City of Loveland

LOVELAND PLANNING COMMISSION MEETING
AGENDA
Monday, October 23, 2017
500 E. 3rd 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, Jamie Baker Roskie, and Jeff Fleischer, and Tim Hitchcock

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, November 13, 2017 Agenda Preview**
    i. **No Items on Agenda**
2. **UDC Study Session – November 6th at 6:00 in the EOC**
3. **Hot Topics:**

c. City Attorney's Office Updates:

d. Committee Reports

e. Commission Comments

IV. APPROVAL OF MINUTES

Review and approval of the October 9, 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?

VI. REGULAR AGENDA:

1. Pfeiff Annexation and Millennium GDP Amendment PH

This public hearing is for the purpose of considering an annexation of 32 acres known as the Pfeiff Farm into the City of Loveland and zone the property Millennium Planned Unit Development (PUD). An associated amendment to the Millennium General Development Plan (GDP) expands the GDP to include this property and provides minor updates to the text of the GDP. The property is located west of N. Boyd Lake Ave, west of the Loveland Sports Park, and south of Mountain View High School. The requested zoning would allow residential, light commercial, institutional, civic, and/or public parks & open space on the land, subject to certain design standards of the Millennium GDP. The Applicant is McWhinney/PFLVD LLC. The Commission's role is to make a recommendation on the applications to the City Council for final action.

2. Centerra Parcel 222 Rezonings and Millennium GDP Amendment PH

This public hearing is for the purpose of considering the following: 1) a rezoning of 4.6 acres from Millennium Planned Unit Development to the I Industrial District; 2) rezoning of a 9.3 acre parcel and a 5.3 acre parcel from I Industrial to Millennium Planned Unit Development; and 3) amending the Millennium General Development Plan (GDP) to reflect these boundary changes and to provide minor updates to the text of the GDP. The subject parcels are located east of N. Boyd Lake Ave, west of Rocky Mountain Ave, and north of E. 37th Street, in an area known as Centerra Parcel 222. The applications propose to correct existing split zoning and accommodate future industrial development. These requested zoning changes would have little impact on the allowable land uses available on the respective parcels. The Applicant is Centerra Properties West, LLC. Staff is supporting this request. The Commission's role is to make a recommendation on the applications to the City Council for final action.

3. Foundry Hotel PH

This is a public hearing to consider the second phase of development approval for The Foundry project. A Site Development Plan (SDP) for a 63,000 square foot hotel has been submitted for review by the Planning Commission along with an associated request for Vacation of Right-of-Way for a 988 square foot portion of East Second Street. The proposed four-story hotel site is approximately 0.8 acres and located at the southwest portion of The Foundry project site, between Lincoln Avenue and Cleveland Avenue, and between Second Street and First Street. The role of the Planning Commission is to review the Site Development Plan for conformance with downtown BE Zoning District standards. Barring appeal, the Planning Commission has final authority on the SDP. The Commission's role on the Right-of-Way vacation request is to make a recommendation to the City Council. Staff is supporting approval of both the SDP and the vacation. The applicant is Brinkman Partners, represented by Todd Parker.

4. HIP Streets Modernization Plan PH

This is a public hearing is to consider an addendum to the 2009 HIP (Heart Improvement Program) Streets Master Plan. The original plan was designed to guide pedestrian and street network improvements in the downtown core. The modernization effort updates the materials, graphics, and parking configurations specified in the 2009 Plan, providing a thematic approach consistent with recent downtown projects including The Foundry. The Plan area includes 19 blocks within the Loveland Downtown core. The Commission's role is to provide a recommendation to the City Council on the updated Plan; this item is scheduled for Council consideration on December 5th. The applicant is the City of Loveland and Stanley Consultants, Inc.

VII. ADJOURNMENT

CITY OF LOVELAND
PLANNING COMMISSION MINUTES
October 9, 2017

A meeting of the City of Loveland Planning Commission was held in the City Council Chambers on October 9, 2017 at 6:30 p.m. Members present: Chairman Jersvig; and Commissioners Forrest, McFall, Roskie, Fleischer, and Hitchcock. Members absent: Dowding and Molloy. 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. **Robert Paulsen**, Current Planning Manager, reviewed the agenda items tentatively scheduled for the Monday, October 23, 2017 Planning Commission meeting: CC

   - Foundry Hotel – SDP
   - Foundry – Vacation of a partial street right of way.
   - Pfeiff –Annexation and zoning. This is the farm area south of Mountain View High School
   - Centerra Parcel 222 Industrial – Rezonings
   - Hip Streets Modernization is a policy plan update that David Eisenbraun is managing.

   Mr. Paulsen noted that the first four items listed require public hearings.

2. As a Hot Topic, **Mr. Paulsen** provided an update to the Unified Development Code process. He noted the process has been delayed for the purpose of securing more public input and ensuring thorough review. Public outreach is planned for late October, November and possibly early December. Any input Commissioners may have as to how to further this outreach would be appreciated. New deadlines, leading to City Council adoption in early April, are soft deadlines as we need to make sure that outreach and review is adequate. Mr. George, Mr. Messenger and the planning staff are continuing to review the UDC and expect a complete working draft to be available at the end of October.

Commissioner McFall asked Mr. Paulsen for an update on the process to fill the vacancy on the Planning Commission. **Mr. Paulsen** responded that the standard recruiting process of looking for applicants has begun. He asked that any Commissioner up for reappointment this year, who might be considering leaving the commission, to let him know so that opening can be included in this process.

CITY ATTORNEY'S OFFICE UPDATES

Mr. Garcia had nothing to report from the City Attorney's office.

COMMITTEE REPORTS

There were no committee reports.

COMMISSIONER COMMENTS

There were no comments.

APPROVAL OF THE MINUTES

Commissioner Roskie *made a motion to approve the* ***September 25, 2017*** *minutes; upon a second from* ***Commissioner Fleischer*** *the minutes were approved with* ***Commissioner Forrest*** *abstaining.*

CONSENT AGENDA

There were no items on the Consent Agenda.

REGULAR AGENDA

1. **Affordable Housing Code Changes**

   Alison Hade, Community Partnership Office, noted that this public hearing is for the purpose of considering amendments to the Title 16 of the Municipal Code. The amendments address a process for providing City incentives to non-profit and for-profit developers to build for-sale, single-family affordable housing units. City Community Partnership staff has prepared a tiered incentive structure corresponding to the Area Median Income (AMI) of the targeted housing occupants. This approach has been developed with input from the City Council, the Planning Commission, the Affordable Housing Commission and several non-profit and for profit developers. The Planning Commission's role is to make a recommendation on the proposed amendments to the City Council. The City Council public hearing on the amendments is scheduled for October 17th.

   Ms. Hade reviewed information from the staff report that describes an incentive for developers who construct homes that will be priced as affordable to residents living between 30% and 60% of the area median income (AMI). She also reviewed the process for developers to apply to the city for incentives to construct homes that will be priced as affordable to residents living above the 60% AMI.

COMMISSIONER QUESTIONS AND COMMENTS:

- **Commissioners Hitchock and Jersvig** had questions regarding how the incentives were applied at differing levels of the AMI. **Ms. Hade** explained, using the "Housing in Loveland" chart in the staff report, how the AMI and rents that are set by the Colorado Housing Authority figure into the calculations developers use along with the low income tax credits to determine the feasibility of including low-income units in a project.
- **Commissioner Jersvig** also asked if there is still a preference for this type of housing given to applicants who currently live and work in Loveland. **Ms. Hade** responded in the affirmative.

CITIZEN COMMENTS:

Commissioner Jersvig opened the public hearing at 7:08 p.m.

There were no public comments.

Commissioner Jersvig closed the public hearing at 7:08 p.m.

Commissioner Roskie *made a motion to recommend approval to the City Council of the amendments to Chapter 16.43 of the Loveland Municipal Code regarding affordable housing as specified in the October 9, 2017 Planning Commission staff report, as amended on the record. Following a second by* ***Commissioner McFall,*** *the motion passed unanimously.*

ADJOURNMENT

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

Commissioner Jersvig adjourned the meeting at 7:11 p.m.

Approved by:_____
Jeremy Jersvig, Planning Commission Chair

_____
Linda Bersch, Interim Planning Commission Secretary.

City of Loveland

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Current Planning
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Planning Commission Staff Report

October 23, 2017

Agenda #:	Regular Agenda #1
Title:	Pfeiff Farm
Applicant:	PFLVD, LLC (McWhinney)
Request:	Annexation, Zoning, and Millennium General Development Plan Amendment
Location:	West of N. Boyd Lake Ave and the Loveland Sports Park, north of the Great Western Railroad, southeast of Farmers Ditch, and a little south of Mountain View High School
Existing Zoning:	County FA Farming
Proposed Zoning:	Millennium PUD
Staff Planner:	Noreen Smyth

Staff Recommendation:
Subject to additional evidence presented at the public hearing, city staff recommends the following motions:

Recommended Motions:

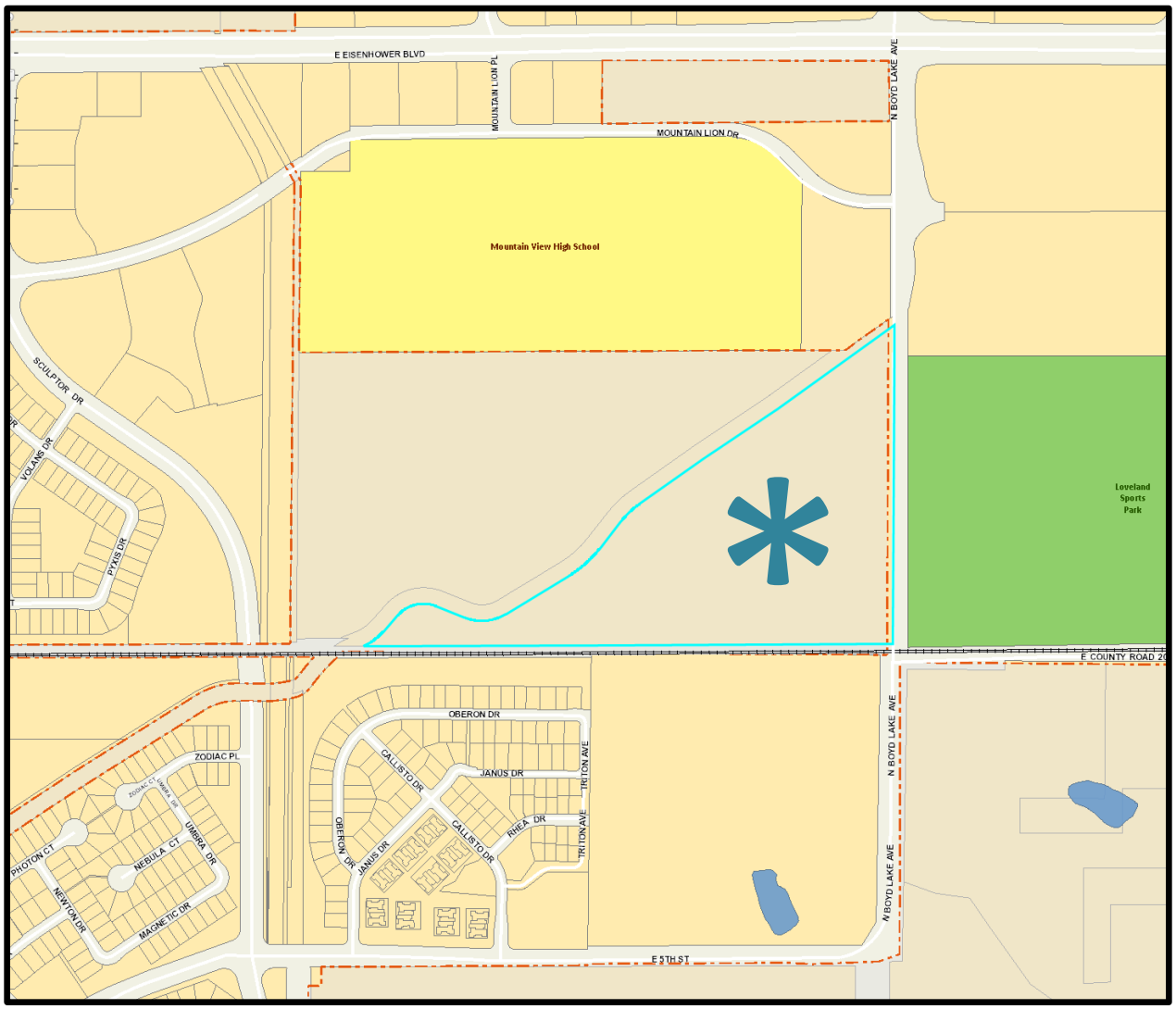
1. *Move to make the findings listed in Section VIII of the Planning Commission staff report dated October 23, 2017; and, based on those findings, recommend that City Council approve the Pfeiff Addition, subject to the conditions listed in Section IX, subject to the conditions listed in Section IX, as amended on the record, and zone the addition to Millennium Planned Unit Development; and*
2. *Move to make the findings listed in Section VIII of the Planning Commission staff report dated October 23, 2017 and, based on those findings, recommend that City Council approve the Millennium PUD General Development Plan Amendment subject to the conditions listed in Section IX, as amended on the record.*

Summary of Analysis:
This is a public hearing and the Commission's role is to make recommendations to the City Council on the two associated components of this request. The applicant's request is to annex the 31.8-acre triangular-shaped Lot 1 of the Pfeiff Minor Land Development, also known as a portion of Pfeiff Farm, and include it within the boundaries of the Millennium Planned Unit Development, with its future development subject to the standards of Parcel D as described in the Millennium General Development Plan (GDP). A new subparcel designation, D10, is proposed to be added to the GDP for the annexed land. No specific developments are proposed for the land at this time. However, residential uses, light commercial uses, parks and open space uses, and institutional/civic/public uses will be allowed by right per the GDP amendment. Certain other minor text changes that update the GDP will also be included with the amendment.

Prior to any development occurring on the land, further development applications will need to be submitted for administrative review, including subdivision plats, site development plans, and building permits. Staff supports the requested annexation and GDP amendment.

At the neighborhood meeting, concerns were voiced about increased traffic, which will be considered in detail with the future required development applications for the property. Questions were asked about the uses that may develop on the property, but no specific concerns were voiced about the annexation or the GDP amendment.

I. VICINITY MAP:



II. SUMMARY:

Applications

This is a public hearing concerning a request to annex as the "Pfeiff Addition" a 31.8-acre area of land known as Lot 1 of the Pfeiff Minor Land Development. In conjunction with the annexation, the applicant is seeking to zone the property Millennium Planned Unit Development (PUD) and amend the Millennium General Development Plan (GDP), which provides the zoning standards for land within the Millennium PUD. The amendment would bring the Pfeiff Addition into Parcel D of the Millennium and create a new subparcel, D10, with associated text in the GDP specifying the allowed uses and related standards within said subparcel. In addition, minor

technical amendments to the GDP are included with the request. Also, the applicant will be making a request to City Council to grant extended vested property rights for land added into the Millennium GDP to provide consistency with adjacent properties with similar uses and sufficient time to fulfill the long-term development goals. No specific developments are proposed with the above requests.

Description of Subject Property and General Area

Pfeiff Farm is a 72-acre rectangular area of land, roughly a half-mile by a quarter-mile in dimension. It is split into two parcels by the Farmers Ditch, which runs from the southwest corner of Pfeiff Farm to the northeast corner. The northwestern lot, which is adjacent to Mountain View High School, has been acquired by the Thompson School District. This site is intended for the future expansion of the school. The southeastern lot has been acquired by the applicant and is the subject of this report. The entire land, which is at present zoned FA Farming in Larimer County's zoning classification system, is currently farmed, with one farmhouse and associated farm accessory structures in the northeast corner of the subject property. The structures do not have historical significance and would be demolished in conjunction with future development of the land.

In addition to the high school, the Latter Day Saints church is immediately north of Pfeiff Farm, east of the school. To the east is N. Boyd Lake Avenue, followed by the Loveland Sports Park. Immediately to the south is the Great Western Railroad. Beyond this, to the southeast, is undeveloped land, and to the southwest is a single family residential subdivision. Both of these areas are zoned Millennium PUD. The undeveloped land to the southeast is permitted residential land uses per the use standards of the Millennium. While the Farmers Ditch forms the northwest border of the land to be annexed, followed by the portion of Pfeiff Farm that is not proposed to annex, west of these is undeveloped land zoned Millennium, on which the GDP permits a wide variety of potential uses.

Annexation/Zoning

Both City of Loveland policy and Larimer County policy, as documented in an Intergovernmental Agreement between the two entities, supports the annexation of land within the city's Growth Management Area (GMA) prior to development. In addition to meeting GMA standards, annexation requires compliance with state statutes regarding contiguity with municipal boundaries, an intent to develop at an urban level, and an indication that the property can be served with infrastructure. The subject property complies with these matters, which is further summarized in the Findings section at the end of this report, and thus staff supports its annexation.

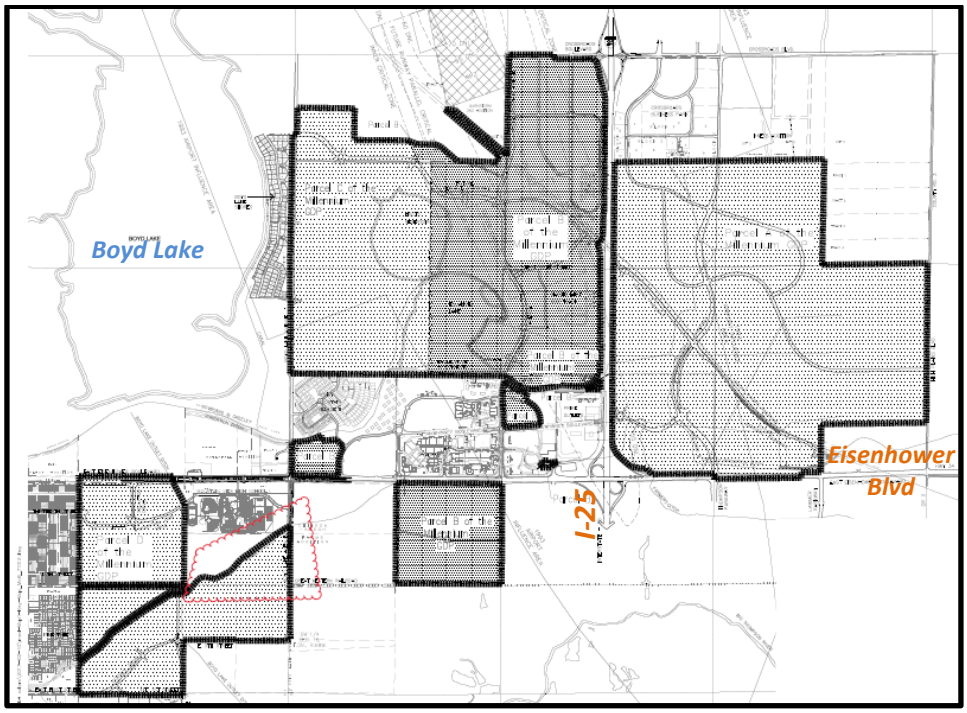
The zoning of the property occurs concurrently with its annexation, and the requested zoning for this property is Millennium PUD. The allowed uses and development standards are included in the accompanying GDP Amendment and described in detail in this staff report in the section below. In particular, see the description of the amendment to Map 7 (**Attachment 4**) on the following page.

An Annexation Agreement has been drafted by the City Attorney to accompany the annexation should it proceed to approval. Of note, an Adequate Community Facilities (ACF) exemption related to US 34 and I-25 traffic volumes provided within the Millennium for existing Millennium land will be extended, through the Annexation Agreement, to the newly annexed land. The city's Transportation Development Review Division has determined that extending the ACF exemption to the newly annexed land can be supported by staff because certain intersection improvements that have been completed in the vicinity will reduce the likelihood of negative impacts.

GDP Amendment

While the annexation/zoning request brings the property into city limits and zones it PUD, the GDP amendment consists of incorporating the site into the GDP, providing specific standards for the land, and accomplishing associated minor technical amendments.

The GDP allows residential uses in a number of areas through the Millennium, specifying which areas are intended for low, medium, or high density development, with corresponding permitted housing types. The applicant has acquired and pursued annexation and Millennium zoning of the subject property for the purpose of pursing a higher density residential development in an area where there is adjacent medium density single family residential development to the south and adjacent institutional uses to the north. The applicant has a goal of providing a wider variety of housing types in this annexed area than is currently present in the nearby residential subdivisions. While the subject property is anticipated to be developed primarily with residential uses, light commercial uses are proposed to also be allowed in this area.



Overview Map of Millennium

The shaded areas are governed by the Millennium GDP. The red clouded area surrounds the land proposed to be annexed into the city and zoned Millennium.

Components of the Amendment

The components of the amendment to the Millennium GDP that are directly relevant to the annexed land includes the following text, map, and chart changes:

- Section 1, the Overall Narrative for the GDP, has the following changes:
  - References to the overall Millennium's size and boundaries have been updated to include the annexed land.
  - The word "amended" has been placed before references to the Annexation and Development Agreement to clarify its amended status in conjunction with the annexation.
  - References concerning the acquisition of easements and rights-of-way has been clarified.

- Section 5, which sets for the standards and conditions specific to Parcel D, has the following changes:
  - References to the Parcel's size and boundaries have been updated to include the annexed land.
  - The maximum number of dwelling units has been increased, from 1,360 to 1,744, to account to the added land. The new number is based on the size of the annexed land and the residential density proposed for it.
  - The applicability to Subparcel D-10 of certain existing conditions of approval is referenced.

- New Transportation and Water/Wastewater conditions of approval have been added.

- Section 11, Maps, has the annexed land added to each applicable map, including:
  - Map 1, the Overall Millennium Key Map.
  - Map 2, the Conceptual Amenity Map, which has a conceptual trail included within an open space strip on the annexed land adjacent to Boyd Lake Avenue.
  - Map 3, the Conceptual Grading Map, which shows the drainage flow direction of the annexed land.
  - Map 7, which details Parcel D, has the annexed land added as subparcel D10 along with land use standards for the new subparcel. <u>This is the core change proposed with the GDP amendment, and as such, should be reviewed in detail by Commissioners.</u>
    - Permitted land uses (see **Attachment 11** for full definitions):
      - Residential: Single Family Detached & Attached, Multi-Family, and other similar and related uses
      - Light Commercial: Offices, Restaurants, Retail, Services, and other similar and related uses
      - Institutional/Civic/Public: Schools, Churches, Government Uses, and similar uses
      - Parks and Open Space: Natural areas, Passive and Active Recreational Facilities, and similar uses
    - Maximum density for residential uses: 12 dwelling units per acre for the subparcel D10
    - Maximum acreage of subparcel to be developed as single family detached: 12.875 acres (40% of gross land area)
    - Maximum number of dwellings overall in Parcel D: 1,744
    - Maximum square footage of commercial uses permitted overall in Parcel D: 1,700,000
    - Setback and bufferyard standards for development adjacent to the Great Western Railroad; see diagram in **Attachment 4** for more details.

- Section 13, Definitions, has the 2016 Create Loveland Comprehensive Plan referenced as the city's Master Plan. Similar references in other sections of the Millennium have also been updated.

- Section 14, ESAR Reports, has the Environmental Site Assessment Report for the annexed land added, with corresponding references added to Section 5 (Parcel D).

<u>Create Loveland Comprehensive Plan Land Use Map</u>

In determining appropriate zoning for annexed land, the Create Loveland Comprehensive Plan, which is the city's vision for development, is the basis of the city's analysis. The Land Use Map of the Comprehensive Plan designates this area Employment. However, when the Plan was updated in 2016, new land use designations were promoted for certain areas of the city. The new designations were determined based on changes that had occurred since the original 2003 adoption of the Land Use Map and on community input obtained during the development of the 2016 Plan. These suggested new land use designations are included in the Comprehensive Plan in a "Suggested Future Land Use Changes Map" (see **Attachment 8**). The subject property is

one of the areas that has a suggested new land use. Instead of Employment, the suggested land use of this area is High Density Residential. The applicant is generally in support of the suggested High Density Residential designation and has prepared the GDP amendment with the intention of pursuing the Plan's High Density Residential goals rather than pursing employment-oriented development for the subject property. Staff also supports a GDP amendment in line with Create Loveland's High Density Residential land use goals.

The High Density Residential category supports a residential density of 10-20 units per acre with a mix that can include single family detached, single family attached, four-plexes, eight-plexes, or other multifamily. See the attached excerpt (**Attachment 9**) from the Comprehensive Plan for a more detailed description of the category. The GDP amendment proposes a maximum residential density for the subject property of 12 units per acre. By setting a maximum density but not a minimum density, the amendment, while not precluding residential development that meets the Comprehensive Plan's goal density, would still allow for development of a lesser density than called for in the Plan. Staff has expressed concern to the applicant that an amendment that omits a minimum density is not adequate for ensuring that the Comprehensive Plan's density goal is met. However, the applicant requests to not commit to a minimum density with the GDP amendment, preferring flexibility in this matter now, with the ultimate density determined at the time detailed development plans are prepared. In place of a minimum density, the applicant has proposed to set a maximum number of acres, 12.875 (40% of the gross acreage), for single family detached residential development within the annexed land. This will have the effect of requiring a mix of uses on the subject property and promoting higher density residential development on the non-single family detached portion of the land. Staff does not object to this approach to the amendment.

Future Development Applications

The property is intended to be developed primarily with a variety of residential uses (single family detached, townhomes, and/or multifamily) and potentially certain light commercial uses. According to the applicant, additional details of the residential and/or commercial uses to be developed on the subject property are not known at this time. The applicant wishes to secure the annexation, Millennium zoning, GDP amendment, and permitted uses prior to preparing a specific development plan for the land. To develop the property with any of the permitted uses, the submittal of additional applications for staff review is required. A plat is needed to subdivide the property, a site development plan is needed for any multifamily residential or nonresidential uses, and a building permit is needed for structures.

Public improvement construction plans (PICPs) are also needed with future development applications to determine the location and provide designs for associated infrastructure. While the existing structure on the property obtains water from the Little Thompson Water District and utilizes a septic system, the city will be able to provide water and sewer for any development on the property through nearby lines. The property is currently in Xcel's service area for power, but will become part of the city's service area on annexation. Stormwater facilities will be determined at the time detailed development applications are submitted. The subject property borders only one public street, Boyd Lake Avenue, and future access off of this street into the subject property will be decided at the time detailed development proposals are considered.

III. KEY ISSUES:

There are no key issues identified by staff with the proposal.

IV. ATTACHMENTS:

1. Pfeiff Minor Land Division
2. Annexation Map
3. Vicinity Map
4. GDP Amendment-Maps
5. GDP Amendment-Text
6. Petition for Annexation
7. Application, including Statement of Land Use Plan Map Consistency
8. Suggested Future Land Use Changes Map-Create Loveland
9. HDR High Density Residential Description-Create Loveland
10. Growth Management Area & Annexation Policies-Create Loveland
11. GDP Land Use Definitions

V. SITE DATA:

SIZE OF SITE-GROSS	31.84 ACRES
EXISTING ZONING	LARIMER COUNTY FA FARMING
EXISTING USE	FARMING WITH STORAGE STRUCTURES & ONE HOUSE
PROPOSED USE	RESIDENTIAL, LIGHT COMMERCIAL, PARKS, OPEN SPACE, INSTITUTIONAL, CIVIC, AND/OR PUBLIC USES
EXIST ADJ ZONING & USE - NORTH	LARIMER COUNTY FA FARMING/VACANT AND B DEVELOPING BUSINESS/CHURCH
EXIST ADJ ZONING & USE - SOUTH	MILLENNIUM PUD/SINGLE FAMILY RESIDENTIAL AND VACANT
EXIST ADJ ZONING & USE - WEST	LARIMER COUNTY FA FARMING/VACANT
EXIST ADJ ZONING & USE - EAST	I INDUSTRIAL/PUBLIC PARK
UTILITY SERVICE – WATER & SEWER	CITY OF LOVELAND
UTILITY SERVICE - ELECTRIC	CITY OF LOVELAND

VI. BACKGROUND:

- The Pfeiff Minor Land Division was approved by Larimer County in April 2016. It divided the 76.93-acre Pfeiff farm into two lots. The 31.8-acre southeast portion of the land, which is southeast of the Farmers Ditch, became Lot 1 and is the subject of this annexation and zoning request. The 40.6-acre northwest portion of the land, which is

northwest of the Farmers Ditch, became Lot 2. There is no proposal to annex Lot 2 at this time.

- The annexation and Millennium GDP Amendment applications under consideration in the staff report were submitted in April 2017 to bring the parcel within the limits of the City of Loveland and the Millennium PUD.

VII. STAFF, APPLICANT, AND NEIGHBORHOOD INTERACTION:

A. Notification: An affidavit was received from Wendi Cudmore with McWhinney certifying that notice of the neighborhood meeting and of this hearing was mailed to all owners of property within 1200 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 neighborhood meeting and the Planning Commission hearing. A notice of the hearing was also published in the Reporter Herald on April 8, 2017. All notices stated that a neighborhood meeting would be held on September 28, 2017 and that a public hearing would be held by the Planning Commission on October 23, 2017.

B. Neighborhood Response: A noticed neighborhood meeting was held at 6:30 p.m. on September 28, 2017 at the High Plains School for both this annexation and GDP amendment application and another rezoning and GDP amendment application concerning land farther northwest of the Pfeiff property. [The applications are being pursued by the same applicant but are otherwise unrelated to one another.] Approximately 25 persons attended the meeting along with city staff, the applicant, and the applicant's consultants.

At the meeting, the applicant described the proposal to annex the land, zone it Millennium PUD, and apply the existing development standards within the Millennium. Upon stating that the amendment would allow residential and light commercial uses on the property but that there were no specific developments proposed at this time, there were a couple general comments discouraging the development of multifamily residential and a comment in support of the development of light commercial at this location. A large number of questions, and some concerns, were voiced by the neighbors about transportation improvements. The comments concerned improvements proposed to be constructed with the further development in this area of the city along with comments concerning transportation improvements currently under construction. There were no comments voiced concerning the proposed annexation.

VIII. FINDINGS AND ANALYSIS

In this section of the report, applicable findings are referenced in italic print, followed by staff analysis as to whether the findings can be met by the submitted applications. The annexation findings are from the Create Loveland Comprehensive Plan and from Title 17 (Annexations) of the Municipal Code, and the zoning and General Development Plan amendment findings are from Title 18.04 (Zoning-Purpose) and 18.41.050 D4 (Planned Unit Developments) of the

Municipal Code. The consideration and action of the Planning Commission should be based on these findings.

Annexation/Zoning to Millennium PUD/GDP Amendment

1. Comprehensive Plan-Neighborhood & Community Assets Policy 4: *Coordinate the timing, location, and character of growth within the Growth Management Area (Annexation)*

- **4.1** *Annexations shall promote quality developments.*
- **4.2** *All annexations shall be contingent upon a development agreement that clearly details the rights and obligations of the city and the land owner regarding the annexation and development of the annexed land.*
- **4.3** *Property owners and developers are encouraged to assemble available adjoining land parcels and prepare a master plan design for the larger area, rather than submit separate individual proposal.*
- **4.4** *Encourage the annexation of county enclaves within city limits and discourage the creation of future enclaves.*

Planning: Staff believes that these findings can be met, based on the following facts:

- The zoning of the property into the Millennium PUD and amendment to the Millennium General Development Plan establishing use and design standards for the subject property will ensure that quality developments locate on the land.
- An annexation agreement and amended development agreement that details the rights and obligations of the city and the land owner will accompany the annexation.
- While there remains a large unannexed parcel of land to the northwest of the subject property, the annexation consists of a large area that will have a general master plan established with the Millennium General Development Plan amendment.
- The land to be annexed is a portion of a county enclave.

2. Comprehensive Plan-Neighborhood & Community Assets Policy 5: *Evaluate the fiscal and environmental impacts of development of annexation proposals.*

- **5.1** *Consider the capacity of community services and facilities, environmental resources, education, and transportation to accommodate development when annexing new lands to the city.*
- **5.2** *Consider the need for open lands and natural areas within the city limits when evaluating annexation proposals consistent with the recommendations contained in the adopted Parks & Recreation Master Plan.*
- **5.3** *Minimize the short and long term costs to the city of providing community services and facilities for the benefit of the annexed area.*
- **5.5** *The annexation of land should be allowed only if the owner can provide assurances that the land does not contain hazardous conditions that may pose a danger to the city or that reasonable avoidance and mitigation measures can be taken in the event that hazards or contamination exists. To make this determination, a Phase 1 Environmental Report should be prepared by a qualified third-party specialist.*

Planning: Staff believes that these findings can be met, based on the following facts:

- The capacity of community services and facilities to accommodate development on the annexed land is summarized below under *Loveland Municipal Code, Section 17.04.040*.
- The Parks & Recreation Master Plan does not call for open lands or natural areas on the subject property, but a trail and pedestrian easement provided with the annexation will meet a recommendation in the Plan.
- The close proximity of the annexed land to existing city facilities will minimize the costs to the city of providing such facilities to the annexed land.
- A Phase 1 Environmental Site Assessment Report has been submitted and no conditions of significant danger have been found to be present on the land.

3. Loveland Municipal Code, Section 17.04.020: *The annexation complies with the laws of the State of Colorado regarding annexation, including at least one-sixth contiguity between the City and the area seeking annexation.*

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

- The annexation complies with the Colorado State Statutes regarding annexation of lands and is within the City's Growth Management Area (GMA).
- No enclaves will be created by this annexation and the standards for annexation in the Municipal Code have been met.
- The development of the property will encourage a compact pattern of urban development and will not be leapfrog or scattered site development. City utilities are available to the site.
- The annexation complies with the Intergovernmental Agreement with Larimer County to annex property within the City's GMA that are eligible for annexation.

4. Loveland Municipal Code, Section 17.04.040:

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

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

iii. *Whether the annexation is in compliance with the Comprehensive Master Plan.*

iv. *Whether the annexation is in compliance with all pertinent intergovernmental agreements to which the city is a party.*

v. *Whether the annexation is in the best interest of the citizens of the City of Loveland.*

vi. *Whether all existing and proposed streets in the newly annexed property are, or will be, constructed in compliance with City street standards, unless the City determines that the existing streets will provide proper access during all seasons of the year to all lots and that curbs, gutters, sidewalks, bike lanes, and other structures in compliance with City standards are not necessary to protect public health, safety, and welfare.*

vi. *Whether the annexation complies with the water rights requirements set forth in Title 19 of the Loveland Municipal Code.*

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

- The Create Loveland Comprehensive Plan advocates the annexation of enclave parcels and the annexation of parcels within our Growth Management Area (GMA). The annexation meets the policies of the Comprehensive Plan per the summary provided in subsections 1a and 1b above.
- The annexation complies with the Intergovernmental Agreement with Larimer County to annex property within the City's GMA that are eligible for annexation.
- It is in the city's interest for development to occur on undeveloped infill sites such as the subject property.
- The requested Millennium GDP zoning of the property to allow residential and light commercial uses is compatible with development in the surrounding area. It is in the best interest of the citizens of Loveland if the land is developed according to city standards and under the review of city staff. Any eventual plats of subdivision and site development plans will need to demonstrate compliance with city zoning, building, fire, transportation, and infrastructure standards.

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

- As part of annexation and rezoning of the Pfeiff property into the Millennium GDP, McWhinney has requested that the City Council approve an ACF exception in accordance with Section 27.2 of the Millennium GDP as follows:

  In connection with development of the GDP, the following State and federal highways shall be exempt from compliance with the ACF Regulations during the Vesting Period:

  (i) I-25 and its interchanges (which, pursuant to City policies are presently exempt from ACF Regulations); and
  (ii) U.S. 34 and its intersections.

  The Master Traffic Impact Study (TIS) submitted with the Pfeiff annexation and rezoning application indicates that the total traffic Level of Service (LOS) impact to the U.S. 34/Boyd Lake Avenue intersection will result in less than two percent (2%) when added to all other traffic in the design year and therefor is considered to be within ACF threshold standards. Additionally, the City Public Works, Project Engineering Division has recently completed intersection improvements at Boyd Lake Avenue/U.S. 34 and no additional intersection improvements would be required of the Pfeiff development.

  Based on the findings and conclusions of the TIS and completed intersection improvements by the City, the Engineering Division has concluded that the requested ACF exception under Millennium GDP Section 27.2 mentioned above would not apply to the Pfeiff annexation and rezoning into the Millennium GDP and while an ACF exception is being requested, it is not a requirement of approval for this annexation and rezoning application for the Pfeiff parcel.

- Therefore, pending future proposed development within this property, of which review and approval by the City is required, the Transportation Engineering Staff does not object to the proposed annexation and zoning.

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

- The subject annexation is situated within the City's current service area for both water and wastewater. The existing residence on the site is currently served water from the Little Thompson Water District and is on a private septic system. The water master plan shows a future water main looped from the existing 24" water main in Boyd Lake Ave to the existing 16" water main west of the Boyd Lake Outlet Canal. Development on the property would need to stub water and wastewater service to the unannexed property to the west.
- The Department finds that the annexation and zoning is consistent with the Department's Water and Wastewater master plan by being consistent with the 2015 Comprehensive Master Plan.
- The Department finds that public facilities are available to serve the development and the conditions herein noted requires special conditions of the Developer of the subject annexation to extend water and wastewater mains to serve any future development within the annexation.

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

- The subject annexation is situated within the City's current Growth Management Area.
- The Department finds that the annexation and zoning is consistent with the Department's Power master plan by being consistent with the 2016 Comprehensive Master Plan.
- The Department finds that public facilities are available to serve the development.
- The Department finds that the proposed development currently lies in the certified service territory of Xcel Energy. Upon completion of successful annexation, future development of the proposed annexation will be served power by the City of Loveland.

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

- With the annexation and future development, the Developer will engineer certain Stormwater facilities that will adequately collect, detain, and release Stormwater runoff in a manner that will eliminate off-site impacts.
- Development of the subject property pursuant to any of the uses permitted by right under the zoning district would result in impacts on City infrastructure and services that are consistent with current infrastructure and service master plans.

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 proposed annexation and zoning will not negatively impact fire protection for the subject development or surrounding properties, as the currently adopted Fire Code will be required to be met at time of development review.

Parks and Recreation: Staff believes that these findings can be met, due on the following fact:

- In accordance with the Parks and Recreation Master Plan, the trail and pedestrian easement will provide an urban corridor that will support access and create new connections between existing and proposed open lands.

5. Loveland Municipal Code Section 18.04.010:

i. *Whether the zoning will lessen congestion in the streets; secure safety from fire, panic, and other dangers; promote health and general welfare; provide adequate light and air; prevent overcrowding of land; avoid undue concentration of population; and facilitate the adequate provision of transportation, water, sewage, schools, parks, and other public requirements.*

ii. *Whether the character of the district and the particular uses permitted by right in the district will preserve the value of buildings and encourage the most appropriate use of land.*

Planning: Staff believes that these findings can be met, based on the following facts:

- The provisions in the Millennium General Development Plan accomplish the above. The use and design standards in this zoning document will ensure that quality developments locate on the land.
- The request to allow residential, and certain light commercial, uses on the property is compatible with development in the surrounding area. Any following development applications submitted for the property, including plats of subdivision, public improvement construction plans, site development plans, and building plans will need to demonstrate compliance with zoning, building, fire, transportation, and infrastructure standards.

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

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

- A Mineral Extraction Evaluation Report from Earth Engineering Consultants, LLC, was submitted. The report indicating that some of oil and gas production may be possible deep beneath the subject parcel, but due to the manner in which oil/gas is recovered, development of the site should not greatly impact the extraction of the resource should future extraction be proposed.
- The Mineral Extraction Evaluation Report identifies no economically viable minerals to be extracted from the property.

7. Loveland Municipal Code, Section 18.41.050 D4a: *Whether the general development plan conforms to the requirements of this Chapter 18.41, to the city's master plans and to any applicable area plan.*

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

- The recommended land use designation for this parcel has historically been Employment. Adjacent and nearby development in this area led the community to re-access this designation. As a result, Create Loveland recommends that this parcel be changed to the HDR High Density Residential designation. A variety of housing types is supported by the Comprehensive Plan in areas designated HDR, and light commercial uses to support the area residents is encouraged in such areas. While a specific development proposal is not accompanying the request for annexation and inclusion into the Millennium GDP, the uses allowed on the land per the GDP amendment would allow, although not necessarily require, development consistent with the Comprehensive Plan's goals for the HDR designation.
- The development of the property pursuant to the standards of the Millennium GDP and other Municipal Code standards is not anticipated to be detrimental to the health, safety or welfare of the neighborhood or the general public.

8. Loveland Municipal Code, Section 18.41.050 D4b: *Whether the proposed development will negatively impact traffic in the area, city utilities, or otherwise have a detrimental impact on property that is in sufficient proximity to the proposed development to be affected by it. If such impacts exist, the current planning division shall recommend either disapproval of the general development plan or reasonable conditions designed to mitigate the negative impacts.*

Planning: Staff believes that these findings can be met, based on the following facts:

- Per the summary of the Public Works (Transportation and Stormwater) and Water & Power Departments below, the city will be able to provide services to developments that locate on the annexed land in a manner that is not anticipated to be detrimental to property in proximity to the subject property.
- While development of the annexed land will increase traffic in the area, at the time a specific development is proposed and a subdivision and/or site development plan application is submitted to staff for review, transportation improvements will be required, as appropriate, to address the transportation needs associated with the new development.

9. Loveland Municipal Code, Section 18.41.050 D4c: *Whether the proposed development will be complementary to and in harmony with existing development and future development plans for the area in which the proposed development is to take place by*:

i. *Incorporating natural physical features into the development design and providing sufficient open spaces considering the type and intensity of use;*

ii. *Incorporating site planning techniques that will foster the implementation of the city's master plans, and encourage a land use pattern that will support a balanced transportation system, including auto, bike and pedestrian traffic, public or mass transit, and the cost effective delivery of other municipal services consistent with adopted plans, policies and regulations of the city;*

iii. *Incorporating physical design features in the development that will provide a transition between the project and adjacent land uses through the provision of an attractive entryway, edges along public streets, architectural design, and appropriate height and bulk restrictions on structures;*

iv. *Incorporating identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the project design;*

v. *Incorporating elements of community-wide significance as identified in the town image map;*

vi. *Incorporating public facilities or infrastructure, or cash-in-lieu, that are reasonably related to the proposed development so that the proposed development will not negatively impact the levels of service of the city's services and facilities; and*

vii. *Incorporating an overall plan for the design of the streetscape within the project, including landscaping, auto parking, bicycle and pedestrian circulation, architecture, placement of buildings and street furniture.*

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

- The annexed area will be subject to all residential, commercial, and Parcel D standards of the Millennium GDP, including open space, landscape & bufferyard, site design, architectural design, height & bulk, and parking standards.
- The annexed area will allow for a mix of residential, commercial, open space, and public uses per the use standards proposed for it within the Millennium GDP amendment.
- The Phase 1 Environmental Report indicates that there is no evidence of recognized environmental conditions on the subject property. There are mature trees in the northeast corner of the property. If they are determined to be in healthy condition, during the future review of a site development plan for this area, staff will encourage their preservation to maintain natural characteristics and reduce adverse environmental effects.
- Elements of community-wide significance are already incorporated into the Millennium GDP and will also be incorporated into the subparcel D10 to be added with the amendment. These elements include maintaining a balance between open space and development, protecting mountain views, preservation of Loveland's character through tree lined streets and identifiable neighborhoods, pedestrian friendliness, and alternatives to traditional single family housing.

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

- No transportation vesting will be granted with this GDP amendment and specific requirements shall be determined with each site specific development plan application and review. Staff notes that Traffic Impact Studies will be required with subsequent submittals of Development Plans. Full analysis of traffic impacts along with street design specific to the development will be reviewed and any measures needed to mitigate traffic impacts will be addressed at that time. Any ACF exceptions granted by City Council through the annexation and zoning of the Pfeiff parcel into the Millennium GDP will apply.

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

- The area encompassed within the GDP, including the additional areas included with this amendment, are situated within the City's current service area for both water and wastewater.

- The GDP is consistent with the Department's Water and Wastewater master plan by being consistent with the 2015 Comprehensive Master Plan.
- The proposed development will not negatively impact City water and wastewater facilities.

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

- This development is situated within the City's growth management area but not in the current service area for power. Upon successful annexation, City of Loveland will serve power to the proposed development.
- The GDP is consistent with the Department's power master plan by being consistent with the 2016 Comprehensive Master Plan.
- The proposed development will not negatively impact City power facilities.
- The proposed development is in harmony with existing and future development and incorporates public infrastructure designed so that the proposed development will not negatively impact the levels of service of the City utilities adjacent to the development.

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

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

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

- The development site will comply with the requirements in the ACF Ordinance for response distance requirements from the first due Engine Company.
- The proposed amendment to the GDP/PDP will not negatively impact fire protection for the subject development or surrounding properties, as the currently adopted Fire Code will be required to be met at time of development review.

Parks and Recreation: Staff believes that these findings can be met, due on the following fact:

- In accordance with the Parks and Recreation Master Plan, the trail and pedestrian easement will provide an urban corridor that will support access and create new connections between existing and proposed open lands.

IX. RECOMMENDED CONDITIONS:

Staff recommends the following condition for the **Annexation/Zoning** application:

PW-Stormwater:

1. Prior to approval of a Site Development Plan and Final Plat, the Developer shall provide the City of Loveland Stormwater Utility with a recorded copy of the necessary off-site temporary construction easements and permanent drainage easements required to construct offsite

developed conveyance option 1 or option 2 as delineated in the Conceptual Drainage Report for The Pfeiff Annexation.

All existing Millennium GDP General conditions applicable to Parcels B & C will be applicable to the subject area. Staff recommends the following additional conditions for the **GDP Amendment** (and they are already reflected in **Attachment 5**):

PW-Transportation:

1. Special Condition No. 9 (Parcel D-10): Unless designed and constructed by others or otherwise approved by the City Engineer, and to the extent needed to comply with the ACF Regulations and any approved exceptions thereto, the Applicant shall design and construct, or cause to be designed and constructed at no cost to the City, the following street improvements to the standards required by the Transportation Plan and LCUASS. The timing, scope and phasing of such construction shall be determined during the review and approval of future Development Projects within Parcel D-10.
   a. Boyd Lake Avenue as a four lane arterial adjacent to Parcel D-10.
   b. South Access, northbound left turn lane for the south access to Parcel D-10 from Boyd Lake Avenue.
2. Special Condition No. 10 (Parcel D-10): The first Development Project within Parcel D-10 shall dedicate right-of-way for a future street connection to Lot 2, Pfeiff Minor Land Division, File NO. 15-S3349 as recorded at Reception No. 20160026252, County of Larimer, State of Colorado.

Water/Wastewater:

1. Special Condition No. 11 (Parcel D-10): Unless designed and constructed by others, concurrent with the approval of any Development Project or Final Plat, the Developer shall design and construct, or cause to be designed and constructed at no cost to the City, the following water improvements to City standards:
   a. A water main loop from the existing 24" line in Boyd Lake Avenue to the existing 16" line located west of the Boyd Lake Outlet Canal.

2. Special Condition No. 12 (Parcel D-10): Pursuant to that "Reimbursement Agreement" recorded at Reception No. 2004-0093504 in the Larimer County Records, Larimer County Parcel No. 85170-00-002 was subjected to reimbursement obligations to the City of Loveland for the East Side Interceptor and Boyd Lake Ave. 24" Waterline (the "Total Reimbursement Amount"). Such parcel was thereafter platted as the Pfeiff Minor Land Division File No. #15-S3349, Larimer County, Colorado (the "Pfeiff MLD"). Parcel D-10, which is Lot 1 of the Pfeiff MLD (Parcel No. 85171-12-001) and which constitutes 44% of the total acreage of the Pfeiff MLD, shall be subject to a reimbursement obligation equal to 44% of the Total Reimbursement Amount. The owner of Parcel D-10 shall be responsible for payment to the City of Loveland of 44% of the Total Reimbursement Amount at the time that a water or sewer service line or extension which services all of any of Parcel D 10 is installed, and shall have no obligation to reimburse the City of Loveland any portion of the remaining 56% of the Total Reimbursement Amount.

RECEPTION#: 20160026252, 04/29/2016 at 08:20:06 AM, 1 OF 2, R $21.00 TD Pgs: 0
Angela Myers, Clerk & Recorder, Larimer County, CO

PFEIFF MINOR LAND DIVISION FILE NO. 15-S3349

A TRACT OF LAND LOCATED IN THE EAST HALF OF SECTION 17, TOWNSHIP 5 NORTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF LARIMER, STATE OF COLORADO

CERTIFICATION OF OWNERSHIP AND DEDICATION:

Know all persons by these presents, that PFLVD, LLC, a Colorado limited liability company, being the owner of the land described as follows:

Parcel 1:

The S ½ of the NE ¼ of Section 17, Township 5 North, Range 68 West of the 6th P.M., less rights of way of the Great Western Railroad and rights of way of the Farmers Ditch, County of Larimer, State of Colorado.

Parcel 2:

A three cornered tract of land situated in the Southeast corner of the NE ¼ of the NE ¼ of said Section 17, Township 5 North, Range 68 West of the 6th P.M., lying Southeast of the Farmers Ditch, County of Larimer, State of Colorado.

The above described land contains 76.93 acres, and is subject to all easements and right of way and restrictions on record or existing.

have by these presents caused the same to be surveyed and subdivided into lots to be known as the plat of PFEIFF MINOR LAND DIVISION FILE NO. 15-S3349, and do hereby dedicate and convey to and for public use forever hereafter the streets as are laid out and designated on this plat, and do also reserve perpetual easements for the installation and maintenance of utilities and for irrigation and drainage facilities as are laid out and designated on this plat, witness our hands and seals this 22 day of April, 2016

OWNER: PFLVD, LLC, a Colorado limited liability company

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

BY: _____
Troy McWhinney, Chief Investment Officer

STATE OF COLORADO)
)ss
COUNTY OF LARIMER)

The foregoing dedication was acknowledged before me this 22nd day of April, 2016,

by

_____
Notary Public

My commission expires: 07-28-2018

TAMMI J LAU
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20064029253
MY COMMISSION EXPIRES 07/28/2018

LIENHOLDER: Home State Bank

BY: _____

STATE OF COLORADO)
)ss
COUNTY OF LARIMER)

The foregoing instrument was acknowledged before me this 25th day of April, 2016

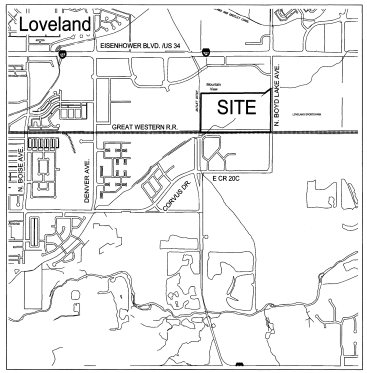
by

Witness my hand and official seal

VONEEN MACKLIN
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20084001808
MY COMM. EXPIRES 1-13-2020

My commission expires: 1/13/2020

_____
Notary Public



VICINITY MAP
1" = 2000'

NOTES:

1) The Basis of Bearings is the East line of the Southeast 1/4 of Section 17, Township 5 North, Range 68 West of the 6th P.M. as bearing N00°19'03"E (assumed bearing) and monumented as shown on drawing.

2) Linear units of measure for this survey is U.S. Survey feet.

3) For all information regarding easements, rights-of-way and title of records, NORTHERN ENGINEERING relied upon Title Commitment No. 597-F0532050-383-TOW, Amendment No. 1, dated October 9, 2015, by Fidelity National Title Company.

4) Gross land area is 3,351,139 square feet, or 76.932 acres, more or less.

5) Tract currently zoned as FA2-Farming

6) Lot 2 shall not be considered for development or building permits until a development plan is approved by the Board of County Commissioners or until lot is annexed into the City of Loveland.

LARIMER COUNTY HEALTH AUTHORITY APPROVAL

Approved by the Larimer County Health Authority this 27 day of April, 2016. All construction on this subdivision, or any lot therein, including the development of domestic water, and the provision of sewage treatment, shall be done in a manner which will meet all of the requirements of the Colorado Department of Health, and the Larimer County Public Health Department, and the officers authorized to enforce such requirements.

_____
Larimer County Health Authority

APPROVAL OF SURVEY PLAT

This plat has been reviewed and is hereby approved as to form as complying with all current survey requirements of Larimer County and of State law pertaining to platting and monumentation. This approval constitutes neither a warranty by Larimer County concerning such compliance, nor a release or indemnity of the subdivider and his surveyor concerning any noncompliance of this plat with current survey requirements.

Date: 4-25-16

_____ Colorado P.L.S. No. 38329
Signature

BRIAN HEMINIAK
Larimer County Engineering Department

BOARD OF COUNTY COMMISSIONERS APPROVAL

Approved by the Larimer County Board of County Commissioners this 27th day of April, A.D., 2016. All dedications are hereby accepted on behalf of the public. This approval does not constitute acceptance of responsibility by the County for construction, repair, or maintenance of any streets, highways, alleys, bridges, rights of way, or other improvements designated on this plat.

_____
Chairman

_____
Clerk to the Board

LARIMER COUNTY CLERK SEAL COLORADO

SURVEYOR'S CERTIFICATE

I, Robert C. Tessely, a duly licensed professional land surveyor in the State of Colorado, do hereby certify that this plat of PFEIFF MINOR LAND DIVISION FILE NO. 15-S3349 truly and correctly represents the results of a survey made by me or under my direct supervision.

COLORADO LICENSED ROBERT C. TESSELY 38470 4-22-16 PROFESSIONAL LAND SURVEYOR

For and on behalf of Northern Engineering
Robert C. Tessely
Colorado Registered Professional
Land Surveyor No. 38470

NOTICE

ALL RESPONSIBILITIES AND COSTS OF OPERATION, MAINTENANCE AND RECONSTRUCTION OF THE PRIVATE STREETS AND/OR DRIVES LOCATED ON THE PRIVATE PROPERTY THAT IS THE SUBJECT OF THIS PLAT SHALL BE BORNE BY THE OWNERS OF SAID PROPERTY, EITHER INDIVIDUALLY, OR COLLECTIVELY, THROUGH A PROPERTY OWNERS' ASSOCIATION, IF APPLICABLE. THE CITY OF FORT COLLINS SHALL HAVE NO OBLIGATION OF OPERATION, MAINTENANCE OR RECONSTRUCTION OF SUCH PRIVATE STREETS AND/OR DRIVES NOR SHALL THE CITY HAVE ANY OBLIGATION TO ACCEPT SUCH STREETS AND/OR DRIVES AS PUBLIC STREETS OR DRIVES.

NOTICE:
According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you 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.

SECTION: 17
TOWNSHIP: 5 N
RANGE: 68 W of the 6th PM

NORTHERN ENGINEERING
301 North Howes Street, Suite 100
Fort Collins, Colorado 80521
PHONE: 970.221.4158
www.northernengineering.com

PROJECT: 150-133
DESIGNED BY:
DRAWN BY: M. Kirkbride
SCALE: N/A
REVIEWED BY: S. Hawley
DATE: 04/22/16

PFEIFF MINOR LAND DIVISION
FILE NO. 15-S3349
LARIMER COUNTY, COLORADO

Sheet 1 Of 2 Sheets

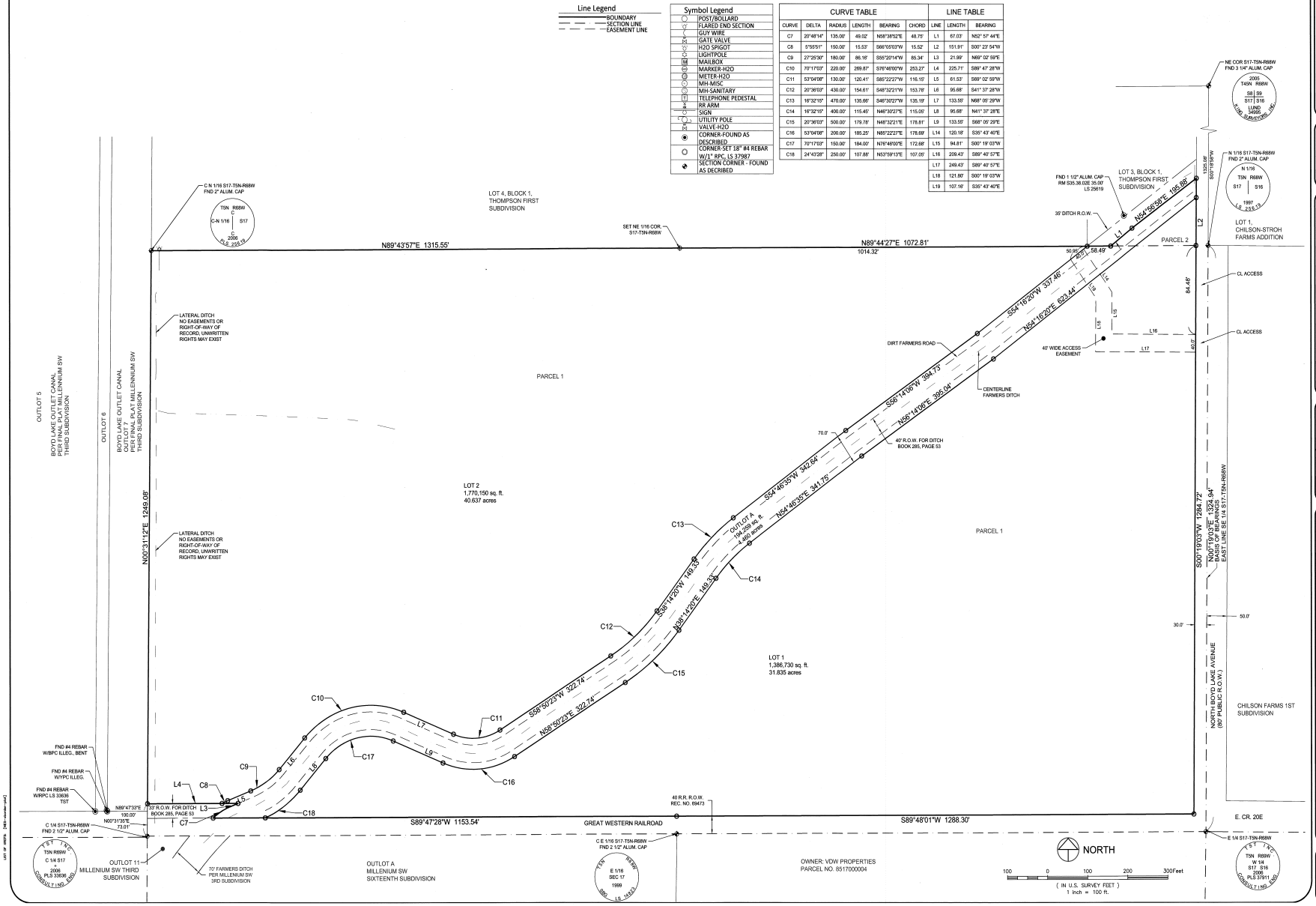
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XREF'S ATTACHED: C:\Users\mkirkbride\Documents\Custom Office Templates\Survey Plat Template.dwt

ATTACHMENT 1

RECEPTION#: 20160026252, 04/29/2016 at 08:20:06 AM, 2 OF 2, Angela Myers, Clerk & Recorder, Larimer County, CO

PFEIFF MINOR LAND DIVISION FILE NO. 15-S3349

A TRACT OF LAND LOCATED IN THE EAST HALF OF SECTION 17, TOWNSHIP 5 NORTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF LARIMER, STATE OF COLORADO



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

SECTION: 17
TOWNSHIP: 5 N
RANGE: 68 W of the 6th PM

NORTHERN ENGINEERING
301 North Howes Street, Suite 100
Fort Collins, Colorado 80521
PHONE: 970.221.4158
www.northernengineering.com

PROJECT#: PFC-1133
DESIGNED BY:
DRAWN BY: M. Kennedy
DATE: 04/22/16
SCALE: 1" = 100'
REVIEWED BY: T. Kelly

PFEIFF MINOR LAND DIVISION
FILE NO. 15-S3349
LARIMER COUNTY, COLORADO

Sheet 2 Of 2 Sheets

ATTACHMENT 1

PFEIFF ADDITION

TO THE CITY OF LOVELAND, A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 5 NORTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF LARIMER, STATE OF COLORADO

DESCRIPTION:

LOT 1, PFEIFF MINOR LAND DIVISION FILE NO. 15-S3349 AS RECORDED AT REC. NO. 20160026252, COUNTY OF LARIMER, STATE OF COLORADO.

The above described land contains 1,386,730 square feet, or 31.835 acres, and is subject to all easements and right of way and restrictions on record or existing.

ANNEXATION

TOTAL PERIMETER..... 6,539.02'

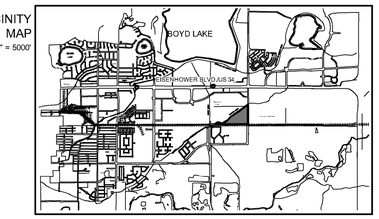
CONTIGUOUS BOUNDARY..... 1,392.96'

MINIMUM CONTIGUOUS PERIMETER FEET REQUIRED = 6,539.02/6 ..... 1,089.84'

INDICATES BOUNDARY ANNEXATION LINE

INDICATES PRESENT CITY BOUNDARY LINE

VICINITY MAP
1" = 5000'



MAYOR CERTIFICATE

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

By: _____
Mayor

Attest: _____
City Clerk

SURVEYOR'S CERTIFICATE

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

DRAFT
10/16/17

_____
Surveyor signature

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

Witness my hand and official seal

My commission expires _____.

_____
Notary Public

SURVEY NOTES:

1. No rights-of-way or easements, except those shown hereon, were determined by this survey, nor was any research conducted to determine the existence of additional easements, per the request of the client.

2. This survey does not constitute a title search by the surveyor. Any information regarding record easements, adjoiners, and other documents that might affect the quality of title to this tract of land was obtained from Title Commitment No. FCC25143039, dated 08-11-2016 by Land Title Guarantee Company.

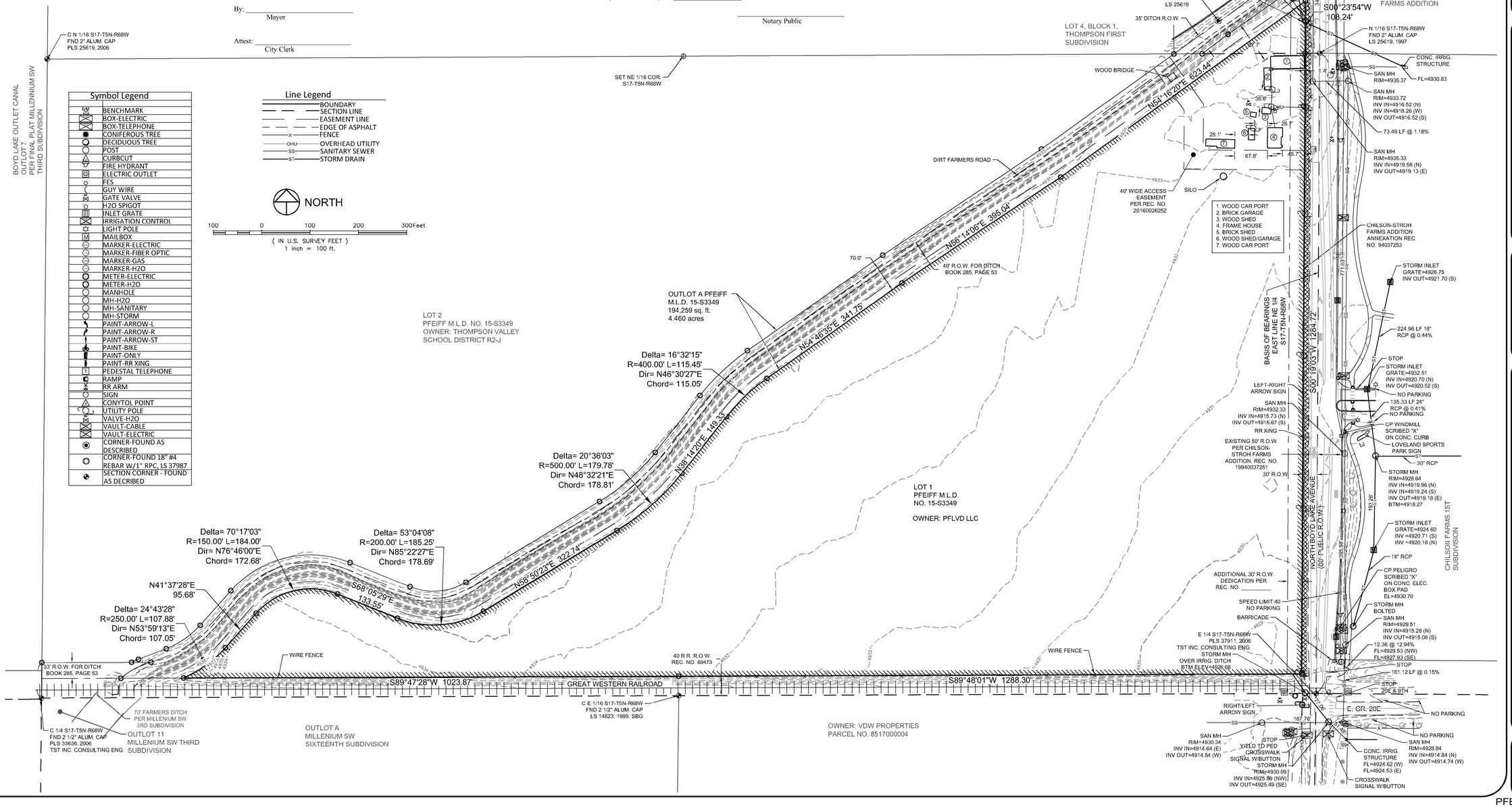
3. Floodplain Note: According to FIRM Map No. 08069C1194F, 12-19-2006 for Larimer County, this parcel does not lie within a FEMA designated 100-year floodplain (Zone X, Minimal Flood Hazard).

4. Basis of Bearings: The East line of the Southeast Quarter of Section 17, Township 5 North, Range 68 West of the 6th P.M. as bearing North 00°19'03" East (assumed bearing).

5. Unit of measure is U.S. Survey Feet.

6. Benchmark: City of Loveland BM 95-01, elevation 4957.02 (NGS 88)

7. This property is subject to a general development plan which is on file in the City Building Division.



Symbol Legend

	BENCHMARK
	BOX-ELECTRIC
	BOX-TELEPHONE
	CONIFEROUS TREE
	DECIDUOUS TREE
	POST
	CURBCUT
	FIRE HYDRANT
	ELECTRIC OUTLET
	FES
	GUY WIRE
	GATE VALVE
	H2O SPIGOT
	INLET GRATE
	IRRIGATION CONTROL
	LIGHT POLE
	MAILBOX
	MARKER-ELECTRIC
	MARKER-FIBER OPTIC
	MARKER-GAS
	MARKER-H2O
	METER-ELECTRIC
	METER-H2O
	MANHOLE
	MH-H2O
	MH-SANITARY
	MH-STORM
	PAINT-ARROW-L
	PAINT-ARROW-R
	PAINT-ARROW-ST
	PAINT-BIKE
	PAINT-ONLY
	PAINT-RR XING
	PEDESTAL TELEPHONE
	RAMP
	RR ARM
	SIGN
	CONVTOL POINT
	UTILITY POLE
	VALVE-H2O
	VAULT-CABLE
	VAULT-ELECTRIC
	CORNER-FOUND AS DESCRIBED
	CORNER-FOUND 18" #4 REBAR W/1" RPC, LS 37987
	SECTION CORNER - FOUND AS DECRIBED

Line Legend

- BOUNDARY
- SECTION LINE
- EASEMENT LINE
- EDGE OF ASPHALT
- FENCE
- OVERHEAD UTILITY
- SANITARY SEWER
- STORM DRAIN

NORTH

100 0 100 200 300Feet
(IN U.S. SURVEY FEET)
1 inch = 100 ft.

NOTICE:
According to Colorado law you mus commence any legal action based upon any defect in this survey within three years after you discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years after the date of the certificate shown hereon.

