



**LOVELAND PLANNING COMMISSION MEETING  
AGENDA**

**Monday, April 24, 2017  
500 E. 3<sup>rd</sup> 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](mailto: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 [ADAcordinator@cityofloveland.org](mailto:ADAcordinator@cityofloveland.org).”*

**LOVELAND PLANNING COMMISSIONERS: Jeremy Jersvig (Chair), Carol Dowding (Vice-Chair), Michele Forrest, Pat McFall, Rob Molloy, and Mike Ray, Jamie Baker Roskie, and Jeff Fleischer.**

**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. Current Planning Updates**

**1. Monday, May 08, 2017 Agenda Preview**

**i. Unified Development Code – Infill and Corridor Development Standards**

**ii. 2 ordinances addressing wireless telecommunications facilities**

**2. Potential Residential Tour**

**3. Planning Commission Vacancy Update**

**4. Hot Topics:**

**c. City Attorney's Office Updates:**

**d. Committee Reports**

e. **Commission Comments**

**IV. APPROVAL OF MINUTES**

**Review and approval of the April 10, 2017 Meeting minutes**

**V. CONSENT AGENDA**

The consent agenda includes items for which no discussion is anticipated. However, any Commissioner, staff member or citizen may request removal of an item from the consent agenda for discussion. Items requested to be 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 anyone in the audience wish to remove an item from the Consent Agenda?
- Does any staff member wish to remove an item from the Consent Agenda?
- Does any Commissioner wish to add any item from the Regular Agenda to the Consent Agenda or remove an item from the Consent Agenda?

**1. Waterfall 4<sup>th</sup> Subdivision: Vacation of Access & Utility Easements**

This is a public hearing concerning the vacation of 3 utility easements and 1 emergency access easement to accommodate a building expansion for the Orthopaedic & Spine Center of the Rockies (OCR). The existing easements were established based on the current site and building layout for OCR. The City is currently reviewing a site development plan, construction drawings and an amended plat application for a proposed 64,000 square foot addition directly to the west of the existing building. The expansion would house a new surgery and recovery center for OCR. New utility and emergency access easements will be dedicated to the City with the development of the building addition and will replace the easements proposed to be vacated.

Vacation applications are legislative actions. Under Loveland Municipal Code Chapter 16.36, the Planning Commission must hold a public hearing and make a recommendation to Council on the request. City Council is scheduled to hear this matter on May 16, 2017.

**VI. REGULAR AGENDA**

**2. Waterfall 6<sup>th</sup> Subdivision: Master Plan Major Amendment**

This is a public hearing item. The Loveland Housing Authority is requesting modification of a Conceptual Master Plan to add multi-family as an allowed use on the vacant 6.3-acre property adjacent to "The Edge," the Housing Authority's recently developed 70-unit apartment complex on 15th Street to the west of North Boyd Lake Avenue. The modification would allow the Housing Authority to extend their apartment complex onto this vacant property. The overall master plan site is 12.3 acres and is zoned Mixed Use Activity Center (MAC). While multi-family uses are allowed in the MAC zone, the Master Plan designates only commercial uses on the subject property, which necessitates this modification. The Commission has final decision-making authority on this request. Staff supports the request.



## **VII. ADJOURNMENT**

### **STUDY SESSION:**

#### **Temporary Uses Code Amendments**

Temporary uses like fruit stands, Christmas tree sales lots and fireworks sales are not addressed by the Municipal Code. Amendments to Title 18 addressing temporary uses are the subject of this study session.

In January of 2016, the same code amendments were reviewed by the Planning Commission at study session. The staff report from that meeting is attached and provides a history of the joint effort between staff and the Title 18 Committee in developing the amendment. At that first study session, the Commission expressed general support for the amendment and for proceeding with public hearings. However, both the Commission and the Title 18 Committee instructed staff to engage in public outreach with temporary use operators and other interested business owners/operators prior to proceeding with public hearings. The subsequent public outreach effort is described on page 2 of the staff memo.

At the request of the Title 18 Committee, a City Council study session has been scheduled for June 13th to review the Temporary Use provisions prior to initiating the public hearing process. Given the time period involved in the development and formal review of the amendment, it was decided to update the Commission on the code amendment process and offer the opportunity for any further comments prior to review by City Council.

# **CITY OF LOVELAND PLANNING COMMISSION MINUTES April 10, 2017**

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A meeting of the City of Loveland Planning Commission was held in the City Council Chambers on April 10, 2017 at 6:30 p.m. Members present: Chairman Jersvig; and Commissioners Dowding, Molloy, Forrest, Ray, McFall, and Roskie. Members absent: Ray and Fleischer. City Staff present: Bob Paulsen, Current Planning Manager; Laurie Stirman, Assistant City Attorney; Linda Bersch, Interim 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: <https://loveland.viebit.com/>*

## **CITIZEN REPORTS**

There were no citizen reports.

## **CURRENT PLANNING UPDATES**

1. **Mr. Robert Paulsen, Current Planning Manager**, reported that there are two public hearing items scheduled for the April 24, 2017 meeting agenda. One is for the Waterfall 4<sup>th</sup> Subdivision - Vacation of Access and Utility Easements, the other is the Master Plan Major Amendment for the Waterfall 6<sup>th</sup> Subdivision.

A study session on the Temporary Use Code Amendments is also scheduled for that evening. This is a review for the Planning Commission before this issue goes to a study session for the City Council early this summer. Materials will be to the Commissioners as early as possible.

2. **Mr. Paulsen** went on to recap the Residential Sites Bus Tour that took place on March 31<sup>st</sup>. He thanked those who were able to attend in spite of the weather and thanked **Kim Perry** with McWhinney for arranging a stop at the clubhouse at The Lakes and for joining them on a tour of The Lakes and another nearby project. The rain prevented a detailed review of the properties and the cancellation of the Rigden Farms tour. If the Commissioners would like another opportunity to do a residential tour, Mr. Paulsen would be happy to arrange that. He will send out an e-mail to capture participation and what commissioners are interested in viewing.
3. **Mr. Paulsen** reminded the Commissioners of a City Council study session on April 11<sup>th</sup> regarding the UDC Corridor Provisions. These provisions have already been favorably reviewed by this Commission. If the Council review is favorable, the issue will come back to the Planning Commission for a public hearing and, if the Commission is comfortable with the results, those provisions will be set aside for a final review at the completion of the UDC project later this fall. Planning Commissioners are invited to attend the City Council Study Session.

4. **Mr. Paulsen** noted that at the April 18<sup>th</sup> City Council meeting, Councilors will consider, on first reading, the ordinance for expanding the membership of the Planning Commission into the City's GMA. It may be a good opportunity to have members of the Planning Commission present at the meeting to express their desires for this expansion.
5. **Mr. Paulsen** noted there were no items for discussion under Hot Topics.

### **CITY ATTORNEY'S OFFICE UPDATES**

There was nothing to report from the City Attorney's Office.

### **COMMITTEE REPORTS**

There were no committee reports.

### **COMMISSIONER COMMENTS**

**Commissioner McFall** reported that he has received several comments from residents of the Taft Farm and Kendall Brook communities regarding the sidewalk improvements and signage at 50<sup>th</sup> and Georgetown. They expressed appreciation for the improvements and felt there has been a positive impact on the traffic.

### **APPROVAL OF THE MINUTES**

*Commissioner Dowding made a motion to approve the **March 27, 2017** minutes; upon a second from **Commissioner McFall**, the minutes were unanimously approved.*

### **CONSENT AGENDA**

There were no items on the Consent Agenda

### **REGULAR AGENDA**

#### **1. Mirasol Preliminary Development Plan**

**Kerri Burchett, Staff Planner**, reported that this is a public hearing to consider the next phase of the Marisol Community PUD which is a preliminary development plan (PDP) to construct a 60 unit, 3-story senior apartment building and 3 "Green House" skilled nursing homes within the Mirasol Community PUD. The Mirasol Community PUD is a successful senior housing development that provides a variety of affordable housing options for seniors. The PDP site is 4.5 acres located at the southeast corner of South St. Louis Avenue and 4<sup>th</sup> Street SE and was recently annexed into the City and zoned to be part of Mirasol. The zoning allows for the development of an apartment building on the western portion of the site and Green House homes on the eastern portion of the site,

adjacent to the existing residential neighborhood.

The PDP represents the final development phase within the PUD. Site design, building orientation and building heights reflect feedback provided at the neighborhood meetings. The apartment building is designed as a 3-story, 67,800 square foot structure with building heights transitioning to 2 stories on 4<sup>th</sup> Street SE. The Green House homes are an innovative approach to skilled nursing that creates a home environment for residents. Each home contains ten 1-bedroom units, a central kitchen and common living space. The development proposed in the PDP matches the character, architectural theme and streetscape design in Mirasol.

Ms. Burchett spoke of other improvements and projects that were brought up in neighborhood meetings including:

- The increase of the footprint of the apartment building to allow the step down of the three story building to two and to one story.
- The bridge connection and sidewalk gap projects for connections to downtown and to the Saint Lewis Natural Area.
- Provisions for shielding dumpsters and providing better access to vehicles for residents of the Green Houses.
- Design of the site plan to build in traffic calming such as the curvature of Finch Street.

Staff believes that all key issues have been resolved based on City Code and standards contained in the PUD. Neighbors and residents attending the neighborhood meeting were generally supportive of the project. Staff is recommending approval of the PDP based on the findings contained in Section VIII of this report.

**Ms. Burchett** introduced **Jeff Feneis, Director of Development for the Loveland Housing Authority**, who spoke of the need for these additional units for senior apartments and for the skilled nursing that the Green Houses provide.

**Mr. Feneis** introduced the architect for the project, **Mr. David Lingle**, who spoke of how this project complemented but did not copy the existing buildings in the Marisol Community. The landscape plans would match the rest of the development. He noted that this PDP included improvements to their portion of South Saint Louis Avenue. He went on to explain the storm drainage, parking and local street design and building architecture for the community.

## COMMISSIONER QUESTIONS AND COMMENTS:

- **Commissioner McFall** questioned **Ms. Burchett** about the timeframe of the improvements to sidewalks, etc. that she described as neighborhood improvement being “worked on”. She explained that funding needed to be obtained for some of the projects and the sidewalk gap project was underway and grant applications for the bridge were in process. Funding availability would, of course, affect the timeframes.

- **Commissioner Roskie** noted that light pollution was an issue during the annexation hearing for this project and asked if a photometric study was performed for the project. **Ms. Burchett** responded that the lighting issues from that meeting were immediately addressed by the Housing Authority and resolved. A photometric study was done for this project.
- **Commissioner Molloy** questioned **Mr. Feneis** about the waiting lists the Housing Authority has for this project and what were plans for future development of this type since he has noted an influx of retirees into the community. Is the list all Loveland residents? **Mr. Feneis** reported that anyone could apply but Loveland residents were given priority. He indicated that the Authority has short/medium term plans for 300 additional units throughout Loveland that does include multi-family units.
- **Commissioner Dowding** asked about the location of the trees that were being conserved within the project. **Mr. Feneis** said an Arborist was consulted and pointed out the locations of the trees that were being saved.

#### **CITIZEN COMMENTS:**

**Commissioner Jersvig opened the public hearing at 7:14 p.m.**

There were no public comments.

**Commissioner Jersvig closed the public hearing at 7:14 p.m.**

#### **COMMISSIONER COMMENTS:**

During final comments, all Commissioners complimented **Mr. Feines** and his team on the project and commended the Housing Authority for listening to the neighborhood and making appropriate changes. They noted that a lot of thought and detail went into the architecture and the project is a nice compliment to the area.

***Commissioner Dowding** moved to make the findings listed in Section VIII of the Planning Commission staff report dated April 10, 2017 and, based on those findings, approve Resolution #17-01 thereby approving the Mirasol Phase 3 Preliminary Development Plan subject to the condition listed in said report, as amended on the record. Following a second by **Commissioner Roskie** and the acceptance of the condition by **Mr. Feneis**, the motion was unanimously approved.*

#### **ADJOURNMENT**

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

**Commissioner Jersvig adjourned the meeting at 7:20 p.m.**

Approved by: \_\_\_\_\_  
Jeremy Jersvig, Planning Commission Chair

\_\_\_\_\_  
Linda Bersch, Interim Planning Commission Secretary.



## Planning Commission Staff Report

April 24, 2017

**Agenda #:** Consent Agenda - 1  
**Title:** Waterfall 4<sup>th</sup> Subdivision –  
Vacation of utility and fire access  
easements.  
**Applicant:** Will Welch with WMTWelch  
**Request:** **Vacate portions of utility and  
emergency access easements to  
accommodate a building  
expansion.**  
**Location:** Northwest corner of E. Eisenhower  
Boulevard and Horstman Place.  
**Existing Zoning:** E – Employment  
**Staff Planner:** Kerri Burchett

### ***Staff Recommendation***

**APPROVAL** of the vacation.

#### ***Recommended Motions:***

*1. Move to make the findings listed in Section VIII of the Planning Commission staff report dated April 24, 2017 and, based on those findings, recommend that City Council approve the Waterfall 4<sup>th</sup> Subdivision – Vacation of Utility and Emergency Access Easements, subject to the condition listed in Section IX, as amended on the record.*

### ***Summary of Analysis***

This is a public hearing concerning the vacation of 3 utility easements and 1 emergency access easement to accommodate a building expansion for the Orthopaedic & Spine Center of the Rockies (OCR). The existing easements were established based on the current site and building layout for OCR. The City is currently reviewing a site development plan, construction drawings and an amended plat application for a proposed 64,000 square foot addition directly to the west of the existing building. The expansion would house a new surgery and recovery center for OCR. New utility and emergency access easements will be dedicated to the City with the development of the building addition and will replace the easements proposed to be vacated.

Vacation applications are considered legislative. Under Loveland Municipal Code Chapter 16.36, the Planning Commission must hold a public hearing and make a recommendation to Council on the request. City Council is scheduled to hear this matter on May 16, 2017.

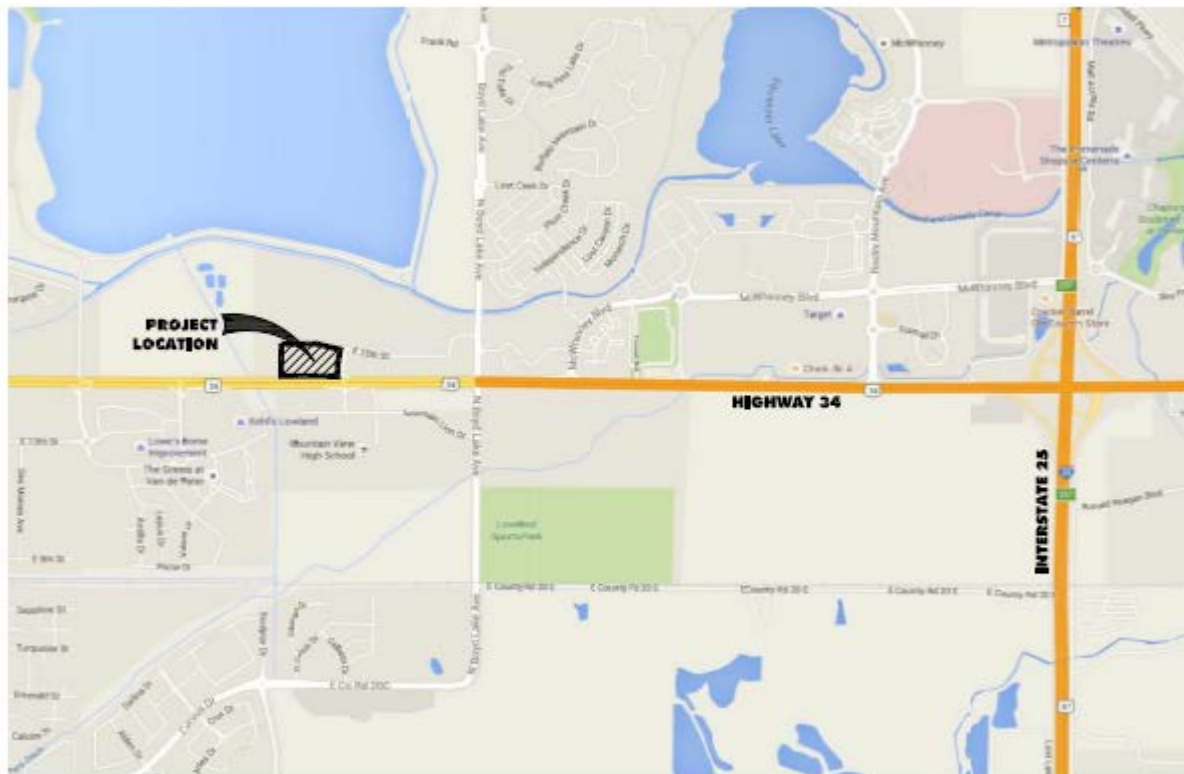
## I. SUMMARY

The application proposes to vacate portions of 3 utility easements and 1 emergency access easement in the Waterfall Fourth Subdivision Amended Plat. The vacation of easements is needed to accommodate a building expansion for the Orthopaedic & Spine Center of the Rockies (OCR). The existing easements were established based on the current site, building and utility layout on the property. The City is currently reviewing a site development plan, construction drawings and an amended plat application for a proposed 64,000 square foot addition directly to the west of the existing building. The expansion would house a new surgery and recovery center for OCR (see Attachment B). New utility and emergency access easements will be dedicated to the City with the development of the building addition and therefore the existing easements will no longer be necessary.

## II. ATTACHMENTS

- A. Vacation Legal Descriptions and Exhibits
- B. Site Plan of proposed building addition (for reference only)
- C. Waterfall 4<sup>th</sup> Subdivision, Amended Plat of Lots 1 and 2.

## III. VICINITY MAP





#### IV. SITE DATA

ACREAGE OF EASEMENTS TO BE VACATED.....	27,381 SQ. FT
ACREAGE OF SITE .....	4.0 ACRES
EXISTING ZONING .....	E –EMPLOYMENT
MASTER PLAN DESIGNATION .....	E-EMPLOYMENT
EXISTING USE .....	MEDICAL OFFICE BUILDING
EXISTING ADJACENT ZONING AND USE - NORTH.....	E –EMPLOYMENT – VACANT
EXISTING ADJACENT ZONING AND USE - EAST .....	E-EMPLOYMENT – HORSTMAN PLACE & MEDICAL OFFICES
EXISTING ADJACENT ZONING AND USE - SOUTH .....	EISENHOWER BOULEVARD – COMMERCIAL
EXISTING ADJACENT ZONING AND USE - WEST .....	LARIMER COUNTY BUSINESS – COMMERCIAL
UTILITY SERVICE PROVIDER - SEWER .....	CITY OF LOVELAND
UTILITY SERVICE PROVIDER - ELECTRIC.....	CITY OF LOVELAND
UTILITY SERVICE PROVIDER - WATER .....	CITY OF LOVELAND

#### V. KEY ISSUES

No key issues have been identified with the vacation request from a City staff perspective.

#### VI. BACKGROUND

The property was annexed as part of the J-B First Addition in February of 2005. The Waterfall Fourth Subdivision was approved in November of 2007 and was subsequently amended in 2011.

#### VII. STAFF, APPLICANT, AND NEIGHBORHOOD INTERACTION

##### A. Notification

An affidavit was provided by Michael McBride with BHA Designs, Inc., indicating that proper notice was provided which included a notice letter and signs posted in prominent locations on April 7, 2017. Further, a notice was published in the Reporter Herald on April 8, 2017. All notices stated that the Planning Commission will hold a public hearing on April 24, 2017.

##### B. Neighborhood Interaction/Response

A neighborhood meeting is not required in conjunction with an application to vacate easements. However, all surface owners and all owners of easements abutting the easements to be vacated were notified of the Planning Commission public hearing.

#### VIII. FINDINGS AND ANALYSIS

The chapters and sections cited below are from the Loveland Municipal Code as it relates to vacating a public right-of-way:

##### **Chapter 16.36, Section 16.36.010.B**

- 1. That no land adjoining any right-of-way to be vacated is left without an established public or private right-of-way or easement connecting said land with another reestablished public or private right-of-way:*

2. *That the right-of-way or easement to be vacated is no longer necessary for the public use and convenience.*

#### Transportation Development Review

The vacation of the utility and emergency access easements does not affect the City's public street network and will not create any land without a connection to public or private rights-of-way.

#### Fire

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

- The vacation of the existing emergency access easement will not negatively impact fire protection for the subject property. New emergency access easements will be dedicated for the building expansion.
- The development site will continue to comply with the requirements in the ACF Ordinance for response distance requirements from the first due Engine Company.

#### Water/Wastewater

The area to be vacated contains an existing water main. With the proposed building expansion plans, the water main will be abandoned and new water lines will be installed. When the water main is abandoned, the easement will no longer be necessary and the Department can make the finding in support of the vacation. However, since there are existing facilities within the area to be vacated, the Department recommends the condition contained in Section IX regarding the timing of the vacation.

#### Stormwater

The existing drainage easement is being re-platted to function differently from a storm drainage perspective. Therefor the existing drainage easement is no longer necessary for the public use and conveyance of Stormwater.

#### Power

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

- The existing easements to be vacated do not negatively impact the existing power utility configuration within and adjacent to this development since the new plat establishes the public utility easement needed.

### **IX. RECOMMENDED CONDITIONS**

1. The vacation ordinance shall not take effect until the following occurs:
  - a. The final plat of the 2nd Amended Plat of Lots 1 and 2, Block 1, Waterfall 4th Subdivision is approved and recorded; and
  - b. Initial acceptance is received from the Water/Wastewater Division for the public utility infrastructure.

# EASEMENT VACATION EXHIBIT

A PORTION OF UTILITY EASEMENT RECORDED AT RECEPTION NO. 20080038895 AND PEDESTRIAN ACCESS AND BICYCLE EASEMENT RECORDED AT RECEPTION NO. 20080038897 BEING LOCATED IN THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 68 WEST OF THE 6TH P.M., CITY OF LOVELAND, COUNTY OF LARIMER, STATE OF COLORADO, BEING A PORTION OF LOT 1, BLOCK 1 OF 2ND AMENDED PLAT OF LOTS 1 AND 2, BLOCK 1, WATERFALL 4TH SUBDIVISION. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 1 2ND AMENDED PLAT OF LOT 1 AND 2, BLOCK 1 WATERFALL SUBDIVISION,  
THENCE NORTH 00°17'38" EAST FOR 74.03 FEET ALONG THE WEST LINE OF LOT 1 TO THE POINT OF BEGINNING;  
THENCE NORTH 00°17'38" EAST 142.12 FEET ALONG SAID WEST LINE;  
THENCE NORTH 89°33'51" EAST FOR 96.19 FEET;  
THENCE SOUTH 00°07'50" WEST FOR 91.51 FEET TO THE BEGINNING OF A TANGENT CURVE;  
THENCE ALONG A CURVE TO THE LEFT (HAVING A RADIUS OF 50.00 FEET AND A LONG CHORD WHICH BEARS SOUTH 45°10'25" EAST FOR 71.09 FEET, FOR AN ARC LENGTH OF 79.07 FEET;  
THENCE SOUTH 89°31'19" WEST FOR 147.13 FEET TO THE POINT OF BEGINNING;  
SAID PARCEL CONTAINS 14,245 SQUARE FEET.

**BASIS OF BEARING STATEMENT**  
CONSIDERING THE SOUTH LINE OF LOT 1, BLOCK 1, 2ND AMENDED PLAT OF LOTS 1 AND 2, WATERFALL 4TH SUBDIVISION AS REFERENCED TO THE COLORADO STATE PLANE NORTH, NORTH AMERICAN DATUM 1983, AS BEARING S89°31'19"E 675.87', SAID LINE BEING MONUMENTED WITH A #4 REBAR WITH A 1" BLUE PLASTIC CAP PLS 36070 AT EACH END, WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO.

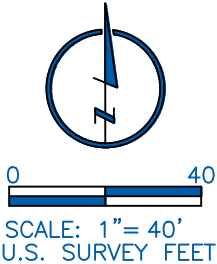
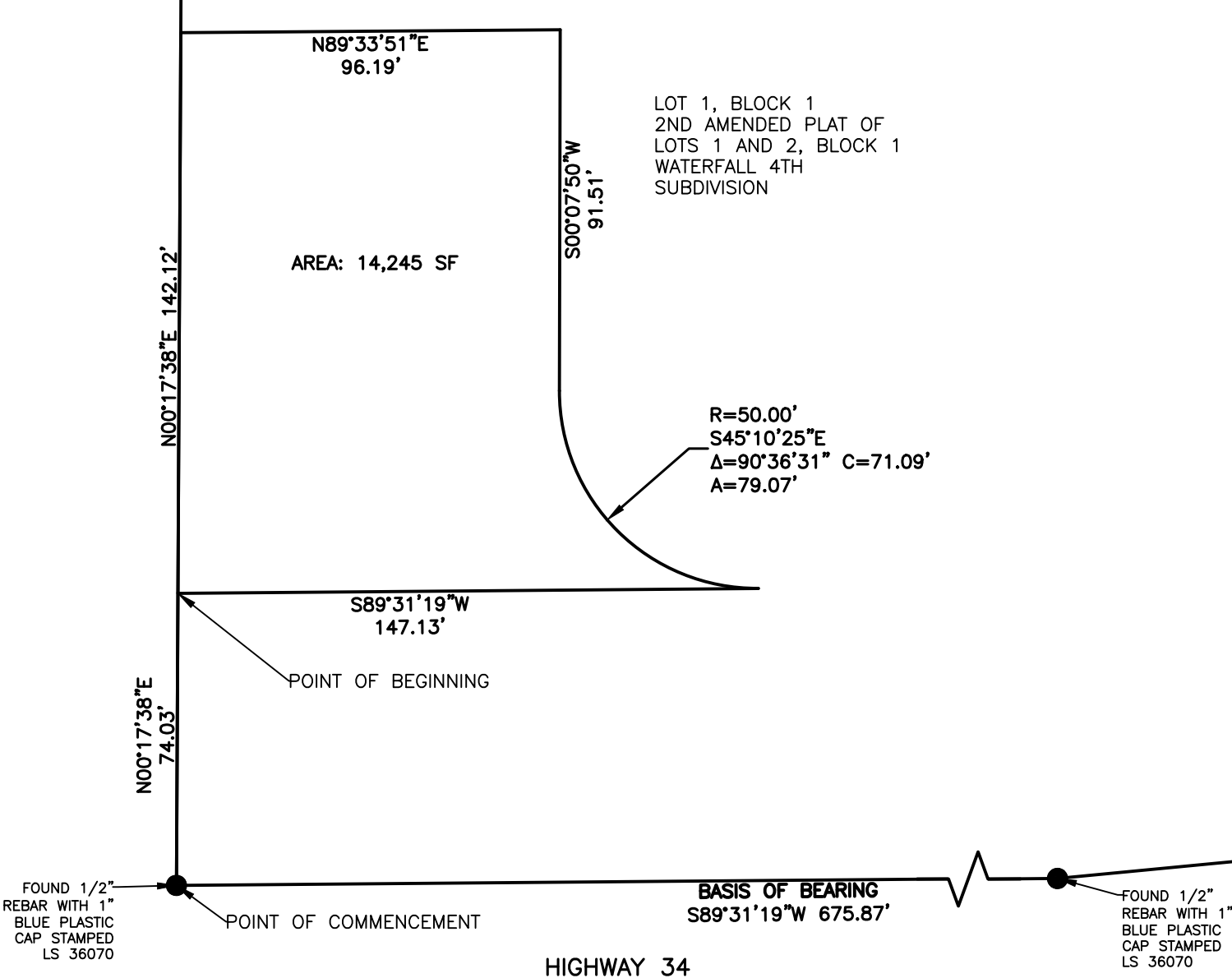


LAMP RYNEARSON  
& ASSOCIATES

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Fort Collins, CO 80525 970.226.0879 | F  
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EASEMENT VACATION EXHIBIT



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ATTACHMENT A

# EASEMENT VACATION EXHIBIT

A UTILITY EASEMENT RECORDED AT RECEPTION NO. 20080038894 LOCATED IN THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 68 WEST, OF THE 6TH P.M.; CITY OF LOVELAND, COUNTY OF LARIMER, STATE OF COLORADO, BEING A PORTION OF LOT 1, BLOCK 1, 2ND AMENDED PLAT OF LOTS 1 AND 2, BLOCK 1, WATERFALL 4TH SUBDIVISION, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 1 BLOCK 1 OF 2ND AMENDED PLAT OF LOTS 1 AND 2, BLOCK 1, WATERFALL 4TH SUBDIVISION

THENCE NORTH 69°26'19" EAST FOR 215.60 FEET TO THE POINT OF BEGINNING;  
THENCE NORTH 64°31'19" EAST FOR 66.25 FEET;  
THENCE NORTH 89°31'19" EAST FOR 100.00 FEET;  
THENCE SOUTH 65°28'41" EAST FOR 66.25 FEET;  
THENCE SOUTH 89°31'19" WEST FOR 220.09 FEET TO POINT OF BEGINNING;

SAID TRACT CONTAINS 4,481 SQUARE FEET

**BASIS OF BEARING STATEMENT**

CONSIDERING THE SOUTH LINE OF LOT 1, BLOCK 1, 2ND AMENDED PLAT OF LOTS 1 AND 2, WATERFALL 4TH SUBDIVISION AS REFERENCED TO THE COLORADO STATE PLANE NORTH, NORTH AMERICAN DATUM 1983, AS BEARING S89°31'19"E 675.87', SAID LINE BEING MONUMENTED WITH A #4 REBAR WITH A 1" BLUE PLASTIC CAP PLS 36070 AT EACH END, WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO.



