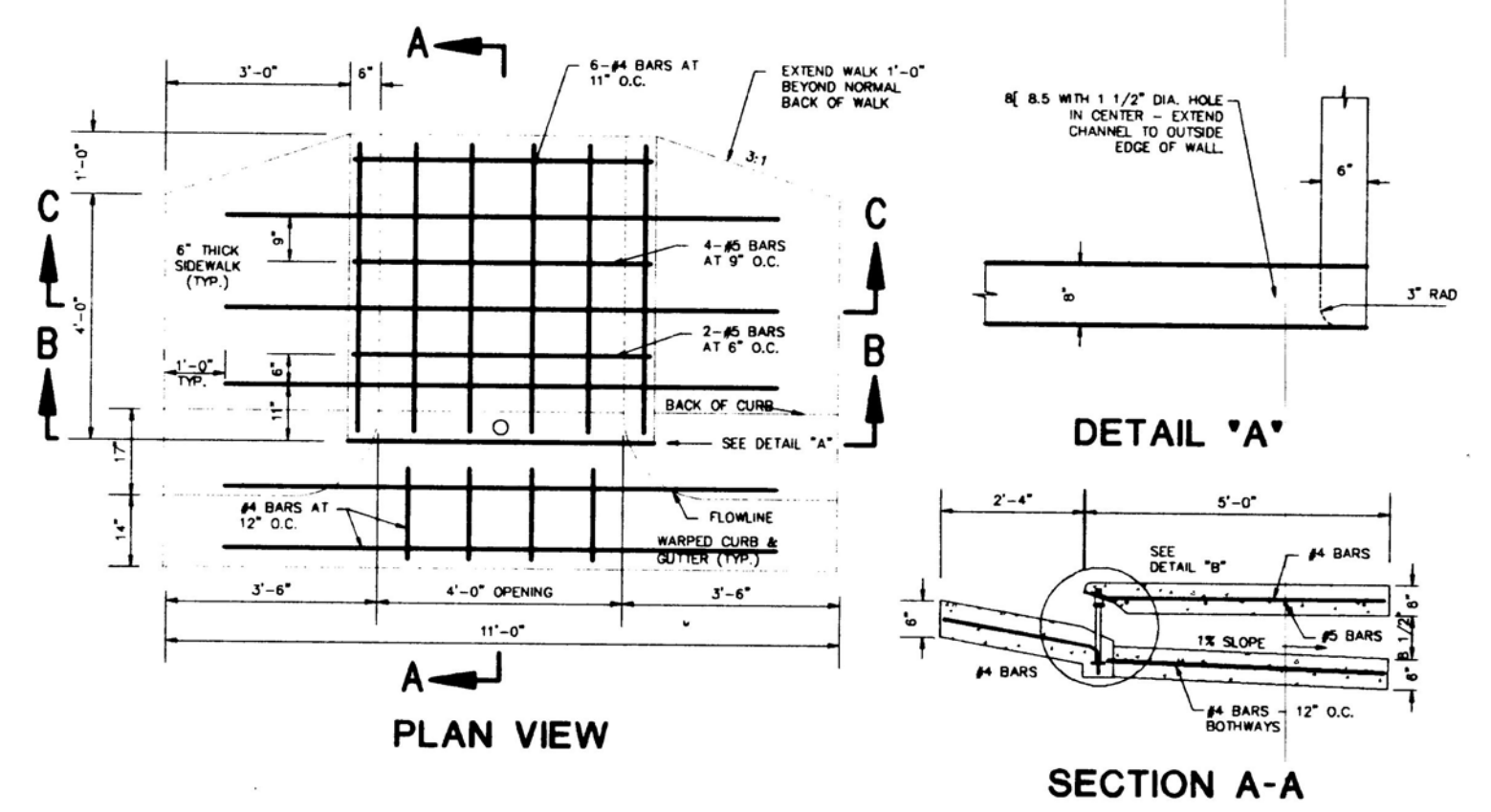
SEDIMENT COLLECTION BARRIER



TYPICAL SECTION PRIVATE DRIVE



TYPICAL SECTION LOCAL STREET HIGHCASTLE DRIVE



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.

CONCRETE SIDEWALK CULVERT FOR DRIVEOVER CURB, GUTTER AND WALK

GRADATION FOR FILTER MATERIAL

SEVE SIZE	% BY WEIGHT PASSING SQUARE MESH SIEVES	
	TYPE I (COOH CONCRETE SAND SPECIFICATION (AASHTO M6) SECTION 703.01)	TYPE II (COOH CLASS A, SECTION 703.09)
3"	...	90-100
1-1/2"	...	...
3/4"	...	20-90
3/8"	100	50-70
#4	95-100	0-20
#16	45-80	...
#50	10-30	...
#100	2-10	...
#200	0-2	0-3

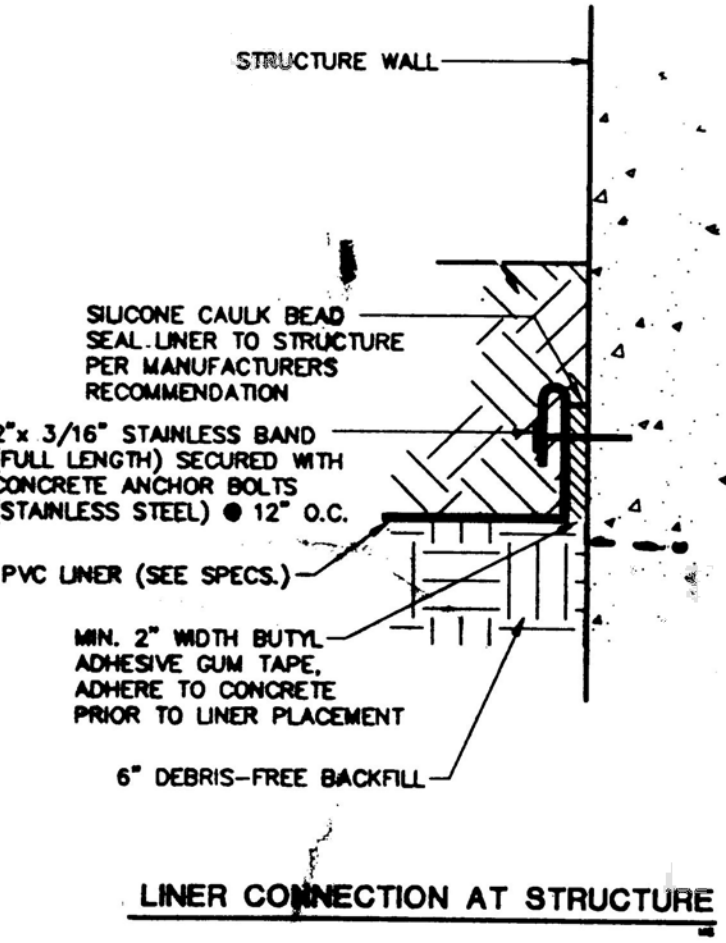
CLASSIFICATION AND GRADATION OF ORDINARY RIPRAP

RIPRAP DESIGNATION	% OF TOTAL WEIGHT SMALLER THAN THE GIVEN SIZE	STONE SIZE (IN POUNDS)	d50† (INCHES)
CLASS 6 ††	70-100	85	6
	50-70	35	
	25-50	10	
	2-10	<1	
CLASS 12	70-100	440	12
	50-70	275	
	25-50	85	
	2-10	5	
CLASS 18	100	1275	18
	50-70	655	
	25-50	275	
	2-10	10	
CLASS 24	100	3500	24
	50-70	1700	
	25-50	655	
	2-10	35	

†d50=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"



LINER CONNECTION AT STRUCTURE

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"



FORT COLLINS - LOVELAND WATER DISTRICT  
 SOUTH FORT COLLINS SANITATION DISTRICT  
**UTILITY PLAN APPROVAL**

APPROVED: *[Signature]*  
 DATE: 8-26-93  
 MANAGER

APPROVED: *[Signature]*  
 DATE: 8-26-93  
 SYSTEMS ENGINEER

City of Fort Collins, Colorado  
**UTILITY PLAN APPROVAL**

APPROVED: *[Signature]* Director of Engineering  
 DATE: *[Date]*

CHECKED BY: *[Signature]* Water & Wastewater Utility  
 DATE: *[Date]*

CHECKED BY: *[Signature]* Stormwater Utility  
 DATE: *[Date]*

CHECKED BY: *[Signature]* Parks & Recreation  
 DATE: *[Date]*

CHECKED BY: \_\_\_\_\_  
 DATE: \_\_\_\_\_

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: \_\_\_\_\_  
 DATE: AUG 1993 PROJECT NO: 504-004

**ESD Inc. Engineering Consultants**  
 209 South Midland Street Fort Collins, Colorado 80521 970 / 485-5932  
 2483 W. 26th Ave., Suite 130B, Bldg. B Denver, Colorado 80211 303 / 498-5535  
 458 So. Frontage Rd. West, # 202 W. Colorado 81657 303 / 476-8540

CASTLE RIDGE AT MIRAMONT P.U.D.  
 FIRST FILING

DETAILS

SHEETS	SHEET
15	15

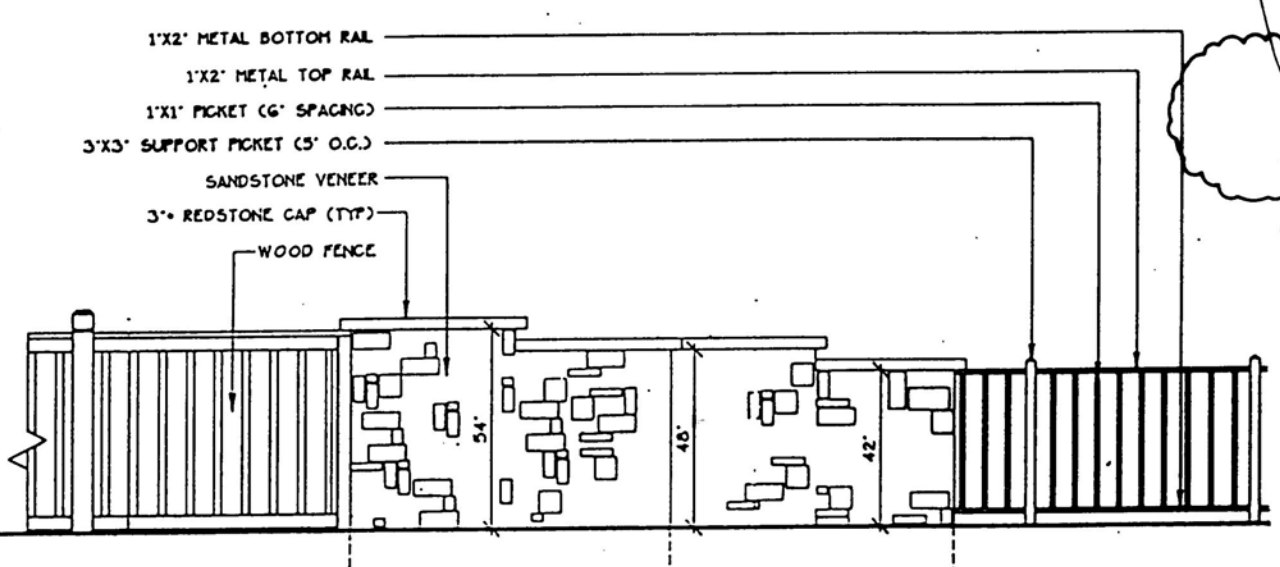
# **APPENDIX III**

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

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.

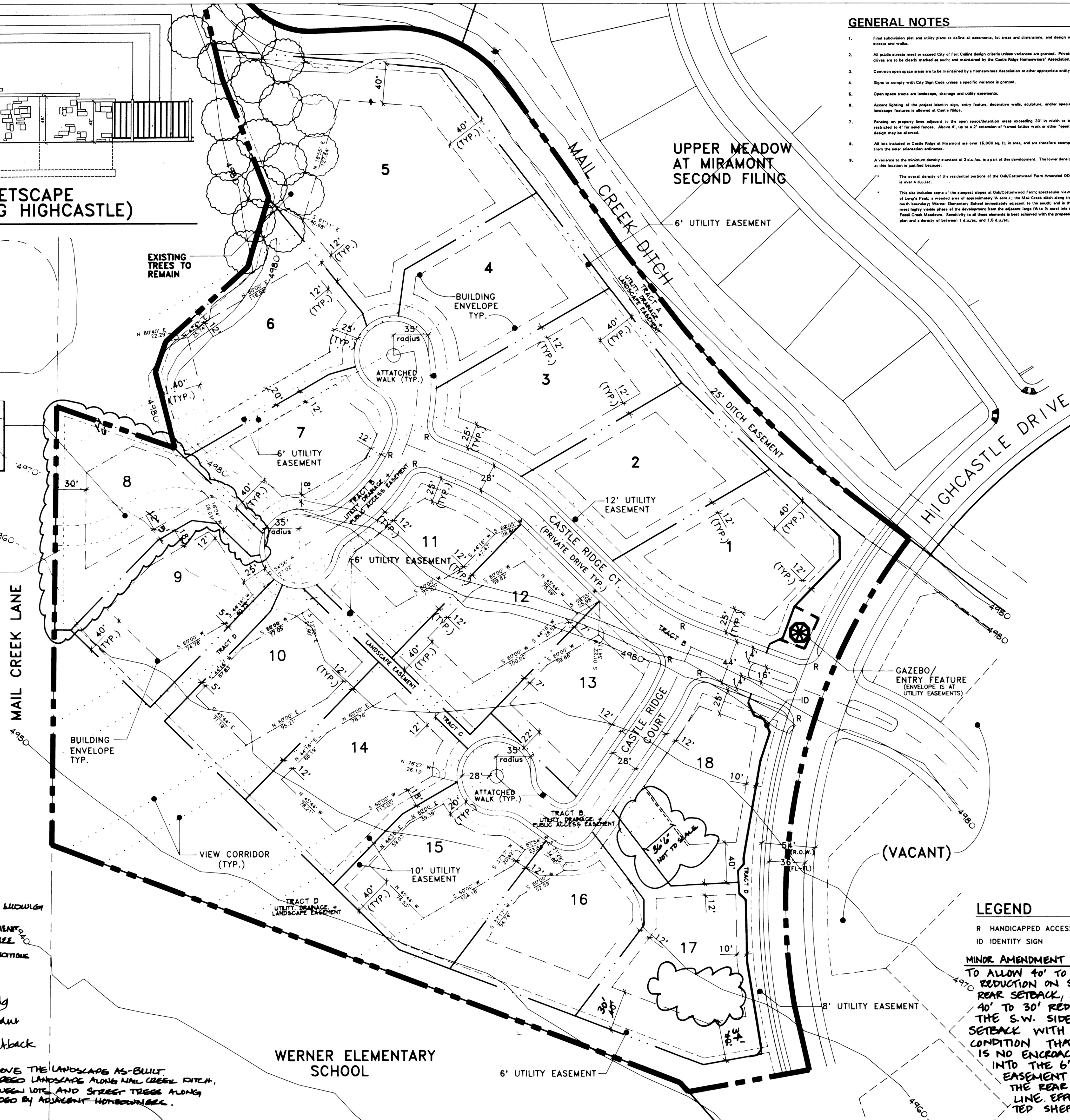
FOSSIL CREEK MEADOWS

ADMINISTRATIVE CHANGE ENLARGED SETBACK FROM 40' TO 30' 6\"/>

EFFECTIVE 10-1-07 MINOR AMENDMENT TO ALLOW SETBACK REDUCTION. SEE PLING FILE #54-873 FOR CONDITIONS OF APPROVAL. MIKE LUDWIG.

ADMIN CHANGE modify bldg envelopes Lots 8-10 Approved 10/8/04 Steve O'Hara w/land except where side lot easements exceed the setback

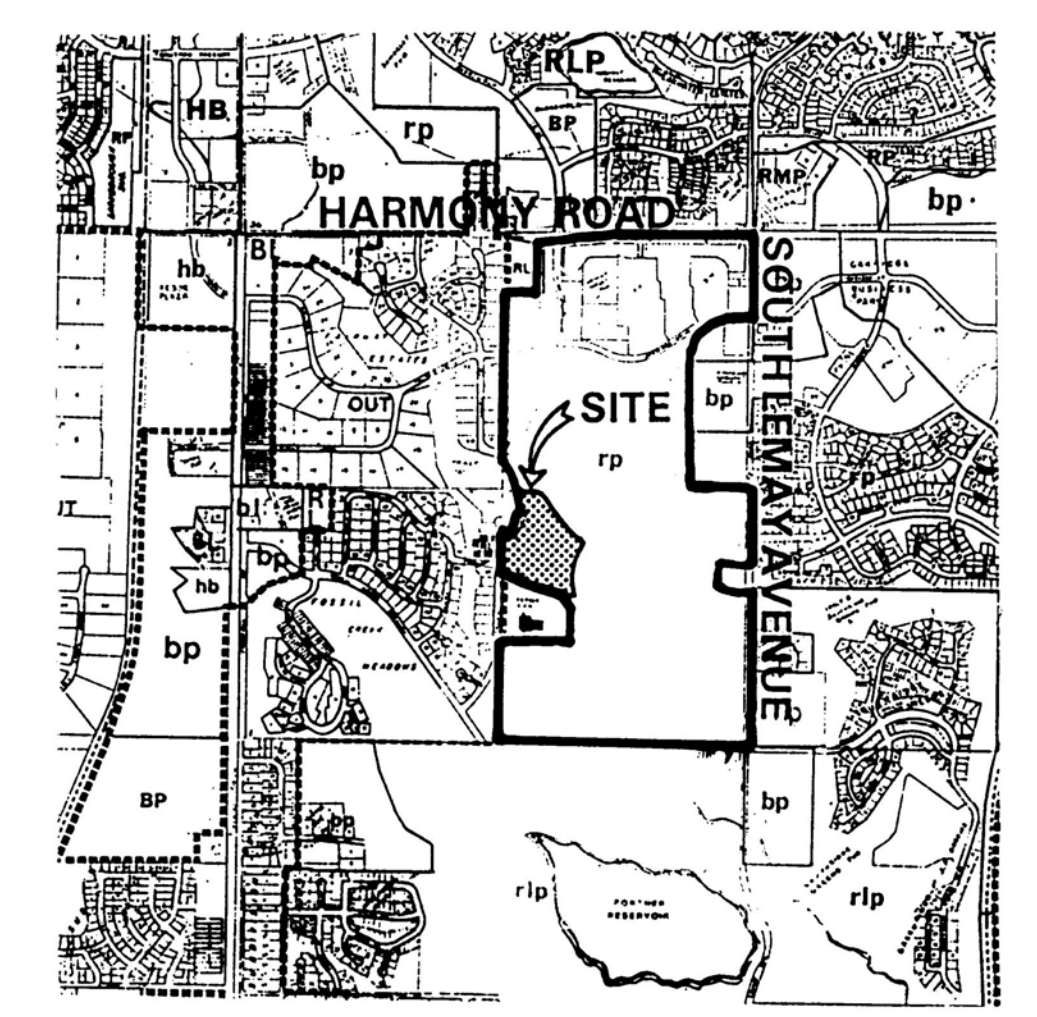
ADMINISTRATIVE CHANGE TO APPROVE THE LANDSCAPE AS-BUILT HOMEOWNERS & DEVELOPER HAVE AGREED LANDSCAPE ALONG MAIL CREEK DITCH, AND IN THE EAST-WEST STRIP BETWEEN LOTS AND STREET TREES ALONG PRIVATE DRIVEWAYS WILL BE PROVIDED BY ADJACENT HOMEOWNERS. EFFECTIVE 6/20/06



GENERAL NOTES

- Final subdivision plat and utility plans to define all easements, lot areas and dimensions, and design of streets and walks.
- 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.
- Common open space areas are to be maintained by a Homeowners Association or other appropriate entity.
- Signs to comply with City Sign Code unless a specific variance is granted.
- Open space areas are landscape, drainage and utility easements.
- Accent lighting of the project identity sign, entry feature, decorative walls, sculpture, and/or special landscape features is allowed at Castle Ridge.
- Fencing on property line adjacent to the main manufacturing area exceeding 30' in width to be restricted to 4' or solid fence. Above 4', up to a 2' extension of framed lattice work or other "open" design may be allowed.
- All lots included in Castle Ridge at Miramont are over 18,000 sq. ft. in area, and are therefore exempt from the solar orientation ordinance.
- A variance to the minimum density standard of 3 d.u./ac. is a part of this development. The lower density at the location is justified because:
  - The overall density of the residential portion of the OldCottonwood Farm Amended OCP is over 4 d.u./ac.
  - The site includes some of the steepest slopes at OldCottonwood Farm; spectacular views of Long's Peak, a wooded area of approximately 16 acres; the Mail Creek ditch along the north boundary; Werner Elementary School immediately adjacent to the south; and in the most highly visible phase of the development from the adjacent large (8 to 9 acre) lots in Fossil Creek Meadows. Sensitivity to all these elements is best achieved with the proposed plan and a density of between 1 d.u./ac. and 1.5 d.u./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\"/>

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\"/>

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	Green	888,283	sq. ft.	13.74	acres
Driveway Units	Net	860,646	sq. ft.	13.33	acres
Total Units	Single Family	18			
	Other	0			
	Total	18			
Density	Green			1.31	d.u./ac
	Net			1.38	d.u./ac
Coverage	Buildings	63,000	sq. ft.	10.63	%
	Street R.O.W.	17,817	sq. ft.	2.88	%
	Parking & Drive	78,778	sq. ft.	13.17	%
	Open Space				
	Common	108,370	sq. ft.	17.78	%
	Private	332,287	sq. ft.	56.66	%
	Total Open Space	440,657	sq. ft.	73.23	%
Flow Area	Residential	72,000	sq. ft.		
Parking Provided	Garages	38	spaces	2.00	/unit
	Other	12	spaces		
	Total	50	spaces	2.00	/unit
Notes:	Garage and/or driveway will accommodate handicapped, motorcycles, and blue parking				
Max. Building Height				40	ft.
Setbacks (unless otherwise noted)	Front			26	ft.
	Side			12	ft.
	Corner Side			12	ft.
	Rear			40	ft.