SECTION: 17
TOWNSHIP: 5 N
RANGE: 68 W of the 6th PM

NORTHERN ENGINEERING
PHONE 970.221.4158
www.northernengineering.com
301 North Howes Street, Suite 100
Fort Collins, Colorado 80521

PROJECT: 700-133.02
DATE: 10/16/17
DESIGNED BY:
SCALE: 1" = 100'
DRAWN BY: M. Kirkosde
REVIEWED BY: B. Tessely

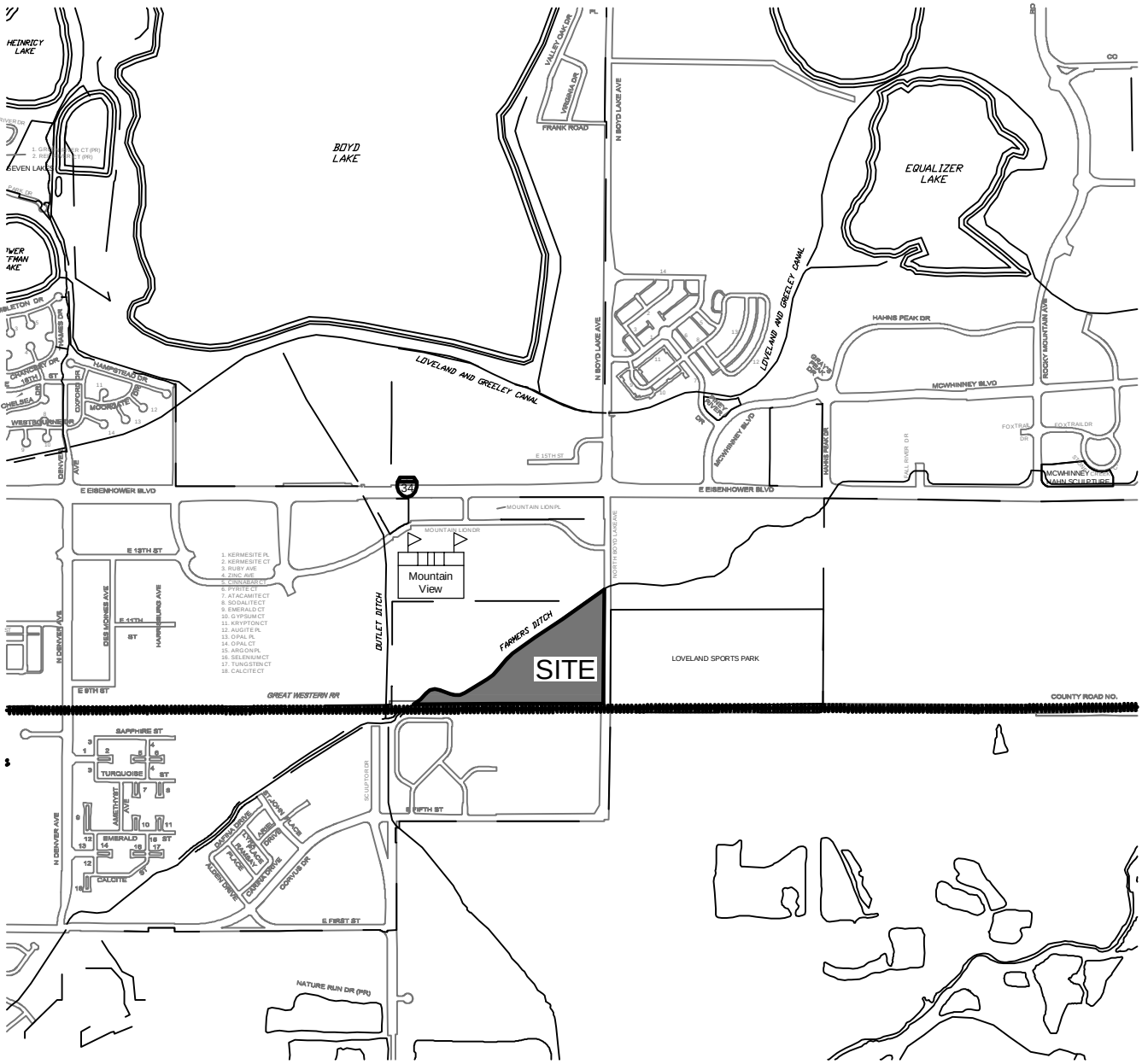
PFEIFF ADDITION
TO THE CITY OF LOVELAND
LARIMER COUNTY, COLORADO

Sheet
1
Of 1 Sheet

DRAWING FILENAME: S:\Survey Jobs\700-133\Dwg\Annexation\700-133 Pfeiff Annexation.dwg LAYOUT NAME: Layout1 DATE: Oct 16, 2017 - 8:21am CAD OPERATOR: mike
LIST OF XREFS: [NES->Border->Annexation]

VICINITY MAP

PROPOSED PFEIFF ANNEXATION, BEING A PORTION OF
THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 5 NORTH,
RANGE 68 WEST OF THE 6th P.M., COUNTY OF LARIMER, STATE OF COLORADO.



NORTH

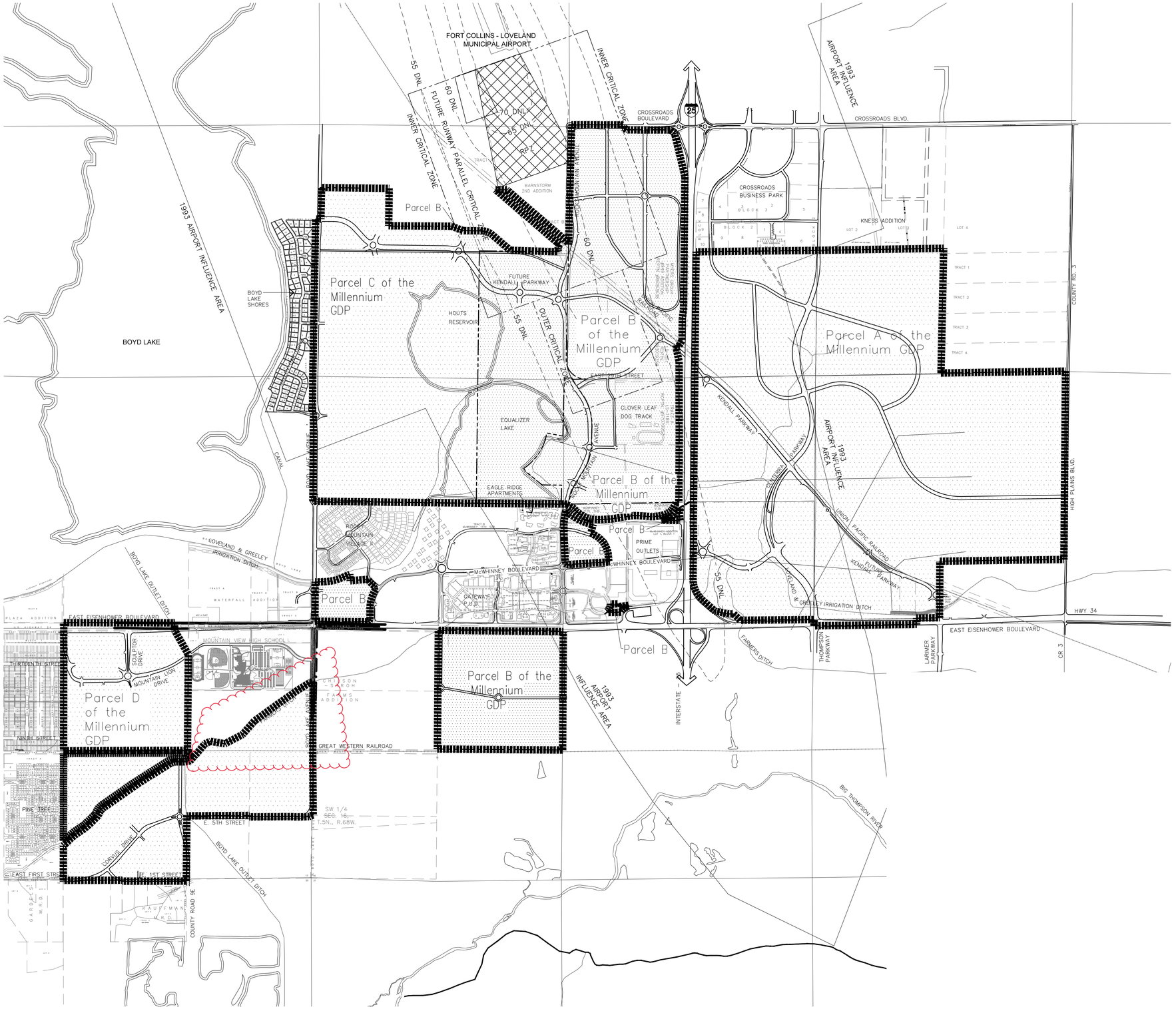
SCALE: 1" = 1000'

NORTHERN ENGINEERING

301 North Howes Street, Suite 100
Fort Collins, Colorado 80521

PHONE: 970.221.4158
www.northernengineering.com

ATTACHMENT 3



MILLENNIUM GDP AMENDMENTS:

GENERAL NOTES:

1. APPROVAL OF THIS GDP CREATES A VESTED PROPERTY RIGHT PURSUANT TO SECTION 24-68-103 COLORADO REVISED STATUTES, AS AMENDED.

2. SEE SECTION 15, APPENDIX D FOR MORE DETAILED AMENDMENT DESCRIPTIONS.

NORTH 0 500' 1000' 2000'

SCALE: 1" = 1000'

KEY MAP

GENERAL DEVELOPOMENT PLAN

MILLENNIUM GDP

TENTH MAJOR AMENDMENT

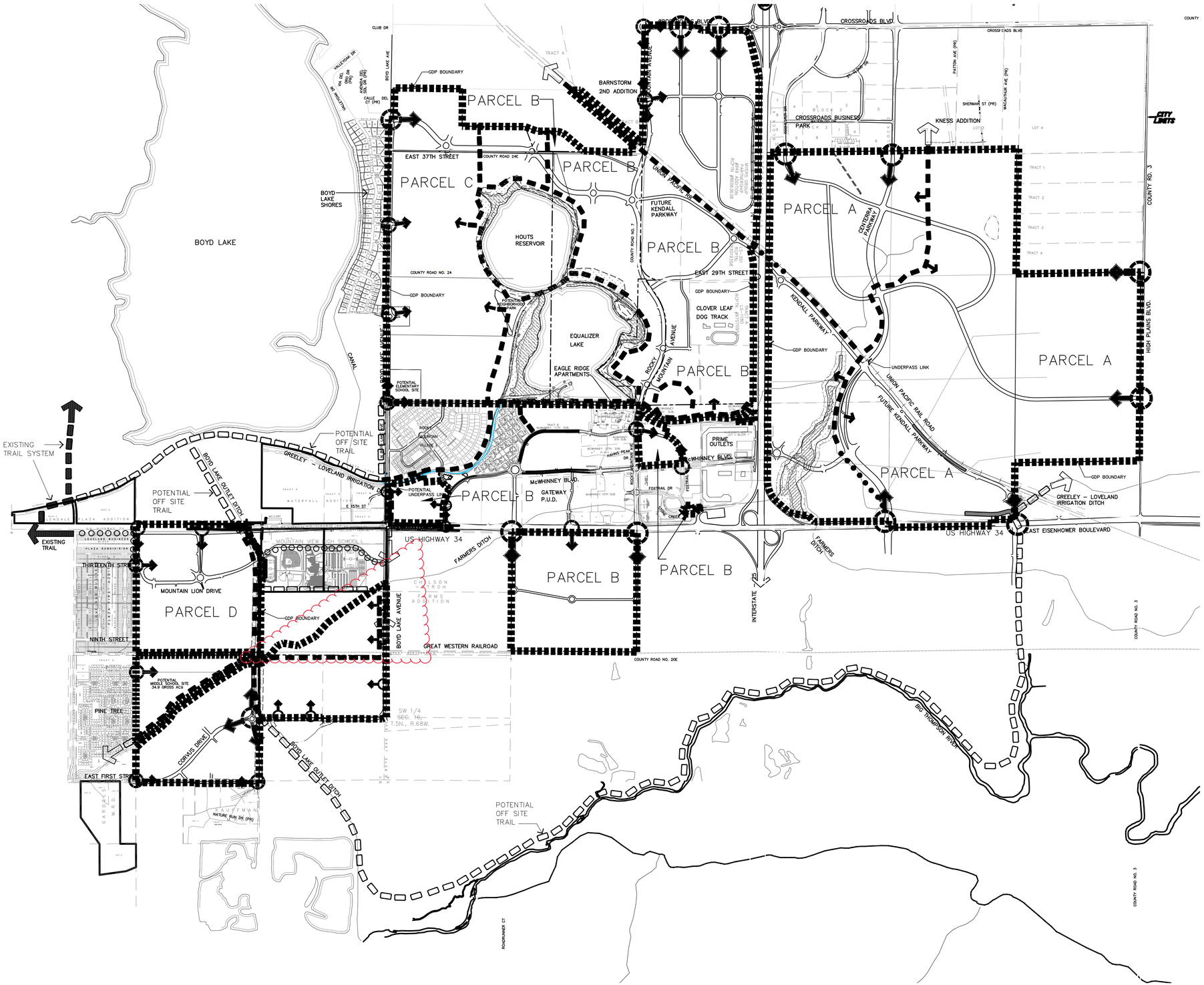
LOVELAND, COLORADO

MAP 1 of 10

CURRENT THROUGH MAJOR AMENDMENT 10 – APRIL 19, 2017

ATTACHMENT 4

T:\OBS\McWhinney\Millennium GDP\Modified to CWC plot colors\2017-02-10\mod-Map1-Key-Map_McW_71012.dwg



LEGEND

- CONCEPTUAL TRAILS ALONG ROADWAY
- CONCEPTUAL TRAILS ALONG ROADWAY (BY OTHERS)
- CONCEPTUAL TRAILS WITHIN OPEN SPACE
- CONCEPTUAL FUTURE TRAILS (BY OTHERS)
- BUFFER ZONE
- WETLANDS
- CONCEPTUAL ACCESS POINT (locations to be determined at time of development approval)

NORTH 0 500' 1000' 2000'

SCALE: 1" = 1000'

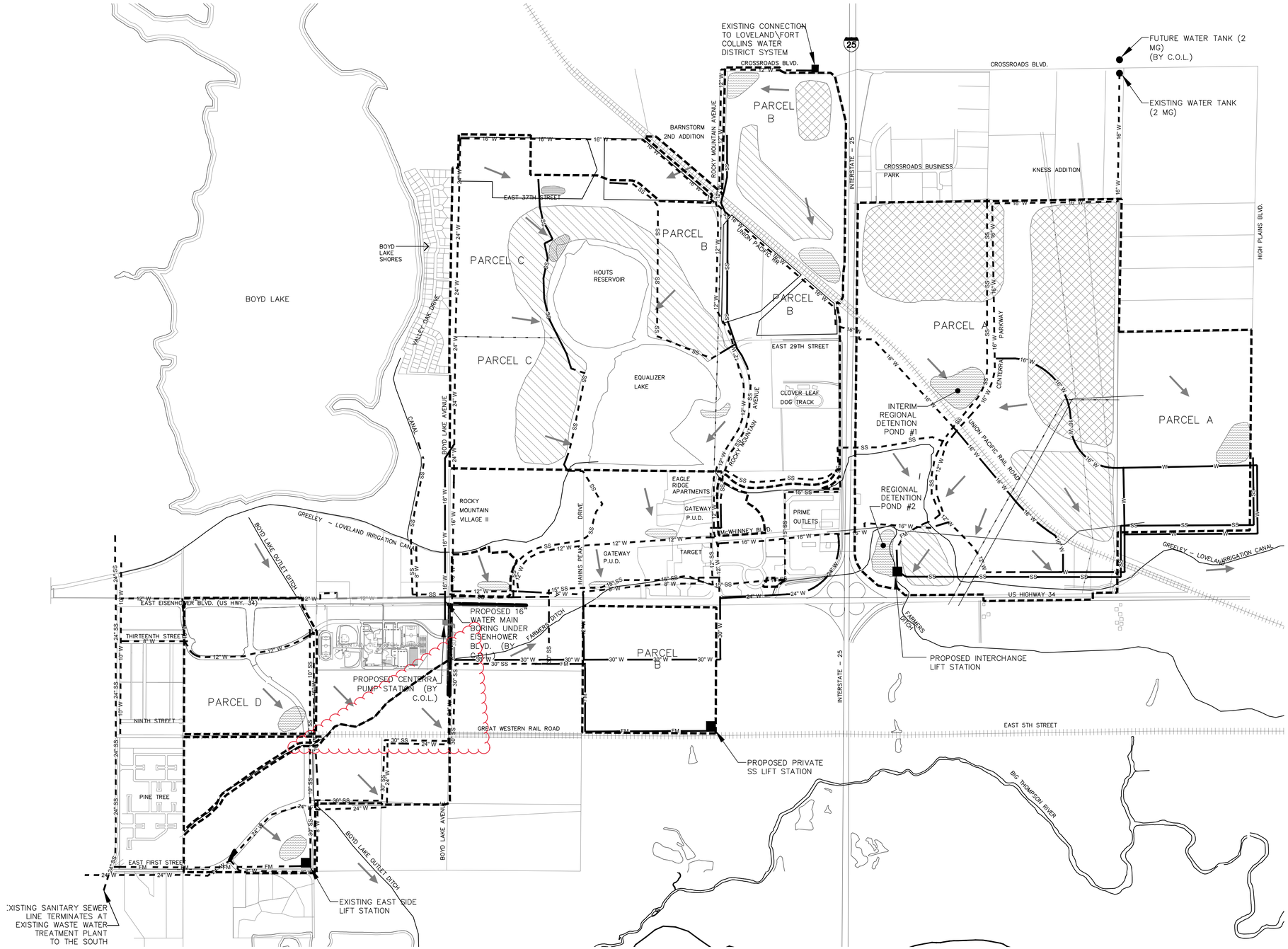
CONCEPTUAL AMENITY MAP
GENERAL DEVELOPOMENT PLAN
MILLENNIUM GDP
TENTH MAJOR AMENDMENT
LOVELAND, COLORADO

MAP 2 of 10

CURRENT THROUGH MAJOR AMENDMENT 10 – APRIL 19, 2017

ATTACHMENT 4

T:\JOBS\McWhinney\Millennium GDP\Modified to CWC plot colors\2017-02-10\mod-Map2-Conceptual-Amenity-Map_MCW_71012.dwg



LEGEND

- GDP BOUNDARY
- PROPOSED SANITARY SEWER
- EXISTING SANITARY SEWER
- PROPOSED WATER
- EXISTING WATER
- PROPOSED FORCE MAIN
- EXISTING FORCE MAIN
- DRAINAGE FLOW DIRECTION
- POTENTIAL CUT AREAS
- POTENTIAL FILL AREAS
- POTENTIAL REGIONAL DETENTION POND

UTILITY NOTES:

1) WATER SERVICE WILL BE PROVIDED BY THE CITY OF LOVELAND. WATER DISTRIBUTION INFRASTRUCTURE SHALL BE DESIGNED AND CONSTRUCTED AS PER CURRENT CITY OF LOVELAND STANDARDS.

2) WASTEWATER SERVICE WILL BE PROVIDED BY THE CITY OF LOVELAND. GRAVITY SEWER SYSTEMS AND SEWER LIFT STATIONS, IF REQUIRED, SHALL BE DESIGNED AND CONSTRUCTED AS PER CURRENT CITY OF LOVELAND STANDARDS.

McWHINNEY
Bring Your Dream

210 FRONT STREET
CASTLE ROCK, COLORADO
80104
TELEPHONE: 303-395-2700
FAX 303-395-2701
CWC CONSULTING GROUP
CIVIL ENGINEERING - LAND SURVEYING - CONSTRUCTION SERVICES

SCALE: 1" = 1000'

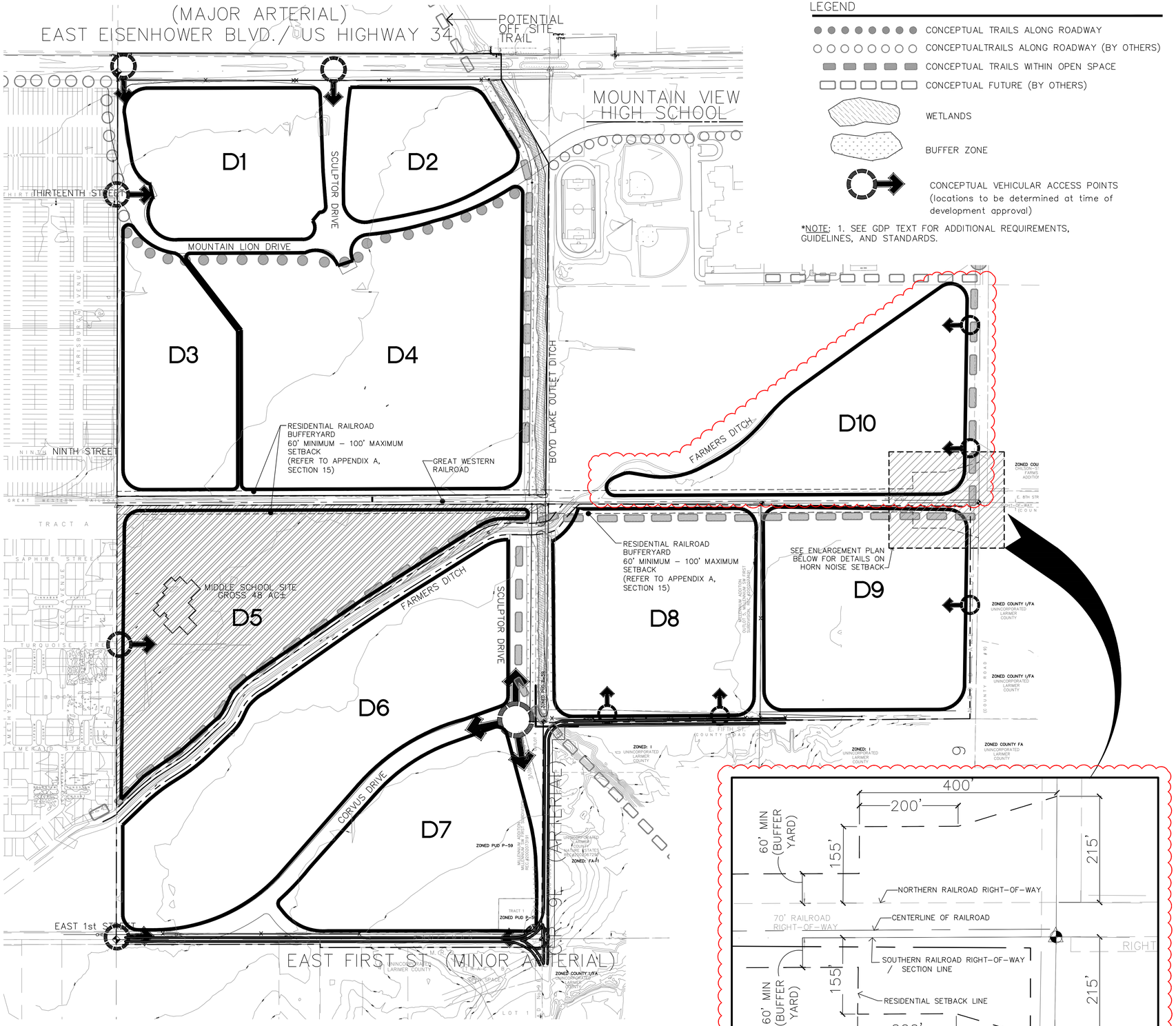
NORTH 0 500' 1000' 2000'

CONCEPTUAL UTILITY – GRADING MAP
GENERAL DEVELOPOMENT PLAN
MILLENNIUM GDP
TENTH MAJOR AMENDMENT
LOVELAND, COLORADO

MAP 3 of 10

CURRENT THROUGH MAJOR AMENDMENT 10 – APRIL 19, 2017

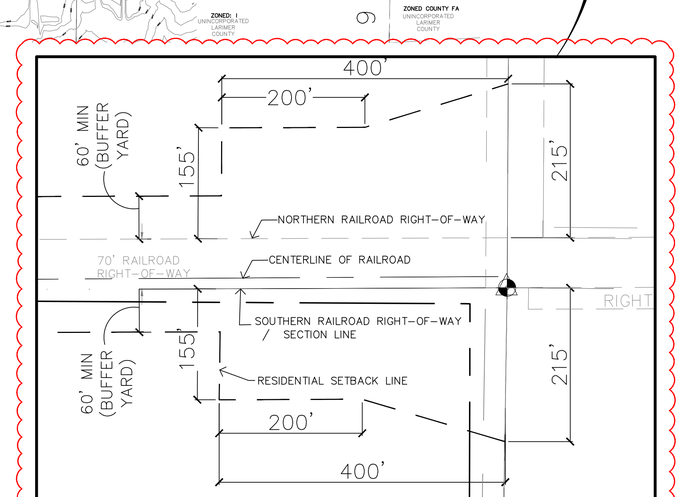
T:\JOBS\McWhinney\Millennium GDP\Modified to CWC plot colors\2017-02-10\mod-Map3-utilgradmap(01.12.09)_McW.dwg



LEGEND

- CONCEPTUAL TRAILS ALONG ROADWAY
- CONCEPTUALTRAILS ALONG ROADWAY (BY OTHERS)
- CONCEPTUAL TRAILS WITHIN OPEN SPACE
- CONCEPTUAL FUTURE (BY OTHERS)
- WETLANDS
- BUFFER ZONE
- CONCEPTUAL VEHICULAR ACCESS POINTS (locations to be determined at time of development approval)

*NOTE: 1. SEE GDP TEXT FOR ADDITIONAL REQUIREMENTS, GUIDELINES, AND STANDARDS.



RAILROAD HORN NOISE SETBACK

LAND USE LEGEND

SUB-PARCEL:	ACRES:	USES-BY-RIGHT:	SPECIAL REVIEW USES:	MAXIMUM DENSITY (RESIDENTIAL USE ONLY):
D1	24	INSTITUTIONAL/CIVIC/PUBLIC LIGHT COMMERCIAL HEAVY COMMERCIAL LIGHT INDUSTRIAL PARKS AND OPEN SPACES	HEAVY INDUSTRIAL	
D2	17	INSTITUTIONAL/CIVIC/PUBLIC LIGHT COMMERCIAL HEAVY COMMERCIAL LIGHT INDUSTRIAL PARKS AND OPEN SPACES	HEAVY INDUSTRIAL	
D3	21	INSTITUTIONAL/CIVIC/PUBLIC LIGHT COMMERCIAL HEAVY COMMERCIAL LIGHT INDUSTRIAL HEAVY INDUSTRIAL PARKS AND OPEN SPACE		
D4	68	INSTITUTIONAL/CIVIC/PUBLIC LIGHT COMMERCIAL HEAVY COMMERCIAL LIGHT INDUSTRIAL HEAVY INDUSTRIAL RESIDENTIAL (NOT IN A MUN) RESIDENTIAL MIXED USE NEIGHBORHOOD PARKS AND OPEN SPACE		20 DU/AC (FOR OVERALL PARCEL) RES (NOT IN A MUN) 30 DU/AC + RES (MUN) 30 DU/AC ++
D5	48	INSTITUTIONAL/CIVIC/PUBLIC RESIDENTIAL (NOT IN A MUN) RESIDENTIAL MIXED USE NEIGHBORHOOD PARKS AND OPEN SPACE	LIGHT INDUSTRIAL	6 DU/AC (FOR OVERALL PARCEL) * **
D6	56	INSTITUTIONAL/CIVIC/PUBLIC RESIDENTIAL (NOT IN A MUN) PARKS AND OPEN SPACE		6 DU/AC (FOR OVERALL PARCEL) *
D7	31	INSTITUTIONAL/CIVIC/PUBLIC RESIDENTIAL (NOT IN A MUN) RESIDENTIAL MIXED USE NEIGHBORHOOD PARKS AND OPEN SPACE		6 DU/AC (FOR OVERALL PARCEL) * **
D8	36	INSTITUTIONAL/CIVIC/PUBLIC RESIDENTIAL (NOT IN A MUN) PARKS AND OPEN SPACE		6 DU/AC (FOR OVERALL PARCEL) *
D9	36	INSTITUTIONAL/CIVIC/PUBLIC RESIDENTIAL (NOT IN A MUN) PARKS AND OPEN SPACE		6 DU/AC (FOR OVERALL PARCEL) *
D10	32	INSTITUTIONAL/CIVIC/PUBLIC RESIDENTIAL (NOT IN A MUN) PARKS AND OPEN SPACE LIGHT COMMERCIAL		12 DU/AC (FOR OVERALL PARCEL) + ***
SUBTOTAL	369			
OPEN SPACE	16	PARKS AND OPEN SPACE		
OTHER R.O.W.s	42			
TOTAL:	427			

\+ 30 DWELLING UNITS PER ACRE FOR MULTI-FAMILY DWELLINGS FOR ANY INDIVIDUAL PHASE OF DEVELOPMENT ON A SINGLE PLAT. ALL OTHER MAXIMUM DENSITIES PER TABLE 10-1.

++ 30 DWELLING UNITS PER ACRE FOR MULTI-FAMILY DWELLINGS FOR ANY INDIVIDUAL PHASE OF DEVELOPMENT ON A SINGLE PLAT. ALL OTHER MAXIMUM DENSITIES PER TABLE 9-1.

* MAXIMUM DENSITIES PER TABLE 10-1.

** MAXIMUM DENSITIES PER TABLE 9-1

*** MAXIMUM OF 12.875 ACRES SHALL BE DEVELOPED AS SINGLE FAMILY DETACHED DWELLINGS.

GENERAL NOTES:
1. A MAXIMUM OF 1,744 DWELLING UNITS WILL BE PERMITTED IN PARCEL D.
2. A MAXIMUM OF 1,700,000 sf. OF COMMERCIAL/ INDUSTRIAL USES WILL BE PERMITTED IN PARCEL D.

NORTH

SCALE: 1" = 300'

0 150' 300' 600'

PARCEL D
GENERAL DEVELOPOMENT PLAN
MILLENNIUM GDP
TENTH MAJOR AMENDMENT
LOVELAND, COLORADO

MAP 7 of 10

CURRENT THROUGH MAJOR AMENDMENT 10 – APRIL 19, 2017

ATTACHMENT 4

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ATTACHMENT 5

SECTION 1
OVERALL GDP NARRATIVE

1.1 INTRODUCTION

Suburban development occurring in recent decades has been successful at providing housing, shopping, employment areas and recreation facilities. However, there are often a number of shortcomings with much conventional suburban land development, such as: segregated / poorly linked land uses, over-dependence on the automobile, discouragement of pedestrian circulation, fragmented development, lack of sense of community, lower quality of life, and lower tax base due to low density.

The GDP represents a unique opportunity to create a better, more livable pattern of development. The GDP proposes to: master plan the entire development area; provide unifying design elements; provide a better mix of integrated land uses; plan for the pedestrian; provide a range of housing opportunities in close proximity to jobs; create quality housing, shopping and work places; create social gathering spaces; create a sense of community; and to create harmony between the natural and the built environment.

Approval of the GDP creates Vested Property Rights pursuant to Section 24-68-103, Colorado Revised Statutes, as amended.

1.1.1 Background Information

There are approximately 29583~~16~~ acres within four separate parcels of land that comprise the GDP. The four parcels, Parcels A, B, C and D, are described in separate narratives in this GDP (See Sections 2, 3, 4 and 5 respectively). The Key Map (Map 1 in Section 11) delineates the boundaries of each of the four GDP parcels. Parcel A is located east of I-25. Parcel B is located east and south of Houts Reservoir and Equalizer Lake. Parcel C is located west of Houts Reservoir and Equalizer Lake. Parcel D is located south of US 34 and south and west of Mountain View High School.

Sections 2, 3, 4 and 5 provide detailed information specific to each parcel including descriptions of the parcel locations, sizes, existing and proposed land uses, circulation, specific public services information, existing natural area influences landform modification and any specific conditions imposed upon the parcel or Subparcels.

The narrative sections for each of the four parcels include a list of land use categories for each Subparcel. Section 12 of the GDP sets forth the regulations and procedures by which the uses are to be developed.

In order to ensure quality development, Performance Standards (Sections 6 through 10) have been created and are a part of this GDP.

The Centerra DRC has been formed as an advisory committee to review Development Projects proposed within the GDP for compliance with the Performance Standards. The Centerra DRC will meet regularly to review Development Projects. Review by the Centerra DRC is required prior to submittal of a Development Project to the City. Please see Section 12 for a description of the Centerra DRC's role in the approval of Development Projects within the GDP.

1.1.2 GDP Goals

A. Conformity with the intent of the Master Plan, to the extent such Master Plan is not inconsistent with the Restated Agreement, the GDP and the General Conditions and Special Conditions thereof. ~~(i) the City of Loveland Comprehensive Master Plan dated October 18, 1994, as currently amended, including the latest~~and all amendments ~~thereto, and (ii) Create Loveland Comprehensive Plan dated July 19, 2016 dated February 18, 2003.~~ The overall goal of the GDP is to provide a long-range plan for the future of the eastern part of the City that will encourage quality development that is carefully planned and orchestrated. The purpose will be to ensure that Loveland continues to develop with a high quality image that enhances the City's image as one of the premier communities in Northern Colorado.

B. Balance of Uses. An additional goal of the GDP is to provide a mix of uses, creatively located and integrated, that provides a balance of residential, commercial, retail, office, public facilities, light manufacturing and open space. Through providing this balance, residents will be able to easily access all of the needs of daily life without having to drive long distances. Work, shopping, and recreation will be provided in a mix that encourages alternative transportation.

C. Attract High Quality Users. A third goal of the GDP is to create an attractive area that will serve as a magnet to attract and retain the highest quality employers. Base level jobs, which encourage clean manufacturing, are a prime desire of this development. Economic modeling of base level industry indicates that these types of jobs provide positive economic benefits to a community and help provide financial security.

D. Good Neighbor. Lastly, it is the intent of the GDP to recognize the importance of being good neighbors in the community and to adjacent neighbors. Through actively engaging neighborhood participation and through sensitive development, the GDP seeks to recognize adjacent land use relationships and provide meaningful and equitable solutions to citizens outside of the GDP's boundaries and within the development.

1.2 LAND USE INFORMATION

1.2.1 Overall Concept

The zoning for this property is defined by the GDP. The GDP provides a mechanism by which land areas can be uniquely developed to meet the needs of the City, property owners, residents and Applicants and as an alternative to conventional zoning regulations.

Development within this GDP shall be in accordance with the review processes and timeframes contained in Section 12. The Performance Standards shall apply to all Development Projects within this GDP. Refer to the GDP maps and the applicable Performance Standards for land use types, densities, and locations of each proposed land use (see Maps 4, 5, 6 and 7 in Section 11). A maximum of 7721 Dwelling Units shall be allowed within the GDP, unless amended. The maximum number of Dwelling Units for each Parcel of the GDP is provided on Maps 4, 5, 6 and 7 in Section 11.

It is the responsibility of the applicant to demonstrate to the City that Development Projects comply with the land uses and Performance Standards in the GDP.

1.2.2 Circulation

Circulation is discussed separately in the narrative for each of the four parcels of the GDP. In addition, the Conceptual Amenity Map depicts conceptual access points and a master planned trail system within the GDP (See Map 2 in Section 11 and Section 7 for additional access and circulation information).

1.2.3 Public and Private Facility Providers

Following is a list of the utility providers currently available to provide services within the GDP. The provision of services by other utility providers will be determined at the time of development.

A. Police – Loveland Police Department
B. Fire – Loveland Fire and Rescue Department
C. Schools – Thompson R2-J School District
D. Parks and Open Space – City
E. Water and Sewer – City
F. Electric – City Light and Power
G. Gas – Xcel Energy Company
H. Telephone – Qwest Communications

This GDP area is currently served by Fire Stations One, Four and Six. In the future, an additional fire station may be constructed on the east side of I-25 to serve a portion of the GDP.

A majority of the GDP area will be served by the East Side Lift Station. Portions of Parcel A will require service from the new Interchange Lift Station and a lift station located west of I-25 and south of US 34. Parcel B-13 will be served by a new lift

station to be installed south of US 34 and west of I-25.

Specific sites and locations/alignments for water, sanitary and storm water systems illustrated on this GDP shall be determined in accordance with the applicable General Conditions. Snow and ice removal services will be provided in accordance with the City's Snow and Ice Control Plan.

1.2.4 Open Space

The GDP incorporates a network of open space areas, greenbelts and pedestrian trail connections that will form the basis of the open space system (Refer to Map 2 in Section 11). These areas will be designed to interconnect the various neighborhoods and/or businesses within the GDP and to the regional trail system.

Setbacks for wetlands and Environmentally Sensitive Areas will be provided as recommended within the applicable Environmentally Sensitive Areas Report. Section 6.12 of the Performance Standards addresses planning issues for Environmentally Sensitive Areas.

Maintenance, subdivision, noise impacts, and timing of and criteria for planting of buffers within Environmentally Sensitive Areas are discussed in Section 6.12 of the Performance Standards.

Although trails may not be shown on the GDP drawings (Maps 2, 4, 5, 6, and 7), if areas are identified as appropriate for recreational uses within the applicable Environmentally Sensitive Areas Report, these uses may be allowed with future development upon approval by the City.

1.2.5 Landscaping / Landscape Elements

Landscape design and materials are discussed in Sections 6.13 through 6.17 of the Performance Standards.

1.2.6 Other Urban Design Elements

Thematic components that will provide unity throughout the GDP include arterial streetscapes, bridges, landscape walls, trails, directional and street name signage, accent lighting, sculpture, other street furniture and similar design elements.

1.2.7 Architecture

Architectural design and materials for non-residential uses and standards are included in Section 8. Architectural design and materials for Residential Uses are included in Sections 9 and 10.

1.2.8 Typical Residential Neighborhood Layout

Typical residential neighborhood concepts are discussed in Sections 9 and 10.

1.2.9 Land Use Compatibility

Land use compatibility shall be accomplished through the application of the Performance Standards contained in Section 6.8.

1.2.10 Airport Influence Area

The boundaries of the Airport Influence Area depicted on the maps in Section 11 of the GDP were approved by the Amended and Restated Annexation and Development Agreement for the Millennium GDP effective July 11, 2006 ("Restated Agreement") and such boundaries serve as the basis for Special Conditions applicable to certain GDP parcels or Subparcels because of their proximity to the Airport. Any such Special Conditions are set forth in Appendices 2-1, 3-1, 4-1 and 5-1 to Sections 2 through 5, respectively, of the GDP. The Airport Lines depicted on the maps in Section 11 of the GDP shall be applicable to all parcels and Subparcels of the GDP.

1.2.11 Landform Modification

The majority of property in the GDP is relatively flat. Any landform modification that is done will be for the purpose of creating visual interest through the development, to provide screening as necessary, or to provide for proper management of drainage. The amount of grading on the property will be minimized to the extent reasonably feasible. Refer to

Map 3 in Section 11 and the parcel narratives in Sections 2, 3, 4 and 5 for more detail.

1.2.12 Implementation

It is anticipated that development within the GDP will be phased over a period of approximately 25 years. It is anticipated that each of the parcels will have multiple phases.

1.3 ALLOWABLE USES WITHIN EACH LAND USE CATEGORY

Following are lists of the specific uses that are included within each of the land use categories referred to throughout this GDP. The land use categories for each Subparcel, together with the specification of the land use category as either a Use-by-Right or a Special Review Use, are set forth in the land use legends on Maps 4, 5, 6 and 7 in Section 11. A land use category, as a whole, may be a Use-by-Right or a Special Review Use, depending on the location of the Subparcel and the adjacent land uses and features. Any exception to the categorization of an entire land use category as either Use-by-Right or Special Review Use is noted in parentheses following the specific use. For example, see Section 1.3.4 where it is noted that Group Homes/Group Care Facilities are always a Special Review Use, even if Heavy Commercial Uses are Uses-by-Right in a specific Subparcel.

1.3.1 Institutional/Civic/Public Uses

A. Public and private schools (college, university, vocational and technical education, etc.).
B. Places of worship, churches, or places of assembly.
C. Public Facilities.
D. Parks, recreation and other open lands.
E. Cemeteries.
F. Community Facilities.
G. Neighborhood Support/Recreational Facilities.
H. Public and non-profit offices and administrative facilities.
I. Government, semipublic, or other civic uses.
J. Clubs and Lodges.
K. Accessory Uses related to the above listed uses.

1.3.2 Residential Uses (If not within a Mixed Use Neighborhood)

A. Single Family Detached Dwellings.
B. Single Family Attached Dwellings.
C. Multi-Family Dwellings.
D. Live/Work Structures.
E. Senior Housing of a Residential Nature.
F. Group Homes for up to eight (8) developmentally disabled or elderly persons.
G. Home occupations (in accordance with Municipal Code).
H. Ancillary Dwelling Units.
I. Neighborhood Support/Recreational Facilities.

1.3.3 Light Commercial Uses

A. General Offices.
B. Bed and Breakfast Establishments.
C. Restaurants, Indoor and Outdoor.
D. Restaurants, Fast Food (drive-through permitted).
E. Funeral homes / mortuaries.
F. Grocery Stores (no greater than 20,000 sf).
G. Financial services and institutions, and clinics.
H. Artisan and photography studios and galleries.
I. Veterinary facilities and Animal Clinics Small Indoor Use including Pet Day Care Facilities.
J. Senior Housing of a Non-residential Nature.
K. Child-care centers.
L. Medical offices.
M. Open-Air Farmers Market.
N. Print Shops.
O. Hotel/Motel.
P. Parking lots and Parking Garages.
Q. Retail Establishments (no greater than 25,000 sf).
R. Health and Fitness Clubs.
S. Personal and Business Service Shops.
T. Accessory Uses related to the above listed uses.

1.3.4 Heavy Commercial Uses

A. Supermarkets and Grocery Stores (greater than 20,000 sf).
B. Hospitals.

C. Hospital Accessory Uses such as a helipad.
D. Group Homes / Group Care Facilities (Special Review Use only).
E. Senior Housing of a Non-residential Nature.
F. Veterinary facilities and Animal Clinics Small Outdoor Use including Pet Day Care Facilities.
G. Auto Dealerships.
H. Vehicle Major Repair, Servicing and Maintenance.
I. Conference / Convention Centers.
J. Retail Establishments (greater than 25,000 sf).
K. Bars, taverns, nightclubs.
L. Call Center.
M. Vehicle Minor Repair, Servicing and Maintenance establishments (indoors).
N. Entertainment Facilities and Theaters.
O. Gasoline stations and Convenience Stores with fuel sales.
P. Equipment, trucks and trailer rental establishments.
Q. Parking lots and Parking Garages (as a principal use).
R. Indoor Recreational Uses.
S. Wireless Telecommunications Facility / Services (Special Review Use only).
T. Personal Wireless Services / Facilities (Special Review Use only or in accordance with Municipal Code).
U. Self storage, mini storage, mini Warehouse.
V. Outdoor Storage related to the above listed uses.
W. Light Commercial Uses that have Outdoor Storage associated with them.
X. Accessory Uses related to the above listed uses.

1.3.5 Mixed Use Village Center

A. The Light Commercial Uses listed in Section 1.3.3.
B. The Institutional/Civic/Public Uses listed in Section 1.3.1.
C. Multi-Family Dwellings.
D. Single Family Attached Dwellings.
E. Live/Work Structures.
F. Parks and Open Space Uses listed in Section 1.3.9.
G. The Heavy Commercial Uses listed in Section 1.3.4.

1.3.6 Light Industrial Uses

A. Warehouses and Distribution
B. Flex Office/R&D/Industrial/Warehouse
C. Light Manufacturing
D. Research Laboratories.
E. Medical laboratories.
F. Workshops and Custom Small Industry uses.
G. Outdoor Storage of Recreational Vehicle, Boats and Trucks.
H. Accessory Buildings and Uses including outdoor storage of equipment, products or other goods.

1.3.7 Heavy Industrial Uses

A. Wireless Telecommunications Facility / Services.
B. Personal Wireless Services / Facilities
C. Heavy Manufacturing.
D. Recycling facilities, heavy industry.
E. Vehicle Major Repair, Servicing and Maintenance.
F. Accessory Buildings and Uses.
G. Outdoor Storage of equipment, products or other goods as a principle use.

1.3.8 Business Park Uses

A. Public safety and emergency facilities.
B. Parks, recreation and other open lands.
C. Cemeteries.
D. Community Facilities.
E. Neighborhood Support/Recreational Facilities.
F. Public and non-profit offices.
G. Government, semipublic or other civic uses.
H. Clubs and Lodges.
I. Public utilities.
J. General Offices.
K. Bed and Breakfast Establishments.
L. Restaurants, Indoor and Outdoor.
M. Restaurants, Fast Food (drive-through permitted).
N. Funeral homes / mortuaries.
O. Grocery Stores (no greater than 20,000 sf).
P. Financial services and institutions.

Q. Artisan and photography studios and galleries.
R. Veterinary facilities and small animal clinics.
S. Medical offices.
T. Open-Air Farmers Markets.
U. Print Shops.
V. Hotel/Motel.
W. Retail Establishments.
X. Health and Fitness Clubs.
Y. Personal and Business Service Shops.
Z. Supermarkets and Grocery Stores (greater than 20,000 SF).
AA. Auto Dealerships.
BB. Conference / Convention Centers.
CC. Retail Establishments (greater than 10,000 SF).
DD. Bars, taverns and nightclubs.
EE. Call Center.
FF. Vehicle Minor Repair, Servicing and Maintenance.
GG. Entertainment Facilities and Theaters.
HH. Gas stations and Convenience Stores with fuel sales.
II. Equipment, trucks, and trailer rental.
JJ. Parking lots and Parking Garages.
KK. Indoor Recreational Uses and facilities.
LL. Wireless Telecommunications Facility/Services.
MM. Personal Wireless Facilities.
NN. Warehouses.
OO. Light Industrial Uses.
PP. Flex Research and Development Facilities.
QQ. Research and medical laboratories.
RR. Workshops and Custom Industry uses.
SS. Recreational vehicle, boats and truck storage.
TT. Light and Heavy Manufacturing.
UU. Recycling facilities, heavy industry.
VV. Vehicle Major Repair, Servicing and Maintenance.
WW. Privately owned and maintained landscape areas.
XX. Publicly owned and maintained landscape areas.
YY. Passive and active Recreation.
ZZ. Agricultural Activity, community gardens or similar uses.
AAA. Community Facilities, parks, Recreation Space and Recreation Facilities.
BBB. Accessory Uses related to the above.
CCC. Outdoor Accessory Uses related to above uses.

1.3.9 Parks and Open Space Uses

A. Privately owned and maintained landscaped areas (parks, plaza, trails, etc.) or natural areas.
B. Publicly owned and maintained landscaped areas or natural areas.
C. Golf courses (public and private).
D. Passive or active recreation fields, courtyards, Accessory Buildings, associated maintenance facilities, and clubhouses.
E. Agricultural activity, community gardens, or similar uses.
F. Community Facilities, cultural arts facilities, parks, Recreation Space and Recreation Facilities.

1.3.10 MUN

A. Institutional/Civic/Public Uses

1. Places of worship, churches, and other places of assembly.
2. Public and private schools (elementary, intermediate, and high school, etc.).
3. Other educational/training facilities if within an Urban Character Village.
4. State licensed child or adult day-care centers.
5. Group Homes/Group Care Facilities.
6. Public safety and emergency facilities.
7. Community Facilities (including golf courses, public and private).
8. Indoor public and private cultural, educational and Recreational Facilities and community centers.
9. Outdoor public and nonprofit educational and Recreational Facilities.
10. Senior Housing of a Non-residential Nature.
11. Essential public utility and public service installations.
12. Cemeteries.
13. Public and private non-profit offices and

administrative facilities.
14. Government, semipublic, or other civic uses.
15. Clubs and Lodges.

B. Residential

1. Single-Family Detached Dwellings.
2. Single-Family Attached Dwellings.
3. Multi-Family Dwellings.
4. Single family, two family, or multi-family condominium Dwelling Units.
5. Ancillary Dwelling Units, including guest quarters limited to one per Lot.
6. Co-Housing structures and related facilities.
7. Senior Housing of a Residential Nature.
8. Extended Stay Housing.
9. Home occupations.
10. Live/Work Structures – only in Urban Character Villages.
11. Bed and Breakfast Establishments.
12. Group Home / Group Care Facilities.

C. Commercial (in Urban Character Village only)

An Urban Character Village shall include at least two of the following uses:

1. Live/Work Structures or Townhomes.

2. Mixed-Use Structures including commercial, residential, and other allowed uses are allowed and encouraged in Urban Character Villages.

3. Multi-Family Dwelling Units. (Single family, or other types of Dwelling Units may be included in an Urban Character Village, but may not be used to meet the requirement for a second land use.)

4. Government, semi-public or other civic uses.

5. Artisan and photography studios, professional offices, educational/training facilities, financial services, Personal and Business Service Shops, Retail Stores, Convenience Stores (without gasoline sales), clinics or similar uses. Individual office or commercial uses with a maximum of 8,000 square feet gross Floor Area.

6. Indoor veterinary facilities; Animal Clinics Small Indoor Use and Pet Day Care Facilities. Outdoor facilities are not allowed.

7. Restaurants, pubs, or coffee shops with a maximum of 4,000 square feet of gross Floor Area. (Drive-through restaurant facilities shall not be permitted).

8. Clubs and Lodges.

9. Health and Fitness Clubs.

10. Public plazas or gardens.
11. Recreational Facilities.

12. Public or private elementary, intermediate and high schools.

13. Adult Day/Respite Care Facilities or child care facilities.

14. Places of assembly or worship.

15. Open-Air Farmers Market. (Temporary/seasonal outdoor markets are Uses-By-Right; Permanent outdoor markets are Special Review Uses only.)

16. Hotels, Bed and Breakfast Establishments, or other commercial lodging establishments with a maximum of eight (8) guestrooms.

D. Parks, Recreation and Opens Lands

1. Natural areas.
2. Parks and Recreation Facilities, including trails, neighborhood parks, pocket parks or village greens, plazas, formal or informal gardens, playgrounds, and/or similar uses.
3. Public or private Community Facilities, including environmental centers, parks, Recreation Spaces, and other Recreational Facilities.

4. Open lands for cultivation of crops, community gardens, or similar uses.

E. Accessory/Miscellaneous

1. Accessory Buildings and Uses.
2. Satellite dish Antennas eighteen (18) inches or less in diameter.
3. Active or passive solar, or other alternative energy devices.
4. Personal Wireless Facilities (Special Review Use only).

1.4 GDP REPORT

The GDP report format established by the City is designed for a standard GDP. However, for this GDP, many of the items typically addressed in the GDP are addressed in the Restated Agreement and the Performance Standards set forth herein.

A. The proposed development is complementary to and in harmony with existing development and future development plans for the area in which the proposed development is to take place by:

1. Incorporating natural physical features into the development and providing sufficient open spaces considering the type and intensity of use;
2. Incorporating site planning techniques that foster the implementation of the city's master plans, and encourage a land use pattern that supports a balanced transportation system, including auto, bike, and pedestrian traffic, public or mass transit, and the cost-effective delivery of other municipal services consistent with adopted plans, policies and regulations of the City;
3. Incorporating physical design features in the development that provide a transition between the development and adjacent land uses through the provision of an attractive entryway, edges along public streets, architectural design, and appropriate height and bulk restrictions on structures;
4. Incorporating identified Environmentally Sensitive Areas, including but not limited to, wetlands and wildlife corridors, into the development design;
5. Incorporating elements of community-wide significance such as schools, parks, recreational trails, etc.;
6. Incorporating public facilities or infrastructure, or cash-in-lieu, that are reasonably related to the proposed development so that the proposed development will not negatively impact the levels of service of the city's services and facilities; and
7. Incorporating an overall plan for the design of the streetscape within the development, including landscaping, auto parking, bicycle and pedestrian circulation, architecture, placement of buildings and street furniture.

B. The property will be developed in phases. Uses-by-Right and Special Review Uses will comply with the GDP.

C. The proposed development will be complementary to and in harmony with existing development plans for the area in which the proposed development is to take place by incorporating the factors set forth under item A. 1 through 7 of this report.

1.5 DEVELOPMENT CONDITIONS

Development within the GDP shall be subject to the applicable General Conditions in Appendix 1-1 attached to this Section 1 and incorporated herein by this reference.

Development within the separate parcels or Subparcels of the GDP shall also be subject to the applicable Special Conditions set forth as an appendix to the narrative for that parcel in Sections 2 through 5 of the GDP.

APPENDIX 1-1

GENERAL CONDITIONS

PARKS

1. The possible purchase of a park site within any proposed subdivision within the GDP shall be discussed by the Applicant with the Parks and Recreation Department prior to approval of such subdivision plat.

2. Except as otherwise provided in any Special Condition, the Applicant for each subdivision plat within the GDP shall construct that portion of the trail, including any trail underpass, which is depicted on the approved master trail plan for the GDP and which is located adjacent to or within such platted area.

PLANNING

3. Every Development Project within the GDP shall comply with all applicable provisions of the GDP and the conditions of the individual project's approval.

4. Development Projects within the GDP shall be subject to the payment of all applicable fees required by the Municipal Code.

5. Unless specifically authorized pursuant to General Condition No. 9, no building permits shall be issued until all on-site and off-site public improvements required for the subject subdivision have been completed by the Applicant or others and approved by the City, or a satisfactory guarantee has been made to the City for all such incomplete public improvements in accordance with the Municipal Code, except to the extent any of such requirements is inconsistent with provisions of the PVH Agreement or the MFA.

6. All Buildings must be constructed in compliance with current Building Code requirements.

7. If any individual Development Project within the GDP does not meet the contiguity requirements of the Master Plan, ~~City of Loveland Comprehensive Master Plan dated October 18, 1994, as currently amended, including the latest amendment thereto dated February 18, 2003~~ to the extent applicable, the Director shall, in his or her sole discretion, be authorized to administratively grant an exception to such contiguity requirements in accordance with the applicable provisions of the Regulatory Procedures.

8. At the Developer's option, it may design upgraded street furnishings (i.e., benches, trash receptacles, etc.), regulatory signs, bus stops, street lights or other similar visible public improvements for the GDP. The City agrees to cooperate with the Developer in establishing criteria to review and approve or deny such designs and to negotiate an equitable sharing of costs for, and maintenance of, the same, except as otherwise provided in the MFA or the Service Plan for the Centerra Metropolitan Districts Nos. 1 through 4.

9. Provided that adequate water for fire protection and an acceptable all-weather access road for emergency vehicles are available to the site, the Director shall have the discretion to permit the approval of a Final Plat and/or the issuance of building permits for Development Projects within the GDP prior to: (a) signing of public improvement construction drawings by the City, provided such drawings have been submitted in final form, after consultation with City and non-City review agencies, and are ready to be executed; (b) the dedication of easements and rights-of-way for public improvements; and (c) the construction of public improvements. In exercising the discretion authorized, the Director shall consider the following factors:

   - Whether or not practical difficulties exist;
   - Whether such permits could be issued without impairing public health, safety and welfare; and

- With regard to item (b) above, reasonable assurance of the Applicant's ability to acquire the needed easement or right-of-way prior to issuance of a certificate of occupancy.

In such event, the Applicant, prior to the issuance of such building permit, shall post with the City financial security to ensure acquisition of any necessary easements and rights-of-way and completion of public improvements in a form and amount as the City may deem necessary, and the applicant shall complete and obtain City approval of items (a) through (c) listed herein prior to the issuance of any certificate of occupancy for the affected Building or Buildings.

Provided that adequate water for fire protection and an acceptable all-weather access road for emergency vehicles are available to the site, the Director shall have the discretion to approve the issuance of building permits for model homes and sales offices for any Development Projects within the GDP prior to completion of the items listed in (a), (b) and (c) above.

10. Developer has hired a consultant acceptable to the City which has created a building permit tracking system for the GDP, which includes the tracking of CEF reimbursements, fees-in-lieu of land dedication for schools and the Environmental Fees (the "Tracking System"). The City shall utilize the Tracking System for projects within the GDP for those items required to be tracked pursuant to the General or Special Conditions and, upon the Developer's request, shall provide a quarterly statement to the Developer with the results of the Tracking System for that period.

11. Development Projects within the GDP shall comply with the submittal and review requirements of the Regulatory Procedures and shall also comply with any applicable submittal and review requirements of the Municipal Code.

12. No more than a total of 7721 Dwelling Units shall be permitted within the GDP, unless the GDP is amended pursuant to the Regulatory Procedures. Notwithstanding that each Parcel within the GDP states a maximum number of Dwelling Units, an applicant may increase by five percent (5%) the number of residential Dwelling Units within any such Parcel, provided that the overall total number of Dwellings Units therein does not exceed 7721.

POWER

13. The Applicant shall be responsible for staking underground power lines per the requirements of the City's Electric Division, including cut and fill stakes as required. The Applicant shall be responsible for any costs associated with the relocation, raising, or lowering of the underground electrical three phase electric power lines which are necessitated by incorrect staking, changes in road design, installation of other utilities, or any other construction changes caused by the Applicant.

SANITARY SEWER

14. Except as otherwise provided in the Special Conditions, each project within the GDP shall be required to meet the City's current requirements for provision of adequate sanitary sewer facilities necessary to serve the project, which may be in the form of construction of such facilities, a payment-in-lieu of construction of such facilities or a reimbursement for previously constructed facilities which are needed to service the project.

15. The Developer has completed and submitted to the City a master sanitary sewer plan for the GDP which has addressed sanitary sewer loadings for the entire GDP as well as any off-site impacts that may result from the sanitary sewer demands associated with the GDP. With each site-specific Development Project, the Applicant shall provide to the City an analysis of the applicability of the master sanitary sewer plan to such project and, to the extent the sanitary sewer assumptions for such project differ from

the assumptions of the master sanitary sewer plan (whether the assumptions are based on higher or lower demands than those of the master sanitary sewer plan), the Applicant shall provide such additional information as may be required by the City to determine the sanitary sewer impacts of the project.

STORM DRAINAGE

16. Drainage plans and improvements as required by City standards shall be provided for each Development Project within the GDP.

17. Elevation of foundation and the lot grade shall be designed to provide for adequate surface water removal.

18. Sufficient spot elevations, sketch plan, preliminary drainage report, erosion control plan and other drainage information required by the City's storm drainage criteria manual, as amended, shall be submitted in accordance with the requirements of such manual.

19. Proposed regional detention ponds that are not identified improvements of the City's master drainage plan shall be designed and constructed without financial contribution from the City's stormwater utility unless the City Council approves a master drainage plan update that includes regional detention ponds and an application for an individual project within the GDP is submitted to the City which requires construction of a regional detention pond shown on such an updated master drainage plan.

20. Written permission from the owners of each irrigation canal and reservoir accepting stormwater runoff, both as to quantity and quality, into their canals and reservoirs shall be required at the time of preliminary and final development plans, unless the City Attorney has determined that such permission is not legally required.

TRANSPORTATION

21. Except for those street design cross sections shown on Map 8 of the GDP ~~(Road Cross Section for Minor Collector Roadways),~~ every Development Project within the GDP shall comply with the design and construction standards set forth in LCUASS and the Transportation Plan.

22. As a condition of approval of any Development Project within the GDP, the City may impose such transportation-related requirements and/or restrictions as it deems necessary based upon the conclusions of the Traffic Study for such Development Project, applicable provisions of the Municipal Code and LCUASS and any applicable Special Conditions or General Conditions.

23. Notwithstanding any conceptual information included in the GDP, street layout and alignments, access locations, intersection configurations and intersection operations (traffic control) shall be finally determined in conjunction with the review and approval of individual Development Projects within the GDP.

24. Subject to the provisions of General Condition No. 9, if off-site right-of-way is required for transportation facilities needed to meet City ordinances, the Applicant shall submit, prior to approval of any Preliminary Plat, preliminary development plan or preliminary public improvement construction plans, a "Letter of Intent" from the affected off-site property owner acknowledging its intent to dedicate to the City such right-of-way, in a form acceptable to the City Attorney.

25. Subject to the provisions of General Condition No. 9, the off-site right-of-way needed to serve each Development Project shall be acquired and dedicated to the City by the Applicant in a form acceptable to the City and at no cost to the City prior to the approval of the Final Plat or final construction plans (for each project) by the Transportation Engineering Division. Prior to or concurrent with approval of any final

subdivision plat for any Development Project subject to the GDP, all right-of-way required by the then current City standards for said subdivision shall be dedicated to the City at no cost to the City. Prior to construction of a City-funded project to improve any roadways adjacent to the GDP, the right-of-way necessary for the roadway improvements shall be dedicated by the Applicant to the City in a form acceptable to the City and at no cost to the City.

26. Notwithstanding any information presented in the previous traffic studies for the GDP, Applicant shall provide any additional traffic information, corrections, revisions and analysis required by the City to verify compliance with applicable standards at the time of development application submittal.

27. General ACF Regulations:

27.1 All Development Projects within the GDP shall comply with the ACF Regulations except as otherwise provided herein or in any applicable Special Condition of this GDP and except to the extent less restrictive regulations are adopted, in which case those less restrictive regulations shall apply.

27.2 In connection with development of the GDP, the following State and federal highways shall be exempt from compliance with the ACF Regulations during the Vesting Period:

(i) I-25 and its interchanges (which, pursuant to City policies are presently exempt from ACF Regulations); and

(ii) U.S. 34 and its intersections.

27.3 The evaluation of projects within the GDP for compliance with the ACF Regulations and any approved exceptions thereto shall occur at the time of submittal of the earliest of the following items: a preliminary or minor subdivision plat; building permit application; or Special Review Use application. A Traffic Study, together with any additional traffic information, corrections, revisions and analysis required by the City to verify compliance, shall be submitted with each separate project within the GDP, in accordance with LCUASS standards.

27.4 Based on the project's Traffic Study, each project shall make all street improvements within one (1) mile from the closest point on a boundary of each such project necessary to comply with the ACF Regulations and any approved exceptions thereto, and except where the necessary link improvements (as opposed to intersection improvements) are not required or not shown on the Transportation Plan**.** If such link improvements are not required or not shown on the Transportation Plan, the Applicant shall not be obligated to construct any transportation link improvements over and above those shown on the Transportation Plan.

27.5 The provisions of General Condition No. 27.4 above, which are based on the Transportation Plan, shall apply to all Development Projects within the GDP only for a twenty (20)-year period, commencing on June 30, 2006 and provided that both of the following conditions are met by each such project submitted to the City: (a) the traffic generated by such project, when combined with traffic generated by all other approved Development Projects within the GDP, does not exceed 184,235 total daily trip ends (which represents approximately eighty percent [80%] of the estimated total daily trip ends from the GDP); and (b) the uses within such project, when combined with uses within all other approved Development Projects within the GDP, do not exceed either a total of 9,856,800 non-residential square feet or a total of 6177 Dwelling Units, representing approximately eighty percent (80%) of the estimated non-residential square footage and eighty percent (80%) of the estimated Dwelling Units, respectively, which are likely to be constructed within the GDP.

27.6 Prior to the end of the 5th, 10th, 14th, 17th, 19th and 20th years after commencement of the twenty (20)-year period referenced in General Condition No. 27.5 above, the Developer shall provide to the Director in writing: (a) the total daily trip ends generated by Development Projects in the GDP; (b) the total amount of the non-residential square feet in the approved Development Projects in the GDP; and (c) the total number of Dwelling Units constructed within the GDP.

28. Adequate shoulder width shall be provided as determined by the City Engineer and CDOT adjacent to all right turn lanes on US 34 at the proposed accesses.

29. In the event that the Transportation Plan is amended to eliminate roadway improvements that are required to be constructed pursuant to a General or Special Condition, the Public Works Director shall be authorized to administratively waive or modify the requirements of any such condition.

30. The Applicant shall obtain, at no cost to the City, all FHWA and CDOT approvals needed for any underpass of I-25 proposed in connection with a project within the GDP. Written documentation of these approvals must be provided to the City by the Applicant prior to the approval of any Final Plat or final improvement construction plans that include this future underpass.

31. Each Preliminary Plat application that includes improvements to any County road shall be accompanied by a letter of concurrence from the County Engineering Department stating that it has reviewed the preliminary design for the work that is proposed on the County roads. In addition, the letter shall clarify whether or not the County supports the construction of these proposed roadway improvements, and that it anticipates issuing formal approval of the construction drawings after receipt and review of the final plan.

WATER

32. Prior to the issuance of any building permits within each approved final subdivision plat within GDP, the Applicant agrees to meet raw water requirements for such subdivision in compliance with the Municipal Code. Nothing herein shall be construed as preventing the Applicant from seeking and obtaining a waiver or modification of water rights requirements as provided in the Municipal Code.

WATER AND SANITARY SEWER

33. All public water and wastewater improvements constructed in conjunction with the GDP shall be in conformance with the Municipal Code, the City's water and wastewater master plan and technical development standards for such improvements in effect at the time of development application submittal.

34. Prior to participating in any water or sanitary sewer oversizing agreements, the Applicant shall prepare or update and submit a fiscal/financial analysis report. The report shall identify all build-out time frames and anticipated oversize costs for water and sewer facilities for each proposed construction phase. Each construction phase, with its related build-out time frames, facilities and costs, shall be based upon the issuance of the first anticipated certificate of occupancy within the respective construction phase. Additional specific contents of the report can be further discussed and identified in a separate meeting between the Applicant and the City prior to submittal of the report.

ACQUISITION OF EASEMENTS/RIGHTS-OF-WAY

35. Development of the GDP is expected to require the construction and installation of arterial streets, sanitary sewer, water and stormwater trunk and interceptor lines, a sanitary sewer lift station and other significant public improvements which will provide coordinated, regional improvements benefiting properties other than

the GDP. For those improvements, or a portion of them, which are located beyond the boundaries of the GDP and are not contemplated in the MFA or in the Centerra Metropolitan Districts' Service Plan to be constructed by the Centerra Metropolitan Districts, Applicants of projects within the GDP shall use good faith efforts to obtain required easements or rights-of-way for the same in a reasonably direct route, including paying fair market value compensation therefor. If an Applicant is unable to so obtain required easements or rights-of-way, the City, in good faith, will consider condemnation pursuant to then current City policy to obtain the same. If condemnation action is taken by the City, the actual costs to the City, including attorneys' fees, therefor shall be paid by the Applicant whose project triggered the condemnation, unless the public improvement for which such easement or right-of-way is needed is eligible for reimbursement under the Municipal Code.

In the event the City refuses to condemn any easement or right-of-way necessary to receive a positive determination of adequacy ~~of~~ for ~~transportation~~ any off-site public facilities ~~pursuant to the ACF Regulations~~, the City agrees that the Applicant shall not be required, as a condition of development approval, to construct or install the improvement for which such easement or right-of-way is needed, provided that the existing ~~transportation~~ off-site facilities and any facilities to be constructed with the proposed development are reasonably determined by the City, based upon conclusions of the ~~Traffic Study~~ applicable study for the proposed development, to safely service ~~the projected traffic from~~ such development. In that event, the City may require that the Applicant escrow with the City, in cash or security acceptable to the City, a sum equal to the cost of the necessary improvements ~~necessary to comply with the ACF Regulations~~ and the fair market value of the cost of any easement or right-of-way required for such improvements, which escrow shall only be used for such purposes. On the anniversary date of the posting of such escrow and continuing each year thereafter for a period not to exceed ten (10) years from the date the escrow is established, the amount of such escrow shall be increased or decreased by the Applicant, as set forth hereafter, unless, prior to such anniversary date, the City has acquired the relevant easements or rights-of-way and the public improvements for which the escrow was established have been completed. The escrow shall be increased or decreased annually as aforesaid by an amount equal to the percentage of increase or decrease in the Consumer's Price Index over the preceding year. "Consumer Price Index" shall mean the Revised Consumer's Price Index for the Cities of Denver and Boulder for construction, published by the Bureau of Labor Statistics of the United States Department of Labor. Escrowed monies shall be returned to the Applicant only to the extent that during such ten (10)-year period, right-of-way or public improvements which were the subject of the escrow have been respectively acquired or constructed by the Applicant or third parties. At the expiration of such ten (10)-year period, all remaining escrowed monies shall be released from escrow and shall be deposited into a City capital ~~street~~ improvement fund to be used for the acquisition of the needed right-of-way ~~and/or the needed street construction and/or~~ or easement and/or the construction of other public improvements within or adjacent to the GDP.

SCHOOL DISTRICT

36. As set forth in the Restated Agreement, the Developer has dedicated to the School District a 30-acre middle school site in exchange for which it shall be reimbursed by the City, to the extent paid, the School District's fees in lieu of land dedication ("School Fees") for two thousand eighty-five (2,085) Dwelling Units in the GDP. The Developer has also agreed to dedicate two 10-acre elementary school sites to the School District as embodied in the Special Conditions for Parcels A and C, respectively. For each such elementary school site dedication, the Developer shall be reimbursed, to the extent paid, School Fees for an additional six

hundred ninety-five (695) Dwelling Units in the GDP. The School Fees shall be collected by the City at the time of building permit issuance for any residential Dwelling Unit in the GDP in accordance with the then-current rates for School Fees set forth in the School District IGA and any amendments thereto, and any applicable reimbursement shall be promptly made by the City to the Developer. School Fees for which the Developer is not entitled to be reimbursed shall be remitted to the School District in accordance with the City's normal practice regarding the same.

SIGNS

37. All existing signs within the GDP that do not have sign permits issued by the City shall have sign permits issued and shall comply with any applicable, approved planned sign program or, if none, applicable provisions of the Municipal Code.

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ATTACHMENT:

Attachment No. 1 – Mountain Lion Drive Extension

ATTACHMENT 5

SECTION 5
PARCEL D

5.1 INTRODUCTION

Parcel D is approximately 395427 acres in size and is comprised of Parcels E-1, E-2, F-1, F-2 and F-3 of the Southwest Region of the Millennium Addition, Parcels G-1, G-2 and G-3 of the Serial Addition, and the Gorom Addition and the Pfeiff Annexation.

Parcel D is located south of US 34, north of East First Street, and west of Mountain View High SchoolBoyd Lake Ave. (refer to Map 1 in Section 11). The site is divided by the Great Western Railroad tracks, which run east and west through the center of the Parcel. The Farmers Ditch runs diagonally through the Parcel from a central pointthe northeast corner on the east edge to the southwest corner. The Boyd Lake Outfall Ditch runs primarily along the eastern edge of the Parcel. An existing industrial park including commercial uses and a gas plant is located just west of Parcel D to the north of the railroad tracks. South of the railroad tracks, to the west of the property is the Pine Tree residential neighborhood. Refer to Map 1 and Map 7 in Section 11 for location of Parcel D.

Parcel D presents a number of opportunities to create better, more livable patterns of development, including:

A. Provision of an integrated mix of uses including employment, shopping, recreational uses, educational facilities, and a variety of housing types allowing more people the opportunity to live, work, shop, and play within walkable areas.

B. The creation of a cohesive series of pedestrian friendly neighborhoods linked to each other and to the schools, jobs, and services in this Parcel and adjacent areas.

C. Building neighborhoods with identity defined by edges, entry features, streetscape treatments, architectural compatibility, centers and/or other unique design elements.

5.2 LAND USE INFORMATION

5.2.1 Existing Land Uses

Portions of Parcel D have been approved for residential, commercial and retail uses, and the remainder is in agricultural use or is vacant. The existing agricultural uses shall continue to be allowed as legal non-conforming uses within this parcel.

Upon development, any remaining above ground storage tanks, oil drums, gas cans, tractor / automobile batteries, or containers of pesticides / herbicides are to be removed from the site and disposed of off-site in accordance with applicable rules and regulations.