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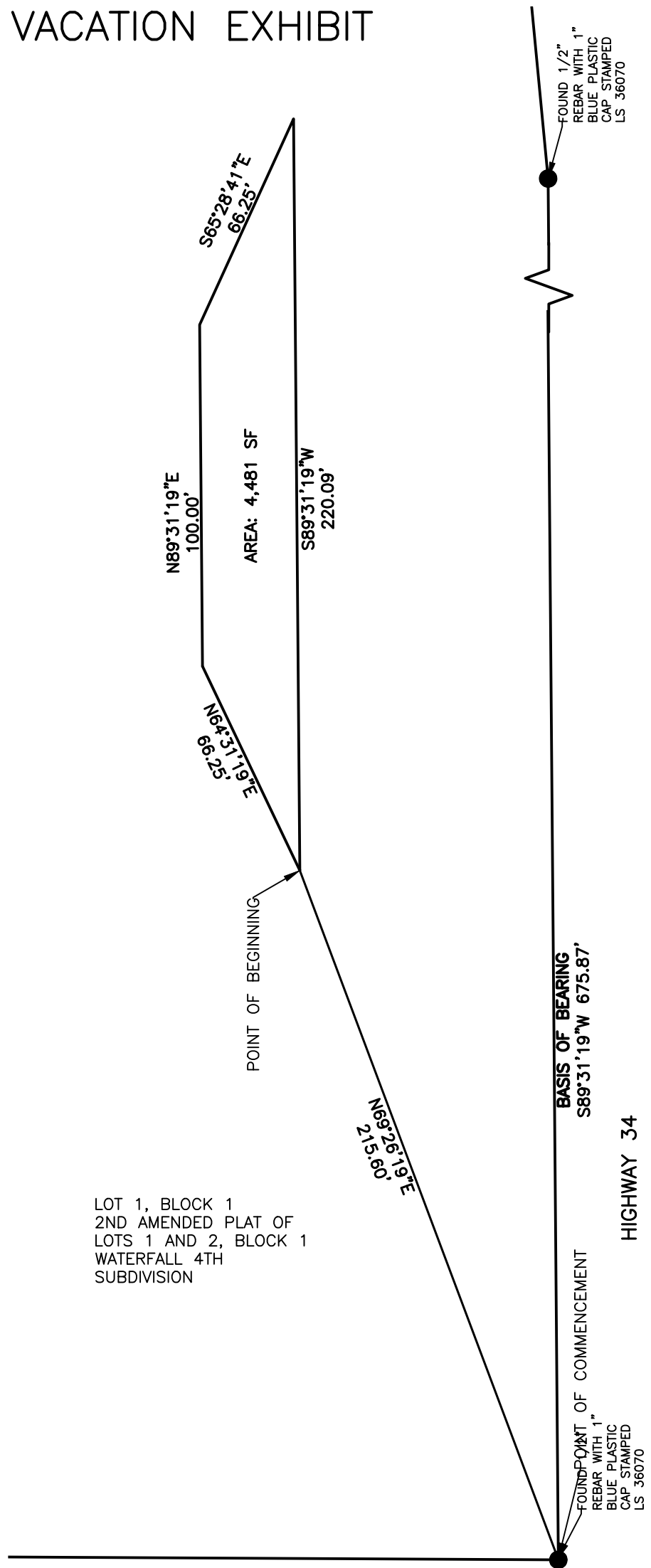
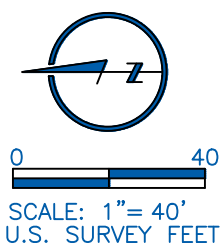
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ATTACHMENT A

EASEMENT VACATION EXHIBIT



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JMC			0216009.00			
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ATTACHMENT A

# EASEMENT VACATION EXHIBIT

ALL OF THE EMERGENCY ACCESS EASEMENT RECORDED AT RECEPTION NO. 20090005766, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 68 WEST, OF THE 6TH P.M.; CITY OF LOVELAND, COUNTY OF LARIMER, STATE OF COLORADO, BEING A PORTION OF LOT 1, BLOCK 1, 2ND AMENDED PLAT OF LOTS 1 AND 2, BLOCK 1, WATERFALL 4TH SUBDIVISION, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT NORTHWEST CORNER OF LOT 1, BLOCK 1 OF SAID PLAT THENCE NORTH 89°40'31" EAST 380.24 FEET ALONG THE NORTH LINE OF SAID LOT 1 TO THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 89°40'31" EAST 11.38 FEET TO POINT OF CURVATURE;

THENCE ALONG A CURVE TO THE RIGHT (HAVING A RADIUS OF 1166.50 FEET AND A LONG CHORD BEARING SOUTH 89°53'28" EAST FOR 18.62 FEET) FOR AN ARC LENGTH OF 18.62 FEET;

THENCE SOUTH 00°00'38" WEST 21.88 FEET TO POINT OF CURVATURE;

THENCE ALONG A CURVE TO THE LEFT (HAVING A RADIUS OF 20.00 FEET AND A LONG CHORD BEARING SOUTH 44°11'38" EAST FOR 27.89 FEET) FOR AN ARC LENGTH OF 30.86 FEET;

THENCE SOUTH 01°36'07" WEST 24.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE;

THENCE ALONG A CURVE TO THE LEFT (HAVING A RADIUS OF 1101.00 FEET AND A LONG CHORD BEARING NORTH 89°21'41" WEST FOR 37.02 FEET) FOR AN ARC LENGTH OF 37.02 FEET;

THENCE SOUTH 89°40'31" WEST 137.01 FEET;

THENCE NORTH 00°19'29" WEST 24.00 FEET;

THENCE NORTH 89°40'31" EAST 95.56 FEET TO POINT OF CURVATURE;

THENCE ALONG A CURVE TO THE LEFT (HAVING A RADIUS OF 30.00 FEET AND A LONG CHORD BEARING NORTH 44°51'27" EAST FOR 42.29 FEET) FOR AN ARC LENGTH OF 46.93 FEET

THENCE NORTH 00°02'22" EAST 11.68 FEET TO POINT OF BEGINNING.

SAID PARCEL CONTAINS 5,703 SQUARE FEET

**BASIS OF BEARING STATEMENT**

CONSIDERING THE NORTH LINE OF LOT 1, BLOCK 1, 2ND AMENDED PLAT OF LOTS 1 AND 2, WATERFALL 4TH SUBDIVISION AS REFERENCED TO THE COLORADO STATE PLANE NORTH, NORTH AMERICAN DATUM 1983, AS BEARING N89°40'31"E 391.62', SAID LINE BEING MONUMENTED WITH A #4 REBAR WITH A 1" BLUE PLASTIC CAP PLS 36070 AND A #5 REBAR WITH A 1 3/4" RED PLASTIC CAP STAMPED PLS 31159, WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO.



LAMP RYNEARSON  
& ASSOCIATES

4715 Innovation Drive 970.226.0342 | P  
Fort Collins, CO 80525 970.226.0879 | F  
www.LRA-Inc.com

DRAWN BY

DESIGNED BY

REVIEWED BY

PROJECT - TASK NUMBER

DATE

BOOK AND PAGE

REVISIONS

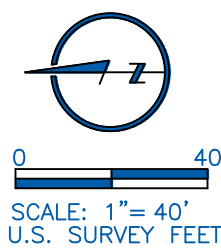
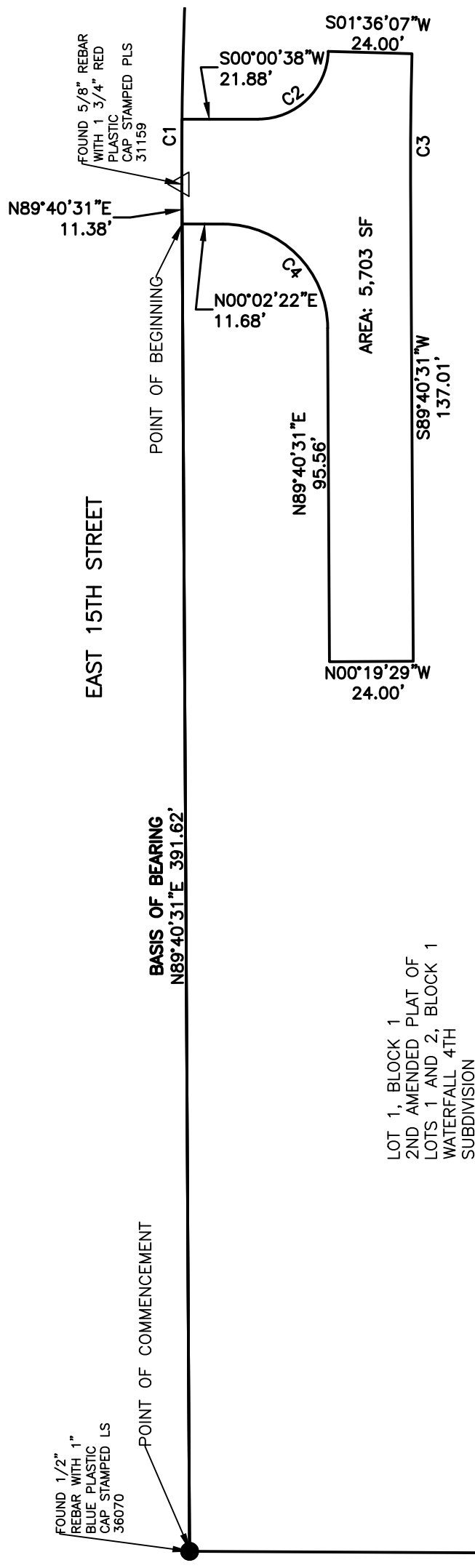
JMC  
PATH\FILENAME

P:\\_Engineering\0216009 Orthopedic Center of the Rockies\SURVEY\DRAWINGS\BASE  
MODELS\0216009E\_EAS\_VACATION.dwg

0216009.00

ATTACHMENT A

EASEMENT VACATION EXHIBIT



CURVE TABLE				
CURVE #	RADIUS	DIRECTION	CHORD	LENGTH
C1	1166.50'	S89°53'28"E	18.62'	18.62'
C2	20.00'	S44°11'38"E	27.89'	30.86'
C3	1101.00'	N89°21'41"W	37.02'	37.02'
C4	30.00'	N44°51'27"E	42.29'	46.93'



LAMP RYNEARSON  
& ASSOCIATES

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Fort Collins, CO 80525 970.226.0879 | F  
www.LRA-inc.com

DRAWN BY DESIGNED BY REVIEWED BY PROJECT - TASK NUMBER DATE BOOK AND PAGE REVISIONS

JMC  
PATH\FILENAME p:\\_engineering\0216009 orthopaedic center of the rockies\SURVEY\DRAWINGS\BASE  
MODELS\0216009E\_EAS\_VACATION.dwg

ATTACHMENT A



# EASEMENT VACATION EXHIBIT

A PORTION OF UTILITY EASEMENT RECORDED AT RECEPTION NO. 20090005101, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 68 WEST, OF THE 6TH P.M.; CITY OF LOVELAND, COUNTY OF LARIMER, STATE OF COLORADO, BEING A PORTION OF LOT 1, BLOCK 1, 2ND AMENDED PLAT OF LOTS 1 AND 2, BLOCK 1, WATERFALL 4TH SUBDIVISION, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT NORTHWEST CORNER OF LOT 1, BLOCK 1 OF SAID PLAT THENCE SOUTH 78°21'55" EAST 335.39 FEET TO THE POINT OF BEGINNING;  
THENCE NORTH 89°40'31" EAST 25.00 FEET;  
THENCE SOUTH 00°19'29" EAST 88.41 FEET;  
THENCE SOUTH 45°19'29" EAST 19.29 FEET;  
THENCE SOUTH 44°40'31" WEST 25.00 FEET  
THENCE NORTH 45°19'29" WEST 29.65 FEET;  
THENCE NORTH 00°19'29" WEST 98.76 FEET TO POINT OF BEGINNING

SAID PARCEL CONTAINS 2,952 SQUARE FEET

**BASIS OF BEARING STATEMENT**

CONSIDERING THE NORTH LINE OF LOT 1, BLOCK 1, 2ND AMENDED PLAT OF LOTS 1 AND 2, WATERFALL 4TH SUBDIVISION AS REFERENCED TO THE COLORADO STATE PLANE NORTH, NORTH AMERICAN DATUM 1983, AS BEARING N89°40'31"E 391.62', SAID LINE BEING MONUMENTED WITH A #4 REBAR WITH A 1" BLUE PLASTIC CAP PLS 36070 AND A #5 REBAR WITH A 1 3/4" RED PLASTIC CAP STAMPED PLS 31159, WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO.

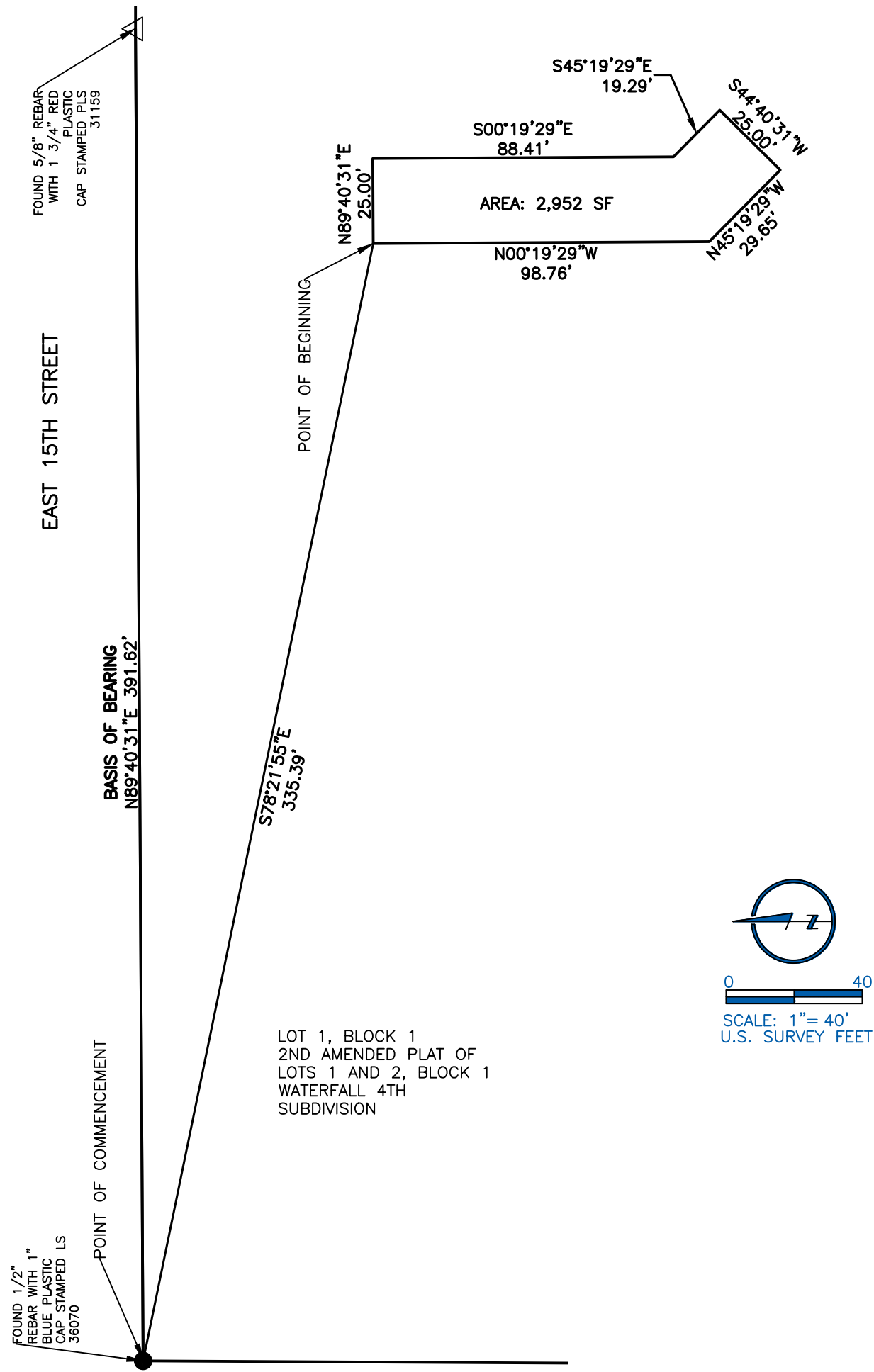


LAMP RYNEARSON  
& ASSOCIATES

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Fort Collins, CO 80525 970.226.0879 | F  
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DRAWN BY	DESIGNED BY	REVIEWED BY	PROJECT - TASK NUMBER	DATE	BOOK AND PAGE	REVISIONS
JMC			0216009.00			
PATH\FILENAME	p:\_engineering\0216009 orthopaedic center of the rockies\SURVEY\DRAWINGS\BASE		MODELS\0216009E_EAS_VACATION.dwg			ATTACHMENT A

EASEMENT VACATION EXHIBIT



LAMP RYNEARSON  
& ASSOCIATES

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Fort Collins, CO 80525 970.226.0879 | F  
www.LRA-inc.com

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JMC			0216009.00			
PATH\FILENAME	p:\_engineering\0216009 orthopaedic center of the rockies\SURVEY\DRAWINGS\BASE					
	MODEL\0216009E_EAS_VACATION.dwg					

ATTACHMENT A



SITE DEVELOPMENT PLAN

LOT 1, BLOCK 1, 2ND AMENDED PLAT OF LOTS 1 AND 2, BLOCK 1, WATERFALL 4TH SUBDIVISION, CITY OF LOVELAND, COUNTY OF LARIMER, STATE OF COLORADO.  
OCR SURGERY & RECOVERY CENTER  
3470 E 15TH STREET, LOVELAND, COLORADO

SIGNATURES AND APPROVALS

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ BY THE  
CURRENT PLANNING MANAGER OF CITY OF LOVELAND, COLORADO.

CURRENT PLANNING MANAGER

SHEET INDEX

SHEET 1 OF 11	COVER SHEET
SHEET 2 OF 11	SITE PLAN
SHEET 3 OF 11	SITE PLAN
SHEET 4 OF 11	LANDSCAPE PLAN
SHEET 5 OF 11	LANDSCAPE PLAN
SHEET 6 OF 11	HYDROZONE PLAN
SHEET 7 OF 11	TREE MITIGATION PLAN
SHEET 8 OF 11	PLANT LIST & DETAILS
SHEET 9 OF 11	ARCHITECTURAL ELEVATIONS
SHEET 10 OF 11	EXTERIOR LIGHTING PHOTOMETRICS
SHEET 11 OF 11	SITE LIGHTING CUTSHEETS



LAND USE TABLE

ZONING	EMPLOYMENT CENTER (E)	
GROSS AREA	7.69 AC.	(335,077 SF)
EXISTING BUILDING	36,208	SF
ADDITION (2 STORY)	64,291	SF
TOTAL BUILDING	100,499	SF
OCCUPANCY	B	
CONSTRUCTION TYPE	IB	
INTERNAL PARKING LOT 1S	10,231 SF	
LANDSCAPING	1.31 AC	(57,271 SF)
OPEN SPACE (EXISTING)	1.71 AC	(74,455 SF)
OPEN SPACE (EXPANSION)	1.47 AC	(64,060 SF)
OPEN SPACE (OVERALL)	3.18 AC	(138,515 SF)
OPEN SPACE PERCENTAGE	39%	

PARKING DATA

PARKING REQUIRED		
EXISTING CLINIC	36,208 SF @ 1/225 SF	(161 SPACES REQUIRED PER CODE)
OCR PARKING SURVEY MAX		102 SPACES USED

PHASE 1		
RECOVERY CENTER & ASC		
10 RECOVERY CENTER BEDS	20	SPACES
45,063 SF OUTPATIENT @ 1/300 SF	150	SPACES
PHASE 1 PARKING REQUIRED	272	SPACES

PHASE 2		
10 RECOVERY CENTER BEDS	20	SPACES
1,500 SF OUTPATIENT @ 1/300 SF	5	SPACES
PHASE 2 PARKING REQUIRED	25	SPACES
TOTAL PARKING REQUIRED	297	SPACES

PARKING PROVIDED		
EXISTING PARKING TO REMAIN	116 SPACES	(12 HANDICAP)
EXPANSION PARKING LOT	140 SPACES	(19 HANDICAP)
PHASE 1 PARKING PROVIDED	275 SPACES	(31 HANDICAP)

PHASE 2 PARKING LOT	42	SPACES
PHASE 2 PARKING PROVIDED	317	SPACES (31 HANDICAP)

OWNERS CERTIFICATION

OWNER: JMC Real Estate Company, LLP

By: \_\_\_\_\_

Title: \_\_\_\_\_

STATE OF COLORADO) \_\_\_\_\_ ss.

COUNTY OF LARIMER )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2016, by \_\_\_\_\_.

Witness my hand and official seal.

My Commission Expires: \_\_\_\_\_

OWNER: Loveland Church of the Nazarene

By: \_\_\_\_\_

Title: \_\_\_\_\_

STATE OF COLORADO) \_\_\_\_\_ ss.

COUNTY OF LARIMER )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2016, by \_\_\_\_\_.

Witness my hand and official seal.

My Commission Expires: \_\_\_\_\_

LEINHOLDER:

By: \_\_\_\_\_

Title: \_\_\_\_\_

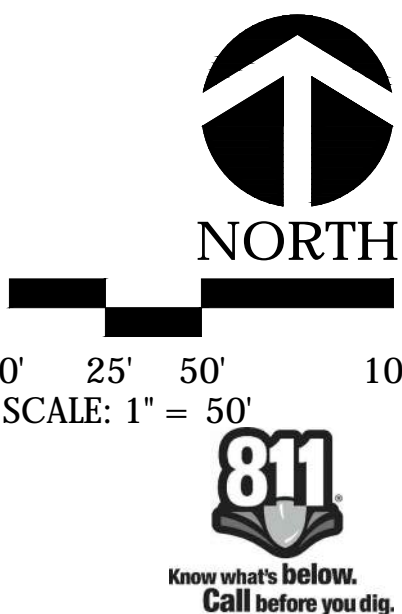
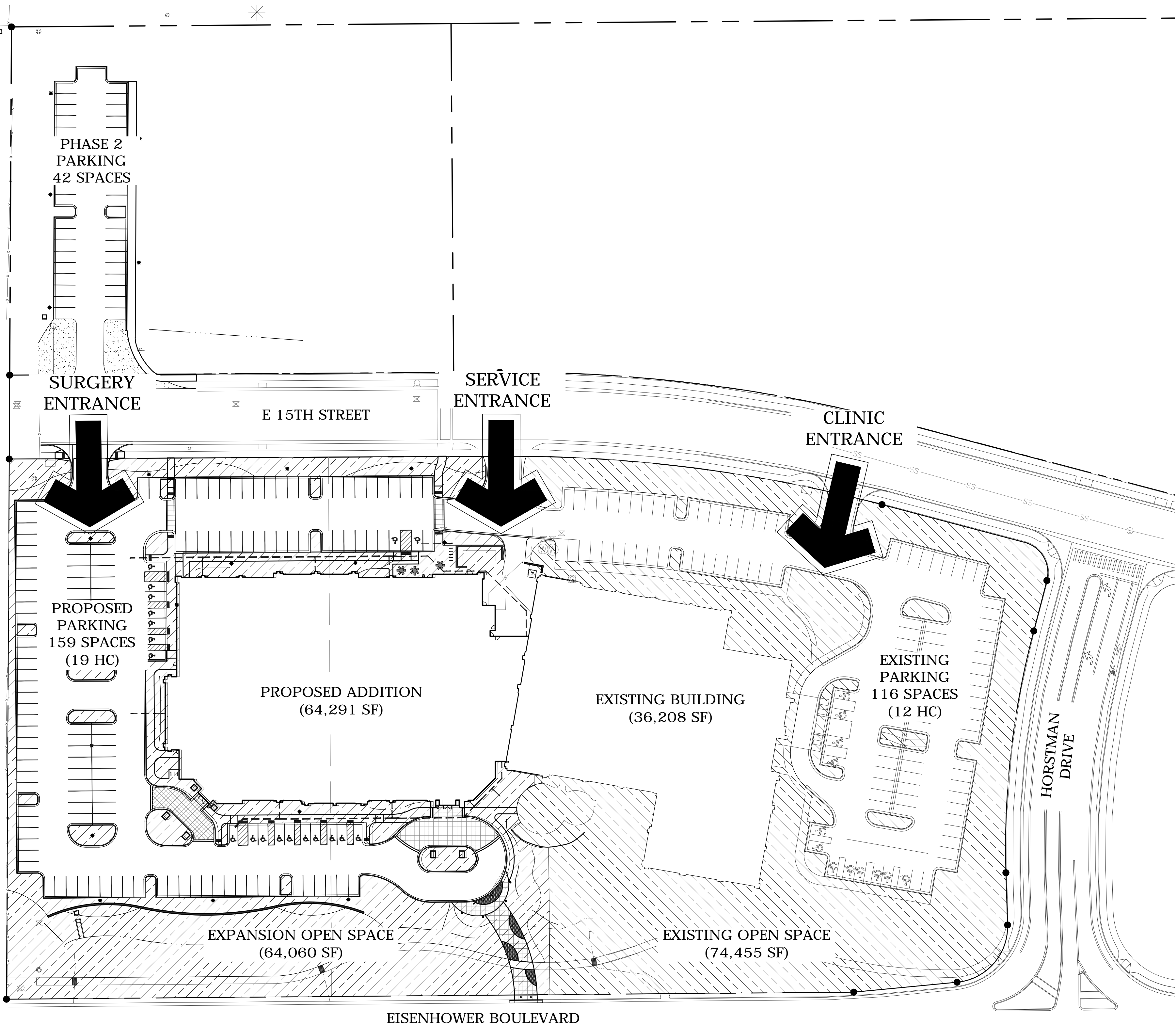
STATE OF COLORADO) \_\_\_\_\_ ss.

COUNTY OF LARIMER )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2016, by \_\_\_\_\_.

Witness my hand and official seal.

