



LOVELAND PLANNING COMMISSION MEETING AGENDA

**Monday, June 27, 2016
500 E. 3rd Street – Council Chambers
Loveland, CO 80537
6:30 PM**

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“La Ciudad de Loveland está comprometida a proporcionar igualdad de oportunidades para los servicios, programas y actividades y no discriminar en base a discapacidad, raza, edad, color, origen nacional, religión, orientación sexual o género. Para más información sobre la no discriminación o para asistencia en traducción, favor contacte al Coordinador Título VI de la Ciudad al TitleSix@cityofloveland.org o al 970-962-2372. La Ciudad realizará las acomodaciones razonables para los ciudadanos de acuerdo con la Ley de Discapacidades para americanos (ADA). Para más información sobre ADA o acomodaciones, favor contacte al Coordinador de ADA de la Ciudad en bettie.greenberg@cityofloveland.org o al 970-962-3319”.

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. REPORTS:

a. Citizen Reports

This is time for citizens to address the Commission on matters not on the published agenda.

b. Staff Matters

1. July 11, 2016 Agenda Preview:

i. PUD Options – Study Session

2. July 25, 2016 Agenda Preview:

i. Seven Lakes Townhomes PDP public hearing

3. July 26, 2016 Joint Study Session with City Council – Electronic Signs

4. Hot Topics:

c. Committee Reports

d. Commission Comments

IV. APPROVAL OF MINUTES

Review and approval of the June 13, 2016 Meeting minutes

V. CONSENT AGENDA

The Consent Agenda includes items for which no discussion is anticipated. Upon request by a Commissioner, staff member or citizen, any item may be removed from the Consent Agenda for discussion. Items removed from the Consent Agenda will be heard at the beginning of the regular agenda.

Public hearings remaining on the Consent Agenda are considered to have been opened and closed, with the information furnished in connection with these items considered as the only evidence presented. Adoption of the items remaining on the Consent Agenda is considered as adoption by the Planning Commission and acceptance by the Applicant of the staff recommendation for those items.

- Does any Staff Member or Commissioner wish to remove an item from the Consent Agenda?
- Does any Community Member wish to remove an item from the Consent Agenda?

1. Anderson 1st Subdivision Preliminary Plat Extension

This request requires quasi-judicial review by the Planning Commission to consider extension of the Preliminary Plat for Anderson 1st Subdivision for an additional one-year period. The preliminary plat and PUD Preliminary Development Plan were approved by the City in January 2009. Extensions have been granted by the City since that time to keep the plat and plans valid. The most recent extension was granted by the Planning Commission on 8/10/15 for one year.

The property is located at the northeast corner of South Lincoln Avenue and South 42nd Street. The western portion of the property, consisting of approximately 34 acres, is zoned E-Employment and is controlled by a Concept Master Plan. The eastern portion of the property, consisting of 89.35 acres, is zoned "Ridge at Thompson Valley PUD" which allows a maximum of 152 dwelling units, and a gross density of 1.7 dwelling units per acre. Planning Commission has final authority on this matter.

VI. REGULAR AGENDA:

2. Plan of Development (DDA) - (Presentation Time: 5 minutes)

This item was continued from the June 13, 2016 Planning Commission meeting to allow the applicant time to adjust the Plan of Development to reflect Commission comments provided at the June 13, 2016 meeting.

The Plan of Development (DDA Plan) for the Loveland Downtown Development Authority (DDA) was initially reviewed by the Planning Commission on June 8, 2015 and subsequently approved by the City Council on July 7, 2015. The DDA Plan has been amended to incorporate minor changes in anticipation of the 2016 ballot measure—the ballot measure is needed to secure revenue generating measures for the DDA. By statute, the Planning Commission must review any Plan amendments, making a recommendation to the City Council for adoption. The amendments are reflected in redline format in the submitted Amended DDA Plan.

The DDA Plan is defined as a plan for the development or redevelopment of the DDA District over a thirty to fifty year period. After receipt of the Planning Commission recommendation, the City Council will hold a public hearing and thereafter consider a resolution approving the Amended DDA Plan. Review of this Amended Plan does not require a public hearing.

3. Gatorwest Annexation and Zoning - (Presentation Time: 15 minutes)

This is a public hearing regarding the proposed annexation and zoning of a 2.3-acre property located at 5100 Granite Street. The associated zoning request is for B - Developing Business. Annexation is a legislative matter, and final decision making authority rests with the City Council.

The property is located along the west side of North Garfield Avenue (State Hwy. 287) to the north of 50th Street and to the south of Ranch Acres Drive. This area of Garfield includes a mix of commercial businesses and vacant property; there is a mixed pattern of annexed land in this area.

The annexation and zoning request is compliant with State Statutes and with City policies and staff believes that all key issues have been resolved. Consequently, staff is recommending that the Planning Commission recommend approval of this application to the City Council.

VII. ADJOURNMENT

CITY OF LOVELAND
PLANNING COMMISSION MINUTES
June 13, 2016

A meeting of the City of Loveland Planning Commission was held in the City Council Chambers on June 13, 2016 at 6:30 p.m. Members present: Chairman Jersvig; and Commissioners Dowding, Meyers, Molloy, Forrest, McFall, Ray, Roskie, Cloutier. Members absent: None. City Staff present: Bob Paulsen, Current Planning Manager; Moses Garcia, Assistant City Attorney; Jenell Cheever, Planning Commission Secretary.

These minutes are a general summary of the meeting. A complete video recording of the meeting is available for two years on the City's web site as follows: <http://loveland.pegcentral.com>

CITIZEN REPORTS

There were no citizen reports.

STAFF MATTERS

1. **Mr. Paulsen** stated that the Longview Midway / Harrison Avenue vacation request scheduled for public hearing at tonight's Planning Commission meeting has been cancelled by the applicant. A new date has not been set for the public hearing.
2. **Mr. Paulsen** provided a preview of the June 27th Planning Commission agenda.
3. **Mr. Paulsen** provided an update on the Current Development Activity Map outreach plan. **Commissioner Meyers** recommended talking to Loveland and Berthoud area realtors and assessors.
4. **Mr. Paulsen** provided an update on Waters Edge annexation request and noted that City Council adopted the Annexation and Zoning on first reading; however, City Council postponed the second reading until August 2nd in order to give the neighborhood time to explore open space acquisition options.

COMMITTEE REPORTS

Commissioner Meyers provided a Title 18 meeting update and noted that the following topics were discussed: zoning code update, electronic sign proposal change, and PUD code revisions. **Mr. Paulsen** stated that a Planning Commission study session will be held on July 11th to discuss options for revising the PUD code. Additionally, a joint study session with City Council will be held on July 26th to discuss electronic signs.

COMMISSIONER COMMENTS

Commissioner Dowding stated that she attended the Development Center open house on June 10th and noted that staff did a great job preparing and hosting the event. **Commissioner Dowding** also recognized the Chamber of Commerce for hosting the successful Summer Celebration on Saturday.

APPROVAL OF THE MINUTES

Commissioner Meyers made a motion to approve the May 23, 2016 minutes; upon a second from Commissioner Forrest the minutes were unanimously approved. (Commissioners Mcfall and Molloy abstained and Commissioner Ray was not present at the time of voting.)

REGULAR AGENDA

1. Poudre School District Location and Extent Review

Project Description: In accordance with State Statutes, the Poudre School District is informing the Commission as to its plans to acquire a site in northeast Loveland (located along the east side of Fairgrounds Boulevard to the north of the Larimer County Fairgrounds) that is intended for future school use.

Mr. Paulsen stated that a copy of an article printed in the June 11th Reporter Herald was provided to the commissioners regarding the proposal. **Mr. Paulsen** noted that city staff has been working with Poudre School District and staff is supportive of the location. If Poudre School District moves forward with this site, the site plan will be presented to the Planning Commission at a future meeting. **Mr. Paulsen** noted that no action needs to be taken by the commission; however, if commissioners have concerns they can present their issues with the Poudre School District Board of Education. **Mr. Paulsen** introduced the Poudre School District representative, **Brendan Willits**.

Mr. Willits provided an overview of the district boundaries and noted that these boundaries were set in the 1960's and adjustments would require a change through the state. **Mr. Willits** discussed the increased growth in this area and based on limited land, noted that this is the best site for a school to serve this area. **Mr. Willits** noted that the Poudre Board of Education will review the purchase contract for this site on June 11th.

Mr. Willits stated that he welcomes the opportunity to work with Loveland Staff to make the school compatible with the Loveland area. Currently the district does not have a site plan for this location but is recommending using the same model as several successful elementary schools already built. **Mr. Willits** stated that he is willing to work collaboratively with City Staff to make minor modification in order to accommodate Loveland's requests.

Commissioner Molloy asked if cash in lieu will be used to get the school started. **Mr. Willits** noted that the plan is to use payment in lieu of land funds, similar to the mechanism the City of Loveland utilizes with Thompson School District.

Several commissioners expressed concerns with traffic on Fairgrounds Avenue/South County Road 5 and asked about road improvements and the bussing situation. **Mr. Willits** stated that transportation staff will evaluate traffic but he is not sure what the improvement plan will look like; however, money has been set aside for improvements on CR 5. Additionally, the safety of students is a priority and will take precautions to have safe and adequate crossings.

Currently, the school plans on bussing all students living east of County Road 5 until safe crossings are available.

Commissioner Jersvig called for a recess at 7:15 p.m.

Commissioner Jersvig called the meeting to order at 7:35 p.m.

2. Plan of Development (DDA)

Project Description: The Plan of Development (DDA Plan) for the Loveland Downtown Development Authority (DDA) was initially reviewed by the Planning Commission on June 8, 2015 and subsequently approved by the City Council on July 7, 2015. The DDA Plan has been amended to incorporate minor changes in anticipation of the 2016 ballot measure—the ballot measure is needed to secure revenue generating measures for the DDA. By statute, the Planning Commission must review any Plan amendments, making a recommendation to the City Council for adoption. The amendments are reflected in redline format in the submitted Amended DDA Plan. The DDA Plan is defined as a plan for the development or redevelopment of the DDA District over a thirty to fifty year period. After receipt of the Planning Commission recommendation, the City Council will hold a public hearing and thereafter consider a resolution approving the Amended DDA Plan. Review of this Amended Plan does not require a public hearing.

Mike Scholl, Economic Development Manager, stated that several modifications have been made to the Plan of Development since the plan was presented to the Planning Commission last year. Most notably are the following changes: minor technical adjustment to the DDA boundaries and the deletion of the exemption of food sales tax for the sale of food for home consumption.

Commissioner Meyers asked what the reason was for striking the food sales tax exemption and how it impacts the loan that Sprouts needs to pay back to the City. **Mr. Scholl** stated that the DDA Board made the decision because it is important to have a source of revenue to fund DDA projects and food sales tax is a major tax generator. Regarding the Sprouts loan, the City has the first obligation to sales tax money generated. The DDA would not collect any food sales tax until that obligation is paid back to the city.

Commissioner Meyers asked that a provision be added to the DDA Plan of Development that when an agreement exists where sales tax has been pledged to pay back the city of Loveland, that the money is exempt from monies to be credited to the DDA.

Commissioner Jersvig expressed concerns with the possibility that City Council could repeal the food sales tax and asked what impact this would have on the DDA Plan of Development. **Mr. Garcia**, Assistant City Attorney, and **Robert Rogers**, from the law firm White Bear and Ankele and special counsel to the DDA, discussed how the base calculation would be impacted if the food sales tax was repealed. **Mr. Rogers** also discussed the potential impact the closing of the downtown Safeway would have on the base calculation.

Commissioner Cloutier asked if an inflationary factor has been added to the base and **Mr. Rodgers** confirmed that this has been included and provided details regarding the calculations used to determine this factor.

Commissioner Meyers asked where the methodology for calculating the Municipal Sales Tax increments could be found. **Mr. Rodgers** stated that it is found in the DDA Section of Title 31 of the Colorado Revised Statutes. **Mr. Rodgers** agreed to send a copy of the statute to **Mr. Paulsen** and **Mr. Garcia** to forward on to the commissioners.

COMMISSIONER COMMETS:

Commissioner Meyers asked that the adjustments discussed with **Mr. Garcia** be incorporated into this document before the Planning Commission made a recommendation to City Council.

*Commissioner Meyers motioned to continue this matter, Regular Agenda Item #2, to be continued on the next scheduled meeting on June 27, 2016 so the provisions talked about in the course of this hearing can be added and reviewed by this commission and voted upon at that time. Upon a second by **Commissioner Ray** the motion was approved with 8 ayes and 1 nay.*

ADJOURNMENT

Commissioner Meyers made a motion to adjourn. Upon a second by **Commissioner McFall**, the motion was unanimously adopted.

Commissioner Jersvig adjourned the meeting at 7:53 p.m.

Approved by: _____
Jeremy Jersvig, Planning Commission Chair

Jenell Cheever, Planning Commission Secretary

MEMORANDUM

TO: City of Loveland Planning Commission

FROM: Brian Burson, Current Planning Division

DATE: June 27, 2016

RE: **CONSENT AGENDA ITEM #1:** Extension request for Anderson 1st Subdivision Preliminary Plat and Ridge at Thompson Valley PUD Preliminary Development Plan

SUMMARY: The City approval and extensions of the Anderson 1st Subdivision preliminary plat and related Ridge at Thompson Valley PUD Preliminary Development Plan are about to expire. The current owner of the property is 2010-RADC/CADC Property XI, LLC. The owner's representative, Mr. Chad Walker, has submitted a written request for an additional one-year extension of the preliminary plat and PUD Preliminary Development Plan for this development. (See **Attachment A**). A buyer/developer is now involved in the project and is actively working on plans and documents for the final plans and plat; however, they were unable to have these complete to meet the current deadline of June 10, 2016, thus prompting the need for an additional extension of the current approvals.

The property is located at the northeast corner of South Lincoln Avenue (State Hwy. 287) and South 42nd Street (State Hwy. 60). (See **Attachment B**.) The site lies at the south perimeter of the City's Growth Management Area (GMA). The western portion of the overall property, consisting of approximately 34 acres, is zoned E-Employment, allowing all uses in the E zone under the approved Concept Master Plan. (See **Attachment C**.) The eastern portion of the property, consisting of 89.35 acres, is zoned "Ridge at Thompson Valley PUD" allowing a maximum of 152 dwelling units, and a gross density of 1.7 dwelling units per acre.

The preliminary plat and PUD Preliminary Development Plan were approved by the City in January 2009. (See **Attachments D and E**.) Extension of those approvals have been granted by the City since that time to keep the plat and plans valid. The current request was received before the expiration of the previous extension, thus holding the plans valid until the City can act on the new request. Staff believes that the current request would be the fourth formal extension for the project.

Section 16.20.020 of the subdivision code indicates that Preliminary Plats shall be valid for one year. A Final Plat must be submitted to the City within this one year time period or the application is deemed withdrawn unless an extension to the Preliminary Plat is granted by the Planning Commission. Under PUD zoning, a Preliminary Development Plan (PDP) is processed at the same time as the Preliminary Plat. The PDP is also valid for one year following approval. The PDP can be extended by the Current Planning Manager. It is customary for the Current Planning Manager to extend a PDP for the same length of time that the Planning Commission extends a Preliminary Plat. When a Preliminary Plat or Preliminary Development Plan expires, a new application must be filed and all application fees paid.

Planning staff has no objection to this additional request. Staff believes that various minor changes in City codes and standards since the approval would not significantly alter the development, and it will serve no practical purpose to require a re-submittal of the approved applications. If the Planning Commission approves an extension request for the Preliminary Plat, staff would look favorably on extending the Preliminary Development Plan for the same time period. If an extension request is denied by the Planning Commission, staff will not entertain an extension of the Preliminary Development Plan.

If an extension is approved, the applicant will be required to submit a Final Plat and Final Development Plan within the specified extension period or a re-application of the Preliminary Plan and Preliminary Development Plan will be necessary. These final documents must be accompanied by Public Improvement Construction Plans (infrastructure plans) that are consistent with City's current Standards at the time of submittal.

RECOMMENDED MOTION: “Move to approve the request for a one year extension of the Preliminary Plat of the Anderson First Subdivision to June 15, 2017, subject to all of the original conditions of approval.”

ATTACHMENTS:

- A. Letter of Request from Chad Walker
- B. Vicinity map
- C. Overall E-Employment Concept Master Plan
- D. Overall Preliminary Plat for Anderson First Subdivision
- E. Overall Preliminary Development Plan for “The Ridge at Thompson Valley PUD”.

2010-1 RADC/CADC Property XI, LLC

Date: June 2, 2016

To: Mr. Brian Burson
City Planner II
Current Planning Division
City of Loveland – Planning Manager



From: Corey Walker
Director of Asset Management
Representative for Managing Member of 2010-1 RADC/CADC Property XI, LLC
Mariner Real Estate Management

Re: Request to Extend Preliminary Plat and Preliminary Development Plan, Anderson 1st Subdivision, Loveland, Colorado

On behalf of 2010-1 RADC/CADC Property XI, LLC, a Delaware limited liability company, I respectfully request the City of Loveland Planning Commission grant a one (1) year extension of the Preliminary Plat (PP) and Preliminary Development Plan (PDP) for the Anderson 1st Subdivision in Loveland, Colorado. Anderson 1st Subdivision is currently under-contract with a pending Closing Date of June 30, 2016. The Buyer has the right to extend the Closing Date for an additional period of up to ninety (90) days, but not later than September 27, 2016.

The PP and PDP extensions granted in June 2015 was for the purpose of providing adequate time for the Buyer to conduct due diligence to investigate the physical and economic feasibility of extending City of Loveland sewer service to the property. Through the Buyer's due diligence efforts it was determined the property can be served by City sewer. It is the Buyer's intent to submit a Final Development Plan (FDP) within several months of closing the purchase/sale transaction. In order to accommodate a consummation of the purchase/sale transaction within the next one to four months, and to allow adequate time for the Buyer to submit an FDP for Planning Staff review, a one (1) year extension of the Anderson 1st Subdivision PP and PDP is requested.

Please contact me if you have further questions or require additional information regarding this request.

Your time and efforts in this matter are greatly appreciated.

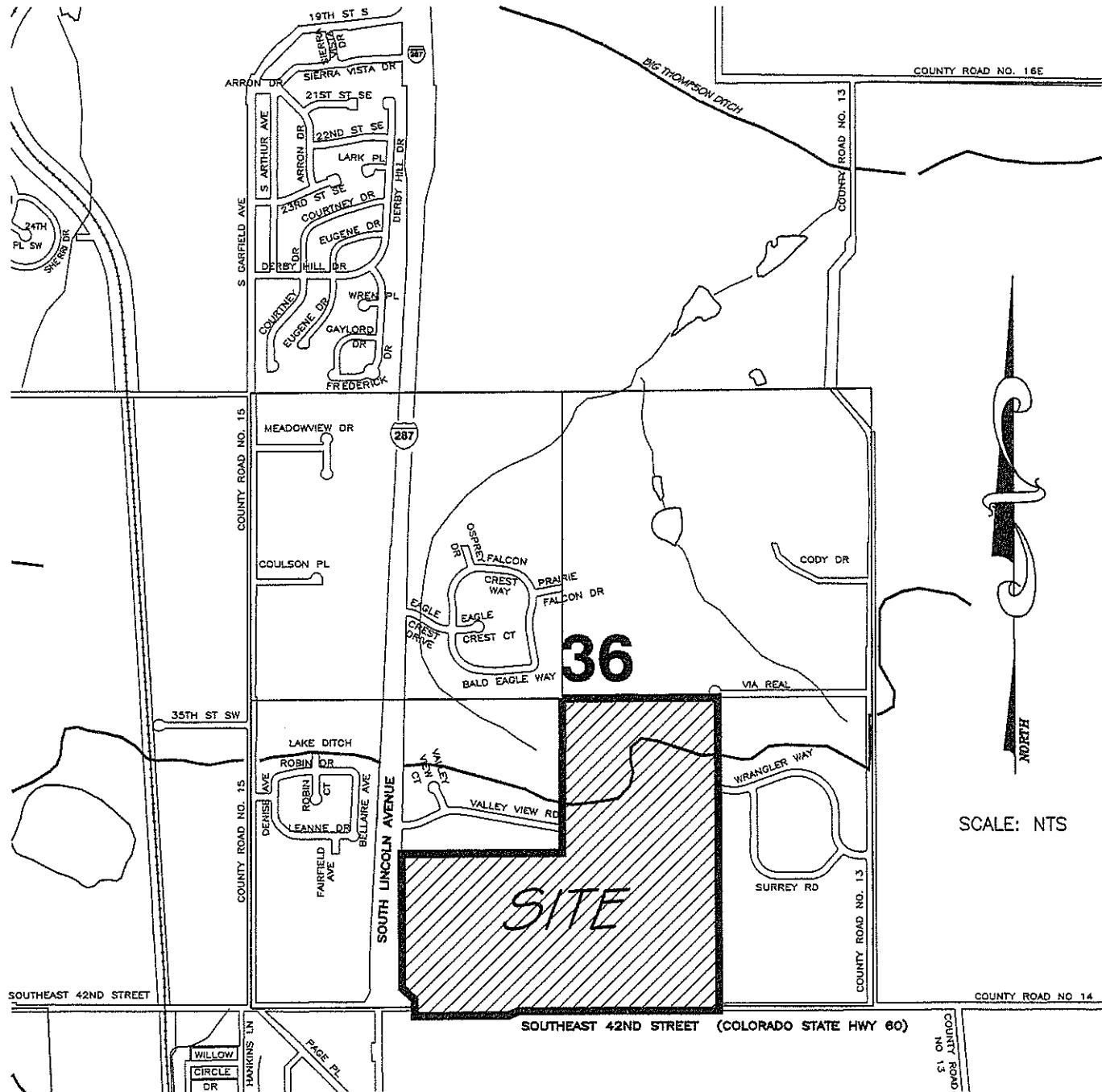
Sincerely,

2010-1 RADC/CADC Property XI, LLC, a Delaware limited liability company
By: Corey Walker, Mariner Real Estate Management, LLC

ATTACHMENT A

VICINITY MAP FOR THE RIDGE AT THOMPSON VALLEY PDP/PRELIMINARY PLAT

BEING PARCELS A AND B, ANDERSON ADDITION, SITUATE IN THE SOUTH HALF OF SECTION 36,
TOWNSHIP 5 NORTH, AND A PORTION OF THE NORTH HALF OF SECTION 1, TOWNSHIP 4
NORTH, RANGE 69 WEST OF THE 6TH P.M., TO THE CITY OF LOVELAND, COUNTY OF LARIMER,
STATE OF COLORADO



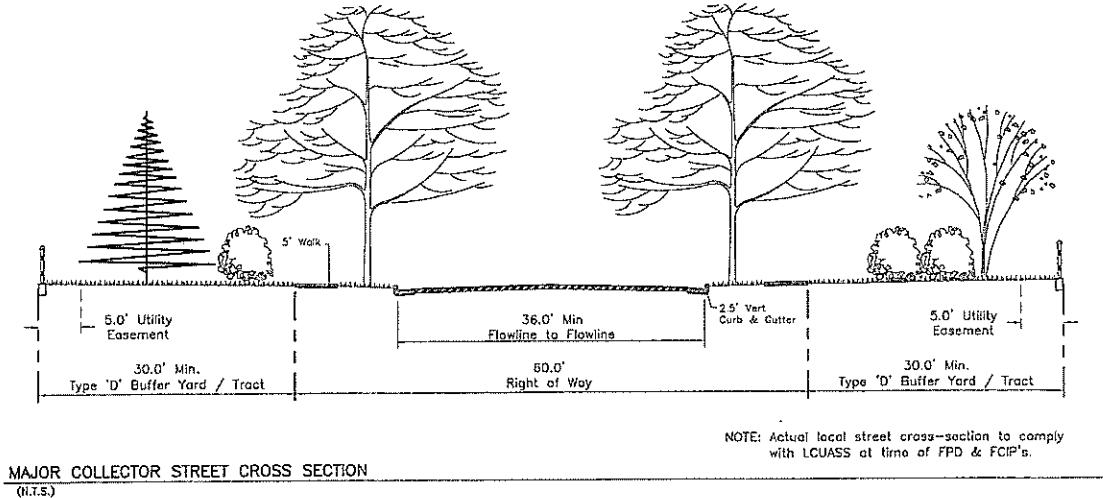
VICINITY MAP (NTS)

Prepared By:
Intermill Land Surveying, Inc.
1301 North Cleveland Avenue
Loveland, CO. 80537
(970) 669-0516
Project No.: P-04-5725

ATTACHMENT B

'THE RIDGE AT THOMPSON VALLEY PLANNED UNIT DEVELOPMENT' PRELIMINARY DEVELOPMENT PLAN

FOR THE ANDERSON ADDITION PLANNED UNIT DEVELOPMENT, AMENDMENT NO. 1, BEING A PLANNED UNIT DEVELOPMENT OF A PORTION OF ANDERSON ADDITION,
TO THE CITY OF LOVELAND, COUNTY OF LARIMER, STATE OF COLORADO

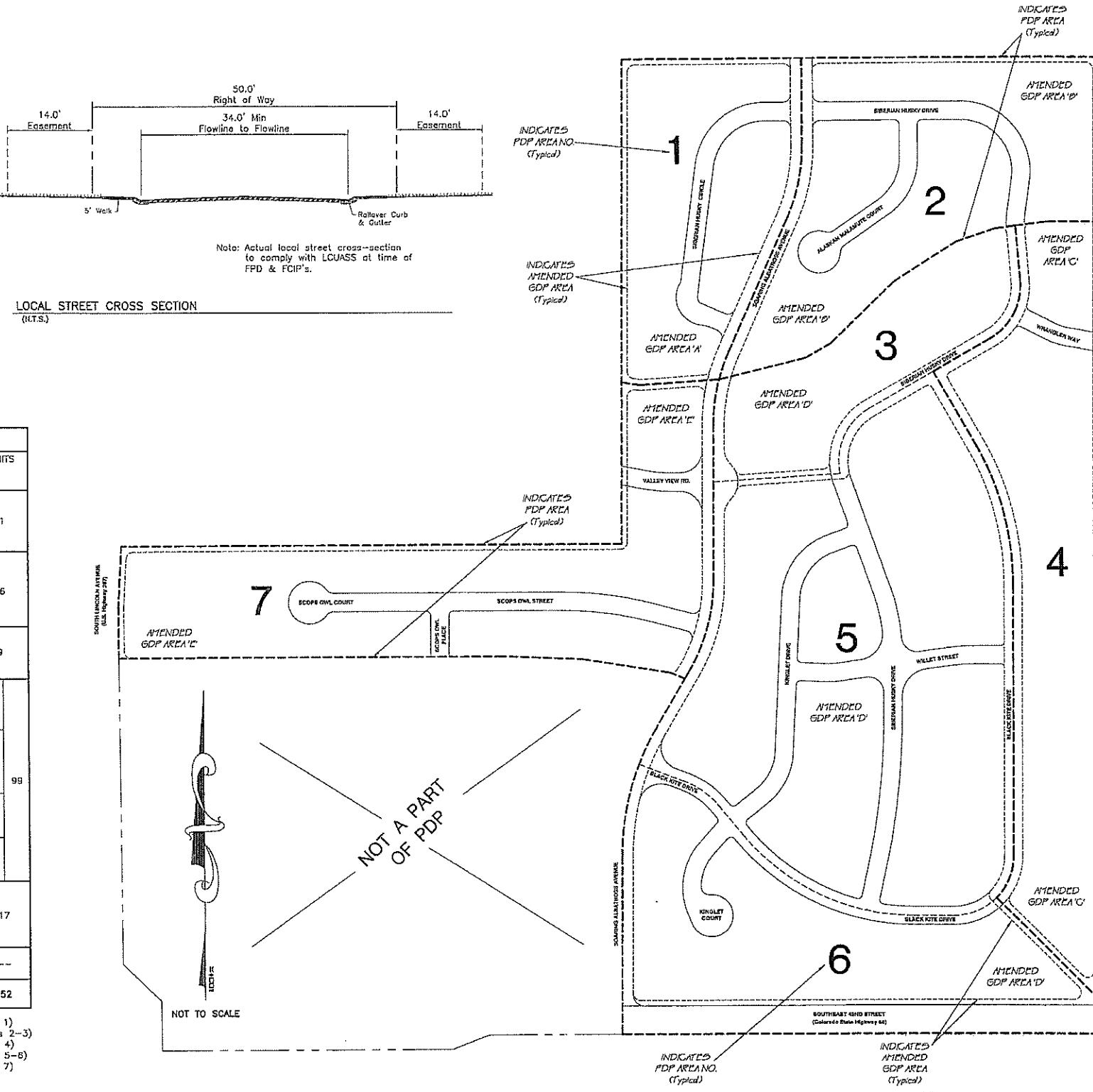


AMENDED GENERAL DEVELOPMENT PLAN (GDP) / PRELIMINARY DEVELOPMENT PLAN (PDP) COMPARISON TABLE										
GDP AREA	PDP AREA	USE	LOT SIZE MINIMUM MAXIMUM AVERAGE	LOTS, BLOCKS and TRACTS INCLUDED	GROSS AREA (ACRES) INCLUDING PERIMETER ROW'S	NET AREA (ACRES) EXCLUDING INTERNAL ROW'S	DENSITY GROSS/NET	OPEN SPACE (ACRES)	X*	UNITS
A	1	SF LARGE LOT	19,182± S.F. 35,315± S.F. 24,431± S.F.	Lots 1-8, Block 12 Lots 1-3, Block 13	8.50± Acres	6.89± Acres	1.29/1.60	0.80± Acres Tracts S, U, X & North 1/2 OF R	9.4	11
B	2	SF LARGE LOT	14,193± S.F. 26,559± S.F. 17,727± S.F.	Lots 25-35, Block 10 Lots 1-5, Block 11	11.90± Acres	9.35± Acres	1.34/1.71	2.73± Acres Tracts T, V, W, North 1/2 OF G & North 1/2 OF F	22.9	16
C	4	SF ESTATE	43,522± S.F. 50,092± S.F. 45,161± S.F.	Lots 17-25, Block 5	12.33± Acres	9.33± Acres	0.73/0.96	1.04± Acres Tract N	8.4	9
D	3	SF PATIO	7,190± S.F. 8,827± S.F. 7,817± S.F.	Lots 15-24, Block 10	5.81± Acres	4.99± Acres	1.72/2.0	3.19± Acres Portion of Tract I and the South 1/2 of Tract P	54.9	10
	5	SF PATIO	6,083± S.F. 9,265± S.F. 6,988± S.F.	Lots 1-12, Block 6 Lots 1-10, Block 7 Lots 1-16, Block 8 Lots 1-7, Block 9 Lots 1-4, Block 10	18.41± Acres INCLUDES PORTIONS OF THE 5.73± ACRE OPEN SPACE	9.61± Acres INCLUDES PORTIONS OF THE 5.73± ACRE OPEN SPACE	3.20/6.14	5.73± Acres (Total)	58	99
		SF LARGE LOT	9,724± S.F. 11,737± S.F. 10,463± S.F.	Lots 13-19, Block 6 Lots 11-17, Block 7	5.68± Acres INCLUDES PORTIONS OF THE 5.73± ACRE OPEN SPACE	3.36± Acres INCLUDES PORTIONS OF THE 5.73± ACRE OPEN SPACE	2.46/4.17	Tracts J, K, L, M & Portion of I	23.8	14
	6	SF LARGE LOT	11,093± S.F. 19,080± S.F. 15,210± S.F.	Lots 1-16, Block 5	10.19± Acres	8.65± Acres	1.57/1.81	3.27± Acres Tract H	32.1	16
E	7	SF LARGE LOT	17,311± S.F. 39,217± S.F. 22,530± S.F.	Lots 1-16, Block 4 Lot 9, Block 12	14.11± Acres	11.70± Acres	1.20/1.45	2.95± Acres Tracts A, F, G, Q & South 1/2 of R	20.9	17
		ROW	--	SOUTHEAST 42ND STREET (Co. State Highway 60)	2.42± Acres	--	--	--	--	--
TOTAL(S)					89.35± Acres	64.08± Acres	1.70/2.37	19.71± Acres (30.7% of Net)	--	152