5.2.2 Proposed Land Uses

The land use categories for Parcel D include: Institutional/Civic/Public Uses, Light Commercial Uses, Light Industrial Uses, Heavy Commercial Uses and Heavy Industrial Uses (with a maximum of 1,700,000 gross square feet), Residential Uses (not in an MUN) Parks and Open Space Uses, and MUNs (with a maximum of 1,744360 Dwelling Units).

Refer to Section 1.3 for a detailed list of the specific uses within each land use category, and the Land Use Legend on Map 7 in Section 11 for the identification of each land use category as either a Use-by-Right or a Special Review Use. Section 12 contains the review processes applicable to such uses. Please refer to Section 12.1.2 and General Condition No. 12 for information on addresses the ability to increase the number of Dwelling Units.

A Context Diagram is required for Development Projects within ¼ of a mile of US 34 for the purpose of illustrating that commercial uses are planned as a cohesive center(s) with coordinated access, circulation, signage, architecture, and landscape treatment. Small, highway frontage parcels planned and developed independently as a "strip" ("strip" being described as individual Lots developed with uncoordinated access and circulation, competing and garish signage, unrestricted "fran-

chise" architecture, and minimal, inconsistent landscaping) will not be allowed. Refer to Section 6 for information on Context Diagram requirements.

5.2.3 Density

Density information for Residential Uses is provided on Map 7 in Section 11 and in Sections 9 and 10.

5.3 CIRCULATION

5.3.1 Site Access

Subject to City approval of specific Development Projects, primary access to the site will be from US 34. Additional access points will be from East First Street on the south and Boyd Lake Avenue / County Road 9E on the east.

5.3.2 Internal Circulation

An appropriate network and hierarchy of transportation ways will be provided for automobiles, pedestrians, bicyclists, and public transportation. Refer to Section 7 of the Site Planning Criteria for detailed circulation information.

The Conceptual Amenity Map (Map 2 in Section 11) illustrates a proposed trail system. Although not all buffer/ open space areas have trails shown on this map, they will be allowed if determined appropriate in the applicable ESAR.

Details on any proposed trail system shall be provided with applications for Preliminary Plats and/or Final Plat review or applications for building permits.

5.4 PUBLIC AND PRIVATE UTILITIES

The following subsections indicate the utility providers currently available to provide services to Parcel D. The provision of services by other utility providers will be determined at the time of development.

5.4.1 Water and Sewer

The City will provide water and sewer service. An existing waterline is located along Denver Avenue to the west, and will be extended to serve this property. Additionally, future water lines along Boyd Lake Avenue could be extended to the site. A future sewer main will be located along East First Street, along County Road 9E and Boyd Lake Avenue. An extension from those lines will serve this property. Details of services will be worked out at time of Preliminary Plat or building permit, as applicable.

5.4.2 Storm Drainage

Detention shall either be provided on-site or in regional detention ponds.

5.4.3 Electric

The City's Water and Power Department will provide electricity. A 600 amp feeder is located along the south side of US 34. 200amp underground feeders are located along East 11th Street and East 13th Street along the west boundary. In addition, a 200 amp underground feeder is proposed to be located at the southwest corner of the site with construction of the adjacent Pine Tree development.

All new electric distribution for single family and two family Lots will be front lot underground construction, unless otherwise accepted by the Light and Water Department.

5.4.4 Natural Gas

It is presently anticipated that Xcel Energy Company will provide natural gas.

5.4.5 Telephone

It is presently anticipated that Qwest Communications will provide telephone and telecommunications services.

5.4.6 Irrigation Ditches

There are two existing irrigation ditches on the property – the Farmers Ditch and the Boyd Lake Outlet Ditch. The existing ditches will be main-

tained in place, boxed, lined and/or re-aligned as necessary. If any realignment or improvement is proposed to any portion of either of these irrigation ditches, the appropriate ditch company will be contacted for approval. A copy of a letter from the ditch company shall be submitted to the City prior to any approval that directly impacts the ditch. Irrigation ditches may be used as a raw water supply for irrigation of open space areas.

5.4.7 Railroads

The Great Western Railroad tracks divide the northerly 187~~55~~± acres of Parcel D from the remainder of the site (See Map 7 in Section 11). Residential development in Parcel D adjacent to the railroad right-of-way shall be subject to the following requirements:

A. In order to mitigate railroad noise and vibration, the Applicant shall provide a bufferyard between Buildings for residential occupancy on lots in Parcel D and the railroad right-of-way in accordance with the requirements set forth in Section 15, Appendix A of the GDP.

B. For the purpose of mitigating railroad horn noise, Buildings for residential occupancy on lots adjacent to the railroad right-of-way are subject to the applicable setbacks which are depicted on Map 7 in Section 11 of the GDP.

See also Special Conditions No. 3 and 4 in Appendix 5-1.

5.5 NATURAL AREAS

Any Environmentally Sensitive Areas within Parcel D have been identified in an ESAR. The ESARs applicable to Parcel D are provided in Section 14 of the GDP.

For Parcels D-1 through D-8, please refer to the ESAR prepared by Cedar Creek Associates dated January, 1999.
For Parcel D-9, please refer to the ESAR prepared by Ecological Resource Consultants dated June 13, 2005.
For Parcel D-10, please refer to the ~~Phase 1 Environmental Site Assessment Report prepared by Ecological Resource Consultants dated January 5, 2017~~ Environmentally Sensitive Areas Report prepared by Ecological Resources Consultants dated April 17, 2017.

5.6 ARCHITECTURAL CONCEPTS

Descriptions of architectural elements for Immediate Neighborhoods housing types are included in Section 9, MUNs.

5.7 TYPICAL RESIDENTIAL NEIGHBORHOOD LAYOUTS

Typical residential neighborhood layout information is included in Map 10 of the GDP drawing set.

5.8 LANDFORM MODIFICATION

Parcel D is relatively flat. Landform modification will occur in order to create visual interest throughout the site, to provide screening as necessary, and/or to provide for proper management of drainage. On-site drainage will be primarily directed eastward towards the Boyd Lake Outlet Ditch.

Refer to the Conceptual Utility/Grading Map (Map 3 in Section 11), as well as Sections 6.11 and 6.17 for additional grading information.

5.9 DEVELOPMENT CONDITIONS

Development within Parcel D shall be subject to the applicable General Conditions in Appendix 1-1 of Section 1 and the applicable Performance Standards in Sections 6 through 10.

Development within Parcel D shall also be subject to the applicable Special Conditions in Appendix 5-1 attached to this Section 5 and incorporated herein by this reference.

APPENDIX 5-1

SPECIAL CONDITIONS FOR PARCEL D

FEES/CREDITS/REIMBURSEMENTS

Special Condition No. 1 (Parcels D-1 through D-109):

With the exception of the local street segment as defined in LCUASS, all streets that are included in the adopted version of the City's Transportation Capital Improvement Plan, as part of the Transportation Plan ("CIP"), shall be deemed part of the City's street capital expansion fee system and eligible for street CEF reimbursement consistent with City policy, which City policy presently designates only those streets classified as arterial or above as part of such CIP system and eligible for reimbursement. To the extent the Developer, as a condition of the development of Parcels D-1 through D-109, has designed and/or constructed, or caused to be designed and constructed, improvements to such streets, it shall be entitled to a reimbursement therefor but such reimbursement shall be in an amount equal to the costs incurred by or on behalf of the Developer in the design and construction of such streets (including the cost of off-site easement acquisition), plus interest at the average rate received by the City on its investments over the twelve (12)-month period preceding the date such interest commences to accrue, compounded annually and accruing from the date of completion and acceptance of the eligible improvement to the date reimbursement has been made. The Developer shall be reimbursed an amount equal to eighty percent (80%) of each applicable street CEF actually paid by any person or entity other than the City for each building permit within all projects in the GDP, and such reimbursement shall continue to apply until the Developer has received reimbursements in an amount equal to the total cost, as calculated above, of those eligible streets designed and constructed, or caused to be designed and constructed, by the Developer. The remaining twenty percent (20%) of each applicable street CEF paid at building permit issuance may be used by the City to fund capital transportation costs in other areas of the City, as it deems appropriate. Reimbursements shall be made by the City to the Developer on a quarterly basis. Notwithstanding the foregoing, the Developer shall not be entitled to any reimbursement from the City under this Special Condition for those "Public Improvements" which are not eligible for reimbursement from the City under Section 12.3 of the MFA.

PLANNING

Special Condition No.2 (Parcel D-9 and D-10):

Prior to any site disturbance or development activities on Parcel D-9, a detailed ESAR shall be conducted to determine the exact extent of Environmentally Sensitive Areas and potential buffer zones to protect such natural resources.

RAILROAD

Special Condition No. 3 (Parcel D):

The Applicant shall provide a bufferyard between Buildings for residential occupancy on lots in Parcel D and the Great Western Railroad right-of-way in accordance with the requirements set forth in Section 15, Appendix A of the GDP.

Special Condition No. 4 (Parcel D):

Buildings for residential occupancy on lots in Parcel D that are adjacent to the Great Western Railroad tracks shall be subject to the applicable setbacks which are depicted on Map 7 in Section 11 of the GDP, for the purpose of mitigating railroad horn noise.

Special Condition No. 5 (Parcels D-4, D-5, D-6, D-8 D-9 and D-109):

The Great Western Railroad tracks divide the northerly 18755 acres of Parcel D from the remainder of Parcel D. Residents adjacent to such railroad tracks may experience noise and vibration effects resulting from the passage of trains on such tracks in close proximity to adjacent Lots. A notice reciting the above-stated potential impacts from such railroad tracks shall be placed on each subdivision plat which includes any portion of Parcels D-4, D-5,

D-6, D-8, ~~and~~ D-9 and D-10 within 500 feet of the railroad right-of-way.

TRANSPORTATION

Special Condition No. 6 (Parcel D):

Unless constructed by others or otherwise approved by the City Engineer, the Applicant is responsible for designing and constructing, or causing the design and construction of at no cost to the City, a collector street connection from the east boundary of Parcel D of the GDP, across the Boyd Lake Outlet Canal, and extending off-site through the property legally described on Attachment 1 to this Appendix 5-1 to connect to Mountain Lion Drive. The timing and detailed scope of the improvements shall be established by the Applicant and the City Transportation Engineering Division concurrently with the submittal and review of the Development Projects for the various phases in Parcel D.

Special Condition No. 7 (Parcel D):

To the extent that street and/or trail crossings of the existing railroads are required as a condition of a Development Project within Parcel D to meet the ACF Regulations and any approved exceptions thereto or other applicable Municipal Code requirements, the City shall be responsible for processing the requests for the State Public Utilities Commission approval of such crossings, and the Applicant shall be responsible for the payment of the City's reasonable costs incurred therefor, including reasonable attorney's fees.

Special Condition No. 8 (Parcel D):

Unless designed and constructed by others or by the City pursuant to the PVH Agreement, or otherwise approved by the City Engineer, and to the extent needed to comply with the ACF Regulations and any approved exceptions thereto, the Applicant shall design and construct, or cause to be designed and constructed at no cost to the City, the following street improvements to the standards required by the Transportation Plan and LCUASS. The timing, scope and phasing of such construction shall be determined during review and approval of future Development Projects within Parcels D-1 through D-10~~8~~.

(a) Rocky Mountain Avenue from north of the Union Pacific Railroad crossing to Crossroads Boulevard.

(b) Kendall Parkway from Boyd Lake Avenue to Rocky Mountain Avenue.

(c) CR 24 (East 29th Street) from Rocky Mountain Avenue under I-25 to the north/south major arterial roadway in Parcel A.

(d) Boyd Lake Avenue from CR 20C (East 5th Street) to CR 24E (East 37th Street).

(e) CR 20C (East 5th Street) from Boyd Lake Avenue to CR 9E (Sculptor Drive).

(f) CR 9E (Sculptor Drive) from US 34 to State Highway 402.

Special Condition No. 9 (Parcel D-10):

Unless designed and constructed by others or otherwise approved by the City Engineer, and to the extent needed to comply with the ACF Regulations and any approved exceptions thereto, the Applicant shall design and construct, or cause to be designed and constructed at no cost to the City, the following street improvements to the standards required by the Transportation Plan and LCUASS. The timing, scope and phasing of such construction shall be determined during review and approval of future Development Projects within Parcel D-10.

(a) Boyd Lake Avenue as a four lane arterial adjacent to Parcel D-10.

(b) South Access, northbound left turn lane for the south access to Parcel D-10 from Boyd Lake Avenue

Special Condition No. 10 (Parcel D-10):

The first Development Project within Parcel D-10 shall dedicate right-of-way for a future street connection to Lot 2, Pfeiff Minor Land Division, File No. 15-S3349 as recorded at Reception No. 20160026252, County of Larimer, State of Colorado.

WATER AND SEWER

Special Condition No. 11 (Parcel D-10)

Unless designed and constructed by others, concurrent with the approval of any Development Project of Final Plat, the Developer shall design and construct, or cause to be designed and constructed at no cost to the City, the following water improvements to City standards:

(a) A water main loop from the existing 24" line in Boyd Lake Avenue to the existing 16" line located west of Boyd Lake Outlet Canal.

Special Condition No. 12 (Parcel D-10):

Pursuant to that "Reimbursement Agreement" recorded at Reception No. 2004-0093504 in the Larimer County Records, Larimer County Parcel No. 85170-00-002 was subjected to reimbursement obligations to the City of Loveland for the East Side Interceptor and Boyd Lake Ave. 24" Waterline (the "Total Reimbursement Amount"). Such parcel was thereafter platted as the Pfeiff Minor Land Division File No. #15-S3349, Larimer County, Colorado (the "Pfeiff MLD"). Parcel D-10, which is Lot 1 of the Pfeiff MLD (Parcel No. 85171-12-001) and which constitutes 44% of the total acreage of the Pfeiff MLD, shall be subject to a reimbursement obligation equal to 44% of the Total Reimbursement Amount. The owner of Parcel D-10 shall be responsible for payment to the City of Loveland of 44% of the Total Reimbursement Amount at the time that a water or sewer service line or extension which services all of any of Parcel D-10 is installed, and shall have no obligation to reimburse the City of Loveland any portion of the remaining 56% of the Total Reimbursement Amount.

SECTION 12
REGULATORY PROCEDURES

12.1 GENERAL PROVISIONS

12.1.1 Regulatory Procedures

The Regulatory Procedures set forth in this Section 12 define submittal requirements and Review Timelines for Development Projects within the GDP, including but not limited to, processes for administrative and public review of Development Projects containing Uses-by-Right and Special Review Uses and of subdivision plats, variations, appeals and amendments. The Regulatory Procedures shall govern all development within the GDP and shall expressly supersede and modify any City guideline, plan, administrative procedure, policy, requirement or Municipal Code provision which is in conflict or inconsistent therewith.

12.1.2 Centerra Design Review Committee

The Regulatory Procedures incorporate a review process by the Centerra DRC, a private committee created for the purpose, among others, of evaluating Development Projects within the GDP, for compliance with the GDP and the private design standards adopted by the Centerra DRC.

The legal documents which establish the private design guidelines applicable within the GDP and creating the Centerra DRC with authority to review Development Projects within the GDP, are on file with the City. The Centerra DRC shall at all times be comprised of a minimum of three (3) voting members. Voting members shall include one (1) individual representing the Developer, and two (2) additional individuals, which may include any combination of the following: a registered architect, a certified planner**,** a registered landscape architect, a registered professional civil engineer, a sustainability consultant and/or other appropriate design professional. All voting members of the Centerra DRC shall be appointed by the Developer. At the City's option, a City staff member may serve as a non-voting liaison to the Centerra DRC and a designated representative of the Director may also serve as a non-voting liaison for the purpose of evaluating requests for Variations of the Performance Standards pursuant to Section 12.2.4.

The role of the Centerra DRC in the evaluation of development within the GDP is described in detail in Section 12.3.1.

12.2 REVIEW STANDARDS

12.2.1 Controlling Documents

A. The primary review standards for projects within the GDP are: the Special Conditions which are applicable to Development Projects within designated GDP Parcels and are attached as appendices to Sections 2 through 5 of this GDP; the General Conditions which are applicable to all Development Projects within the GDP and are attached as an appendix to Section 1 of this GDP; and the Performance Standards for architecture, site planning, landscaping, streetscape and signage which are applicable to all GDP Development Projects and are contained in Sections 6 through 10 of this GDP. In addition, the provisions of the Restated Agreement, including, but not limited to provisions regarding Vested Property Rights, govern all projects within the GDP.

B. In the event of a conflict or inconsistency between provisions of the Controlling Documents applicable to a Development Project, the following hierarchy shall prevail: (1) the Restated Agreement; (2) the Special Conditions; (3) the General Conditions; and (4) any other provision of the GDP.

12.2.2 Applicability of Municipal Code

The provisions of the Municipal Code shall apply to all projects within this GDP except to the extent that any such provision is inconsistent with or in conflict with the terms and conditions of the Controlling Documents.

12.2.3 City Review/Approval Authority

A. The City shall have the right and responsibility to interpret and enforce the Controlling Documents and any applicable provisions of the Municipal Code and the right to refuse to approve any De-

velopment Project within the GDP if such Development Project fails to comply with such requirements.

B. Section 12.2.3.A shall not be construed as a waiver by the Developer of any right to challenge a City interpretation or the City's denial of a Development Project. If applicable, any such challenge shall first be processed as an Appeal in accordance with Section 12.4.

12.2.4 Variations of the Performance Standards

If an Applicant desires any Variation from the requirements of the Performance Standards, a written request therefor shall be submitted to the City prior to the submittal of the Development Project which incorporates the requested Variation and, in the case of a building permit for a Use-by-Right, the Variation request shall also be approved by the City prior to submittal of the Development Project which incorporates the requested Variation. A letter from the Centerra DRC stating its approval of such Variation shall accompany the written request. In the alternative, the Director is authorized to evaluate and approve Variations concurrently with the Centerra DRC's review and approval of the Variation. In the granting of a request for a Variation of the Performance Standards, the Director shall find that the implementation of the requested Variation would not pose a health, safety or welfare risk to the general public and that: (i) the proposed Variation is equal to or better than the provision of the Performance Standards sought to be varied; (ii) the application of the provision sought to be varied would create a site specific hardship (other than a financial hardship) on the Applicant; or (iii) the proposed Variation reflects a design solution or a distinct recognized architectural style that is appropriate for the project and results in the quality of the project being equal to or better than the result of complying with the Performance Standard sought to be varied. Decisions of the Director on a request for a Variation of a Performance Standard shall be issued in writing no later than seven (7) days after submission of the complete application therefor. In the event that the Director denies a requested Variation, the Applicant may Appeal such denial to the Planning Commission for a final decision, subject only to a right of Appeal to the City Council by the Applicant. The Appeal procedure shall be as set forth in Section 12.4.1.

12.2.5 Development Contiguity

In the event that a proposed Development Project fails to meet the contiguity requirements of the Master Plan, ~~City of Loveland Comprehensive Master Plan dated October 18, 1994, as currently amended, including the latest amendment thereto dated February 18, 2003,~~ the Director shall, in his or her sole discretion, be authorized to administratively grant an exception to the contiguity requirements upon the Applicant's submission in writing of a request and justification therefor and upon finding that the provision of utilities and roads to the proposed Development Project have been, or are planned to be, sufficiently sized to meet the service needs of such project, and of the other adjacent areas as the Director determines to be affected, in an efficient manner and at no cost to the City, unless the City has agreed to share in such costs.

Requests for exceptions to the contiguity requirements of such Master Plan ~~Comprehensive Master Plan~~ shall be submitted to the Director and a decision thereon shall be made by the Director no later than seven (7) days after submission of the request and prior to submittal of the Development Project. Decisions of the Director on requests for exceptions to the contiguity requirements may be appealed by the Applicant therefor pursuant to Section 12.4.1.

In the event that the City amends the contiguity requirements of such Master Plan ~~Comprehensive Master Plan~~ to be less restrictive, the Applicant shall be entitled to apply the less restrictive requirements to its proposed Development Project.

12.3 REVIEW PROCESS

12.3.1 Centerra DRC Review

A. With the exception of applications for Preliminary Plats, Development Projects within the GDP (including applications for a Variation, Type 1 Zoning Permit, Type 2 Zoning Permit, building permit, sign permit, Minor Subdivision, combined Prelimi-

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nary Plat and Final Plats, Final Plats and Special Review Uses) shall be accompanied by a letter from the Centerra DRC stating its recommendation for final approval of the proposed Development Project, with or without conditions, based upon its compliance with the GDP and a copy of the documents reviewed by the Centerra DRC and upon which its recommendation was made.

B. Applications for Preliminary Plats shall be accompanied by a written preliminary evaluation from the Centerra DRC that the Preliminary Plat complies with the GDP.

C. Development Projects which incorporate a Variation or Variations from the applicable Performance Standards shall also be accompanied by a letter from the Centerra DRC that states its recommendation for final approval of the requested Variation, with or without conditions, and a copy of the documents relied upon by the Centerra DRC in taking such actions. In the event that the Director approves the Variation request concurrently with the Centerra DRC review, the Development Project shall also be accompanied by the written decision of the Director.

D. The Centerra DRC may assign certain review and decision-making responsibilities to a subcommittee of the Centerra DRC and, for residential Development Projects and Variations, it may assign its review and decision-making responsibilities to another designated residential design review committee, provided that such subcommittee is comprised of the same number and type of members as required for the Centerra DRC and that the City has been given written notice of such assignment.

E. The City shall take into consideration the statement of the Centerra DRC regarding compliance with the GDP, but the City shall have the right and responsibility to determine each Development Project's compliance with applicable provisions of all Controlling Documents and the Municipal Code.

12.3.2 Complete Application

A. For purposes of these Regulatory Procedures, a complete application is defined as a Development Project submittal for which all of the following requirements have been met ("Complete Application"):

1. The Applicant has submitted a complete development application form for the type of application(s) being submitted;
2. The Applicant has submitted every item listed on the approved Submittal Checklist for the type of development application(s) being submitted, unless such item has been waived by the designated City official as set forth on the applicable Submittal Checklist;
3. The Applicant has submitted the documentation from the Centerra DRC as required by Section 12.3.1; and
4. The Applicant has paid all required fees for the type of development application(s) being submitted.

Submittal Checklists for Uses-by Right, Special Review Uses and subdivision plats will be approved, and may be modified, administratively by the Director upon the agreement of Developer without amending the GDP.

B. If an Applicant desires to develop a project containing a land use that is not specifically listed as either a Use-by-Right or Special Review Use for any Subparcel of the GDP, the Applicant shall obtain a determination from the Director as to the proper categorization of the desired use prior to submittal of a Development Project which contains such use. The Director's determination, in his or her sole discretion, shall be based upon the similarity of the desired use to the character of the uses specifically listed for the Subparcel in which the new use is desired. A use which is not, in the discretion of the Director, similar in character to a specifically listed Use-by-Right or Special Review Use shall not be permitted.

12.3.3 Development Projects

A. Uses-by-Right

The land use legends on Maps 4, 5, 6 and 7 of the GDP contain a list of Uses-by-Right for each Subparcel.

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1. Administrative Review. Development Projects for Uses-by-Right shall be processed in accordance with the Review Timelines for Administrative Review:

(a) The Review Timelines for Administrative Review have separate requirements for Development Projects with Uses-by-Right which fit within any of the following categories:

(i) Those located on a previously platted Lot;
(ii) Those submitted with a Boundary Line Adjustment or lot merger;
(iii) Those submitted with a Minor Subdivision plat;
(iv) Those submitted with a Major Subdivision plat consisting of a Preliminary Plat followed by a Final Plat; and
(v) Those submitted with a Major Subdivision plat consisting with a combined Preliminary and Final Plat.

(b) Development Projects for Uses-by-Right subject to Administrative Review shall not be preceded by a pre-application conference unless requested by the Director or the Applicant, nor shall they require a Development Review Team Meeting as defined in the Municipal Code or review and approval by the Planning Commission or City Council.

2. Public Review.

(a) A Development Project for a Use-by-Right which includes any one or more of the uses listed in subsections (i) through (v) below shall be preceded by a conceptual review team meeting and thereafter shall be processed in accordance with the Review Timelines for Public Review, which processes require a public hearing before the Planning Commission:

(i) Any single Building over 60' in height directly abutting one or more existing platted or built Single Family Detached or Single Family Attached residential properties, or with only an intervening street of collector or smaller street classification;
(ii) Any single Building over 100,000 gross square feet containing a Heavy Industrial Use;
(iii) Any single Building over 50,000 gross square feet directly abutting one or more existing platted or built Single Family Detached or Single Family Attached residential properties, or with only an intervening street of local or smaller street classification;
(iv) Any Heavy Commercial Use directly abutting one or more existing platted or built Single Family Detached or Single Family Attached residential properties or with only an intervening street of collector or smaller street classification;
(v) Any Heavy Industrial Use abutting one or more existing platted or built residential properties or with only an intervening street of collector or smaller street classification; or
(vi) Veterinary facilities, Animal Clinics, Small Outdoor Use, and/or Pet Day Care Facilities with outdoor use adjacent to any existing platted or built residential neighborhood.

(b) A Development Project for a single nonphased project which includes a combined gross square footage of 500,000 non-residential square feet or more and the first Development Project within a Mixed Use Village Center which center includes a combined gross square footage of 500,000 non-residential square feet or more shall be preceded by a conceptual review team meeting and thereafter shall be subject to Public Review in accordance with the Review Timeline therefor, which process requires public hearings before the Planning Commission and the City Council. The first Development Project within a Mixed Use Village Center which center includes a combined gross square footage of 500,000 non-residential square feet or more shall be accompanied with Performance Standards for Mixed Use Village Centers which shall be incorporated into the GDP through the Major Amendment process concurrently with the first Development Project within a Mixed Use Village Center. Thereafter, all Development Projects within any Mixed Use Village Center shall be processed in accordance with the provisions of this Section 12 that are applicable to such subsequent Development Projects.

(c) The Public Review processes for the uses listed in (a) and (b) above shall include a neighborhood meeting and public hearings. Notice of the neigh-

borhood meeting shall be given in accordance with the requirements of Section 12.3.7.B. Notice of the public hearings shall be given in accordance with the requirements of Section 12.3.7.A. Notification of mineral estate owners in the property shall be given in accordance with the requirements of Section 12.3.8.

In connection with the uses listed in (a) above, the Planning Commission may deny, approve or approve with conditions the proposed use and the action of the Planning Commission shall be final, subject only to a right of Appeal to the City Council pursuant to Section 12.4.2.

In connection with the use referred to in (b) above, the action of the Planning Commission shall be in the form of a recommendation to the City Council. The City Council may deny, approve or approve with conditions the proposed development plan as defined in the following paragraph.

(d) Public Review by the Planning Commission and the City Council pursuant to these Regulatory Procedures shall be limited to a review of the context diagram, site plan, landscape plan and architectural elevations, other supporting documentation reasonably required by the City, and any other evidence submitted at the hearing for the purpose of determining compliance with the Controlling Documents.

B. Special Review Uses

The land use legends on Maps 4, 5, 6 and 7 of the GDP contain a list of Special Review Uses for each Subparcel.

1. Development Projects for Special Review Uses shall be subject to the Review Timelines for a Type 2 Zoning Permit.
2. The Review Timelines for the Type 2 Zoning Permit process have separate requirements for Development Projects with Special Review Uses which fit within any of the following categories:

(i) Those located on a previously platted Lot;
(ii) Those submitted with a Boundary Line Adjustment or lot merger;
(iii) Those submitted with a Minor Subdivision plat;
(iv) Those submitted with a Major Subdivision plat consisting of a Preliminary Plat followed by a Final Plat; and
(v) Those submitted with a Major Subdivision plat consisting of a combined Preliminary Plat and Final Plat.

3. Development Projects for Special Review Uses may, at the option of the Applicant or the Director, be preceded by a pre-application conference.

4. Special Review Uses shall be evaluated for compliance with the GDP and those applicable special review criteria of the Municipal Code (currently Chapter 18.40) which are not inconsistent with the GDP.

5. An application for a Special Review Use shall be accompanied with a listing of the names and addresses of the owners as set forth in Section 12.3.7.A.1. All such owners and all current members of the Planning Commission and City Council shall be mailed written notice by the Current Planning Division of the Director's administrative decision on such application within five (5) days of such decision, which notice shall include the name of the Development Project and the location of the property, the substance and date of the Director's decision, and notice of the right to appeal such decision pursuant to Section 12.4.4.

C. Use-by-Right and Special Review Use Combinations

An application for a Development Project containing both Uses-by-Right and Special Review Uses shall be subject to the applicable Type 2 Zoning Permit Process described in Section 12.3.3.B.

D. Changes in Use

Changes in the use of an existing Building on an existing Lot to a Use-by-Right when a Building permit is not required shall be processed in accordance with the Review Timelines for a Type 1 Zoning Permit.

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E. Other Allowed Processes

In lieu of the procedures set forth herein for plans with Uses-by-Right and Special Review Uses, an Applicant may elect to rezone its property out of the GDP and to another planned unit development or other zoning designation permitted under the Municipal Code. In such event, the Applicant shall comply with all applicable submittal and processing requirements of the Municipal Code therefor. Notwithstanding that any parcel of property is rezoned out of the GDP and is then subject to another development procedure permitted by the Municipal Code, any such project shall be subject to the Performance Standards of the GDP and the development application therefor shall be accompanied by a letter of recommendation from the Centerra DRC and a copy of the documents reviewed by the Centerra DRC.

F. Final Execution of Documents

The City shall execute all final documents and submit for recording, as applicable, within fourteen (14) days of receipt by the City of such documents properly executed by all necessary parties except the City, provided that all other applicable City requirements have been met.

12.3.4 Subdivision Plats

A. Administrative Review

1. All applications for subdivision plats (including applications for Minor Subdivisions, Preliminary Plats, Final Plats and combined Preliminary Plats and Final Plats) shall be administratively reviewed and a decision made thereon by the Director. Public hearings before the Planning Commission or the City Council are not required for any subdivision plat unless otherwise required by State statute, or by a Special Condition of this GDP or in event that the administrative decision on the subdivision plat is appealed as provided herein.

2. An application for a subdivision plat that is not accompanied by an application for a Development Project shall be subject to the Review Timeline therefor.

3. The Review Timelines for subdivision plats have separate requirements for:

(i) a Boundary Line Adjustment or lot merger;
(ii) a Minor Subdivision plat;
(iii) a Major Subdivision plat consisting of a Preliminary Plat followed by Final Plat; and
(iv) a Major Subdivision plat consisting of a combined Preliminary Plat and Final Plat.

4. If an application for a subdivision plat is accompanied by an application for a Development Project containing Uses-by-Right and/or Special Review Uses, the applicable Review Timelines described in Section 12.3.3 shall apply.

5. An application for a Major Subdivision plat shall be preceded by a conceptual review team meeting, however, an application for a subdivision plat shall not require a Development Review Team Meeting or its equivalent, unless the Applicant or the Director determines that a Development Review Team Meeting is necessary considering the size or complexity of the project.

6. An application for a Major Subdivision plat consisting of either a Preliminary Plat or a combined Preliminary Plat and Final Plat shall be accompanied with a listing of the names and addresses of the owners as set forth in Section 12.3.7.A.1 and a listing of the names and addresses of the owners of all easements on the property proposed for development as evidenced by an ownership and encumbrance report provided by the Applicant. All such owners and all current members of the Planning Commission and City Council shall be mailed written notice by the Current Planning Division of the Director's administrative decision on such application within five (5) days of such decision, which notice shall include the name of the Development Project and the location of the property, the substance and date of the Director's decision, and notice of the right to appeal such decision pursuant to Section 12.4.3.A.

B. Replats

In the event a subdivision plat is submitted in which the desired Development Project does not include all

of the property within a legal parcel, the remaining property which is not then being developed shall be shown as an Outlot on the subdivision plat which shall require replatting prior to City approval of any Development Project within such Outlot. If an Outlot is replatted as a Minor Subdivision, it shall not be subject to any waiting period set forth in the Municipal Code. Lots and Tracts also shall not be subject to any such waiting period provided that the Director determines, in his or her sole discretion, that the replat of a Lot or Tract through a Minor Subdivision process would not contravene the purposes of the City's subdivision requirements or would not be contrary to the best interests of the City.

C. Final Execution of Documents

The City shall execute the plat mylars and any other final documents and submit for recording, as applicable, within fourteen (14) days of receipt by the City of such documents properly executed by all necessary parties except the City, provided that all other applicable City requirements have been met.

12.3.5 Building Permits

Notwithstanding the timeframes for the submittal, processing and issuance of building permits (excluding grading permits) contained in the Review Timelines, the following requirements shall apply:

A. Applications for nonresidential building permits may only be submitted concurrently with a resubmittal of a subdivision plat application or after approval and recordation of the Final Plat.

B. Applications for residential building permits will only be accepted by the City for processing after approval and recordation of the Final Plat.

C. Building permits shall only be issued after the installation of adequate infrastructure improvements to be determined in the discretion of the Director in accordance with General Condition No. 9 and the requirements of the Municipal Code (currently Sections 16.40.010.A and B) which are not in conflict therewith.

12.3.6 Review Timelines

A. The Review Timelines will be approved, and may be modified, administratively by the Director upon the agreement of the Developer without amending the GDP.

B. The City shall use its best efforts to limit the review period for Development Projects within the GDP to the timeframes set forth on the approved Review Timelines, and the Applicant shall comply with the applicable Review Timelines.

B. The Review Timelines are meant to be maximum limits and shall not be construed as limiting the ability of the City to process any application in a shorter period of time.

C. In the event the City determines that it cannot complete its written comments and make them available to the Applicant within the timeframes set forth in the Review Timelines, it may retain a consultant to perform the necessary project review within such required timeframe. The City may require that the Applicant pay the cost of such consultant, provided that such payment is consistent with the City's then-existing general policy for payment of outside consultants by developers.

D. Notwithstanding the commitment of the City and the Applicant to comply with the Review Timelines, such timeframes may be extended in any of the following circumstances:

1. The City Manager determines that there are circumstances which justify an extension of time for the City staff's review of a Development Project, in which case a written notice shall be provided to the Applicant stating the extended period of time deemed necessary by the City for completion of its review; or
2. The Applicant fails to resubmit its Development Project within the timeframes set forth in the Review Timelines resulting in a rescheduling by the Director of the subsequent review and resubmittal timeframes. The Director shall use his best efforts to reschedule the timeframes for the application to the earliest possible dates

which are next available in accordance with the remainder of the applicable Review Timeline.

E. In the event that the City adopts amendments to the procedural requirements of the Municipal Code or otherwise approves a more streamlined review process for the GDP which effectively shortens the Review Timelines for one or more types of Development Projects, the Developer may submit an amendment to the Regulatory Procedures which would permit such new process to be an alternative permitted process under the Regulatory Procedures. Such amendment may be administratively approved by the Director in his discretion to apply either to a particular Development Project or to all future Development Projects within the GDP of a similar type.

12.3.7 Public Notice Requirements

A. At least fifteen (15) days prior to any hearing required by these Regulatory Procedures, public notification shall be given of the date, time and place of the hearing, the nature of the matter to be considered at the hearing, a description of any property directly affected by the subject matter of the hearing and the telephone number of the City's Current Planning Department, as follows:

1. The Applicant shall provide the City with a listing of the names and addresses of all owners of record of: (i) the property proposed for development; and (ii) all properties that fall wholly or partially within the areas set forth in subparagraph A.3 of this section. The names and addresses required under (i) above shall include fee simple owners as evidenced by an ownership report provided by the Applicant. The names and addresses required under (ii) above shall be as they appear on the latest Larimer County Records;
2. The City shall publish the required notice in the City's newspaper of record and mail notice to the Applicant and the owners of record of the property proposed for development;
3. The Applicant shall send by first class mail written notice to all surface owners of record of all properties located within the following areas: (i) within a 1000-foot radius of the boundaries of the proposed Development Project if the project includes more than 50 acres; (ii) within a 750-foot radius of the boundaries of the proposed Development Project if the project includes 20 or more acres but no greater than 50 acres, or (iii) within a 500-foot radius of the boundaries of the proposed Development Project if the project includes less than 20 acres; and
4. The Applicant shall post a sign or signs (with the content approved by the City) on the property which is the subject of the hearing in a location that is readily visible from each public street or highway adjoining the property.

Prior to the public hearing, the Applicant shall provide the City with an affidavit certifying that the Applicant's requirements of this Section 12.3.7.A have been met. Failure to provide the required affidavit or evidence of a defective mailing list or posting will result in termination of project review until proper notice is provided.

The public notice requirements of this Section 12.3.7.A shall not be applicable to "initial public hearings" before the Planning Commission for the limited purpose of hearing objections of mineral estate owners pursuant to any Special Conditions of this GDP, which shall be noticed in accordance with Section 12.3.8 hereof.

B. At least ten (10) days prior to any neighborhood meeting required by these Regulatory Procedures, the Applicant shall give written notice by first class mail to all owners of all properties that fall wholly or partially within the applicable area set forth in Section 12.3.7.A.1. The notice shall include the date, time and place of the neighborhood meeting, a description of any property directly affected by the subject matter of the neighborhood meeting and a telephone number of the City's Current Planning Department. The Applicant shall provide the City with an affidavit certifying that the Applicant conducted the neighborhood meeting and that the requirements of this Section 12.3.7.B were met. Failure to provide the required affidavit or evidence of a defective mailing list will result in termination of

project review until proper notice is provided and the neighborhood meeting is conducted.

C. Public notice of the Director's administrative decision of a Preliminary or a combined Preliminary Final Plat shall be in accordance with Section 12.3.4 A 6.

12.3.8 Mineral Estate Owner Notification

The notification of mineral estate owners shall be given in accordance with the requirements of C.R.S. §24-65.5-101 et seq., as amended**.**

12.4 APPEALS

12.4.1 Performance Standard Variations/Exceptions to Development Contiguity Requirements/Uses-by-Right subject to an Administrative Review/Boundary Line Adjustments/Lot Mergers/Minor Subdivision Plats/Final Plats/Minor Amendments

A. Third party Appeals are not permitted with regard to the Director's administrative decision on an application for a Variation of the Performance Standards, an exception to the development contiguity requirements, a Development Project containing a Use-by-Right subject to Administrative Review, a Boundary Line Adjustment, a lot merger, a Minor Subdivision plat or a Final Plat or a Minor Amendment.

B. In the event, however, that the Director denies any such application, or approves any such application with conditions that are not acceptable to the Applicant, the Applicant shall have the limited right to Appeal the Director's decision to the Planning Commission. The only grounds for Appeal shall be (i) that the Director did not have competent evidence to support his or her decision, or (ii) that the Director did not properly interpret or apply the applicable review standards. The Appeal shall state the grounds upon which the Applicant is relying and the specific facts that support such grounds.

C. Appeals of an administrative decision of the Director shall be filed in writing with the Current Planning Division within ten (10) days of the mailing of the Director's decision. The Planning Commission shall hold a hearing on the Appeal within thirty (30) days of the filing of the Appeal and shall either reverse, modify or uphold the Director's decision. The hearing before the Planning Commission shall be de novo (i.e. a new hearing in which the Planning Commission is entitled to hear and consider new evidence and testimony). Written notice of the hearing shall be given to the Applicant at least fifteen (15) days before the hearing. The Director may adopt supplementary administrative procedures for such Appeals which are not in conflict or inconsistent with these provisions. The decision of the Planning Commission shall be final unless it is appealed in writing by the Applicant to the City Council as provided in Paragraph D. below.

D. Appeals of a decision of the Planning Commission shall be filed in writing with the Current Planning Division within ten (10) days of the Planning Commission's decision. The City Council shall hold a hearing on the Appeal within thirty (30) days after the Planning Commission's decision. The hearing before the City Council shall be on the record, i.e. limited to evidence which was before the Planning Commission at the time its decision was made. Written notice of the hearing shall be given to the Applicant at least fifteen (15) days before the hearing and the City Council shall either reverse, modify or uphold the decision of the Planning Commission.

12.4.2 Public Review

A decision of the Planning Commission pursuant to Section 12.3.3.A.2(a) may be appealed to the City Council by the Applicant, any owner of property located within the area subject to the notification requirements of Section 12.3.7.A, or three or more members of the City Council. The process for any such Appeal shall be the process described in Section 12.4.1.D, except that public notice of the hearing shall be given in accordance with the requirements of Section 12.3.7.A.

12.4.3 Preliminary Plats/Combined Preliminary and Final Plats

A. The administrative decision of the Director on an application for a Preliminary Plat or a combined Preliminary Plat and Final Plat may be appealed to the Planning Commission by the Applicant, any owner of property located within the area subject to the notification requirements of Section 12.3.7.A, three or more Planning Commission members or three or more members of the City Council. The process for any such Appeal shall be the process described in Section 12.4.1.C, except that public notice of the Appeal hearing shall be given in accordance with the requirements of Section 12.3.7.A and, in addition, the Applicant shall provide such notice of the Appeal hearing to the list of easement owners described in Section 12.3.4.A.6.

B. A decision of the Planning Commission pursuant to Section 12.4.3.A may be appealed to the City Council by the Applicant, any owner of property located within the area subject to the notification requirements of Section 12.3.7.A, or three or more members of the City Council. The process for any such Appeal shall be the process described in at Section 12.4.1.D, except that public notice of the hearing shall be given in accordance with the requirements of Section 12.3.7.A and, in addition, the Applicant shall provide such notice of the Appeal hearing to the list of easement owners described in Section 12.3.4.A.6.

12.4.4 Special Review Use Approvals

The administrative decision on a Type 2 Zoning Permit may be appealed to the Planning Commission by the Applicant, any owner of property located within the area subject to the notification requirements of Section 12.3.7.A, any person that appeared at the neighborhood meeting, three or more Planning Commission members or three or more members of the City Council. The process for any such Appeal shall be the process described herein at Section 12.4.1.C and 12.4.1.D., except that public notice of the hearing shall be given in accordance with the requirements of Section 12.3.7.A.

A decision of the Planning Commission on a Type 3 Zoning Permit may be appealed to the City Council by the Applicant, any owner of property located within the area subject to the notification requirements of Section 12.3.7.A, any person that appeared at the neighborhood meeting or three or more members of the City Council. The process for any such Appeal shall be the process described herein at Section 12.4.1.D, except that public notice of the hearing shall be given in accordance with the requirements of Section 12.3.7.A.

12.5 AMENDMENTS

12.5.1 Amendments to the GDP

A. Consent to Amendments

The Controlling Documents shall, in accordance with the terms of the Restated Agreement, only be amended or terminated by the City with the consent in writing of the Developer, or any affiliated entity in which the Developer has a majority interest, and those third parties, if any, to whom the Developer has specifically granted, in writing, the right to approve such amendment or termination.

B. Major Amendments

For purposes of these Regulatory Procedures, any of the following amendments to this GDP constitute a Major Amendment: (a) permit a use not identified in a GDP Parcel or Subparcel as a Use-by-Right, a Special Review Use, or a use approved by the Director pursuant to Section 12.3.2.B of the Regulatory Procedures; (b) decrease the amount of commonly-owned, but not dedicated, open space within the GDP by more than ten percent (10%); (c) change any requirement for the payment of money or the dedication of land or other property rights to the City or the public; (d) materially relocate any public facility or improvement; (e) increase residential density by more than five percent (5%) in any GDP Parcel; and (f) increase nonresidential Building square footage by more than five percent (5%) in any GDP parcel ("Major Amendment"). A Major Amendment shall be subject to review and approval by the Planning Commission and City Council in accordance with the applicable section of the Municipal Code [currently Section 18.41.050.D(11)],

except that public notice of the hearings and neighborhood meeting shall be given in accordance with the requirements of Section 12.3.7.A and B. For Major Amendments that directly affect less than the entire GDP, the public notice requirement shall be specific to the Parcels or Subparcels of the GDP affected by the Major Amendment as determined by the Director in his or her reasonable discretion.

C. Minor Amendments

Minor amendments are any amendments to this GDP which do not meet the definition of a Major Amendment described in Section 12.5.1.B above ("Minor Amendments"). Minor Amendments shall be administratively reviewed and a final decision made thereon by the Director without requiring the approval by the Planning Commission or the City Council.

12.5.2 Amendments to Approved Plans or Subdivision Plats

A. Uses-by-Right

Proposed amendments to a Development Project containing a Use-by-Right for which a building permit has been issued shall be reviewed in accordance with the same process by which the Development Project was approved. In the event, however, that the amendment proposes a use set forth in Section 12.3.3.A.2, the proposed amendment shall be subject to the Public Review process set forth therein.

B. Special Review Uses

Proposed modifications to an approved Type 2 Zoning Permit or Type 3 Zoning Permit shall be reviewed in accordance with the applicable section of the Municipal Code (currently Section 18.40.050.A or Section 18.40.050.B), except that public notice of any required hearing shall be given in accordance with Section 12.3.7.A.

C. Subdivisions Plats

Proposed modifications or amendments to an approved Preliminary Plat, Final Plat or Minor Subdivision plat shall be processed in accordance with the same process by which the plat was approved.

SECTION 13
TERMS AND DEFINITIONS

Note 1: Definitions not included in this Section 13 or in the Restated Agreement, shall be in accordance with the Municipal Code, unless said definitions are in conflict or inconsistent with the provisions of the GDP and/or the Restated Agreement.

Note 2: The words and phrases in this Section 13, when used in the GDP, shall have the meanings set forth in this section, except where the context indicates otherwise.

"Accessory Building" or "Accessory Use" means a structure or use on a parcel that is secondary in nature to the Primary Structure or use, for example, a detached garage next to a residence or the retail sales of promotional clothing in conjunction with an eating and drinking establishment or public parking lots, pump stations, meter stations, maintenance facilities and landscape compounds, etc., together with the related primary uses. Indoor accessory uses are those uses (i.e. cafeteria, office) that occupy 10 percent or less of the gross square footage of the structure. If an indoor use occupies more than 10 percent of the gross square footage of the structure it shall be evaluated separate from the Primary Use for parking and other amenities.

"ACF Regulations" means the provisions of the Municipal Code relating to adequate community facilities as now existing in Chapter 16.41 and which are found at Exhibit A of the Restated Agreement.

"Administrative Review" means the approved processes for the review of Development Projects for Uses-by-Right as defined in Section 12.2.2A.1 of the Regulatory Procedures.

"Adult Day/Respite Care Facilities" means nonresidential facilities providing for the care, supervision, protection and social activities of persons over eighteen (18+) years of age during normal daytime working hours and allowing overnight stay on a short-term basis as a subordinate function.

"Agricultural Activity" or "Agriculture" means farming, including plowing, tillage, cropping, installation of best management practices, seeding, cultivating or harvesting for the production of food or fiber products (except commercial logging and timber harvesting operations); the grazing or raising of livestock (except in feedlots); aquaculture; sod production; orchards; Christmas tree plantations; nurseries; and the cultivation of products as part of a recognized commercial enterprise provided such activities do not include a retail component.

"Airport" means the Fort Collins-Loveland Municipal Airport.

"Airport Influence Area" means those areas depicted on the maps in Section 11 of the GDP, which areas are within the Airport Influence Area of the Airport depicted on Figure 4.6.C. of the City of Loveland Comprehensive Master Plan dated October 18, 1994 as amended on February 18, 2003, which was the latest amendment thereto at the time the Restated Agreement was approved. The boundaries of the Airport Influence Area depicted on the maps in Section 11 of the GDP were approved by the Restated Agreement effective July 11, 2006 and such boundaries serve as the basis for Special Conditions applicable to certain GDP parcels or Subparcels because of their proximity to the Airport.

"Airport Lines" mean the noise contours and the boundaries of the runway protection zone and critical zone approved by the FAA in the 2006 Master Plan Update for the Airport and depicted on the maps in Section 11 of the GDP, but specifically do not include the boundaries of the Airport Influence

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Area. The Airport Lines shall be applicable to all parcels and Subparcels of the GDP.

"Airport Master Plan" means the May, 1993 Airport Master Plan Update for the Airport.

"Alley" means a minor way used primarily for vehicular service access to the back or side of properties abutting on a street, or in some cases properties fronting on an open space area with a connecting walkway.

"Alzheimers Facilities" means residential facilities specifically designed to care for people with dementia.

"Ancillary Dwelling Unit" means a Dwelling Unit located on the same Lot, either attached or detached, with another Single Family Attached Dwelling or Single Family Detached Dwelling, and in common ownership with the Primary Use or residence on the Lot. Ancillary Dwelling Units shall contain more that 1050 square feet.

"Animal Clinic Small Indoor Use" means any facility maintained by or for the uses of a licensed veterinarian in the diagnosis, treatment or prevention of animal diseases wherein the animals are limited to dogs, cats, or other comparable household pets and wherein the overnight care of said animals is prohibited except when necessary in the medical treatment of the animal.

"Animal Clinic Small Outdoor Use" means any facility, with an enclosed fenced outdoor area for use by the animals adjoining the facility, maintained by or for the uses of a licensed veterinarian in the diagnosis, treatment or prevention of animal diseases wherein the animals are limited to dogs, cats, or other comparable household pets and wherein the overnight care of said animals is prohibited except when necessary in the medical treatment of the animal.

"Antenna" means any exterior apparatus or apparatuses designed for telephonic, radio, data, Internet or television communications through the sending and/or receiving of electromagnetic waves including equipment attached to a tower or building for the purpose of providing personal wireless services including, for example, "cellular," "enhanced specialized mobile radio" and "personal communications services" telecommunications services, and its attendant base station. For purposes of this chapter, the term "antenna" shall not include an antenna used by an amateur radio operator or "ham" operator, nor an exterior antenna or satellite dish used for the private or non-commercial reception of television or radio signals.

"Appeal" means a request for a review of an administrative decision of the Director or a decision of the Planning Commission. Appeal procedures are outlined in the Regulatory Procedures.

"Applicant" means the owner of a building site or an owner's authorized representative for the purpose of making application for approval of a Development Project to the Centerra DRC or the City.

"Architectural Articulation" means a manner of joining walls that makes the united parts clear distinct and precise in relation to each other. This may include recesses, projections, and other elements that produce undulations designed to discourage flat planes.

"Assisted Living Facilities" means residences for seniors that provide a range of services including room, board and at least the following: personal services, protective oversight, social care and regular supervision available on a 24-hour basis.

"Auto Dealership" means an establishment primarily engaged in the sale, rental, service, repair, storage or salvage of automobiles and trucks.

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"Avigation Easement" means the conveyance of a specified property interest in the airspace over real property in the form set forth as Attachment No. 1 to Appendix 3-1 and Appendix 4-1 of the GDP.

"Bay" or "Building Bay" means a wall plane projection or recess that forms an articulated wall surface on a building elevation, and that can be formed by pilasters, columns or other vertical elements such as a group of windows. Building Bay does not mean a service bay for autos or trucks and does not mean a bay window.

"Bed and Breakfast Establishments" means lodging facilities, typically restricted to 3-8 rooms, with the proprietor residing on the premises.

"Boarding Houses or Rooming Houses" means a Building or portion thereof which is used to accommodate, for compensation, three or more boarders or roomers, not including members of the occupant" immediate family who might be occupying such Building.

"Boundary Line Adjustment" means the relocation or adjustment of a Lot line, which meets the applicable requirements of the GDP and the Municipal Code.

"Building" means any permanent structure built for the shelter or enclosure of persons, animals, chattels or property of any kind and includes both the main portion of a structure built for permanent use, as well as all projections and extensions thereof. Such projections and extensions include, but are not limited to, garages, outside platforms and docks, carports, canopies, enclosed malls, and porches. Buildings have the following characteristics:

- Is permanently affixed to the land;
- Has one (1) or more floors and a roof; and
- Is bounded by either open space or the Lot lines of a Lot.

"Building Code" means the International Building Code as adopted by the City pursuant to Chapter 15.08 of the Municipal Code and any amendments thereto.

"Building Coverage" means the actual "footprint" of all buildings on the Lot at grade or at plaza level. Building Coverage is measured to the exterior faces of building walls. Lot areas covered by plazas, pedestrian malls, and/or landscaping shall not constitute Building Coverage. Similarly, building area situated over plazas, pedestrian malls, or landscaping shall constitute Building Coverage.

"Building Frontage" means that side of a Building that faces and is parallel to or most nearly parallel to a public or private street. The length of the frontage is determined by measuring along the outside walls of the Building.

"Building Height". When measured in feet, Building Height refers to the vertical distance between the average finished grade at the base of the building or structure (see below) and: 1) the highest point of the coping of a flat roof; 2) the deck line of a mansard roof; or 3) the average height level between the eaves and ridge line of a gable, hip or gambrel roof, or the highest point of a curved roof. In the case of fences or walls, Building Height shall be measured on the side with the least vertical exposure above finished grade to the top of the fence or wall. For the purpose of this definition "ground surface" shall include sidewalks, and "finished grade" as a point of measure shall mean either of the following, whichever yields a greater height of building or structure.

- The elevation of the highest ground surface within a five foot horizontal distance from the exterior wall of the Building, when there is less than a ten foot difference between the highest and lowest ground surface within a five foot horizontal distance from said wall.
- An elevation ten feet higher than the lowest ground surface within a five foot horizontal distance from the exterior wall of the Building,

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when there is greater than a ten foot difference between the highest and lowest ground surface within a five foot horizontal distance from said wall.

The following structures and features shall not be considered when calculating Building Height measured in feet under this definition:

- Chimneys, smokestacks or flues that cover no more than five percent of the horizontal surface area of the roof;
- Cooling towers and ventilators that cover no more than five percent of the horizontal surface area of the roof;
- Elevator bulkheads and stairway enclosures;
- Fire towers;
- Utility poles and support structures;
- Belfries, spires and steeples;
- Monuments and ornamental towers.
- The upper story of a building, if the floor area of that story does not exceed 20% of the area of the Building footprint, may exceed the otherwise required Building Height by up to 15'.

"Business Park Uses" means that list of specific uses set forth at Section 1.3.8 of the GDP.

"Call Center" means a central place where customer and other telephone calls are handled by an organization, usually with some amount of computer automation. Typically, a call center has the ability to handle a considerable volume of calls at the same time, to screen calls and forward them to someone qualified to handle them, and to log calls. Call Centers are used by mail-order catalog organizations, telemarketing companies, computer product help desks, and any large organization that uses the telephone to sell or service products and services.

"CDOT" means the Colorado Department of Transportation.

"CEF" means those capital expansion fees imposed on development by the City for the purpose of funding growth-related capital costs pursuant to the Municipal Code.

"Center" in a MUN refers to an activity node that typically serves as a focal point or community gathering site, and may take the form of a park, village green, plaza, garden, or an Urban Character Village as described in Section 9.5.9. See MUN.

"Centerra DRC" means the Centerra Design Review Committee, a private committee created for the purpose, among others, of evaluating Development Projects within the GDP, for compliance with the GDP and the private design standards adopted by the Centerra DRC.

"City" means the city of Loveland, Colorado, or the area within the territorial limits of the city of Loveland, Colorado.

"City Attorney" means the city attorney appointed by the City Council or that person's designee.

"City Council" means the body constituting the city council of the City.

"City Engineer" means the engineering manager of the City's Department of Public Works or that person's designee.

"City Manager" means the duly appointed manager of the City or that person's designee.

"Clubs and Lodges" means organizations of persons for special purposes or for the promulgation of sports, arts, literature, politics, or other common goals, interests or activities, characterized by membership qualifications, dues or regular meetings, excluding clubs operated for profit and/or places of worship or assembly.

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"Co-Housing" shall mean a residential area, to be owned partially or completely as a cooperative by the residents, designed as a cohesive unit with shared common facilities.

"Common Areas" means that real property, if any, shown on any present or subsequently recorded plat of the property or buildings that are intended to be devoted to the common use and enjoyment of the owners and occupants of the GDP. Such common areas may include, but are not limited to, private access easements, utility easements, drainage easements, open space, private drives, lawns, sidewalks, landscaping, exercise paths, street furniture, green belt structures, and recreational and athletic facilities.

"Community Facilities" means public, private, or private nonprofit facilities which are primarily intended to serve the recreational, educational, cultural or entertainment needs of a neighborhood or the community as a whole, and/or capital improvements including, but not limited to facilities for providing necessary urban services. The term Community Facilities shall include community parks, schools and golf courses and may also include neighborhood parks, trails, natural areas, environmental centers, open spaces, wetlands or similar types of uses.

"Compatible" means harmonious or visually pleasing with another object. Compatible does not mean the same, matching or equal.

"Complete Application" means and refers to an application for a Development Project which complies with the requirements of Section 12.3.2.

"Conference / Convention Center" means a facility used for business or professional conferences and seminars, often with accommodations for sleeping, eating and recreation.

"Congregate Care Facilities" means facilities for seniors that combine private living quarters with centralized dining services, shared living spaces, and access to social and recreational activities. Many congregate care facilities offer transportation services, personal care services, rehabilitative services, spiritual programs, and other support services.

"Congregate Care Housing Developments" means multiple-unit housing buildings (private rooms or full apartments) for seniors that integrate private living units with the availability of optional congregate meals, socialization activities, and a range of non-health-related supportive assistance such as housekeeping, counseling and transportation.

"Context Diagram" means a map or plan accompanying a proposed Development Project that illustrates the existing and proposed development surrounding the proposed Development Project as described in Sections 6 and 9 of the GDP.

"Continuing Care Retirement Communities" means multiple-living style complexes for seniors that include independent living units (apartments and/or cottages), social activities, congregate meals, supportive assistance and personal care on one campus. Assisted Living Facilities and Nursing Care Facilities may also be included within the same campus.

"Controlling Documents" means collectively the Restated Agreement and the GDP, including, but not limited to, the Special Conditions, the General Conditions and the Performance Standards.

"Convenience Store" means a retail establishment whose principal business is the retail sale of gasoline and other petroleum products, as well as the accessory sales of food items and other consumable goods, and where the floor area devoted to the display and sales of non-petroleum products exceeds four hundred (400) square feet.

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"Corporate and Professional Offices " means single Building sites as well as "corporate campuses" consisting of multiple Buildings for single and multi-tenant office users with uses that include, but are not limited, to a mix of headquarters or branch offices, research and development facilities, laboratory facilities and manufacturing and distribution facilities and Accessory Uses to theses facilities which may include, but are not limited to, cafeterias, delicatessens, private health clubs and day care facilities.

"County" means the County of Larimer, Colorado.

"Current Planning Manager" means the manager of the City's Current Planning Division or that person's designee.

"Days" shall mean calendar days unless otherwise specifically noted.

"Density" is a measure of the intensity of development in terms of the number of dwelling units per acre of land.

"Developer" means McWhinney Real Estate Services, Inc., a Colorado corporation.

"Development" means any man made change to improved or unimproved real estate, including but not limited to, construction of Buildings and other structures, mining, dredging, filling, grading, paving, excavation and drilling operations.

"Development Project" means and refers to any application for development within the GDP including, but not limited to, applications for building permits, changes of use, Type 1 Zoning Permits, Type 2 Zoning Permits, Site Development Plans, Sign Permits, plans containing Uses-by-Right or Special Review Uses, Boundary Line Adjustments, lot mergers, Minor Subdivision plats, combined Preliminary Plats and Final Plats and Final Plats.

"Director" means the City's Director of Development Services or that person's designee.

"Double Frontage Lot" means any lot which abuts two or more streets other than a corner lot, which abuts two intersecting streets.

"Duplex" – See definition for Single Family Attached Dwelling.

"Dwelling Unit" means one or more rooms, including kitchen facilities or kitchen area (kitchen does not need to be a separate room but will include, at a minimum, a sink, stove and refrigerator), and at least one bathroom, designed, occupied or intended for occupancy as separate quarters for the use of a family for living, cooking and sanitary purposes, located in a Single Family Detached Dwelling, Single Family Attached Dwelling, Patio Home/Zero Lot Line Home or Multi-Family Dwelling, Live/Work Structure or mixed use building. The term Dwelling Unit shall not include Hotels, Motels, tents or other structures designed or used primarily for temporary occupancy. Any Dwelling Unit except Ancillary Dwelling Units shall be deemed to be the Principal Use or building.

"Edges" in a MUN means the elements that define the perceived limits of the larger neighborhood. Edges may be formed by perimeter arterial landscape treatment, lakefront areas, storm drainage facilities, certain collector (or other) streets, and/or Open Space corridors. Strategically placed public uses such as parks and school sites may function as both centers and edges. Edges between adjacent residential neighborhoods need not be rigidly defined. See MUN.

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"Employees" means the total number of persons reasonably anticipated to be employed in a Building or on land during normal periods of use. This includes employees having overlapping work shifts.

"Entertainment Facilities and Theaters" means a Building, Buildings or parts thereof devoted to showing motion pictures or dramatic, musical or live performances.

"Environmental Entities" means and includes the HPF and the HPEC.

"Environmentally Sensitive Area" or "Environmentally Sensitive Areas" means and refers to those areas as identified in the Environmentally Sensitive Areas Reports applicable to the Subparcels of the GDP.

"Environmentally Sensitive Areas Report" or "ESAR" means and refers to a report prepared by a qualified biologist, which identifies Environmentally Sensitive Areas within a property and recommends mitigation measures for development purposes. ESAR's applicable to the Subparcels of the GDP are listed in Sections 2 through 5. A copy of each ESAR is included in Section 14.

"Extended Stay Housing" means Dwelling Units intended to be rented/leased for periods of up to six months.

"Extent Feasible" or "Extent Practicable" or "Extent Possible" means that, under the circumstances, reasonable efforts have been undertaken to comply with the standards, that the costs of compliance clearly outweigh the potential benefits to the public or would unreasonably burden the proposed project, and reasonable steps have been undertaken to minimize potential harm or adverse impacts resulting from noncompliance with the standard.

"FAA" means the Federal Aviation Administration.

"FHWA" means the Federal Highway Administration.

"Final Plat" means the plat of certain described land prepared in accordance with the requirements of the Municipal Code, as an instrument for recording real estate interests in the Larimer County Records. The final plat shall serve as the "plat" for purposes of C.R.S. § 31-23-215.

"Flex Office/R&D/Industrial/Warehouse" means a Building where a portion of the Building area is devoted to office uses that support the principal industrial, warehouse and/or R&D use, and/or a portion of the Building area devoted to inventory, fabrication, research or distribution.

"Floor Area Ratio" or "FAR" means the gross floor area of all Buildings or structures on a Lot divided by the Lot area, expressed as a ratio.

"Floor Area" means the gross area of the Building measured along the outside wall of the Building including each floor level and interior balconies, but excluding garages and enclosed automobile parking areas; exterior unenclosed balconies; basements; and one half the area for storage and display area in commercial uses for hard goods.

"Front Lot Line" means the property line dividing a Lot from a street except Lots bordered by more than one street or Lots that front an open space with a connecting walk. On Lots bordered by more than one street, the building official shall determine the Front Lot Line requirements, subject to the following limitations:

- At least one Front Lot Line shall be established creating one front yard Setback as required generally in the GDP.

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- Any other yard area abutting on a street shall have a minimum corner Setback as required in the GDP.

"General Condition" or "General Conditions" means and refers to those conditions of development which are applicable to all Development Projects within the GDP in accordance with the Controlling Documents and are which set forth in Appendix 1-1 to Section 1 of the GDP.

"General Offices" means offices for professional use such as physicians, dentists, lawyers, architects, engineers, artists, musicians, designers, teachers, accountants, or others who through training are qualified to perform services of a professional nature and where no storage or sale of merchandise is conducted.

"GDP" means the Millennium General Development Plan – Fifth Amendment and Restatement and all amendments thereto.

"Grocery Store" means a retail establishment primarily selling food, as well as other convenience and household goods.

"Gross Acreage" means the total area within a parcel, typically measured to the centerline of adjacent streets, which includes any public dedications for parks, schools or other public use.

"Gross Density" means the number of Dwelling Units per gross acre of land.

"Group Homes / Group Care Facilities" means residences or facilities licensed by or operated by a governmental agency, and specifically including State licensed foster care homes, for the purpose of providing special care or rehabilitation due to homelessness, physical condition or illness, mental condition or illness, elderly age or social, behavioral or disciplinary problems, provided that authorized supervisory personnel are present on the premises.

"Health and Fitness Clubs" means organizations of persons for special purposes or for the promulgation of sports, fitness, recreation, arts, politics or other common goals, interests or activities, characterized by membership qualifications, dues or regular meetings.

"Heavy Commercial Uses" means those uses set forth in Section 1.3.4 of the GDP.

"Heavy Industrial Uses" means those uses set forth in Section 1.3.7 of the GDP.

"Heavy Manufacturing" means manufacturing that is engaged in the basic processing and manufacturing of materials or products predominantly from extracted or raw materials, petrochemical and rubber refining, primary metal mining or similar uses.
"HPEC" means the High Plains Environmental Center, a Colorado nonprofit corporation, or any successor thereto.

"HPF" means the High Plains Foundation, a Colorado nonprofit corporation, or any successor thereto.

"Hotel" and "Motel" means a Building designed for temporary occupancy in which there are ten or more guest rooms and in which no provision is made for cooking in any individual room or suite. A motel or hotel room or suite which includes cooking facilities shall be considered a dwelling unit.

"Housing Type" shall mean the various types of residential development including, but not limited to, Single Family Attached Dwellings, Single Family Detached Dwellings, Townhomes, Condominiums, Patio Homes, Zero Lot Line Homes, Multi-Family Dwellings, apartments, Mixed Use Residential,

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Live/Work Structures, Co-Housing, Senior House of a Residential Nature and Extended Stay Housing.

“I-25” means Interstate Highway No. 25.

"Immediate Neighborhood” means a cohesive sub-area of a MUN which is typically comprised of one or two (or sometimes more) housing types, possibly with compatible supporting non-residential uses; have related architectural character; and are usually between eight and thirty acres in size. See MUN.

"Improvements" include, but are not limited to, any and all buildings, out-buildings, roads, driveways, parking areas, fences, screening walls, retaining walls, loading areas, signs, utilities, lawns, lighting, landscaping, and walkways, including all those located on building sites and common areas, as well as any construction, work, or treatment done or applied to any of the property in connection therewith.

“In-Line Retail” means attached retail stores.

“Independent Living Communities” means communities for seniors that include Single-Family Detached Dwellings, Single-Family Attached Dwellings, condominiums, and/or apartments where the residents maintain an independent lifestyle.

“Indoor Recreation Use” means exercise and athletic facilities, and amusement and recreational services, such as billiard and pool parlors, dance studios, martial art schools, and arts and crafts studios, but not including bowling alleys or establishments which have large-scale gymnasium-type facilities for such activities as tennis, roller or ice skating, and/or competitive swimming.

"Infrastructure" means those man-made structures which serve the common needs of the population, such as: potable water systems, potable water wells serving a system, non-potable water systems for irrigation; waste water disposal systems, solid waste disposal sites or retention areas; storm drainage systems; utilities; bridges; roadways; bicycle paths and trails; pedestrian sidewalks, paths and trails.

"Institutional/Civic/Public Uses" means those uses set forth in Section 1.3.1 of the GDP.

“Landscaping” or “Landscaped” means any combination of living plants such as trees, shrubs, plants, vegetative ground cover or turf grassed, and may include structural features such as walkways, fences, benches, works of art, reflective pools, fountains or the like. Landscaping shall also include irrigation systems, mulches, topsoil use, soil preparation, revegetation or the preservation, protection and replacement of existing trees.

“Larimer County Records” means the records of the Clerk and Recorder of Larimer County, Colorado.

“LCUASS” means the Larimer County Urban Area Street Standards adopted by the City, and all amendments thereto.

"Level of Service" means the level of service standards as defined in the Municipal Code.

“Light Commercial Uses” means those uses listed in Section 1.3.3 of the GDP.

"Light Industrial Uses" means those uses listed in Section 1.3.6 of the GDP.

“Light Manufacturing” means manufacturing that is predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales and distribution of such prod-

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ucts provided all manufacturing activities are contained within a building.

"Live / Work Structure" means a Building incorporating a Dwelling Unit with a first floor (and possibly second-floor) retail, office, or other non-residential use allowed as a part of an Urban Character village in a MUN or as part of a residential neighborhood not within a MUN.

"Lot" means a portion of a subdivision intended as a unit for transfer of ownership or for development, which has access to a public right-of-way.

"LURA" shall mean the Loveland Urban Renewal Authority.

"Major Subdivision" or "Subdivision" means all subdivisions not falling within the definition of a Minor Subdivision, and which are not Boundary Line Adjustments or lot mergers. Except where otherwise specified or where the context requires otherwise, the term subdivision as used herein shall mean Major Subdivision.

"Master Plan" means the City's master plan for the physical development of the City entitled *Create Loveland* adopted on July 19, 2016 by Resolution #R-65-2016, and all amendments thereto.

"Maximum Extent Feasible" means that no feasible and prudent alternative exists, and all possible efforts to comply with the standard or minimize potential harm or adverse impacts have been undertaken.

"May" when used, will be given its permissive meaning.

"Metropolitan District" includes all existing and future metropolitan districts within the GDP, but not limited to, the Centerra Metropolitan Districts and the Van deWater Metropolitan Districts.

"MFA" means the Centerra Master Financing and Intergovernmental Agreement by and among the City, the LURA, Centerra Properties West, LLC, the Centerra Metropolitan District No. 1, The Centerra Public Improvement Collection Corporation and The Centerra Public Improvement Development Corporation dated January 20, 2004 and on file with the City.

"MFA Commercial Area" means that real property legally described on Exhibit "B" to the MFA, subject to addition of future inclusions and deletion of future exclusions approved by the City Council. The MFA Commercial Area is the same as the area included in the Centerra Metropolitan District No. 2 and the area subject to The US 34/Crossroads Corridor Renewal Plan.

"Minor Subdivision" means the division of land into no more than four additional lots, as defined in Chapter 16.08 of the Municipal Code.

"Mixed Use Residential" means residential uses located in the same Building with non-residential uses.

"Mixed Use Residential Building" means a Building containing Mixed Use Residential uses in which the floor area of the non-residential uses shall be reasonably equivalent to, or greater than, the floor area of the first floor of such Building, exclusive of any parking floor area located on the first floor of the Building.