My Commission Expires: \_\_\_\_\_



OCR SURGERY & RECOVERY CENTER  
SITE DEVELOPMENT PLAN

3470 E 15TH ST., LOVELAND, CO 80538

DESIGN PHASE

Issued For SD:	7/1/2016
Issued For DD:	
Issued For Permit:	
Issued For Construction:	
Revision Number	Revision Date

Seal:

15022

Plot Date: 4/18/2016 8:50:19 AM

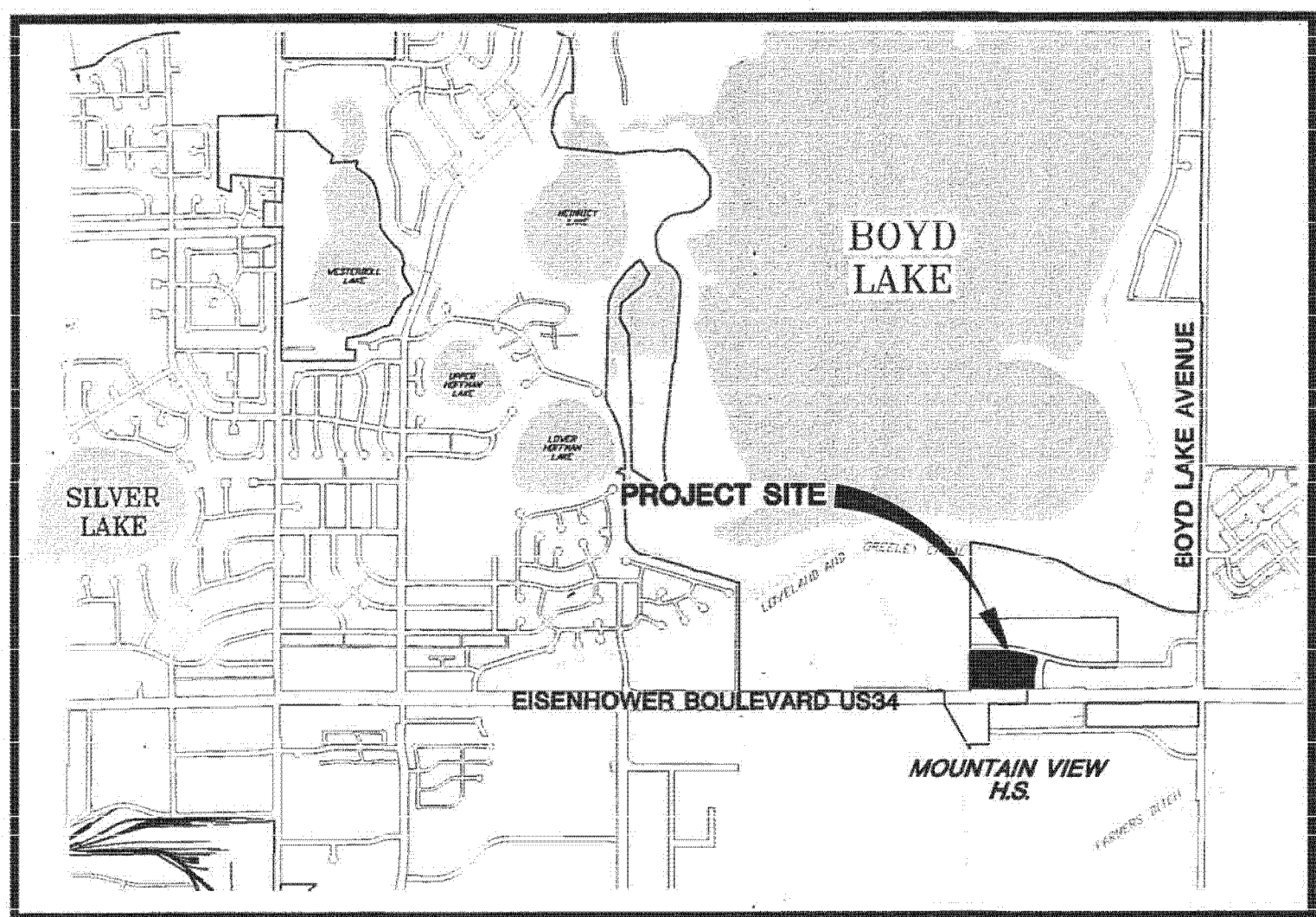
COVER  
SHEET

SHEET 1  
OF 11



# AMENDED PLAT OF LOTS 1 AND 2, BLOCK 1 WATERFALL 4TH SUBDIVISION

BEING A BOUNDARY LINE ADJUSTMENT OF LOTS 1 AND 2, BLOCK 1 WATERFALL 4TH SUBDIVISION,  
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN;  
TO THE CITY OF LOVELAND, COUNTY OF LARIMER, STATE OF COLORADO



**BASIS OF BEARING STATEMENT:**  
CONSIDERING THE NORTHERLY LINE OF LOT 1, BLOCK 1 OF WATERFALL FOURTH SUBDIVISION TO BEAR N89°39'53"E; AS SHOWN ON THE WATERFALL FOURTH SUBDIVISION RECORDED AT RECEPTION NUMBER 20070093673, WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO.

**SURVEYOR CERTIFICATE:**  
I, READA COLIN ROSELLES, BEING A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY OF AMENDED PLAT OF LOTS 1 AND 2, BLOCK 1 WATERFALL 4TH SUBDIVISION, WAS MADE BY ME OR UNDER MY SUPERVISION AND THAT THE SURVEY IS ACCURATELY REPRESENTED ON THIS PLAT AND THAT THE STATEMENTS CONTAINED HEREON WERE READ BY ME AND THE SAME ARE TRUE TO THE BEST OF MY KNOWLEDGE.

DATED THIS 12-19-08 DAY OF DECEMBER, 2008  
READA COLIN ROSELLES  
REGISTERED PROFESSIONAL LAND SURVEYOR  
PLS#37911

**LEGEND**

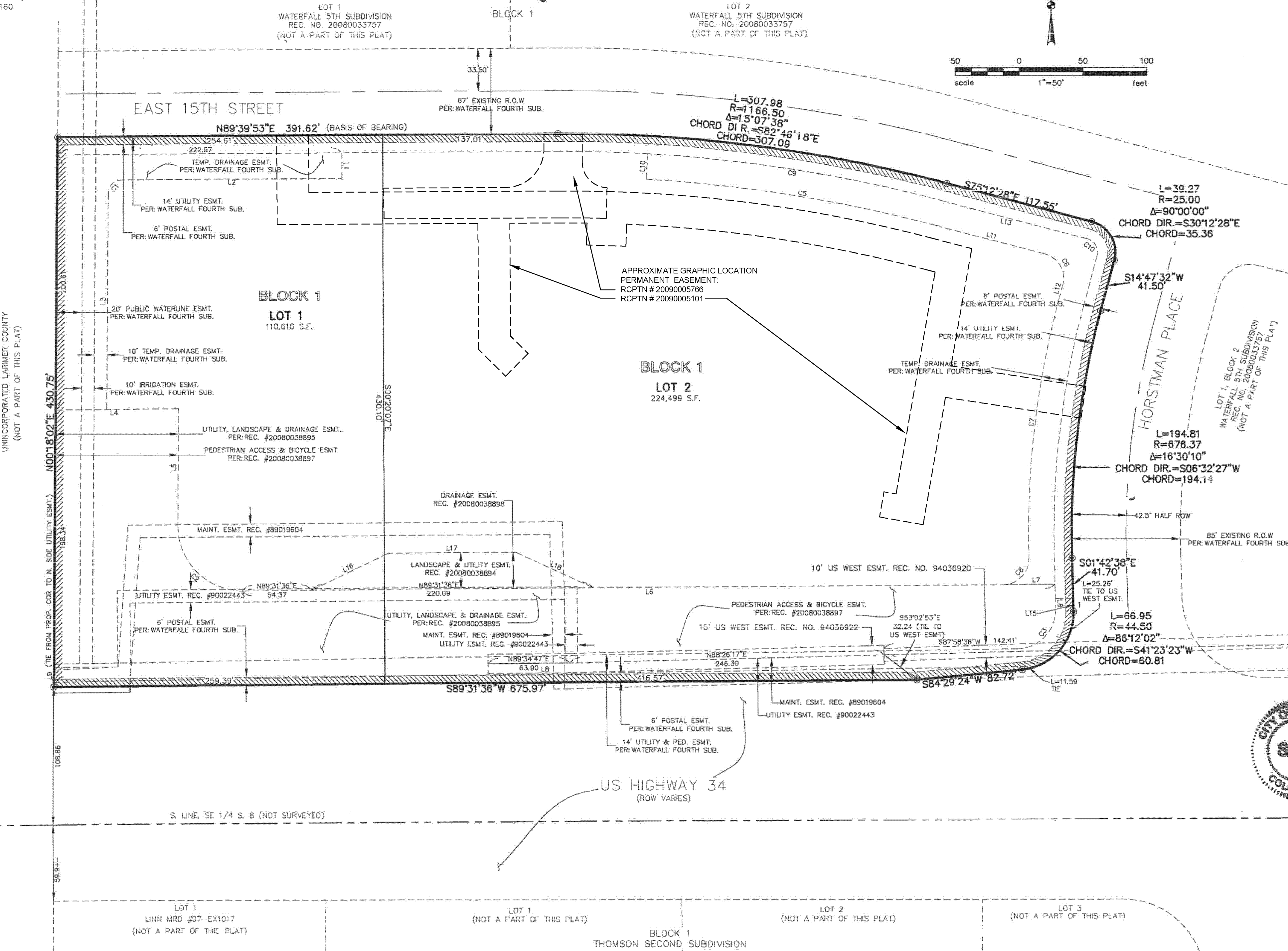
FOUND NO. 4 REBAR WITH CAP LS 36070  
FOUND NAIL AND SHINER LS 36070  
CENTERLINE  
LOT LINE  
EASEMENT  
ADJOINER BOUNDARY  
PROJECT BOUNDARY

CURVE	RADIUS	LENGTH	DELTA	CH. BEARING	CHORD
C1	10.00'	15.60'	89°21'51"	S44°58'57"W	14.06'
C2	50.00'	79.07'	90°36'39"	S45°10'05"E	71.09'
C3	30.49'	48.33'	90°49'09"	N43°41'23"E	43.43'
C4	1121.50'	12.07'	0°37'01"	S75°30'58"E	12.07'
C5	1132.50'	229.73'	11°37'21"	N81°01'09"W	229.33'
C6	20.00'	31.42'	90°00'00"	N30°12'28"W	28.28'
C7	710.37'	203.71'	16°25'48"	S06°34'38"W	203.01'
C8	20.00'	31.82'	91°09'52"	N43°56'40"E	28.57'
C9	1152.50'	233.78'	11°37'21"	N81°01'09"W	233.38'
C10	11.00'	17.28'	90°00'00"	N30°12'28"W	15.56'

LINE	BEARING	LENGTH
L1	S00°20'07"E	20.00'
L2	S89°39'53"W	172.80'
L3	S00°19'02"W	173.56'
L4	N89°34'16"E	96.19'
L5	S00°08'15"W	91.51'
L6	N89°31'36"E	636.35'
L7	N89°31'36"E	40.44'
L8	S01°42'38"E	8.05'
L9	S00°18'03"W	17.80'
L10	N03°10'11"E	20.00'
L11	N75°12'28"W	88.55'
L12	N14°47'32"E	12.50'
L13	S75°12'28"E	117.55'
L14	N89°35'37"E	0.94'
L15	S01°42'38"E	10.41'
L16	S64°31'36"W	66.25'
L17	S89°31'36"W	100.00'
L18	S65°28'24"E	66.25'

**OWNER:**  
JMC REAL ESTATE COMPANY, LLP,  
A COLORADO LIMITED LIABILITY  
PARTNERSHIP  
C/O MIKE BERGERSON,  
2500 E. PROSPECT,  
FORT COLLINS, CO  
80525 (970) 493-0112,  
FAX: (970) 419-7160

**ENGINEER/SURVEYOR:**  
TST, INC. CONSULTING ENGINEERS  
748 WHALERS WAY  
FORT COLLINS, CO 80525  
(970) 226-0557  
FAX: (970) 226-0204



**LEGAL DESCRIPTION AND DEDICATION:**

KNOW ALL PERSONS BY THESE PRESENTS THAT THE UNDERSIGNED, BEING ALL THE OWNERS AND LIENHOLDERS OF THE FOLLOWING DESCRIBED PROPERTY, EXCEPT ANY EXISTING PUBLIC STREETS, ROADS OR HIGHWAYS, WHICH PROPERTY IS LOCATED IN SECTION 8, TOWNSHIP 5 NORTH, RANGE 68 WEST OF THE 6TH P.M., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: LOTS 1 AND 2, BLOCK 1 OF WATERFALL FOURTH SUBDIVISION RECORDED AT RECEPTION NUMBER 20070093673, CONTAINING 7.69 ACRES (335,115 S.F.) MORE OR LESS, AND IS SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY ON RECORD OR EXISTING AND DO HEREBY DESIGNATE THE SAME AS BEING A BOUNDARY LINE ADJUSTMENT OF LOTS 1 AND 2, BLOCK 1 WATERFALL 4TH SUBDIVISION, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN; TO THE CITY OF LOVELAND, COLORADO.

**OWNER:** JMC REAL ESTATE COMPANY, LLP, A COLORADO LIMITED LIABILITY PARTNERSHIP

BY: *Michael A. Bergeron*  
TITLE: CEO

STATE OF Colorado  
COUNTY OF Larimer SS.

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 19th DAY OF December, 2008.  
BY *Michael A. Bergeron* AS CEO OF JMC REAL ESTATE COMPANY, LLP, A COLORADO LIMITED LIABILITY PARTNERSHIP.

WITNESS MY HAND AND OFFICIAL SEAL.  
MY COMMISSION EXPIRES 11-7-2011  
NOTARY PUBLIC *Jeanne R. Maust*

JANIE M. MAUST  
NOTARY PUBLIC  
STATE OF COLORADO  
MY COMMISSION EXPIRES 11/7/2011

**LIENHOLDER:** FIRST NATIONAL BANK

BY: *Shay Etker* Vice President  
TITLE: Vice President

STATE OF Colorado  
COUNTY OF Larimer SS.

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 04th DAY OF December, 2008.  
BY *Shay Etker* AS Vice President OF FIRST NATIONAL BANK.

WITNESS MY HAND AND OFFICIAL SEAL.  
MY COMMISSION EXPIRES 9/1/2011  
NOTARY PUBLIC *Jacqueline A. Jones*

JACQUELINE A. JONES  
NOTARY PUBLIC  
STATE OF COLORADO  
MY COMMISSION EXPIRES February 1, 2011

**DIRECTOR'S CERTIFICATE**

THIS PLAT IS APPROVED BY THE CITY OF LOVELAND, LARIMER COUNTY, COLORADO, THIS 31st DAY OF December, 2008 FOR FILING WITH THE CLERK AND RECORDER OF LARIMER COUNTY.

DIRECTOR OF DEVELOPMENT SERVICES  
WITNESS MY HAND AND SEAL OF THE CITY OF LOVELAND.

ATTEST:  
CITY CLERK *Jamie M. Weems*  
Deputy

**PLAT NOTES**

1. THE WORD "CERTIFY" OR "CERTIFICATION" AS SHOWN AND USED ON THE SURVEYOR'S CERTIFICATE HEREON IS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THE SURVEY, AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESS OR IMPLIED.
2. FOR ALL INFORMATION REGARDING TITLE, EASEMENTS, RIGHTS-OF-WAY OF RECORD, AND TERMS OR CONDITIONS AFFECTING THIS PROPERTY, TST, INC., CONSULTING ENGINEERS RELIED UPON TITLE POLICY 811-H0224099-081-CMS, AMENDMENT NO. 2 PREPARED BY FIRST AMERICAN HERITAGE TITLE COMPANY ON DECEMBER 10, 2008 AT 8:00 A.M. THIS DOES NOT CONSTITUTE A TITLE SEARCH BY TST, INC.
3. THIS PROJECT IS SUBJECT TO A DEVELOPMENT AGREEMENT WHICH HAS BEEN RECORDED IN THE REAL PROPERTY RECORDS OF LARIMER COUNTY.
4. UNLESS OTHERWISE APPROVED BY THE CITY, ALL UNSATISFIED CONDITIONS OF APPROVAL FOR THE ORIGINAL SUBDIVISION SHALL CONTINUE TO APPLY TO THIS PROPERTY.

AMENDED PLAT OF LOTS 1 AND 2, BLOCK 1  
WATERFALL 4TH SUBDIVISION

FINAL PLAT

**TST**  
TST, INC.  
CONSULTING ENGINEERS

748 Whalers Way  
Fort Collins, Colorado  
Phone: 970.226.0557  
Fax: 970.226.0204

JOB NO. 0978.0006.00

SCALE HORIZONTAL: 1"=50'

DATE NOVEMBER 2008

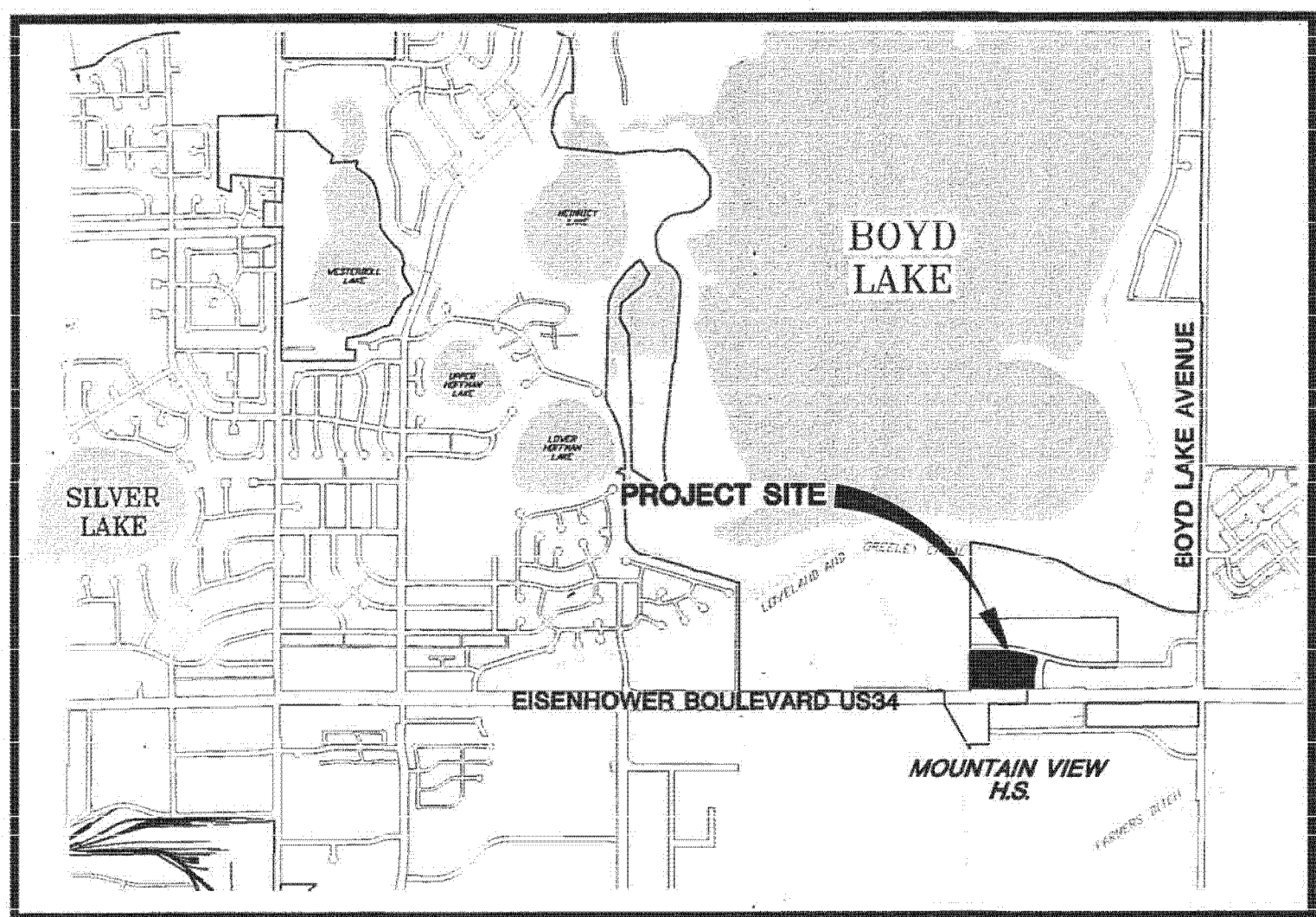
SHEET

1 of 1



# AMENDED PLAT OF LOTS 1 AND 2, BLOCK 1 WATERFALL 4TH SUBDIVISION

BEING A BOUNDARY LINE ADJUSTMENT OF LOTS 1 AND 2, BLOCK 1 WATERFALL 4TH SUBDIVISION,  
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN;  
TO THE CITY OF LOVELAND, COUNTY OF LARIMER, STATE OF COLORADO



**BASIS OF BEARING STATEMENT:**  
CONSIDERING THE NORTHERLY LINE OF LOT 1, BLOCK 1 OF WATERFALL FOURTH SUBDIVISION TO BEAR N89°39'53"E; AS SHOWN ON THE WATERFALL FOURTH SUBDIVISION RECORDED AT RECEPTION NUMBER 20070093673, WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO.

**SURVEYOR CERTIFICATE:**  
I, READE COLIN ROSELLES, BEING A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY OF AMENDED PLAT OF LOTS 1 AND 2, BLOCK 1 WATERFALL 4TH SUBDIVISION, WAS MADE BY ME OR UNDER MY SUPERVISION AND THAT THE SURVEY IS ACCURATELY REPRESENTED ON THIS PLAT AND THAT THE STATEMENTS CONTAINED HEREON WERE READ BY ME AND THE SAME ARE TRUE TO THE BEST OF MY KNOWLEDGE.

DATED THIS 12-19-08 DAY OF DECEMBER, 2008  
READE COLIN ROSELLES  
REGISTERED PROFESSIONAL LAND SURVEYOR  
PLS#37911

**LEGEND**

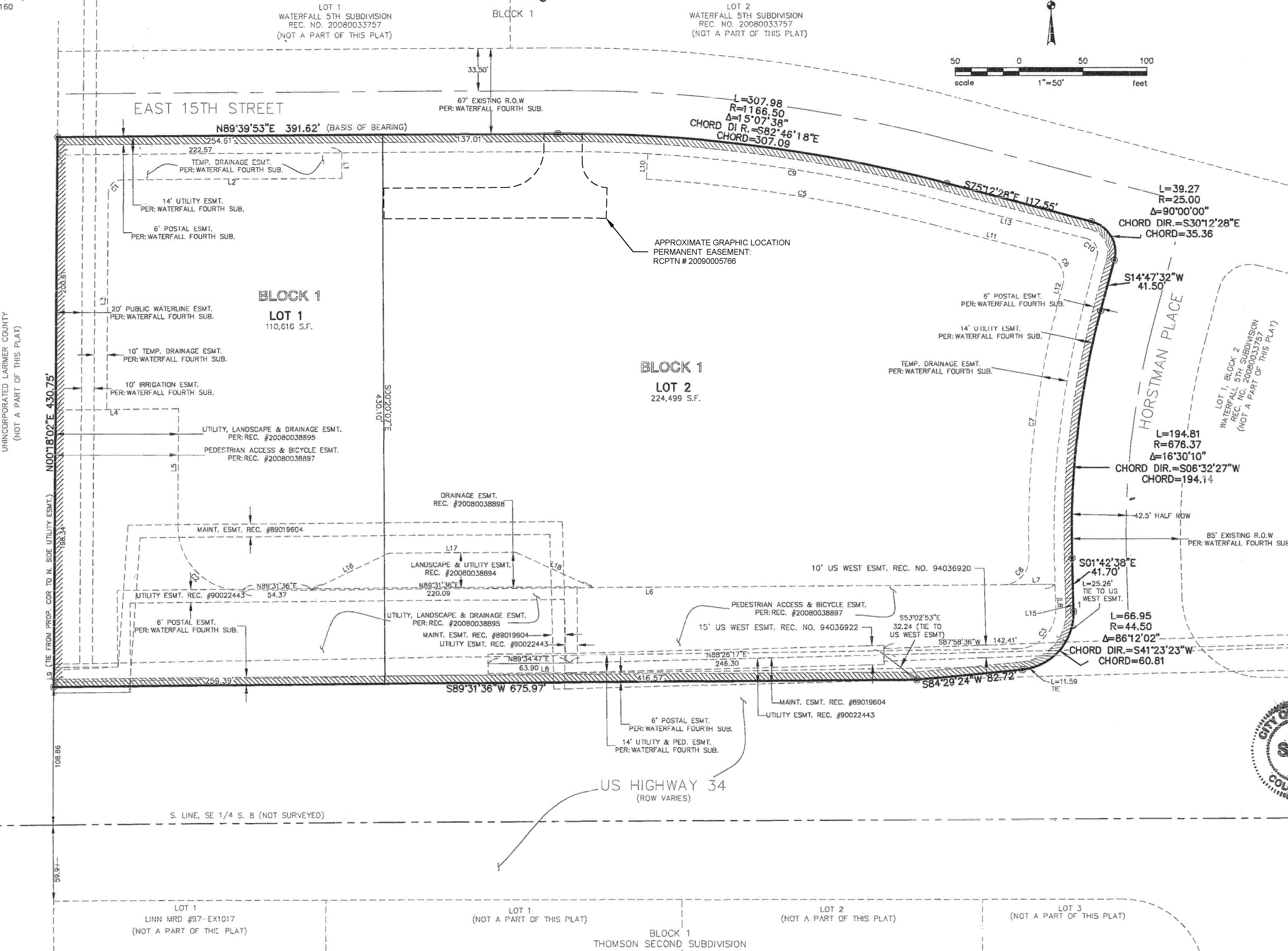
FOUND NO. 4 REBAR WITH CAP LS 36070  
FOUND NAIL AND SHINER LS 36070  
CENTERLINE  
LOT LINE  
EASEMENT  
ADJOINER BOUNDARY  
PROJECT BOUNDARY

CURVE	RADIUS	LENGTH	DELTA	CH. BEARING	CHORD
C1	10.00'	15.60'	89°21'51"	S44°58'57"W	14.06'
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C3	30.49'	48.33'	90°49'09"	N43°31'23"E	43.43'
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C5	1132.50'	229.73'	11°37'21"	N81°01'09"W	229.33'
C6	20.00'	31.42'	90°00'00"	N30°12'28"W	28.28'
C7	710.37'	203.71'	16°25'48"	S06°34'38"W	203.01'
C8	20.00'	31.82'	91°09'52"	N43°56'40"E	28.57'
C9	1192.50'	233.78'	11°37'21"	N81°01'09"W	233.38'
C10	11.00'	17.28'	90°00'00"	N30°12'28"W	15.56'

LINE	BEARING	LENGTH
L1	S00°20'07"E	20.00'
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L5	S00°08'15"W	91.51'
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**OWNER:**  
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FORT COLLINS, CO 80525  
(970) 226-0557  
FAX: (970) 226-0204



**LEGAL DESCRIPTION AND DEDICATION:**

KNOW ALL PERSONS BY THESE PRESENTS THAT THE UNDERSIGNED, BEING ALL THE OWNERS AND LIENHOLDERS OF THE FOLLOWING DESCRIBED PROPERTY, EXCEPT ANY EXISTING PUBLIC STREETS, ROADS OR HIGHWAYS, WHICH PROPERTY IS LOCATED IN SECTION 8, TOWNSHIP 5 NORTH, RANGE 68 WEST OF THE 6TH P.M., BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: LOTS 1 AND 2, BLOCK 1 OF WATERFALL FOURTH SUBDIVISION RECORDED AT RECEPTION NUMBER 20070093673, CONTAINING 7.69 ACRES (335,115 S.F.) MORE OR LESS, AND IS SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY ON RECORD OR EXISTING AND DO HEREBY DESIGNATE THE SAME AS BEING A BOUNDARY LINE ADJUSTMENT OF LOTS 1 AND 2, BLOCK 1 WATERFALL 4TH SUBDIVISION, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN; TO THE CITY OF LOVELAND, COLORADO.