SIGNATURE BLOCK

This is to certify that, on the 23rd day of July, 1993, the undersigned parties are sole owners of record of the real property described in the above site plan as contained in C.A.S. 31-23-11, and consent to the development of said property as shown according to said plan.

*Michael S. Gage*  
 Name: OAK FARM SUB  
 4555 LAMAR BLVD #1100  
 FORT COLLINS, CO 80525

*Angie Johnston Clark*  
 Secretary of Fairway and Long State

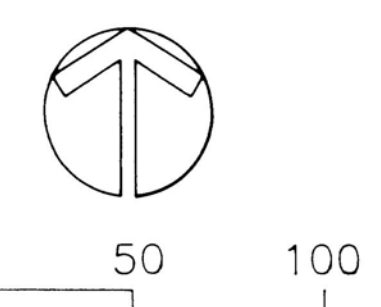
Cityscape  
 urban design, inc.  
 3555 Stanford Road, Suite 105  
 Fort Collins, Colorado 80525  
 (970) 226-4074

Castle Ridge at Miramont PRELIMINARY & FINAL SITE PLAN

LEGEND

- R HANDICAPPED ACCESS RAMP
- ID IDENTITY SIGN

MINOR AMENDMENT APPROVED TO ALLOW 40' TO 30' 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



ACAD FILE: 717751  
 PROJECT NO. 7177  
 SCALE: 1"=50'

DATE OF PREPARATION: 6-07-93

REVISIONS:

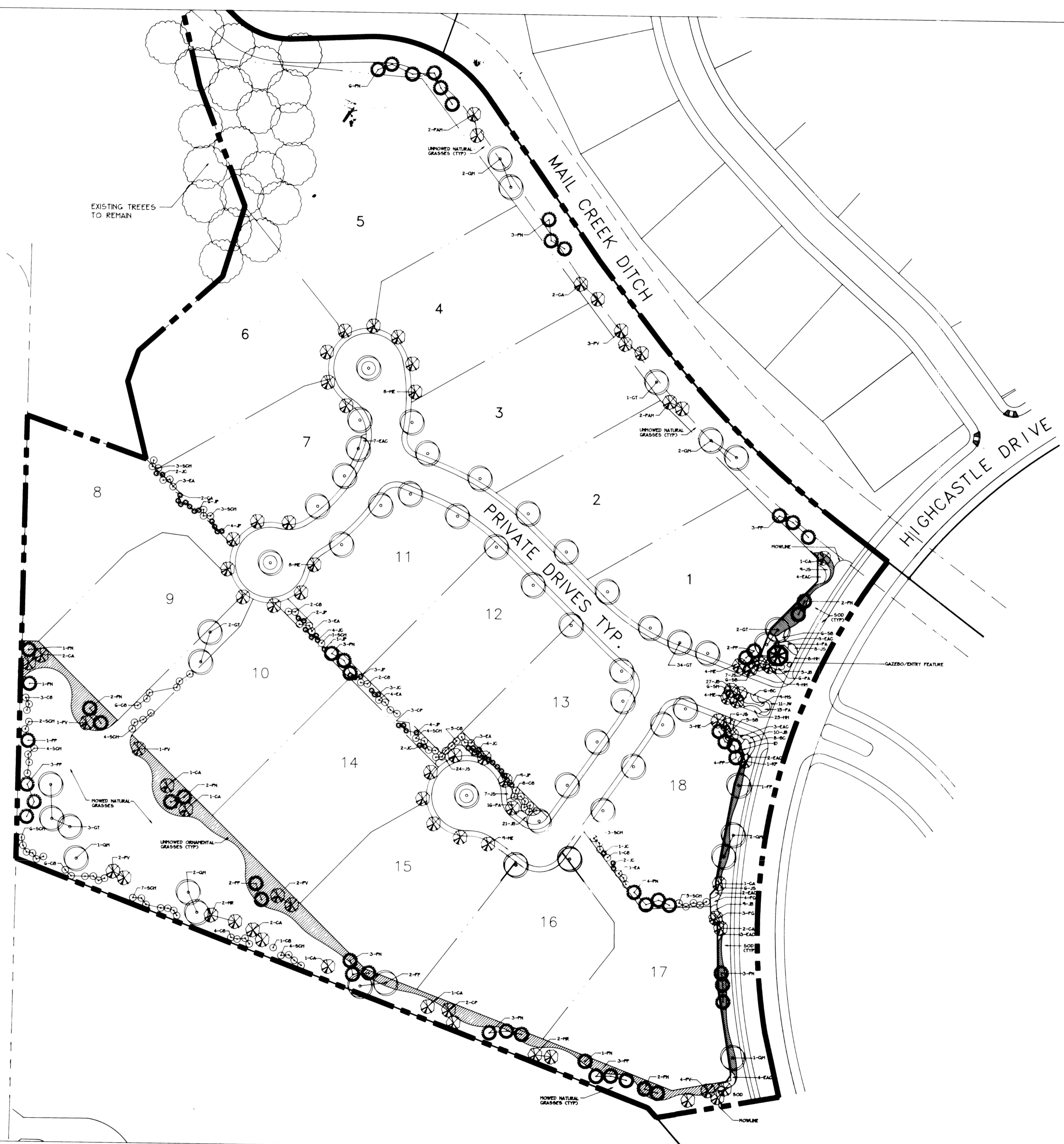
DATE	DESCRIPTION	BY
7-7-93	CITY COMMITTEE	SM

SHEET NO. 1 OF 2

C-110 1818



C-110 1818



### PLANT LIST

KEY	BOTANICAL NAME	COMMON NAME	SIZE	QUANTITY
<b>DECIDUOUS TREES</b>				
FP	<i>Fraxinus pennsylvanica</i> 'Marshall's Seedless'	Marshall's Seedless Green Ash	2" Cal.	3
GT	<i>Gleditsia triacanthos</i> inermis 'Shademaster'	Shademaster Honeylocust	2" Cal.	42
QM	<i>Quercus macrocarpa</i>	Burr Oak	2" Cal.	10
<b>ORNAMENTAL TREES</b>				
CA	<i>Crataegus ambigua</i>	Russian Hawthorn	1 1/2" Cal.	16
CP	<i>Crataegus phaenopynum</i>	Washington Hawthorn	1 1/2" Cal.	5
KP	<i>Koelreuteria paniculata</i>	Golden Rain Tree	15 Gal. Clump	1
MB	<i>Malus sp.</i> 'Brandywine'	Brandywine Crabapple	1 1/2" Cal.	22
ME	<i>Malus sp.</i> 'Centurion'	Centurion Crabapple	1 1/2" Cal.	36
MR	<i>Malus sp.</i> 'Radiant'	Radiant Crabapple	1 1/2" Cal.	4
PAM	<i>Prunus americana</i>	American Plum	15 Gal. Clump	4
PV	<i>Prunus virginiana</i> 'Shubert'	Canada Red Chokecherry	1 1/2" Cal.	12
<b>DECIDUOUS SHRUBS</b>				
BC	<i>Berberis thunbergii</i> 'Crimson Pygmy'	Crimson Pygmy Berberry	5 Gal.	14
CB	<i>Caragana aborescens</i>	Siberian Peashrub	5 Gal.	38
EA	<i>Euonymus alata</i>	Burning Bush	5 Gal.	16
EAC	<i>Euonymus alata</i> 'Compacta'	Compact Burning Bush	5 Gal.	31
PA	<i>Cercopitopsis x clandonensis</i>	Blue Mist Spirea	5 Gal.	41
PG	<i>Prunus glandulosa</i>	Pink Flowering Almond	5 Gal.	7
SB	<i>Spiraea bumalda</i> 'Froebel'	Froebel Spirea	5 Gal.	17
SC	<i>Syringa mayeri</i>	Dwarf Korean Lilac	5 Gal.	6
SCH	<i>Syringa chinensis-rothmagenalis</i>	Chinese Lilac	5 Gal.	47
<b>CONIFEROUS TREES</b>				
PN	<i>Pinus nigra</i>	Austrian Pine	6-8' Ht.	36
PP	<i>Picea pungens</i>	Colorado Spruce	6-8' Ht.	18
<b>EVERGREEN SHRUBS</b>				
JB	<i>Juniperus sabina</i> 'Buffalo'	Buffalo Juniper	5 Gal.	17
JC	<i>Juniperus chinensis</i> 'Sea Green'	Sea Green Juniper	5 Gal.	64
JP	<i>Juniperus chinensis</i> 'Pfitzeriana Compact'	Compact Pfitzer Juniper	5 Gal.	28
JS	<i>Juniperus sabina</i> 'Scandia'	Scandia Juniper	5 Gal.	67
JW	<i>Juniperus horizontalis</i> 'Blue Chip'	Blue Chip Juniper	5 Gal.	11
<b>PERENNIALS</b>				
HH	<i>Hemerocallis</i> 'Red Magic'	Daylily	1 Gal.	42
MS	<i>Miscanthus sinensis</i> 'Gracillimus'	Maiden Grass	1 Gal.	9
<b>GRASSES</b>				
Native Grass Mixture: 30% Hard Fescue, 40% Chewings Fescue, 30% Creeping Red Fescue, 10% Limn Perennial Rye Sown at the rate of 10.5 lb/ae (drilled) or 21 lb/ae broadcast				
Ornamental Grasses: 20% Smooth Brome, 25% Little Bluestem, 35% Crested Wheatgrass, 20% Intermediate Wheatgrass Sown at the rate of 8 lb/ae				
Sod Grass: Fescue Sod: Blend of 3 of the following varieties: Rubble Jr., Meneah, Crow Out Source: Turf Master Sod Farms 493-8311 (Brian)				
Wildflowers: Knee-Hi Mixture sown at the rate of 10 lb/ae Oversowed with <i>Chrysanthemum maximum</i> at the rate of 2 lb/ae Source: Applewood Seed Co. (303) 431-6283				

### PLANT NOTES

- All plant materials shall be in accordance with AAN specifications for Number One Grade.
- 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 system.
- All trees to be balled & burlapped or containerized.
- All shrub beds to be mulched with pole shavings (3" average depth) on typer filter fabric.
- Edging between grass and shrub beds shall be 1/8" x 4" steel set level with top of sod.
- 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 mowed grass along Boardwalk Dr., and to facilitate walking through the open space.
- A tree 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.
- 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.
- Minor changes in species and plant locations may be made during construction. Overall quantity and quality to be consistent with approved plans.
- Landscape improvements in common open space areas to be provided with this development and maintained by Homeowners Association. Landscaping on individual lots as required by Master Protective Covenants is to be provided and maintained by the individual home owners.
- Sieves to be provided across streets as needed; if required, and encroachment permits will be obtained.
- The irrigation system should be adjusted to a low water requirement, based on the needs of selected plant material.
- 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.
- 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 stonford road, suite 105  
fort collins, colorado 80525  
(303)226-4074

# Castle Ridge

## at Miramont

PRELIMINARY & FINAL LANDSCAPE PLAN

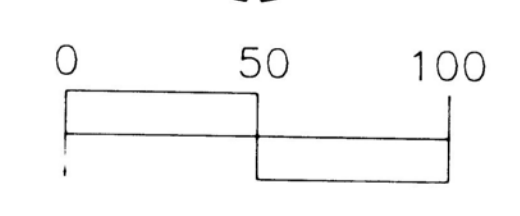
ACAD FILE: 7177S1  
PROJECT NO. 7177  
SCALE: 1"=50'

DATE OF PREPARATION: 6-07-93

REVISIONS:

DATE	DESCRIPTION	BY

SHEET NO. **2** OF **2**

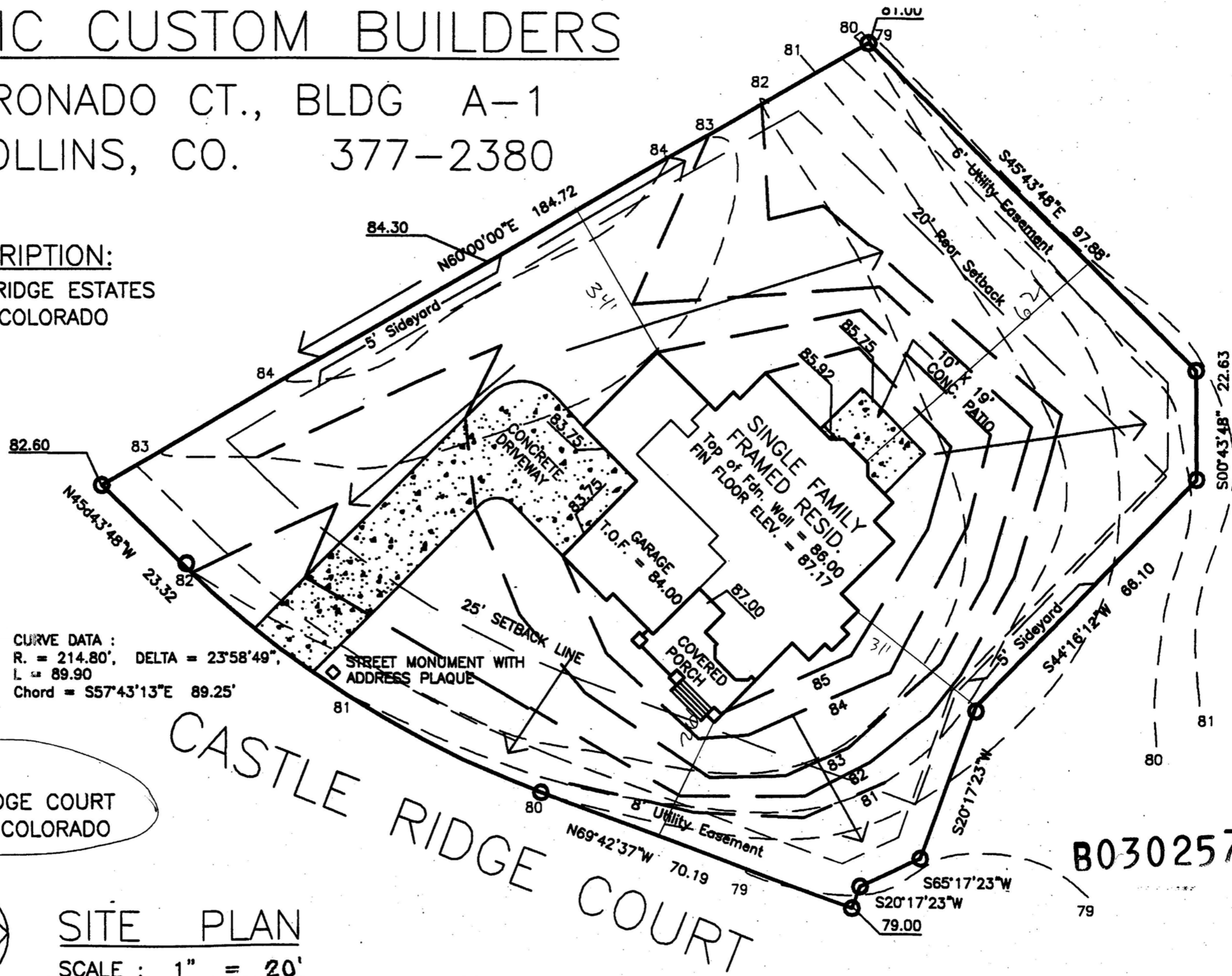


# CLASSIC CUSTOM BUILDERS

113 CORONADO CT., BLDG A-1  
FORT COLLINS, CO. 377-2380

## LEGAL DESCRIPTION:

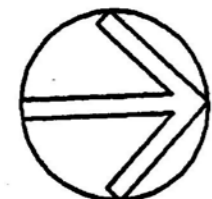
LOT 1 CASTLE RIDGE ESTATES  
FORT COLLINS, COLORADO



CURVE DATA :  
 R. = 214.80', DELTA = 23°58'49",  
 L = 89.90  
 Chord = S57°43'13"E 89.25'

ADDRESS :  
 642 CASTLE RIDGE COURT  
 FORT COLLINS, COLORADO

SF New  
 6-5-03



**SITE PLAN**  
 SCALE : 1" = 20'

**B0302575**



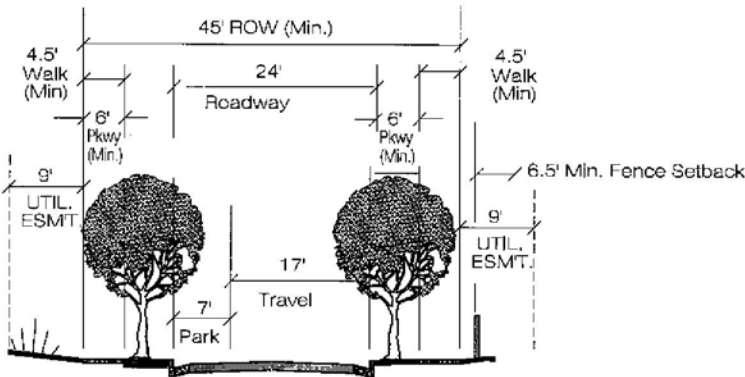
# **APPENDIX IV**

LCUASS Figure 7-10F; Narrow Residential Local Street

LCUASS Drawing 1607; Truncated Dome Warning for Access Ramp

Item 12.

# 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 accommodate 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 access 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:

DATE: 09/11/00

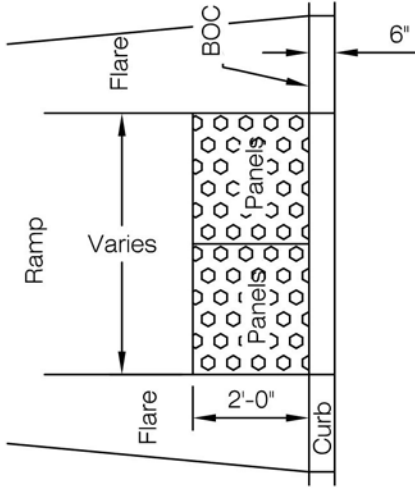
FIGURE

7-10F



Item 12.

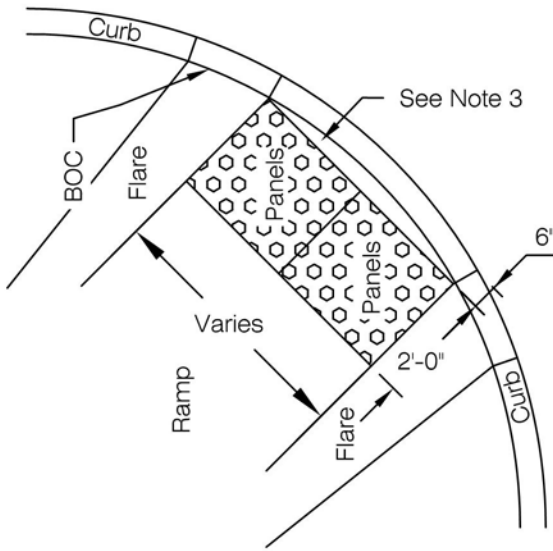
Center line of ramp  
 BOC-Back of Curb  
 FOC -Face of Curb  
 Flow line



Case 3-Mid-Block Ramps

Ramp Panel Width	Panel Width
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'

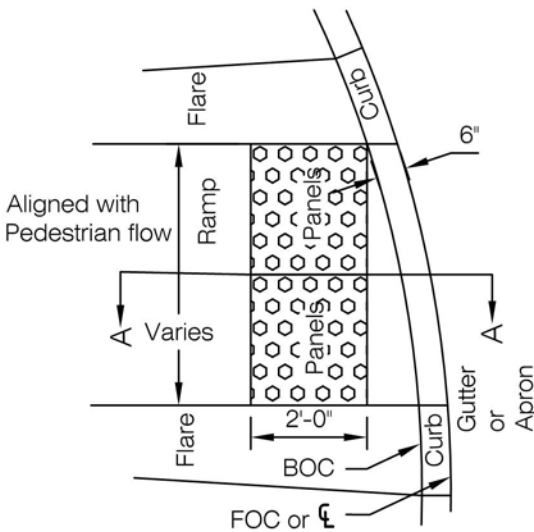
Note:  
 Truncated dome panels are available in 2'x2' squares and 2'x2.5' rectangles. Combine the widths to fit the ramp. Panels may be cut to no less than a 2'x1.5' size.



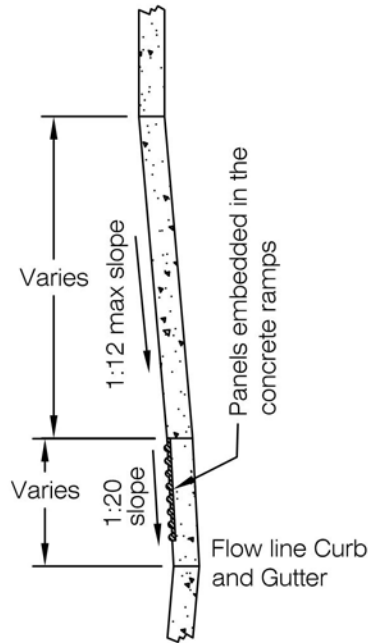
Case 2-Non-Directional Ramps

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.



Case 1-Directional Ramps



Section A-A (Center line of ramp)

NTS

NOT TO SCALE

TRUNCATED DOME WARNING FOR ACCESS RAMPS

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](mailto:sarah.carter@poudre-fire.org)  
 Cell: 970-290-6764 | Office: 970-416-2864  
[www.poudre-fire.org](http://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



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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](mailto:BBethuremHarras@fcgov.com)

---

**From:** Ruth Fleming <[ruth.e.fleming@gmail.com](mailto:ruth.e.fleming@gmail.com)>  
**Sent:** Friday, July 09, 2021 3:21 PM  
**To:** Brandy Bethurem Harras <[BBethuremHarras@fcgov.com](mailto:BBethuremHarras@fcgov.com)>; Kai Kleer <[kkleer@fcgov.com](mailto:kkleer@fcgov.com)>  
**Subject:** [EXTERNAL] 636 Castle Ridge Court

Mrs Ruth Fleming  
970-222-3323  
[ruth.e.fleming@gmail.com](mailto:ruth.e.fleming@gmail.com)

July 9th, 2021

Brandy Harras (Development Review Coordinator)  
[BBethuremHarras@fcgov.com](mailto:BBethuremHarras@fcgov.com)

Kai Kleer (City Planner and Coordinator)  
[kkleer@fcgov.com](mailto: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



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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](mailto: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](mailto: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](mailto: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



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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](mailto:kkleer@fcgov.com)
- [bbethuremharras@fcgov.com](mailto:bbethuremharras@fcgov.com)
- [devreviewcomments@fcgov.com](mailto:devreviewcomments@fcgov.com)
- [cityleaders@fcgov.com](mailto: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](http://www.faithproperty.com)  
 HOA Information [www.associationonline.com](http://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 5<sup>th</sup> 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/>

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**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

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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/>

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**From:** elee@elbdsn.com <elee@elbdsn.com>  
**Sent:** Friday, April 9, 2021 2:36 PM  
**To:** Kai Kleeer <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](mailto:elee@elbdsn.com)  
[www.elbdsn.com](http://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](mailto:kkleer@fcgov.com)

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**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.