%%: Indicates Percentage of Open Space to Gross Area

Original	GDP	Area A	Allowed	Units = 13	/ PDP	Actual units = 11	(PDP Area 1)
Original	GDP	Area B	Allowed	Units = 28	/ PDP	Actual units = 26	(PDP Areas 2-3)
Original	GDP	Area C	Allowed	Units = 13	/ PDP	Actual units = 9	(PDP Area 4)
Original	GDP	Area D	Allowed	Units = 82	/ PDP	Actual units = 89	(PDP Areas 5-6)
Original	GDP	Area E	Allowed	Units = 15	/ PDP	Actual units = 17	(PDP Area 7)

TOTAL UNITS 152 152



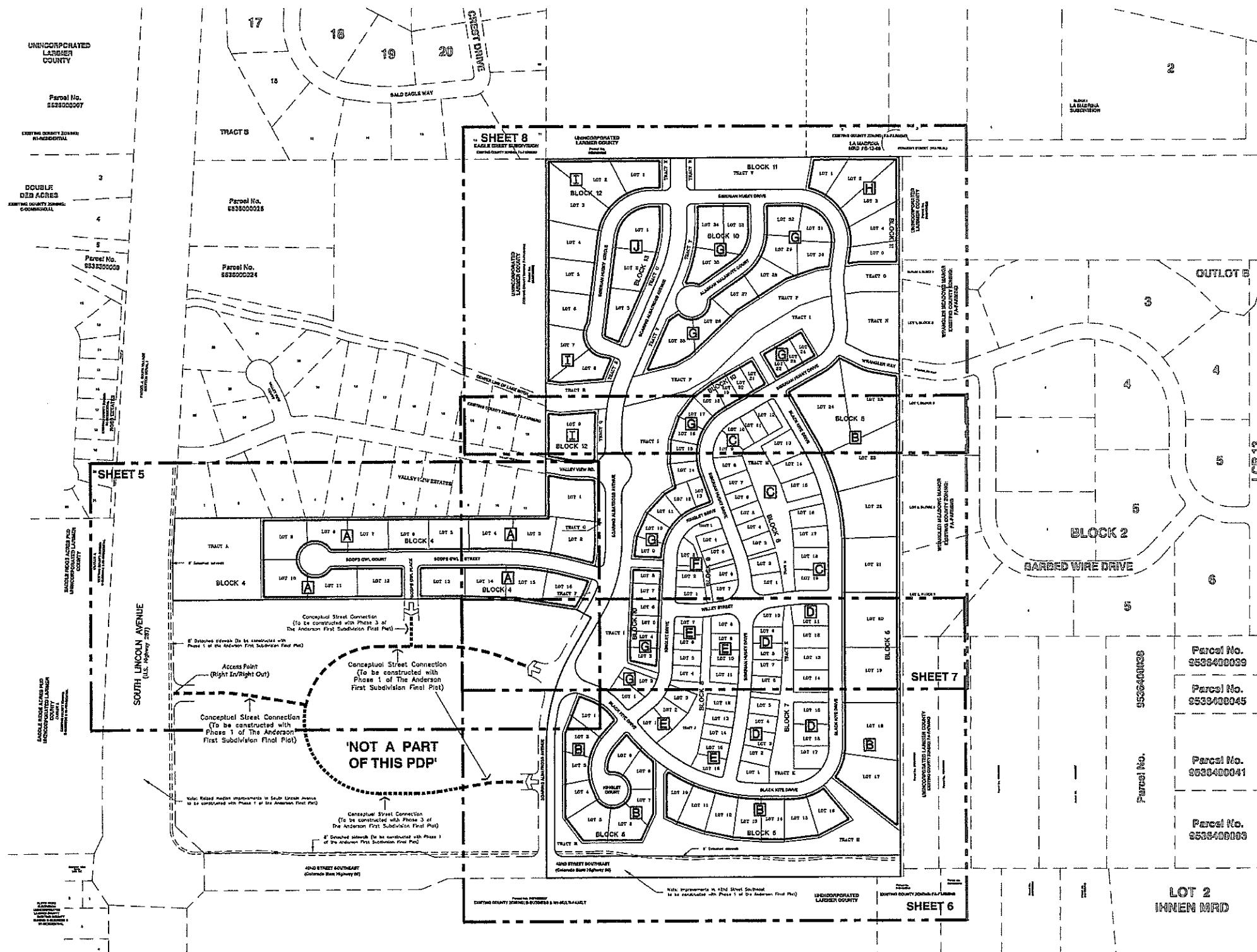
NOT TO SCALE

NOT A PART
OF PDP

W. GDP / PDP COMPARISON PLAN

'THE RIDGE AT THOMPSON VALLEY PLANNED UNIT DEVELOPMENT' PRELIMINARY DEVELOPMENT PLAN

FOR THE ANDERSON ADDITION PLANNED UNIT DEVELOPMENT, AMENDMENT NO. 1, BEING A PLANNED UNIT DEVELOPMENT OF A PORTION OF ANDERSON ADDITION,
TO THE CITY OF LOVELAND, COUNTY OF LARIMER, STATE OF COLORADO



**SETBACK MATRIX FOR
ANDERSON FIRST SUBMISSION
TO THE CITY OF LOVELAND, COLORADO**

[A] - BLOCK FOUR:

LOT	FRONT	REAR	SIDE
1	24'	15'	5'
2	24'	15'	5'
3	24'	15'	5'
4	22'	15'	5'
5	22'	15'	5'
6	22'	15'	5'
7	22'	15'	5'
8	22'	15'	5'
9	24'	15'	5'
10	24'	15'	5'
11	22'	15'	5'
12	22'	15'	5'
13	22'	15'	5'
14	24'	15'	5'
15	24'	15'	5'
16	24'	15'	5'

[B] - BLOCK FIVE:

LOT	FRONT	REAR	SIDE
1	20'	15'	5'
2	22'	15'	5'
3	20'	15'	5'
4	22'	15'	5'
5	24'	15'	5'
6	22'	15'	5'
7	20'	15'	5'
8	20'	15'	5'
9	22'	15'	5'
10	22'	15'	5'
11	20'	15'	5'
12	20'	15'	5'
13	22'	15'	5'
14	20'	15'	5'
15	22'	15'	5'
16	22'	15'	5'

[C] - BLOCK SIX:

LOT	FRONT	REAR	SIDE
1	20'	15'	5'
2	20'	15'	5'
3	22'	15'	5'
4	22'	15'	5'
5	20'	15'	5'
6	20'	15'	5'
7	20'	15'	5'
8	20'	15'	5'
9	22'	15'	5'
10	22'	15'	5'
11	20'	15'	5'
12	20'	15'	5'
13	22'	15'	5'
14	20'	15'	5'
15	22'	15'	5'
16	22'	15'	5'

[D] - BLOCK NINE:

LOT	FRONT	REAR	SIDE
1	20'	15'	5'
2	22'	15'	5'
3	20'	15'	5'
4	20'	15'	5'
5	22'	15'	5'
6	20'	15'	5'
7	20'	15'	5'
8	20'	15'	5'
9	22'	15'	5'
10	20'	15'	5'
11	20'	15'	5'
12	20'	15'	5'
13	22'	15'	5'
14	20'	15'	5'
15	22'	15'	5'
16	22'	15'	5'

[E] - BLOCK ELEVEN:

LOT	FRONT	REAR	SIDE
1	24'	15'	5'
2	24'	15'	5'
3	24'	15'	5'
4	24'	15'	5'
5	24'	15'	5'
6	24'	15'	5'
7	24'	15'	5'
8	24'	15'	5'
9	24'	15'	5'
10	24'	15'	5'
11	24'	15'	5'
12	24'	15'	5'
13	24'	15'	5'
14	24'	15'	5'
15	24'	15'	5'
16	24'	15'	5'

[F] - BLOCK TWELVE:

LOT	FRONT	REAR	SIDE
1	24'	15'	5'
2	24'	15'	5'
3	24'	15'	5'
4	24'	15'	5'
5	24'	15'	5'
6	24'	15'	5'
7	24'	15'	5'
8	24'	15'	5'
9	24'	15'	5'
10	24'	15'	5'
11	24'	15'	5'
12	24'	15'	5'
13	24'	15'	5'
14	24'	15'	5'
15	24'	15'	5'
16	24'	15'	5'

[G] - BLOCK THIRTEEN:

LOT	FRONT	REAR	SIDE
1	24'	15'	5'
2	22'	15'	5'
3	20'	15'	5'
4	20'	15'	5'
5	22'	15'	5'
6	20'	15'	5'
7	20'	15'	5'
8	20'	15'	5'
9	22'	15'	5'
10	22'	15'	5'
11	20'	15'	5'
12	20'	15'	5'
13	22'	15'	5'
14	20'	15'	5'
15	22'	15'	5'
16	22'	15'	5'

[H] - BLOCK SEVEN:

LOT	FRONT	REAR	SIDE
1	20'	15'	5'
2	22'	15'	5'
3	20'	15'	5'
4	22'	15'	5'
5	20'	15'	5'
6	22'	15'	5'
7	20'	15'	5'
8	20'	15'	5'
9	22'	15'	5'
10	22'	15'	5'
11	20'	15'	5'
12	20'	15'	5'
13	22'	15'	5'
14	20'	15'	5'
15	22'	15'	5'
16	22'	15'	5'

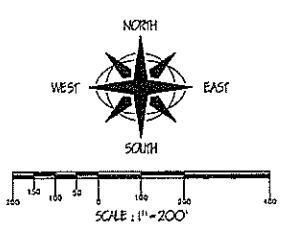
[I] - BLOCK EIGHT:

LOT	FRONT	REAR	SIDE
1	20'	15'	5'
2	20'	15'	5'
3	22'	15'	5'
4	22'	15'	5'
5	20'	15'	5'
6	20'	15'	5'
7	20'	15'	5'
8	20'	15'	5'
9	22'	15'	5'
10	22'	15'	5'
11	20'	15'	5'
12	20'	15'	5'
13	20'	15'	5'
14	20'	15'	5'
15	22'	15'	5'
16	22'	15'	5'

* indicates Lots with
'Special' sides and
rear setbacks

NOTES:

1. Corner lots shall have a 15' side yard setback to adjacent streets.
2. Setback dimensions shown on this table do not reflect the existence of easement lines. The greater of the dimensions (setback dimension vs. easement dimension) shall govern.
3. Sideyard setbacks are listed as only 5 feet as a minimum only. The standard ratio of 1' setback for every 3' of building height shall be the 'default' side setback rule used, with the 5' minimum side setback requirement used for structures less than 15 feet in height.



OVERALL SITE / KEY MAP / SETBACK MATRIX

According to Colorado law you must commence any legal action based upon any defect in 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 the certification shown herein.



AGENDA ITEM: REGULAR AGENDA ITEM # 2
MEETING DATE: 6/27/2016
TO: City of Loveland Planning Commission
FROM: Susan Grafton, Economic Development Director
PRESENTER: Mike Scholl, Economic Development Manager and Representatives of the Loveland Downtown Development Authority

TITLE: A motion to recommend the City Council adoption of the Amended Plan of Development for the Downtown Development Authority

RECOMMENDED COMMISSION ACTION: Approve the motion

SUMMARY:

The Plan of Development (DDA Plan) for the Loveland Downtown Development Authority (DDA) is required by State statute to be reviewed by the Planning Commission and a recommendation then made to the City Council. The DDA Plan is defined as a plan for the development or redevelopment of the DDA District over a thirty to fifty year period. Any revisions to the DDA Plan must go back through the Planning Commission review and City Council approval.

Minor modifications have been made to the plan based on feedback from the Planning Commission and an Amended DDA Plan is being presented for review and recommendation. Should the Planning Commission recommend approval of the Amended DDA Plan, the City Council will hold a public hearing on July 19, 2016 and immediately thereafter consider a resolution approving the Amended DDA Plan. The DDA may not undertake any development project until the City Council has approved the Amended DDA Plan.

BACKGROUND:

In January 2014, the Loveland City Council directed staff to work with the private sector to develop an organization that would lead downtown redevelopment efforts. In July 2014 the Loveland Downtown Partnership (LDP) was formed to act in this capacity. The City made a commitment to fund the Loveland Downtown Partnership for a period of 10 years. An election was held in February of 2015 at which time the voters approved the formation of the DDA.

The LDP (and its precursor, the “Downtown Working Group”), working with a variety of interested downtown individuals and groups, drafted and approved “A Strategic Plan for Revitalizing Downtown Loveland” (Strategic Plan) which was approved by the City Council as an official City downtown plan in 2015. (see attached) The Strategic Plan, along with other applicable City downtown plans and policies (listed on page 9 of the DDA Plan) formed the basis of the original

DDA Plan, which was drafted by the LDP in close coordination with and assistance from City Staff. On June 8, 2015 the Loveland Planning Commission recommended approval of the original DDA Plan to Loveland City Council. On July 7, 2015 City Council approved the original plan but conditioned the tax increment financing and other revenue generating features of the DDA on a successful revenue generating election in November of 2015. The November election was very close, but ultimately unsuccessful so the funding for DDA activity is not yet in place.

In preparation for the new 2016 ballot measure requesting DDA tax increment financing and other tax generation, the LDP and DDA have worked closely to refresh the DDA Plan with a minor update to the legal description to resolve a tax assessor parcel mapping issue, and other updates which are reflected in redlines of the attached Amended DDA Plan. Specifically, the section of the Amended DDA Plan addressing Municipal Sales Tax Increment was revised to provide that the definition of "municipal sales tax" does not include those municipal sales tax revenues that are obligated to be paid in accordance with any economic incentive agreement that is in place as the approval date of the Amended DDA Plan. These modifications require that the DDA Plan be amended and official action taken by the Planning Commission and City Council.

The Amended DDA Plan is recommended for approval by both the LDP and the DDA Boards.

LIST OF ATTACHMENTS:

1. Amended Plan of Development
 - Appendix I: Included in Plan of Development
 - Appendix II: attached separately to coversheet (A Strategic Plan for Revitalizing Downtown Loveland)
 - Appendix III (link): [Downtown Vision Book \(2010\)](#)
 - Appendix IV (link): [Destination Downtown: HIP Streets Master Plan \(2010\)](#)
 - Appendix V (link): [Downtown Strategic Plan, Amendment to City's Comprehensive Plan \(2009\)](#)
2. Amended Plan of Development – Redlined Copy



LOVELAND DOWNTOWN DEVELOPMENT AUTHORITY

Amended Plan of
Development



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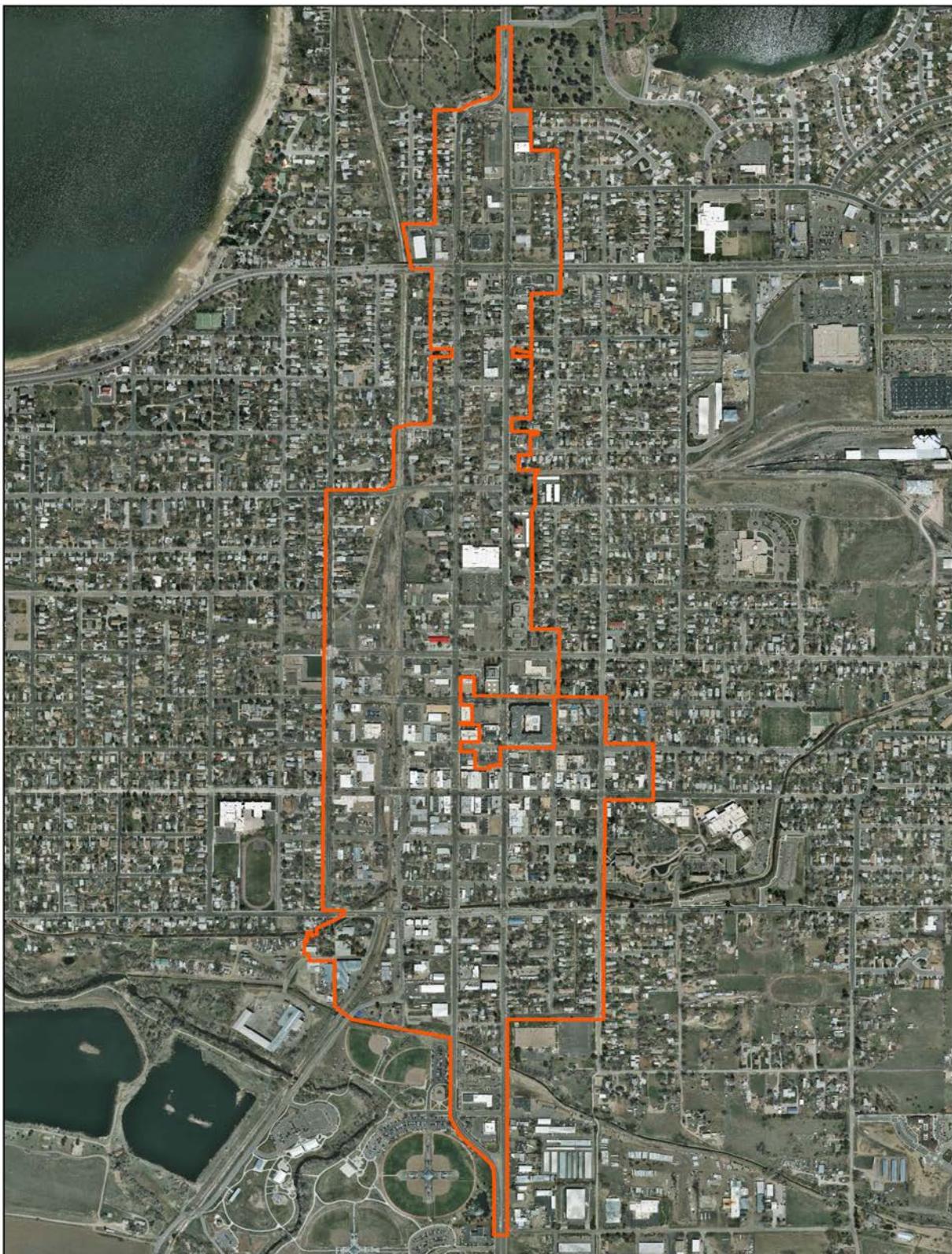
Foreword

The downtown (“Downtown”) of the City of Loveland (“Loveland”) serves as the heart of a city that from its beginnings in 1877 has defined the best of Colorado’s entrepreneurial spirit and sense of civic pride, with an emphasis on arts and cultural activities. Downtown Loveland residents, businesses and property owners believe that a strong economic foundation is critical to sustaining a vibrant community respectful of its history, committed to the full inclusion of all its citizens, and strategically positioned to thrive in a globally competitive marketplace.

This Plan of Development (the “Plan”) is an essential first legal step in creating a vibrant Downtown that provides a safe, dynamic environment to gather, live, educate, shop, work and play. The needs of the Downtown have been recognized over the past years in vision documents, comprehensive and strategic plans and master planning efforts. All of these document have identified the need to have a strong Downtown for the economic health and future of Loveland.

The emphasis of this Plan is on the needs of the Downtown over a thirty (30) to fifty (50) year period and the type of projects and programs that are required to satisfy those needs, rather than dictating the physical location, dimensions and design which can only evolve through continual planning efforts.

District Map



Loveland Downtown Development Authority
Established by Ordinance No. 5927

Boundaries of the DDA

The boundary of the Loveland Downtown Development Authority (the “DDA”), as shown on the preceding map, outlines the area in which the DDA will exercise its statutory powers (the “District”). The District was established on the basis of the best information available at the time. It is intended that the boundaries will change given changing times and circumstances. Property owners adjoining the District are encouraged to petition for inclusion if and when the uses and purposes of their properties become compatible with the purposes of the District.

The District is generally bounded on the east by Lincoln Avenue and on the west by Cleveland Avenue; the eastern boundary of the District goes from the tip of the southern gateway, following Lincoln Avenue to 3rd Street SE, east 2 blocks to Washington Avenue, 6 blocks north to 4th Street, east one block to Adams Avenue, north to 5th Street, and then back west to Washington Avenue; then from the intersection of 5th Street and Washington Avenue, north one block and west one block to Jefferson Avenue, north 1½ blocks and west another ½ block, then continuing northward, including the properties that front on Lincoln Avenue, toward Eisenhower Boulevard, to 1/2 block south of Eisenhower Boulevard, then east to Jefferson Avenue, north to the alley one half block past 16th Street, west 190 feet, north to the boundary with Lakeside Cemetery, west to Lincoln Avenue, north to the end of the one way system, and from the tip of the northern gateway, the western boundary includes the properties on the west side of Cleveland Avenue heading south to 11th Street, then west to just past the railroad tracks, south on Railroad Avenue for one block, and again west on 10th Street to Garfield Avenue, then south 11 blocks to past 2nd Street SW to the intersection of Garfield Avenue and Railroad Avenue, then following the irrigation ditch southeast back to Cleveland Avenue and then south to the end of the one way system.

The legal description of the District is attached as Appendix I to this Plan.

Objective and Purposes

The primary objectives of the DDA are to promote the safety, prosperity, security and general welfare of the District and its inhabitants, to prevent deterioration of property values and structures within the District, to prevent the growth of blighted areas within the District, to assist Loveland in the development, redevelopment and planning of the economic and physical restoration and growth of the District, to improve the overall appearance, condition and function of the District, to encourage a variety of uses compatible with the artistic and cultural community, to sustain and improve the economic vitality of the District, to promote the historic, artistic and cultural elements of the District, and to encourage pedestrian traffic and security in the District. To achieve these objectives, the specific goals of the DDA include the following and any other activities, plans, and development and redevelopment authorized by law.

The Plan recognizes that this is a long term revitalization strategy focused on implementing an entrepreneurial environment in which District products and services meet local demands and attract new residents and businesses to the area.

To achieve these objectives, the specific goals of the DDA include, but are not limited to the following:

1. Work with private entities, developers and property owners to promote positive investment in the District.
2. Work with business owners, and business entrepreneurs to promote retail growth, new job growth and other uses in the District.
3. Identify and help form collaborative public/private partnerships that promote economic growth in ways that honor and sustain strong community values.
4. Implement key elements of Loveland's approved infrastructure plan.
5. Increase residential and employment density as catalysts for enriching life for residents and visitors alike.
6. Assist emerging and existing businesses in navigating various local, county, and state regulations and taxing policies.
7. Identify and establish a communications process with current business and property owners within the District.
8. Establish multiple communication forums with emphasis on email, social media, and newspaper.
9. Work with Loveland in evaluating and potentially implementing a "One Stop" approach to Downtown development including identifying a potential organizational structure therefor.
10. Improve the visual attractiveness of the District including but not limited to façade renovations, public streets, alleys, curbs, gutters, sidewalks, lighting along with street furniture and landscaping.
11. Underground the utility systems.
12. Promote a diversity of activities in the District.

13. Promote and encourage the renovation and reuse of vacant and deteriorated structures within the District.
14. Encourage the creation and continuation of public events within the District
15. Promote and market the District.
16. Promote Loveland's unique identity as a destination for arts and culture.

Plan of Development Projects

- A. Plan projects may include public facilities and other improvements to public or private property of all kinds consistent with the priorities of the DDA by all means permitted by federal, state and local laws and regulations, including but not limited to, land assemblage, demolition, removal, site preparation, construction, renovation, repair, remodeling, reconstruction purchase of property interests, rehabilitating, equipping, selling and leasing in connection with such public and private improvements.

B. Descriptions of specific development projects that have been conceptually identified as potential key downtown **redevelopment projects** including, but not limited to, the following:

ITEM	CITY/DDA FUNDING	OTHER PUBLIC FUNDING	PRIVATE	NOTES
Redevelopment Projects				
South Catalyst Project: 3 rd Street Site	\$15,000,000	\$15,000,000	\$50,000,000	Amount includes the estimate on land, plus the cost of the redevelopment with a parking structure
4th Street/Rialto Square	\$2,500,000	\$0	\$7,500,000	Includes the cost of land plus redevelopment cost,
Arcadia (opera House) (4th and Cleveland)	\$400,000	\$75,000	\$1,800,000	Based on preliminary review of proposed plan.
4th and Lincoln/Redevelopment (Heartland Corner)	\$2,000,000	\$0	\$6,250,000	Potential project/timeline unknown
Loveland Elks Lodge	\$250,000	\$200,000	\$2,000,000	Estimates are for rehab at \$100/square foot
Lovlander Hotel	\$250,000	\$200,000	\$2,000,000	Estimates are for rehab at \$100/square foot
VFW Hall	\$500,000	\$0	\$4,000,000	
Feed and Grain	\$0	\$2,300,000	\$1,000,000	
Pulliam Building	\$4,600,000	\$200,000	\$1,200,000	Assumes the City receives a grant from the State Historic Fund and Historic Tax Credits
Former House of Neighborly Service Building - Cleveland	\$500,000	\$0	\$5,000,000	Assumes a redevelopment of a 20,000 sq./foot building
Safeway site	\$5,000,000	\$0	\$30,000,000	Requires further investigation
Railroad site	\$2,500,000	\$0	\$15,000,000	Land at 7th and Garfield
Other private	\$1,500,000		\$10,000,000	Includes other projects not contemplated, plus façade grants and fire safety grants
SUBTOTAL REDEVELOPMENT	\$35,500,000	\$17,975,000	\$139,500,000	

C. Descriptions of specific potential **public facilities and improvements** that have been conceptually identified to complement private developments including, but not limited to, the following:

ITEM	CITY/DDA FUNDING	OTHER PUBLIC FUNDING	PRIVATE	NOTES
Infrastructure Projects				
4th Street/Phase I - 3 blocks	\$5,860,000			4th Street from Railroad to Jefferson
4th Street/Additional 2 blocks	\$2,500,000			4th Street to Garfield and Washington
3rd Street	\$2,250,000			3rd Street west of Cleveland to Feed and Grain
5th Street	\$3,010,000			5th Street from Lincoln to Railroad
5th Street Plaza	\$2,187,413			Museum plaza proposal in the parking lot at 5th and Lincoln
Power (Electric)	\$5,000,000			Estimates are for \$300,000 per block to underground the power
Railroad Avenue 1st to 5th	\$4,000,000			May include connectivity with the trail system.
Cost Escalation	\$3,161,483			Estimates were completed in 2009, the number is 20 percent of the cost of the streetscape improvements
SUBTOTAL INFRASTRUCTURE	\$27,968,896	\$0	\$0	

D. Other specific development projects and public facilities currently contemplated are as follows:

ITEM	CITY/DDA FUNDING	OTHER PUBLIC FUNDING	PRIVATE	NOTES
Other Projects				
Trail Expansion	\$1,000,000			
Railroad Quiet Zones	\$1,000,000	\$2,000,000		Includes four rail crossings located at 1 st , 4 th , 6 th and 7 th Streets
SUBTOTAL OTHER	\$2,000,000	\$2,000,000	\$0	

E. The DDA also may seek to support other projects not directly identified above including, but not limited to, the following:

1. Beautification programs;
2. Pedestrian facilities and circulation improvements;
3. Parking that is not otherwise included within specific projects (i.e., 3rd Street Catalyst); and
4. Downtown hotel or other convention facilities built in conjunction with a private development.

Strategic Downtown Plan

The DDA, acting in coordination with the Loveland Downtown Partnership and the City of Loveland, will need to establish short and long term priorities based on adopted strategic plans and identified development projects as such plans and projects evolve. The current plans, which are referenced below and attached as Appendices II through V to this Plan, are as follows:

Appendix II: *A Strategic Plan for Revitalizing Downtown Loveland (2014)*

The plan, adopted by the Loveland City Council and the Loveland Downtown Partnership, provides the comprehensive outline for short and long term success in Downtown Loveland.

