



City of Loveland

**LOVELAND PLANNING COMMISSION MEETING  
AGENDA**

**Monday, May 22, 2017  
500 E. 3<sup>rd</sup> Street – Council Chambers  
Loveland, CO 80537  
6:30 PM**

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**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, June 12, 2017 Agenda Preview**
  - i. Parkside Village Annexation & Zoning**
  - ii. DDA Plan of Development**
- 2. Planning Commission Vacancy: Application deadline is 5:00 PM on May 26, 2017**
- 3. Hydrozone Code Amendment update: City Council 1<sup>st</sup> Reading May 16<sup>th</sup>**
- 4. Hot Topics:**

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

**d. Committee Reports**

e. **Commission Comments**

**IV. APPROVAL OF MINUTES**

**Review and approval of the May 8, 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. Loveland Eisenhower 1st Subdivision - Vacation of Emergency Access Easements**

This is a public hearing concerning the vacation of two emergency access easements to accommodate a multifamily residential project within the 56-acre LEI development site. The vacant site is on the north side of Eisenhower Boulevard between Denver Avenue and Sculptor Drive. The easements were established at the time of initial platting in order to provide a secondary means of access to the more remotely located tracts of the Loveland Eisenhower First Subdivision in the event that those tracts were developed prior to the tracts located closer to the established streets of the project. The replatting of the property, which is now in process, will eliminate those remote tracts and thus eliminate the need for the emergency access easements. In addition to the replat, city staff is also in the process of reviewing a site development plan application for a proposed multifamily development in the area of the emergency access easements, and new emergency access easements in more suitable locations will be dedicated to the City with the site development plan approval.

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 June 6, 2017.

**2. Anderson 1st Subdivision - Preliminary Plat Extension**

This request requires quasi-judicial review by the Planning Commission to consider extension of the Preliminary Plat for Anderson 1st Subdivision for an additional two-year period. The preliminary plat and PUD Preliminary Development Plan were approved by the City in January 2009. Extensions have been granted by the City since that time to keep the plat and plans valid. The most recent extension was granted by the Planning Commission on 6/27/16 for one year.

The property is located at the northeast corner of South Lincoln Avenue and South 42nd Street. The western portion of the property, consisting of approximately 34 acres, is zoned E-Employment and is controlled by a Concept Master Plan. The eastern portion of the property, consisting of 89.35 acres,

is zoned “Ridge at Thompson Valley PUD” which allows a maximum of 152 dwelling units, and a gross density of 1.7 dwelling units per acre. Planning Commission has final authority on this matter.

## **VI. REGULAR AGENDA:**

### **3. Larimer County GMA Overlay Zoning Update (Presentation time: 10 Minutes)**

This is an informational item to recap the joint study session held on 5/10/17 with City of Loveland and Larimer County Commissioners. The City of Loveland and Larimer County are exploring extending the Loveland Growth Management Area overlay-zoning district to properties in and around the State Highway 402 and US Highway 34 corridors. This zoning district will put into effect the Intergovernmental Agreement for Growth Management (IGA) between Loveland and Larimer County and create certainty for property owners that Loveland will provide services if they chose to develop.

### **4. Boyd Lake Village Master Plan Amendment (Presentation time: 15 Minutes)**

This is a public hearing to consider an amendment to the conceptual master plan for Boyd Lake Village. The development is located north of E. Eisenhower Boulevard, west of Boyd Lake Avenue, and on both the north and south sides of 15<sup>th</sup> Street. The master plan contains approximately 32.2 acres and 10 subdivided lots. There are two uses existing within Boyd Lake Village: the Orthopaedic and Spine Center of the Rockies (OCR) and a medical office building that contains the UCHealth Urology, Crane Orthodontics, and Reynolds Oral and Facial Surgery. McWhinney Real Estate Services is requesting two modifications to the Boyd Lake Village Conceptual Master Plan: (1) removal of the requirement for primary land use designations within the master plan and (2) modification of the architectural design standards established in the master plan to lower the percentage of solar shading on windows and permit pitched roof forms. Planning Commission has final authority on this matter.

## **VII. ADJOURNMENT**

## **STUDY SESSION:**

### **1. Unified Development Code – New Residential Zoning Districts (20 minute presentation)**

This is a continuation of the Planning Commission study session held on May 8<sup>th</sup> regarding Task 4 – New Residential Districts in the new Unified Development Code (UDC). Items to be discussed are new standards to implement policies in the Comprehensive Plan for Complete Neighborhoods. A study session with City Council on the same material is scheduled for July 11<sup>th</sup>.

**CITY OF LOVELAND**  
**PLANNING COMMISSION MINUTES**  
**May 8, 2017**

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A meeting of the City of Loveland Planning Commission was held in the City Council Chambers on May 8, 2017 at 6:30 p.m. Members present: Chairman Jersvig; and Commissioners Dowding, Molloy, Forrest, Ray, and Fleischer. Members absent: McFall and Roskie. City Staff present: Bob Paulsen, Current Planning Manager; Moses Garcia, 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**, previewed the full agenda for the Monday, May 22<sup>th</sup> Planning Commission meeting:
  - This first item is the Anderson 1<sup>st</sup> Subdivision Preliminary Plat and Preliminary Development Plan Extension request. This approval has been extended previously; an additional two-year extension is being requested. The property is on the south edge of the city along the east side of Highway 287 to the north of Highway 60.
  - The Boyd Lake Village Master Plan Amendment involves the area occupied by the Orthopedic Center of the Rockies, the Urology Center and includes vacant land in the vicinity. The applicant is seeking an amendment to the Conceptual Master Plan that controls design and land uses on the property.
  - LEI Emergency Access Easement Vacation. This request relates to the large vacant property on the north side of East Eisenhower and east of Denver Avenue. The development plans are being finalized and there is a need to clean up some of the emergency access in order to facilitate the final plat approval.
  - Another Unified Development Code Study Session regarding New Residential Zoning Districts is planned for this meeting.
2. **Mr. Paulsen** noted that prior to tonight's meeting an open house regarding the Unified Development Code – Infill and Corridor Development Standards -- was held.

### **3. Hot Topics:**

**Mr. Paulsen** said that the ordinance to allow Planning Commission eligibility to include GMA residents was moving forward and will be placed on the City Council agenda in the near future. He will notify the Planning Commissioners when that date has been determined.

**Mr. Paulsen** thanked **Linda Bersch** for her service as Interim Planning Commission Secretary and noted that this would be her last meeting in that capacity.

**Mr. Paulsen's** final comment was in regard to an e-mail Commissioners received from Karl Barton about the joint work session with the Board of County Commissioners (BOCC) and the Larimer Planning Commissioners on Wednesday, May 10<sup>th</sup> which includes a 5:30 pm dinner and a 6:00 pm meeting. **Mr. Barton** came forward to apologize for the short notice about the meeting. Because the BOCC decided to move these meetings from a monthly to a quarterly schedule, it became necessary to select a near-term date to have a timely discussion regarding extending the Growth Management Area (GMA) Overlay Zoning District. Staff would like to get the blessing of the BOCC and Larimer Planning Commission before proceeding to public hearings for the project this summer. He also noted there is an open house for residents within the Hwy 402 area on Thursday, May 25<sup>th</sup>.

**Commissioner Jersvig** asked what input this Planning Commission was expected to provide regarding the Overlay Distri. **Mr. Barton** stated the purpose of the meeting is to determine what the BOCC is willing to support. The proposal will not include any holes in the district except for the IGA with Johnstown. He would like for the BOCC to hear that this Planning Commission supports the project and also recommends it to the Council as an amendment to the existing IGA. In the end, it will be the BOCC's decision to amend the existing zoning provisions.

**Commissioner Forrest** stated that it would be good for any presentations for joint meetings to come before this commission ahead of time so Commissioners could be prepared to represent or comment on the project. **Commissioner Ray** asked if there should be a motion for endorsement before these meetings. **Mr. Paulsen** indicated his appreciation for the Commission's comments and suggested scheduling a follow-up discussion at a future meeting on how Commissioners would like to proceed.

**Commissioner Jersvig** asked for an e-mail regarding this Wednesday's agenda which **Mr. Barton** will provide.

**Commissioner Ray** then expressed concern about the agenda for the May 22nd Planning Commission meeting, which includes a study session on the Unified Development Code. He believes that the full agenda could result in the study session beginning late in the evening and consequently short change the presentation and dicussion on the UDC. **Mr. Paulsen** indicated he would discuss this schedule with **Mr. George** but expects 2 of the 3 regular agenda items to go very quickly. If necessary, scheduling changes will be made.

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

**Moses Garcia, Assistant City Attorney**, provided an update on the search for a new City Attorney. The Council has decided to reopen the search as they were not satisfied with the pool of candidates. He may have more information after the May 16<sup>th</sup> Council meeting.

## **COMMITTEE REPORTS**

There were no committee reports.

## **COMMISSIONER COMMENTS**

**Commissioner Jersvig** introduced and welcomed City Councilman Steve Olson who was in the audience.

## **APPROVAL OF THE MINUTES**

*Commissioner Dowding made a motion to approve the April 24, 2017 minutes; upon a second from Commissioner Forrest the minutes were unanimously approved.*

## **CONSENT AGENDA**

There were no items on the consent agenda.

## **REGULAR AGENDA**

### **1. Unified Development Code – Infill and Corridor Development**

**Mr. Greg George, Special Project Manager**, noted this is a public hearing item concerning new legislation. This component will be integrated into the UDC upon completion of the document later in 2017. It proposes new standards to facilitate redevelopment and reinvestment in properties along Loveland's highway corridors and to allow a wide range of housing types in new development and compatible infill development in older neighborhoods. The draft was presented to the Commission at the March 13<sup>th</sup> and March 27<sup>th</sup> study sessions and the draft was presented at the City Council's April 11th study session. Concerns raised by the Planning Commission have resulted in adjustments to the provisions; the City Council raised no concerns with the proposed provisions.

Staff is requesting that the Commission recommend approval of this portion of the UDC to City Council. Upon the Commission's recommendation, this portion will be put on hold while other portions of the UDC are drafted and undergo review. Once all components of the UDC are completed, and have been reviewed by City Council and recommended for approval by the Planning Commission, a complete final draft will be brought back to the Commission for a recommendation of approval. The final version will then be forwarded to City Council for adoption.

**Mr. George** noted that the intent of these standards is to achieve policies for Highway Corridors and Infill Development as adopted in the Loveland Comprehensive Plan (Create Loveland) and in the 287 Strategic Plan.

**Mr. Karl Barton, Community Strategic Planning**, presented an overview of the Enhanced Corridor Overlay provisions. The goal of the overlay is to increase development potential for the lots along the corridor and establish code standards that facilitate development as described in the Staff Report and in Division 2.08.04.

**Mr. George** went on to an overview of the Housing Palette standards as described in the staff report and the revised Division 2.10.02 of the UDC. This would be included in new residential and mixed use zoning districts to allow for a wide range of housing types. **Mr. Todd Messenger, UDC Consultant**, talked about the Massing Study and how it relates to the Infill Compatibility Standards. **Mr. George** went on to summarize the Allowable Housing Types in the R1e and R3e Zoning Districts as well as the Building Coverage Standards and Building Heights proposed for these zoning districts. **Mr. George** illustrated the Planning Commission revisions to the Enhanced Corridor Overlay that had been discussed at the previous study sessions.

## **COMMISSIONER QUESTIONS AND COMMENTS:**

- **Commissioner Dowding** questioned the use of the term Enhanced Corridor Overlay Zone (ECO) used in Section 2.08.404 when all other references in this Section are to ECZ, Enhanced Corridor Zone. It was agreed that the ECZ reference would be used as to be consistent with the other references.
- **Commissioner Ray** initiated a discussion on the allowance of duplexes as a Limited Use in R1e zones. **Mr. Todd Messenger** noted that duplexes are a limited use allowed along the edge of such neighborhoods, serving as a transition and buffer element and this would be defined further in the Limited Use Standards.
- **Commissioner Dowding** had a concern with the language on page 2 of Housing Palette document, Division 2.10.202. C 2(a). The “or” under a2 should be removed and replaced with a statement that indicates one of the three items listed must be met. She also asked for clarification on 2b and the term “building elevation”. Her suggestion that the sentence simply read “The combined yard shall be screened from the street.” was agreed to. Her next item required a correction to the title of the table “Table 2.10.202A” it should actually be “Table 2.10.202B” .
- **Commissioner Ray** questioned the language of Attachment B (page 3 of 7), paragraph 2.10.203, 2, Duplexes, that states the exterior stair access (to second floor duplex units) is not allowed. **Commissioner Forrest** was also concerned about exterior access being a safety issue. After discussion it was agreed that Mr. George would look into the reasoning behind this requirement and how it aligns with the building code and come back to the Commission with a recommendation.
- **Commissioner Ray** commented on Attachment C, 2.10.207 Manufactured Homes. He felt that that section should be removed. After discussion, it was determined that the section would remain but the definition of Manufactured Homes will reflect the HUD

definition for manufactured homes. Tables will be developed to reflect where these types of homes can and cannot be placed.

- **Commissioner Jersvig** asked about the term “tiny home” in the Table 2.10.207. **Mr. Messenger** explained that they would need to be building code compliant and are too small to meet the definition of a manufactured home. **Commissioner Dowding** suggested that Tiny Homes should not be in this table since they do not meet the definition of a manufactured home. **Mr. Messenger** agreed that it should be moved to the single family home table.
- Regarding the Land Use Table illustrating Manufactured Home development, **Mr. George** indicated that the standards will need to be established for what level of review will be necessary.

#### **CITIZEN COMMENTS:**

**Commissioner Jersvig opened the public hearing at 8:20 p.m.**

There were no public comments.

**Commissioner Jersvig closed the public hearing at 8:20 p.m.**

#### **COMMISSIONER COMMENTS:**

**Commissioner Dowding** questioned what action was necessary tonight. **Mr. George** referenced that the motion for approval is for the second working draft. **Commissioner Dowding** commented that a “Changes Document” was previously used and suggested that this be implemented for this draft. **Mr. George** agreed to provide that feature to the Commissioners for this task as well.

**Commissioner Ray** commented that the land use tables should, in his opinion, be ordinal tables. After much discussion about the feasibility of this proposal, no decision was reached.

*Commissioner Dowding moved to grant preliminary approval of the second working drafts of Division 2.08.04 – Enhanced Corridor Overlay Standards and Division 2.10.02 Housing Palette, dated May 8, 2017, with the understanding that both divisions will be considered by the Planning Commission for final approval in Task 6. Following a second by **Commissioner Ray**, the motion was unanimously approved.*

## **2. Wireless Co-location Code Provisions**

**Mr. Paulsen** noted that the next presentation has to do with amendments to the City's wireless telecommunications regulations that respond to recently adopted FCC regulations. The amendment before the Commission tonight relates to application review processes pertaining to co-location, which typically involves the placement of additional antennas on existing cell towers. Such applications must be reviewed through the City's development

review process. He explained that there is another ordinance addressing wireless telecommunications facilities that is being developed by the Power Division. This second ordinance was originally scheduled for hearing at tonight's Planning Commission meeting but has been removed from the agenda. The second ordinance amends Title 13 and has to do with attaching telecommunications apparatus to structures located within the public rights-of-way. The second ordinance responds to new state regulations based on FCC changes. The second ordinance does not require Planning Commission review, but it will be presented directly to City Council at their May 16<sup>th</sup> meeting along with the ordinance being reviewed by the Planning Commission.

**David Eisenbraun, Planner**, indicated that this is a public hearing item regarding proposed amendments to Chapter 18.55 of the Municipal Code. This chapter of the zoning code specifies requirements for wireless telecommunications facilities, commonly referred to as "cell towers," antennas and associated equipment. The code amendment responds to rule changes by the Federal Communications Commission (FCC) concerning co-location. The intent of the FCC provisions is to simplify and expedite the co-location review and approval process, specifically for co-location applications that do not modify existing facilities in a substantial way. Among the new FCC provisions is a 60-day review period that mandates the automatic approval of any qualifying co-location application that is not processed by local government within this time period. The proposed amendments will bring the Municipal Code into compliance with the FCC regulations. The role of the Planning Commission is to make a recommendation to City Council for final action. This code amendment is scheduled for the May 16, 2017 Council meeting.

#### **CITIZEN COMMENTS:**

**Commissioner Jersvig opened the public hearing at 8:44 p.m.**

There were no public comments.

**Commissioner Jersvig closed the public hearing at 8:44 p.m.**

#### **COMMISSIONER COMMENTS:**

- **Commissioner Dowding** noted a correction is needed on Page 18-2, Section 18.55.025 to change the work "encourage" to "encourages."

*Following a brief discussion, **Commissioner Dowding** moved to recommend that City Council approve the proposed amendments to Chapter 18.55 as presented to the Planning Commission and as described in the Planning Commission staff report dated May 8, 2017 as specified in the attachments thereto and as further amended on the record. Following a second by **Commissioner Forrest**, the motion was unanimously approved.*

## **ADJOURNMENT**

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

**Commissioner Jersvig adjourned the meeting at 8:52 p.m.**

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

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Jenell Cheever, Planning Commission Secretary

## Planning Commission Staff Report

May 22, 2017

**Agenda #:** Consent Agenda - 1  
**Title:** LEI – Vacation of emergency access easements  
**Applicant:** Larry Owen with Owen Consulting Group  
**Request:** **Vacate emergency access easements to accommodate a proposed residential development**  
**Location:** Northwest of E. Eisenhower Boulevard and Sculptor Drive  
**Existing Zoning:** MAC - Mixed-Use Activity Center  
**Staff Planner:** Noreen Smyth

### **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 May 22, 2017 and, based on those findings, recommend that City Council approve the Vacation of Emergency Access Easements in Tracts E, F, and G, Loveland Eisenhower First Subdivision, 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 two emergency access easements to accommodate a multifamily residential proposal within the 56-acre LEI development site. The vacant site is on the north side of Eisenhower Boulevard between Denver Avenue and Sculptor Drive. The easements were established at the time of platting in order to provide a secondary means of access to the more remotely located tracts of the Loveland Eisenhower First Subdivision, in the event that those tracts were developed prior to the tracts located closer to the established streets of the project. The replatting of the property, which is now in process, will eliminate those remote tracts and thus eliminate the need for the emergency access easements. In addition to the replat, the city is also reviewing a site development plan application for a proposed multifamily development in the area of the emergency access easements, and new emergency access easements in more suitable locations will be dedicated to the City with the site development plan approval.

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 June 6, 2017.

## I. SUMMARY

The application proposes to vacate two emergency access easements in Tracts E, F, and G of the Loveland Eisenhower First Subdivision, which was approved in 2011. The Loveland Eisenhower First Subdivision created 10 tracts out of a 56.65-acre property, with the intent that specific development plans for each tract would be pursued at a later date. Because a few of the tracts in the Loveland Eisenhower First Subdivision did not have direct access to a street, it was required at the time of platting that emergency access easements be established from rights-of-ways to those tracts to ensure the ability of emergency services to reach those tracts.

A new subdivision application, the Loveland Eisenhower Second Subdivision, is under review at the city to divide the 56.65-acre property into 39 lots and a few outlots for a mixed-use development. All lots in the development have direct access to a public or private street. A site development plan (SDP) application has also been submitted to construct multifamily housing in the area with the emergency access easements. The existing emergency access easements are situated in locations that conflict with the proposed layout of the multifamily development, and new easements will be established in the parking lots of the multifamily buildings in conjunction with the SDP review. Because of these factors, the emergency access easements established with the 2011 plat are no longer necessary.

## II. ATTACHMENTS

- A. Vacation Exhibit and Legal Descriptions
- B. Justification letter from Applicant
- C. Loveland Eisenhower First Subdivision
- D. Loveland Eisenhower Second Subdivision (for reference only)
- E. Site Plan of multifamily development proposed for area of EAE vacation (for reference only)

## III. VICINITY MAP



#### **IV. SITE DATA**

ACREAGE OF EASEMENTS TO BE VACATED .....	0.75 AC
ACREAGE OF SITE .....	LEI: 56.65 AC; TRACTS WITH EAE: 15.69 AC
EXISTING ZONING .....	MAC – MIXED USE ACTIVITY CENTER
MASTER PLAN DESIGNATION .....	EMPLOYMENT
EXISTING USE .....	VACANT
EXISTING ADJACENT ZONING AND USE - NORTH.....	LARIMER COUNTY – BOYD LAKE RESERVOIR
EXISTING ADJACENT ZONING AND USE - EAST .....	LARIMER COUNTY – UTILITY
EXISTING ADJACENT ZONING AND USE - SOUTH .....	EISENHOWER BOULEVARD FOLLOWED BY PUD– COMMERCIAL
EXISTING ADJACENT ZONING AND USE - WEST .....	DR DEVELOPING RESOURCE – GREELEY- LOVELAND DITCH
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 portion of the Loveland Eisenhower First Subdivision that contains the easements to be vacated was annexed as part of the Loveland-Eisenhower Addition in April of 2010. The Loveland Eisenhower First Subdivision was approved in August of 2011.

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

##### **A. Notification**

An affidavit was provided by David Kasprzak with TFG Designs, Inc., indicating that proper notice was provided on May 5, 2017. Further, a notice was published in the Reporter Herald on May 6, 2017. All notices stated that the Planning Commission will hold a public hearing on May 22, 2017.

##### **B. Neighborhood Interaction/Response**

A neighborhood meeting is not required in conjunction with an application to vacate easements, and staff did not receive any inquiries or comments as a result of the public notice for the Planning Commission hearing.

#### **VIII. FINDINGS AND ANALYSIS**

The chapter and section cited below are from the Loveland Municipal Code as it relates to vacating an emergency access easement:

**Chapter 16.36, Section 16.36.010.B (2):** *That the right-of-way or easement to be vacated is no longer necessary for the public use and convenience.*

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

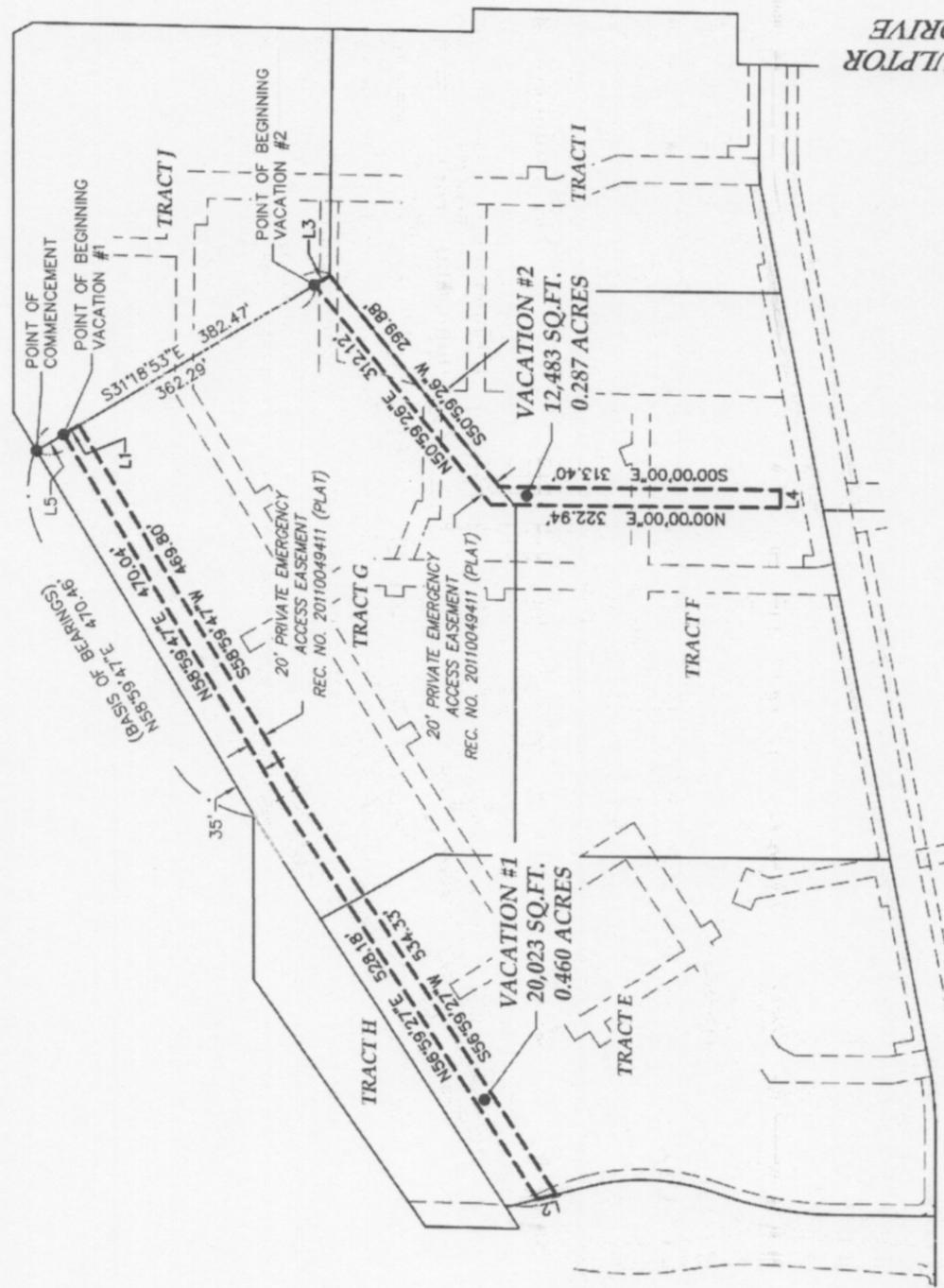
- The development site will comply with the requirements in the ACF Ordinance for response distance requirements from the first due Engine Company.
- The vacation of the Emergency Access Easement will not negatively impact fire protection for the subject development or surrounding properties. At time of development, new locations of Emergency Access Easements will be required.

## **IX. RECOMMENDED CONDITION**

1. The vacation ordinance shall not take effect until the final plat of the Loveland Eisenhower Second Subdivision is approved and recorded.

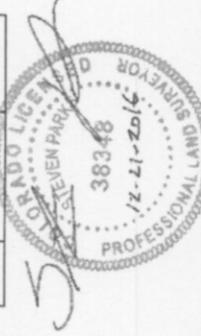
# EMERGENCY ACCESS EASEMENT VACATION - EXHIBIT

Being a Part of Tracts E, F and G of Loveland Eisenhower First Subdivision,  
 Situate in the Southwest Quarter of Section 8, Township 5 North, Range 68 West of the 6th P.M.,  
 City of Loveland, County of Larimer, State of Colorado



LINE TABLE

LINE	BEARING	LENGTH
L1	S31°18'53"E	20.00'
L2	N14°59'42"W	21.03'
L3	S31°18'53"E	20.18'
L4	N90°0'0"W	20.00'
L5	S31°18'53"E	35.00'



Steven Parks - On Behalf Of King Surveyors  
 Colorado Licensed Professional  
 Land Surveyor #35348

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 the certification shown hereon. (13-80-105 C.R.S. 2012)

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**KING SURVEYORS**  
 650 E. Garden Drive | Windsor, Colorado 80550  
 phone: (970) 686-5011 | fax: (970) 686-5821  
[www.kingsurveyors.com](http://www.kingsurveyors.com)

PROJECT NO:20151166  
 DATE: 7/28/2016  
 CLIENT: OWEN CONST  
 DWG: 20151166EXH-VAC  
 DRAWN: CSK CHECKED: SIP

NOTE: This exhibit drawing is not intended to be a monumented land survey. It's sole purpose is as a graphic representation to aid in the visualization of the written property description which it accompanies. The written property description supersedes the exhibit drawing.

## PARCEL DESCRIPTION

### Emergency Access Easement Vacation #1

A 20.00 foot wide strip of land, previously dedicated as an Emergency Access Easement, being a part of Tracts E and G of Loveland Eisenhower First Subdivision recorded August 16, 2011 at Reception No. 20110049411 of the Records of Larimer County, located in the Southwest Quarter of Section Eight (8), Township Five North (T.5N.), Range Sixty-eight West (R.68W.) of the Sixth Principal Meridian (6th P.M.), City of Loveland, County of Larimer, State of Colorado and being more particularly described as follows:

**COMMENCING** at the Northeast corner of said Tract G and assuming the Northwesterly line of said Tract G as bearing North 58°59'47" East being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2011, a distance of 470.46 feet with all other bearings contained herein relative thereto;

THENCE South 31°18'53" East along the Northeasterly line of said Tract G a distance of 35.00 feet to a line parallel with and 35.00 feet Southeasterly of, as measured at a right angle to the Northwesterly line of said Tract G and to the **POINT OF BEGINNING**;

THENCE South 31°18'53" East continuing along said Northeasterly line a distance of 20.00 feet to a line parallel with and 55.00 feet Southeasterly of, as measured at a right angle to the Northwesterly line of said Tract G;

The following Two (2) courses are along a line parallel with and 55.00 feet Southeasterly of, as measured at a right angle to the Northwesterly line of said Tracts E and G;

THENCE South 58°59'47" West a distance of 469.80 feet;

THENCE South 56°59'27" West a distance of 534.33 feet to the Westerly line of said Tract E;

THENCE North 14°59'42" West along said Westerly line a distance of 21.03 feet to a line parallel with and 35.00 feet Southeasterly of, as measured at a right angle to the Northwesterly line of said Tract G;

The following Two (2) courses are along a line parallel with and 35.00 feet Southeasterly of, as measured at a right angle to the Northwesterly line of said Tracts E and G;

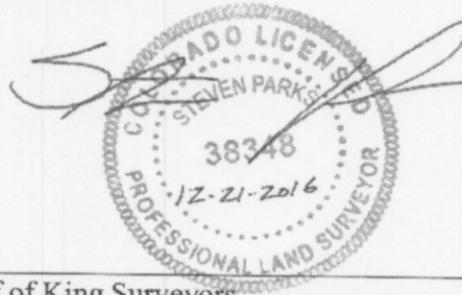
THENCE North 56°59'27" East a distance of 528.18 feet;

THENCE North 58°59'47" East a distance of 470.04 feet to the **POINT OF BEGINNING**.

Said described parcel of land contains 20,023 Square Feet or 0.460 Acres, more or less ( $\pm$ ), and is subject to any rights-of-way or other easements of record or as now existing on said described parcel of land.

## SURVEYORS STATEMENT

I, Steven Parks, a Colorado Licensed Professional Land Surveyor do hereby state that this Parcel Description was prepared under my personal supervision and checking, and that it is true and correct to the best of my knowledge and belief.



Steven Parks - on behalf of King Surveyors  
Colorado Licensed Professional  
Land Surveyor #38348

**KING SURVEYORS**  
650 Garden Drive  
Windsor, Colorado 80550  
(970) 686-5011

## PARCEL DESCRIPTION

### Emergency Access Easement Vacation #2

A 20.00 foot wide strip of land, previously dedicated as an Emergency Access Easement, being a part of Tracts F and G of Loveland Eisenhower First Subdivision recorded August 16, 2011 at Reception No. 20110049411 of the Records of Larimer County, located in the Southwest Quarter of Section Eight (8), Township Five North (T.5N.), Range Sixty-eight West (R.68W.) of the Sixth Principal Meridian (6th P.M.), City of Loveland, County of Larimer, State of Colorado and being more particularly described as follows:

**COMMENCING** at the Northeast corner of said Tract G and assuming the Northwesterly line of said Tract G as bearing North 58°59'47" East being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2011, a distance of 470.46 feet with all other bearings contained herein relative thereto;

THENCE South 31°18'53" East along the Northeasterly line of said Tract G a distance of 362.29 to the **POINT OF BEGINNING**;

THENCE South 31°18'53" East along the Northeasterly line of said Tract G a distance of 20.18 feet to the Easterly corner of said Tract G;

THENCE South 50°59'26" West along the Southeasterly line of said Tract G a distance of 299.88 feet;

THENCE South 00°00'00" East a distance of 313.40 feet;

THENCE North 90°00'00" West a distance of 20.00 feet;

THENCE North 00°00'00" East a distance of 322.94 feet to a line parallel with and 20.00 feet Northwesterly of, as measured at a right angle to the Southeasterly line of said Tract G;

THENCE North 50°59'26" East along said parallel line a distance of 312.12 feet to the **POINT OF BEGINNING**.

Said described parcel of land contains 12,483 Square Feet or 0.287 Acres, more or less ( $\pm$ ), and is subject to any rights-of-way or other easements of record or as now existing on said described parcel of land.

## SURVEYORS STATEMENT

I, Steven Parks, a Colorado Licensed Professional Land Surveyor do hereby state that this Parcel Description was prepared under my personal supervision and checking, and that it is true and correct to the best of my knowledge and belief.



Steven Parks - on behalf of King Surveyors  
Colorado Licensed Professional  
Land Surveyor #38348

**KING SURVEYORS**  
650 Garden Drive  
Windsor, Colorado 80550  
(970) 686-5011



January 30, 2017

Project File No.: 14-416

City of Loveland  
Development Services – Current Planning Division  
410 E. 5<sup>th</sup> Street  
Loveland, CO 80537

Attention: Noreen Smyth

RE: Loveland-Eisenhower First Subdivision  
Request for Vacation of Emergency Access Easements

Dear Ms. Smyth,

In conjunction with the replatting of the Loveland Eisenhower First Subdivision to create a number of individual lots to replace the tracts that were established by the First Subdivision, it is apparent that two emergency access easements that were created by the plat for the First Subdivision will no longer be needed. The emergency access easements were created in order to provide a second means of access to the more remote tracts in the extreme northeast corner of the site, in the event that those tracts were developed prior to the tracts that were located closer to the designated streets of the proposed development. The concept plan for the development of the site has since been revised, and the replatting of the subdivision will eliminate the tracts that might have been served by the two emergency access easements. The replat of the subdivision will create lots that all abut designated streets, and the development of those lots will provide multiple routes of access into and through the development within the respective lots.

Accordingly, we are hereby requesting approval of the vacation of the two existing emergency access easements. Details of the easements and the proposed vacation are provided in the various documents comprising the Vacation Request submittal. If you have any questions or comments, please do not hesitate to contact me.

Yours truly,  
Owen Consulting Group, Inc.

A blue ink signature of Larry C. Owen, P.E.

Larry C. Owen, P.E.



# *LOVELAND EISENHOWER SECOND SUBDIVISION*

Being a Replat of Tracts A, B, C, D, E, F, G, H, I and J of Loveland Eisenhower First Subdivision,  
Situate in the Southeast Quarter of Section 7 and the Southwest Quarter of Section 8, Township 5 North, Range 68 West of the 6th P.M.,  
City of Loveland, County of Larimer, State of Colorado

HOWER SECOND SUBDIVISION  
DATE: 1-13-2016  
FILE NAME: 20151166SUB  
SCALE: 1"=100'  
DRAWN BY: CSK  
CHECKED BY: SIP

# KING SURVEYOR

---

Windsor | Guelph  
Garden Drive

# KING SURVEYORS

50 E. Garden Drive | Windsor, Colorado 80550  
phone: (970) 686-5011 | fax: (970) 686-5821

OVELAND EISENHOWER SECOND SUBDIVISION  
FOR  
OVELAND EISENHOWER INVESTMENTS, LLC  
200 EAST CARRILLO STREET, SUITE 200  
SANTA BARBARA, CA 93101

PROJECT #: 20151166

SECOND SUBDIVISION

## ATTACHMENT □

## ***PRELIMINARY***

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Steven Parks – On Behalf Of King Surveyors  
Colorado Licensed Professional  
Land Surveyor #38348



## MEMORANDUM

TO: City of Loveland Planning Commission  
FROM: Bob Paulsen, Current Planning Manager  
DATE: May 22, 2017  
RE: **Extension request for Anderson 1<sup>st</sup> Subdivision Preliminary Plat and Ridge at Thompson Valley PUD Preliminary Development Plan**

**SUMMARY:** The City approval and extensions of the Anderson 1<sup>st</sup> Subdivision preliminary plat and related Ridge at Thompson Valley PUD Preliminary Development Plan are about to expire. The current owner of the property is 2010-RADC/CADC Property XI, LLC. The owner's representative, Mr. Corey Walker, has submitted a written request for an additional two-year extension of the preliminary plat and PUD Preliminary Development Plan for this development. (See **Attachment A**.) The owners submitted a similar one-year extension request that was approved by the Planning Commission in June of 2016 with the anticipation that the property would be sold and subsequent approvals would be pursued with the City. The expected sale did not occur. Now, as indicated by the owner, the buyer has secured a financing source and it is expected that the sale of the property will occur in 2017. The requested two year extension is expected to provide sufficient time accommodate these arrangements.

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

The preliminary plat and PUD Preliminary Development Plan were approved by the City in January 2009. (See **Attachments D and E**.) Extension of those approvals have been granted by the City to keep the plat and plans valid. Staff believes that the current request would be the fifth formal extension for the project.

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

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

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

**RECOMMENDED MOTION:** "Move to approve the request for a one year extension of the Preliminary Plat of the Anderson First Subdivision to June 15, 2019, subject to all of the original conditions of approval."

**ATTACHMENTS:**

- A. Letter of Request from Corey Walker, April 25, 2017
- B. Vicinity map
- C. Overall E-Employment Concept Master Plan
- D. Overall Preliminary Plat for Anderson First Subdivision
- E. Overall Preliminary Development Plan for "The Ridge at Thompson Valley PUD".

# 2010-1 RADC/CADC Property IX, LLC

**Date:** April 25, 2017

**To:** Mr. Robert Paulson  
Current Planning Director  
Current Planning Division  
City of Loveland  
410 E. 5<sup>th</sup> Street  
Loveland, CO 80537

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

**Re:** Request to Extend Preliminary Plat and Preliminary Development Plan, Anderson 1<sup>st</sup> Subdivision, Loveland, Colorado

On behalf of 2010-1 RADC/CADC Property IX, LLC, a Delaware limited liability company, I respectfully request the City of Loveland Planning Commission grant a two (2) year extension of the Preliminary Plat (PP) and Preliminary Development Plan (PDP) for the Anderson 1<sup>st</sup> Subdivision in Loveland, Colorado. Anderson 1<sup>st</sup> Subdivision was previously under-contract with a pending Closing Date of June 30, 2016. Unfortunately, financing for the project could not be finalized, and the purchase/sale transaction could not be consummated. The Buyer has since obtained an alternative financing source for the project, and hopefully the transaction can occur before year-end 2017.