"Mixed Use Structure" means a Building intended to house multiple tenants of varying uses, such as retail, office, and/or residential. Mixed Use Structures accommodate residential and non-residential uses as distinct tenants rather than being designed to allow individual tenants to mix residential uses with

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non-residential uses in a single lease space as is the case with Live/Work Structures.

"Mixed Use Village Center" means a concentration of development that provides a combination of uses in the same general area of a community and/or within a single Building. For example, a mixed-use Building could have several floors. On the bottom floor, the space could be dedicated to retail or offices. The remaining floors could be apartments or condominiums. Another example would be a retail district that is closely related to offices, Multi-Family Dwellings and Single Family Attached Dwellings, with each use located within separate structures creating a dense urban concentration.

"Multi-Family Dwelling" means a Building or lot with six or more separate Dwelling Units, two stories or more in Height located on a single Lot. The units may be sold as condominiums or cooperatives, or for rental as apartments. A Multi-Family Dwelling does not include Single Family Attached Dwellings, Townhomes, Hotels, Motels, or Live/Work Structures.

"MUN" means a residential mixed-use neighborhood which is a residential area – typically of 50 to 160 acres - comprising one or more interconnected Immediate Neighborhoods designed to be served with a common collector street system, and typically having identifiable edges and one or more Centers within walking distance (1650'±) of most neighborhood residents. In this context an Immediate Neighborhood is a cohesive sub-area within a mixed-use neighborhood frequently (but not always) made up of one or two housing types. Edges are elements such as major streets, open space corridors, lakes, or other geographic features that define the perceived limits of the larger neighborhood. Centers serve as focal points or community gathering sites, and may include parks, village greens, plazas, gardens, or Urban Character Villages.

"Municipal Code" means the City of Loveland Municipal Code, as amended from time to time.

"Must" means compliance is mandatory, unless the context requires otherwise.

"Neighborhood Support / Recreational Facilities" means recreation / pool facilities and/or meeting rooms intended for the use and enjoyment of residents and guests of the adjacent neighborhood.

"Net Acre" means the area of developable land of a site, excluding land being dedicated for public rights-of-way or other public uses (i.e., schools, and parks).

"Net Density" means the number of Dwelling Units per net acre of land.

"Non-Residential Environmental Fees" means those HPEC fees imposed at the time of building permit issuance on the square footage of non-residential Buildings in accordance with the applicable Special Conditions.

"Nursing Care Facilities" means health institutions that are planned, organized, operated and maintained to provide facilities and health services with related social care to inpatients who require regular medical care and twenty-four-hour per day nursing services for illness, injury or disability. Nursing Care Facilities may specialize in short term or acute nursing care, intermediate or long term skilled nursing care.

"Open–Air Farmers Market" means a permanent or temporary/seasonal outdoor market held in an open area or in a structure where groups of individual sellers offer for sale to the public such items as fresh produce, seasonal fruits, fresh flowers, arts and craft items, and food and beverages (but not to include

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second-hand goods) dispensed from booths located on-site.

“Open Space” means either Private Open Space or Common Open Space, or a combination thereof.

"Open Space, Common" means areas within a Development Project, not included in Lots or golf courses and includes drainageways, active and passive Recreation Spaces including Accessory Uses related to the operation of such facilities such as toilet/locker rooms and parking lots, platted Outlots, landscaped areas, landscaped entries, landscaped roofs, landscaped right- of-ways, lakes, ponds, bikeways, trails, sidewalks, plazas, ditch corridors and other irrigation facilities.

"Open Space, Private” means those areas within each individual Lot not covered by Building, parking or driveways and includes all open areas, drainageways, active and passive Recreation Spaces including related Accessory Uses, all landscaped areas, landscaped entries, landscaped roofs, landscaped islands, lakes, ponds, bikeways, trails, sidewalks, plazas, courtyards, irrigation facilities, and structural parking covered by plazas. See also Section 6.6 and 6.7.

“Outdoor Storage” means the keeping, in an unroofed area, of equipment, goods, junk, material, merchandise or vehicles in the same place for more than twenty-four (24) hours.

“Outdoor Storage, Recreational Vehicles, Boats, and Trucks” means the keeping, in an unroofed area, recreational vehicles, boats and trucks in the same place for more than twenty-four (24) hours.

"Outlot" means a portion of land included in a subdivision that is not intended for development with Buildings containing residential, commercial or industrial uses. It may or may not have public right-of-way access. Common uses include, but are not limited to, easements, recreation gardens, Common Open Space or drainage detention. Nothing herein prevents an Outlot from being further subdivided into smaller Lots provided it meets all City requirements therefor.

“Parking Garage or “Parking Structure” means an off-street parking area within a Building.

“Parking Ratio” means the number of parking spaces required in relation to some measure of development intensity – the number of bedrooms in a Dwelling Unit, number of Dwelling Units, or amount of square footage. With the exception of certain restrictions in Urban Character Villages, the parking ratio requirements in this GDP are minimums. Additional parking may be provided at the developer’s discretion providing other standards are met. Within certain areas of MUNs – as noted in this GDP – the required parking may include all allowed on street parking on the adjacent side of each surrounding local or collector street.

“Parks and Open Space Uses” means those uses listed in Section 1.3.9 of the GDP.

“Patio Home” means a primarily Single Family Detached Dwelling that is built on or close to the Lot’s outer boundary(s) and having either a small front yard or small back yard. The yard maintenance may or may not be handled by a neighborhood association.

"Performance Standards" means the performance standards contained in Section 6 through 10 of the GDP, which address design considerations including, but not limited to, architectural, site planning, landscaping, streetscape and sign elements for all development within the GDP.

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“Personal and Business Service Shops” means shops primarily engaged in providing services generally involving the care of the person or such person’s apparel or rendering services to business establishments such as laundry or dry-cleaning retail outlets, portrait/photographic studios, beauty or barber shops, employment service, or mailing or copy shops.

"Personal Wireless Services" and "Personal Wireless Service Facilities," means commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services and the facilities for the provision of such services, as defined in Title 47, United States Code, Section 332, as amended from time to time.

“Pet Day Care Facility” means a facility providing such services as canine day care for all or part of a day, obedience classes, training, grooming and /or behavioral counseling, provided that overnight boarding is not permitted.

"Planned Capital Improvements" means a capital improvement or an extension or expansion of a capital improvement which does not presently exist, but which is included within a capital improvement program.

“Planned Retail Center” means a retail development containing two or more individual tenants and more than 25,000 gross square feet.

"Planning Commission" means the Planning Commission of the City as duly constituted by law.

"Preliminary Plat" means the plat of a proposed subdivision and specified supporting materials, drawn and submitted in accordance with the Regulatory Procedures, for the purpose of reviewing and evaluating the proposal prior to submission of a Final Plat. A preliminary plat is not a plat for purposes of C.R.S. § 31-23-215.

“Principal Structure” or “Primary Structure” means a structure in which is conducted the main or Principal Use of the Lot on which said Building is located.

“Principal Use” or “Primary Use” means the primary or predominant use of any Lot or Tract, as permitted under the GDP.

“Print Shops” means an establishment in which the principal business consists of duplicating and printing services using photocopy, blueprint or offset printing equipment, and may include the collating of booklets and reports.

“Public Facilities” means public transportation systems or facilities, water systems or facilities, wastewater systems or facilities, storm drainage systems or facilities, fire, police and emergency systems, electric utilities, gas utilities, cable facilities or other public facilities.

“Public Use” or “Public Area” means any use intended to be conducted in a facility or upon land which is owned by and operated for public use by school districts or by city, county, state or federal governments.

“Public Review” means the approved processes for the review of Development Projects for Uses-by-Right as defined in Section 12.3.3.A.2 of the Regulatory Procedures.

“Public Works Director” means the director of the City’s Department of Public Works or that person’s designee.

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"PVH Agreement" means the PVH Annexation Agreement by and among the City, its Water, Wastewater and Sewer Enterprises, Centerra Office Partners, LLC, Centerra Properties West, LLC, Cloverleaf Development Corporation, Hahn Development Company, LLC, and Poudre Valley Health Care, Inc. dated April 8, 2003 and recorded in the records of the Larimer County Clerk and Recorder on June 3, 2003 at Reception No. 2003-0067059.

"PVH Commercial Area" means that real property depicted and described on Exhibits F-1 and F-2 to the PVH Agreement.

"PVH Project" means the Hospital and Related Facilities as defined in the PVH Agreement to be constructed on the PVH Property.

"PVH Property" means that real property subject to the PVH Agreement and approved for development of the PVH Project, the legal description of which is attached to the PVH Agreement as Exhibits A-2, B and D.

"Recreational Facilities" means structures, or open areas including features and/or equipment specifically intended for recreational use.

"Recreational Space" means space, which is designed for active or passive recreational use for more than three (3) families. This may include indoor spaces: Recreational Facilities or structures and their Accessory Uses located in approved areas, including but not limited to game rooms, swimming pools, gymnasiums, bowling alleys, exercise rooms and tennis and racquetball courts; If the Recreational Space is to be owned an/or maintained by an association, residents of the Development Project for which the facility is planned shall automatically become members without additional charge.

"Regulatory Procedures" means those regulatory procedures set forth in Section 12 of the GDP which define submittal requirements and review processes for Development Projects within the GDP, including but not limited to, processes for Administrative Review and Public Review of Development Projects containing Uses-by-Right, and processes for Special Review Uses, subdivision plats, Variations, Appeals and amendments.

"Research and Development Facilities" means single Building sites as well as multiple Building complexes for users involved in high technology research and development. Uses may include, but not be limited to, computer hardware and software development, bio-medical research, pharmaceutical manufacturing, environmental or otherwise "high-technology" engineering. Accessory Uses may include those involved in the receipt, storage and distribution of products and materials required in the manufacturing process incidental to the research and development use and similar uses related thereto.

"Research Laboratories" means a Building or group of Buildings in which are located facilities for scientific research, investigation, testing or experimentation, but not facilities for the manufacture or sale of products except as incidental to the main purpose of the laboratory.

"Residential Environmental Fees" means those HPEC fees imposed at the time of building permit issuance on the square footage of Dwelling Units in accordance with the applicable Special Conditions.

"Residential Uses" means those uses listed in Section 1.3.2 and Section 1.3.10.B of the GDP.

"Restated Agreement" shall mean the Amended and Restated Annexation and Development Agreement for the Millennium GDP and any future amendments thereto.

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"Restaurant, Drive-In" means any establishment in which the principal business is the sale of foods and beverages to the customer in a ready-to-consume state and in which the design or principal method of operation of all or any portion of the business is to allow food or beverages to be served directly to the customer in a motor vehicle without the need for the customer to exit the motor vehicle.

"Restaurant, Fast Food" means any establishment in which the principal business is the sale of food and beverages to the customer in a ready-to-consume state, and in which the design or principal method of operation includes both of the following characteristics: food and beverages are usually served edible in containers or in paper, plastic or other disposable containers: The consumption of food and beverages is encouraged or permitted within the restaurant Building, elsewhere on the premises or for carryout. This type of business commonly has a drive-through facility.

"Restaurant, Indoor and Outdoor" means any establishment in which the principal business is the sale of food and beverages to customers in a ready-to-consume state: where fermented malt beverages, and/or malt, special malt or vinous and spirituous liquors may be produced on the premises and an accessory use; and where the design or principal method of operation includes one (1) of both of the following characteristics: customers are served their food and/or beverages by a restaurant employee at the same table or counter at which the items are consumed; and customers are served their food and/or beverages by means of a cafeteria-type operation where the food or beverages are consumed within the restaurant Building or within a fenced in outdoor seating area on the sidewalk or other open area adjoining the restaurant premises.

"Retail Establishment" or "Retail Store" means the sale or rental of goods or merchandise to the general public for personal or household consumption or to services incidental to the sale or rental of such goods or merchandise. Retail establishments over 10,000 square feet include power centers and life style centers.

"Right-of-Way" or "ROW" means an interest in real property conveyed to the public, the City and/or public utilities which have been constructed or will be constructed, for public transportation, drainage or utility improvements including but not limited to street paving, curb and gutter, sidewalks, bicycle lanes and buried or overhead utilities.

"School District" means the Thompson R2-J School District.

"School District IGA" means the Intergovernmental Agreement Concerning Land Dedication or Fees In Lieu for School Purposes between the School District and the City dated January 23, 1996.

"Senior Housing of a Non-Residential Nature" means housing for seniors that does not include residential Dwelling Units. Individual living quarters may include a private or shared bedroom and a bathroom, but may not include a kitchen. Residents may share a common living room, dining room, kitchen, supportive services and/or personal care services. Examples of these facilities could include: Adult Day/Respite Care Facilities; Alzheimers Facilities; Assisted Living Facilities; Congregate Care Housing Developments; Congregate Care Facilities; Continuing Care Retirement Communities; Independent Living Communities, Group Homes/Group Care Facilities, Nursing Care Facilities and other similar facilities.

"Senior Housing of a Residential Nature" means housing for seniors where individual living quarters are considered residential Dwelling Units. Housing types may include: Single Family Detached Dwellings, Single Family Attached Dwellings, Condominiums and Multi-Family Dwellings. These housing types may integrate private Dwelling Units with optional congregate meals, socialization activities and a range of non-health-related supportive assistance

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such as housekeeping, counseling and transportation. Examples of these facilities could include: Adult Day/Respite Care Facilities; Alzheimers Facilities; Assisted Living Facilities; Congregate Care Housing Developments; Congregate Care Facilities; Continuing Care Retirement Communities; Independent Living Communities, Nursing Care Facilities and other similar facilities.

"Setbacks" means the required distance between the furthermost projection of a structure or parking lot and the property line of the lot on which the structure or parking lot is located. Required setbacks shall be unobstructed from the ground to the sky except as specified in Sections 6.3, 9.7 and 10.13.
"Shall" means compliance is mandatory, unless the context requires otherwise.

"Shared Parking" means required parking that is provided both on-site and private lot where the same parking spaces are assigned to more than one (1) use at one (1) time.

"Similar" means resembling each other in some ways. Similar does not mean the same or equal. However, it does mean substantially equal in terms of visual appearance and/or quality of materials, as determined by the Director.

"Single Family Attached Dwelling " means a Dwelling Unit which may be individually owned and which shares a common wall with one or more Dwelling Units, which may be – but are not required to be – on fee-simple Lots, attached in groups of two to six units. Buildings shall be three stories or less in height. Units commonly have direct access to outdoor area.

"Single Family Detached Dwelling" means a detached Building, arranged and designed as a single Dwelling Unit other than a mobile home. Examples include: Single Family Detached Dwellings, Patio Homes, Zero Lot Line homes and other similar dwellings.

"Small Lot Cottage" means a Dwelling Unit, individually owned, which may or may not share a common wall with one or more Dwelling Units and which shall be on fee simple Lots. Utility metering may be grouped and private laterals may cross property lines. Performance standards for "Single Family Attached Dwelling" shall apply.

"Special Condition" or "Special Conditions" means and refers to those conditions of development which are applicable to Development Projects within designated parcels or Subparcels of the GDP in accordance with the Controlling Documents and as set forth as Appendices 2-1, 3-1, 4-1 and 5-1 to Sections 2 through 5, respectively, of the GDP.

"Special Review Uses" means those uses listed in the land use legends on Maps 4, 5, 6 and 7 of the GDP which are reviewed in accordance with Section 12.3.3.B.

"Start of Construction" means and includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within one hundred eighty days of the permit date. The actual start means the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of temporary structures or Accessory Buildings, such as garages or sheds not occupied as Dwelling Units or not part of the main structure.

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"State" means the state of Colorado.

“Street” or “Streets” means those roadways including, but not limited to, arterial, collector, cul-de-sac, local and private streets, as defined in the Municipal Code or the City’s applicable street standards (currently LCUASS).

“Submittal Checklist” or “Submittal Checklists” means those lists of items that are required to make a Complete Application as approved and amended by the Director.

“Subparcel” means a defined portion of Parcel A, B, C or D as defined in Sections 2, 3, 4 and 5 of the GDP. For example, the land included in the areas depicted as A-1, A-2 or A-3, etc., as shown on Map 4 in Section 11 of the GDP, are Subparcels.

“Technical Standards” means those technical standards, specifications and regulations contained in or adopted by the City pursuant to the Municipal Code for the construction of Buildings and public improvements (e.g., streets, sanitary sewer, water, storm water improvements, and the like).

"Townhome" – See definition for Single Family Attached Dwelling.

"Tract" means a portion of a subdivision intended as, but not limited to, a unit for transfer of ownership or for development, typically being substantially larger than a Lot and intended for large scale development, future subdivision into smaller Lots, or preservation as open space or buffer yards, in accordance with dedications or notes on the plat.

“Traffic Study” or “TIS” means a traffic impact study, the requirements of which are set forth in LCUASS.

“Transit Facility” means a bus stop, bus terminals, transfer points or depots without vehicle repair or storage.

“Transportation Engineering Division” means the engineering and transportation division of the City’s Department of Public Works.

“Transportation Plan” means the City of Loveland 2020 Transportation Plan as amended or superseded.

“Two Family Attached Dwelling” See definition for Single Family Attached Dwelling.

“Type 1 Zoning Permit” means and refers to the permit issued by the City following the City’s administrative approval of a change of use of an existing building based upon its administrative review of a site and landscape plan for the proposed change of use.

“Type 2 Zoning Permit” means and refers to the permit issued for a Special Review Use by the City following the City’s administrative approval of the use.

“Type 3 Zoning Permit” means the permit for a Special Review Use issued by the City following the Planning Commission’s approval of the use.

“Urban Character Village” means a mixed-use Immediate Neighborhood planned with design elements that create a more “urban,” and less “suburban,” streetscape. These elements may include minimal front Setbacks, a block face dominated by building frontages rather than parking areas, pedestrian amenities, “downtown/storefront” architectural elements, outdoor seating areas and/or other small community gathering areas. A variety of uses are permitted within an Urban Character Village to create and protect an appropriate character, refer to

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Section 9.7.1 for examples of these uses and additional planning criteria.

"US 34" means and refers to United States Highway 34.

"Uses-by-Right" means those uses listed in the land use legends on Maps 4, 5, 6 and 7 of the GDP which are reviewed in accordance with Section 12.3.3.A or 12.3.3.C.

"Variation" means a grant of relief from the requirements of the Performance Standards that permits construction in a manner that would otherwise be prohibited by the GDP.

"Vehicle Major Repair, Servicing and Maintenance" means any Building, or portion thereof, where heavy maintenance activities such as engine overhauls, automobile/truck painting, body or fender work, welding or the like are conducted. Such use shall not include the sale of fuel, gasoline or petroleum products.

"Vehicle Minor Repair, Servicing and Maintenance" means the use of any Building, land area, premises or portion thereof, where light maintenance activities such as engine tune-ups, lubrication, carburetor cleaning, brake repair, car washing, detailing, polishing or the like are conducted.

"Vested Property Rights" means the right to undertake and complete the development and use of property in the GDP under the terms and conditions of the Controlling Documents and applicable law.

"Vesting Period" means the various periods of Vested Property Rights afforded Parcels and Subparcels within the GDP as set forth in Section 7 of the Restated Agreement.

"Warehouse" means a Building used primarily for the storage or goods or materials.

"Warehouse and Distribution" means a use engaged in storage, wholesale, and distribution of manufactured products, supplies or equipment, including accessory offices or showrooms, including incidental retail sales, but excluding bulk storage of materials that are explosive or that create hazardous or commonly recognized offensive conditions.

"Will" means compliance is mandatory, unless the context requires otherwise.

"Wireless Telecommunication Facility" means any freestanding facility, Building, pole, tower or structure used to provide only wireless telecommunication services, and which consists of, without limitation, antennae, equipment and storage and other accessory structures used to provide wireless telecommunication services.

"Wireless Telecommunications Services" means services providing for the transmission of wireless communications utilizing frequencies authorized by the Federal Communications Commission for paging systems, enhanced specialized wireless telecommunications, personal communication services or cellular telephone.

"Workshop and Custom Small Industry" means a facility wherein goods are produced or repaired by hand, using hand tools or small-scale equipment, including small engine repair, furniture making and restoring, upholstering, custom care or motorcycle restoring or other similar uses.

"Zero Lot Line Home" is a Building or structure which satisfies one of the following criteria: 1) a structure with at least one (1) wall coterminous with the Lot line, which wall may include footings, eaves

ATTACHMENT 5

and gutters that may encroach onto the abutting Lot under the authority of an encroachment and maintenance easement; or 2) a Building or structure that is generally "centered" between its own side Lot lines, and using cross maintenance and access agreements each property owner is entitled to use a portion of one adjacent Lot; or 3) a similar condition to #2 above, but having unequal side yard Setbacks.

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GDP SUB-PARCEL	RELATED ENVIRONMENTAL REPORT
Parcel A2, A3, B1, B2, B4, C1, C2, C3, D1, D2, D3, D4, D5, D6, D7, D8	Original Millennium GDP Cedar Creek – January 1999
Parcel A1, A4	Centerra East Property Ecological Resource Consultants – July 18, 2003 rev. Nov. 20, 2003 and FlyWater Consulting, Inc. – November 6, 2006 FlyWater Consulting, Inc. – October 11, 2007
Parcel B10, B11	Parcels E, F and G of the Millennium GDP Cedar Creek and Associates – August 17, 2000 and Environmental and Natural Areas Report – Cloverleaf Addition Wildland Consultants – January 2000
Parcel B12	Myers Group No. 949 3rd Subdivision Ecological Resource Consultatns – February 4, 2005
Parcel A5, B3, C4	Spreng Property and Colorado College Ecological Resource Consultants – June 8, 2004 Flywater Consulting, Inc. – February 12, 2008
Parcel B6	Rocky Mountain Village II Development ENSR Corporation – January 2000
Parcel B7, B9, & D9	No Report
Parcel A6, A7	FlyWater Consulting, Inc. – October 11, 2007
Parcel B13	FlyWater Consulting, Inc. – October 11, 2007

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Parcel B14	FlyWater Consulting, Inc. – February 12, 2008
Parcel D10	Ecological Resource Consultants – ~~January 5~~April 17, 2017

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ATTACHMENT 5

ATTACHMENT 5

PETITION FOR ANNEXATION

The undersigned, in accordance with Article 12, Chapter 31, CRS, as amended, hereby petition the City Council of the City of Loveland, Colorado, for annexation to the City of Loveland of the unincorporated territory more particularly described on Exhibit A attached hereto and incorporated herein by this reference, to be known upon annexation as the ***Pfeiff Annexation***, and in support of this Petition for Annexation, the petitioners allege that:

(1) It is desirable and necessary that the area described in Exhibit A be annexed to the City of Loveland, Colorado;

(2) Not less than one-sixth (1/6) of the perimeter of the area described in Exhibit A is contiguous to the City of Loveland, Colorado;

(3) A community of interest exists between the territory proposed to be annexed and the City of Loveland, Colorado;

(4) The territory proposed to be annexed is urban or will be urbanized in the near future;

(5) The territory proposed to be annexed is integrated or is capable of being integrated with the City of Loveland, Colorado;

(6) The signature on this Petition for Annexation: (i) comprises the landowners of more than fifty percent (50%) of the territory proposed to be annexed, exclusive of streets and alleys; and (ii) comprises more than fifty percent (50%) of the landowners of the territory proposed to be annexed;

(7) No land held in identical ownership, whether consisting of one tract or parcel of real estate or two or more contiguous tracts or parcels of real estate, other than public right-of-way, streets and roads:
(a) Is divided into separate parts or parcels without the written consent of the landowner or landowners thereof, unless such tracts or parcels are separated by a dedicated street, road or other public way;
(b) Comprising twenty (20) acres or more and which, together with the buildings and improvements situated thereon has an assessed value in excess of Two Hundred Thousand Dollars ($200,000.00) for ad valorem tax purposes for the year preceding the annexation, is included within the territory proposed to be annexed without the written consent of the landowner or landowners.

(8) No part of the area proposed to be annexed is more than three miles from a point on the municipal boundary, as such was established more than one year before this annexation will take place;

(9) The area proposed to be annexed comprises more than ten acres and an impact report as provided for in Section 31-12-105.5, CRS, as amended is not required as the property lies within the city's growth management area;

(10) The area proposed to be annexed is located within Larimer County, the Thompson R2-J School District, the Thompson Valley Health Services District, the Loveland Fire District, the Northern Colorado Water Conservancy District, the Larimer County Pest Control District, and no others;

(11) The mailing address of the signer and the date of signing are shown on this Petition for Annexation;

(12) Accompanying this Petition for Annexation are four (4) prints of the annexation map containing the information required under the City of Loveland Annexation Submittal Checklist.

(13) The territory to be annexed is not presently a part of any incorporated city, city and county, or town;

(14) Except as may be modified by the Millennium GDP, the Annexation and Development Agreement for the Millennium GDP, as may from time to time be amended or restated, or as otherwise waived by the City Council of the City, the undersigned agrees to the following conditions, which shall be covenants running with the land, and which shall, at the option of the City, appear on the annexation map:
(a) Water rights shall be provided pursuant to City ordinance;
(b) The territory to be annexed shall be included in the Municipal Subdistrict of the Northern Colorado Water Conservancy District;
(c) The owners shall participate in providing drainage plans and improvements and payment of a unit drainage fee as may be required by the City for the area;
(d) Future development of this property shall be subject to payment of the capital expansion fees pursuant to the Loveland Municipal Code;
(e) The undersigned hereby waive any and all "vested rights" previously established for the property to be annexed pursuant to Section 24-68-103, CRS, as amended;
(f) Future provision of electrical services within the annexed territory is subject to a surcharge as provided in the Loveland Municipal Code;
(g) Any development within the annexed territory shall comply with the City of Loveland Comprehensive Plan, as it may be amended from time to time.

(15) Petitioner represents that: (Check one)

X No part of the property to be annexed is included within any site specific development plan approved by Larimer County, Colorado.

_____ A site specific development plan has been approved by Larimer County, Colorado, which has created a vested right.

(16) Petitioner requests: (i) that the City of Loveland approve the annexation of the area proposed to be annexed; and (ii) that the area proposed to be annexed be placed in the Millennium GDP upon annexation.

(17) Petitioner reserves the right to withdraw this Petition for Annexation at any time prior to the effective date of the ordinances annexing and zoning the area proposed to be annexed.

EXECUTED the dates set forth below.

PETITIONER:

PFLVD, LLC, a
Colorado limited liability company

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

By: _____
Troy C. McWhinney
Chief Investment Officer

Date: April 17, 2017

Address: 2725 Rocky Mountain Ave., Suite 200
Loveland, CO 80538

CIRCULATOR'S AFFIDAVIT

STATE OF COLORADO)
)ss
COUNTY OF LARIMER)

The undersigned, being first duly sworn upon his/her oath states:

That he/she was the circulator of this Petition for Annexation and that signature of Troy C. McWhinney, Chief Investment Officer of McWhinney Real Estate Services, Inc., Manager of PFLVD, LLC, Petitioner, is the signature of the person whose name it purports to be.

Subscribed and sworn to before me this 17th day of April, 2017, by Troy C. McWhinney.

WITNESS my hand and official seal.

07-28-2018
Commission Expiration

Tammi J Lau
Notary Public

TAMMI J LAU
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20064029253
MY COMMISSION EXPIRES 07/28/2018

Exhibit A
To Petition for Annexation

Legal Description

A tract of land located in the Northeast Quarter of Section 17, Township 5 North, Range 68 West of the Sixth Principal Meridian, County of Larimer, State of Colorado being more particularly described as follows;

Lot 1, Pfeiff Minor Land Division File No. 15-S3349 as recorded at Reception No. 20160026252, County of Larimer, State of Colorado.

The above described land contains 31.835 acres, and is subject to all easements and rights-of- way and restrictions on record or existing.

ANNEXATION WITH PUD ZONING APPLICATION

Project Name: Pfeiff Annexation	
Name of PUD:	
PROJECT	
Narrative Description of Project, including purpose and other pertinent information:	Annexation and PUD Zone for 31.835 acres
Existing Legal Description of Property Boundary (Lots, Blocks, Tracts and Subdivision Name, or Metes & Bounds):	Lot 1, Pfeiff Minor Land Development File No. 15 S3349
Address of Existing Buildings or Property:	NA

APPLICANT INFORMATION

OWNER'S REPRESENTATIVE (CONTACT PERSON)

Company:	Name:	Phone: Fax:
Address:		
City, State:		Zip Code:
Email Address: Kim.Perry@McWhinney.com		

CONSULTANT

Company: Northern Engineering	Name : Bob Tessely	Phone: 970-221-4158 Fax:
Address: 301 N Howes, Suite 100		
City, State: Fort Collins CO		Zip Code: 80521
Email Address: bob@northernengineering.com		

CONSULTANT

Company: CWC Consulting	Name : Brett Woolard	Phone: 303.395.2700 Fax:
Address: 9360 Teddy Lane, Suite 203		
City, State: Lone Tree, CO		Zip Code: 80124
Email Address: brettw@cwc-consulting.com		

CONSULTANT

Company:	Name :	Phone: Fax:
Address:		
City, State:		Zip Code:
Email Address:		

OWNER

Company :	Name :	Phone: 970-962-9990
McWhinney	PFLVD LLC	Fax: 970-635-3003

Address: 2725 Rocky Mountain Avenue

City, State: Loveland CO Zip Code: 80538

Email Address: Troy.McWhinney@McWhinney.com

SITE

Site Use and Zoning	Existing Adjacent Zoning and/or Use
Existing Use: Vacant	North Side: Vacant
Proposed Use: Vacant	South Side: Vacant
Existing Zoning: County	West Side: Residential
	East Side: City Park

Other Information	Acreage of Site
Number of Units Existing: NA	Gross: 31.835
Number of Units Proposed: NA	Right-of-Way: 0.952
Number of Lots Proposed: NA	Net: 30.883
Non-Residential Bldg. Area (Sq. Ft.) Proposed: NA	**Utility Services Provided by**
Total Number of Parking Spaces: NA	Water: City of Loveland
	Wastewater: City of Loveland
	Electric: City of Loveland

FEMA FLOODPLAIN

Is any portion located in a FEMA floodplain?	* If Yes, please submit legal description
☐ Yes ☒ No	

DESIGNATION OF OWNER'S REPRESENTATIVE

The undersigned owner(s) agree(s) that (please print name)

Kim L. Perry represents the undersigned in all matters pertaining to this project, including subsequent modifications to the application.

Owner

Signature: _____ Date: April 17, 2017

ACKNOWLEDGMENTS

I, as the Owner or Owner's Representative, hereby acknowledge that the application is correct and complete as per the specifications in the submittal checklist.

Owner or Owner's Representative

Signature: _____ Date: April 17, 2017

Printed Name: Troy C. McWhinney

ATTACHMENT 7

McWHINNEY

April 19, 2017

Noreen Smyth, Senior Planner
City of Loveland
410 E. 5th Street
Loveland, CO 80537

Re: Millennium GDP 10th Major Amendment

Noreen:

Thank you for your assistance to the McWhinney team over the last few months as we prepared for today's submittal of the Millennium General Development Plan 10th Major Amendment. As you know, the Millennium GDP has continued to evolve in response to economic cycles and market conditions in Loveland and northern Colorado since its initial approval in 2000. This current amendment focuses on three areas of the GDP: the developing neighborhoods south of Hwy. 34 near Mountain View High School and the Loveland Sports Park, the industrial areas near the Northern Colorado Regional Airport, and the yet to be developed residential and mixed use areas east of I-25 and the Promenade Shops at Centerra.

As the Hwy. 34 corridor and the planned neighborhoods south of Hwy. 34 steadily build out in accordance with both GDP and City long-term plans, the Pfeiff Farm became available for development. The north half, which is adjacent to the Mountain View High School, has been acquired by the Thompson R2J School District for an expansion of its facilities as a larger educational campus, and a McWhinney entity, PFLVD, LLC, acquired the south half of the Pfeiff Farm with the intent to annex into the City and the GDP in order to expand the City's higher density housing. The property is perfectly suited for a higher density neighborhood given its location close to the commercial corridor, existing and expanding educational facilities and recreational opportunities and, therefore, we have petitioned for annexation into the City and inclusion of the property into Parcel D the Millennium GDP.

The Northern Colorado Regional Airport and surrounding areas, where there are larger appropriately zoned properties, are considered prime ground for industrial and employment users in the wake of the recent recession. The northern portions of the GDP are among these properties. In our recent land planning exercises, using current market industrial product, we found the need to reconfigure the boundaries between our two zoning areas to ensure our lots and buildings will not split zoning districts. Portions of the B and C parcels are impacted to meet these needs and we have filed applications to remove a small parcel from the GDP and to add two other small parcels to the GDP for future industrial development.

Bring Your Dream
2725 Rocky Mountain Ave.
Suite 200
Loveland, CO 80538
p: 970.962.9990
f: 970.635.3003
www.mcwhinney.com

Finally, having weathered two economic recessions since the initial approval of the GDP in 2000, both of which affected the originally anticipated build out of the GDP, we desire to have more time to fulfill the long-term plans for mixed uses and residential neighborhoods in Parcel A-2, east of I-25 and the Promenade Shops at Centerra, and are thus requesting that the vesting period for such uses be extended in Parcel A-2.

The desired changes outlined above translate into the following application submittals to the City:

1. Annexation for Planned Unit Development Zone District, for annexation of the south half of the Pfeiff Farm as the Pfeiff Annexation.
2. Planned Unit Development (PUD), for zoning of the Pfeiff Annexation as Millennium Addition PUD – 10th Amendment.
3. Rezoning for all Zone Districts except PUD, for rezoning of a small portion of GDP Parcel B-3 to straight zoning as Industrial.
4. Planned Unit Development (PUD), for rezoning of two small areas from Industrial to Millennium Addition PUD – 10th Amendment.

The Planned Unit Development (PUD) applications are accompanied by a Request for Extended Vested Property Rights and, following the first round of staff review, we will be submitting a proposed amendment to the Amended and Restated Annexation and Development Agreement for the Millennium GDP for the purpose of applying the GDP standards to the properties being added and to establish vested property rights for the uses in such parcels and to extend the vesting period for residential and commercial uses in Parcel A-2 east of I-25.

Having explained our overall goals and rationale, we look forward to working through the development review process with you and other Loveland staff. In order to assist the team of reviewers in understanding the big picture, we would request that this cover letter accompany the separate application packages.

Thank you and, as always, please feel free to contact us if you have any questions or if we can provide additional information to assist in your review of our applications.

Sincerely,

Kim L. Perry
VP Community Design and Neighborhood Development
McWhinney

Statement of Consistency
with Suggested Change to
Comprehensive Plan Land Use Map
(Pfeiff Addition)

Create Loveland was adopted as the master plan for the City on July 19, 2016. The Master Plan is an advisory document that includes a Land Use Map representing the long-term vision and general recommendations for the location of land uses over the next 25 years (See Figure 3-9). The proposed Pfeiff Addition is currently designated as Employment on the Land Use Map.

The Master Plan also identifies on the Suggested Future Land Use Changes map (See Figure 3-10) areas where "future" changes are envisioned. The proposed Pfeiff Addition is identified on Figure 3-10 as an area suggested for change to the HDR-High Density Residential designation.

The purpose of the HDR-High Density Residential designation is described in the Master Plan as "primarily attached higher density housing including multifamily housing" "typically located in proximity to employment centers, commercial services" and "existing or potential transit facilities" (See Chapter 3 l 102). Primary uses are described as "multi-family homes & townhomes, with limited single-family detached homes" (See Chapter 3 l 94). The targeted range of density for HDR-High Density Residential areas is "10 – 20 units / acre" (See Chapter 3 l 102), however, the Master Plan recognizes that densities "should be considered on a project basis, depending on the surrounding character, future land uses . . . " (See Chapter 3 l 90).

The Petitioner and McWhinney Real Estate Services, Inc., developer of the Millennium GDP ("Developer"), propose to include the Pfeiff Addition in the Millennium GDP for development that allows a mix of residential product types with a range of densities. Specifically, the Developer proposes that the Pfeiff Addition be developed primarily as attached and multifamily housing, with single family detached homes limited to 12.875 acres (e.g. less than half of the gross area). Although the resulting density will likely be less than the range targeted by the Master Plan, the Developer's proposal permits a mix of residential land uses, which is another important characteristic of the HDR-High Density Residential designation, and allows a desirable and beneficial variety of housing options consistent with the developing land use patterns of the Millennium GDP.

Staff has indicated that such proposal is not completely consistent with the Master Plan's description of the HDR-High Density Residential designation but still supports the application.

The Petitioner and Developer offer the following responses to the Master Plan's evaluation criteria:

1. Does the application implement or further, or is it otherwise consistent with, one or more of the philosophies, goals, policies and strategies of the Master Plan?

Response: The Master Plan states that the areas suggested for future Land Use Map changes are places where opportunities exist to "extend and support existing successful land uses, respond to market demands, facilitate development that better responds to current conditions and lot arrangement, and align with current entitlements." Land uses adjacent to the Pfeiff Addition include the Loveland Sports Park, Mountain View High School, the Highway 34 commercial corridor and residential development planned and constructed as a part of the Millennium GDP. Locating additional residential in the Pfeiff Addition that is primarily high density with a limitation on single family, as described herein, is responsive to the strong market demand for more housing in close proximity to such uses and is consistent with the overall goals and development patterns of the Millennium GDP.

In addition, the proposed HDR-High Density Residential designation will further the following philosophies, goals, policies and strategies of the Master Plan:

Strengthen Loveland's Strategic Roles in the Community and the Region:

> Policy 6.1. Direct growth to where infrastructure capacity is available, or committed to be available in the future . . . (Chapter 2 l 74)
>
> Policy 6.2. Expand urban development and levels of service in a thoughtful and deliberate way through integration in land use, utility, and transportation planning . . . (Chapter 2 l 74)
>
> Policy 6.3. Encourage development of new annexations that are immediately contiguous to other land in the City that are already receiving City services. (Chapter 2 l 74)
>
> Policy 7.1. Seek opportunities to coordinate . . . with . . . school districts . . . (Chapter 2 l 74)
>
> Policy 8.4. Create a land use pattern that allows for educational facilities to be fully integrated into the community . . . Chapter 2 l 74)

2. Will the application request interfere with the existing, emerging, proposed or future land use patterns and/or densities of the surrounding neighborhood as depicted on the Land Use Plan Map and as contained within the Master Plan?

Response: The application will not interfere with land use patterns or densities of the surrounding neighborhood. To the contrary, the location of the proposed mix of higher density residential with limited single-family homes in the Pfeiff Addition, where it is

close to recreational facilities and the commercial activity on Highway 34, and where it can provide an appropriate transition between the school district property and other residential parcels (Parcels D8 and D9) of the Millennium GDP, supports the existing and future land use patterns and densities of surrounding neighborhoods as depicted on the Land Use Plan Map and as approved in the Millennium GDP.

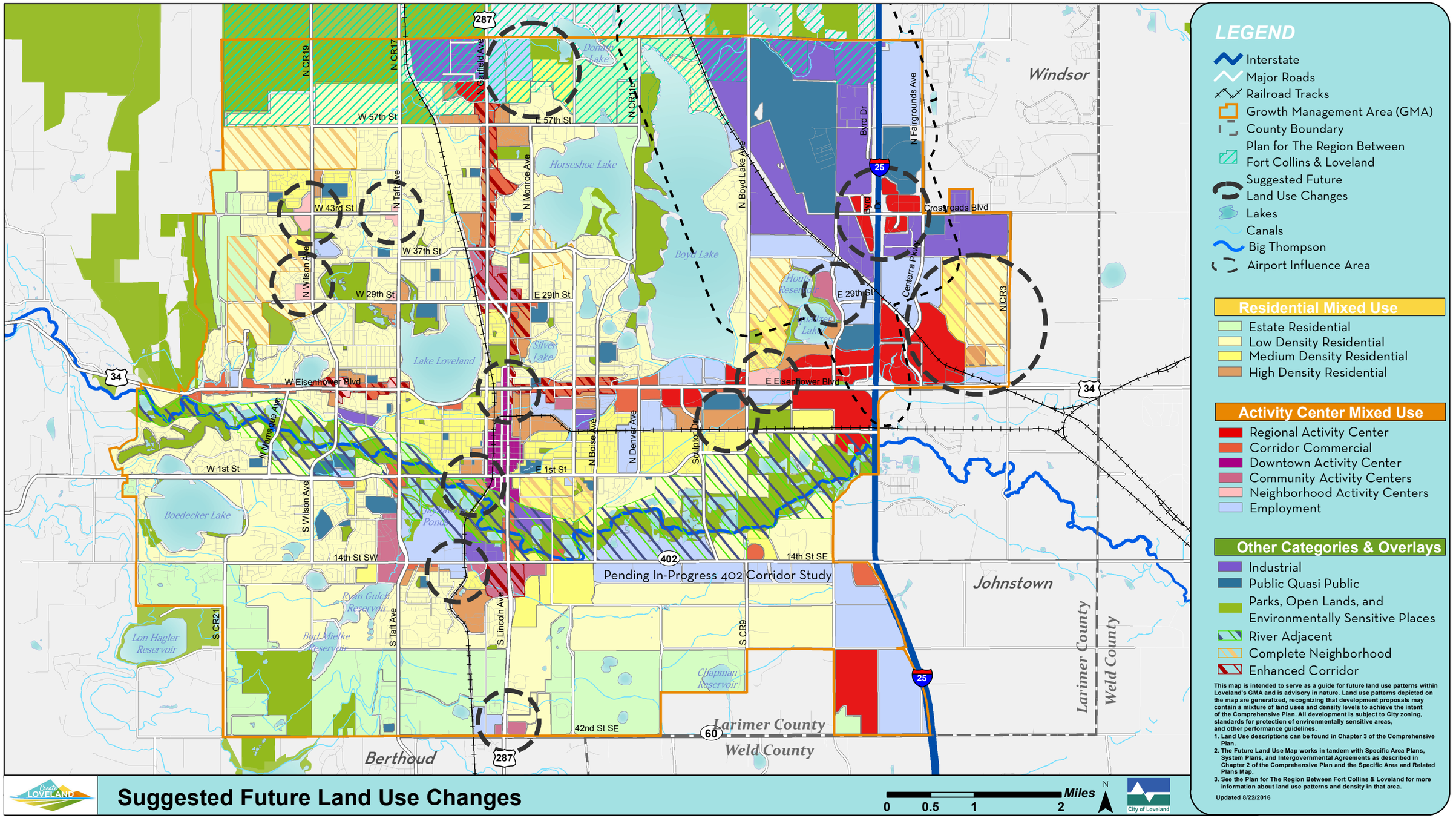
3. Will the application interfere with, prevent, or implement the provision of any of the area's existing, planned, or previously committed services or proposals for community facilities, or other specific public or private actions contemplated within the Comprehensive Plan?

Response: The application will not interfere with or prevent the provision of future community services or facilities. The annexation and zoning of the Pfeiff Addition into the Millennium GDP for development as described herein will facilitate residential development in an organized and high quality fashion.

4. Will the application interfere with, prevent, or implement the provision of any of the area's existing or planned transportation system services as contemplated by the Transportation Plan?

Response: The application will not interfere any existing or planned transportation system services contemplated by the 2035 Transportation Plan. In fact, development of the Pfeiff Addition as primarily higher density residential as described herein and in accordance with the Millennium GDP will result in the construction of adjacent and internal streets, pedestrian and bicycle networks, connections to regional trails and transit facilities where possible, resulting in a safe, efficient and convenient transportation system consistent with the goals of the 2035 Transportation Plan.

Figure 3-10. Suggested Future Land Use Changes





HDR - High Density Residential

- Primarily attached higher density housing including multifamily housing.
- Typically located in proximity to employment centers and commercial services to provide land use transition and worker housing options near employment.
- Located near existing or potential transit facilities.



Example: Lake Vista, Victorian Gardens

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

Civic

- Churches
- Schools

Commercial

- Retail & services compliant with NAC

Transportation

Highest Priority Mode

Wide detached sidewalks; off-street trail system; connections to transit stops & commercial areas

Priority Mode

Access to homes by car; slow speeds & connectivity between neighborhoods

Secondary Mode

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

Secondary Mode

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

Zoning Compliance

- R3 - Developing High Density Residential
- R3e - Established High Density Residential
- PUD - Planned Unit Development

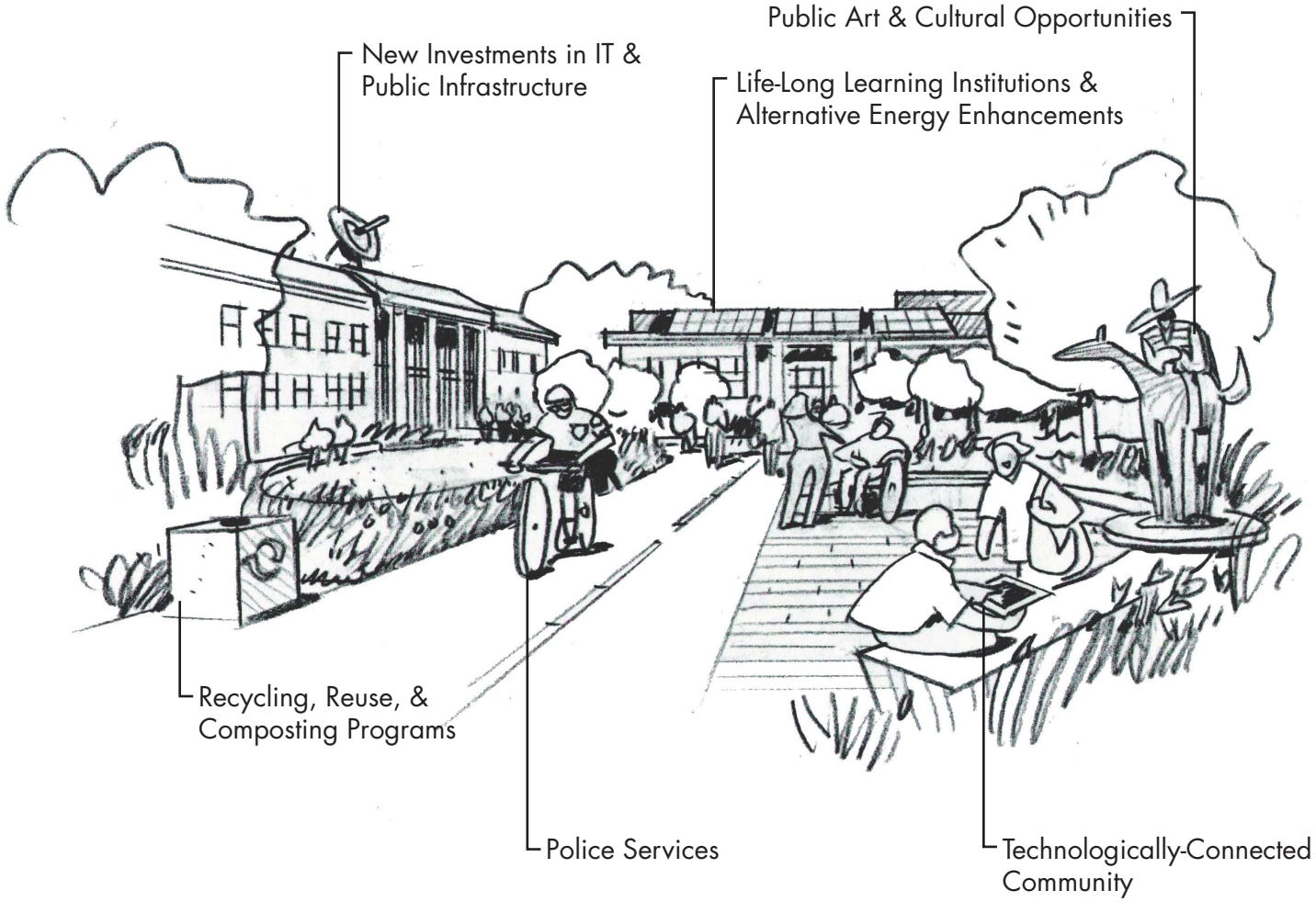
Form

- Density: 10 - 20 units / acre
- Street Pattern: Curvilinear or Grid
- Block Length: 250' - 700'
- Front Yard Setbacks: 10' - 20'
- Building Height: 1 - 4 stories

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Neighborhoods & Community Assets

Plan Element: Strengthen Loveland's Strategic Roles in the Community and the Region



Artist's rendering, 2014

Many of the environmental, economic and social challenges facing Loveland are not unique to our community alone but are shared by our neighboring cities. These issues are best addressed collaboratively, and Loveland's proactive role as a regional leader in Northern Colorado has grown considerably over the last decade.

The natural, geographic, and financial resource limitations that Loveland faces will continue to influence investments in community services. Loveland will continue to engage in regional planning and coordination where appropriate in order to address broader issues and obtain service efficiencies, in the areas of Environment, Transportation, and Growth Management (see Figure 2-8).

Environment: Loveland's many lakes, reservoirs, canal, ditches, and of course, the Big Thompson River, all play important roles in the region's natural resources system. The balance between using these as recreational assets and as critical water resources will become even more important with the growth expected in the region. In the past, Loveland has tried to reserve lands and restrict intense development at the edges of the Growth

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Management Area. In north Loveland this urban separation between municipalities is acknowledged regionally and collaboration between jurisdictions and private property owners restricts urban-level development. While in other cases, toward Windsor and Johnstown, the market demand has proven too great to limit development. To maintain its fiscal strength, Loveland will need to reinforce a pattern of compact and contiguous development that directs growth to where infrastructure capacity is available or can be provided efficiently, and away from floodplains and steep areas.

Transportation: Loveland is centrally located in northern Colorado and is one of three large cities within the North Front Range Metropolitan Planning Organization (NFRMPO) (with Fort Collins and Greeley being the other two). Loveland's proximity to other northern Colorado communities as well as the Denver metropolitan area results in a significant demand for regional travel. According to the 2010 NFRMPO Household Survey, nearly one-quarter of all trips made by Loveland residents have a destination outside of Loveland. This travel pattern underscores the need for regional collaboration and partnership for all modes of transportation. Loveland has partnered with CDOT, the NFRMPO, and its neighboring jurisdictions to plan for regional trails like the Big Thompson River Trail and Front Range Trail, regional transit service including FLEX connecting from Boulder to Fort Collins), CDOT's "Bustang" bus service along I-25, the envisioned commuter rail service, and regionally significant roadway projects like the planned widening of I-25. Heavy rail that bisects Loveland is critical to supporting the region's manufacturing, and agriculture industries. Loveland's regional partnerships will continue to be important in moving toward implementation of these regional transportation projects to facilitate regional and inter-regional travel for Loveland residents.

The Airport area has experienced a high level of development over the past few years. The area now represents a diverse mix of land use. In order to maintain a healthy and high functioning transportation center, it will require adjacent area developments to be compatible with Airport activities. Uniquely positioned at the confluence of regional transportation corridors such as the Union Pacific Railway, Interstate 25, US Highway 34, it offers the potential to support a wide variety of aircraft and travel modes.

Growth Management: Loveland's Growth Management Area (GMA) establishes the extent of the City's planned future municipal boundaries. Within the GMA, there are several pockets of county land that are entirely or partially surrounded by Loveland City limits. These areas are serviced by the City (police, fire, etc.), but are not incorporated and do not contribute to City tax revenues. Some of these lands are undeveloped, but others contain homes and businesses. Pacing development at the periphery with redevelopment of the City's core and incorporation of existing enclaves is a more efficient use of land and infrastructure, and helps focus Loveland's resources.

Ideas for implementing this included: building above the floodplain, directing development away from areas prone to natural hazards, and predicating new development on water, sewer and infrastructure capacities. The interface with surrounding towns will become more challenging, especially when it comes to shared services and community separators. Annexation policies below should be considered together with the Future Land Use Plan Map and Land Use category descriptions when evaluating a specific annexation, development or redevelopment proposal to ensure efficient provision of City services while encouraging infill development. The collaboration between water/sewer districts to provide sufficient infrastructure for potable water will become increasingly important, especially as the City grows south.

Community facilities already tend to be clustered near Downtown, which is a centralized and accessible area, especially for populations with limited access to transportation.

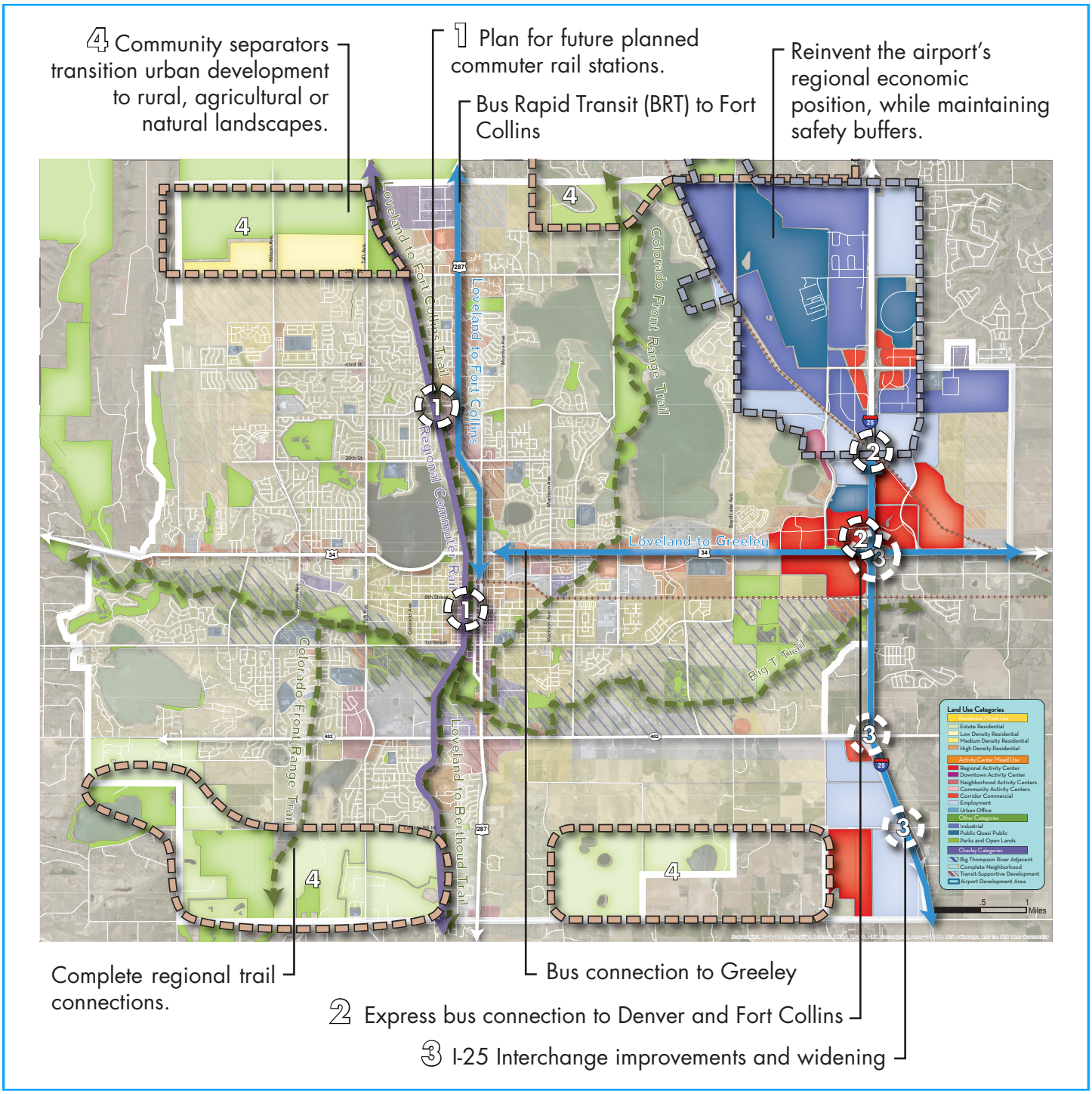


Figure 2-8: Land Use Plan opportunities to complete regional trail and transportation connections, and plan for sensitive transitions to surrounding municipalities and the airport. The policies below support these opportunities.

PLAN POLICIES AND SUPPORTING STRATEGIES

Policy 1. Protect important regional lands and facilities (see also Environment Policy 1).

1.1. Accelerate the completion of regional and statewide trail corridors, such as the Front Range Trail, Big Thompson Trail, BNSF Fort Collins to Berthoud Trail, and other trails in partnership with adjacent communities and agencies.

1.2. Coordinate regionally along the Big Thompson corridor, where floodplain protection and acquisition of open lands will play a vital role in community resiliency and recreation.

1.3. Sensitively transition urban development to rural, agricultural, natural landscapes in the north, west, and south edges of the community through conservation easements, development review, and fee-simple acquisition.



Airport development area

Policy 2. Maintain and expand convenient transportation connections between regional destinations (see also Mobility Policy 4 and 5).

2.1. Proactively plan for and leverage Federal and state funding for regional transit, such as Bus Rapid Transit (BRT).

2.2. Actively participate in NFRMPO regional transportation planning efforts to define current and future (2040) transportation needs of Loveland and the region as a whole.

2.3. Work cooperatively with CDOT, the NFRMPO and other northern Colorado communities to identify opportunities to provide and increase the effectiveness of regional transit service and convenient freight route traffic along regionally significant transportation corridors. When possible, partner with freight railroads on Operation Lifesaver and Stay Safe programs.

2.4. Investigate options for regional governance of transit service.

2.5. Coordinate land use planning around future transit hubs and commuter rail stations to maximize the community's economic benefits in regional transit service.

2.6. Encourage consistency between local capital improvements and regional infrastructure priorities.

2.7. Coordinate with CDOT to support regional efforts to increase capacity on I-25.

2.8. Coordinate with CDOT on the implementation of improvements along US 34, US 287, and SH 402.

Policy 3. Support strategic planning and growth at the Fort Collins-Loveland Airport.

3.1. Support the implementation of the Airport Strategic Plan by protecting against encroachment of non-compatible land uses, creating and supporting a sustainable business model, and encouraging public and private investment.

3.2. Locate appropriate new commercial development near the Airport, while maintaining flight buffers around the Airport.

3.3. Encourage and incentivize development of aerospace technologies in the form of manufacturing, maintenance, and educational research both on and adjacent to the Airport.

3.4. Create a multimodal transportation hub, as the Airport is located at a confluence of existing transportation resources such as the Union Pacific Railway, Interstate 25, US Highway 34, and aviation infrastructure that can support a wide variety of aircraft.

3.5. Enhance and invest in airport safety and infrastructure that supports regional transportation demands.

3.6. Create an Airport District Zone with land use designations and development standards to support the Airport area becoming a key economic and innovation center for the region.

Policy 4. Coordinate the timing, location, and character of growth within the Growth Management Area (Annexation).

4.1. Annexations shall promote quality developments.

4.2. All annexations shall be contingent upon a development agreement that clearly details the rights and obligations of the City and the land owner regarding the annexation and development of the annexed land.

4.3. Property owners and developers are encouraged to assemble available adjoining land parcels and prepare a master plan design for the larger area, rather than submit separate individual proposals.

4.4. Encourage the annexation of county enclaves within City limits and discourage the creation of future enclaves.

Policy 5. Evaluate the fiscal and environmental impacts of development of annexation proposals. (Note: The following requirements are already applicable for the development or redevelopment of property already within the City as well.)

5.1. Consider the capacity of community services and facilities, environmental resources, education, and transportation to accommodate development when annexing new lands into the City.

5.2. Consider the need for open lands and natural areas within the city limits when evaluating annexation proposals consistent with the recommendations contained in the adopted Parks & Recreation Master Plan.

5.3. Minimize the short and long term costs to the City of providing community services and facilities for the benefit of the annexed area. Annexation proposals that are accompanied by a specific development proposal shall include a cost/benefit study detailing the economic impacts of the proposed development based upon a fiscal model acceptable to the City.

5.4. Analyze the impact on the education system of proposed annexations, when accompanied by a specific development proposal, including recommendations of the Thompson R2-J School Board or their staff.

5.5. The annexation of land should be allowed only if the owner can provide assurances that the land does not contain hazardous conditions that may pose a danger to the City or that reasonable avoidance and mitigation measures can be taken in the event that hazards or contamination exists. To make this determination, a Phase I Environmental Report should be prepared by a qualified third-party specialist.

5.6. Evaluate all development agreements and proposed annexations against the fiscal model included in this plan, ensuring that they deal satisfactorily with any fiscal or environmental impacts upon the property.

Policy 6. Encourage a pattern of compact and contiguous development.

6.1. Direct growth to where infrastructure capacity is available, or committed to be available in the future. Continue to align financial incentives with contiguous development by requiring developers to install the infrastructure required to support their development.

6.2. Expand urban development and levels of service in a thoughtful and deliberate way through integration in land use, utility, and transportation planning; implementation of growth management policies; and the identification and preservation of open lands and natural areas.

6.3. Encourage development of new annexations that are immediately contiguous to other land in the City that are already receiving City services.

6.4. Do not extend City utilities outside the City limits without formal approval by the City Council.

Policy 7. Coordinate growth boundaries and service efficiencies with adjoining governmental entities.

7.1. Seek opportunities to coordinate and partner with other local governments, special districts, school districts, and regional, state and federal agencies on the provision of community facilities that have multi-jurisdictional impacts.

7.2. Engage in joint strategic planning efforts, as appropriate, with residents, landowners, adjoining municipalities, local service providers, and Larimer County to advance the vision and policies of Loveland's Comprehensive Plan.

7.3. Consider and participate in updates to the Larimer County Master Plan, including build-out and utility provision time-frame criteria, with the location, distribution, compact pattern, and characteristics of future land uses designated within the City's Growth Management Area.

7.4. Maintain intergovernmental agreements with Larimer County that accomplish the vision of Loveland's Comprehensive Plan, Larimer County Master Plan, and the growth management concerns of each jurisdiction.

Policy 8. Remain regionally competitive.

8.1. Facilitate the extension of technological infrastructure throughout the City.

8.2. Provide public services, facilities, and spaces that are accessible to populations with limited access to transportation.

8.3. Coordinate with the Thompson School District, AIMS Community College, and higher education institutions to prepare the workforce of the future and encourage job creation.

8.4. Create a land use pattern that allows for educational facilities to be fully integrated into the community, including commercial areas.

8.5. Collaborate with police department, fire rescue authority, and school districts to ensure a safer Loveland.

8.6. Maintain and improve current levels of service as the City continues to grow.



Fire Administration and Development Center

Relevant Indicators

- Property Investment Activity
- Mode Split

1.3 ALLOWABLE USES WITHIN EACH LAND USE CATEGORY

Following are lists of the specific uses that are included within each of the land use categories referred to throughout this GDP. The land use categories for each Subparcel, together with the specification of the land use category as either a Use-by-Right or a Special Review Use, are set forth in the land use legends on Maps 4, 5, 6 and 7 in Section 11. A land use category, as a whole, may be a Use-by-Right or a Special Review Use, depending on the location of the Subparcel and the adjacent land uses and features. Any exception to the categorization of an entire land use category as either Use-by-Right or Special Review Use is noted in parentheses following the specific use. For example, see Section 1.3.4 where it is noted that Group Homes/Group Care Facilities are always a Special Review Use, even if Heavy Commercial Uses are Uses-by-Right in a specific Subparcel.

1.3.1 Institutional/Civic/Public Uses

A. Public and private schools (college, university, vocational and technical education, etc.).
B. Places of worship, churches, or places of assembly.
C. Public Facilities.
D. Parks, recreation and other open lands.
E. Cemeteries.
F. Community Facilities.
G. Neighborhood Support/Recreational Facilities.
H. Public and non-profit offices and administrative facilities.
I. Government, semipublic, or other civic uses.
J. Clubs and Lodges.
K. Accessory Uses related to the above listed uses.

1.3.2 Residential Uses (If not within a Mixed Use Neighborhood)

A. Single Family Detached Dwellings.
B. Single Family Attached Dwellings.
C. Multi-Family Dwellings.
D. Live/Work Structures.
E. Senior Housing of a Residential Nature.
F. Group Homes for up to eight (8) developmentally disabled or elderly persons.
G. Home occupations (in accordance with Municipal Code).
H. Ancillary Dwelling Units.
I. Neighborhood Support/Recreational Facilities.

1.3.3 Light Commercial Uses

A. General Offices.
B. Bed and Breakfast Establishments.
C. Restaurants, Indoor and Outdoor.
D. Restaurants, Fast Food (drive-through permitted).
E. Funeral homes / mortuaries.
F. Grocery Stores (no greater than 20,000 sf).
G. Financial services and institutions, and clinics.
H. Artisan and photography studios and galleries.
I. Veterinary facilities and Animal Clinics Small Indoor Use including Pet Day Care Facilities.
J. Senior Housing of a Non-residential Nature.
K. Child-care centers.
L. Medical offices.
M. Open-Air Farmers Market.
N. Print Shops.
O. Hotel/Motel.
P. Parking lots and Parking Garages.
Q. Retail Establishments (no greater than 25,000 sf).
R. Health and Fitness Clubs.
S. Personal and Business Service Shops.
T. Accessory Uses related to the above listed uses.

1.3.4 Heavy Commercial Uses

A. Supermarkets and Grocery Stores (greater than 20,000 sf).
B. Hospitals.
C. Hospital Accessory Uses such as a helipad.
D. Group Homes / Group Care Facilities (Special Review Use only).
E. Senior Housing of a Non-residential Nature.
F. Veterinary facilities and Animal Clinics Small Outdoor Use including Pet Day Care Facilities.
G. Auto Dealerships.
H. Vehicle Major Repair, Servicing and Maintenance.
I. Conference / Convention Centers.
J. Retail Establishments (greater than 25,000 sf).
K. Bars, taverns, nightclubs.
L. Call Center.

M. Vehicle Minor Repair, Servicing and Maintenance establishments (indoors).
N. Entertainment Facilities and Theaters.
O. Gasoline stations and Convenience Stores with fuel sales.
P. Equipment, trucks and trailer rental establishments.
Q. Parking lots and Parking Garages (as a principal use).
R. Indoor Recreational Uses.
S. Wireless Telecommunications Facility / Services (Special Review Use only).
T. Personal Wireless Services / Facilities (Special Review Use only or in accordance with Municipal Code).
U. Self storage, mini storage, mini Warehouse.
V. Outdoor Storage related to the above listed uses.
W. Light Commercial Uses that have Outdoor Storage associated with them.
X. Accessory Uses related to the above listed uses.

1.3.5 Mixed Use Village Center

A. The Light Commercial Uses listed in Section 1.3.3.
B. The Institutional/Civic/Public Uses listed in Section 1.3.1.
C. Multi-Family Dwellings.
D. Single Family Attached Dwellings.
E. Live/Work Structures.
F. Parks and Open Space Uses listed in Section 1.3.9.
G. The Heavy Commercial Uses listed in Section 1.3.4.

1.3.6 Light Industrial Uses

A. Warehouses and Distribution
B. Flex Office/R&D/Industrial/Warehouse
C. Light Manufacturing
D. Research Laboratories.
E. Medical laboratories.
F. Workshops and Custom Small Industry uses.
G. Outdoor Storage of Recreational Vehicle, Boats and Trucks.
H. Accessory Buildings and Uses including outdoor storage of equipment, products or other goods.

1.3.7 Heavy Industrial Uses

A. Wireless Telecommunications Facility / Services.
B. Personal Wireless Services / Facilities
C. Heavy Manufacturing.
D. Recycling facilities, heavy industry.
E. Vehicle Major Repair, Servicing and Maintenance.
F. Accessory Buildings and Uses.
G. Outdoor Storage of equipment, products or other goods as a principle use.

1.3.8 Business Park Uses

A. Public safety and emergency facilities.
B. Parks, recreation and other open lands.
C. Cemeteries.
D. Community Facilities.
E. Neighborhood Support/Recreational Facilities.
F. Public and non-profit offices.
G. Government, semipublic or other civic uses.
H. Clubs and Lodges.
I. Public utilities.
J. General Offices.
K. Bed and Breakfast Establishments.
L. Restaurants, Indoor and Outdoor.
M. Restaurants, Fast Food (drive-through permitted).
N. Funeral homes / mortuaries.
O. Grocery Stores (no greater than 20,000 sf).
P. Financial services and institutions.
Q. Artisan and photography studios and galleries.
R. Veterinary facilities and small animal clinics.
S. Medical offices.
T. Open-Air Farmers Markets.
U. Print Shops.
V. Hotel/Motel.
W. Retail Establishments.
X. Health and Fitness Clubs.
Y. Personal and Business Service Shops.
Z. Supermarkets and Grocery Stores (greater than 20,000 SF).
AA. Auto Dealerships.
BB. Conference / Convention Centers.
CC. Retail Establishments (greater than 10,000 SF).
DD. Bars, taverns and nightclubs.

EE. Call Center.
FF. Vehicle Minor Repair, Servicing and Maintenance.
GG. Entertainment Facilities and Theaters.
HH. Gas stations and Convenience Stores with fuel sales.
II. Equipment, trucks, and trailer rental.
JJ. Parking lots and Parking Garages.
KK. Indoor Recreational Uses and facilities.
LL. Wireless Telecommunications Facility/Services.
MM. Personal Wireless Facilities.
NN. Warehouses.
OO. Light Industrial Uses.
PP. Flex Research and Development Facilities.
QQ. Research and medical laboratories.
RR. Workshops and Custom Industry uses.
SS. Recreational vehicle, boats and truck storage.
TT. Light and Heavy Manufacturing.
UU. Recycling facilities, heavy industry.
VV. Vehicle Major Repair, Servicing and Maintenance.
WW. Privately owned and maintained landscape areas.
XX. Publicly owned and maintained landscape areas.
YY. Passive and active Recreation.
ZZ. Agricultural Activity, community gardens or similar uses.
AAA. Community Facilities, parks, Recreation Space and Recreation Facilities.
BBB. Accessory Uses related to the above.
CCC. Outdoor Accessory Uses related to above uses.