A Strategic Plan for Revitalizing Downtown Loveland is driven by the following principles:

1. We are committed to a process driven by community stakeholders and supported by the City of Loveland.
2. We are committed to a long term revitalization strategy (20 yrs.) that combines immediate action to improve communications and marketing with an ongoing responsibility to maintain and improve the downtown infrastructure.
3. We are committed to shaping policies and procedures that provide adequate flexibility for the organization to respond quickly and effectively to changing conditions at the local, state, national, and/or international levels.
4. We are committed to implementing an entrepreneurial environment in which Downtown products and services meet local demands and attract new residents and businesses to the area.
5. We are committed to shaping collaborative public/private partnerships that promote economic growth in ways that honor and sustain strong community values.

Appendix III: *Downtown Vision Book (2010)*

The purpose of the Downtown Vision Book is to highlight catalyst projects, and describe the context, character and the opportunity for revitalization. In addition, the Downtown Vision Book identifies ideas, opportunities and strategies to further benefit Downtown Loveland. The Private-Public projects are designed to capture not only the value of public participation, but to be a catalyst for private investment, enhanced connections and enrichment of the community experience for residents, businesses and visitors alike.

Appendix IV: *Destination Downtown: HIP Streets Master Plan (Infrastructure Plan) (2010)*

The Infrastructure Plan was completed in 2010, and highlights the streetscape, utility and other public infrastructure improvements in Downtown Loveland.

Appendix V: *Downtown Strategic Plan – Amendment to the City's Comprehensive Plan (2009)*

The plan, adopted by the Loveland City Council as an amendment to the Comprehensive Plan, was the basis for the effort by the City and the Loveland Downtown Team to revitalize the Downtown.

Methods of Financing Projects

In order to finance the projects and purposes of the DDA, the following financial sources are authorized to be utilized:

- A. Proceeds of bonds of, loans or advances to, or indebtedness incurred by the City of Loveland secured by the pledge of the following tax revenues for the maximum period of time authorized by C.R.S. § 31-25-807(3):
 - a. **Property Tax Increment:** All of that portion of property taxes in excess of such taxes which are produced by the levy at the rate fixed each year by or for any public body upon the valuation for assessment of taxable property within the boundaries of the District last certified prior to the effective date of approval by the City Council of Loveland of this Plan or, as to an area later added to the boundaries of the District, the effective date of the modification of this Plan.
 - b. **Municipal Sales Tax Increment:** All of that portion of municipal sales tax in excess of such taxes collected within the boundaries of the District for the twelve-month period ending on the last day of the month prior to the effective date of approval by the City Council of Loveland of this Plan. For purposes of calculating the amount of municipal sales tax, "municipal sales tax" shall be as defined in Section 3.16.010 and Section 3.16.020A of the Loveland Municipal Code, provided that such definition shall specifically not include those municipal sales tax revenues that are obligated to be paid in accordance with the specific terms and conditions of any economic incentive agreement in effect as of the approval date of this Plan¹.
 - c. **Other sources:** Such other sources of revenue for repayment of bonds, loans, advances or other indebtedness of Loveland as may be authorized by law.

All such taxes described in this paragraph A shall be adjusted, collected, allocated and used as set forth in C.R.S. § 31-25-807(3), as amended from time to time.

- B. Membership fees;
- C. Private contributions;
- D. Proceeds of loans to the DDA;
- E. Fees and other charges imposed in connection with projects undertaken by the DDA;
- F. Grants and other funds made available by public agencies and other entities;

¹ On January 27, 2015, the City of Loveland and Thornton Long Term Investments, L.L.C. entered into that certain Agreement for City Incentive, Fee Waiver, and Construction Materials Use Tax Waiver with Thornton Long Term Investments, L.L.C. for a Sprouts Farmers Market (the "Agreement"). Pursuant to the Agreement, a \$2,200,000 incentive was provided by the City of Loveland which is to be repaid at a rate of three percent (3%) interest, amortized over a ten (10) year period, in accordance with the terms and conditions of the Agreement.

- G. All types of bond issues, including industrial development revenue and special assessment bonds; and
- H. All such other sources and methods as may be authorized by law from time to time, including but not limited to, C.R.S. § 31-25-801, et seq.

Appendix I: *Legal Description of Downtown Development District*

Beginning at the point of intersection of the south right-of-way (ROW) line of E. 4th Street and the east ROW line of N. Washington Avenue; thence southerly along said east ROW line to its point of intersection with the north ROW line of E. 3rd Street; thence continuing southerly to the point of intersection of the south ROW line of E. 3rd Street and the east ROW line of N. Washington Avenue; thence continuing southerly along said east ROW line to its point of intersection with the north ROW line of E. 1st Street; thence southwesterly to the point of intersection of the south ROW line of E. 1st Street and the east ROW line of S. Washington Avenue; thence southerly along said east ROW line to its point of intersection with the north ROW line of the alley between E. 1st Street and 2nd Street S.E.; thence continuing southerly to the point of intersection of the south ROW line of said alley and the east ROW line of S. Washington Avenue; thence continuing southerly along said east ROW line to its point of intersection with the north ROW line of 2nd Street S.E.; thence continuing southerly to the point of intersection of the south ROW line of 2nd Street S.E. and the east ROW line of S. Washington Avenue; thence continuing southerly along said east ROW line to its point of intersection with the south ROW line extended of 3rd Street S.E.; thence westerly along said extended line to the point of intersection of the west ROW line of S. Washington Avenue and the south ROW line of 3rd Street S.E.; thence continuing westerly along said south ROW line to its point of intersection with the east ROW line of S. Lincoln Avenue; thence southerly along said east ROW line to its point of intersection with the north line extended of the 5th Street S.E. ROW; thence continuing southerly along said east ROW line to its point of intersection with the south line of the 5th Street S.E. ROW line; thence southerly along said east ROW line to its point of intersection with the north line of the 8th Street S.E. ROW; thence continuing southerly along said east ROW line to its point of intersection with the south line of the 8th Street S.E. ROW; thence westerly along the south line extended of the 8th Street S.E. ROW to the west line of the S. Lincoln Avenue ROW; thence northerly along the west ROW line of S. Lincoln Avenue to its point of intersection with the southwest line of the S. Cleveland Avenue ROW; thence continuing northwesterly along said southwest ROW line to its point of intersection with the south line of the 5th Street S.E. ROW; thence northerly along the west line of the S. Cleveland Avenue ROW to its point of intersection with the north line of the 5th Street S.E. ROW; thence continuing northerly along said west ROW line of S. Cleveland Avenue to its intersection with the north bank of the Farmer's Ditch; thence northwesterly along said bank to its point of intersection with the west ROW line of the Burlington Northern/Santa Fe Railroad and the south line of Henrikson Addition; thence continuing northwesterly along said south line to the southwest corner of Henrikson Addition; thence northerly along the west line of said Henrikson Addition to its point of intersection with the south ROW line of 2nd Street S.W.; thence westerly along said south ROW line to the NW corner of Mill First Addition; thence northerly perpendicular to said ROW line to a point on the south line of Mill Second Addition; thence westerly along said south line to the SW corner of Mill Second Addition; thence northerly and easterly along the west line of said Mill Second Addition to the NW corner thereof; thence easterly and southerly along the north line of Mill Second Addition to the NE corner thereof; thence northwesterly to the SE corner of Riverside Addition; thence northerly

along the east line of Riverside Addition to its point of intersection with the south ROW line of W. 1st Street; thence continuing northerly to the point of intersection of the north ROW line of W. 1st Street and the west ROW line of the N. Garfield Avenue; thence continuing northerly along said west ROW line to its point of intersection with the south ROW line of W. 2nd Street; thence continuing northerly to the point of intersection of the north ROW line of W. 2nd Street and the west ROW line of N. Garfield Avenue; thence continuing northerly along said west ROW line to its point of intersection with the south ROW line of W. 3rd Street; thence continuing northerly to the point of intersection of the north ROW line of W. 3rd Street and the west ROW line of N. Garfield Avenue; thence continuing northerly to the point of intersection of the south ROW line of the alley between W. 3rd Street and W. 4th Street and the west ROW line of N. Garfield Avenue; thence continuing northerly to the point of intersection of the north ROW line of W. 4th Street and the west ROW line of N. Garfield Avenue; thence continuing northerly along said west ROW line to its point of intersection with the south ROW line of the alley between W. 4th Street and W. 5th Street and the west ROW line of N. Garfield Avenue; thence continuing northerly to the point of intersection of the north ROW line of said alley and the west ROW line of N. Garfield Avenue; thence continuing northerly along said west ROW line to its point of intersection with the south ROW line of the alley between W. 4th Street and W. 5th Street and the west ROW line of N. Garfield Avenue; thence continuing northerly to the point of intersection of the north ROW line of W. 5th Street and the west ROW line of N. Garfield Avenue; thence continuing northerly along said west ROW line to its point of intersection with the south ROW line of W. 6th Street; thence continuing northerly to the point of intersection of the north ROW line of W. 6th Street and the west ROW line of N. Garfield Avenue; thence continuing northerly along said west ROW line to its point of intersection with the south ROW line of W. 7th Street; thence continuing northerly to the point of intersection of the north ROW line of W. 7th Street and the west ROW line of N. Garfield Avenue; thence continuing northerly along said west ROW line to its point of intersection with the south ROW line of the alley between W. 7th Street and W. 8th Street; thence continuing northerly to the point of intersection of the north ROW line of said alley and the west ROW line of N. Garfield Avenue; thence continuing northerly along said west ROW line to its point of intersection with the south ROW line of W. 8th Street; thence continuing northerly to the point of intersection of the north ROW line of W. 8th Street and the west ROW line of N. Garfield Avenue; thence continuing northerly along said west ROW line to its point of intersection with the south ROW line of W. 10th Street; thence continuing northerly to the point of intersection of the north ROW line of W. 10th Street and the west ROW line of N. Garfield Avenue; thence easterly to the point of intersection of the east ROW line of N. Garfield Avenue and the north ROW line of W. 10th Street; thence easterly and northeasterly along said north ROW line to its point of intersection with the west ROW line of the Burlington Northern/Santa Fe Railroad; thence northerly along said west ROW to its point of intersection the south line of Little Barnes Ditch; thence continuing northerly to the point of intersection of the north line of said Ditch and the west ROW line of the Burlington Northern/Santa Fe Railroad; thence northerly along said west ROW line to its point of intersection with the south ROW line of E. 11th Street; thence continuing northerly to the point of intersection of the west ROW line of said Railroad and the north ROW line of W. 11th Street; thence northeasterly to the point of intersection of the east ROW line of N. Railroad Avenue and the north ROW line of E. 11th Street; thence easterly along said north ROW line to its point of intersection with the west ROW line of the alley between N. Railroad Avenue and N. Cleveland Avenue; thence northerly along said west alley ROW line to its point of intersection with the south ROW line of the alley between E. 11th Street and E. 12th Street; thence continuing northerly to the point of intersection of the north ROW line of the alley between E. 11th Street and E. 12th Street and the west ROW line of the alley between N. Railroad Avenue and N. Cleveland Avenue; thence continuing northerly along said west alley ROW line to its point of intersection with the south ROW line of E. 12th Street; thence continuing northerly to the point of intersection of the north ROW line of E. 12th Street and the west ROW line of the alley between N. Railroad Avenue and N. Cleveland Avenue; thence continuing northerly along said west alley

ROW line to its point of intersection with the south ROW line of the alley between E. 12th Street and E. 13th Street; thence easterly to the point of intersection of the east ROW line of the alley between N. Railroad Avenue and N. Cleveland Avenue and the midpoint of the westerly Lot line of Lot 8 of Block 5 of Loveland Heights Addition ~~Subdivision~~, thence easterly through the east-west centerline of said Lot 8, to a point of intersection of west ROW line of N. Cleveland Avenue and the midpoint of the easterly lot line of Lot 8 of Block 5 of Loveland Heights Addition ~~Subdivision~~, thence continuing northerly along the west ROW line of N. Cleveland Avenue to the northeast corner of Lot 10 of Block 5 of Loveland Heights Addition ~~Subdivision~~, thence westerly along the north property line of said Lot 10 to the point of intersection of the east ROW line of the alley between N. Railroad Avenue and N. Cleveland Avenue and the northwest corner of Lot 10, Block 5 of Loveland Heights Addition, thence westerly across said alley ROW along the north property line extended of Lot 10, Block 5 of Loveland Heights Addition to its intersection with the west ROW line of the alley between N. Railroad Avenue and N. Cleveland Avenue, thence continuing northerly along said west ROW line to its point of intersection with the south ROW line of E. 13th Street; thence continuing northerly to the point of intersection of the north ROW line of E. 13th Street and the west ROW line of the alley between N. Railroad Avenue and N. Cleveland Avenue; thence continuing northerly along said west ROW line to its point of intersection with the south ROW line of the alley between E. 13th Street and E. Eisenhower Boulevard; thence continuing northerly to the point of intersection of the north ROW line of said alley between E. 13th Street and E. Eisenhower Boulevard and the west ROW line of the alley between N. Railroad Avenue and N. Cleveland Avenue; thence continuing northerly along said west ROW line to the point of intersection of the east line of Lot 21, Block 4, Loveland Heights Addition and the south line of the vacated alley ROW; thence easterly along said south line to the centerline of the vacated alley ROW; thence northerly along said centerline to its point of intersection with the south ROW line of E. Eisenhower Boulevard; thence continuing northerly along the west line extended of said Lots to its point of intersection with the centerline of E. Eisenhower Avenue; thence westerly along said centerline, to its point of intersection with the west ROW line of the Burlington Northern/Santa Fe Railroad; thence northwesterly along said west ROW line to its point of intersection with the north line extended of the E. 15th Street ROW; thence easterly along said north line extended to its point of intersection with the west ROW line of Jackson Avenue; thence easterly along said north line extended of the East 15th Street ROW to its point of intersection with the east ROW line of Jackson Avenue; thence continuing easterly along the north ROW of E. 15th Street to its point of intersection with the east ROW line of the alley between Jackson Avenue and N. Lincoln Avenue; thence northerly along said east ROW of the alley to its point of intersection with the south ROW line of E. 16th Street; thence northerly along said east ROW of the alley to its point of intersection with the north ROW line of E. 16th Street; thence continuing northerly along said east ROW of the alley to its point of intersection with the southern property line of the Loveland Burial Park Cemetery; thence easterly along said southern property line to its point of intersection with the west ROW line of N. Cleveland Avenue; thence northeasterly along the northwestern ROW line of N. Cleveland Avenue to its point of intersection with the west ROW line of N. Lincoln Avenue; thence northerly along said west ROW line to its point of intersection with the south line extended of the E. 20th Street ROW; thence easterly along said south line extended to its intersection with the east ROW line of N. Lincoln Avenue; thence southerly along said east ROW line to its point of intersection with the south boundary line of the Stephenson 1st Subdivision; thence easterly along said south boundary line to its point of intersection with the west boundary of the Conger Subdivision of the North End Addition; thence southerly along said west boundary line to its intersection with the south boundary of the Conger Subdivision of the North End Addition; thence easterly along said south boundary to its intersection with the west boundary line of the Grandview Subdivision of North End Addition; thence southerly along said west boundary line to its intersection with the north ROW line of E. 16th Street; thence southeasterly across E. 16th Street to the point of intersection of the south ROW line of E. 16th Street and the east ROW line of N. Jefferson Avenue; thence southerly along said east ROW line to its point of intersection with the north ROW line of E. Eisenhower Blvd.; thence southerly along said east ROW line to its point of intersection with

the south ROW line of E. Eisenhower Blvd; thence continuing southerly along said east ROW line to its point of intersection with the south boundary line extended of the WARNOCK ADD AMD L1-4 35-39 & POR L40 & VACATED ALLEY Subdivision; thence westerly along said south boundary line extended to its intersection with the west ROW line of N. Jefferson Avenue; thence westerly along said south boundary line to its point of intersection with the west ROW line extended of the alley between N. Lincoln Avenue and N. Jefferson Avenue; thence southerly along said west alley ROW line to its point of intersection with the north ROW line of E. 13th Street; thence continuing southerly to the point of intersection of said west alley ROW line and the south ROW line of E. 13th Street; thence continuing southerly along said west alley ROW line to its point of intersection with north bank of the Big Lateral Ditch, thence northwesterly along north bank of said ditch to its intersection with the east ROW line of N. Lincoln Avenue, thence southerly along the east ROW line of N. Lincoln Avenue to a point 50 feet north of the southwest corner of Lot 6, Block 1 of the McKee Meadows Addition, thence easterly along a line 50 feet north of the southern property line of said Lot 6, Block 1 to its intersection with the west ROW line of the alley between N. Lincoln Avenue and N. Jefferson Avenue, thence continuing southerly along said west alley line to its point of intersection with the the north ROW line of E. 12th Street; thence continuing southerly to the point of intersection of said west alley line with the south ROW line of E. 12th Street; thence continuing southerly along said west alley ROW line to its point of intersection with the north line of Lot 17, Block 2 of the McKee Meadows Addition, thence continuing westerly along north line of said Lot 17 to its point of intersection with the east ROW line of N. Lincoln Avenue; thence continuing southerly along the east ROW line of N. Lincoln Avenue to its point of intersection with the centerline of the alley ROW vacated via Ordinance 3317 and recorded at Reception Number 86051452 adjoining Block 2, Lincoln Place Addition; thence easterly along the centerline of said vacated alley to its point of intersection with the east line of Lot 10, Block 2, Lincoln Place Addition; thence southerly along said east line 20 feet to a point; thence westerly perpendicular to said east line to a point on the east line of Lot 11, Block 2, Lincoln Place Addition; thence southerly along the east line of said Lot 11 to its point of intersection with the north ROW line of E. 11th Street; thence continuing southerly to the point of intersection of the east line of Lot 11, Block 3, Lincoln Place Addition and the south ROW line of E. 11th Street; thence westerly along said south ROW line to its point of intersection with the east line of Lot 13, Block 3, Lincoln Place Addition; thence southerly along said east line to its point of intersection with the north ROW line of the Great Western/Omni Railroad; thence easterly along said north ROW line to its point of intersection with the east line of Lot 10, Block 3, Lincoln Place Addition; thence southerly to the point of intersection of the east line of Lot 2, Block 5, Orchard Park Addition and the south ROW line of said Railroad; thence continuing southerly along the east line of said Lot 2 to the NE corner of Lot 1, Block 5, Orchard Park; thence continuing south along the east line of said Lot 1 to its point of intersection with the north ROW line of E. 10th Street; thence southwesterly to the point of intersection of the south ROW line of E. 10th Street and the east ROW line of the alley between N. Jefferson Avenue and N. Lincoln Avenue; thence southerly along said east ROW line to its point of intersection with the north ROW line of E. 8th Street; thence continuing southerly to the point of intersection of the south ROW line of E. 8th Street and the east ROW line of the alley between N. Jefferson Avenue and N. Lincoln Avenue; thence southerly along said east ROW line to its point of intersection with the north ROW line of the alley between E. 8th Street and E. 7th Street; thence easterly along said north ROW line to its point of intersection with the west ROW line of N. Jefferson Avenue; thence continuing easterly to the point of intersection of said north ROW line and the east ROW line of N. Jefferson Avenue; thence southerly to the point of intersection of the south ROW line of said alley and the east ROW line of N. Jefferson Avenue; thence continuing southerly along said east line to its point of intersection with the north ROW line of E. 7th Street; thence continuing southerly to the point of intersection of the south ROW line of E. 7th Street and the east ROW line of E. Jefferson Avenue; thence continuing southerly along said east line to its point of intersection with the north ROW line of the alley between E. 7th Street and E. 6th Street; thence continuing southerly to the point of intersection of the south ROW line of said alley and the east ROW line of N. Jefferson Avenue; thence continuing southerly along said east line to its point intersection with the north ROW line of E. 6th Avenue; thence

easterly along said north line to its point intersection with the west ROW line of N. Washington Avenue; thence continuing easterly to the point intersection of the north ROW line of E. 6th Avenue and the east ROW line of N. Washington Avenue; thence southerly to the point of intersection of the south ROW line of E. 6th Avenue and the east ROW line of N. Washington Avenue; thence southerly along said east ROW line to its point of intersection with the north ROW line of the alley between E. 6th Street and E. 5th Street; thence continuing southerly to the point of intersection of the south ROW line of said alley and the east ROW line of N. Washington Avenue; thence continuing southerly along said east line to its point of intersection with the north ROW line of E. 5th Street; thence easterly along said north ROW line to its point of intersection with the west ROW line of N. Adams Avenue; thence continuing easterly to the point of intersection of the north ROW line of E. 5th Street and the east ROW line of N. Adams Avenue; thence southerly to the point of intersection of the south ROW line of E. 5th Street and the east ROW line of N. Adams Avenue; thence southerly along said east ROW line to its point of intersection with the north ROW line of E. 4th Street; thence continuing southerly to the point of intersection of the east ROW line of N. Adams Avenue and the south ROW line of E. 4th Street; thence westerly to the point of intersection of the west ROW line of N. Adams Avenue and the south ROW line of E. 4th Street; thence continuing westerly along said south ROW line to the Point of Beginning;

And,

Less [County building parcel] LOTS 13 THRU 16, BLK 7, City of Loveland, County of Larimer, State of Colorado; ALSO POR VACATED ALLEY PER BK 1712 PG 733; and [Former Home State Bank parcel] LOTS 1 THRU 8, BLK 12, City of Loveland, County of Larimer, State of Colorado; and [Museum parcel] LOTS 19-24, BLK 12, City of Loveland, County of Larimer, State of Colorado; and [Vacant Parking Lot parcel] LOTS 1-7, LESS S 25 FT LOTS 1-3 AND LESS S 25 FT OF E 5 FT LOT 4, BLK 13, City of Loveland, County of Larimer, State of Colorado; and [Lincoln Place parcel] The subdivision LINCOLN PLACE COMMUNITY, City of Loveland, County of Larimer, State of Colorado (20100069697) in its entirety (formerly known as Block 41 of Finley's Addition, City of Loveland, County of Larimer, State of Colorado), and [Street & Alley ROW] The full right-of-way of East 6th Street east of the easterly boundary line of the N. Cleveland Avenue right-of-way and west of the centerline of the N. Jefferson Avenue right-of-way, City of Loveland, County of Larimer, State of Colorado; and All public alley right-of-way within BLK 12, City of Loveland, County of Larimer, State of Colorado; and The full right-of-way of East 5th Street east of the easterly boundary line of the N. Cleveland Avenue right-of-way and west of the westerly boundary line of the N. Lincoln Avenue right-of-way, City of Loveland, County of Larimer, State of Colorado; and The north half of the street right-of-way of the intersection of East 5th Street and N. Lincoln Avenue, north of the centerline of East 5th Street, City of Loveland, County of Larimer, State of Colorado; and The north half of the right-of-way of East 5th Street north of the centerline of East 5th Street, east of the easterly boundary of the N. Lincoln Avenue right-of-way, and west of the centerline of the N. Jefferson Avenue right-of-way, City of Loveland, County of Larimer, State of Colorado; and The west half of the street right-of-way of N. Jefferson Avenue south of the southerly boundary of East 6th Street, and north of the northerly boundary of E 5th Street, City of Loveland, County of Larimer, State of Colorado.

Prepared by: Troy W. Jones, AICP, NCARB
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Development Services Department
City of Loveland, Colorado

Appendix II: *Link to A Strategic Plan for Revitalizing Downtown Loveland (2014)*

<http://www.ci.loveland.co.us/modules/showdocument.aspx?documentid=9376>

Appendix III: *Link to Downtown Vision Book (2010)*

<http://www.ci.loveland.co.us/modules/showdocument.aspx?documentid=9378>

Appendix IV: *Link to Destination Downtown: HIP Streets Master Plan (Infrastructure Plan) (2010)*

<http://www.ci.loveland.co.us/modules/showdocument.aspx?documentid=9729>

Appendix V: *Downtown Strategic Plan – Amendment to the City's Comprehensive Plan (2009)*



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LOVELAND DOWNTOWN DEVELOPMENT AUTHORITY

Amended Plan of
Development

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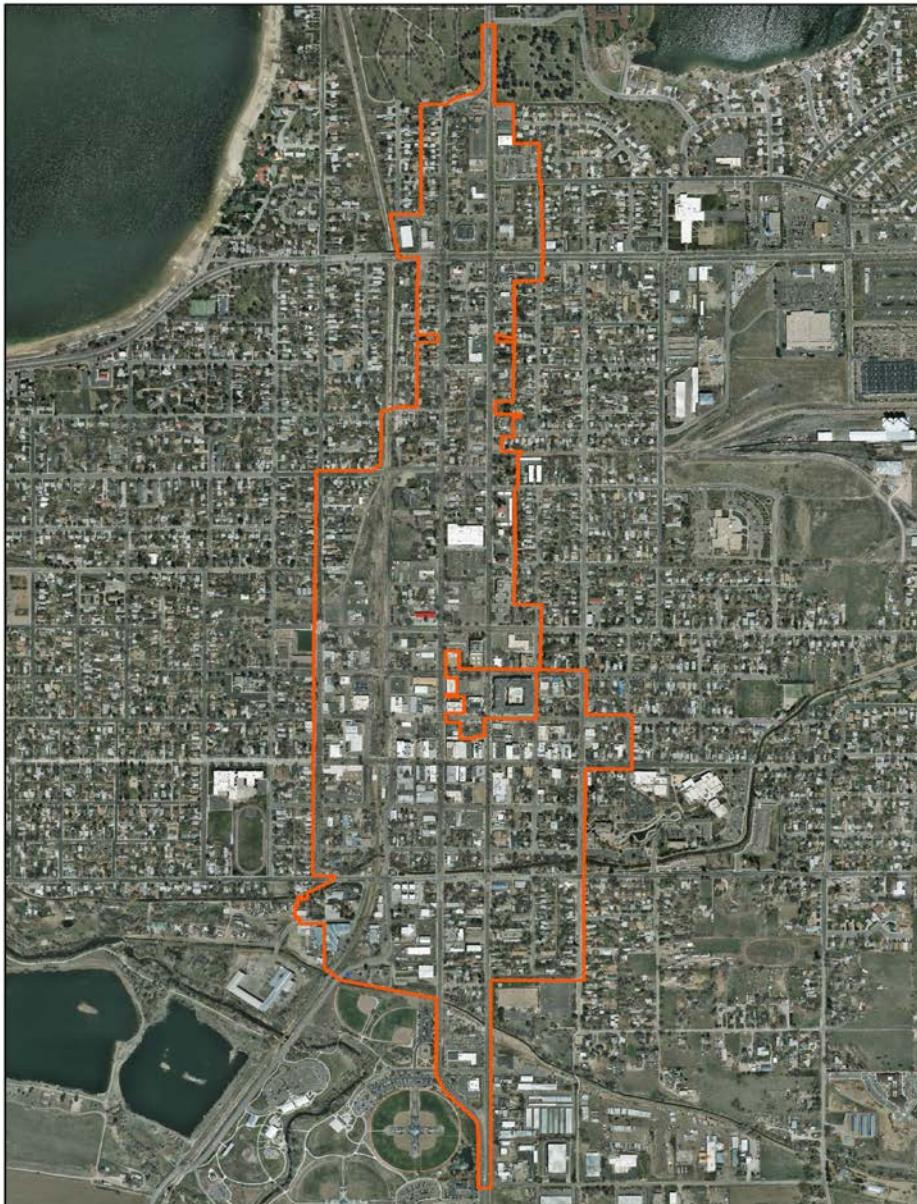
Foreword

The downtown (“Downtown”) of the City of Loveland (“Loveland”) serves as the heart of a city that from its beginnings in 1877 has defined the best of Colorado’s entrepreneurial spirit and sense of civic pride, with an emphasis on arts and cultural activities. Downtown Loveland residents, businesses and property owners believe that a strong economic foundation is critical to sustaining a vibrant community respectful of its history, committed to the full inclusion of all its citizens, and strategically positioned to thrive in a globally competitive marketplace.

This Plan of Development (the “Plan”) is an essential first legal step in creating a vibrant Downtown that provides a safe, dynamic environment to gather, live, educate, shop, work and play. The needs of the Downtown have been recognized over the past years in vision documents, comprehensive and strategic plans and master planning efforts. All of these document have identified the need to have a strong Downtown for the economic health and future of Loveland.

The emphasis of this Plan is on the needs of the Downtown over a thirty (30) to fifty (50) year period and the type of projects and programs that are required to satisfy those needs, rather than dictating the physical location, dimensions and design which can only evolve through continual planning efforts.

District Map



Loveland Downtown Development Authority
Established by Ordinance No. 5927

Boundaries of the DDA

The boundary of the Loveland Downtown Development Authority (the "DDA"), as shown on the preceding map, outlines the area in which the DDA will exercise its statutory powers (the "District"). The District was established on the basis of the best information available at the time. It is intended that the boundaries will change given changing times and circumstances. Property owners adjoining the District are encouraged to petition for inclusion if and when the uses and purposes of their properties become compatible with the purposes of the District.

The District is generally bounded on the east by Lincoln Avenue and on the west by Cleveland Avenue; the eastern boundary of the District goes from the tip of the southern gateway, following Lincoln Avenue to 3rd Street SE, east 2 blocks to Washington Avenue, 6 blocks north to 4th Street, east one block to Adams Avenue, north to 5th Street, and then back west to Washington Avenue; then from the intersection of 5th Street and Washington Avenue, north one block and west one block to Jefferson Avenue, north 1½ blocks and west another ½ block, then continuing northward, including the properties that front on Lincoln Avenue, toward Eisenhower Boulevard, to 1/2 block south of Eisenhower Boulevard, then east to Jefferson Avenue, north to the alley one half block past 16th Street, west 190 feet, north to the boundary with Lakeside Cemetery, west to Lincoln Avenue, north to the end of the one way system, and from the tip of the northern gateway, the western boundary includes the properties on the west side of Cleveland Avenue heading south to 11th Street, then west to just past the railroad tracks, south on Railroad Avenue for one block, and again west on 10th Street to Garfield Avenue, then south 11 blocks to past 2nd Street SW to the intersection of Garfield Avenue and Railroad Avenue, then following the irrigation ditch southeast back to Cleveland Avenue and then south to the end of the one way system.