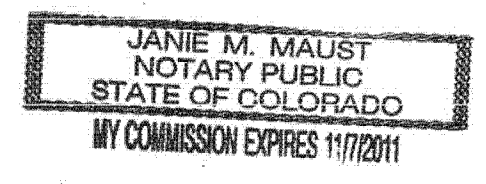
**OWNER:** JMC REAL ESTATE COMPANY, LLP, A COLORADO LIMITED LIABILITY PARTNERSHIP

BY: *Michael A. Bergeron*  
TITLE: CEO

STATE OF Colorado  
COUNTY OF Larimer SS.

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 12th DAY OF December, 2008.  
BY *Michael A. Bergeron* AS CEO OF JMC REAL ESTATE COMPANY, LLP, A COLORADO LIMITED LIABILITY PARTNERSHIP.

WITNESS MY HAND AND OFFICIAL SEAL.  
MY COMMISSION EXPIRES 11-7-2011  
NOTARY PUBLIC *Janie M. Maust*



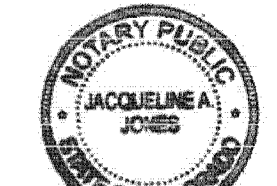
**LIENHOLDER:** FIRST NATIONAL BANK

BY: *Shay Etkner* Vice President  
TITLE: Vice President

STATE OF Colorado  
COUNTY OF Larimer SS.

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 24th DAY OF December, 2008.  
BY *Shay Etkner* AS Vice President OF FIRST NATIONAL BANK.

WITNESS MY HAND AND OFFICIAL SEAL.  
MY COMMISSION EXPIRES 2/1/2011  
NOTARY PUBLIC *Jacqueline A. Jones*



**DIRECTOR'S CERTIFICATE**

THIS PLAT IS APPROVED BY THE CITY OF LOVELAND, LARIMER COUNTY, COLORADO, THIS 31st DAY OF December, 2008 FOR FILING WITH THE CLERK AND RECORDER OF LARIMER COUNTY.

DIRECTOR OF DEVELOPMENT SERVICES  
WITNESS MY HAND AND SEAL OF THE CITY OF LOVELAND.

ATTEST:  
CITY CLERK *Janie M. Maust* Deputy

- PLAT NOTES**
1. THE WORD "CERTIFY" OR "CERTIFICATION" AS SHOWN AND USED ON THE SURVEYOR'S CERTIFICATE HEREON IS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THE SURVEY, AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTY, EXPRESS OR IMPLIED.
  2. FOR ALL INFORMATION REGARDING TITLE, EASEMENTS, RIGHTS-OF-WAY OF RECORD, AND TERMS OR CONDITIONS AFFECTING THIS PROPERTY, TST, INC., CONSULTING ENGINEERS RELIED UPON TITLE POLICY 811-H0224099-081-CMS, AMENDMENT NO. 2 PREPARED BY FIRST AMERICAN HERITAGE TITLE COMPANY ON DECEMBER 10, 2008 AT 8:00 A.M. THIS DOES NOT CONSTITUTE A TITLE SEARCH BY TST, INC.
  3. THIS PROJECT IS SUBJECT TO A DEVELOPMENT AGREEMENT WHICH HAS BEEN RECORDED IN THE REAL PROPERTY RECORDS OF LARIMER COUNTY.
  4. UNLESS OTHERWISE APPROVED BY THE CITY, ALL UNSATISFIED CONDITIONS OF APPROVAL FOR THE ORIGINAL SUBDIVISION SHALL CONTINUE TO APPLY TO THIS PROPERTY.

AMENDED PLAT OF LOTS 1 AND 2, BLOCK 1  
WATERFALL 4TH SUBDIVISION  
FINAL PLAT



JOB NO. 0978.0006.00  
SCALE HORIZONTAL: 1"=50'  
DATE NOVEMBER 2008  
SHEET 1 of 1





## Planning Commission Staff Report

April 24, 2017

**Agenda #:** 2  
**Title:** Waterfall Sixth Conceptual Master Plan Amendment  
**Applicant:** McWhinney  
**Request:** Conceptual Master Plan Amendment  
**Location:** North side of East 15<sup>th</sup> Street, west of North Boyd Lake Avenue  
**Existing Zoning:** MAC – Mixed-Use Activity Center  
**Proposed Zoning:** No change  
**Staff Planner:** Noreen Smyth

### **Staff Recommendation:**

Subject to additional evidence presented at the public hearing, City staff recommends the following motion:

### **Recommended Motions:**

*“Move to make the findings listed in Section VIII. of the Planning Commission staff report dated April 24, 2017; and, based on those findings, approve the Waterfall Sixth Comprehensive Master Plan Amendment, as amended on the record. (Resolution attached)”*

### **Summary of Analysis:**

The applicant's request is to modify the Waterfall Sixth Conceptual Master Plan to add *multifamily* as an allowed use for a 6.3-acre vacant parcel currently designated for commercial uses. The parcel is adjacent to an existing multifamily development within Waterfall Sixth and the developer/operator of those units, the Loveland Housing Authority, is interested in constructing an expansion of that development on the vacant parcel.

If the amendment to allow the multifamily use on the parcel is approved, additional applications will need to be submitted for a thorough review by staff prior to construction of any new buildings. Details of the multifamily development, including transportation and utility design, will reviewed administratively at the time.

There were concerns about increased traffic and property values voiced at the neighborhood meeting. The traffic concerns will be considered with the additional required development applications. Staff supports the proposed amendment.

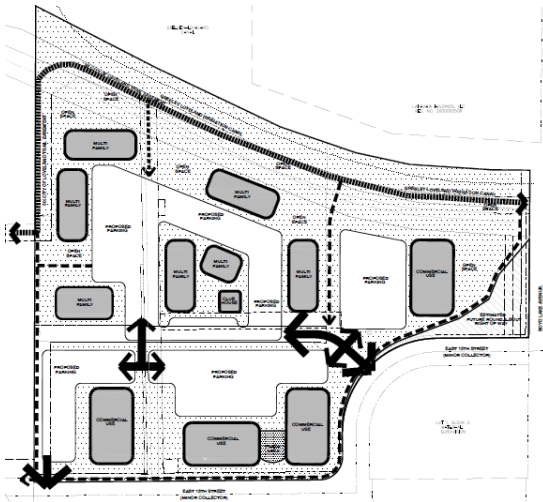
## **I. SUMMARY:**

This is a public hearing to consider an amendment to the Conceptual Master Plan (CMP) for the Waterfall Sixth development. The subject property is zoned Mixed-Use Activity (MAC), and as required of properties in that district, a CMP was approved in conjunction with the zoning. While the Zoning Code specifies which land uses can locate in the MAC district by right, the CMP then designates specific land uses allowed on lots within a given development, similar to a General Development Plan for properties zoned Planned Unit Development.

The 12.3-acre Waterfall Sixth Subdivision and CMP have the same boundaries and were reviewed and approved concurrently with the rezoning in 2011. The Waterfall Sixth CMP includes a 6.3-acre outlot designated as *commercial*, 4.4-acre lot designated as *multifamily*, and a 1.6-acre outlot designated as *open space*. The *multifamily* and *commercial* parcels also have portions designated on the CMP as “parking”, “open space”, and “future right of way”, although these are just generally illustrative of the desired site layout and not intended to indicate the exact location of parking, open space, and right of way within the commercial and multifamily areas. The current application under consideration in this staff report concerns a request to add *multifamily* as an allowed use to the 6.3-acre area currently designated only for commercial uses. The proposed amendment does not modify the land use designations for the other areas of Waterfall Sixth.

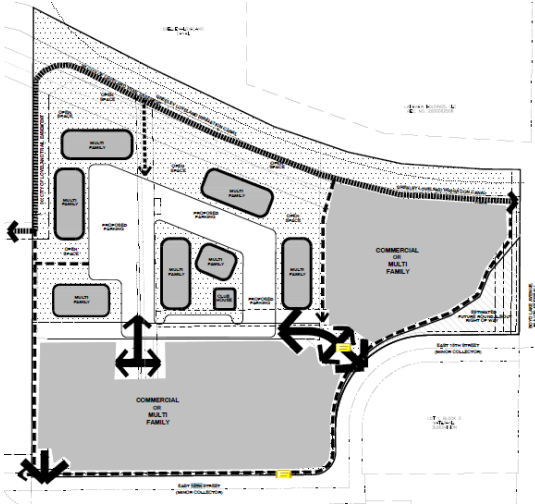
### **Original 2011 Conceptual Master Plan:**

The area to the northwest is designated *multifamily* and the areas to the south and east are designated *commercial*.



### **Proposed Amended Conceptual Master Plan:**

The shaded area to the south and east is proposed to change from a *commercial* designation to *commercial or multifamily*.



The applicant is seeking the requested land use change for two reasons. The Loveland Housing Authority, who developed of the existing 70-unit “The Edge” multifamily housing in the northwest portion of Waterfall Sixth, is interested in constructing a similar multifamily development on the adjacent property to the south and east. Also, there has been only limited interest in the property by commercial developers because it is not highly visible from a heavily-traveled street, which is typically sought by commercial developers.

The Loveland Housing Authority does not have specific plans yet for the proposed additional multifamily development on the property. It is intended that the new development will be similar to the existing “The Edge” multifamily in both layout and building design, with slightly more units than the 70-unit The Edge, perhaps 80 to 85 units. The new multifamily units would have full access to the clubhouse and playground amenities that were developed with The Edge and will essentially be an expansion of that development.

The Planning Commission’s decision on the amendment to the CMP is final unless an appeal to the Commission’s decision is filed. If the amendment is approved, the developer can proceed to submit a plat application to change the designation of the undeveloped property from an outlot to a buildable lot, a site development plan application, and building permit applications, which are reviewed administratively. While the MAC district does not reference specific findings to be made when analyzing a CMP, since the proposed amendment concerns land uses, the rezoning findings have been applied and are provided in Section VIII of this staff report.

#### Commercial Market Analysis

The MAC district allows by right a variety of commercial uses, including retail, restaurant, and office, along with a variety of residential uses, from single family to multifamily. The district promotes mixed-use developments, but does not prohibit developments that are all commercial or all residential. However, for MAC developments that exceed 50% residential, the zoning code [Section 18.29.060(6)] requires that the applicant demonstrate that sufficient land area is devoted to commercial use within the vicinity of the property to meet future commercial needs and demands. The MAC district describes a few methods in which this is to be demonstrated, and the applicant, in conjunction with a land use consultant, chose a method involving an analysis of commercial land in the vicinity of the project.

The attached “Commercial Land Use Study” is an analysis of the acreage of existing commercial development and land zoned for commercial development within a quarter mile of the subject property. In deciding which zoning districts to include, districts that allow commercial uses by right were counted (B Business, BE Established Business, I Industrial, E Employment, & MAC) along with land area within PUDs that allow commercial uses by right. The analysis was further divided into land that is already developed and land that is vacant. The findings conclude that within a quarter mile of the subject property, **947 acres** are undeveloped commercially-zoned land and **524 acres** are developed commercial land, for a total of **1,470 acres** of commercial land in the (quarter mile) vicinity of Waterfall Sixth.

Neither the MAC district nor other chapters of the Zoning Code clarify what amount of commercial land area in the vicinity of a property is sufficient to meet future commercial needs. However, it is the opinion of staff that the quantity of commercial land described above is sufficient to meet the commercial land needs in the vicinity of the subject property, particularly in light of the amount



## II. VICINITY MAP:



#### **IV. ATTACHMENTS:**

- 4

## **V. SITE DATA:**

SIZE OF SITE-GROSS.....	12.28 ACRES
SIZE OF AREA PROPOSED FOR A CHANGE IN USE: .....	6.3 ACRES
MASTER PLAN DESIGNATION .....	REGIONAL ACTIVITY CENTER
EXISTING ZONING.....	MAC-MIXED-USE ACTIVITY CENTER
EXISTING USE .....	MULTIFAMILY RESIDENTIAL AND VACANT
PROPOSED USE.....	MULTIFAMILY RESIDENTIAL
EXIST ADJ ZONING & USE - NORTH.....	COUNTY FA FARMING / GREELEY LOVELAND IRRIGATION CANAL AND VACANT
EXIST ADJ ZONING & USE - SOUTH.....	B- DEV BUSINESS / PROFESSIONAL OFFICES, BANK, VETERINARIAN CLINIC
EXIST ADJ ZONING & USE - WEST.....	E - EMPLOYMENT –VACANT (BOYD LAKE VILLAGE DEVELOPMENT)
EXIST ADJ ZONING & USE - EAST.....	PUD - VACANT COMMERCIAL PROPERTY, BANK AND RESIDENTIAL TO THE NORTHEAST
UTILITY SERVICE – WATER & SEWER .....	CITY OF LOVELAND
UTILITY SERVICE - ELECTRIC .....	CITY OF LOVELAND

## **VI. BACKGROUND:**

- The Waterfall Addition was annexed into the city in January 1993.
- The Waterfall First Subdivision was approved in July 1993.
- The 12.3-acre Waterfall Sixth Subdivision was approved in December 2011.
- The Waterfall Sixth Subdivision Conceptual Master Plan was approved in December 2011.
- The Edge, a 70-unit multifamily development, was approved in June 2015 on a 4.4 acre lot within Waterfall Sixth.
- The amendment to the Waterfall Sixth Subdivision Conceptual Master Plan under consideration in the staff report was submitted in February 2017 to allow multifamily uses on a 6.3-acre portion of Waterfall Sixth that is currently designated only for commercial uses.

## **VII. STAFF, APPLICANT, AND NEIGHBORHOOD INTERACTION:**

- A. Notification:** An affidavit was received from Wendi Cudmore with McWhinney certifying that notice of this hearing was mailed to all owners of property within 900 feet of the site, and that notices were posted in prominent locations on the perimeter of the project site at least 15 days prior to the date of the Planning Commission hearing. A notice was also published in the Reporter Herald on April 8, 2017. All notices stated that a public hearing would be held by the Planning Commission on April 24, 2017 at 6:30 pm.
- B. Neighborhood Response:** A noticed neighborhood meeting was held at 5:30 p.m. on April 13, 2017 in the City of Loveland Development Center. Four persons attended the meeting along with city staff, the applicant, and representatives from the Loveland Housing

Authority, who manage the existing multifamily development in Waterfall Sixth and propose to build a second similar development next to the existing one.

Upon hearing a description of the CMP amendment application and the proposed future construction of a multifamily development on the property, there were concerns expressed by the neighbors about the increase in traffic that additional multifamily units will bring, particularly along Boyd Lake Avenue. There was also a comment that an affordable housing development could potentially cause a reduction in property values for existing single family detached and attached units in the area. In response, staff indicated that anticipated traffic volumes and patterns would be analyzed with a traffic study at the time a site development plan is submitted, and transportation improvements may be required if warranted by the traffic study. The Loveland Housing Authority stated that they do not have reason to believe that the existing The Edge development has impacted property values in the area, and therefore do not believe that an expansion of The Edge will impact property values.

## **VIII. FINDINGS AND ANALYSIS**

In this section of the report, applicable findings are recommended in italic print, followed by staff analysis as to whether the findings can be met by the submitted application. The consideration and action of the Planning Commission should focus on these findings as being the appropriate basis for their action. The rezoning findings have been applied to this application, as was done with the previous CMP amendment reviewed by the Planning Commission (Boyd Lake Village), since the amendment concerns land use.

***Finding 1.*** *The purposes set forth in Section 18.04.010 of the Loveland Municipal Code would be met if any use being requested was developed on the subject property.*

**Current Planning:** Staff believes this finding can be made, based on the following facts:

- The purposes of zoning will continue to be met with the proposed amendment to the CMP. The amendment will change the commercial land use designation of a 6.3-acre lot, which constitutes approximately half of the land area of Waterfall Sixth, from strictly *commercial* to *commercial or multifamily*. The area in Waterfall Sixth already designated as *multifamily* and the area designated as *open space* will not change with the amendment. Also, the design standards within the CMP for residential development will not change with the amendment. The amendment seeks to allow further development of a land use, multifamily residential, for which there is a high demand, in place of a land use, commercial, for which there is not a high demand in Waterfall Sixth. Development of new multifamily units on the property will be consistent with the design standards already established in the CMP and would provide a unified appearance with the existing Waterfall Sixth multifamily development.

***Finding 2.*** *Development of the subject property pursuant to any of the uses permitted by right as proposed in the plan would result in development that is compatible with existing land uses adjacent to and in close enough proximity to the subject property to be effected by development of it.*

**Current Planning:** Staff believes this finding can be made, based on the following facts:

- At the time of approval, the original CMP included a sizable percentage of residential land uses which was determined to be compatible with surrounding land uses. No new land uses are proposed for the property, but instead a continuation of the existing residential development on the property.
- At the neighborhood meeting, concerns were voiced that additional residential development would increase traffic in the area to a greater degree than commercial development, particularly along Boyd Lake Avenue. At the time a site development plan is submitted for the proposed residential development, the Transportation Development Review Division (Public Works) will review the predicted traffic volumes and patterns in a traffic study and require traffic improvements if warranted by the study.
- At the neighborhood meeting, concerns were also voiced that an affordable multifamily development may impact the property values of nearby townhome and single family developments. However, there is no evidence that the existing multifamily development in Waterfall Sixth, The Edge, has negatively impacted residential property values in the area.

**Finding 3.** *Development of the property pursuant to any of the uses permitted by right under the zoning district, and as proposed in the plan, would result in impacts on city infrastructure and services that are consistent with current infrastructure and services master plans.*

**Transportation:** Staff believes that this finding can be met, due to the following facts:

- 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.
- Analyses of traffic impacts and the description of associated required street improvements for ACF compliance are examined in detail when a specific development application is submitted. All specific development applications within this area will need to demonstrate conformance with ACF requirements with the site development plans.

**Water/Wastewater:** Staff believes that this finding can be met, due to the following facts:

- This site is situated within the City's current service area for both water and wastewater. The site does not currently have water or wastewater service from the City. Upon development the extension of water and wastewater facilities will be required to serve the site.
- The proposed amendment request will not interfere with, or prevent, the provision of any of the area's (neighborhood's) existing, planned, or previously committed services.

**Power:** Staff believes that this finding can be met, due to the following facts:

- This site is situated within the City's current service area for power. Upon development the extension of power throughout the site will be from existing electric vaults located in E 15th Street. The proposed development will not negatively affect the city power utility.
- The proposed amendment request will not interfere with, or prevent, the provision of any of the area's (neighborhood's) existing, planned, or previously committed services.

**Stormwater:** Staff believes that this finding can be met, due to the following facts:

- Stormwater facilities will be required to adequately detain and release stormwater runoff in a manner that will eliminate off-site impacts. When designed and constructed, the development will not negatively affect City storm drainage utilities.

**Fire:** Staff believes that this finding can be met, due to the following facts:

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

***Finding 4.*** *Development of the subject property pursuant to any of the uses permitted by right under the zoning district, and as proposed in the plan, would result in development that is consistent with the policies contained in the Loveland Comprehensive Plan.*

**Current Planning:** Staff believes this finding can be made, based on the following facts:

- The amendment would allow for a development of a use, affordable multifamily housing, that is promoted by the Comprehensive Plan and more in demand in the immediate vicinity of the subject property than commercial land uses. While the Comprehensive Plan generally promotes development of commercial land uses within the city, the applicant has submitted a market analysis that demonstrates that sufficient land area is devoted to commercial uses within the vicinity of the subject property to meet future commercial needs and demands.
- The approved development standards in the amended CMP are not proposed to change. The standards promote high quality development, which is consistent with the philosophies in the Comprehensive Plan.

***Finding 5.*** *Development of the subject property pursuant to any of the uses permitted by right under the zoning district, and as proposed in the plan, would result in development that would not be detrimental to the health, safety, or welfare of the neighborhood or general public.*

**Current Planning:** Staff believes this finding can be made, based on the following facts:

- At the time of approval of the original CMP, the city determined that development of multifamily residential uses would not be detrimental to the health, safety or welfare of the neighborhood or general public. The amendment requests to change the *commercial* designation of the remaining undeveloped area of Waterfall Sixth to a *commercial and multifamily* designation to develop a residential use similar to that already constructed in Waterfall Sixth. An additional multifamily development within Waterfall Sixth should not be detrimental to the health, safety and welfare of the neighborhood or general public.

## **IX. RECOMMENDED CONDITIONS:**

There are no staff recommended conditions for these applications.

PLANNING COMMISSION

**RESOLUTION NO. 17-02**

**A RESOLUTION APPROVING AN AMENDMENT TO THE CONCEPTUAL MASTER PLAN OF THE WATERFALL SIXTH SUBDIVISION, CITY OF LOVELAND, LARIMER COUNTY, COLORADO ZONED AS A MIXED-USE ACTIVITY CENTER DISTRICT**

**WHEREAS**, Lot 1, Block 1, Waterfall Subdivision, was zoned Mixed-Use Activity Center (“MAC”) District on December 6, 2011, pursuant to Ordinance No. 5656; and

**WHEREAS**, the Waterfall Sixth Subdivision, being a minor subdivision of Lot 1, Block 1, Waterfall Subdivision and more fully described below, was reviewed in conjunction with the rezoning of the property to the MAC district and approved by the City on December 14, 2011; and

**WHEREAS**, a Conceptual Master Plan (“CMP”) for the Waterfall Sixth Subdivision was approved in conjunction with the rezoning to MAC, pursuant to the requirements of the MAC district; and

**WHEREAS**, the CMP depicts an allocation of land uses that includes no more than 50% of land area devoted to residential uses, with the remaining land devoted to commercial uses; and

**WHEREAS**, the applicant desires to develop residential uses on the entire Waterfall Sixth Subdivision; and

**WHEREAS**, an amendment to the CMP for the Waterfall Sixth Subdivision (the “CMP Amendment”), attached hereto as **Exhibit “A”** and incorporated by reference, was submitted to the Planning Commission for consideration pursuant to Chapter 18.29.050(B) of the Loveland Municipal Code to (the “City Code”) allow residential uses on the entire Waterfall Sixth Subdivision; and

**WHEREAS**, in compliance with City Code Section 18.29.060(6), in conjunction with the request for more than 50% of the land area to be devoted to residential uses, the applicant submitted a market analysis demonstrating that sufficient land area within the vicinity of the project is devoted to commercial use; and

**WHEREAS**, pursuant to City Code Section 18.29.050(B), the City of Loveland Planning Commission (the “Commission”) held a public hearing on April 24, 2017, to consider the CMP Amendment; and

**WHEREAS**, at said hearing the recommendations of the Current Planning Division were received and duly considered by the Commission, as well as all necessary testimony by the applicant and public; and

**WHEREAS**, the Commission considered the application for the CMP Amendment in light of the intent and objectives of Chapter 18.29 of the City Code, and more specifically the factors set forth in Section 18.29.060(6) and determined that the CMP Amendment meets such intent and

objectives.

**NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF LOVELAND, COLORADO:**

**Section 1.** That the CMP Amendment applies to the following described real property:

LOT 1 AND OUTLOTS 1 & 2, BLOCK 1, WATERFALL SIXTH SUBDIVISION,  
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 5  
NORTH, RANGE 68 WEST OF THE 6TH PM, CITY OF LOVELAND, COUNTY OF  
LARIMER, STATE OF COLORADO

(the "Property").

**Section 2.** That the Commission hereby adopts the findings and conclusions regarding the CMP Amendment in Section VIII of the Staff Report dated April 24, 2017, for the reasons set forth therein, as its written findings and conclusions.

**Section 3.** That the CMP Amendment for the Property is hereby approved, consistent with the recommendations of said Staff Report, as amended on the record by the Planning Commission at the public hearing on April 24, 2017.

**Section 3.** That this Resolution shall be recorded with the Clerk and Recorder for Larimer County, Colorado.

Signed this \_\_\_\_\_ day of April, 2017.

**LOVELAND PLANNING COMMISSION**

\_\_\_\_\_  
Jeremy Jersvig, Planning Commission Chair

ATTEST:

\_\_\_\_\_  
Planning Commission Secretary

APPROVED AS TO FORM:

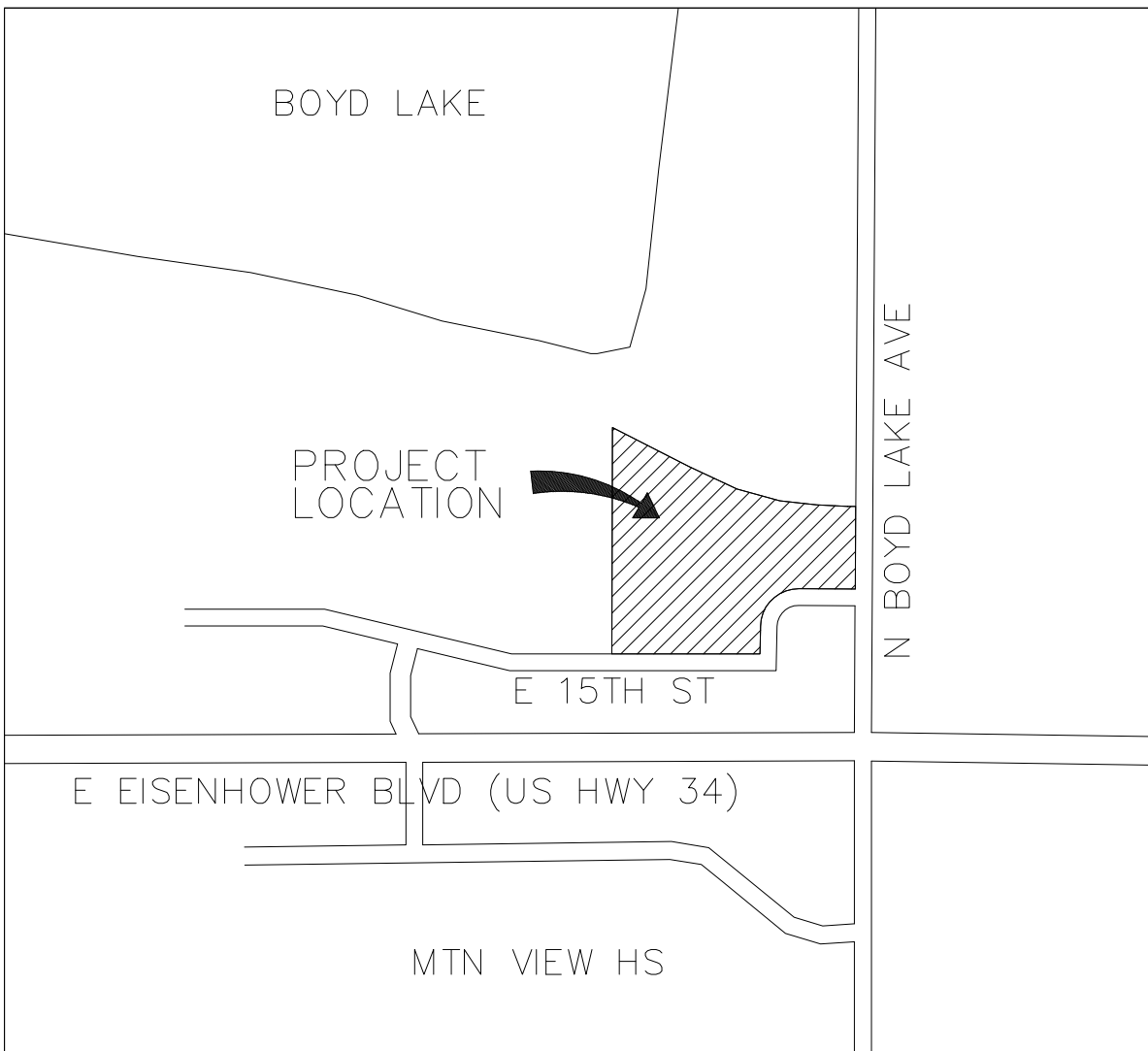
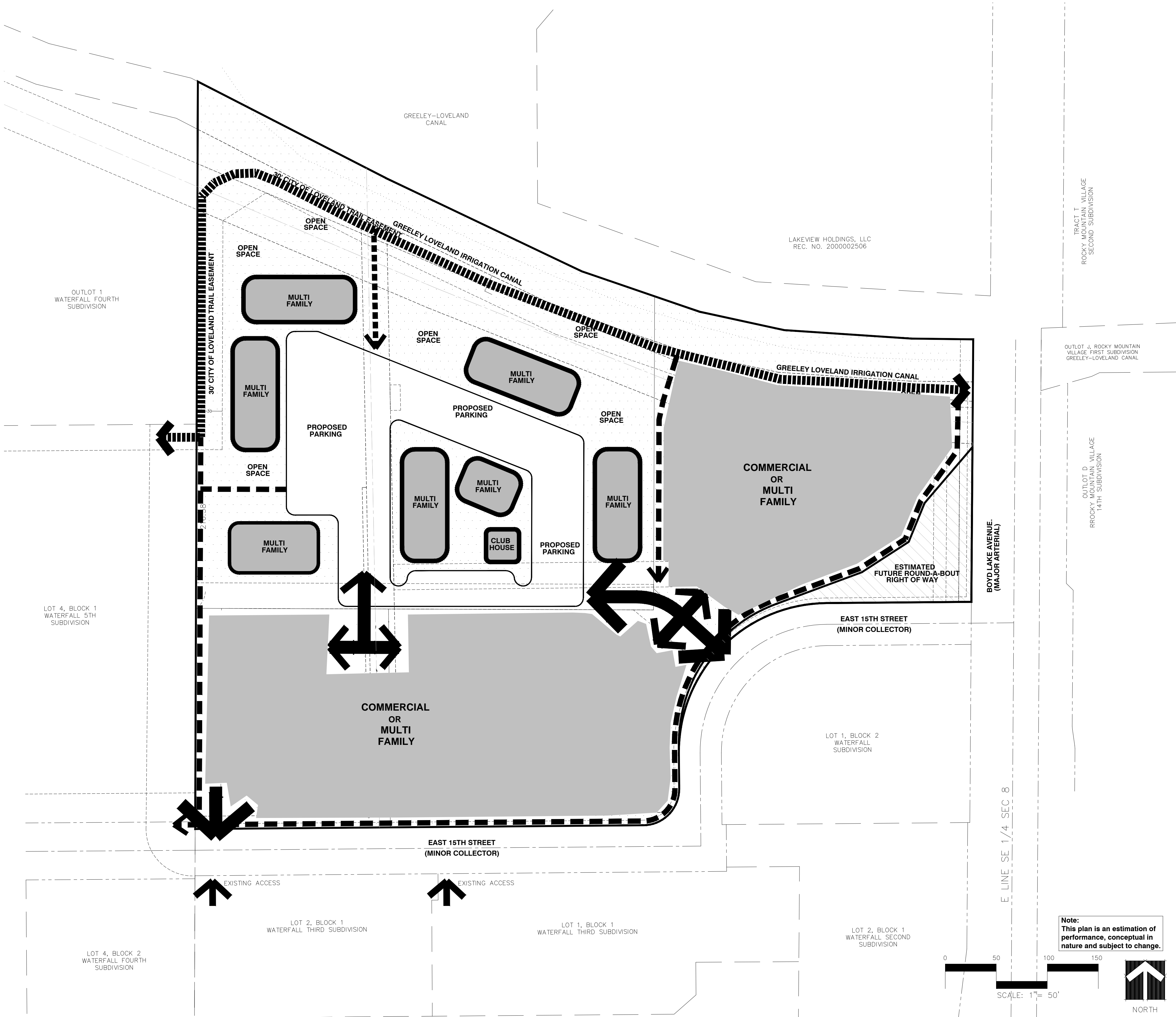
  