The PP and PDP extensions granted in June 2015, and again in June 2016, were for the purpose of providing adequate time for the Buyer to conduct due diligence to investigate the physical and economic feasibility of extending City of Loveland sewer service to the property and secure project financing. Through the Buyer's due diligence efforts it was determined the property can be served by City sewer. It is the Buyer's intent to submit a Final Development Plan (FDP) within several months of closing the purchase/sale transaction. In order to accommodate consummating of the purchase/sale transaction before year-end 2017, and to allow adequate time for the Buyer to submit an FDP for Planning Staff review, a two (2) year extension of the Anderson 1<sup>st</sup> Subdivision PP and PDP is requested.

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

Your time and efforts in this matter are greatly appreciated.

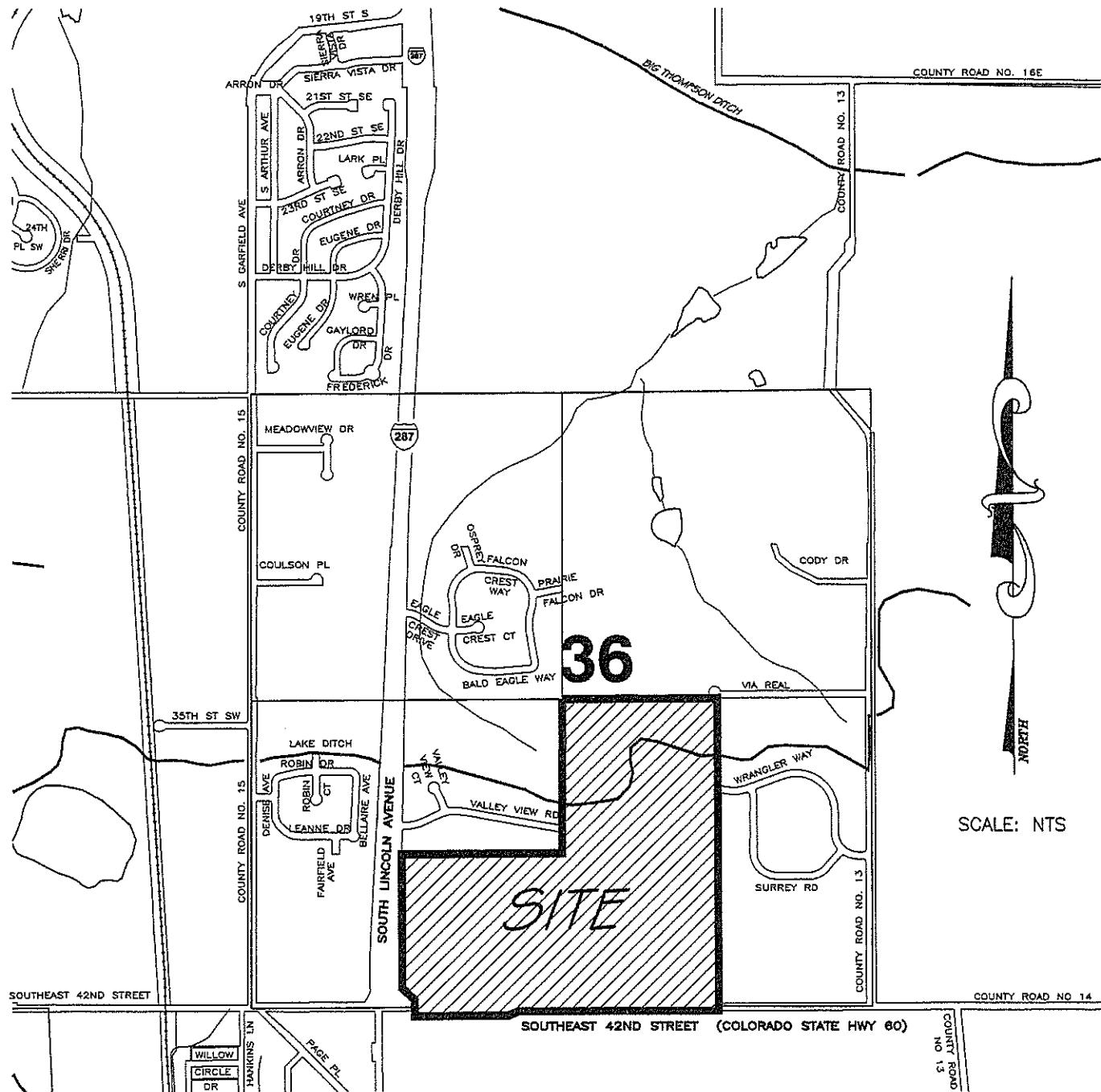
Sincerely,

A handwritten signature in black ink, appearing to read "Corey Walker".

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

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

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



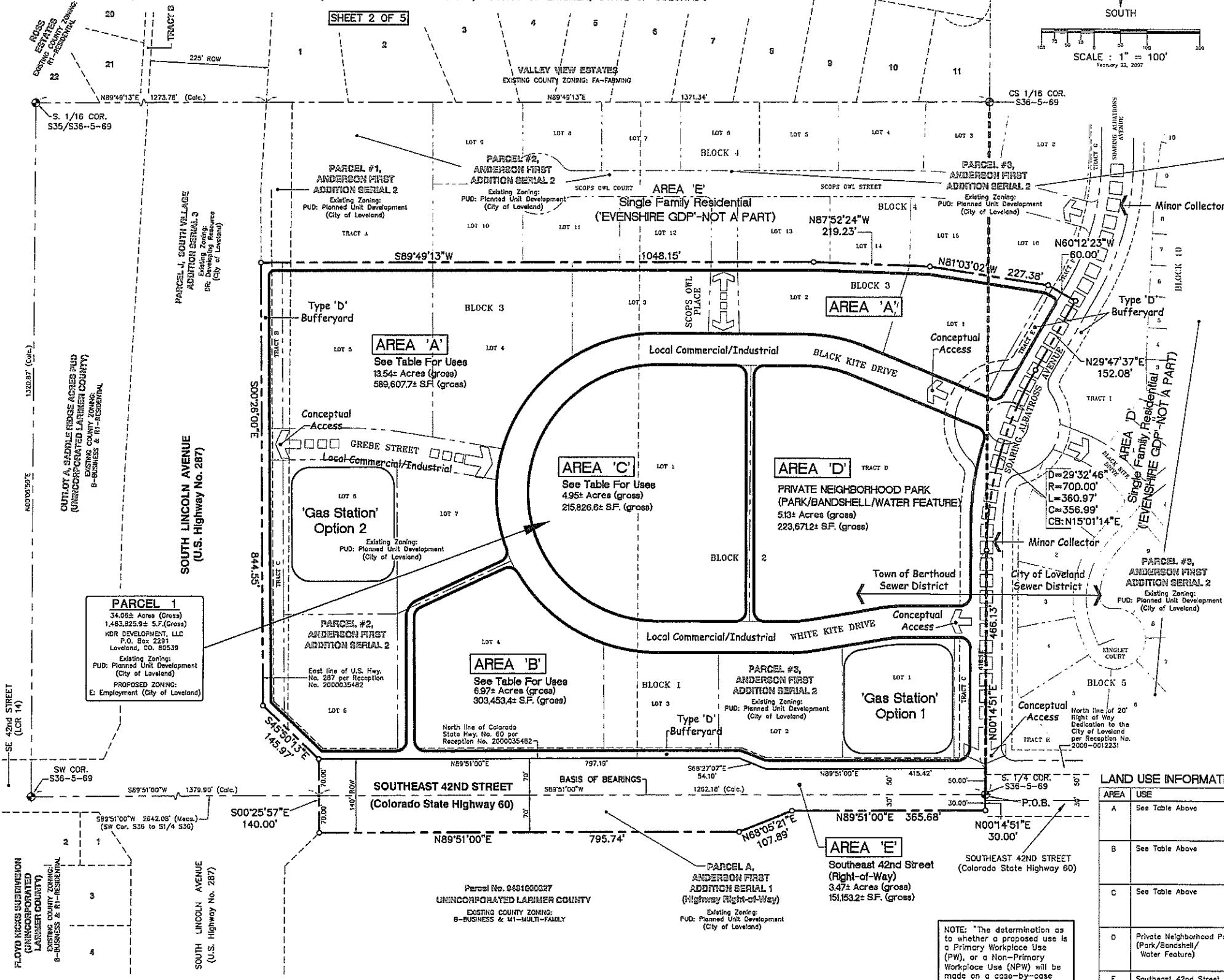
## VICINITY MAP (NTS)

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

## ATTACHMENT B

# CONCEPTUAL MASTER PLAN FOR THE PROPOSED REZONING NO. 305 - ANDERSON FIRST ADDITION

FOR PORTIONS OF PARCEL A, ANDERSON FIRST ADDITION SERIAL NO.1 AND PORTIONS OF PARCELS 1, 2 AND 3, ANDERSON FIRST ADDITION SERIAL NO. 2, ALL SITUATE IN THE NORTH HALF OF SECTION 1, TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE 6TH P.M. AND SECTION 36, TOWNSHIP 5 NORTH, RANGE 69 WEST OF THE 6TH P.M., TO THE CITY OF LOVELAND, COUNTY OF LARIMER, STATE OF COLORADO



FLOYD KICKS SUBDIVISION  
(UNINCORPORATED  
LARIMER COUNTY)  
EXISTING COUNTY ZONING:  
B-BUSINESS & R1-RESIDENTIAL

STATEMENT OF LINEAR UNITS USED: Linear Units Used for this survey - U.S. Survey Feet

According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown herein.

## E-EMPLOYMENT CENTER DISTRICT (PROPOSED USES AND DEVELOPMENT GUIDELINES)

The E-Employment Center District is a mixed-use district intended to provide locations for a variety of workplaces and commercial uses, including light industrial, research and development, offices, institutions, commercial services and housing. This district is intended to encourage the development of planned office and business parks; promote excellence in the design and construction of buildings, outdoor spaces, transportation facilities, streetscapes, lighting and other complementary uses. This district is intended to implement the E-Employment Center category set forth in the City's Comprehensive Master Plan. Uses that complement and support primary workplace uses, such as hotels, retail, restaurants, convenience shopping, child care and housing are intended to be secondary uses and not intended to be the primary or predominant uses in E districts. Such uses should be limited to guidelines set forth in this district per City of Loveland Ordinance 9156, § 1, 2006.

### USES PERMITTED BY RIGHT

- A: Indicates Area A on the Attached Rezoning Exhibit
- B: Indicates Area B on the Attached Rezoning Exhibit
- C: Indicates Area C on the Attached Rezoning Exhibit
- D: Indicates Area D on the Attached Rezoning Exhibit
- 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 (AREAS A, B & C);
- B. Commercial child day care center licensed according to the statutes of the State (AREAS B & C);
- C. Convention and Conference Center (AREAS A & C);
- D. Entertainment Facilities and Theaters, Indoor (AREAS A & C);
- E. Financial Services (AREAS A, B & C);
- F. Food Catering (AREAS B & C);
- G. Gas station with or without convenience goods or other services subject to Section 18.52.060 and located three hundred (300) feet or more from a residential use or zone district (measurement shall be made from the nearest lot line to the gas station to the nearest lot line of the residential use or zone district). Note: Use-by-Right or Use-by-Special Review shall be determined at the time of development application (AREAS A & B);
- H. Health Care Service Facility (AREAS A, B & C);
- I. Hospital (AREAS A, B & C);
- J. Indoor Recreation (AREAS A, B & C);
- K. Lodging Establishment (hotel and motel) (AREAS B & C);
- L. Long Term Care Facility (AREAS A, B & C);
- M. Medical and dental laboratories (AREAS A, B & C);
- N. Office, general administrative (AREAS A, B & C);
- O. Parking Garage (AREAS A, B & C);
- P. Parking Lot (AREAS A, B & C);
- Q. Personal and Business Service Shops (AREAS B & C);
- R. Place of Worship or Assembly (AREAS A, B & C);
- S. Print Shop (AREAS A, B & C);
- T. Professional Office/Clinic (AREAS A, B & C);
- U. Restaurant, Standard Indoor or outdoor (AREAS A, B & C);
- V. Retail store (AREAS B & C);
- W. Veterinary Clinic (AREAS A, B & C);
- X. Light Industrial (AREAS A, B & C);
- Y. Research Laboratory (AREAS A, B & C);
- Z. Public and Private Schools (AREAS A, B & C);
- AA. 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 (AREAS A, B & C);
- BB. Dwelling, Mixed Use (Residential within Office/Retail Buildings) (AREA C);
- CC. Community Facility (AREAS A, B & C);
- DD. Park or Recreation Area (AREAS A, B, C & D);
- EE. Congregate care facility (AREAS A, B & C);
- FF. Airports as defined in Section 18.55.020, co-located on an existing tower or structure as provided in Section 18.55.030 and Section 18.55.030 and meeting all other requirements of Chapter 18.55 (AREA B);
- GG. Accessory buildings and uses. (Ord. 9156, § 1, 2006) (AREAS A, B & C);

### USES PERMITTED BY SPECIAL REVIEW

- A. Bar or tavern (AREA B);
- B. Car Wash (AREA B);
- C. Domestic Animal Day Care Facility (AREA B);
- D. Gas station with or without convenience goods or other services subject to Section 18.52.060 and located less than 300 feet from a residential use or zone district (measurement shall be made from the nearest lot line to the gas station to the nearest lot line of the residential use or zone district). Note: Use-by-Right or Use-by-Special Review shall be determined at the time of development application (AREAS A & B);
- E. Nightclub (AREA B);
- F. Open-Air Farmers Market (AREAS B & C);
- G. Restaurant, Drive-In or Fast Food (AREA B);
- H. Self-Service Storage Facility (AREA B);
- I. Vehicle Minor Repair, Servicing, and Maintenance (AREA B);
- J. Vehicle Rentals for Cars, Light Trucks and Light Equipment (AREA B);
- K. Vehicle Rentals for Heavy Equipment, Large Trucks and Trailers (AREA B);
- L. Vehicle Sales and Leasing for Cars and Light Trucks (AREA B);
- M. Veterinary Hospital (AREAS A, B & C);
- N. Warehouse and distribution (AREAS B & C);
- O. Outdoor Storage (AREA B);
- P. Airports and Helipads (AREAS B, C & D);
- Q. Essential Public Utility Uses, Facilities, Services, & Structures (AREAS A, B & C);
- R. Group Care Facility (AREAS A, B & C);
- S. Personal wireless service facility as defined in Section 18.55.020(A), located on a new structure, meeting all requirements of Chapter 18.55 (AREAS A, B & C);
- T. Public Service Facility (AREAS A, B & C);

## LAND USE INFORMATION TABLE

AREA	USE	ACREAGE	GROSS %	FAR	OPEN SPACE	PW/NPW*; Indicates Primary Workplace/Non-Primary Workplace	
						*On the Basis of Land Area	
A	See Table Above	13.54± Acres (gross) 589,607.7± S.F. (gross)	39.7%	.35	25%	80/20	165,080.2 S.F. FA** (E=80%) 41,272.5 S.F. FA** (R=20%) 208,362.7 S.F. Floor Area (Total)
B	See Table Above	6.97± Acres (gross) 303,453.4± S.F. (gross)	20.5%	.35	25%	20/80	21,241.7 S.F. FA** (E=20%) 84,966.9 S.F. FA** (R=80%) 106,208.6 S.F. Floor Area (Total)
C	See Table Above	4.85± Acres (gross) 215,826.8± S.F. (gross)	14.5%	.35	25%	60/40	45,323.6 S.F. FA** (E=80%) 30,215.7 S.F. FA** (R=40%) 75,539.3 S.F. Floor Area (Total)
D	Private Neighborhood Park (Park/Bandshell/ Water Feature)	5.13± Acres (gross) 223,671.2± S.F. (gross)	15.1%	N/A	100%		N/A
E	Southeast 42nd Street (Right-of-Way)	3.47± Acres (gross) 151,153.2± S.F. (gross)	10.2%	N/A	N/A		N/A PROJECT NO.:
	Total	34.06± Acres (gross) 1,483,653.6± S.F. (gross)	100.0%				

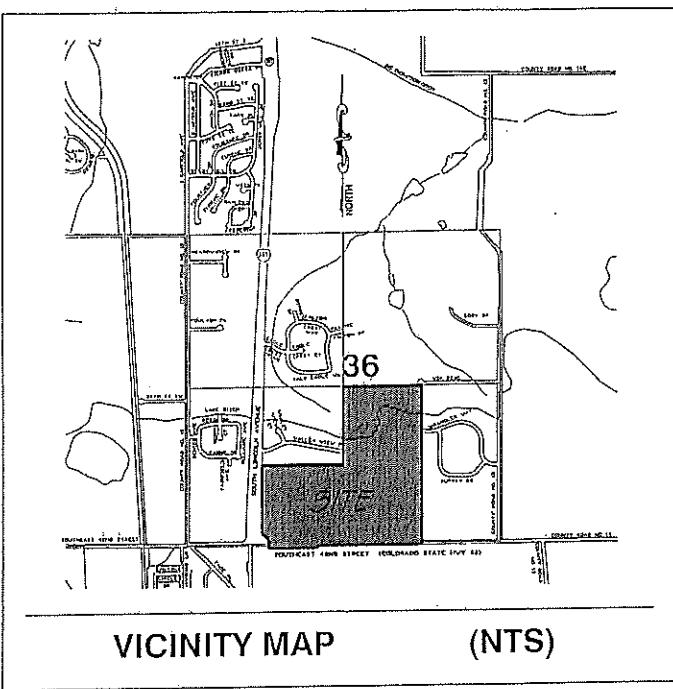
CONCEPTUAL MASTER PLAN

DATE:	12-22-07
BY:	KDR DEVELOPMENT, LLC
REVISIONS:	
REMARKS:	

INTERMILL LAND SURVEYING, INC.	BUS. (970)-659-0516 / FAX (970)-635-9775
LOVELAND, COLORADO 80537	CLIENT:
CONCEPTUAL MASTER PLAN FOR REZONING NO. 305 - ANDERSON FIRST ADDITION	
Port. of S35-5-69 & S14-69, City of Loveland, Colorado	

DRAWN BY:	RCP
CHECKED BY:	
APPROVED BY:	
DATE:	02-22-07
SCALE:	1"=100'
P-04-5725	
SHEET	OF
2	5

PRELIMINARY PLAT FOR  
ANDERSON 1ST SUBDIVISION



**GENERAL NOTES:**

- Outlots are not building sites.
- This project is subject to a development agreement which has been recorded in the real property records of Larimer County, Colorado.
- Drainage easements, as shown on this plat, are dedicated with this plat as Drainage Easements to be owned and maintained by the individual Lot Owners of ANDERSON 1ST SUBDIVISION Homeowners Association (HOA).
- All on-site drainage improvements shall be owned and maintained by the ANDERSON 1ST SUBDIVISION Homeowners Association (HOA).
- indicates Project Boundary
- Property lies within a Flood Zone 'X' (No Hazards) per the Flood Insurance Rate Map (FIRM) as prepared by the Federal Emergency Management Agency (FEMA). Panel No(s) 08090C1400F, effective date of December 19, 2008.
- Landscape improvements shall be owned and maintained by the The Ridge at Thompson Valley Homeowners Association (HOA).
- In addition to uses specified herein, all tracts except D, O, P, R shall be dedicated as drainage and utility easement. Tracts D, O, P, R are subject to easements as shown.
- A surcharge of 5% will be added to all bills for the sale of electric power to additional services which come into existence after January 31, 1981, within the territory herein annexed which surcharge will expire ten years after the effective date of this annexation.

TRACT	ACREAGE	% OF SITE (Gross)	USE	IRRIGATION WATER	MAINTENANCE & OWNERSHIP
Tract A	98,570.7± SF / 2.26± AC	1.83%	Landscape/Open Space/Drainage/Utility	Non-Potable (Raw Water)	HOA
Tract B	12,457.2± SF / 0.29± AC	0.23%	Landscape/Open Space/Drainage/Utility	Non-Potable (Raw Water)	HOA
Tract C	69,426.1± SF / 1.59± AC	1.29%	Landscape/Open Space/Drainage/Utility	Non-Potable (Raw Water)	HOA
Tract D	182,924.7± SF / 4.20± AC	3.40%	Proposed Park with Pond	Non-Potable (Raw Water)	HOA
Tract E	6,396.4± SF / 0.15± AC	0.12%	Landscape/Open Space/Drainage/Utility	Non-Potable (Raw Water)	HOA
Tract F	3,827.5± SF / 0.09± AC	0.07%	Landscape/Open Space/Drainage/Utility	Non-Potable (Raw Water)	HOA
Tract G	9,169.4± SF / 0.21± AC	0.17%	Landscape/Open Space/Drainage/Utility	Non-Potable (Raw Water)	HOA
Tract H	142,377.6± SF / 3.27± AC	2.65%	Landscape/Open Space/Drainage/Utility	Non-Potable (Raw Water)	HOA
Tract I	185,472.6± SF / 4.26± AC	3.29%	Landscape/Open Space/Drainage/Utility	Non-Potable (Raw Water)	HOA
Tract J	41,436.7± SF / 0.95± AC	0.73%	Landscape/Open Space/Drainage/Utility	Non-Potable (Raw Water)	HOA
Tract K	47,869.7± SF / 1.10± AC	0.89%	Landscape/Open Space/Drainage/Utility	Non-Potable (Raw Water)	HOA
Tract L	14,153.5± SF / 0.32± AC	0.26%	Landscape/Open Space/Drainage/Utility	Non-Potable (Raw Water)	HOA
Tract M	55,543.0± SF / 1.28± AC	1.04%	Landscape/Open Space/Drainage/Utility	Non-Potable (Raw Water)	HOA
Tract N	45,241.0± SF / 1.04± AC	0.84%	Landscape/Open Space/Drainage/Utility	Non-Potable (Raw Water)	HOA
Tract O	20,373.8± SF / 0.47± AC	0.38%	Irrigation Ditch	Non-Potable (Raw Water)	HOA
Tract P	65,529.2± SF / 1.51± AC	1.22%	Irrigation Ditch	Non-Potable (Raw Water)	HOA
Tract Q	5,308.2± SF / 0.12± AC	0.10%	Landscape/Open Space/Drainage/Utility	Non-Potable (Raw Water)	HOA
Tract R	23,633.7± SF / 0.54± AC	0.44%	Irrigation Ditch	Non-Potable (Raw Water)	HOA
Tract S	2,628.6± SF / 0.06± AC	0.05%	Landscape/Open Space/Drainage/Utility	Non-Potable (Raw Water)	HOA
Tract T	21,510.3± SF / 0.49± AC	0.40%	Landscape/Open Space/Drainage/Utility	Non-Potable (Raw Water)	HOA
Tract U	16,669.9± SF / 0.38± AC	0.31%	Landscape/Open Space/Drainage/Utility	Non-Potable (Raw Water)	HOA
Tract V	50,754.0± SF / 1.17± AC	0.94%	Landscape/Open Space/Drainage/Utility	Non-Potable (Raw Water)	HOA
Tract W	3,514.2± SF / 0.08± AC	0.07%	Landscape/Open Space/Drainage/Utility	Non-Potable (Raw Water)	HOA
Tract X	3,514.2± SF / 0.08± AC	0.07%	Landscape/Open Space/Drainage/Utility	Non-Potable (Raw Water)	HOA
<b>TOTAL(S)</b>	<b>1,128,300.4± SF / 25.91± AC</b>	<b>20.995%</b>			

PROPERTY DESCRIPTION FOR  
'THE RIDGE AT THOMPSON VALLEY' PRELIMINARY PLAT

Parcel 1 and Parcel 2, ANDERSON FIRST ADDITION SERIAL 1, and Parcel 3, ANDERSON FIRST ADDITION SERIAL 2; situate in the South Half of Section 36, Township 5 North, Range 69 West of the 6th P.M. and the North Half of Section 36, Township 5 North, Range 69 West of the 6th P.M., to the City of Loveland, County of Larimer, State of Colorado, the entire property being more particularly described as follows:

Considering the West line of the Southeast Quarter of said Section 36 as bearing North 00°14'51" East and with all bearings contained herein relative thereto:

BEGINNING at the Northwest corner of the Southeast Quarter of said Section 36; thence along the North line of the West Half of said Southeast Quarter North 89°47'47" East 1306.86 feet, more or less, to the Northeast corner of said West Half of said Southeast Quarter; thence along the East line of said West Half of said Southeast Quarter and along the Southerly prolongation thereof South 00°11'31" West 2578.75 feet, more or less, to a point on the Southerly right-of-way line of Southeast 42nd Street (Colorado State Highway No. 60); thence departing said Southerly prolongation and along said Southerly right-of-way line the following four (4) courses and distances: South 89°56'55" West 1309.43 feet; South 89°1'00" West 365.68 feet; South 88°05'21" West 107.89 feet; South 89°51'00" West 795.74 feet, more or less, to a point on the Easterly right-of-way line of South Lincoln Avenue (U.S. Highway No. 287), according to the Plot of South Village Addition Serial 3 to the City of Loveland, County of Larimer, State of Colorado; thence departing said Southerly right-of-way line and along said Easterly right-of-way line the following four (4) courses and distances: North 00°25'57" West 140.00 feet; North 45°50'13" West 145.97 feet; North 00°26'00" West 984.17 feet; North 03°11'55" East 185.67 feet, more or less, to a point on the North line of the South Half of the Southwest Quarter of said Section 36; thence departing said Easterly right-of-way line and along said North line of said South Half of said Southwest Quarter North 89°49'13" East 1371.34 feet, more or less, to the Northeast corner of said South Half of said Southwest Quarter; thence departing said North line and along the West line of the Northwest Quarter of the Southeast Quarter of said Section 36 North 00°14'51" East 1322.26 feet, more or less, to the Northwest corner of said Southeast Quarter and the POINT OF BEGINNING.

The above-described parcel contains 123.41 Acres, more or less, and is subject to all existing easements and/or rights of way of record.

CONTACT INFORMATION

Owner: KDR Development, LLC  
Attn: Dennis Evans  
7632 East County Road 16  
Johnstown, CO 80534  
(970) 215-4435

Applicant: KDR Custom Homes  
Attn: Dennis Evans  
7632 East County Road 16  
Johnstown, CO 80534  
(970) 215-4435

Civil Engineer: Fleitrens Surveying, Inc.  
Attn: Kent Clifford  
655 Fourth Avenue  
Longmont, CO 80501  
(303) 776-1733

Land Surveyor: Intermill Land Surveying, Inc.  
Attn: Rob Perschke, PLS  
1301 No. Cleveland Ave.  
Loveland, CO 80537  
(970) 669-0516

Planners: Professional Planning Consultant  
Attn: Tom Horn  
40525 Weld County Road 21  
Ault, CO 80610  
(970) 674-9269

Traffic Engineer: Matthew Detch, PE  
Attn: Matt Detch  
2272 Glen Haven Drive  
Loveland, CO 80538  
(303) 809-2061

SHEET INDEX

- Cover Sheet
- Preliminary Plat (NORTHWESTERLY PORTION)
- Preliminary Plat (SOUTHWESTERLY PORTION)
- Preliminary Plat (NORTHEASTERLY PORTION)
- Preliminary Plat (MIDDLE-EAST PORTION)
- Preliminary Plat (SOUTHEASTERLY PORTION)

PROPOSED UTILITY LINE NOTES

- Electric service line to be installed within the front lot easement, approximately 2' from the proposed back of curb or proposed back of walk.
- Natural gas line to be installed within the front lot easement, approximately 14' from the proposed back of curb or proposed back of walk.
- Telephone and cable television line to be installed in rear lot easements approximately 3' from rear lot lines.
- Refer to Preliminary Construction Documents for additional Utility Line locations & information.

UNINCORPORATED LARIMER COUNTY

EXISTING COUNTY ROAD - RESIDENTIAL

DOUBLE DEB ACRES

EXISTING COUNTY ROAD - COMMERCIAL

UNINCORPORATED LARIMER COUNTY

SCALES & BOUNDARIES

LANDS ACQUIRED AND UNINCORPORATED LARIMER COUNTY

LANDS OWNED BY THE PLATTER

LANDS OWNED BY THE OWNER

LANDS OWNED BY THE PLATTER

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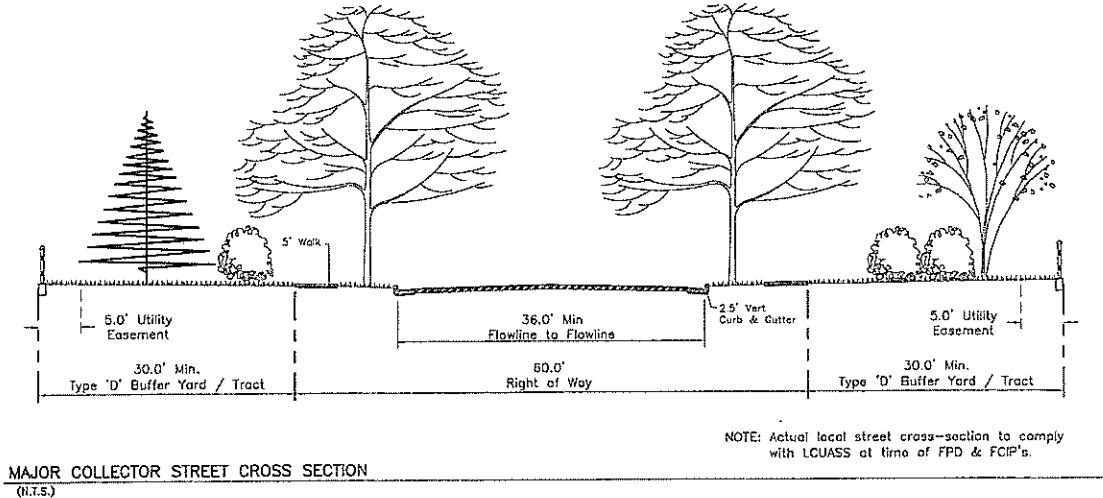
LANDS OWNED BY THE OWNER

LANDS OWNED BY THE PLATTER

LANDS OWNED BY THE OWNER

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

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

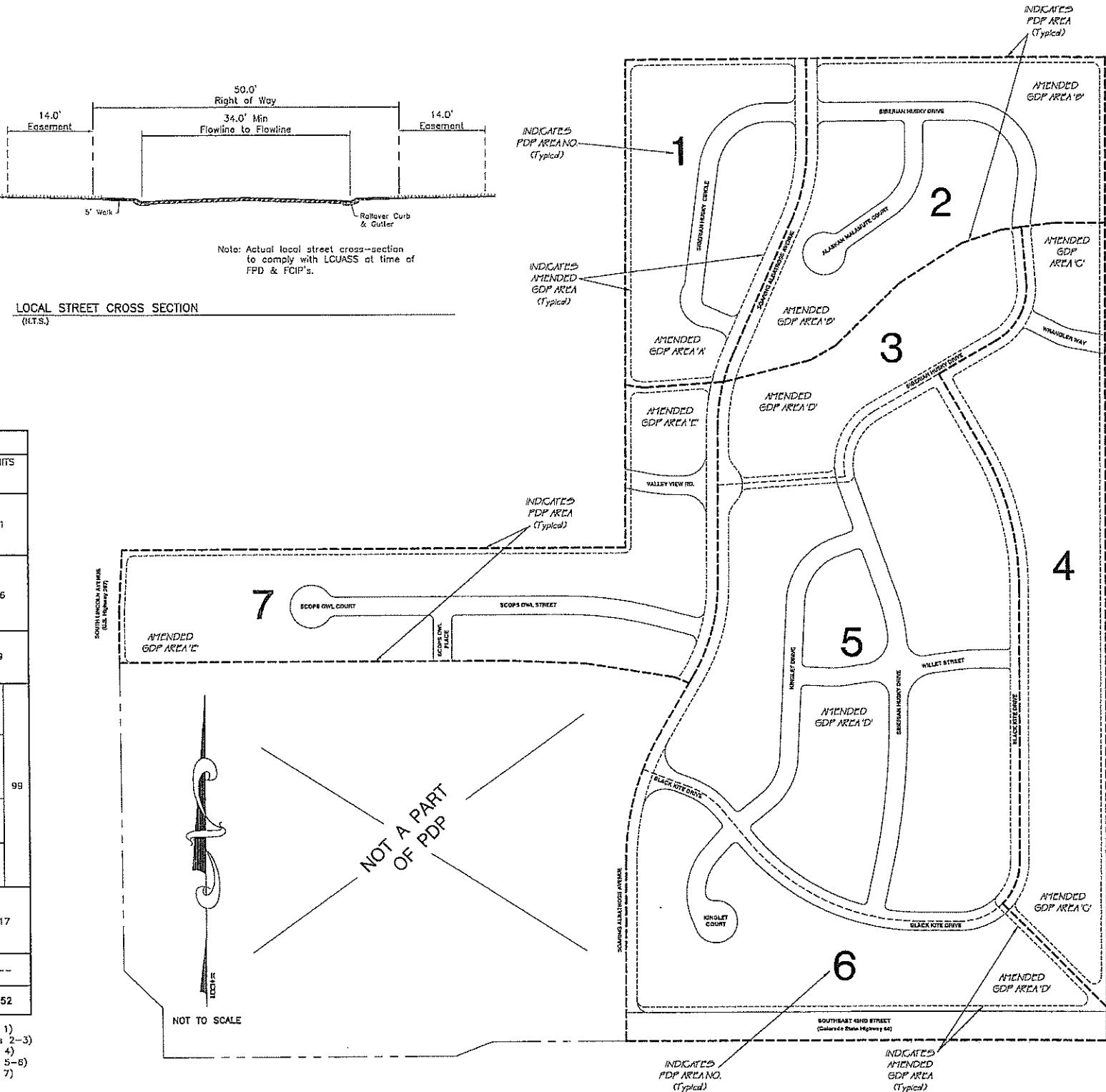


AMENDED GENERAL DEVELOPMENT PLAN (GDP) / PRELIMINARY DEVELOPMENT PLAN (PDP) COMPARISON TABLE											
GDP AREA	PDP AREA	USE	LOT SIZE MINIMUM MAXIMUM AVERAGE	LOTS, BLOCKS and TRACTS INCLUDED	GROSS AREA (ACRES) INCLUDING PERIMETER ROW'S	NET AREA (ACRES) EXCLUDING INTERNAL ROW'S	DENSITY GROSS/NET	OPEN SPACE (ACRES)	%*	UNITS	
A	1	SF LARGE LOT	19,182± S.F. 35,315± S.F. 24,431± S.F.	Lots 1-8, Block 12 Lots 1-3, Block 13	8.50± Acres	6.89± Acres	1.29/1.60	0.80± Acres Tracts S, U, X & North 1/2 OF R	9.4	11	
B	2	SF LARGE LOT	14,193± S.F. 26,859± S.F. 17,727± S.F.	Lots 25-35, Block 10 Lots 1-5, Block 11	11.90± Acres	9.35± Acres	1.34/1.71	2.73± Acres Tracts T, V, W, North 1/2 OF O North 1/2 OF P	22.9	16	
C	4	SF ESTATE	43,522± S.F. 50,092± S.F. 45,161± S.F.	Lots 17-25, Block 5	12.33± Acres	9.33± Acres	0.73/0.96	1.04± Acres Tract N	8.4	9	
D	3	SF PATIO	7,190± S.F. 8,827± S.F. 7,817± S.F.	Lots 15-24, Block 10	5.81± Acres	4.99± Acres	1.72/2.0	3.19± Acres Portion of Tract I and the South 1/2 of Tract P	54.9	10	
	5	SF PATIO	6,083± S.F. 9,265± S.F. 6,988± S.F.	Lots 1-12, Block 6 Lots 1-10, Block 7 Lots 1-18, Block 8 Lots 1-7, Block 9 Lots 1-14, Block 10	18.41± Acres INCLUDES PORTIONS OF THE 5.733 ACRE OPEN SPACE	9.81± Acres INCLUDES PORTIONS OF THE 5.733 ACRE OPEN SPACE	3.20/6.14	5.73± Acres (Total)	23.8	59	98
		SF LARGE LOT	9,724± S.F. 11,737± S.F. 10,463± S.F.	Lots 13-19, Block 6 Lots 11-17, Block 7	5.68± Acres INCLUDES PORTIONS OF THE 5.733 ACRE OPEN SPACE	3.36± Acres INCLUDES PORTIONS OF THE 5.733 ACRE OPEN SPACE	2.46/4.17	Tracts J, K, L, M & Portion of I		14	
	6	SF LARGE LOT	11,093± S.F. 19,090± S.F. 15,210± S.F.	Lots 1-16, Block 5	10.19± Acres	8.85± Acres	1.57/1.81	3.27± Acres Tract H	32.1	16	
E	7	SF LARGE LOT	17,311± S.F. 39,217± S.F. 22,530± S.F.	Lots 1-16, Block 4 Lot 9, Block 12	14.11± Acres	11.70± Acres	1.20/1.45	2.95± Acres Tracts A, F, G, Q & South 1/2 of R	20.9	17	
		ROW	--	SOUTHEAST 42ND STREET (Co. State Highway 60)	2.42± Acres	--	--	--	--	--	
TOTAL(S)					89.35± Acres	64.08± Acres	1.70/2.37	19.71± Acres (30.7% of Net)	--	152	

%%: Indicates Percentage of Open Space to Gross Area

Original GDP Area A Allowed Units = 13 / PDP Actual units = 11 (PDP Area 1)  
 Original GDP Area B Allowed Units = 29 / PDP Actual units = 26 (PDP Areas 2-3)  
 Original GDP Area C Allowed Units = 13 / PDP Actual units = 9 (PDP Area 4)  
 Original GDP Area D Allowed Units = 82 / PDP Actual units = 89 (PDP Areas 5-6)  
 Overall GDP Area E Allowed Units = 15 / PDP Actual units = 17 (PDP Area 7)

Original GDF Area E Allowed Units = 15 / FDF Actual Units = 15 /  
**TOTAL UNITS** 152 152



According to California law you must commence any legal action based upon any defect in this survey within two years after you first discover such defect. In no event, may any action based upon any defect in this survey commence more than ten years from the date of the certification shown hereon.