The legal description of the District is attached as Appendix I to this Plan.

Objective and Purposes

The primary objectives of the DDA are to promote the safety, prosperity, security and general welfare of the District and its inhabitants, to prevent deterioration of property values and structures within the District, to prevent the growth of blighted areas within the District, to assist Loveland in the development, redevelopment and planning of the economic and physical restoration and growth of the District, to improve the overall appearance, condition and function of the District, to encourage a variety of uses compatible with the artistic and cultural community, to sustain and improve the economic vitality of the District, to promote the historic, artistic and cultural elements of the District, and to encourage pedestrian traffic and security in the District. To achieve these objectives, the specific goals of the DDA include the following and any other activities, plans, and development and redevelopment authorized by law.

The Plan recognizes that this is a long term revitalization strategy focused on implementing an entrepreneurial environment in which District products and services meet local demands and attract new residents and businesses to the area.

To achieve these objectives, the specific goals of the DDA include, but are not limited to the following:

1. Work with private entities, developers and property owners to promote positive investment in the District.
2. Work with business owners, and business entrepreneurs to promote retail growth, new job growth and other uses in the District.
3. Identify and help form collaborative public/private partnerships that promote economic growth in ways that honor and sustain strong community values.
4. Implement key elements of Loveland's approved infrastructure plan.
5. Increase residential and employment density as catalysts for enriching life for residents and visitors alike.
6. Assist emerging and existing businesses in navigating various local, county, and state regulations and taxing policies.
7. Identify and establish a communications process with current business and property owners within the District.
8. Establish multiple communication forums with emphasis on email, social media, and newspaper.
9. Work with Loveland in evaluating and potentially implementing a "One Stop" approach to Downtown development including identifying a potential organizational structure therefor.
10. Improve the visual attractiveness of the District including but not limited to façade renovations, public streets, alleys, curbs, gutters, sidewalks, lighting along with street furniture and landscaping.
11. Underground the utility systems.
12. Promote a diversity of activities in the District.

13. Promote and encourage the renovation and reuse of vacant and deteriorated structures within the District.
14. Encourage the creation and continuation of public events within the District
15. Promote and market the District.
16. Promote Loveland's unique identity as a destination for arts and culture.

Plan of Development Projects

- A. Plan projects may include public facilities and other improvements to public or private property of all kinds consistent with the priorities of the DDA by all means permitted by federal, state and local laws and regulations, including but not limited to, land assemblage, demolition, removal, site preparation, construction, renovation, repair, remodeling, reconstruction purchase of property interests, rehabilitating, equipping, selling and leasing in connection with such public and private improvements.

B. Descriptions of specific development projects that have been conceptually identified as potential key downtown **redevelopment projects** including, but not limited to, the following:

ITEM	CITY/DDA FUNDING	OTHER PUBLIC FUNDING	PRIVATE	NOTES
Redevelopment Projects				
South Catalyst Project: 3 rd Street Site	\$15,000,000	\$15,000,000	\$50,000,000	Amount includes the estimate on land, plus the cost of the redevelopment with a parking structure
4th Street/Rialto Square	\$2,500,000	\$0	\$7,500,000	Includes the cost of land plus redevelopment cost,
Arcadia (opera House) (4th and Cleveland)	\$400,000	\$75,000	\$1,800,000	Based on preliminary review of proposed plan.
4th and Lincoln/Redevelopment (Heartland Corner)	\$2,000,000	\$0	\$6,250,000	Potential project/timeline unknown
Loveland Elks Lodge	\$250,000	\$200,000	\$2,000,000	Estimates are for rehab at \$100/square foot
Lovlander Hotel	\$250,000	\$200,000	\$2,000,000	Estimates are for rehab at \$100/square foot
VFW Hall	\$500,000	\$0	\$4,000,000	
Feed and Grain	\$0	\$2,300,000	\$1,000,000	
Pulliam Building	\$4,600,000	\$200,000	\$1,200,000	Assumes the City receives a grant from the State Historic Fund and Historic Tax Credits
<u>Former House of Neighborly Service Building - Cleveland</u>	\$500,000	\$0	\$5,000,000	Assumes a redevelopment of a 20,000 sq./foot building
Safeway site	\$5,000,000	\$0	\$30,000,000	Requires further investigation
Railroad site	\$2,500,000	\$0	\$15,000,000	Land at 7th and Garfield
Other private	\$1,500,000		\$10,000,000	Includes other projects not contemplated, plus façade grants and fire safety grants
SUBTOTAL REDEVELOPMENT	\$35,500,000	\$17,975,000	\$139,500,000	

C. Descriptions of specific potential **public facilities and improvements** that have been conceptually identified to complement private developments including, but not limited to, the following:

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ITEM	CITY/DDA FUNDING	OTHER PUBLIC FUNDING	PRIVATE	NOTES
Infrastructure Projects				
4th Street/Phase I - 3 blocks	\$5,860,000			4th Street from Railroad to Jefferson
4th Street/Additional 2 blocks	\$2,500,000			4th Street to Garfield and Washington
3rd Street	\$2,250,000			3rd Street west of Cleveland to Feed and Grain
5th Street	\$3,010,000			5th Street from Lincoln to Railroad
5th Street Plaza	\$2,187,413			Museum plaza proposal in the parking lot at 5th and Lincoln
Power (Electric)	\$5,000,000			Estimates are for \$300,000 per block to underground the power
Railroad Avenue 1st to 5th	\$4,000,000			May include connectivity with the trail system.
Cost Escalation	\$3,161,483			Estimates were completed in 2009, the number is 20 percent of the cost of the streetscape improvements
SUBTOTAL INFRASTRUCTURE	\$27,968,896	\$0	\$0	

D. **Other specific development projects and public facilities** currently contemplated are as follows:

ITEM	CITY/DDA FUNDING	OTHER PUBLIC FUNDING	PRIVATE	NOTES
Other Projects				
Trail Expansion	\$1,000,000			
Railroad Quiet Zones	\$1,000,000	\$2,000,000		Includes four rail crossings located at 1 st , 4 th , 6 th and 7 th Streets
SUBTOTAL OTHER	\$2,000,000	\$2,000,000	\$0	

E. The DDA also may seek to support other projects not directly identified above including, but not limited to, the following:

1. Beautification programs;
2. Pedestrian facilities and circulation improvements;
3. Parking that is not otherwise included within specific projects (i.e., 3rd Street Catalyst); and
4. Downtown hotel or other convention facilities built in conjunction with a private development.

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Strategic Downtown Plan

The DDA, acting in coordination with the Loveland Downtown Partnership and the City of Loveland, will need to establish short and long term priorities based on adopted strategic plans and identified development projects as such plans and projects evolve. The current plans, which are referenced below and attached as Appendices II through V to this Plan, are as follows:

Appendix II: *A Strategic Plan for Revitalizing Downtown Loveland (2014)*

The plan, adopted by the Loveland City Council and the Loveland Downtown Partnership, provides the comprehensive outline for short and long term success in Downtown Loveland.

A Strategic Plan for Revitalizing Downtown Loveland is driven by the following principles:

1. We are committed to a process driven by community stakeholders and supported by the City of Loveland.
2. We are committed to a long term revitalization strategy (20 yrs.) that combines immediate action to improve communications and marketing with an ongoing responsibility to maintain and improve the downtown infrastructure.
3. We are committed to shaping policies and procedures that provide adequate flexibility for the organization to respond quickly and effectively to changing conditions at the local, state, national, and/or international levels.
4. We are committed to implementing an entrepreneurial environment in which Downtown products and services meet local demands and attract new residents and businesses to the area.
5. We are committed to shaping collaborative public/private partnerships that promote economic growth in ways that honor and sustain strong community values.

Appendix III: *Downtown Vision Book (2010)*

The purpose of the Downtown Vision Book is to highlight catalyst projects, and describe the context, character and the opportunity for revitalization. In addition, the Downtown Vision Book identifies ideas, opportunities and strategies to further benefit Downtown Loveland. The Private-Public projects are designed to capture not only the value of public participation, but to be a catalyst for private investment, enhanced connections and enrichment of the community experience for residents, businesses and visitors alike.

Appendix IV: *Destination Downtown: HIP Streets Master Plan (Infrastructure Plan) (2010)*

The Infrastructure Plan was completed in 2010, and highlights the streetscape, utility and other public infrastructure improvements in Downtown Loveland.

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Appendix V: *Downtown Strategic Plan – Amendment to the City’s Comprehensive Plan (2009)*

The plan, adopted by the Loveland City Council as an amendment to the Comprehensive Plan, was the basis for the effort by the City and the Loveland Downtown Team to revitalize the Downtown.

Methods of Financing Projects

In order to finance the projects and purposes of the DDA, the following financial sources are authorized to be utilized:

- A. Proceeds of bonds of, loans or advances to, or indebtedness incurred by the City of Loveland secured by the pledge of the following tax revenues for the maximum period of time authorized by C.R.S. § 31-25-807(3):
 - a. **Property Tax Increment:** All of that portion of property taxes in excess of such taxes which are produced by the levy at the rate fixed each year by or for any public body upon the valuation for assessment of taxable property within the boundaries of the District last certified prior to the effective date of approval by the City Council of Loveland of this Plan or, as to an area later added to the boundaries of the District, the effective date of the modification of this Plan.
 - b. **Municipal Sales Tax Increment:** All of that portion of municipal sales tax in excess of such taxes collected within the boundaries of the District for the twelve-month period ending on the last day of the month prior to the effective date of approval by the City Council of Loveland of this Plan. For purposes of calculating the amount of municipal sales tax, "municipal sales tax" shall be as defined in Section 3.16.010 and Section 3.16.020A of the Loveland Municipal Code, provided that such definition shall specifically not include those municipal sales tax revenues that are obligated to be paid in accordance with the specific terms and conditions of any economic incentive agreement in effect as of the approval date of this Plan¹.
 - c. **Other sources:** Such other sources of revenue for repayment of bonds, loans, advances or other indebtedness of Loveland as may be authorized by law.

All such taxes described in this paragraph A shall be adjusted, collected, allocated and used as set forth in C.R.S. § 31-25-807(3), as amended from time to time.

- B. Membership fees;
- C. Private contributions;
- D. Proceeds of loans to the DDA;
- E. Fees and other charges imposed in connection with projects undertaken by the DDA;
- F. Grants and other funds made available by public agencies and other entities;

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Deleted: the first \$2,549,200.00 sales tax on the sale of food for home consumption as defined in C.R.S. § 39-26-102(4.5)(a), with the exception of candy and soda as defined in C.R.S. § 39-26-707(1.5) which shall be included in the definition of municipal sales tax.

¹ On January 27, 2015, the City of Loveland and Thornton Long Term Investments, L.L.C. entered into that certain Agreement for City Incentive, Fee Waiver, and Construction Materials Use Tax Waiver with Thornton Long Term Investments, L.L.C. for a Sprouts Farmers Market (the "Agreement"). Pursuant to the Agreement, a \$2,200,000 incentive was provided by the City of Loveland which is to be repaid at a rate of three percent (3%) interest, amortized over a ten (10) year period, in accordance with the terms and conditions of the Agreement.

- G. All types of bond issues, including industrial development revenue and special assessment bonds; and
- H. All such other sources and methods as may be authorized by law from time to time, including but not limited to, C.R.S. § 31-25-801, et seq.

Appendix I: *Legal Description of Downtown Development District*

Beginning at the point of intersection of the south right-of-way (ROW) line of E. 4th Street and the east ROW line of N. Washington Avenue; thence southerly along said east ROW line to its point of intersection with the north ROW line of E. 3rd Street; thence continuing southerly to the point of intersection of the south ROW line of E. 3rd Street and the east ROW line of N. Washington Avenue; thence continuing southerly along said east ROW line to its point of intersection with the north ROW line of E. 1st Street; thence southwesterly to the point of intersection of the south ROW line of E. 1st Street and the east ROW line of S. Washington Avenue; thence southerly along said east ROW line to its point of intersection with the north ROW line of the alley between E. 1st Street and 2nd Street S.E.; thence continuing southerly to the point of intersection of the south ROW line of said alley and the east ROW line of S. Washington Avenue; thence continuing southerly along said east ROW line to its point of intersection with the north ROW line of 2nd Street S.E.; thence continuing southerly to the point of intersection of the south ROW line of 2nd Street S.E. and the east ROW line of S. Washington Avenue; thence continuing southerly along said east ROW line to its point of intersection with the south ROW line extended of 3rd Street S.E.; thence westerly along said extended line to the point of intersection of the west ROW line of S. Washington Avenue and the south ROW line of 3rd Street S.E.; thence continuing westerly along said south ROW line to its point of intersection with the east ROW line of S. Lincoln Avenue; thence southerly along said east ROW line to its point of intersection with the north line extended of the 5th Street S.E. ROW; thence continuing southerly along said east ROW line to its point of intersection with the south line of the 5th Street S.E. ROW line; thence southerly along said east ROW line to its point of intersection with the north line of the 8th Street S.E. ROW; thence continuing southerly along said east ROW line to its point of intersection with the south line of the 8th Street S.E. ROW; thence westerly along the south line extended of the 8th Street S.E. ROW to the west line of the S. Lincoln Avenue ROW; thence northerly along the west ROW line of S. Lincoln Avenue to its point of intersection with the southwest line of the S. Cleveland Avenue ROW; thence continuing northwesterly along said southwest ROW line to its point of intersection with the south line of the 5th Street S.E. ROW; thence northerly along the west line of the S. Cleveland Avenue ROW to its point of intersection with the north line of the 5th Street S.E. ROW; thence continuing northerly along said west ROW line of S. Cleveland Avenue to its intersection with the north bank of the Farmer's Ditch; thence northwesterly along said bank to its point of intersection with the west ROW line of the Burlington Northern/Santa Fe Railroad and the south line of Henrikson Addition; thence continuing northwesterly along said south line to the southwest corner of Henrikson Addition; thence northerly along the west line of said Henrikson Addition to its point of intersection with the south ROW line of 2nd Street S.W.; thence westerly along said south ROW line to the NW corner of Mill First Addition; thence northerly perpendicular to said ROW line to a point on the south line of Mill Second Addition; thence westerly along said south line to the SW corner of Mill Second Addition; thence northerly and easterly along the west line of said Mill Second Addition to the NW corner thereof; thence easterly and southerly along the north line of Mill Second Addition to the NE corner thereof; thence northwesterly to the SE corner of Riverside Addition; thence northerly

along the east line of Riverside Addition to its point of intersection with the south ROW line of W. 1st Street; thence continuing northerly to the point of intersection of the north ROW line of W. 1st Street and the west ROW line of the N. Garfield Avenue; thence continuing northerly along said west ROW line to its point of intersection with the south ROW line of W. 2nd Street; thence continuing northerly to the point of intersection of the north ROW line of W. 2nd Street and the west ROW line of N. Garfield Avenue; thence continuing northerly along said west ROW line to its point of intersection with the south ROW line of W. 3rd Street; thence continuing northerly to the point of intersection of the north ROW line of W. 3rd Street and the west ROW line of N. Garfield Avenue; thence continuing northerly to the point of intersection of the south ROW line of the alley between W. 3rd Street and W. 4th Street and the west ROW line of N. Garfield Avenue; thence continuing northerly to the point of intersection of the north ROW line of said alley and the west ROW line of N. Garfield Avenue; thence continuing northerly along said west ROW line to its point of intersection with the south ROW line of W. 4th Street; thence continuing northerly to the point of intersection of the north ROW line of W. 4th Street and the west ROW line of N. Garfield Avenue; thence continuing northerly along said west ROW line to its point of intersection with the south ROW line of the alley between W. 4th Street and W. 5th Street and the west ROW line of N. Garfield Avenue; thence continuing northerly to the point of intersection of the north ROW line of said alley and the west ROW line of N. Garfield Avenue; thence continuing northerly along said west ROW line to its point of intersection with the south ROW line of W. 5th Street; thence continuing northerly to the point of intersection of the north ROW line of W. 5th Street and the west ROW line of N. Garfield Avenue; thence continuing northerly along said west ROW line to its point of intersection with the south ROW line of W. 6th Street; thence continuing northerly to the point of intersection of the north ROW line of W. 6th Street and the west ROW line of N. Garfield Avenue; thence continuing northerly along said west ROW line to its point of intersection with the south ROW line of W. 7th Street; thence continuing northerly to the point of intersection of the north ROW line of W. 7th Street and the west ROW line of N. Garfield Avenue; thence continuing northerly along said west ROW line to its point of intersection with the south ROW line of the alley between W. 7th Street and W. 8th Street; thence continuing northerly to the point of intersection of the north ROW line of said alley and the west ROW line of N. Garfield Avenue; thence continuing northerly along said west ROW line to its point of intersection with the south ROW line of W. 8th Street; thence continuing northerly to the point of intersection of the north ROW line of W. 8th Street and the west ROW line of N. Garfield Avenue; thence continuing northerly along said west ROW line to its point of intersection with the south ROW line of W. 10th Street; thence continuing northerly to the point of intersection of the north ROW line of W. 10th Street and the west ROW line of N. Garfield Avenue; thence easterly to the point of intersection of the east ROW line of N. Garfield Avenue and the north ROW line of W. 10th Street; thence easterly and northeasterly along said north ROW line to its point of intersection with the west ROW line of the Burlington Northern/Santa Fe Railroad; thence northerly along said west ROW to its point of intersection the south line of Little Barnes Ditch; thence continuing northerly to the point of intersection of the north line of said Ditch and the west ROW line of the Burlington Northern/Santa Fe Railroad; thence northerly along said west ROW line to its point of intersection with the south ROW line of E. 11th Street; thence continuing northerly to the point of intersection of the west ROW line of said Railroad and the north ROW line of W. 11th Street; thence northeasterly to the point of intersection of the east ROW line of N. Railroad Avenue and the north ROW line of E. 11th Street; thence easterly along said north ROW line to its point of intersection with the west ROW line of the alley between N. Railroad Avenue and N. Cleveland Avenue; thence northerly along said west alley ROW line to its point of intersection with the south ROW line of the alley between E. 11th Street and E. 12th Street; thence continuing northerly to the point of intersection of the north ROW line of the alley between E. 11th Street and E. 12th Street and the west ROW line of the alley between N. Railroad Avenue and N. Cleveland Avenue; thence continuing northerly along said west alley ROW line to its point of intersection with the south ROW line of E. 12th Street; thence continuing northerly to the point of intersection of the north ROW line of E. 12th Street and the west ROW line of the alley between N. Railroad Avenue and N. Cleveland Avenue; thence continuing northerly along said west alley

ROW line to its point of intersection with the south ROW line of the alley between E. 12th Street and E. 13th Street; thence easterly to the point of intersection of the east ROW line of the alley between N. Railroad Avenue and N. Cleveland Avenue and the midpoint of the westerly Lot line of Lot 8 of Block 5 of Loveland Heights Addition ~~Subdivision~~, thence easterly through the east-west centerline of said Lot 8, to a point of intersection of west ROW line of N. Cleveland Avenue and the midpoint of the easterly lot line of Lot 8 of Block 5 of Loveland Heights Addition ~~Subdivision~~, thence continuing northerly along the west ROW line of N. Cleveland Avenue to the northeast corner of Lot 10 of Block 5 of Loveland Heights Addition ~~Subdivision~~, thence westerly along the north property line of said Lot 10 to the point of intersection of the east ROW line of the alley between N. Railroad Avenue and N. Cleveland Avenue and the northwest corner of Lot 10, Block 5 of Loveland Heights Addition, thence westerly across said alley ROW along the north property line extended of Lot 10, Block 5 of Loveland Heights Addition to its intersection with the west ROW line of the alley between N. Railroad Avenue and N. Cleveland Avenue, thence continuing northerly along said west ROW line to its point of intersection with the south ROW line of E. 13th Street; thence continuing northerly to the point of intersection of the north ROW line of E. 13th Street and the west ROW line of the alley between N. Railroad Avenue and N. Cleveland Avenue; thence continuing northerly along said west ROW line to its point of intersection with the south ROW line of the alley between E. 13th Street and E. Eisenhower Boulevard; thence continuing northerly to the point of intersection of the north ROW line of said alley between E. 13th Street and E. Eisenhower Boulevard and the west ROW line of the alley between N. Railroad Avenue and N. Cleveland Avenue; thence continuing northerly along said west ROW line to the point of intersection of the east line of Lot 21, Block 4, Loveland Heights Addition and the south line of the vacated alley ROW; thence easterly along said south line to the centerline of the vacated alley ROW; thence northerly along said centerline to its point of intersection with the south ROW line of E. Eisenhower Boulevard; thence continuing northerly along the west line extended of said Lots to its point of intersection with the centerline of E. Eisenhower Avenue; thence westerly along said centerline, to its point of intersection with the west ROW line of the Burlington Northern/Santa Fe Railroad; thence northwesterly along said west ROW line to its point of intersection with the north line extended of the E. 15th Street ROW; thence easterly along said north line extended to its point of intersection with the west ROW line of Jackson Avenue; thence easterly along said north line extended of the East 15th Street ROW to its point of intersection with the east ROW line of Jackson Avenue; thence continuing easterly along the north ROW of E. 15th Street to its point of intersection with the east ROW line of the alley between Jackson Avenue and N. Lincoln Avenue; thence northerly along said east ROW of the alley to its point of intersection with the south ROW line of E. 16th Street; thence northerly along said east ROW of the alley to its point of intersection with the north ROW line of E. 16th Street; thence continuing northerly along said east ROW of the alley to its point of intersection with the southern property line of the Loveland Burial Park Cemetery; thence easterly along said southern property line to its point of intersection with the west ROW line of N. Cleveland Avenue; thence northeasterly along the northwestern ROW line of N. Cleveland Avenue to its point of intersection with the west ROW line of N. Lincoln Avenue; thence northerly along said west ROW line to its point of intersection with the south line extended of the E. 20th Street ROW; thence easterly along said south line extended to its intersection with the east ROW line of N. Lincoln Avenue; thence southerly along said east ROW line to its point of intersection with the south boundary line of the Stephenson 1st Subdivision; thence easterly along said south boundary line to its point of intersection with the west boundary of the Conger Subdivision of the North End Addition; thence southerly along said west boundary line to its intersection with the south boundary of the Conger Subdivision of the North End Addition; thence easterly along said south boundary to its intersection with the west boundary line of the Grandview Subdivision of North End Addition; thence southerly along said west boundary line to its intersection with the north ROW line of E. 16th Street; thence southeasterly across E. 16th Street to the point of intersection of the south ROW line of E. 16th Street and the east ROW line of N. Jefferson Avenue; thence southerly along said east ROW line to its point of intersection with the north ROW line of E. Eisenhower Blvd.; thence southerly along said east ROW line to its point of intersection with

the south ROW line of E. Eisenhower Blvd; thence continuing southerly along said east ROW line to its point of intersection with the south boundary line extended of the WARNOCK ADD AMD L1-4 35-39 & POR L40 & VACATED ALLEY Subdivision; thence westerly along said south boundary line extended to its intersection with the west ROW line of N. Jefferson Avenue; thence westerly along said south boundary line to its point of intersection with the west ROW line extended of the alley between N. Lincoln Avenue and N. Jefferson Avenue; thence southerly along said west alley ROW line to its point of intersection with the north ROW line of E. 13th Street; thence continuing southerly to the point of intersection of said west alley ROW line and the south ROW line of E. 13th Street; thence continuing southerly along said west alley ROW line to its point of intersection with north bank of the Big Lateral Ditch, thence northwesterly along north bank of said ditch to its intersection with the east ROW line of N. Lincoln Avenue, thence southerly along the east ROW line of N. Lincoln Avenue to a point 50 feet north of the southwest corner of Lot 6, Block 1 of the McKee Meadows Addition, thence easterly along a line 50 feet north of the southern property line of said Lot 6, Block 1 to its intersection with the west ROW line of the alley between N. Lincoln Avenue and N. Jefferson Avenue, thence continuing southerly along said west alley line to its point of intersection with the north ROW line of E. 12th Street; thence continuing southerly to the point of intersection of said west alley line with the south ROW line of E. 12th Street; thence continuing southerly along said west alley ROW line to its point of intersection with the north line of Lot 17, Block 2 of the McKee Meadows Addition, thence continuing westerly along north line of said Lot 17 to its point of intersection with the east ROW line of N. Lincoln Avenue; thence continuing southerly along the east ROW line of N. Lincoln Avenue to its point of intersection with the centerline of the alley ROW vacated via Ordinance 3317 and recorded at Reception Number 86051452 adjoining Block 2, Lincoln Place Addition; thence easterly along the centerline of said vacated alley to its point of intersection with the east line of Lot 10, Block 2, Lincoln Place Addition; thence southerly along said east line 20 feet to a point; thence westerly perpendicular to said east line to a point on the east line of Lot 11, Block 2, Lincoln Place Addition; thence southerly along the east line of said Lot 11 to its point of intersection with the north ROW line of E. 11th Street; thence continuing southerly to the point of intersection of the east line of Lot 11, Block 3, Lincoln Place Addition and the south ROW line of E. 11th Street; thence westerly along said south ROW line to its point of intersection with the east line of Lot 13, Block 3, Lincoln Place Addition; thence southerly along said east line to its point of intersection with the north ROW line of the Great Western/Omni Railroad; thence easterly along said north ROW line to its point of intersection with the east line of Lot 10, Block 3, Lincoln Place Addition; thence southerly to the point of intersection of the east line of Lot 2, Block 5, Orchard Park Addition and the south ROW line of said Railroad; thence continuing southerly along the east line of said Lot 2 to the NE corner of Lot 1, Block 5, Orchard Park; thence continuing south along the east line of said Lot 1 to its point of intersection with the north ROW line of E. 10th Street; thence southwesterly to the point of intersection of the south ROW line of E. 10th Street and the east ROW line of the alley between N. Jefferson Avenue and N. Lincoln Avenue; thence southerly along said east ROW line to its point of intersection with the north ROW line of the alley between E. 8th Street and E. 7th Street; thence easterly along said north ROW line to its point of intersection with the west ROW line of N. Jefferson Avenue; thence continuing easterly to the point of intersection of said north ROW line and the east ROW line of N. Jefferson Avenue; thence southerly to the point of intersection of the south ROW line of said alley and the east ROW line of N. Jefferson Avenue; thence continuing southerly along said east line to its point of intersection with the north ROW line of E. 7th Street; thence continuing southerly to the point of intersection of the south ROW line of E. 7th Street and the east ROW line of E. Jefferson Avenue; thence continuing southerly along said east line to its point of intersection with the north ROW line of the alley between E. 7th Street and E. 6th Street; thence continuing southerly to the point of intersection of the south ROW line of said alley and the east ROW line of N. Jefferson Avenue; thence continuing southerly along said east line to its point of intersection with the north ROW line of E. 6th Avenue; thence

easterly along said north line to its point intersection with the west ROW line of N. Washington Avenue; thence continuing easterly to the point intersection of the north ROW line of E. 6th Avenue and the east ROW line of N. Washington Avenue; thence southerly to the point of intersection of the south ROW line of E. 6th Avenue and the east ROW line of N. Washington Avenue; thence southerly along said east ROW line to its point of intersection with the north ROW line of the alley between E. 6th Street and E. 5th Street; thence continuing southerly to the point of intersection of the south ROW line of said alley and the east ROW line of N. Washington Avenue; thence continuing southerly along said east line to its point of intersection with the north ROW line of E. 5th Street; thence easterly along said north ROW line to its point of intersection with the west ROW line of N. Adams Avenue; thence continuing easterly to the point of intersection of the north ROW line of E. 5th Street and the east ROW line of N. Adams Avenue; thence southerly to the point of intersection of the south ROW line of E. 5th Street and the east ROW line of N. Adams Avenue; thence southerly along said east ROW line to its point of intersection with the north ROW line of E. 4th Street; thence continuing southerly to the point of intersection of the east ROW line of N. Adams Avenue and the south ROW line of E. 4th Street; thence westerly to the point of intersection of the west ROW line of N. Adams Avenue and the south ROW line of E. 4th Street; thence continuing westerly along said south ROW line to the Point of Beginning;

And,

Less [County building parcel] LOTS 13 THRU 16, BLK 7, City of Loveland, County of Larimer, State of Colorado; ALSO POR VACATED ALLEY PER BK 1712 PG 733; and [Former Home State Bank parcel] LOTS 1 THRU 8, BLK 12, City of Loveland, County of Larimer, State of Colorado; and [Museum parcel] LOTS 19-24, BLK 12, City of Loveland, County of Larimer, State of Colorado; and [Vacant Parking Lot parcel] LOTS 1-7, LESS S 25 FT LOTS 1-3 AND LESS S 25 FT OF E 5 FT LOT 4, BLK 13, City of Loveland, County of Larimer, State of Colorado; and [Lincoln Place parcel] The subdivision LINCOLN PLACE COMMUNITY, City of Loveland, County of Larimer, State of Colorado (20100069697) in its entirety (formerly known as Block 41 of Finley's Addition, City of Loveland, County of Larimer, State of Colorado), and [Street & Alley ROW] The full right-of-way of East 6th Street east of the easterly boundary line of the N. Cleveland Avenue right-of-way and west of the centerline of the N. Jefferson Avenue right-of-way, City of Loveland, County of Larimer, State of Colorado; and All public alley right-of-way within BLK 12, City of Loveland, County of Larimer, State of Colorado; and The full right-of-way of East 5th Street east of the easterly boundary line of the N. Cleveland Avenue right-of-way and west of the westerly boundary line of the N. Lincoln Avenue right-of-way, City of Loveland, County of Larimer, State of Colorado; and The north half of the street right-of-way of the intersection of East 5th Street and N. Lincoln Avenue, north of the centerline of East 5th Street, City of Loveland, County of Larimer, State of Colorado; and The north half of the right-of-way of East 5th Street north of the centerline of East 5th Street, east of the easterly boundary of the N. Lincoln Avenue right-of-way, and west of the centerline of the N. Jefferson Avenue right-of-way, City of Loveland, County of Larimer, State of Colorado; and The west half of the street right-of-way of N. Jefferson Avenue south of the southerly boundary of East 6th Street, and north of the northerly boundary of E 5th Street, City of Loveland, County of Larimer, State of Colorado.