Assistant City Attorney

A RESOLUTION APPROVING AN AMENDMENT TO THE CONCEPTUAL MASTER PLAN OF THE WATERFALL SIXTH SUBDIVISION, CITY OF LOVELAND, LARIMER COUNTY, COLORADO ZONED AS A MIXED-  
USE ACTIVITY CENTER DISTRICT



WATERFALL SIXTH SUBDIVISION – MAC MASTER PLAN

BEING A SUBDIVISION OF LOT 1, BLOCK 1, WATERFALL SUBDIVISION  
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 68 WEST  
OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF LOVELAND, COUNTY OF LARIMER, STATE OF COLORADO



LEGEND:

- PEDESTRIAN CONNECTION SIDEWALK/TRAIL (thick dashed line)
- PEDESTRIAN CONNECTION SIDEWALK/TRAIL (thin dashed line)
- OPEN SPACE (hatched area)
- EXISTING ACCESS (arrow)
- PROPOSED ACCESS (thick arrow)

SIGNATURES:

- Approval blanks to be show as follows:
- A. Approved this \_\_\_ day of \_\_\_, 20\_\_\_, by the Current Planning Manger of the City of Loveland, Colorado.
- Current Planning Manger
- B. Approved this \_\_\_ day of \_\_\_, 20\_\_\_, by the City Engineer of the City of Loveland, Colorado.
- City Engineer
- C. Approved this \_\_\_ day of \_\_\_, 20\_\_\_, by the City Attorney of the City of Loveland, Colorado.
- City Attorney

OWNERS CERTIFICATION:

KNOW ALL MEN BY THESE PRESENTS THAT:  
Being all the lawful recorded owners of the property shown on this Rezone, except any existing public streets, roads, or highways, do hereby certify that I consent to the recordation of any information pertaining thereto.

OWNER:  
MBL 34, LLC, A COLORADO LIMITED LIABILITY COMPANY

NAME: TITLE:

STATE OF COLORADO)

) ss.

COUNTY OF LARIMER)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS (DATE)

2017, BY AS OF

MBL 34, LLC A COLORADO LIMITED LIABILITY COMPANY.

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES

NOTARY PUBLIC

OWNER:  
THE EDGE, LLLP, A COLORADO LIMITED LIABILITY PARTNERSHIP

NAME: TITLE:

STATE OF COLORADO)

) ss.

COUNTY OF LARIMER)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS (DATE)

2017, BY AS OF

MBL 34, LLC A COLORADO LIMITED LIABILITY COMPANY.

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES

NOTARY PUBLIC

REVISIONS		DESCRIPTION
DATE	2/08/17	1st AMENDMENT
BY		
DRAWN		
CHECKED		
DESIGNED		
FILENAME		
WATERFALL SIXTH SUBDIVISION – 1st AMENDMENT		
MASTER PLAN		
MIXED USE ACTIVITY CENTER DISTRICT		
DATE	02/25/2011	
REVISION	02-08-2017	
JOB NO.		
SCALE		
SHEET		
1 of 2		



WATERFALL SIXTH SUBDIVISION – MAC MASTER PLAN  
DESIGN STANDARDS

ARCHITECTURE

Unifying Architectural Elements

1. Color Palette:

- All buildings shall utilize a rich earth tone palette of colors that includes the warm hues of brown, russet, clay, tans, buffs and creams. Materials used as the dominant/primary cladding of the sides of buildings and roofs shall not include primary colors or cool hues of blue, gray and green.
- Specific color ranges for the following materials are required:
  - Brick color shall be an earth tone reddish/brown color consistent on all buildings within the master plan.
  - Stone shall be a buff sandstone color consistent on all buildings within the master plan.
  - Stucco shall be warm earth tone colors ranging from buff to tan to brown.
  - Roof shingles shall be brown or similar to weathered wood.
  - Standing seam metal roofs shall be bronze or warm gray.
- The photos below in Illustrations 1 - 3 depict buildings utilizing the required color palette, allowed materials, entry elements and wainscot for reference.



Illustration 1



Illustration 2



Illustration 3

2. Materials:

- All nonresidential structures shall contain a combination of stone, brick and stucco on all building facades. Nonresidential structures shall also contain a minimum of a brick or stone wainscot on each façade and shall have brick or stone vertical architectural enhancements or columns at the main entry.
- Residential structures shall contain either brick or stone along with stucco and/or siding. It is intended for the buildings to have “four sided” architecture where each façade shall include the same materials but the percentage of the use of each material may vary. Individual garage buildings located internal to the site are not required to have any brick or stone.
- Metal used for exposed plates, connectors, railings, stairs, etc. shall be a consistent design and color throughout the residential buildings and throughout the nonresidential buildings in the master plan.
- Standing seam metal roofs may be used to accent entries, outdoor porches, porte cocheres and similar but shall not be the main dominant roof material.

3. Architectural Detailing: Decorative roof trusses or brackets shall be incorporated into each building design. Refer to Illustration 1 for an example.

4. Roof Forms:

- Nonresidential buildings shall incorporate a combination of flat and shallow (6:12 or less) sloped roofs with the dominant form being the sloped roof. Hip roof configurations must be the dominate sloped roof form.
- Residential buildings shall utilize shallow (6:12 or less) sloping roofs and/or flat roofs.

SITE PLANNING

Building Orientation

Buildings shall be clustered and centered on open space areas and outdoor plazas. Buildings located along East 15th Street and Boyd Lake Avenue shall orient and face onto these roadways. For development fronting on Boyd Lake Avenue, buildings must be oriented towards Boyd Lake Avenue in a reverse mode design and comprise more than 50% of the linear lot frontage along this roadway . All parking spaces fronting onto Boyd Lake Avenue shall be 100% screened with landscaping to a minimum 3'-0" height.

Access and Circulation

- A continuous primary pedestrian route shall connect buildings and focal points within the development, such as plazas, building entrances and the pedestrian trail. When a primary pedestrian pathway crosses a parking lot or drive aisle, the crossing shall be delineated by a change in paving material and pattern, consistent throughout the development. The primary pedestrian route shall feature an adjoining landscaped area on a least one side with trees, shrubs, benches, ground covers or other such materials for no less than 50% of the length of the pedestrian route. At the time of a Site Development Plan approval to the City for any portion of the master plan, the primary pedestrian route will be determined for that portion of the master plan.
- Provide pedestrian and vehicular connectivity between uses.
- The extension of the existing sidewalk along 15th Street shall be a 6' wide detached sidewalk except when adjacent to the existing large cottonwood trees where the narrow space between the curb and the trees makes an attached sidewalk a better alignment. For detached sidewalks, a tree lawn of drought tolerant turf and shade trees planted at a maximum of 40' on center shall be planted between the sidewalk and the curb.

Site Lighting

- Nonresidential: All buildings and sites shall use the same design and color fixtures including poles and bases.
- Residential: All buildings and sites shall use the same design and color fixtures including poles and bases.

SIGNAGE

- Nonresidential: A planned sign program will be developed prior to any sign construction within the nonresidential development to insure consistent sign design and location for wall mounted and freestanding signs within the development. The master plan shall be considered a premise for the purpose of calculating the maximum number of freestanding signs.
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Stone columns and vertical brick elements at entry

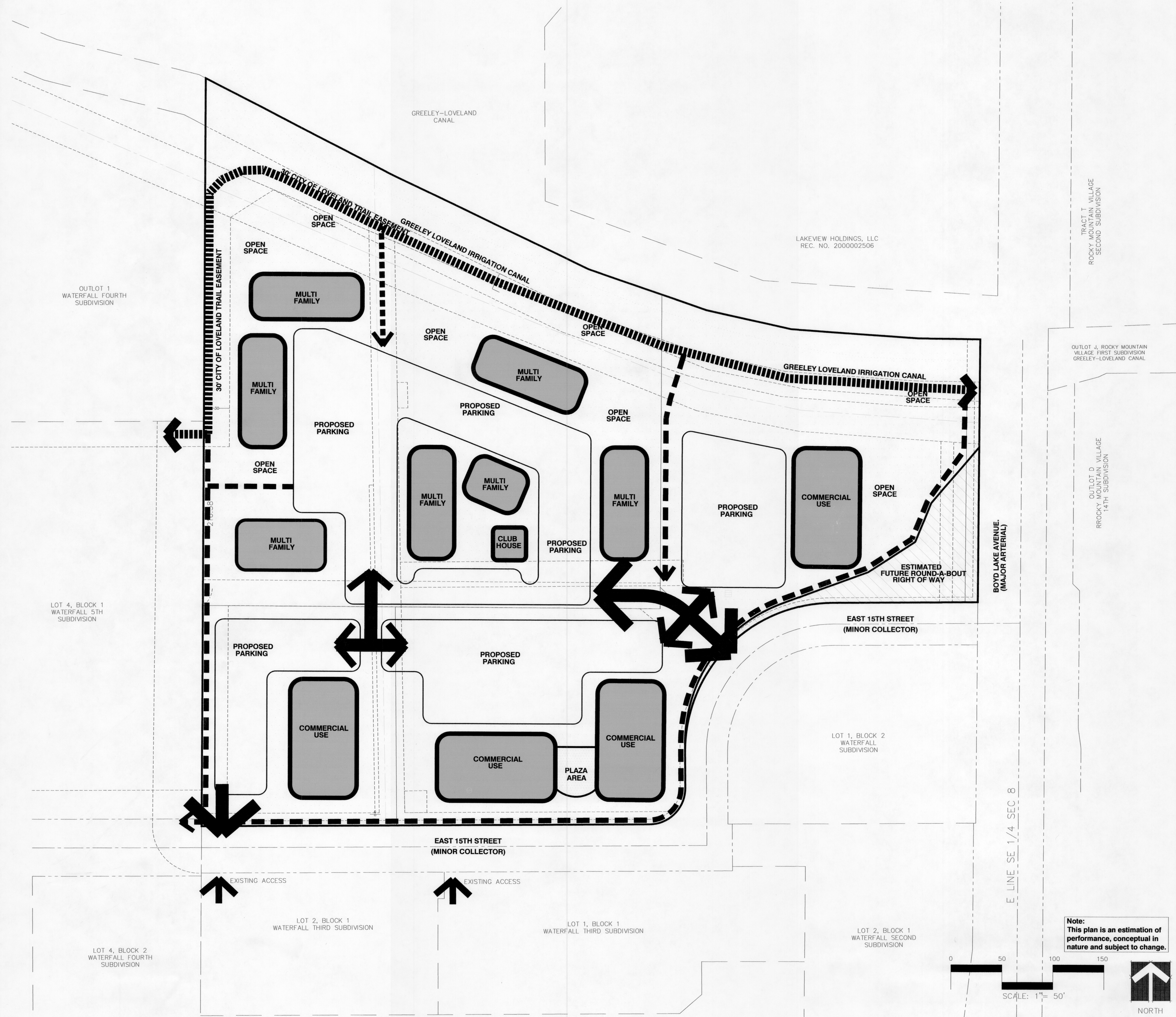


REVISIONS	DESCRIPTION	DATE	BY
	1st AMENDMENT	02/08/17	
DRAWN			
CHECKED			
DESIGNED			
FILENAME			
WATERFALL SIXTH SUBDIVISION – 1st AMENDMENT			
MASTER PLAN			
MIXED USE ACTIVITY CENTER DISTRICT			
JOB NO.			
SCALE			
DATE 02/08/2017			
SHEET 2 of 2			



# WATERFALL SIXTH SUBDIVISION – MAC MASTER PLAN

BEING A SUBDIVISION OF LOT 1, BLOCK 1, WATERFALL SUBDIVISION  
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 68 WEST  
OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF LOVELAND, COUNTY OF LARIMER, STATE OF COLORADO



## LEGEND:

- PEDESTRIAN CONNECTION SIDEWALK/TRAIL
- PEDESTRIAN CONNECTION SIDEWALK/TRAIL
- OPEN SPACE
- EXISTING ACCESS
- PROPOSED ACCESS

## SIGNATURES:

- Approval blanks to be show as follows:
- A. Approved this 22<sup>nd</sup> day of December, 2011, by the Current Planning Manger of the City of Loveland, Colorado.  
  
Current Planning Manger
  - B. Approved this 22<sup>nd</sup> day of December, 2011, by the City Engineer of the City of Loveland, Colorado.  
  
City Engineer
  - C. Approved this 20<sup>th</sup> day of December, 2011, by the City Attorney of the City of Loveland, Colorado.  
  
City Attorney
  - D. Approved this 19 day of Dec, 2011, by the City Planning Commission of the City of Loveland, Colorado.  
  
Chairperson
  - E. Approved this    day of   , 20  , by the City Council of the City of Loveland, Colorado.  
  
Mayor Attest

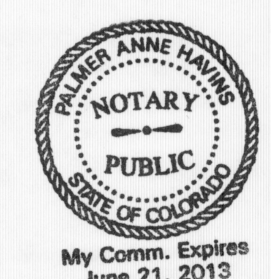
## OWNERS CERTIFICATION:

KNOW ALL MEN BY THESE PRESENTS THAT:  
Being all the lawful recorded owners of the property shown on this Rezone, except any existing public streets, roads, or highways, do hereby certify that I consent to the recordation of any information pertaining thereto.

OWNER:  
MBL 34, LLC, A COLORADO LIMITED LIABILITY COMPANY  
By: Douglas L. Hill, a Colorado Corporation, Manager  
NAME: Douglas L. Hill TITLE: Chief Operating Officer  
STATE OF COLORADO)  
) ss  
COUNTY OF LARIMER)

The forgoing instrument was acknowledged before me this 15<sup>th</sup> day of December, 2011, by Douglas L. Hill, as Chief Operating Officer of McWhinney Real Estate Services, Inc., a Colorado Corporation, as Manager of MBL 34, LLC a Colorado limited liability company.

WITNESS MY HAND AND OFFICIAL SEAL.  
MY COMMISSION EXPIRES June 21, 2013  
NOTARY PUBLIC



REVISIONS		DESCRIPTION
BY	DATE	COMMENTS TO FIRST ROUND REVISIONS
SS	8/20/11	COMMENTS TO SECOND ROUND REVISIONS
CE	8/28/11	COMMENTS TO THIRD ROUND REVISIONS
CE	8/29/11	
DRAWN		
CHECKED		
DESIGNED		
FILENAME		
WATERFALL SIXTH SUBDIVISION		
MASTER PLAN		
MIXED USE ACTIVITY CENTER DISTRICT		
DATE	02/25/2011	
REVISION	09-06-2011	
JOB NO.		
SCALE		
SHEET	1 of 2	



WATERFALL SIXTH SUBDIVISION – MAC MASTER PLAN  
DESIGN STANDARDS

ARCHITECTURE

Unifying Architectural Elements

1. Color Palette:

- All buildings shall utilize a rich earth tone palette of colors that includes the warm hues of brown, russet, clay, tans, buffs and creams. Materials used as the dominant/primary cladding of the sides of buildings and roofs shall not include primary colors or cool hues of blue, gray and green.
- Specific color ranges for the following materials are required:

Brick color shall be an earth tone reddish/brown color consistent on all buildings within the master plan.

Stone shall be a buff sandstone color consistent on all buildings within the master plan.

Stucco shall be warm earth tone colors ranging from buff to tan to brown.

Roof shingles shall be brown or similar to weathered wood.

Standing seam metal roofs shall be bronze or warm gray.

- The photos below in Illustrations 1 - 3 depict buildings utilizing the required color palette, allowed materials, entry elements and wainscot for reference.



Illustration 1



Illustration 2



Illustration 3

2. Materials:

- All nonresidential structures shall contain a combination of stone, brick and stucco on all building facades. Nonresidential structures shall also contain a minimum of a brick or stone wainscot on each façade and shall have brick or stone vertical architectural enhancements or columns at the main entry.
- Residential structures shall contain either brick or stone along with stucco and/or siding. It is intended for the buildings to have “four sided” architecture where each façade shall include the same materials but the percentage of the use of each material may vary. Individual garage buildings located internal to the site are not required to have any brick or stone.
- Metal used for exposed plates, connectors, railings, stairs, etc. shall be a consistent design and color throughout the residential buildings and throughout the nonresidential buildings in the master plan.
- Standing seam metal roofs may be used to accent entries, outdoor porches, porte cocheres and similar but shall not be the main dominant roof material.

3. Architectural Detailing: Decorative roof trusses or brackets shall be incorporated into each building design. Refer to Illustration 1 for an example.

4. Roof Forms:

- Nonresidential buildings shall incorporate a combination of flat and shallow (6:12 or less) sloped roofs with the dominant form being the sloped roof. Hip roof configurations must be the dominate sloped roof form.
- Residential buildings shall utilize shallow (6:12 or less) sloping roofs and/or flat roofs.

SITE PLANNING

Building Orientation

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Site Lighting

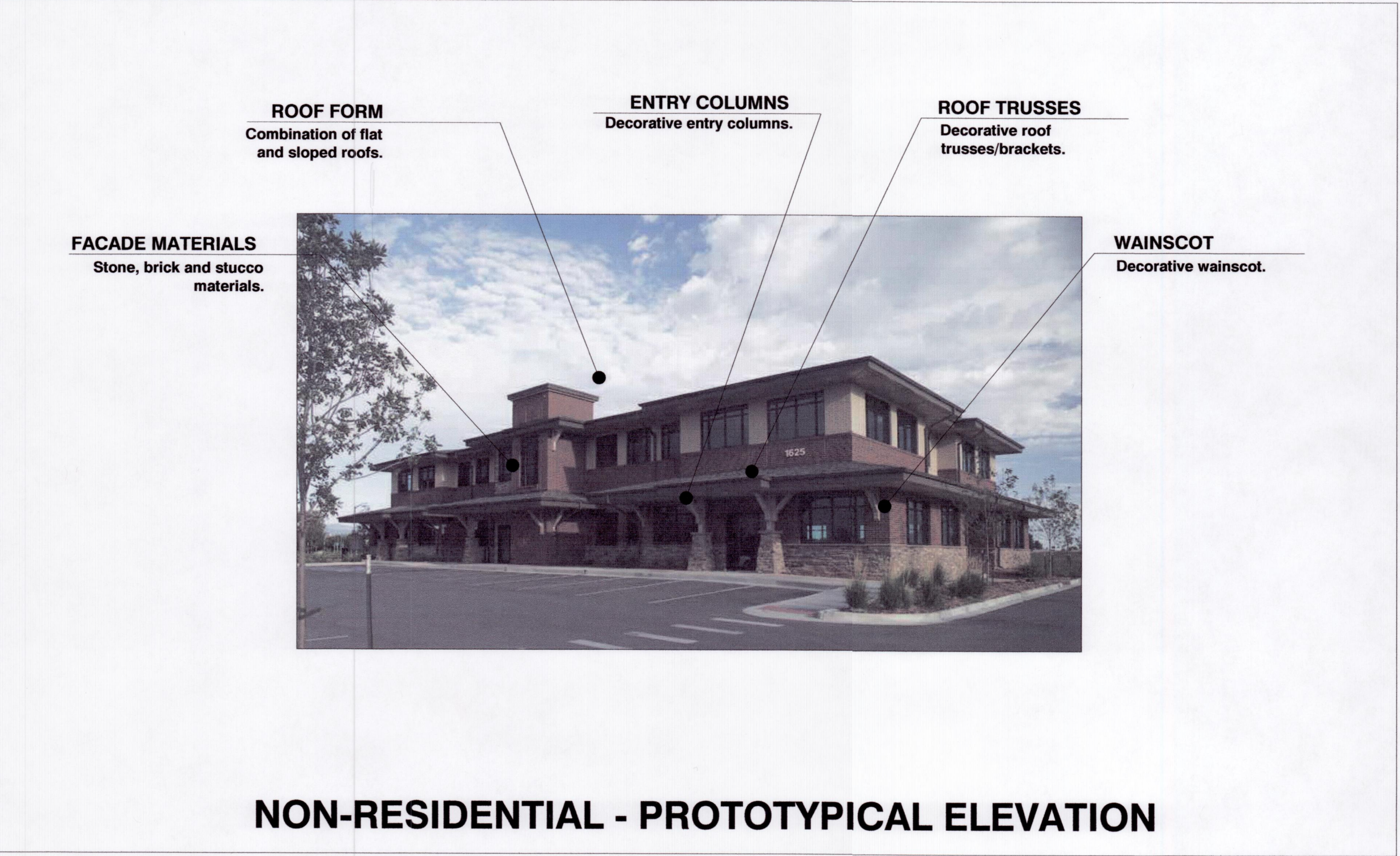
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Note: Elevation shows the intended massing of the building and not the materials used for the facade.



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Stone columns and vertical brick elements at entry



<div>REVISIONS</div> <table><tr><th>BY</th><th>DATE</th><th>DESCRIPTION</th></tr><tr><td>SS</td><td>6/20/11</td><td>COMMENTS TO FIRST ROUND REVISIONS</td></tr><tr><td>CE</td><td>8/08/11</td><td>COMMENTS TO SECOND ROUND REVISIONS</td></tr><tr><td>CE</td><td>8/29/11</td><td>COMMENTS TO THIRD ROUND REVISIONS</td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td colspan="3">DRAWN</td></tr><tr><td colspan="3">CHECKED</td></tr><tr><td colspan="3">DESIGNED</td></tr><tr><td colspan="3">FILENAME</td></tr><tr><td colspan="3">WATERFALL SIXTH SUBDIVISION</td></tr><tr><td colspan="3">MASTER PLAN</td></tr><tr><td colspan="3">MIXED USE ACTIVITY CENTER DISTRICT</td></tr><tr><td colspan="3">JOB NO.</td></tr><tr><td colspan="3">SCALE</td></tr><tr><td colspan="3">DATE</td></tr><tr><td colspan="3">09/06/2011</td></tr><tr><td colspan="3">SHEET</td></tr><tr><td colspan="3">2 of 2</td></tr></table>		BY	DATE	DESCRIPTION	SS	6/20/11	COMMENTS TO FIRST ROUND REVISIONS	CE	8/08/11	COMMENTS TO SECOND ROUND REVISIONS	CE	8/29/11	COMMENTS TO THIRD ROUND REVISIONS																DRAWN			CHECKED			DESIGNED			FILENAME			WATERFALL SIXTH SUBDIVISION			MASTER PLAN			MIXED USE ACTIVITY CENTER DISTRICT			JOB NO.			SCALE			DATE			09/06/2011			SHEET			2 of 2		
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772 Whalers Way, Suite 200  
Fort Collins, Colorado 80525  
Tel +1 970 776 3900  
Fax +1 970 267 7419  
cushwake.com

February 13, 2017

Ms. Kim Perry, VP Community Design and Neighborhood Development  
McWhinney  
2725 Rocky Mountain Ave, #200  
Loveland, CO 80538

**Re: Waterfall Study: Commercial Land Uses**

Dear Ms. Perry:

At your request we have attached our study of commercial land uses in the vicinity of the Waterfall development in Loveland. If you have any questions regarding our findings, please do not hesitate to contact us.

Best Regards,

A handwritten signature in black ink, appearing to read "Russell Baker".

**Russell Baker**  
Director  
Direct 970.267.7721  
Mobile 303.591.3598  
russell.baker@cushwake.com

A handwritten signature in black ink, appearing to read "John Baker".

**John Baker**  
Associate Vice President  
Direct 970.267.7402  
Mobile 772.473.1932  
john.baker@cushwake.com

ATTACHMENT C

## **Waterfall Study: Commercial Land Uses**

**Background:** Waterfall is a property off Boyd lake Avenue and 15<sup>th</sup> Street in Loveland, Colorado, and is zoned “MAC” as a Mixed Use Activity Center District. By definition from the City of Loveland Zoning Code, Title 18, Chapter 18.29, the purpose of “MAC District” is as follows:

### Chapter 18.29 MAC DISTRICT – MIXED-USE ACTIVITY CENTER DISTRICT

18.29.010 Purpose. The Mixed-use Activity Center (MAC) District is intended to be applied to areas designated as mixed-use activity centers by the Land Use Plan. This district may also be used in other appropriate locations, such as along existing commercial corridors, or in residential areas to provide larger neighborhood-serving commercial centers. MACs may include a wide variety of retail and commercial uses serving the surrounding area as well as larger retail uses serving a community-wide or regional market. Such areas may also include residential and office uses adjacent to the MAC’s core or above ground floor retail. Such centers are typically located at major road and highway intersections, or along major corridors and are predominantly auto-oriented. However, the center should be designed to provide convenient access to and from adjacent neighborhood(s) for pedestrians and bicyclists.