### 5. Address minor land use table issues (This sheet only)

12/14/04

INTERMILL LAND SURVEYING, INC.  
1500 WEST CLOUD MOUNTAIN AVENUE  
LOVELAND, COLORADO 80537  
BUS. (970)-669-0516 / FAX (970)-635-9775

**REVISIONS:**

BY: C.C DATE: 09/10/04  
PGP 08/08/08  
ZRF 04/11/07

BY: RGP/JRF      CLIENT: **KDR DEVELOPMENT, LLC**  
KED BY: \_\_\_\_\_  
OVED BY: \_\_\_\_\_  
Attn: Dennis Evans  
7632 East County Road 18  
Johnstown, Colorado 80534

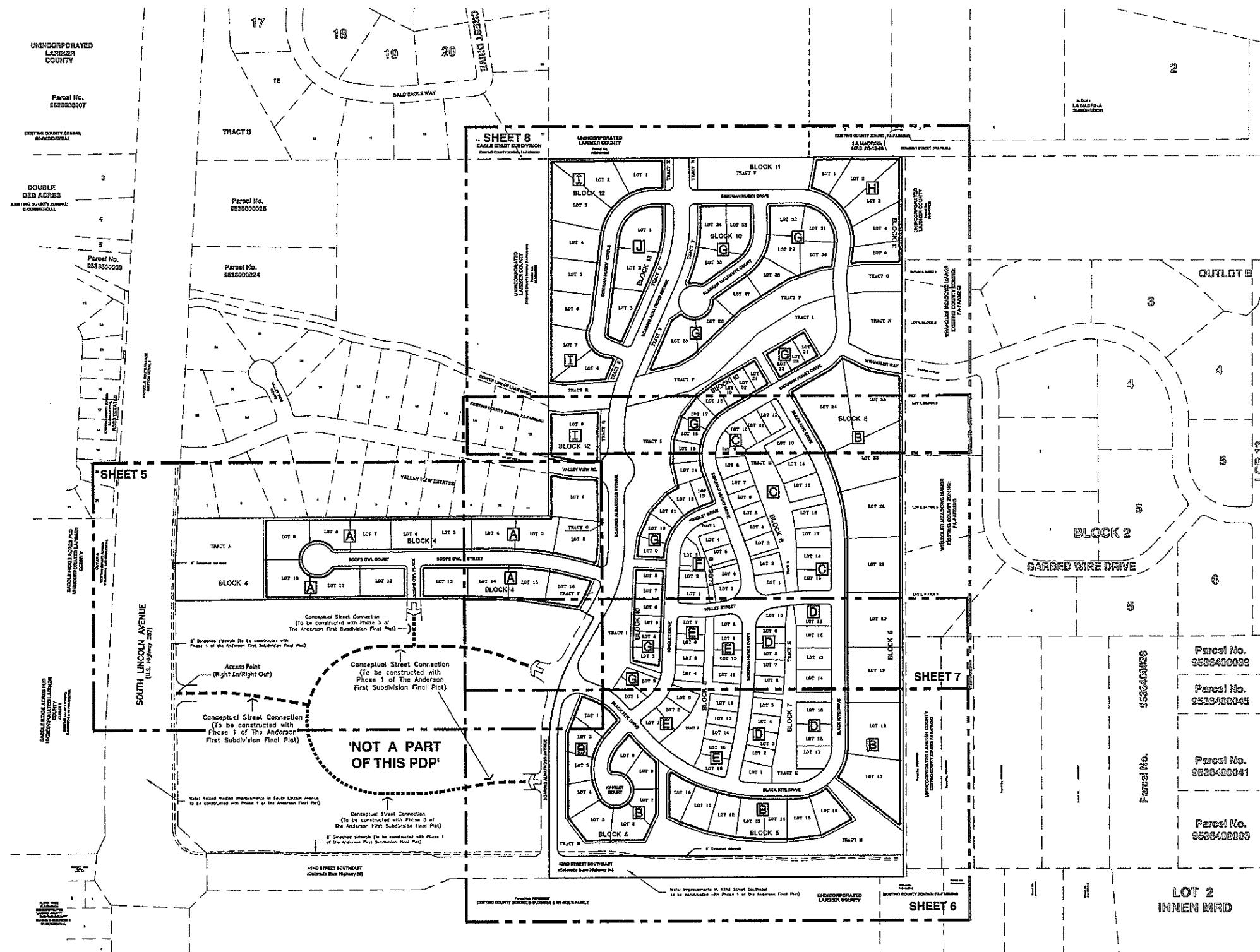
PROJECT TITLE: THE RIDGE AT THOMPSON VALLEY  
PLANNED UNIT DEVELOPMENT  
PRELIMINARY DEVELOPMENT PLAN

SHEET NO.	NO. OF SHEETS	PROJECT NO.
3	20	P-04-5725

## ATTACHMENT E

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

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



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

**[A] - BLOCK FOUR:**

LOT FRONT REAR SIDE

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

**[B] - BLOCK FIVE:**

LOT FRONT REAR SIDE

1	20'	15'	5'
2	22'	15'	5'
3	20'	15'	5'
4	22'	15'	5'
5	24'	15'	5'
6	22'	15'	5'
7	20'	15'	5'
8	20'	15'	5'
9	22'	15'	5'
10	20'	15'	5'
11	20'	15'	5'
12	22'	15'	5'
13	22'	15'	5'
14	24'	15'	5'
15	22'	15'	5'
16	22'	15'	5'
17	20'	15'	5'
18	24'	15'	5'
19	24'	15'	5'
20	24'	20'	7"
21	24'	20'	7"
22	24'	20'	7"
23	24'	20'	7"
24	24'	15'	5'
25	24'	15'	5'

\* indicates lots with  
'Special' side and  
rear setbacks

**[C] - BLOCK SIX:**

LOT FRONT REAR SIDE

1	20'	15'	5'
2	20'	15'	5'
3	22'	15'	5'
4	22'	15'	5'
5	20'	15'	5'
6	20'	15'	5'
7	20'	15'	5'
8	22'	15'	5'
9	22'	15'	5'
10	22'	15'	5'
11	20'	15'	5'
12	20'	15'	5'
13	22'	15'	5'
14	20'	15'	5'
15	22'	15'	5'
16	22'	15'	5'
17	20'	15'	5'
18	20'	15'	5'
19	20'	15'	5'
20	20'	15'	5'
21	20'	20'	7"
22	20'	20'	7"
23	24'	20'	7"
24	24'	15'	5'
25	24'	15'	5'

**[D] - BLOCK EIGHT:**

LOT FRONT REAR SIDE

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

**[E] - BLOCK NINE:**

LOT FRONT REAR SIDE

1	20'	15'	5'
2	22'	15'	5'
3	22'	15'	5'
4	20'	15'	5'
5	20'	15'	5'
6	20'	15'	5'
7	20'	15'	5'

**[F] - BLOCK TEN:**

LOT FRONT REAR SIDE

1	20'	15'	5'
2	20'	15'	5'
3	20'	15'	5'
4	22'	15'	5'
5	22'	15'	5'

**[H] - BLOCK ELEVEN:**

LOT FRONT REAR SIDE

1	24'	15'	5'
2	24'	15'	5'
3	24'	15'	5'
4	24'	15'	5'
5	24'	15'	5'

**[I] - BLOCK TWELVE:**

LOT FRONT REAR SIDE

1	24'	15'	5'
2	24'	15'	5'
3	24'	15'	5'
4	24'	15'	5'
5	24'	15'	5'

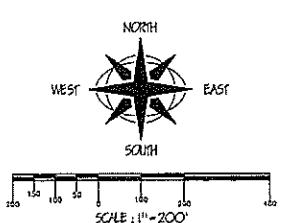
**[J] - BLOCK THIRTEEN:**

LOT FRONT REAR SIDE

1	24'	15'	5'
2	24'	15'	5'
3	20'	15'	5'

NOTES:

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



## OVERALL SITE / KEY MAP / SETBACK MATRIX

According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown herein.

Page 11 of 53

10/16/2024

RGF/JRF CLIENT: **KDR DEVELOPMENT, LLC**  
BY: Attn: Dennis Evans  
BY: 7632 East County Road 16

PROJECT TITLE: THE RIDGE AT THOMAS  
PLANNED UNIT DEVELOPMENT  
PRELIMINARY DEVELOPMENT PLAN

SHEET NO.	NO. OF SHEETS	PROJECT NO.
4	20	P-04-5725

## ATTACHMENT E



410 East 5th Street  
Loveland, Colorado  
970.962.2523

March 9, 2017

This letter is to invite you to a follow - up public open house regarding a potential change to the zoning in your neighborhood.

### **Meeting Details**

Date: **Thursday May 25, 2017**

When: **5:30 PM - 7:30 PM**

Where: **Grace Community Church  
240 Barberry Place, Loveland, CO 80537**

The City of Loveland and Larimer County are working to provide certainty around growth, development, annexation and infrastructure mostly in the area in and around the State Highway 402 and US Highway 34 corridors. With these goals in mind, Loveland and Larimer County are exploring extending the Loveland Growth Management Area overlay-zoning district to properties in your neighborhood. This zoning district will put into effect the Intergovernmental Agreement for Growth Management (IGA) between Loveland and Larimer County and create certainty for property owners that Loveland will provide services if they chose to develop.

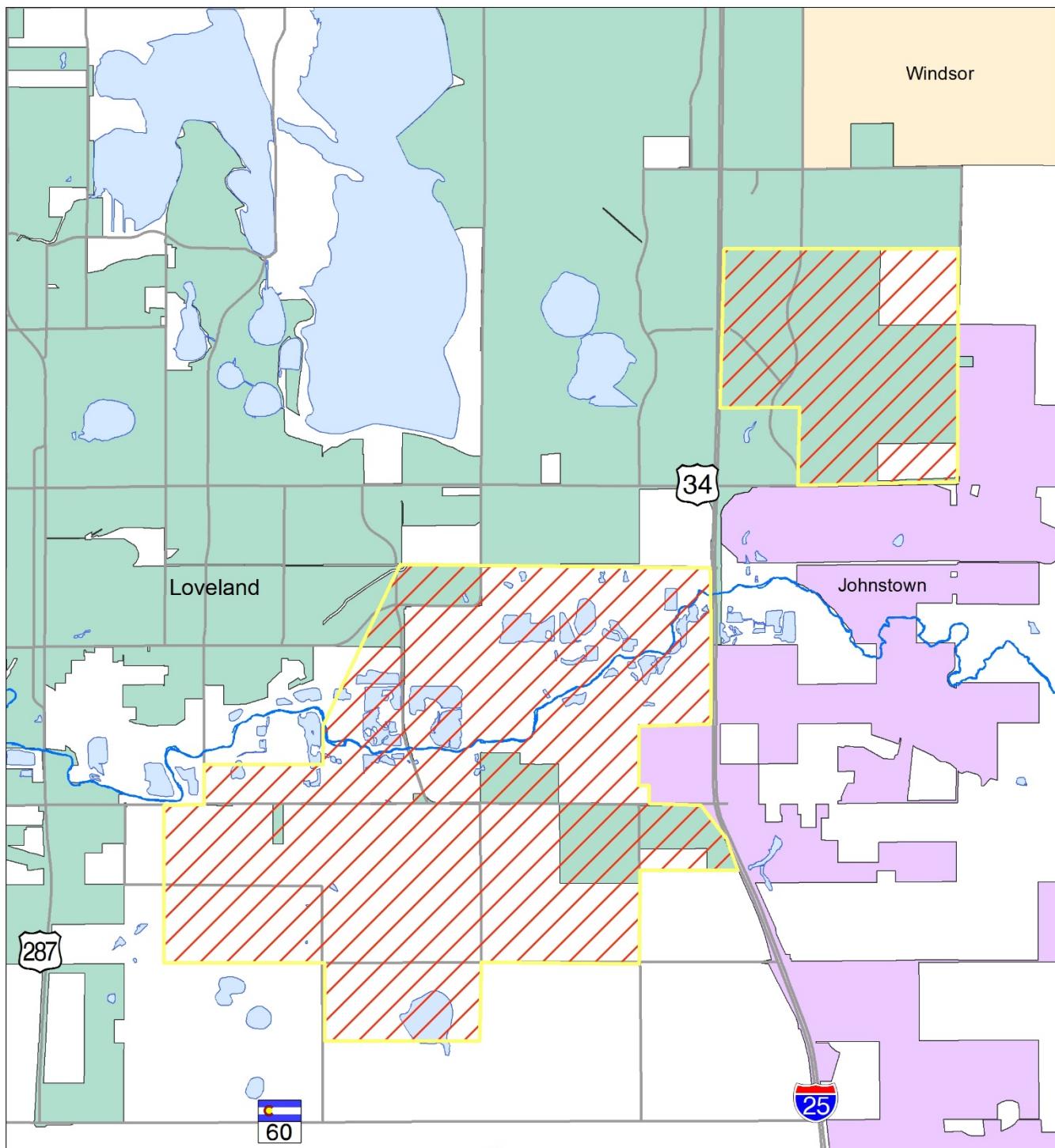
This meeting is a follow-up to the previous meeting held on March 23<sup>rd</sup> 2017. This effort is a continuation of the work that Larimer County and Loveland have been doing along the 402 corridor that has involved several meetings with property owners and the Larimer Planning Commission and County Commissioners.

There will be a brief presentation beginning at 5:45. Afterwards, staff from Larimer County and Loveland will be on hand to explain the proposal and answer questions.

There will be further opportunities to provide comment on this proposal. If you have any questions, please contact Karl Barton, Senior City Planner with Loveland at 970-962-2721 or [Karl.Barton@cityofloveland.org](mailto:Karl.Barton@cityofloveland.org) or Matt Lafferty, Principal Planner with Larimer County at 970-498-7721 or [laffermn@co.larimer.co.us](mailto:laffermn@co.larimer.co.us).

Sincerely,

Karl Barton, AICP  
Senior City Planner  
970-962-2721  
Karl.Barton@cityofloveland.org



Not to scale

### Legend

Area Under Consideration



## Memorandum

**To:** Loveland City Council and Planning Commission

**From:** Karl Barton, Development Services

**Through:** Brett Limbaugh, Development Services Director

**Date:** March 3, 2017

**RE:** Background Information for March 8<sup>th</sup> meeting With Larimer County

---

### I. ATTACHMENTS

1. Existing Planning Boundaries Map
2. Larimer County Loveland GMA Overlay Zoning District Project Timeline

### II. BACKGROUND

On March 8<sup>th</sup>, Larimer County Planning Commission and Board of Commissioners will hold a joint work session, to which Loveland Planning Commission and City Council members have been invited. At this work session, City of Loveland staff will give a presentation to kick off the effort to extend Larimer County's Loveland Growth Management Area Overlay zoning district to properties in and along the State Highway 402 corridor. This memo will provide some background so that members of the Planning Commission and City Council are all up to speed on the goals and proposed timeline of the project.

#### A. The State Highway 402 Corridor

Running six miles from US 287 to I-25, SH 402 is the shortest Colorado Highway. It is also the last major undeveloped corridor in the Loveland area and because it links an Interstate and the main north – south route through Loveland, it is sure to face development pressure in the near future. It is in Loveland's, as well as Larimer County's and the community's, best interest that it develops in a planned manner that secures benefits for all. Loveland's Future Land Use Plan has a vision for the 402 corridor that features high quality employment and commercial uses along with a mix of residential products.

## **B. The SH 402 Corridor and Growth Management**

The SH 402 corridor is located within what Loveland considers its Growth Management Area (GMA). However, Larimer County does not recognize Loveland's GMA in this area.

Loveland's GMA is put into effect by a combination of an intergovernmental agreement (IGA) between Loveland and Larimer County and Larimer County's Loveland GMA Overlay zoning district. This zoning district implements the IGA by requiring that any property in Larimer County that wishes to pursue a discretionary land use application must approach Loveland to see if annexation is possible. However, much of the area in and around the SH 402 corridor is not covered by the Larimer County Loveland GMA overlay zoning district, which leads to Larimer County's non-recognition of Loveland's GMA. See the attached map for a depiction of that area (ATTACHMENT 1). Without this overlay zoning district in place, property can be re-zoned and developed in the County, leaving Loveland with no say as to what happens in this important corridor.

Loveland also has an IGA with Johnstown that covers an area where the GMAs of the two communities overlap. This area is shown on the attached map, but we are not proposing to ask Larimer County to extend the Loveland GMA overlay zoning district to it at this time.

## **C. Project Re-Start / Public Outreach Description**

It is important to keep in mind that the immediate goal of extending the overlay zoning district represents a re-start of a larger suite of projects to adequately plan for growth and development along the SH 402 Corridor. Since 2012, Loveland, Larimer County and Johnstown have been collaborating to align GMAs and land use plans.

Since 2015, in an effort to address the overlay zoning district, staff from the Loveland and Larimer County have held multiple meetings with property owners in this area (July 20, 2015, Sept 24, 2015, and Nov 19, 2015). Additionally, a previous work session with the Loveland Planning Commission and Larimer County Planning Commission and Board of County Commissioners was held on February 8, 2016.

Since that February meeting, staff has worked to answer questions related to the options for providing utility service and infrastructure to the SH 402 corridor and surroundings. This information will be discussed in detail at the March 8<sup>th</sup> meeting, but it can be said that providing utilities to this area will not pose any insurmountable challenges.

After the overlay zoning district is in place, it is anticipated that a corridor planning effort will be undertaken in partnership with Larimer County, Johnstown, and the property owners.

## **D. Project Timeline**

We are proposing an aggressive timeline for getting the overlay zoning district in place. The goal is to have the Larimer County Board of Commissioners approve the overlay and the attendant

amendment to the existing IGA at their August 28, 2017 hearing. As this request is a zoning action, the Larimer County Planning Commission will be asked to make a recommendation prior to that. The official action required by the Loveland Planning Commission and City Council will be to approve an amendment to the existing IGA to reflect the new boundaries of the overlay zoning district. The Commission and Council will be asked to do that this summer. A timeline for the project is attached to this memo. All dates are preliminary and tentative.

# Existing Planning Boundaries

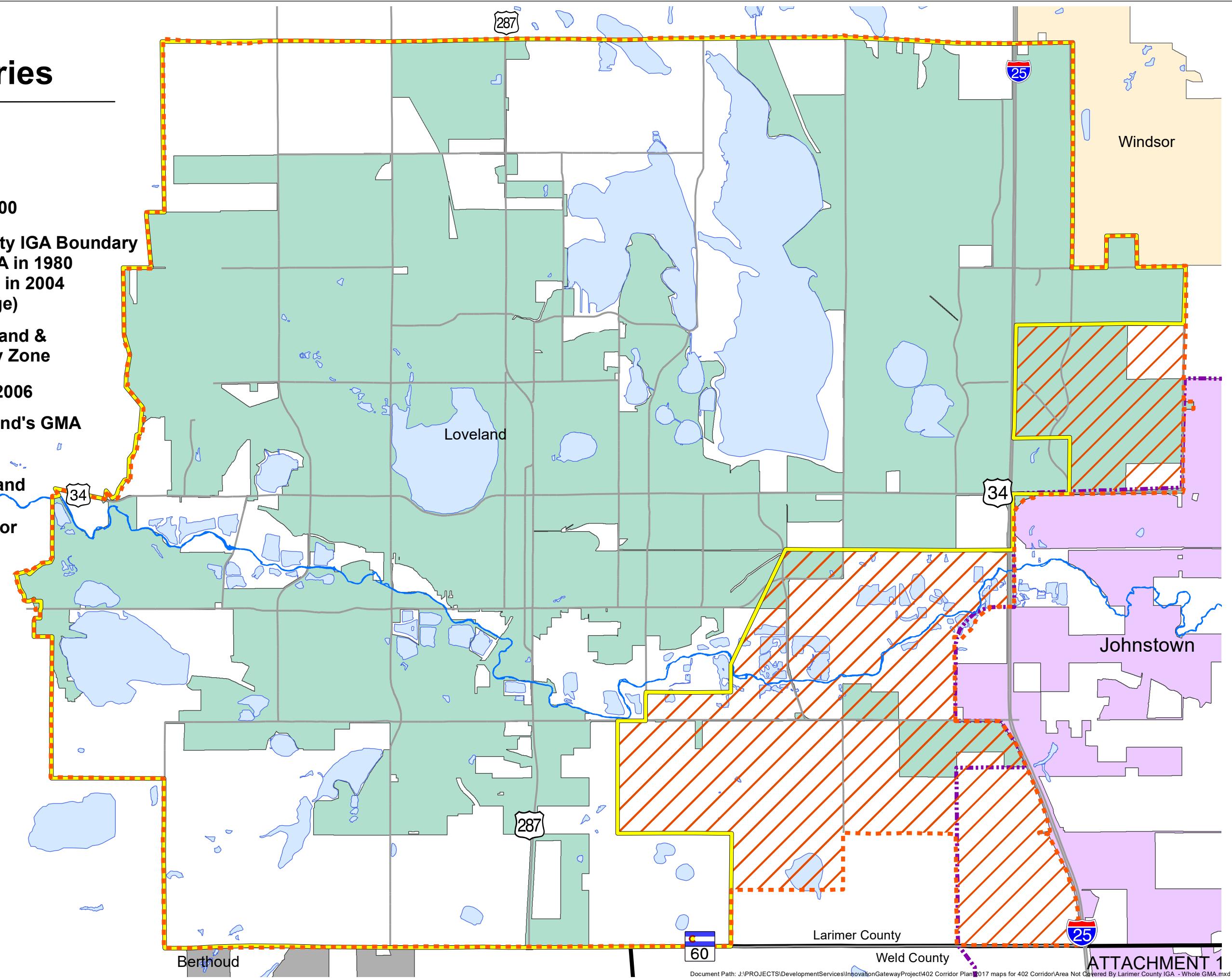
## Legend

- Loveland GMA - adopted 2000**
- Loveland and Larimer County IGA Boundary**
  - Adopted as Loveland UGA in 1980
  - Renamed "Overlay Zone" in 2004 (boundary did not change)
- Areas not included in Loveland & Larimer County IGA Overlay Zone**
- Johnstown GMA - adopted 2006**
- Area of Overlap with Loveland's GMA & Johnstown's GMA**
- Johnstown**
- Loveland**
- Berthoud**
- Windsor**

 Not to scale

Prepared by Development Services  
January 2017

Document Path: J:\PROJECTS\DevelopmentServices\InnovationGatewayProject\402 Corridor Plan\2017 maps for 402 Corridor\Area Not Covered By Larimer County IGA - Whole GMA.mxd



ATTACHMENT 1

## **LARIMER COUNTY LOVELAND GMA OVERLAY ZONING DISTRICT PROJECT TIMELINE**

### **MARCH 2017**

**March 8<sup>th</sup>** – Work session with Larimer County Planning Commission and Board of County Commissioners, invite Loveland Planning Commission and City Council

**March 9<sup>th</sup>** – Mail invitations to public meeting

**Week of March 13<sup>th</sup>** – Meeting with Little Thompson Water District

**March 23<sup>rd</sup>** – Public meeting, location TBD

### **APRIL 2017**

### **MAY 2017**

**May 11<sup>th</sup>** – Mail invitations to public meeting

**May 25<sup>th</sup>** – Public meeting, location TBD

### **JUNE 2017**

**June 5<sup>th</sup>** – Public hearing notice in paper for Loveland PC June 26<sup>th</sup> hearing

**June 7<sup>th</sup>** – Larimer County Planning Commission work session

**June 9<sup>th</sup>** – Mailed notice for Loveland PC June 26<sup>th</sup> hearing

**June 26<sup>th</sup>** – Loveland Planning Commission public hearing

**June 26<sup>th</sup>** – Public hearing notice in paper for LC Planning Commission July 19<sup>th</sup> hearing

### **JULY 2017**

**July 3<sup>rd</sup>** – Mailed notice for Larimer County PC July 19<sup>th</sup> hearing

**July 17<sup>th</sup>** – Public hearing notice in paper for Loveland CC August 15<sup>th</sup> hearing

**July 19<sup>th</sup>** – Larimer County Planning Commission public hearing

**July 28<sup>th</sup>** – Mailed notice for August 28<sup>th</sup> Larimer County Board of Commissioners public hearing

**July 31<sup>st</sup>** – Mailed notice for Loveland CC August 15<sup>th</sup> hearing

### **AUGUST 2017**

**August 14<sup>th</sup>** – Public hearing notice in paper for Larimer County Commissioners Sept 5<sup>th</sup> hearing

**August 15<sup>th</sup>** – Loveland City Council public hearing

**August 28<sup>th</sup>** – Larimer County Board of Commissioners public hearing

**Intergovernmental Agreement  
For Growth Management**

**City of Loveland, Colorado  
and  
Larimer County, Colorado**

**Approved  
January 12, 2004**

**Intergovernmental Agreement  
for Growth Management  
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## INTERGOVERNMENTAL AGREEMENT For Growth Management

This Agreement ("Agreement" or "IGA"), executed this 12<sup>th</sup> day of January, 2004, by and between LARIMER COUNTY, COLORADO, a body politic organized under and existing by virtue of the laws of the State of Colorado, hereinafter referred to as the "County" or "Larimer County" and the CITY OF LOVELAND, COLORADO, a Colorado home rule municipality, hereinafter referred to as the "City" or "Loveland." The County and the City are collectively referred to as the "Parties."

**WHEREAS**, the Parties have determined that it is in their mutual best interests to preserve the unique identities of communities in the northern Colorado region; and

**WHEREAS**, maintaining and enhancing areas of urban development in a thoughtful and deliberate way involves cooperation in land use and transportation planning, implementation of growth management policies, and the identification and preservation of open lands and natural areas; and

**WHEREAS**, concentrating urban development in areas designated for such development affords greater efficiency in the delivery of such services as electrical power, water, storm water, sanitary sewage disposal systems, transportation, fire and police protection and other services, and also affords a measure of predictability to landowners and residents concerning where services will, in the future, be provided and urban development will be permitted; and

**WHEREAS**, communication among local jurisdictions, special districts, property owners and other interested Parties is essential to accomplishing these ends; and

**WHEREAS**, the purposes of this Intergovernmental Agreement are to:

- Implement the Larimer County Master Plan and Loveland Comprehensive Plan;
- Establish effective means of joint planning and management of urbanization within the unincorporated portion of Larimer County in the vicinity of the City of Loveland;
- Establish rules for referral of development applications for consideration of annexation, for comment, and to determine development applications that will be subject to supplementary regulations adopted for the Loveland GMA Overlay Zone District;
- Assure that urban development occurs only as urban level facilities and services are able to be provided to such development;
- Assure land eligible for annexation to the City of Loveland is annexed to the City prior to development;
- Assure urban development that occurs in the unincorporated portion of Larimer County in the vicinity of the City of Loveland is annexed to the City as soon as possible;
- Provide an effective means for the appropriate maintenance of public improvements intended to serve urban development;
- Discourage annexation conflicts between Loveland and other municipalities; and
- Prevent development within the jurisdiction of one party from negatively impacting infrastructure in the other Party's jurisdiction, and provide for mitigation of such impacts when they occur; and

**WHEREAS**, pursuant to State law, local jurisdictions are authorized to: regulate the location of activities and developments; phase development of services and facilities; regulate development on the basis of its impact on the community or surrounding areas; plan for and regulate the use of land so as to provide for planned and orderly use of land and protection of the environment; and to cooperate or contract with other units of government for the purpose of planning and regulating the development of land, including but not limited to, the joint exercise of planning, zoning, subdivision, building; and related regulations and annexation of property, all in a manner consistent with constitutional rights and statutory procedures; and

**WHEREAS**, planning and regulation of land use within the northern Colorado region is the responsibility of individual local jurisdictions; and

**WHEREAS**, any provisions in this Intergovernmental Agreement may be implemented only to the extent legally permitted by State Law.

**NOW, THEREFORE**, in consideration of the covenants and obligations expressed herein, it is hereby agreed by and between the Parties as follows:

#### 1.0 Definitions

As used in the IGA, the following words and terms shall have the meanings set forth:

**Annexation.** Annexation means the incorporation of a land area into an existing municipality with a resulting change in the boundaries of that municipality.

**Adequate Community Facilities (ACF).** Standards for community facilities established to maintain a level of service, such as a level of service C or D for roads.

**Adequate Public Facilities (APF).** Standards for public facilities as established in the County Land Use Code.

**Capital Expansion Fee (CEF).** Fees charged to development and collected by the Parties to the agreement to fund the expansion of public capital facilities.

**Growth Management Area (GMA).** (As defined in Section 2.1 of this Agreement)

**Cooperative Planning Area (CPA).** (As defined in Section 2.2 of this Agreement)

**Community Influence Area (CIA).** (As defined in Section 2.3 of this Agreement.)

**Growth Management Area Overlay Zone District.** The overlay zoning district applied by Larimer County to municipal GMAs to implement the standards and requirements of Intergovernmental Agreements (Larimer County Land Use Code Chapter 4.2.1).

**Larimer County Land Use Code.** The code of regulations as adopted and amended by the Larimer County Board of County Commissioners pursuant to the authority of Title 30, Article 28 of the Colorado Revised Statutes to implement the Larimer County Master Plan, as amended, and the land use regulatory authority of Larimer County, Colorado.

**Larimer County Master Plan.** The official policy document, and all elements, functional components or sub-area components as adopted and as it may be amended by Larimer County, Colorado, pursuant to the authority of Title 30, Article 28 of the Colorado Revised Statutes that establishes the long-range framework for decision making for the unincorporated area of the County.

**Loveland Comprehensive Plan.** The City of Loveland 1994 Comprehensive Master Plan and all elements, functional components or sub-area components as adopted and as it may be amended by the City of Loveland, Colorado, pursuant to Title 31, Article 23 of the Colorado Revised Statutes and pursuant to the City's Charter and Code, all which provide

authority of the City to make and adopt a long-range master plan for the physical development of the City, including any areas outside its boundaries.

## **2.0 Description of Areas Addressed in Intergovernmental Agreement**

The Intergovernmental Agreement addresses the Cooperative Planning Area (CPA), Community Influence Area (CIA), and the Growth Management Area (GMA). The sections below describe the application of this Agreement to these areas.

### **2.1 Growth Management Area (GMA)**

The Growth Management Area is that area into which urban development and annexation shall be directed and within which urban level services to support urban development will be needed. Urban level services for the GMA are anticipated to be provided by the City of Loveland, the private sector, or a special district. The GMA includes land that is expected by the Parties to be annexed and developed within a timeframe as anticipated by the Loveland Comprehensive Plan. The Growth Management Area is that area of the County included in the Growth Management Overlay Zone District and subject to an intergovernmental agreement between the County and the applicable city or town.

### **2.2 Cooperative Planning Area (CPA)**

The Cooperative Planning Area is that geographical area beyond the GMA where the Parties do not consider urban development as currently appropriate or desired, but where development may likely present impacts upon present and future growth patterns within the GMA, the City of Loveland, and Larimer County. Lands within the CPA may eventually be annexed into the City of Loveland and urban level services may be necessary beyond the timeframe anticipated for the GMA by the Loveland Comprehensive Plan. It is intended that these areas will be jointly planned by Larimer County and the City of Loveland. Until joint plans are agreed upon, only the development referral provisions in Section 5 of this Agreement apply in these areas.

### **2.3 Community Influence Area (CIA)**

The Community Influence Area is that area beyond the GMA for which the City of Loveland has an interest in future development proposals due to the potential impact upon the City as the result of development. The CIA may overlap the GMA and CPA boundaries of other municipalities. Development applications within the CIA will be referred to the City of Loveland by Larimer County for comment during the County's development review process as provided for under the terms of this Agreement.

### **2.4 Area Boundaries**

- 2.4.1 Geographical boundaries of the GMA, CPA and CIA shall be as shown on Exhibit 1 to this Agreement, unless modified pursuant to Sections 2.4.2, 2.4.3, or 2.5 of this Agreement. Areas labeled "area excluded from GMA" by Exhibit 1 shall not be subject to the terms of this Agreement applicable to areas within the GMA. The County agrees that it will not enter into an intergovernmental agreement to include the areas labeled "area excluded from GMA" within the GMA of another municipality,

unless Loveland and that other municipality have mutually agreed to the inclusion of these areas in a GMA boundary.

- 2.4.2 The Parties acknowledge that in order to implement the terms of this Agreement, the County must adopt and apply the County's GMA Overlay Zoning District pursuant to Section 4.2 of the Larimer County Land Use Code. The County has previously adopted a part of the GMA area shown on Exhibit 1 as an overlay zoning district pursuant the Intergovernmental Agreement between the City and County dated August 2, 1989. The County agrees that it shall propose for adoption as an overlay zone district that area of the GMA shown on Exhibit 1, which differs from the current GMA Overlay Zone District boundary. The final decision regarding the GMA Overlay Zone District boundary shall be within the sole discretion of the County.
- 2.4.3 In the event the GMA Overlay Zone District boundary as finally adopted by the County differs from that shown on Exhibit 1, the parties agree that an amendment to this Agreement shall be prepared and executed by both parties showing the GMA, CPA and CIA area boundaries as revised, with the GMA boundary matching the County GMA Overlay Zone District boundary. All references in this Agreement to the GMA are intended to refer to the area adopted and applied by Larimer County as the GMA Overlay Zone District.
- 2.4.4 The parties acknowledge that the County has not adopted the CPA Overlay Zone District and does not intend to adopt a CIA Overlay Zone District.

## 2.5 Procedure for Modification of Area Boundaries

Boundaries of the GMA, CPA, and CIA as shown in Exhibit 1 may be amended, modified, and revised in the same manner as an amendment of this Agreement; and as a zoning or rezoning of the GMA Overlay Zone District; provided, however, that the annexation by the City of Loveland of any property within the GMA, CPA, or CIA shall result in the exclusion of such annexed property from the area's boundaries without need for formal amendment of Exhibit 1. The City of Loveland shall, at least annually develop and issue to the Parties a revised Exhibit 1 in order to update and illustrate the modification of the GMA, CPA, or CIA as the result of the amendment, modification, or revision of the area(s) as mutually agreed to by the Parties as an amendment to this Agreement, and as an amendment to the GMA Overlay Zone District, or as the result of annexation(s) by the City. The County will undertake to implement any agreed upon amendments to the GMA boundary as an overlay zoning district in accordance with the procedures, standards, and requirements for amendments to zoning district boundaries as provided in the Larimer County Land Use Code. Decisions regarding adoption of changes to the GMA boundary as an overlay zoning district shall be subject to the sole discretion of the County. Loveland shall provide the County Planning Department a copy of the annexation plat for all annexations within thirty (30) days of the approval of the annexation.

## 2.6 Planning Boundaries in Loveland Comprehensive Plan

The County acknowledges that the City may adopt and amend planning boundaries in its Comprehensive Plan, as it deems necessary. Such planning boundaries may be used by the City to evaluate the appropriateness of areas for future annexation and land uses within these areas. Such Planning boundaries shall be identified by names other than GMA, CPA

or CIA in the Loveland Comprehensive Plan. The City acknowledges that the County has no obligations under this IGA with respect to these planning boundaries.

**3.0 Development, Annexation, Coordination of ACFs/APFs/CEFs and Maintenance of Subdivision Roads within the GMA**

**3.1 Authority to Approve Development**

Within the GMA, Larimer County shall maintain and exercise the right to approve development subject to the Larimer County Land Use Code and supplementary regulations.

**3.2 Applicable Master Plan**

The Loveland Comprehensive Plan shall be the generally applicable advisory master plan for the GMA and shall be considered as the supporting basis for the supplementary regulations applicable within the Loveland GMA Overlay Zone District. The Loveland Comprehensive Plan shall include all Loveland-adopted elements of the plan. The County need not apply the plans, map, text or policies of the Loveland Comprehensive Plan, unless such plans or policies are included in the supplementary regulations adopted by the County for the Loveland GMA Overlay Zone District pursuant to this Agreement. It is recognized, however, that plans or policies of the Loveland Comprehensive Plan may be used by the City in its comments and recommendations to the County regarding development proposals referred to the City pursuant to subsection 3.5 of this Agreement. The Parties acknowledge that the following requirements and policies are applicable to the GMA:

- 3.2.1 Loveland shall prepare and consider amendments to the Loveland Comprehensive Plan, if necessary, to ensure that such plan will be specific enough to give guidance, through maps and text, to the County, property owners and developers as to what types, densities and intensities of land use are acceptable on any given parcel of land in the GMA.
- 3.2.2 Loveland acknowledges that any amendment to its Comprehensive Plan applicable to the GMA shall have no effect within the GMA Overlay Zone District without an amendment, if such is needed, to this Intergovernmental Agreement and/or to the GMA Overlay Zone District, and any supplementary regulations.
- 3.2.3 The County will encourage the location of urban development in the GMA or other areas specifically designated for urban development in accordance with the Larimer County Master Plan.
- 3.2.4 In cases where development is proposed in the GMA Overlay Zone District, regardless of whether the site is eligible for annexation or not, and the public utilities necessary to support the development are not available for any reason, then the County may consider and approve uses and densities consistent with existing County zoning, County development standards, and the development design standards in the Supplementary Regulations. The City shall annex such developed property at the time it becomes eligible for annexation as provided for under Sec. 3.3.1 of this Agreement.

- 3.2.5 Loveland will strive to enter into intergovernmental agreements with all applicable special districts, which shall require the special districts to plan their facilities according to Loveland's adopted Comprehensive Plan.
- 3.2.6 The County shall not establish or approve any new improvement district or other form of special district within the GMA without consulting the City of Loveland.
- 3.2.7 Nothing in this Intergovernmental Agreement shall be construed or applied to limit the County's legislative authority or discretion in adopting or amending its land use regulations.
- 3.2.8 Nothing in this Intergovernmental Agreement shall be construed or applied to limit the City's legislative authority or discretion in adopting or amending its land use regulations.

### **3.3 Annexations within the GMA**

- 3.3.1 It is the Parties' intent that Loveland will annex all property within the GMA that is eligible for annexation. The phrase "eligible for annexation" shall mean any land that is eligible for annexation pursuant to the Municipal Annexation Act of the State of Colorado, C.R.S. 31-12-101 through 123. It is Loveland's policy to annex as expeditiously as possible all lands eligible for annexation in the GMA at such time that an annexation petition conforming to the requirements of state law is filed, all required fees and additional or supplemental information is received from the property owner(s); and the property owner(s) and the City of Loveland reach a mutual agreement on the reasonable conditions and terms of the annexation. For properties subject to signed annexation agreements with a power of attorney in favor of the City, the City shall be the applicant and shall prepare and file the annexation petition. The City represents that it fully intends to annex all lands in the Growth Management Area at such time as they become eligible for annexation. Decisions regarding annexations shall, however, be subject to the sole discretion of the City Council. In addition, the Parties agree that the policies in this section shall guide annexation of property within the GMA. When any proposed annexation is located wholly within the GMA, the County agrees to waive the requirement for an Annexation Impact Report pursuant to C.R.S. 31-12-108.5. This provision shall not change the requirements for notice to the County contained elsewhere in the Municipal Annexation Act.
- 3.3.2 When undertaking any annexation of land within the GMA, Loveland shall annex the entire width of public roadways located within and immediately adjacent to such lands. It is the intent of this Intergovernmental Agreement that all public roadways immediately adjacent to the corporate limits of the City of Loveland shall be located within the City of Loveland.
- 3.3.3 Larimer County shall not accept applications for any of the following development applications for property within the GMA Overlay Zone District which has any contiguity to the boundary of the City unless the owner(s) of the property described in the application has first sought a decision concerning annexation from Loveland and Loveland has issued to Larimer County a written denial of the request for annexation:

- a. Rezoning;
- b. Special Review (excluding gravel extraction); and
- c. Planned Land Division.