Prepared by: Troy W. Jones, AICP, NCARB
MTA Planning & Architecture
Fort Collins, Colorado

Reviewed by: Scott Pearson
Planning Technician
Development Services Department
City of Loveland, Colorado

Appendix II: *Link to A Strategic Plan for Revitalizing Downtown Loveland (2014)*

<http://www.ci.loveland.co.us/modules/showdocument.aspx?documentid=9376>

Appendix III: *Link to Downtown Vision Book (2010)*

<http://www.ci.loveland.co.us/modules/showdocument.aspx?documentid=9378>

[Appendix IV: Link to Destination Downtown: HIP Streets Master Plan \(Infrastructure Plan\) \(2010\)](#)

<http://www.ci.loveland.co.us/modules/showdocument.aspx?documentid=9729>

Appendix V: *Downtown Strategic Plan – Amendment to the City’s Comprehensive Plan (2009)*



Current Planning Division

410 E. 5th Street • Loveland, CO 80537
(970) 962-2523 • eplan-planning@cityofloveland.org
www.cityofloveland.org/DC

Planning Commission Staff Report

June 27, 2016

Agenda #: Regular Agenda – Item 3

Title: Gatorwest Addition

Applicant: Gatorwest LLC/M. Bryan Short

Request: **Annexation and Zoning**

Location: 5100 Granite Street

Existing Zoning: County B Business

Staff Planner: Noreen Smyth

Staff Recommendation

APPROVAL of the annexation and zoning.

Recommended Motion:

1. Move to make the findings listed in Section VIII of the Planning Commission staff report dated June 27, 2016 and, based on those findings, recommend that City Council approve the Gatorwest Addition, subject to the conditions listed in Section IX, as amended on the record, and zone the addition to B Developing Business.

Summary of Analysis

This is a public hearing concerning the annexation and zoning of a 2.3 acre area of land at 5100 Granite Street. Annexation is a legislative matter; final decision making for this request rests with the City Council. The subject property, which has been purchased by the applicant, is a vacant lot with frontage on N. Garfield Avenue. The property is in a section of Garfield Avenue at the north end of the city that has been developed largely with retail, office, and other commercial uses. After annexation and zoning, the applicant is interested in pursuing development of a single commercial building on the property that will contain a combination of office, retail, and warehousing uses, including an office for the applicant's surveying business.

Staff believes that all key issues have been resolved based on city codes and standards relevant to annexation and designation of the B Developing Business zoning district for the property. Consequently, staff is supporting the annexation and zoning requests. The development of a commercial building on the lot will require a site development plan and building permit application. Upon submittal, these applications will be reviewed by staff for compliance with all code requirements.

I. VICINITY MAP



II. SUMMARY

This is an application to annex as the "Gatorwest Addition" a 2.3-acre area of land. The land consists of a 1.9 acre lot plus 0.4-acre of street right-of-way that is immediately adjacent to the lot. In conjunction with the annexation, the applicant is seeking to have the property zoned B Developing Business. After the annexation and zoning, the applicant intends to keep the property as a single lot and pursue development of a multi-tenant building for office, retail, and/or warehouse uses.

Description of Subject Property and General Area

The subject lot is undeveloped, and is 260 ft wide by 300 ft deep. The land is fairly flat, with a modest slope towards the northeast, where there is a concrete drainage ditch in an easement. The property is covered in grass and dirt with a few shrubs in the northeast corner. [A low billboard near these shrubs is situated on the property to the north, rather than on the subject property.] Overhead power lines run along the Garfield Avenue frontage. The driveway for an adjacent property is partially situated on the south end of the subject lot within an access easement.

The property is situated on the west side of N. Garfield Avenue, roughly half way between W. 50th Street and Ranch Acres Drive. Between this property and Ranch Acres Drive are a couple of office buildings, and between it and W. 50th Street is a strip commercial building, a car wash, and a gas station. Across Garfield Avenue is an empty lot, which is adjacent to the Habitat for Humanity ReStore retail shop and a landscape supply business. An access drive to Kroh Park is also across the street. While properties on both sides of Garfield Avenue to the south of 50th Street are within city limits, properties north of 50th Street up to 71st Street are a mix of incorporated and unincorporated sites. To the west of the subject property is a single family residential subdivision, Ranch Acres, situated outside city limits.

While some maps show 51st Street extending along the south of the subject property to Garfield Avenue, that segment of 51st Street had previously been vacated, so that 51st Street now ends at Granite Street (see vicinity map). The north half of the vacated 51st Street right-of-way has been integrated into the subject property and is being annexed with it. The adjacent Granite Street right-of-way to the west is also being annexed, as the Municipal Code requires adjacent right-of-way to be included with the annexation of property. The adjacent Garfield Avenue right-of-way to the east is already within city limits but for a small segment, and that segment is included with this annexation.

Annexation, Zoning, and the Comprehensive Plan

Annexation requires compliance with State Statutes regarding contiguity with municipal boundaries, an intent to develop at an urban level, and an indication that the property can be served with infrastructure. Additionally, annexations are subject to compliance with the Intergovernmental Agreement with Larimer County which requires the annexation of properties located within the City's Growth Management Area that are eligible for annexation. In determining appropriate zoning, the Comprehensive Plan, which is the city's vision for development, is the basis of analysis. The property's compliance with these matters is summarized in the Findings section at the end of this report.

The lot was created in Larimer County as a tract within the Ranch Acres subdivision. It is zoned B Business in Larimer County's zoning system. While the specific uses and development standards of the county's business district differ from the city's B Developing Business district, the existing county zoning classification and the proposed city zoning classification are similar. The proposed zoning aligns with both the city's Comprehensive Master Plan designation of *Corridor Commercial* and the proposed Create Loveland Master Plan.

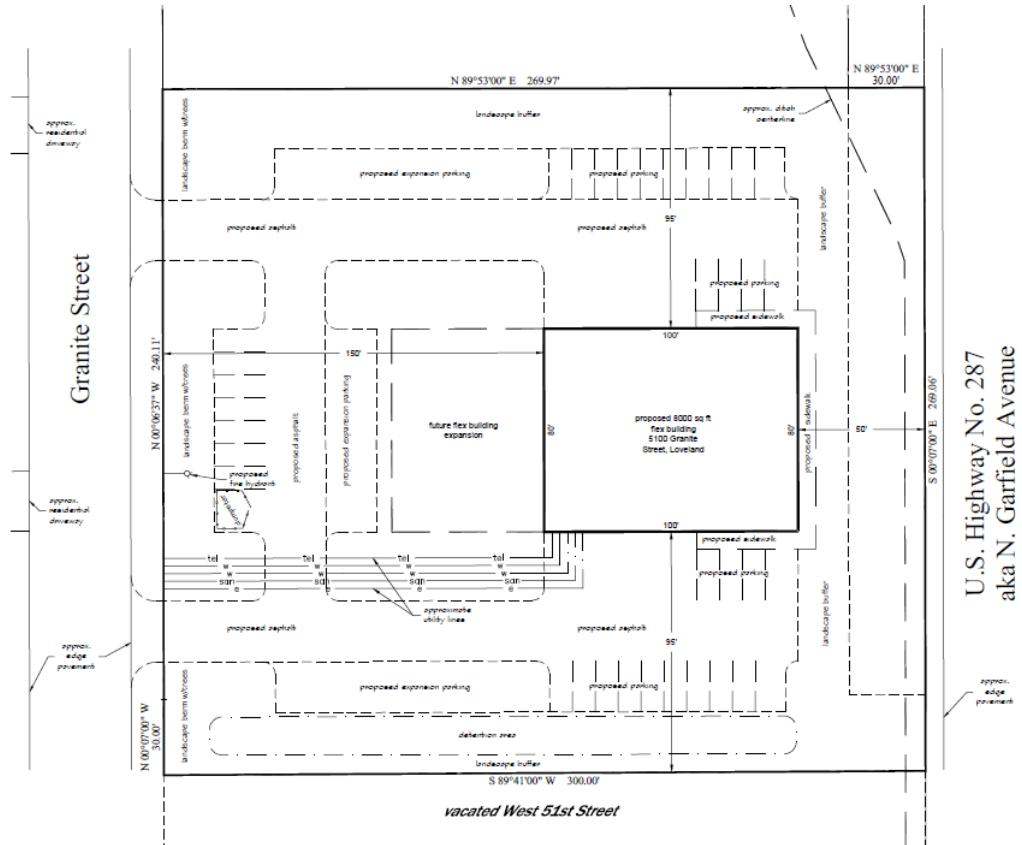
Future Development Applications

To develop the property with a multi-tenant office, warehouse, and retail building as proposed, the submittal of a *site development plan* will be needed, including *public improvement construction plans* which provide designs for associated infrastructure. A *building permit* will also be needed. These are reviewed

administratively. While the uses that the applicant is contemplating for the property are uses by right in the B Developing Business district, should a special review use wish to locate in the building, a neighborhood meeting would be necessary. While annexations are often followed by subdivision applications, the applicant does not intend to divide this relatively small property.

As the Gatorwest Addition is currently in the annexation and zoning stage of development, detailed transportation and infrastructure information has not yet been prepared. Water service can be provided by the city through a future water main planned along Garfield Avenue, and in the interim, water is available through the Fort Collins-Loveland Water District. The property will be required to connect to the city's wastewater system, of which a main exists along Granite Street. The property is currently in Excel's service area for power, but will become part of the city's service area on annexation, and the burying of overhead power lines along Garfield Avenue may be required with development of the lot. Stormwater facilities will be designed at the time a site development plan is submitted. While the subject property borders two public streets, Granite Street and Garfield Avenue, vehicular access will be off of Granite, as the Colorado Department of Transportation's (CDOT) transportation plan does not call for a curb cut onto Garfield at this location. The specific location of the Granite Street curb cut(s) will be determined at the site development plan stage. Per the requirements of CDOT, in the future the eastern 20 feet of the lot is to be dedicated to Garfield Avenue right-of-way.

A sketch site plan was submitted with the concept review application (**Attachment H**, also copied below). It should be noted that details of the site layout can change significantly between the concept review and the submittal of a formal site development plan. As proposed at the concept review, one building would be situated near the center of the lot, with a parking lot between the building and Granite Street.



III. ATTACHMENTS

- A. Annexation Map
- B. Zoning Map
- C. Site Inventory Map
- D. Assessment provided by the Applicant
- E. Chapter 18.28 B-Developing Business District
- F. Environmental Sensitive Areas Report (excerpts)
- G. Mineral Report
- H. Concept Review application and staff comment memos

IV. SITE DATA

ACREAGE OF SITE GROSS	1.9 AC LOT/2.3 AC WITH R-O-W
MASTER PLAN DESIGNATION	CORRIDOR COMMERCIAL
EXISTING ZONING	LARIMER COUNTY B BUSINESS
PROPOSED ZONING	B DEVELOPING BUSINESS
EXISTING USE	VACANT
EXIST ADJ ZONING & USE - NORTH	LARIMER COUNTY B BUSINESS; OFFICE
EXIST ADJ ZONING & USE - SOUTH	LARIMER COUNTY B BUSINESS; OFFICE
EXIST ADJ ZONING & USE - WEST	LARIMER COUNTY R RESIDENTIAL; SINGLE FAMILY RESIDENTIAL
EXIST ADJ ZONING & USE - EAST	PUD / VACANT
UTILITY SERVICE – WATER	FORT COLLINS-LOVELAND WATER DISTRICT
UTILITY SERVICE – SEWER	CITY OF LOVELAND
UTILITY SERVICE – ELECTRIC	CITY OF LOVELAND

V. KEY ISSUES

City staff believes that all issues have been addressed regarding the annexation and zoning. At the neighborhood meeting, attendees inquired about the intended eventual development on the property and the amount of traffic it would generate on Granite Street, and were generally satisfied by the answers provided by the applicant.

VI. BACKGROUND

The 1.9 acre lot is zoned B Business in Larimer County and was created with the Ranch Acres plat of subdivision. It fronts Garfield Avenue/Hwy 287. Most of the nearby properties fronting Garfield Avenue are developed with commercial uses, with a few, like the subject property, still undeveloped.

VII. STAFF, APPLICANT, AND NEIGHBORHOOD INTERACTION

- A. Notification:** An affidavit was received from the applicant, M. Bryan Short, certifying that written notice was mailed to all property owners within 1,200 feet of the property on April 12, 2016 and notices were posted in prominent locations on the perimeter of the site at least 15 days prior to the

date of the neighborhood hearing. There were no mineral owners associated with the property. In addition, a notice was published in the Reporter Herald on April 23, 2016.

B. Neighborhood Response: A neighborhood meeting was held at 5:30 p.m. on April 28, 2016 at the Loveland Public Library. The meeting was attended by three neighbors along with City staff, the applicant, and a consultant. At the meeting, there were a variety of questions focused on the specific development of the property, which the applicant answered in detail. Staff explained that if annexed, the retail, office, and warehouse uses proposed by the applicant would require the submittal of a site development plan and building permit application, which would be reviewed at the staff level, and there would only be another neighborhood meeting if a special review use wished to locate on the property.

At the neighborhood meeting, attendees inquired about anticipated traffic generation by the proposed uses, whether the traffic would consist of heavy trucks, and whether it would all enter and exit off of Granite Street or also off of Garfield Avenue. The applicant explained that the property would house trucks used by a surveyor office that would be located in the new building, but that the trucks would be conventional pick-up trucks or SUVs rather than heavy commercial trucks. It was also explained that a specialty retail auto accessories store is intended to locate on the property, and most of its business is by mail order, so delivery trucks would frequent the property a couple times per day. It was also explained that the Colorado Department of Transportation does not support a curb cut off of Garfield Avenue at this location, so vehicles will access the site off of Granite Street.

VIII. FINDINGS AND ANALYSIS

The chapters and sections cited below are from the Loveland Municipal Code.

Annexation and Zoning

A. Annexation Policies and Eligibility

- 1. Loveland Comprehensive Master Plan, Section 4.2**
 - a. Annexation ANX2.A:** *Whether the annexation encourages a compact pattern of urban development.*
 - b. Annexation ANX2.B:** *Whether the annexation would result in the creation of an enclave*
 - c. Annexation ANX5.B:** *Whether the applicant has demonstrated that reasonable efforts have been made to assemble adjoining land parcels to allow for the preparation of a master plan for a larger area, rather than submit separate individual proposals.*
 - d. Annexation ANX1.C and 6:** *Whether the annexation encourages infill development and ensures that land is immediately contiguous to other land in the City that is already receiving City services, discouraging leapfrog and scattered site development.*
 - e. Growth Management GM7:** *Whether the land proposed for annexation is within the City of Loveland Growth Management Area.*
- 2. Loveland Municipal Code, Section 17.04.020:** *The annexation complies with the laws of the State of Colorado regarding annexation and the property proposed for annexation is otherwise eligible to be annexed because there is at least one-sixth contiguity between the City and the area seeking annexation and there is no evidence that two or more of the following conditions have been met:*

- a. Less than 50% of the adult residents of the area proposed to be annexed use some of the recreation, civic, social, religious, industrial or commercial facilities of the municipality and less than 25% of its adult residents are employed in the annexing municipality.*
- b. One-half or more of the land proposed to be annexed is agricultural, and the landowners of such agricultural land have expressed an intention under oath to devote the land to agricultural use for at least five years.*
- c. It is not physically practical to extend urban service which the municipality provides normally.*

Planning: Staff believes that this finding can be met, based on the following facts:

- The annexation complies with the Colorado State Statutes regarding annexation of lands and is within the City's Growth Management Area (GMA).
- No enclaves will be created by this annexation and there is no evidence that two or more of the conditions listed in Section 17.04.020 of the Municipal Code, cited above, have been met.
- The development of the property will encourage a compact pattern of urban development and will not be leapfrog or scattered site development. The land is contiguous a portion of Garfield Avenue that was annexed with the Shade Tree Park development on the east side of Garfield. City wastewater and power are readily available to the site, and city water will be available in the near future when a water main is extended as planned. Water can be obtained from the District if the property develops prior to the extension of the main.
- The annexation complies with the Intergovernmental Agreement with Larimer County to annex property within the City's GMA that are eligible for annexation.

B. City Utilities/Services and Transportation

1. Loveland Comprehensive Master Plan, Section 4.2

- a. Annexation ANX1.A and B: Whether the annexation of land minimizes the length of vehicle trips generated by development of the land and whether the annexation minimizes the short and long term costs of providing community facilities and services for the benefit of the annexed area.*

2. Loveland Municipal Code

a. Section 17.04.040:

(i) Whether certain public facilities and/or community services are necessary and may be required as a part of the development of any territory annexed to the City in order that the public needs may be served by such facilities and services. Such facilities include, but are not limited to, parks and recreation areas, schools, police and fire station sites, and electric, water, wastewater and storm drainage facilities. Such services include, but are not limited to, fire and police protection, provision of water, and wastewater services.

(ii) Whether the annexation and development pursuant to the uses permitted in the zone district will create any additional cost or burden on the existing residents of the City to provide such facilities and services in the area proposed for annexation.

(iii) The annexation complies with the water rights requirements set forth in Title 19 of the Loveland Municipal Code.

b. Section 17.04.040; Whether all existing and proposed streets in the newly annexed property are, or will be, constructed in compliance with City street standards, unless the City determines that the existing streets will provide proper access during all seasons of the year

to all lots and that curbs, gutters, sidewalks, bike lanes, and other structures in compliance with City standards are not necessary to protect public health, safety, and welfare.

c. **Section 18.04.010:** *The zoning, as proposed, would: lessen congestion in the streets; secure safety from fire, panic, and other dangers; and promote health and general welfare.*

Transportation: Staff believes that this finding can be met, based on the following facts:

- Annexing and zoning property does not warrant compliance with the City's Adequate Community Facilities (ACF) ordinance. A condition is recommended to clearly ensure that all future development or land application within this proposed property shall be in compliance with the City of Loveland Street Plan, the Larimer County Urban Area Street Standards and any updates to either in effect at the time of development application.
- As identified in the City Municipal Code Title 16, a Traffic Impact Study will be required with all future development or other land use applications. The annexation will also be required to dedicate, free and clear, all applicable right-of-way to the City, at no cost to the City, at the time of development.
- Pending future proposed development within this property, of which review and approval by the City is required, the Transportation Engineering staff does not object to the proposed annexation and zoning.

Fire: Staff believes that this finding can be met, based on the following facts:

- The site will comply with the requirements in the ACF Ordinance for response distance requirements from the first due Engine Company.
- The proposed annexation/zoning will not negatively impact fire protection for the subject development or surrounding properties.

Water/Wastewater: Staff believes that this finding can be met, based on the following facts:

- The subject property is situated within the City's current service area for wastewater.
- The subject property is currently within the Fort Collins-Loveland water service area. The City is agreeable with having future development on the property being served water from the District.
- Future development on the property can connect to the City's wastewater main located in Granite Street.
- The annexation and zoning is consistent with the Department's Water and Wastewater master plan by being consistent with the 2005 Comprehensive Master Plan.
- Public wastewater facilities are available to serve the development.

Power: Staff believes that this finding can be met, based on the following facts:

- Currently there is overhead, 3-phase power running along the eastern side of the property. This overhead is scheduled to be undergrounded in the spring of 2016.
- This development will neither negatively impact our power delivery in this part of the system, nor will it interfere with our proposed project that is underway. This project will comply with the requirements in the ACF Ordinance.

Stormwater: Staff believes that this finding can be met, based on the following facts:

- With the annexation and future development, the Developer will engineer certain Stormwater facilities that will adequately collect, detain, and release Stormwater runoff in a manner that will eliminate off-site impacts.

- Development of the subject property pursuant to any of the uses permitted by right under the zoning district would result in impacts on City infrastructure and services that are consistent with current infrastructure and service master plans.

Building: Staff believes that this finding can be met, based on the following facts:

- The proposed annexation of this property to the City of Loveland will not negatively impact surrounding properties in regard to the adopted building codes.

C. Land Use

1. Loveland Comprehensive Master Plan, Section 4.7

- a. **Land Use Plan:** *Whether the zoning is consistent with the Loveland Comprehensive Master Plan Land Use Plan or a "major plan amendment" request is being processed concurrently with the annexation and GDP application.*

Planning: Staff believes that this finding can be met, based on the following facts:

- The Comprehensive Master Plan designates the site as Corridor Commercial. The requested B Developing Business zoning district aligns with the Corridor Commercial designation in the Master Plan.
- The zoning is consistent with the future Create Loveland Master Plan.

2. Loveland Municipal Code

a. Section 18.04.010:

- (i) *Whether the zoning will provide adequate light and air; prevent overcrowding of land; avoid undue concentration of population; and facilitate the adequate provision of transportation, water, sewage, schools, parks, and other public requirements.*
- (ii) *The character of the district and the particular uses permitted by right in the district will preserve the value of buildings and encourage the most appropriate use of land.*

Planning: Staff believes that this finding can be met, based on the following facts:

- Development of the property will provide adequate light and air and prevent overcrowding of the land. The B Developing Business district requires a minimum 25 foot setback between buildings and street rights-of-way.
- The character of the B Developing Business district will preserve the value of other properties in the area and encourages the most appropriate use of the land. The requested commercial land use is consistent with other developments along N. Garfield Avenue in the vicinity of the subject property.
- As the project is contiguous to existing developments receiving city services, an extension of infrastructure services is practical. The developer will be required to construct needed infrastructure to serve the development.

D. Environmental Impacts

1. Loveland Comprehensive Master Plan, Section 4.2

- a. **Annexation ANX3.A:** *Whether the annexation will comply with the recommendations contained in the adopted Open Lands Plan and preserves open space or natural areas.*

Annexation ANX3.B: *Annexation will be allowed for the purpose of preserving or acquiring open space or natural areas.*

Annexation ANX4.A and B: *If the planning staff and/or the City have determined that significant negative impacts on the environment may occur from development allowed under*

the proposed zoning, an Environmental Impact Report, including a Wetlands Reconnaissance Report, has been prepared by a qualified specialist.

Annexation ANX4.B: *Whether the annexation application includes a Phase I Environmental Report, prepared by a qualified specialist, ensuring that the land to be annexed does not contain hazardous or toxic substances that may pose a danger to the City or that reasonable mitigation measures can be taken in the event that such contamination exists.*

Annexation ANX4.D: *All development agreements must deal satisfactorily with any environmental impacts upon the property.*

Planning: Staff believes that this finding can be met, based on the following fact:

- An environmentally sensitive areas report was submitted with the annexation and zoning and was prepared by Paragon Consulting Group, Inc. (see excerpts in **Attachment E**). The report indicates that significant recognized environmental conditions were not identified on or adjacent to the subject site.

E. Miscellaneous

1. Loveland Municipal Code, Section 17.04.040.F: *Whether the annexation is in the best interest of the citizens of the City of Loveland.*

Planning: Staff believes that this finding can be met, based on the following facts:

- The annexation and zoning of the property into a commercial development is compatible with development in the surrounding area. The eventual site development plan will need to demonstrate compliance with city zoning, building, fire, transportation, and infrastructure standards.

F. Mineral Extraction Colorado Revised Statute: *The proposed location and the use of the land, and the conditions under which it will be developed, will not interfere with the present or future extraction of a commercial mineral deposit underlying the surface of the land, as defined by CRS 34-1-3021 (1) as amended.*

Planning: Staff believes that this finding can be met, due to the following fact:

- A mineral extraction evaluation from Earth Engineering Consultants, LLC, was submitted indicating that there are no economically viable minerals to be extracted from the property.

IX. RECOMMENDED CONDITIONS

The following conditions are recommended by City Staff.

Planning

1. The policies of the Loveland 287 Plan shall be implemented in the development of the property. These include the following, unless exempted by the city during the development review process:
 - a. Construction of detached sidewalk along Highway 287.
 - b. Construction of sidewalk along Granite Street.
 - c. Installation of street trees along Highway 287.

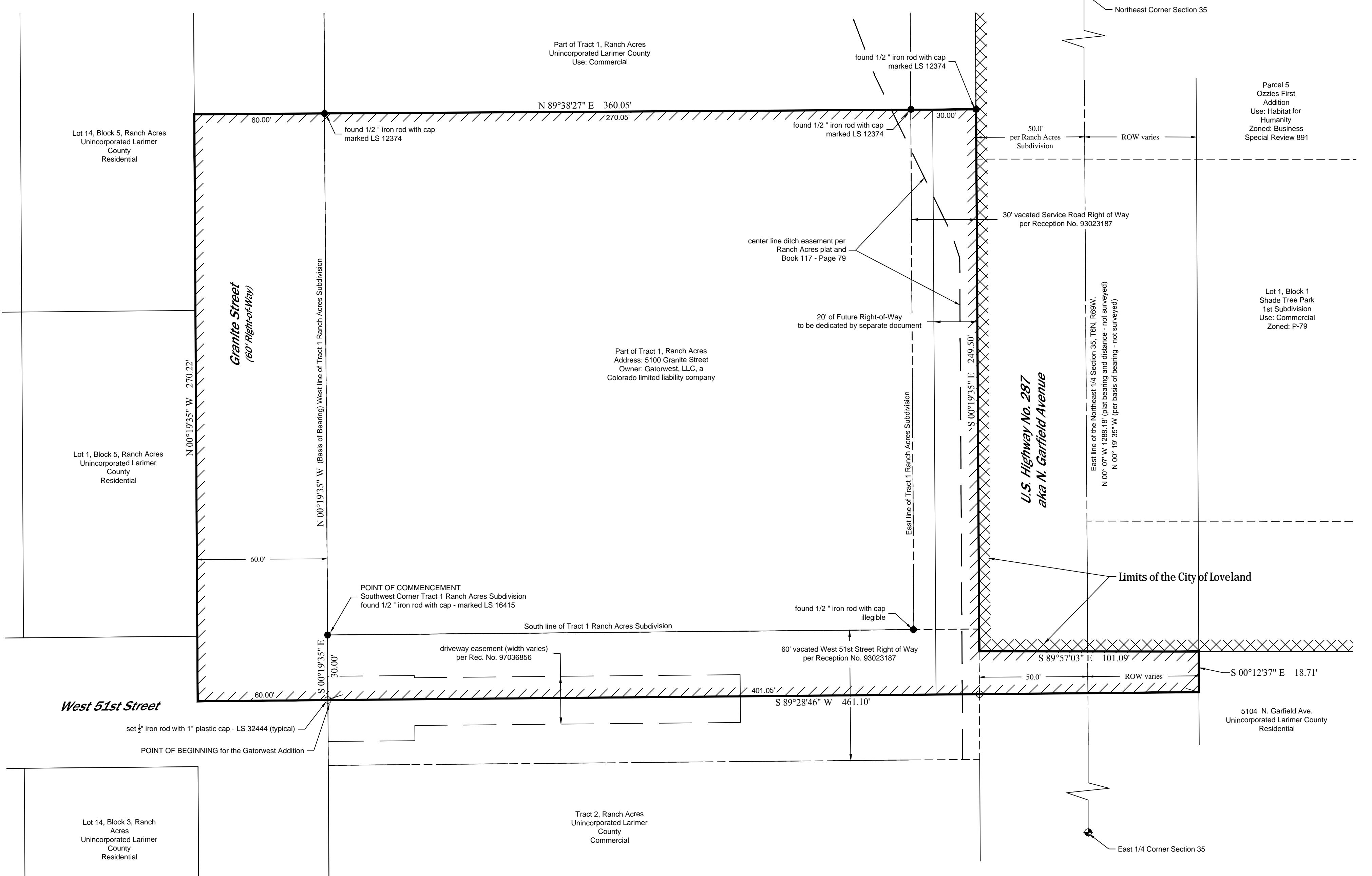
- d. Establishment of an east-west pedestrian easement in or near the vacated 51st Street right-of-way.
- e. A site layout that refrains from situating parking between the building(s) on site and Highway 287.
- f. Burial of overhead utility lines.

2. The concept plan is not vested or approved as part of the annexation and zoning of the property.

Gatorwest Addition

TO THE CITY OF LOVELAND, LARIMER COUNTY, COLORADO

A PARCEL OF LAND BEING A PART OF TRACT 1, RANCH ACRES SUBDIVISION, AND PORTIONS OF THE VACATED SERVICE ROAD AND 51ST STREET RIGHTS OF WAY PER RECEPTION NUMBER 93023187, AND ADJACENT RIGHTS OF WAY LYING WITHIN THE NORTHEAST 1/4 SECTION 35, TOWNSHIP 6 NORTH, RANGE 69 WEST, 6TH P.M., LARIMER COUNTY, COLORADO



Gatorwest Addition Annexation:
 Total Boundary: 1,460.67 l.f.
 Contiguous Boundary: 350.59 l.f.
 Area: 2.273 ac.
 Contiguity: 1 : 4.17

NOTES:
 A. This map is based on a title commitment provided by The Group Guaranteed Title, LLLP, Order No. 203127, Effective Date: August 12, 2015, at 8:00 A.M.
 B. Bearings are based NAD83 Colorado State Plane Coordinates - North Zone with the West Line of Tract 1 Ranch Acres of Unincorporated Larimer County having a bearing of N 00°19'35" W monumented as shown on this plat.