18.29.020 Uses permitted by right. The following uses are permitted by right in a MAC district (Listed below are the Residential Uses)

- HH. Dwelling, attached single-family;
- II. Dwelling, detached single-family;
- JJ. Dwelling, multi-family;
- KK. Dwelling, two-family;
- LL. Elderly housing;
- MM. Dwelling, mixed use;

Table 18.29.060 Schedule of Flexible Standards

<i>Chapter 18.29 MAC and E Districts</i> Schedule of Flexible Standards								
Non-Residential				Residential				
District	Front Bldg. Setback (1)	Rear & Side Bldg. Setbacks (2)	Bldg. Height (3)	Residential Density	Front (2)	Rear (2)	Side (2)	Height
MAC- Community Activity Center	I-25: 80 ft Arterial: 35 ft Non-Arterial: 25 ft	See buffer requirements, Section 4.04 SDPSG	50 ft (4) 120 ft (5)	Up to 16du/ac (6) (7)	20 ft	15 ft	5 ft	40 ft
E-Employment Center	I-25: 80 ft Arterial: 35 ft Non-Arterial: 25 ft	See buffer requirements Section 4.04 SDPSG	50 ft (4) 120 ft (5)	Residential up to 20% of total project area, up to 16du/ac (7)	20 ft	15 ft	5 ft	40 ft

### Footnotes

(6) There shall be no limit on the amount of land area within a MAC district that may be devoted to residential use; however, for projects exceeding fifty percent residential land area, the applicant must demonstrate that sufficient land area is devoted to commercial use within the project, or within the vicinity of the project, to meet future commercial needs and demands. Such evidence may consist of a market analysis and/or an analysis of development trends and existing and proposed land uses within the vicinity of the project.

(7) Maximum number of dwelling units permitted per acre. The density calculation shall include the gross land area dedicated to residential use, including roads, drainage areas and open space within and serving the residential component of the project. Residential units that are part of a building that includes non-residential uses (mixed-use) shall not be included in the residential density calculation.

**Current Issue:** Waterfall is approximately 12.3 acres of land. Currently, there are 4.4 acres developed with 70 units of multifamily residences constructed and owned by the Loveland Housing Authority (“LHA”). The initial phase has been very successful. LHA would like to continue to develop the same design multifamily residences on the remainder of the property. This will would mean that 100% of the Waterfall property would be comprised of residential land use.

Based on Footnote 6 from Table 18.29.060, the applicant needs to demonstrate there is sufficient land area devoted to commercial use within the vicinity of the project to meet future commercial needs and demands in order for more than fifty percent of the MAC property to be developed with residential use.

**Request for City Approval:** The Waterfall land owner and LHA would like the City to make the finding that there is sufficient commercial use in the vicinity to allow 100% of Waterfall to be developed as residential use.

**Commercial Market Analysis:** A market analysis of existing commercial development and land zoned for commercial use is provided to support the requirement for sufficient commercial use within the vicinity of the project.

The study was performed in the following manner:

1. Review the City of Loveland Zoning Map and record all of the land that is zoned for Commercial Uses (excluding residential, public, recreational, etc. land uses) defined as those Uses Permitted by Right of a commercial nature in the MAC.
2. Use Larimer County Assessor to define each Commercial Use parcel and track on an Excel document:
  - Parcel Number
  - Acre Size
  - Owner
  - Land Description
3. Cross-Reference Larimer County Assessor Parcels with CoStar data and add:
  - Square footage of buildings (if any)
  - Tenants (if any)

**Results:**

Based on the results of the Waterfall Study for Commercial Use there is substantial documentation that supports the requirement for sufficient amount of commercial use in the vicinity of Waterfall to allow the remaining property to be developed as multifamily residential.

In addition, the Waterfall property is better suited for residential uses rather than commercial uses. There is no visibility of the property from Hwy. 34 which is problematic for most commercial uses.

**Waterfall Study: Commercial (Existing vs. Vacant) Land Uses**

Summary of Findings			
Total Approx. Commercial Acres in Vicinity	6,540.77		
		Total Shovel Ready Sites (Acres)	946.95
		Total Existing Commercial Uses (Acres)	523.65
		Total Existing Buildings for Commercial Uses (Square Feet)	4,587,992





Parcel Number	Acre Size	Sq. Ft. of building(s), if any	Owner	Land Description	Zoning	Property Type	Column1
85073-34-001	0.79	2440	The Bailey Company (c/o Savage Savage and Brown, Inc.)	Fast Food Restaurant - Arby's	B - Developing Business	Commercial	
85073-34-002	0.79	22368	8th Ave Lodging LLC	Hotel (Quality Inn/ Rodeway Inn)	B - Developing Business	Commercial	
85073-34-003	0.79	12240	8th Ave Lodging LLC	Motel (Travelodge/Super 8)	B - Developing Business	Commercial	
85073-32-005	0.92	4184	Terrono LLC	Restaurant - 3 Margaritas	B - Developing Business	Commercial	
85073-32-006	1.44	30218	CF Hospitality Inc	Motel - Comfort Inn	B - Developing Business	Commercial	
85074-92-002	3.81	34737	34 MarketPlace II LLC	Community Shopping Center (daVida, Mattress Firm, UPS, Supercuts, Smash Burger, Subway, Big City Burrito, Batteries Plus, Dazbog Coffee, Nick & Willy's, Earle's, H&R Block, etc.)	P-70 - 34 Marketplace PUD	Commercial	
85074-92-001	1.05		34 Market Place LLC	Parking Lot	P-70 - 34 Marketplace PUD	Commercial	
85084-14-002	5.15	35553	JMC Real Estate Company LLP	Medical Offices (OCR)	E - Employment Center District	Commercial	
85084-19-100	0.38	3818	Reynolds Property Holdings LLC (Crane BLV Properties LLC, RJH Properties LLC)	Medical Offices (Craine Orthodontics, Urology, Reynolds Oral and Facial Surgery)	E - Employment Center District	Commercial	
85084-12-002	1.07	10134	Kirk Holdings LLC	Office Building (Kirk Eye Center)	B - Developing Business	Commercial	
85084-13-101	0.21	2739	3760 E. 15th LLC (c/o R Bruce and R Wayne Holder)	Office Building (Edward Jones, Prudential)	B - Developing Business	Commercial	
85084-11-101	0.2	2476	EELL LLC (Alan & Nancy Houser)	Office Building (State Farm, Good Day Pharmacy)	B - Developing Business	Commercial	
85090-00-008	0.31	4552	(Loveland MFI LLC??)	Mattress Firm	?	None listed	
85094-77-002	1.73	6271	Centerra Ground Leases LLC	Restaurant (Old Chicago's)	P-12 - Gateway, PUD	Commercial	
85094-52-001	1.38	7449	Centerra Ground Leases LLC	Restaurant (Mimi's)	P-12 - Gateway, PUD	Commercial	
85094-09-008	1.72	2493	Centerra Ground Leases LLC	Fast Food Restaurant (Starbucks/Chick fil A)	P-12 - Gateway, PUD	Commercial	
85094-09-004	1.29	6808	Centerra Marketplace Properties LLC	Land - special purpose (Buffalo Wild Wings)	P-12 - Gateway, PUD	None listed	
85094-12-002	1.42	6245	Centerra Marketplace Properties LLC	Restaurant (Johnny Carinos)	P-12 - Gateway, PUD	Commercial	
85094-12-001	1.48	5520	Centerra Marketplace Properties LLC	Land - speical purpose (Chili's)	P-12 - Gateway, PUD	None listed	
85094-09-002	0.99	3265	SALG Family LLC	Fast Food Restaurant (Wendy's)	P-12 - Gateway, PUD	Commercial	
85094-09-001	1.5	14505	Bridger Development Company LLC	Neighborhood Shopping Center (Bentley's Liquor, Yoga, Subway, Q'doba, Scrub House)	P-12 - Gateway, PUD	Commercial	
85094-09-005	9.13	122493	Dayton Hudson Corp (Target Corp)	Discount Store (Target)	P-12 - Gateway, PUD	Commercial	
85094-48-001	3.4	32636	Anderson Loveland LLC (c/o James E Anderson)	Community Shopping Center (PetSmart, Pier 1 Imports, Perfect Teeth)	P-12 - Gateway, PUD	Commercial	
85094-29-001	3.58	46158	Spirit SPE Portfolio 2012-4 LLC (c/o Spirit Realty Capital)	Warehouse Discount Store (Sportsman Warehouse)	P-12 - Gateway, PUD	Commercial	
85094-72-003	23.79	35544	Centerra Retail Shops LLC	Communtiy Shopping Center (JoAnn's, Bed Bath & Beyond, Marshall's, Ross, Old Navy, Payless Shoes, Maurices, Shoe Carnival, Staples, Massage Envy, Noodles, Panera, Menchies, 5 Star Nails, CPR, Jimmy Johns, Sport Clips, Chipotle, etc.)	P-12 - Gateway, PUD	Commercial	
85103-16-901	2.19	5870	Loveland Chamber of Commerce Visitor Center	Institutional	P-12 - Gateway, PUD	None listed	
85103-22-002	1.05	3494	Harman Management Corporation	Fast Food Restaurant (KFC/Taco Bell)	P-12 - Gateway, PUD	Commercial	
85103-22-001	1.00	4105	Centerra Marketplace Properties LLC c/o McDonalds	Fast Food Restaurant (McDonald's)	P-12 - Gateway, PUD	None listed	
85100-14-002	1.92	5429	Centerra Marketplace Properties LLC	Restaurant (Lone Star)	P-12 - Gateway, PUD	None listed	
85103-17-002	1.03	5050	CNL Funding 200-A LP c/o IHOP Properties Inc	Restaurant (IHOP)	P-12 - Gateway, PUD	Commercial	
85103-15-002	1.95	39530	Stonebridge McWhinney LLC	Motel (Hampton Inn)	P-12 - Gateway, PUD	Commercial	
85103-15-003	1.99	41370	Foxtrail Lodging LLC	Motel (Fairfield Inn)	P-12 - Gateway, PUD	Commercial	
85103-24-001	3.19	74215	Boyd Lake Lodging LLC	Hotel - Full Service (Residence Inn)	P-12 - Gateway, PUD	Commercial	
85100-13-001	16.95	120686	Craig Realty Group-Loveland LLC	Regional Shopping Center (Outlet Shops-South)	B - Developing Business	Commercial	
85100-13-002	2.65	10068	CBOCS West Inc	Restaurant (Cracker Barrel)	B - Developing Business	Commercial	
85100-05-001	16.59	143296	Craig Realty Group-Loveland LLC	Regional Shopping Center (Outlet Shops-Nouth)	B - Developing Business	Commercial	
85100-08-001	3.06	26400	Craig Realty Group-Loveland LLC	Regional Shopping Center (Outlet Shops - North, Polo & Under Armor)	B - Developing Business	Commercial	
85150-00-017	5.32	21685	Bucephalus LLC	Motel (Best Western Crossroads Inn)	None Listed	Commercial	
85150-00-015	0.72	1998	Wishco 1 LLC	Convenience Store (Conoco)	?	Commercial	
85171-09-002	1.35	4229	Mountain Lion LLC	Car Wash (\$5 Express Car Wash)	B - Developing Business	Commercial	
85171-08-003	1.07	3674	Roscommon LLC	Fast Food Restaurant (Freddy's)	B - Developing Business	Commercial	
85171-11-002	1.61	6023	Pizza Ranch RE1 LLC	Restaurant (Pizza Ranch)	B - Developing Business	Commercial	
85171-05-701	1.67	756	Brett Bakersky	Residential	B - Developing Business	Residential	
85170-00-001	1.66	2310	Creekside Investments LLC	Residential (triangle parcel, East of Kohl's)	B - Developing Business	Residential	
85172-10-001	9.9	90060	Kohls Department Stores Inc	Discount Store (Kohl's)	P-59 - Millennium Addition, PUD	Commercial	
85172-15-005	1.92	11141	GC Loveland LLC	Restaurant (Golden Corral Buffet)	P-59 - Millennium Addition, PUD	Commercial	
85172-27-004	0.89	6038	VDWRI LLC	Retail Store (Firehouse Subs, empty spaces)	P-59 - Millennium Addition, PUD	Commercial	
85172-27-003	2.97	12047	VDWRI LLC	Retail Store (Mattress Firm, Dominos, empty spaces)	P-59 - Millennium Addition, PUD	Commercial	
85172-16-002	1.09	7704	SMBC Leasing and Finance Inc	Service Garage (Firestone)	P-59 - Millennium Addition, PUD	Commercial	
85172-11-001	1.25	5364	Hall Family 1992 Trust	Bank (1st Technology Federal Credit Union)	P-59 - Millennium Addition, PUD	Commercial	
85172-08-001	14.44	134054	Lowes HIW Inc	Warehouse Discount Store (Lowes)	P-59 - Millennium Addition, PUD	Commercial	
85181-71-001	1.36	1420	Ford and Ford Investments Partnership Rocky Mountain Operating LP	Fast Food Restaurant (Sonic)	B - Developing Business	Commercial	
85181-60-001	0.87	2500	Longs Peak Credit Union (c/o Elevation Credit Union)	Bank (Elevations Credit Union)	B - Developing Business	Commercial	
85181-61-004	1.33	6400	CFT Development LLC	Neighborhood Shopping Center (Cost Cutters, Sprint, GameStop, Panda Express)	P-51 - Koldaway Industrial Sub, PUD	Commercial	
85181-61-001	21.91	205804	Wal-Mart Stores Inc	Discount Store (Walmart)	P-51 - Koldaway Industrial Sub, PUD	Commercial	
85182-71-001	0.98	4000	Fred/Janet L Jennings	Service Garage (Fred's)	B - Developing Business	Commercial	
85182-35-001	1.04	7618	Robert G/Stephanie J Bowman	Service Garage (Alberta? Auto Body & Glass)	B - Developing Business	Commercial	



85182-26-001	0.86	5056	Quandary LLP	Restaurant (McGraff's)	B - Developing Business	Commercial	
85042-07-002	6.68	83890	Cindustrial One LLC	Toddys / Safelite	PUD	Industrial/Flex	
85042-05-001	7.99	134200	Greentree Enterprises LLLP	Self Storage	PUD	Industrial/Flex	
85032-31-001	6.77	50000	409 CCR LLC	Constant Contact	PUD	Flex/R&D	
85044-11-002	1.23	0	RVABTS LLC	Agrium - partial parking lot	PUD	Mixed Use/Office	
85044-11-001	0.95	82000	RVAA	Agrium/CPS	PUD	Office	
85091-07-001	3.55	63332	BTT LLC	Agrium/CPS/UNC/AAT/FBI	PUD	Office	
85102-25-001	2.83	54230	Terraview LLC	McWhinney/Agrium/IRES, MSI, HSI, Management Specialists, MGGNC LLC, Atlas Carpet Care, UBM Global Trade, Herman Group, Chrisland Inc., Alliance Construction,	PUD	Office	
85102-25-002	2.48	41363	MJB RV2 LLC/Two M Building Partnership/Browning RV2 LLC (c/o Michael Browning)	Agrium US Inc., Credit Plus Inc., Wells Fargo Home Mortgage, Encompass Medical, Crown Point Solutions LLC, Women's Clinc of Northern Colorado, Wareham Group	PUD	Office	
85100-00-003	34.5	2356	Poudre Valley Health Care Inc (DBA Poudre Valley Health System)		PUD	Medical Office Support	
85102-29-901	53	589752			PUD	Medical Office Support	
85102-29-006	2.66	0	Poudre Valley Health Care Inc		PUD	Medical Office Support	
85102-31-150	0.58	80150	OB-GYN Investments LLP	Medical Offices (MCR MOBII)	PUD	Medical Office Support	
	2.75	80153	MCR MOB II Condos Subdivision	Parking Lot	PUD	Medical Office Support	
85103-23-002	4.91	82962	HR Assets LLC (c/o Altus Group)		PUD	Medical Office Support	
85103-36-002	2.27	15000	Rocky Mountain North LLC	Meyer	PUD	Medical/Office	
85103-37-001	2.08	15000	Poudre Valley Health Care Inc		PUD	Medical/Office	
	4.27	0		Parking lot serving Foxtrail Condos	P-12 - Gateway, PUD	Office Condos	
85103-32-001	0.3	14813	Holling Family LLC	Office Building - Rocky Mtn Infectious Disease, Cobalt Mortgage, Vogue Laser Clinic, Foxtrail Family Medicine	P-12 - Gateway, PUD	Office Condos	
85103-27-04	0.23	12385	DMP Properties LLC	Office Building - CO Retina Assoc., NoCo Economic Alliance, Merrick & Co., Starkey Hearing Technologies, American Equity Exchange, Allura Skin & Laser, Kindred At Home Hospice, Gentiva Hospice Wheat Ridge, Images Flooring, Mtn West Medical Inc.	P-12 - Gateway, PUD	Office Condos	
85103-33-003	0.53	12382	Front Range Medical Holdings LLC	Regis University, Suncrest Hospice LLC, Edward Jones	P-12 - Gateway, PUD	Office Condos	
85103-30-004	0.23	14829	Suite 1 LLC	Foundations Counseling LLC, All Heart Home Care, Front Range Business Center, BDR Fire & Water Restoration, Bronze Finch	P-12 - Gateway, PUD	Office Condos	
85100-09-006	3.26	33528	Kederike RMV LLC	Center Partners, Keypoint Government Solutions, Colorado Christian Univ.	P-12 - Gateway, PUD	Office Condos	
85100-10-001	2.16	2364	TGI Properties	The Group Inc., Bonfire Creative Group, Vitality Home Health Care, Layman Lewis, Michale O'Keefe, Nancy Maus, Natalie Deangelis	P-12 - Gateway, PUD	Office Condos	
85094-14-001	3.6	23969	FSB Partners I LLC	Jorgensen, Brownell & Pepin, Fairway Independent Mortgage, CO Spine Inst Pro, Fresenius Medical Care Home, Rocky Mtn Radiology, Gerald Phillips, BBVA Compass, LNM LLC, Velte Assoates, Spinal Disk Decompression Center	PUD	Office	
85094-14-002	3.1	32194	FDC Office II LLC	F Dc Li LLC, Cbc Co, Aerotek, Pinnacle Agriculture Holdings	PUD	Office	
85094-08-001	2.83	33960	FDC Office I LLC	Kroll Cyber Security, Kroll Factual Data	PUD	Office	
85094-14-004	2.6	32000	FDC Offic IV LLC		PUD	Office	
85094-73-001	3.88	54117	Centerra Office Tech I LLC	Meyer Natural Angus, Kaiser Permanente, Western Electricity, Innvictics, Pinnacle Agriculture Holdings	PUD	Office	
85094-73-002	3.77	54025	Centerra Office Tech II LLC	Olsson Assciates	PUD	Office	
85094-73-904	2.93	86113	BSLC Loveland LLC	Park Regency LLC	PUD	Office/Assisted Living	
85093-71-001	2.42	16020	RMVFNB LLC (c/o First National Buildings)	First National Bank/Colorado Coffee Company	P-59 - Millennium Addition, PUD	Office/Mixed Use	
85181-19-001	8.49	77354	Loveland Medical Enterprises LLC	Banner Health, Eye Center of N. CO, Skyline Endoscopy, Skyline Center for Health, Horizon Lab	B Zone	Developing Business	
85181-87-901	12.31	9149	Thompson School District R2-J	Bus Parking Lot	Industrial		
85181-28-001	12.44	9112	Praxair Inc	Praxair	Industrial		
85184-25-002	2.93	13458	Engle Inc	Engle Automotive	Industrial		
85184-25-001	2.94	13950	Twin Owls LLLP	TruGreen	Industrial		
85181-17-013	0.5	7000	TAMJ LLC	Ground Engineering Consultants	Industrial		
85181-17-009	0.67	3700	Donald H/Joyce F Tisdall		Industrial		
85181-17-001	1.15	12894	Clinebell Properties LLC	Clinebell Equipment Company, Shellenbarger Eelctric	Industrial		
85181-15-001	0.84	8795	937 Des Moines Ltd	Southern Carlson	Industrial		
85181-16-001	2.95	59257	NCIC LLC	U-Store Colorado	Industrial		
85181-15-006	0.3	3907	47S LLC	Farm-Lee Products Inc, Quality Machine Inc.	Industrial		
85181-15-008	0.45	3546	J Pettijohn LLC		Industrial		
85181-15-011	0.45	5875	White Fence Enterprises LLC		Industrial		
85181-15-014	0.45	4763	White Fence Enterprises LLC		Industrial		
85181-15-017	0.61	5875	White Fence Enterprises LLC		Industrial		
85181-27-001	0.47	8492	Bub and Sis Enterprises LLC	Custom Auto	Industrial		
85181-16-022	0.45	7800	Hans K and Denise K Brock	Nor-Sky Pet Supply Distr LLC	Industrial		
85181-16-020	0.3	3157	Leon H and Glen E Griess	Rocky Mountain Sharp Shop	Industrial		
85181-30-001	0.48	4000	Fraley Holding Company LLC	Notel Enterprises	Industrial		
85181-72-001	2.05	37128	Fraley Holding Company LLC	Tharp Capinet Corp	Industrial		
85181-31-001	0.63	8400	Buely LLC	Custom Tooling & Fabrication	Industrial		
85181-08-004	0.61	9452	Anita and Carner G. Louis Jr. Trust / Turner C. Rockwell	Lpr Construction Co	Industrial		
85181-08-008	0.45	3760	Turner C. Rockwell / Carner G. Louis Jr.	LPR Construction Co	Industrial		
85181-08-011	0.45	6250	NCR2D2 LLC	Lpr Construction Co	Industrial		
85181-08-014	0.45	600	Fraley Holding Company LLC		Industrial		
85181-08-017	0.53	9180	Fraley Holding Company LLC	Tharp Capinet Corp	Industrial		
85181-08-021	0.9	10255	Robert R. Mutchler	Big Thompson Cross Fit	Industrial		
85181-07-020	0.97	14400	GATE LLC	Coe Construction, Denali Roofing, Numotion, Dando Advisors, A&J Tire & Service Ctr, 34 Retail Prop. Mgmt, United Seating & Mobility	Industrial		
85181-75-004	1.58	21500	Shelhill Investments LLC	D&I Prehung Door Co	Industrial/Flex		
85181-75-002	0.96	10800	SSM Fund LLC	Clergy Advantage Inc., Door Security Solutions, Custom Wholesale Flooring & Design, Johnson Custom Flooring & Design	Industrial/Flex		
85181-86-100	1.1	13780	Tiger Financial Investors LLC	Dahl, Rainbow Bridge Pet Crematorium	Industrial/Flex		
85181-73-001	1.1	12716	Pamige Ltd Co	Aspen House	B - Developing Business		
85181-32-002	1.96	12716	Pamige Ltd Co	Aspen House	B - Developing Business		
85184-23-001	2.53	10800	Ensign Properties LLC		Industrial		
85184-23-002	8.24	40000	All Weather Wood LLC	Loveland Drywall Supply	Industrial		

85184-23-004	2.33	10000	Truguard LLC		Industrial		
85184-08-003	5	8244	Truguard LLC		Industrial		
85184-68-004	2.75	48120	Holstein Self Service Storage LLC	RFI Ingredients, Front Range Gun Club, Garden Room of Loveland, RFI Extracts LLC, Holstein Self Serve Storage	Industrial		
85184-64-587/ 591/596/599/603/607 /611/615/619/623	3.57	24000		Grimm Brothers Brewhouse, Walsh Construction Co, Business Equipment Services, Impact Weapons Components, Colorado Dairy Service, Commercaill Service, JDs Collision Repair, Tax Credit Connection LLC, Shultis Sales Agency, TWG Innovatitve Solutions	Industrial		
85184-64-579/ 575/571/567/563/559 /555/551/547/543/53 9/535	5.2	12000		Mielke Brothers Floor Covering, Hope Springs Community Church, Safeguard Fire Protection, Monkey Moe's, Perfect Temp Inc., Harrington Arts Academy, Brazilian Jiu-Jitsu/Boxing, Marissa Rose Dominguez, KBN LLC, Grimm Brothers Brewhouse	Industrial		
85184-64-645/633/ 637/641/649/653	1.25	8400		Studio West Dance Ctr, Blue Water Systems, Krav Maga Loveland	Industrial		
85184-64-513/525/ 521/517/509/505	0.9	8400		Sweetheart Quilt Shoppe, Western Sales Land Svc, NCIS Northern Co Ins Svd, Shelter Insurance, Quilters Dream LLC	Industrial		
85184-65-009/908 007/006/005/004 /003/002/001	1.73	21093		Good Day Pharmacy, Albracht's One Hour Air Cond, Colorado Foundation Education, Kyto, Larimer County Coroner, Roberts Heating and Air Conditioning, Brocc Equipment, Mountain View Mortgage LLC, Greeley Auto Spas, Brocc Framing Inc, David Lawrence, Communication Systems LLC, Benjamin Franklin Plumbing	Industrial		
85184-65-024/023/ 022/021/019/018/017 /016/015/014/013/01 2/011/010	1.73	31500		Spaceon Specialty Contractors, Schaeffer Drywall Systems, Lobster Marketing LLC, Grahams Flooring & Design, Total Facility Care, Ties for Less, Robert's Heating & Air Cond, Eaton Sales & Svc, Inertia Automation Inc., Blades Contracting & Creative, RPD Svc Inc., Chauffer D'Elegance Elegant, Enviro Pest, Steve's Sewing Maching Service, Allwater LLC, Loveland Barricade LLC, Summit Casing Equipment, Benjamin Franklin Plumbing, Tradesemen International, Recreational Electrical & Tires 4 Less, Elder Construction	Industrial		
85184-65-034/030/ 029/027	1.73	31000		Complete Drywall, Eagle Mechanical Inc., Eagle Industries, Auto Performance LLC, Matrix Power Systems, Sight Sound and Security, Vortex Colorado Inc., Orya Matrix, DNR Welding	Industrial		
85184-69-407/405/ 403/401/399/397/ 395/393	1.73	36750		Timber Lane Pumps, Loveland Laser Tag, Hamilton Linen & Uniform, Splugs, Laserforce USA, Waukesha-Pearce Industries, Fairy Gardening Inc, TransTek Inc.	Industrial		
85184-67-381/383/ 385/379/377/375/ 373/391	3.46	22005		Bibmo Bakeries USA, Townsend Manufacturing Inc, Naranjo Civic Construction, Pinnacle Technologies, Tender Care Pediatric Services, Colorado Interlock Inc, 3xFast	Industrial		
85074-92-003	1.61	14974		Advantage Bank			
85074-41-201	1.27	9051		Scott Family Chiropractic, Cherry Creek Wellness Ctr, Ed Bowen, State Farm, Integrated Billing Resources, Northern CO Implant & Prosthetic Dentistry	PUD	Office/Retail	
85182-18-005	1.53	15520		Frameworks Dental Lab, Mountain West Mortgage, Wings, One80 Physical Therapy, Metro Construction Inc., Saddleback Design, Edward Jones, Easter Seals of Colorado, Helmut Retzer, Shelter Insurance, City of Loveland	B - Developing Business		
85182-70-094/086/ 078/070/064/056/048 /040/032/024/016/00 8	1.53	28762		China Dragon Gourmet Enterprises, Starfield Controls, Loveland Commercial LLC, Web Your Business Co, Teleforce Research Group, Welsh Insurance Agency, Health Loveland Natrual Health, Improvement Center, Farmers Insurance Group, Oriental Massage Therapy, Sunergy Construction Inc., Equipment & Trucks, Colorado Orthotic & Prosthetic, AnBranley Pizza, Strategi Behavioral Health, State Farm, Integral Advertising Solutions, Conrad Hall & Associates Inc., China Spa, Colorado Foundation for Conductive Education, LC Real Estate Group LLC	B - Developing Business		
85073-93-002	0.48	1920	Kenneth Lawrence Weedin		B - Developing Business		
85073-93-001	0.31	1920	Peter D. Schultz		B - Developing Business		
85073-36-002	0.38	6461	Hargrave Enterprises LLC	Engineering Frchetti, Abintra Psychosynthesis Ctr, Barry L. Zaiger CPA, Centrad Healthcare, Iglasia Ni Cristo Inc., Derf	B - Developing Business		
85073-36-001	0.37	6000	Don Mark Holding Company LLC	Electronics Corporation LLC	B - Developing Business		
85073-38-001	1.21	5573	A J's Investments LLC	Mallory Osteopathic Family, Genityte	B - Developing Business		
85073-38-001	1.21	5573	A J's Investments LLC	Napa Auto Parts	B - Developing Business		
85182-15-001	1.86	23960	Innovage Greater Colorado		Industrial		
85182-69-901	3.04	42524	House of Neighborly Service		Industrial		
85182-15-004	1.5	22530	Frontier Group LLC		Industrial		
85182-15-005	1.53	8400	Ward Spaces LLC	Rock Solid Marble & Granite, Associated Insurance Marketing, Baver Investments LLC, Streamline Enterprises Inc.	Industrial		
85182-16-001	1.96	20000	Ward Spaces LLC	NoCo Sheet Metal, Colroado Microcircuits, The Denver Post LLC	Industrial		
85182-16-002	1.05	20000	Ward Spaces LLC	Eshes Surplus Market	Industrial		
85182-14-006	1.36	20000	Ward Spaces LLC	Canyon Bakehouse	Industrial		
85182-14-005	1.2	20000	Ward Spaces LLC	Valley Christian Church/Fellowship, One Stop Undercar Denver	Industrial		
85182-14-004	1.25	20000	Ward Spaces LLC		Industrial		
85182-14-003	1.14	20000	Ward Spaces LLC	Premier Gymnastics	Industrial		
85182-14-002	1.25	19563	Ward Spaces LLC	Artisan Shop LLC	Industrial		
85182-14-001	1.63	25500	Ward Spaces LLC	Billet Tech LLC	Industrial		
85182-22-001	5	40000	Tanco Properties LLC		Industrial		
85182-28-004	1.06	10383	Kauffman Investments LLC	Kaufman Investments LLC, Alluvium Health Inc.	Industrial		
85182-28-003	0.89	5760	1527 Taurus Ct LLC/Grether Co III/Mavesa Investments 1527 LLC	Dancing Pines Distillery, Edge Concrete Inc., Glass America	Industrial		
85182-29-003	1.07	4000	Kingscourt LLC		Industrial		
85182-30-542	2.23	11234	Diamond Peak Health LLC	Verboten Brewing, Diamond Peak Physical Therapy	Industrial		
85182-29-005	1	10000	Kingscourt LLC		Industrial		
95134-29-001	1.88	5928	Jared Waterhouse		Industrial		
85084-11-201	0.15	9674	Alan & Nancy Hauser	Good Day Pharmacy Cort, BHHS Rocky Mountain Realtors, Hauser Architect, Trumbo Insurance Inc., State Farm Ins., The Estes Group	B - Developing Business		
85084-10-002	1.13	4494	Great Western Bank		B - Developing Business		
85080-07-001	1.32	15000	JCD Vet Investments LLC		Industrial		