Item 12.

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](mailto: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](#)

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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

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**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](mailto: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.**

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**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](mailto: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](mailto:pdauster@gjmlawfirm.com)



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Item 12.

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](mailto:debrae47@gmail.com)  
970-988-3638







Item 12.

ITEM 2, ATTACHMENT 1



Item 12.

ITEM 2, ATTACHMENT 16





Item 12.

ITEM 2, ATTACHMENT 16



**From:** [Sarah Carter](#)  
**To:** [btschwerin@gmail.com](mailto: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](mailto:sarah.carter@poudre-fire.org)  
 Cell: 970-290-6764 | Office: 970-416-2864  
[www.poudre-fire.org](http://www.poudre-fire.org)  
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**From:** Marcus Glasgow <[Marcus.Glasgow@poudre-fire.org](mailto:Marcus.Glasgow@poudre-fire.org)>  
**Sent:** Wednesday, January 12, 2022 10:28 AM  
**To:** Sarah Carter <[Sarah.Carter@poudre-fire.org](mailto: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](mailto:marcus.glasgow@poudre-fire.org)  
 Cell: 970-732-1701 | Office: 970-416-2869  
[www.poudre-fire.org](http://www.poudre-fire.org)



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**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

Item 12.

'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](mailto:sarah.carter@poudre-fire.org)  
 Cell: 970-290-6764 | Office: 970-416-2864  
[www.poudre-fire.org](http://www.poudre-fire.org)  
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**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](mailto: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](mailto:sarah.carter@poudre-fire.org)

Cell: 970-290-6764 | Office: 970-416-2864

[www.poudre-fire.org](http://www.poudre-fire.org)

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**From:** Marcus Glasgow <[Marcus.Glasgow@poudre-fire.org](mailto:Marcus.Glasgow@poudre-fire.org)>  
**Sent:** Monday, January 3, 2022 10:06 AM  
**To:** Sarah Carter <[Sarah.Carter@poudre-fire.org](mailto:Sarah.Carter@poudre-fire.org)>  
**Subject:** FW: [EXTERNAL] 636 Castle Ridge fire lane



**From:** Kurt Johnson <[kejlbj@yahoo.com](mailto:kejlbj@yahoo.com)>  
**Sent:** Wednesday, December 29, 2021 10:23 AM  
**To:** Marcus Glasgow <[Marcus.Glasgow@poudre-fire.org](mailto:Marcus.Glasgow@poudre-fire.org)>; Kai Kleer <[kkleer@fcgov.com](mailto: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  
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---

**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 putting 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



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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](#)

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**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://havenseniiorliving.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



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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

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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.



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**From:** Laurie Johnson <[lbjmom@comcast.net](mailto:lbjmom@comcast.net)>

**Sent:** Sunday, January 30, 2022 5:17 PM

**To:** Kai Kleer <[kkleer@fcgov.com](mailto:kkleer@fcgov.com)>; Marc Virata <[MVIRATA@fcgov.com](mailto:MVIRATA@fcgov.com)>; Steve Gilchrist <[sgilchrist@fcgov.com](mailto: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](#)

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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




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**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.



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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](mailto: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](#)

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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](#)

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**From:** Laurie Johnson <[bjmom@comcast.net](mailto:bjmom@comcast.net)>  
**Sent:** Friday, January 14, 2022 1:41 PM  
**To:** Kai Kleer <[kkleer@fcgov.com](mailto:kkleer@fcgov.com)>  
**Cc:** 'Kurt Johnson' <[kejlbj@yahoo.com](mailto: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?



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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

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**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



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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 oversight 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

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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](#)

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**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



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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](#)

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**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](mailto:devreviewcomments@fcgov.com)  
**cc to:**  
Brandy Harras, City of Fort Collins Development Review Coordinator  
[BBethuremHarras@fcgov.com](mailto:BBethuremHarras@fcgov.com)  
**cc to:**  
Eric Shenk, [eric.shenk@gmail.com](mailto:eric.shenk@gmail.com)  
Xioma Diaz, [peacockassistedliving@gmail.com](mailto:peacockassistedliving@gmail.com)  
**cc to:**  
Stephanie Hansen, [stephanie@ripleydesigninc.com](mailto:stephanie@ripleydesigninc.com)  
**FROM:**  
Lisa Whittington, [lisawhittington28@gmail.com](mailto: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 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.

Item 12.

Respectfully submitted,  
*Lisa Whittington*  
[lisawhittington28@gmail.com](mailto: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>

Item 12.

**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](mailto: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](#)

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**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



Item 12.

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](mailto:kkleer@fcgov.com)> wrote:

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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](mailto:traceyken@comcast.net)>

**Sent:** Thursday, January 06, 2022 8:48 PM

**To:** City Leaders <[CityLeaders@fcgov.com](mailto:CityLeaders@fcgov.com)>; Kai Kleer <[kkleer@fcgov.com](mailto:kkleer@fcgov.com)>; Alyssa Stephens <[astephens@fcgov.com](mailto:astephens@fcgov.com)>; Kurt Johnson <[kjlbj@yahoo.com](mailto:kjlbj@yahoo.com)>; Lawrence Mauch & Karen Kotecki <[kotecki\\_mauch@msn.com](mailto:kotecki_mauch@msn.com)>; Troy Tafoya <[troyt@pds-co.com](mailto:troyt@pds-co.com)>; Jesus Martin <[JESSIEMARTIN\\_2000@yahoo.com](mailto:JESSIEMARTIN_2000@yahoo.com)>; Steve Chacho <[schacho@aol.com](mailto:schacho@aol.com)>; Doug Salter <[doug.salter@woodward.com](mailto: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](mailto: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 your 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://havenseniiorliving.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](mailto: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](http://www.SenecaRAL.com)

On Tue, Feb 1, 2022 at 5:19 PM Kai Kleer <[kkleer@fcgov.com](mailto: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](mailto:kkleer@fcgov.com)

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**From:** [Alyssa Stephens](#)  
**To:** [TynBen@gmail.com](mailto: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  
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**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](mailto: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](#)

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**From:** T & B & ... <[tynben@gmail.com](mailto:tynben@gmail.com)>

**Sent:** Tuesday, November 16, 2021 12:30 PM

**To:** Kai Kleer <[kkleer@fcgov.com](mailto: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=%22FNL%22}%20&%20{LF:Name=%22\\*%22,%20Type=%22D%22}&cr=1](https://records.fcgov.com/WebLink/Search.aspx?dbid=0&searchcommand={LF:Basic%20~=%20%22PDP210012%22,%20option=%22FNL%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?

Item 12.

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](mailto: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](mailto:traceyken@comcast.net)>  
**Sent:** Monday, January 24, 2022 5:03 PM  
**To:** Kai Kleer <[kkleer@fcgov.com](mailto:kkleer@fcgov.com)>  
**Cc:** Alyssa Stephens <[astephens@fcgov.com](mailto:astephens@fcgov.com)>; Kurt Johnson <[kjlbj@yahoo.com](mailto:kjlbj@yahoo.com)>;  
Lawrence Mauch & Karen Kotecki <[kotecki\\_mauch@msn.com](mailto:kotecki_mauch@msn.com)>; Troy Tafoya  
<[troyt@pds-co.com](mailto:troyt@pds-co.com)>; Jesus Martin <[JESSIEMARTIN\\_2000@yahoo.com](mailto:JESSIEMARTIN_2000@yahoo.com)>; Steve Chacho  
<[schacho@aol.com](mailto:schacho@aol.com)>; Doug Salter <[doug.salter@woodward.com](mailto: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](mailto:kkleer@fcgov.com)> wrote:

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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](mailto:traceyken@comcast.net)>

**Sent:** Thursday, January 06, 2022 8:48 PM

**To:** City Leaders <[CityLeaders@fcgov.com](mailto:CityLeaders@fcgov.com)>; Kai Kleer <[kkleer@fcgov.com](mailto:kkleer@fcgov.com)>; Alyssa Stephens <[astephens@fcgov.com](mailto:astephens@fcgov.com)>; Kurt Johnson <[kjlbj@yahoo.com](mailto:kjlbj@yahoo.com)>; Lawrence Mauch & Karen Kotecki <[kotecki\\_mauch@msn.com](mailto:kotecki_mauch@msn.com)>; Troy Tafoya <[troyt@pds-co.com](mailto:troyt@pds-co.com)>; Jesus Martin <[JESSIEMARTIN\\_2000@yahoo.com](mailto:JESSIEMARTIN_2000@yahoo.com)>; Steve Chacho <[schacho@aol.com](mailto:schacho@aol.com)>; Doug Salter <[doug.salter@woodward.com](mailto: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](mailto: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://havenseniiorliving.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](mailto: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: 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: 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 27<sup>th</sup> 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](mailto:doug.salter@woodward.com)

[www.woodward.com](http://www.woodward.com)




---

**From:** Alyssa Stephens <astephens@fcgov.com>

**Sent:** Friday, November 19, 2021 5:21 PM

**To:** Doug Salter <[Doug.Salter@woodward.com](mailto:Doug.Salter@woodward.com)>; Kyle Stannert <[kstannert@fcgov.com](mailto:kstannert@fcgov.com)>; KEN PATRICK <[traceyken@comcast.net](mailto:traceyken@comcast.net)>; Lawrence Mauch & Karen Kotecki <[kotecki\\_mauch@msn.com](mailto:kotecki_mauch@msn.com)>; Jesus Martin <[JESSIEMARTIN\\_2000@yahoo.com](mailto:JESSIEMARTIN_2000@yahoo.com)>; Carrie Tafoya <[ctafoya@pds-co.com](mailto:ctafoya@pds-co.com)>; Steve Sunderman <[srsunde@aol.com](mailto:srsunde@aol.com)>; Steve Chacho <[schacho@aol.com](mailto:schacho@aol.com)>; kdapw2015@gmail.com

**Cc:** Kai Kleer <[kkleer@fcgov.com](mailto:kkleer@fcgov.com)>; Caryn M. Champine <[cchampine@fcgov.com](mailto:cchampine@fcgov.com)>; Paul S. Sizemore <[psizemore@fcgov.com](mailto: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

Item 12.

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 27<sup>th</sup>, and those notices would go out on January 6<sup>th</sup>.

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](mailto:Doug.Salter@woodward.com)>  
**Sent:** Sunday, November 14, 2021 8:18 PM  
**To:** Alyssa Stephens <[astephens@fcgov.com](mailto:astephens@fcgov.com)>; Kyle Stannert <[kstannert@fcgov.com](mailto:kstannert@fcgov.com)>; KEN PATRICK <[traceyken@comcast.net](mailto:traceyken@comcast.net)>; Lawrence Mauch & Karen Kotecki <[kotecki\\_mauch@msn.com](mailto:kotecki_mauch@msn.com)>; Jesus Martin <[JESSIEMARTIN\\_2000@yahoo.com](mailto:JESSIEMARTIN_2000@yahoo.com)>; Carrie Tafoya <[ctafoya@pds-co.com](mailto:ctafoya@pds-co.com)>; Steve Sunderman <[srsunde@aol.com](mailto:srsunde@aol.com)>; Steve Chacho <[schacho@aol.com](mailto:schacho@aol.com)>; [kdapw2015@gmail.com](mailto:kdapw2015@gmail.com)  
**Cc:** Kai Kleer <[kkleer@fcgov.com](mailto:kkleer@fcgov.com)>; Caryn M. Champine <[cchampine@fcgov.com](mailto:cchampine@fcgov.com)>; Paul S. Sizemore <[psizemore@fcgov.com](mailto:psizemore@fcgov.com)>; Julie Pignataro <[jpignataro@fcgov.com](mailto: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 2<sup>nd</sup> 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

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---

**From:** Alyssa Stephens <[astephens@fcgov.com](mailto:astephens@fcgov.com)>

**Sent:** Thursday, November 4, 2021 11:23 AM

**To:** Doug Salter <[Doug.Salter@woodward.com](mailto:Doug.Salter@woodward.com)>; Kyle Stannert <[kstannert@fcgov.com](mailto:kstannert@fcgov.com)>; KEN PATRICK <[traceyken@comcast.net](mailto:traceyken@comcast.net)>; Lawrence Mauch & Karen Kotecki <[kotecki\\_mauch@msn.com](mailto:kotecki_mauch@msn.com)>; Jesus Martin <[JESSIEMARTIN\\_2000@yahoo.com](mailto:JESSIEMARTIN_2000@yahoo.com)>; Carrie Tafoya <[ctafoya@pds-co.com](mailto:ctafoya@pds-co.com)>; Steve



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**Cc:** Kai Kleer <[kkleer@fcgov.com](mailto:kkleer@fcgov.com)>; Caryn M. Champine <[cchampine@fcgov.com](mailto:cchampine@fcgov.com)>; Paul S. Sizemore <[psizemore@fcgov.com](mailto:psizemore@fcgov.com)>; Julie Pignataro <[jpignataro@fcgov.com](mailto:jpignataro@fcgov.com)>  
**Subject:** [EXTERNAL] 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** <sup>MA</sup>  
Neighborhood Development Liaison  
City of Fort Collins Neighborhood Services  
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---

**From:** Doug Salter <[Doug.Salter@woodward.com](mailto:Doug.Salter@woodward.com)>  
**Sent:** Thursday, October 28, 2021 10:56 AM  
**To:** Alyssa Stephens <[astephens@fcgov.com](mailto:astephens@fcgov.com)>; Kyle Stannert <[kstannert@fcgov.com](mailto:kstannert@fcgov.com)>; KEN PATRICK <[traceyken@comcast.net](mailto:traceyken@comcast.net)>; Lawrence Mauch & Karen Kotecki <[kotecki\\_mauch@msn.com](mailto:kotecki_mauch@msn.com)>; Jesus Martin <[JESSIEMARTIN\\_2000@yahoo.com](mailto:JESSIEMARTIN_2000@yahoo.com)>; Carrie Tafoya <[ctafoya@pds-co.com](mailto:ctafoya@pds-co.com)>; Steve Sunderman <[srsunde@aol.com](mailto:srsunde@aol.com)>; Steve Chacho <[schacho@aol.com](mailto:schacho@aol.com)>; [kdapw2015@gmail.com](mailto:kdapw2015@gmail.com)  
**Cc:** Kai Kleer <[kkleer@fcgov.com](mailto:kkleer@fcgov.com)>; Caryn M. Champine <[cchampine@fcgov.com](mailto:cchampine@fcgov.com)>; Paul S. Sizemore <[psizemore@fcgov.com](mailto:psizemore@fcgov.com)>; Julie Pignataro <[jpignataro@fcgov.com](mailto: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**  
**Douglas W. Salter**  
Chief Technology Officer

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[www.woodward.com](http://www.woodward.com)




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**From:** Alyssa Stephens <[astephens@fcgov.com](mailto:astephens@fcgov.com)>  
**Sent:** Thursday, October 28, 2021 10:34 AM  
**To:** Kyle Stannert <[kstannert@fcgov.com](mailto:kstannert@fcgov.com)>; Doug Salter <[Doug.Salter@woodward.com](mailto:Doug.Salter@woodward.com)>; KEN PATRICK <[traceyken@comcast.net](mailto:traceyken@comcast.net)>; Lawrence Mauch & Karen Kotecki <[kotecki\\_mauch@msn.com](mailto:kotecki_mauch@msn.com)>; Jesus Martin <[JESSIEMARTIN\\_2000@yahoo.com](mailto:JESSIEMARTIN_2000@yahoo.com)>; Carrie Tafoya <[ctafoya@pds-co.com](mailto:ctafoya@pds-co.com)>; Steve Sunderman <[srsunde@aol.com](mailto:srsunde@aol.com)>; Steve Chacho <[schacho@aol.com](mailto:schacho@aol.com)>; [kdapw2015@gmail.com](mailto:kdapw2015@gmail.com)  
**Cc:** Kai Kleer <[kkleer@fcgov.com](mailto:kkleer@fcgov.com)>; Caryn M. Champine <[cchampine@fcgov.com](mailto:cchampine@fcgov.com)>; Paul S. Sizemore <[psizemore@fcgov.com](mailto: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  
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---

**From:** Kyle Stannert <[kstannert@fcgov.com](mailto:kstannert@fcgov.com)>  
**Sent:** Sunday, October 24, 2021 8:40 PM  
**To:** Doug Salter <[Doug.Salter@woodward.com](mailto:Doug.Salter@woodward.com)>; KEN PATRICK <[traceyken@comcast.net](mailto:traceyken@comcast.net)>; Lawrence Mauch & Karen Kotecki <[kotecki\\_mauch@msn.com](mailto:kotecki_mauch@msn.com)>; Jesus Martin <[JESSIEMARTIN\\_2000@yahoo.com](mailto:JESSIEMARTIN_2000@yahoo.com)>; Carrie Tafoya <[ctafoya@pds-co.com](mailto:ctafoya@pds-co.com)>; Steve Sunderman <[srsunde@aol.com](mailto:srsunde@aol.com)>; Steve Chacho <[schacho@aol.com](mailto:schacho@aol.com)>; [kdapw2015@gmail.com](mailto:kdapw2015@gmail.com)  
**Cc:** Kai Kleer <[kkleer@fcgov.com](mailto:kkleer@fcgov.com)>; Caryn M. Champine <[cchampine@fcgov.com](mailto:cchampine@fcgov.com)>; Paul S. Sizemore <[psizemore@fcgov.com](mailto:psizemore@fcgov.com)>; Alyssa Stephens <[astephens@fcgov.com](mailto: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](mailto:Doug.Salter@woodward.com)>  
**Sent:** Saturday, October 23, 2021 2:56 PM  
**To:** Kyle Stannert <[kstannert@fcgov.com](mailto:kstannert@fcgov.com)>; KEN PATRICK <[traceyken@comcast.net](mailto:traceyken@comcast.net)>; Lawrence Mauch & Karen Kotecki <[kotecki\\_mauch@msn.com](mailto:kotecki_mauch@msn.com)>; Jesus Martin <[JESSIEMARTIN\\_2000@yahoo.com](mailto:JESSIEMARTIN_2000@yahoo.com)>; Carrie Tafoya <[ctafoya@pds-co.com](mailto:ctafoya@pds-co.com)>; Steve Sunderman <[srsunde@aol.com](mailto:srsunde@aol.com)>; Steve Chacho <[schacho@aol.com](mailto:schacho@aol.com)>; [kdapw2015@gmail.com](mailto:kdapw2015@gmail.com)  
**Cc:** Kai Kleer <[kkleer@fcgov.com](mailto:kkleer@fcgov.com)>; Caryn M. Champine <[cchampine@fcgov.com](mailto:cchampine@fcgov.com)>; Paul S. Sizemore <[psizemore@fcgov.com](mailto: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](mailto:doug.salter@woodward.com)

[www.woodward.com](http://www.woodward.com)




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**From:** Kyle Stannert <[kstannert@fcgov.com](mailto:kstannert@fcgov.com)>

**Sent:** Wednesday, October 13, 2021 6:14 AM

**To:** KEN PATRICK <[traceyken@comcast.net](mailto:traceyken@comcast.net)>; Doug Salter <[Doug.Salter@woodward.com](mailto:Doug.Salter@woodward.com)>; Lawrence Mauch & Karen Kotecki <[kotecki\\_mauch@msn.com](mailto:kotecki_mauch@msn.com)>; Jesus Martin <[JESSIEMARTIN\\_2000@yahoo.com](mailto:JESSIEMARTIN_2000@yahoo.com)>; Carrie Tafoya <[ctafoya@pds-co.com](mailto:ctafoya@pds-co.com)>; Steve Sunderman <[srsunde@aol.com](mailto:srsunde@aol.com)>; Steve Chacho <[schacho@aol.com](mailto:schacho@aol.com)>; [kdapw2015@gmail.com](mailto:kdapw2015@gmail.com)

**Cc:** Kai Kleer <[kkleer@fcgov.com](mailto:kkleer@fcgov.com)>; Caryn M. Champine <[cchampine@fcgov.com](mailto:cchampine@fcgov.com)>; Paul S. Sizemore <[psizemore@fcgov.com](mailto: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 conversation. 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](#)

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**From:** KEN PATRICK <[traceyken@comcast.net](mailto:traceyken@comcast.net)>  
**Sent:** Monday, October 11, 2021 1:00 PM  
**To:** Kyle Stannert <[kstannert@fcgov.com](mailto:kstannert@fcgov.com)>; Doug Salter <[Doug.Salter@woodward.com](mailto:Doug.Salter@woodward.com)>; Lawrence Mauch & Karen Kotecki <[kotecki\\_mauch@msn.com](mailto:kotecki_mauch@msn.com)>; Jesus Martin <[JESSIFMARTIN\\_2000@yahoo.com](mailto:JESSIFMARTIN_2000@yahoo.com)>; Carrie Tafoya <[ctafoya@pds-co.com](mailto:ctafoya@pds-co.com)>; Steve Sunderman <[srsunde@aol.com](mailto:srsunde@aol.com)>; Steve Chacho <[schacho@aol.com](mailto:schacho@aol.com)>; [kdapw2015@gmail.com](mailto:kdapw2015@gmail.com)  
**Cc:** Kai Kleer <[kkleer@fcgov.com](mailto:kkleer@fcgov.com)>; Caryn M. Champine <[cchampine@fcgov.com](mailto:cchampine@fcgov.com)>; Paul S. Sizemore <[psizemore@fcgov.com](mailto: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](mailto:kstannert@fcgov.com)> wrote:



Good morning,

Alyssa confirmed that she remains available 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 available directly at [astephens@fcgov.com](mailto: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](#)

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**From:** Kyle Stannert  
**Sent:** Friday, October 8, 2021 6:58 AM  
**To:** Doug Salter <[Doug.Salter@woodward.com](mailto:Doug.Salter@woodward.com)>; KEN PATRICK <[traceyken@comcast.net](mailto:traceyken@comcast.net)>; Lawrence Mauch & Karen Kotecki <[kotecki\\_mauch@msn.com](mailto:kotecki_mauch@msn.com)>; Jesus Martin <[JESSIEMARTIN\\_2000@yahoo.com](mailto:JESSIEMARTIN_2000@yahoo.com)>; Carrie Tafoya <[ctafoya@pds-co.com](mailto:ctafoya@pds-co.com)>; Steve Sunderman <[srsunde@aol.com](mailto:srsunde@aol.com)>; Steve Chacho <[schacho@aol.com](mailto:schacho@aol.com)>; [kdapw2015@gmail.com](mailto: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](mailto:Doug.Salter@woodward.com)>  
**Sent:** Thursday, October 7, 2021 3:33 PM  
**To:** KEN PATRICK <[traceyken@comcast.net](mailto:traceyken@comcast.net)>; Kyle Stannert <[kstannert@fcgov.com](mailto:kstannert@fcgov.com)>;  
City Leaders <[CityLeaders@fcgov.com](mailto:CityLeaders@fcgov.com)>; Lawrence Mauch & Karen Kotecki  
<[kotecki\\_mauch@msn.com](mailto:kotecki_mauch@msn.com)>; Jesus Martin <[JESSIEMARTIN\\_2000@yahoo.com](mailto:JESSIEMARTIN_2000@yahoo.com)>; Carrie  
Tafoya <[ctafoya@pds-co.com](mailto:ctafoya@pds-co.com)>; Steve Sunderman <[srsunde@aol.com](mailto:srsunde@aol.com)>; Steve Chacho  
<[schacho@aol.com](mailto:schacho@aol.com)>  
**Cc:** [kdapw2015@gmail.com](mailto: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 elsewhere 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

**Woodward Inc.**

1081 Woodward Way, Fort Collins, CO 80524, USA

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[doug.salter@woodward.com](mailto:doug.salter@woodward.com)

[www.woodward.com](http://www.woodward.com)




---

**From:** KEN PATRICK <[traceyken@comcast.net](mailto:traceyken@comcast.net)>

**Sent:** Thursday, October 7, 2021 12:58 PM

**To:** Kyle Stannert <[kstannert@fcgov.com](mailto:kstannert@fcgov.com)>; [CityLeaders@fcgov.com](mailto:CityLeaders@fcgov.com); Doug Salter <[Doug.Salter@woodward.com](mailto:Doug.Salter@woodward.com)>; Lawrence Mauch & Karen Kotecki <[kotecki\\_mauch@msn.com](mailto:kotecki_mauch@msn.com)>; Jesus Martin <[JESSIEMARTIN\\_2000@yahoo.com](mailto:JESSIEMARTIN_2000@yahoo.com)>; Carrie Tafoya <[ctafoya@pds-co.com](mailto:ctafoya@pds-co.com)>; Steve Sunderman <[srsunde@aol.com](mailto:srsunde@aol.com)>; Steve Chacho <[schacho@aol.com](mailto: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](mailto: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 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](mailto: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](mailto: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](mailto:traceyken@comcast.net)>  
**Sent:** Tuesday, September 7, 2021 10:30 AM  
**To:** City Leaders <[CityLeaders@fcgov.com](mailto:CityLeaders@fcgov.com)>; Tammi Pusheck <[tpusheck@fcgov.com](mailto:tpusheck@fcgov.com)>; Tyler Marr <[tmarr@fcgov.com](mailto: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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Item 12.

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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](mailto: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:** Thursday, January 06, 2022 5:14:57 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image012.png](#)

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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  
Phone +1 970-498-3391, Mobile +1 970-481-4382

[doug.salter@woodward.com](mailto:doug.salter@woodward.com)

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**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](#)

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**From:** Doug Salter <[Doug.Salter@woodward.com](mailto:Doug.Salter@woodward.com)>  
**Sent:** Tuesday, January 4, 2022 9:15 AM  
**To:** Alyssa Stephens <[astephens@fcgov.com](mailto:astephens@fcgov.com)>; Kyle Stannert <[kstannert@fcgov.com](mailto:kstannert@fcgov.com)>; KEN PATRICK <[traceyken@comcast.net](mailto:traceyken@comcast.net)>; Lawrence Mauch & Karen Kotecki <[kotecki\\_mauch@msn.com](mailto:kotecki_mauch@msn.com)>; Jesus Martin <[JESSIEMARTIN\\_2000@yahoo.com](mailto:JESSIEMARTIN_2000@yahoo.com)>; Carrie Tafoya <[ctafoya@pds-co.com](mailto:ctafoya@pds-co.com)>; Steve Sunderman <[srsunde@aol.com](mailto:srsunde@aol.com)>; Steve Chacho <[schacho@aol.com](mailto:schacho@aol.com)>; [kdapw2015@gmail.com](mailto:kdapw2015@gmail.com)  
**Cc:** Kai Kleer <[kkleer@fcgov.com](mailto:kkleer@fcgov.com)>; Caryn M. Champine <[cchampine@fcgov.com](mailto:cchampine@fcgov.com)>; Paul S. Sizemore <[psizemore@fcgov.com](mailto: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 27<sup>th</sup> 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

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[doug.salter@woodward.com](mailto:doug.salter@woodward.com)[www.woodward.com](http://www.woodward.com)


---

**From:** Alyssa Stephens <[astephens@fcgov.com](mailto:astephens@fcgov.com)>  
**Sent:** Friday, November 19, 2021 5:21 PM  
**To:** Doug Salter <[Doug.Salter@woodward.com](mailto:Doug.Salter@woodward.com)>; Kyle Stannert <[kstannert@fcgov.com](mailto:kstannert@fcgov.com)>; KEN PATRICK <[traceyken@comcast.net](mailto:traceyken@comcast.net)>; Lawrence Mauch & Karen Kotecki <[kotecki\\_mauch@msn.com](mailto:kotecki_mauch@msn.com)>; Jesus Martin <[JESSIEMARTIN\\_2000@yahoo.com](mailto:JESSIEMARTIN_2000@yahoo.com)>; Carrie Tafoya <[ctafoya@pds-co.com](mailto:ctafoya@pds-co.com)>; Steve Sunderman <[srsunde@aol.com](mailto:srsunde@aol.com)>; Steve Chacho <[schacho@aol.com](mailto:schacho@aol.com)>; [kdapw2015@gmail.com](mailto:kdapw2015@gmail.com)  
**Cc:** Kai Kleer <[kkleer@fcgov.com](mailto:kkleer@fcgov.com)>; Caryn M. Champine <[cchampine@fcgov.com](mailto:cchampine@fcgov.com)>; Paul S. Sizemore <[psizemore@fcgov.com](mailto: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 23<sup>rd</sup>) 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 27<sup>th</sup>, and those notices would go out on January 6<sup>th</sup>.

I look forward to continuing this conversation, and hope that you have an enjoyable weekend.

Best,

Alyssa Stephens <sup>MA</sup>

Neighborhood Development Liaison

City of Fort Collins Neighborhood Services

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---

**From:** Doug Salter <[Doug.Salter@woodward.com](mailto:Doug.Salter@woodward.com)>  
**Sent:** Sunday, November 14, 2021 8:18 PM  
**To:** Alyssa Stephens <[astephens@fcgov.com](mailto:astephens@fcgov.com)>; Kyle Stannert <[kstannert@fcgov.com](mailto:kstannert@fcgov.com)>; KEN PATRICK <[traceyken@comcast.net](mailto:traceyken@comcast.net)>; Lawrence Mauch & Karen Kotecki <[kotecki\\_mauch@msn.com](mailto:kotecki_mauch@msn.com)>; Jesus Martin <[JESSIEMARTIN\\_2000@yahoo.com](mailto:JESSIEMARTIN_2000@yahoo.com)>; Carrie Tafoya <[ctafoya@pds-co.com](mailto:ctafoya@pds-co.com)>; Steve Sunderman <[srsunde@aol.com](mailto:srsunde@aol.com)>; Steve Chacho <[schacho@aol.com](mailto:schacho@aol.com)>; [kdapw2015@gmail.com](mailto:kdapw2015@gmail.com)  
**Cc:** Kai Kleer <[kkleer@fcgov.com](mailto:kkleer@fcgov.com)>; Caryn M. Champine <[cchampine@fcgov.com](mailto:cchampine@fcgov.com)>; Paul S. Sizemore <[psizemore@fcgov.com](mailto:psizemore@fcgov.com)>; Julie Pignataro <[jpignataro@fcgov.com](mailto: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 2<sup>nd</sup> 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](mailto:doug.salter@woodward.com)

[www.woodward.com](http://www.woodward.com)



---

**From:** Alyssa Stephens <[astephens@fcgov.com](mailto:astephens@fcgov.com)>  
**Sent:** Thursday, November 4, 2021 11:23 AM  
**To:** Doug Salter <[Doug.Salter@woodward.com](mailto:Doug.Salter@woodward.com)>; Kyle Stannert <[kstannert@fcgov.com](mailto:kstannert@fcgov.com)>; KEN PATRICK <[traceyken@comcast.net](mailto:traceyken@comcast.net)>; Lawrence Mauch & Karen Kotecki <[kotecki\\_mauch@msn.com](mailto:kotecki_mauch@msn.com)>; Jesus Martin <[JESSIEMARTIN\\_2000@yahoo.com](mailto:JESSIEMARTIN_2000@yahoo.com)>; Carrie Tafoya <[ctafoya@pds-co.com](mailto:ctafoya@pds-co.com)>; Steve Sunderman <[srsunde@aol.com](mailto:srsunde@aol.com)>; Steve Chacho <[schacho@aol.com](mailto:schacho@aol.com)>; [kdapw2015@gmail.com](mailto:kdapw2015@gmail.com)  
**Cc:** Kai Kleer <[kkleer@fcgov.com](mailto:kkleer@fcgov.com)>; Caryn M. Champine <[cchampine@fcgov.com](mailto:cchampine@fcgov.com)>; Paul S. Sizemore <[psizemore@fcgov.com](mailto:psizemore@fcgov.com)>; Julie Pignataro <[jpignataro@fcgov.com](mailto: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

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---

**From:** Doug Salter <[Doug.Salter@woodward.com](mailto:Doug.Salter@woodward.com)>  
**Sent:** Thursday, October 28, 2021 10:56 AM  
**To:** Alyssa Stephens <[astephens@fcgov.com](mailto:astephens@fcgov.com)>; Kyle Stannert <[kstannert@fcgov.com](mailto:kstannert@fcgov.com)>; KEN PATRICK <[traceyken@comcast.net](mailto:traceyken@comcast.net)>; Lawrence Mauch & Karen Kotecki <[kotecki\\_mauch@msn.com](mailto:kotecki_mauch@msn.com)>; Jesus Martin <[JESSIEMARTIN\\_2000@yahoo.com](mailto:JESSIEMARTIN_2000@yahoo.com)>; Carrie Tafoya <[ctafoya@pds-co.com](mailto:ctafoya@pds-co.com)>; Steve Sunderman <[srsunde@aol.com](mailto:srsunde@aol.com)>; Steve Chacho <[schacho@aol.com](mailto:schacho@aol.com)>; [kdapw2015@gmail.com](mailto:kdapw2015@gmail.com)  
**Cc:** Kai Kleer <[kkleer@fcgov.com](mailto:kkleer@fcgov.com)>; Caryn M. Champine <[cchampine@fcgov.com](mailto:cchampine@fcgov.com)>; Paul S. Sizemore <[psizemore@fcgov.com](mailto:psizemore@fcgov.com)>; Julie Pignataro <[jpignataro@fcgov.com](mailto: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**

**Douglas W. Salter**  
Chief Technology Officer

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[doug.salter@woodward.com](mailto:doug.salter@woodward.com)

[www.woodward.com](http://www.woodward.com)




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**From:** Alyssa Stephens <[astephens@fcgov.com](mailto:astephens@fcgov.com)>  
**Sent:** Thursday, October 28, 2021 10:34 AM  
**To:** Kyle Stannert <[kstannert@fcgov.com](mailto:kstannert@fcgov.com)>; Doug Salter <[Doug.Salter@woodward.com](mailto:Doug.Salter@woodward.com)>; KEN PATRICK <[traceyken@comcast.net](mailto:traceyken@comcast.net)>; Lawrence Mauch & Karen Kotecki <[kotecki\\_mauch@msn.com](mailto:kotecki_mauch@msn.com)>; Jesus Martin <[JESSIEMARTIN\\_2000@yahoo.com](mailto:JESSIEMARTIN_2000@yahoo.com)>; Carrie Tafoya <[ctafoya@pds-co.com](mailto:ctafoya@pds-co.com)>; Steve Sunderman <[srsunde@aol.com](mailto:srsunde@aol.com)>; Steve Chacho <[schacho@aol.com](mailto:schacho@aol.com)>; [kdapw2015@gmail.com](mailto:kdapw2015@gmail.com)  
**Cc:** Kai Kleer <[kkleer@fcgov.com](mailto:kkleer@fcgov.com)>; Caryn M. Champine <[cchampine@fcgov.com](mailto:cchampine@fcgov.com)>; Paul S. Sizemore <[psizemore@fcgov.com](mailto: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

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**From:** Kyle Stannert <[kstannert@fcgov.com](mailto:kstannert@fcgov.com)>  
**Sent:** Sunday, October 24, 2021 8:40 PM  
**To:** Doug Salter <[Doug.Salter@woodward.com](mailto:Doug.Salter@woodward.com)>; KEN PATRICK <[traceyken@comcast.net](mailto:traceyken@comcast.net)>; Lawrence Mauch & Karen Kotecki <[kotecki\\_mauch@msn.com](mailto:kotecki_mauch@msn.com)>; Jesus Martin <[JESSIEMARTIN\\_2000@yahoo.com](mailto:JESSIEMARTIN_2000@yahoo.com)>; Carrie Tafoya <[ctafoya@pds-co.com](mailto:ctafoya@pds-co.com)>; Steve Sunderman <[srsunde@aol.com](mailto:srsunde@aol.com)>; Steve Chacho <[schacho@aol.com](mailto:schacho@aol.com)>; [kdapw2015@gmail.com](mailto:kdapw2015@gmail.com)  
**Cc:** Kai Klear <[kkleer@fcgov.com](mailto:kkleer@fcgov.com)>; Caryn M. Champine <[cchampine@fcgov.com](mailto:cchampine@fcgov.com)>; Paul S. Sizemore <[psizemore@fcgov.com](mailto:psizemore@fcgov.com)>; Alyssa Stephens <[astephens@fcgov.com](mailto: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](mailto:Doug.Salter@woodward.com)>  
**Sent:** Saturday, October 23, 2021 2:56 PM  
**To:** Kyle Stannert <[kstannert@fcgov.com](mailto:kstannert@fcgov.com)>; KEN PATRICK <[traceyken@comcast.net](mailto: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](mailto: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.**  
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[doug.salter@woodward.com](mailto:doug.salter@woodward.com)

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**From:** Kyle Stannert <[kstannert@fcgov.com](mailto:kstannert@fcgov.com)>  
**Sent:** Wednesday, October 13, 2021 6:14 AM  
**To:** KEN PATRICK <[traceyken@comcast.net](mailto:traceyken@comcast.net)>; Doug Salter <[Doug.Salter@woodward.com](mailto:Doug.Salter@woodward.com)>; Lawrence Mauch & Karen Kotecki <[kotecki\\_mauch@msn.com](mailto:kotecki_mauch@msn.com)>; Jesus Martin <[JESSIEMARTIN\\_2000@yahoo.com](mailto:JESSIEMARTIN_2000@yahoo.com)>; Carrie Tafoya <[ctafoya@pds-co.com](mailto:ctafoya@pds-co.com)>; Steve Sunderman <[srsunde@aol.com](mailto:srsunde@aol.com)>; Steve Chacho <[schacho@aol.com](mailto:schacho@aol.com)>; [kdapw2015@gmail.com](mailto:kdapw2015@gmail.com)  
**Cc:** Kai Kleer <[kkleer@fcgov.com](mailto:kkleer@fcgov.com)>; Caryn M. Champine <[cchampine@fcgov.com](mailto:cchampine@fcgov.com)>; Paul S. Sizemore <[psizemore@fcgov.com](mailto: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 conversation. 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](mailto:traceyken@comcast.net)>  
**Sent:** Monday, October 11, 2021 1:00 PM  
**To:** Kyle Stannert <[kstannert@fcgov.com](mailto:kstannert@fcgov.com)>; Doug Salter <[Doug.Salter@woodward.com](mailto:Doug.Salter@woodward.com)>; Lawrence Mauch & Karen Kotecki <[kotecki\\_mauch@msn.com](mailto:kotecki_mauch@msn.com)>; Jesus Martin <[JESSIEMARTIN\\_2000@yahoo.com](mailto:JESSIEMARTIN_2000@yahoo.com)>; Carrie Tafoya <[ctafoya@pds-co.com](mailto:ctafoya@pds-co.com)>; Steve Sunderman <[srsunde@aol.com](mailto:srsunde@aol.com)>; Steve Chacho <[schacho@aol.com](mailto:schacho@aol.com)>; [kdapw2015@gmail.com](mailto:kdapw2015@gmail.com)  
**Cc:** Kai Kleer <[kkleer@fcgov.com](mailto:kkleer@fcgov.com)>; Caryn M. Champine <[cchampine@fcgov.com](mailto:cchampine@fcgov.com)>; Paul S. Sizemore <[psizemore@fcgov.com](mailto: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](mailto:kstannert@fcgov.com)> wrote:

Good morning,

Alyssa confirmed that she remains available 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 available directly at [astephens@fcgov.com](mailto: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](mailto:Doug.Salter@woodward.com)>; KEN PATRICK <[traceyken@comcast.net](mailto:traceyken@comcast.net)>; Lawrence Mauch & Karen Kotecki <[kotecki\\_mauch@msn.com](mailto:kotecki_mauch@msn.com)>; Jesus Martin <[JESSIEMARTIN\\_2000@yahoo.com](mailto:JESSIEMARTIN_2000@yahoo.com)>; Carrie Tafoya <[ctafoya@pds-co.com](mailto:ctafoya@pds-co.com)>; Steve Sunderman <[srsunde@aol.com](mailto:srsunde@aol.com)>; Steve Chacho <[schacho@aol.com](mailto:schacho@aol.com)>; [kdapw2015@gmail.com](mailto: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](mailto:Doug.Salter@woodward.com)>  
**Sent:** Thursday, October 7, 2021 3:33 PM  
**To:** KEN PATRICK <[traceyken@comcast.net](mailto:traceyken@comcast.net)>; Kyle Stannert <[kstannert@fcgov.com](mailto:kstannert@fcgov.com)>; City Leaders <[CityLeaders@fcgov.com](mailto:CityLeaders@fcgov.com)>; Lawrence Mauch & Karen Kotecki <[kotecki\\_mauch@msn.com](mailto:kotecki_mauch@msn.com)>; Jesus Martin <[JESSIEMARTIN\\_2000@yahoo.com](mailto:JESSIEMARTIN_2000@yahoo.com)>; Carrie Tafoya <[ctafoya@pds-co.com](mailto:ctafoya@pds-co.com)>; Steve Sunderman <[srsunde@aol.com](mailto:srsunde@aol.com)>; Steve Chacho <[schacho@aol.com](mailto:schacho@aol.com)>  
**Cc:** [kdapw2015@gmail.com](mailto: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 elsewhere 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

**Woodward Inc.**  
1081 Woodward Way, Fort Collins, CO 80524, USA  
Phone +1 970-498-3391, Mobile +1 970-481-4382

[doug.salter@woodward.com](mailto:doug.salter@woodward.com)

[www.woodward.com](http://www.woodward.com)





**From:** KEN PATRICK <[traceyken@comcast.net](mailto:traceyken@comcast.net)>  
**Sent:** Thursday, October 7, 2021 12:58 PM  
**To:** Kyle Stannert <[kstannert@fcgov.com](mailto:kstannert@fcgov.com)>;  
[CityLeaders@fcgov.com](mailto:CityLeaders@fcgov.com); Doug Salter  
<[Doug.Salter@woodward.com](mailto:Doug.Salter@woodward.com)>; Lawrence Mauch & Karen Kotecki  
<[kotecki\\_mauch@msn.com](mailto:kotecki_mauch@msn.com)>; Jesus Martin  
<[JESSIEMARTIN\\_2000@yahoo.com](mailto:JESSIEMARTIN_2000@yahoo.com)>; Carrie Tafoya  
<[ctafoya@pds-co.com](mailto:ctafoya@pds-co.com)>; Steve Sunderman <[srsunde@aol.com](mailto:srsunde@aol.com)>;  
Steve Chacho <[schacho@aol.com](mailto: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](mailto: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](mailto: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](mailto: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](mailto:traceyken@comcast.net)>  
**Sent:** Tuesday, September 7, 2021 10:30 AM  
**To:** City Leaders  
<[CityLeaders@fcgov.com](mailto:CityLeaders@fcgov.com)>; Tammi Pusheck <[tpusheck@fcgov.com](mailto:tpusheck@fcgov.com)>; Tyler Marr <[tmarr@fcgov.com](mailto: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](#)

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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.

Item 12.

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](mailto:sgilchrist@fcgov.com)

---

**From:** Brandy Bethurem Harras <[BBethuremHarras@fcgov.com](mailto:BBethuremHarras@fcgov.com)>  
**Sent:** Wednesday, August 18, 2021 2:06 PM  
**To:** Alyssa Stephens <[astephens@fcgov.com](mailto:astephens@fcgov.com)>  
**Cc:** Steve Gilchrist <[sgilchrist@fcgov.com](mailto: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](mailto:BBethuremHarras@fcgov.com)

---

**From:** Troy Tafoya <[troyt@pds-co.com](mailto:troyt@pds-co.com)>  
**Sent:** Wednesday, August 18, 2021 1:57 PM  
**To:** Steve Gilchrist <[sgilchrist@fcgov.com](mailto:sgilchrist@fcgov.com)>  
**Cc:** Brandy Bethurem Harras <[BBethuremHarras@fcgov.com](mailto: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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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](http://fcgov.com)

June 30, 2021

Michelle Pinkowski  
 Delivered via email to:  
[michelle@pinkowskilaw.com](mailto: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.