For the purposes of this provision, the applicant is not required to submit an annexation request under the provisions of this Agreement when (1) the Director of Community Services for the City of Loveland, or the Director's designee, has determined that an annexation request is not required based upon the Director's consideration of (a) the nature of the proposed use, and (b) the compatibility of the proposed use with surrounding properties; and (2) the Board of County Commissioners determines that an application may be accepted by the County under Sec. 4.2.1. D.2 of the County Land Use Code. In such cases, the Director of Community Services shall provide the County with a written statement that the City does not require the applicant to submit an annexation petition for the property. Such written statement shall include the reasons why such petition is not required.

For the purposes of this provision, "any contiguity" shall mean that the parcel shares any portion of its boundary with that of the Loveland municipal boundary. This shall include cases where the corner of a parcel is contiguous with the corner of the City's boundary, and cases where the parcel is separated from the City's boundary by a public or private right-of-way (street, alley or other), dedicated public or dedicated private open lands, or a lake, reservoir, stream or other natural or artificial waterway (Figure 1).

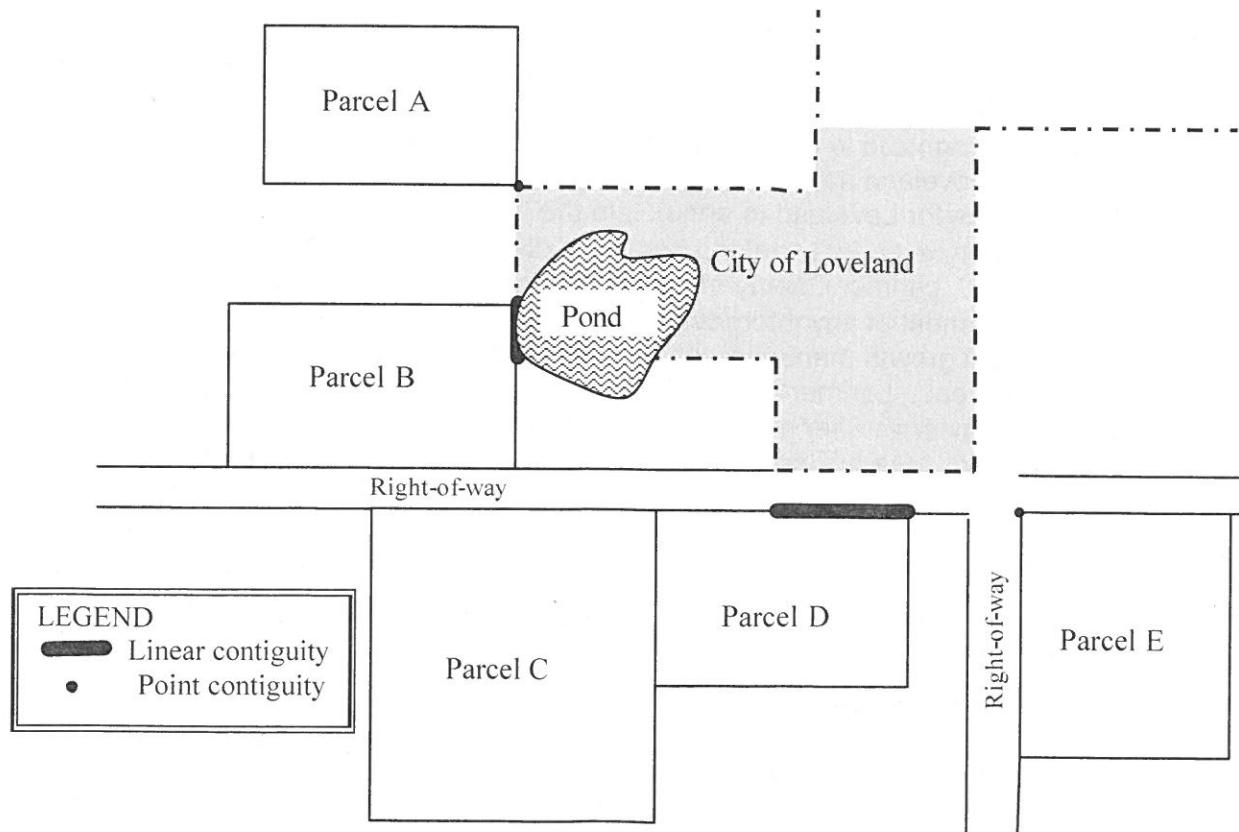


Figure 1: Parcels with and without Contiguity

Figure 1 illustrates examples of parcels with and without "any contiguity" with the City for the purposes of this Agreement. (Note: "Any contiguity" in such instances does not need to be 1/6<sup>th</sup> contiguity as defined in Colorado Revised Statutes.)

- **Parcel A** has contiguity at a point.
- **Parcel B** has contiguity along a portion of its perimeter, even though separated by a body of water.
- **Parcel C** does not have contiguity
- **Parcel D** has contiguity because existing right-of-way does not affect contiguity.
- **Parcel E** has contiguity at a point because existing right-of-way does not affect contiguity.

3.3.4 In the case of lands within the GMA that are not eligible for annexation and for which the owner(s) have submitted an application identified in 3.3.3 above, or an application for a Site Plan or Minor Land Division, the County will require a binding annexation agreement as a condition of approval. The Loveland City Attorney and the Larimer County Attorney shall approve the standard form of the annexation agreement.

3.3.5 The City shall promptly forward to the County minutes from the meeting of the City Council regarding the denial of any annexation petition in the GMA. If the City denies an annexation petition, the County shall process the development proposal according to the requirements of the GMA Overlay Zone District, and will require a binding annexation agreement as a condition of approval.

3.3.6 The City will not annex into a Growth Management Area, Cooperative Planning Area, or other comparable planning area of another municipality if such area is officially recognized in an intergovernmental agreement with Larimer County, unless: (i) Loveland has an intergovernmental agreement with that municipality that provides for Loveland to annex into the Cooperative Planning Area; or (ii) the land to be annexed by Loveland has been disconnected from another municipality. Larimer County shall use reasonable efforts to involve Loveland in the development of any intergovernmental agreements with other municipalities, which affect growth management and growth boundaries and Cooperative Planning Areas. Larimer County shall not enter into an intergovernmental agreement with another municipality to officially recognize a Growth Management Area or Cooperative Planning Area or other comparable planning area of another municipality where such area encroaches into the Loveland GMA as depicted by Exhibit 1 of this Agreement. Loveland will use reasonable efforts to reach intergovernmental agreements with other municipalities to such effect in order to manage conflicts concerning appropriate growth areas and municipal boundaries.

3.3.7 To the extent permitted by law, the City will not annex property north of County Road 30 unless the County either requires the landowner to petition for annexation or requests that the City consider annexation. The foregoing limitations on annexation shall not apply to the annexation of publicly owned open space, trails or parklands.

3.3.8 In recognition that requests for Special Review for gravel extraction on sites eligible for annexation will be processed and considered by the County (per Sec. 3.3.3.b), the City agrees to annex said sites immediately following approval of the Special Review for gravel extraction by the County, or as soon as such sites become eligible for annexation according to state statutes. Decisions to annex said sites shall be within the sole discretion of the City Council,

### **3.4 Regulation of Development within the GMA**

#### **3.4.1 Supplementary Regulations**

The Parties shall cooperate in drafting and proposing for adoption supplementary regulations to be applied by the County in review of development applications within the GMA Overlay Zone District. Supplementary regulations, and any amendments thereto, shall generally conform to the City's Land Use Plan for the GMA in its Comprehensive Plan and shall include development standards that conform more closely to the City's development standards. Such standards shall be developed by mutual agreement of the Parties. Larimer County will require rezoning, Special Reviews, Site Plans, and Planned Land Divisions, to meet or satisfy the more stringent of standards in the Larimer County Land Use Code or the supplementary regulations for the Loveland GMA Overlay Zone District.

3.4.2 The following procedure shall apply to proposed text amendments or revisions to the map of land use types, intensities or densities initiated by the City to the supplementary regulations referenced by the GMA Overlay Zone District for the Loveland GMA:

- a. The County shall receive written notice at least 30 days in advance of any proposed text amendment or revision to the map depicting land use type, density and intensity of land uses ("the map") in the supplementary regulations.
- b. The proposed text or map amendment shall be forwarded to the County after approval by the City.
- c. The County will initiate the amendment of the supplementary regulations to include the amended text or map within thirty (30) days of receiving the proposed amendment from the City.
- d. If the amended text or map is adopted by the County as an amendment to the supplementary regulations, the new map shall be used as the guide for land uses within the GMA Overlay Zone District and the amended standards shall be applied to proposed development as provided for by this Agreement.

### **3.5 Referral of Development Applications within the GMA**

3.5.1 The County shall refer the following proposed development applications within the GMA to the City for review and comment:

- a. Rezoning;
- b. Special Review (including gravel extraction); and
- c. Planned Land Division.

For these applications, the City shall provide its comments to the County in writing within the time required for County referrals established by State Law. The County shall make the final determination of whether the proposed development complies

with the applicable supplementary regulations. If the City provides no comments to the County, the County may assume that the proposed development complies with all applicable standards.

- 3.5.2 The County will refer the following proposed development applications within the GMA to the City for review and comment:
  - a. Requests for modifications to or appeals of the Loveland GMA supplementary regulations filed with the Board of County Commissioners; and
  - b. Rural Land Plans.
- 3.5.3 Rural Land Plans in the GMA may be permitted by the County subject to review by the City as provided for in paragraph 3.5.2 and the application of any conditions necessary to prevent such development from becoming an impediment to future planned urban development in the surrounding area of the GMA. Such conditions may include, but are not limited to, preservation of necessary right-of-way for road or utility extensions necessary to serve future urban development in the area.
- 3.5.4 While the City may issue comments and recommendations to the County in accordance with this section, the final authority and discretion regarding approval, disapproval, or approval with conditions rests with the appropriate or designated decision-making body of Larimer County. The County will encourage compliance with recommendations and comments of the City; however, the County is only obligated to require compliance with development standards in the County Land Use Code and supplementary regulations for the Loveland GMA Overlay Zone District. If Loveland recommends against approval or conditional approval of an application and the County subsequently grants approval or elects not to impose a recommended condition, the County shall promptly provide to Loveland the minutes from the meeting at which the decision was made. Additionally, any decision regarding interpretation of the Larimer County Land Use Code, including Supplementary Regulations, shall be made by the County.
- 3.5.5 Loveland shall provide the County with an opportunity to review and comment upon any proposed developments in the City that are expected to (a.) necessitate physical modification to a County road or intersection; (b.) generate traffic that will require an intermediate level of traffic study per the Larimer County Urban Area Street Standards; or (c.) cause roads within the County jurisdiction to drop to lower level of service standards. Any proposed development in the City that will contribute storm water run off above historic rates or alter a point of discharge to downstream property in Larimer County shall also be referred to the County for comment. For purposes of this paragraph, "development" means application for rezoning, major or minor subdivision, and Planned Unit Development. The County has at least twenty-one (21) days from the date of mailing or hand delivery to the County to return comments and recommendations to the City before any final decision is made on such application. Additionally, the City shall honor specific requests by the County to review and comment on specific development proposals. While the County may issue comments and recommendations to the City in accordance with this section, the final authority

and discretion regarding approval, disapproval, or approval with conditions rests with the appropriate or designated decision-making body of the City.

### **3.6 Coordination of Adequate Community Facilities and Adequate Public Facility Standards, Capital Expansion Fees within the GMA, and Trails**

- 3.6.1 **Street CEFs:** To the extent they may legally do so, the Parties agree to consider a coordinated street CEF program for the Loveland GMA, subject to the necessary study and analysis to create such a program, and provided that both Parties agree to such a program.
- 3.6.2 **Street ACFs and APFs:** To the extent they may legally do so, the Parties agree to condition development approvals within their jurisdiction to require mitigation of impacts to roads outside their jurisdiction in accordance with level of service standards in the Larimer County Urban Area Street Standards.
- 3.6.3 **Parks:** The County collects both community and regional park CEFs. Community park CEFs are collected by the County from new development according to a schedule in the Larimer County Land Use Code (Section 9.3.8). The Parties agree that such community park CEFs collected from new development, as may be amended from time to time, within the Loveland GMA Overlay Zone District, shall be transmitted to the City for expenditure on its community park acquisition program.
- 3.6.4 **Parks, Open Space and Trail Coordination:** The Parties agree to cooperate in the coordination of trail connections, and establishing open space, parks and trail segments; the development of compatible design standards; and the exchange information about opportunities for securing trail right-of-way easements and open space adjacencies.
- 3.6.5 **Drainage:** The Parties acknowledge that a coordinated storm drainage CEF program within the Loveland GMA Overlay Zone is desirable and may be entered into subsequent to this Agreement. Such a coordinated storm drainage CEF program is contingent on completion of master plans for drainage basins within Loveland and the County and mutual agreement to a coordinated CEF program by the Parties to this Agreement.
- 3.6.6 **Reimbursement Agreements:** The Parties will consider mutual reimbursement agreements, to the extent they may legally do so, whereby developers within one jurisdiction (City or County) are reimbursed for improvements that benefit developments outside that jurisdiction.

### **3.7 Maintenance of Subdivision Roads within the GMA**

The Parties acknowledge that the County does not maintain certain subdivision roads pursuant to a policy adopted by the Board of County Commissioners at an open meeting on February 2, 1994. As a condition of development approval, the County requires the creation of a homeowners association (HOA) with the necessary financial mechanism to ensure the proper maintenance of subdivision roads.

During the County's subdivision plat review process for proposed development in the GMA, the City shall provide a maintenance plan and schedule prior to the public hearing before the County Planning Commission, for consideration by the County and the applicant. As a condition of Final Plat approval, the County shall require the HOA to enter into an agreement with the City for the City to inspect subdivision roads annually to ensure that roads are maintained in a standard of condition established in the maintenance plan and schedule. The City agrees to execute such inspection agreement. The City also agrees to provide a copy of the annual inspection reports to the HOA and County. The inspection agreement shall include provisions for reimbursement of the City's cost of providing annual inspection services to the HOA. The inspection agreement may also include requirements for a bond or letter of credit to ensure payment of the required road inspections. If an HOA does not pay the City the agreed upon fees for road inspections for any reason, then the City is not obligated to continue inspection of roads within the subdivision.

As a condition of Final Plat approval, the County shall also require the HOA to perform the necessary road maintenance in accordance with the maintenance plan and schedule. Upon annexation, the expense of and responsibility for road maintenance and inspection may continue to be that of the HOA, or the City may accept the expense and responsibility for road maintenance, provided that roads have been built to Larimer County Urban Area Street Standards and maintained in good condition in accordance with the maintenance plan and schedule.

#### **4.0 Annexation of Enclaves**

It is Loveland's policy to annex all enclaves (meeting the definition of an enclave eligible for involuntary annexation in C.R.S. § 31-12-106) as expeditiously as possible. In the case of an enclave, Loveland will consider annexation at such time that an annexation petition conforming to the requirements of state law, and all required fees and additional or supplemental information is received from the property owner(s) and, where deemed appropriate by the City, the property owner(s) and the City of Loveland reach a mutual agreement on reasonable conditions and terms of the annexation. If such an annexation petition is not received, the City shall commence the process for the involuntary annexation of such enclave after the enclave is eligible for involuntary annexation in accordance with state law C.R.S. § 31-12-106. Notwithstanding the foregoing, any decision to annex an enclave shall be within the sole discretion of the Loveland City Council. Subject to adequate funding being budgeted and appropriated, the County agrees to reimburse the City for one half (1/2) of all costs associated with the preparation of annexation maps and necessary title documentation to annex existing enclaves.

#### **5.0 Development Within the CPA**

##### **5.1 Applicable Plan(s)**

Until a sub-area plan is jointly adopted by the Parties for a CPA, the Larimer County Master Plan shall be the applicable advisory master plan for the CPA as described by C.R.S. §§ 30-28-106 and 30-28-108. The Parties will initiate the process to prepare and amend their respective Master or Comprehensive Plans to include any sub-area plan mutually agreed to by the Parties for a CPA, and to encourage development in a CPA in accordance with such sub-area plan, as it may be adopted by the Parties to the Agreement.

## 5.2 Referral of Development Applications in the CPA

The County will refer the following proposed development applications within the CPA to the City for review and comment and the City shall provide its comments to the County in writing within the time required for County referrals established by State Law:

- a. Rezoning;
- b. Special Review (including gravel extraction);
- c. Conservation Development;
- d. Subdivision Plat;
- e. Special Exceptions; and
- f. Rural Land Use Plans

- 5.2.1 While Loveland may submit comments and recommendations to the County in accordance with this Section 5.2, the final authority and discretion regarding approval, denial, or approval with conditions rests with the appropriate or designated decision-making body of Larimer County. If Loveland recommends against approval or conditional approval of an application and the County subsequently grants approval or elects not to impose a recommended condition, the County shall promptly provide to Loveland the minutes from the meeting at which the decision was made.
- 5.2.2 The Parties shall cooperate in the process of reviewing development proposals to clearly identify the impacts of the proposed development on infrastructure within the City of Loveland and in Larimer County, and particularly, on existing road and storm drainage systems.
- 5.2.3 The County shall not establish or approve any new improvement district or other form of special district within the CPA without consulting the City of Loveland.

## 6.0 Development Within the CIA

### 6.1 Referral of Development Applications in the CIA

The County shall refer the following development applications within the CIA to the City for review and comment and the City shall provide its comments to the County in writing within the time required for County referrals established by State Law:

- a. Rezoning;
- b. Special Review (including gravel extraction);
- c. Conservation Development;
- d. Special Exceptions; and
- e. Subdivision Plat.

- 6.1.1 While Loveland may submit comments and recommendations to the County in accordance with this Section 6.1, the final authority and discretion regarding approval, denial, or approval with conditions rests with the appropriate or designated decision-making body of Larimer County. If Loveland recommends against approval or conditional approval of an application and the County subsequently grants approval or elects not to impose a recommended condition(s), the County shall

promptly provide to Loveland the minutes from the meeting at which the decision was made.

6.1.2 The Parties shall cooperate in the process of reviewing development proposals to clearly identify the impacts of the proposed development on infrastructure in the City of Loveland and in Larimer County, and particularly, on existing road and storm drainage systems.

## **7.0 Implementation of Intergovernmental Agreement**

### **7.1 Amendment of Codes**

Each party shall initiate amendments to their respective plans, policies, procedures and codes necessary to implement the terms and provisions of this Agreement.

### **7.2 Inform and Train**

The Parties will (a) notify newly-elected officials, new managers, and key staff of the existence of this Intergovernmental Agreement; and (b) on an as-needed basis, conduct training sessions on the procedures which are necessary to implement this Intergovernmental Agreement.

In the interest of achieving the broader intent and purposes of this Agreement, the Parties will participate in the collaborative planning efforts among local jurisdictions.

## **8.0 Enforcement**

The laws of the State of Colorado shall govern this Agreement. The venue for any action for the enforcement of this Agreement shall be in the appropriate court for Larimer County, Colorado. Any judgment shall be limited to specific performance and/or injunctive relief and neither party shall have any claim or remedy for monetary damages arising from an alleged breach of this Intergovernmental Agreement against the other party, nor shall this Intergovernmental Agreement confer upon either Party standing to contest a land use decision or action of the other except as a breach of this Intergovernmental Agreement. Notwithstanding the foregoing, the prevailing party in any judicial action to enforce this Intergovernmental Agreement shall be entitled to reasonable attorneys' fees and cost. This Intergovernmental Agreement is not intended to modify or eliminate the standing the Parties may possess independent of this Intergovernmental Agreement.

## **9.0 Termination**

Either party may terminate this Intergovernmental Agreement upon three hundred sixty-five (365) days written notice to other party. Prior to exercising any termination permitted by this Intergovernmental Agreement, the governing body of party seeking termination shall meet, in good faith, with governing body of non-terminating party in attempt to resolve or explain the reasons for termination.

## **10.0 Term of Intergovernmental Agreement**

This Agreement shall remain in force and effect for a period of ten (10) years from the date of its execution, subject to any earlier termination as may result from the provisions of Sections 8.0 or 9.0 above. At the end of five years from the date of its execution, and on each five year anniversary thereafter, the term of the Agreement shall be automatically extended for five years beyond its then stated expiration date, unless at least three hundred and sixty-five days (365) days prior to any five year anniversary, either party notifies the other in writing of its intention that the Agreement shall not be extended beyond its then stated expiration date.

#### **11.0 General Provisions**

##### **11.1 Amendment of Agreement**

Either party may request an amendment of the Intergovernmental Agreement at any time. Such request shall be in writing to the other party, and shall be considered without unreasonable delay and within no more than sixty (60) days of receipt.

##### **11.2 Notice**

Any notice required or permitted by this Agreement shall be in writing and shall be deemed to have been sufficiently given for all purposes if sent by certified mail, return receipt requested, postage and fees prepaid, addressed to the party to whom such notice is to be given at the address set forth below, or at such other address as has been previously furnished in writing, to the other party or Parties. Such notice shall be given when deposited in the United States mail.

FOR CITY OF LOVELAND, COLORADO  
City Manager  
City of Loveland  
500 E. Third Street  
Loveland, Colorado 80537

FOR LARIMER COUNTY, COLORADO  
County Manager  
200 W. Oak Street  
PO Box 1190  
Ft. Collins, CO 80522-1190

##### **11.3 Application and Interpretation of Other Provisions**

Whenever a provision of the Loveland Zoning Code or the Larimer County Land Use Code are inconsistent with a specific provision of this Agreement, the party with the inconsistent code shall evaluate its regulations and initiate the process to amend its codes to be consistent with this Agreement, and/or negotiate in good faith with the other party to amend this Agreement to be consistent with the applicable code and/or any amendment to the code.

##### **11.4 Exhibits**

Exhibits referred to in this Agreement are incorporated herein for all purposes.

#### **11.5 Paragraph Captions**

The captions of the paragraphs are set forth only for the convenience and reference of the Parties and are not intended in any way to define, limit or describe the scope or intent of this Agreement.

#### **11.6 Additional Documents or Action**

The Parties may execute any additional documents or take any additional action reasonably necessary to carry out this Agreement.

#### **11.7 Severability**

If any provision of this Agreement is held invalid or unenforceable for any reason, no other provision shall be affected by such holding, and all of the remaining provisions of this Agreement shall continue in full force and effect.

#### **11.8 Waiver of Breach**

A waiver of any party to this Agreement of the breach of any term or provision of the Agreement shall not operate or be construed as a waiver of any subsequent breach by either party.

#### **11.9 No Third Party Beneficiaries**

Any enforcement of the terms and conditions of this Agreement, and all rights of action relating to such enforcement, shall be strictly reserved to the City and the County, and nothing contained in this Agreement shall give or allow any such claim or right of action by any other third person on such Agreement. It is the express intention of the Parties that any person other than the City and the County receiving services or benefits under this Agreement, shall be deemed to be an individual beneficiary only.

**IN WITNESS WHEREOF**, the Parties hereto have executed this Agreement this day and first above written.

#### **CITY OF LOVELAND**

Attest:

By \_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Date

APPROVED AS TO LEGAL FORM:      APPROVED AS TO CONTENT:

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
City Manager

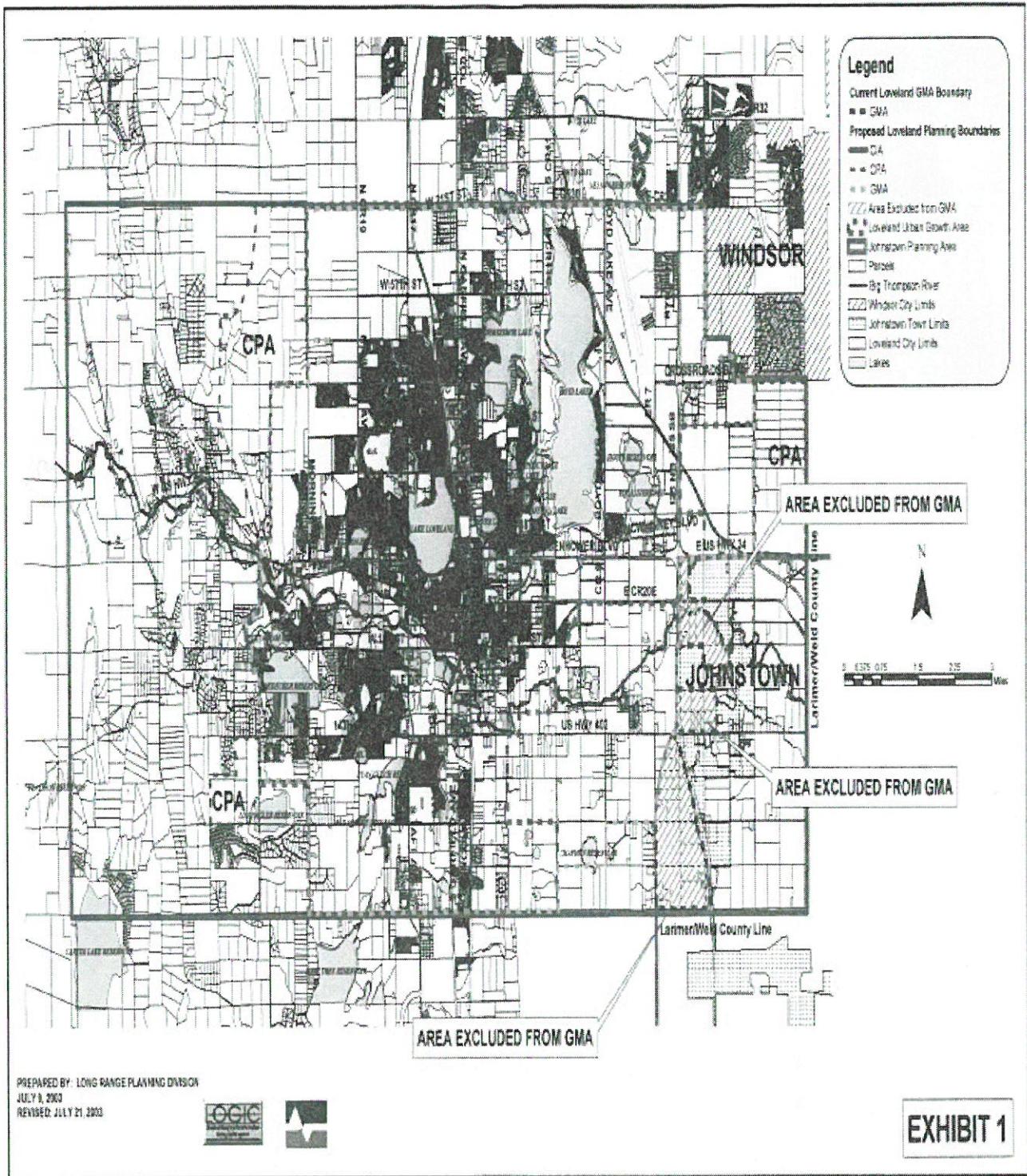
**THE COUNTY OF LARIMER, COLORADO**

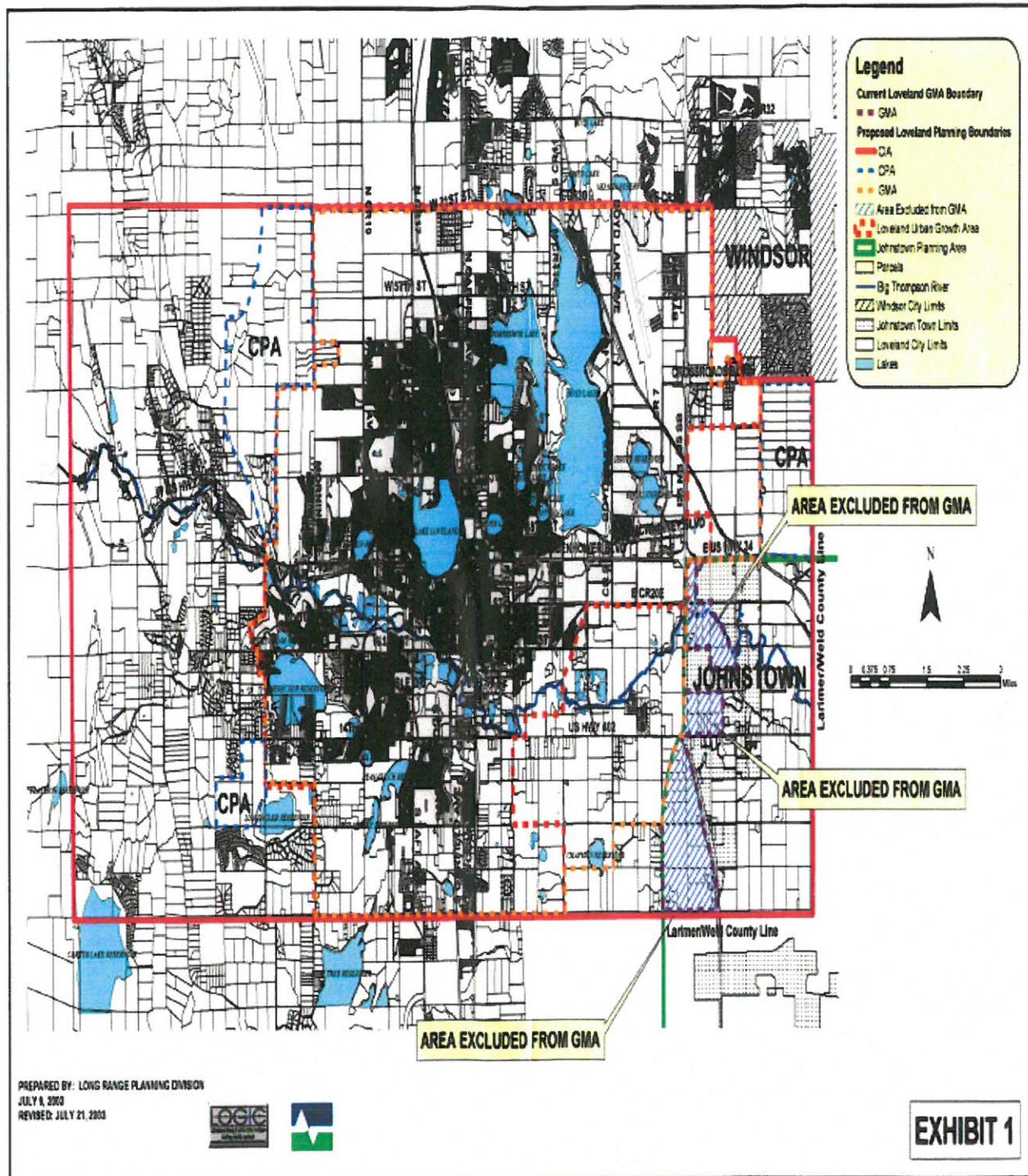
ATTEST: By \_\_\_\_\_  
Chair, Board of Commissioners

Secretary \_\_\_\_\_ Date \_\_\_\_\_

APPROVED AS TO LEGAL FORM: APPROVED AS TO CONTENT:

County Attorney \_\_\_\_\_ County Manager \_\_\_\_\_







## Planning Commission Staff Report

May 22, 2017

**Agenda #:** **Regular Agenda - 4**

**Title:** Boyd Lake Village Conceptual Master Plan Third Amendment

**Applicant:** McWhinney Real Estate Services, Ashley Stiles

**Request:** Conceptual Master Plan Amendment

**Location:** North side of East Eisenhower Boulevard, west of Boyd Lake Ave

**Existing Zoning:** E – Employment Center

**Proposed Zoning:** No change

**Staff Planner:** Kerri Burchett

**Staff Recommendation:**

City staff recommends the following motion:

**Recommended Motions:**

*“Move to make the findings listed in Section VII of the Planning Commission staff report dated May 22, 2017 and, based on those findings, approve the amendment to the Boyd Lake Village Conceptual Master Plan Second Amendment” with the exception of the modification to the design standards related to roofing.”*

In the event that Planning Commission determines that the findings support the approval of the amendment as proposed, the exception will need to be excluded from the proposed motion.

**Summary of Analysis:** Boyd Lake Village is a 32 acre development located on the north side of E. Eisenhower Boulevard, west of Boyd Lake Avenue and on the north and south sides of 15<sup>th</sup> Street.

The applicant is requesting two modifications to the Boyd Lake Village Conceptual Master Plan:

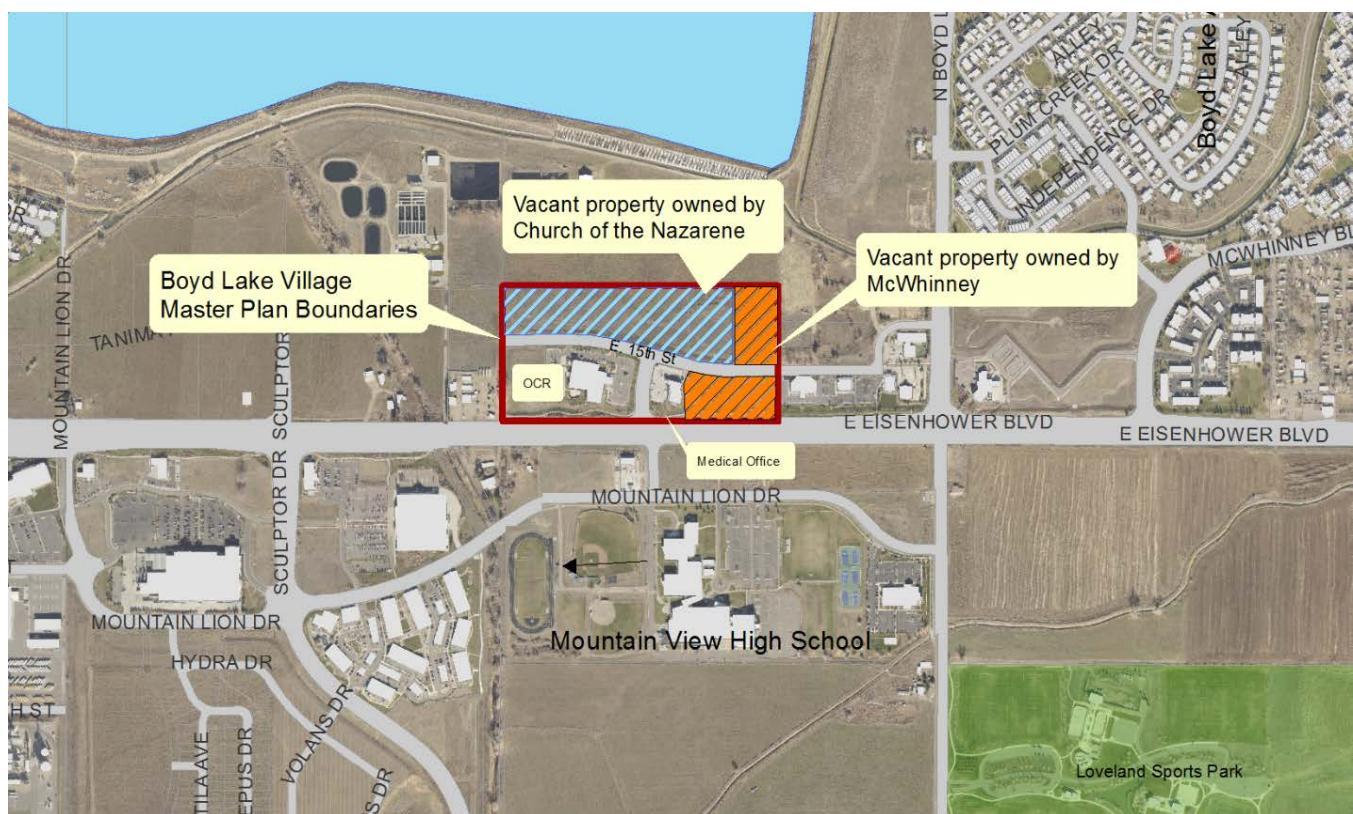
1. Land Use Designation: The amendment would remove the requirement for primary land use designations within the master plan. The Employment Center District requires that a minimum of 60% of the land area be developed into primary workplace uses such as offices, research or light industrial. A provision in the zoning district allows flexibility with this percentage based on the location of primary uses existing or planned within 2 miles of the development. The applicant has submitted a market study supporting their request and has also incorporated land use restrictions on their vacant lots to further aid in compatibility with existing land uses. City staff supports this request.
2. Architectural Theme: The amendment would modify the architectural design standards established in the master plan to lower the percentage of solar shading on windows and permit pitched roof forms. The master plan sets forth a specific contemporary building design consisting of a combination of flat roofs, cantilevered and sloping shed roofs and barrel roofs. This design theme has been incorporated into the two existing medical buildings. Staff believes that the continuity of the roofing form is important in establishing the unified development theme. Staff is not in support of modifying the roof form.

There were no concerns with the amendment voiced at the neighborhood meeting, however the Division has received a letter of objection from owners of the medical office building at the northeast corner of Eisenhower Blvd. and Horstman Place, within the master plan. The Division has also received a letter of support from representatives of the Church of the Nazarene who are owners within the master plan.

## **I. SUMMARY:**

This is a public hearing to consider an amendment to the conceptual master plan for Boyd Lake Village. The development is located north of E. Eisenhower Boulevard, west of Boyd Lake Avenue, and on both the north and south sides of 15<sup>th</sup> Street. The master plan contains approximately 32.2 gross acres and 10 subdivided lots. There are two uses existing within Boyd Lake Village: the Orthopaedic and Spine Center of the Rockies (OCR) and a medical office building that contains the UCHealth Urology, Crane Orthodontics, and Reynolds Oral and Facial Surgery. OCR is currently pursuing an expansion of their facility for a surgery and recovery center. There are 7 remaining vacant lots (17.1 acres) in the master plan; 4 lots are owned by McWhinney Real Estate Services, shown in an orange hatch below, and 3 lots are owned by the Loveland Church of the Nazarene, shown in a blue hatch. Zoning within the master plan is E Employment Center District, which matches the Employment designation in Create Loveland. All properties are subject to the Boyd Lake Village conceptual master plan approved by City Council in 2007 (**Attachment F**).