85104-16-001	1.22	0	Sky Pond Business Park LLC	Parking lot	PUD	Office/Retail	
85104-15-001	2.5	29925	Gravical Real Estate Holdings LLC	Eye Center of Northern CO, Morgan Stanley Wealth Mgmt, Kennedy & Coe, Northern CO Economic Development	PUD	Office/Retail	
Subtotal - Existing	196.1	4515716					
85040-05-001	95.75		N/A		Industrial	Ag dry land IVA	
N/A	105.248		N/A		PUD	Industrial/Flex - Savannah 2nd	
85042-07-004	5.08		N/A		PUD	Industrial/Flex	
85042-07-003	5.46		N/A	Current placement for Centerra II	PUD	Industrial/Flex	
85033-26-002	5.68		N/A		PUD	Flex/R&D	
85033-24-003	7.69		N/A		PUD	Flex/R&D	
85043-35-014	5.83		N/A		PUD	Professional Office	
85044-13-005	9.48		N/A		PUD	Flex/R&D	
85044-14-006	5.61		N/A		PUD	Mixed Use	
85044-13-004	13.54		N/A		PUD	Flex/R&D	
85044-13-002	11.5		N/A		PUD	Flex/R&D	
85044-14-007	0.64		N/A		PUD	Mixed Use	
85044-08-003	1.56		N/A		PUD	Industrial/Flex	
						Mixed Use/Medical Office Support	
85030-00-003	42.87		N/A		PUD		
85030-00-005	44.75		N/A		PUD	Mixed Use/Medical Office Support	
85044-13-001	7.68		N/A		PUD	Mixed Use	
85044-11-013	0.54		N/A		PUD	Mixed Use	
85044-14-005	0.63		N/A		PUD	Mixed Use	
85044-11-012	0.43		N/A		PUD	Mixed Use	
85044-12-001	7.28		N/A		PUD	Mixed Use	
85044-11-011	3.67		N/A		PUD	Mixed Use	
85044-14-003	0.69		N/A		PUD	Mixed Use	
85044-11-006	2.52		N/A		PUD	Mixed Use	
85044-11-005	2.46		N/A		PUD	Mixed Use/Office	
85044-11-004	2.93		N/A		PUD	Mixed Use/Office	
85044-14-004	0.27		N/A		PUD	Mixed use	
85044-11-010	1.5		N/A		PUD	Mixed Use	
85044-14-002	0.72		N/A		PUD	Mixed Use	
85044-11-009	0.77		N/A		PUD	Mixed Use	
85044-11-008	0.53		N/A		PUD	Mixed Use	
85044-11-007	1.06		N/A		PUD	Mixed Use	
85044-14-001	0.75		RVAA	Agrium	PUD	Office	
85102-28-002	17.24		N/A	Com Unimp Plat	PUD	Medical Office Support	
85102-27-005	3.83		Poudre Valley Health Care Inc	Com Unimp Plat	PUD	Medical Office Support	
85103-35-001	2.62		Poudre Valley Health Care Inc	Ag irrigated IIS	PUD	Medical Office Support	
85103-34-002	10		Banner Health, Centerra Office Partners	Ag irrigated IIS	PUD	Medical Office Support	
85103-36-003	4.8		Poudre Valley Health Care Inc	Ag irrigated IIS	PUD	Medical Office Support	
85094-14-003	2.5		Centerra Office Partners LLC	Ag irrigated IIS	PUD	Office	
85094-74-001	6.71		Centerra Office Partners LLC	Com Unimp Plat	PUD	Office	
85093-72-004	14.97		Rocky Mountain Village II LLLP	Ag irrigated IIS	PUD	Office/Mixed Use	
85093-72-003	3.36		Rocky Mountain Village II LLLP		PUD	Office/Mixed Use	
85093-72-002	1.38		Rocky Mountain Village II LLLP		PUD	Office/Mixed Use	
85093-72-001	0.87		Rocky Mountain Village II LLLP		PUD	Office/Mixed Use	
85160-00-001	149.75		Centerra Properties West LLC, VDW Properties LLC		PUD	Office/Mixed Use	
85160-05-001	75.29		Chilson Family Trust		Industrial	(currently being used as Ag land)	
85171-11-001	1.36		END-IRA Inc. (FBO Allen M. Ginsborg Roth IRA)		B Zone	Developing Business	
85172-26-001	19.82		VDW Properties LLC	(zoned industrial)	Industrial		
85181-87-002	3.65		Carner Rentals LLLP / Turner C. Rockwell		Industrial		
85184-29-001	1.82		Drywall Supply Inc		Industrial		
85181-17-008	0.34		Clinebell Properties LLC		Industrial		
85181-30-002	0.46		Fraley Holding Company LLC		Industrial		
85181-61-005	1.79		Wal-Mart Stores Inc		PUD		
85181-61-002	10.52		Wal-Mart Stores Inc		PUD		
85181-75-003	0.99		Mountain Blue Holdings LLC		Industrial/Flex		
85181-74-001	1.11		The Noah Dental Center LLC		B - Developing Business		
85181-32-003	0.25		Pamige Ltd Co		B - Developing Business		
85181-62-902	6		Loveland Midtown Metropolitan District		PUD	Industrial	
85184-23-003	2.1		Truguard LLC		Industrial		
85184-08-002	5		Truguard LLC		Industrial		
85184-66-003	2		Clifford M and Vickie L. Mahrllng		Industrial		
85184-09-003	10		AW Fleming and Co		Industrial		
85184-30-001	6.22		Freedom Homes LLC		Industrial		
85184-26-001	6.06		Timberpark Office Development LLC		Industrial		

85083-40-010	3.07		Loveland Eisenhower Investments		Mixed Use Activity Center		
85083-40-007	5.31		Loveland Eisenhower Investments		Mixed Use Activity Center		
85083-40-009	3.68		Loveland Eisenhower Investments		Mixed Use Activity Center		
85083-40-006	5.32		Loveland Eisenhower Investments		Mixed Use Activity Center		
85083-40-005	5.04		Loveland Eisenhower Investments		Mixed Use Activity Center		
85083-40-003	6.62		Loveland Eisenhower Investments		Mixed Use Activity Center		
85083-40-002	9.09		Loveland Eisenhower Investments		Mixed Use Activity Center		
85074-40-004	8.13		Loveland Eisenhower Investments		Mixed Use Activity Center		
85074-40-001	9.37		Loveland Eisenhower Investments		Mixed Use Activity Center		
85182-26-002	0.51		G S Tech LLC		B - Developing Business		
85182-14-008	1.18		Ward Spaces LLC		Industrial		
85182-14-007	1.14		Ward Spaces LLC		Industrial		
85182-28-002	0.67		Mountain Blue Holdings LLC		Industrial		
85182-28-001	0.82		Loveland Midtown Development Inc.		Industrial		
85182-29-001	1.32		Loveland Midtown Development Inc.		Industrial		
85182-29-002	0.96		Loveland Midtown Development Inc.		Industrial		
85104-13-002	1.59		Centerra 502 South LLC		PUD	Office/Retail	
85104-11-003	14.02		Centerra Properties West LLC		PUD	Office/Retail	
85104-17-003	2.14		CBP 505 LLC		PUD	Office/Retail	
85104-17-004	3.02		McWhinney Centerra CY LLC		PUD	Office/Retail	
85104-12-001	0.1		Centerra Properties West, LLC		PUD	Office/Retail	
85104-17-005	1.33		CBP 505 LLC		PUD	Office/Retail	
85104-17-006	1.39		CBP 505 LLC		PUD	Office/Retail	
85104-17-007	1.76		CBP 505 LLC		PUD	Office/Retail	
85104-17-001	7.51		CBPP LLC		PUD	Office/Retail	to 2-mile r
85213-00-005	49		Three O Partnership LLLP		Mixed Use Activity Center		
85080-00-004	17.96		McCreery Family Trust			Commercial	
85171-07-002	2.37		Robert D. Greenlee	Land - Com Unimp Plat (Boyd Lake Ave/Mountain Lion Dr.)	B - Developing Business	None listed	
85171-09-001	1.16		Mountain View HS LLC	Land - Com Unimp Plat (Eisenhower Blvd./Mountain Lion Pl.)	B - Developing Business	None listed	
85172-15-006	0.84		VDW Retail Inc	Land - Ag Meadow Hay (East of Golden Corral Buffet Restaurant)	P-59 - Millennium Addition, PUD	None listed	
85172-15-004	0.96		VDW Retail LLC	Land - Ag Meadow Hay (Northern parcel South of Golden Corral Buffet Restaurant)	P-59 - Millennium Addition, PUD	None listed	
85172-10-003	1.23		VDW Retail LLC	Land - Ag Meadow Hay (Middle parcel South of Golden Corral Buffet Restaurant)	P-59 - Millennium Addition, PUD	None listed	
85172-10-002	1.68		VDW Retail LLC	Land - Ag Meadow Hay (Southern parcel South of Golden Corral Buffet Restaurant)	P-59 - Millennium Addition, PUD	None listed	
85172-08-003	1.15		VDW Retail LLC	Land - Com Unimp Plat (East of Lowes)	P-59 - Millennium Addition, PUD	None listed	
85172-16-001	1.38		VDW Retail LLC	Land - Ag Meadow Hay (Parcel between Firestone and 1st Tech Federal Credit Union)	P-59 - Millennium Addition, PUD	None listed	
85172-08-002	1.31		Dove Street Capital Lenders LLC	Land - Com Unimp Plat (Parcel South of 1st Tech Federal Credit Union)	P-59 - Millennium Addition, PUD	None listed	
85182-17-006	0.34		China Dragon Inc	Land - Com Unimp Plat	B - Developing Business	None listed	
85182-17-005	0.34		China Dragon Inc	Land - Com Unimp Plat	B - Developing Business	None listed	
Subtotal - Vacant	942.738						
Total	1138.838	4515716					

## Chapter 18.29

### MAC DISTRICT – MIXED-USE ACTIVITY CENTER DISTRICT

#### Sections:

<b>18.29.010</b>	<b>Purpose.</b>
<b>18.29.020</b>	<b>Uses permitted by right.</b>
<b>18.29.030</b>	<b>Uses permitted by special review.</b>
<b>18.29.040</b>	<b>Development standards.</b>
<b>18.29.050</b>	<b>Site development plan review.</b>
<b>18.29.060</b>	<b>Schedule of flexible standards.</b>

#### **18.29.010 Purpose.**

The Mixed-use Activity Center (MAC) District is intended to be applied to areas designated as mixed-use activity centers by the Land Use Plan. This district may also be used in other appropriate locations, such as along existing commercial corridors, or in residential areas to provide larger neighborhood-serving commercial centers. MACs may include a wide variety of retail and commercial uses serving the surrounding area as well as larger retail uses serving a community-wide or regional market. Such areas may also include residential and office uses adjacent to the MAC's core or above ground floor retail. Such centers are typically located at major road and highway intersections, or along major corridors and are predominantly auto-oriented. However, the center should be designed to provide convenient access to and from adjacent neighborhood(s) for pedestrians and bicyclists.

#### **18.29.020 Uses permitted by right.**

The following uses are permitted by right in a MAC district:

- A. 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.
- B. Restaurant, standard;
- C. Car wash;
- D. Commercial child day care center licensed according to the statutes of the state;
- E. Clubs and lodges;
- F. Convention and conference center;
- G. Entertainment facilities and theaters, indoor;
- H. Financial services;
- I. Food catering;
- J. Funeral home;
- K. Gas station with or without convenience goods or other services subject to Sections 18.52.060 and 18.50.135 and located three hundred 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);
- L. Health care service facility;
- M. Hospital;
- N. Indoor recreation;
- O. Lodging establishment (hotel and motel);
- P. Long term care facilities;
- Q. Medical, dental, or professional clinic or office;
- R. Nightclub;
- S. Office, general administrative;

- T. Parking garage;
- U. Parking lot;
- V. Personal and business service shops;
- W. Place of worship or assembly;
- X. Print shop;
- Y. Professional office/clinic;
- Z. Public and private schools;
- AA. Restaurant, drive-in or fast food;
- BB. Restaurant, standard indoor;
- CC. Restaurant, standard outdoor;
- DD. Retail laundry (laundromat);
- EE. Retail store;
- FF. Veterinary facilities, small animal;
- GG. 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;
- HH. Dwelling, attached single-family;
  - II. Dwelling, detached single-family;
  - JJ. Dwelling, multi-family;
- KK. Dwelling, two-family;
- LL. Elderly housing;
- MM. Dwelling, mixed use;
- NN. Community facility;
- OO. Park or recreation area;
- PP. Antennas as defined in Section 18.55.020, co-located on an existing tower or structure as provided in Section 18.55.030 and meeting all other requirements of Chapter 18.55;
- QQ. Accessory buildings and uses; and
- RR. Shelter for victims of domestic violence, subject to Section 18.52.070.

**18.29.030 Uses permitted by special review.**

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

- A. Domestic animal day care facility;
- B. Gas station with or without convenience goods or other services subject to Section 18.52.060 and located less than three hundred 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);
- C. Open-air farmers market;
- D. Outdoor recreation facility;
- E. Self-service storage facility;
- F. Vehicle minor repair, servicing, and maintenance;
- G. Vehicle rentals for cars, light trucks, and light equipment;
- H. Vehicle sales and leasing for cars and light trucks;
- I. Research laboratory;
- J. Essential public utility uses, facilities, services, and structures;
- K. Group care facility;
- L. Long term care facility (nursing home);
- M. Personal wireless service facility as defined in Section 18.55.020, located on a new structure, meeting all requirements of Chapter 18.55;
- N. Public service facility;



- O. Crematorium, subject to Section 18.52.080; and
- P. Firing range, indoor.

**18.29.040 Development standards.**

The following standards shall be administered as type 2 standards in accordance with Section 18.53.020.

- A. Architecture. In addition to architectural standards in Chapter 18.53, commercial and mixed-use buildings in MAC districts shall include at least one significant defining architectural element or feature that conveys a sense of architectural depth and substance. Examples include substantial offsets that differentiate building masses; arcades with substantial columns; towers with roofs that extend fully around the building or feature; extensive use of decorative block; stone and/or brick finish material; deep gable roofs with substantial eaves or over hangs; or other equivalent feature (Figures 18.29.040-1-4).
- B. Pedestrian circulation. A continuous primary pedestrian route shall connect focal points of pedestrian activity such as, but not limited to, transit stops, street crossings, and building entrances. Pedestrian/auto crossings shall be concentrated at key intersections, shall be incorporated into the primary pedestrian network, and shall be clearly delineated by a change in paving materials. The primary pedestrian route shall feature an adjoining landscaped area on at least one side with trees, shrubs, benches, ground covers or other such materials for no less than fifty percent of the length of the primary pedestrian route.
- C. Screening large parking fields. Sites with large parking fields shall be encouraged to place and orient outlot or pad site buildings to screen large retail parking lots. Outparcels or pad sites shall minimize parking between the building and the frontage road to create a “building wall” along the frontage road. Where possible, landscape features (e.g. trees and shrubs, trellis, decorative wall, entry feature, etc.) shall be used to fill gaps between outlot buildings and where outlots are not planned. Where possible, “overflow” parking shall be placed to the side or rear of the building (see Figure 18.39.040-5).
- D. Loading areas. The following location and screening requirements shall apply to loading areas, service, and storage areas:
  - 1. Loading docks, solid waste facilities, and other service areas shall be placed to the rear or side of buildings in visually unobtrusive locations.
  - 2. Screening and landscaping shall prevent direct views of the loading areas from adjacent properties or from the public right-of-way. Screening and landscaping shall also prevent spill-over glare, noise, or exhaust fumes.
  - 3. Screening shall be provided in the form of landscaping or as an integral part of the building architecture such as walls, architectural features, and shall be visually impervious. Recesses in the building or depressed access ramps may be used. Chain link fencing with slats shall not be an acceptable form of screening.
- E. Utility boxes. Utility boxes, including, but not limited to, electric transformers, switch gear boxes, and telephone pedestals and boxes shall be screened from view on all sides not used for service access. The materials and colors of the materials used to provide the screening shall blend with the site and the surroundings.
- F. Trash enclosures: Trash enclosures shall be placed around dumpsters and any other proposed trash receptacle. Trash enclosures shall prevent trash from being scattered by wind or animals. The dumpster shall be placed on a concrete pad, enclosed by an opaque wall at least six feet in height, with opaque gates. Trash enclosures shall be sturdy and built with quality wood and/or masonry materials similar or compatible with the primary materials of the primary structure. Trash enclosures shall be sited so the garbage truck has convenient access to the enclosure and has room to maneuver without backing onto a public right-of-way.

G. Other. The requirements of Chapter 18.53 and the Site Development Performance Standards and Guidelines shall apply to development within the MAC district.

**Figure 18.29.040-1**



**Figure 18.29.040-2**



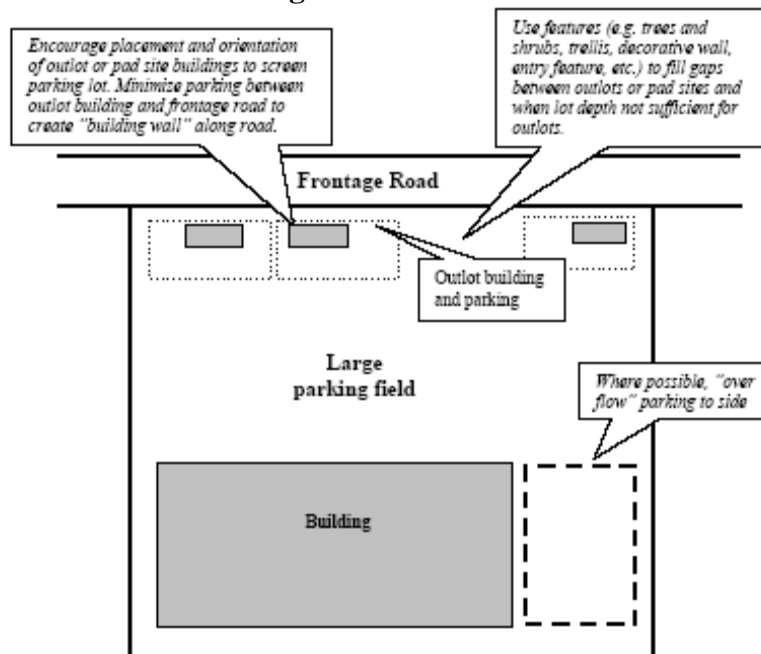
**Figure 18.29.040-3**



**Figure 18.29.040-4**



**Figure 18.29.040-5**



**18.29.050 Site development plan review.**

- A. Category 2 development in the MAC District shall be subject to the provisions of chapters 18.39 and 18.46 and the Site Development Performance Standards and Guidelines as specified in Chapter 18.47. Conceptual Master Plan.
1. Where a site development plan application is not submitted for the entire site concurrent with the rezoning application, a Conceptual Master Plan shall be provided for the entire site to

ensure the coordinated development of the entire site. The Conceptual Master Plan must include the general type, intensity and location of land uses and public facilities, the overall classification and design of the primary road and pedestrian network, and a development phasing plan if applicable, including all information that the planning division may require. The Conceptual Master Plan shall also include a narrative statement, conceptual renderings, schematic designs, architectural guidelines or other information as needed demonstrating how the proposed development plan complies with Section 18.29.040. The Conceptual Master Plan shall be provided with a MAC district rezoning application, and the rezoning approval shall be subject to compliance with the Conceptual Master Plan as reference in the rezoning ordinance. Subsequent applications submitted for a use permitted by right or by special review shall conform to the Conceptual Master Plan.

2. A neighborhood meeting and public hearing for the Conceptual Master Plan shall be held concurrent with those for the rezoning, with notice provided pursuant to Chapter 18.05 Public Notice.
- B. Plan modifications. Modifications to the Conceptual Master Plan as required to show compliance with Section 18.29.040, or that comply with Section 18.29.060, may be approved administratively by the current planning manager. Changes to permitted uses or substantial changes to the location of land uses as depicted on the Conceptual Master Plan are a major modification and shall require a neighborhood meeting and be submitted for review and final approval by the planning commission with the planning commission's decision and conditions, if any, referenced in a resolution.

**18.29.060 Schedule of flexible standards.**

<i>Chapter 18.29 MAC and E Districts</i> <b>Schedule of Flexible Standards</b>								
<b>Non-Residential</b>				<b>Residential</b>				
<b>District</b>	<b>Front Bldg. Setback (1)</b>	<b>Rear &amp; Side Bldg. Setbacks (2)</b>	<b>Bldg. Height (3)</b>	<b>Residential Density</b>	<b>Front (2)</b>	<b>Rear (2)</b>	<b>Side (2)</b>	<b>Height</b>
<b>MAC- Community Activity Center</b>	<b>I-25:</b> 80 ft <b>Arterial:</b> 35 ft <b>Non-Arterial:</b> 25 ft	See buffer requirements, Section 4.04 SDPSG	50 ft (4) 120 ft (5)	Up to 16du/ac (6) (7)	20 ft	15 ft	5 ft	40 ft
<b>E-Employment Center</b>	<b>I-25:</b> 80 ft <b>Arterial:</b> 35 ft <b>Non-Arterial:</b> 25 ft	See buffer requirements Section 4.04 SDPSG	50 ft (4) 120 ft (5)	Residential up to 20% of total project area, up to 16du/ac (7)	20 ft	15 ft	5 ft	40 ft

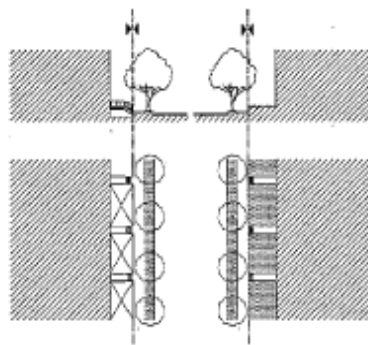
Use	Maximum height of building or structure	Maximum height of accessory building or structure
MAC-Mixed-use Activity Center District	As provided in Chapter 18.29 MAC District Schedule of Flexible Standards	50

**Notes to MAC and E Districts Schedule of Flexible Standards:**

- (1) Building setbacks shall be measured from the edge of the future right-of-way. Development sites within the area cover by the U.S. 34 Corridor Plan shall conform to all road setback and design requirements of that plan. Exceptions from U.S. 34 Corridor Plan standards may be permitted for development plans following guidelines for optional flexible standards in note (2) below.
- (2) Optional flexible standards: Setback required by this section and buffer standards required by Section 4.04 of the Site Development Performance Standards and Guidelines may be reduced or waived for projects that orient buildings to streets to create an attractive pedestrian environment following “new urbanism” or “smart code” principles (see “The Lexicon of the New Urbanism” or “Smart Code”).
  - a. Where front setbacks are reduced, a treelawn not less than four feet in width shall be provided between the outer edge of the curb and the sidewalk. Canopy trees planted not less than thirty feet on-center (Figure 18.29-1) shall be provided in the treelawn. Landscaped bulb-outs and trees planted in tree grates in the sidewalk (Figure 18.29-2), with on-street parking, may be provided instead of a treelawn. Where garages face and are accessed from the street, at least twenty feet shall be provided between the face of the garage and the back of the sidewalk so that adequate space is provided for vehicle parking in the driveway.
  - b. Residential buildings with reduced setbacks shall include features such as covered porches or front stoops and walkways between buildings and the public sidewalk. Also, garages should be placed to the rear of the lot behind the primary structure, with side driveway or alley access.
  - c. In evaluating proposals with reduced setbacks, consideration shall be given to existing setbacks in adjacent developed areas to avoid incompatible and/or inconsistent design conditions.
- (3) Subject to height restriction in Section 18.54.040, which restricts any nonresidential use or multi-family use located closer than fifty feet from the property boundary of a residential use, excluding multi-family dwelling units, shall be limited to the maximum height allowed for a single family residential use.
- (4) All uses other than office, research, lodging, and mixed-use (see Note (5)).
- (5) Office, research, lodging, and mixed-use (mixed-use means residential located in the same building as non-residential uses).
- (6) There shall be no limit on the amount of land area within a MAC district that may be devoted to residential use; however, for projects exceeding fifty percent residential land area, the applicant must demonstrate that sufficient land area is devoted to commercial use within the project, or within the vicinity of the project, to meet future commercial needs and demands. Such evidence may consist of a market analysis and/or an analysis of development trends and existing and proposed land uses within the vicinity of the project.
- (7) Maximum number of dwelling units permitted per acre. The density calculation shall include the gross land area dedicated to residential use, including roads, drainage areas and open space within and serving the residential component of the project. Residential units that are part of a building that includes non-residential uses (mixed-use) shall not be included in the residential density calculation. (Ord. 5116 § 1, 2006)

**Figure 18.29.060-1**

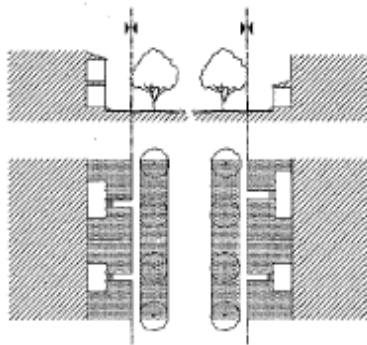
**Dooryard & Light Court**



A facade is set back from the frontage line with an elevated garden or terrace, or a sunken light court, in between. This type can effectively buffer residential quarters from the sidewalk, while removing the private yard from public encroachment. Terrace suitable for restaurants and cafes as the eye level of the sitter is level with that of the passerby standing. The light court can give light and access to a habitable basement.