1.3.9 Parks and Open Space Uses

A. Privately owned and maintained landscaped areas (parks, plaza, trails, etc.) or natural areas.
B. Publicly owned and maintained landscaped areas or natural areas.
C. Golf courses (public and private).
D. Passive or active recreation fields, courtyards, Accessory Buildings, associated maintenance facilities, and clubhouses.
E. Agricultural activity, community gardens, or similar uses.
F. Community Facilities, cultural arts facilities, parks, Recreation Space and Recreation Facilities.

1.3.10 MUN

A. Institutional/Civic/Public Uses

1. Places of worship, churches, and other places of assembly.
2. Public and private schools (elementary, intermediate, and high school, etc.).
3. Other educational/training facilities if within an Urban Character Village.
4. State licensed child or adult day-care centers.
5. Group Homes/Group Care Facilities.
6. Public safety and emergency facilities.
7. Community Facilities (including golf courses, public and private).
8. Indoor public and private cultural, educational and Recreational Facilities and community centers.
9. Outdoor public and nonprofit educational and Recreational Facilities.
10. Senior Housing of a Non-residential Nature.
11. Essential public utility and public service installations.
12. Cemeteries.
13. Public and private non-profit offices and administrative facilities.
14. Government, semipublic, or other civic uses.
15. Clubs and Lodges.

B. Residential

1. Single-Family Detached Dwellings.
2. Single-Family Attached Dwellings.
3. Multi-Family Dwellings.
4. Single family, two family, or multi-family condominium Dwelling Units.
5. Ancillary Dwelling Units, including guest quarters limited to one per Lot.
6. Co-Housing structures and related facilities.
7. Senior Housing of a Residential Nature.
8. Extended Stay Housing.

9. Home occupations.
10. Live/Work Structures – only in Urban Character Villages.
11. Bed and Breakfast Establishments.
12. Group Home / Group Care Facilities.

C. Commercial (in Urban Character Village only)

An Urban Character Village shall include at least two of the following uses:

1. Live/Work Structures or Townhomes.

2. Mixed-Use Structures including commercial, residential, and other allowed uses are allowed and encouraged in Urban Character Villages.

3. Multi-Family Dwelling Units. (Single family, or other types of Dwelling Units may be included in an Urban Character Village, but may not be used to meet the requirement for a second land use.)

4. Government, semi-public or other civic uses.

5. Artisan and photography studios, professional offices, educational/training facilities, financial services, Personal and Business Service Shops, Retail Stores, Convenience Stores (without gasoline sales), clinics or similar uses. Individual office or commercial uses with a maximum of 8,000 square feet gross Floor Area.

6. Indoor veterinary facilities; Animal Clinics Small Indoor Use and Pet Day Care Facilities. Outdoor facilities are not allowed.

7. Restaurants, pubs, or coffee shops with a maximum of 4,000 square feet of gross Floor Area. (Drive-through restaurant facilities shall not be permitted).

8. Clubs and Lodges.

9. Health and Fitness Clubs.

10. Public plazas or gardens.

11. Recreational Facilities.

12. Public or private elementary, intermediate and high schools.

13. Adult Day/Respite Care Facilities or child care facilities.

14. Places of assembly or worship.

15. Open-Air Farmers Market. (Temporary/seasonal outdoor markets are Uses-By-Right; Permanent outdoor markets are Special Review Uses only.)

16. Hotels, Bed and Breakfast Establishments, or other commercial lodging establishments with a maximum of eight (8) guestrooms.

D. Parks, Recreation and Opens Lands
1. Natural areas.
2. Parks and Recreation Facilities, including trails, neighborhood parks, pocket parks or village greens, plazas, formal or informal gardens, playgrounds, and/or similar uses.
3. Public or private Community Facilities, including environmental centers, parks, Recreation Spaces, and other Recreational Facilities.

4. Open lands for cultivation of crops, community gardens, or similar uses.

E. Accessory/Miscellaneous
1. Accessory Buildings and Uses.
2. Satellite dish Antennas eighteen (18) inches or less in diameter.
3. Active or passive solar, or other alternative energy devices.
4. Personal Wireless Facilities (Special Review Use only).

1.4 GDP REPORT

The GDP report format established by the City is designed for a standard GDP. However, for this GDP, many of the items typically addressed in the

City of Loveland

Development Services
Current Planning
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Planning Commission Staff Report

October 23, 2017

Agenda #: Agenda Item #2

Title: Centerra Parcel 222

Applicant: Centerra Properties West, LLC (McWhinney)

Request: Rezoning and Millennium General Development Plan Amendment

Location: East of N. Boyd Lake Ave, west of Rocky Mountain Ave, and north of E. 37th St/Kendall Pkwy

Existing Zoning: Millennium PUD and I Industrial

Proposed Zoning: Millennium PUD and I Industrial

Staff Planner: Noreen Smyth

Staff Recommendation:
Subject to additional evidence presented at the public hearing, city staff recommends the following motions:

Recommended Motions:

1. *Move to make the findings listed in Section IX(1) of the Planning Commission staff report dated October 23, 2017; and, based on those findings, recommend that City Council approve the rezoning of the subject area from Millennium PUD to I Industrial, subject to the conditions listed in Section X, as amended on the record; and*
2. *Move to make the findings listed in Section IX(2) of the Planning Commission staff report dated October 23, 2017; and, based on those findings, recommend that City Council approve the rezoning of the subject areas from I Industrial to Millennium PUD, subject to the conditions listed in Section X, as amended on the record; and*
3. *Move to make the findings listed in Section IX(3) of the Planning Commission staff report dated October 23, 2017; and, based on those findings, recommend that City Council approve the Millennium General Development Plan Amendment, subject to the conditions listed in Section X, as amended on the record.*

Summary of Analysis:
This is a public hearing and the Commission's role is to make recommendations to the City Council on the three associated components of this request. The applicant is pursuing the rezoning of three areas of land to correct a split zoning situation; a portion of each tract is a part of this application is zoned I and a portion is zoned PUD. The request is to 1) rezone a 4.6–acre portion of Tract A of the Savanna Second Subdivision from Millennium PUD to I Industrial, 2) to rezone a 5.2–acre portion of Tract A, Savanna Second Subdivision, and a 9.3-acre portion of Tract D, Savanna Second Subdivision, from I Industrial to Millennium PUD, and 3) to amend the Millennium General Development Plan to reflect the changes in boundaries.

Light industrial and commercial uses are allowed in this area of the Millennium, and are also allowed in the I Industrial District. The proposed rezoning and GDP amendment will not significantly alter the allowed uses on the subject property. Staff supports the requested rezonings and GDP amendment.

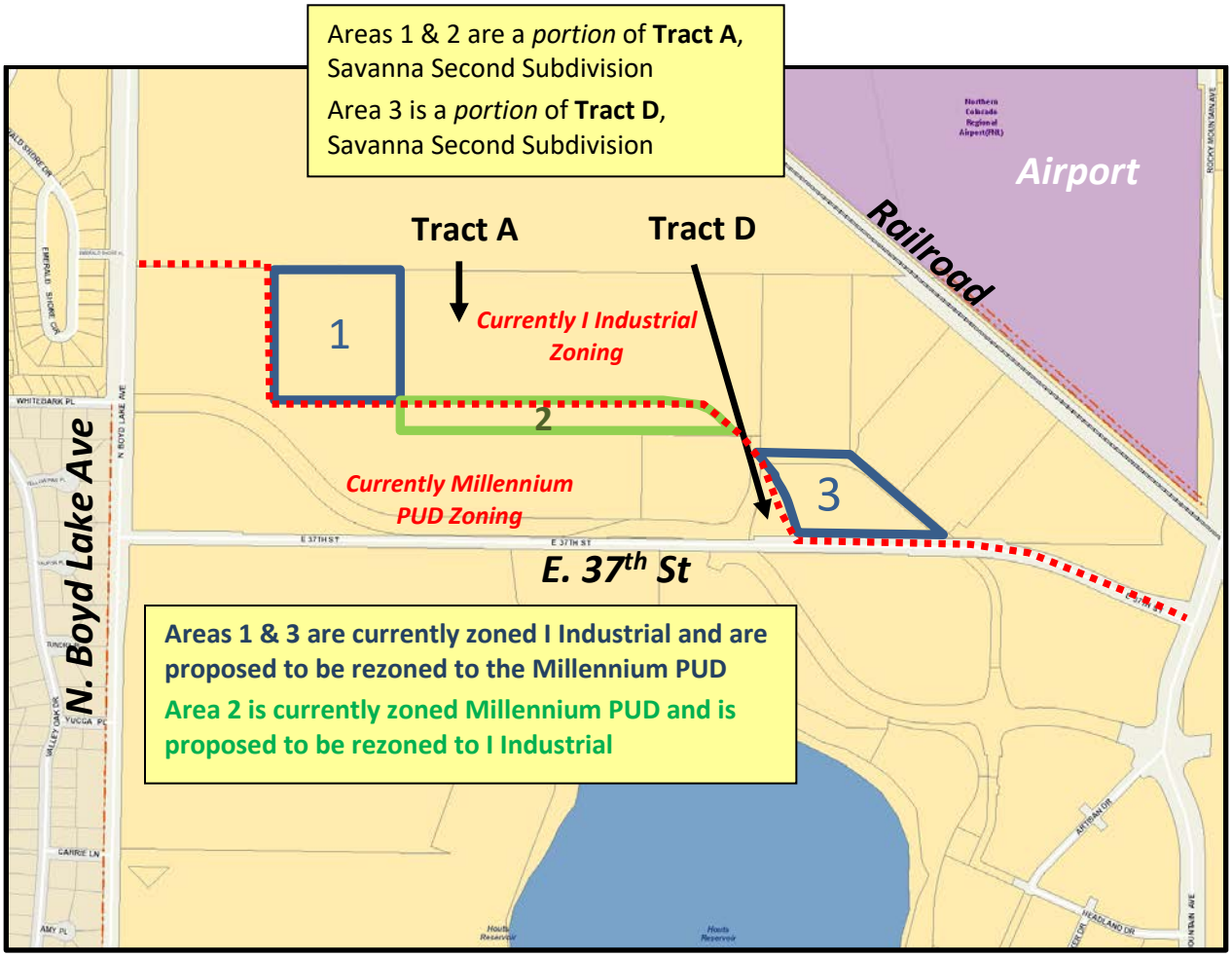
I. APPLICATIONS:

This is a public hearing concerning an industrial area of Centerra on the east side of N. Boyd Lake Avenue, west of Rocky Mountain Avenue, and north of The Lakes residential development. The subject property is a part of Tracts A and D, Savanna Second Subdivision. The tracts are split zoned I Industrial and Millennium Planned Unit Development (PUD), and are currently undeveloped. The request proposes to:

- Rezone a portion of land from the Millennium PUD to the I Industrial district;
- Rezone two portions of land from the I Industrial district to the Millennium PUD; and
- Amend the Millennium General Development Plan (GDP) to reflect the changed boundaries of the Millennium.

Combined with a future platting action, the requested rezonings/amendment are being sought to correct the split zoning situation.

II. VICINITY MAP:



III. SUMMARY:

Conventionally when a property is zoned, either at the time of annexation or at latter rezoning requests, all lots/tracts must have one zoning designation for the entire lot/tract, and likewise, when a plat is approved, all new lots/tracts must be entirely within one zoning district. However, the tracts that are the subject of this application were originally approved with split zoning, with portions in the I Industrial district and portions in the Millennium PUD. At that time, the applicant intended to pursue later platting of the tracts that would provide for the required lot lines between the PUD-zoned land and the I-zoned land. Because the split-zoning was intended to be a temporary situation, the city was comfortable approving it at that time. However, due in part to incongruous maps showing conflicting information on the zoning in the Savanna Addition, subsequent platting actions after the initial zoning of the subject property did not fully align the lot lines with the zoning district boundary lines, and the split zoning situation remained.

The applicant is now interested in pursuing development on the subject property, and correcting the split zoning prior to development of the land is both required by the city and advantageous to the applicant. The specific requests under consideration in the staff report are to rezone a 4.6–acre portion of Tract A (Area 2 in the map above) from Millennium PUD to I Industrial and to rezone a 9.3–acre portion of Tract A (Area 1 in the map above) and a 5.2-acre portion of Tract D (Area 3 in the map above) from I Industrial to Millennium PUD. Both the removal of land from the Millennium to another zoning district and the addition of land to the Millennium necessitate an amendment to the Millennium General Development Plan (GDP) showing the changed boundaries of the Millennium.

Subparcels/Permitted Uses/Development Standards

The Millennium GDP provides the zoning standards for a nearly 3,000 acre PUD in east Loveland. The land is divided by the GDP into four parcels, A through D, with A being the easternmost parcel, followed to the west by B, C, and then D. The parcels are then further divided into subparcels, with specific permitted land uses listed in the GDP for each subparcel.

The two areas of land that are being rezoned Millennium PUD will be incorporated into adjacent Millennium subparcels. One area is to become a part of Millennium subparcel B3 and the other is to become a part of Millennium subparcel C4. The area of land being rezoned to the I district is currently a part of Millennium subparcel C4. The uses by right for both subparcels B3 and C4 are light commercial, heavy commercial, and light industrial, with heavy industrial a special review use. Similarly, light commercial, heavy commercial, and light industrial are uses by right in the I district, with heavy industrial a special review use. The development standards for industrial and commercial uses in the Millennium and in the I district are similar; the slight differences that exist relate to matters such as how setback are measured and how parking is calculated. Thus, while the zoning district of these three portions of land will change, the permitted uses and other zoning standards will stay quite similar. Unlike most rezonings, which are pursued in order to change permitted uses or zoning standards, the rezonings under consideration in this staff report are being pursued solely to correct a split zoning situation.

Future Platting Action

Of note, the rezoning requests will not in themselves correct the split zoning on Tracts A and D. Rather, the requested new zoning district boundary lines align with new multi-lot developments that will be pursued in a future plat application. Staff had originally required, as is convention, for the plat application to be submitted concurrently with the rezoning requests to ensure that the zoning district boundary lines and platted lines correspond. However, while the applicant is certain at this time where the zoning district boundaries lines would best be situated, they are not certain yet of the ultimate size and configuration for *all* lots for the future developments on the subject property. One possible option is to plat larger lots or tracts concurrently with this rezoning request and then later submit another plat to further subdivide the land into developable lots. However, the applicant prefers to pursue platting in one step, rather than plat larger lots/tracts now and subdivide them into smaller lots later. To accommodate the proposal to zone the land now but provide for lot lines that correspond with the zoning district boundary lines at a later date, staff has proposed, and the applicant has consented to, conditions to be recorded in conjunction with the rezonings and GDP amendment.

For the land being zoned I Industrial, the following condition will be documented in a development agreement to be recorded with the rezoning:

All future development of Tract A, Savanna Second Subdivision…is prohibited until final approval of a replat of Tract A which results in any new lots or tracts created therein being located entirely within either the boundaries of the Millennium Addition PUD (#P-59), as amended, or within the boundaries of the I District-Developing Industrial District.

For the land being zoned Millennium PUD, conditions are recorded directly in the GDP rather than in a separate development agreement. Thus, the following conditions will be documented in Section 3 (Parcel B) and Section 4 (Parcel C), respectively, of the GDP:

Development of any portion of Parcel B-3 that is located within Tract D, Savanna Second Subdivision is prohibited until final approval of a replat of Tract D which results in any new lots or tracts created therein being located entirely within the boundaries of the GDP.

Development of any portion of Parcel C-4 that is located within Tract A, Savanna Second Subdivision is prohibited until final approval of a replat of Tract A which results in any new lots or tracts created therein being located entirely within the boundaries of the GDP.

It is noted that the current requested rezoning actions, like the zoning action that originally occurred at the time of annexation, is contrary to conventional zoning practice in that it approves rezonings in which zoning district boundary lines do not correspond with lot lines. However, the conditions above, attached to the associated approvals, will adequately document the need for the future platting action. It is anticipated that the needed platting action will occur in the near future. No specific developments are proposed with the rezoning and GDP amendment, but light industrial uses are likely to be developed in this area, in keeping with the current trend of development in the Savanna Addition.

After platting, public improvement construction plans, site development plans, and building permits will need to be submitted for staff review prior to any development occurring on the property.

Create Loveland Comprehensive Plan Land Use Map

The Create Loveland Comprehensive Plan, which is the city's vision for development, is the basis of the city's analysis for rezoning and GDP amendment requests. The Land Use Map of the Comprehensive Plan designates this area Employment. The requests under consideration with this application, while changing the zoning of property from PUD to I Industrial and vice versa, will not substantively change the uses allowed on the land. Both the I Industrial district and the uses allowed in Millennium subparcels B3 and C4 are in line with the Comprehensive Plan's goals for areas designated Employment.

Rezoning to I Industrial

The rezoning of land to a conventional zoning district requires the preparation of a rezoning map. The rezoning map for the land requested to be in the I Industrial district is included as **Attachment 2.**

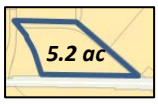
Millennium GDP Amendment

The rezoning of land to the Millennium PUD does not require a zoning map, but instead an amendment to the Millennium GDP to add the portions of land being rezoned to Millennium into the boundaries that are established in the Millennium GDP. The Millennium GDP includes maps that serve a similar purpose to the rezoning map that is prepared with a rezoning request to a conventional district.

GDP amendment does not include any new parcels or subparcels, nor does it include any new or changed standards. Rather, the land area being added to the GDP is being designated a part of existing subparcels that are immediately adjacent to the subject property and are already referenced in the GDP, subparcels B3 and C4. The added land will be subject to the existing use standards that are already in the GDP for the subparcels and subject to all other development standards of the GDP.

The amendment to the Millennium for the subject property include the following components:

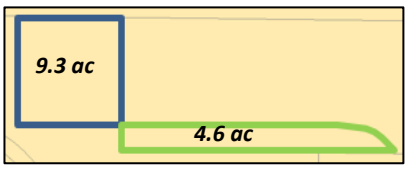
- Section 3, Parcel B Text, has been updated as follows:
  - The size of the overall Parcel B has been increased by 5 acres (rounded) to account for the added land.



See full map on pg 2

- Section 11, Parcel B Map (see **Attachment 3**), has been updated as follows:
  - The boundaries of subparcel B3 have been expanded to include the addition.
  - The size of subparcel B3 and the size of the overall Parcel B has been updated to reference 5 additional acres.

- Section 4, Parcel C Text, has been updated as follows:
    - The size of the overall Parcel C has been increased by 5 acres (rounded) to account for both the addition of 9.3 acres to Parcel C and the loss of 4.6 acres that is being rezoned to I Industrial.
    - The description of the location of Parcel C has been altered to account for the changed boundaries.



See full map on pg 2

- Section 11, Parcel C Map (see **Attachment 3**), has been updated as follows:
    - The boundaries of subparcel C4 have been altered to include the addition and remove the area rezoned to I Industrial.
    - The size of subparcel C4 and the size of the overall Parcel C has been updated to reference 5 additional acres.

- Certain other changes of a non-substantive nature, including
    - All other maps in Section 11 that include Parcels B & C have been updated to show the new boundaries.
    - The conditions have been renumbered.
    - A description of structures that had been located on Parcel C but have since been demolished has been removed.

IV. BACKGROUND:

- 2006: The Savanna Addition is annexed into the City of Loveland. The Addition consists of four parcels of land, with the property under consideration in this staff report being the 128-acre Parcel A. Portions of Parcel A are zoned Millennium PUD and portions are zoned I Industrial, with the intent of later subdividing the land in a manner that plats the Millennium area and the I area into separate lots.
- 2010: The Savanna First Subdivision is approved, creating five lots and three outlots out of Parcel A of the Savanna Addition. The easternmost lot was then developed with a storage facility.
- 2015: An amended plat of the Savanna First Subdivision is approved in conjunction with site development plans for the Centerra Industrial Buildings 1 & 2. The amended plat adjusted the lot lines for a couple of the lots of the Savanna First Subdivision that became the Centerra Industrial Buildings.
- 2016: The Savanna Second Subdivision is approved. The plat both created new lots and adjusted lot lines out of a lot/outlots that were created with the Savanna First Subdivision. One of the lots was then developed with the Mainstreet rehabilitation facility and another, which is to the west of the existing Centerra Industrial Buildings and north of Mainstreet, is intended for development in the near future with an industrial building similar to the Centerra Industrial Buildings.
- 2017: Applications to rezone a portion of land from Millennium PUD to I Industrial and two portions of land from I Industrial to Millennium are submitted in advance of submitting a plat application(s) and site development plans for further light industrial development in the Savanna area of Centerra.

V. KEY ISSUES:

There are no key issues identified by staff with the proposal.

VI. ATTACHMENTS:

1. Vicinity Map
2. Zoning Map
3. GDP Amendment-Parcel B Map and Parcel C Map
4. GDP Amendment-Text and additional maps
5. Application, including Zoning Assessment and Findings Statement
6. Savanna Addition
7. Savanna Second Subdivision
8. Employment Land Use Category Description-Create Loveland

VII. SITE DATA:

SIZE OF SITE REZONING TO I INDUSTRIAL	4.6 ACRES
SIZE OF SITE REZONING TO MILLENNIUM PUD	5.2 ACRES PARCEL B3 & 9.3 ACRES PARCEL C4
EXISTING ZONING	I INDUSTRIAL AND MILLENNIUM PUD
EXISTING USE	VACANT (FARMING)
PROPOSED USE	LIGHT INDUSTRIAL AND/OR LIGHT COMMERCIAL
EXIST ADJ ZONING & USE - NORTH	I INDUSTRIAL/VACANT (FARMING)
EXIST ADJ ZONING & USE - SOUTH	MILLENNIUM PUD/VACANT (FARMING)
EXIST ADJ ZONING & USE - WEST	LAKEVIEW PUD/RESIDENTIAL
EXIST ADJ ZONING & USE - EAST	RAILROAD FOLLOWED BY I INDUSTRIAL/AIRPORT
UTILITY SERVICE – WATER & SEWER	CITY OF LOVELAND
UTILITY SERVICE - ELECTRIC	CITY OF LOVELAND

VIII. STAFF, APPLICANT, AND NEIGHBORHOOD INTERACTION:

A. Notification: An affidavit was received from Wendi Cudmore with McWhinney certifying that notice of the neighborhood meeting and of this hearing was mailed to all owners of property within 1200 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 neighborhood meeting and the Planning Commission hearing. A notice of the hearing was also published in the Reporter Herald on April 8, 2017. All notices stated that a neighborhood meeting would be held on September 28, 2017 and that a public hearing would be held by the Planning Commission on October 23, 2017.

B. Neighborhood Response: A noticed neighborhood meeting was held at 6:30 p.m. on September 28, 2017 at the High Plains School for both this Centerra 222 application along with another annexation and GDP amendment application concerning land farther

southeast of the subject property. [The applications are being pursued by the same applicant but are otherwise unrelated to one another.] Approximately 25 persons attended the meeting along with city staff, the applicant, and the applicant's consultants.

At the meeting, the applicant described the proposal to amend the Millennium GDP to add adjacent land and apply the existing industrial development standards within the Millennium, along with describing in general terms the anticipated future industrial development of the land proposed to be rezoned to I Industrial. A large number of questions were voiced by the neighbors about transportation improvements, especially in regards to N. Boyd Lake Avenue. The questions concerned improvements to be constructed with the future development in this area of the city along with questions concerning improvements currently under construction. There were no comments voiced concerning the proposed zoning changes. Any potential future transportation improvements will be reviewed in detail with the submittal of traffic studies with future development applications, and are not directly impacted by the proposed rezonings.

IX. FINDINGS AND ANALYSIS

In this section of the report, applicable findings are referenced in italic print, followed by staff analysis as to whether the findings can be met by the submitted applications. The rezoning findings are from Title 18.04 (Zoning-Purpose) of the Municipal Code and the General Development Plan amendment findings are from Title 18.41.050 D4 (Zoning-Planned Unit Developments) of the Municipal Code. The consideration and action of the Planning Commission should be based on these findings.

1. Rezoning from Millennium PUD to I Industrial – 4.6 acre area

Loveland Municipal Code - Section 18.04.010:

(i) *Whether the zoning will lessen congestion in the streets; secure safety from fire, panic, and other dangers; promote health and general welfare; provide adequate light and air; prevent overcrowding of land; avoid undue concentration of population; and facilitate the adequate provision of transportation, water, sewage, schools, parks, and other public requirements.*

(ii) *Whether the character of the district and the particular uses permitted by right in the district will preserve the value of buildings and encourage the most appropriate use of land.*

Planning: Staff believes that these findings can be met, based on the following facts:

- The provisions in the I district of the Zoning Code accomplish the above. The use and design standards in this Code will ensure that quality developments locate on the land.
- The uses permitted by right in the I Industrial district are similar to the uses permitted by right in the Millennium GDP for this area. The character of the development in this area will likely be the same whether the property is zoned I Industrial or whether it is within the industrial portion of the Millennium.

- The rezoning and future platting action on the subject property will correct an undesirable split zoning condition on the subject property. Correcting this will further the purposes of zoning and facilitate quality development of the property.
- The requested I Industrial zoning of the property to allow industrial uses is compatible with development in the surrounding area. Any following development applications submitted for the property, including plats of subdivision, public improvement construction plans, site development plans, and building plans will need to demonstrate compliance with zoning, building, fire, transportation, and infrastructure standards.

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

- Rezoning a parcel or property does not warrant compliance with the City's Adequate Community Facilities (ACF) ordinance. All future development or land application within this property shall be in compliance with the City of Loveland Transportation Plan, the Larimer County Urban Area Street Standards and any updates to either in effect at the time of development application. Moreover, as identified in the City Municipal Code Title 16, a Traffic Impact Study shall be required with all future development or other land use applications. The property will also be required to dedicate, free and clear, all applicable right-of-way to the City, at no cost to the City, at the time of development.

  Therefore, pending future proposed development within this property, of which review and approval by the City is required, the Transportation Development Review staff does not object to the proposed rezoning.

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

- This development is situated within the City's current service area for both water and wastewater. Upon Development the area will need to extend City of Loveland water and wastewater mains to serve the development that are consistent with the current Water and Wastewater Master Plans.
- The proposed development will not negatively impact City water and wastewater facilities.

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

- The zoning is consistent with the Department's Power master plan by being consistent with the 2016 Comprehensive Master Plan.
- Public facilities are available to serve the development.

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

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

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

- The development site will comply with the requirements in the ACF Ordinance for response distance requirements from the first due Engine Company.
- The rezoning will not negatively impact fire protection for the subject development or surrounding properties and the currently adopted fire codes will be required to be met at time of development.

2. Rezoning from I Industrial to Millennium PUD – 5.2 acre area and 9.3 acre area

Loveland Municipal Code - Section 18.04.010:

(i) *Whether the zoning will lessen congestion in the streets; secure safety from fire, panic, and other dangers; promote health and general welfare; provide adequate light and air; prevent overcrowding of land; avoid undue concentration of population; and facilitate the adequate provision of transportation, water, sewage, schools, parks, and other public requirements.*

(ii) *Whether the character of the district and the particular uses permitted by right in the district will preserve the value of buildings and encourage the most appropriate use of land.*

Planning: Staff believes that these findings can be met, based on the following facts:

- The provisions in the in the Millennium GDP accomplish the above. The use and design standards in this zoning document will ensure that quality developments locate on the land.
- The uses permitted by right in the I Industrial district are similar to the uses permitted by right in the Millennium GDP for this area. The character of the development in this area will likely be the same whether the property is zoned I Industrial or whether it is within the industrial portion of the Millennium.
- The rezoning and future platting action on the subject property will correct an undesirable split zoning condition on the subject property. Correcting this will further the purposes of zoning and facilitate quality development of the property.
- The requested Millennium PUD zoning of the property to allow industrial and commercial uses is compatible with development in the surrounding area. Any following development applications submitted for the property, including plats of subdivision, public improvement construction plans, site development plans, and building plans will need to demonstrate compliance with zoning, building, fire, transportation, and infrastructure standards.
- The applicant will be making a request to City Council to grant extended vested property rights for land added into the Millennium GDP to provide consistency with adjacent Millennium-zoned properties and sufficient time to fulfill the long-term development goals.

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

- Rezoning a parcel or property does not warrant compliance with the City's Adequate Community Facilities (ACF) ordinance. All future development or land application within this property shall be in compliance with the City of Loveland Transportation Plan, the Larimer County Urban Area Street Standards and any updates to either in effect at the time of development application. Moreover, as identified in the City

Municipal Code Title 16, a Traffic Impact Study shall be required with all future development or other land use applications. The property will also be required to dedicate, free and clear, all applicable right-of-way to the City, at no cost to the City, at the time of development.

Therefore, pending future proposed development within this property, of which review and approval by the City is required, the Transportation Development Review staff does not object to the proposed rezoning.

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

- This development is situated within the City's current service area for both water and wastewater. Upon Development the area will need to extend City of Loveland water and wastewater mains to serve the development that are consistent with the current Water and Wastewater Master Plans.
- The proposed development will not negatively impact City water and wastewater facilities.

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

- The zoning is consistent with the Department's Power master plan by being consistent with the 2016 Comprehensive Master Plan.
- Public facilities are available to serve the development.

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

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

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

- The development site will comply with the requirements in the ACF Ordinance for response distance requirements from the first due Engine Company.
- The rezoning will not negatively impact fire protection for the subject development or surrounding properties and the currently adopted fire codes will be required to be met at time of development.

3. General Development Plan Amendment

3a. Loveland Municipal Code, Section 18.41.050 D4a: *Whether the general development plan conforms to the requirements of this Chapter 18.41 (PUDs), to the city's master plans and to any applicable area plan.*

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

- The recommended land use designation for this parcel is Employment. The GDP Amendment would bring certain land into Millennium subparcels B3 and C4, which allow light industrial, light commercial, and heavy commercial uses by right and

heavy industrial uses by special review. The allowed uses are consistent with the Comprehensive Plan's goals for the Employment designation.

- The development of the property pursuant to the standards of the Millennium GDP and other Municipal Code standards is not anticipated to be detrimental to the health, safety or welfare of the neighborhood or the general public.

3b. Loveland Municipal Code, Section 18.41.050 D4b: *Whether the proposed development will negatively impact traffic in the area, city utilities, or otherwise have a detrimental impact on property that is in sufficient proximity to the proposed development to be affected by it. If such impacts exist, the current planning division shall recommend either disapproval of the general development plan or reasonable conditions designed to mitigate the negative impacts.*

Planning: Staff believes that these findings can be met, based on the following facts:

- The uses that can locate on the property as proposed with the Millennium GDP amendment are similar to the uses that can locate on the property under the existing I Industrial district.
- While there are no specific development proposals for the subject property at this time, it is anticipated to be developed with uses that are similar and compatible to the existing light industrial uses on nearby properties.
- Per the summary of the Public Works (Transportation and Stormwater) and Water & Power Departments below, the city will be able to provide services to developments that locate on the land to be added to the Millennium in a manner that is not anticipated to be detrimental to property in proximity to the subject property.
- While development of the subject property will increase traffic in the area, at the time a specific development is proposed and a subdivision and/or site development plan application is submitted to staff for review, transportation improvements will be required, as appropriate, to address the transportation needs associated with the new development.

3c. Loveland Municipal Code, Section 18.41.050 D4c: *Whether the proposed development will be complementary to and in harmony with existing development and future development plans for the area in which the proposed development is to take place by*:

i. *Incorporating natural physical features into the development design and providing sufficient open spaces considering the type and intensity of use;*

ii. *Incorporating site planning techniques that will foster the implementation of the city's master plans, and encourage a land use pattern that will support a balanced transportation system, including auto, bike and pedestrian traffic, public or mass transit, and the cost effective delivery of other municipal services consistent with adopted plans, policies and regulations of the city;*

iii. *Incorporating physical design features in the development that will provide a transition between the project and adjacent land uses through the provision of an attractive entryway, edges along public streets, architectural design, and appropriate height and bulk restrictions on structures;*

iv. *Incorporating identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the project design;*

v. *Incorporating elements of community-wide significance as identified in the town*

image map;

vi. *Incorporating public facilities or infrastructure, or cash-in-lieu, that are reasonably related to the proposed development so that the proposed development will not negatively impact the levels of service of the city's services and facilities; and*

vii. *Incorporating an overall plan for the design of the streetscape within the project, including landscaping, auto parking, bicycle and pedestrian circulation, architecture, placement of buildings and street furniture.*

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

- The annexed area will be subject to all nonresidential standards of the Millennium GDP, including open space, landscape & bufferyard, site design, architectural design, height & bulk, and parking standards.
- Elements of community-wide significance are already incorporated into the Millennium GDP and will be applicable to any land that is added to the GDP. These elements include maintaining a balance between open space and development, protecting mountain views, preservation of Loveland's character, and pedestrian friendliness.

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

- No transportation vesting will be granted with this GDP amendment and specific requirements shall be determined with each site specific development plan application and review. Staff notes that Traffic Impact Studies will be required with subsequent submittals of Development Plans. Full analysis of traffic impacts along with street design specific to the development will be reviewed and any measures needed to mitigate traffic impacts will be addressed at that time.
- All Development Plan applications within this area shall demonstrate conformance with ACF requirements for transportation. Therefore, this development will not negatively impact traffic in the area.

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

- This development is situated within the City's current service area for both water and wastewater. Upon Development the area will need to extend City of Loveland water and wastewater mains to serve the development that are consistent with the current Water and Wastewater Master Plans.
- The GDP is consistent with the Department's Water and Wastewater master plan by being consistent with the Comprehensive Master Plan.
- The proposed development will not negatively impact City water and wastewater facilities.

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

- This development is situated within the City's current service area for power. The City of Loveland will serve power to the proposed development.
- The GDP is consistent with the Department's power master plan by being consistent with the 2016 Comprehensive Master Plan.
- The proposed development will not negatively impact City power facilities

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

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

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

- The development site will comply with the requirements in the ACF Ordinance for response distance requirements from the first due Engine Company.
- The amendment to will not negatively impact fire protection for the subject developments or surrounding properties and the currently adopted fire codes will be required to be met at time of development.

X. RECOMMENDED CONDITIONS:

Rezoning to I Industrial:

Staff recommends the following condition for the Rezoning to I Industrial application:

Planning:

1. All future development of Tract A, Savanna Second Subdivision, is prohibited until final approval of a replat of Tract A which results in any new lots or tracts created therein being located entirely within either the boundaries of the Millennium Addition PUD (#P-59), as amended, or within the boundaries of the I District-Developing Industrial District.

Rezoning to Millennium PUD/Millennium GDP Amendment:

All existing Millennium GDP conditions applicable to Parcels B & C will be applicable to the subject area. Staff recommends the following additional conditions for the **Rezoning to Millennium PUD/GDP Amendment**, (and they are already reflected in **Attachment 4**):

Planning:

1. Development of any portion of Parcel B-3 that is located within Tract D, Savanna Second Subdivision is prohibited until final approval of a replat of Tract D which results in any new lots or tracts created therein being located entirely within the boundaries of the GDP.
2. Development of any portion of Parcel C-4 that is located within Tract A, Savanna Second Subdivision is prohibited until final approval of a replat of Tract A which results in any new lots or tracts created therein being located entirely within the boundaries of the GDP.



200 0 200 400

SCALE: 1" = 200'

AREA A

AREA B

AREA C

AREA D OUTLINE

Current Zone - "I" Industrial District
Proposed Rezoning - Millennium PUD

Current Zone - Millennium PUD
Proposed Rezoning - "I" Industrial District

No.	Date	Description
		DOCUMENT AMENDMENTS

NW PARCEL EXHIBIT

VICINITY MAP

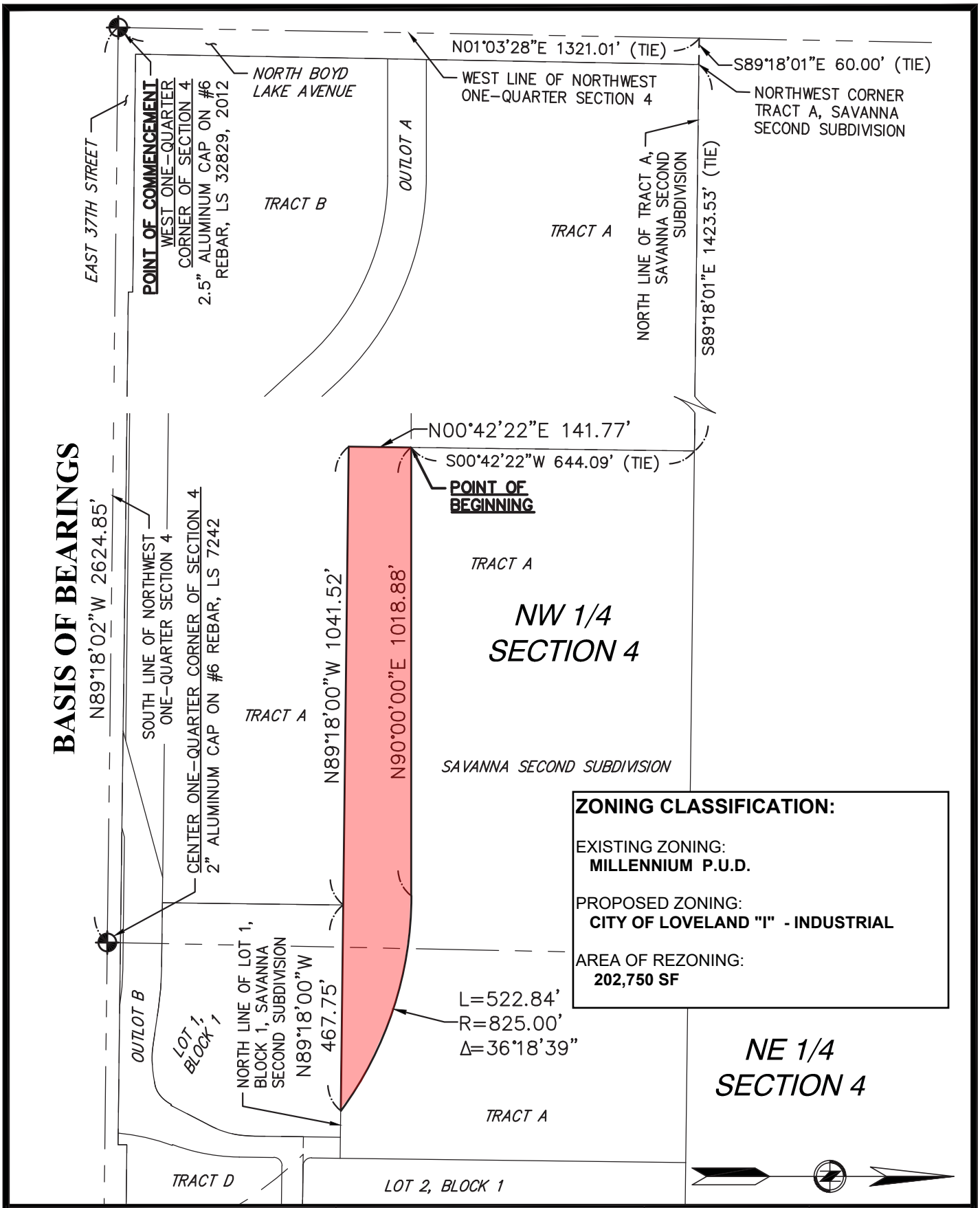
9360 TEDDY LANE, SUITE 203
LONE TREE, COLORADO 80124
TELEPHONE: 303-395-2700
FAX 303-395-2701

CWC CONSULTING GROUP
CIVIL ENGINEERING - LAND SURVEYING - CONSTRUCTION SERVICES

Project Number:	
Designed By: ELS	Drawn By: ELS
Reviewed By: BEW	Date: 04/04/2017
Sheet Number:	1

T:_JOBS\WOWINNEY\MILLENNIUM CDP\MODIFIED TO CWC PLOT COLORS\NW PARCELS.DWG, Plotted By:ESMITH, 4/5/2017 9:16 AM

Attachment 1



ZONING CLASSIFICATION:

EXISTING ZONING:
MILLENNIUM P.U.D.

PROPOSED ZONING:
CITY OF LOVELAND "I" - INDUSTRIAL

AREA OF REZONING:
202,750 SF

CWC CONSULTING GROUP
CIVIL ENGINEERING · LAND SURVEYING · CONSTRUCTION SERVICES
9360 TEDDY LANE
LONE TREE, COLORADO 80124
TELEPHONE: 303-395-2700
FAX 303-395-2701

ZONING MAP LOCATION
AREA "B"

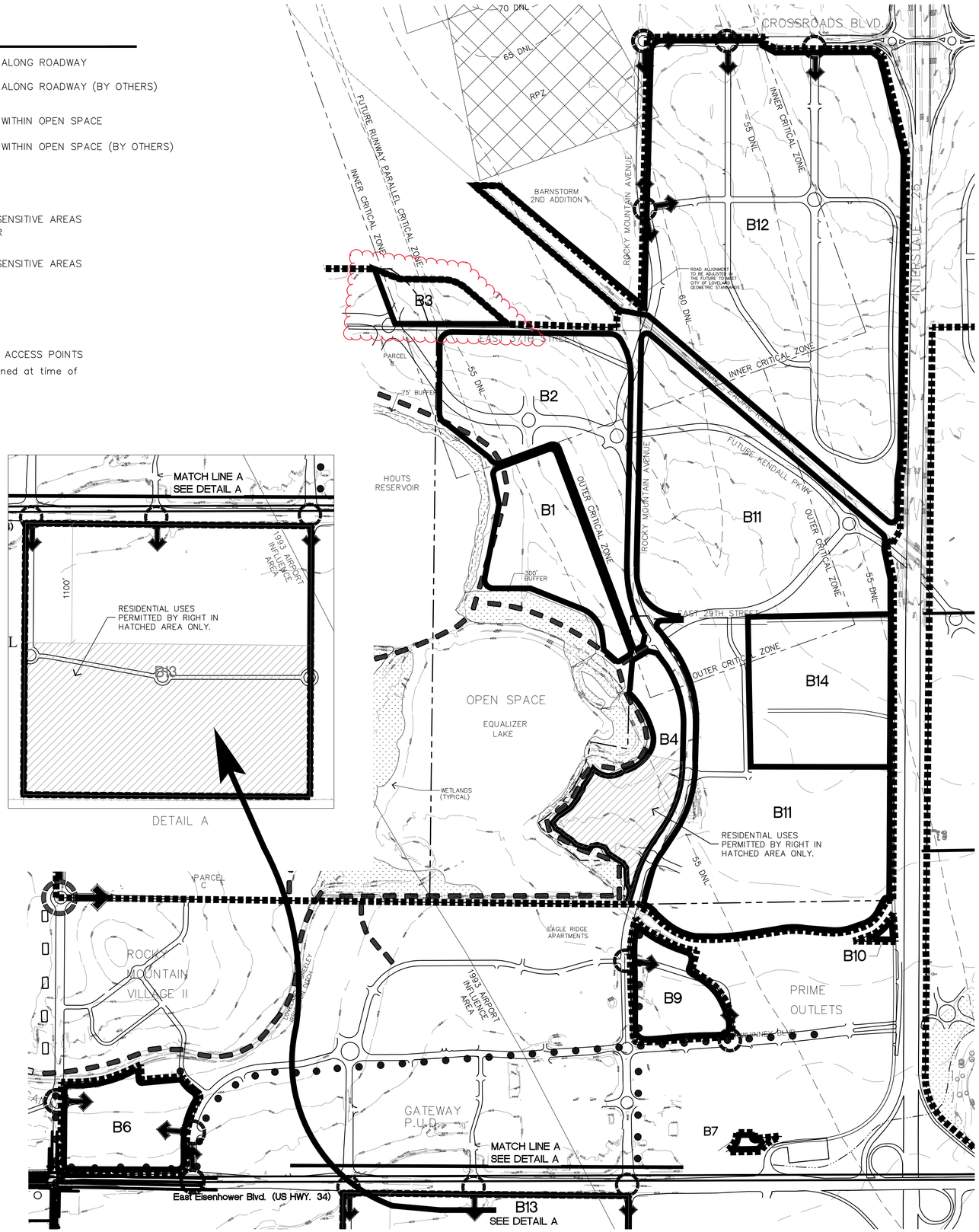
NOTE: THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY. IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION.

DRAFTED: S.L.G.3	CHECKED: E.D.C.
DATE: 12/22/2016	JOB NO. CWC#120-00121
PAGE: 2 OF 2	SCALE: 1"=300'
PREPARED FOR:	

Attachment 2

LEGEND

- CONCEPTUAL TRAIL ALONG ROADWAY
- CONCEPTUAL TRAIL ALONG ROADWAY (BY OTHERS)
- CONCEPTUAL TRAIL WITHIN OPEN SPACE
- CONCEPTUAL TRAIL WITHIN OPEN SPACE (BY OTHERS)
- BUFFER ZONE
- ENVIRONMENTALLY SENSITIVE AREAS RATED 6 OR HIGHER
- ENVIRONMENTALLY SENSITIVE AREAS RATED 5 OR LOWER
- WETLANDS
- CONCEPTUAL VEHICULAR ACCESS POINTS (locations to be determined at time of development approval)



LAND USE LEGEND

SUB-PARCEL:	ACRES:	USES-BY-RIGHT:	SPECIAL REVIEW USES:	MAXIMUM DENSITY FOR ANY INDIVIDUAL PHASE ON A SINGLE PLAT (RESIDENTIAL USE ONLY):	OTHER FOOTNOTES:
B1	31	INSTITUTIONAL/CIVIC/PUBLIC LIGHT COMMERCIAL LIGHT INDUSTRIAL MIXED-USE VILLAGE CENTER (MUVC) RESIDENTIAL (NOT IN A MUN) RESIDENTIAL MIXED-USE NEIGHBORHOOD PARKS & OPEN SPACE	HEAVY COMMERCIAL HEAVY INDUSTRIAL	MUVC + RES (NOT IN A MUN) 30 DU/AC + + RES (MUN) 30 DU/AC + + +	Δ
B2	59	INSTITUTIONAL/CIVIC/PUBLIC LIGHT COMMERCIAL HEAVY COMMERCIAL LIGHT INDUSTRIAL MIXED-USE VILLAGE CENTER (MUVC) PARKS & OPEN SPACE	HEAVY INDUSTRIAL		* **
B3	9	INSTITUTIONAL/CIVIC/PUBLIC LIGHT COMMERCIAL HEAVY COMMERCIAL LIGHT INDUSTRIAL PARKS AND OPEN SPACE	HEAVY INDUSTRIAL		*
B4	25	INSTITUTIONAL/CIVIC/PUBLIC LIGHT COMMERCIAL HEAVY COMMERCIAL MIXED-USE VILLAGE CENTER (MUVC) RESIDENTIAL (NOT IN A MUN) RESIDENTIAL MIXED-USE NEIGHBORHOOD PARKS AND OPEN SPACE		MUVC + RES (NOT IN A MUN) 30 DU/AC + + RES (MUN) 30 DU/AC + + +	Δ *
B6	23	INSTITUTIONAL/CIVIC/PUBLIC HEAVY COMMERCIAL LIGHT COMMERCIAL PARKS AND OPEN SPACE			
B7	1	INSTITUTIONAL/CIVIC/PUBLIC LIGHT COMMERCIAL PARKS AND OPEN SPACE			
B9	16	INSTITUTIONAL/CIVIC/PUBLIC LIGHT COMMERCIAL HEAVY COMMERCIAL LIGHT INDUSTRIAL PARKS AND OPEN SPACE			
B10	1	INSTITUTIONAL/CIVIC/PUBLIC LIGHT COMMERCIAL LIGHT INDUSTRIAL PARKS AND OPEN SPACE			
B11	183	INSTITUTIONAL/CIVIC/PUBLIC LIGHT COMMERCIAL HEAVY COMMERCIAL LIGHT INDUSTRIAL PARKS AND OPEN SPACE	HEAVY INDUSTRIAL		*
B12	189	BUSINESS PARK USES			* * *
B13	151	INSTITUTIONAL/CIVIC/PUBLIC LIGHT COMMERCIAL HEAVY COMMERCIAL LIGHT INDUSTRIAL MIXED-USE VILLAGE CENTER (MUVC) RESIDENTIAL (NOT IN A MUN) RESIDENTIAL MIXED-USE NEIGHBORHOOD PARKS AND OPEN SPACE	HEAVY INDUSTRIAL	MUVC + RES (NOT IN A MUN) 30 DU/AC + + RES (MUN) 30 DU/AC + + +	
B14	42	INSTITUTIONAL/CIVIC/PUBLIC LIGHT COMMERCIAL HEAVY COMMERCIAL LIGHT INDUSTRIAL PARKS AND OPEN SPACE	HEAVY INDUSTRIAL		*
SUBTOTAL	730				
RAILROAD	13		NA		
COMMON OPEN SPACE	119		NA		
R.O.W	21		NA		
TOTALS	883				

\+ THE DENSITY OF INDIVIDUAL PHASES OF DEVELOPMENT WITHIN A MIXED USE VILLAGE CENTER WITH RESIDENTIAL USES SHALL NOT BE RESTRICTED PROVIDED THAT THE MAXIMUM NUMBER OF DWELLING UNITS IS NOT EXCEEDED.

\+ + 30 DWELING UNITS PER ACRE FOR MULTI-FAMILY DWELLINGS. ALL OTHER MAXIMUM DENSITIES PER TABLE 10-1.

\+ + + 30 DWELING UNITS PER ACRE FOR MULTI-FAMILY DWELLINGS. ALL OTHER MAXIMUM DENSITIES PER TABLE 9-1.

Δ SINGLE FAMILY DETACHED DWELLINGS ARE PROHIBITED.

* USES WITHIN THE AIRPORT CRITICAL ZONE SHALL BE CONSISTENT WITH THE USE TABLE SHOWN ON THE PARCEL B-12 AIRPORT DEPICTION AND THE EXAMPLES OF APPLICATIONS OF USE TABLE ATTACHED TO APPENDIX 3-1 OF THE GDP AS ATTACHMENTS 2 AND 3, RESPECTIVELY. FOR PURPOSES OF THIS NOTE, THE TERM "SCHOOLS" IN SUCH USE TABLE REFERS TO K-12 SCHOOLS, BUT DOES NOT REFER TO HIGHER EDUCATION SCHOOLS, BUSINESS SCHOOLS, TRADE SCHOOLS OR VOCATIONAL SCHOOLS.

* * WITHIN DESIGNATED MIXED-USE VILLAGE CENTERS, RESIDENTIAL USES ARE NOT ALLOWED.

* * * USES-BY-RIGHT WITHIN PARCEL B-12 SHALL BE CONSISTENT WITH THE USE TABLE AND HEIGHT RESTRICTIONS SHOWN ON THE PARCEL B-12 AIRPORT DEPICTION PURSUANT TO SPECIAL CONDITIONS IN APPENDIX 3-1 OF THE GDP. THE TERM "SCHOOLS", AS USED IN THE USE TABLE ON THE PARCEL B-12 AIRPORT DEPICTION, REFERS TO K-12 SCHOOLS, BUT DOES NOT REFER TO HIGHER EDUCATION SCHOOLS, BUSINESS SCHOOLS, TRADE SCHOOLS OR VOCATIONAL SCHOOLS.

GENERAL NOTES:
1. ALL EXISTING AGRICULTURAL USES TO BE ALLOWED AS LEGAL NON-CONFORMING USES.
2. A MAXIMUM OF 9,608,000 SQUARE FEET OF COMMERCIAL/INDUSTRIAL USES WILL BE PERMITTED IN PARCEL B.
3. A MAXIMUM OF 1080 DWELLING UNITS WILL BE PERMITTED IN PARCEL B.

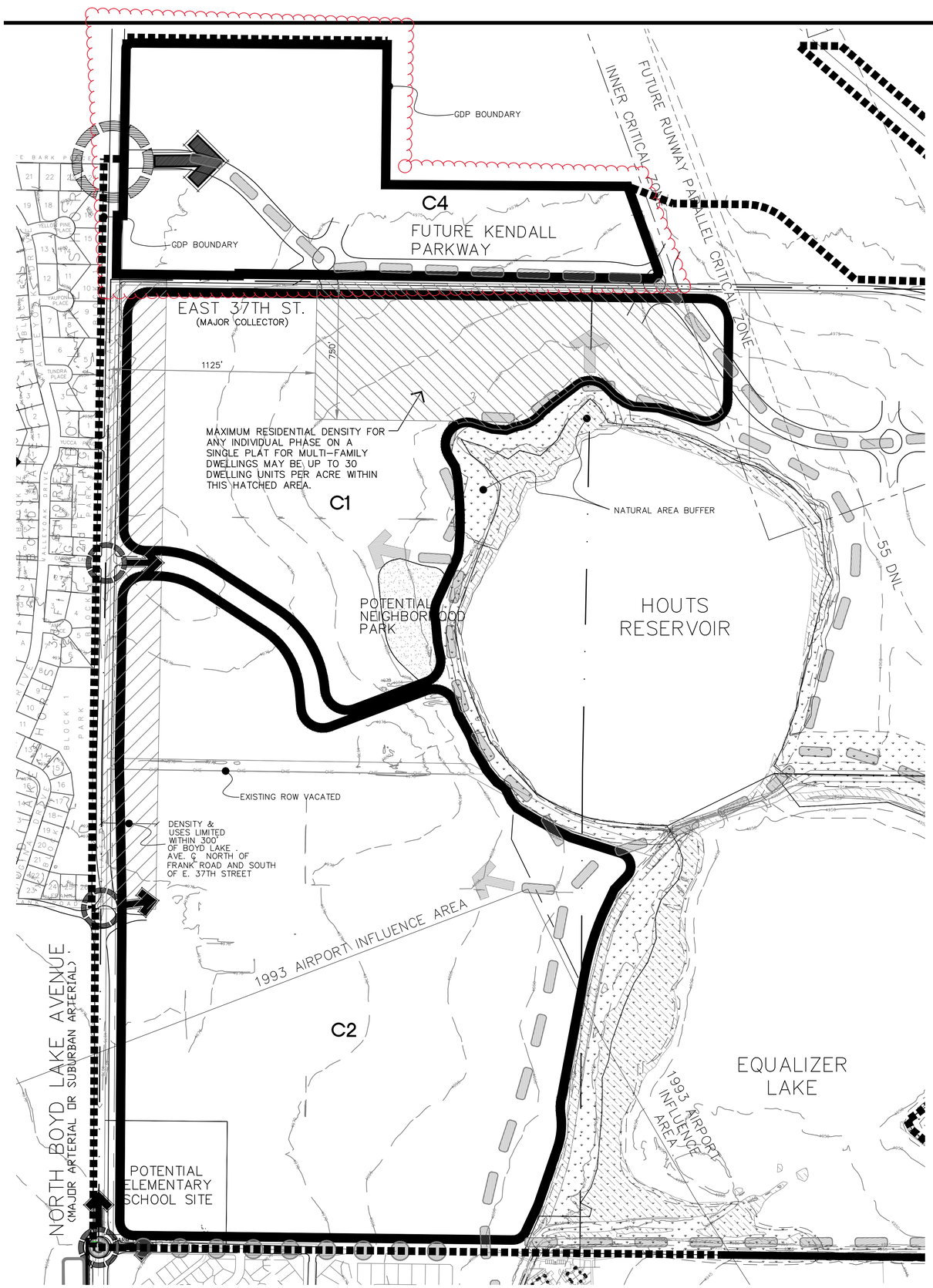
NORTH 0 250' 500' SCALE: 1" = 500' 1000'

PARCEL B
GENERAL DEVELOPOMENT PLAN
MILLENNIUM GDP
TENTH MAJOR AMENDMENT
LOVELAND, COLORADO

MAP 5 of 10

CURRENT THROUGH MAJOR AMENDMENT 10 - APRIL 19, 2017

T:\JOBS\McWhinney\Millennium GDP\Modified to CWC plot colors\2017-02-10\mod-Map5-Parcel-B_MCW_71012.dwg



T:_OBS\McWhinney\Millennium GDP\Modified to CWC plot colors\2017-02-10\mod-Map6-Parcel-C_MCW_52212.dwg

LAND USE LEGEND

SUB-PARCEL:	ACRES:	USES-BY-RIGHT:	SPECIAL REVIEW USES:	MAXIMUM DENSITY (RESIDENTIAL USE ONLY):	OTHER FOOTNOTES:
C1	115	INSTITUTIONAL/CIVIC/PUBLIC LIGHT COMMERCIAL LIGHT INDUSTRIAL PARKS AND OPEN SPACE RESIDENTIAL MIXED USE NEIGHBORHOOD RESIDENTIAL (NOT IN MUN)	HEAVY COMMERCIAL HEAVY INDUSTRIAL	6 DU/AC (FOR OVERALL SUB-PARCEL) ** ***	*
C2	200	INSTITUTIONAL/CIVIC/PUBLIC RESIDENTIAL MIXED USE NEIGHBORHOOD PARKS AND OPEN SPACE		6 DU/AC (FOR OVERALL SUB-PARCEL) **	
C4	61	INSTITUTIONAL/CIVIC/PUBLIC LIGHT COMMERCIAL HEAVY COMMERCIAL LIGHT INDUSTRIAL PARKS AND OPEN SPACE	HEAVY INDUSTRIAL		
SUBTOTAL:	376				
LAKES	106	NA			
TOTAL:	482				

* USES WITHIN THE AIRPORT CRITICAL ZONE SHALL BE CONSISTENT WITH THE USE TABLE SHOWN ON THE PARCEL B-12 AIRPORT DEPICTION, AND THE EXAMPLES OF APPLICATIONS OF USE TABLE ATTACHED TO APPENDIX 3-1 OF THE GDP AS ATTACHMENTS 2 AND 3, RESPECTIVELY. FOR PURPOSES OF THIS NOTE, THE TERM SCHOOLS IN SUCH USE TABLE REFERS TO K-12 SCHOOLS, BUT DOES NOT REFER TO HIGHER EDUCATION SCHOOLS, BUSINESS SCHOOLS, TRADE SCHOOLS OR VOCATIONAL SCHOOLS.

** MAXIMUM DENSITIES PER TABLE 9-1.

*** FOR NORTHERN PORTION OF C1 ONLY (SEE MAP) A MAXIMUM DENSITY OF UP TO 30 DU/AC SHALL BE PERMITTED FOR MULTI-FAMILY DWELLINGS WITHIN ANY INDIVIDUAL PHASE OF DEVELOPMENT INCLUDED ON A SINGLE PLAT. ALL OTHER MAXIMUM DENSITIES PER TABLE 9-1.

GENERAL NOTES:

1.) A 10-ACRE PARCEL SHALL BE LOCATED WITHIN PARCEL C-2 FOR A FUTURE ELEMENTARY SCHOOL. THE ACTUAL SCHOOL SITE LOCATION SHALL BE DETERMINED WITH FUTURE DEVELOPMENT APPLICATIONS.

2.) LAKE AREAS INCLUDE THE PORTION OF HOUTS RESERVOIR AND THE EQUALIZER LAKE WEST OF THE DEMISING LINE BETWEEN PARCELS B AND C.

3.) A MAXIMUM OF 1,500 DWELLING UNITS WILL BE ALLOWED IN PARCEL C

4.) A MAXIMUM OF 900,000 S.F. NON-RESIDENTIAL USES WILL BE ALLOWED IN SUB-PARCELS C4 AND THAT PORTION OF SUB-PARCEL C1 WHICH IS BOTH MORE THAN 2000 L.F. EAST OF BOYD LAKE AVE. AND NORTH OF HOUTS RESERVOIR. A MAXIMUM OF 58,000 GROSS S.F. NON-RESIDENTIAL USES WILL BE ALLOWED IN SUB-PARCELS C1 (EXCLUDING A PORTION OF SUBPARCEL C1 NOTED ABOVE) & C2.

LEGEND

- CONCEPTUAL TRAILS ALONG ROADWAY
- CONCEPTUALTRAILS ALONG ROADWAY (BY OTHERS)
- CONCEPTUAL TRAILS WITHIN OPEN SPACE
- CONCEPTUAL FUTURE TRAIL (BY OTHERS)
- WETLANDS
- BUFFER ZONE
- CONCEPTUAL VEHICULAR ACCESS POINTS (locations to be determined at time of development approval)
- POTENTIAL PARK SITE

NOTE: 1. SEE GDP TEXT FOR ADDITIONAL REQUIREMENTS, GUIDELINES, AND STANDARDS.

PLEASE ALSO REFER TO:
- Residential Street Sections, Map 8

SCALE: 1" = 300'

NORTH 0 150' 300' 600'

PARCEL C
GENERAL DEVELOPMENT PLAN
MILLENNIUM GDP
TENTH MAJOR AMENDMENT
LOVELAND, COLORADO

MAP 6 of 10

CURRENT THROUGH MAJOR AMENDMENT 10 – APRIL 19, 2017

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ATTACHMENTS:

Attachment No. 1 – Noise Attenuation Construction Performance Standards

Attachment No. 2 – Avigation Easement Form

Attachment No. 3 – Parcel B-12 Airport Depiction

Attachment No. 4 – Examples of Applications of Use Table

Attachment 4

SECTION 3

PARCEL B

3.1 INTRODUCTION

Parcel B is approximately 8837~~8~~ acres in size and includes the east portion of Parcel D of the Millennium Addition, northwest region of the Millennium Addition, the Twin Peaks Addition, the Range View Addition, the Myers Group Partnership #949 Addition, portions of the Savanna Addition, portions of the McWhinney Addition and the West Parcel and Cloverleaf East Parcel of the Grange Addition.

Parcel B is generally located east and south of the Houts Reservoir and Equalizer Lake, south of Crossroads Boulevard, west of I-25 and north of US 34, with one Subparcel located south of US 34. Refer to Map 1 and Map 5 in Section 11 for the location of Parcel B.

3.2 LAND USE INFORMATION

3.2.1 Existing Land Uses

The historical uses within Parcel B were primarily agricultural activities. There are currently two existing office buildings in Parcel B-4, one office building in Parcel B-1, a mixed used building in Parcel B-6, a regional hospital in Parcel B-11, several buildings in Parcel B-12, a dog track on Parcel B-14 and a parking lot on a portion of Parcel B-7. The existing agricultural uses shall be allowed to continue as legal non-conforming uses within Parcel B until development occurs.

3.2.2 Proposed Land Uses

The land use categories for Parcel B include: Institutional / Civic / Public Uses, Light Commercial Uses, Heavy Commercial Uses, Light Industrial Uses, Heavy Industrial Uses (a maximum of 9,608,000 sf gross square feet of commercial / industrial uses), Business Park Uses and Parks and Open Space Uses, Mixed Use Village Center, Residential Uses (not in an MUN) allowed in Parcels B-1, B-4 and B-14, and Residential MUN uses also allowed in Parcel B-13. The number of Dwelling Units permitted within all of Parcel B is 1080.

Refer to Section 1.3 for a list of the specific uses within each land use category, and the Land Use Legend on Map 5 in Section 11 for the identification of each land use category as either a Use-by-Right or a Special Review Use. Section 12 contains the review processes applicable to such uses.

3.2.3 Airport Influence Area

Any Special Conditions applicable to development in Parcel B because of it proximity to the Airport are included in the Special Conditions attached as Appendix 3-1 attached to this Section 3.

3.3 CIRCULATION

3.3.1 Site Access

Subject to City approval of specific Development Projects, primary access to the Subparcels of Parcel B will be from Rocky Mountain Avenue, Crossroads Boulevard, McWhinney Boulevard, Kendall Parkway and from US 34.

3.3.2 Internal Circulation

Attachment 4

An integrated network and hierarchy of transportation ways will be provided for automobiles, pedestrians, bicyclists, and public transportation.

Refer to Section 7 for detailed information on access, circulation, and parking.

The Conceptual Amenity Map (Map 2 in Section 11) illustrates a proposed, conceptual trail system. Although not all buffer/ open space areas have trails shown on this map, they will be allowed if determined appropriate in the applicable ESAR.

Details on any proposed trail system shall be provided with applications for Preliminary Plats and /or Final Plat review or applications for a building permit.

3.3.3 Standards

All streets shall comply with LCUASS as described in Section 7 and General Condition No. 21.

3.4 PUBLIC AND PRIVATE UTILITIES

The following subsections indicate the utility providers currently available to serve Parcel B. The provision of services by other utility providers will be determined at the time of development.

3.4.1 Water and Sewer

The City will provide water and sewer service. A water line has been located along Boyd Lake Avenue and extended along the north property line to the Union Pacific Railroad, then to the water line in Rocky Mountain Avenue to serve Parcel B. In addition, a waterline has been extended east from Rocky Mountain Avenue along the Union Pacific Railroad to serve Parcel B. A sewer main has been located along Rocky Mountain Avenue to serve this property.

A water line is to be extended from Boyd Lake Avenue east along the south side of US 34 to serve Parcel B-13. This water line will be looped into the water line in Rocky Mountain Avenue. Sanitary sewer service will be facilitated by new a lift station and force mains from the lift station to the gravity sewer in Boyd Lake Avenue.

Details of services will be worked out at time of preliminary and/or final development plan, or at the time of application for a building permit.

3.4.2 Storm Drainage

Detention shall either be provided on-site or within the Houts Reservoir / Equalizer Lake system in accordance with the City's storm drainage master plan. On-site water quality treatment will be encouraged prior to on-site drainage entering Houts Reservoir or Equalizer Lake in designated Environmentally Sensitive Areas.

3.4.3 Electric

The City's Water and Power Department will provide electricity. A 600 amp overhead feeder is located along Rocky Mountain Avenue.

3.4.4 Natural Gas

It is presently anticipated that Xcel Energy Company will provide natural gas.

3.4.5 Telephone

Attachment 4

It is presently anticipated that Qwest Communications will provide telephone and telecommunications services.

3.4.6 Irrigation Ditches

The existing Greeley and Loveland Irrigation Canal will remain in place. If any realignment or physical change is proposed to the ditch, or any improvement is proposed to any portion of this irrigation ditch, The Greeley and Loveland Irrigation Company will be contacted for approval. A copy of a letter from the ditch company shall be submitted to the City prior to any approval, which directly impacts the ditch. Irrigation ditches may be used as a raw water supply for irrigation of open space areas.

3.4.7 Railroads

The Great Western Railroad tracks are adjacent to the southern boundary of Parcel B-13 (see Map 5 in Section 11). In order to mitigate railroad noise and vibration, the Applicant shall provide a bufferyard between Buildings for residential occupancy on lots in Parcel B-13 and the edge of the railroad right-of-way in accordance with the requirements set forth in Section 15, Appendix A of the GDP. See also Special Condition No. 47 in Appendix 3-1.

3.5 NATURAL AREAS

Any Environmentally Sensitive Areas within Parcel B have been identified in an ESAR. The ESARs applicable to Parcel B are provided in Section 14 of the GDP.

The ESAR prepared by Cedar Creek Associates (dated January, 1999 and revised May, 1999) and a subsequent ESAR prepared by Ecological Resource consultants (dated July 18, 2003) recommended certain buffer areas on the east side of the Houts Reservoir and Equalizer Lake. All required buffers have been preserved by conveyance to the HPF, therefore, no additional buffers shall be required for the development of Parcels B-1, B-2 or B-4.

For Parcel B-3, please refer to the ESAR prepared by Ecological Resource Consultants dated June 8, 2004.

For Parcel B-6, please refer to the ESAR prepared by ESNR Corporation dated January, 2000.

For Parcels B-10 and B-11, please refer to the ESAR prepared by Cedar Creek Associates dated August 17, 2000 and the ESAR prepared by Wildland Consultants dated January, 2000.

For Parcel B-12, please refer to the ESAR prepared by Ecological Resource Consultants dated February 4, 2005.

For Parcel B-13, please refer to the ESAR prepared by FlyWater Consulting, Inc. dated October 11, 2007.

For Parcel B-14, please refer to the ESAR prepared by FlyWater Consulting, Inc. dated February 12, 2008.

3.6 LANDFORM MODIFICATION

Parcel B is relatively flat. Landform modification will occur in order to create visual interest and to provide screening as necessary, and/or to provide for proper management of drainage.

Refer to the Conceptual Utility/Grading Map, (Map 3 in Section 11), as well as Sections 6.11 and 6.17 for additional grading information and the anticipated amounts of cut and fill.

3.7 DEVELOPMENT CONDITIONS

Attachment 4

Development within Parcel B shall be subject to the applicable General Conditions in Appendix 1-1 to Section 1 and the applicable Performance Standards in Sections 6 through 10.

Development within Parcel B shall also be subject to the applicable Special Conditions in Appendix 3-1 attached to this Section 3 and incorporated herein by this reference.

Attachment 4

APPENDIX 3-1

SPECIAL CONDITIONS FOR

PARCEL B

AIRPORT

Special Condition No.1 (Parcel B):

No structures located within those portions of Parcel B that are located within the Airport Influence Area as shown on Map 5 in Section 11 of the GDP shall extend into restricted air space as defined by FAA Regulation, Part 77, and the Applicant shall comply with all applicable notice requirements of such FAA Regulation.

Special Condition No. 2 (Parcel B-1):

Each Building constructed in Parcel B-1 for a Residential Use as defined in Section 1.3.2 of this GDP which is also located within the 55dB/65dB noise contour for the Airport, as shown on Map 10 in Section 11 of the GDP, shall be subject to the "Noise Attenuation Construction Performance Standards" attached hereto as Attachment No. 1, which ensures the compatibility of such Residential Uses with airport operations.

Special Condition No. 3 (Parcels B-1 through B-4, B-7, B-13 and B-14):

The owners of those portions of Parcels B-1 through B-4, Parcel B-7, Parcel B-13 and Parcel B-14 that are located within the boundaries of the Airport Influence Area as depicted on Map 5 in Section 11 of the GDP shall execute and deliver to the City for recording concurrently with the Final Plat for such property, an Avigation Easement in the form attached hereto as Attachment No. 2.