C. Units are shown in U.S. Survey Foot

D. The total annexation area contains 2.273 acres, more or less.

E. Property Address: 5100 Granite Street, Loveland, CO 80538 (per title commitment)

Scale 1 inch = 30 feet

Legend:

● denotes found monument described as shown

○ denotes set 0.5" iron rod & 1.0" plastic cap marked "PLS 3244"

XXXX illustrates the limits of the City of Loveland

||||| illustrates the annexation boundary

Surveyor Certificate

I, M. Bryan Short, a registered Land Surveyor in the State of Colorado, do hereby certify that the annexation map shown hereon is a reasonably accurate depiction of the parcel of land legally described herein and, to the extent described herein, that at least one sixth (1/6) of the peripheral boundary of said parcel is contiguous to the boundary of the City of Loveland, Colorado. The map was compiled using existing plats, deeds, legal descriptions, and other documents and is not based on the field survey nor should it be construed as a boundary survey.

Surveyor Signature _____

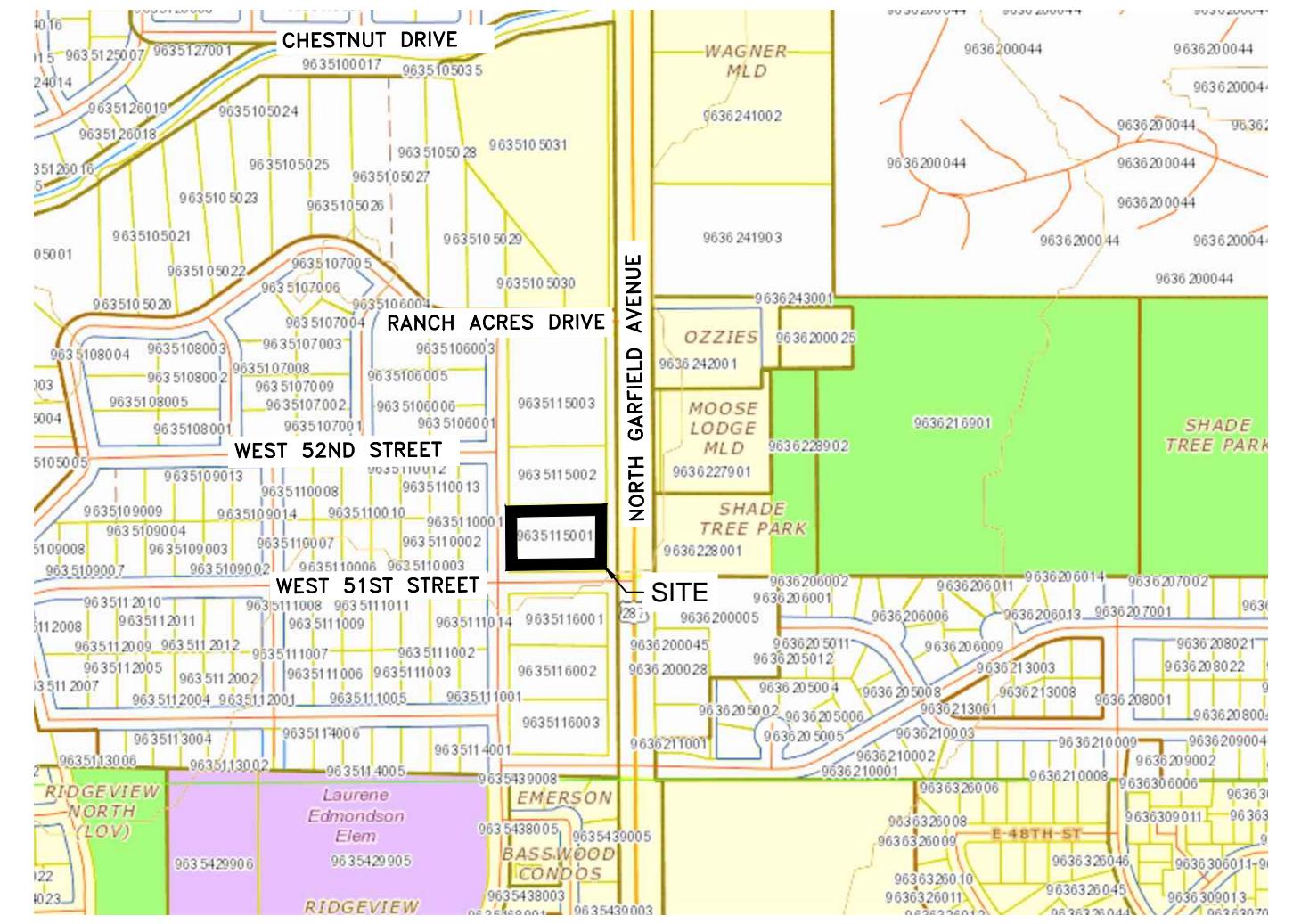
Printed name of Surveyor and PLS # _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by _____

Witness my hand and official seal

Notary Public: _____

My commission expires: _____



Vicinity Map

Certificate of Ownership

Know all men by these presents that Gatorwest, LLC, a Colorado limited liability company being the Owner of certain lands in Larimer County, Colorado, have herewith petitioned to the City of Loveland for the Annexation of the property being described as follows:

A PARCEL OF LAND BEING A PART OF TRACT 1, RANCH ACRES SUBDIVISION, AND PORTIONS OF THE VACATED SERVICE ROAD AND 51ST STREET RIGHTS OF WAY PER RECEPTION NUMBER 93023187, AND ADJACENT RIGHTS OF WAY LYING WITHIN THE NORTHEAST 1/4 SECTION 35 AND THE NORTHWEST 1/4 OF SECTION 36, TOWNSHIP 6 NORTH, RANGE 69 WEST, 6TH P.M., LARIMER COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE WEST LINE OF TRACT 1 RANCH ACRES SUBDIVISION AS BEARING N 00°19'35" W AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHWEST CORNER OF TRACT 1 RANCH ACRES SUBDIVISION SAID POINT ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF GRANITE STREET, THENCE S 00°19'35" E ALONG SAID RIGHT OF WAY LINE FOR A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING; THENCE S 09°28'46" W FOR A DISTANCE OF 60.00 FEET TO A POINT ON THE EXTENSION OF THE WEST RIGHT OF WAY LINE OF GRANITE STREET INTO THE INTERSECTION OF WEST 51ST STREET; THENCE N 00°19'35" W ALONG SAID WEST RIGHT OF WAY LINE FOR A DISTANCE OF 270.22 FEET; THENCE DEPARTING SAID WEST LINE N 00°19'35" E FOR A DISTANCE OF 360.05 FEET TO THE WEST RIGHT OF WAY LINE OF US HIGHWAY 287 PER THE PLAT OF RANCH ACRES SUBDIVISION; THENCE ALONG SAID WEST RIGHT-OF-WAY LINE S 00°19'35" E FOR A DISTANCE OF 249.50 FEET TO THE SOUTHWEST CORNER OF SHADE TREE FIFTH ADDITION TO THE CITY OF LOVELAND; THENCE DEPARTING FROM SAID WEST RIGHT OF WAY S 09°57'03" E FOR A DISTANCE OF 101.09 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF US HIGHWAY 287 PER BOOK 1057 PAGE 402; THENCE S 00°12'37" E ALONG SAID EAST RIGHT-OF-WAY LINE A DISTANCE OF 18.71 FEET; THENCE DEPARTING FROM SAID EAST RIGHT OF WAY S 09°28'46" W FOR A DISTANCE OF 401.05 FEET TO THE POINT OF BEGINNING.

THUS DESCRIBED TRACT CONTAINS 2.273 ACRES MORE OR LESS, TOGETHER WITH AND SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY EXISTING AND/OR OF PUBLIC RECORD.

Executed this _____ day of _____, 20 ____.

Owner: M. Bryan Short, as owner of Gatorwest, LLC

State of Colorado)) ss)

County of))

The foregoing certificate of ownership was acknowledged before me by and _____ this day of _____, 20 ____.

Witness My Hand and Seal

Notary Public _____

My commission expires: _____

Mayor Certificate

This map is approved by the City Council of the City of Loveland, Larimer County, Colorado by Ordinance No. _____, passed on second reading on this _____ day of _____, 20____, for filing with the Clerk and Recorder of Larimer County.

By: _____ Mayor

Attest: _____ City Clerk

Recorder's Certificate

This Annexation Map was filed for record in the office of the County Clerk and Recorder of Weld County at _____ o'clock, _____ M., on the _____ day of _____ A.D., 20____, in the book page, _____, map, _____, reception no. _____.

Larimer County Clerk and Recorder

by: _____

Deputy

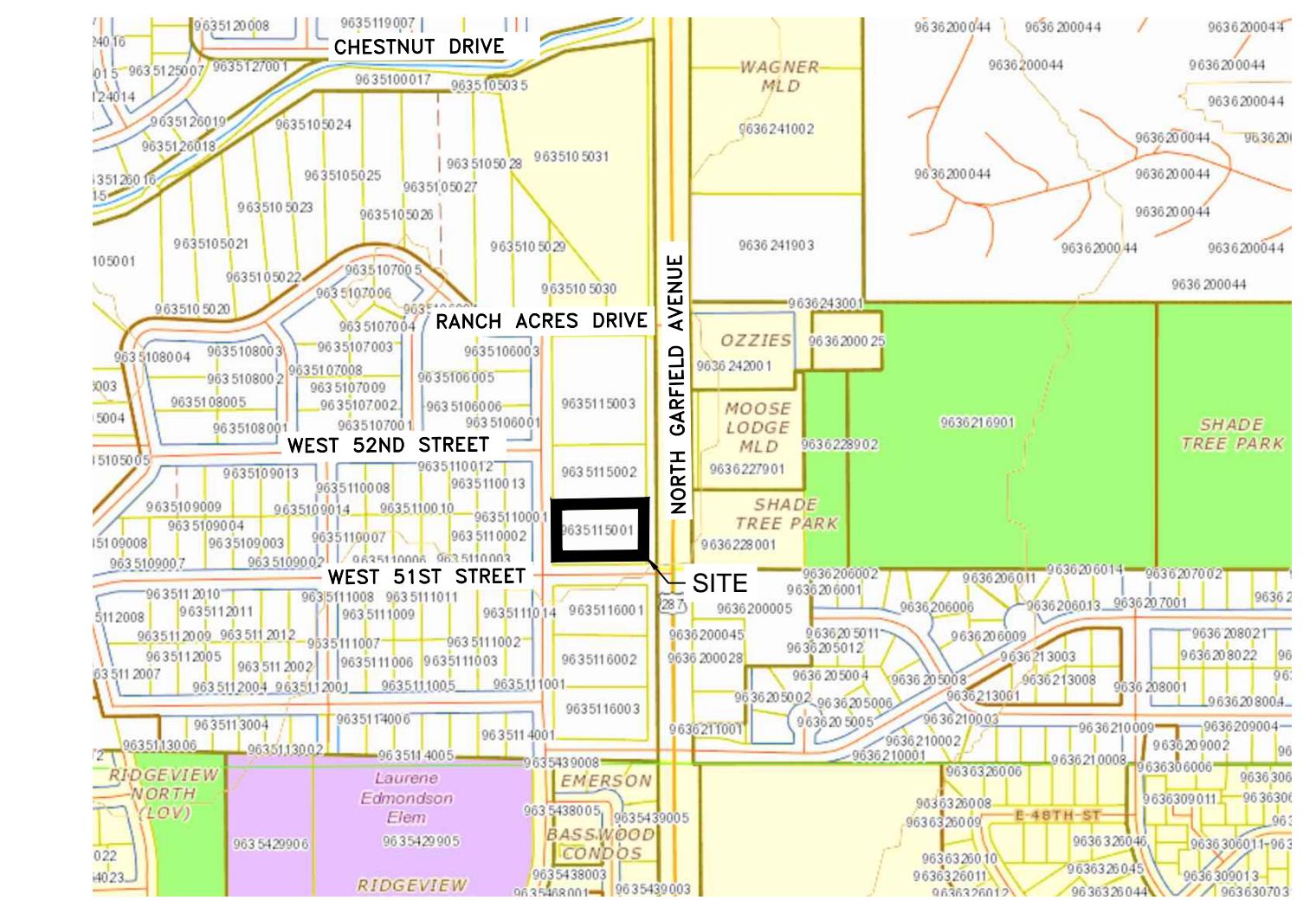
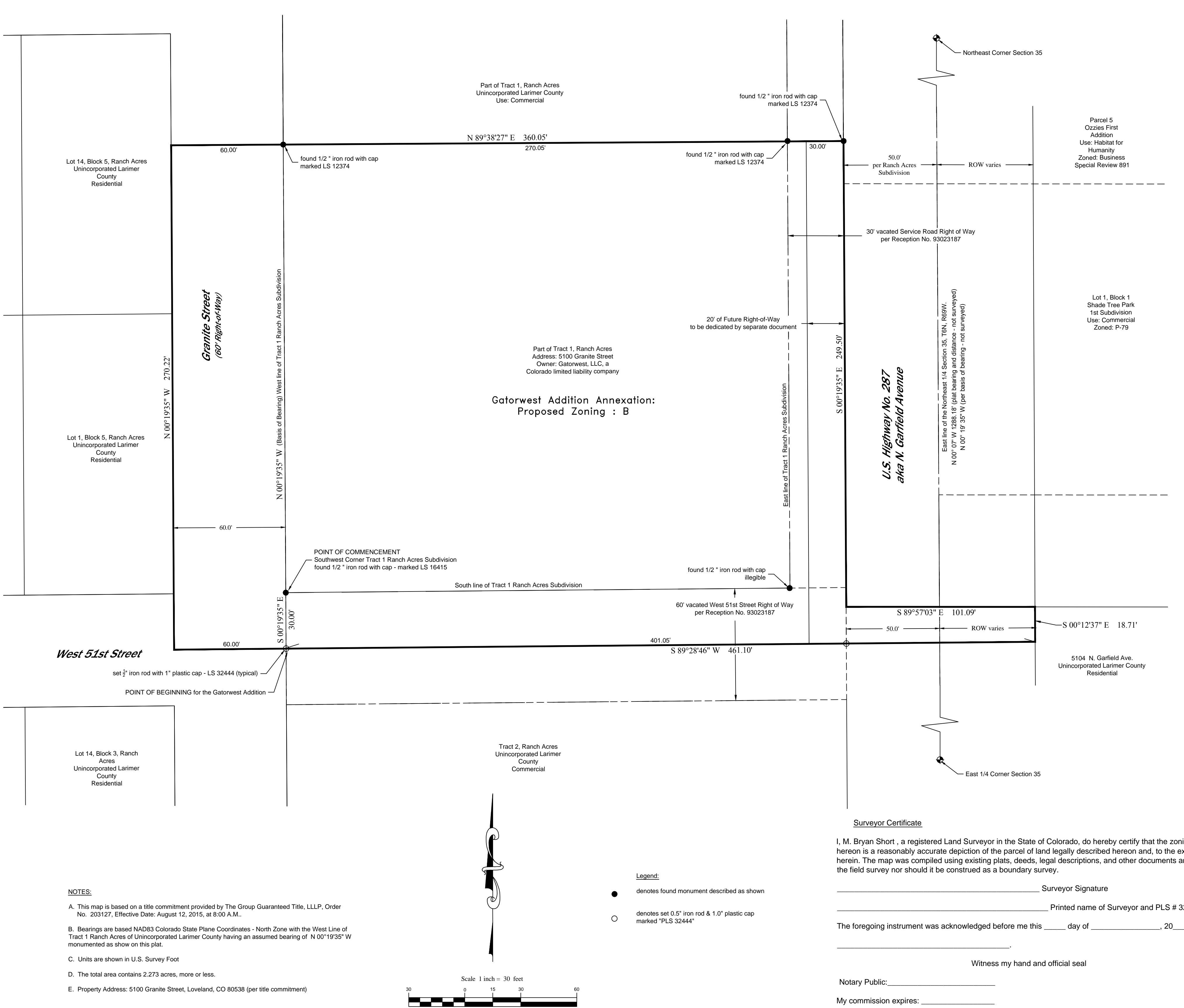
Annexation Map Gatorwest Addition

CLIENT - OWNER:	PLS Group	TITLE	Section 35, Township 6 North, Range 69 West, 6th P.M., Larimer County, Colorado	Section 35, Township 6 North, Range 69 West, 6th P.M., Larimer County, Colorado	Section 35, Township 6 North, Range 69 West, 6th P.M., Larimer County, Colorado	Section 35, Township 6 North, Range 69 West, 6th P.M., Larimer County, Colorado
Gatorwest, LLC 6843 N Franklin Ave, Loveland, CO 80538 Phone: 970.669.2100 Fax: 970.669.3652	Field Date _____ Party Chief _____ Scale _____	ST _____ KBD _____ 1/4" 30' _____ PLS _____ MBS _____	Field Date _____ Party Chief _____ Scale _____	ST _____ KBD _____ 1/4" 30' _____ PLS _____ MBS _____	Field Date _____ Party Chief _____ Scale _____	Field Date _____ Party Chief _____ Scale _____

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A PARCEL OF LAND BEING A PART OF TRACT 1, RANCH ACRES SUBDIVISION, AND PORTIONS OF THE VACATED SERVICE ROAD AND 51ST STREET RIGHTS OF WAY PER RECEPTION NUMBER 93023187, AND ADJACENT RIGHTS OF WAY LYING WITHIN THE NORTHEAST 1/4 SECTION 35 AND THE NORTHWEST 1/4 OF SECTION 36, TOWNSHIP 6 NORTH, RANGE 69 WEST, 6TH P.M., LARIMER COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE WEST LINE OF TRACT 1 RANCH ACRES SUBDIVISION AS BEARING N 00°19'35" W AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE SOUTHWEST CORNER OF TRACT 1 RANCH ACRES SUBDIVISION SAID POINT ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF GRANITE STREET, THENCE S 00°19'35" E ALONG SAID RIGHT OF WAY LINE FOR A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING; THENCE S 89°28'46" W FOR A DISTANCE OF 60.00 FEET TO THE WEST RIGHT OF WAY LINE OF GRANITE STREET INTO THE INTERSECTION OF WEST 51ST STREET; THENCE N 00°19'35" W ALONG SAID WEST RIGHT OF WAY LINE FOR A DISTANCE OF 270.22 FEET; THENCE DEPARTING SAID WEST LINE N 89°38'27" E FOR A DISTANCE OF 360.05 FEET TO THE WEST RIGHT OF WAY LINE OF US HIGHWAY 287 PER THE PLAT OF RANCH ACRES SUBDIVISION; THENCE ALONG SAID WEST RIGHT-OF-WAY LINE S 00°19'35" E FOR A DISTANCE OF 249.50 FEET TO THE SOUTHWEST CORNER OF SHADE TREE FIFTH ADDITION TO THE CITY OF LOVELAND; THENCE DEPARTING FROM SAID WEST RIGHT OF WAY S 89°57'03" E FOR A DISTANCE OF 101.09 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF US HIGHWAY 287 PER BOOK 1057 PAGE 402; THENCE S 00°12'37" E ALONG SAID EAST RIGHT-OF-WAY LINE A DISTANCE OF 18.71 FEET; THENCE DEPARTING FROM SAID EAST RIGHT OF WAY S 89°28'46" W FOR A DISTANCE OF 401.05 FEET TO THE POINT OF BEGINNING.

THUS DESCRIBED TRACT CONTAINS 2.273 ACRES MORE OR LESS, TOGETHER WITH AND SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY EXISTING AND/OR OF PUBLIC RECORD.

Executed this ____ day of ____ , 20 ____.

Owner: _____
M. Bryan Short, as owner of Gatorwest, LLC.

State of Colorado)
County of) ss

The foregoing certificate of ownership was acknowledged before me by
and _____ this day of _____, 20 ____.

Witness My Hand and Seal

Notary Public _____

My commission expires: _____

Mayor Certificate

This map is approved by the City Council of the City of Loveland, Larimer County, Colorado by
Ordinance No. _____, passed on second reading on this _____ day of
_____, 20_____, for filing with the Clerk and Recorder of Larimer County.

By: _____ Mayor

Attest: _____ City Clerk

Recorder's Certificate

This Annexation Map was filed for record in the office of the County Clerk and Recorder of Weld
County at _____ o'clock, _____ M., on the _____ day of _____ A.D., 20_____, in the book
page, _____, map _____, reception no. _____.

Larimer County Clerk and Recorder

by: _____

Deputy

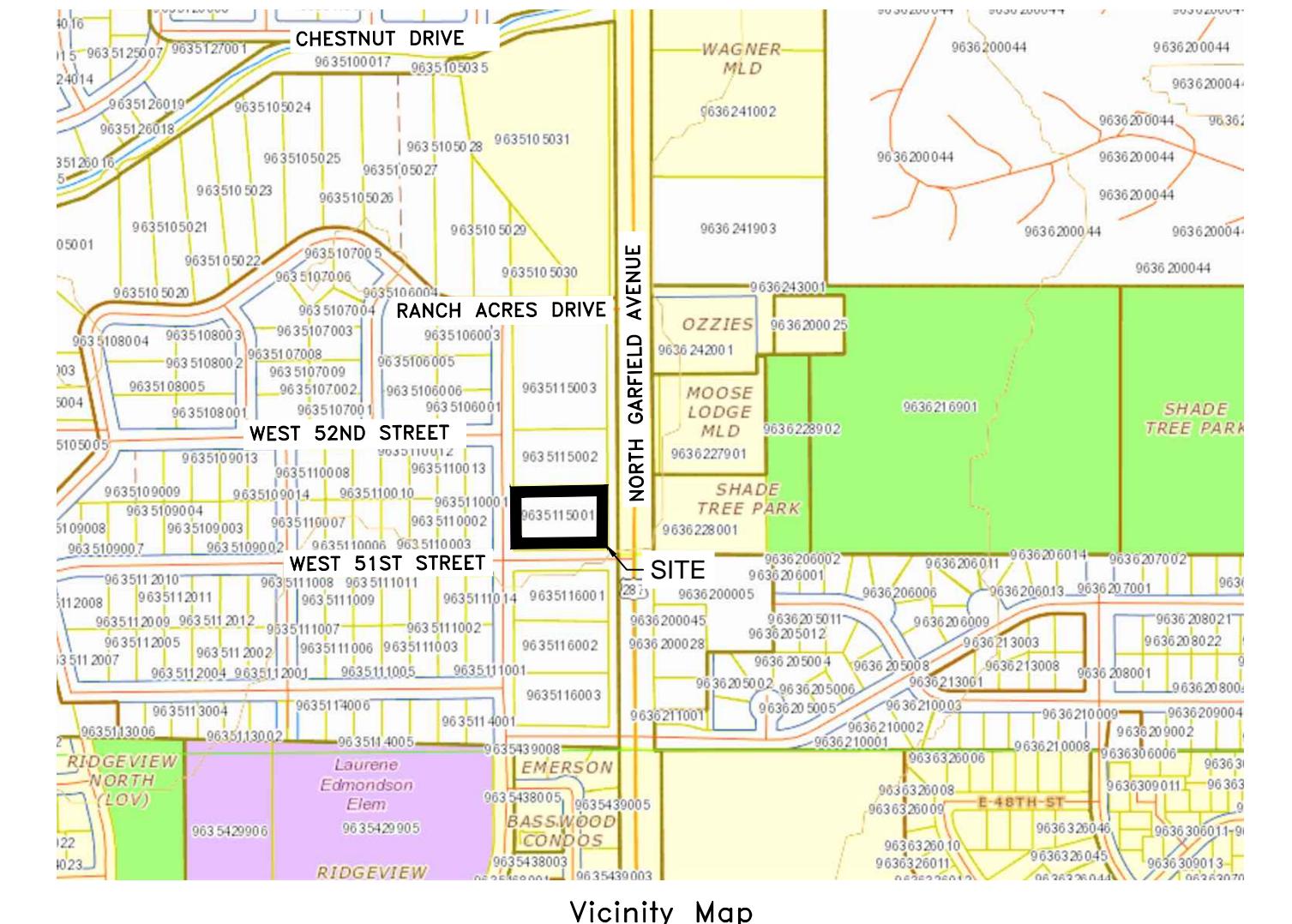
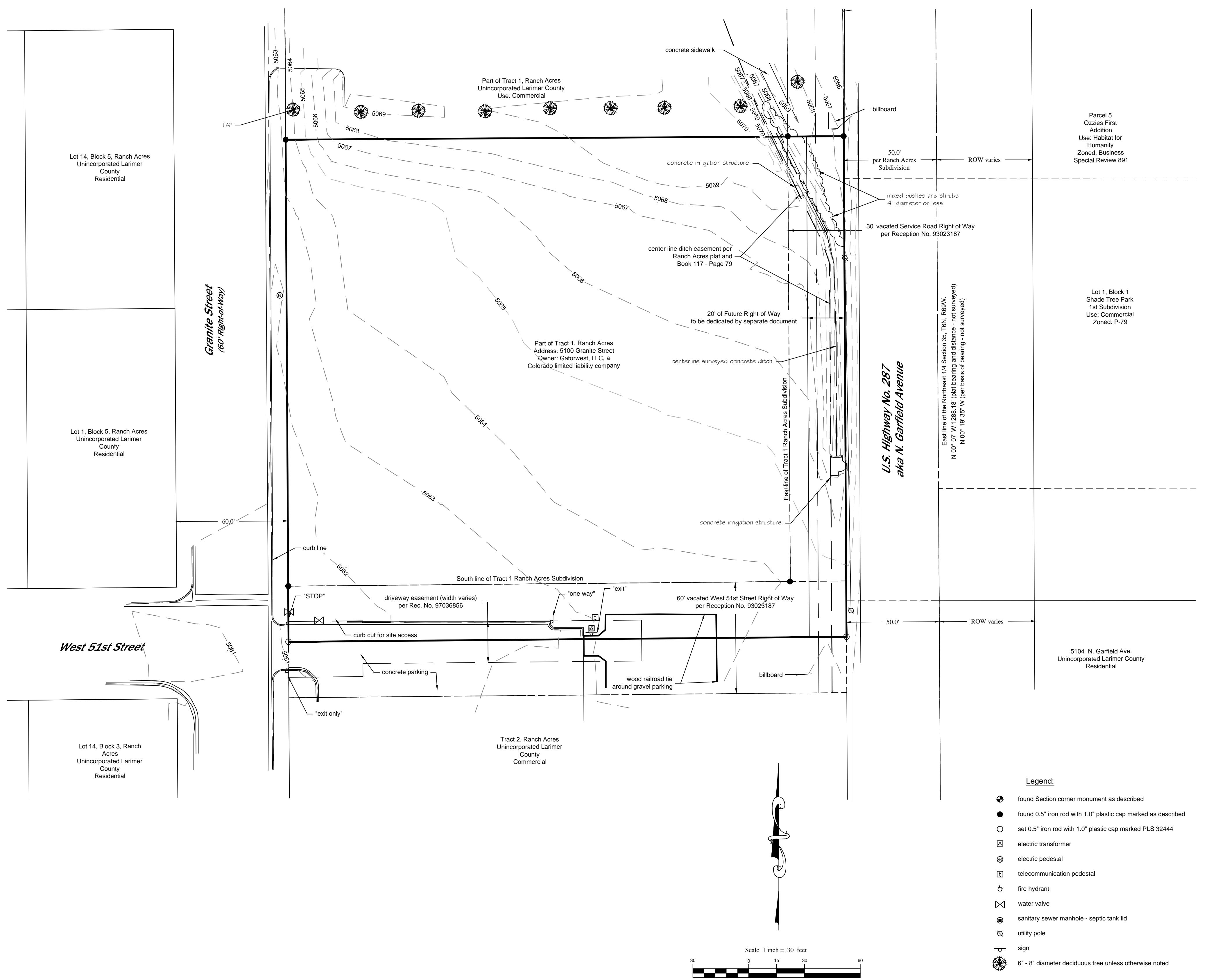
Zoning Map
Gatorwest Addition
Section 35, Township 6 North, Range 69 West, 6th P.M., Larimer County, Colorado

CLIENT - OWNER:	PLS Group	TITLE	Section 35, Township 6 North, Range 69 West, 6th P.M., Larimer County, Colorado	Field Date	July 2015	ST	Part. Chief	1/2	PM	ST	1/2	PLS	MBS	Scale
Gatorwest, LLC 6843 N Franklin Ave, Loveland, CO 80538 Phone: 970.669.2100 Fax: 970.669.3652	6843 North Franklin Avenue, Loveland, CO 80538 Phone: 970.669.2100 Fax: 970.669.3652													

Gatorwest Addition

TO THE CITY OF LOVELAND, LARIMER COUNTY, COLORADO

A PARCEL OF LAND BEING A PART TRACT 1, RANCH ACRES
SUBDIVISION AND PORTIONS OF THE VACATED SERVICE ROAD AND
51ST STREET RIGHTS OF WAY PER RECEPTION NUMBER 93023187,
LYING WITHIN THE NORTHEAST 1/4 SECTION 35, TOWNSHIP 6 NORTH,
RANGE 69 WEST, 6TH P.M., LARIMER COUNTY, COLORADO



Site Inventory Map Norwest Addition

Section 35, Township 6 North, Range 69 West, 6th P.M., Larimer County, Colorado		Phone : 970.669.2100	
PLS Group 6843 North Franklin Avenue, Loveland, Colorado 80538 Phone: 970.669.2100 Fax: 970.669.3652		   	
REVISIONS Date <u> </u> By <u> </u> Description <u> </u> Date <u> </u> By <u> </u> Description <u> </u> Date <u> </u> By <u> </u> Description <u> </u>		PROJECT NO. Field Date <u>July 2015</u> ST <u>n/a</u> Party Chief <u>KEB</u> PM <u>CLT</u> Scale <u>1"= 30'</u> PLS <u>MBS</u>	
		NO. OF SHEETS <u>1</u>	

GAL DESCRIPTION:

PARCEL OF LAND BEING A PART TRACT 1, RANCH ACRES SUBDIVISION AND
PORTIONS OF THE VACATED SERVICE ROAD AND 51ST STREET RIGHTS OF WAY
PER RECEPTION NUMBER 93023187, LYING WITHIN THE NORTHEAST 1/4 SECTION
, TOWNSHIP 6 NORTH, RANGE 69 WEST, 6TH P.M., LARIMER COUNTY,
COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ONSIDERING THE WEST LINE OF TRACT 1 RANCH ACRES SUBDIVISION AS
BEARING
00°19'35" W AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO:

EGINNING AT THE SOUTHWEST CORNER OF TRACT 1 RANCH ACRES SUBDIVISION,
ID POINT ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF GRANITE STREET,
HENCE N 00°19'35" W ALONG SAID WEST LINE FOR A DISTANCE OF 240.05 FEET;
HENCE DEPARTING SAID WEST LINE OF TRACT 1, N 89°39'27" E FOR A DISTANCE
F 300.05 FEET TO THE WEST RIGHT OF WAY LINE OF US HIGHWAY 287 PER THE
AT OF RANCH ACRES SUBDIVISION;
HENCE ALONG SAID WEST RIGHT-OF-WAY LINE S 00°19'35" FOR A DISTANCE OF
9.21 FEET;
HENCE DEPARTING FROM SAID WEST RIGHT OF WAY S 89°28'46" W FOR A
STANCE OF 300.05 FEET TO A POINT ON THE WEST LINE OF RIGHT OF WAY
ACATED BY RECEPTION NUMBER 93023187 SAID LINE ALSO BEING THE EAST
IGHT-OF-WAY LINE OF GRANITE STREET;
HENCE N 00°19'35" W ALONG SAID EAST RIGHT-OF-WAY LINE A DISTANCE OF 30.00
ET TO THE POINT OF BEGINNING;

HUS DESCRIBED TRACT CONTAINS 1.857 ACRES MORE OR LESS, TOGETHER WITH
ND SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY EXISTING AND/OR OF
PUBLIC RECORD.