Item 12.

- 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,

A handwritten signature in blue ink, appearing to read "Paul Sizemore".

Paul Sizemore  
Director of Community Development and Neighborhood Services



## Castle Ridge Group Home – Project Development Plan

Planning & Zoning Commission Hearing – 03.23.22





- 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.



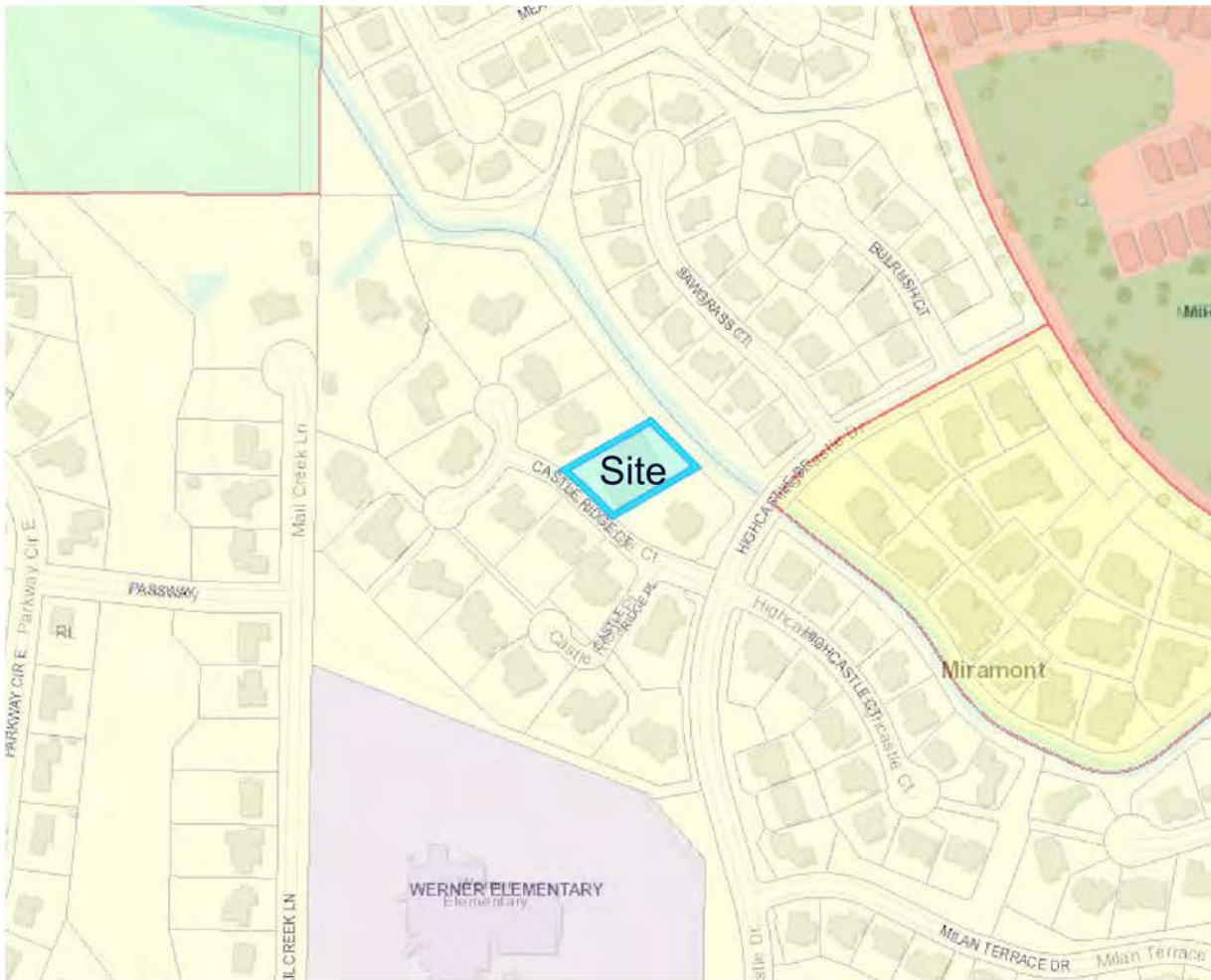


## Process

- 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

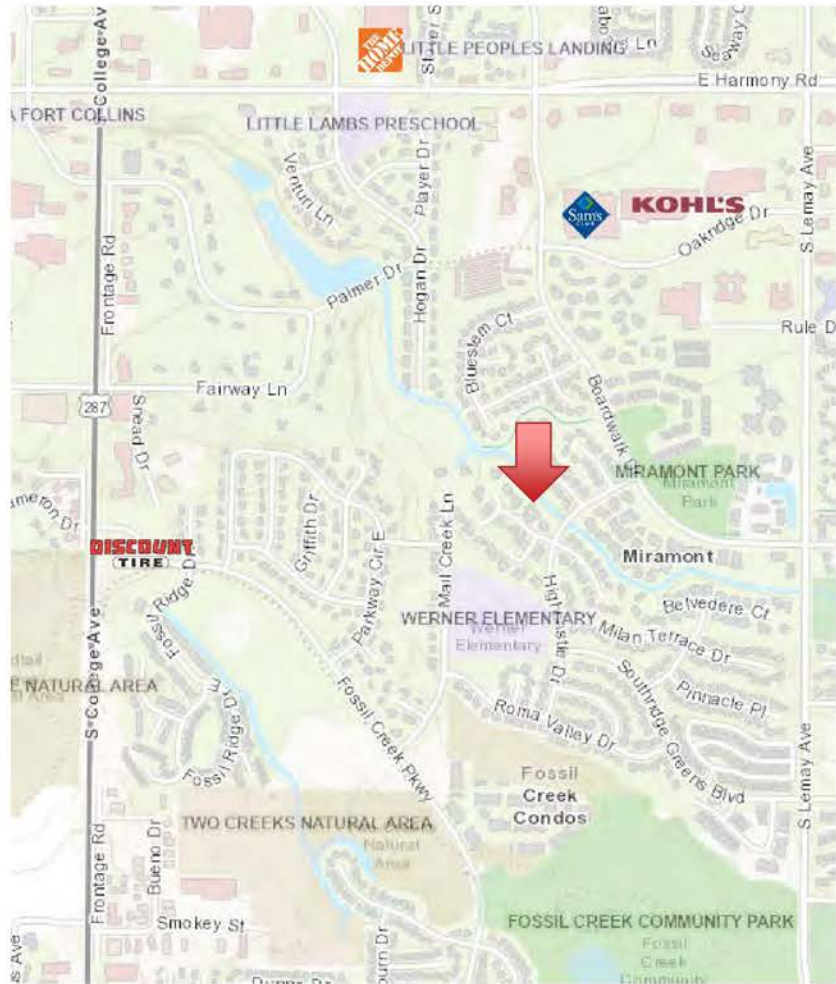
## Evaluation Criteria

- 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.



- 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









- 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 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).**

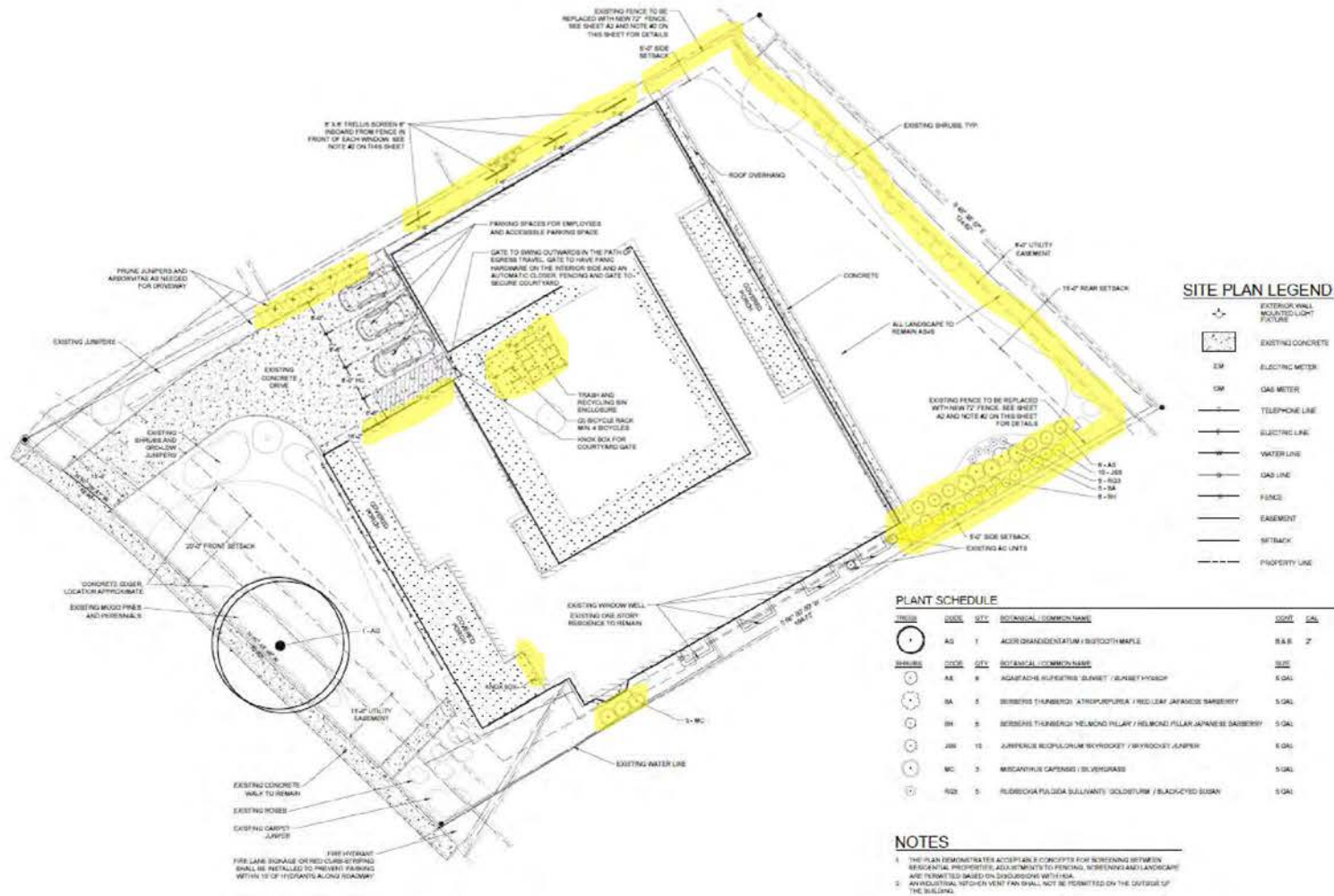


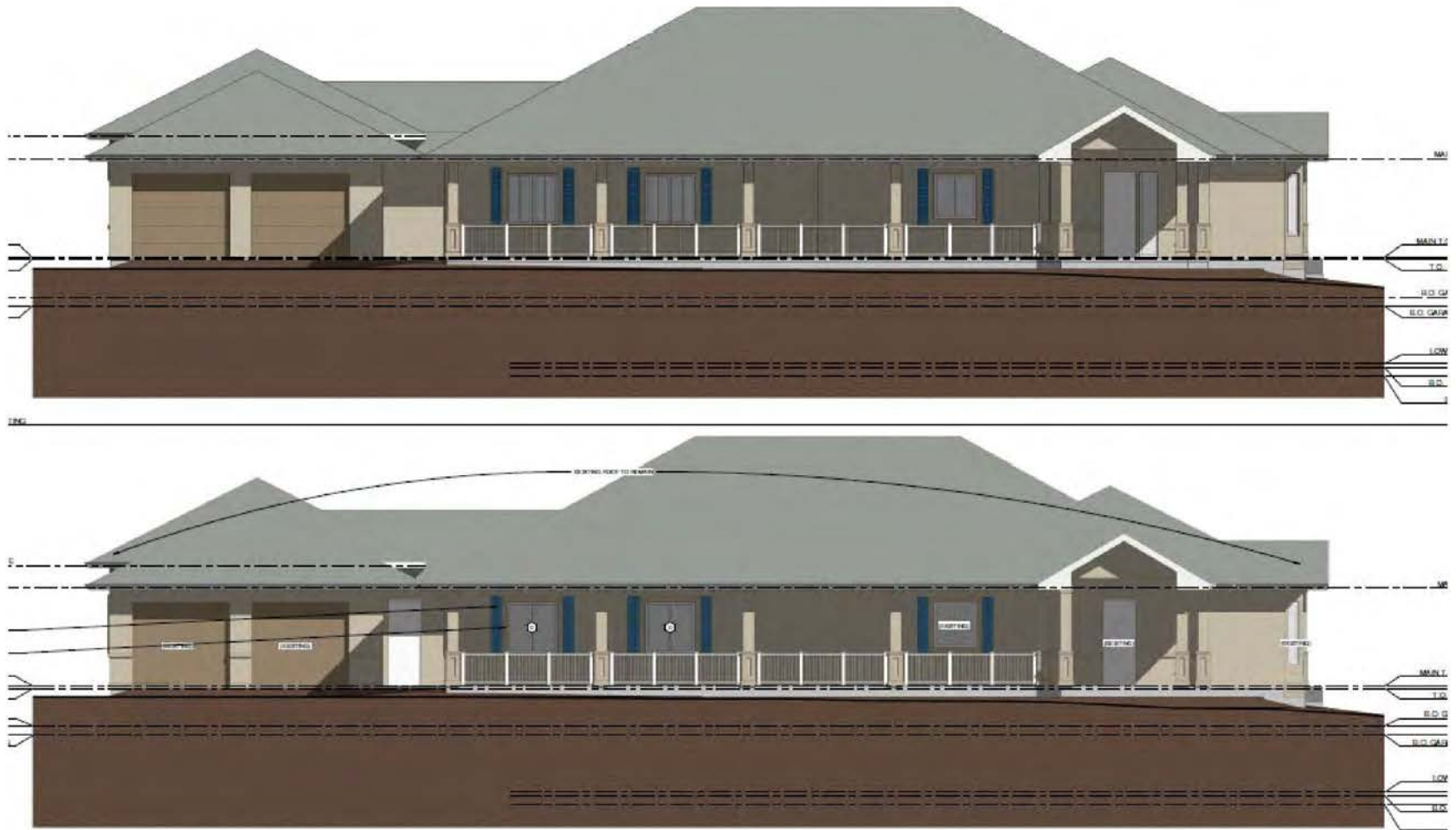
## Neighborhood Meeting &amp; Subsequent Comments

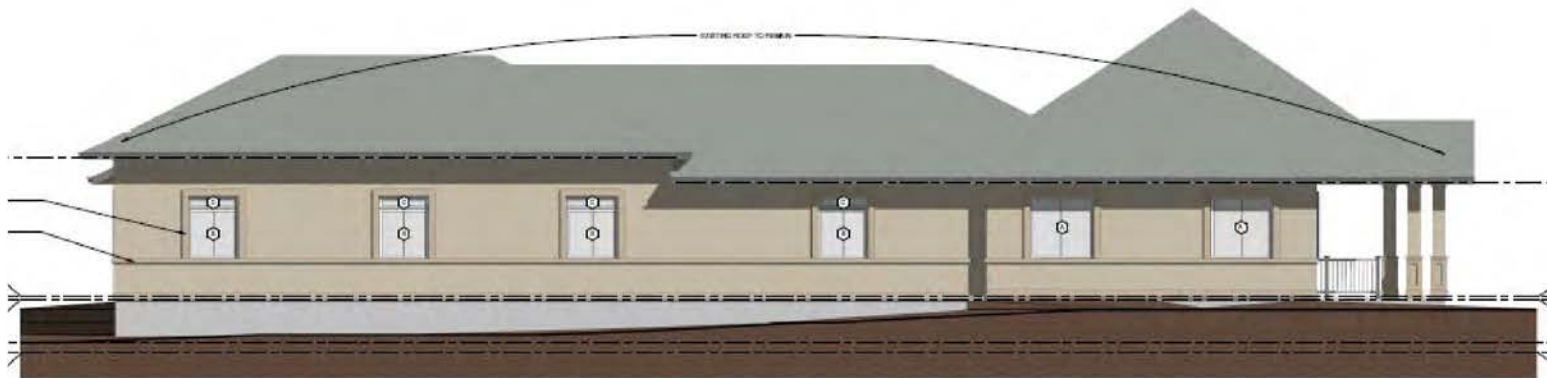
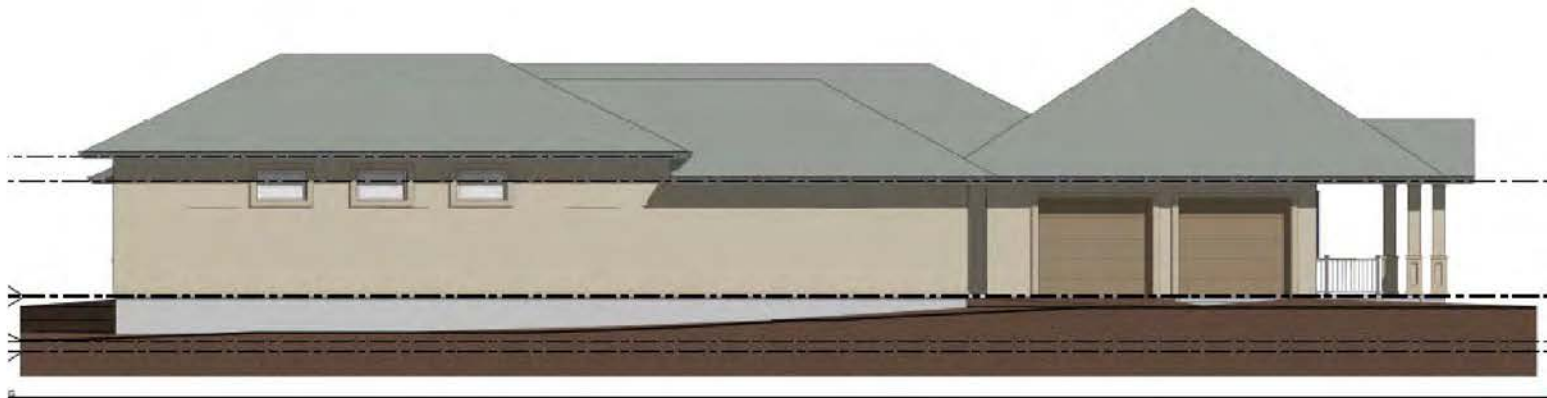
8

- 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



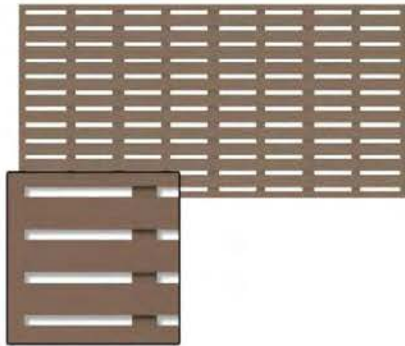








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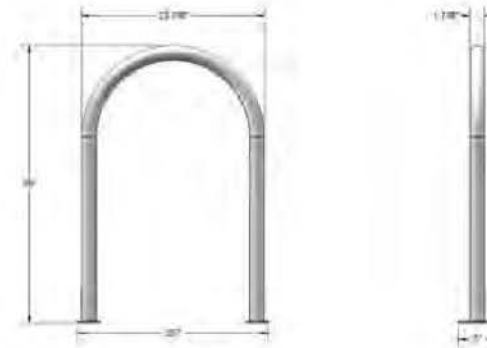
**Specifications**

Device functions	EQ, L, L-BE
Dogging	LD - Less Dogging
Device length	3', 4'
Center case dimensions	8" x 2 1/4" x 2 1/4" (203mm x 70mm x 60mm)
Mechanism case dimension	2 1/2" x 2 1/2" (57mm x 57mm)
Latch bolt	Deadlocking, 1/4" (19mm) throw
Trims	252-L, 252-LBE
Strike	699 roller strike
Finishes	US260 (526), 313 (710)
Options	WH - Weep Holes

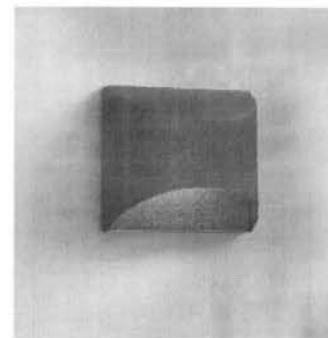
**How to order**

1	Dogging	LD (Less Dogging) only
2	Device type	99/9952
3	Function	EQ, L, LBE
4	Finish	US260, 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 # 331443



MOST POPULAR

**Possini Euro Ratner 5 1/2" High Black Modern LED Outdoor Wall Light**

3 Reviews | 31 Questions, 26 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

Staff is recommending three conditions.



### 3.5.1(J) Operation & Physical Compatibility Standards

14

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.