Special Condition No. 4 (Parcels B-1 through B-4, B-7, B-13 and B-14):

Those portions of Parcels B-1 through B-4, Parcel B-7, Parcel B-13 and Parcel B-14 that are located within the Airport Influence Area may experience noise from low-flying aircraft as a result of 24 hour per day aircraft operations, therefore, all subdivision plats for property that is located within Parcels B-1 through B-4, Parcel B-7, Parcel B-13 and Parcel B-14 which are also wholly or partially located within the boundaries of the Airport Influence Area as depicted on Map 5 in Section 11 of the GDP shall contain the following language: "All or a portion of the property being subdivided may be located within the Airport Influence Area of the Fort Collins-Loveland Municipal Airport. Such property may experience noise from low-flying aircraft as a result of 24 hour per day aircraft operations."

Special Condition No. 5 (Parcels B-1 through B-4, B-7, B-13 and B-14):

Except to the extent otherwise required by applicable Federal law, all new bodies of water within Parcels B-1 through B-4, Parcel B-7, Parcel B-13 and Parcel B-14 which are also located within the Air-

Attachment 4

port Influence Area as depicted on Map 5 in Section 11 of the GDP and within a radius of 10,000 feet from the end of any runway of the Airport, shall be prohibited provided that: (1) they are larger than one-quarter acre in size; (2) they are installed after July 11, 2006; (3) they are designed to hold or retain water permanently or over extended periods of time; and (4) they are bird attractants. To the extent permitted by Federal law, this prohibition shall not apply to a relocation or expansion of any existing water body or to detention ponds that have outlet structures designed to prevent the permanent containment of water.

Special Condition No. 6 (Parcels B-1 through B-4, B-7, B-13 and B-14):

No exterior lighting, reflective material, smoke emissions or electronic emissions shall be permitted in within Parcel B-1 through B-4, Parcel B-7, Parcel B-13 and Parcel B-14 which are also located within the Airport Influence Area as depicted on Map 5 in Section 11 of the GDP which would materially lower pilots' visibility or cause material interference with the Airport's navigation and communication systems. For purposes of this condition, "reflective material" is defined as glazing with a reflectivity of 65% or greater.

Attachment 4

Special Condition No. 7 (Parcels B-1 through B-4, B-7 and Parcel B-14):

Residential Uses are not permitted in those portions of Parcels B-1 through B-4, Parcel B-7 and Parcel B-14 of the GDP which are also located within the Airport's critical zone as depicted on Map 5 of Section 11 of the GDP ("Critical Zone"). In the event that the Critical Zone is reduced in area pursuant to an amendment of the Airport Master Plan, such new Critical Zone boundary shall be used to determine the applicability of this condition.

Special Condition No. 8 (Parcels B-1 through B-4, B-7, B-13 and B-14):

The Developer shall include the following disclosure statement in all of its contracts for the sale of any of the property located within Parcels B-1 through B-4, Parcel B-7, Parcel B-13 and Parcel B-14 of the GDP which is also within the Airport Influence Area as shown on Map 5 in Section 11 and further, shall include a provision in such sales contracts that the purchaser thereof shall include the following disclosure statement in all of its subsequent contracts for sale of such property: "The property subject to this contract may be located within the Airport Influence Area of the Fort Collins-Loveland Municipal Airport. Such property may experience noise from low-flying aircraft as a result of 24 hour per day aircraft operations." Each such contract subject to this Special Condition shall expressly provide that the disclosure provision survives closing and is enforceable at law or in equity by the City as a third party beneficiary of such contract.

Special Condition No. 9 (Parcels B-9, B-10 and B-11):

Parcels B-9, B-10 and B-11 are subject to that Avigation and Hazard Easement recorded in the Larimer County Records on May 10, 2004 at Reception No. 2004-0044058.

Special Condition No. 10 (Parcels B-9, B-10 and B-11):

Except to the extent otherwise required by applicable Federal law, all new bodies of water within Parcels B-9, B-10 and B-11 and within a radius of 10,000 feet from the end of any runway, shall be prohibited provided that: (1) they are larger than one-quarter acre in size; (2) they are installed after June 3, 2003; (3) they are designed to hold or retain water permanently or over extended periods of time; and (4) they are bird attractants. To the extent permitted by Federal law, this prohibition shall not apply to a relocation or expansion of any existing water body.

Special Condition No.11 (Parcels B-9, B-10 and B-11):

No exterior lighting, reflective material, smoke emissions or electronic emissions shall be permitted in Parcels B-9, B-10 and B-11 which would materi-

Attachment 4

ally lower pilots' visibility or cause material interference with the Airport's navigation and communication systems.

Special Condition No. 12 (Parcels B-9, B-10, B-11 and B-14):

All helicopter activities conducted within Parcels B-9, B-10, B-11 or B-14 shall be coordinated with the management of the Airport and the FAA for development of procedures to ensure that such activities will not adversely affect Airport operations.

Special Condition No. 13 (Parcel B-12):

Each subdivision application for property within Parcel B-12 shall be reviewed by the manager of the Airport and comments sent to the City Planning Division prior to final approval.

Special Condition No. 14 (Parcel B-12):

Attached hereto as Attachment No. 3 is a depiction of Parcel B-12 referred to herein as the "Parcel B-12 Airport Depiction**",** which provides all of the following specific information:

a. The existing runway protection zone, Critical Zone, noise contours, flight pattern areas and the Airport Influence Area;

b. A Land Use table; and

c. An overlay of the FAA FAR 77, the approximate finished floor elevations for the contemplated structures within Parcel B-12 and the maximum building height for each structure based on the FAA FAR 77, to be used as a reference to determine maximum building heights per site with each subdivision application.

Special Condition No. 15 (Parcel B-12):

Uses allowed within Parcel B-12 shall include the Business Park Uses listed in Section 1.3.8 of the GDP.

No other uses shall be allowed within Parcel B-12 unless the Current Planning Manager approves a use which is:

(i) permitted in the I District – Developing Industrial District (currently Section 18.36 of the Municipal Code); and

(ii) is not a use denoted "I" on the Land Use table of the Parcel B-12 Airport Depiction; and

(iii) which he or she deems to be substantially similar in impact to the uses allowed within Parcel B-12 including, but not limited to, its compatibility with the Airport.

Attachment 4

Every use within Parcel B-12 shall be consistent with the Land Use table and height restrictions shown on the Parcel B-12 Airport Depiction attached hereto as Attachment No. 3. Application of such Land Use table to uses within Parcel B-12 shall be in accordance with the Examples of Applications of Use Table attached hereto as Attachment No. 4.

Special Condition No. 16 (Parcel B-12):

Each subdivision plat within Parcel B-12 shall also contain the following language: "All or a portion of the property being subdivided may be located within the Fort Collins/Loveland Municipal Airport's influence zone, critical zone and/or the 65db noise curve and as a result, such property may be subjected to low flying aircraft which at times may exceed the 65db noise levels and further such property may have restrictions on uses and heights of structures."

Special Condition No. 17 (Parcel B-12):

Adequate profile information shall be submitted for each site plan within Parcel B-12 to verify that FAA Part 77 is not violated by any building, tower or any other man-made structures and trees.

Special Condition No. 18 (Parcel B-12):

Except to the extent otherwise required by applicable Federal law, new bodies of water within Parcel B-12 shall be prohibited within a radius of 10,000 feet from the end of any runway, provided that: (a) they are larger than one-quarter acre in size; (b) they are installed after July 20, 2004; (c) they are designed to hold or retain water permanently or over extended periods of time; and (d) in the reasonable determination of the manager of the Airport, they are bird attractants. To the extent permitted by Federal law, this prohibition shall not apply to a relocation or expansion of any existing water body.

Special Condition No. 19 (Parcel B-12):

No exterior lighting, reflective material, smoke emissions or electronic emissions shall be permitted within Parcel B-12 which would materially lower pilots' visibility or cause material interference with the Airport's navigation and communication systems, as reasonably determined by the manager of the Airport.

Special Condition No. 20 (Parcel B-12):

Parcel B-12 is subject to the Avigation Easement recorded in the Larimer County Records on August 17, 2004 at Reception No. 2004-0080755.

Attachment 4

ENVIRONMENTAL

Special Condition No. 21 (Parcels B-13 and B-14):

The first application for a subdivision plat within Parcel B-13 and Parcel B-14 shall be accompanied by a Phase II Environmental Assessment of such parcel.

Special Condition No. 22 (Parcels B-13 and B-14):

Prior to the approval of the first application for a subdivision plat within Parcel B-13 and B-14, a plan for mitigation of the environmental conditions identified in the Phase II Environmental Assessment for such parcel shall be prepared by an environmental consultant and approved by the City.

Special Condition No. 23 (Parcels B-13 and B-14):

Prior to the issuance of the first building permit within each approved Development Project within Parcel B-13 and Parcel B-14, the Developer shall mitigate, in compliance with the approved mitigation plan for such parcel and all applicable federal, state, and local regulations and requirements, any environmental conditions within such Development Project that are identified in the applicable Phase II Environmental Assessment**,** or, in the alternative, the Developer shall demonstrate, to the City's satisfaction, that the Development Project is not within the area affected by the environmental conditions identified in the applicable Phase II Environmental Assessment.

Special Condition No. 24 (Parcel B-13):

1. Decommissioning of Well. The Developer does not currently own or control the oil and gas well and associated storage tanks located on Parcel B-13 ("Well"). In the event that the Developer acquires ownership or control thereof, it shall take all necessary steps to decommission the Well in accordance with applicable State statutes. Any damage to any public improvements caused by plugging and decommissioning activities associated with the Well shall be promptly repaired by the Developer to the satisfaction of the City.

2. Interim Requirements. Unless and until such decommissioning has occurred, the following requirements shall apply: (i) a 350 foot buffer area**,** measured from the center of the wellhead**,** shall be required around the wellhead of the Well ("Buffer") and, for purposes of this Special Condition, "wellhead" shall mean that area, 75 feet by 75 feet square centered over the Well ("Wellhead"); (ii) no development which requires a building permit shall be permitted within the Buffer, but parking lots and landscaping shall specifically be permitted therein whether a building permit is required or not, provided that, in the event a building permit is required for any such improvement, it shall meet all building permit requirements therefore; (iii) no impermeable surface construction such as paving shall be allowed over the Wellhead; (iv) the area above the Wellhead shall be maintained in such a manner as to allow venting of the Wellhead to the surface; and (v) any final subdivision application which includes the Wellhead shall locate it in an Outlot.

Attachment 4

ENVIRONMENTAL FEES

Special Condition No. 25 (Parcels B-1 and B-4):

Each residential building permit issued for a new Dwelling Unit in Parcels B-1 and B-4 through December 31, 2040, shall require the payment of a Residential Environmental Fee of Forty-three Cents ($0.43) per finished and unfinished square foot of habitable space within the Dwelling Unit including basements, but excluding garages, carports, porches and decks. Each Residential Environmental Fee shall be delivered to the City in the form of a check made payable to the HPF.

Special Condition No. 26 (Parcel B):

Pursuant to the Agreement Regarding Environmental Fees among the City, Developer and the Environmental Entities dated June 27, 2006 and all amendments thereto, prior to fifty percent (50%) build-out of both Parcels B and C, an environmental center shall be constructed near the Houts and Equalizer Reservoirs by or on behalf of the Environmental Entities. "Build-out", as used herein in connection with both residential and non-residential development, shall mean the construction of all principal Buildings for the total number of residential Dwelling Units and the total amount of non-residential square footage permitted within both Parcels B and C.

Special Condition No. 27 (Parcels B-1, B-2, B-4, B-6, B-7, B-10 and B-11):

Each building permit issued for a new non-residential Building within Parcels B-1, B-2, B-4, B-6, B-7, B-10 and B-11 (north of East 29th Street) through December 31, 2040 shall require the payment of a Non-Residential Environmental Fee of One Dollar ($1.00) for each gross square foot of the non-residential Building. Each Non-Residential Environmental Fee shall be delivered to the City in the form of a check made payable to the HPF.

Special Condition No. 28 (Parcels B-1, B-2, B-4, B-6, B-7, B-10 and B-11):

Each building permit issued for an addition to an existing non-residential Building within Parcels B-1, B-2, B-4, B-6, B-7, B-10 and B-11 (north of East 29th Street) through December 31, 2040, which addition results in an increase of the Building's gross square footage, shall be assessed a Non-Residential Environmental Fee of One Dollar ($1.00) per square foot based on the gross square footage of the addition to the Building. Each Non-Residential Environmental Fee shall be delivered to the City in the form of a check made payable to the HPF.

Special Condition No. 29 (Parcels B-3 and B-12):

Each building permit issued for a new non-residential Building within Parcel B-3 and Parcel B-12 through December 31, 2040 shall require the payment of a Non-Residential Environmental Fee of Fifty Cents ($0.50) for each gross square foot of the

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non-residential Building. Each Non-Residential Environmental Fee shall be delivered to the City in the form of a check made payable to the HPF.

Special Condition No. 30 (Parcels B-3 and B-12):

Each building permit issued for an addition to an existing non-residential Building within Parcel B-3 and Parcel B-12 through December 31, 2040, which addition results in an increase of the Building's gross square footage, shall be assessed a Non-Residential Environmental Fee of Fifty Cents ($0.50) per square foot based on the gross square footage of the addition to the Building. Each Non-Residential Environmental Fee shall be delivered to the City in the form of a check made payable to the HPF.

Special Condition No. 31 (Parcels B-9**,** B-11 and B-14):

Each building permit issued for a new non-residential Building within Parcel B-9**,** Parcel B-11 (south of East 29th Street) and Parcel B-14 through December 31, 2040 shall require the payment of a Non-Residential Environmental Fee of Seventy-five Cents ($0.75) for each gross square foot of the non-residential Building. Each Non-Residential Environmental Fee shall be delivered to the City in the form of a check made payable to the HPF.

Special Condition No. 32 (Parcels B-9**,** B-11 and B-14):

Each building permit issued for an addition to an existing non-residential Building within Parcel B-9**,** Parcel B-11 (south of East 29th Street) and Parcel B-14 through December 31, 2040, which addition results in an increase of the Building's gross square footage, shall be assessed a Non-Residential Environmental Fee of Seventy-five Cents ($0.75) per square foot based on the gross square footage of the addition to the Building. Each Non-Residential Environmental Fee shall be delivered to the City in the form of a check made payable to the HPF.

Special Condition No. 33 (Parcels B-1, B-2, B-3, B-4, B-6, B-7, B-9, B-10, B-11, B-12 and B-14):

The written consent of the Environmental Entities is required prior to the City's final approval of a rezoning of any of the following Parcels: B-1, B-2, B-3, B-4, B-6, B-7, B-9, B-10, B-11, B-12 and B-14, if such rezoning would result in the removal of the Parcel from the Millennium GDP.

FEES/CREDITS/REIMBURSEMENTS

Special Condition No. 34 (Parcels B-1, B-2, B-4, B-6, B-7 and B-9 through B-11):

A City reimbursement agreement dated January 23, 2003 obligates the City to attempt to collect reimbursements from the applicants of specified properties in connection with certain water improvements installed within the right-of-way for Rocky Mountain Avenue. The City has waived its right to collect a reimbursement under such agreement from non-residential development within Parcels B-1, B-

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2, B-4, B-6, B-7 and B-9 through B-11. Refer to Section 5.2.5 of the PVH Agreement for specific terms.

Special Condition No. 35 (Parcels B-1, B-2, B-4, B-6, B-7 and B-9 through B-12):

In connection with water and sewer improvements which the City has constructed pursuant to the PVH Agreement, every building permit for a non-residential use within Parcels B-1, B-2, B-4, B-6, B-7 and B-9 through B-12 shall be assessed a cost equal to its proportionate share of the actual cost of the local portion of any oversized water or sanitary sewer line and any water or sewer improvement which solely benefits the proposed non-residential use. Refer to Section 5.2.3 of the PVH Agreement for specific terms.

Special Condition No. 36 (B-1, B-2, B-4, B-6, B-7 and B-9 through B-12):

Pursuant to the MFA, projects within Parcels B-1, B-2, B-4, B-6, B-7 and B-9 through B-12 (MFA Commercial Area) shall not be eligible to receive reimbursement from the City to which they might otherwise be entitled pursuant to City Regulations, as defined by the MFA, for the design and construction of public improvements therein, with the exception of the following reimbursements:

1. The City's obligation to reimburse Centerra Properties West, LLC for certain costs incurred for a preliminary design of the Arterial Street Improvements. Refer to Section 6.5 of the PVH Agreement for specific terms.

2. Reimbursements for public improvements which were completed prior to January 20, 2004. Refer to Sections 12.3 and 13.5 of the MFA for specific terms.

3. Reimbursements for the design and construction of all or a portion of the Arterial Street Improvements completed by Applicants of non-residential projects within Parcels B-1, B-2, B-4, B-6, B-7 and B-9 through B-12 (PVH Commercial Area) to serve such projects, in the event of the City's failure to appropriate money for such improvements. Refer to Section 6.1.5 of the PVH Agreement for specific terms.

4. Reimbursements for public improvements completed in connection with Development Projects not within the MFA Commercial Area, unless such public improvements are not eligible for reimbursement pursuant to the MFA, Section 12.3.

Special Condition No. 37 (Parcels B-1, B-2, B-4, B-6, B-7 and B-9 through B-12):

Centerra Properties West, LLC and its affiliates are entitled to receive certain credits against City water system impact fees and City capital expansion fees for streets in connection with Development Projects within Parcels B-1, B-2, B-4, B-6, B-7 and B-9 through B-12 (MFA Commercial Area) pursuant to the terms of the MFA. Refer to Section 12.1 of the MFA for the specific terms.

Special Condition No. 38 (Parcels B-1, B-2, B-4, B-6, B-7 and B-9 through B-12):

Except as provided in Special Conditions No. 34 and 35 above, the Applicant of every project within Parcels B-1, B-2, B-4, B-6, B-7 and B-9 through B-12 (MFA Commercial Area) shall be responsible for payment of all applicable City development fees and use taxes and for satisfaction of all raw water requirements. Refer to Section 12.3 of the MFA for the specific terms.

Special Condition No. 39 (Parcels B-2 and B-4):

Parcels B-2 and B-4 are adjacent to and are benefited by improvements to Rocky Mountain Avenue constructed by Developer. Any development of such Parcels will be subject to a third-party reimbursement obligation to Developer for its proportionate share of the costs of improvements. No later than September 9, 2006, Developer shall provide the City with the documentation required by LCUASS (currently Section 1.9.3.B.1.f. and g.). After execution and recording of the reimbursement agreement, the City shall attempt to provide notice on future plats of the obligated properties (currently Section 1.9.3.B.1.h.). The parties acknowledge however, that no notice as required by LCUASS needs to be given. To the extent this condition may be inconsistent with the applicable provisions of LCUASS, the terms hereof shall prevail.

Special Condition No. 40 (Parcels B-9 and B-11):

The PVH Project (located in Parcels B-9 and that portion of Parcel B-11 south of East 29th Street) is entitled to a waiver of twenty-five percent (25%) of certain City development fees and/or use taxes pursuant to the PVH Agreement. Refer to Section 4 of the PVH Agreement for specific terms.

NOTIFICATION

OF MINERAL

ESTATE OWNERS

Special Condition No. 41 (Parcel B-13 and B-14):

The first application for a subdivision plat which includes any portion of Parcel B-13 or Parcel B-14 shall require a public hearing before the Planning Commission at least thirty (30) days prior to the administrative approval of such subdivision plat, for the limited purpose of hearing objections of mineral estate owners, as such owners are defined by C.R.S. §24-65.5-102(5). Such public hearing shall constitute the "initial public hearing" for the subdivision plat application; notice thereof shall be given in accordance with the requirements of C.R.S. §24-65.5-103 and, except as required by C.R.S. §24-65.5-103(1.5), no further notice to mineral estate owners within such subdivision plat shall be given. Prior to final approval of the subdivision plat for which notice was given pursuant to this Special Condition, the Applicant shall provide the City with a written certification in accordance with the requirements of C.R.S. §24-65.5-103.3.

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forced wastewater mainline, may be allowed within the existing 40' utility easement on the north side of the Loveland Sports Park, and shall be determined at time of preliminary design and plat. If allowed, all design, demolition, construction and repair shall be paid for by the Developer at no cost to the City.

PARKS AND RECREATION

Special Condition No. 42 (Parcel B-13):

No additional vehicular or pedestrian connections are proposed within the Loveland Sports Park due to existing drainage systems and private drives within the park. The location and type of vehicular and pedestrian connections between Parcel B-13 and the Loveland Sports Park shall be determined during review and approval of future Development Projects within Parcel B-13. Each such connection shall be designed to accommodate the existing drainage system and private street network within the Loveland Sports Park and may require the installation of additional lighting, sidewalks, accessible walkways, culvert crossings or other safety measures for the benefit of Loveland Sports Park users. The design and construction of any such connections and the ancillary improvements shall be done at no cost to the City.

Special Condition No. 43 (Parcel B-13):

Due to the current sports field design and storm drainage system within the Loveland Sports Park, Developer acknowledges that the City may not agree to grant any additional easements or Rights-of-Way to accommodate future streets or utilities proposed by any future Development Project within Parcel B-13. Any proposed utilities, including a

Special Condition No. 44 (Parcel B-13):

Loading and delivery areas for non-residential uses in Parcel B-13 shall be adequately screened from the Loveland Sports Park.

Special Condition No. 45 (Parcel B-13):

Solid fencing between the boundaries of Parcel B-13 and the Loveland Sports Park shall not exceed 48 inches in height. Any fencing along such boundary that exceeds 48 inches in height shall be of an open style that allows for views into the Loveland Sports Park. The design of any such fencing shall be determined during review and approval of future Development Projects within Parcel B-13 that are adjacent to the Loveland Sports Park.

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Special Condition No. 46 (Parcel B-13):

Final subdivision plats that include property within Parcel B-13 that is adjacent to the Loveland Sports Park shall contain a disclosure regarding the existence and proximity of the Loveland Sports Park, uses that may occur within the park, the park's hours of operation and the use of lighted facilities, all of which are regulated by the City, together with an acknowledgement that the operation of the Loveland Sports Park is based on the Municipal Code and will not be changed because of subsequent development of properties adjacent thereto.

PLANNING

Special Condition No. 47 (Parcel B-13):

Prior to the approval of the first subdivision plat within Parcel B-13, the Applicant shall deliver to the City any required ditch or irrigation company easements, as determined by the City Attorney, and a crossing agreement, if a crossing of the ditch is needed for development of the subdivision.

Special Condition No. 48 (Parcel B-3):

Development of any portion of Parcel B-3 that is located within Tract D, Savanna Second Subdivision is prohibited until final approval of a replat of Tract D which results in any new lots or tracts created therein being located entirely within the boundaries of the GDP.

RAILROAD

Special Condition No. 4~~9~~8 (Parcel B-13):

For the purpose of mitigating general railroad noise and vibration, the Applicant shall provide a bufferyard between Buildings for residential occupancy on lots in Parcel B-13 and the Great Western Railroad right-of-way in accordance with the requirements set forth in Section 15, Appendix A of the GDP.

Special Condition No. 5~~0~~49 (Parcel B-13):

The Great Western Railroad tracks are adjacent to the southern boundary of Parcel B-13. Residents adjacent to such railroad tracks may experience noise and vibration effects resulting from the passage of trains on such tracks in close proximity to adjacent Lots. A notice reciting the above-stated potential impacts from such railroad tracks shall be placed on each subdivision plat which includes any portion of Parcel B-13 within 500 feet of the railroad right-of-way.

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TRANSPORTATION

Special Condition No. 5~~10~~ (Parcel B):

To the extent that street and/or trail crossings of the existing railroads are required as a condition of a Development Project within Parcel B to meet the ACF Regulations and any approved exceptions thereto or other applicable Municipal Code requirements, acquisition of the necessary Public Utilities Commission approval for such crossing shall be governed by the terms of the PVH Agreement.

Special Condition No. 5~~21~~ (Parcels B-1 and B-2):

Unless designed and constructed by others or by the City pursuant to the PVH Agreement, or otherwise approved by the City Engineer, and to the extent needed to comply with the ACF Regulations and any approved exceptions thereto, the Applicant shall design and construct, or cause to be designed and constructed at no cost to the City, the following street improvements to the standards required by the Transportation Plan and LCUASS. The timing, scope and phasing of such construction shall be determined during review and approval of future Development Projects within Parcels B-1 and B-2.

(a) Rocky Mountain Avenue from north of the Union Pacific Railroad crossing to Crossroads Boulevard.

(b) Kendall Parkway from Boyd Lake Avenue to Rocky Mountain Avenue.

(c) CR 24 (East 29th Street) from Rocky Mountain Avenue under I-25 to the north/south major arterial roadway in Parcel A.

(d) Boyd Lake Avenue from CR 20C (East 5th Street) to CR 24E (East 37th Street).

(e) CR 20C (East 5th Street) from Boyd Lake Avenue to CR 9E (Sculptor Drive).

(f) CR 9E (Sculptor Drive) from US 34 to State Highway 402.

Special Condition No. 5~~32~~ (Parcels B-1 and B-2):

The Applicant shall obtain, at no cost to the City (except as may be reimbursable consistent with the City's then-current adopted Capital Improvements Program), all FAA approvals required for the proposed extension of CR 26 (Crossroads Boulevard) from Rocky Mountain Avenue to North Boyd Lake Avenue, if such extension is required as a condition of development in Parcels B-1 or B-2 to meet ACF Regulations and any approved exceptions thereto. Written documentation of such approvals shall be provided to the City by the Applicant prior to the approval of any Final Plat that includes such future street extension.

Special Condition No. 5~~43~~(Parcels B-1, B-2, B-4, B-6, B-7, B-9 through B-12, and B-14):

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The following roadways shall be exempt from compliance with the ACF Regulations in connection with the development of non-residential uses in Parcels B-1, B-2, B-4, B-6, B-7**,** B-9 through B-12**,** and B-14:

(a) Rocky Mountain Avenue from, but not including, its intersection with County Road 24 (29th Street), north to and including its intersection with Crossroads Boulevard and that portion of Crossroads Boulevard from its intersection with Rocky Mountain Avenue east to and including its intersection with the west I-25 frontage road;

(b) Existing portions of County Road 24E (37th Street) or any extension thereof west through its intersection with Boyd Lake Avenue;

(c) Existing portions of Rocky Mountain Avenue from County Road 24 (29th Street) south through its intersection with Hahn's Peak Drive; and

(d) Boyd Lake Avenue.

Special Condition No. 554 (Parcels B-1, B-2, B-4, B-6, B-7, B-9 through B-12**,** and B-14):

Except for those streets for which there is an approved exception from the ACF Regulations, Applicants of non-residential projects within Parcels B-1, B-2, B-4, B-6, B-7, B-9 through B-12**,** and B-14 shall be required to improve public street intersections adjacent to such projects to City standards to the extent necessary to comply with the ACF Regulations in the operation of such intersections and, in addition, shall be responsible for designing and installing all private street improvements necessary to adequately serve such projects. Refer to Section 6.4 of the PVH Agreement for specific terms.

Special Condition No. 565 (Parcels B-1, B-2, B-4, B-6, B-7, B-10, B-11**,** B-12 and B-14):

In accordance with Section 6.4 of the PVH Agreement, prior to the issuance of any building permit for the last twenty-five (25) acres of undeveloped non-residentially zoned property within Parcels B-1, B-2, B-4, B-6, B-7, B-10, that portion of B-11 north of East 29th Street, B-12, B-14 and that portion of Parcel C-1 located east of a line 2625 feet east of the centerline of Boyd Lake Avenue (which properties exclude the PVH Property), all applicable ACF Regulations must be met for all public streets within the PVH Commercial Area with the exception of I-25 and its interchanges and US 34 and its intersections.

Special Condition No. 576 (Parcel B-3):

Prior to or concurrent with the approval of any development application or final plat within Parcel B-3, or as otherwise approved by the City Engineer, the owner shall dedicate, at no cost to the City, the right-of-way necessary for all street improvements either within or adjacent to said Development Pro-

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ject or Final Plat that are shown on the Transportation Plan.

Special Condition No. 5~~7~~ (Parcel B-3):

Unless designed and constructed by others or otherwise approved by the City Engineer, and to the extent needed to comply with the ACF Regulations and any approved exceptions thereto, the Applicant shall design and construct, or cause to be designed and constructed at no cost to the City, the following street improvements to the standards required by the Transportation Plan and LCUASS. The timing, scope and phasing of such construction shall be determined during review and approval of future Development Projects within Parcel B-3.

(a) High Plains Boulevard from the north boundary of Parcel A-5 to US 34.

(b) Boyd Lake Avenue adjacent to Parcel C-4.

(c) Kendall Parkway from Boyd Lake Avenue to Rocky Mountain Avenue.

Special Condition No. 5~~8~~ (Parcel B-4):

To the extent consistent with any approved access control plan, no signalized access will be permitted to Parcel B-4 from Rocky Mountain Avenue except at the intersection of CR 24 (29th Street), unless otherwise determined by the City Engineer. If unsignalized accesses meet any signal warrant in the future, the turning movements shall be eliminated as necessary to eliminate the signal warrant or, to the extent consistent with any approved access control plan, a roundabout shall be installed at the access point by the Applicant at no cost to the City.

Special Condition No. 6~~0~~59 (Parcel B-9):

Unless constructed by others or otherwise approved by the City Engineer, the sidewalk along the east side of Rocky Mountain Avenue from McWhinney Boulevard to the Greeley and Loveland Irrigation Canal shall be constructed, or cause to be constructed, by the Applicant of Parcel B-9 at no cost to the City prior to the issuance of a building permit withn Parcel B-9.

Special Condition No. 6~~1~~0 (Parcels B-9, B-10, B-11 and B-14):

In any Traffic Study for a Development Project within Parcels B-9, B-10, B-11 and B-14, the applicant shall not be required to count any of the vested gateway trips as background traffic, excluding those trips which are attributable to any site specific development plan within Parcels B-9, B-10, B-11 or B-14 approved after July 11, 2006. For purposes of this condition, the total number of "vested gateway trips" means the fifteen thousand six hundred and ninety (15,690) total daily trips, the three hundred and thirty-seven (337) A.M. peak hour daily trips and the one thousand, four hundred and fifty-two (1,452) P.M. peak hour daily trips previously vested for such Parcel as part of the approved Gateway GDP.

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Special Condition No. 621 (Parcels B-9, B-10, B-11 and B-14):

Unless designed and constructed by others or by the City pursuant to the PVH Agreement, or otherwise approved by the City Engineer and to the extent needed to comply with the ACF Regulations and any approved exceptions thereto, the Applicant shall design and construct, or cause to be designed and constructed at no cost to the City the following street improvements to the standards required by the Transportation Plan and LCUASS. The timing, scope, and phasing of such construction shall be determined during review and approval of future Development Projects within Parcels B-9, B-10, B-11 and B-14.

(1) Rocky Mountain Avenue from the existing terminus of the 4-lane section to Crossroads Boulevard;

(2) Kendall Parkway from Rocky Mountain Avenue to Boyd Lake Avenue;

(3) Crossroads Boulevard from Rocky Mountain Avenue to the west frontage road of I-25; and

(4) CR 24 (29th Street) from Rocky Mountain Avenue to the west side of I-25.

Special Condition No. 632 (Parcel B-11):

In accordance with the Transportation Plan, each Final Plat for a Development Project within Parcel B-11 which is adjacent to the Union Pacific Railroad ("Railroad") shall dedicate right-of-way twenty-five (25) feet in width adjacent to the existing Railroad right-of-way. In the event that the Transportation Plan is amended to remove such requirement, the requirements of this condition shall become of no effect as to Final Plats approved thereafter and the City Manager shall be authorized, notwithstanding any provision of the Municipal Code to the contrary, to administratively approve the vacation of any right-of-way dedications made pursuant to this condition. Such vacations shall be promptly recorded by the City in the Larimer County Records.

Special Condition No. 643 (Parcel B-12):

A minimum of two (2) points of access shall be provided to all Lots in Parcel B-12. This access may be provided via easements through other Lots.

Special Condition No. 654 (Parcel B-12):

Unless designed and constructed by others or by the City pursuant to the PVH Agreement, or otherwise approved by the City Engineer, and to the extent needed to comply with the ACF Regulations and any approved exceptions thereto, the Applicant shall design and construct, or cause to be designed and constructed at no cost to the City, the following street improvements to the standards required by the Transportation Plan and LCUASS. The timing, scope and phasing of such construction shall be de-

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termined during review and approval of future Development Projects within Parcel B-12.

(a) Install a traffic signal and necessary auxiliary lanes at the intersection of Byrd Drive and Crossroads Boulevard;

(b) Rocky Mountain Avenue adjacent to Parcel B-12, excluding the sidewalk on the west side;

(c) A median within Rocky Mountain Avenue to accommodate a channelized "T" movement at Tahosa Creek Drive and to limit turning movements at the proposed right-in/right-out access points;

(d) Crossroads Boulevard to adjacent to Parcel B-12, excluding the sidewalk on the north side; and

(e) A median within Crossroads Boulevard to limit the Mount Massive intersection movement to right-in, right-out, left-in.

Special Condition No. 6~~5~~ (Parcel B-13):

Unless designed and constructed by others, or otherwise approved by the City Engineer, and to the extent needed to comply with the ACF Regulations and any approved exceptions thereto, the Applicant shall design and construct, or cause to be designed and constructed at no cost to the City, the following street improvements to the standards required by the Transportation Plan and LCUASS. The necessity, timing, scope and phasing of such construction shall be determined during review and approval of future Development Projects within Parcel B-13.

(a) Hahns Peak Drive within Parcel B-13 to US 34.

(b) Rocky Mountain Avenue within Parcel B-13 to US 34.

(c) An east-west collector street within Parcel B-13.

UTILITIES

Special Condition No. 6~~7~~6 (Parcels B-1, B-2, B-4, B-6, B-7 and B-9 through B-14):

With the exception of those improvements which are the responsibility of the City pursuant to the PVH Agreement, any existing utilities that must be redesigned, rearranged, relocated, upgraded or ex-

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tended in connection with the development of Parcels B-1, B-2, B-4, B-6, B-7 and B-9 through B-14 shall be done at the Applicant's expense unless otherwise agreed upon by the utility in question.

Special Condition No. 687 (B-4):

With the exception of those improvements which are the City's responsibility pursuant to the PVH Agreement, the Applicant of Parcel B-4 shall be responsible for staking underground power lines per the requirements of the City's Electric Division, including cut and fill stakes as required, and for any costs associated with the relocation, raising, or lowering of the underground electrical three phase electric power lines which are necessitated by incorrect staking, changes in road design, installation of other utilities, or any other construction caused by the Applicant.

Special Condition No. 698 (Parcels B-9, B-10 and B-11):

Prior to the approval of any Final Plat within Parcels B-9, B-10 or B-11, the Applicant shall provide a final engineering design acceptable to the City Stormwater Utility Department for all storm drainage discharges directly into the Greeley & Loveland Irrigation Canal. Developed and detained storm drainage discharges releasing directly into the Greeley & Loveland Irrigation Canal shall be limited to the two-year historic release rate per Table SO-1, Urban Drainage and Flood Control Document, Volume 2, for all storm events up to and including the one hundred-year developed storm event.

WATER AND WASTEWATER

Special Condition No. 7069 (Parcel B-13):

Unless designed and constructed by others or otherwise approved by the Director of the Water and Power Department, the Developer shall design and construct, or cause to be designed and constructed at no cost to the City, the following water and sanitary sewer improvements to City standards. The exact size, location and capacity of each improvement and the timing, scope and phasing of such construction shall be determined during review and approval of future Development Projects within Parcel B-13.

(a) A water main on the south side of US 34 from Boyd Lake Avenue to the east boundary of Parcel B-13.

(b) A water main through Parcel B-13 with two points of connection to the water main described in subparagraph (a) above.

(c) A connection between the water main described in subparagraph (a) above and the existing water main on the north side of US 34 at Rocky Mountain Avenue.

d) An on-site wastewater collection system for Parcel B-13 and a lift station and force main connection to the existing gravity flow system. The

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lift station shall be designed with sufficient capacity for future wastewater flows from Parcel B-13 and for expansion to accommodate future wastewater flows from those portions of the Northwest Quarter of Section 15, Township 5 North, Range 68 West of the 6th Principal Meridian, County of Larimer, State of Colorado which lie north of the Great Western Railroad tracks. Design of the lift station and force main shall be coordinated with the City's Water and Power Department and approved by the regional 208 Wastewater Authority.

Special Condition No. 7~~0~~ (Parcel B-13):

Any reimbursement for the East Side Lift Station shall be in accordance with that Reimbursement Agreement by and between the Developer and the City of Loveland Water Department dated September 7, 2004.

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SECTION 4
PARCEL C

4.1 INTRODUCTION

Parcel C is located west and north of Houts Reservoir and Equalizer Lake and includes approximately 4827~~7~~ acres. Parcel C encompasses the west portion of Parcel D of the northwest region of the Millennium Addition, the western portion of Parcel B of the Savanna Addition, the Cloverleaf West Parcel of the Grange Addition and the adjacent lakes and the related buffer areas. Refer to Map 1 and Map 6 in Section 11 for location of this neighborhood.
There are a number of opportunities to create better, more livable patterns of development, including:

A. Provision of a variety of housing types allowing more people the opportunity to live near the substantial employment base evolving in the GDP.

B. The preservation and enhancement of Environmentally Sensitive Areas on and adjacent to the property.

C. The creation of a cohesive series of walkable neighborhoods linked to each other and to the schools, jobs, and services in the GDP.

D. Building neighborhoods with identity defined by "edges", entry features, streetscape treatments, architectural compatibility, "centers" and/or other unique design elements.

E. Encouraging the integration of appropriate non-residential uses such as schools, churches, day-care, live/work uses, small-scale offices, clinics, and other services into residential neighborhoods.

4.2 LAND USE INFORMATION

4.2.1 Existing Land Uses

Parcel C is currently used for agricultural purposes and residential development. ~~There are 2 existing homestead sites within this parcel. The Frank farm is on the west edge of Parcel C across from Frank Road, and the McVey farm at the southwest corner of Parcel C. These homestead sites are planned to be re-developed and any remaining oil drums, oil buckets, above ground storage tanks (AST's), underground storage tanks (UST's) or debris piles are to be removed from the site and disposed of off site in accordance with applicable rules and regulations at the time of re-development.~~ The existing agricultural uses shall be allowed to continue as legal non-conforming uses within this parcel.

4.2.2 Proposed Land Uses

The land use categories for Parcel C include Residential Uses with a variety of housing types (with a maximum of 1,500 Dwelling Units permitted in Parcels C-1 and C-2 only); and a maximum of 180,000 gross square feet of non-residential uses in Parcels C-1 and C-2 and a maximum of 900,000 gross square feet of non-residential uses in Parcel C-4. Refer to Section 1.3 for a detailed list of the specific uses within each land use category, and the Land Use Legend on Map 6 in Section 11 for the identification of each land use category as either a Use-by-Right or a Special Review Use. Section 12 contains the review processes applicable to such uses. Please refer to Section 12.1.2 and General Condition No. 12 for information on addresses the ability to increase the number of Dwelling Units.

The GDP (Map 6 in Section 11) designates Parcels C-1 and C-2 as MUNs.

MUN uses for Parcels C-1 and C-2 are listed in detail in Section 1.3.10, and are further described in Section 9, however, Uses-by-Right within 300 feet of the existing centerline of Boyd Lake Avenue adjacent to the existing Boyd Lake Shores Subdivision (north of Frank Road and south of East 37th Street), are limited to the following uses:

a. Single Family Detached Dwellings on Lots of at least 6,000 square feet;
b. Accessory Uses and Buildings including guest quarters limited to one per Lot;
c. Public or private schools;
d. Churches and other places of assembly;
e. Cemeteries;

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f. Open lands for cultivation of crops, other plants, or natural areas; and
g. Neighborhood parks, pocket parks or village greens, and playgrounds.

4.2.3 Density

Density information for Residential Uses in provided on Map 6 in Section 11 and in Sections 9 and 10.

4.2.4 Airport Influence Areas

Any Special Conditions applicable to development in Parcel C because of its proximity to the Airport are included in the Special Conditions attached as Appendix 4-1 attached to this Section 4.

4.3 CIRCULATION

4.3.1 Site Access

Subject to City approval of specific Development Projects, primary access to Parcel C will be from Boyd Lake Avenue at the locations indicated on the GDP (Lost Creek Drive, Frank Road, and Carrie Lane). Additional access points are anticipated from East 37th Street.

4.3.2 Internal Circulation

An integrated network and hierarchy of transportation ways will be provided for pedestrians, bicyclists and automobiles. The planned arterial and major collector system as shown on Map 6 in Section 11, lends itself to accommodating potential public transportation in the future. Refer to Section 7, Access, Circulation and Parking, for detailed circulation standards.

The Conceptual Amenity Map (Map 2 in Section 11) illustrates a proposed trail system. Details on any proposed trail system shall be provided with applications for Preliminary Plat and/or Final Plat review or applications for a building permit.

4.3.3 Standards

Within MUNs, streets will be designed as per LCUASS as required by General Condition No. 21 and the Performance Standards included of the GDP, with the minor exceptions for reduced design speeds and collector cross section allowed in any "Urban Character Villages" (See Map 8 in Section 11 and Section 9). In accordance with Section 9.6.2.B, alternative street designs shall be allowed subject to approval by the City Engineer.

4.4 PUBLIC AND PRIVATE UTILITIES

The following subsections indicate the utility providers currently available to provide services to Parcel C. The provision of services by other utility providers will be determined at the time of development.

4.4.1 Water and Sewer

The City will provide water and sewer service. Collection and distribution systems shall be designed and constructed as per current City standards. Further details of services will be worked out at time of Preliminary Plat, and/or final development plan, or at the time of application for a building permit.

4.4.2 Storm Drainage

Stormwater detention shall be provided either onsite or within the Houts Reservoir and Equalizer Lake system as per the City's storm drainage master plan. Water quality treatment will be encouraged on site prior to on site drainage entering Houts Reservoir or Equalizer Lake.

4.4.3 Electric

Electric service will be provided by the City's Water and Power Department. Electric service is available from existing lines located south of Parcel C, and from a 600 amp overhead feeder located along the west side of North Boyd Lake Avenue.

All new electric distribution for single family and two family lots shall be front lot underground construction, unless otherwise accepted by the City's Water and Power Department.

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4.4.4 Natural Gas

It is presently anticipated that Xcel Energy Company will provide natural gas from existing lines in the area.

4.4.5 Telephone

It is presently anticipated that telephone and telecommunications services will be provided by Qwest Communications, from existing lines in the area.

4.4.6 Irrigation Ditches

There is one existing irrigation ditch on the property, the Greeley and Loveland Irrigation Canal. The existing irrigation ditch will be maintained in place, boxed, lined and/or re-aligned as necessary. If any realignment or physical change is proposed in the ditch or improvement is proposed to any portion of an irrigation ditch, the ditch company will be contacted for approval. A copy of a letter from the ditch company shall be submitted to the City prior to any approval that directly impacts the ditch. Irrigation ditches may be used as a raw water supply for irrigation of open space areas.

4.5 NATURAL AREAS

Any Environmentally Sensitive Areas within Parcel C have been identified in two ESARs. The ESARs applicable to Parcel C are provided in Section 14 of the GDP.

For Parcels C-1 and C-2, please refer to the ESAR prepared by Cedar Creek Associates dated January, 1999.

For Parcel C-4, please refer to the ESAR prepared by Ecological Resource Consultants dated June 8, 2004.

For that portion of Parcel C-4 known as the Cloverleaf West Parcel of the Grange Addition, please refer to the ESAR prepared by FlyWater Consulting, Inc. dated February 12, 2008.

The lakes and surrounding environments that form the easterly edge of Parcel C provide an opportunity to protect and enhance existing natural wildlife features while creating a variety of recreational and educational features for neighborhood residents. Detailed Preliminary Design Plans (as described in Section 6) will be prepared for each identified Environmentally Sensitive Area and related buffer prior to or in conjunction with the approval of any Preliminary Plat creating building Lots within 300 feet of that sensitive area.

4.6 TYPICAL RESIDENTIAL NEIGHBORHOOD LAYOUTS

Map 9 in Section 11 of the GDP illustrates Neighborhood Planning Concepts (as described in Section 9) anticipated to be utilized in the MUNs in Parcels C-1 and C-2. Further criteria governing neighborhood layout is included in Section 9.

4.7 LANDFORM MODIFICATION

The topography of Parcel C gently slopes from west to east. Landform modification is expected to occur only in order to create visual interest throughout the site, for screening, or to provide for proper management of drainage.

Refer to the Conceptual Utility/Grading Map, (Map 3 in Section 11), as well as Sections 6.11 and 6.17 for additional information.

4.8 DEVELOPMENT CONDITIONS

Development within Parcel C shall be subject to the applicable General Conditions in Appendix 1-1 of Section 1 and the applicable Performance Standards in Sections 6 through 10.

Development within Parcel C shall also be subject to the applicable Special Conditions in Appendix 4-1 attached to this Section 4 and incorporated herein by this reference.

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APPENDIX 4-1

SPECIAL CONDITIONS FOR PARCEL C

AIRPORT

Special Condition No. 1 (Parcel C):

The owners of those portions of Parcel C that are located within the boundaries of the Airport Influence Area as depicted on Map 6 in Section 11 of the GDP shall execute and deliver to the City for recording concurrently with the Final Plat for such property, an Avigation Easement in the form attached hereto as Attachment No. 1.

Special Condition No. 2 (Parcel C):

Those portions of Parcel C that are located within the Airport Influence Area may experience noise from low-flying aircraft as a result of 24 hour per day aircraft operations, therefore, all subdivision plats for property within Parcel C that is wholly or partially located within the boundaries of the Airport Influence Area as depicted on Map 6 in Section 11 of the GDP shall contain the following language: "All or a portion of the property being subdivided may be located within the Airport Influence Area of the Fort Collins-Loveland Municipal Airport. Such property may experience noise from low-flying aircraft as a result of 24 hour per day aircraft operations."

Special Condition No. 3 (Parcel C):

No structures located within those portions of Parcel C that are located within the Airport Influence Area as shown on Map 6 in Section 11 of the GDP shall extend into restricted air space as defined by FAA Regulation, Part 77, and the Applicant shall comply with all applicable notice requirements of such FAA Regulation.

Special Condition No. 4 (Parcel C):

Except to the extent otherwise required by applicable Federal law, all new bodies of water within Parcel C that are located within the Airport Influence Area as depicted on Map 6 in Section 11 of the GDP and within a radius of 10,000 feet from the end of any runway of the Airport, shall be prohibited provided that: (1) they are larger than one-quarter acre in size; (2) they are installed after July 11, 2006; (3) they are designed to hold or retain water permanently or over extended periods of time; and (4) they are bird attractants. To the extent permitted by Federal law, this prohibition shall not apply to a relocation or expansion of any existing water body or to detention ponds that have outlet structures designed to prevent the permanent containment of water.

Special Condition No. 5 (Parcel C):

No exterior lighting, reflective material, smoke emissions or electronic emissions shall be permitted in those portions of Parcel C that are also located within the Airport Influence Area as depicted on Map 6 in Section 11 of the GDP which would materially lower pilots' visibility or cause material interference with the Airport's navigation and communication systems. For purposes of this condition, "reflective material" is defined as glazing with a reflectivity of 65% or greater.

Special Condition No. 6 (Parcel C):

Residential uses are not permitted in those portions of Parcel C of the GDP which are also located within the Airport's critical zone as depicted on Map 6 of Section 11 of the GDP. In the event that such critical zone is reduced in area pursuant to an amendment of the Airport Master Plan, such new critical zone boundary shall be used to determine the applicability of this condition.

Special Condition No. 7 (Parcel C):

The Developer shall include the following disclosure statement in all of its contracts for the sale of any of the property located within Parcel C of the GDP which is also within the Airport Influence Area as shown on Map 6 in Section 11 and further, shall include a provision in such sales contracts that the purchaser thereof shall include the following disclosure statement in all of its subsequent contracts for sale of such property: "The property sub-

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ject to this contract may be located within the Airport Influence Area of the Fort Collins-Loveland Municipal Airport. Such property may experience noise from low-flying aircraft as a result of 24 hour per day aircraft operations." Each such contract subject to this Special Condition shall expressly provide that the disclosure provision survives closing and is enforceable at law or in equity by the City as a third party beneficiary of such contract.

ENVIRONMENTAL FEES AND ENVIRONMENTAL LAND DEDICATIONS

Special Condition No. 8 (Parcel C):

Pursuant to the Agreement Regarding Environmental Fees among the City, Developer and the Environmental Entities dated June 27, 2006, prior to fifty percent (50%) build-out of both Parcels B and C, an environmental center shall be constructed near the Houts and Equalizer Reservoirs by or on behalf of the Environmental Entities. "Build-out", as used herein in connection with both residential and non-residential development, shall mean the construction of all principal Buildings for the total number of residential Dwelling Units and the total amount of non-residential square footage permitted within both Parcels B and C.

Special Condition No. 9 (Parcels C-1 and C-2):

Each residential building permit issued for a new Dwelling Unit in Parcels C-1 and C-2 through December 31, 2040 shall require the payment of a Residential Environmental Fee of Forty-three Cents ($0.43) per finished and unfinished square foot of habitable space within the Dwelling Unit including basements, but excluding garages, carports, porches and decks. Each Residential Environmental Fee shall be delivered to the City in the form of a check made payable to the HPF.

Special Condition No. 10 (Parcel C-1):

Each building permit issued for a new non-residential Building within that portion of Parcel C-1 located east of a line 2625 feet east of the centerline of Boyd Lake Avenue through December 31, 2040 shall require the payment of a Non-Residential Environmental Fee of One Dollar ($1.00) for each gross square foot of the non-residential Building. Each Non-Residential Environmental Fee shall be delivered to the City in the form of a check made payable to the HPF.

Special Condition No. 11 (Parcel C-1):

Each building permit issued for an addition to an existing non-residential Building within that portion of Parcel C-1 located east of a line 2625 feet east of the centerline of Boyd Lake Avenue through December 31, 2040, which addition results in an increase of the Building's gross square footage, shall be assessed a Non-Residential Environmental Fee of One Dollar ($1.00) per square foot based on the gross square footage of the addition to the Building. Each Non-Residential Environmental Fee shall be delivered to the City in the form of a check made payable to the HPF.

Special Condition No. 12 (Parcel C-4):

Each building permit issued for a new non-residential Building within Parcel C-4 through December 31, 2040 shall require the payment of a Non-Residential Environmental Fee of Fifty Cents ($.50) for each gross square foot of the non-residential Building. Each Non-Residential Environmental Fee shall be delivered to the City in the form of a check made payable to the HPF.

Special Condition No. 13 (Parcel C-4):

Each building permit issued for an addition to an existing non-residential Building within Parcel C-4 through December 31, 2040, which addition results in an increase of the Building's gross square footage, shall be assessed a Non-Residential Environmental Fee of Fifty Cents ($.50) per square foot based on the gross square footage of the addition to the Building. Each Non-Residential Environmental Fee shall be delivered to the City in the form of a check made payable to the HPF.

Special Condition No. 14 (Parcels C-1, C-2 and C-4):

The written consent of the Environmental Entities is required prior to the City's final approval of a re-zoning of any of the following Parcels: C-1, C-2 and C-4, if such rezoning would result in the removal of the Parcel from the Millennium GDP.

FEES/CREDITS/REIMBURSEMENTS

Special Condition No. 15 (Parcels C-1, C-2 and C-4):

With the exception of the local street segment as defined in LCUASS, all streets that are included in the City's Transportation Capital Improvement Plan as part of the Transportation Plan ("CIP"), shall be deemed part of the City's street capital expansion fee system and eligible for street CEF reimbursement consistent with City policy, which City policy presently designates only those streets classified as arterial or above as part of such CIP system and eligible for reimbursement. To the extent the Developer, as a condition of the development of Parcels C-1, C-2 or C-4, but excluding that portion of Parcel C-1 located east of a line 2625 feet east of the centerline of Boyd Lake Avenue, has designed and/or constructed, or caused to be designed and constructed, improvements to such streets, it shall be entitled to a reimbursement therefor but such reimbursement shall be in an amount equal to the costs incurred by or on behalf of the Developer in the design and construction of such streets (including the cost of off-site easement acquisition), plus interest at the average rate received by the City on its investments over the twelve (12)-month period preceding the date such interest commences to accrue, compounded annually and accruing from the date of completion and acceptance of the eligible improvement to the date reimbursement has been made. The Developer shall be reimbursed an amount equal to eighty percent (80%) of each applicable street CEF actually paid by any person or entity other than the City for each building permit within all projects in the GDP, and such reimbursement shall continue to apply until the Developer has received reimbursements in an amount equal to the total cost, as calculated above, of those eligible streets designed and constructed, or caused to be designed and constructed, by the Developer. The remaining twenty percent (20%) of each applicable street CEF paid at building permit issuance may be used by the City to fund capital transportation costs in other areas of the City, as it deems appropriate. Reimbursements shall be made by the City to the Developer on a quarterly basis. Notwithstanding the foregoing, the Developer shall not be entitled to any reimbursement from the City under this Special Condition for those "Public Improvements" which are not eligible for reimbursement from the City under Section 12.3 of the MFA.

Special Condition No. 16 (Parcel C-1):

In connection with water and sewer improvements which the City has constructed pursuant to the PVH Agreement, every building permit for a non-residential use within that portion of Parcel C-1 located east of a line 2625 feet east of the centerline of Boyd Lake Avenue (PVH Commercial Area) shall be assessed a cost equal to its proportionate share of the actual cost of the local portion of any oversized water or sanitary sewer line and any water or sewer improvement which solely benefits the proposed non-residential use. Refer to Section 5.2.3 of the PVH Agreement for specific terms.

Special Condition No. 17 (Parcel C-1):

A City reimbursement agreement dated January 23, 2003 obligates the City to attempt to collect reimbursements from the Applicants of specified properties in connection with certain water improvements installed within the right-of-way for Rocky Mountain Avenue. The City has waived its right to collect a reimbursement under such agreement from non-residential development within that portion of Parcel C-1 located east of a line 2625 feet east of the centerline of Boyd Lake Avenue (PVH Commercial Area). Refer to Section 5.2.5 of the PVH Agreement for specific terms.

Special Condition No. 18 (Parcel C-1):

Pursuant to the MFA, projects within that portion of Parcel C-1 located east of a line 2625 feet east of the centerline of Boyd Lake Avenue (MFA Commercial Area) shall not be eligible to receive reimbursement from the City to which they might otherwise be entitled pursuant to City Regulations, as defined in the MFA, for the design and construction

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of public improvements therein, with the exception of the following reimbursements:

1. The City's obligation to reimburse Centerra Properties West, LLC for certain costs incurred for a preliminary design of the Arterial Street Improvements. Refer to Section 6.5 of the PVH Agreement for specific terms.

2. Reimbursements for public improvements which were completed prior to January 20, 2004. Refer to Sections 12.3 and 13.5 of the MFA for specific terms.

3. Reimbursements for the design and construction of all or a portion of the Arterial Street Improvements completed by applicants of non-residential projects within that portion of Parcel C-1 located east of a line 2625 feet east of the centerline of Boyd Lake Avenue (PVH Commercial Area) to serve such projects, in the event of the City's failure to appropriate money for such improvements. Refer to Section 6.1.5 of the PVH Agreement for specific terms.

4. Reimbursements for public improvements completed in connection with Development Projects not within the MFA Commercial Area, unless such public improvements are not eligible for reimbursement pursuant to the MFA, Section 12.3.

Special Condition No. 19(Parcel C-1):

Except as provided in Special Condition No. 17 above, the Applicant of every project within that portion of Parcel C-1 located east of a line 2625 feet east of the centerline of Boyd Lake Avenue (MFA Commercial Area) shall be responsible for payment of all applicable City development fees and use taxes and for satisfaction of all raw water requirements. Refer to Section 12.3 of the MFA for the specific terms.

Special Condition No. 20 (Parcel C-1):

Centerra Properties West, LLC and its affiliates are entitled to receive certain credits against City water system impact fees and City capital expansion fees for streets in connection with Development Projects within that portion of Parcel C-1 located east of a line 2625 feet east of the centerline of Boyd Lake Avenue (MFA Commercial Area) pursuant to the terms of the MFA. Refer to Section 12.1 of the MFA for the specific terms.

SCHOOL DISTRICT

Special Condition No. 21 (Parcel C-2):

The Developer shall dedicate one ten (10)-acre elementary school site within Parcel C-2 to the School District in accordance with the requirements of the School District IGA, the Municipal Code to the extent not inconsistent with the School District IGA, and the site selection criteria of the School District established by its current Master Plan. The timing of the dedication shall be in accordance with the requirements of the Municipal Code and the School District IGA. Any land dedicated for a school site, which land is subsequently conveyed to the Developer or others upon the School District's determination that the land is not suitable for school purposes, shall remain subject to the Performance Standards and allowed uses for Parcel C-2 following such conveyance. All land dedicated and used for school purposes shall remain subject to the Performance Standards to the extent consistent with State law.

In accordance with an agreement between the Developer and the School District, the School District has agreed to work in good faith with the Centerra DRC (or its assignee) to provide a design for the school on the dedicated school site generally consistent with the architectural theme of the GDP, subject to budgetary constraints of the School District and to the final decision of the Board of Education of the School District.

NOTIFICATION OF MINERAL ESTATE OWNERS

Special Condition No.22 (Parcel C-4):

The first application for a subdivision plat which includes any portion of that part of Parcel C-4 known as the Cloverleaf West Parcel of the Grange Addition shall require a public hearing before the

Planning Commission at least thirty (30) days prior to the administrative approval of such subdivision plat, for the limited purpose of hearing objections of mineral estate owners, as such owners are defined by C.R.S. §24-65.5-102(5). Such public hearing shall constitute the "initial public hearing" for the subdivision plat application; notice thereof shall be given in accordance with the requirements of C.R.S. §24-65.5-103 and, except as required by C.R.S. §24-65.5-103(1.5), no further notice to mineral estate owners within such subdivision plat shall be given. Prior to final approval of the subdivision plat for which notice was given pursuant to this Special Condition, the Applicant shall provide the City with a written certification in accordance with the requirements of C.R.S. §24-65.5-103.3.

TRANSPORTATION

Special Condition No. 23 (Parcels C-1 and C-2):

Unless constructed by others, the Greeley and Loveland Irrigation Canal trail underpass as shown on the master trail plan for the GDP shall be constructed at such time as North Boyd Lake Avenue is widened at its crossing with the canal trail underpass in conjunction with development in Parcels C-1 and C-2, except that portion of Parcel C-1 located east of a line 2625 feet east of the centerline of Boyd Lake Avenue.

Special Condition No. 24 (Parcels C-1 and C-2):

Unless designed and constructed by others or by the City pursuant to the PVH Agreement, or otherwise approved by the City Engineer, and to the extent needed to comply with the ACF Regulations and any approved exceptions thereto, the Applicant shall design and construct, or cause to be designed and constructed at no cost to the City, the following street improvements to the standards required by the Transportation Plan and LCUASS. The timing, scope and phasing of such construction shall be determined during review and approval of future Development Projects within Parcels C-1 and C-2.

(a) Rocky Mountain Avenue from north of the Union Pacific Railroad crossing to Crossroads Boulevard.

(b) Kendall Parkway from Boyd Lake Avenue to Rocky Mountain Avenue.

(c) CR 24 (East 29th Street) from Rocky Mountain Avenue under I-25 to the north/south major arterial roadway in Parcel A.

(d) Boyd Lake Avenue from CR 20C (East 5th Street) to CR 24E (East 37th Street).

(e) CR 20C (East 5th Street) from Boyd Lake Avenue to CR 9E (Sculptor Drive).

(f) CR 9E (Sculptor Drive) from US 34 to State Highway 402.

Special Condition No. 25 (Parcels C-1 and C-2):

The Applicant shall obtain, at no cost to the City (except as may be reimbursable consistent with the adopted Capital Improvements Program), all FAA approvals required for the proposed extension of CR 26 (Crossroads Boulevard) from Rocky Mountain Avenue to North Boyd Lake Avenue, if such extension is required as a condition of development in Parcels C-1 or C-2 to meet ACF Regulations and any approved exceptions thereto. Written documentation of such approvals shall be provided to the City by the Applicant prior to the approval of any Final Plat that includes such future street extension.

Special Condition No. 26 (Parcel C-1):

The following roadways shall be exempt from compliance with the ACF Regulations in connection with the development of non-residential uses in that portion of Parcel C-1 located east of a line 2625 feet east of the centerline of Boyd Lake Avenue:

(a) Rocky Mountain Avenue from, but not including, its intersection with County Road 24 (29th Street), north to and including its intersection with Crossroads Boulevard and that portion of Crossroads Boulevard from its intersection with Rocky Mountain Avenue east to and including its intersection with the west I-25 frontage road;

Attachment 4

(b) Existing portions of County Road 24E (37th Street) or any extension thereof west through its intersection with Boyd Lake Avenue;

(c) Existing portions of Rocky Mountain Avenue from County Road 24 (29th Street) south through its intersection with Hahn's Peak Drive; and

(d) Boyd Lake Avenue.

Special Condition No. 27 (Parcel C-1):

Except for those streets for which there is an approved exception from the ACF Regulations, Applicants of non-residential projects within that portion of Parcel C-1 located east of a line 2625 feet east of the centerline of Boyd Lake Avenue (PVH Commercial Area) shall be required to improve public street intersections adjacent to such projects to City standards to the extent necessary to comply with ACF Regulations in the operation of such intersections and, in addition, shall be responsible for designing and installing all private street improvements necessary to adequately serve such projects. Refer to Section 6.4 of the PVH Agreement for specific terms.

Special Condition No. 28(Parcel C-1):

In accordance with Section 6.4 of the PVH Agreement, prior to the issuance of any building permit for the last twenty-five (25) acres of undeveloped non-residentially zoned property within Parcels B-1, B-2, B-4, B-6, B-7, B-9, B-10, that portion of B-11 north of East 29th Street, B-12 and that portion of Parcel C-1 located within the PVH Commercial Area (which properties exclude the PVH Property), all applicable ACF Regulations must be met for all public streets within the PVH Commercial Area with the exception of I-25 and its interchanges and US 34 and its intersections.

Special Condition No. 29 (Parcel C-4):

Prior to or concurrent with the approval of any Development Project or Final Plat within Parcel C-4, or as otherwise approved by the City Engineer, the owner shall dedicate, at no cost to the City, the right-of-way necessary for all street improvements either within or adjacent to said development or Final Plat that are shown on the Transportation Plan.

Special Condition No. 30 (Parcel C-4):

Unless designed and constructed by others or otherwise approved by the City Engineer, and to the extent needed to comply with the ACF Regulations and any approved exceptions thereto, the Applicant shall design and construct, or cause to be designed and constructed at no cost to the City, the following street improvements to the standards required by the Transportation Plan and LCUASS. The timing, scope and phasing of such construction shall be determined during review and approval of future Development Projects within Parcel C-4.

(a) High Plains Boulevard from the north boundary of Parcel A-5 to US 34.

(b) Boyd Lake Avenue adjacent to Parcel C-4.

(c) Kendall Parkway from Boyd Lake Avenue to Rocky Mountain Avenue.

UTILITIES

Special Condition No. 31 (Parcel C-1):

With the exception of those improvements which are the responsibility of the City pursuant to the PVH Agreement, any existing utilities that must be redesigned, rearranged, relocated, upgraded or extended in connection with the development of that portion of Parcel C-1 located east of a line 2625 feet east of the centerline of Boyd Lake Avenue (PVH Commercial Area) shall be done at the Applicant's expense unless otherwise agreed upon by the utility in question.

PLANNING

Special Condition No. 32 (Parcel C-4):

Development of any portion of Parcel C-4 that is located within Tract A, Savanna Second Subdivision is prohibited until final approval of a replat of Tract A

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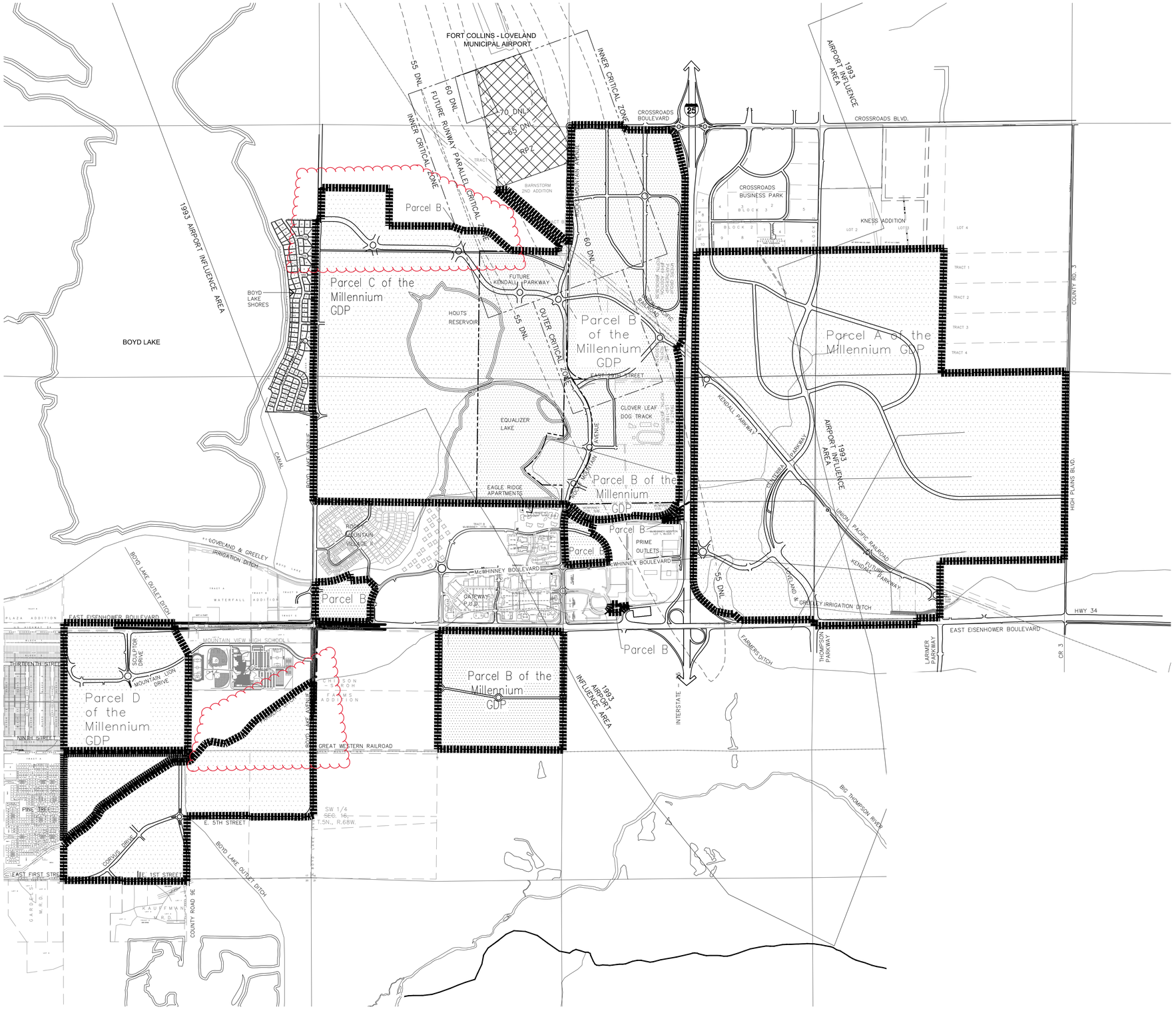
Attachment 4

which results in any new lots or tracts created therein being located entirely within the boundaries of the GDP.

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MILLENNIUM GDP AMENDMENTS:

GENERAL NOTES:

1. APPROVAL OF THIS GDP CREATES A VESTED PROPERTY RIGHT PURSUANT TO SECTION 24-68-103 COLORADO REVISED STATUTES, AS AMENDED.

