



January 30, 2012

To: City of Fort Collins

From: Save the Poudre: Poudre Waterkeeper

Re: Proposed Development at former Bender Mobile Home Park on Wood Street

Hello City of Fort Collins,

After further reviewing the issues surrounding the proposed development at the former Bender Mobile Home Park at the north end of Wood Street along the Poudre River, Save the Poudre: Poudre Waterkeeper wishes to express several serious concerns and make requests of the City for how our concerns could be addressed.

1. FLOODPLAIN: Save the Poudre has serious concerns about how the developer has already filled in 1.63 acres of the Cache la Poudre River floodplain on the property. It appears that the developer may have knowingly and purposely filled in the Poudre River floodplain using the County's less protective standards (FEMA: LOMR), with full intent of then annexing the property into the City and thereby avoiding having to meet the City's higher level of flood protection standards (FEMA: LOMR-F). Given the drawings of the proposed development submitted by the developer, at least five of the lots would be built on fill that does not meet the City's current floodplain protection standards.

Save the Poudre requests that the City require the developer to redo the excavation on the property so that it, at a minimum, meets the City's current floodplain protection standards and fully complies with FEMA's "Letter of Map Revision Based on Fill" (LOMR-F) process. Doing so will protect lives and property, as well as the natural environment, in and surrounding the proposed development.

2. LEVEE-TYPE CEMENT WALL CONSTRUCTION: We have serious concerns about the potential for the Cache la Poudre River to erode the bank upstream of the property during a flood event and then wash over parts of the proposed development thus endangering lives, property, and the environment. It is our understanding that in high-flow events in the past several years (which have been well below an actual 100-year flood), upstream bank erosion has occurred such that the developer is planning to build a cement wall (a levee-type structure) along the northwest corner of property to protect homes in case the Poudre River jumps its banks.

Save the Poudre requests that a full hydrological and engineering analysis be completed that considers the likelihood of the Poudre River eroding and jumping/rejuvenating its banks and washing over the property in a flood event, as well as an engineering analysis of how this levee structure would need to be built to protect lives, property, and the environment on the proposed development.

3. HOUSING DENSITY: Save the Poudre has serious concerns about the number of homes and the number of people that the developer proposes to fit on the property. It is customary in zoning situations to make a proposed development fit in with the neighborhood. In this case, the neighborhood is natural areas, the Poudre River ecological corridor, the City's Utility building, and a very small number of large-lot homes at the end of

Wood Street. It appears that the developer is trying to cram in more homes and people than were previously on the property, and is trying to densify the property well beyond the density in the surrounding area.

Save the Poudre believes that LMN zoning on this property would be completely inappropriate. Likewise, "Urban Estates" zoning would result in a greater density than that of the surrounding area. This parcel of land would fit best into the neighborhood and the environment as a "natural area" or "park," not as any kind of a densely packed housing development. Save the Poudre will be following this issue closely through the annexation process with an eye towards appropriate zoning.

4. POUFRE RIVER BUFFER AND LAND USE CODE: Save the Poudre is very closely analyzing section 3.4.1 of the City's land use code, "[Natural Habitats and Features](#)" for how this development would fit into the surrounding area. The twelve pages of this code offer excellent guidance for how development may co-exist with natural areas – we will be closely following the annexation and development review process and we request that the City fully comply with the code.

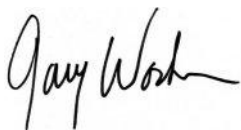
In addition, after reviewing the drawings of the proposed development, Save the Poudre is extremely concerned that it will encroach over and into the 300-foot Poudre River buffer, as defined in this section of the code. We have very serious concerns about any development that attempts to push into the buffer thus further constricting and bottlenecking the Poudre River's sensitive ecological corridor.

5. STORMWATER OUTFALL: Save the Poudre is concerned about how stormwater on the property will be managed. We have a concern that the development may propose to directly drain the property's stormwater into the Poudre River with no water quality protections. Save the Poudre requests that the City take corrective and mitigational measures to ensure that stormwater outfall is treated and safe to discharge into the Poudre River and that the development (not the City's ratepayers) bear the cost of these measures.

6. INTERACTION WITH THE WEST VINE FLOODPLAIN: The western section of the proposed development sits in the West Vine Floodplain. Save the Poudre requests that the City take corrective and mitigational measures to ensure that lives, property, and the environment on the proposed development are not endangered by the West Vine Floodplain, and that the development (not the City's ratepayers) bear the cost of these measures.

At this point, there is no formal plan or application under review by the City. However, it does appear that the development may be requesting an array of "variances" and "modifications" to the zoning and land use code, and potentially to other City codes and regulations. Such variances and modifications so close to the Poudre River are a serious concern to Save the Poudre. We will continue to follow this development through the planning, zoning, and annexation process. Thank you for the opportunity to provide comments at this time.

Respectfully,



Gary Wockner, PhD, Director
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