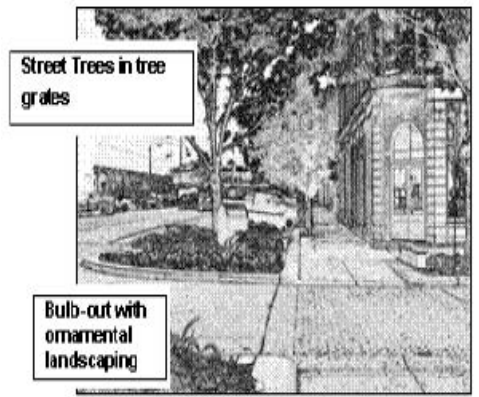
**Porch & Fence**



A facade is set back from the frontage line with an encroaching porch appended. The porch should be within a conversational distance of the sidewalk while a fence at the frontage line maintains the demarcation of the yard. To be useful, the porch should be no less than 6 ft wide. There is a great variety of porches.



**Figure 18.29.060-2**





# WATERFALL SIXTH SUBDIVISION

BEING A SUBDIVISION OF LOT 1, BLOCK 1, WATERFALL SUBDIVISION  
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 68 WEST  
OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF LOVELAND, COUNTY OF LARIMER, STATE OF COLORADO

## DEDICATION AND ACKNOWLEDGMENT:

KNOW ALL PERSONS BY THESE PRESENTS THAT MBL 34, LLC, A COLORADO LIMITED LIABILITY COMPANY AND 303 SPECIAL ASSETS, LLC, A COLORADO LIMITED LIABILITY COMPANY, BEING ALL THE OWNERS AND LIEN HOLDERS OF THE FOLLOWING DESCRIBED PROPERTY, EXCEPT ANY EXISTING PUBLIC STREETS, ROADS OR HIGHWAYS, WHICH PROPERTY IS LOCATED IN THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF LOVELAND, COUNTY OF LARIMER, STATE OF COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 1, BLOCK 1, WATERFALL SUBDIVISION, CITY OF LOVELAND, COUNTY OF LARIMER, STATE OF COLORADO.

CONTAINING 12.289 ACRES (535,291 SQUARE FEET) MORE OR LESS, AND IS SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY ON RECORD OR EXISTING, DO HEREBY SUBDIVIDE THE SAME INTO LOTS, BLOCKS, TRACTS, OUTLOTS, RIGHTS-OF-WAY AND EASEMENTS, AS SHOWN ON THIS PLAT; AND DO HEREBY DESIGNATE AND DEDICATE: (i) ALL SUCH RIGHT-OF-WAYS AND EASEMENTS, OTHER THAN UTILITY EASEMENTS AND PRIVATE EASEMENTS, TO AND FOR PUBLIC USE, EXCEPT WHERE INDICATED OTHERWISE ON THIS PLAT; AND (ii) ALL SUCH UTILITY EASEMENTS TO AND FOR PUBLIC USE FOR THE INSTALLATION AND MAINTENANCE OF UTILITY, IRRIGATION AND DRAINAGE FACILITIES; AND DO HEREBY DESIGNATE THE SAME AS WATERFALL SIXTH SUBDIVISION TO THE CITY OF LOVELAND, COLORADO.

## OWNER:

MBL 34, LLC, A COLORADO LIMITED LIABILITY COMPANY

BY: McWHINNEY REAL ESTATE SERVICES, INC.,  
A COLORADO CORPORATION, MANAGER

BY: *Douglas L. Hill*  
DOUGLAS L. HILL, CHIEF OPERATING OFFICER

STATE OF COLORADO)

) ss.

COUNTY OF LARIMER)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 13<sup>th</sup> DAY OF December 2011, BY DOUGLAS L. HILL, AS CHIEF OPERATING OFFICER OF McWHINNEY REAL ESTATE SERVICES, INC., A COLORADO CORPORATION, AS MANAGER OF MBL 34, LLC, A COLORADO LIMITED LIABILITY COMPANY.

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES June 21, 2013

*Palma Ann Harris*  
NOTARY PUBLIC

## LIEN HOLDER:

303 SPECIAL ASSETS, LLC, A COLORADO LIMITED LIABILITY COMPANY

BY: *Stephanie A. Doughty*  
NAME: STEPHANIE A. DOUGHTY TITLE: MANAGER

STATE OF COLORADO)

) ss.

COUNTY OF LARIMER)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 14<sup>th</sup> DAY OF December 2011, BY *Stephanie A. Doughty*, AS MANAGER OF 303 SPECIAL ASSETS LLC, A COLORADO LIMITED LIABILITY COMPANY.

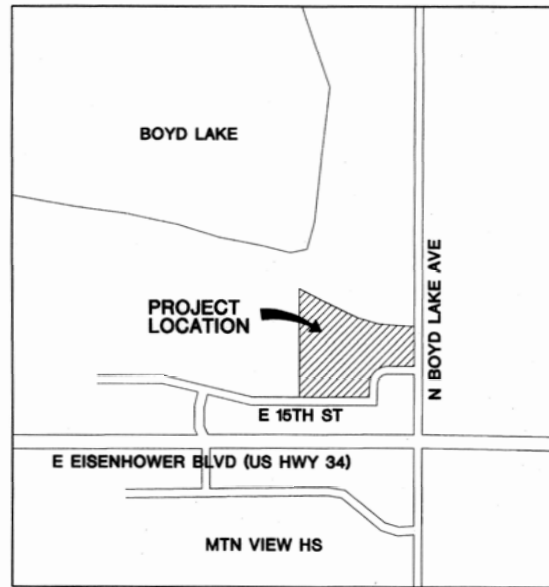
WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES June 21, 2013

*Palma Ann Harris*  
NOTARY PUBLIC

## NOTES:

- UNLESS OTHERWISE APPROVED BY THE CITY, ALL UNSATISFIED CONDITIONS OF APPROVAL FOR THE ORIGINAL SUBDIVISION SHALL CONTINUE TO APPLY TO THIS PROPERTY.
- THIS PROJECT IS SUBJECT TO A DEVELOPMENT AGREEMENT FOR WATERFALL SUBDIVISION, RECORDED IN THE REAL PROPERTY RECORDS OF LARIMER COUNTY AUGUST 17, 1993 AT RECEPTION NO. 93058966, AMENDMENT RECORDED AUGUST 30, 1994 AT RECEPTION NO. 94072647, AMENDMENT RECORDED MARCH 20, 1995 AT RECEPTION NO. 95015729 AND AMENDMENT RECORDED *March 17, 2011* AT REC. NO. *20110063150*.
- THE WORD "CERTIFY" OR "CERTIFICATION" AS SHOWN AND USED IN THE SURVEYOR'S CERTIFICATE IS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THE SURVEY, AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTY, EXPRESS OR IMPLIED.
- FOR ALL INFORMATION REGARDING TITLE, EASEMENTS, RIGHTS-OF-WAY OF RECORD, AND TERMS OR CONDITIONS AFFECTING THIS PROPERTY, TST INC., CONSULTING ENGINEERS RE: 1/10" TITLE COMMITMENT FCC25099882-2 PREPARED BY LAND TITLE GUARANTEE COMPANY EFFECTIVE JANUARY 5, 2011 AT 5:00 P.M. THIS DOES NOT CONSTITUTE A TITLE SEARCH BY TST INC. PLEASE REFER TO THE ABOVE CITED TITLE COMMITMENT FOR ADDITIONAL INFORMATION REGARDING THIS SITE.
- ALL EXPENSES INVOLVING NECESSARY IMPROVEMENTS FOR WATER SYSTEM, SANITARY SEWER SYSTEM, STORM SEWER SYSTEM, CURBS AND GUTTERS, SIDEWALKS, STREET IMPROVEMENTS, STREET SIGNS, TRAFFIC CONTROL SIGNS, ALLEY GRADING AND SURFACING, GAS SERVICE, ELECTRIC SYSTEM, GRADING AND LANDSCAPING SHALL BE PAID BY THE PROPERTY OWNER.
- \*TOTAL AREA OF EASEMENTS DEDICATED TO THE PUBLIC OR THE CITY BY THIS PLAT IS 78,890 SQUARE FEET. (INCLUDES AREA WITHIN EXISTING EASEMENTS).  
\*TOTAL AREA OF EASEMENTS DEDICATED TO THE PUBLIC OR THE CITY THAT IS BEING VACATED BY THIS PLAT IS 0 SQUARE FEET.
- MAINTENANCE AND UPKEEP OF STORMWATER DETENTION PONDS, STORM SEWER SYSTEMS, SWALES, AND PERMANENT STORMWATER QUALITY IMPROVEMENTS ARE REQUIRED BY THE CITY OF LOVELAND AND ARE A CONTINUING OBLIGATION OF THE HOMEOWNER ASSOCIATION (HOA), BUSINESS OWNER ASSOCIATION (BOA), OR PRIVATE PROPERTY OWNER. THE OWNER(S) OR RESPONSIBLE PARTIES (HOA, BOA) SHALL PROVIDE ONGOING MAINTENANCE TO THE PRIVATE STORMWATER IMPROVEMENTS AS NEEDED TO MAINTAIN COMPLIANCE WITH THE APPROVED CONSTRUCTION PLANS AND REPORTS.
- THE DEVELOPER SHALL BE RESPONSIBLE FOR REPAIR OR REPLACEMENT OF DAMAGED TRAIL OR DAMAGES WITHIN THE TRAIL EASEMENT IF DEVELOPER CAUSES THE NEED FOR SUCH REPAIR.
- THE CITY SHALL HAVE NO OBLIGATION FOR THE MAINTENANCE OR UPKEEP OF ANY ACCESS, EMERGENCY ACCESS, OR PEDESTRIAN EASEMENT SHOWN ON THIS PLAT, WHICH SHALL BE THE CONTINUING OBLIGATION OF THE PRIVATE PROPERTY OWNER AND/OR ANY METROPOLITAN DISTRICT IN WHICH THE PROPERTY IS LOCATED. MAINTENANCE OR UPKEEP OF THE TRAIL ACCESS EASEMENT IS SUBJECT TO THE DEVELOPMENT AGREEMENT REFERRED TO IN NOTE 2 ABOVE.



VICINITY MAP  
N.T.S.

## BASIS OF BEARING STATEMENT:

ASSUMED NORTH 89°58'21" EAST ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 68 WEST OF THE 6TH P.M., SAID LINE BEING MONUMENTED AS SHOWN HEREON.

## SURVEYOR'S CERTIFICATE:

I, LAINE A. LANDAU, BEING A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY OF WATERFALL SIXTH SUBDIVISION WAS MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT THE SURVEY IS ACCURATELY REPRESENTED ON THIS PLAT AND THAT THE STATEMENTS CONTAINED HEREON WERE READ BY ME AND THE SAME ARE TRUE TO THE BEST OF MY KNOWLEDGE.

DATED THIS 12<sup>th</sup> DAY OF December 2011.

*Laine A. Landau*  
LAINE A. LANDAU  
COLORADO PROFESSIONAL LAND SURVEYOR  
31159

NOTICE: 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 CERTIFICATION SHOWN HEREON.

## CITY OF LOVELAND:

THIS PLAT IS APPROVED BY THE DIRECTOR OF DEVELOPMENT SERVICES OF THE CITY OF LOVELAND, LARIMER COUNTY, COLORADO, THIS 14<sup>th</sup> DAY OF December 2011, FOR FILING WITH THE CLERK AND RECORDER OF LARIMER COUNTY AND FOR CONVEYANCE TO THE CITY OF THE PUBLIC DEDICATIONS SHOWN HEREON, WHICH ARE ACCEPTED; SUBJECT TO THE PROVISION THAT APPROVAL IN NO WAY OBLIGATES THE CITY OF LOVELAND, FOR THE FINANCING OR CONSTRUCTING OF IMPROVEMENTS ON LAND, STREETS, OR EASEMENTS DEDICATED TO THE PUBLIC EXCEPT AS SPECIFICALLY AGREED TO BY THE DIRECTOR OF DEVELOPMENT SERVICES.

DIRECTOR OF DEVELOPMENT SERVICES

WITNESS MY HAND AND SEAL OF THE CITY OF LOVELAND.

ATTEST:  
*Lissa S. Andrews*  
CITY CLERK

## ATTORNEY'S CERTIFICATE:

I, *Joseph H. Farnham*, AN ATTORNEY LICENSED TO PRACTICE LAW IN THE STATE OF COLORADO, CERTIFY THAT I HAVE EXAMINED TITLE TO THE ABOVE DESCRIBED LAND DEDICATED TO THE CITY OF LOVELAND, COLORADO; AND THAT THE PARTIES EXECUTING THE DEDICATION ARE THE OWNERS THEREOF IN FEE SIMPLE AND THE DEDICATED LAND IS FREE AND CLEAR OF ALL LIENS AND ENCUMBRANCES, EXCEPT AS SET FORTH HEREIN.

SO SWORN THIS 14<sup>th</sup> DAY OF December 2011.

*Joseph H. Farnham*  
ATTORNEY AT LAW

## PRIVATE DEDICATION STATEMENT:

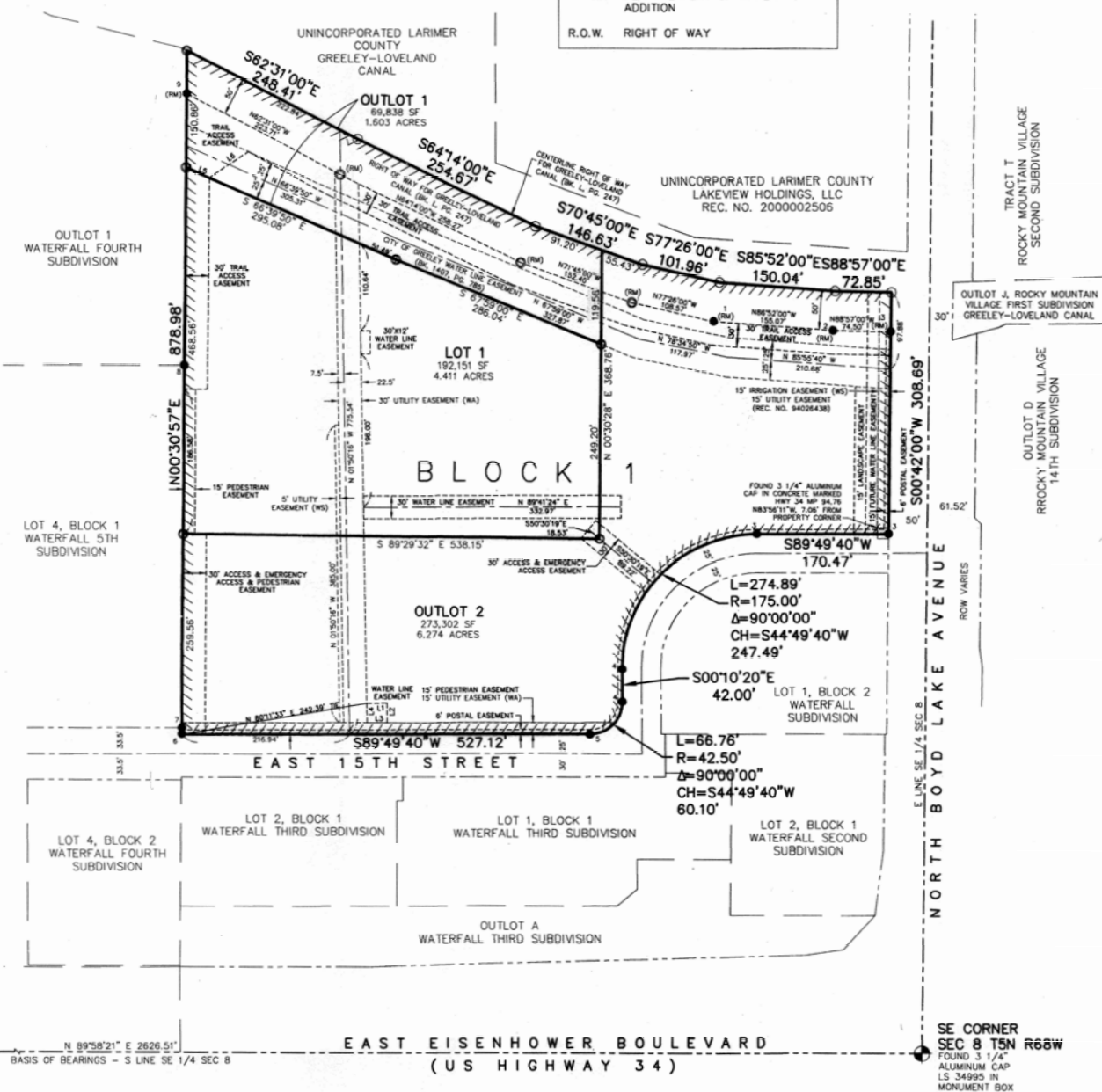
THE OWNER HEREBY ESTABLISHES AND GRANTS A PRIVATE EASEMENT FOR ACCESS, INGRESS, EGRESS AND PARKING OVER ALL PRIVATE DRIVES AND PARKING LOT AREAS CONSTRUCTED WITHIN OUTLOT 2 OF THE WATERFALL SIXTH SUBDIVISION FOR THE RECIPROCAL AND MUTUAL USE, ENJOYMENT AND BENEFIT OF THE OWNERS, PATRONS, TENANTS, GUESTS AND INVITEES OF OUTLOT 2, WATERFALL SIXTH SUBDIVISION. SUCH PRIVATE EASEMENT SHALL RUN WITH THE LAND, BE BINDING AND ENFORCEABLE UPON THE OWNER AND THE OWNER'S SUCCESSORS AND ASSIGNS AND SHALL INURE TO THE BENEFIT OF ALL CURRENT AND FUTURE OWNERS, PATRONS, TENANTS, GUESTS AND INVITEES OF OUTLOT 2, WATERFALL SIXTH SUBDIVISION. THE PRIVATE EASEMENT HEREBY CREATED AND ESTABLISHED SHALL BE MAINTAINED BY THE PROPERTY OWNER(S) OF OUTLOT 2, WATERFALL SIXTH SUBDIVISION AND/OR A PROPERTY OWNER'S ASSOCIATION NOW OR HEREAFTER ESTABLISHED AND SHALL BE SUBJECT TO REASONABLE RULES AND REGULATIONS REGARDING THE USE, MAINTENANCE, REPAIR AND ASSESSMENT SET FORTH IN ANY COVENANTS, CONDITIONS AND RESTRICTIONS NOW OR HEREAFTER RECORDED WITH RESPECT TO OUTLOT 2, WATERFALL SIXTH SUBDIVISION.

OWNER: *Raymond H. Keel* DATE: 12/13/2011

## LEGEND

- 1. FOUND BENT #4 REBAR W/ RED PLASTIC CAP, LS 32829
- 2. FOUND #4 REBAR W/ RED PLASTIC CAP, ILLEGIBLE
- 3. FOUND NAIL W/ 1 1/2" BRASS DISK, LS 32829
- 4. FOUND #4 REBAR W/ YELLOW PLASTIC CAP, LS 32829
- 5. FOUND BENT #4 REBAR
- 6. FOUND #4 REBAR
- 7. FOUND #4 REBAR W/ PLASTIC CAP, LS 37911
- 8. FOUND #4 REBAR W/ PLASTIC CAP, LS 32444
- 9. FOUND #4 REBAR W/ RED PLASTIC CAP, LS 32829
- 10. SET NO. 4 REBAR WITH YELLOW PLASTIC CAP LS 31159
- 11. CORNER NOT FOUND OR SET, FALLS IN WATER
- 12. REFERENCE MONUMENT ON 50' OFFSET LINE
- 13. SUBDIVISION BOUNDARY
- 14. PER THE PLAT OF WATERFALL SUBDIVISION
- 15. PER THE PLAT OF WATERFALL ADDITION
- 16. R.O.W. RIGHT OF WAY

LINE	BEARING	LENGTH
1	S 89°58'21" E	28.00'
2	S 89°58'21" W	28.00'
3	S 89°58'21" E	28.00'
4	S 89°58'21" W	28.00'
5	S 89°58'21" E	28.00'
6	S 89°58'21" W	28.00'



WATERFALL SIXTH SUBDIVISION

FINAL PLAT



TST, INC.  
CONSULTING ENGINEERS  
760 Whalers Way, Suite 200  
Fort Collins, Colorado  
Phone: 970.228.0052  
Fax: 970.228.0204

JOB NO: 1175.0001.00

SCALE: 1" = 100'

DATE: 12/12/2011

SHEET: 1 of 1



THE EDGE  
SITE DEVELOPMENT PLAN FOR LOT 1, BLOCK 1,  
WATERFALL SIXTH SUBDIVISION TO THE CITY OF LOVELAND,  
LARIMER COUNTY, COLORADO  
3601 E. 15TH STREET, LOVELAND, CO 80538

CITY SIGNATURE BLOCKS

1. An owner's certificate signed and acknowledged by all persons or corporations having any ownership in the land included in the Site Development Plan plus notary signatures.

Property Owner

The undersigned agree that the real property described in the application for Site Development Plan filed herewith, and as shown on the site plan, shall be subject to the requirements of Chapter 18.46 of the Municipal Code of the City of Loveland, Colorado, and any other ordinances of the City of Loveland, Colorado. The undersigned also understands that if construction of all improvements is not completed and if the Site Development Plan uses are not established within three years of the date of approval, or other completion date or dates established in a development agreement approved by the city, the city may take an action to declare the Site Development Plan abandoned and null and void.

*Samuel A. Bellers*  
(Owner's Signature)

*Executive Director*  
(Title)

*Secretary*  
(Signature)

STATE OF COLORADO } ss.  
COUNTY OF LARIMER }

The foregoing agreement was acknowledged before me this 21<sup>st</sup> day of May, 2015, by the  
*Samuel A. Bellers*  
Witness my hand and official seal.  
My commission expires: 10-11-15 *Phyllis K. Nelson*  
Notary Public

2. City approval block to be shown as follows:

a. Approved this 10<sup>th</sup> day of JUNE, 2015, by the  
Current Planning Manager of the City of Loveland, Colorado.  
*Bob Paul*  
Current Planning Manager

b. Approved this 16<sup>th</sup> day of JUNE, 2015, by the  
Parks and Recreation Department.

SITE DATA TABLE	
ZONING:	MAC (MIXED ACTIVITY CENTER)
SITE ACREAGE:	4.40 ACRES / 191,864 S.F.
LAND USE (PROPOSED):	APARTMENTS
GROSS BUILDING SQUARE FOOTAGE:	
BUILDING A1	15,656 S.F.
BUILDING A2	15,656 S.F.
BUILDING B	26,878 S.F.
BUILDING C	10,862 S.F.
AMENITY/LEASING	2,200 S.F.
BUILDING OCCUPANCY:	
BUILDING A1	R-2, RESIDENTIAL
BUILDING A2	R-2, RESIDENTIAL
BUILDING B	R-2, RESIDENTIAL
BUILDING C	R-2, RESIDENTIAL & A-3, ASSEMBLY
AMENITY/LEASING	B, BUSINESS & A-3, ASSEMBLY
CONSTRUCTION TYPE:	
BUILDING A1	VA, SPRINKLERED (NFPA 13R)
BUILDING A2	VA, SPRINKLERED (NFPA 13R)
BUILDING B	VA, SPRINKLERED (NFPA 13R)
BUILDING C	VA, SPRINKLERED (NFPA 13R)
AMENITY/LEASING	VB, NOT SPRINKLERED
PARKING COUNT:	
REQUIRED	2 PER UNIT/70 UNITS = 140 SPACES
TOTAL PROVIDED	138 (VARIANCE REQUEST IS BEING SUBMITTED FOR DECREASED PARKING COUNT)
STANDARD TYPE A	124 (95%)
BICYCLE	6 (5%)
LANDSCAPING:	
TOTAL SITE	85,740 S.F.
INT. PARKING LOT	2,829 S.F.
SITE AREA SUMMARY:	
OPEN SPACE	45% (85,880 S.F.)
BUILDING FOOTPRINTS	16% (30,522 S.F.)
PARKING/DRIVES	11% (59,382 S.F.)
SIDEWALKS/PATIOS	8% (15,870 S.F.)
DENSITY:	15.9 UNITS/ACRE
FEMA FLOODPLAIN	NO PORTION OF THE SITE IS WITHIN A DESIGNATED FEMA FLOODPLAIN

SHEET INDEX	
1	OF 20 SITE PLAN
2	OF 20 SITE PLAN
3	OF 20 LANDSCAPE PLAN
4	OF 20 LANDSCAPE PLAN
5	OF 20 HYDROZONE PLAN
6	OF 20 TREE INVENTORY PLAN
7	OF 20 TREE INVENTORY PLAN
8	OF 20 LANDSCAPE DETAILS
9	OF 20 LANDSCAPE DETAILS
10	OF 20 IRRIGATION PLAN
11	OF 20 IRRIGATION PLAN
12	OF 20 IRRIGATION DETAILS
13	OF 20 IRRIGATION DETAILS
14	OF 20 ELEVATIONS
15	OF 20 ELEVATIONS
16	OF 20 ELEVATIONS
17	OF 20 COLOR BOARD
18	OF 20 PHOTOGRAPHIC
19	OF 20 ELECTRICAL FIXTURES
20	OF 20 ROOFTOP SCREENING

PROJECT TEAM

OWNER  
LOVELAND HOUSING AUTHORITY  
375 W. 37TH STREET, SUITE 200  
LOVELAND, CO 80538  
(970)667-3232

ARCHITECT  
OZ ARCHITECTURE  
3003 LARIMER STREET  
DENVER, CO 80205  
(303)861-5704

CIVIL ENGINEER  
NORTH STAR DESIGN, INC.  
700 AUTOMATION DRIVE  
WINDSOR, CO 80550  
(970)686-6939

LANDSCAPE ARCHITECT  
DHM DESIGN  
800 S. BROADWAY  
DENVER, CO 80209  
(303)892-5566

IRRIGATION  
AVOCET IRRIGATION DESIGN  
7714 W. JEFFERSON AVENUE  
SUITE #201  
LAKEWOOD, CO 80235  
(303)968-2175

ELECTRICAL ENGINEER  
MV CONSULTING, INC.  
11990 GRANT STREET  
SUITE #310  
NORTHGLENN, CO 80233  
(303)325-3271

MECHANICAL ENGINEER  
BA CONSULTANTS, INC.  
235 FILLMORE STREET  
SUITE #210  
DENVER, CO 80206  
(303)322-1212

SITE PLAN LEGEND	
	SERPENTINE BIKE RACK ON CONCRETE SLAB
	POLE-MOUNTED LIGHT FIXTURE, RE: ELECT
	BOLLARD LIGHT FIXTURE, RE: ELECT

THE EDGE

ISSUED FOR:  
SDP SUBMITTAL

SHEET TITLE:  
SITE PLAN

SCALE: As indicated  
SHEET NUMBER

ADJACENT PROPERTY IS OUTLOT 1,  
WATERFALL FOURTH SUBDIVISION  
NO AREA INFORMATION AVAILABLE

ADJACENT PROPERTY IS LOT 4, BLOCK 1,  
WATERFALL FIFTH SUBDIVISION  
1.64 ACRES (71,833 S.F.)

THE EDGE  
LOVELAND, CO 80538

PROJ. NO. 113024.00  
DRAWN:  
CHECKED:  
APPROVED:  
DATE: 5/04/2015

© OZ ARCHITECTURE

THE EDGE

ISSUED FOR:  
SDP SUBMITTAL

SHEET TITLE:  
SITE PLAN

SCALE: As indicated  
SHEET NUMBER





Picture 1: The Edge entrance sign and first building as seen from the driveway entrance off of 15<sup>th</sup> St.



Picture 2: Typical building within The Edge. The Housing Authority has stated that it is intended that the additional MF units will be similar in appearance to the existing MF units.



Picture 3: Clubhouse and play equipment at The Edge. These amenities would also be Utilized by the new MF units.



Picture 4: Waterfall Sixth as seen from 15<sup>th</sup> St. The undeveloped area in front of the Existing buildings is proposed to be Developed with additional MF.



Picture 5: Google Satellite view of Waterfall Sixth. The yellow areas are proposed to change from *commercial* to *commercial and multifamily* uses on the CMP. The orange area is The Edge.