### **Map 1. Vicinity Map**



**Amendment Request:** The applicant is requesting an amendment to the master plan to remove the required percentages of primary and non-primary land uses in the E district and modify the architectural theme. Modifications to permitted uses within the master plan are considered major amendments and require approval by the Planning Commission. Planning Commission's role is quasi-judicial, which means consideration of the application is to be made on the basis of adopted policies, codes and standards and the specific information submitted by the applicant and/or presented at the hearing. Planning Commission must evaluate whether the application meets the appropriate findings to approve the request. The appropriate criteria/findings, along with the staff analyses, are provided in Section VII of this staff report.

1. Land Use Designation:

The proposed amendment would remove the requirement for the development of primary workplace uses within the master plan. Primary workplace uses consist of uses such as offices, research or light industrial. Non-primary workplace uses include uses intended to support and complement the primary workplace uses, such as hotels, retail, convenience and services uses, restaurants, child care, and housing. The E district requires a balance of primary and non-primary land uses within a master plan with a minimum of 60% of the land area developed into primary uses. In Boyd Lake Village, this would require 16 of the 26 developable acres be devoted to primary uses. OCR and the medical office building are both considered primary uses and therefore, approximately 6 acres of the remaining vacant parcels would need to be developed into primary workplace uses. There is a provision in the E district, however, that allows for the approval of development plans that do not meet the required percentages for primary and non-primary uses. The provision states that a development plan that does not meet the requirement may be permitted if within two miles of the development plan site, primary workplace uses exist or the zoning for such uses is in place, in an amount that is sufficient to comply with the intent of the E district and meet the long term need for primary employment land use anticipated by the comprehensive master plan (**Attachment A, Section 18.30.040.A**).

The applicant has submitted a market study prepared by Cushman & Wakefield supporting their request (**Attachment C**). The study evaluated properties within 2 miles of Boyd Lake Village and concluded that there are approximately 1,261,000 acres of land for existing and future primary workplace use development, of which approximately 935 acres are currently undeveloped vacant property. The study further indicates that there are 327 acres developed as primary land uses, which include uses such as the Medical Center of the Rockies, light industrial development around the airport, and research and professional offices within Centerra.

The amendment request to remove the requirement for primary workplace uses would apply to all property within the master plan. To address concerns regarding compatibility of development between the vacant parcels and the existing uses, the applicant is proposing land use restrictions on lots under their ownership (shown as the orange hatch on Map 1.) This includes not allowing the following uses: residential uses; bar or tavern; car wash; animal day care facility; gas station; nightclub; drive-in or fast food restaurant; self-service storage facility; vehicle repair, servicing, and maintenance; vehicle rentals; vehicle sales and leasing; warehouse and distribution; indoor firing range; airports and heliports; crematorium and off-track betting facility.

## 2. Architectural Theme:

The amendment seeks to modify the architectural design standards established in the master plan with respect to the percentage of solar shading on windows and the provision for allowable roof forms. The E district is intended to have a “campus-type” character with strong unifying design elements. This includes a unified building design coordinated with regard to color, materials, architectural form and detailing to achieve design harmony, continuity and horizontal and vertical relief and interest. The master plan for Boyd Lake Village sets forth a contemporary/modern building design with specific unifying roof lines, building materials, and architectural forms. Conceptual elevations depicting the building theme were incorporated into the master plan as shown in Figure 1, below. In terms of roofing, each building was required to incorporate at least three of the following forms into the building design: a combination of flat roofs behind parapet walls, slim line cantilevered roofs faced with metal, slightly sloped shed roofs with large overhangs, or slightly arched barrel roofs with large overhangs. This design theme has been incorporated into the existing OCR and medical office buildings.

**Figure 1. Examples of Approved Conceptual Building Elevations**



The requested amendment would allow a more traditional pitched roof design as an option for roofing form. Those buildings desiring a pitched roof would need to also incorporate 2 roof design elements as listed above. A conceptual elevation has been included with the amendment depicting a pitched roof design, as shown in Figure 2, on page 5. The amendment stems from a request to develop the vacant lots along Eisenhower Boulevard into a memory care and assisted living facility. The perspective applicant indicated a desire for the buildings to appear more

residential and homelike in nature. The amendment to the architectural theme would apply to all properties within the master plan.

**Figure 2. Proposed Additional Roof Design**



The amendment would also reduce the master plan's solar shading requirement. A provision was placed in the master plan that required a minimum of 60% of all exterior windows, excluding windows shaded by roof overhangs, incorporate metal trellising over metal brackets as window shade devices. The metal trellising was identified as an architectural element to unify buildings within the development. The amendment would reduce the requirement to 40%. Solar shading is not a requirement stipulated in the Municipal Code.

### **III. KEY ISSUES:**

Staff is not supportive of the request to modify the roofing form and allow pitched roofs, as we believe that it is inconsistent with the architectural theme established in the master plan that has been incorporated into existing buildings. A traditional pitched roof design can be accommodated throughout the city in all of the nonresidential zones and within Centerra. The Boyd Lake Village master plan was created to establish a specific themed development with strong unifying elements centered around roof lines and building materials. A letter of objection to this proposed change from owners of the UCHealth Urology, Crane Orthodontics and Reynolds Oral and Facial Surgery building is included as **Attachment D**.

### **IV. ATTACHMENTS:**

- A. Employment Center District, Section 18.30 of the Municipal Code
- B. E-Employment Category in Create Loveland
- C. Market Study provided by Applicant
- D. Letter of Opposition from Dr. Reynolds, Dr. Crane and Krystin Wolhart dated February 27, 2017
- E. Email of Support from Loveland Church of the Nazarene
- F. Boyd Lake Village Conceptual Master Plan Amendment #1 (Approved Plan)
- G. Boyd Lake Village Conceptual Master Plan Proposed Amendment #2

## **V. SITE DATA:**

ACREAGE OF SITE (GROSS/NET ACRES) .....	32.22 ACRES GROSS/ 26.25 ACRES NET
COMP PLAN DESIGNATION.....	E -EMPLOYMENT
EXISTING ZONING .....	E-EMPLOYMENT CENTER
EXISTING USE .....	MEDICAL OFFICES AND VACANT
PROPOSED USE.....	PRIMARY AND NON-PRIMARY WORKPLACE USES
EXIST ADJ ZONING & USE - NORTH.....	DR DEVELOPING RESOURCE - CITY OF GREELEY FILTER PLANT
EXIST ADJ ZONING & USE - SOUTH .....	US HWY. 34 & B BUSINESS – RESTAURANTS, CAR WASH AND 1 SINGLE FAMILY HOUSE
EXIST ADJ ZONING & USE - WEST.....	COUNTY C COMMERCIAL – COMMERCIAL RETAIL
EXIST ADJ ZONING & USE - EAST.....	CITY MAC AND B – MULTIFAMILY AND COMMERCIAL OFFICES
UTILITY SERVICE PROVIDER - SEWER .....	CITY OF LOVELAND
UTILITY SERVICE PROVIDER - ELECTRIC.....	CITY OF LOVELAND
UTILITY SERVICE PROVIDER - WATER.....	CITY OF LOVELAND

## **VI. BACKGROUND:**

The Waterfall Addition was annexed into the city in January of 1993. The J-B Addition was annexed into the City of Loveland in February of 2005 and zoned, along with portions of Tracts A and D, Waterfall Addition, to the Meadowbrook Falls Planned Unit Development. The property was rezoned to Employment Center and the conceptual master plan was approved for the Boyd Lake Village development in September of 2007. The master plan was amended in 2014 to provide flexibility in the location of primary and non-primary uses. The amendment did not alter the percentage of primary and non-primary workplace uses in the development or change any of the architectural standards.

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

- A. Notification:** An affidavit was received from McWhinney Real Estate Services 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 May 6, 2017. All notices stated that a public hearing would be held by the Planning Commission on May 22, 2017 at 6:30 pm.
- B. Neighborhood Response:** A noticed neighborhood meeting was held at 5:30 p.m. on February 16, 2017 in the McWhinney offices. Nine persons attended the meeting along with city staff and the applicant. The applicant explained their requested amendment and answered questions. A description of primary and non-primary workplace uses was provided by city staff. General questions from the neighborhood were received, primarily centering

around what land uses were anticipated on the vacant property and information on the Church.

Overall, those in attendance were supportive of the amendment. Property owners from OCR and the medical office building were not in attendance at the meeting. A representative of the medical office building attended and requested a follow up meeting with the city staff and the applicant. After the neighborhood meeting, the applicant indicated that they had attempted multiple times to set up meetings with the owners of the medical office building but was unsuccessful. Staff received a call from Dr. Reynolds inquiring about the proposal. The Planning Division received a letter of opposition from Dr. Reynolds, Dr. Crane and Krystin Wolhart, property owners of the UCHealth Urology, Crane Orthodontics and Reynolds Oral and Facial Surgery facility (**Attachment D**). The letter indicates concerns with both the land use change (primary verse non-primary use) and the modifications requested to the architectural theme. A letter of support from Brad Oaster on behalf of Loveland Nazarene Church was also submitted (**Attachment E**).

## **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.

***Finding 1.** 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 development that is consistent with relevant policies contained in Create Loveland.*

**Current Planning:** Staff believes this finding can be made with respect to the land use change, however staff does not believe that the finding can be made concerning the change in the design standards for roofing.

- **Land Use:** This finding specifically references compliance with the relevant policies contained in Create Loveland, the city's comprehensive master plan. Prior to the adoption of Create Loveland, the master plan contained requirements for the balance of primary and non-primary workplace uses, identical to the requirements specified in the E District. With Create Loveland, however, the references to this land use balance were removed as the thought was that the specific requirements were better regulated through the zone district in Title 18. The percentage limitations of primary and non-primary workplace uses are now solely established in the Employment Center zone district, which is referenced in Finding 3, below.
- **Architectural Theme:** The vision of creating a unified building design for development in the Employment category was incorporated into Create Loveland's required "Form" category (**Attachment B**). This designates a campus style setting with unified building design and open space. Staff believes that the roofing form is integral to the established

theme in Boyd Lake Village and serves to unify the buildings within the development. The combination of flat, sloping, shed and barrel rooflines lends itself to a contemporary/modern architectural theme that was incorporated in the development of OCR and the medical office building. Commercial buildings with more traditional pitched roofs have been developed throughout the city and adjacent to this project. While these buildings typically present a high quality traditional design, it is not consistent with the architectural vision for Boyd Lake Village.

**Finding 2.** *Development of the property pursuant to the plan would be consistent with the purposes set forth in Section 18.04.010 of the Loveland Municipal Code.*

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

- Section 18.04.010 of the Municipal Code sets forth the purpose of zoning regulations and districts. This includes to lessen congestion, secure safety, promote health and welfare, provide adequate light and air, prevent overcrowding of land, avoid undue concentration of population, and facilitate the adequate provision of utilities. At the time of approval of the original conceptual master plan, the city determined that development of the site was in line with the purposes of the zoning regulations. The changes proposed in the amendment will not alter that determination in a manner that would be inconsistent with this finding.

**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 be consistent with the E- Employment Center zone district, as set forth in Title 18 of the Municipal Code.*

**Current Planning:** Staff believes this finding can be made with respect to the land use change, however staff does not believe that the finding can be made concerning the change in design standards for roofing.

- Land Use: The E district specifies that not more than 40% of the land area within a development plan can be devoted to non-primary workplace uses. A provision to this requirement, however, allows approval of a development plan that does not meet this requirement if within 2 miles of the development, primary workplace uses exist or the zoning for such uses is in place, in an amount that is sufficient to comply with the intent of the long-term need for primary employment uses.

As previously indicated, the applicant submitted a market study demonstrating that there are approximately 1,261,000 acres of land for existing and future primary workplace use development, of which approximately 935 acres are currently undeveloped vacant property. The study further indicates that there are currently 327 acres developed as primary land uses (**Attachment C**). Staff believes that the market study adequately demonstrates that there is sufficient land area existing and available to replace the 6 acres of property that would need to be developed into primary workplace uses under the provisions of the zone district.

- Architectural Theme: Development in the E district is intended to have a “campus-type” character with strong unifying design elements that include unified building design, unified open space, other unifying features such as project entry points and signage, and viewshed protection. In terms of building design, the E district requires that buildings must be coordinated with regard to color, materials, architectural form, and detailing to achieve design harmony, continuity, and horizontal and vertical relief and interest. The Boyd Lake Village master plan achieved the unifying design elements by establishing a contemporary/modern design theme with specific building materials and flat, sloping shed and barrel roof forms. Staff believes that the addition of traditional pitched roofs in the development will be inconsistent and jeopardize the unifying design theme set forth in the master plan.

**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 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 fact:

- The E district provides a variety of land uses by right and by special review. To aid with compatibility between the existing uses, the applicant has included a list of land uses from the E district that will not be permitted on the vacant lots under their ownership. This includes not allowing the following uses: residential uses; bar or tavern; car wash; animal day care facility; gas station; nightclub; restaurant, drive-in or fast food; self-service storage facility; vehicle repair, servicing, and maintenance; vehicle rentals; vehicle sales and leasing; warehouse and distribution; indoor firing range; airports and heliports; crematorium and off-track betting facility.
- Bufferyards are required between land uses that have potential incompatibilities. With specific development proposals, compatibility and bufferyards will be evaluated to ensure that the standards in the Municipal Code are met.

**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 impacts on City infrastructure and services that are consistent with current infrastructure and services master plans.*

**Current Planning:** The amendment to land uses and design standards will not affect the provision of utilities and infrastructure to the site. An analysis of traffic and utility impacts will occur when a specific development application is submitted. Development will need to demonstrate compliance with the city’s adequate community facilities provisions.

**Finding 6.** *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:

At the time of approval of the original conceptual master plan, the city determined that development of the proposed uses would not be detrimental to the health, safety or welfare of the neighborhood or general public. Provisions in the requested amendment will not alter development in a manner that would be inconsistent with this finding.

## **IX. RECOMMENDED CONDITIONS:**

There are no staff recommended conditions for these applications.

## Chapter 18.30

### E DISTRICT – EMPLOYMENT CENTER DISTRICT

#### Sections:

- 18.30.010      Purpose.**
- 18.30.020      Uses permitted by right.**
- 18.30.030      Uses permitted by special review.**
- 18.30.040      Development standards and balance of land uses.**
- 18.30.050      Site development plan review.**
- 18.30.060      Schedule of flexible standards.**

#### **18.30.010      Purpose.**

The employment center (E) district is a mixed-use district intended to provide locations for a variety of workplaces and commercial uses, including light industrial, research and development, offices, institutions, commercial services and housing. This E district is intended to encourage the development of planned office and business parks; promote excellence in the design and construction of buildings, outdoor spaces, transportation facilities, streetscapes, lodging, and other complementary uses. The E district is intended to implement the E- employment center category set forth in the Comprehensive Master Plan. Uses that complement and support primary workplace uses, such as hotels, retail, restaurants, convenience shopping, child care, and housing are intended to be secondary uses and not intended to be the primary or predominant uses in the E district. Such uses should be limited to guidelines set forth in this district.

#### **18.30.020      Uses permitted by right.**

The following uses are permitted by right in an E 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. Commercial child day care center licensed according to the statutes of the state;
- C. Convention and conference center;
- D. Entertainment facilities and theaters, indoor;
- E. Financial services;
- F. Food catering;
- G. Gas station with or without convenience goods or other services subject to Section 18.52.060 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);
- H. Health care service facility;
- I. Hospital;
- J. Indoor recreation;
- K. Lodging establishment (hotel and motel);
- L. Long term care facility;
- M. Medical and dental laboratories;
- N. Office, general administrative;
- O. Parking garage;
- P. Parking lot;
- Q. Personal and business service shops;
- R. Place of worship or assembly;

- S. Print shop;
- A. Professional office/clinic;
- T. Restaurant, standard;
- U. Retail store;
- V. Veterinary clinic;
- W. Light industrial;
- X. Research laboratory;
- Y. Public and private schools;
- Z. 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;
- AA. Dwelling, attached single-family;
- BB. Dwelling, detached single-family;
- CC. Dwelling, multi-family;
- DD. Dwelling, two-family;
- EE. Elderly housing;
- FF. Dwelling, mixed use;
- GG. Community facility;
- HH. Park or recreation area;
- II. Congregate care facility;
- JJ. Antennas, as defined in Section 18.55.020, co-located on an existing tower or structure as provided in Sections 18.55.030 and 18.55.030 and meeting all other requirements of Chapter 18.55; and
- KK. Accessory buildings and uses.

#### **18.30.030      Uses permitted by special review.**

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

- B. Bar or tavern;
- C. Car wash;
- D. Domestic animal day care facility;
- E. 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);
- F. Nightclub;
- G. Open-air farmers market;
- H. Plant nursery and greenhouses;
- I. Restaurant, drive-in or fast food;
- J. Self-service storage facility;
- K. Vehicle minor repair, servicing, and maintenance;
- L. Vehicle rentals for cars, light trucks and light equipment;
- M. Vehicle rentals for heavy equipment, large trucks and trailers;
- N. Vehicle sales and leasing for cars and light trucks;
- O. Veterinary hospital;
- P. Warehouse and distribution;
- Q. Firing range, indoor;
- R. Airports and heliports;
- S. Essential public utility uses, facilities, services, and structures;
- T. Group care facility;

- U. Personal wireless service facility as defined in Section 18.55.020, located on a new structure, meeting all requirements of Chapter 18.55;
- V. Public service facility;
- W. Crematorium subject to Section 18.52.080; and
- X. Off-track betting facility.

#### **18.30.040 Development standards and balance of land uses.**

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

- A. Balance of land uses. Not more than forty percent of the land area within a development plan shall be dedicated to non-primary workplace uses. Non-primary workplace uses include hotels, retail, convenience and service uses, restaurants, child care, housing or other uses intended to support and compliment primary workplace uses. For the purposes of this requirement primary workplace uses shall include but shall not be limited to office, research or light industrial. A proposed development plan that does not meet this requirement may be permitted if within two miles of the proposed development plan, primary workplace uses exist or the zoning for such uses is in place, in an amount that is sufficient to comply with the intent of this section and meet the long term need for primary employment land uses anticipated by the Comprehensive Master Plan.
- B. Campus-type character. E districts are intended to have a “campus-type” character with strong unifying design elements meeting the following standards:
  1. Unified building design. Building design shall be coordinated with regard to color, materials, architectural form, and detailing to achieve design harmony, continuity and horizontal and vertical relief and interest.
  2. Unified open space. Projects shall include a unifying internal system of pedestrian-oriented paths, open spaces, and walkways that function to organize and connect buildings, and provide connections to common origins and destinations (such as transit stops, restaurants, child care facilities, and convenience shopping centers). The development plan shall utilize open space and natural features that serve as buffers and transitions to adjacent area(s). Development plans shall include at least twenty percent of the gross site area devoted to common open space features, including features such as common area landscaped buffers, parks or plaza spaces, entrance treatments, natural areas, or wetlands, but excluding any open space or landscaped areas within required building setbacks or parking lots. Areas dedicated to storm water drainage may also be counted toward meeting the open space requirement, provided they are designed to be recreation space or as an attractive site feature incorporating a naturalistic shape and/or landscaping.
  3. Other unifying features: Major project entry points shall include well designed signage and entry features such as quality identity signage, sculpture, plazas, special landscape clusters, etc. The visibility of parking lots or structures shall be minimized by placement to the side or rear of buildings and/or with landscape screening. Shared vehicular and pedestrian access, shared parking, common open space and related amenities should be integrated into the project’s design. The overall design and layout shall be compatible with the existing and developing character of the neighboring area.
  4. Viewshed protection. Care shall be taken to minimize disruptions to adjacent neighborhood views of open spaces or natural features through the sensitive location and design of structures and associated improvements. Visual impacts can be reduced and better view protection provided through careful building placement and consideration of building heights, building bulk, and separations between buildings.
  5. Unified design agreement. In the case of multiple parcel ownerships, an applicant shall make reasonable attempts to enter into cooperative agreements with adjacent property owners to

create a comprehensive development plan that establishes an integrated pattern of streets, outdoor spaces, building styles, and land uses consistent with the standards in this section.

C. Other standards.

1. Significant retail and office components shall comply with standards in Section 18.29.040.
2. See also Chapter 18.53 and Site Development Performance Standards and Guidelines.
3. Section 18.29.040D. , E., F., and G. Other Standards shall apply in E districts.

**18.30.50 Site development plan review.**

Development of any use for category 2 development shall be subject to the provisions of Chapters 18.39 and 18.46, and to the design standards and guidelines specified in Chapter 18.47.

A. 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 to demonstrate how the proposed development plan complies with development standards in Section 18.30.040B. and C. Additionally, the Conceptual Master Plan shall depict an allocation of land uses in a manner that demonstrates compliance with Section 18.30.040.A. The Conceptual Master Plan shall be provided with the E district rezoning application and the rezoning approval shall be subject to compliance with the Conceptual Master Plan as referenced in the zoning ordinance. Subsequent applications submitted for a use by right or a use 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.

1. Modifications to the Conceptual Master Plan as required to show compliance with Section 18.30.040, or that comply with Section 18.30.060, may be approved administratively by the director. Changes to permitted uses or substantial changes to the location of land uses as depicted on the Conceptual Master Plan are major modifications and shall require a neighborhood meeting and be submitted for final approval by the planning commission.
2. Public notice of the neighborhood meeting and the public hearing for major modifications to a Conceptual Master Plan shall be provided pursuant to Chapter 18.05 Public Notice.

**18.30.060 Schedule of flexible standards**

**Chapter 18.30 MAC and E Districts**  
**Schedule of Flexible Standards**

<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>
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

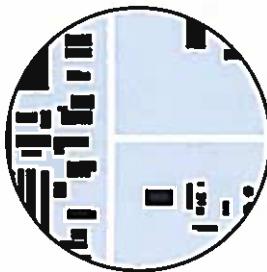
<b>Use</b>	<b>Maximum height of building or structure</b>	<b>Maximum height of accessory building or structure</b>
E-Employment Center District	As provided in Chapter 18.30 E District Schedule of Flexible Standards	50

**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 covered 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 18.31-1) shall be provided in the treelawn. Landscaped bulb-outs and trees planted in tree grates in the sidewalk (Figure 18.31-2), 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) 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.

(6) Office, research, lodging and mixed-use (mixed-use means residential located in the same building as non-residential uses). 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.



## E - EMPLOYMENT

- Regional employment and related commercial uses.
- Emphasizes open space and preservation of natural features as buffers.
- Proposed developments that do not contain office or light industrial uses may be allowed if such uses or zoning exist near the proposed development.



Example: Office on Hwy 287, Centerra office building at Rangeview

### Land Use Mix



#### Commercial

- If near other office or light industrial uses or zoning



#### Employment

- Low- to medium-rise offices
- Light industry



#### Recreational

- Open space



#### Residential

- Up to 16 units / acre on parcels without access or visibility to major transportation corridors
- Vertical mixed-use

### Transportation

#### Highest Priority Mode



Detached sidewalks, connections to transit stops

#### Priority Mode



Designated bike accommodation such as bike lanes or protected bikeway

#### Priority Mode



Enhanced transit stations on adjacent collector and arterial network for local and regional bus service

#### Priority Mode



Access to/from arterials; slow speeds within and connectivity between adjacent uses

### Zoning Compliance

- B - Developing Business
- I - Industrial
- PUD - Planned Unit Development
- E - Employment

### Form

- For large sites, campus setting with unified building design, open space, viewshed protection
- For infill sites, minimize setbacks, encourage taller buildings, a mix of uses, and pedestrian access
- High-quality architecture
- Street Pattern: Grid
- Block Length: 1,000' - 2000'
- Front Yard Setbacks: 20' - 200'
- Building Height: 1 - 4 stories, or as allowed by zoning





772 Whalers Way, Suite 200  
Fort Collins, Colorado 80525  
Tel +1 970 776 3900  
Fax +1 970 267 7419  
cushwake.com

December 2, 2016

Ms. Ashley Stiles, VP Development  
McWhinney  
2725 Rocky Mountain Ave, Suite 200  
Loveland, CO 80538

**Re: Boyd Lake Village Study: Primary vs. Non-Primary Land Uses**

Dear Ms. Stiles:

At your request we have attached our study of primary vs non-primary land uses in the Loveland market. If you have any questions concerning the study, please do not hesitate to contact us.

Best Regards,

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

**Russell Baker**  
Director  
Direct 970.267.7721  
rusell.baker@cushwake.com

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

**John Baker**  
Associate  
Direct 970.267.7402  
john.baker@cushwake.com

**ATTACHMENT C**

## **Boyd Lake Village Study: Primary vs. Non-Primary Land Uses**

**Background:** Boyd Lake Village is a property off Highway 34 and 15<sup>th</sup> Street in Loveland, Colorado, and is Zoned “E” as an Employment Center District. By definition from the City of Loveland Zoning Code, Title 18, Chapter 18.30.10, the definition of “E District” is as follows:

“The employment center ( E ) district is a mixed-use district intended to provide locations for a variety of workplaces and commercial uses, including light industrial, research and development, office, institutions, commercial services and housing. This E district is intended to encourage the development of planned office and business parks; promote excellence in the design and construction of buildings, outdoor spaces, transportation facilities, streetscapes, lodging, and other complementary uses. The E district is intended to implement the E-employment center category set forth in the Comprehensive Master Plan. Uses that complement and support primary workplace uses, such as hotels, retail, restaurants, convenience shopping, child care, and housing are intended to be secondary uses and not intended to be the primary or predominant uses in the E district.”

In addition to the Code, Boyd Lake Village is subject to having a required minimum of 60% Primary users, and a maximum 40% Non-Primary users, per the Conceptual Master Plan that was revised on November 6, 2014.

**Primary vs. Non-Primary Land Use Study:** There are several clients that would like to locate at Boyd Lake Village; however, due to City of Loveland zoning code and the Boyd Lake Village Conceptual Master Plan, their business uses are classified as Non-Primary, which would result in exceeding the 40% cap of Non-Primary uses within Boyd Lake Village. This study is being conducted to demonstrate that not only are these uses valuable to Boyd Lake Village and the Highway 34 corridor, but to also illustrate that there is an abundance of available land suited for Primary use development within a 2-mile radius of the site that complies with the intended vision of Boyd Lake Village and meet the long term need of primary employment.

**City of Loveland Zoning Code directions to show an Abundance of Primary Uses:** Zoning Code for Boyd Lake Village is Zoned “E” as an Employment Center District. According to Section 18.30.020 (A) of the City of Loveland Zoning Code, “[If] a proposed development plan that does not meet this requirement, *may be permitted if within two miles of the proposed development plan, primary workplace uses exist or the zoning for such uses is in place, in an amount that is sufficient to comply with the intent of this section and meet the long term need for primary employment land uses anticipated by the Comprehensive Master Plan.”*

- Given the above guidelines, this study was performed in the following manner:
  - Using Google Earth, create a 2-mile radius from the center of Boyd Lake Village
  - Review the City of Loveland Zoning Map and record all of the land that is zoned for Primary Uses
    - Account for existing Primary Uses as well as land for future Primary Use development
    - Edit Map accordingly
  - Use Larimer County Assessor to define each Primary Use parcel and track on an Excel document:
    - Parcel Number
    - Acre Size
    - Owner
    - Land Description
  - Cross-Reference Larimer County Assessor Parcels with CoStar data and add:
    - Square footage of buildings (if any)
    - Tenants (if any)
  - Calculate the number of developable acres left in Boyd Lake Village of which could be Non-Primary
    - Compare this number to the number of acres within the 2-mile radius that could result in Primary development

**Results:**

After reviewing all data within the 2-mile radius, we are certain that there is a large enough supply of available land to accommodate future Primary users, as well as an abundance of existing Primary users. Therefore, we believe that adding non-primary uses to the Boyd Lake Village area would sufficiently comply with the intent of the Boyd Lake Village, Zoning "E" requirement for the following reasons:

- Currently, there are 17.14 Acres left in Boyd Lake Village for future development (primary and non-primary)
- It is believed that so long as there is 17.14+ acres of future or existing Primary development within a 2-mile radius of Boyd Lake Village, we are in compliance with the Development standards and balance of land uses for Zoning E.
  - After carefully reviewing and creating zoning maps, it shows that there is 1,261.74 acres of land for existing and future Primary use development within a 2-mile radius of Boyd Lake Village
    - Available Land for Future Primary Users: 934.19 Acres

- Using a 30% coverage ratio, we estimate that there is the ability to develop an additional 12 million square feet of buildings for Primary Use
  - Existing Primary Uses: 327.55 Acres; 3,113,752.00 Building Square Feet

In addition, a portion of Centerra is restricted by the Airport Critical Zone area, which prevents development of uses that allow for over-night stay guests (i.e. residential, single and multi-family, assisted living, memory care, etc.), these uses are classified as Non Primary. Therefore, Centerra has the ability to develop 239 acres for Primary users, which equates to an additional 3 million square feet of Primary Use buildings.

## Summary of Findings

Total Approx.

Developable Acres in 2  
Mile Radius 6,331.91

Total Acres  
for Primary  
Uses (AC) 1,261.74

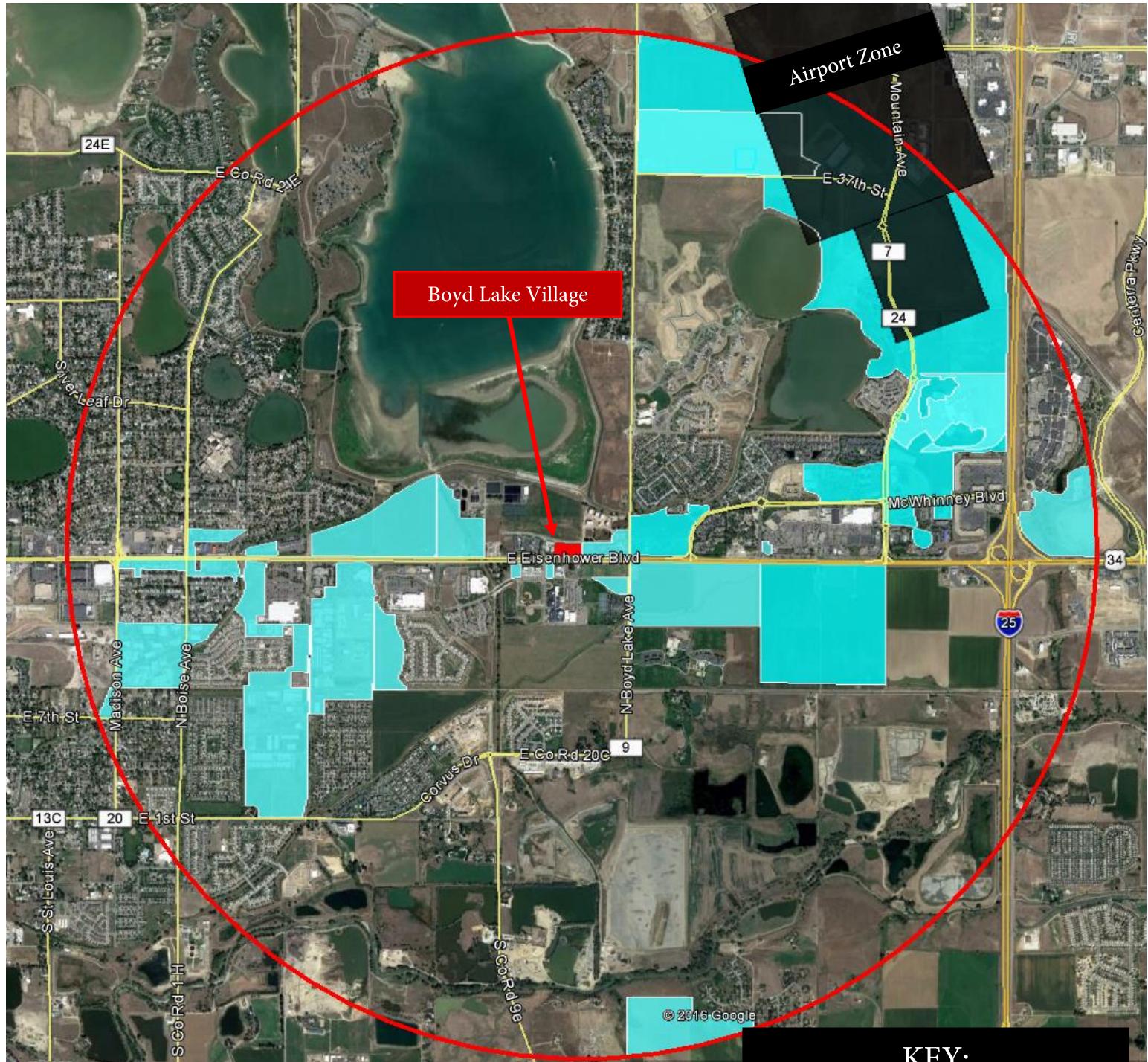
Total Shovel Ready  
Sites (AC) 934.19

Total Existing Primary  
Uses (AC) 327.55

Total Existing  
Buildings for Primary  
Uses (SF) 3,113,752.00

## MAPS:

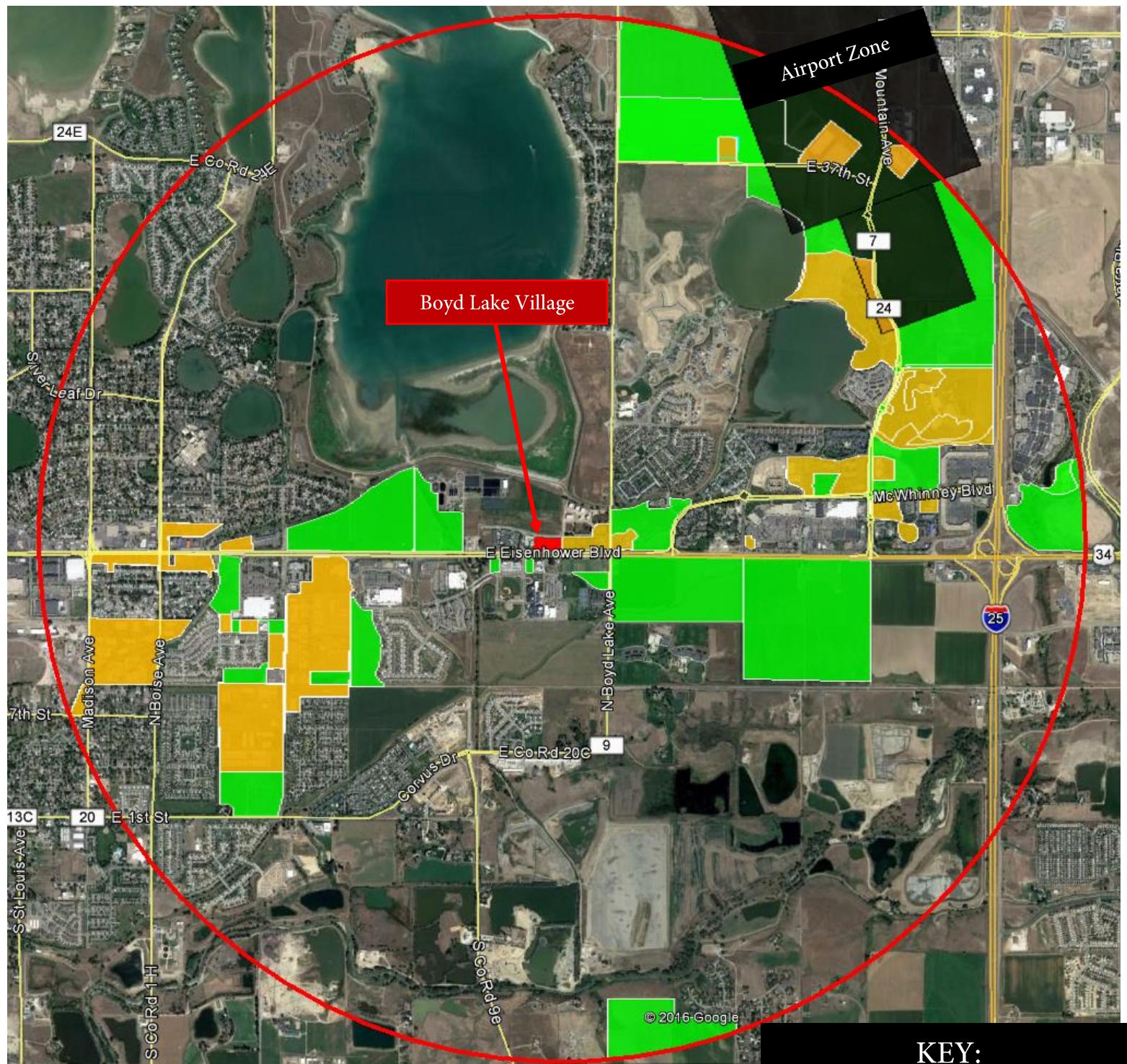
### Overview of Land available or existing for Primary Uses



#### KEY:

 = Zoned for Existing or Future Primary Use Development

## Existing Primary Uses vs. Land Available for Primary Use development



KEY:

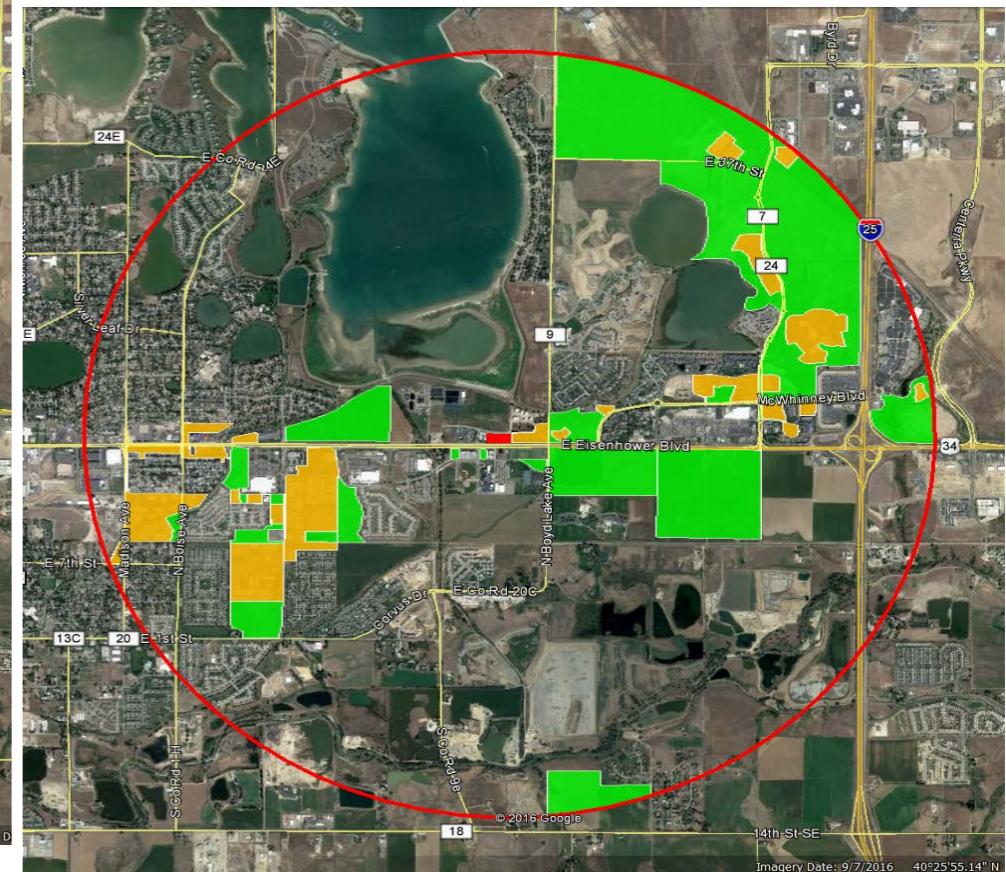
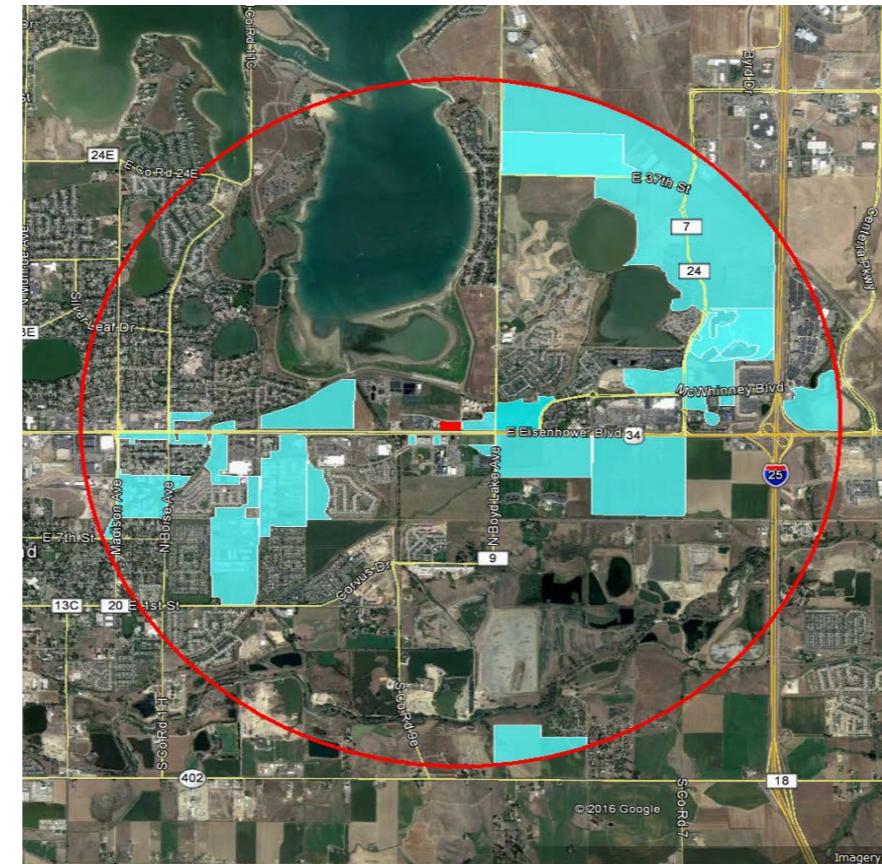
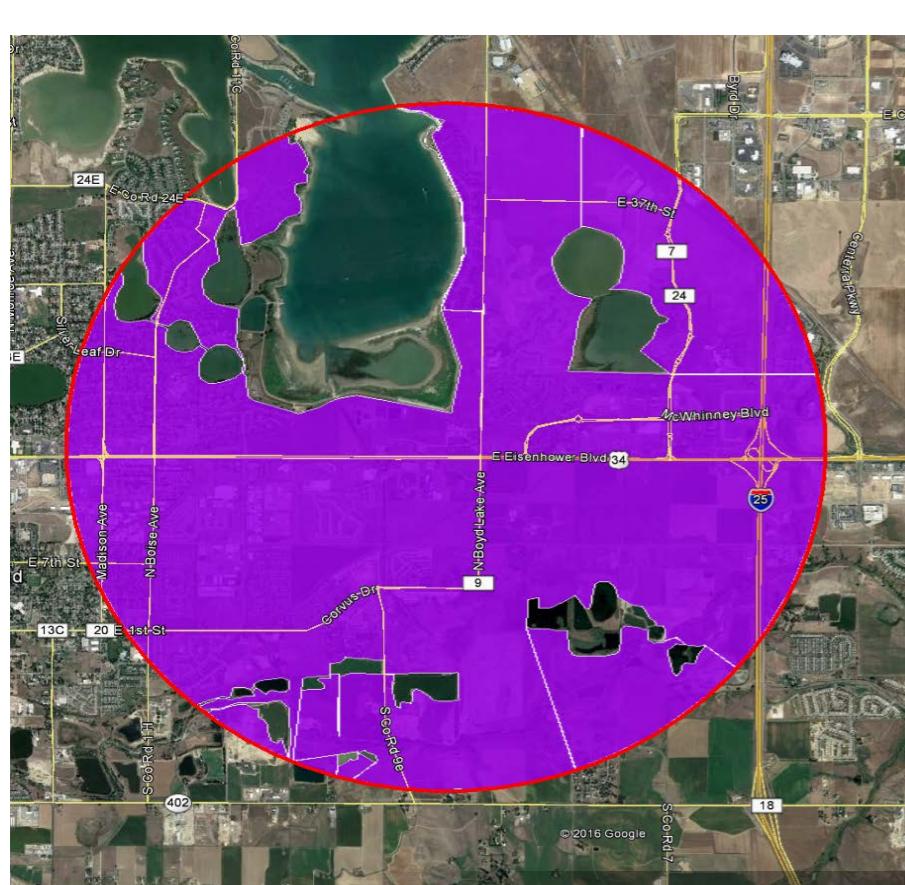
= Existing Primary Uses

= Future Primary Uses

SUMMARY	
Total Approx. Developable Acres in 2 Mile Radius	6,331.91
Total Acres for Primary Uses (AC)	1,260.74
Total Shovel Ready Sites (AC)	934.19
Total Existing Primary Uses (SF)	3,108,204.00
Total Existing Primary Uses (AC)	326.55
Approx. Acres to build out all Future Primary Uses (AC)	934.19
Estimated Total Employment Numbers from Primary Uses	4,249.00
Future Planned Primary Use Buildout in Centerra (SF) ; Taken from Centerra Land Use Matrix	7,402,311.00
Approx SF to build out all Future Primary Uses (SF) (Centerra included only)	4,294,107.00

Summary for Document	
Total Approx. Developable Acres in 2 Mile Radius	6,331.91
Total Acres for Primary Uses (AC)	1,260.74
Total Shovel Ready Sites (AC)	934.19
Total Existing Primary Uses (AC)	326.55
Total Existing Primary Uses (SF)	3,108,204.00
Employment Numbers from Existing Primary Uses	4,249.00
Future Build Out Estimates	
Approx. Acres to build out all Future Primary Uses (AC)	934.19
Approx SF to build out all Future Primary Uses (SF) (Centerra included only)	4,294,107.00
Future Planned Primary Use Buildout in Centerra (SF) ; Taken from Centerra Land Use Matrix	7,402,311.00

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### Primary Uses within 2-Mile Radius

Parcel	Zoning	Acres	Link	SF of Buildings	Businesses on Property	Number of Employees	Notes:
85040-05-001	Industrial PUD/Industrial/Flex - Savannah 2nd	95.75	<a href="http://www">http://www</a>	N/A - Ag dry land IVA	N/A	N/A	
N/A		105.248	N/A	N/A - PUD dry ag land N/A - PUD Dry ag land	N/A	N/A	
85042-07-004	PUD/Industrial/Flex	5.08	<a href="http://www">http://www</a>	IVA N/A - PUD Dry ag land	N/A	N/A	
85042-07-003	PUD/Industrial/Flex	5.46	<a href="http://www">http://www</a>	IVA	N/A	N/A	Current placement for Centerra II
85042-07-002	PUD/Industrial/Flex	6.68	<a href="http://www">http://www</a>	83,890.00	Toddys Safelite		Centerra Industrial I
85042-05-001	PUD/Industrial/Flex	7.99	<a href="http://www">http://www</a>	134,200.00	Greentree Enterprises LLLP/Self Storage		
85032-31-001	PUD/Flex/R&D	6.77	<a href="http://www">http://www</a>	50,000.00	409 CCR LLC/ Constant Contact	171	
85033-26-002	PUD/ Flex/R&D	5.68	<a href="http://www">http://www</a>	N/A - Com unimp plat	N/A	N/A	
85033-24-003	PUD/Flex/R&D	7.69	<a href="http://www">http://www</a>	N/A - Com unimp plat	N/A	N/A	
85043-35-014	PUD/Professional Office	5.83	<a href="http://www">http://www</a>	N/A - Ag irrigated IIS	N/A	N/A	
85044-13-005	PUD/Flex/R&D	9.48	<a href="http://www">http://www</a>	N/A - Ag dry land IVA	N/A	N/A	
85044-14-006	PUD/Mixed Use	5.61	<a href="http://www">http://www</a>	N/A - Com unimp plat	N/A	N/A	
85044-13-004	PUD/Flex/R&D	13.54	<a href="http://www">http://www</a>	N/A - Ag dry land IVA	N/A	N/A	
85044-13-002	PUD/Flex/R&D	11.5	<a href="http://www">http://www</a>	N/A - Ag dry land IVA	N/A	N/A	
85044-14-007	PUD/Mixed Use	0.64	<a href="http://www">http://www</a>	N/A - Com unimp plat	N/A	N/A	
85044-08-003	PUD/Industrial/Flex	1.56	<a href="http://www">http://www</a>	N/A - Com unimp plat	N/A	N/A	
85030-00-003	PUD/Mixed Use/Medical Office Support	42.87	<a href="http://www">http://www</a>	N/A - Ag Dry Land IVA	N/A	N/A	
85030-00-005	PUD/Mixed Use/Medical Office Support	44.75	<a href="http://www">http://www</a>	N/A - Ag dry land IVA	N/A	N/A	
85044-13-001	PUD/Mixed Use	7.68	<a href="http://www">http://www</a>	N/A - Ag dry land IVA	N/A	N/A	
85044-11-013	PUD/Mixed Use	0.54	<a href="http://www">http://www</a>	N/A - Ag dry land III	N/A	N/A	
85044-14-005	PUD/Mixed Use	0.63	<a href="http://www">http://www</a>	N/A - Com unimp plat	N/A	N/A	
85044-11-012	PUD/Mixed Use	0.43	<a href="http://www">http://www</a>	N/A - Ag dry land III	N/A	N/A	
85044-12-001	PUD/Mixed Use	7.28	<a href="http://www">http://www</a>	N/A - Ag dry land IVA	N/A	N/A	
85044-11-011	PUD/Mixed Use	3.67	<a href="http://www">http://www</a>	N/A - Ag dry land III	N/A	N/A	
85044-14-003	PUD/Mixed Use	0.69	<a href="http://www">http://www</a>	N/A - Com unimp plat	N/A	N/A	
85044-11-006	PUD/Mixed Use	2.52	<a href="http://www">http://www</a>	N/A - Ag dry land III	N/A	N/A	
85044-11-005	PUD/Mixed Use/Office	2.46	<a href="http://www">http://www</a>	N/A - Partial parking lot	RVAA/Agrium	?	
85044-11-004	PUD/Mixed Use/Office	2.93	<a href="http://www">http://www</a>	N/A - Partial parking lot	RVAA/Agrium	?	
85044-14-004	PUD/Mixed Use	0.27	<a href="http://www">http://www</a>	N/A - Com unimp plat	N/A	N/A	
85044-11-010	PUD/Mixed Use	1.5	<a href="http://www">http://www</a>	N/A - Ag dry land III	N/A	N/A	
85044-14-002	PUD/Mixed Use	0.72	<a href="http://www">http://www</a>	N/A - Com unimp plat	N/A	N/A	
85044-11-009	PUD/Mixed Use	0.77	<a href="http://www">http://www</a>	N/A - Ag dry land III	N/A	N/A	
85044-11-008	PUD/Mixed Use	0.53	<a href="http://www">http://www</a>	N/A - Ag dry land III	N/A	N/A	
85044-11-007	PUD/Mixed Use	1.06	<a href="http://www">http://www</a>	N/A - Ag dry land III	N/A	N/A	

SUMMARY	
Total Acres of Primary Uses in 2-mile Radius	1,260.74
Total Shovel Ready Sites (i.e. no buildings) in Acres	934.188
Total SF Primary Buildings	3,108,204.00
Total SF Primary Acres of Existing Primary Uses	326.55
Estimated Total Employment Numbers from Primary Uses	4,249.00

#### Key:

Existing Primary Uses

85044-11-002	PUD/Mixed Use/Office	1.23 <a href="http://www">http://www</a> N/A - partial parking lot	RVABTS/Agrium	
85044-14-001	PUD/Office	0.75 <a href="http://www">http://www</a> N/A - Com unimp plat	RVAA/Agrium	?
85044-11-001	PUD/Office	0.95 <a href="http://www">http://www</a>	82,000.00	Agrium/CPS
85091-07-001	PUD/Office	3.55 <a href="http://www">http://www</a>	63,332.00	BTT LLC/Agrium/CPS/UNC
				Agrium Advanced Technologies
				Federal Bureau of Investigation Denver
				(5,644)
85102-25-001	PUD/Office	2.83 <a href="http://www">http://www</a>	54,230.00	Terraview LLC/McWhinney/Agrium/other
				McWhinney (9,307)
				IRES LLC (3,000)
				MSI (2,840)
				HIS Inc (500)
				Management Specialists Inc (400)
				M G G N C LLC
				Atlas Carpet Care
				U B M Global Trade
				Herman Group LLC
				Chrisland Inc
				Alliance Construction Sltns
				Terra View LLC
85102-25-002	PUD/Office	2.48 <a href="http://www">http://www</a>	41,363.00	MJB RV2 LLC/Other
				Agrium US Inc (14,267)
				Credit Plus Inc (4,086)
				Wells Fargo Home Mortgage (3,458)
				Encompass Medical (2,334)
				Crown Point Solutions LLC (400)
				McWhinney Property Mgt (400)
				Womens Clinic Of Northern Colorado
				Wareham Group
	PUD/Medical Office			
85102-28-002	Support	17.24 <a href="http://www">http://www</a> N/A - Com unimp plat	N/A	N/A
	PUD/Medical Office			
85100-00-003	Support	34.5 <a href="http://www">http://www</a> .		
	PUD/Medical Office			
85102-29-901	Support	53 N/A	589,752.00	
	PUD/Medical Office			
85102-29-006	Support	2.66 <a href="http://www">http://www</a> N/A - Partial parking lot	Poudre Valley Health	N/A
	PUD/Medical Office			
85102-31-150	Support	0.58 <a href="http://www">http://www</a>	80,150.00	OB-GYN INVESTMENTS LLP
				Medical Clinic at Centerra PC (27,716 SF)
	PUD/Medical Office			
	Support	2.72 Unknown	80,153.00	MCR MOB II Condos Subdivision - parking lot
	PUD/Medical Office			
85103-23-002	Support	4.91 <a href="http://www">http://www</a>	82,962.00	HR ASSETS LLC; C/O Altus Group
				?
	PUD/Medical Office			
85102-27-005	Support	3.83 <a href="http://www">http://www</a> N/A - Com unimp plat	Poudre Valley Health	
	PUD/Medical Office			
85103-35-001	Support	2.62 <a href="http://www">http://www</a> N/A - Ag irrigated IIS	Poudre Valley Health	N/A
	PUD/Medical Office			
85103-34-002	Support	10 <a href="http://www">http://www</a> N/A - Ag irrigated IIS	Banner Health	N/A
	PUD/Medical Office			
85103-36-003	Support	4.8 <a href="http://www">http://www</a> N/A - Ag irrigated IIS	Poudre Valley Health	N/A

85103-36-002	PUD/Medical/Office	2.27 <a href="http://www">http://www</a>	15,000.00	Meyer	?	
85103-37-001	PUD/Medical/Office	2.08 <a href="http://www">http://www</a>	15,000.00	Meyer	?	
				N/A - parking lot serving Foxtrail Condos	N/A	
85103-32-001	Office Condos - Foxtrail PUD/Office Condos	4.27 0.3 <a href="http://www">http://www</a>	14,813.00	HOLLING FAMILY LLC/THE Rocky Mnt Infections Disease (3,285) Cobalt Mortgage (2,036) Vogue Laser Clinic (600) Foxtrail Family Medicine (400)	N/A	132
85103-27-04	PUD/Office Condos	0.23 <a href="http://www">http://www</a>	12,385.00	DMP PROPERTIES LLC Colorado Retina Assoc (1,973)		
				Northern Colorado Economic Alliance (1,559) Merrick & Company (1,526) Starkey Hearing Technologies (1,526) American Equity Exchange (1,524) Allura Skin & Laser (500) Kindred At Home-Hospice Gentiva Hospice Wheat Ridge Images Flooring Mountain West Medical Inc		
85103-33-003	PUD/Office Condos	0.53 <a href="http://www">http://www</a>	12,382.00	FRONT RANGE MEDICAL HOLDINGS LLC Regis University (12,382) Suncrest Hospice LLC (2,640) Edward Jones (1,282)		
85103-30-004	PUD/Office Condos	0.23 <a href="http://www">http://www</a>	14,829.00	Suite1 LLC Foundations Counseling LLC (600) All Heart Home Care (500) Front Range Business Ctr (500) BDR Fire & Water Resoration Bronze Finch	37	
85100-09-006	PUD/Office Condos	3.26 <a href="http://www">http://www</a>	33,528.00	Center Partners Keypoint Government Solutions (33528) Colorado Christian University Clg	130 15	
85100-10-001	PUD/Office Condos	2.16 <a href="http://www">http://www</a>	23,604.00	TGI Properties The Group Inc (11,187) Bonfire Creative Group (1,666) Vitality Home Health Care (985) Layman Lewis Michale O'Keefe Nancy Maus - The Group Natalie Deangelis	44 33 200	
85094-14-001	PUD/Office	3.6 <a href="http://www">http://www</a>	23,969.00	FSB PARTNERS I LLC Jorgensen, Brownell & Pepin Fairway Independent Mortgage (3,107) Colorado Spine Inst Pro Fresenius Medical Care Home (500) Rocky Mountain Radiology Gerald Phills BBVA Compass (6,520) LNM LLC	10 7 6 6 4 4 16 2	

				Velte Associates (400) Spinal Disk Decompression Center (400)	2
85094-14-002	PUD/Office	3.1 <a href="http://www">http://www</a>	32,194.00	FDC OFFICE II LLC F Dc Li LLC (400) Cbc Co Aerotek Pinnacle Agriculture Holdings (5,409)	2
85094-08-001	PUD/Office	2.83 <a href="http://www">http://www</a>	33,960.00	FDC OFFICE I L L C Kroll Cyber Security Kroll Factual Data (16,924)	3 283
85094-14-004	PUD/Office	2.6 <a href="http://www">http://www</a>	32,000.00	FDC OFFICE IV LLC	
85094-73-001	PUD/Office	3.88 <a href="http://www">http://www</a>	54,117.00	CENTERRA OFFICE TECH I LLC Meyer Natural Angus Kaiser Permanente Western Electricity Innvictics Pinnacle Agriculture Holdings (24,010)	30 20 4 1
85094-73-002	PUD/Office	3.77 <a href="http://www">http://www</a>	54,025.00	CENTERRA OFFICE TECH II LLC Olsson Associates (8,960)	
85094-14-003	PUD/Office	2.5 <a href="http://www">http://www</a> N/A - Ag irrigated IIS	N/A	N/A	
85094-74-001	PUD/Office	6.71 <a href="http://www">http://www</a> N/A - Com unimp plat	N/A	N/A	
85094-73-904	PUD/Office/Assisted Living	2.93 <a href="http://www">http://www</a>	86,113.00	BSLC LOVELAND LLC Park Regency LLC	46
85093-72-004	PUD/Office/Mixed Use	14.97 <a href="http://www">http://www</a> N/A - Ag irrigated IIS		ROCKY MOUNTAIN VILLAGE II LLLP	N/A
85093-71-001	PUD/Office/Mixed Use	2.42 <a href="http://www">http://www</a>	16,020.00	Bank of the Ozarks First National Bank (14,256) Colorado Coffee Company (1,080)	25
85093-72-003	PUD/Office/Mixed Use	3.36 <a href="http://www">http://www</a> N/A - Com unimp plat	N/A	N/A	
85093-72-002	PUD/Office/Mixed Use	1.38 <a href="http://www">http://www</a> N/A - Com unimp plat	N/A	N/A	
85093-72-001	PUD/Office/Mixed Use	0.87 <a href="http://www">http://www</a> N/A - Com unimp plat	N/A	N/A	
85160-00-001	PUD/Office/Mixed Use Industrial (currently being used as ag land)	149.75 <a href="http://www">http://www</a> N/A - Ag irrigated IIS	N/A	N/A	
85160-05-001		75.29 <a href="http://www">http://www</a> N/A - Ag dry land III	N/A	N/A	
85171-07-002	PUD/Mixed Use? B Zone - Developing	2.37 <a href="http://www">http://www</a> N/A - Com unimp plat	N/A	N/A	
85171-09-001	Business B Zone - Developing	1.16 <a href="http://www">http://www</a> N/A - Com unimp plat	N/A	N/A	
85171-11-001	Business	1.36 <a href="http://www">http://www</a> N/A - Com unimp plat N/A - Res unimp Nobld	N/A	N/A	
85172-26-001	PUD/Industrial B Zone - Developing	19.82 <a href="http://www">http://www</a> Plat	N/A	N/A	VDW property zoned industrial
85181-19-001	Business	8.49 <a href="http://www">http://www</a>	77,354.00	LOVELAND MEDICAL ENTERPRISES LLC Banner Health (19,216)  Eye Center of Northern Colorado (2,404) Skyline Endoscopy Center (13,626)	2

				Skyline Center for Health (400) Horizon Laboratory LLC (800) THOMPSON SCHOOL DISTRICT R2-J - BUS	2 4
85181-87-901	Industrial	12.31 <a href="http://www">http://www</a>	9,149.00	PARKING LOT N/A - no buildings on	
85181-87-002	Industrial	3.65 <a href="http://www">http://www</a> property		CARNER RENTALS LLLP (.50) TURNER C ROCKWELL (.50)	
85181-28-001	Industrial	12.44 <a href="http://www">http://www</a>	9,112.00	Praxair	
.85184-25-002	Industrial	2.93 <a href="http://www">http://www</a>	13,458.00	Engle Automotive	
85184-25-001	Industrial	2.94 <a href="http://www">http://www</a>	13,950.00	TWIN OWLS LLLP TruGreen (13,944)	40
				N/A - No buildings on	
85184-29-001	Industrial	1.82 <a href="http://www">http://www</a> property		N/A	N/a
85181-17-013	Industrial	0.5 <a href="http://www">http://www</a>	7,000.00	TAMJ LLC Ground Engineering Consultants (500)	10
85181-17-009	Industrial	0.67 <a href="http://www">http://www</a>	3,700.00	TISDALL DONALD H/JOYCE F	
85181-17-008	Industrial	0.34 <a href="http://www">http://www</a>	N/A - Com unimp plat	CLINEBELL PROPERTIES LLC	
85181-17-001	Industrial	1.15 <a href="http://www">http://www</a>	12,894.00	CLINEBELL PROPERTIES LLC Clinebell Equipment Company (7,326) Shellenbarger Electric (7,326)	3
85181-15-001	Industrial	0.84 <a href="http://www">http://www</a>	8,795.00	937 DES MOINES LTD Southern Carlson (500)	6
85181-16-001	Industrial	2.95 <a href="http://www">http://www</a>	59,257.00	NCIC LLC U-Store Colorado (59,257)	2
85181-15-006	Industrial	0.3 <a href="http://www">http://www</a>	3,907.00	47S LLC Farm-Lee Products Inc (2,220) Quality Machine Inc (2,220)	
85181-15-008	Industrial	0.45 <a href="http://www">http://www</a>	3,546.00	J PETTIJOHN LLC	
85181-15-011	Industrial	0.45 <a href="http://www">http://www</a>	5,875.00	WHITE FENCE ENTERPRISES LLC	
85181-15-014	Industrial	0.45 <a href="http://www">http://www</a>	4,763.00	WHITE FENCE ENTERPRISES LLC	
85181-15-017	Industrial	0.61 <a href="http://www">http://www</a>	5,875.00	WHITE FENCE ENTERPRISES LLC	
85181-27-001	Industrial	0.47 <a href="http://www">http://www</a>	8,492.00	BUB AND SIS ENTERPRISES LLC Custom Auto (8492)	6
85181-16-022	Industrial	0.45 <a href="http://www">http://www</a>	7,800.00	BROCK DENISE K/HANS K Nor-Sky Pet Supply Distr LLC (7,845)	2
85181-16-020	Industrial	0.3 <a href="http://www">http://www</a>	3,157.00	GRIESS GLEN E/LEON H Rocky Mountain Sharp Shop	2
85181-30-001	Industrial	0.48 <a href="http://www">http://www</a>	4,000.00	FRALEY HOLDING COMPANY LLC Notel Enterprises (1,430)	
				N/A - no buildings on	
85181-30-002	Industrial	0.46 <a href="http://www">http://www</a> property		FRALEY HOLDING COMPANY LLC	N/A
85181-72-001	Industrial	2.05 <a href="http://www">http://www</a>	37,128.00	FRALEY HOLDING COMPANY LLC Tharp Cabinet Corp	150
85181-31-001	Industrial	0.63 <a href="http://www">http://www</a>	8,400.00	BUELY LLC Custom Tooling & Fabrication	10
85181-08-004	Industrial	0.61 <a href="http://www">http://www</a>	9,452.00	CARNER G LOUIS JR TRST/ANITA TRUST Lpr Construction Co	350
85181-08-008	Industrial	0.45 <a href="http://www">http://www</a>	3,760.00	TURNER C ROCKWELL LPR Construction CO (3,760)	
85181-08-011	Industrial	0.45 <a href="http://www">http://www</a>	6,250.00	NCR2D2 LLC LPR Construction Co (6,251)	
85181-08-014	Industrial	0.45 <a href="http://www">http://www</a>	6,000.00	FRALEY HOLDING COMPANY LLC	
85181-08-017	Industrial	0.53 <a href="http://www">http://www</a>	9,180.00	FRALEY HOLDING COMPANY LLC Tharp Cabinet Corp (2,000)	4
85181-08-021	Industrial	0.9 <a href="http://www">http://www</a>	10,255.00	MUTCHLER ROBERT R Big Thompson Cross Fit	4
85181-07-020	Industrial	0.97 <a href="http://www">http://www</a>	14,400.00	GATE LLC Coe Construction (5,000)	13

85181-61-005	PUD	1.79 <a href="http://www">http://www</a> property	N/A - no buildings on	Wal-Mart Stores Inc	10
85181-61-002	PUD	10.52 <a href="http://www">http://www</a> property	N/A - no buildings on	Wal-Mart Stores Inc	3
85181-75-004	Industrial / Flex	1.58 <a href="http://www">http://www</a>	21,500.00	SHELHILL INVESTMENTS LLC D&I Prehung Door Co	2
					7
85181-75-003	Industrial / Flex	0.99 <a href="http://www">http://www</a> property	N/A - no buildings on	MOUNTAIN BLUE HOLDINGS LLC	18
85181-75-002	Industrial / Flex	0.96 <a href="http://www">http://www</a>	10,800.00	SSM FUND LLC Clergy Advantage Inc Door Security Solutions Custom Wholesale Flooring and Design	3
					2
85181-86-100	Industrial / Flex	1.1 <a href="http://www">http://www</a>	13,780.00	Johnson Custom Flooring & Design (2522) TIGER FINANCIAL INVESTORS LLC Dahl (6,890)	2
					6
				Rainbow Bridge Pet Crematorium (3,445)	
85181-74-001	B Zone - Developing Business	1.11 <a href="http://www">http://www</a> property	N/A - no buildings on	NOAH DENTAL CENTER LLC/THE	
85181-73-001	B Zone - Developing Business	1.1 <a href="http://www">http://www</a>	12,716.00	PAMIGE LTD CO Aspen House (9,560)	6
85181-32-002	B Zone - Developing Business	1.96 <a href="http://www">http://www</a>	12,716.00	PAMIGE LTD CO Aspen House (9,560)	
85181-32-003	B Zone - Developing Business	0.25 <a href="http://www">http://www</a> property	N/A - no buildings on	PAMIGE LTD CO	N/A
			N/A - no buildings on	LOVELAND MIDTOWN METROPOLITAN	
85181-62-902	PUD/Industrial	6 <a href="http://www">http://www</a> property		DISTRICT	N/A
85184-23-001	Industrial	2.53 <a href="http://www">http://www</a>	10,800.00	ENSIGN PROPERTIES LLC	N/A
85184-23-002	Industrial	8.24 <a href="http://www">http://www</a>	40,000.00	ALLWEATHER WOOD LLC Loveland Drywall Supply (40,650)	15
85184-23-003	Industrial	2.1 <a href="http://www">http://www</a> property	N/A - no buildings on	TRUEGUARD LLC	N/A
85184-23-004	Industrial	2.33 <a href="http://www">http://www</a>	10,000.00	TRUEGUARD LLC	N/A
85184-08-003	Industrial	5 <a href="http://www">http://www</a>	8,244.00	TRUEGUARD LLC	N/A
85184-08-002	Industrial	5 <a href="http://www">http://www</a> property	N/A - no buildings on	TRUEGUARD LLC	N/A
85184-66-003	Industrial	2 <a href="http://www">http://www</a> property	N/A - no buildings on	MAHRLING CLIFFORD M/VICKIE L	N/A
85184-68-004	Industrial	2.75 <a href="http://www">http://www</a>	48,120.00	HOLSTEIN SELF SERVICE STORAGE LLC RFI Ingredients Front Range Gun Club Garden Room of Loveland Rfi Extracts LLC (500) Holstein Self Serve Storage (14,028)	12
85184-64- 587/591/596/599/ 603/607/611/615/ 619/623	Industrial	3.57	24,000.00	Grimm Brothers Brewhouse (500)	100

			Walsh Construction Co	40
			Business Equipment Services	8
			Impact Weapons Components	7
			Colorado Dairy Service (500)	7
			Commercial Service	6
			JD's Collision Repair (500)	3
			Tax Credit Connection LLC	2
			Shultis Sales Agency	2
			Twg Innovative Solutions	2
85184-64-				
579/575/571/567/				
563/559/555/551/				
547/543/539/535	Industrial	5.2	12,000.00	
			Mielke Brothers Floor Covering (500)	5
			Hope Springs Community Church (3,000)	5
			Safeguard Fire Protection	3
			Monkey Moe's	2
			Perfect Temp Inc	2
			Harrington Arts Academy	1
			Barzilian Jiu-Jitsu/Boxing	1
			Marissa Rose Dominguez	
			KBN LLC (2,400)	
			Grimm Brothers Brewhouse (2,400)	
85184-64-				
645/633/637/641/				
649/653	Industrial	1.25	<a href="http://www">http://www</a>	8,400.00
			Studio West Dance Ctr	16
			Blue Water Systems	3
			Krav Maga Loveland	2
85184-64-				
513/525/521/517/				
509/505	Industrial		<a href="http://www">http://www</a>	8,400.00
			Sweetheart Quilt Shoppe (1000)	5
			Western Sales Land Svc (1200)	5
			Ncis Northern Co Ins Svc	3
			Shelter Insurance (400)	2
			Quilters Dream LLC	1
85184-65-				
009/908/007/006/				
005/004/003/002/				
001	Industrial	1.73	<a href="http://www">http://www</a>	21,093.00
			Good Day Pharmacy	31
			Albracht's One Hour Air Cond (4200)	13
			Colorado Foundation-Education	10
			Kyto	7
			Larimer County Coroner	6
			Roberts Heating and Air Conditioning	4
			Brocc Equipment (500)	2
			Mountain View Mortgage LLC (500)	2
			Greeley Auto Spas (2703)	
			Brocc Framing Inc (1200)	
			David Lawrence (720)	
			Communication Systems LLC (1200)	
			Benjamin Franklin Plumbing (2100)	

85184-65-				
024/023/022/021/				
019/018/017/016/				
015/014/013/012/				
011/010	Industrial	1.73 <a href="http://www">http://www</a>	31,500.00	
			Spaceon Speciality Contractors (2100)	27
			Schaeffer Drywall Systems	12
			Lobster Marketing LLC	12
			Grahams Flooring & Design	11
			Total Facility Care (3480)	5
			Ties for Less	3
			Robert's Heating & Air Cond	3
			Eaton Sales & Svc (2100)	3
			Inertia Automation Inc (500)	3
			Blades Contracting & Creative	2
			RPD Svc Inc	2
			Chauffeur D'elegance Elegant	2
			Enviro Pest (500)	
			Steve's Sewing Maching Service (500)	
			Allwater LLC	
			Loveland Barricade LLC (4200)	
			Summit Casing Equipment (4200)	
			Benjamin Franklin Plumbing (2100)	
			Tradesmen International (2100)	
			Recreational Electrical & Tires 4 Less (4245)	
			Elder Construction (2100)	
85184-65-				
034/030/029/027	Industrial	1.73 <a href="http://www">http://www</a>	31,000.00	
			Complete Drywall	8
			Eagle Mechanical Inc	4
			Eagle Industries	2
			Auto Performance LLC	1
			Matrix Power Systems	
			Sight Sound and Security (2100)	
			Vortex Colorado Inc (1200)	
			Orya Matrix (1200)	
			DNR Welding (1200)	
85184-69-				
407/405/403/401/				
399/397/395/393	Industrial	1.73 <a href="http://www">http://www</a>	36,750.00	
			Timber Lane Pumps (2100)	4
			Loveland Laser Tag (17950)	4
			Hamilton Linen & Uniform (2100)	1
			Splugs	
			Laserforce USA	
			Waukesha-Pearce Industries (6300)	
			Fairy Gardening Inc (2100)	
			TransTek Inc (6345)	
85184-67-				
381/383/385/379/				
377/375/373/391	Industrial	3.46 <a href="http://www">http://www</a>	22,005.00	
			Bimbo Bakeries USA	31
			Townsend Manufacturing Inc (500)	3
			Naranjo Civic Construction	2
			Pinnacle Technologies (1450)	

			Tender Care Pediatric Services (3570) Colorado Interlock Inc (1010) 3xFast (3545)
85184-09-003	Industrial	10 <a href="http://www">http://www</a> property N/A - no buildings on	N/A N/A
85184-30-001	Industrial	6.22 <a href="http://www">http://www</a> property N/A - no buildings on	FREEDOM HOMES LLC N/A
85184-26-001	Industrial MAC (Mixed Use Activity Center)	6.06 <a href="http://www">http://www</a> property N/A - no buildings on	TIMBERPARK OFFICE DEVELOPMENT LLC
85083-40-010	MAC (Mixed Use Activity Center)	3.07 <a href="http://www">http://www</a> property N/A - no buildings on	LOVELAND EISENHOWER INVESTMENTS
85083-40-007	MAC (Mixed Use Activity Center)	5.31 <a href="http://www">http://www</a> property N/A - no buildings on	LOVELAND EISENHOWER INVESTMENTS
85083-40-009	MAC (Mixed Use Activity Center)	3.68 <a href="http://www">http://www</a> property N/A - no buildings on	LOVELAND EISENHOWER INVESTMENTS
85083-40-006	MAC (Mixed Use Activity Center)	5.32 <a href="http://www">http://www</a> property N/A - no buildings on	LOVELAND EISENHOWER INVESTMENTS
85083-40-005	MAC (Mixed Use Activity Center)	5.04 <a href="http://www">http://www</a> property N/A - no buildings on	LOVELAND EISENHOWER INVESTMENTS
85083-40-003	MAC (Mixed Use Activity Center)	6.62 <a href="http://www">http://www</a> property N/A - no buildings on	LOVELAND EISENHOWER INVESTMENTS
85083-40-002	MAC (Mixed Use Activity Center)	9.09 <a href="http://www">http://www</a> property N/A - no buildings on	LOVELAND EISENHOWER INVESTMENTS
85074-40-004	MAC (Mixed Use Activity Center)	8.13 <a href="http://www">http://www</a> property N/A - no buildings on	LOVELAND EISENHOWER INVESTMENTS
85074-40-001	MAC (Mixed Use Activity Center)	9.37 <a href="http://www">http://www</a> property N/A - no buildings on	LOVELAND EISENHOWER INVESTMENTS
85074-92-003	PUD/Office/Retail	1.61 <a href="http://www">http://www</a> 14,974.00	Advantage Bank (14974) CAN WE INCLUDE?
85074-41-201	PUD/Office/Retail	1.27 <a href="http://www">http://www</a> 9,051.00	Scott Family Chiropractic (800) 10 Cherry Creek Wellness Ctr 6 Ed Bowen - State Farm (1200) 6 Integrated Billing Resources 3 Northern CO Implant & Prosthetic Dentistry (7,060)
85182-18-005	B Zone - Developing Business	1.53 <a href="http://www">http://www</a> 15,520.00	Frameworks Dental Lab 6 Mountain West Mortgage 5 Wings (400) 5 One80 Physical Therapy (1120) 4 Metro Construction Inc 2 Saddleback Design (200) 2 Edward Jones (500) 2 Easter Seals of Colorado (2795) Helmut Retzer (1147) Shelter Insurance (1080) City of Loveland (1099)
85182-70-094/086/078/070/ 064/056/048/040/ B Zone - Developing 032/024/016/008 Business	1.53 <a href="http://www">http://www</a>	28,762.00	China Dragon Gourmet Enterprises (746) 10 Starfield Controls (684) 8 Loveland Commercial LLC 7



85182-16-002	Industrial	1.05 <a href="http://www">http://www</a>	20,000.00	NoCo Sheet Metal (7545) Colorado Microcircuits The Denver Post LLC (7500) WARD SPACES LL Eshes Surplus Market (12545)
85182-14-008	Industrial	1.18 <a href="http://www">http://www</a> property		N/A - no buildings on WARD SPACES LL
85182-14-007	Industrial	1.14 <a href="http://www">http://www</a> property		N/A - no buildings on WARD SPACES LL
85182-14-006	Industrial	1.36 <a href="http://www">http://www</a>	20,000.00	WARD SPACES LL Canyon Bakehouse (11,245) 2
85182-14-005	Industrial	1.2 <a href="http://www">http://www</a>	20,000.00	WARD SPACES LL Valley Christian Church/Fellowship One Stop Undercar Denver (7547) 4
85182-14-004	Industrial	1.25 <a href="http://www">http://www</a>	20,000.00	WARD SPACES LL
85182-14-003	Industrial	1.14 <a href="http://www">http://www</a>	20,000.00	WARD SPACES LL Premier Gymnastics (20045)
85182-14-002	Industrial	1.25 <a href="http://www">http://www</a>	19,563.00	WARD SPACES LL Artisan Shop LLC (20593)
85182-14-001	Industrial	1.63 <a href="http://www">http://www</a>	25,500.00	WARD SPACES LL Billet Tech LLC (25545)
85182-22-001	Industrial	5 <a href="http://www">http://www</a>	40,000.00	TANCO PROPERTIES LLC
85182-28-00	Industrial	1.06 <a href="http://www">http://www</a>	10,383.00	KAUFFMAN INVESTMENTS LLC Kaufman Investments LLC (2214) Alluvium Health Inc 15
	Industrial	0.89 <a href="http://www">http://www</a>	5,760.00	Dancing Pines Distillery Edge Concrete Inc Glass America
85182-28-002	Industrial	0.67 <a href="http://www">http://www</a> property		N/A - no buildings on MOUNTAIN BLUE HOLDINGS LLC
85182-28-001	Industrial	0.82 <a href="http://www">http://www</a> property		N/A - no buildings on LOVELAND MIDTOWN DEVELOPMENT INC
85182-29-001	Industrial	1.32 <a href="http://www">http://www</a> property		N/A - no buildings on LOVELAND MIDTOWN DEVELOPMENT INC
85182-29-002	Industrial	0.96 <a href="http://www">http://www</a> property		N/A - no buildings on LOVELAND MIDTOWN DEVELOPMENT INC
85182-29-003	Industrial	1.07 <a href="http://www">http://www</a>	4,000.00	KINGSCOURT LLC
85182-30-542	Industrial	2.23 <a href="http://www">http://www</a>	11,234.00	Verboten Brewing Diamond Peak Physical Therapy
85182-29-005	Industrial	1 <a href="http://www">http://www</a>	10,000.00	KINGSCOURT LLC
95134-29-001	Industrial	1.88 <a href="http://www">http://www</a>	5,928.00	WATERHOUSE JARED
85084-12-002	B Zone - Developing Business	1.08 <a href="http://www">http://www</a>	10,134.00	KIRK HOLDINGS LLC Kirk Eye Center (7934) Summit Surgery Ctr
85084-13-101	B Zone - Developing Business	1.06 <a href="http://www">http://www</a>	9,674.00	Aerotek Staffing Hammersmith Data (4291) Galloway & Co (2014) Edward D Jones & Co (500) Fortune Industries Inc (2014) 13
85084-11-201	B Zone - Developing Business	0.15 <a href="http://www">http://www</a>	9,674.00	Good Day Pharmacy Cort (3143) BHHS Rocky Mountain Realtors 65
				5



February 27, 2017

Kerri Burchett, Principal Planner  
City of Loveland Current Planning Division  
410 E. 5<sup>th</sup> Street  
Loveland, CO 80537

RE: Proposed Third Amendment to Boyd Lake Village

Dear Kerri:

In regards to the proposed changes to Boyd Lake Village Master Plan, we strongly oppose allowing Amendment Three. The amendment would permit the development of non-primary workplace uses and allow reduction to the current architectural standards on the remainder of the vacant property in Boyd Lake Village Master Plan.