2. SEE SECTION 15, APPENDIX D FOR MORE DETAILED AMENDMENT DESCRIPTIONS.

NORTH 0 500' 1000' 2000'

SCALE: 1" = 1000'

KEY MAP

GENERAL DEVELOPOMENT PLAN

MILLENNIUM GDP

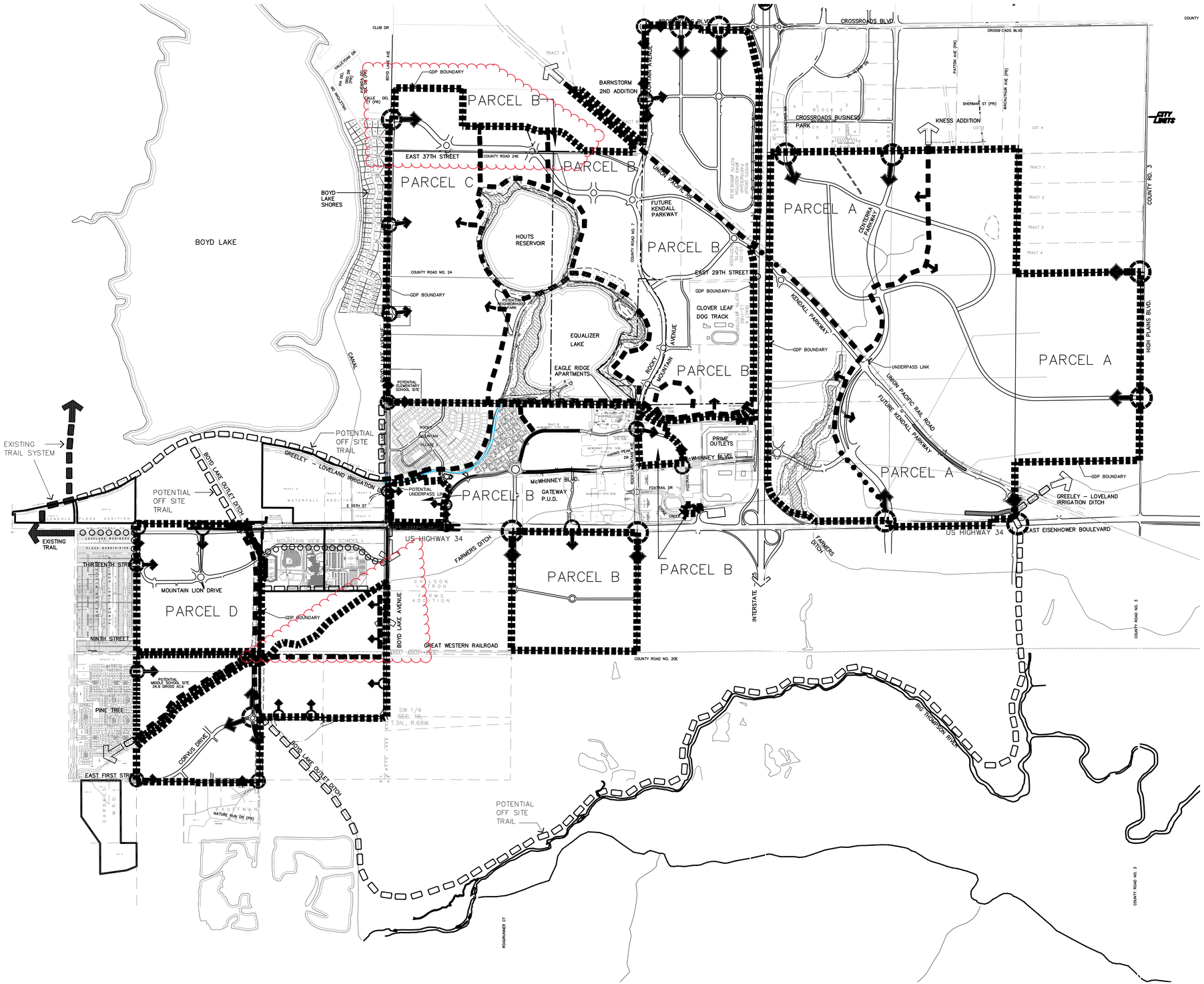
TENTH MAJOR AMENDMENT

LOVELAND, COLORADO

MAP 1 of 10

CURRENT THROUGH MAJOR AMENDMENT 10 – APRIL 19, 2017

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LEGEND

- CONCEPTUAL TRAILS ALONG ROADWAY
- CONCEPTUAL TRAILS ALONG ROADWAY (BY OTHERS)
- CONCEPTUAL TRAILS WITHIN OPEN SPACE
- CONCEPTUAL FUTURE TRAILS (BY OTHERS)
- BUFFER ZONE
- WETLANDS
- CONCEPTUAL ACCESS POINT (locations to be determined at time of development approval)

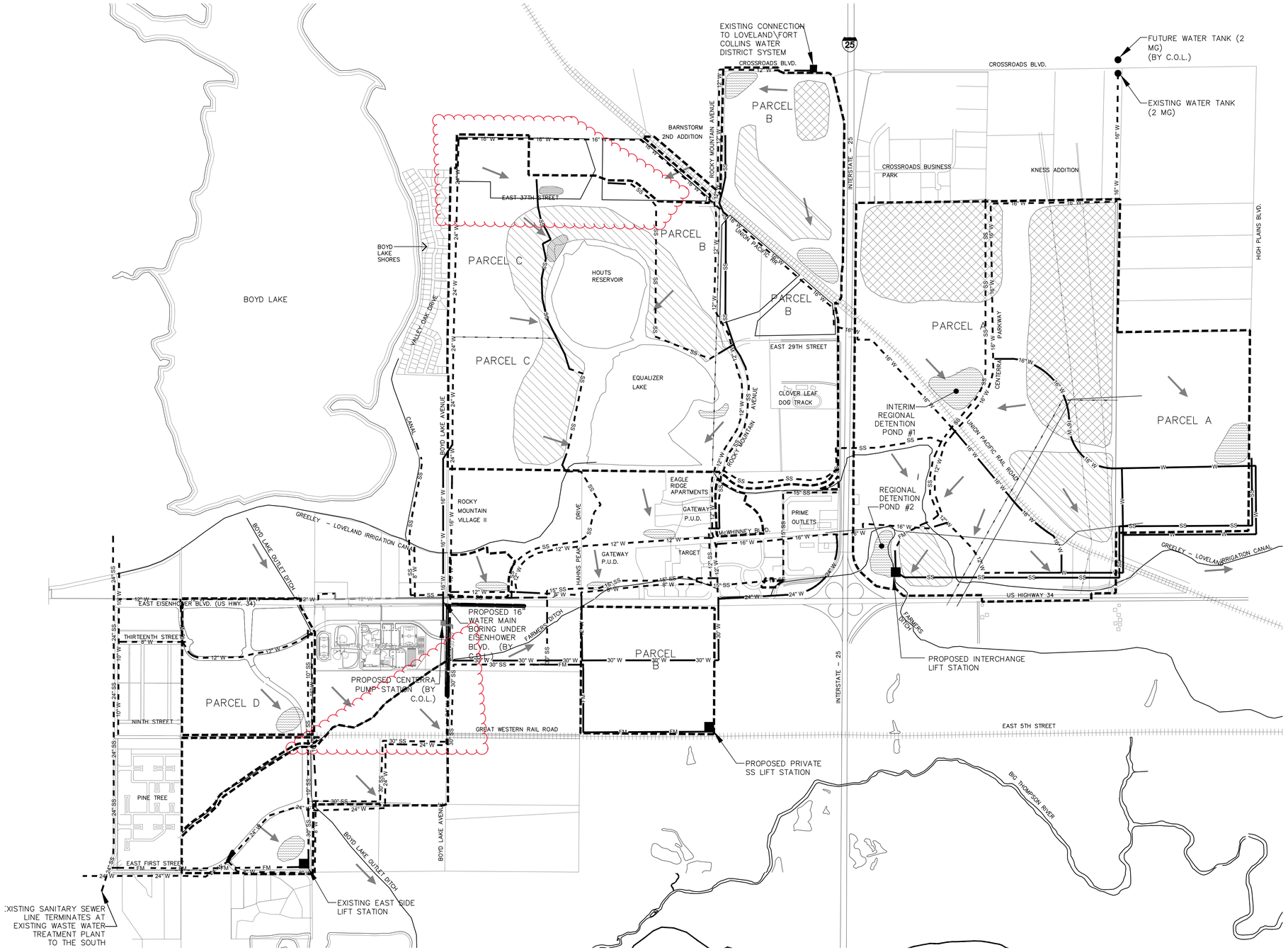
CONCEPTUAL AMENITY MAP
GENERAL DEVELOPOMENT PLAN
MILLENNIUM GDP
TENTH MAJOR AMENDMENT
LOVELAND, COLORADO

MAP 2 of 10

CURRENT THROUGH MAJOR AMENDMENT 10 – APRIL 19, 2017

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LEGEND

- GDP BOUNDARY
- PROPOSED SANITARY SEWER
- EXISTING SANITARY SEWER
- PROPOSED WATER
- EXISTING WATER
- PROPOSED FORCE MAIN
- EXISTING FORCE MAIN
- DRAINAGE FLOW DIRECTION
- POTENTIAL CUT AREAS
- POTENTIAL FILL AREAS
- POTENTIAL REGIONAL DETENTION POND

UTILITY NOTES:

1) WATER SERVICE WILL BE PROVIDED BY THE CITY OF LOVELAND. WATER DISTRIBUTION INFRASTRUCTURE SHALL BE DESIGNED AND CONSTRUCTED AS PER CURRENT CITY OF LOVELAND STANDARDS.

2) WASTEWATER SERVICE WILL BE PROVIDED BY THE CITY OF LOVELAND. GRAVITY SEWER SYSTEMS AND SEWER LIFT STATIONS, IF REQUIRED, SHALL BE DESIGNED AND CONSTRUCTED AS PER CURRENT CITY OF LOVELAND STANDARDS.

McWHINNEY
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CWC CONSULTING GROUP
CIVIL ENGINEERING - LAND SURVEYING - CONSTRUCTION SERVICES

NORTH 0 500' 1000' 2000'
SCALE: 1" = 1000'

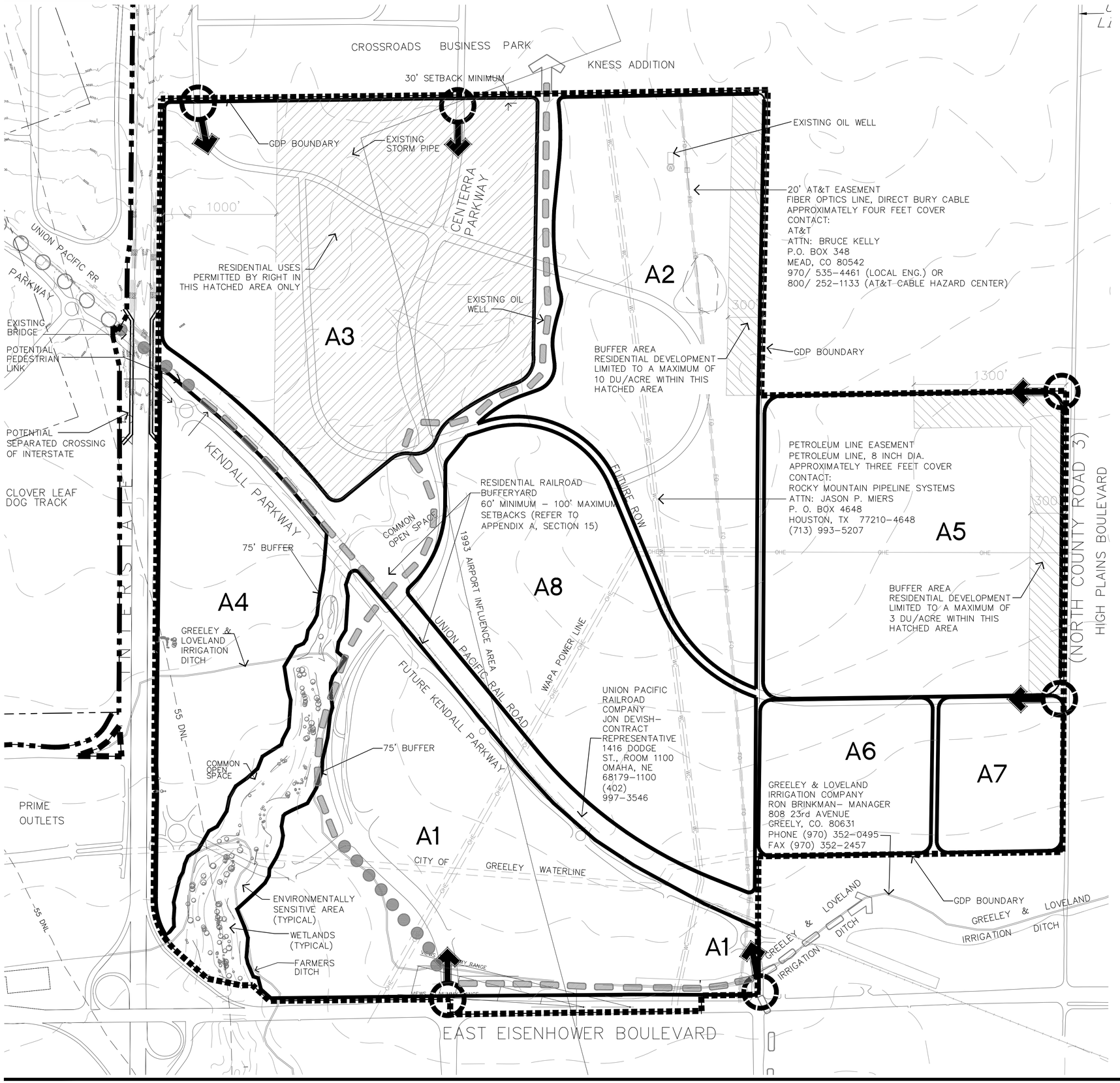
CONCEPTUAL UTILITY – GRADING MAP
GENERAL DEVELOPOMENT PLAN
MILLENNIUM GDP
TENTH MAJOR AMENDMENT
LOVELAND, COLORADO

MAP 3 of 10

CURRENT THROUGH MAJOR AMENDMENT 10 – APRIL 19, 2017

Attachment 1

T:\JOBS\McWhinney\Millennium GDP\Modified to CWC plot colors\2017-02-10\mod-Map3-utilgradmap(01.12.09)_McW.dwg



MAP 4 OF 10 LAND USE LEGEND

SUB-PARCEL:	ACRES:	USES-BY-RIGHT:	SPECIAL REVIEW USES:	MAXIMUM DENSITY FOR ANY INDIVIDUAL PHASE ON A SINGLE PLAT (RESIDENTIAL USE ONLY):	MAXIMUM # RESIDENTIAL UNITS:	OTHER FOOTNOTES:
A1	185	INSTITUTIONAL/CIVIC/PUBLIC LIGHT COMMERCIAL HEAVY COMMERCIAL LIGHT INDUSTRIAL MIXED-USE VILLAGE CENTER (MUVC) RESIDENTIAL (NOT IN A MUN) PARKS AND OPEN SPACE	HEAVY INDUSTRIAL	MUVC + RES (NOT IN A MUN) 30 DU/AC ++	1250	** ***
A2	185	INSTITUTIONAL/CIVIC/PUBLIC LIGHT COMMERCIAL LIGHT INDUSTRIAL MIXED-USE VILLAGE CENTER (MUVC) RESIDENTIAL (NOT IN A MUN) RESIDENTIAL MIXED-USE NEIGHBORHOOD PARKS AND OPEN SPACE	HEAVY COMMERCIAL HEAVY INDUSTRIAL	MUVC + RES (NOT IN A MUN) 30 DU/AC ++ RES (MUN) 30 DU/AC +++	880	
A3	213	INSTITUTIONAL/CIVIC/PUBLIC LIGHT COMMERCIAL HEAVY COMMERCIAL LIGHT INDUSTRIAL HEAVY INDUSTRIAL MIXED-USE VILLAGE CENTER (MUVC) RESIDENTIAL MIXED-USE NEIGHBORHOOD RESIDENTIAL (NOT IN A MUN) PARKS AND OPEN SPACE		MUVC + RES (NOT IN A MUN) 30 DU/AC ++ RES (MUN) 30 DU/AC +++	1000	** ***
A4	100	INSTITUTIONAL/CIVIC/PUBLIC LIGHT COMMERCIAL HEAVY COMMERCIAL LIGHT INDUSTRIAL PARKS AND OPEN SPACE			0	
A5	158	INSTITUTIONAL/CIVIC/PUBLIC LIGHT COMMERCIAL RESIDENTIAL (NOT IN A MUN) RESIDENTIAL MIXED-USE NEIGHBORHOOD PARKS AND OPEN SPACE		RES (NOT IN A MUN) Δ RES (MUN) 30 DU/AC ΔΔ	632	
A6	47	INSTITUTIONAL/CIVIC/PUBLIC LIGHT COMMERCIAL MIXED-USE VILLAGE CENTER (MUVC) RESIDENTIAL (NOT IN A MUN) RESIDENTIAL MIXED-USE	HEAVY COMMERCIAL	MUVC + RES (NOT IN A MUN) 30 DU/AC ++ RES (MUN) 30 DU/AC +++	664	*
A7	32	INSTITUTIONAL/CIVIC/PUBLIC LIGHT COMMERCIAL MIXED-USE VILLAGE CENTER (MUVC) RESIDENTIAL (NOT IN A MUN) RESIDENTIAL MIXED-USE NEIGHBORHOOD PARKS AND OPEN SPACE		MUVC + RES (NOT IN A MUN) Δ RES (MUN) 30 DU/AC ΔΔ	127	*
A8	144	INSTITUTIONAL/CIVIC/PUBLIC LIGHT COMMERCIAL HEAVY COMMERCIAL LIGHT INDUSTRIAL MIXED-USE VILLAGE CENTER (MUVC) RESIDENTIAL (NOT in a MUN) PARKS AND OPEN SPACE	HEAVY INDUSTRIAL	MUVC + RES (NOT IN A MUN) 30 DU/AC ++ RES (MUN) 30 DU/AC +++	688	
SUB-TOTAL	1,064					
EISENHOWER BLVD.(US 34) R.O.W.	8	NA	NA			
COMMON OPEN SPACE	76	PARKS & OPEN SPACE				
RAILROAD R.O.W.	18	NA	NA			
TOTAL	1,166					

\+ THE DENSITY OF INDIVIDUAL PHASES OF DEVELOPMENT WITHIN A MIXED USE VILLAGE CENTER WITH RESIDENTIAL USES SHALL NOT BE RESTRICTED PROVIDED THAT THE MAXIMUM NUMBER OF DWELLING UNITS IS NOT EXCEEDED.

++ 30 DWELING UNITS PER ACRE FOR MULTI-FAMILY DWELLINGS. ALL OTHER MAXIMUM DENSITIES PER TABLE 10-1.

+++ 30 DWELING UNITS PER ACRE FOR MULTI-FAMILY DWELLINGS. ALL OTHER MAXIMUM DENSITIES PER TABLE 9-1.

Δ MAXIMUM DENSITIES PER TABLE 10-1.

ΔΔ MAXIMUM DENSITIES PER TABLE 9-1.

* PARCELS A6 AND A7 ARE TO BE PREDOMINANTLY RESIDENTIAL. NON-RESIDENTIAL USES WILL BE SECONDARY AND COMPLEMENTARY TO THE RESIDENTIAL USES.

** SINGLE FAMILY DETACHED DWELLINGS ARE PROHIBITED.

*** THE TOTAL MAXIMUM ACRES COMBINED IN SUB-PARCELS A1 AND A3 OF RESIDENTIAL USES (EXCLUDES RESIDENTIAL IN A MIXED USE STRUCTURE) IS 107 ACRES. PLEASE REFER TO SPECIAL CONDITION NO. 14 IN APPENDIX 2-1.

GENERAL NOTES:
1. A MAXIMUM OF 3,781 DWELLING UNITS WILL BE PERMITTED IN PARCEL A. IN ADDITION, SUB PARCELS WILL NOT EXCEED MAXIMUM NUMBERS STATED IN THE TABLE ABOVE.
2. A MAXIMUM OF 8,100,000 SQUARE FEET OF COMMERCIAL/ INDUSTRIAL USE WILL BE PERMITTED IN PARCEL A.
3. EXISTING AGRICULTURAL LAND USES TO BE ALLOWED AS LEGAL NON-CONFORMING USES.

LEGEND

- CONCEPTUAL TRAIL ALONG ROADWAY
- CONCEPTUAL TRAIL ALONG ROADWAY (BY OTHERS)
- CONCEPTUAL TRAIL WITHIN OPEN SPACE
- CONCEPTUAL TRAIL WITHIN OPEN SPACE (BY OTHERS)
- BUFFER ZONE
- ENVIRONMENTALLY SENSITIVE AREAS RATED 6 OR HIGHER
- ENVIRONMENTALLY SENSITIVE AREAS
- CONCEPTUAL VEHICULAR ACCESS POINT (locations to be determined at time of development approval)

NORTH 0 200' 400' 800'

SCALE: 1" = 400'

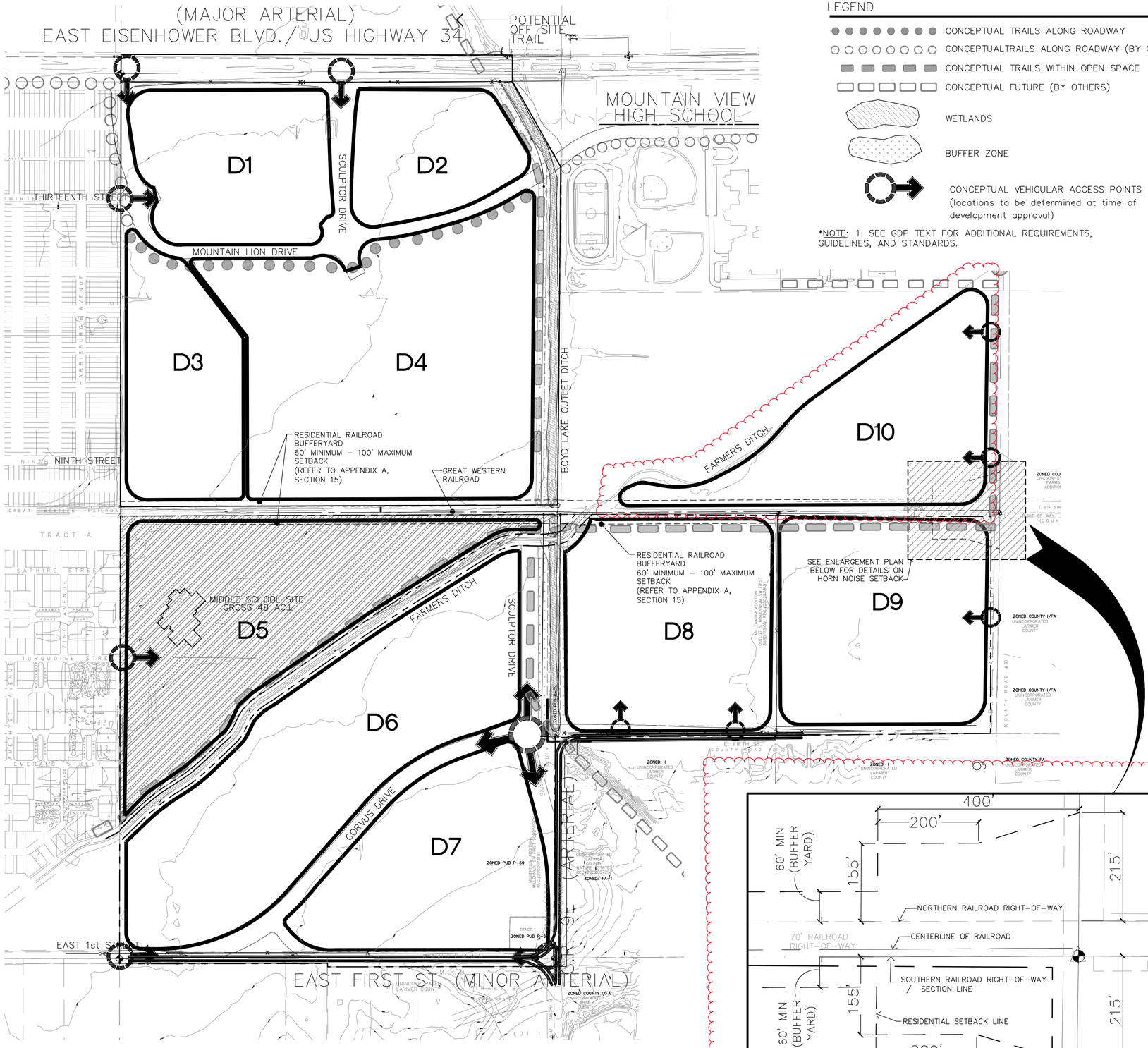
PARCEL A
GENERAL DEVELOPOMENT PLAN
MILLENNIUM GDP
TENTH MAJOR AMENDMENT
LOVELAND, COLORADO

MAP 4 of 10

CURRENT THROUGH MAJOR AMENDMENT 10 - APRIL 19, 2017

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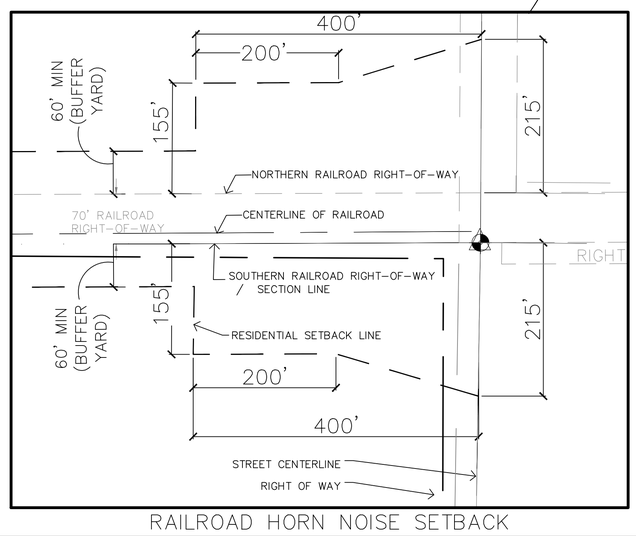
Attachment 1



LEGEND

- CONCEPTUAL TRAILS ALONG ROADWAY
- CONCEPTUALTRAILS ALONG ROADWAY (BY OTHERS)
- CONCEPTUAL TRAILS WITHIN OPEN SPACE
- CONCEPTUAL FUTURE (BY OTHERS)
- WETLANDS
- BUFFER ZONE
- CONCEPTUAL VEHICULAR ACCESS POINTS (locations to be determined at time of development approval)

*NOTE: 1. SEE GDP TEXT FOR ADDITIONAL REQUIREMENTS, GUIDELINES, AND STANDARDS.



RAILROAD HORN NOISE SETBACK

LAND USE LEGEND

SUB-PARCEL:	ACRES:	USES-BY-RIGHT:	SPECIAL REVIEW USES:	MAXIMUM DENSITY (RESIDENTIAL USE ONLY):
D1	24	INSTITUTIONAL/CIVIC/PUBLIC LIGHT COMMERCIAL HEAVY COMMERCIAL LIGHT INDUSTRIAL PARKS AND OPEN SPACES	HEAVY INDUSTRIAL	
D2	17	INSTITUTIONAL/CIVIC/PUBLIC LIGHT COMMERCIAL HEAVY COMMERCIAL LIGHT INDUSTRIAL PARKS AND OPEN SPACES	HEAVY INDUSTRIAL	
D3	21	INSTITUTIONAL/CIVIC/PUBLIC LIGHT COMMERCIAL HEAVY COMMERCIAL LIGHT INDUSTRIAL HEAVY INDUSTRIAL PARKS AND OPEN SPACE		
D4	68	INSTITUTIONAL/CIVIC/PUBLIC LIGHT COMMERCIAL HEAVY COMMERCIAL LIGHT INDUSTRIAL HEAVY INDUSTRIAL RESIDENTIAL (NOT IN A MUN) RESIDENTIAL MIXED USE NEIGHBORHOOD PARKS AND OPEN SPACE		20 DU/AC (FOR OVERALL PARCEL) RES (NOT IN A MUN) 30 DU/AC + RES (MUN) 30 DU/AC + +
D5	48	INSTITUTIONAL/CIVIC/PUBLIC RESIDENTIAL (NOT IN A MUN) RESIDENTIAL MIXED USE NEIGHBORHOOD PARKS AND OPEN SPACE	LIGHT INDUSTRIAL	6 DU/AC (FOR OVERALL PARCEL) * * *
D6	56	INSTITUTIONAL/CIVIC/PUBLIC RESIDENTIAL (NOT IN A MUN) PARKS AND OPEN SPACE		6 DU/AC (FOR OVERALL PARCEL) *
D7	31	INSTITUTIONAL/CIVIC/PUBLIC RESIDENTIAL (NOT IN A MUN) RESIDENTIAL MIXED USE NEIGHBORHOOD PARKS AND OPEN SPACE		6 DU/AC (FOR OVERALL PARCEL) * * *
D8	36	INSTITUTIONAL/CIVIC/PUBLIC RESIDENTIAL (NOT IN A MUN) PARKS AND OPEN SPACE		6 DU/AC (FOR OVERALL PARCEL) *
D9	36	INSTITUTIONAL/CIVIC/PUBLIC RESIDENTIAL (NOT IN A MUN) PARKS AND OPEN SPACE		6 DU/AC (FOR OVERALL PARCEL) *
D10	32	INSTITUTIONAL/CIVIC/PUBLIC RESIDENTIAL (NOT IN A MUN) PARKS AND OPEN SPACE LIGHT COMMERCIAL		12 DU/AC (FOR OVERALL PARCEL) +
SUBTOTAL	369			
OPEN SPACE	16	PARKS AND OPEN SPACE		
OTHER R.O.W.s	42			
TOTAL:	427			

\+ 30 DWELING UNITS PER ACRE FOR MULTI-FAMILY DWELLINGS FOR ANY INDIVIDUAL PHASE OF DEVELOPMENT ON A SINGLE PLAT. ALL OTHER MAXIMUM DENSITIES PER TABLE 10-1.

\+ + 30 DWELING UNITS PER ACRE FOR MULTI-FAMILY DWELLINGS FOR ANY INDIVIDUAL PHASE OF DEVELOPMENT ON A SINGLE PLAT. ALL OTHER MAXIMUM DENSITIES PER TABLE 9-1.

* MAXIMUM DENSITIES PER TABLE 10-1.

* * MAXIMUM DENSITIES PER TABLE 9-1.

GENERAL NOTES:
1. A MAXIMUM OF 1,744 DWELLING UNITS WILL BE PERMITTED IN PARCEL D.
2. A MAXIMUM OF 1,700,000 sf. OF COMMERCIAL/ INDUSTRIAL USES WILL BE PERMITTED IN PARCEL D.

NORTH 0 150' 300' 600'

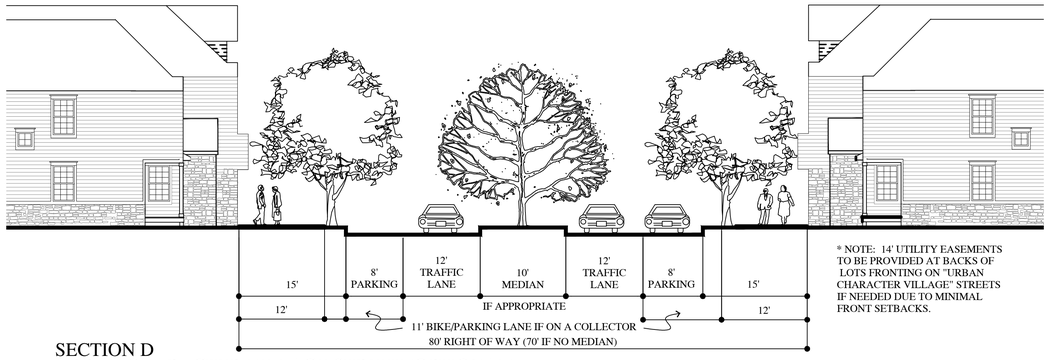
SCALE: 1" = 300'

PARCEL D
GENERAL DEVELOPOMENT PLAN
MILLENNIUM GDP
TENTH MAJOR AMENDMENT
LOVELAND, COLORADO

MAP 7 of 10

CURRENT THROUGH MAJOR AMENDMENT 10 – APRIL 19, 2017

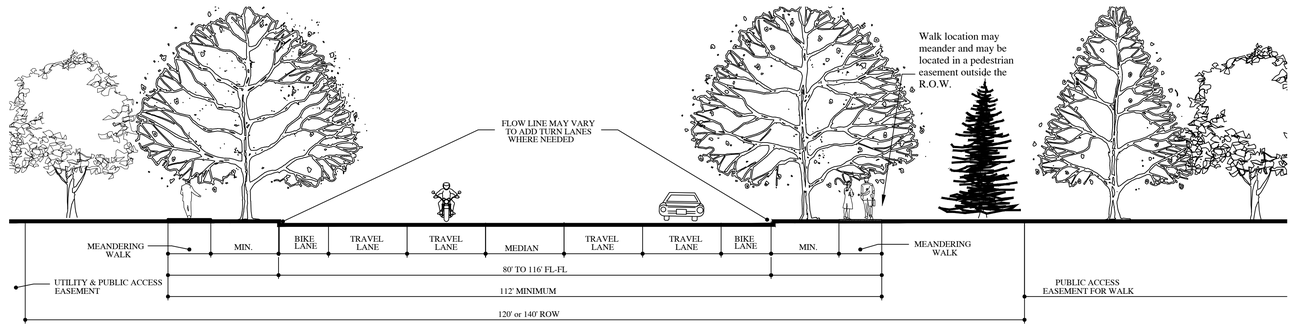
Attachment 4



* NOTE: 14' UTILITY EASEMENTS TO BE PROVIDED AT BACKS OF LOTS FRONTING ON "URBAN CHARACTER VILLAGE" STREETS IF NEEDED DUE TO MINIMAL FRONT SETBACKS.

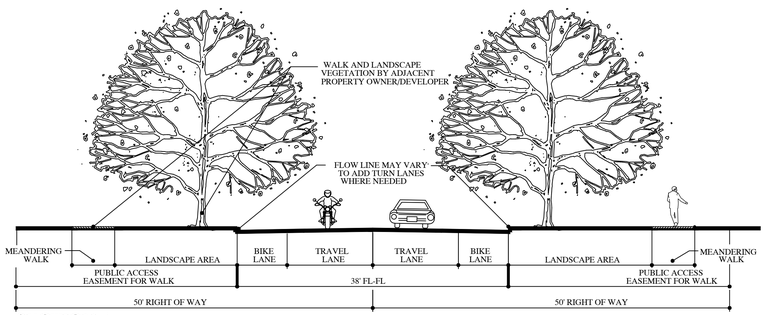
SECTION D
URBAN CHARACTER VILLAGE STREET (OPTIONAL)

SCALE 1"= 10'



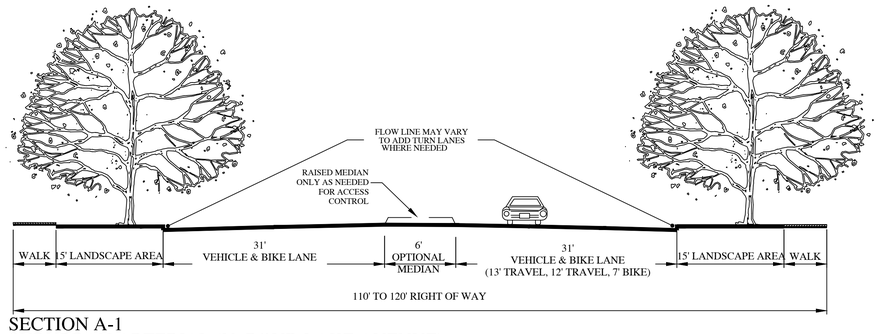
SECTION C
MAJOR ARTERIAL - IF APPLICABLE

SCALE 1"= 10'



SECTION A
MINOR ARTERIAL - IF APPLICABLE

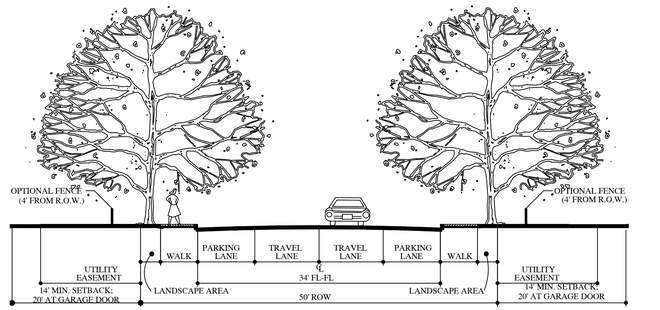
SCALE 1"= 10'



SECTION A-1
SUBURBAN ARTERIAL (N. BOYD LAKE AVENUE)

SCALE 1"= 10'

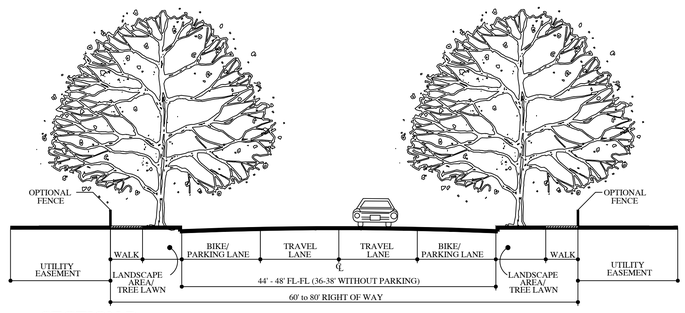
(WHERE ROUNDABOUTS ARE USED AT COLLECTOR INTERSECTIONS)



SECTION F
LOCAL STREET

SCALE 1"= 10'

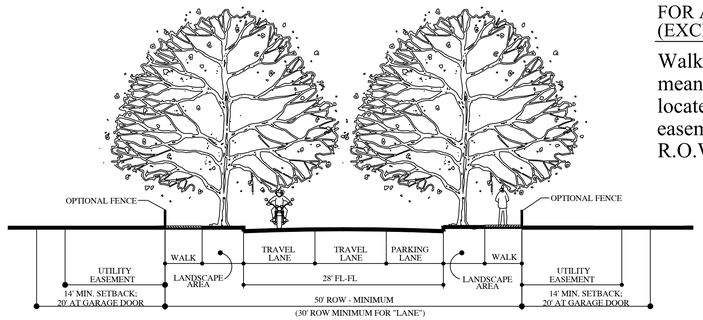
WHERE NO ALLEYS ARE SERVING LOTS, AND LOTS FRONT BOTH SIDES OF STREET.



SECTION B
COLLECTOR

SCALE 1"= 10'

AUXILIARY TURN LANES WILL BE PROVIDED WHERE REQUIRED.

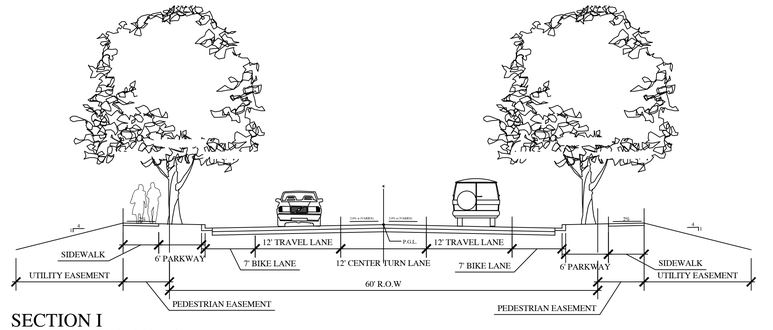


SECTION E
LOCAL STREET OR LANE

SCALE 1"= 10'

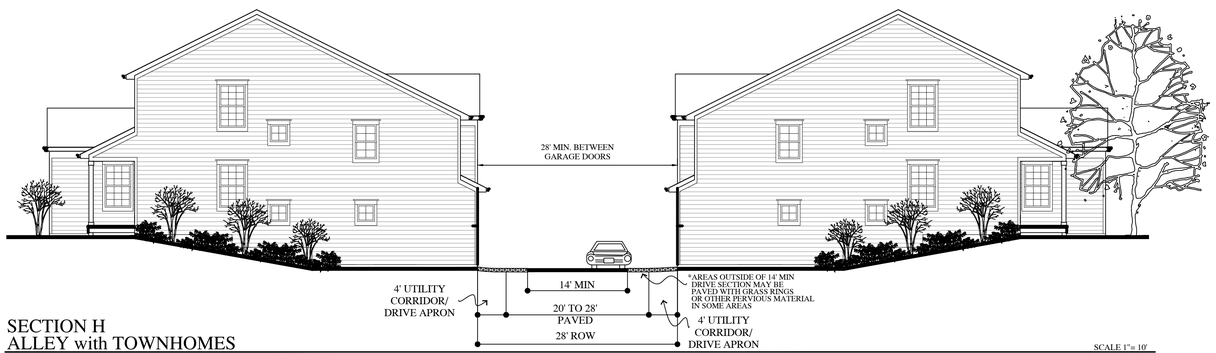
FOR ALL ROADWAY TYPES (EXCLUDING ALLEYS):

Walk location may meander and may be located in a pedestrian easement outside the R.O.W.



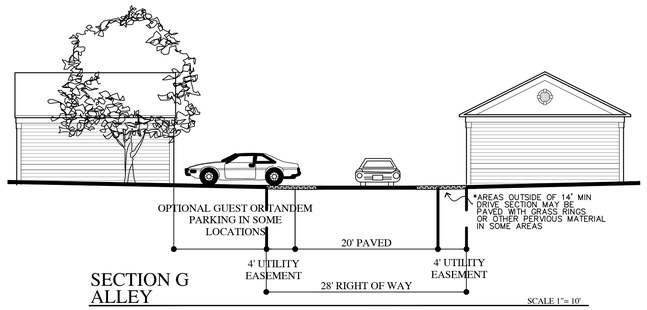
SECTION I
COLLECTOR ROADWAY
PEDESTRIAN EASEMENT OUTSIDE OF RIGHT-OF-WAY

SCALE 1"= 10'



SECTION H
ALLEY with TOWNHOMES

SCALE 1"= 10'



SECTION G
ALLEY

SCALE 1"= 10'

PROTOTYPICAL STREET CROSS SECTIONS
GENERAL DEVELOPMENT PLAN

MILLENNIUM GDP

TENTH MAJOR AMENDMENT
LOVELAND, COLORADO

MAP 8 of 10

CURRENT THROUGH MAJOR AMENDMENT 10 – APRIL 19, 2017

Attachment 1

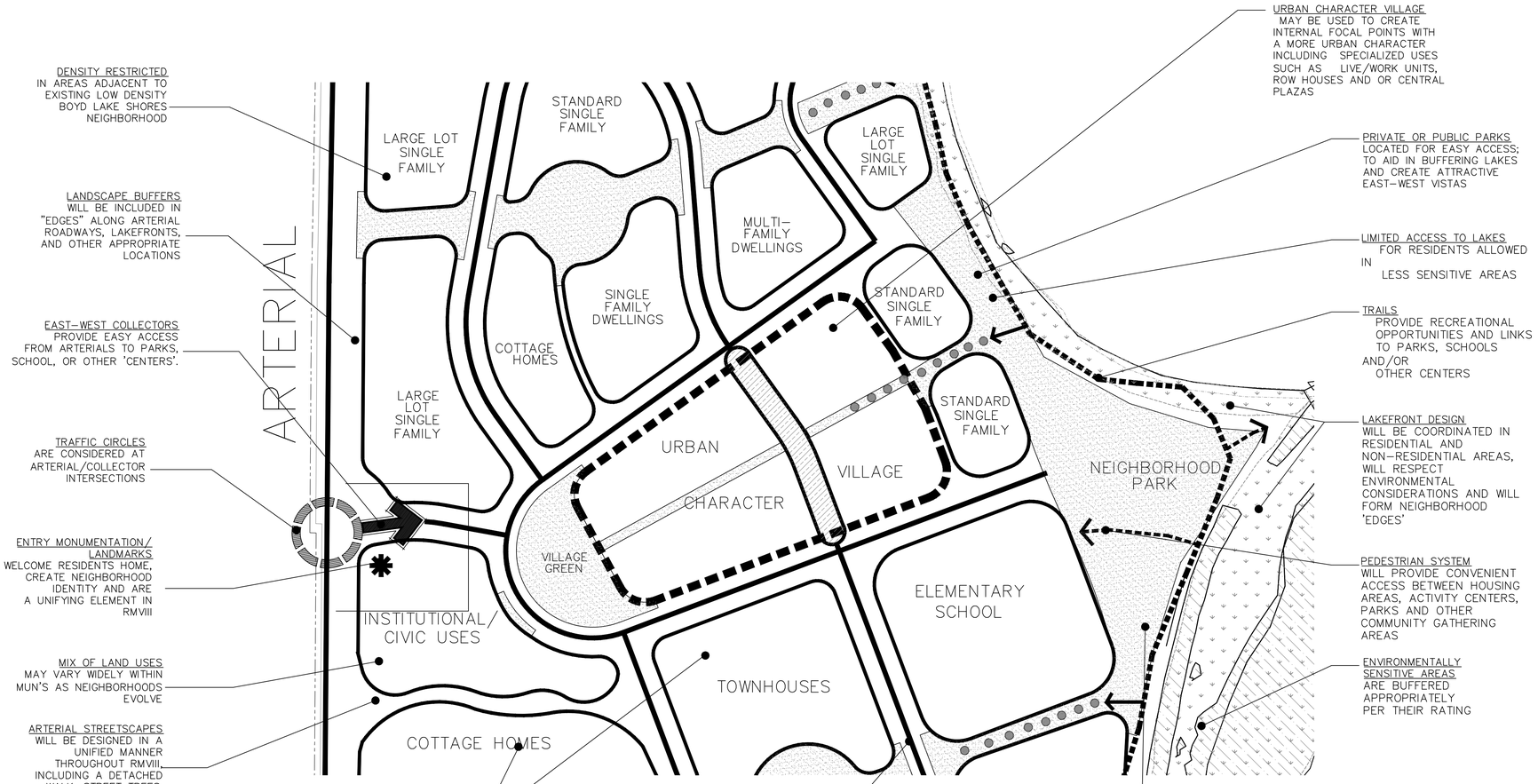
T:\JOBS\McWhinney\Millennium GDP\Modified to CWC plot colors\2017-02-10\mod-Map8-7828ELE3_MCW_71012.dwg



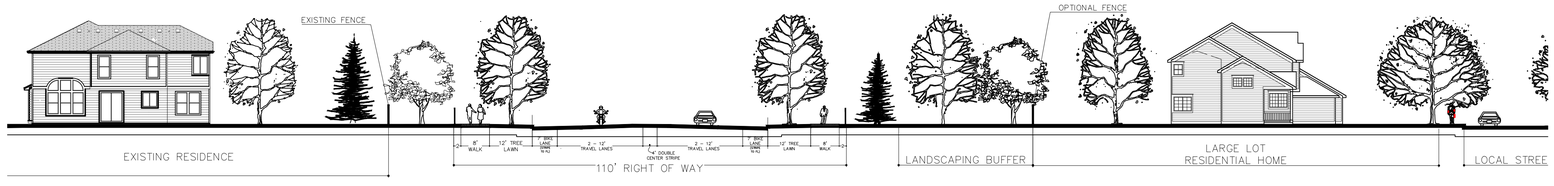
CROSS SECTION "B": EXAMPLE URBAN CHARACTER VILLAGE

SCALE 1" = 20'

* THESE ARE EXAMPLES ONLY. ACTUAL LAND USE PATTERNS, CIRCULATION SYSTEMS AND OTHER PLANNING ELEMENTS MAY VARY AS ALLOWED IN THIS G.D.P.

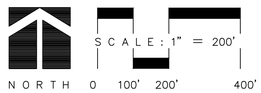


PLANNING CONCEPTS



CROSS SECTION "A": EXAMPLE RELATIONSHIP WITH EXISTING NEIGHBORHOOD

SCALE 1" = 20'



RESIDENTIAL MIXED–USE PLANNING CONCEPTS
GENERAL DEVELOPOMENT PLAN

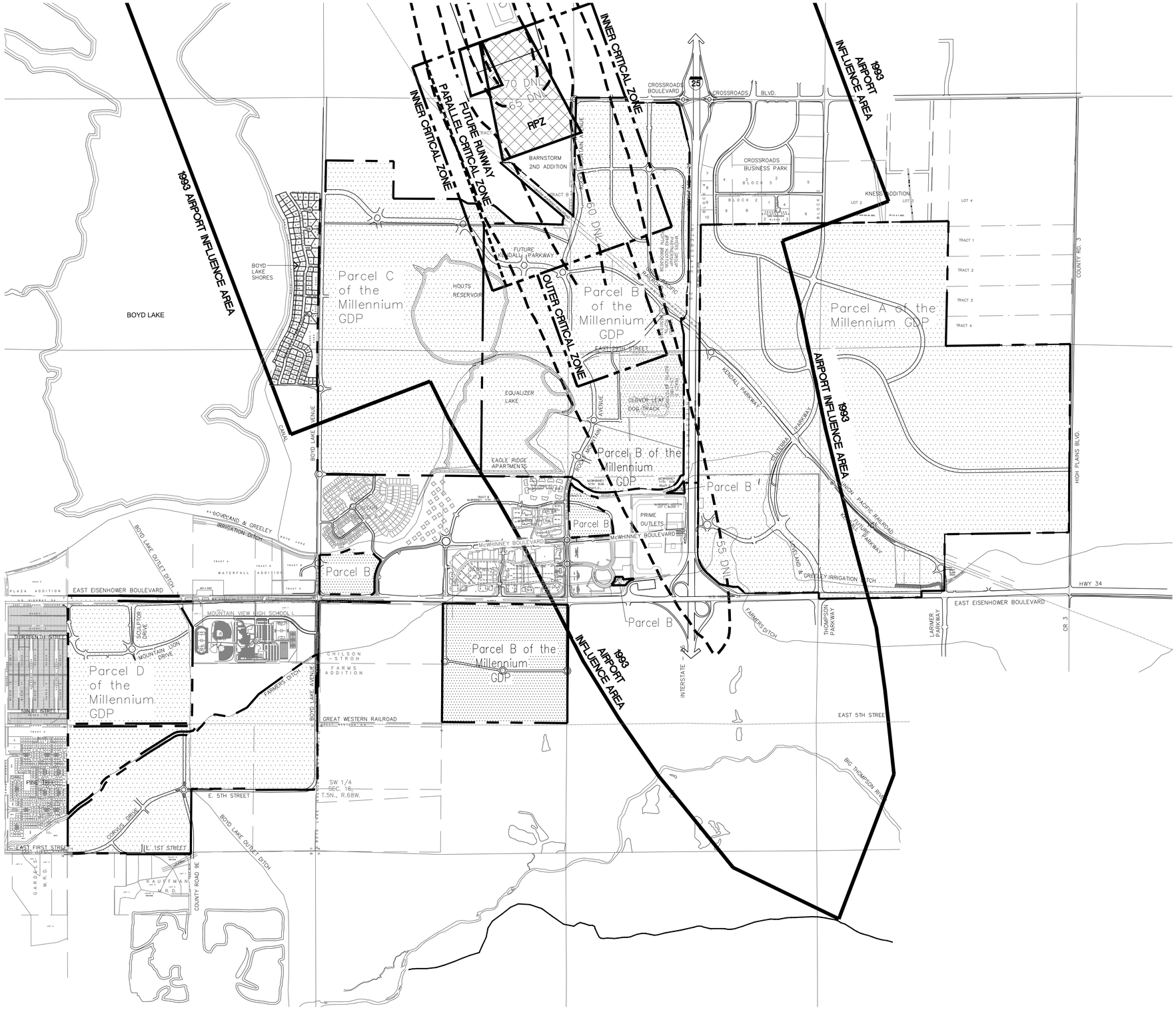
MILLENNIUM GDP

TENTH MAJOR AMENDMENT
LOVELAND, COLORADO

MAP 9 of 10

CURRENT THROUGH MAJOR AMENDMENT 10 – APRIL 19, 2017

T:\JOBS\McWhinney\Millennium GDP\Modified to CWC plot colors\2017-02-10\mod-Map9-MUN-neighborhood_MCW_71012.dwg



LEGEND

60 DNL DAY NIGHT AVERAGE SOUND LEVEL
NOISE CONTOUR
CRITICAL ZONE
FUTURE CRITICAL ZONE
RUNWAY PROTECTION ZONE (RPZ)

NOTES:
1993 AIRPORT INFLUENCE AREA: THE AREA DEPICTED ON FIGURE 4.6.C. OF THE CITY OF LOVELAND COMPREHENSIVE MASTER PLAN DATED OCTOBER 18, 1994 AS AMENDED ON FEBRUARY 18, 2003 WHICH WAS APPROVED AND VESTED BY THE AMENDED AND RESTATED ANNEXATION AND DEVELOPMENT AGREEMENT FOR THE MILLENNIUM GENERAL DEVELOPMENT PLAN EFFECTIVE JULY 11, 2006.

AIRPORT LINES: THE NOISE CONTOURS, BOUNDARIES OF THE RUNWAY PROTECTION ZONE, CRITICAL ZONE APPROVED BY THE FAA IN THE 2006 MASTER PLAN UPDATE FOR THE AIRPORT, BUT SPECIFICALLY NOT INCLUDING THE BOUNDARIES OF THE AIRPORT INFLUENCE AREA.

NORTH 0 500' 1000' 2000'
SCALE: 1" = 1000'

AIRPORT INFLUENCE AREA & AIRPORT LINES GENERAL DEVELOPOMENT PLAN

MILLENNIUM GDP

TENTH MAJOR AMENDMENT LOVELAND, COLORADO

MAP 10 of 10

CURRENT THROUGH MAJOR AMENDMENT 10 – APRIL 19, 2017

Attachment 1

T:\JOBS\McWhinney\Millennium GDP\Modified to CWC plot colors\2017-02-10\mod-Map10-Airport-Map_MCW_71012.dwg

4.

Application - Rezoning Area B

City of Loveland
Annexation and Zoning Application

All information must be completed and collated before submittal will be accepted

Project Name: Centerra Parcel 222 (Area B from Millennium PUD to City of Loveland "I" Industrial Zone)

Zoning District Requested: "I" Industrial Zone

Legal Description of Property Boundary (Lots, Blocks, Tracts and Subdivision Name, or Metes & Bounds):
A parcel of land being a part of Tract A, Savanna Second Subdivision (Reception No 20160059269)

Address of Existing Buildings or Property: No existing buildings

Applicant: (Company Name) McWhinney
Company Person: Kim L. Perry Phone: 970.776.4055 FAX: 970.635.3003
Address: 2725 Rocky Mountain Ave, St City: Loveland State: CO Zip Code: 80538
Email Address: Kim.Perry@McWhinney.com

Consultant: (Company Name) CMC Consulting
Contact Person: Brett Woolard Phone: 303.395.2700 FAX: 303.395.2701
Address: 9360 Teddy Lane, Suite 203 City: Lone Tree State: CO Zip Code: 80124
Email Address: brettw@cwc-consulting.com

Owner: Centerra Properties West, LLC
Contact Person: Troy C. McWhinney Phone 970.962.9990 FAX: 970.635.3003
Address: 2725 RMA, Suite 200 City: Loveland State: CO Zip Code: 80538
Email Address:

Site Data

Acreage of Site:
Gross: Area B 4.6 Acres
Right-of-Way: 0
Net: 4.6 Acres
Existing Use: Various Use by Right M
Proposed Use: Industrial
Existing Zoning: Millennium PUD
Number of Units Existing: 0

Existing Adjacent Zoning and Use
North Side: "I" Industrial Zone, Indu
East Side: "I" Industrial Zone, Indu
South Side: Millennium PUD, Variou
West Side: Millennium PUD, Variou

Is any portion located in a floodplain? *(If yes, attach legal description)*
No

Utility Service Provided by:
Water: City of Loveland Sewer: City of Loveland Electric: City of Loveland

Designation of Representative:

The Owner(s) agree that Kim L. Perry represents the owner(s) in all matters pertaining to this project, including subsequent modifications to the application.

Owner: [signature] Date: April 17, 2017

Representative: _____ Date: _____

Attachment 5

GENERAL DEVELOPMENT PLAN APPLICATION

Project Name: Pfeiff Annexation

PROJECT

Narrative Description of Project, including purpose, number of lots, type of use, and other pertinent information:	Two parcels of land north of 37th Street and East of Boyd Lake Avenue are proposed to be rezoned as Millennium PUD. The parcels are referred to as Centerra Parcel 222, Areas A and C. The two parcels are currently zoned "I" Industrial. Area A is proposed to merge with an existing Millennium GDP Subparcel C-4 and Area C is proposed to merge with existing Millennium GDP Subparcel B-3. The rezoned areas are proposed take on the allowed Use by Right for the Millennium GDP Subparcels.
Existing Legal Description of Property Boundary (Lots, Blocks, Tracts and Subdivision Name, or Metes & Bounds):	Lot 1, Pfeiff Minor Land Development File No. 15 S3349
Address of Existing Buildings or Property:	NA

APPLICANT INFORMATION

OWNER'S REPRESENTATIVE (CONTACT PERSON)

Company:	Name:	Phone: 970.776.4055 Fax: 970.635.3003

Address: _____

City, State: _____ Zip Code: _____

Email Address: Kim.Perry@McWhinney.com

CONSULTANT

Company: Northern Engineering	Name : Bob Tessely	Phone: 303.395.2700 Fax: 303.395.2701

Address: 301 N Howes, Suite 100

City, State: Fort Collins CO Zip Code: 80521

Email Address: bob@northernengineering.com

CONSULTANT

Company: CWC Consulting	Name : Brett Woolard	Phone: Fax:

Address: 9360 Teddy Lane, Suite 203

City, State: Lone Tree, CO Zip Code: 80124

Email Address: brettw@cwc-consulting.com

CONSULTANT

Company:	Name :	Phone: Fax:

Address: _____

City, State: _____ Zip Code: _____

Email Address:

OWNER

Company :	Name :	Phone: 970.962.9990
Centerra Properties West	Troy McWhinney	Fax: 970.635.3003

Address: 2725 Rocky Mountain Avenue, Suite 200

City, State: Loveland, CO Zip Code: 80538

Email Address: Troy.McWhinney@McWhinney.com

SITE

Site Use and Zoning	Existing Adjacent Zoning and/or Use
Existing Use: Industrial	North Side:
Proposed Use: Industrial/Civic/Public, Light Comm	South Side:
Existing Zoning: "I"Industrial Zone	West Side:
	East Side:

Other Information	Acreage of Site
Number of Units Existing: Non Existing	Gross: A 9.285 Acres and C 5.287 Acres
Number of Units Proposed:	Right-of-Way:
Number of Lots Proposed: Will be subdivided later	Net: 14.572 Areas
Non-Residential Bldg. Area (Sq. Ft.) Proposed:	**Utility Services Provided by**
Total Number of Parking Spaces:	Water: City of Loveland
	Wastewater: City of Loveland
	Electric: City of Loveland

FEMA FLOODPLAIN

Is any portion located in a FEMA floodplain?	* If Yes, please submit legal description
☐ Yes ☑ No	

DESIGNATION OF OWNER'S REPRESENTATIVE

The undersigned owner(s) agree(s) that (please print name)

Kim L. Perry represents the undersigned in all matters pertaining to this project, including subsequent modifications to the application.

Owner

Signature: _____ Date: April 17, 2017

ACKNOWLEDGMENTS

I, as the Owner or Owner's Representative, hereby acknowledge that the application is correct and complete as per the specifications in the submittal checklist.

Owner or Owner's Representative

Signature: _____ Date: April 17, 2017

Printed Name: Troy C. McWhinney

Attachment 5

McWHINNEY

April 19, 2017

Noreen Smyth, Senior Planner
City of Loveland
410 E. 5th Street
Loveland, CO 80537

Re: Millennium GDP 10th Major Amendment

Noreen:

Thank you for your assistance to the McWhinney team over the last few months as we prepared for today's submittal of the Millennium General Development Plan 10th Major Amendment. As you know, the Millennium GDP has continued to evolve in response to economic cycles and market conditions in Loveland and northern Colorado since its initial approval in 2000. This current amendment focuses on three areas of the GDP: the developing neighborhoods south of Hwy. 34 near Mountain View High School and the Loveland Sports Park, the industrial areas near the Northern Colorado Regional Airport, and the yet to be developed residential and mixed use areas east of I-25 and the Promenade Shops at Centerra.

As the Hwy. 34 corridor and the planned neighborhoods south of Hwy. 34 steadily build out in accordance with both GDP and City long-term plans, the Pfeiff Farm became available for development. The north half, which is adjacent to the Mountain View High School, has been acquired by the Thompson R2J School District for an expansion of its facilities as a larger educational campus, and a McWhinney entity, PFLVD, LLC, acquired the south half of the Pfeiff Farm with the intent to annex into the City and the GDP in order to expand the City's higher density housing. The property is perfectly suited for a higher density neighborhood given its location close to the commercial corridor, existing and expanding educational facilities and recreational opportunities and, therefore, we have petitioned for annexation into the City and inclusion of the property into Parcel D the Millennium GDP.

The Northern Colorado Regional Airport and surrounding areas, where there are larger appropriately zoned properties, are considered prime ground for industrial and employment users in the wake of the recent recession. The northern portions of the GDP are among these properties. In our recent land planning exercises, using current market industrial product, we found the need to reconfigure the boundaries between our two zoning areas to ensure our lots and buildings will not split zoning districts. Portions of the B and C parcels are impacted to meet these needs and we have filed applications to remove a small parcel from the GDP and to add two other small parcels to the GDP for future industrial development.

Bring Your Dream
2725 Rocky Mountain Ave.
Suite 200
Loveland, CO 80538
p: 970.962.9990
f: 970.635.3003
www.mcwhinney.com

Finally, having weathered two economic recessions since the initial approval of the GDP in 2000, both of which affected the originally anticipated build out of the GDP, we desire to have more time to fulfill the long-term plans for mixed uses and residential neighborhoods in Parcel A-2, east of I-25 and the Promenade Shops at Centerra, and are thus requesting that the vesting period for such uses be extended in Parcel A-2.

The desired changes outlined above translate into the following application submittals to the City:

1. Annexation for Planned Unit Development Zone District, for annexation of the south half of the Pfeiff Farm as the Pfeiff Annexation.
2. Planned Unit Development (PUD), for zoning of the Pfeiff Annexation as Millennium Addition PUD – 10th Amendment.
3. Rezoning for all Zone Districts except PUD, for rezoning of a small portion of GDP Parcel B-3 to straight zoning as Industrial.
4. Planned Unit Development (PUD), for rezoning of two small areas from Industrial to Millennium Addition PUD – 10th Amendment.

The Planned Unit Development (PUD) applications are accompanied by a Request for Extended Vested Property Rights and, following the first round of staff review, we will be submitting a proposed amendment to the Amended and Restated Annexation and Development Agreement for the Millennium GDP for the purpose of applying the GDP standards to the properties being added and to establish vested property rights for the uses in such parcels and to extend the vesting period for residential and commercial uses in Parcel A-2 east of I-25.

Having explained our overall goals and rationale, we look forward to working through the development review process with you and other Loveland staff. In order to assist the team of reviewers in understanding the big picture, we would request that this cover letter accompany the separate application packages.

Thank you and, as always, please feel free to contact us if you have any questions or if we can provide additional information to assist in your review of our applications.

Sincerely,

Kim L. Perry
VP Community Design and Neighborhood Development
McWhinney

REZONING ASSESSMENT

PORTIONS OF SAVANNA SECOND SUBDIVISION

Millennium Addition PUD 9th Amendment to

City of Loveland I District – Developing Industrial District

The Petitioner proposes to rezone the 4.6-acre part of Tract A, Savanna Second Addition, legally described on Exhibit A of its Petition for Rezoning (the "Rezoning Property") from Millennium Addition PUD – 9th Amendment (currently part of Parcel C4 of the Millennium GDP) to the I District – Developing Industrial District ("I District") in order to modify the size and orientation of the abutting property in the I District to accommodate future industrial buildings.

In support of its request, the applicant asserts the following in support of the applicable review criteria:

(i) The purposes set forth in Section 18.04.010 of the Loveland Municipal Code would be met if any use permitted by right in the zone district being requested was developed on the subject property.

Response: Section 18.04.010 states that the zoning districts and regulations were established with consideration as to each zone district's suitability for particular uses and to encourage the most appropriate use of land throughout the City. The intent of the I District, according to Section 18.36.000, is to provide a location for a variety of employment opportunities such as manufacturing, warehousing and distribution, a wide range of commercial and higher intensity industrial operations, and supporting uses. The Rezoning Property abuts property that is currently in the I District, where some of the uses permitted by right have already been constructed in fulfillment of the intent of the I District. Development of the Rezoning Property in accordance with the City's land use regulations with additional manufacturing, warehousing and distribution, commercial and industrial operations will ensure furtherance of the overall purposes of the zoning regulations and the I District.

(ii) Development of the subject property pursuant to any of the uses permitted by right under the zoning district being requested 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.

Response: The Rezoning Property is located between the City's largest concentration of I District zoned properties (including the Fort Collins-Loveland Municipal Airport and several existing industrial, manufacturing and warehouse uses) and Parcel C4 of the Millennium GDP, which is approved

for Industrial, Light Industrial, Light Commercial and Heavy Commercial uses. Development of the Rezoning Property pursuant to any of the uses permitted by right in the I District would have similar characteristics and impacts and would therefore be compatible with existing and future industrial uses in the vicinity.

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

Response: The City's planning efforts regarding infrastructure and services for this part of the City has taken into account the future development of both the long-established I District and the adjacent Millennium GDP zoned property as commercial, industrial and employment type uses. Development of the Rezoning Property with a use permitted by right in the I District has already been planned for conceptually and should be consistent with the City's current plans.

(iv) Development of the subject property pursuant to any of the uses permitted by right under the zoning district being requested would result in development that is consistent with the policies contained in Section 4 of the Loveland Comprehensive Master Plan.

Response: Development of the Rezoning Parcel as any of the uses permitted by right in the I District would be consistent with the following policies of the 2015 Comprehensive Plan:

Cultivate Vibrant Economic Centers:

> Policy 3.5. Reserve industrial lands for future primary jobs, particularly in the Airport Area . . . and protect them from encroaching conflicting uses. (Chapter 2 I 38)

Strengthen Loveland's Strategic Roles in the Community and the Region:

> Policy 3.1. Support the implementation of the Airport Strategic Plan by protecting against encroachment of non-compatible land uses . . . (Chapter 2 I 73)
>
> Policy 3.2. Locate appropriate new commercial development near the Airport . . . (Chapter 2 I 73)
>
> Policy 6.1. Direct growth to where infrastructure capacity is available, or committed to be available in the future . . . (Chapter 2 I 74)

Market-Supported Development Opportunities:

> Development in the Airport area "has the ability to encourage and draw private investment to the area." (Chapter 3 I 77)
>
> The entire Airport area greatly benefits from high visibility . . . and good regional access . . . . Visibility and access will only increase in the coming years with increased regional transit in the area. (Chapter 3 I 77)
>
> The Airport area is an appealing industrial location because of its proximity to large markets . . . and the transportation access . . . . The city should preserve future industrial development opportunities in this area as industrial land is limited in Loveland. (Chapter 3 I 79)
>
> Preserve industrial land in the Airport area and resist rezoning to other uses. (Chapter 3 I 79)

(v) Development of the subject property pursuant to any of the uses permitted by right under the zoning district being requested would result in development that is not detrimental to the health, safety, or welfare of the neighborhood or general public.

Response: Development of the Rezoning Property as any of the uses permitted in the I District would contribute to the fulfillment of the City's purposes for the I District including the provision of appropriate locations for employment opportunities and a wide range of commercial and higher intensity industrial operations in areas with good access to major arterial streets. Locating similar uses with similar characteristics and impacts in close proximity establishes predictability and expectations, and promotes the establishment of employment centers that contribute to the economic welfare of the community. In addition, development that is supportive of City policies set forth in the recently-adopted 2015 Comprehensive Plan would not be detrimental to the health, safety or welfare of the community, but would instead cultivate economic opportunities that strengthen Loveland.

Findings Statement

Millennium GDP 10TH Major Amendment

The applicant proposes a major amendment to the Millennium GDP which includes rezoning of the following described properties to Millennium Addition PUD – 10th Amendment together with corresponding changes to the text and mapping of the Millennium GDP:

- Lot 1, Pfeiff Minor Land Division No S15-S3349 being annexed to the City of Loveland as the Pfeiff Annexation, to be rezoned to Millennium Addition PUD – 10th Amendment as Parcel D10 of the Millennium GDP; and
- A 9.3-acre portion of Tract A, Savanna Second Subdivision (currently zoned I – Industrial) to be rezoned to Millennium Addition PUD – 10th Amendment as an addition to Parcel C4 of the Millennium GDP; and
- A 5.2-acre portion of Tract D, Savanna Second Subdivision (currently zoned I – Industrial) to be rezoned to Millennium Addition PUD – 10th Amendment as an addition to Parcel B3 of the Millennium GDP.

The proposed major amendment to the Millennium GDP also includes the rezoning of the following described property from the Millennium Addition PUD – 9th Amendment, together with corresponding changes to the text and mapping of the Millennium GDP:

- A 4.6-acre portion of Tract A, Savanna Second Subdivision from Millennium Addition PUD – 9th Amendment (currently a part of Parcel C4 of the Millennium GDP) to I – Industrial.

In support of its application for the rezoning of the parcels described above and the Millennium GDP 10th Major Amendment, the applicant asserts the following:

A. The GDP conforms to the requirements of Municipal Code Section 18.41.050.D.4, to the City's master plans and to any applicable area plan.

Response: The Millennium GDP's compliance with the requirements of Section 18.41.050.D.4.b and 18.41.050.D.4.c, subsections (i) through (vii) are set forth below. The Millennium GDP also complies with the 2015 Comprehensive Plan's overall purpose of defining the vison for the future and the roadmap to get there.

B. The proposed development will not negatively impact traffic in the area, city utilities, or otherwise have a detrimental impact on property that is in sufficient proximity to the proposed development to be affected by it.

Response: Development of the Millennium GDP, including the three new areas being rezoned into the Millennium GDP, will be developed in accordance with the performance Standards of the Millennium GDP, ensuring that all potential impacts, including traffic and utilities, are addressed and mitigated.

C. The proposed development will be complementary to and in harmony with existing development and future development plans for the area in which the proposed development is to take place by:

a. Incorporating natural physical features into the development design and providing sufficient open spaces considering the type and intensity of use;

Response: The Millennium GDP will be complementary to and in harmony with existing and future development by incorporating natural features and open space in accordance with the Millennium GDP Performance Standards for landscaping and open space.

b. Incorporating site planning techniques that will foster the implementation of the City's master plans, and encourage a land use pattern that will support a balanced transportation system, including auto, bike and pedestrian traffic, public or mass transit, and the cost effective delivery of other municipal services consistent with adopted plans, policies and regulations of the city;

Response: The Millennium GDP will be complementary to and in harmony with existing and future development by developing in accordance with its approved land uses and densities and in accordance with the Millennium GDP Performance Standards for access and circulation and the Millennium GDP General Conditions regarding power, sanitary sewer, storm drainage, water and transportation.

c. Incorporating physical design features in the development that will provide a transition between the project and adjacent land uses through the provision of an attractive entryway, edges along public streets, architectural design, and appropriate height and bulk restrictions on structures;

Response: The Millennium GDP will be complementary to and in harmony with existing and future development by providing appropriate transitions to adjacent land uses in accordance with the Millennium GDP Performance Standards for bufferyards, setbacks, parking lot screening, streetscape design, signage, architecture, density, intensity, building height, mass and scale.

d. Incorporating identified environmentally sensitive areas, including, but not limited to, wetlands and wildlife corridors, into the project design;

Response: The Millennium GDP will be complementary to and in harmony with existing and future development by complying with the Performance Standards for Environmentally Sensitive Areas that address noise mitigation, setbacks, buffers, maintenance, integration of educational/interpretive features and/or recreational uses, storm drainage and water quality.

e. Incorporating elements of community-wide significance as identified in the town image map;

Response: The Town Image Map, together with the Town Image Vision and Goals, were developed in 1991 through the Agenda for the 90's and Beyond process. What is now the Millennium GDP was outside the municipal boundaries in 1991and was designated on the Town Image Map as an area where development goals and objectives were to be defined. Through a series of annexations to the City and the approval and subsequent expansion of the Millennium GDP, the following Town Image Goals were incorporated into the Millennium GDP as requirements of the performance Standards:

T-1) Maintain a balance between open space and development.