NO

- A. This map is based on a title commitment provided by The Group Guaranteed Title, LLLP, Order No. 203127, Effective Date: August 12, 2015, at 8:00 A.M..
- B. Bearings are based NAD83 Colorado State Plane Coordinates - North Zone with the West Line of Tract 1 Ranch Acres of Unincorporated Larimer County having an assumed bearing of N 00°19'35" W monumented as show on this plat.
- C. Units are shown in U.S. Survey Foot
- D. The total area contains 1.857 acres, more or less.
- E. Property Address: 5100 Granite Street, Loveland, CO 80538 (per title commitment)
- F. No wetland were determined by this survey.
- G. This site falls in an un-mapped area by FEMA.
- H. Soils on site is identified as Fort Collins Loam from the USDA Web Soil Survey which is considered well drained with a high capacity to transmit water.
- I. Depth to water table is considered greater than 80 inches per USDA Web Soil Survey.
- J. There are not any natural areas identified by the 2008 Natural Areas by the City of Loveland study on this site.
- K. All vegetation on site are native grasses unless otherwise specified.

Legend:

ound Section corner monument as described

ound 0.5" iron rod with 1.0" plastic cap marked as described

et 0.5" iron rod with 1.0" plastic cap marked PLS 32444

lectric transformer

lectric pedestal

telecommunication pedestal

re hydrant

ater valve

sanitary sewer manhole - septic tank lid

ility pole

gn

' - 8" diameter deciduous tree unless otherwise noted

Rezoning Assessment

This Rezoning Assessment will evaluate the proposed Zoning of B-Developing Business with the respect of the surrounding residential and commercial uses in unincorporated Larimer County and commercial uses within the City of Loveland.

a) Compatibility with the Purpose Set forth in Section 18.04.010 of the Loveland Municipal Code:

Section 18.04.010:

The zoning regulations and districts, as herein set forth, which have been made in accordance with a comprehensive zoning study, are designed to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to promote health and general welfare; to provide adequate light and air; to prevent overcrowding of land; to avoid undue concentration of population; and to facilitate the adequate provision of transportation, water, sewage, schools, parks and other public requirements. These regulations have been made with reasonable consideration, among other things, as to the character of each district and its peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the city in accordance with the adopted master plan for the city or other approved planning or engineering.

The B-Business Zoning district is intended to provide for auto-oriented and auto-dependent uses, primarily along established commercial corridors of the City. This district is applied to many of the City's established commercial corridors and corresponds to the areas depicted as CC-Corridor Commercial on the Comprehensive Master Plan Land Use Plan Map. This zoning provides a wide range of general retail goods and services for residents of the entire community, as well as business and highway users.

b) Compatibility with existing land uses adjacent to and in close enough proximity

Adjacent uses consist of residential and commercial uses in unincorporated Larimer County and commercial uses within the City of Loveland.

The most incompatible use by right may be considered a bar or tavern as there are residential uses in the county adjacent to the site. While residents are usually what you would find in these establishments there is a potential for noise and light pollution in hours not all residents may desire. It could be noted that there are not any bars in this general location to serve residents within a walking distance.

c) Impacts on city infrastructure and services

Municipal Services:

Municipal services for the Gator Addition will be provided by the City of Loveland in the following manner:

Electricity	Electric services currently belongs to Excel and when annexed the City of Loveland will be required to execute a take over. The developer no matter the use will be responsible for all infrastructure costs and a \$1,350 dollar design deposit.
Telephone	Century Link and Comcast currently serve the area.
Water	Service to this site can be provided by the City of Loveland and in an interim condition the Fort Collins Loveland Water District. Flow tests have been conducted and observed by the City of Loveland to determine adequate fire flows could be provided to this site. A future connection to the future 16" water main in Garfield Ave. will be required once the capital project is completed.

Sanitary Sewer	The property will be required to connect to the City's sewer system. A connection to the 8" main in Granite Ave. will be required by the developer with the potential that pretreatment of waste water being required.
Fire	This site will be served by the Loveland Fire Rescue Authority. The requirements of all 2012 I-Codes and current NFPA standards must be met by the developer.
Police	Weld County Sheriff, under contract with the Town of Mead.

Street Connectivity and Maintenance

A current assessment shared with the southern neighbor is available to the site and it will be the developer's responsibility to provide a second point of access off of Granite Ave. Pedestrian trails will also be the developer's responsibility to allow for connectivity along Granite Ave. and US Highway 287. The property will need to be developed in accordance with the Larimer County Urban Area Street Standards, the City of Loveland Adequate Community Facility and a Traffic Impact Study will be Required.

Storm water Storm Water Facilities will be the developer's responsibility and be in accordance to the City of Loveland Storm Drainage Criteria and Construction Standards.

The use with the highest impact to the services would be a convention center even though it is pretty unlikely to develop on this property. It is our belief that the Municipal services would be able to support any use by right.

School District Impact:

It is anticipated that the zoning has the potential to allow for a two family dwelling having minimal impact to the School District.

d) Consistency with policies contained in Section 4 of the Loveland Comprehensive Master Plan.

The B-Business Zoning district is intended to provide for auto-oriented and auto-dependent uses, primarily along established commercial corridors of the City. This district is applied to many of the City's established commercial corridors and corresponds to the areas depicted as CC-Corridor Commercial on the Comprehensive Master Plan Land Use Plan Map.

e) Detriment to the health, safety, or welfare of the neighborhood or general public.

Again, adjacent uses consist of residential and commercial uses in unincorporated Larimer County and commercial uses within the City of Loveland.

The most incompatible use by right may be considered a bar or tavern or bar as there are residential uses in the county adjacent to the site. While residents are usually what you would find in these establishments there is a potential for noise and light pollution in hours not all residents may desire.

Land Use Map Consistency

This site is currently in Larimer County and is Zoned B Business. The Property falls with in the CC-Corridor Commercial area along the Northern 287 corridor to the City of Loveland. Adjacent uses consist of residential and commercial uses in unincorporated Larimer County and commercial uses within the City of Loveland. The B-Business is found to be the most fitting Zoning for this CC-Corridor Commercial area as it should meet the present and future needs to support a variety of retail, office, and industrial spaces that can be retained and are attracted to the corridor. Furthermore the B-Business Zoning will attract the type of development that can create positive, well designed, high-quality projects.

Chapter 18.28

B DISTRICT-DEVELOPING BUSINESS DISTRICT

Sections:

18.28.000	Purpose.
18.28.010	Uses permitted by right.
18.28.020	Uses permitted by special review.
18.28.030	Minimum yards.
18.28.035	Height limitations.
18.28.040	Off-street parking.
18.28.050	Site planning.
18.28.060	Usable open space.
18.28.070	Lot area. Multiple-family dwellings.
18.28.080	Residential landscaping.

18.28.000 Purpose.

This district is intended to provide for auto-oriented and auto-dependent uses, primarily along established commercial corridors of the City. This district is applied to many of the City's established commercial corridors and corresponds to the areas depicted as CC-Corridor Commercial on the Comprehensive Master Plan Land Use Plan Map. These areas provide a wide range of general retail goods and services for residents of the entire community, as well as businesses and highway users, primarily inside of enclosed structures. Locations for this zone require good vehicular access. (Ord. 5112 § 1, 2006)

18.28.010 Uses permitted by right.

The following uses are permitted by right in the B district:

- A. Financial Services;
- B. Gas station with or without convenience goods or other services subject to Section 18.52.060 and 18.50.135 and located 300 feet or more from a residential use or zone district (measurement shall be made from the nearest site or lot line of the gas station to the nearest lot line of the residential use or zone district);
- C. Place of worship or assembly;
- D. Lodging establishments;
- E. Clubs and lodges;
- F. Medical, dental or professional office or clinic;
- G. Office, general administrative;
- H. Parking lot and parking garage;
- I. Park or recreation area;
- J. Personal and business service shop;
- K. Public and private school;
- L. Essential public utility uses, facilities, services, & structures (under ground)
- M. Indoor entertainment facility & theater;
- N. Restaurant standard, indoor or outdoor;
- O. Retail store;

- P. Bed and breakfast establishment;
- Q. Accessory buildings and uses;
- R. Commercial child day care center licensed according to the statutes of the state;
- S. Multiple-family dwellings for the elderly;
- T. Combined use (or mixed-use) developments of permitted use;
- U. Boardinghouses and rooming houses;
- V. Community facility;
- W. Long term care facility;
- X. One-family dwelling;
- Y. Printing shop, provided that no such shop occupies more than 3,500 square feet of floor area;
- Z. Retail laundry;
- AA. Special trade contractor's shop (any outdoor storage shall be subject to special review as provided in Chapter 18.40.);
- BB. Two-family dwelling;
- CC. Antennas, as defined in Section 18.55.020(A), located on an existing tower or structure as provided in Section 18.55.030 and Section 18.55.030 and meeting all other requirements of Chapter 18.55;
- DD. Art gallery, studio and workshop including live/work studio and workshop. Such facilities may include the display, sale, fabrication or production of paintings, sculptures, ceramics and other art media. Limited outdoor fabrication of art work may be permitted subject to special review as provided in Chapter 18.40.
- EE. Bar or tavern;
- FF. Convention and conference center;
- GG. Food catering;
- HH. Funeral home
- II. Garden supply;
- JJ. Health care service facility;
- KK. Outdoor storage of equipment or products or other goods as an accessory use subject to Site Development Performance Standards and Guidelines, Section 4.06; (Ord. 5207 § 3, 2007)
- LL. Parking garage and parking lots;
- MM. Research laboratory;
- NN. Warehouse and distribution (enclosed within a building);
- OO. Hospital; and
- PP. Workshop and custom small industry (entirely enclosed within a building and provided there is no excessive odor, glare, smoke, heat, vibration, etc.), Limited outdoor fabrication of products may be permitted subject to special review as provided in Chapter 18.40.
- QQ. Shelter for Victims of Domestic Violence subject to Section 18.52.070. (Ord. 5413 § 5, 2009; Ord. 5207 § 2, 2007; Ord. 5112 § 1, 2006; Ord. 4246 § 1 (part), 1997; Ord. 4236 § 8, 1997; Ord. 4118 § 7, 1995; Ord. 3655 § 4, 1990; Ord. 3629 § 4, 1989; Ord. 3561 § 1, 1989; Ord. 3439 § 3, 1987; Ord. 3200 § 2, 1985; Ord. 3164 § 3, 1985; Ord. 3103 § 2, 1984; Ord. 2050 § 7, 1982; Ord. 1391 § 6, 1974; Ord. 1276 § 18, 1973; Ord. 1004 § 9.1, 1968)

18.28.020 Uses permitted by special review.

The following uses are permitted by special review in a B district subject to the provisions of Chapter 18.40:

- A. Vehicle sales and leasing of cars and light trucks;
- B. Vehicle minor and major repair, servicing and maintenance;
- C. Car wash;
- D. Combined-use (or mixed-use) developments containing one or more special review use(s);
- E. Dairy processing plants, laundry and dry-cleaning plants;
- F. Gas station with or without convenience goods or other services subject to Section 18.52.060 and 18.50.135 and located less than 300 feet from a residential use or zone district (measurement shall be made from the nearest site or lot line of the gas station to the nearest lot line of the residential use or zone district)
- G. Lumberyard;
- H. Light industrial, indoor;
- I. Mobile home park and RV park/campground;
- J. Pet store and veterinary clinic small animal hospitals;
- K. Printing shop over 3,500 square feet of floor area;
- L. Aboveground public utility and public service installations and facilities Essential public utility uses, facilities, services, & structures (above ground);
- M. Private recreational uses, outdoor;
- N. Restaurants and other eating and drinking places, outdoor;
- O. Undertaking establishments;
- P. Warehouses and enclosed storage;
- Q. Wholesale stores;
- R. Multiple-family dwelling;
- S. Drive-in or fast food restaurant;
- T. Massage parlors (*Note: Massage therapy included in definition of Health Care Service Facility*);
- U. Congregate care facility;
- V. Combined use developments including one or more special review use(s);
- W. Attended recycling collection facility;
- X. Unattended recycling collection facility;
- Y. Convenience store;
- Z. Personal wireless service facility (on new structure) as defined in [Section 18.55.020\(A\)](#), located on a new structure, meeting all requirements of Chapter 18.55;
- AA. Group care facility;
- BB. Contractor's storage yard;
- CC. Domestic animal day care facility;
- DD. Open-Air farmers market;
- EE. Outdoor recreation facility;
- FF. Nightclub;
- GG. Plant nursery;
- HH. Self-service storage facility;
- II. Vehicle rentals for cars, light trucks and light equipment;

- JJ. Sales & leasing of farm equipment & mobile homes, recreational vehicles, large trucks & boats with outdoor storage;
- KK. Vehicle rental for heavy equipment, large trucks and trailers; and,
- LL. Outdoor storage of equipment, products or other goods as a principle use.
- MM. Crematorium subject to Section 18.52.080. (Ord. 5446 § 4, 2009)
 - (Ord. 5207 § 3, 2007 Ord. 5112 § 3, 2006; Ord. 4587 § 2, 2000; Ord. 4246 § 1 (part), 1997; Ord. 4239 § 1 (part), 1997; Ord. 4236 § 9, 1997; Ord. 4118 § 8, 1995; Ord. 3655 § 3, 1990; Ord. 3648 § 3, 1990; Ord. 3630 § 3, 1990; Ord. 3629 § 5, 1989; Ord. 3561 § 2, 1989; Ord. 3103 § 3 (part), 1977; Ord. 1456 § 2, 1975; Ord. 1276 § 19, 1973; Ord. 1004 § 9.2, 1968)
- NN. Off -Track Betting Facility (Ord. 5594 § 3, 2011)

*See Ch. 18.40 of this code.

18.28.030 Minimum yards.

- A. Minimum yards in a B district, being the minimum distance of any building from a street right-of-way or zoning district boundary line, shall be twenty-five feet. The minimum distance of any building to an alley right-of-way or public alley easement boundary line shall be fifteen feet.
- B. Subsection A. notwithstanding, residential uses within a B district shall be the following setback requirements:
 1. The minimum front yard lot shall be as follows:
 - a. Single, two, and three-family dwelling = twenty feet.
 - b. All other residential uses = twenty-five feet.
 2. The minimum side yard of a lot shall be as follows:
 - a. Single, two, and three-family dwelling = one foot for each three feet or fraction thereof of building height; except that no side yard shall be less than five feet.
 - b. All other residential uses = ten feet.
 - c. Subsections 2.a. and b. notwithstanding, the minimum street side yard for any residential use shall be fifteen feet.
 3. The minimum rear yard of a lot shall be as follows:
 - a. Principal structure = fifteen feet.
 - b. Detached accessory = five feet. (Ord. 4246 § 1 (part), 1997; Ord. 4221 § 1 (part), 1996; Ord. 4118 § 9, 1995; Ord. 1628 § 1 (part), 1977; Ord. 1004 § 9.3, 1968)

18.28.035 Height limitations.

Buildings and structures in this zone shall comply with Chapter 18.54 of this Code. (Ord. 4106 § 10, 1995)

18.28.040 Off-street parking.

The minimum off-street parking in the B district shall be as provided in Chapter 18.42. (Ord. 4246 § 1 (part), 1997; Ord. 1628 § 1 (part), 1977; Ord. 1004 § 9.4, 1968)

18.28.050 Site planning.

All development within the B district shall be subject to the site plan review requirements and performance standards as provided in Chapter 18.46. (Ord. 4246 § 1 (part), 1997; Ord. 1628 § 1 (part), 1977; Ord. 1402 § 1 (part), 1974; Ord. 1276 § 20 (part), 1973; Ord. 1004 § 9.5, 1968)

18.28.060 Usable open space.

The usable open space in the B district shall be ten percent of the total lot area. (Ord. 4246 § 1 (part), 1997; Ord. 1628 § 1 (part), 1977; Ord. 1276 § 20 (part), 1973; Ord. 1004 § 9.6, 1968)

18.28.070 Lot area. Multiple-family Dwellings.

- A. The minimum area of a lot for multiple-family dwellings in the B district shall be seven thousand square feet for the first two units, plus one thousand square feet for each additional dwelling unit up to four dwelling units, plus two thousand square feet for each additional dwelling unit over four units.
- B. The minimum area of a lot for multiple-family dwellings for the elderly shall be seven thousand square feet. (Ord. 4246 § 1 (part), 1997; Ord. 2050 § 8, 1982; Ord. 1628 § 2 (part), 1977)

18.28.080 Residential landscaping.

All residential parcels developed within the B district shall be landscaped with materials such as grass, shrubs, trees, or decorative materials. A minimum of two trees shall be provided for each two-family dwelling. The required trees shall be combinations of deciduous and coniferous trees with each deciduous tree having a minimum caliper of two inches at time of planting and each coniferous tree having a minimum height of six feet. All landscaping requirements shall be completed prior to occupancy of the structure or within thirty days following the beginning of the next planting season. (Ord. 4246 § 1 (part), 1997; Ord. 4118 § 10, 1995)

**PHASE I ENVIRONMENTAL SITE ASSESSMENT
UNDEVELOPED LOT
5100 GRANITE STREET
LOVELAND, COLORADO**

Project Number 1016006
Date: February 4, 2016

1. INTRODUCTION

Paragon Consulting Group, Inc. (Paragon) has completed a Phase I Environmental Site Assessment (Phase I ESA) of the undeveloped lot located at 5100 Granite Street in Loveland, Colorado. The Phase I ESA was completed in general accordance with the scope and limitations of ASTM Practice E 1527-13 and the Environmental Protection Agency (EPA) All Appropriate Inquiry (AAI) Rule (40 CFR 312). The Phase I ESA included the following tasks:

- A site reconnaissance of the subject property and a cursory review of adjacent properties to observe for recognized environmental conditions;
- Interviews to obtain information regarding potential recognized environmental conditions associated with the property; and
- A review of various records and historical information to help identify recognized environmental conditions in connection with the property.

The purpose of this Phase I ESA was to accumulate data on present conditions and historical usages of the subject property and nearby properties and the potential impact that these conditions and usages may have had on the site. Paragon understands that Gatorwest, LLC will hereafter evaluate the significance of recognized environmental conditions as related to the subject property.

2. SITE DESCRIPTION

Paragon understands that the subject property is approximately 1.33 acres in size and is currently undeveloped. The site location, geology, site reconnaissance and visual survey of surrounding properties are described in the following sections.

2.1 Location

The subject property is located southwest of the intersection of Ranch Acres Drive and North Garfield Avenue, also known as Highway 287, in Loveland, Colorado. The subject property is generally located in the southwest ¼ of the northeast ¼ of Section 35, Township 6 North,

Range 69 West of the 6th Principal Meridian in Larimer County, Colorado. General Location and Vicinity Maps for the site are included as Figures 1 and 2 in Appendix A, respectively.

2.2 Physical Setting Information

The following information regarding the physical setting for the project area was obtained from United States Geologic Survey (USGS), the American Association of Petroleum Geologists (AAPG) and various other publications.

2.2.1 Topography and Groundwater Flow

Paragon reviewed the Loveland, Colorado 7.5-minute quadrangle map, which was photorevised by the USGS in 1984. The subject property is located at an elevation of approximately 5,065 feet above mean sea level. Topography at the subject property was observed to be relatively flat with a slight slope to the west-southwest. Based on topographic observations, local drainage patterns, local experience and nearby surface water bodies, the regional groundwater flow direction near the subject property is estimated to be generally southeast towards and with Dry Creek and the Big Thompson River. The nearest portion of Dry Creek appeared to be located approximately 0.5 miles south-southwest of the subject property, and the nearest portion of the Big Thompson River appeared to be approximately three (3) miles south of the subject property. Installation and development of groundwater monitoring wells and/or piezometers would be required to measure parameters such as groundwater flow direction and gradient.

2.2.2 Regional Geology

The subject site is located in the Colorado Piedmont section of the Great Plains physiographic province. The Colorado Piedmont was formed during the Late Tertiary and Early Quaternary geologic periods and is a broad erosional trench which separates the Southern Rocky Mountains from the High Plains. During the Late Mesozoic and Early Cenozoic periods, tectonic activity caused uplifting in the Front Range and downwarping of the Denver Basin located to the east. As the mountains rose, the land east of the Front Range subsided, forming the Denver Basin. Thus, some rocks that outcrop against the mountains a few miles west of Loveland are hundreds of feet below the ground surface under the City of Loveland. The subject site is located along the western flank of the Denver Basin. The present topography of the Colorado piedmont in the region is characterized by relatively flat uplands and broad valleys. Most of the bedrock in the Loveland area is covered by alluvial and eolian deposits with thicknesses of up to 100 feet.

property on the 1906, 1908, 1960, 1962, 1969, 1984 and 2013 topographic maps. The vicinity of the subject property appeared to be residential and/or undeveloped agricultural land on the 1906, 1908, 1960 and 1962 topographic maps. Residential and commercial development was observed in the vicinity of the subject property on the 1969, 1984 and 2013 topographic maps. The nearest portion of Dry Creek was observed approximately 0.5 miles south-southwest of the subject property on the 1906, 1908, 1960, 1962, 1969, 1984 and 2013 topographic maps.

4.4.1 Local Agencies

Information requests were sent to Loveland Fire Department via letter and Larimer County Environmental Health on January 13, 2016. Copies of those requests are included in Appendix D of this report. A response from the Loveland Fire Department was received via email on January 20, 2016. Ms. Bonnie Wright, who is an Administrative Technician with Loveland Fire Department, reported that the Fire Department does not have records of solid waste landfills, hazardous waste disposal facilities, hazardous waste storage facilities or USTs at the subject property. A response from Larimer County Environmental Health has not been received by Paragon to date. Per ASTM, if a response is not received from the agency within 20 calendar days of the request, the information that might be on file with that agency is considered not reasonably ascertainable.

Paragon personnel reviewed property information on the Larimer County Assessor's website in January 2016. The County reported that the subject property was owned by Robert G. and Marilyn S. Stone. The County reported that the subject property is unimproved land. A print out of the property information is also included in Appendix D of this report.

5. FINDINGS AND CONCLUSIONS

Paragon has completed a Phase I ESA in general accordance with the scope and limitations of ASTM Practice E 1527-13 and EPA AAI Rule of the undeveloped property located at 5100 Granite Street in Loveland, Colorado. The following conclusions are made based on information obtained during the Phase I ESA.

1. Significant recognized environmental conditions were not observed on or adjacent to the subject site during the January 18, 2016 site reconnaissance, with the exception of those noted herein.
2. Significant recognized environmental conditions were not identified at the subject site based on interviews, with the exception of those noted herein.

3. The approximately 1.33-acre subject property was observed to be undeveloped land during the January 2016 site reconnaissance. Please note that site reconnaissance was limited due to the subject property being covered with several inches of snow on January 18, 2016. An apparently broken basketball hoop was observed near the southwest corner of the property. Overhead power lines were observed along the eastern side of the property. Significant staining was not observed at the subject property during the January 2016 site reconnaissance.
4. The User Questionnaire, as required by ASTM Standard E 1527-13 and EPA AAI Rule, was completed on January 13, 2016 by Mr. Bryan Short with Gatorwest, LLC. Mr. Short reported that he was not aware of environmental liens against the subject property or possible AULs for the subject property; that he did not have specialized knowledge of the past or present use of hazardous substances at the subject property; that he was not aware if the purchase price of the subject property was below FMV; that he was not aware of obvious indicators of possible contamination on or near the subject property; and that the property has been undeveloped and that there was a commercial cleaning business located two (2) buildings to the north of the subject property.
5. One (1) RCRA Non-Gen, four (4) LUST, two (2) CO TRUST, four (4) UST and one (1) AST sites were identified within their respective search radii of the subject site based on a review of the databases provided by EDR and appeared to be located topographically crossgradient or downgradient of the subject property. These sites do not appear to be recognized environmental conditions to the subject site at this time based on their locations, status and/or listing type.
6. Historical data, as well as interview information, indicates that the subject property has been undeveloped or agricultural since at least approximately 1906. Based on a review of the historical information provided by EDR, historical data gaps exist prior to 1906, between 1909 and 1937, between 1942 and 1948, between 1951 and 1960, and between 1963 and 1969. The listed data gaps do not appear to be significant data gaps since it appears that the subject property has been undeveloped or agricultural land since at least approximately 1906.

6. RECOMMENDATIONS

The following recommendations are made based on the results of the Phase I ESA and File Review.

1. Additional assessment does not appear to be warranted at the subject property at this time.

7. GENERAL COMMENTS

Paragon has performed a Phase I ESA in general accordance with the scope and limitations of ASTM Standard E 1527-13 and EPA AAI Rule. This assessment relied primarily upon readily available information and visual observations. Paragon does not warrant the work of regulatory agencies or other third parties supplying information which may have been used during the assimilation of this report.

This report has been prepared for the exclusive use of Gatorwest, LLC for specific application as discussed in Paragon's January 11, 2016 confirmation letter. Gatorwest, LLC can rely on this report consistent with the Terms and Conditions attached to Paragon's January 11, 2016 confirmation letter. It has been intended as a limited assessment of the environmental conditions associated with the subject property and is prepared in accordance with generally accepted local assessment practices within the scope of the client's directives. No warranties, either express or implied, are intended or made. The limitations of this assessment should be recognized as Gatorwest, LLC formulates conclusions on the environmental risks associated with this property.

Paragon declares that to the best of Paragon's knowledge and belief, Ms. Heather S. Alderman and Mr. David M. Rau, meet the definition of environmental professional as defined in §312.10 of 40 CFR 312. Ms. Heather S. Alderman and Mr. David M. Rau have the specific qualifications based on education, training and/or experience to survey a property of the nature, history and setting of the subject property. Paragon has performed the all appropriate inquiries in conformance with the standards and practices as set forth in 40 CFR Part 312. Resumes and qualification of Paragon's environmental professionals are available upon request.

January 20, 2016



PLS Group, LLC
6843 N. Franklin Avenue
Loveland, Colorado 80538

Attn: Mr. Chris Thew (cthew@plsgroupllc.net)

Re: Geologic Hazards and Mineral Extraction Evaluation Report
5100 Granite Street
Larimer County, Colorado
EEC Project No. 1162004

Mr. Thew:

Earth Engineering Consultants, LLC (EEC) personnel have completed the geologic hazards and mineral extraction evaluation you requested for the referenced project. That evaluation was completed by reviewing readily available data concerning soil and groundwater conditions for the site, principally through review of United States Geological Survey (USGS)/Colorado Geological Survey (CGS) and United States Department of Agriculture Soil Conservation Service (SCS) published information. A listing of the references reviewed as a part of the geologic hazard study is included with this report. A site observation of the property was conducted on January 19, 2016.

The property is located west of US Highway 287, approximately 500 feet north of West 50th Street and on the east side of Granite Street in Larimer County, Colorado and includes approximately 1.3 acres of land located within the Southeast Quarter of the Northeast Quarter of Section 35, Township 6 North, Range 69 West of the 6th Prime Meridian, Larimer County, Colorado. The purpose of this evaluation is to identify potential geologic hazards and potential mineral resources which may conflict with proposed development. The conclusions and recommendations presented in this report are based upon the acquired field data, review of the available literature and previous experience with similar geologic conditions in this area.

Slopes on the site are generally gentle, with the overall property sloping uniformly to the southwest. A small irrigation ditch was observed east of the northeast property corner and appeared to continue south to a concrete inlet/outlet structure located east of the subject property and approximately 125 feet south from the northeast property corner. The property currently appears to be vacant land within an urban development area.

4396 GREENFIELD DRIVE
WINDSOR, COLORADO 80550
(970) 545-3908 FAX (970) 663-0282
www.earth-engineering.com

ATTACHMENT G

No oil/gas wells were observed within the property boundary.

RESEARCH

Soil/Geologic Review

The site geology presented in this report is based upon the acquired field data, review of the available literature and maps, and previous experience with similar geologic conditions in this area. The locations of geologic features are approximate and should be considered accurate only to the degree implied by the methods used to make those measurements.

The project site lies in the Colorado Piedmont Section of the Great Plains Physiographic Province. The sediments which compose the Colorado Piedmont were formed when uplift of the present day Rocky Mountains in Late Cretaceous-Eocene times (70-30 million years ago) produced a large increase of stream sediments resulting in deposition of sediments on the flanks next to the mountain belt and outlying areas. The Colorado Piedmont is an elongated trough in the Great Plains, adjacent to the Front Range of the Southern Rockies. The Colorado Piedmont was formed when uplift of the area in Miocene times (20-5 million years ago) produced an increase of stream erosion resulting in scouring next to the foothills and outlying areas. The Piedmont is bordered by the southern Rockies to the west, Great Plains escarpment to the northeast, and Palmer Divide to the south.