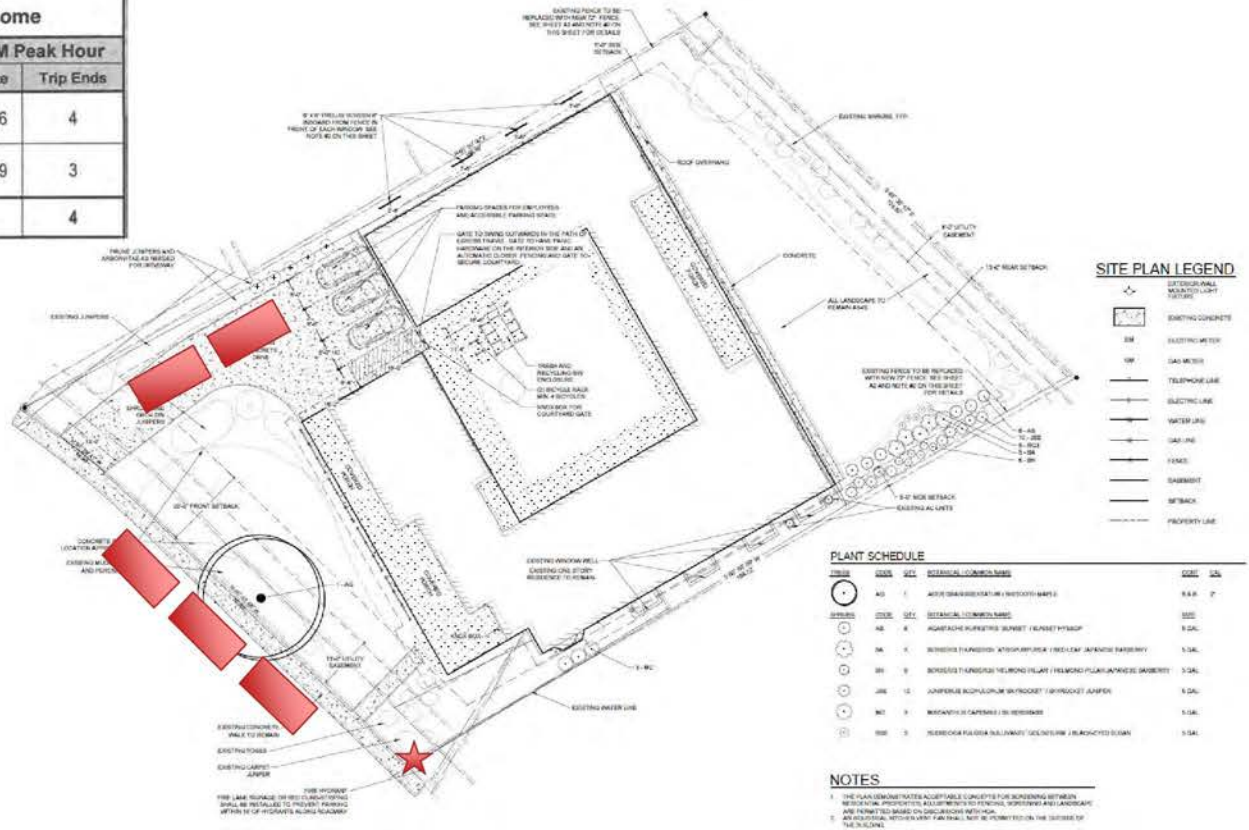
## Condition #1 – Hours of Operation and Deliveries



# Condition #1 – Hours of Operation and Deliveries

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
<b>Average Trip Generation</b>				<b>36</b>		<b>3</b>		<b>4</b>

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.



### ITE Parking Generation Manual

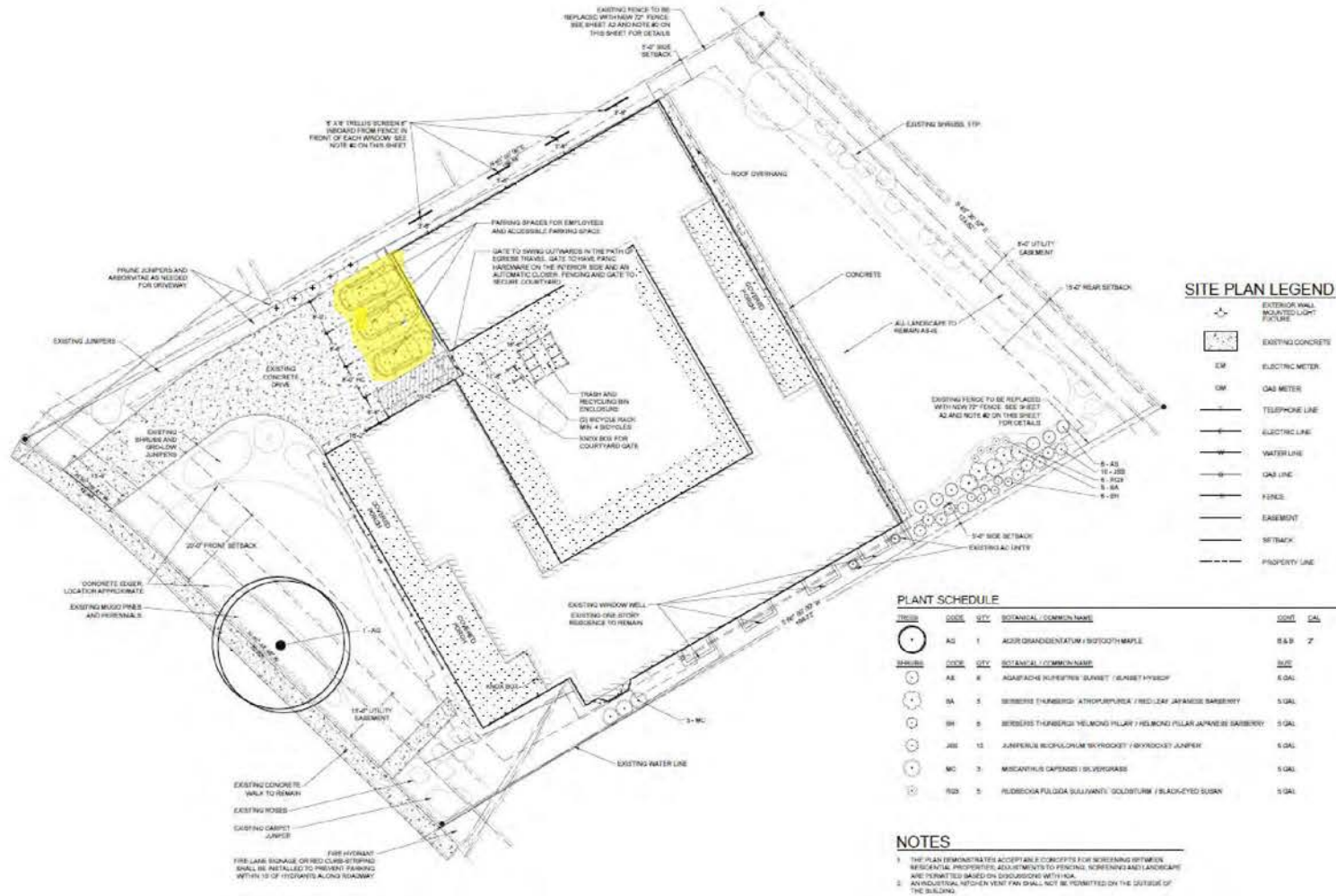
<b>Assisted Living (254)</b>				
Peak Period Parking Demand vs: Beds				
On a: Weekday (Monday - Friday)				
Setting/Location: General Urban/Suburban				
Peak Period of Parking Demand: 11:00 a.m. - 3:00 p.m.				
Number of Studies: 10				
Avg. Num. of Beds: 103				
Peak Period Parking Demand per Bed				
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 Turnberry 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

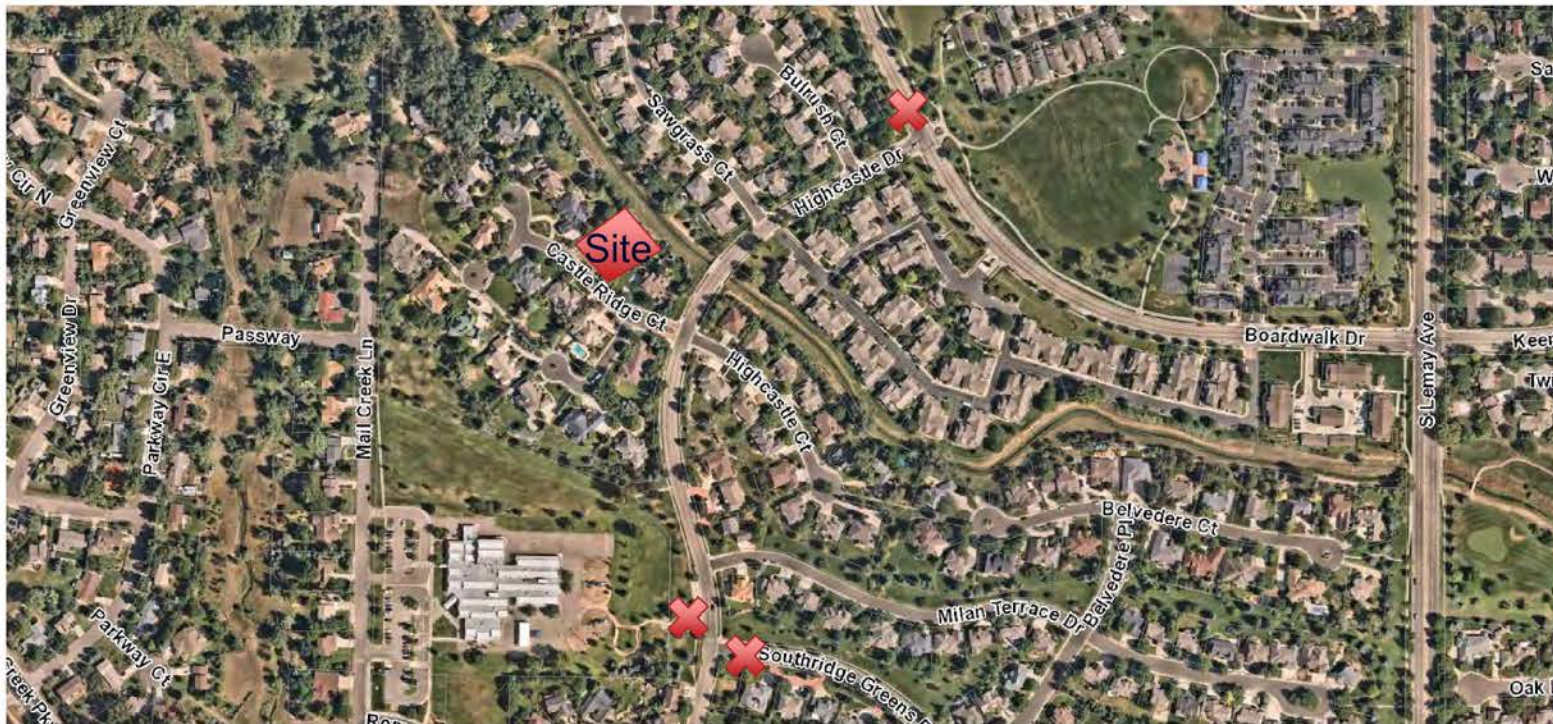
**16-Beds**  
 Range:  
 3.68-16  
 Average:  
 9.28





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.



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).

Staff recommends conditional approval of the Castle Ridge Group Home Project Development Plan, PDP210012.

# Resource Slides





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.



### 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.

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% )

Range: 5-10  
Average:7



# MIRAMONT MEMORY CARE

PLANNING AND ZONING COMMISSION

MARCH 23, 2022

**ERIC SHENK AND  
XIOMA DIAZ**



## 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.**

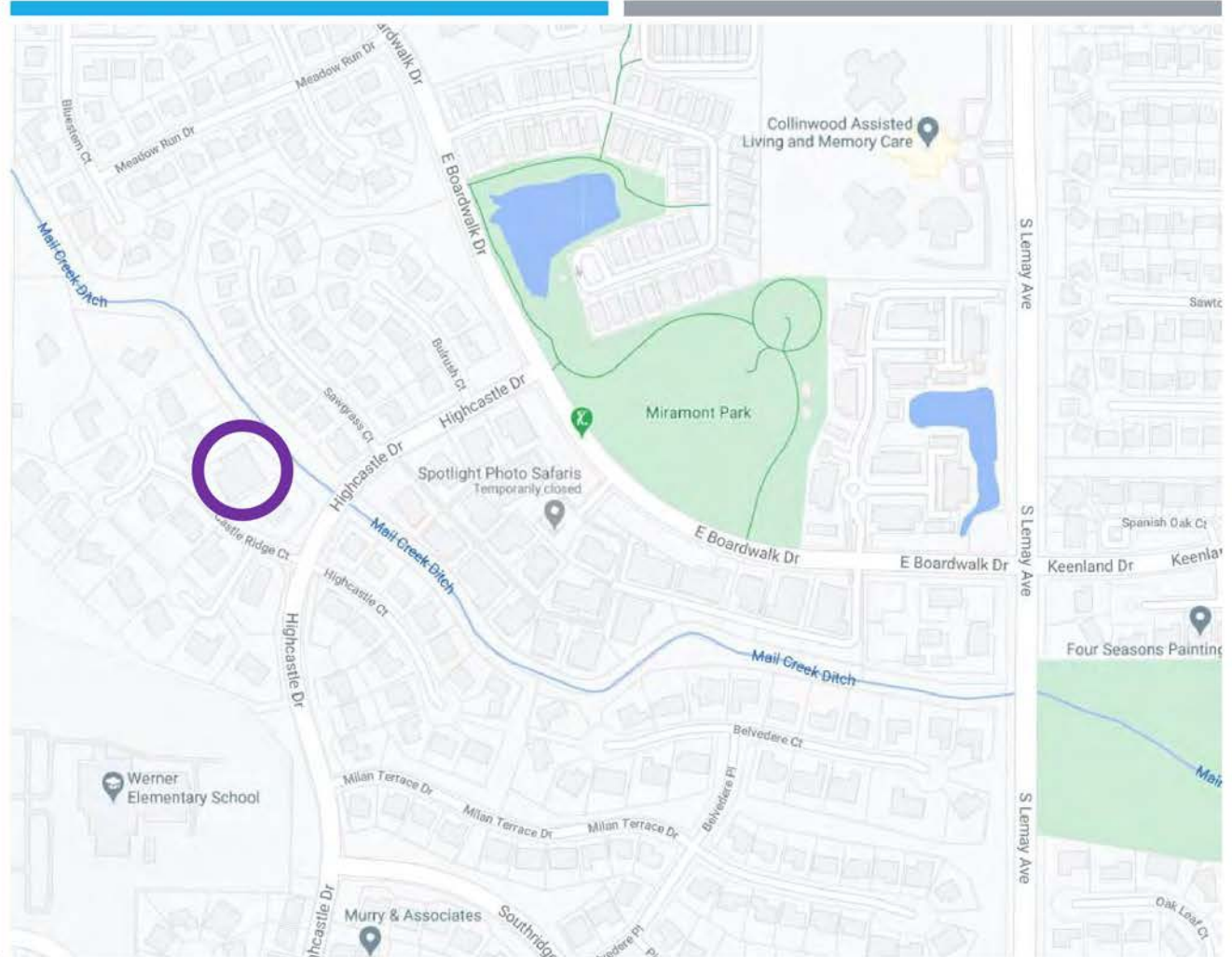
## WHY HERE?



**This property is already accessible and only requires minor renovations. The home has an internal courtyard for safe exterior amenities.**

## SITE LOCATION

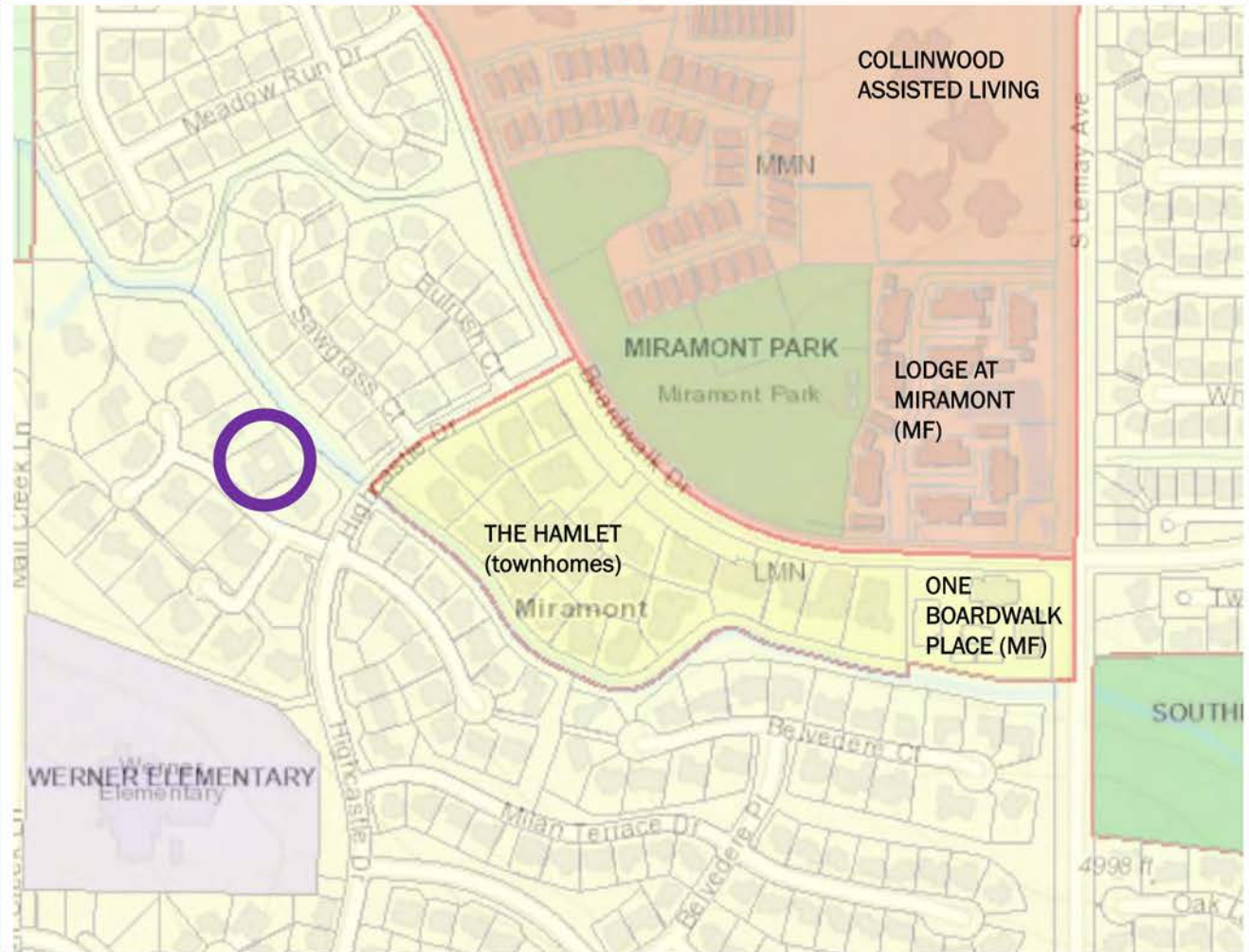
- 636 Castle Ridge Ct.
- 8,220 sf residence
- RL Zone District
  - Minor change of use from Residential to Group Home
  - Group homes are permitted in this zone district





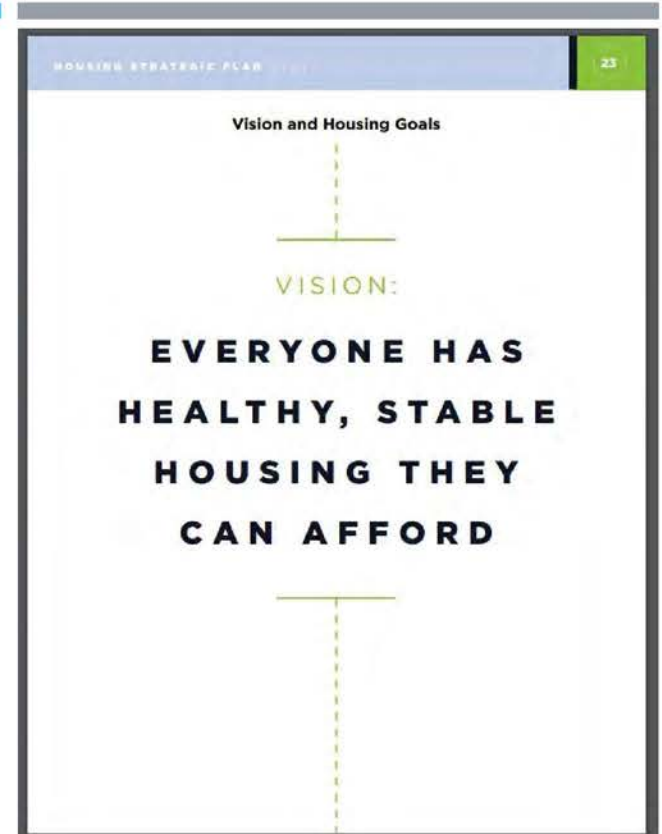
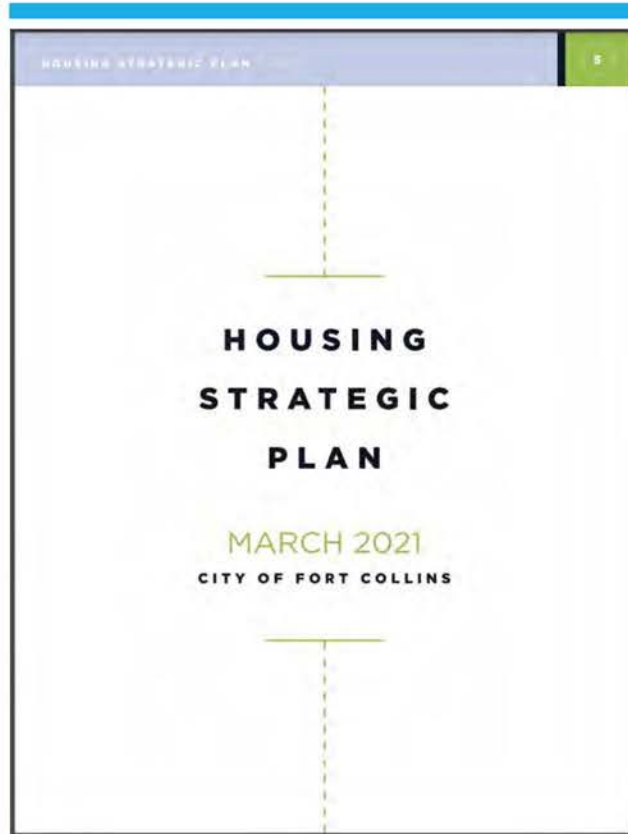
## LOW DENSITY RESIDENTIAL PERMITTED USES

- Single-family detached
- Minor public facilities
- Places of worship
- Group homes
- Schools
- Community facilities
- Childcare centers
- Adult day/respice 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