Reducing the primary workplace use standards from 60% to 40%, would allow retail stores, pizza stores, carwashes, or convenience stores, to build on the vacant lot next to our building. This would not be in the best interest of the existing nearby pizza and carwash businesses nor us.

We desire to preserve the level of architectural standards and depend on our neighborhood to be of high business quality. These changes would significantly differ from the current standards in place and could allow light industrial businesses to build lower quality buildings. Architectural design alterations should not in any way diminish the quality or expense to build in Boyd Lake Village. We do not want light industrial companies using the minimum architectural requirements to purchase and build in Boyd Lake Village.

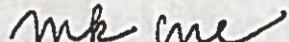
The proposals by McWhinney do not guaranty the businesses depicted would buy or build that particular design; in fact, there is evidence they are looking elsewhere. This would leave us with a situation where McWhinney could then offer the property with lowered restriction to other buyers who may not be suitable for Boyd Lake Village.

Changes to the Master Plan would directly and permanently negatively effect our property in Boyd Lake Village. Again, we respectfully oppose the proposed amendment and request no changes be made to Boyd Lake Village Master Plan.

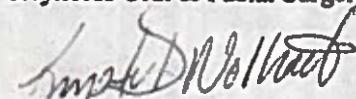
Warm Regards,



Ralph R. Reynolds, DMD, MD  
Reynolds Oral & Facial Surgery



Mark D. Crane, DDS, MS  
Crane & Seager Orthodontics

  
Krystin Wolhart  
RJH Properties LLC

RRR/ltg

## **Kerri Burchett**

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**From:** Brad Oaster <bradoaster@me.com>  
**Sent:** Monday, March 20, 2017 3:27 PM  
**To:** Kerri Burchett  
**Subject:** Boyd Lake Village

City of Loveland  
Development Center  
410 E 5th Street  
Loveland, Colorado 80537

Attention Kerri Burchett

Dear Kerri,

On behalf of Loveland Nazarene Church I wanted to express our approval of the architectural revisions being proposed for the Boyd Lake Village Development.

The two items, as I understand it, that are being considered at this time are:

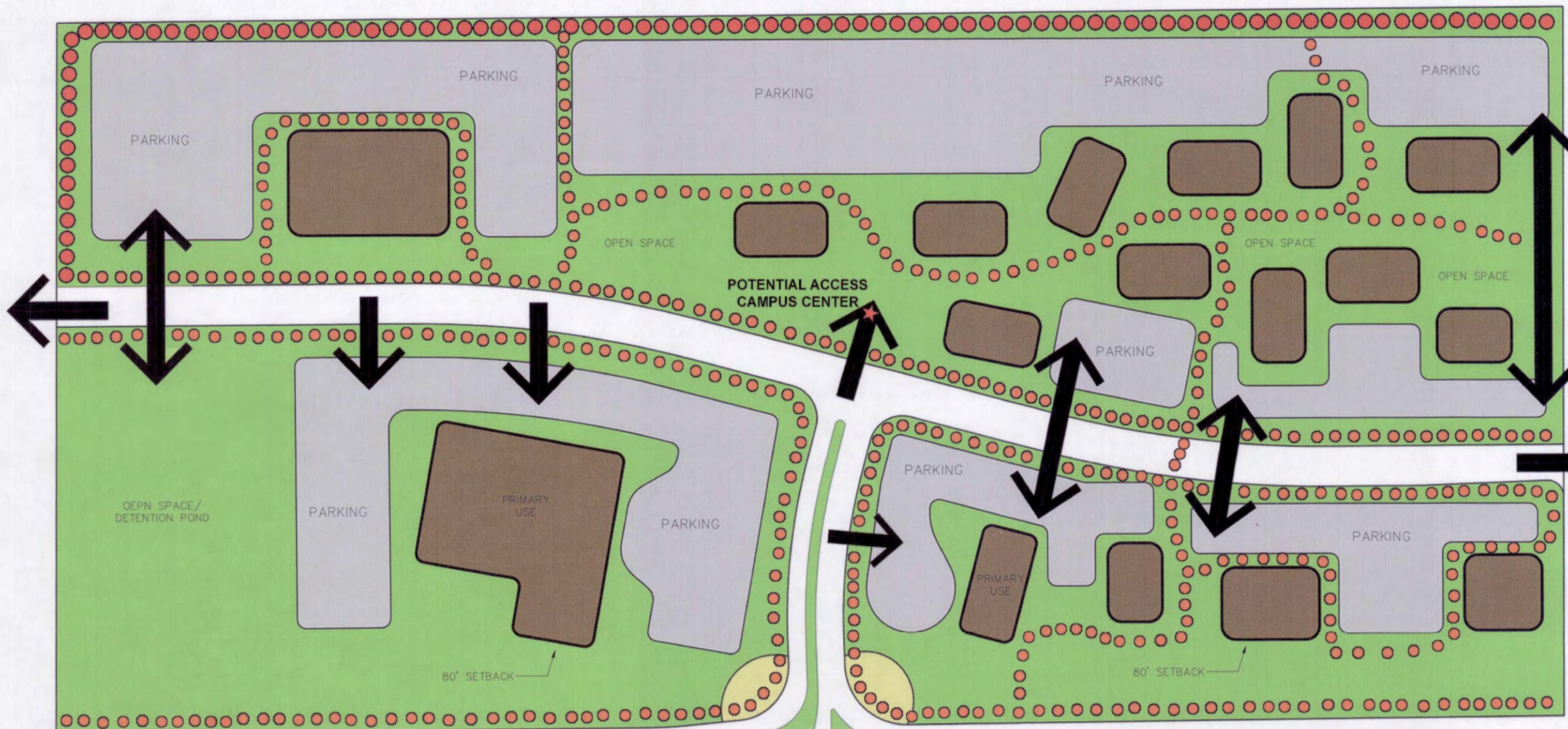
1. A modification to allow pitched roofs for new developments within the Boyd Lake Village Development
2. A modification to lower the percentage of window screening that is currently required

As the largest land owner in the development, we are in favor of these modifications and would like to see them approved by the city.

If you have any questions or if I can be of further assistance, please do not hesitate to call.

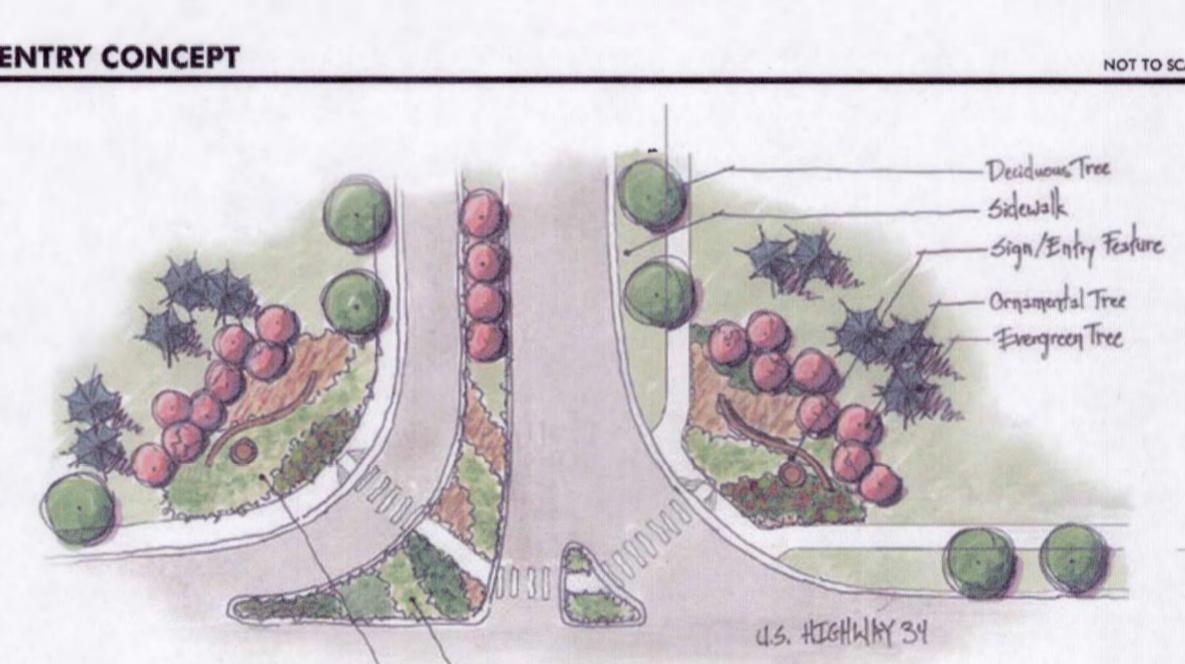
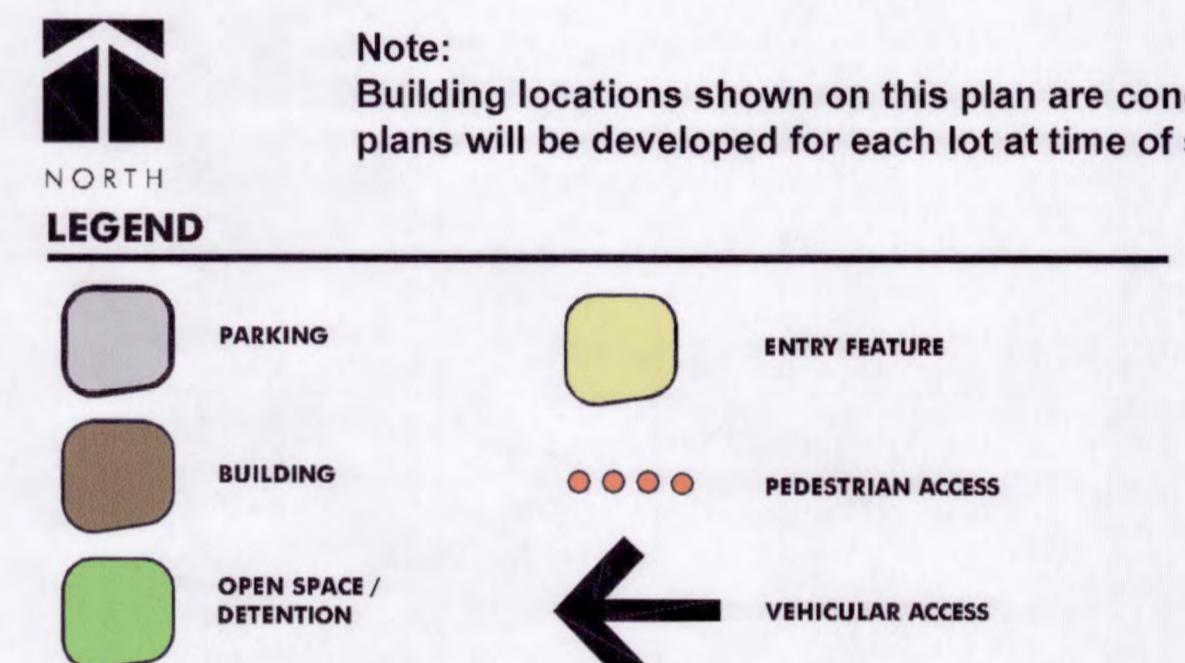
Thank you,

Brad Oaster  
On behalf of Loveland Nazarene Church



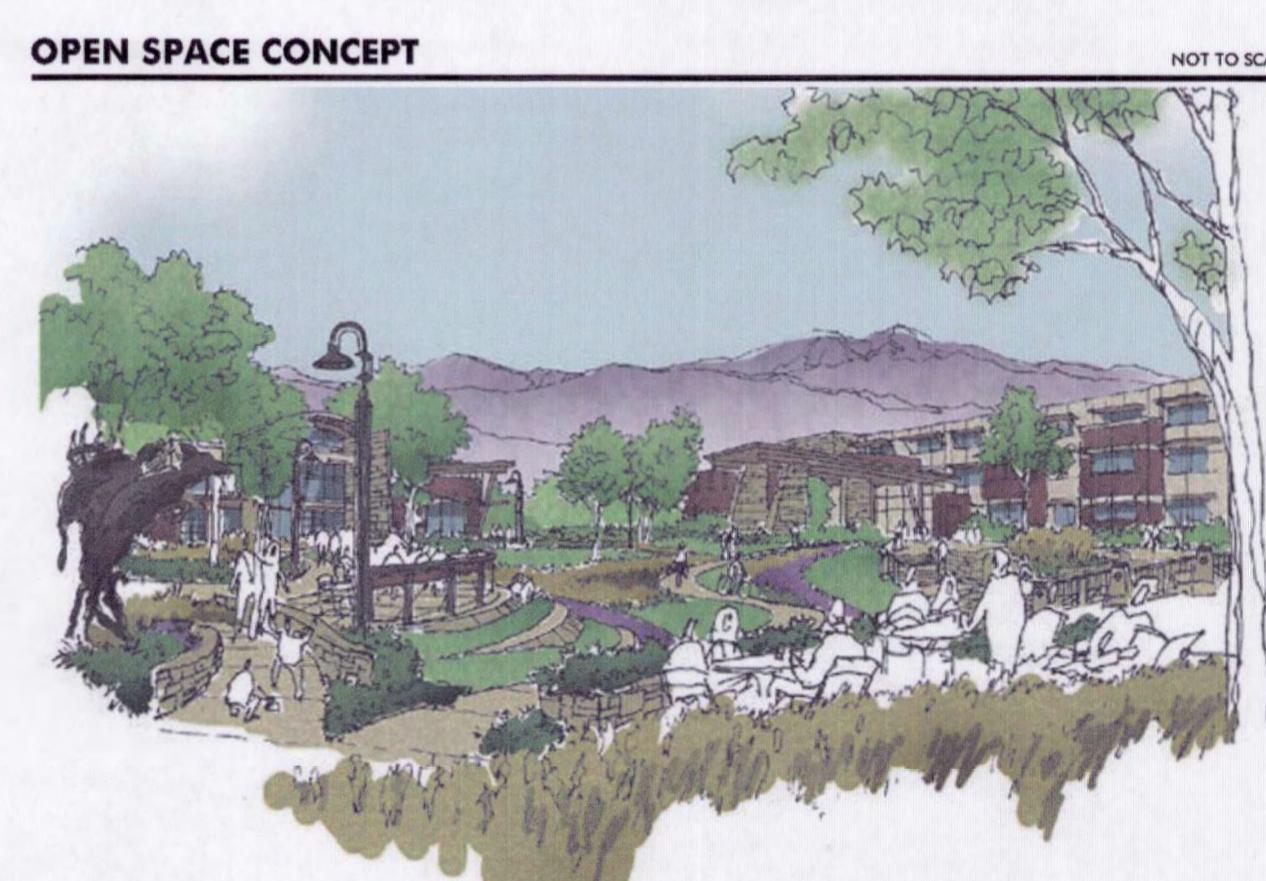
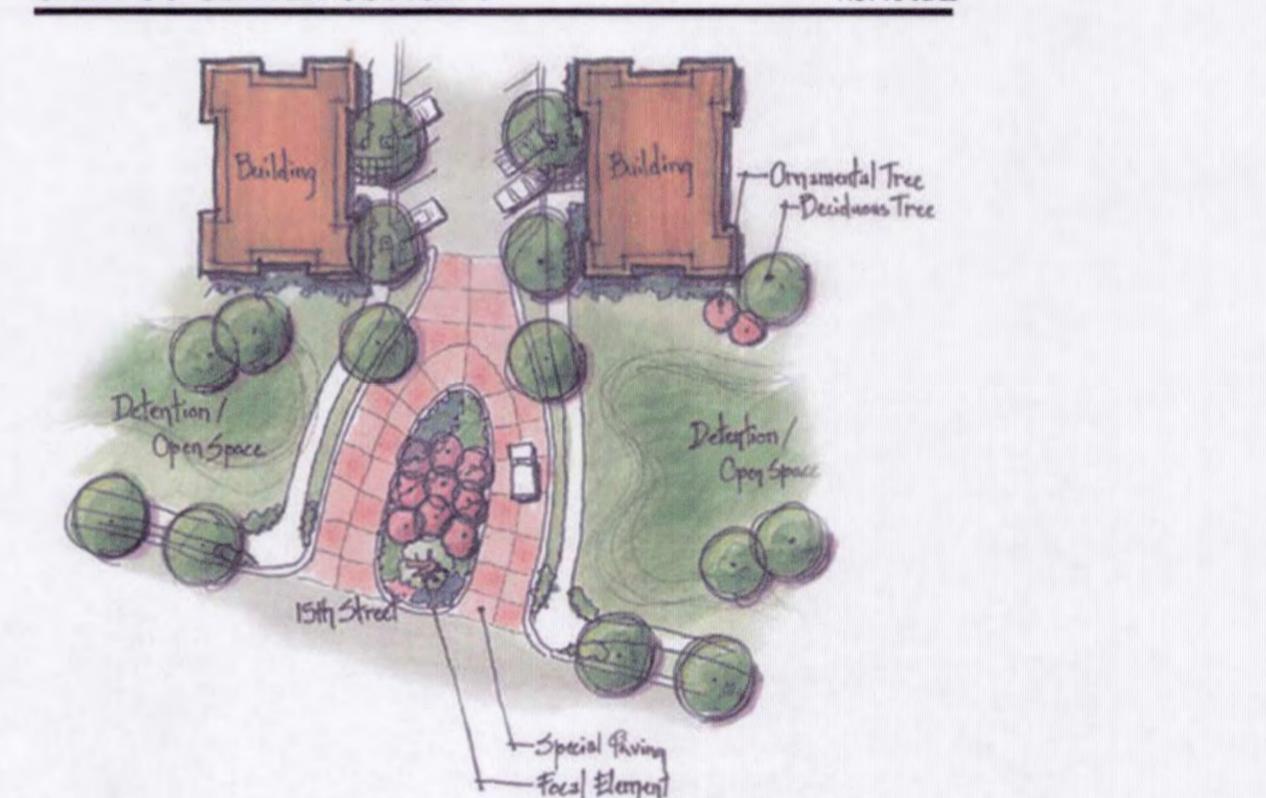
**LEGEND**

**Note:**  
Building locations shown on this plan are conceptual. More detailed plans will be developed for each lot at time of site development plan.



LAND USE TABLE - EMPLOYMENT ZONING	
BOYD LAKE VILLAGE - 32.22 ACRES (26.3 ac excluding ROW)	
MINIMUM 60% PRIMARY USE - 15.78 ACRES	
MAX. 40% NON-PRIMARY USE - 10.52 ACRES	
EXISTING NON-PRIMARY USE (DESIGNATION) - 0 ACRES	
REMAINING MAX. NON-PRIMARY USE - 10.52 ACRES	

#### CAMPUS CENTER CONCEPT



#### DESIGN STANDARDS

##### Unifying architectural elements

##### MATERIALS:

A. **Wood:** Exposed columns, tilted columns, and beams of rough sawn glu-lam timbers with exposed metal plates and fasteners shall be used with each building, but shall be minimally utilized at or near entries. (Stained, semi-transparent brown - consistent on all buildings).

B. **Stone:** Full wall planes of buff sandstone or synthetic stone - thin cut or dry stack veneer with faces contoured outward from top to bottom (see building character sketches), and/or partial wall planes of sandstone veneer utilized as columns.

Minimum usage 20% of building facade (buff sandstone color including grays and rust- consistent on all buildings).

C. **Concrete, Metal, or Stucco:** Architectural precast, cast-in-place concrete walls incorporating elastomeric paint, concrete panel siding walls, architectural grade metal (alucobond or similar), or stucco walls shall be used as full walls. Surfaces must be articulated with reveals designed to create pattern and form.

Minimum usage 20% of building facade (Painted, light ochre/light tan- consistent on all buildings).

D. **Brick veneer:** Minimum usage 20% of building facade (reddish/brown color - consistent on all buildings). Brick may include bonds for articulation.

E. **Roofing:** Flat roofs behind parapet walls, slim line cantilevered flat roofs faced with metal (mainly utilized at entries), slightly sloped shed roofs with large overhangs, or slightly arched barrel roofs with large overhangs shall be used. All shed roofs and barrel roofs shall utilize the same warm gray standing seam metal roof. Every building shall incorporate at least (3) of these forms.

F. **Glass:** Glass shall be bronze tinted, high performance, low-e, glass with no more than 30% reflectivity. Glass for retail store fronts may be clear.

G. **Window Frames:** Window frames shall be anodized bronze or brushed aluminum.

H. **Steel:** Exposed plates, connectors for timbers, guard rails, facing of cantilevered flat roof of pieces, window shading devices, and any other exposed metals shall be either bronze or aluminum color to match windows or warm gray to match standing seam metal roofing.

##### ARCHITECTURAL FORMS :

**Building Massing:** Building design shall include multiple masses differentiated by the use combinations of approved materials. Extend stone walls outward from the buildings in an outward cant from top to bottom.

**Solar Shading:** Minimum 60% of all exterior windows, excluding windows shaded by roof overhangs, shall incorporate metal trellising over metal brackets as window shade devices. These also become an architectural element tying the buildings together within the campus.

**Mechanical Screens:** Mechanical equipment shall be screened with parapets or screen walls with complimentary metal or concrete siding panels. Color to match the building elements.

**Signt:** Building mounted signs shall be placed in predetermined locations designed to work with the building facade.

**Building Facades:** The use of materials in the percentages previously specified shall be equally fenestrated on all four sides of each building.

##### Unified Open Space

Internal pedestrian and bicycle networks shall be designed to invite walking and bicycle use throughout the campus, and to connect with surrounding areas and open space. Walkways shall be a minimum of five feet in width. Individual parcels and sites shall be integrated with the overall design to form a comprehensive network within the campus. Pedestrian facilities shall be included from building parcels to the central pedestrian area and from each building to adjacent building parcels. Continuous pedestrian walkways shall link public street sidewalks and the private sidewalks with individual sites.

Where it is necessary for the primary pedestrian access to cross drive aisles, parking lots, or internal circulation the pedestrian crossing shall emphasize and place priority on pedestrian access and safety by utilizing a change in paving and materials. The material and layout of the pedestrian access shall be continuous as it crosses the driveway, with a break in continuity of the driveway paving and not the pedestrian access way. The pedestrian crossings shall be well marked using low maintenance pavement treatments such as scored concrete with an appropriate size score pattern of human scale, colored concrete, pavers, brick or other similar materials.

Where pedestrians and bicyclists share walkways a minimum width of eight (8) feet shall be required. Additional width may be required to accommodate higher volumes of bicycle and pedestrian traffic.

An minimum of 25 percent open space will be provided within this development. Detention basins and common open space will be incorporated throughout the site. These areas will provide pedestrian paths that serve as landscape connection through the site. Visual accent and buffer from adjacent roadways will also be provided within these landscape areas.

Major entry points have been identified on the site plan. These entries will include exemplary landscape treatment and will incorporate architectural features and signage elements designed to reflect the same character of the buildings. Sculpture(s) and/or water feature(s) may also be incorporated in these areas. See conceptual sketch this sheet for an example of a typical entry.

The campus center will be the prime focal area of the campus. This area will include landscape and architectural features consistent with the major entry points. At least one sculpture, architectural feature, or water feature will be incorporated in this area to provide visual interest. Vehicle access will still be a part of the campus center, but it will be placed on pedestrian traffic. Where buildings face the street larger sidewalks with different paving materials will be used to create an urban street character. Plazas and/or gathering spaces will be incorporated in this area.

Unified streetscapes will be developed along 15th Street and Horstman Place. Horstman Place will be constructed with a ten foot median to include ornamental flowering trees, shrubs, perennial plants, and ornamental grasses. A parkway and detached sidewalks will also be included along this street. 15th Street will be designed with detached sidewalks and parkways to include deciduous canopy trees along each side of the street at 40 feet on center with drought tolerant turf planted in the parkways.

Additional open space/landscape areas will be provided along streets within the development, around buildings, and within and around parking lots for screening.

#### OWNERS CONSENT TO REDESIGNATION (Lot 1, Block 2 Waterfall 4th)

RJH Properties, LLC  
JAMES P. HOFFMAN TRUST and RUTH N. HOFFMAN TRUST. Managing Members  
FIRST WESTERN TRUST, Co-Trustee

By: *Cindy M. Bragdon*  
Cindy M. Bragdon, Vice President

Crane BLV Properties, LLC  
By: *Mark D. Crane*  
Mark D. Crane

Reynolds Property Holdings, LLC  
By: *Ralph R. Reynolds*  
Ralph R. Reynolds

The landscaping used within the development will be installed according to xeric principles. Low water use plants will be required.

**Other unifying features**  
Outdoor plaza areas will exist at various building sites within the development. These plazas may be attached to individual buildings or separated within the open space for shared use with multiple buildings. A minimum of one plaza space shall be provided for every four buildings. These spaces will be designed in the same character as the public spaces and will be connected to the pedestrian pathway system.

The recreational trail is shown on the plan along the west and north boundary of the site. The purpose of this location is to allow for public pedestrian traffic to get through the development without conflicting with internal pedestrian traffic. The recreational trail will be within a 30 foot easement which will provide a buffer from neighboring uses to the north and west. Pedestrian connections will be provided to the Waterfall parcel to the east via the public recreation trail, internal pedestrian trail system, and sidewalks within the public right of way.

A signage master plan will be developed to insure consistent sign design and location for various sign types within the development. A planned sign program will also be developed and approved prior to any sign construction within the development. The signs will be designed to allow for efficient way finding and will be designed in a character to compliment the building architecture.

Site furnishings (lighting, trash receptacles, benches, planter pots, bollards, bike racks, building addressing, etc.) will be developed with a unified theme to reflect the character of the development. Site furnishings will be approved with the building permit.

**View shed protection**  
The buildings on the south portion of the site will be oriented to US Highway 34 to give the development a street character along that corridor. The views along US 34 will be protected as each building will be a maximum of 3 stories in height and buildings will be setback 80 feet from US 34. The other buildings on the site will be oriented around the site's open space. These buildings will be clustered in such away as to enhance views from the buildings and the common open space.

**Unified Design Agreement**  
An architectural review board will be in place to review each project within the development. An approval from the architectural review board will be required prior to the submission of any building permit.

**Master Association**  
All of the landscaping within the development will be maintained by a master association.

#### MASTER PLAN PROCESS

Each site development plan submitted for (property within the boundaries of this master plan including all properties in Waterfall Fifth Subdivision and Lots 2, 3 and 4, Block 2 Waterfall Fourth Subdivision) shall include an updated master plan labeling the lot as providing primary or non-primary uses and an updated land use table identifying the remaining primary and non-primary use acreages available. The updated master plan shall be processed administratively with each site development plan.

#### SIGNATURES

a. Approved this 3rd day of Dec, 2014, by the Current Planning Manager of the City of Loveland, Colorado

*Bob Paus*  
Current Planning Manager

b. Approved this 3rd day of Dec, 2014, by the City Engineer of the City of Loveland, Colorado

*Sam Ybarra*  
City Engineer

c. Approved this 3rd day of Dec, 2014, by the City Attorney of the City of Loveland, Colorado

*J. Hoff Schmidt*  
Acting 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.

MBL 34, LLC,  
a Colorado limited liability company

By: McWhinney Real Estate Services,  
Inc., a Colorado corporation,  
Manager

By: *Jay Hardy*  
Jay Hardy, Vice President  
Community Development

#### SECOND AMENDMENT CONCEPTUAL MASTER PLAN

**J-B FIRST ADDITION, WATERFALL ADDITION TRACTS A, D**  
**REZONE #303**  
**LOVELAND, COLORADO**

BLA DESIGN, INC. • 4803 INNOVATION DRIVE  
FORT COLLINS, CO 80525 • TEL: (970) 293-7577  
*bha*

SHEET 1 OF 2  
MARCH 13, 2007  
REV: NOV 6, 2014

ELEVATION - 6,000 S.F. BUILDING ELEVATION CONCEPT - NOT TO SCALE



PERSPECTIVE - 6,000 S.F. BUILDING ELEVATION CONCEPT - NOT TO SCALE



PERSPECTIVE - 50,000 S.F. BUILDING CONCEPT - NOT TO SCALE



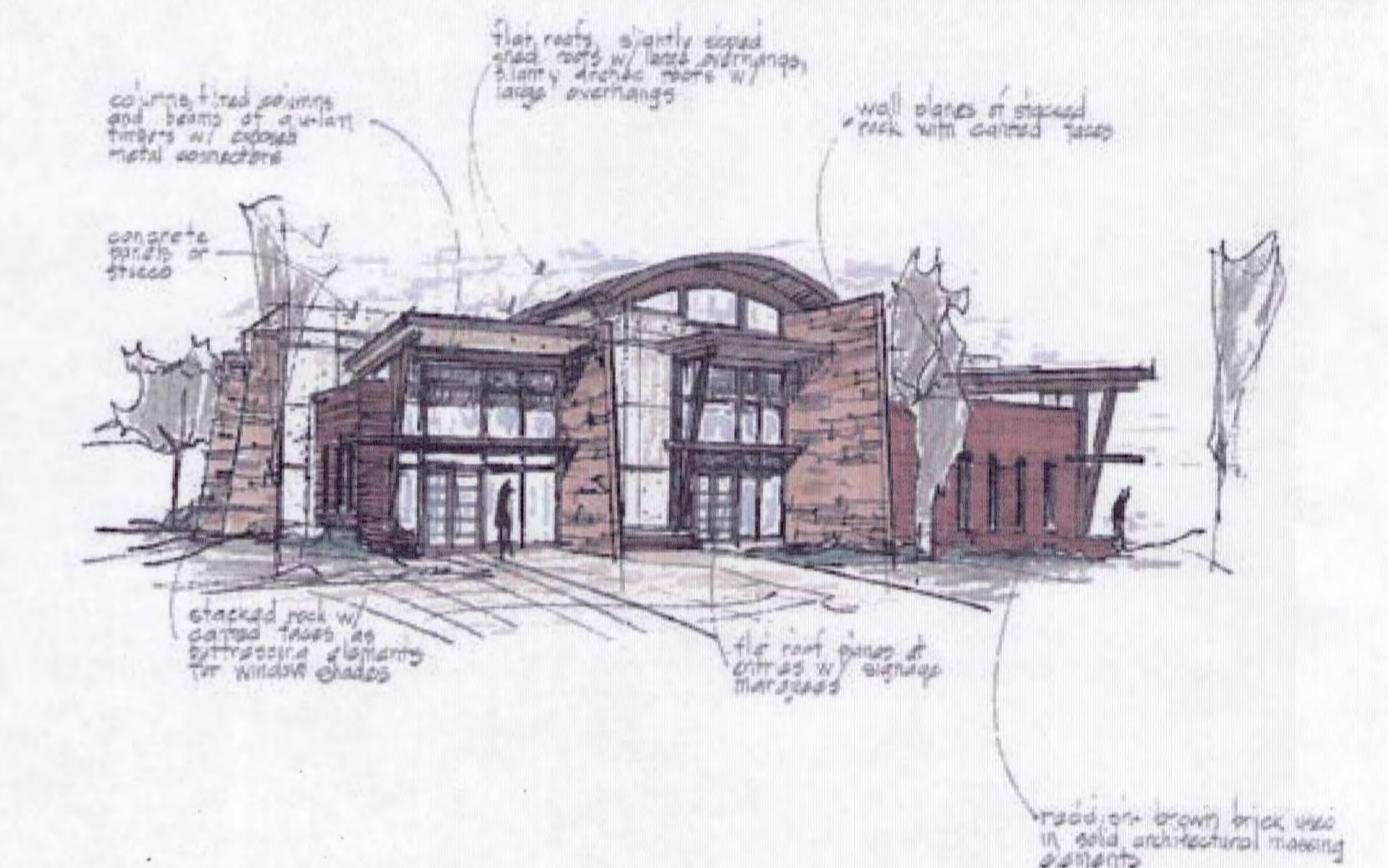
ELEVATION - 10,000 S.F. BUILDING ELEVATION CONCEPT - NOT TO SCALE



ELEVATION - 10,000 S.F. BUILDING ELEVATION CONCEPT - NOT TO SCALE



BUILDING MATERIALS



ELEVATION - 75,000 S.F. BUILDING ELEVATION CONCEPT - NOT TO SCALE



ELEVATION - 75,000 S.F. BUILDING ELEVATION CONCEPT - NOT TO SCALE



ELEVATION - RETAIL BUILDING ELEVATION CONCEPT - NOT TO SCALE



**SECOND AMENDMENT  
ARCHITECTURAL CHARACTER SKETCHES  
J-B FIRST ADDITION, WATERFALL ADDITION TRACTS A, D  
REZONE #303  
LOVELAND, COLORADO**

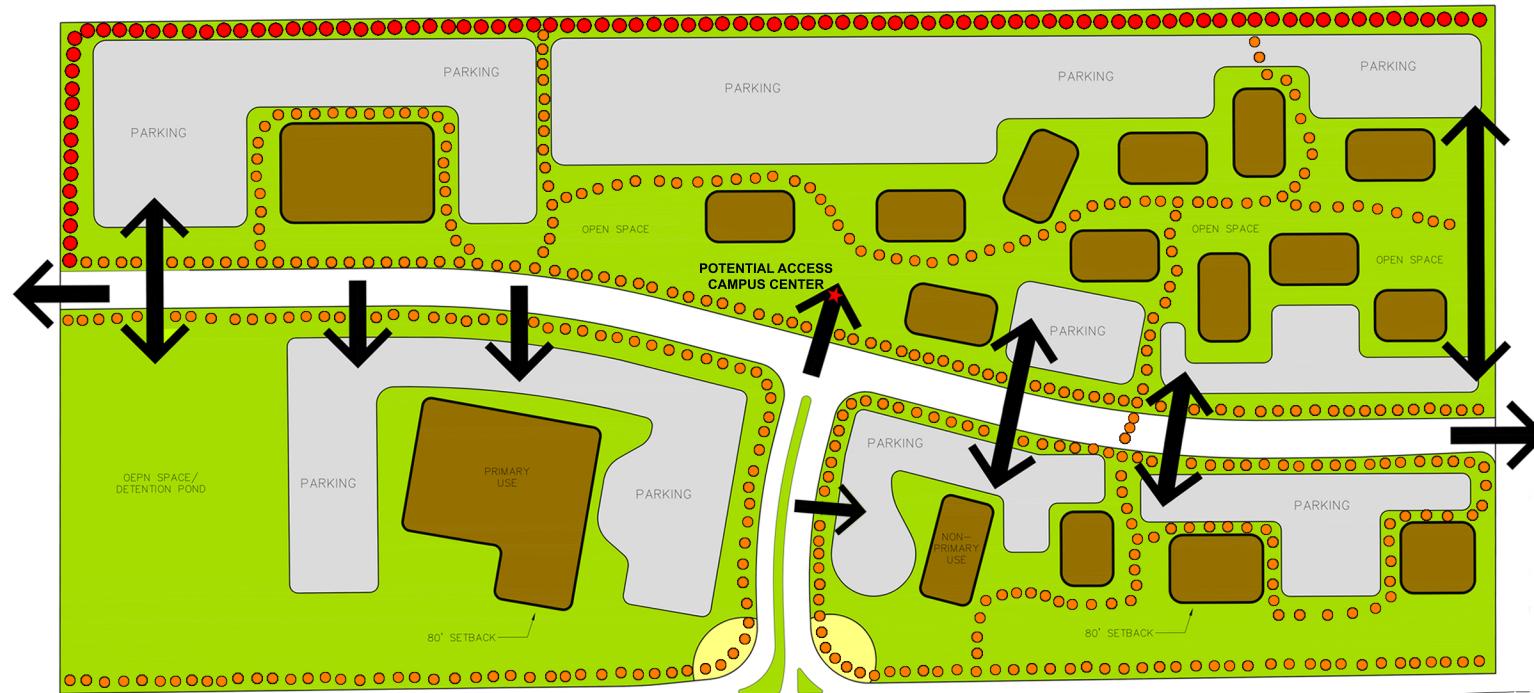
BHA DESIGN, INC. • 4803 II INNOVATION DRIVE • FT. COLLINS, CO 80525 • TEL: (970) 223-7377

bha

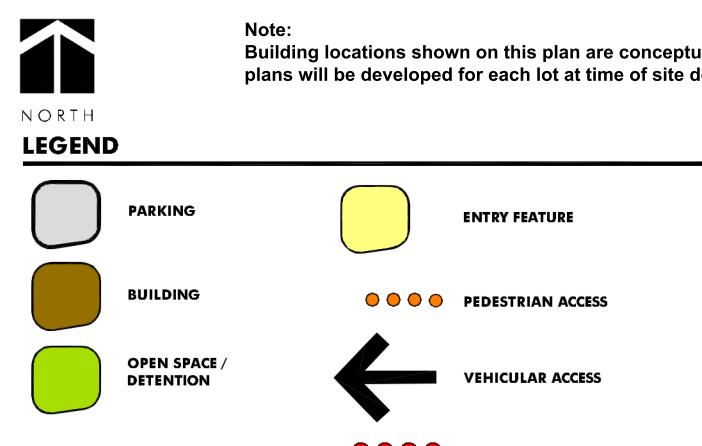
SHEET 2 OF 2

MARCH 13, 2007

REV: NOV 6, 2014



### US Highway 34 / East Eisenhower Boulevard



Note:

Building locations shown on this plan are conceptual. More detailed plans will be developed for each lot at time of site development plan.