Structurally, the site lies within the Denver Basin, a thick accumulation of Paleozoic and Mesozoic Era sediments involved with down-warping of the basin area and uplift of the adjacent highlands. Small anticlinal folds occur adjacent to the Front Range. It is our understanding that faulting has not taken place in the recent historic past in this area.

The U.S Geological Survey describes the bedrock underlying the site consisting of the Upper Transition Member of the Pierre Shale (Upper Cretaceous) (Kpu). The Upper Transition Member of the Pierre Shale generally consists of sandstone interbedded with siltstones and claystones. The bedrock is covered by eolian deposits.

The United States Department of Agriculture Soil Conservation Survey ⁽¹⁾ map describes the surficial soils mainly as clay loams, and loams. The clay loam, and loam surficial soils are generally classified as exhibiting low to moderate erosion potentials with low to moderate shrink/swell potential. In

general, the near surface soils at this site appear to range from low to moderate plasticity clay soils with varying amounts of silt and sand.

Areas of low strength soils and expansive clays may exist on the parcel. A thorough geotechnical investigation should be conducted at the proposed building site to identify if these conditions exist.

Oil and Gas Potential

A review of the Colorado Oil and Gas Conservation Commission (COGCC) database (a Division of the Colorado Department of Natural Resources) and *Oil and Gas Fields Map of Colorado: Colorado Geological Survey Map Series 26* ⁽²⁾. Maps of oil and gas well locations created by the COGCC indicates no wells active or abandoned on the site and the site situated near or above the Wattenberg Field.

Coal Mines

The Colorado Geological Survey classifies the area of the project site to be within a low potential area for coal formation and recovery. A review of the Colorado Department of Natural Resources Division of Reclamation Mining and Safety ⁽³⁾ was performed to locate nearby active and historical coal mining operations. No coal mines were listed in the vicinity of the project site.

Based on the available information and geology of the area, we believe that no deposits of coal are located on the property which are of commercial grade or are an economical resource.

Flood Plain

The Federal Emergency Management Agency Flood Insurance Map (panel 08069C1200) for Unincorporated Larimer County, Colorado indicates the site is located in Zone X defined as areas outside the 0.2% annual chance floodplain. County and/or City guidelines for development within a FEMA regulated floodplain should be followed.

Radiation

A review of the available information from the Colorado Geologic Survey (a Division of the Colorado Department of Natural Resources) indicates that no deposits of uranium have been identified within the

Pierre Shale Formation in Larimer County. Additionally, deposits of uranium oxide are known to exist within the Fox Hills Sandstone, although known deposits are considerably north and east of this site. Erosion in the geologic past has removed the Fox Hills Sandstone from this parcel. At this time we anticipate no radiation hazards based on our understanding of these deposits and past land usage. However, we recommend that preliminary radon mitigation measures be incorporated in the construction at the site and that buildings be tested for radon after a normal operating routine has been established.

Sand, Gravel and Quarry Aggregate Resource

The Atlas of Sand, Gravel, and Quarry Aggregate Resources-Colorado Front Range Counties-Colorado Geological Survey Special Publication 5-B ⁽⁴⁾, was used to gain a general overview of the property. The CGS publication indicates that the parcel is not within an identified aggregate resource area. The CGS indicates that gravel deposits are located west and south of the property and within terrace and floodway areas. No sand and gravel deposits are expected on this property.

CONCLUSION

Based on the conditions observed and researched, there are no apparent significant geologic hazards on the property. Geotechnical investigations are recommended for each building site to identify shrink/swell potential in the soils and/or bedrock strata. Pre-mitigation radon control methods, such as sub-slab piping, as well as radon tests are recommended. Based on these conditions and our observations, it is our opinion that the future development of this parcel is compatible with the geologic conditions at the site.

The data presented herein were collected to help determine the feasibility of this project. Professional judgments on design alternatives and criteria are presented in this report. These are based on evaluation of technical information gathered, partly on our understanding of the characteristics of the development proposed, and partly on our experience with geologic conditions in the area. We do not guarantee the performance of the project in any respect, only that our geologic study and judgments rendered meet the standard of care of our profession.

We appreciate the opportunity to be of service to you on this project. If you have any questions or require additional information, please do not hesitate to contact us.

Very truly yours,
Earth Engineering Consultants, LLC



Gary J. Higgins, P.G.
Senior Engineering Geologist

Reviewed by:



David A. Richer, P.E.
Senior Project Engineer

CR Scheduled
(for staff use only)

Date:

Time:

CONCEPT REVIEW MEETING APPLICATION

Project Name: _____

Project Address or Location: _____

Inside City Limits: Subdivision/Addition RANCH ACRES

Tract/Lot _____ Block _____

Outside City Limits: County Parcel ID _____

Existing Use: _____

Proposed Use: _____

Is this use currently occurring on the site? Yes
 No

Are you proposing to change the existing Zoning?

Yes, Proposed zone = _____

No

I don't know

Number of Lots Proposed: _____

Number of Phases: _____

Is any portion of this property located in a floodplain?

Yes

No

I don't know

How far along are you with your project?

<input type="checkbox"/> Conceptual only (I'm not sure if I am going to do it)	<input type="checkbox"/> Design (I know I want to do this project)
<input type="checkbox"/> Pre-application (I'm ready to submit)	<input type="checkbox"/> Fact-finding/due diligence
<input type="checkbox"/> Reviving a previous CR/development application	<input type="checkbox"/> I'd like to sell/list property
<input type="checkbox"/> Don't know/Need help	

Project Time Frame:

Right now

In the next 1-2 months

In the next 3-6 months

In the near future (greater than 6 months)

Other: _____

Are there any critical timing issues we should know about? (Explain below)

Applicant Information:

Name: _____ Phone #: _____

Email: _____

Relationship to Project:

<input type="checkbox"/> Property owner	<input type="checkbox"/> Developer
<input type="checkbox"/> Realtor	<input type="checkbox"/> Design professional
<input type="checkbox"/> Other: _____	

Indicate who will be attending the Concept Review Meeting?

<input type="checkbox"/> Applicant	<input type="checkbox"/> Property owner
<input type="checkbox"/> Developer	<input type="checkbox"/> Design professional
<input type="checkbox"/> Realtor	<input type="checkbox"/> Legal representative
<input type="checkbox"/> Other: _____	

Number of applicant representatives attending: _____

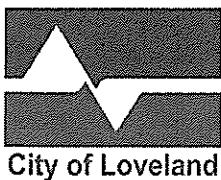
Project Specific Questions (*Required, add additional questions as necessary*)

What would you like to discuss at the meeting? What questions do you have for city staff? Please write clear, understandable questions. Remember, the more specific the question the better the answer you will receive.

1. _____
2. _____
3. _____

Project Narrative (*Required*)

Provide a detailed description of what your potential development entails. What are you proposing to do? What are the proposed uses? Include the approximate square footage of building(s) and any unique project attributes.



Development Services

500 East Third Street • Loveland, CO 80537

(970) 962-2523 • eplan-planning@cityofloveland.org

www.cityofloveland.org

CONCEPT REVIEW MEETING

9/10/15, 3:15 pm

Project Name: **5100 Granite St-Gatorwest**

Project Address: **5100 Granite St**

Project Location: **West side of Hwy 287, north of 51st St**

Legal Description: **Ranch Acres**

Applicant: **Bryan Short, Chrs, Mike**

Purpose: The purpose of the Concept Review meeting is to assist you in assessing the overall feasibility of your concept and to provide you with initial guidance in submitting a development application. The city comments provided at the meeting are based on the information submitted with your Concept Review application and as such, may be general in nature. At the meeting, staff will discuss relevant code standards and policies, explain city processes, identify potential issues with the concept, and answer specific questions identified in the Concept Review application. Due to the preliminary nature of Concept Review applications, additional comments may be made by city staff once a formal application is submitted to the city. The information provided by the city for this Concept Review is valid for six (6) months from the date of these review comments. If no formal application is filed within this time period, another Concept Review meeting shall be scheduled for your proposal before the city will accept any formal application for review.

Follow-up Coordination/Assistance: City staff is available for follow-up assistance on any details of the project and you are welcome and encouraged to schedule a follow-up meeting to present more detailed information for staff comment prior to submitting a formal application. Contact the planner listed below if you would like to discuss the project further.

Current Planning Review

Contact: Noreen Smyth, (970) 962-2522, noreen.smyth@cityofloveland.org

1. Proposed Use/Overview of Property:

The applicant proposes to annex a property that is contiguous to city limits and construct a multi-tenant industrial, office, and warehouse building on the subject property. Planned tenants include a land surveying business, a real estate management business, an amateur race team, and automotive racing products retail store, an automotive racing shop, and warehousing.

2. Comprehensive Plan Designation: Corridor Commercial

3. Existing Zoning: Larimer County B Business.

4. Annexation and/or Development Agreement:

There are no annexation and/or development agreements associated with the property, as the property is not within city limits.

5. Approval Process/Applications Required:

Concept Review Meeting

The following applications are to be submitted to develop the property as proposed in the concept review application. Fillable application forms can be found on our website at www.cityofloveland.org.

- a. **Annexation and Zoning:** The property is currently located outside of the city limits and is zoned by Larimer County. The property is contiguous to city limits and annexation, including establishing city zoning, will be required to develop the property in the city as requested in the concept review application. B Business is the most fitting zoning districts for the city's Comprehensive Plan designation of the area as "Corridor Commercial". The annexation and zoning process requires a neighborhood meeting and public hearings with the Planning Commission and City Council. Refer to the submittal checklist for annexation and zoning on the city website for a complete understanding of the application requirements. The annexation/zoning process will take 4-6 months to complete due to the combined review, notification and public hearing processes. Preparation of an annexation plat and map and other documents will likely require the services of a professional surveyor or land planner.
- The office and retail uses proposed would be uses by right in the B district. Be advised that if any auto repair is proposed to occur in conjunction with the auto retail business proposed for the property, a Special Review permit will be needed for that use. Depending on the nature of the light industrial uses proposed, they may or may not be uses by right or by special review in the B district. A zoning designation of I Industrial could be requested, but is not as fitting in an area designated for Corridor Commercial as a B Business designation.
- b. **Site Development Plan:** Professional offices and retail are both uses by right in the B district. A site development plan is required for development of these uses on the property. The site development plan is to be submitted prior to submittal of the building permit application. The Site Development Plan application is to include a site plan, landscape plan, architectural elevations, a photometric plan, and associated construction plans.
- c. **Site Work Permit:** A site work permit is necessary to allow the construction of the on-site improvements, grading and utilities lines. After the first round of review of the site development plan, a customized site work permit application can be provided by the city reviewers. The site work permit application can be submitted and processed prior to or concurrently with the building permit, but must be approved prior to any site work occurring on the site.
- d. **Building Permit:** A building permit is to be secured prior to construction of the new building. An estimate of city fees that are assessed with the building permit process can be requested by submitting an Estimate Request Form to the Building Division. Fee information can be found at on the city web site at <http://www.cityofloveland.org/index.aspx?page=684> . Note the following information is required to provide an accurate estimate: Total square footage of building; Occupancy type; Construction type; Lot size; Water tap size; and Electric service size.
- e. **Sign Permit:** A sign permit is to be secured through the Building Permit Division prior to installation of any signs on the building or elsewhere on the property.
6. **Site Development Standards:** The application will be reviewed per the Comprehensive Plan, the 287 Corridor Plan, the Zoning Code (Title 18), the Site Development Performance Standards and Guidelines, and any other applicable sections of the Municipal Code.
 - a. Minimum open space: 10% of the lot area in the B District
 - b. Site layout: In addition to the matters addressed in the subsections below, the site development plan will be reviewed to ensure adequate pedestrian connections, safe vehicular connections, adequate emergency service access, internal circulation, and, if applicable, protection of environmental features.
 - c. Setbacks/minimum yards:

The B district requires a 25 ft building setback from rights-of-ways and zoning district boundary lines. The building as depicted on the concept site plan meets setback requirements. Buildings cannot encroach into designated easements on the property. Parking cannot be located within required bufferyards; see the "Landscaping" section below.
 - d. Automobile & bicycle parking: The Municipal Code lists required off-street vehicle parking spaces based on the square footage of proposed land uses. For a retail use, 1 off-street parking space is required for every 300

Concept Review Meeting

square feet of floor area. For an office use, 1 off-street parking space is required for every 250 square feet of floor area. For a warehouse use, 1 off-street parking space is required for every 1,000 square feet of floor area. For an industrial use, 1 off-street parking space is required for every 450 square feet of floor area. The floor area includes basements, all floors and mezzanines. The amount of off-street parking spaces to be included for the proposed building can be calculated once the amount of floor area devoted to each use is known. If the number of provided parking spaces exceeds 150% of the number required, additional parking lot landscaping will be needed.

The concept site plan shows some landbanked parking. The landbanking of parking may be possible; such a request would be considered during the Site Development Plan review process.

The minimum parking stall dimensions of the code are to be met in addition to minimum driving aisle widths. These dimensions vary based on the angle of the parking stall, with 9 ft by 19 ft (17 ft if an overhang is provided) the minimum dimensions for 90 degree parking spaces and 24 ft the minimum width for two-way driving aisles.

One handicap parking space shall be provided for every 25 regular parking space and located closest to the building entrance. At least 2 bicycle parking spaces are to be provided for every 25 vehicle spaces on the lot.

All parking and driving aisles are to be paved; recycled asphalt is not permitted for parking and driving aisles.

e. Landscaping & bufferyards:

- The Site Development Performance Standards outlines landscape requirements. A landscape architect licensed with the state of Colorado is required to stamp the final landscape plan. All landscaping is to be installed or financially secured prior to the issuance of a certificate of occupancy for the building. All landscaping is to have an automatic underground irrigation system.
- Bufferyards: Required bufferyards are based on the proposed use of the lot and the adjacent uses. A Type C bufferyard is required between a commercial use and Highway 287 and a Type B is required between a commercial use and Granite Street. If the lot to the north and south are commercial uses of a similar intensity, no buffer may be needed, but if the use on the subject property will be of a more intense nature than those on the adjacent commercial lots, a Type A or B buffer may be sought. Also note that if industrial uses locate on the property, the bufferyard requirements may be higher than that required for commercial uses. At the time a formal site development plan application is submitted, the existing or anticipated uses for both the subject property and adjacent properties will be assessed and the appropriate bufferyard plant quantities applied.
- Parking lot landscaping: A landscape island, including a canopy tree, is to be placed between every 15 parking spaces. This helps to add shade to parking area. Parking lots are to be screened from view of public streets, sidewalks, and other properties which are used by the public through landscaping, berms or walls. If landscaping is used for screening, the plantings are to include coniferous species.
- Loading dock and trash enclosure screening: Loading docks, if any, and trash enclosures are to be screened from areas that are visible off the property. The material used for screening can incorporate both decorative walls and evergreen landscaping.

f. Architectural standards: The commercial architectural standards of Municipal Code Sec. 18.53 apply to the building. The standards address such matters as wall articulation, roof articulation, building materials, building colors, and architectural detail.

Rooftop mechanical equipment is to be screened from view of public rights-of-way; demonstrate the screening on the elevations by ghosting-in the mechanical equipment.

Trash dumpsters shall be enclosed with a wall and gate composed of similar materials as the primary building.

g. Signs: The sign requirements Section 18.50 of the Municipal Code are to be met.

7. Attachments:

Concept Review Meeting

- Architectural standards
- Bufferyard standards

Concept Review Meeting

Transportation Development Review (TDR)

Project: Gatorwest 5100 Granite– 5100 Granite Street

Date: September 3rd, 2015

Contact: Randy Maizland, (970) 962-2618, Randy.Maizland@cityofloveland.org

1. The property will need to be developed in accordance with the Larimer County Urban Area Street Standards (LCUASS) & all subsequent updates (<http://www.larimer.org/engineering/GMARdStds/UrbanSt.htm>).
2. The property will also need to be developed in accordance with the City of Loveland Adequate Community Facility (ACF) Ordinance (<http://www.cityofloveland.org/modules/showdocument.aspx?documentid=71>).
3. A Traffic Impact Study (TIS) will need to be provided. The level of analysis required will be determined at a scoping meeting with TDR staff.
4. Right-of-way on US287 will need to be dedicated at 70 feet from the centerline if not already dedicated. A 6 foot detached sidewalk will need to be constructed along the adjacent US287 frontage in the ultimate location.
5. A 5 foot attached sidewalk on Granite Street will need to be constructed along the adjacent frontage.
6. No access will be permitted from US287 to the development.
7. We recommend obtaining a Fee Estimate from the Building Division.

Concept Review Meeting

Water/Wastewater Division Review

Project: Gatorwest/office retail industrial/5100 Granite Street

Date: September 10, 2015

Contact: Melissa Morin, (970) 962-3709, Melissa.Morin@cityofloveland.org

1. Water System Comments:

- This site is in the City of Loveland's water service area. There is an existing 8" water main in Garfield Ave. Per the City of Loveland Master Plan there is a future 16" water main required to be constructed along Granite Ave. This future water main is a future capital project that is currently funded for 2026.
- Water service connection should be to the City's water main, however this development is adjacent to the Fort Collins-Loveland Water District's existing water mains. There are 2 possibilities for water service and these options will depend on fire flow requirements. Fire flow requirements will dictate which water main the fire hydrant or fire taps are connected to.
 - 1) The Developer extends the City's 16" water main in Granite from the existing terminus per the Master Plan. Water and fire service and fire hydrants can then be provided off of this main. Oversizing and 3rd party reimbursements could apply.
 - 2) Fire service be provided by District and water service be provided by the District in the interim until the Granite water main is constructed. The developer would need to coordinate a fire flow test with the Fire Authority on the District's water main. If adequate commercial fire flow can be provided for a new hydrant (and with the approval of the District) the water services could be off of the District's water main. The City would require that the property remain a City water customer (paying all city related fees), and the domestic water service be designed to be tied over to the City in the future.
- The property will need to petition out of the Fort Collins-Loveland Water District's water service area. Coordinate with Terry Farrill, District Engineer, (970) 226-3104 x104 for further questions.
- A reduced pressure backflow assembly is required on the service line inside the building. Contact Blake Hornug for further questions (970-962-3753).

2. Wastewater System Comments:

- There is an existing 8" wastewater main in Granite Street.
- The future development can connect to the City's wastewater main.
- Pretreatment of wastewater, will be reviewed at time of building permit submittal. Contact Bill Thomas for further questions (970-962-3719).

3. General Comments:

- Other proposed dry or wet utilities must meet strict separation requirements to all portions of the proposed public water/wastewater main and related appurtenances.
- Standard Development Criteria is applicable to any public improvements (e.g. depth of cover, width of easements, landscape conflicts, valve placement, manhole spacing, materials, etc.). See Water and Wastewater Development Standards at: <http://www.cityofloveland.org/WWWDS>

Concept Review Meeting

4. Water Resources Comments – Kim Frick, (970) 962-3718, Kim.Frick@cityofloveland.org

- For a city water service water rights will be due according to the municipal code. Commercial water rights are due prior to issuance of building permit.
- Please refer to Chapter 19.04-Water Rights of the Loveland Municipal Code for further information regarding water rights dedication: <http://www.ci.loveland.co.us/modules/showdocument.aspx?documentid=74>

Concept Review Meeting

Loveland Fire Rescue Authority Review

Project: Gatorwest, 5100 Granite Street, Loveland, Co

Date: September 3, 2015

Contact: Ingrid McMillan-Ernst, (970) 962-2554 Ingrid.McMillan-Ernst@cityofloveland.org

1. These comments pertain to a proposal to build a 8,000 s.f. building consisting of office and storage/warehouse, auto racing supply retail, and auto-shop. A flex building is proposed for future. Fire Code requirements for the buildings are based on determined type of occupancy.
2. The requirements of the 2012 I-Codes and current NFPA standards must be met for all site components. Licensed design professionals shall prepare the permit documents, which shall include a full building code analysis.
3. Sprinklers – when required (other than what is required per building and fire code).
 - If the fire area for storage is 12,000 s.f. or more (consider phases I and II), or combined fire areas are 24,000 s.f. or more for S1
 - If high piled storage (storage in excess of 12' high) is desired, a fire sprinkler will be required
 - Storage of hazardous materials at 6' or more per Fire Code
 - For auto body repair over 5,000 s.f. and repairs commercial buses or vehicles (which this will be considered to be).
 - A spray booth (painting) will require a separate permit from LFRA
4. Access:
 - Two points of sustained vehicular access must be provided to each development. In this case, the accesses are proposed off of Granite Street.
 - To be considered within access for emergency vehicles, all portions of the first-floor exterior of a structure shall be within 150 feet of a public roadway or approved fire apparatus access road.
 - Turning radii must meet the B40 template.
 - To be considered within access for emergency vehicles, an approved Emergency Access Easement must be dedicated by separate document. This EAE can be part of the parking lot drive-aisle. The EAE must be of an approved width, an all-weather surface, capable of supporting 40 tons, designated by approved signage, maintained in an approved condition by the owner, and maintained unobstructed at all times, with "No Parking Fire Lane" signs at approved locations. The easement does not need to circulate at north side of building.
5. Hydrant placement shall meet the following criteria with distances measured by vehicular travel path: Commercial/multi-family – 400 feet to all parts of a structure, with 350-foot spacing. Number of hydrants shall be as specified in the adopted International Fire Code. *A minimum of one hydrant and possibly more will be required for this development.*
6. The minimum fire flow and flow duration for commercial buildings shall be as specified in the adopted fire code. For commercial, a reduction in required fire flow of up to 75 percent is allowed when building is provided with an approved automatic fire-sprinkler system; however, the resulting fire flow shall not be less than 1,500 GPM.

7. MSDS (materials safety data sheets) shall be submitted for any hazardous materials stored/ used and the permit drawings shall show that the 'allowable quantities' are not exceeded. No fueled vehicles will be allowed to be stored in the building.
8. Outside trash storage containers with capacities of 1.5 cubic yards or more shall not be located within 5 feet of combustible walls, openings or combustible roof eave lines.

Concept Review Meeting

Building Division Review

Project: Gatorwest, 5100 Granite St, Loveland Co

Date: September 3, 2015

Contact: John Schumacher, (970) 962-2509 John.Schumacher@cityofloveland.org

1. The following are comments from the Loveland Building Division and relate only toward the proposed use of referenced above.
2. This proposed building: An 8,000 s.f. single story office/ warehouse building with some auto racing supply retail and an auto-shop. A future expansion is proposed.
3. All required egress doors shall have landings on each side of door, and an approved path leading to the 'public way'. Accessible route slopes shall not exceed 5% and cross-slopes shall not exceed a 2%.
4. All construction work for the project must be performed by a general contractor and subcontractors that are licensed with the City of Loveland. Provisions are in place to renew or acquire a current license by contacting one of our front staff.
5. A permit shall be obtained for this building. Permit drawings shall include a code summary based on the proposed use of the building. The requirements of the 2012 I-Codes must be met.
6. Accessibility requirements shall be met both for the buildings and the site per IBC Chapter 11, and 2009 A117.1. Accessibility will be required outdoor amenities. Adequate accessible access and exiting shall be provided.
7. A Colorado Licensed Professional Designer will need to prepare all plans for Submittal (Architect or Engineer) to include a complete Code Analysis and for type of Occupancy's, Area, Occupancy Separations, Occupant loading, Building Construction Type, and Energy Code Compliance information will be needed to be included as well. A complete Code Analysis for the Loveland Design Criteria for wind, roof snow, ground snow, etc. is also required with the submittal. These design criteria can be found at City of Loveland website: <http://www.ci.loveland.co.us/index.aspx?page=121>
8. For any other questions for permit information and fees it is advised that you contact Amanda Dwight for fee estimate request 970-962-2610 Amanda.Dwight@cityofloveland.org.

Concept Review Meeting

Power Division Review

Project: Gatorwest – office/retail/industrial

Date: Thursday, September 3rd, 2015, 3:15pm

Contact: Christine Schraeder (970) 962-3557, Christine.Schraeder@CityofLoveland.org

- 1.) The proposed project is located at the corner of 51st Street and Highway 287. There is 3 phase overhead primary located on the property on the east that can be used to serve this location. This service territory currently belongs to Xcel. If annexed, City of Loveland can execute a takeover of this service. This will be handled by the City. The developer is responsible for any infrastructure costs to provide service as well as installation costs per municipal codes. Currently, the City is in the process of undergrounding the line that runs along the east side of the property.
- 2.) For the electric service to this development, a \$1350 electric design deposit will be necessary. A plat, and current site improvement/utility plans (AutoCAD 14) must be submitted to the Power Division along with the first Planning submittal. A completed Request for Electric Service form for each building must be submitted with the Site Development Plan (located here <http://www.cityofloveland.org/modules/showdocument.aspx?documentid=25225>).
- 3.) Please indicate on all construction and/or site plans (including the landscape plans) your preferred transformer location. This location must be no closer than five feet from an overhang and within fifteen feet of a drivable roadway or parking lot. The roadway or parking lot must be wider than fifteen feet for access of a crane truck with outriggers. It must also be three feet away from gas and other utilities and seven feet away from water and sewer lines. We cannot guarantee that your preferred location is the one that we will choose, but we will make every effort to accommodate your preferences, if possible.
- 4.) Please note: Transformers and underground electric lines will have no bushes, shrubs or trees of mature growth within five (5) feet of the sides and back of the transformer. The front doors of the transformer need to be able to swing wide open for a distance of 10 (ten) feet (see Requirements for Electric Service, link below). Full growth diameters of bushes, shrubs and trees will be the determination of where they are planted in relation to the distances from transformers. A clear path shall be provided from a roadway or parking area to the doors of the transformer.
- 5.) For information regarding electric rates, please call Water and Power Customer Relations at 970-962-3710.
- 6.) Please refer to the Requirements for Electric Service standards book for electric metering guidelines. The book can be found <http://www.ci.loveland.co.us/index.aspx?page=842> . Please note: All Service Main Disconnect Levers must be on the exterior of the building per City requirements.
- 7.) If you are looking for facility assessments, efficiency rebates, or you want to find a contractor, please go to www.EfficiencyWorks.com. You can sign up for a facility assessment, apply for efficiency rebates, find a contractor, and learn how to become an Efficiency Works Provider. You can connect to us through social media, and also can learn about upcoming trainings, and read case studies about successful projects. You can still find services once called Efficiency Express, learn about our Lighten Up and Electric Efficiency Programs and still sign up for the Building Tune Up program. You can also call Power Customer Relations at 970-962-3710.
- 8.) Meeting your needs and project timeline is important to us. If you have questions or concerns related to your project, please call 970-962-3557.

Concept Review Team Meeting

Stormwater Division Review

Project: Gatorwest (5100 Granite Street)

Date: September 3, 2015

Contact: Kevin Gingery, (970) 962-2771, Kevin.Gingery@cityofloveland.org

1. A project specific final drainage and erosion control report will need to be prepared in accordance with our storm drainage criteria and construction standards which may be found on our web site at the following address: <http://www.cityofloveland.org/index.aspx?page=185>.
2. On-site detention is required in conformance with our storm drainage criteria. For sizing of the detention pond, the 100-year developed Stormwater runoff will need to be over detained and released at the 2-year rate in accordance with the release rate as specified in our criteria (UD&FCD Volume 2 Table SO-1). The reason for the over detention requirement is due to the non-existent storm drainage infrastructure within this older part of our community and the $\frac{1}{2}$ year developed capacity of the existing street system to convey Stormwater. We have a master planned 2 year capacity storm sewer system which will be constructed in Grant Avenue, a few blocks to the south of this project, in the future when its priority reaches the top of our to do list for capital improvement projects. Your detention pond will need to release into the existing street flowline.
3. Our Temporary Sediment & Erosion Control submittal requirements may be found on our web site at the following address: <http://www.cityofloveland.org/index.aspx?page=1048>
4. Some form(s) of permanent Stormwater quality best management practices will need to be incorporated into the project (see attachments).
5. Our storm drainage & erosion control standard construction details may be found on our web site at the following address: <http://www.cityofloveland.org/index.aspx?page=185>
6. Senate Bill 15-212 was passed into Colorado law in May 2015 and becomes effective on August 5, 2015. Senate Bill 15-212 provides legal water right protection for individual site Stormwater detention ponds in Colorado provided they meet the following criteria:
 - a. The pond continuously releases or infiltrates at least 97% of all of the runoff from a rainfall event that is less than or equal to a 5-year storm within 72 hours after the end of the event.
 - b. The pond continuously releases or infiltrates as quickly as practicable, but in all cases releases or infiltrates at least 99% of the runoff within 120 hours after the end of events greater than a 5-year storm.

Beginning on August 5, 2015, there are specific notification requirements that apply to all new Stormwater detention and infiltration facilities, including individual site facilities built by private parties. For any new Stormwater detention and infiltration facility constructed after August 5, 2015, prior to operation of the facility, notice must be provided to all parties on the substitute water supply plan notification e-mail list maintained by the State Engineer. This notice must include the following:

- a. The location.
- b. The approximate surface area at design volume.
- c. Data that demonstrates that the Stormwater detention and infiltration facility has been designed to comply with the release rates described above.

The Urban Drainage & Flood Control District (UD&FCD) has developed a simple data sheet (Stormwater Detention and Infiltration Design Data Sheet) and an online map-based website that will allow for the easy upload of the required notification information. The website application will then automatically send e-mail notifications to the proper recipients (water right owners, attorneys, etc.).

Concept Review Team Meeting

Please provide a UD&FCD Stormwater Detention and Infiltration Design Data Sheet within the drainage report appendix which demonstrates that the Stormwater detention pond has been designed to comply with the release rates described above. Upon review and acceptance of the data sheet, you will be required to upload the data sheet, along with the location and the surface area at design volume information, into the new state website database.