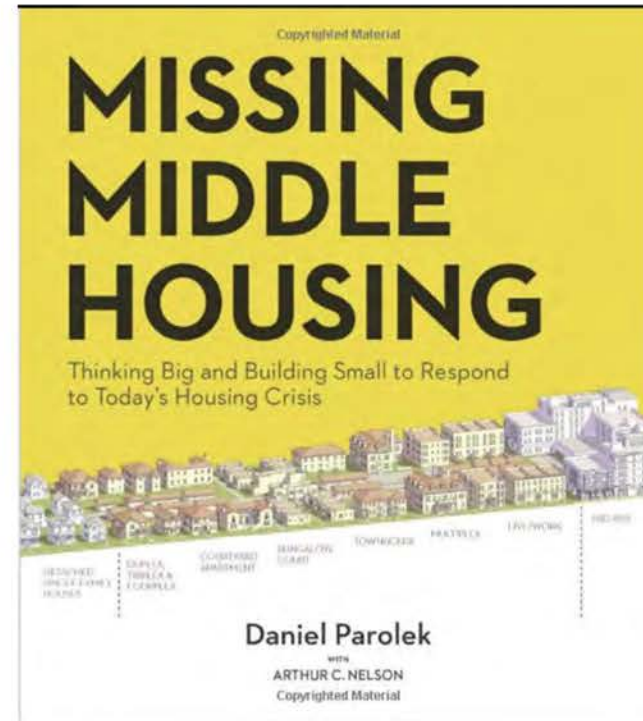


**STRATEGIES:**

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



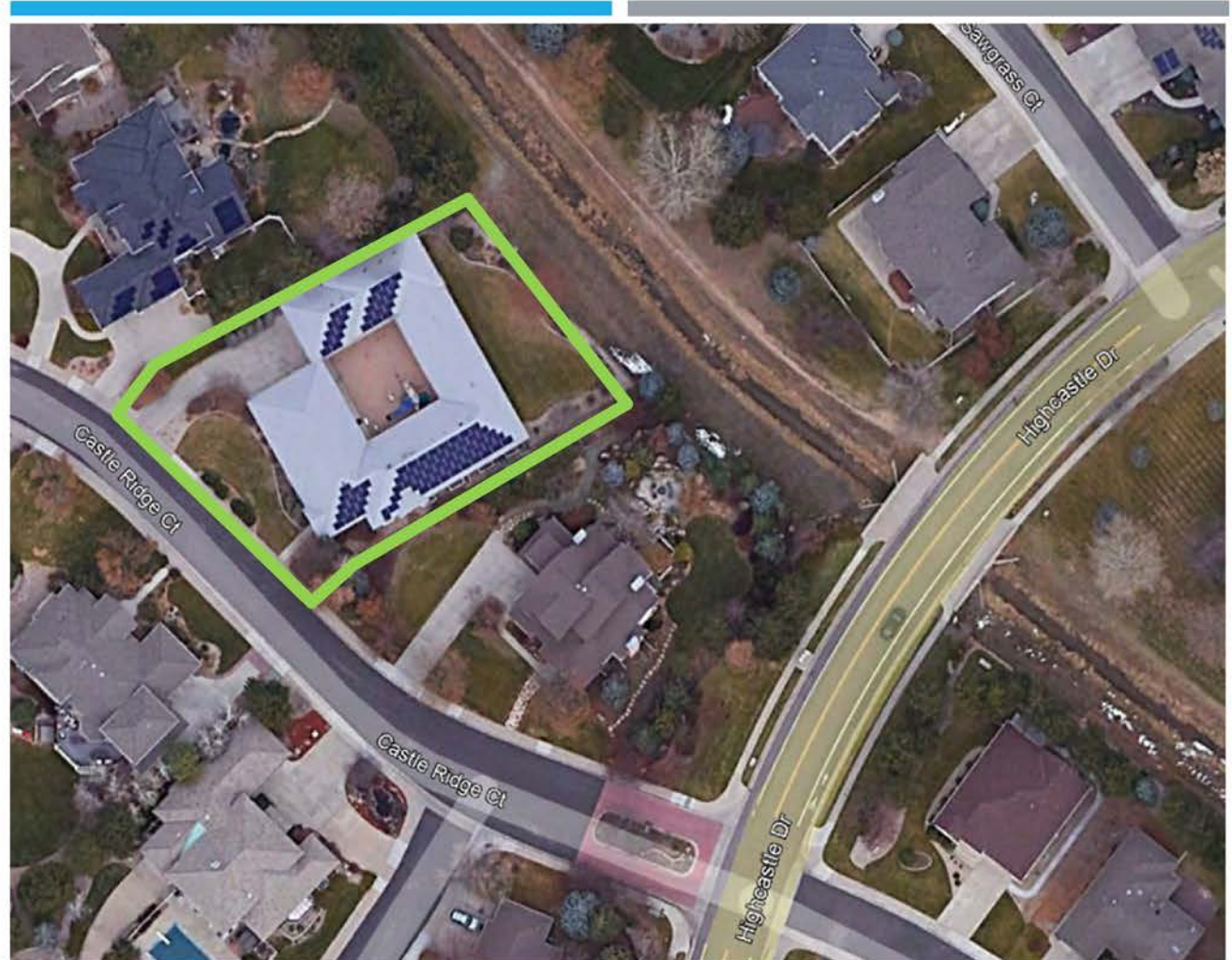
## MEMORY CARE FACILITIES

- 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 or **A0** 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

**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

# EXISTING & PROPOSED





**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**

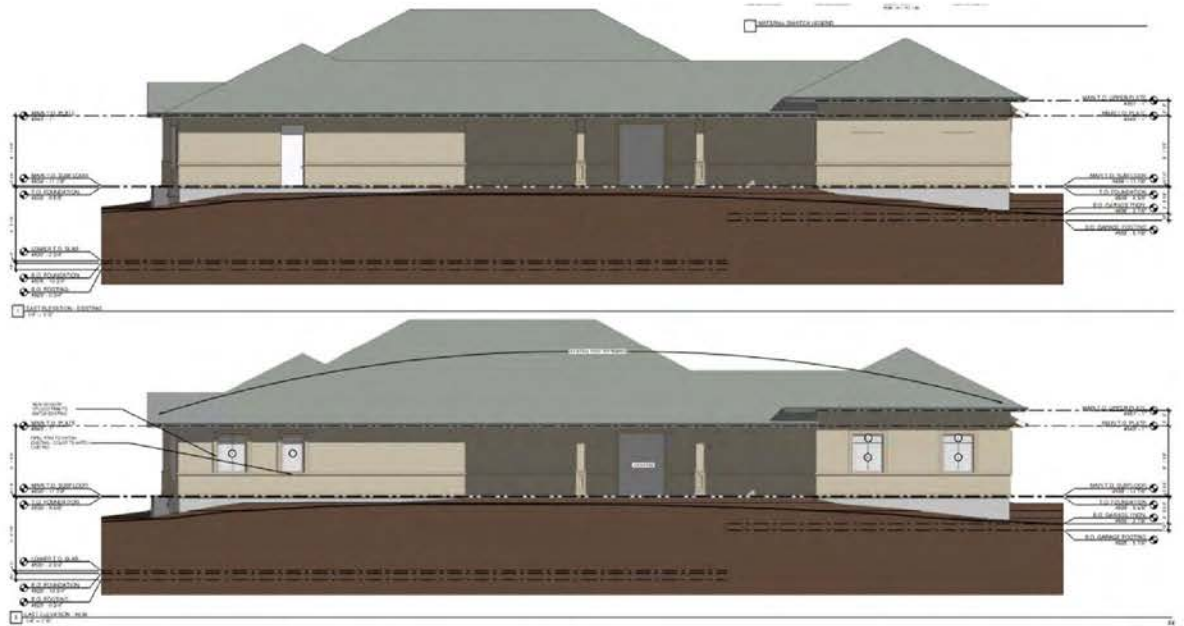
**PROPOSED**



# EAST ELEVATION

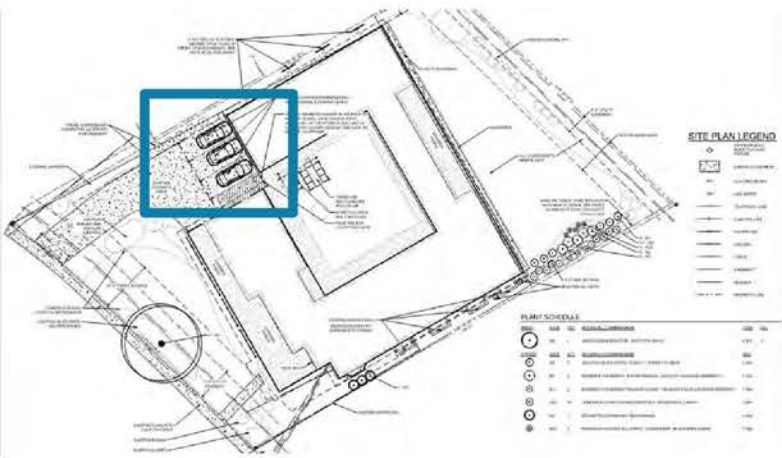
EXISTING

PROPOSED



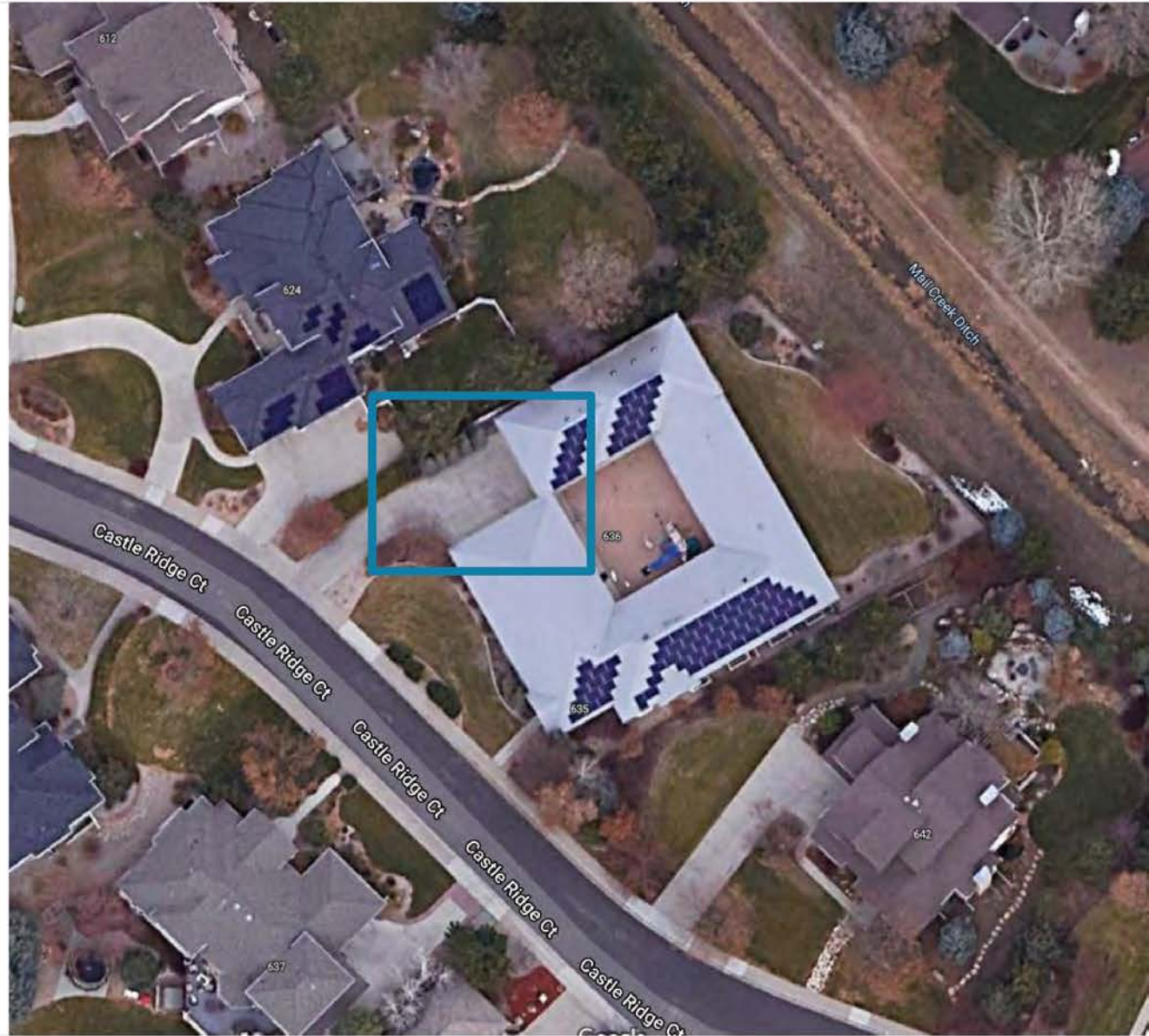






# STAFF PARKING

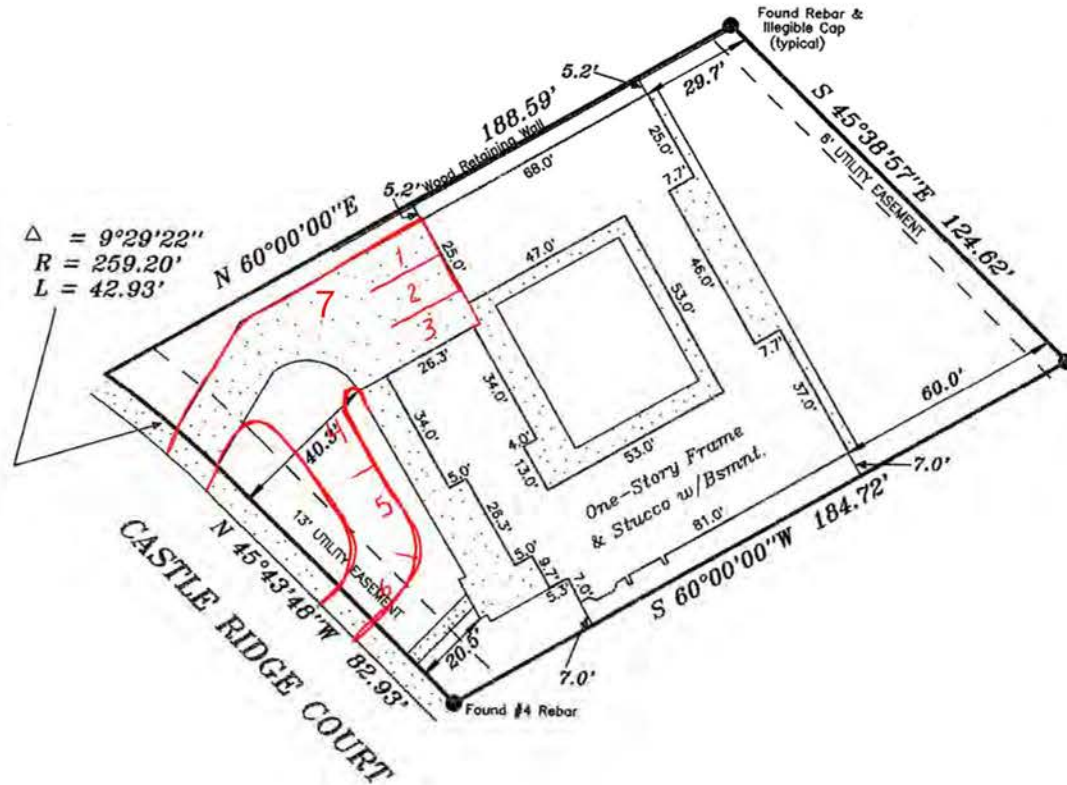
A0

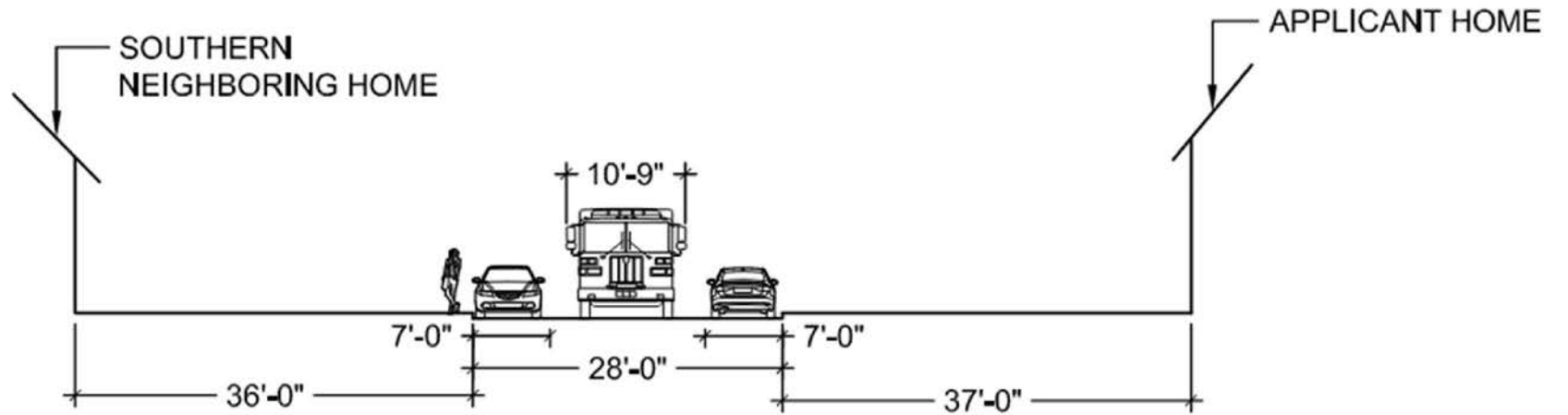


**A0** Find and add parking and trips/day info  
Author, 2022-03-15T14:43:50.591



# ALTERNATIVE PARKING





# FIRE ACCESS



Project meets the Land Use Code  
No Modifications and no Alternative Means and Methods  
Better quality of life for disabled seniors

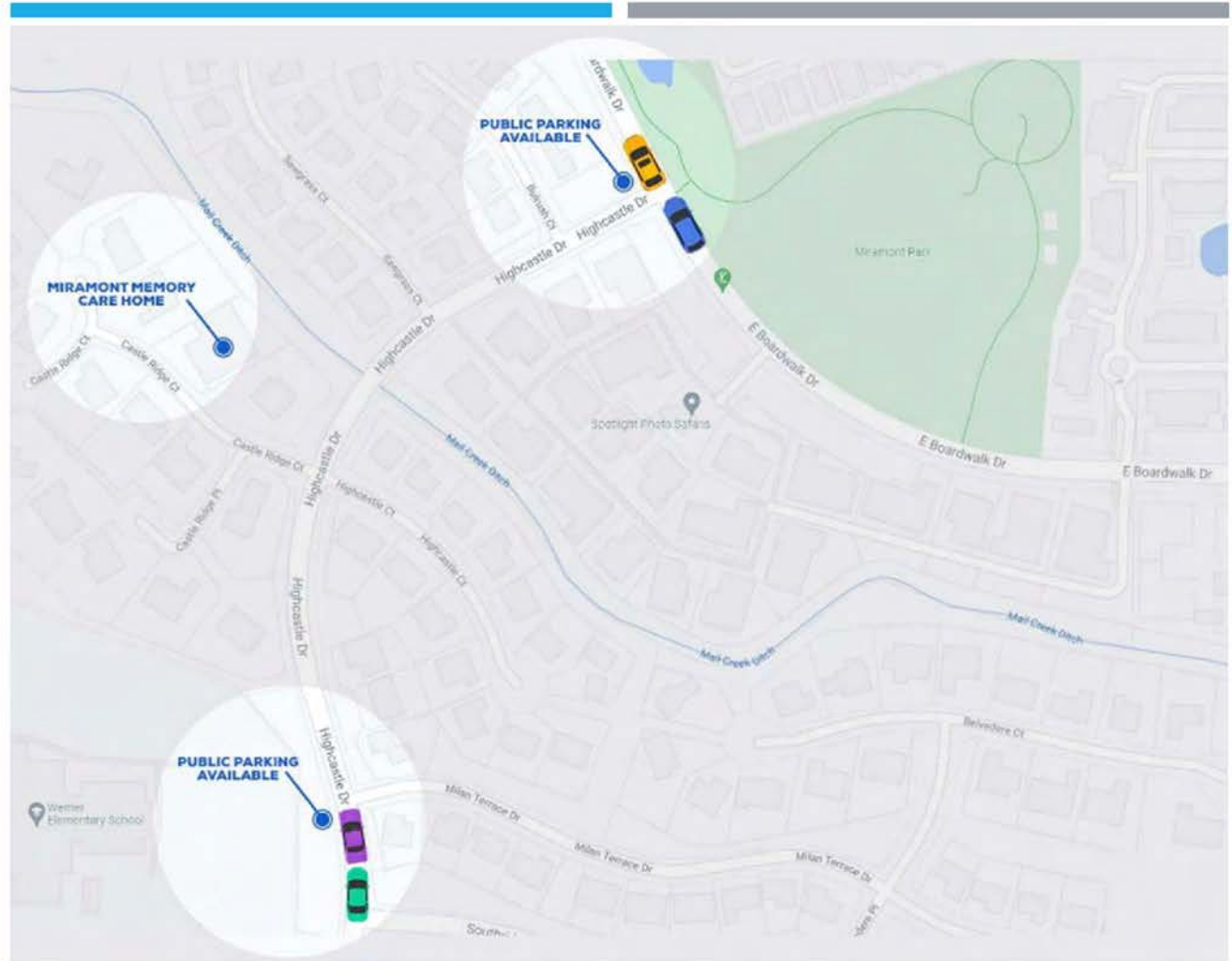


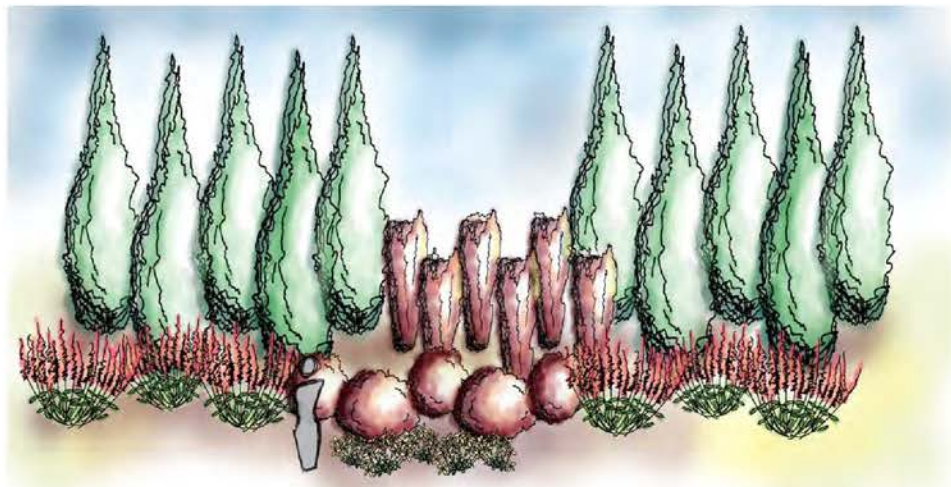
---

# QUESTIONS?

# OFF-SITE EMPLOYEE PARKING

- High Castle Drive
- Boardwalk Drive





<u>QTY</u>	<u>BOTANICAL / COMMON NAME</u>	<u>SIZE</u>
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



## COMPATIBILITY (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.



## 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

We are Here





**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?
  - o *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.
  - o *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.*
  - o *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.*



Item 12.