Uses within the Master Plan are not subject to the primary and non-primary land use ratios as described in the Employment Center District.

To ensure compatibility with existing land uses, the following uses are not permitted on Lots 2, 3 and 4, Block 2 in the Waterfall 4th Subdivision and Lot 4, Block 1 of the Waterfall 5th Subdivision.

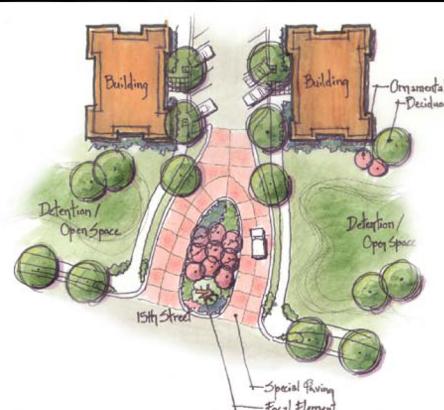
Residential: single-family attached or detached, two-family, and multifamily uses. Commercial: Bar or tavern; Car wash; Domestic animal day care facility; Gas station with or without convenience goods or other services; Nightclub; Restaurant, drive-in or fast food; Self-service storage facility; Vehicle minor repair, servicing, and maintenance; Vehicle rentals for cars, light trucks and light equipment; Vehicle rentals for heavy equipment, large trucks and trailers; Vehicle sales and leasing for cars and light trucks; Warehouse and distribution; Indoor Firing range; Airports and heliports; Crematorium and Off-track betting facility.

### ENTRY CONCEPT



NOT TO SCALE

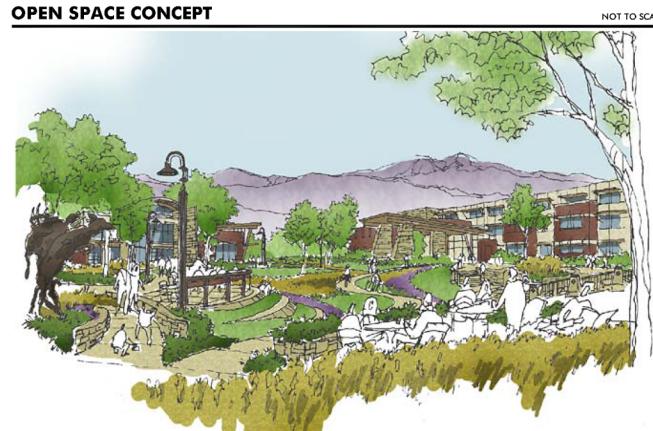
### CAMPUS CENTER CONCEPT



NOT TO SCALE



### OPEN SPACE CONCEPT



## DESIGN STANDARDS

### Unifying architectural elements

#### MATERIALS:

A. Wood: Exposed columns, tilted columns, and beams of rough sawn glu-lam timbers with exposed metal plates and fasteners shall be used with each building, but shall be minimally utilized at or near entries. (Stained, semi-transparent brown - consistent on all buildings).

B. Stone: Full wall planes of buff sandstone or synthetic stone - thin cut or dry stack veneer with faces contoured outward from top to bottom (see building character sketches), and/or partial wall planes of sandstone veneer utilized as columns.

Minimum usage 20% of building facade (buff sandstone color including grays and rust- consistent on all buildings).

C. Concrete, Metal, or Stucco: Architectural precast, cast-in-place concrete walls incorporating elastomeric paint, concrete panel siding walls, architectural grade metal (alucobond or similar), or stucco walls shall be used as full walls. Surfaces must be articulated with reveals designed to create pattern and form.

Minimum usage 20% of building facade. (Painted, light ochre/light tan- consistent on all buildings).

D. Brick Veneer: Minimum usage 20% of building facade (reddish/brown color - consistent on all buildings). Brick may include bands of stone for articulation.

E. Metal: Pitched roofs, flat roofs behind parapet walls, slim line cantilevered roofs faced with metal (mainly utilized at entries), slightly sloped shed roofs with large overhangs, or slightly arched barrel roofs with large overhangs shall be used. All shed roofs and barrel roofs shall utilize the same warm gray standing seam metal roof. Every building shall incorporate at least 3 (three) of these forms.

F. Glazing: Glass shall be bronze tinted, high performance, low-e, glass with no more than 30% reflectivity. Glass for retail store fronts may be clear.

G. Window Frames: Window frames shall be anodized bronze or brushed aluminum.

H. Steel: Exposed plates, connectors for timbers, guard rails, facing of cantilevered flat roof pieces, window shading devices, and any other exposed metals shall be either bronze or aluminum color to match windows or warm gray to match standing seam metal roofing.

#### ARCHITECTURAL FORMS :

Building Massing: Building design shall include multiple masses differentiated by the use combinations of approved materials. Extend stone walls outward from the buildings in an outward cant from top to bottom.

Solar Shades: Minimum 40% of all exterior windows, excluding windows shaded by roof overhangs, shall incorporate metal trellising over metal brackets as window shade devices. These also become an architectural element tying the buildings together within the campus.

Mechanical Screens: Mechanical equipment shall be screened with parapets or screen walls with complimentary metal or concrete siding panels. Color to match the building elements.

Signs: Building mounted signs shall be placed in predetermined locations designed to work with the building facade.

Building Facades: The use of materials in the percentages previously specified shall be equally penetrated on all four sides of each building.

#### Unified Open Space

Internal pedestrian and bicycle networks shall be designed to invite walking and bicycle use throughout the campus, and to connect with surrounding areas and open space. Walkways shall be a minimum of five feet in width. Individual parcels and sites shall be integrated with the overall design to form a comprehensive network within the campus. Pedestrian facilities shall be included from building parcels to the central pedestrian area and from each building to adjacent building parcels. Continuous pedestrian walkways shall link public street sidewalks and the private sidewalks with individual sites.

Where it is necessary for the primary pedestrian access to cross drive aisles, parking lots, or internal circulation the pedestrian crossing shall emphasize and place priority on pedestrian access and safety by utilizing a change in paving and materials. The material and layout of the pedestrian access shall be continuous as it crosses the driveway, with a break in continuity of the driveway paving and not the pedestrian access way. The pedestrian crossings shall be well marked using low maintenance pavement treatments such as scored concrete with an appropriate size score pattern of human scale, colored concrete, pavers, brick or other similar materials.

Where pedestrians and bicyclists share walkways a minimum width of eight (8) feet shall be required. Additional width may be required to accommodate higher volumes of bicycle and pedestrian traffic.

An minimum of 25 percent open space will be provided within this development. Detention basins and common open space will be incorporated throughout the site. These areas will provide pedestrian paths that serve as landscape connection through the site. Visual accent and buffer from adjacent roadways will also be provided within these landscape areas.

Major entry points have been identified on the site plan. These entries will include exemplary landscape treatment and will incorporate architectural features and signage elements designed to reflect the same character of the buildings. Sculpture(s) and/or water feature(s) may also be incorporated in these areas. See conceptual sketch sheet for an example of a typical entry.

The campus center will be the prime focal area of the campus. This area will include landscape and architectural features consistent with the major entry points. At least one sculpture, architectural feature, or water feature will be incorporated in this area to provide visual interest. Vehicular access will still be a part of the campus center, but a hierarchy will be placed on pedestrian traffic. Where buildings face the street larger sidewalks with different paving materials will be used to create an urban street character. Plazas and/or gathering spaces will be incorporated in this area.

Unified streetscapes will be developed along 15th Street and Horstman Place. Horstman Place will be constructed with a ten foot median to include ornamental flowering trees, shrubs, perennial plants, and ornamental grasses. A parkway and detached sidewalks will also be included along this street. 15th Street will be designed with detached sidewalks and parkways to include deciduous canopy trees along each side of the street at 40 feet on center with drought tolerant turf planted in the parkways.

Additional open space/landscape areas will be provided along streets within the development, around buildings, and within and around parking lots for screening.

The landscaping used within the development will be installed according to xeric principles. Low water use plants will be required.

#### Other unifying features

Outdoor plaza areas will exist at various building sites within the development. These plazas may be attached to individual buildings or separated within the open space for shared use with multiple buildings. A minimum of one plaza space shall be provided for every four buildings. These spaces will be designed in the same character as the public spaces and will be connected to the pedestrian pathway system.

The recreational trail is shown on the plan along the west and north boundary of the site. The purpose of this location is to allow for public pedestrian traffic to get through the development without conflicting with internal pedestrian traffic. The recreational trail will be within a 30 foot easement which will provide a buffer from neighboring uses to the north and west. Pedestrian connections will be provided to the Waterfall parcel to the east via the public recreation trail, internal pedestrian trail system, and sidewalks within the public right of way.

A signage master plan will be developed to insure consistent sign design and location for various sign types within the development. A planned sign program will also be developed and approved prior to any sign construction within the development. The signs will be designed to allow for efficient way finding and will be designed in a character to compliment the building architecture.

Site furnishings (lighting, trash receptacles, benches, planter pots, bollards, bike racks, building addressing, etc.) will be developed with a unified theme to reflect the character of the development. Site furnishings will be approved with the building permit.

#### View shed protection

The buildings on the south portion of the site will be oriented to US highway 34 to give the development a street character along that corridor. The views along US 34 will be protected as each building will be a maximum of 3 stories in height and buildings will be setback 80 feet from US 34. The other buildings on the site will be oriented around the site's open space. These buildings will be clustered in such a way as to enhance views from the buildings and the common open space.

#### Unified Design Agreement

An architectural review board will be in place to review each project within the development. An approval from the architectural review board will be required prior to the submission of any building permit.

#### Master Association

All of the landscaping within the development will be maintained by a master association.

## SIGNATURES

a. Approved this \_\_\_\_ day of \_\_\_\_\_, 2017, by the Current Planning Manager of the City of Loveland, Colorado

Current Planning Manager

b. Approved this \_\_\_\_ day of \_\_\_\_\_, 2017, by the City Engineer of the City of Loveland, Colorado

City Engineer

c. Approved this \_\_\_\_ day of \_\_\_\_\_, 2017, by the City Attorney of the City of Loveland, Colorado

City Attorney

d. Approved this \_\_\_\_ day of \_\_\_\_\_, 2017, by the City Planning Commission of the City of Loveland, Colorado

Chairperson

e. Approved this \_\_\_\_ day of \_\_\_\_\_, 2017, 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.

MBL 34, LLC,  
a Colorado Limited Liability Company

By: McWhinney Real Estate Services,  
Inc., a Colorado Corporation,  
Manager

By \_\_\_\_\_  
Troy C. McWhinney  
Chief Investment Officer

## THIRD AMENDMENT CONCEPTUAL MASTER PLAN

### J-B FIRST ADDITION, WATERFALL ADDITION TRACTS A, D REZONE #303 LOVELAND, COLORADO

BHA DESIGN, INC. • 4803 INNOVATION DRIVE bha FT. COLLINS, CO 80525 • TEL: (970) 223-7577

SHEET 1 OF 2

MARCH 13, 2007  
REV. March 28, 2007

ATTACHMENT G

ELEVATION - 6,000 S.F. BUILDING ELEVATION CONCEPT - NOT TO SCALE



PERSPECTIVE - 6,000 S.F. BUILDING ELEVATION CONCEPT - NOT TO SCALE



PERSPECTIVE - 50,000 S.F. BUILDING CONCEPT - NOT TO SCALE



ELEVATION - 10,000 S.F. BUILDING ELEVATION CONCEPT - NOT TO SCALE



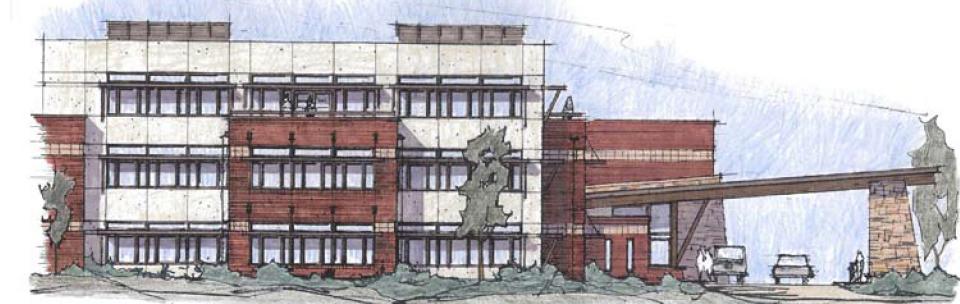
ELEVATION - 10,000 S.F. BUILDING ELEVATION CONCEPT - NOT TO SCALE



BUILDING MATERIALS



ELEVATION - 75,000 S.F. BUILDING ELEVATION CONCEPT - NOT TO SCALE



ELEVATION - 75,000 S.F. BUILDING ELEVATION CONCEPT - NOT TO SCALE



PERSPECTIVE PITCHED ROOF DESIGN



ELEVATION - RETAIL BUILDING ELEVATION CONCEPT - NOT TO SCALE

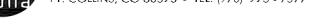


**THIRD AMENDMENT  
ARCHITECTURAL CHARACTER SKETCHES**

**J-B FIRST ADDITION, WATERFALL ADDITION TRACTS A, D  
REZONE #303  
LOVELAND, COLORADO**

BHA DESIGN, INC. • 4803 INNOVATION DRIVE

FT. COLLINS, CO 80525 • TEL: (970) 223-7577



SHEET 2 OF 2  
MARCH 13, 2007  
REV: March 28, 2007

**ATTACHMENT G**



## DEVELOPMENT SERVICES

## ADMINISTRATION

410 East 5<sup>th</sup> Street • Loveland, CO 80537  
(970) 962-2722  
[www.cityofloveland.org](http://www.cityofloveland.org)

# MEMORANDUM

**To:** Loveland Planning Commission  
**From:** Greg George, Special Projects Manager  
**Date:** May 22, 2017  
**Subject:** **Study Session – New Residential Districts**

## I. INTRODUCTION

This item is the second study session on Task 4 – New Residential Districts of the Unified Development Code project. The first study session was on May 8, 2017.

This task proposes new standards to implement policies in the Comprehensive Plan (Create Loveland) for Complete Neighborhoods. **Attachment A** is an excerpt from the Comprehensive Plan summarizing the concepts and policies for Complete Neighborhoods.

**Attachment B** is *Division 2.08.05 Complete Neighborhoods* (Second Working Draft). This draft shows redline revisions to the First Working Draft reviewed by the Planning Commission on May 8, 2017. The most significant revisions provide information on the approval process for and content of a pattern book. See *Section 2.08.501.D Pattern Book (Page 1 of 8)*.

## II. PATTERN BOOK

- A. **Content:** The pattern book is a design guideline to allow the applicant to describe the design and arrangement of housing types, non-residential uses, open space, street network, bufferyards and landscaping. Illustrations will be included to depict the architecture styles of each building type. *Section 2.08.501.D.4.e (Page 2 of 8)* requires the applicant, in consultation with the Director, to identify potential impacts on property within the neighborhood notice area and propose measures to mitigate those impacts.
- B. **Approval:** Under *Section 2.08.501.D.6 (Page 2 of 8)*, the pattern book would be a condition of approval for the sketch plat for the Complete Neighborhood. Pattern books for Complete Neighborhoods and the Housing Palette are processed under the procedures for an Adaptable Use, requiring a neighborhood meeting. Pattern books for Complete Neighborhoods requesting deviations from the standards for Complete Neighborhoods or the Housing Palette are processed under the procedures for a Conditional Use, requiring a Planning Commission public hearing.

**C. Approval Standards:**

1. **Neighborhood Meeting:** All aspects of the Complete Neighborhood project would be discussed at the neighborhood meeting. However, provisions are included in *Section 2.08.501.D.6.b (Page 2 of 8)* limiting the legal basis of an appeal to issues that may result in an adverse impacts on property within the neighborhood notice area.
2. **Planning Commission:** Limits are placed on the type of conditions that the Planning Commission can place on a Complete Neighborhood. See *Section 2.08.501.D.6.c (Page 2 of 8)*.

**III. OTHER CHANGES**

**A. Gross Density:** Table 2.08.502.A (*Page 3 of 8*) is revised to include gross density ranges to ensure that densities are consistent with those shown in the Loveland Comprehensive Plan. A provision is included in this section to exclude from open space calculations undevelopable land, such as stormwater detention ponds, drainage channels, floodplains and natural areas.

**B. Neighborhood Design:**

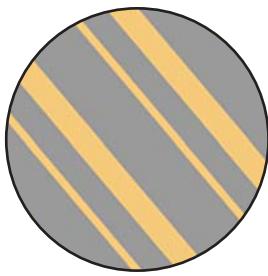
1. **Blocks:** Section 2.08.504.C (*Page 5 of 8*) is revised to include land zoned R1 in the requirement that a grid-like street pattern be incorporated into the project design. The exception remains for land zoned ER. Language has been added to allow the Director to require mid-block pedestrian and bicycle access when allowing block length greater than 800 ft.
2. **Off-Street Circulation:** Section 2.08.504.D (*Page 5 of 8*) is revised to require detached sidewalks along block edges facing a street.

**C. Relationship Between Complete Neighborhood and Abutting Property:** Section 2.08.505.A (*Page 6 of 8*) is revised to establish that multi-family is a compatible use when located across an arterial or collector street from existing lots that are developed or approved for single-family or duplex residential.

**D. Mews and Parking Court Arrangements:** Section 2.08.507.B (*Page 8 of 8*) is revised to require that alleys used for vehicular access have a minimum width of 20 ft.

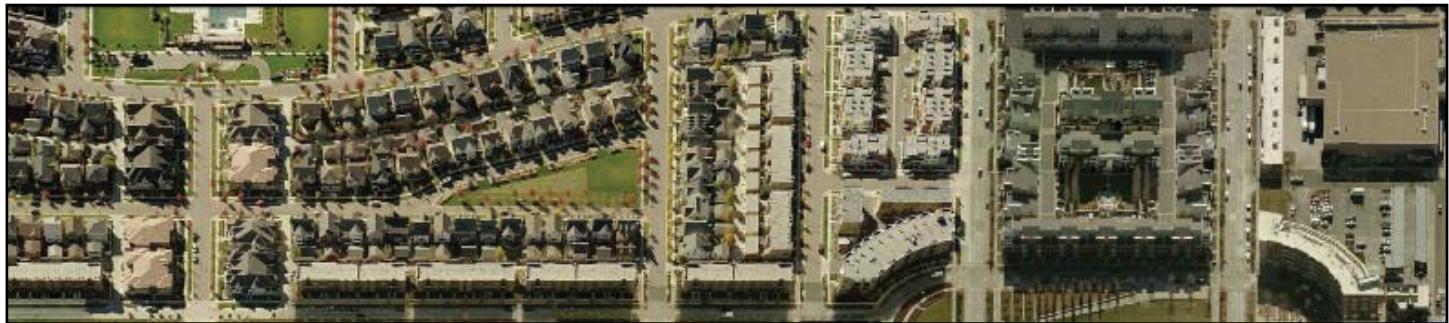
**IV. RECOMMENDED ACTION:** The project team requests that the Planning Commission forward Task 4 – *Division 2.08.05 Complete Neighborhoods* (Second Working Draft), dated May 22, 2017 to City Council for consideration at their July 11, 2017 study session. The Planning Commission is scheduled to consider *Division 2.08.05 Complete Neighborhoods* at a public hearing on July 24, 2017. The following is the recommended motion.

*Move to forward Task 4 – Division 2.08.05 Complete Neighborhoods (Second Working Draft), dated May 22, 2017 to City Council for consideration at their July 11, 2017 study session.*



# CN - COMPLETE NEIGHBORHOODS OVERLAY

- Optional alternative land use designation for LDR and MDR city-wide. Suitable locations are identified through public input.
- A fine-grained mix of housing types, densities, and neighborhood scale commercial and civic uses, arranged in a pattern that supports pedestrian and bicycle transportation.
- Promotes integration of commercial and employment uses with housing.



Example: Stapleton in Denver showing a range of housing types, neighborhood-serving commercial, and community facilities with high street connectivity. See also the Facilitate Complete Neighborhoods artists rendering in Chapter 2.

## Land Use Mix

### Residential

- Single-family detached homes, including patio and cottage-type developments
- Single-family attached homes, including townhomes and duplexes
- Four-plexes and eight-plexes
- Condominiums and apartments compatible with area character

### Recreational

- Parks, plazas & private commons

### Civic

- Churches
- Schools

### Commercial

- Retail & services compliant with NAC

## Transportation

### Highest Priority Mode



Wide detached sidewalks with amenities like benches, planters, gathering places; connections to transit stops

### Priority Mode



Streets comfortable for biking with slow vehicle speeds & bike lanes on collectors; off-street trail system

### Priority Mode



Enhanced transit stations on adjacent collector & arterial network for local & regional bus service

### Non-prioritized Mode



Slow speeds

## Zoning Compliance

- Underlying zoning will vary.

## Form

- Highly connected transportation network
- Places for neighborhood activity encouraged
- Links to parks / open space
- Average density: 8 units / acre
- Street Pattern: Grid
- Block Length: 350' maximum
- Front Yard Setbacks: 0' - 25'
- Building Height: 1 - 3 stories



## DIVISION 2.08.05 COMPLETE NEIGHBORHOODS

### 2.08.501 Purpose and Application of Complete Neighborhood Standards

A. **Generally.** A Complete Neighborhood is a community within the City that offers a variety of housing types at a variety of price points; prominently sited civic or community buildings, ~~or and~~ public open spaces; and, ~~in the case of medium or high density~~ neighborhoods ~~activity centers including~~ stores, offices, entertainment, and services. ~~In larger complete neighborhoods, nonresidential uses may include schools and other public facilities may also be included in a Complete Neighborhood.~~ Complete neighborhoods provide a balanced mix of activities in close proximity to each other. They have a recognizable center (or centers), clearly defined edges, and streets, sidewalks, and pathways are designed so that in most locations the pedestrian and bicyclist are given at least equal status as the automobile.

B. **Purpose.**

1. The purpose of the Complete Neighborhood is to implement the goals set out in Create Loveland, the Comprehensive Plan, which include:
  - a. promoting a mix of land uses that includes high-density residential, commercial, employment, and civic uses;
  - b. promoting high quality architecture;
  - c. maximizing transit investment and transit readiness;
  - d. encouraging places for neighborhood activity; and
  - e. creating a highly connected multimodal transportation network.
2. The purpose of this Division is to promote (but not to require) the development of high quality Complete Neighborhoods in the City's residential, mixed-use activity center, and employment zones. The standards of this Division apply if an applicant chooses to develop a subject property as a Complete Neighborhood.

C. **Application.**

1. The standards of this division apply to Complete Neighborhoods in the R1, R1e, R2, R3, R3e, MAC, and E zones.
2. The approval of a Complete Neighborhood requires approval of a pattern book.

D. **Pattern Book.**

1. **Generally.** ~~The pattern book is a design guide for a specific development. The applicant submits the pattern book to address the design and arrangement of individual buildings or dwellings. The pattern book ensures that the development will be attractive and harmonious. The pattern book:~~
  - a. ~~Provides a palette of development styles and materials;~~
  - b. ~~Provides illustrations of streetscape design and landscaping; and~~

- c. May provide for specific modifications of the requirements of this UDC in order to ensure that the development is a cohesive whole and meets stated design objectives.
2. **Applicability.** An application for pattern book approval shall accompany all applications for approval of a Complete Neighborhood.
3. **Required Approval.**
  - a. Pattern books in compliance with the standards in *Division 2.08.05 Complete Neighborhoods* and *Division 2.10.02 Housing Palette* are approved in accordance with *Division 2.03.03* for an Adaptable Use
  - b. Pattern books containing deviations from the standards in this *Division 2.08.05 Complete Neighborhoods* or *Division 2.10.02 Housing Palette* are approved by the Planning Commission in accordance with *Division 2.03.03* for a Conditional Use.
4. **Application Materials.** The pattern book shall include the following elements:
  - a. A description of each type of housing.
  - b. Standards for lot sizes.
  - c. Standards for building setbacks.
  - d. Standards for the design of each type of building that is proposed in the development, which shall include:
    - i. Architectural style;
    - ii. Typical architectural elements for each style;
    - iii. Typical building materials for each style; and
    - iv. Illustrations depicting each architectural style.
  - e. An assessment of potential adverse impacts on property within the neighborhood notice area and measures to mitigate those impacts. The potential adverse impacts to be included in the assessment are determined in consultation with the Director.
  - f. A phasing plan, if the Complete Neighborhood is developed in phases.
5. **Decision.** The pattern book is reviewed along with the proposed sketch plat for the subdivision. The approved pattern book is a condition of approval of the sketch plat.
6. **Approval Standards.**
  - a. Director. The Director reviews the pattern book to ensure that it will accomplish the objectives and standards set out in *Division 2.08.05 Complete Neighborhood Standards*.
  - b. Neighborhood meeting. The legal basis of a petition for appeal filed pursuant to *Section 2.03.605 Threshold Review* shall be limited to potential adverse impacts on property within the neighborhood notice area.
  - c. Planning Commission. If a petition for appeal is filed and determined by the City Attorney to comply with *Section 2.03605 Threshold Review*, the pattern book is reviewed by the Planning Commission. Conditions of approval of a pattern book shall not be used to:
    - i. Limit density, intensity, amount of open space, or land use in a manner that is different from the standards of this UDC; or

ii. Address the design of the development, to the detail covered in a Site Development Plan.

### **2.08.502 Density and Open Space**

A. **Generally.** This section is used to determine the number of dwelling units that will be allowed in a complete neighborhood, based on a maximum allowable density. This section also sets out a minimum common open space requirement. Once the number of dwelling units is determined, the specifications for individual lots shall comply with the requirements of Division 2.10.03, *Housing Palette*, for the type of housing that will be developed.

B. **Density.**

1. The ~~maximum~~ residential density in each complete neighborhood shall be as provided in Table 2.08.502.A., *Maximum Gross Density Ranges for Complete Neighborhoods*, below

Zoning District	Maximum Gross Density Ranges
Estate Residential (ER)	<u>2-4</u>
Established Low Density Residential (R1e)	<u>4-5</u>
Developing Low Density Residential (R1)	<u>4-7</u>
Developing Two-Family Residential (R2)	<u>4-8</u>
Establish High Density Residential (R3e)	<u>6-10</u>
Developing High Density Residential (R3)	<u>10-20</u>
Mixed-Use Activity Center (MAC)	<u>10-22</u>
Employment Center (E)	<u>10-22</u>

2. Residential density shall not limit the number of dwelling units that are located in vertically mixed-use buildings in neighborhood activity centers within Complete Neighborhoods.

C. **Common Open Space Ratio.**

1. The minimum common open space ratio shall be as provided in Table 2.08.502.B., *Minimum Common Open Space Ratio for Complete Neighborhoods*, below.

Zoning District	Mimimum Common Open Space
Estate Residential (ER)	8
Established Low Density Residential (R1e)	14
Developing Low Density Residential (R1)	15
Developing Two-Family Residential (R2)	15

Table 2.08.502.B. Minimum Common Open Space Ratio for Complete Neighborhoods	
Establish High Density Residential (R3e)	18
Developing High Density Residential (R3)	20
Mixed-Use Activity Center (MAC)	20
Employment Center (E)	20

2. The calculation of minimum common open space in Table 2.08.502 shall exclude undevelopable areas such as stormwater detention ponds, drainage channels, floodplains and natural areas.

### 2.08.503 Housing and Use Mix in Complete Neighborhoods

A. **Generally.** This section sets out the minimum requirements for the number of housing types in a Complete Neighborhood, and the limitations on the land area for nonresidential uses in the Complete Neighborhood.

B. **Minimum Requirements for Mix of Housing Types.** Complete neighborhoods shall include multiple housing types, as provided in Table 2.08.503, *Minimum Housing Mix in Complete Neighborhoods*.

Total Number of Dwelling Units	Minimum Number of Housing Types by Zone (see Division 2.10.02, Housing Palette)			
	ER	R1e and R1	R2 and R3e	R3, MAC, and E
up to 50	1	1	1	1
51 to 100	1	1	2	2
101 to 150	1	2	3	3
150 to 300	2	3	3	3
300 or more	2	3	3	4

C. **Maximum Land Area for Nonresidential Uses.** Complete neighborhoods may include non-residential uses as provided in Division 2.08.03, *Land Use by Zoning District*. The total land area designated for nonresidential uses (except vertically mixed-use buildings with residential uses on upper floors, parks, outdoor recreation, schools, and places of assembly) shall not exceed 20 percent of the land area of the complete neighborhood.

### 2.08.504 Neighborhood Design

A. **Generally.** Complete Neighborhoods shall be designed as provided in this Section.

B. **Layout of Complete Neighborhood.** The layout of the complete neighborhood shall be shown in the pattern book. It shall include areas designated for each housing type (or areas designated for particular mixes of housing types), and if nonresidential uses other than parks, outdoor recreation, schools, and places of assembly will be included in the neighborhood, it shall also include areas designated as neighborhood activity centers.

C. **Blocks.**

1. *Arrangement.*

- a. R1, R1e, R2, R3e, R3, MAC, or E Zone. In the R1, R1e, R2, R3e, R3, MAC, and E zones, Blocks shall be arranged in a grid-like pattern to ensure connectivity and alternate travel routes within the complete neighborhood; cul-de-sacs shall be limited to locations where they are demonstrated to be necessary due to site constraints, or where their use improves non-vehicular connectivity. A strict grid pattern is not required.
- b. ER ~~or R1~~ Zone. In the ER ~~and R1~~ zones, blocks may be grid-like or curvilinear, and cul-de-sacs are allowed.

2. *Maximum Block Length.*

- a. Block lengths within the complete neighborhoods in the R1, R1e, R2, R3e, R3, MAC, and E zones shall not exceed:
  1. Neighborhood Activity Center: 600 ft.
  2. Blocks that include cottage clusters, urban single-family, large urban single-family, or attached housing products: 700 ft.
  3. Blocks that include single-family not listed in subsection C.2.a.2.: 800 ft.
- b. Blocks that include parks, outdoor recreation, schools, or places of assembly shall not be limited by the standards of this subsection C.2.
- c. The Director may authorize modifications from the maximum block length requirements if it is demonstrated that the modified blocks offer comparable connectivity within the neighborhood, and between the neighborhood and nearby transit, parks, outdoor recreation facilities, schools, and places of assembly. Pedestrian and bicycle access mid-block may be required for block lengths greater than 800 ft.

D. **Off-Street Circulation.** A network of sidewalks, off-street trails, or multi-use paths shall be installed to enhance access to and through parks, outdoor recreation areas, schools, places of assembly, and neighborhood activity centers within the Complete Neighborhood development, and to connect to existing or planned sidewalk, trail, or multi-use path systems in the City. In Complete Neighborhoods that include cul-de-sacs, the pedestrian circulation system shall include connections between cul-de-sac ends and streets or other cul-de-sac ends within 250 feet. Sidewalks along block edges facing a street shall be detached from the street curb or edge.

E. **Common Open Space and Recreation.**

1. *Open Space.*
  - a. Generally, open spaces must be integrated into the development design to create meaningful areas of open space within a reasonable distance of the maximum number of residential properties, as well as to provide visibility, and where practicable, views to the mountains or other landmarks from public rights-of-way. Design shall minimize or eliminate small, odd, "left-over" open space areas, except where necessary for the stormwater system. Extra landscaping may be required to enhance the aesthetic or ecological value of such spaces where they cannot be avoided.
  - b. Where possible, open space shall be designed to provide greenways along drainage corridors and streams. The landscaping along corridors or streams shall be designed to enhance water quality of surface and subsurface water flows. Trails shall provide access along the greenway for the residents of the proposed development. Greenways, trails, and landscaping must be located outside of the rights-of-way of irrigation ditches, unless the ditch company provides an easement for such greenways, trails, or landscaping.
  - c. Formal open spaces shall be designed to provide areas of visual focus, recreation, or public assembly within the Complete Neighborhood. Landscaping and furniture for pedestrians should be installed to enhance this effect.
  - d. Open spaces shall be protected by appropriate easements, dedications, or plat notations.
2. *Accessibility of Recreation Areas.* In the R1e, R2, R3e, R3, MAC, and E zones, parks and outdoor recreation opportunities shall be provided such that 90 percent of the dwelling units in the Complete Neighborhood are located within a one-quarter mile walk of an outdoor recreation area. For the purpose of this standard, a plaza with features that provide recreational opportunities (e.g., interactive fountain or sculpture, tot lot, etc.) shall be considered an outdoor recreation area.

#### **2.08.505 Relationship Between Complete Neighborhood and Abutting Property**

- A. **Generally.** Where a Complete Neighborhood boundary adjoins existing lots that are developed or approved for single-family or duplex residential use, the lot width and housing type along the boundary shall be compatible to the lot width and housing type of the adjoining lots. For the purposes of this standard only, any single-family housing type that has a lot width that ranges from 10 percent narrower than the adjoining lots to two times the width of adjoining lots are shall be considered compatible.  
Multi-family across an arterial or collector street from existing lots that are developed or approved for single-family or duplex residential use are compatible.
- B. **Buffer Alternative.** In the alternative to the standard set out in subsection A., above, a landscape buffer may be provided as set out in Table 2.08.505, *Complete Neighborhood Alternative Edge Buffers*.

Table 2.08.505 Complete Neighborhood Alternative Edge Buffers	
Ratio of Edge Lot Width to Adjoining Lot Width	Required Bufferyard Type(see Sec. TBD)
up to 50 percent	TBD
more than 50 percent but less than 90 percent	TBD
greater than 200 percent	TBD

## 2.08.506 Modification of Setback Standards

- A. **Generally.** The general standards for housing types in a Complete Neighborhood are set out in Division 2.10.02, Housing Palette. However, to achieve an urban design that provides a high quality pedestrian environment, it may be desirable to modify some of the standards from the housing palette. Housing palette standards may be modified by pattern book approval, subject to the standards of this Section.
- B. **Modification of Front Setbacks.** Front setbacks may be reduced, or replaced with "build-to" lines, if the pattern book demonstrates that:
  - 1. Building frontages are designed to provide a transitional space between the public realm and the private realm (e.g., front porches with steps, etc.);
  - 2. Vehicular access is provided from an alley or parking court;
  - 3. The modified setback does not allow an encroachment upon an easement or a required view triangle at a street intersection; and
  - 4. A combination of street trees, yard landscaping, open space, street furniture, or other pedestrian oriented amenities compensates for the loss of the front yard.
- C. **Modification of Side Setbacks.** Side setbacks (interior or street) may be modified if the pattern book demonstrates that:
  - 1. The buildings will comply with applicable building and fire codes;
  - 2. There is sufficient spacing between buildings to provide for maintenance and emergency access;
  - 3. The modified setback does not allow an encroachment upon an easement or a required view triangle at a street intersection; and
  - 4. With respect to street side yards only, a combination of street trees, yard landscaping, open space, street furniture, or other pedestrian oriented amenities compensates for the loss of the street side yard.
- D. **Modification of Rear Setbacks.** Rear setbacks may be modified if the pattern book demonstrates that:
  - 1. The design provides for comparable useable outdoor living space on the lot (e.g., through a larger front yard or a courtyard or patio on the side of the dwelling unit);
  - 2. The design will not create an unsafe condition for the passage of vehicles or pedestrians in an adjoining alley (if present);

3. The design will not encroach upon an easement or a required view triangle at a street intersection; and
4. The design will not interfere with the use and enjoyment of rear or side yards of adjoining lots.

#### **2.08.507 Mews and Parking Court Arrangements**

- A. **Generally.** Mews and parking court arrangements are alternative ways to provide vehicular access to lots. In the mews arrangement, buildings front on a common green (instead of a street), and vehicular access is by way of alleys. In the parking court arrangement, buildings may front on streets, a common green, or open space, and vehicular access is provided by a shared parking court.
- B. **Standards for Mews.** Single-family, duplex, lot-line home, and townhome lots may front on mews and take vehicular access from alleys if:
  1. The alleys do not serve more than 16 dwelling units; ~~and~~
  2. No vehicular access to a dwelling unit is more than 300 feet from the street, measured along the alley centerline to the edge of the street right-of-way; ~~and~~
  3. The alley width is a minimum of 20 ft.
- C. **Standards for Parking Courts.** Single-family, duplex, and townhome Lots may take vehicular access from a parking court if:
  1. The parking court serves not more than 10 dwelling units; and
  2. The parking court extends not more than 125 feet from the street, measured along the parking court centerline to the edge of the street right-of-way.