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

MEMORANDUM

Date: March 15, 2022
To: Mayor Arndt and City Councilmembers
Thru: Kelly DiMartino, Interim City Manager
Kyle Stannert, Deputy City Manager
Caryn Champine, Planning Development and Transportation Director
From: Paul Sizemore, Community Development and Neighborhood Services Director
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.

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.

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.

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.”*



Item 12.

- 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.

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### Neighborhood Response



# Representation

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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

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- 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)

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- 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.

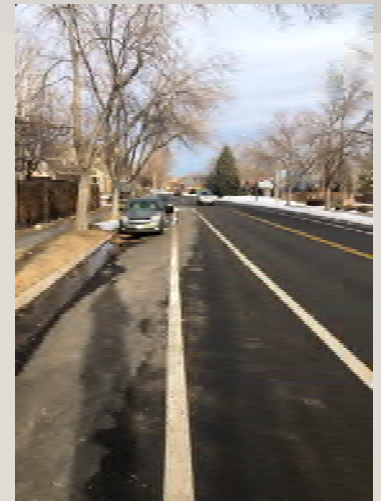
**A “Large Group Care Facility” in a “Low Density Residential” Neighborhood is a “fundamental alteration” of the Land Use Code.**



## Intensity Impact

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- 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, 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

**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)

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- “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

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- 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

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## Traffic and Parking



## Overview of Area

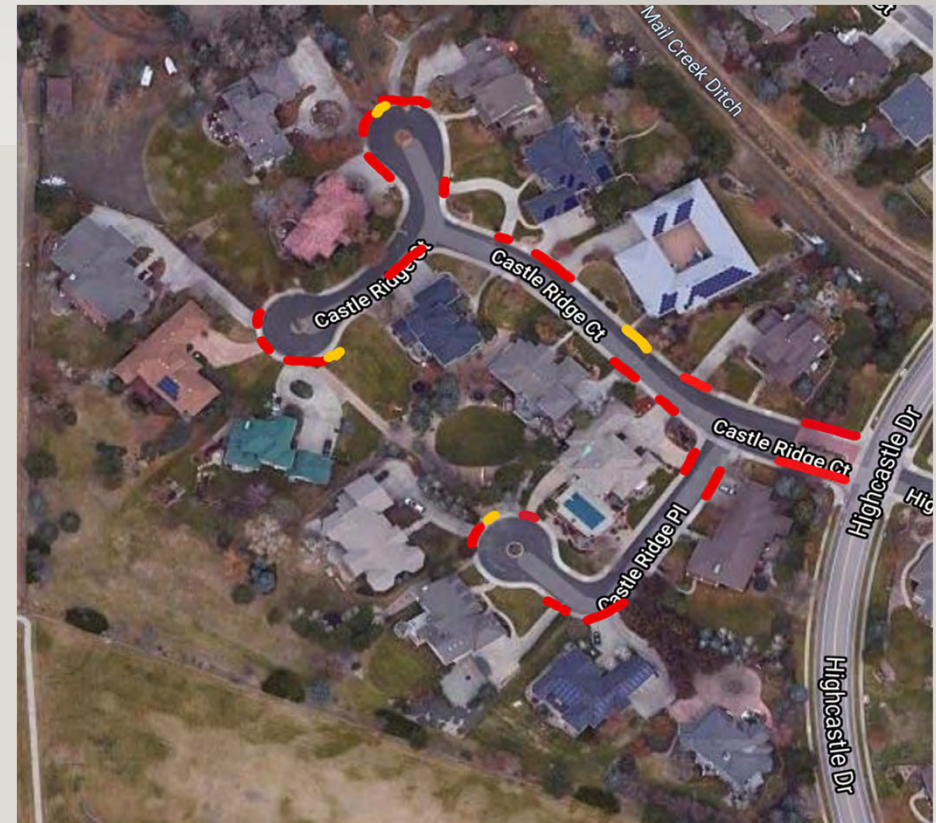
- Three court area, one entrance and one exit off of High Castle Drive
- Private road maintained by the HOA at the cost via special assessment paid by the homeowners
- No snow removal
- Off-street parking on Highcastle Drive is 1,000-1,500 feet away



## Satellite Image with Driveways

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- 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

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- 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)

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## Traffic, Parking and Safety

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- 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



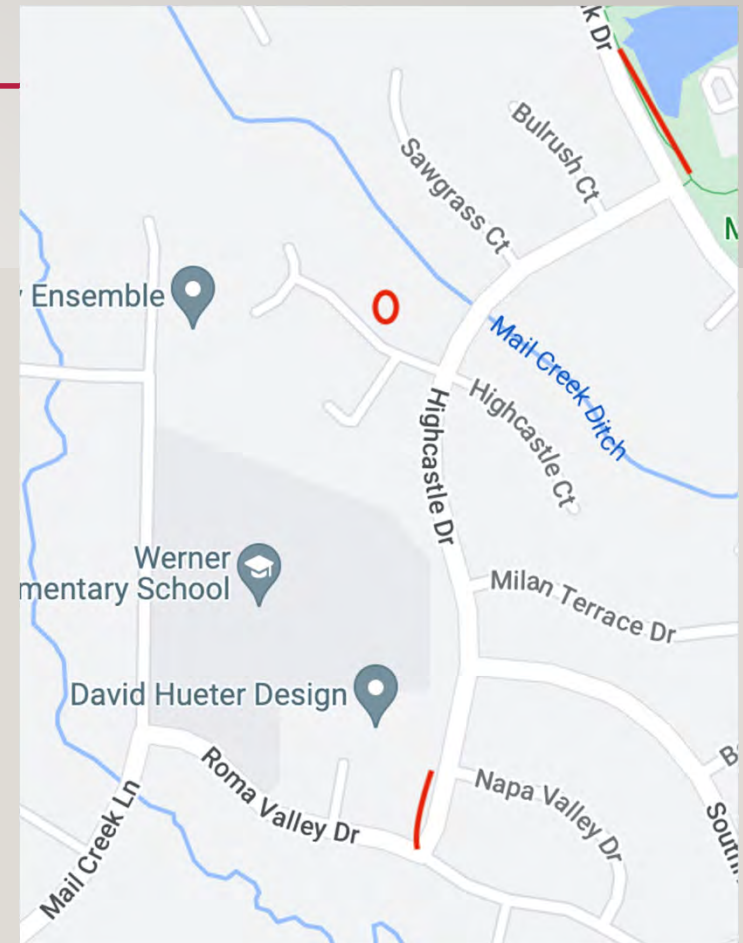


## Parking and presented alternate options

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

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### 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

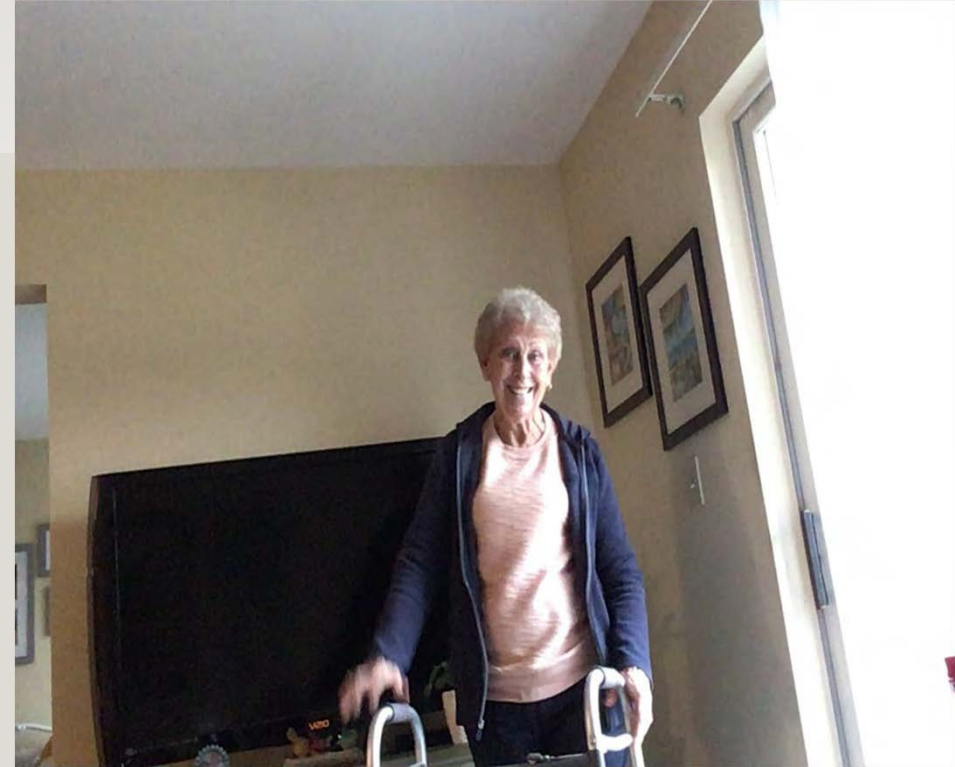
Applicant's statements are inconsistent with law:

- "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

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- 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

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- 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

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Change in the character of the neighborhood

# What kids can do now and how the street looks like with forecasted traffic/parking



Traffic due to activity of applicant





## Operational Plan Issues – completed after traffic study *Understated – and how to enforce an impact limit?*

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- 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

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Legal issues

# 636 Castle Ridge Ct

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## Requested Conditions and Summary



## Requested Conditions

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- 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

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- 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

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Backup



## Requested Conditions

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- 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 HOA of 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 50-85<sup>th</sup> 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 plan 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 Kotech/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	

<b>Memory Care Facilities Larimer County</b>			
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			

3413 BANYAN AVENUE • LOVELAND • COLORADO • 80538

303-669-2061

MATTHEW J. DELICH, P.E.

TRAFFIC • TRANSPORTATION • CIVIL ENGINEERING

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:

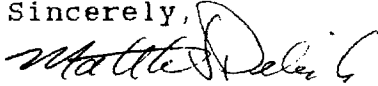
- The streets will have less than 750 ADT on them. The development itself will have 18 dwelling units, which will generate 180 vehicle trips on an average weekday. There is not likely to be any external traffic passing through this development. Therefore, the highest traffic volume at a given worst case 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 >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.



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.

*F-12*

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.









# 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.

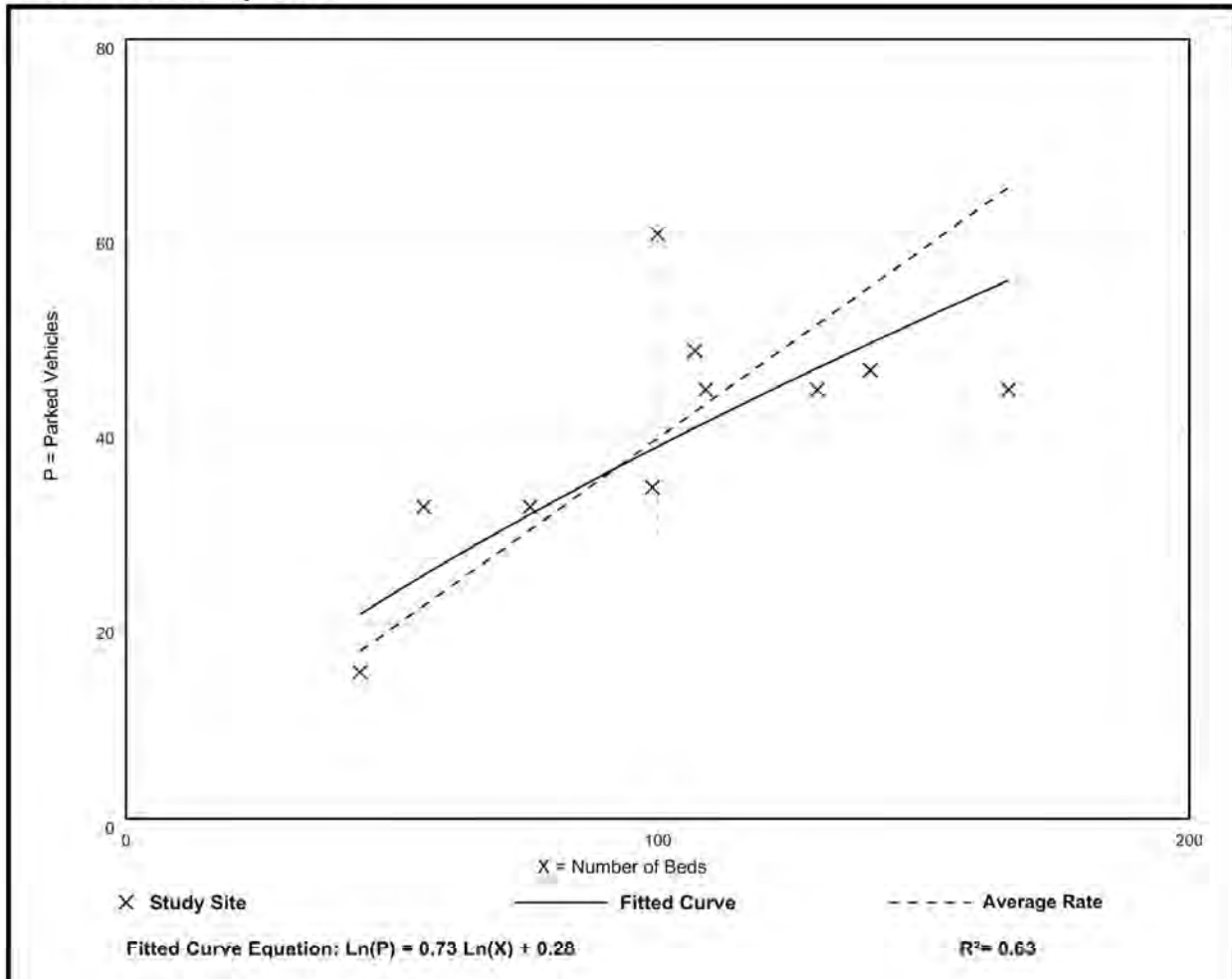
Number of Studies: 10

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.]*

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**Adopted by the Board of Health on December 16, 2020. Effective, June 14, 2021.**

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- Part 8 – Staffing Requirements**
- Part 9 – Policies and Procedures**
- Part 10 – Emergency Preparedness**
- Part 11 – Resident Admission and Discharge**
- Part 12 – Resident Care Services**
- Part 13 – Resident Rights**
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- Part 23 – Environmental Pest Control**
- Part 24 – Waste Disposal**
- Part 25 – Secure Environment**

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.

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### 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**

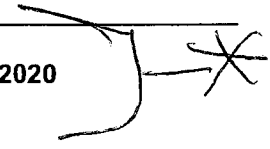
**STANDARDS FOR HOSPITALS AND HEALTH FACILITIES CHAPTER 21 - HOSPICES**

**6 CCR 1011-1 Chapter 21**

*[Editor's Notes follow the text of the rules at the end of this CCR Document.]*

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**Adopted by the Board of Health on April 15, 2020. Effective July 1, 2020**

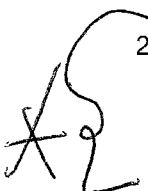


**SECTION 1 STATUTORY AUTHORITY AND APPLICABILITY**

- 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

**CODE OF COLORADO REGULATIONS**  
**Health Facilities and Emergency Medical Services Division**

**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](mailto:patriciaplcrn@comcast.net)  
855-293-6911



**Katharine Claypool**

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**From:** Development Review Comments  
**Sent:** Tuesday, March 15, 2022 9:16 AM  
**To:** Katharine Claypool; Sharlene Manno  
**Cc:** Kai Klear  
**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](http://FCGov.com/NeighborhoodServices)

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**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 Collins by demonstrating progressive thinking regarding care of mental health patients as well as embracing the well thought-out Fort Collins Housing Strategic Plan.

*Item 12.* 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 Commission hearing for Castle Ridge Group Home, PDP210012  
 Date: Thursday, March 10, 2022 8:33:10 PM

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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 10<sup>th</sup>, 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 23<sup>rd</sup>.

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 23<sup>rd</sup>.

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

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Item 12.

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## **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](mailto: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

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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](mailto: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

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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.

Item 12.

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

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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 66<sup>th</sup> Avenue  
Greeley, CO 80634  
[leyendapub@comcast.net](mailto: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

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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

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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

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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

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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 Zoning Commission will reject the proposal at today's public hearing.

Regards,  
Fenglai Jiang  
5113 Bulrush Ct  
Fort Collins, CO 80525

**From:** [hector.espinosa](mailto: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

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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](mailto:hespinosa78@gmail.com)



Item 12.

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 Item 12. t 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).*  
...



*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.*

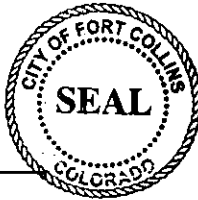
...

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



**From:** Cathy Kipp <cathy@cathykipp.com>  
**To:** "Item 12." <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

ITEM 2, CORRESPONDENCE 15

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  
> made hate based discriminatory arguments against the project at

Item 12.

> 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  
> Item 12. Armer 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 COUNCIL VOTING RESULTS  
May 21, 2019

Councilmembers Present:	Cunniff, Gorgol, Gutowsky, Pignataro, Stephens, Summers, Troxell
Councilmembers Absent:	None

ITEM	ACTION
<b>CONSENT AGENDA</b>	
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.	Adopted on Consent 7-0
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
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
<b>ITEMS NEEDING INDIVIDUAL CONSIDERATION</b>	
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 COUNCIL VOTING RESULTS  
June 4, 2019

Councilmembers Present:	Cunniff, Gorgol, Gutowsky, Pignataro, Stephens, Summers,
Councilmembers Absent:	Troxell

ITEM	ACTION
<b>CONSENT AGENDA</b>	
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.  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  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.  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  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

<b>ITEMS NEEDING INDIVIDUAL CONSIDERATION</b>	
<p>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.</p> <p style="padding-left: 40px;">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.</p> <p style="padding-left: 40px;">B. Public Hearing and First Reading of Ordinance No. 080, 2019, Appropriating Unanticipated Revenue in the Community Development Block Grant Fund.</p> <p style="padding-left: 40px;">C. Public Hearing and First Reading of Ordinance No. 081, 2019, Appropriating Unanticipated Revenue in the HOME Investment Partnerships Fund.</p>	<p>Adopted 5-0 (Gorgol recused)</p> <p>Adopted 5-0 (Gorgol recused)</p> <p>Adopted 5-0 (Gorgol recused)</p>
<p>20. Items Relating to Regulating Electric Scooters.</p> <p style="padding-left: 40px;">A. First Reading of Ordinance No. 082, 2019, Amending the Fort Collins Traffic Code Relating to Electric Scooters.</p> <p style="padding-left: 40px;">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.</p>	<p>Adopted 5-0 (Summers absent)</p> <p>Adopted 5-0 (Summers absent)</p>
<p>Consideration of a motion to cancel the June 18, 2019 Regular Council Meeting.</p>	<p>Adopted 5-0 (Summers absent)</p>

Meeting Adjourned at 8:35 p.m.



**Planning and Zoning  
Commission  
March 23, 2022  
Meeting 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

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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.

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**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 5<sup>th</sup> 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. Sherk 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. Sherk 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. Sherk 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. Sherk 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. Sherk 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. Sherk 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. Sherk 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. Sherk responded that cooking is also the responsibility of the caregivers.

Mr. Sherk 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. Sherk 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. Sherk 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 Haeefe 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 Haeefe 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 it 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 adequately 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.****

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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>

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**Other Business**

- None

**Adjournment**

Chair Katz moved to adjourn the P&Z Commission hearing. The meeting was adjourned at 8:25pm.

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*Minutes respectfully submitted by Shar Manno.*

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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 Kler – 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





Werner Elementary





- 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.





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.



***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 26 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

*F-12*

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.



# **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



Michelle A. Pinkowski  
(720) 637-9773, ext. 2  
michelle@pinkowskilaw.com

cc: Eric Shenk and Xioma Diaz  
Stephanie Hansen  
Brad Yatabe, byatabe@fcgov.com  
Kai Kleer, kkleer@fcgov.com

## 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.<sup>1</sup>
- 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.<sup>2</sup>
- Deliveries for groceries, pharmacy, etc. will be the same.<sup>3</sup>
- 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.<sup>4</sup>

<sup>1</sup> Source: Proponents’ presentations at P&Z December 15, 2022 (slide 4).

<sup>2</sup> Source: Proponents’ presentations at P&Z December 15, 2022 (slide 5).

<sup>3</sup> Source: Proponents’ presentations at P&Z December 15, 2022 (slide 6).

<sup>4</sup> Source: Xioma Diaz testimony, P&Z March 23, 2022.

Commissioner Stackhouse noted in her comments<sup>5</sup> before a vote in favor that the project as proposed remains a small group home.<sup>6</sup>

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.

<sup>5</sup> Source: P&Z December 15, 2022 at 6:14.

<sup>6</sup> “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:

PINKOWSKI LAW & POLICY GROUP, LLC



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