T-2) Protect . . . mountain views, lake shores, . . . and environmentally sensitive open space.

T-4) . . . enhance recreation opportunities.

T-7) Preserve Loveland's small town character through . . . tree lined streets, identifiable neighborhoods, . . . pedestrian friendly . . .

T-8) . . . develop a diverse system of accessibility for all citizens . . .

T-9) Explore alternatives to traditional single family housing.

f. Incorporating public facilities or infrastructure, or cash-in-lieu, that are reasonably related to the proposed development so that the proposed development will not negatively impact the levels of service of the City's services and facilities; and

Response: The Millennium GDP will be complementary to and in harmony with existing and future development by developing in accordance with the Millennium GDP General Conditions regarding the provision of transportation-related improvements and the installation and extension of power, water, sanitary sewer and storm drainage facilities to serve the Millennium GDP.

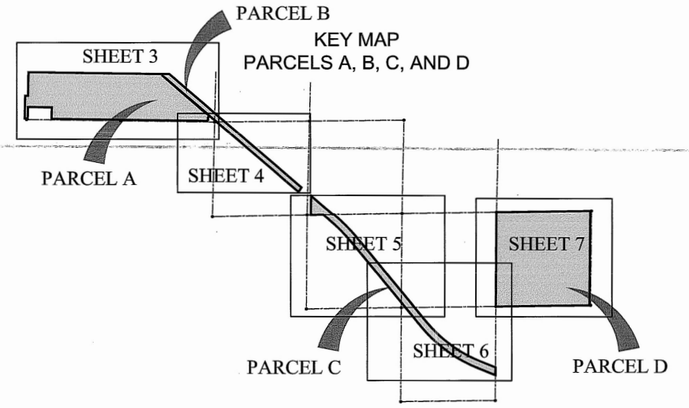
g. Incorporating an overall plan for the design of the streetscape within the project, including landscaping, auto parking, bicycle and pedestrian circulation, architecture, placement of buildings and street furniture.

Response: The Millennium GDP will be complementary to and in harmony with existing and future development by requiring development in accordance with the Millennium GDP Performance Standards for streetscape design, setbacks, bufferyards, landscaping, access, circulation, parking, signage and architecture.

D. A description and discussion of all aspects of the GDP that do not comply with the regulations for the comparable zone district in the Municipal Code

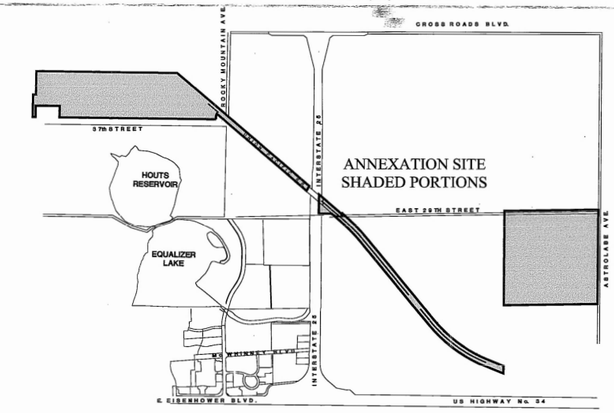
SAVANNA ADDITION

TO THE CITY OF LOVELAND, COUNTY OF LARIMER, STATE OF COLORADO BEING LOCATED IN SECTIONS 3, 4, 5, 10, AND 11, TOWNSHIP 5 NORTH, RANGE 68 WEST OF THE 6th PRINCIPAL MERIDIAN.



VICINITY MAP
SCALE: 1" = 2,000'

PARCELS A, B, C AND D



Attachment 6

No.	Revisions:	By:	Date:

NORTHERN ENGINEERING
200 South College Avenue, Suite 100
Fort Collins, Colorado 80524
PHONE: 970.221.4158 FAX: 970.221.4159
www.northernengineering.com

PROJECT: BDMI: 750-004
CLIENT: MORNINNEY
DRAWN BY: JAA
DATE: 06/26/06
SCALE: AS SHOWN
REVIEWED BY: G. Gilliland

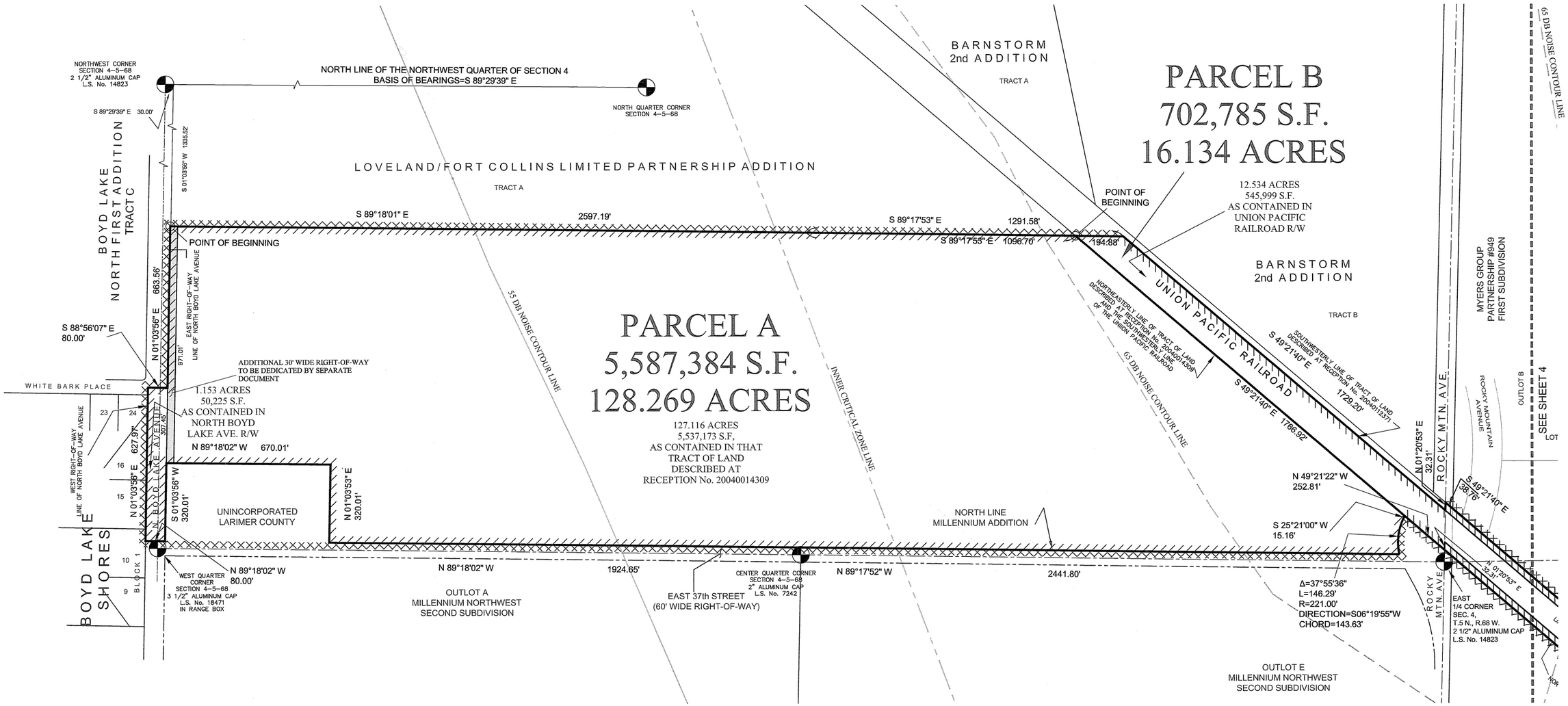
SAVANNA ADDITION
LARIMER COUNTY, COLORADO
SECS 3, 4, 5, 10, & 11, T-5 N, R68W

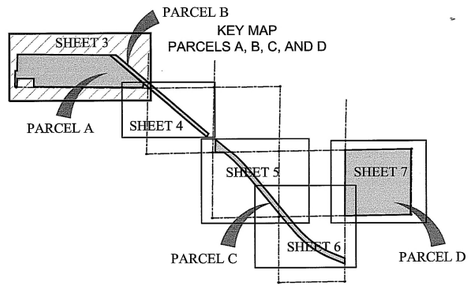
Sheet 2 / 7 Sheets

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SAVANNA ADDITION

TO THE CITY OF LOVELAND, COUNTY OF LARIMER, STATE OF COLORADO BEING LOCATED IN SECTIONS 3, 4, 5, 10, AND 11, TOWNSHIP 5 NORTH, RANGE 68 WEST OF THE 6th PRINCIPAL MERIDIAN.





Attachment 6

No.	Revisions:	By:	Date:

NORTHERN ENGINEERING
200 South College Avenue, Suite 100 Fort Collins, Colorado 80524
PHONE: 970.221.4158 FAX: 970.221.4159
www.northernengineering.com

PROJECT: BOAK 750–004	DATE: 06/26/06
CLIENT: MCWHINNEY	SCALE: AS SHOWN
DRAWN BY: JAA	REVIEWED BY: C. Gilliland

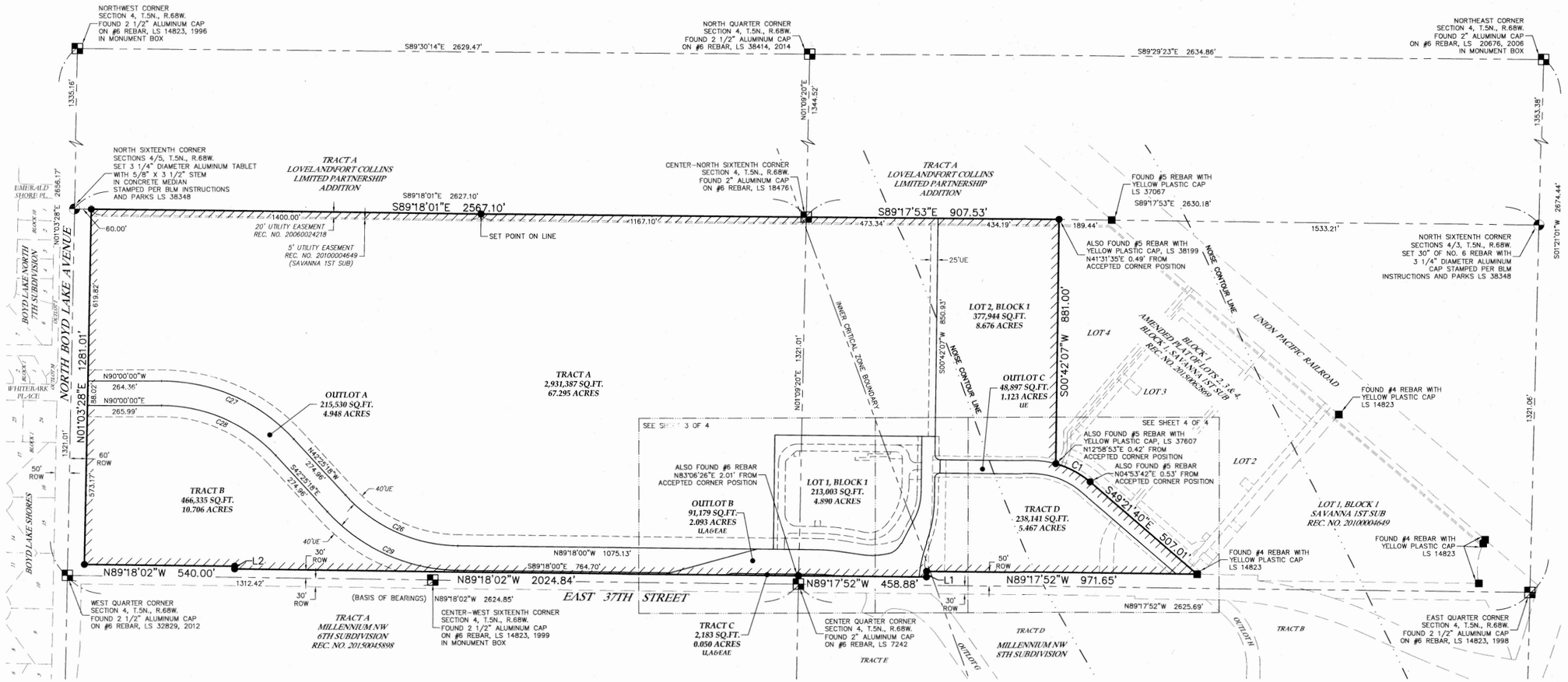
SAVANNA ADDITION
LARIMER COUNTY, COLORADO
SECS 3, 4, 5, 10, & 11, T-5 N, R68W

Sheet 3 / 7 Sheets

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SAVANNA SECOND SUBDIVISION

Being a Subdivision of Lot 5, Block 1 and Outlots A, B and C, Savanna First Subdivision, Situate in the North Half of Section 4, 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	S00°42'08"W	20.00'
L2	N00°41'58"E	10.00'
L3	N74°52'23"E	21.95'
L4	N62°48'16"W	2.00'
L5	N69°33'21"W	2.00'
L6	N00°42'07"E	48.00'
L7	N89°17'53"W	14.00'
L8	N28°08'39"W	8.30'
L9	N00°42'00"E	20.00'
L10	S89°18'00"E	20.00'
L11	S00°42'00"W	20.07'
L12	N90°00'00"W	19.40'
L13	S00°42'11"W	20.06'
L14	N89°17'49"W	20.00'
L15	N00°42'07"E	11.93'
L16	N89°17'53"W	46.92'
L17	N00°00'00"E	7.02'
L18	N00°42'08"E	7.96'
L19	S89°18'00"E	81.94'
L20	N89°18'00"W	67.99'

LINE TABLE		
LINE	BEARING	LENGTH
L21	S00°00'56"W	13.64'
L22	N00°00'56"E	13.76'
L23	S89°59'04"E	44.52'
L24	N00°00'56"E	10.00'
L25	N89°59'04"W	54.52'
L26	S00°46'36"W	28.50'
L27	N90°00'00"E	19.46'
L28	N46°34'36"E	40.54'
L29	N46°34'36"E	10.93'

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CH BEARING
C1	140.91'	324.00'	24°55'05"	139.80'	S61°49'13"E
C2	81.67'	556.00'	8°25'00"	81.60'	S85°05'30"E
C3	86.59'	644.00'	7°42'14"	86.53'	N85°26'53"W
C4	35.01'	202.00'	9°55'50"	34.97'	N86°33'40"W
C5	58.16'	292.67'	11°23'06"	58.06'	S82°46'51"W
C6	11.99'	38.00'	18°05'00"	11.94'	S69°10'40"W
C7	44.84'	78.00'	32°56'27"	44.23'	S43°39'57"W
C8	14.54'	462.00'	1°48'10"	14.54'	S28°05'49"W
C9	80.50'	205.00'	22°29'53"	79.98'	S17°44'57"W
C10	29.75'	294.00'	5°47'54"	29.74'	S03°36'04"W
C11	29.85'	19.00'	90°00'00"	26.87'	S44°17'53"E
C12	29.85'	19.00'	90°00'00"	26.87'	S45°42'07"W
C13	96.33'	450.00'	12°15'55"	96.15'	N06°50'05"E
C14	58.72'	450.00'	7°28'37"	58.68'	N16°42'20"E
C15	126.42'	478.00'	15°09'11"	126.05'	S12°52'03"W
C16	84.93'	324.00'	15°01'08"	84.69'	N81°47'19"W
C17	225.84'	324.00'	39°56'13"	221.29'	N69°19'46"W
C18	192.38'	276.00'	39°56'13"	188.51'	N69°19'46"W
C19	110.05'	684.00'	9°13'06"	109.93'	N84°41'27"W
C20	32.76'	164.00'	11°26'41"	32.70'	S85°48'14"E

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CH BEARING
C21	81.37'	254.67'	18°18'22"	81.02'	N79°19'14"E
C22	30.00'	40.00'	42°58'20"	29.30'	N48°40'54"E
C23	28.16'	40.00'	40°19'49"	27.58'	S07°58'44"E
C24	67.16'	466.00'	8°15'29"	67.11'	S16°18'54"W
C25	159.88'	464.00'	19°44'32"	159.09'	N10°34'23"E
C26	454.91'	556.00'	46°52'42"	442.33'	S65°51'39"E
C27	534.78'	644.00'	47°34'42"	519.54'	N66°12'39"W
C28	461.70'	556.00'	47°34'42"	448.55'	N66°12'39"W
C29	526.91'	644.00'	46°52'42"	512.33'	S65°51'39"E
C30	38.15'	24.50'	89°13'25"	34.41'	S45°23'18"W
C31	178.14'	256.50'	39°47'32"	174.58'	N21°34'26"E
C32	115.65'	106.50'	62°13'15"	110.05'	N72°34'49"E
C33	49.92'	708.50'	4°02'14"	49.91'	N78°19'41"W
C34	44.97'	708.50'	3°38'12"	44.96'	N82°09'54"W
C35	65.75'	708.50'	5°19'00"	65.72'	N86°38'30"W
C36	38.48'	24.50'	90°00'00"	34.65'	S45°42'00"W
C37	109.17'	69.50'	90°00'00"	98.29'	S45°42'00"W
C38	71.10'	49.50'	82°17'32"	65.14'	N48°09'13"W
C39	35.49'	24.50'	82°59'33"	32.47'	S48°30'14"E
C40	38.49'	24.50'	90°00'07"	34.65'	N44°17'56"W

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CH BEARING
C41	164.72'	231.50'	40°46'04"	161.27'	N21°05'09"E
C42	88.51'	81.50'	62°13'15"	84.22'	N72°34'49"E
C43	51.69'	733.50'	4°02'14"	51.67'	N78°19'41"W
C44	46.56'	733.50'	3°38'12"	46.55'	N82°09'54"W
C45	58.07'	733.50'	4°32'09"	58.05'	N86°15'04"W
C46	8.19'	44.50'	10°32'23"	8.17'	S05°58'12"W
C47	10.00'	733.50'	0°46'51"	10.00'	N88°54'34"W
C48	69.90'	44.50'	90°00'01"	62.93'	S44°17'59"E
C49	6.82'	44.50'	8°47'12"	6.82'	S86°18'24"W

LEGEND

- EASEMENT LINE
- SECTION LINE
- ADJACENT PROPERTY LINE
- BOUNDARY LINE
- UE UTILITY EASEMENT
- U&E&AE UTILITY & EMERGENCY ACCESS EASEMENT
- U,A&E&AE UTILITY, ACCESS & EMERGENCY ACCESS EASEMENT
- P&UE POSTAL & UTILITY EASEMENT
- ROW RIGHT OF WAY
- FOUND ALIQUOT CORNER AS DESCRIBED
- SET ALIQUOT CORNER AS DESCRIBED
- FOUND MONUMENT AS DESCRIBED
- SET 24" OF #4 REBAR WITH A RED PLASTIC CAP STAMPED KSI, LS 38348
- CALCULATED POSITION

200 100 0 200 400 600

SCALE IN FEET
SCALE: 1"=200'

BASIS OF BEARINGS AND LINEAL UNIT DEFINITION

Assuming the South line of the Northwest Quarter of Section 4, T.5N., R.68W., monumented as shown, as bearing North 89°18'02" West being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2011, a distance of 2624.85 feet with all other bearings contained herein relative thereto.

The lineal dimensions as contained herein are based upon the "U.S. Survey Foot."



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

Attachment 7

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

DATE:	1/8/2016
FILE NAME:	2014751C-SUB
SCALE:	1"=200'
DRAWN BY:	CSK
CHECKED BY:	SIP

REVISIONS:	DATE:
REVISED PER COMMENTS	LEC 5/10/16
REVISED PER CITY COMMENTS	LEC 6/20/16
C060	LEC 7/13/16

SAVANNA SECOND SUBDIVISION
FOR
CWC CONSULTING GROUP
210 FRONT STREET
CASTLE ROCK, CO 80104

PROJECT #: 2014751-C

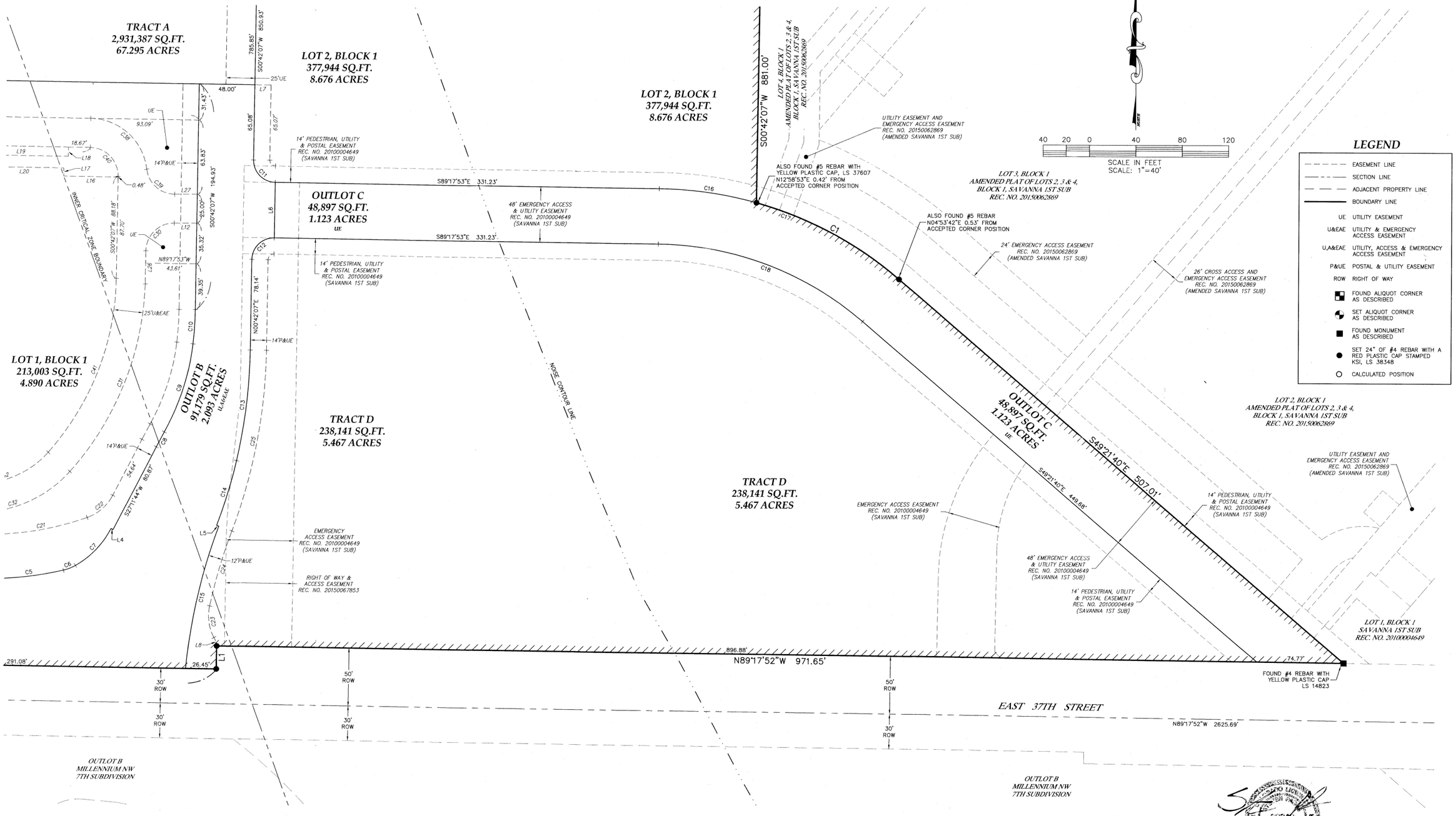
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SHT 2 OF 4

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SAVANNA SECOND SUBDIVISION

Being a Subdivision of Lot 5, Block 1 and Outlots A, B and C, Savanna First Subdivision, Situate in the North Half of Section 4, Township 5 North, Range 68 West of the 6th P.M., City of Loveland, County of Larimer, State of Colorado



LEGEND

- EASEMENT LINE
- SECTION LINE
- ADJACENT PROPERTY LINE
- BOUNDARY LINE
- UE UTILITY EASEMENT
- U&EAE UTILITY & EMERGENCY ACCESS EASEMENT
- U,A&EAE UTILITY, ACCESS & EMERGENCY ACCESS EASEMENT
- P&UE POSTAL & UTILITY EASEMENT
- ROW RIGHT OF WAY
- FOUND ALIQUOT CORNER AS DESCRIBED
- SET ALIQUOT CORNER AS DESCRIBED
- FOUND MONUMENT AS DESCRIBED
- SET 24" OF #4 REBAR WITH A RED PLASTIC CAP STAMPED KSI, LS 38348
- CALCULATED POSITION

BASIS OF BEARINGS AND LINEAL UNIT DEFINITION

Assuming the South line of the Northwest Quarter of Section 4, T.5N., R.68W., monumented as shown, as bearing North 89°18'02" West being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2011, a distance of 2624.85 feet with all other bearings contained herein relative thereto.

The lineal dimensions as contained herein are based upon the "U.S. Survey Foot."

Attachment 7

* FOR LINE AND CURVE TABLES SEE SHEET 2 OF 4 *

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

DATE:	1/8/2016
FILE NAME:	2014751C–SUB
SCALE:	1"=40'
DRAWN BY:	CSK
CHECKED BY:	SIP

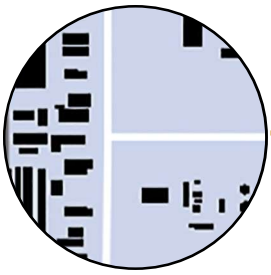
KING SURVEYORS
650 E. Garden Drive | Windsor, Colorado 80550
phone: (970) 686-5011 | fax: (970) 686-5821

REVISIONS:		DATE:
REVISED PER COMMENTS	LEC	5/10/16
REVISED PER CITY COMMENTS	LEC	6/29/16
CCDD	LEC	7/13/16

SAVANNA SECOND SUBDIVISION
FOR
CWC CONSULTING GROUP
210 FRONT STREET
CASTLE ROCK, CO 80104

PROJECT #: 2014751–C

4
SHT 4 OF 4



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

Attachment 8

Current Planning Division
410 E. 5th Street • Loveland, CO 80537
(970) 962-2523 • eplan-planning@cityofloveland.org

Planning Commission Staff Report

October 23, 2017

Agenda #:	Regular Agenda - 3
Title:	The Foundry Hotel – Site Development Plan and Vacation of Right-of-Way (PZ 17-139 & 17-177)
Applicant:	Todd Parker, Brinkman Partners
Request:	**Be-Established Business District Site Development Plan Review**
Location:	Between E. First Street and E. Second Street (north/south) and between N. Lincoln Avenue and N. Cleveland Avenue (east/west)
Existing Zoning:	Be – Established Business District
Proposed Use:	Mixed-use development (Foundry)
Staff Planner:	Troy Bliss

Staff Recommendation

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

Recommended Motions:

1. *Move to make the findings listed in Section VIII of the Planning Commission staff report dated October 23, 2017, and based on those findings, approve the Foundry Hotel Site Development Plan, subject to the conditions listed in Section IX, as amended on the record.*
2. *Move to make the findings listed in Section VIII of the Planning Commission staff report dated October 23, 2017 and, based on those findings, recommend that City Council approve the Loveland Eleventh Subdivision – Vacation of Public Right-of-Way, subject to the conditions listed in Section IX, as amended on the record.*

Summary of Analysis

This is a public hearing and quasi-judicial matter to consider The Foundry Site Development Plan (SDP) and an associated vacation of a portion of E. Second Street. Regarding the SDP, the role of the Planning Commission is to determine whether the plan as presented is in compliance with the standards specified in Chapter 18.24 of the Loveland Municipal Code. Decision of the Planning Commission is final with respect to the SDP. The vacation request will be presented to City Council with a recommendation from the Planning Commission. The project is a collaboration between the applicant, Brinkman Partners, and the City of Loveland.

The Foundry represents the City Council's effort to create a "downtown catalyst" project that will spur revitalization and renewed investment in the downtown. The envisioned mix of residential, entertainment, restaurant and retail uses, along with a city-owned parking structure oriented around a central plaza is part of a longstanding community vision. The financial and timing aspects of the project were established in January of 2016 between the Council and Brinkman; the project team is now working with a high level of urgency in order to meet various development parameters. City staff has worked closely with the Brinkman team to move the design to fruition. Staff believes that all key issues have been resolved and recommends approval of the submitted plans.

I. VICINITY MAP/AERIAL PHOTOGRAPHS



(The Foundry Site as Highlited)



(View: Looking south from E. Third Street – Prior to Site Demolition)



(View: Looking north from Irrigation Ditch along E. First Street – Prior to Site Demolition)

II. PROJECT DESCRIPTION

The SDP is the fundamental application guiding the overall mixed-use redevelopment plan for the Foundry. The project itself is a $75 million redevelopment in the core of downtown Loveland and is the focal point of the City's downtown redevelopment plans since 2009. In addition, it is a public/private partnership between the City of Loveland and Brinkman Partners.

The Foundry represents a significant reinvestment to Loveland and its downtown. The redevelopment does create a catalyst for the south end – adding a destination to downtown that could draw regionally or beyond. This is also the single largest redevelopment in downtown Loveland that the City has ever considered. As an entrance or exit (depending on which way you are traveling), the magnitude of this project will present a visual attraction that incorporates elements from downtown but creates its own unique place. A key component of the project has been to provide more parking for downtown in the form of a multi-level parking garage. Uses including mixed-use, theater, and hotel have taken shape around creating this vision.

The Project is consistent with the City's approved Downtown Strategic Plan, specifically:

> ***Goal 1*** - Maintain and enhance the economic vitality of Downtown through private/public partnerships.
>
> ***Goal 2*** – Identify funding gaps to project development and structure tools to fill the gaps and achieve development.

And;

> ***Goal 4*** – Identify strategic catalyst projects that will significantly improve the economic conditions in downtown.

The Downtown Vision Book, approved by Council in 2010, envisioned this project and was the first to coin the term "South Catalyst." The Vision Book was the basis for the original RFP for the developer, which led to the "North Catalyst" project ("Gallery Flats") as well as the South Catalyst, now Foundry Project.

As outlined in Section 18.24.050.B of the Loveland Municipal Code, the Planning Commission shall review the SDP and issue a decision based on specific findings that would approve, approve with conditions, or deny the project as presented. Decision of the Planning Commission is final. This decision may however be appealed as specified in Section 18.80.050 of the Loveland Municipal Code. Time is of the essence with respect to consideration on the Foundry, especially this first phase. City Council approved a Disposition and Redevelopment Agreement in December 2016, which identifies, among many other items, timing on consideration of entitlements for the project. As a result, any delays to this second phase of development could be critical. It is important to recognize that more details will be provided to the Planning Commission as the project progresses.



This SDP application covers the second phase of the Foundry Project, for development of a hotel. Remaining project components include a multi-screen 625-seat movie theater, amenity package for all site furnishings, and final façade design of the parking garage, which are still in the design phase and will be presented to the Planning Commission at a future date. The project site is approximately 4 acres in size located in the heart of downtown between Backstage Alley and E. 1st Street and N. Lincoln Avenue and Cleveland Avenue. In order to visualize the magnitude and scope of this project, please see the following link: (https://vimeo.com/183515325). (Please note the video *does not* depict the final facades or building designs. It only illustrates the project mass and general building locations.) The overall intent with this second phase is to obtain land use approval relative to compliance with the Be zoning district for the following components:

Foundry Hotel

The Foundry Hotel represents the second phase of the project in terms of land use entitlements. The site is approximately 0.81 acres in size, legally described as Lot 1, Block 1 of the Loveland Eleventh Subdivision, located at the far south end of the Foundry development. The general location is north of E. First Street along the Loveland-Greeley Canal, between N. Lincoln Avenue and N. Cleveland Avenue, and on the south side of E. Second Street. The building consists of a 63,000 square foot, 4-story, 102 room hotel. Exterior building materials are the same and similar to those for the Lincoln and Cleveland Mixed-Use buildings (i.e. brick, stucco, and decorative metal) with a color palate that incorporates a variety of different grays to continue the foundry theme. Additionally, the rhythm is very linear and is of the same bulk and scale as the parking garage and mixed-use buildings under construction to the north. In terms of height, the building is approximately 55 feet which is about 10 feet less than the mixed use buildings yet taller than the bulk of the parking garage.

In terms of the site, the main entrance to the building is located along E. Second Street that incorporates a porte cochere. This architectural feature serves as a covered vehicle access for drop-off that is a fundamental function of the hotel. In order to achieve this design, a portion of E. Second Street is proposed to be vacated (988 square feet – 19 feet wide by 52 feet in length). The southern portion of the site primarily serves as an outdoor patio for a variety of hotel functions including outdoor eating areas, sun deck for the indoor pool, gathering space, and grilling. Service access is proposed off of E. Second Street through a small driveway at the northeast corner of the building. It will be fully enclosed and screened from public view. At both the southeast and southwest corners of the site are paved areas that serve as a fire staging and utility maintenance. These will not be used very often but do require hard surfacing. The City's Development Review Team (DRT) has worked with Brinkman to not only make these areas functional but also focus on the aesthetics. The southeast corner has been seen as an important node from the conception of a south catalyst development. It is an area that serves as an entry to downtown. While the fire staging area has some influence, the hard surface will include decorative/colored concrete with a backdrop that would include tiered landscaping, doubling as a platform for sculptures. The idea is a vertical element that is easily visible coming up the hill of N. Lincoln Avenue. This node is meant to separate itself from the hotel and the foundry, representing an entry into all of downtown.



VIEW FROM CLEVELAND AVE LOOKING SOUTHEAST



VIEW FROM CLEVELAND AVE LOOKING NORTHEAST

Remaining Components

Details of the parking garage facade, amenities/site furniture, and theatre are still undergoing design and have not made formal application with the City at this time. These final design features will be brought to the Planning Commission for review and approval at a later date. The following includes further details regarding these items:

- Parking Garage: Final detailing of the parking garage have not been fully provided. The applicant and the City staff are investigating features to enhance the building. Consideration will be going through the Arts Commission to make this determination. Ideas such as large banners (that could include advertising) hanging and/or projecting from the façade are possible examples.

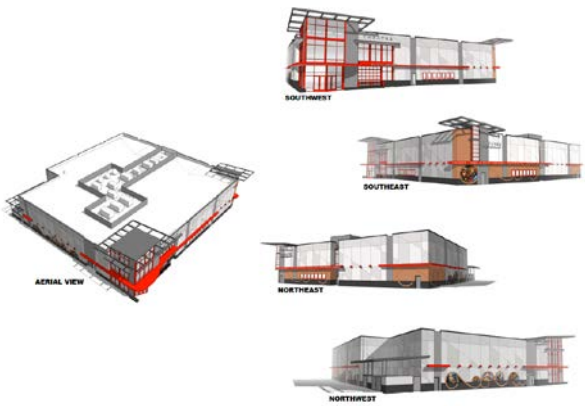




- Amenities/Site Furniture: Specific materials, colors, building/structure designs for the amenities/street furniture including but not limited to railings, benches, bicycle racks, planters, tree grates, fire pit, splash pad, shade structure, decorative lighting, and the *Little Man Ice Cream* have not been finalized. The expectation is that once these are finalized, Planning Commission will have the opportunity to review the site amenity package in relation to *Destination Downtown: HIP Streets Master Plan*. This plan is in the initial process of being updated and is anticipated take elements from the Foundry relative to street furniture.

- Specific Colors Palate for Ground Surfaces: All pavement colors including concrete, brick pavers, patios, etc. are not included. This however is not required in conjunction with Chapter 18.24 but will influence the City's efforts in updating *Destination Downtown: HIP Streets Master Plan*. These elements are anticipated with the site amenity package as well.

- Theatre: The movie theatre component, proposed at the far north end of the Foundry site is undergoing refinements to building design. A formal SDP application has not been submitted to the City; however, it is expected around the end of October or early November 2017.



Other Key Project Considerations

Parking:

The overall Foundry site is located within General Improvement District #1 (GID) which will contribute to the assessments collected for maintaining/upgrading public parking and pedestrian facilities downtown. This project represents a big contribution to the GID due to the size of redevelopment and inclusion of the parking garage. As specified in 18.24.060.B, off-street parking is not required for non-residential or mixed-use developments located in the GID. And while parking is not a component to Planning Commission's consideration on the SDP, it is important to understand the relationship of the Foundry to the parking garage and its effects on downtown as a whole.

Walker Parking Consultants prepared a parking study in June 2016 with an update in December 2016 (see **Attachment 1**). This study is based on an overall shared-parking demand analysis that modeled aggregate, peak, and shared parking for all uses on the site. The model is specific enough to provide a breakdown of parking demand generated by different user groups, weekday versus weekend demand patterns, and the fluctuations in this demand at different times of the year. The analysis concludes that on average, the parking demand for the Foundry would never exceed the amount of parking spaces in the parking garage. Moreover, the parking garage would always have available public space for downtown visitors as a whole – not just the Foundry. This is important to note because the parking garage (and lot it sits on) will be owned and maintained by the City, offering public parking for all of downtown.

Adequate Community Facilities (ACF) Review:

The purpose of ACF is to ensure that community facilities needed to support new development meet or exceed the adopted level of service established by the City. Section 16.41.020 requires all non-residential and/or residential (containing more than 12 dwelling units) site plans to conform to ACF. The DRT has evaluated ACF throughout review of the Foundry with the following analysis:

16.41.100 Fire Protection and Emergency Rescue Services

Loveland Fire Authority – Adequate fire protection services are currently in place. To ensure that fire protection and emergency rescue services remain in place during construction, a development agreement is being prepared. Additionally, Loveland Fire Authority has been working with the applicant's construction team in establishing proper access during construction in the event of any emergency. All fire protection standards for the City of Loveland are being met as referenced in Appendix A – Table 2.3 of Chapter 16.41 of the Loveland Municipal Code.

16.41.110 Transportation Facilities

Transportation Development Review - Staff believes that this finding can be met, due to the following:

1. A Traffic Impact Study (TIS), prepared by Sean Kellar, P.E., PTOE, has been submitted with The Foundry Site Development Plan which demonstrates that the existing transportation system, can adequately serve the proposal.

2. Access to the development will be provided by the existing downtown street network with new driveway access to a parking garage located on Second Street.

3. The TIS has demonstrated that the operation of Cleveland Avenue, Lincoln Avenue, Second Street and Third Street will meet City standards.

4. The TIS shows the need for a west-bound right turn lane on First Street at Lincoln Avenue for the proposed development.

5. The proposed development is estimated to generate approximately 2,244 daily trips, 211 weekday AM peak hour trips, and 289 weekday PM peak hour trips and 349 Saturday peak hour trips.

In conclusion, the development of the subject property pursuant to any of the uses permitted by right under the zoning district will not adversely impact any existing City infrastructure. A positive determination of adequacy for transportation facilities for the proposed application has been made under the provisions above.

16.41.120 and 16.41.130 Water Facilities and Services AND Wastewater Facilities and Services
Water/Wastewater - This development is situated within the City's current service area for both water and wastewater. Previous buildings within the development area received water and wastewater services from the City. Significant water and wastewater infrastructure upgrades will occur prior to building construction to provide water main capacity and relocate the existing wastewater main.
The Department finds that the Development will be compliant to ACF for the following reason:

1. Water and wastewater facilities and services meet or exceed the applicable ACF criteria.

16.41.140 Stormwater Facilities
Stormwater - Staff believes that this the ACF finding can be met, due to the following:

1. Original development within downtown Loveland was constructed long before Storm Drainage Criteria was developed. As such, the original drainage system in downtown Loveland was deemed inadequate within the City of Loveland Master Drainage Plan. The Loveland Stormwater Utility has since constructed all of the identified storm drainage master planned improvements within downtown Loveland.

2. When constructed, the development will not negatively affect the existing City storm drainage infrastructure and will comply with the Adequate Community Services ordinance outlined in the Loveland Municipal Code, Section 16.41.140 the best it can given the downtown Loveland parameters of which we have to work.

16.41.150 Power
Power – This development is situated within the City's current service area for power. Previous buildings within the development area received power service from the City. Power infrastructure upgrades will occur prior to building construction to provide City power services to the new development. The Power Division finds that the development will comply with Adequate Community Facilities for the following reasons:

1. The proposed development will not negatively affect City power facilities.

2. The proposed public facilities and services are adequate and consistent with the City's utility planning and provides for efficient and cost-effective delivery of City power service.

ACF Review Summary: In summary, adequate infrastructure is in place to accommodate the development along with changes that will create greater levels of service compared to what is currently in place. For example, the inclusion of a right turn lane at the intersection of N. Lincoln Avenue and E. First Street will create greater efficiency in vehicular movements. Additionally, improvements to the original drainage system in downtown will no longer have a negative impact to the City's storm drainage infrastructure. From an infrastructure perspective, the Foundry will add to improving downtown as a whole.

III. ATTACHMENTS

1. Parking Study Excerpts (for reference only)
2. Traffic Impact Study Excerpts
3. Loveland Eleventh Subdivision (for reference only)
4. Foundry Hotel Site Development Plan
5. E. Second Street Vacation Exhibit

IV. SITE DATA

ACREAGE OF SITE	+/- 4.0 ACRES
EXISTING ZONING	BE – CENTRAL BUSINESS DISTRICT
MASTER PLAN DESIGNATION	DAC – DOWNTOWN ACTIVITY CENTER
EXISTING USE	VACANT/UNDEVELOPED
PROPOSED USE	MIXED-USE DEVELOPMENT (FOUNDRY)
ACREAGE OF OPEN SPACE PROPOSED	N/A
EXISTING ADJACENT ZONING AND USE - NORTH	BE – CENTRAL BUSINESS DISTRICT – VARIOUS COMMERCIAL USES
EXISTING ADJACENT ZONING AND USE - EAST	BE – CENTRAL BUSINESS DISTRICT – VARIOUS COMMERCIAL USES
EXISTING ADJACENT ZONING AND USE - SOUTH	BE – CENTRAL BUSINESS DISTRICT – VARIOUS COMMERCIAL USES
EXISTING ADJACENT ZONING AND USE - WEST	BE – DEVELOPING BUSINESS – VARIOUS COMMERCIAL USES AND RESIDENTIAL USES
UTILITY SERVICE PROVIDER - SEWER	CITY OF LOVELAND
UTILITY SERVICE PROVIDER - ELECTRIC	CITY OF LOVELAND
UTILITY SERVICE PROVIDER - WATER	CITY OF LOVELAND
WATER RIGHTS PAID	NO WATER RIGHTS DUE

V. KEY ISSUES

A significant amount of coordination and initial planning was conducted with this project. Weekly meetings were held with the DRT and Brinkman Partners between October 6, 2016 and December 22, 2016, prior to any development application review. Formal applications were submitted at the beginning of January 2017 which began another series of bi-weekly meetings with the DRT and Brinkman Partners over the course of almost 3 months. This commitment to the project has been extremely valuable in addressing key issues ahead of time and finding solutions. Significant issues were uncovered that included:

- Complications with respect to location of existing fiber in N. Cleveland Avenue that needs to be re-routed;
- Construction of a right-turn lane at the intersection of E. First Street and N. Lincoln Avenue;
- CDOT approval on lane configurations in N. Lincoln Avenue and N. Cleveland Avenue;
- Re-routing sewer main;
- Transformer locations;
- Re-routing of external service provider lines (i.e. Century Link and Comcast), and;

- Dewatering of the parking garage

VI. BACKGROUND

The Loveland Original Town Addition is the oldest part of the City, annexed in 1877. The addition includes properties between E. Ninth Street and E. First Street (north and south) and N. Lincoln Avenue and N. Garfield Avenue (east and west). Most of the properties are within the Be zoning district. There are also some commercial and high-density residential properties up near E. Ninth Street.

The City went through an extensive environmental, demolition, and abatement process over the course of many months before getting to the point of preparing the SDP with Brinkman Partners. A lot went into this process involving a number of City staff and outside consultation to better understand the nature of the property and deliver a buildable site for the Foundry.

In January 2016, City Council selected Brinkman Partners ("Developer") as the preferred developer following a competitive bid process. Throughout 2016, the City engaged in negotiation with the Brinkman Partners on the project. As negotiations progressed, the developer engaged the DRT, starting the process of developing the SDP. At that point, the Developer renamed the project, the Foundry from its previous name of South Catalyst.

The DRT along with Brinkman Partners began a series of in-depth weekly design review meetings from October 6, 2016 to December 22, 2016 (11 weeks) before submittal of any formal development applications for review. The purpose was for the creation of a project charter. With a project of this size and scope, it was extremely important to identify all the participants, their roles, and open up all lines of communication. A project schedule was developed and agreed to between the DRT and Brinkman Partners – setting clear expectations and identifying key milestones/deliverables. And WE created the framework – allowing for a less complication and more efficiency during an aggressive review schedule. An incredible amount of coordination in terms of infrastructure, bringing external agencies to the table (CDOT, Comcast, Century Link, Xcel Energy), and design solutions resulted from these initial meetings. The value of this approach was extremely beneficial to the project. Everyone involved from the DRT to the Brinkman Team members, a huge amount of initial time and effort was put forth. It demonstrates the collaboration and quality of work presented. The behind the scenes work is not always brought forward. However, with The Foundry it was critical to the success of the project - worthy of recognition.

Prior actions by the Planning Commission related to this project have included:

- Recommendation for approval on vacating both Opera Alley and portions of E. Third Street, and;
- Approval of a Site Development Plan for the first phase of the Foundry (i.e. Parking Garage, Lincoln Mixed-Use Building, Cleveland Mixed-Use Building, and Central Plaza.

VII. STAFF, APPLICANT, AND NEIGHBORHOOD INTERACTION

A. Notification

Mike McBride with BHA provided an affidavit, certifying that proper notice was provided which included signs posted in prominent locations and written notice mailed to all surface owners within 300 feet of the site on October 7, 2017. Additionally, notice was published in the Reporter Herald on October 7, 2017. All notices stated that the Planning Commission will hold a public hearing on October 23, 2017.

B. Neighborhood Interaction/Response

A neighborhood meeting is not required in conjunction with this application. However, from a neighborhood and surrounding property owner perspective, a lot of outreach has been done with the Foundry project as a whole. This has included information being conveyed through City newsletters/press releases, the Loveland Downtown Development Authority (LDDA), speaking with surrounding business owners, and sharing the proposal during downtown events. Information obtained suggests a strong support to the project. Many citizens are encouraged to see redevelopment of this magnitude in downtown. The most recent outreach efforts were during the Night on the Town – October 13, 2017.

VIII. FINDINGS AND ANALYSIS

Site Development Plan – Foundry Hotel

In approving a SDP application, the Planning Commission must determine that the findings outlined in this section have been met (Title 18, Chapter 18.24, Section 18.24.050.B). The following information provided includes the code citation/requirements (findings) identified in ***bold italic*** and the responses (analysis) underneath:

1. The proposed development complies with the standards of this chapter and any other applicable provisions of the Loveland Municipal Code.

18.24.060 Standards Applying to Entire BE Zoning District

18.24.060.A. Building Height:

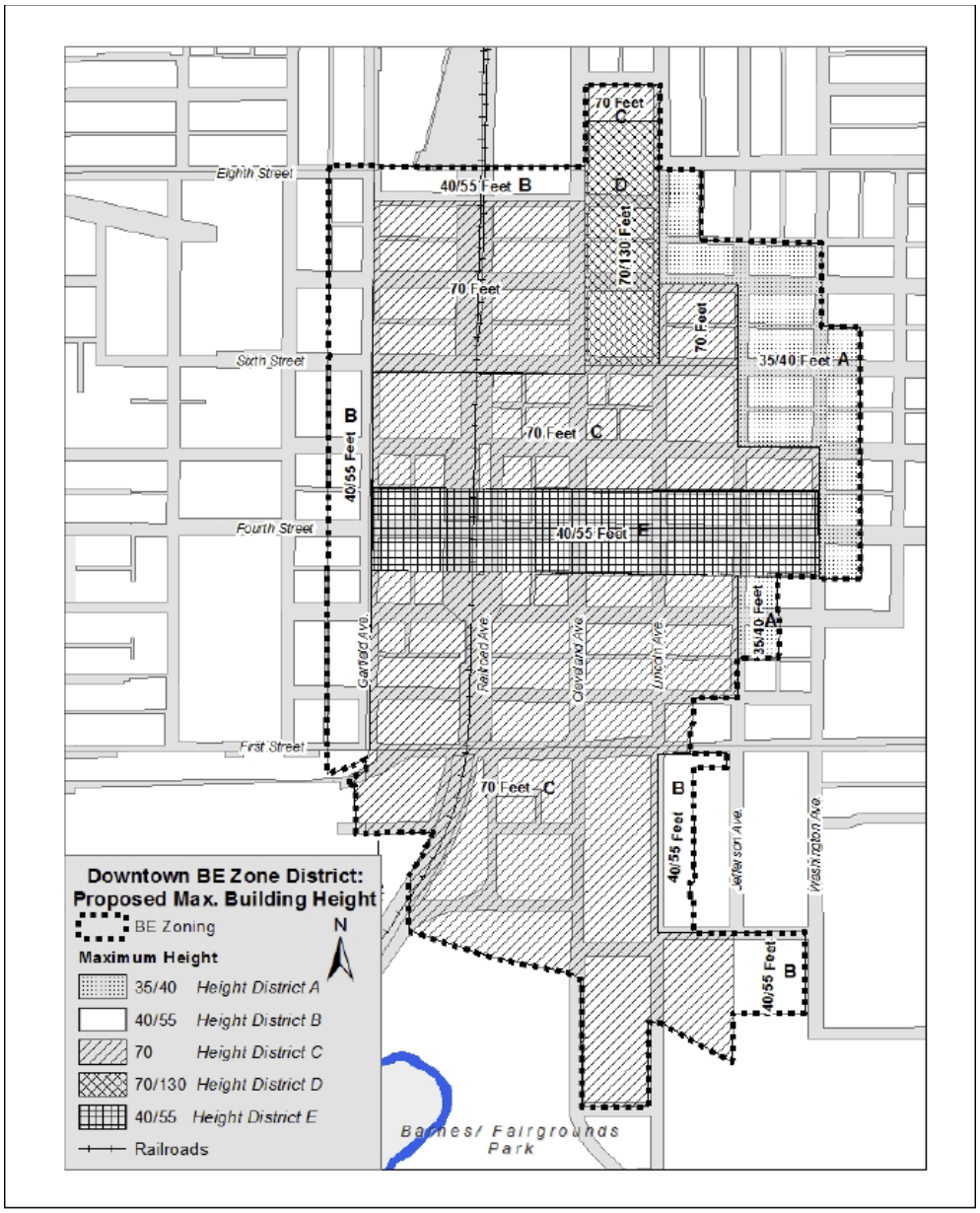


Figure 18.24.060-1: Downtown Area Height Limits

The Foundry site is located in Height District C as depicted in Figure 18.24.060-1. The building is less than 70 feet in height (approximately 55 feet). The tallest buildings within the overall project include both mixed-use buildings which are under 66 feet in height.

18.24.060.B. Off Street Parking:

The Foundry site is located in the GID. No off-street parking is required for non-residential and mixed-use development. Please refer to Section I. (above) for information regarding parking.

18.24.060.D. Signs:

Signs have not been developed yet but will be designed to comply with all applicable City standards.

18.24.060.E. Illumination:

A photometric plan is included with the SDP demonstrating compliance with the City's outdoor lighting standards. All functional lighting and exterior to the site is designed to include full cut-off luminares. While illustrated in the photometric plan, decorative lighting intended to provide ambiance is not evaluated under the City's outdoor lighting standards for being full cut-off.

18.24.060.F. Outdoor Eating Areas:
All areas along N. Lincoln Avenue, N. Cleveland Avenue and E. Third Street anticipated to include outdoor seating for eating areas will be elevated and distinguishable from the general pedestrian path. These areas will not create inadequate clear space affecting pedestrian movement. All areas will be defined by appropriate enclosures and properly maintained by the business owners.

18.24.060.G. Outdoor Storage:
No outdoor storage is proposed with this project. All service areas including trash/recycling/laundry/etc. are designed to be incorporated within each mixed-use building completely screened from view.

18.24.060.H. Outdoor Display:
No outdoor display is proposed with this project except during special events which require separate permit approvals.

18.24.060.I. Alley Levels of Service:
No alleys are being affected with this phase.

18.24.060.J. Civic Structures:
The parking garage is the only civic structure associated with this project. Details were provided to the Planning Commission in March 2017 with the expectation to have façade designs for a future hearing.

18.24.080 General and Core Character Areas Urban Design Standards:

18.24.080.C Primary Pedestrian Streets:

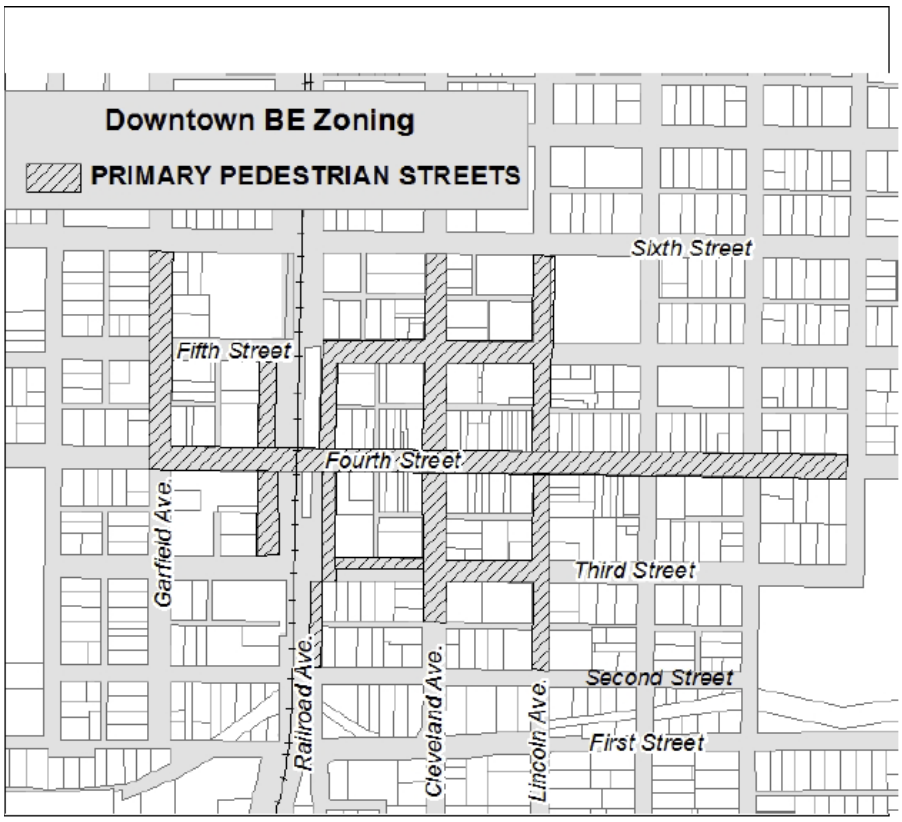


Figure 18.24.080-1: primary pedestrian streets

The primary pedestrian streets associated with this project include N. Lincoln Avenue (from Backstage Alley to E. Second Street), N. Cleveland Avenue (From Backstage Alley to Opera Alley), and E. Third Street (between N. Lincoln Avenue and N. Cleveland Avenue) as depicted in Figure 18.24.080-1.

18.24.080.D-F. Primary and Secondary Elevations and Lot Frontage:



The building does not have frontage on any primary pedestrian streets. However, given the high visibility, the hotel was designed as if every street were primary (i.e. E. Second Street, N. Lincoln Avenue, and N. Cleveland Avenue).

The Lincoln Mixed-Use building provides over an 18-foot setback from building façade to face of curb for the majority of the building frontages (the exception being a necessary loading/unloading area). Site design for the Foundry focuses heavily on the primary pedestrian streets in terms of creating adequate clear space for pedestrian movement – especially when considering elements like the porte cochere. The street level walk (where there are no elevation changes) maintains a wide path along all street frontages. Amenities such as street canopy streets, street furniture, outdoor seating areas, and decorative lighting will all add to the pedestrian experience creating a pleasant and safe walkable development around the perimeters – especially along a State Highway.

18.24.080.G. Architectural Features

The following architectural standards are applicable to the Core Character Area in the Be zoning district:

- Building shall incorporate a combination of features including columns, pilasters, window dormers, bay windows, corbels, balconies, porches, or other similar architectural features that add interest;
- Elevations facing public streets and plazas shall contain a cornice parapet, capstone finish, eaves, projecting at least 12 inches, or other roof features;
- All rooftop mechanical equipment shall be screened from public streets;
- Each building fronting a public street shall have at least one primary entrance – placed on the primary pedestrian street;
- Windows/doors shall comprise at least 40% of the ground floors and 15% on all upper floors facing N. Lincoln Avenue, N. Cleveland Avenue, and E. Third Street. The southern half of the Cleveland Mixed-Use building shall include window/doors on at least 20% facing N. Cleveland Avenue;
- No wall facing a public street shall extend more than 20 feet (horizontally) without a window or other opening;
- Facades shall include recesses or projections and quality materials that reinforce the pedestrian character of the downtown (i.e. brick, textured and/or ground face concrete block, textured architectural precast panels, masonry, natural/synthetic stone, exterior insulation finishing systems, stucco, and similar high quality materials), and;
- Facades in the core character area are not required to mimic historical architecture – however should be compatible in scale, rhythm, materials, and mass



VIEW FROM PASEO LOOKING SOUTH



VIEW FROM CLEVELAND AVE LOOKING SOUTHEAST



VIEW FROM LINCOLN AVE LOOKING NORTHWEST



VIEW FROM CLEVELAND AVE LOOKING NORTHEAST

The building includes recesses/projections, raised parapets, cantilevers, canopies, etc. The building incorporates these elements along all facades – especially placing a lot of emphasis towards the public streets. The building includes a primary entrance along E. Second Street and exits that resemble primary entrances along both N. Lincoln Avenue and N. Cleveland Avenue. A significant amount of glazing is used on the ground and upper floors of the building – well beyond the percentages required (i.e. roughly 75% on the ground floors and 50% on the upper floors). Building perspectives are included in the SDP illustrating the amount of recesses/projections that can be seen with the entrances and hotel rooms for example. The materials selected for the building pull from those used throughout downtown such as brick, stucco, and decorative metal panels. (The use of metal is intended to be limited to an accent material (25% or less of any one façade). The building is designed with a strong linear orientation found throughout downtown but not within any traditional historic context. They have a more modern feel, especially with the choice of colors, intended to represent the notion of a foundry. In terms of scale, rhythm, materials, and mass it is compatible with downtown as a whole but it will also create its own uniqueness that can be distinguished from downtown which is intentional with this development.

18.24.080.H and J. Open Space and Pedestrian Facilities:

A great benefit and significant amenity to the Foundry project is the inclusion of a central plaza. This provides a focal point of activity where a variety of events can occur. The entire site is designed around the plaza with internal pedestrian connections leading to all areas of the development and into downtown as a whole. All perimeter and internal walkways have been designed to maximize the pedestrian experience – creating wide adequate clear spaces.

18.24.080.K. Other Site Amenities:

The Foundry will have a variety of other site amenities that will be present in detail later. These include the *Little Man Ice Cream*, fire pit, splash pad, central turf, planters, decorative lighting, benches, outdoor eating areas, patios/balconies, and City of Loveland Police presence as examples. These amenities and others are very important to the project, adding to the overall design.

18.24.110 Landscaping

18.24.110.D. Street Trees:

The following street tree requirements apply to all of downtown:

- Street trees shall be provided along all street frontages;
- Street trees shall be planted on 35-foot centers, as feasible;
- Installation of street trees shall be a minimum of 10 feet in width with new sidewalk construction (can be reduced based on site constraints);
- Street trees shall be of a species considered canopy trees;
- A minimum horizontal clearance of 6 feet shall be maintained;
- Tree lawns shall be low growing and durable - no rock mulching permitted (not applicable);
- Existing mature street trees should be maintained, where feasible (not applicable), and;
- All existing healthy and mature trees shall be preserved and incorporated into the design (not applicable)

All streets abutting the Foundry will include street canopy trees installed in tree grates within the public sidewalks – maintaining clear zones greater than 6 feet. The installation of street trees includes tree grate areas that are 8 feet wide. Not only are there site constraints but the intent with

the design is to maximize a solid hard surface for pedestrian movement. By reducing 2 feet, more solid hard surface is picked-up along the sidewalks, while still maintaining an appropriate industry standard for the health of the trees.

2. The proposed development is consistent with the goals of the document, Destination Downtown: Heart Improvement Project Downtown Strategic Plan and Implementation Strategy.

The goals of the Destination Downtown plan focus on three (3) general areas. Specific descriptions of these goals and ideas in which to achieve them are included in Attachment 2 from the Destination Downtown plan for reference. The following is a brief description of the goals and an analysis of the Foundry project in reference to each:

Incorporating sustainability through design, making downtown a destination area.
The Foundry is designed to respect and celebrate Loveland's history. Its focus towards art through celebrating the City's foundries and artists is the basis behind the project, which emphasizes the integration of art throughout downtown. The Foundry pulls together a mixture of residential/lodging and commercial uses around a central plaza – creating a true destination area for downtown. The project is seen as a continuation of downtown – not competing with other businesses but rather providing more opportunities to drawn people downtown – adding to the sustainability of downtown.

Multi-modal street design that respects the safety for vehicles, pedestrians, and bicyclists.
The Foundry site fronts along primary pedestrian streets (N. Lincoln Avenue, N. Cleveland Avenue, and E. Third Street) as depicted in Section 18.24.080 of the Loveland Municipal Code for the Be zoning district. Primary pedestrian streets are intended to facilitate comfortable pedestrian circulation to multiple destinations throughout downtown. The improvements that will be made along these streets demonstrate compliance with a downtown standard for development/redevelopment specific to creating strong emphasis to pedestrian connectivity. Wider sidewalks are designed along these frontages, providing greater separation from the street to provide a safer more pleasant pedestrian experience.

Primary vehicle access (such as to the parking garage) is taken off of a secondary street (E. Second Street) to respect safety and provide greater ingress/egress for vehicles. The parking garage will serve as the primary vehicular access to both mixed-use buildings. Future uses such as the theater and hotel will also utilize the parking garage. However, vehicle drop-offs are anticipated along both E. Third Street and E. Second Street. Particularly with respect to E. Third Street, a reconfigured design was created to minimize pedestrian and vehicle impacts through the curvilinear street, changes in surface materials, lighting, etc. – placing more emphasis on pedestrians.

Focus on public spaces that offer a variety of uses for a variety of users.
A key component to the Foundry in terms of focus on public spaces is the central plaza with connecting walkways (paseos) extending to all edges of the development to access downtown. The central plaza incorporates a variety of outdoor seating/eating areas along the ground floor of the mixed-use buildings, covered pavilion, benches, seating walls, etc. It is a great amenity to the project through the open space provided but also is anticipated to serve as a venue for a variety of special events in Loveland. The relationship of the central plaza to the parking garage is a key

component, offering convenience in pulling people into downtown, especially when special events are occurring within the central plaza.

3. ***The proposed development is compatible with surrounding properties while considering its location in an urban environment characterized by a diversity of uses and building types.***
The Foundry is structured around these criteria. This is a development that is specifically geared towards a downtown setting by means of building scale, use, pedestrian emphasis, and exterior open spaces. Additionally, this particular area within the Loveland Addition includes a diversity of uses, which the proposed project is compatible.

4. ***Adequate infrastructure is available to serve the proposed development.***
As outlined in Section I. of this report (above), standards for ACF compliance are the criteria used by the City in demonstrating adequate infrastructure is available to serve the development. Review conducted by the DRT for the Foundry has resulted in all levels of service including fire protection/emergency rescue services, transportation facilities, water/wastewater facilities, stormwater facilities, and power to comply with Chapter 16.41 of the Loveland Municipal Code. It is important to note that in terms of compliance, infrastructure improvements will need to be constructed in conjunction with the development to comply with and/or improvement ACF.

Vacation – Portion of E. Second Street Right-of-Way

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

Chapter 16.36, Section 16.36.010.B

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

   Vacating a portion of E. Second Street (between N. Lincoln Avenue and N. Cleveland Avenue) would not create any right-of-ways that would be left without a connection to public or private right-of-ways.

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

   The right-of-way is not necessary for public use in the current configurations – especially considering the overall redevelopment plans for the surrounding properties.

Development Review Team Analysis

Current Planning

Vacating portions of E. Second Street will have no impact on the continuation of the street in both east/west directions. Rather, the vacation will give a design element to this section of E. Second Street that will be more focused on pedestrian use and help integrate the development on the north side of the street through the walkway into the central plaza space. Vacating a portion of E. Second Street will also create an

attractive entrance to the hotel through the porte cochere that will create a nice architectural feature along the street.

Transportation Development Review
The vacation of right-of-way for a portion of E. Second Street will not negatively impact access to the City's public street network. Access and circulation within the Foundry Development and City of Loveland downtown vicinity will be served by existing right-of-way and new public access and pedestrian easements.

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

- The vacation of a portion of E. Second Street will not negatively impact fire protection for the subject development or surrounding properties due to a new access design for proposed development.

- The development site will continue to comply with the requirements in the ACF Ordinance for response distance requirements from the first due Engine Company.

Water/Wastewater
The right of way to be vacated is the City's current service area for both water and wastewater. There are no public existing water mains and/or wastewater mains in the area to be vacated.

The Department finds that:

- The existing right-of-way to be vacated does not impact the existing water and wastewater utility configuration within and adjacent to this development.

- The existing right-of-way to be vacated is no longer necessary for public use and convenience.

Stormwater
The existing Second Street right-of-way conveys Stormwater runoff east to Lincoln Avenue. The existing right-of-way is being re-configured to function differently from a storm drainage perspective. Therefor the existing right-of-way is no longer necessary for the public use and conveyance of Stormwater.

Power
The subject area to be vacated is the City's current service area for power. Staff believes that this finding can be met due to the following:

- The existing right-of-way to be vacated does not negatively impact the existing power utility configuration within and adjacent to this development.

IX. RECOMMENDED CONDITIONS

The following conditions are being recommended by the DRT for inclusion in a Development Agreement that will be recorded in conjunction with the Loveland Eleventh Subdivision. These conditions represent City/Developer obligations relative to public/private improvements.

Current Planning:
1. Future Site Development Plans associated with a Hotel, Theater, or any permitted use within the Be - Established Central Business District located on Lot 1, Block 1 and Lot 2, Block 3 of the Loveland

Eleventh Subdivision shall be subject to Section 18.24.050 of the Loveland Municipal Code such that public hearing(s) with the Planning Commission will be required, regardless of whether or not criteria numbers 1, 2, and 3 apply.

2. The Metro District shall be responsible for maintaining all improvements located between building facades and edge of curb/gutter along all public rights-of-way depicted on the approved Foundry Site Development Plans. The Metro District shall be responsible for maintaining all improvements located within Outlots A and B of the Loveland Eleventh Subdivision. And, the Metro District shall be responsible for maintaining the portion of E. Third Street right-of-way as depicted on the approved Foundry Site Development Plan. Maintenance shall include but not be limited to pruning of all trees and shrubs, replacement of dead or dying plant materials, repair/replacement of damaged hard surfaces, repair/replacement of damaged irrigation systems, snow removal, trash clean-up, etc.

3. Streetscape improvements between building facade(s) and edge of curb/gutter along the south side of E. Second Street shall be designed/constructed in conjunction with development of a Hotel or any permitted use within the Be - Established Central Business District located on Lot 1, Block 1 of the Loveland Eleventh Subdivision.

4. All landscape and hardscape improvements located from the south edge of curb/gutter along E. Third Street and the north edge of curb/gutter along E. Second Street (north to south) AND the west edge of curb/gutter along N. Lincoln Avenue and the east edge of curb along N. Cleveland Avenue (east to west) shall be installed prior to or at the time of a Letter of Completion for either Lincoln or Cleveland Mixed-Use buildings as depicted on the approved Foundry Site Development Plan. Any landscape and/or hardscape improvements not installed at such time shall require escrow as specified in Title 16 of the Loveland Municipal Code.

5. For purposes of considering permitted freestanding or wall mounted signs, the premise of the Foundry shall be defined as the boundaries of the Loveland Eleventh Subdivision. All signs shall conform to the current City of Loveland design requirements including Design Guidelines for Downtown Loveland and/or Destination Downtown: HIP Streets Master Plan in effect at the time sign permits are submitted to the City for review/approval.

6. Trash/recycling/laundry/etc. shall be collected in designated loading/unloading areas. All deliveries to commercial and residential uses shall be made from designated loading/unloading areas. And, all moving activities shall occur in designated loading/unloading areas. Loading/unloading areas are depicted on the approved Foundry Site Development Plan. Such activities are prohibited to occur in any other locations within the public rights-of-way without City approval.

7. All service areas contained within the Mixed-Use buildings along N. Lincoln Avenue and N. Cleveland Avenue shall remain closed at all times except for trash/recycling/laundry/etc. collections.

8. All roof-top mechanical units, ground level mechanical units, and meters/electrical panels/boxes/conduit/wiring/etc. located on building facades shall be fully screened from public view. At the time of Letters of Completion for any building/structure depicted on the approved Foundry Site Development Plan, inspections will be performed by the City to assure proper screening. If full screening is not provided, the City shall reserve the right to require retrofitting.

Transportation:
1. All public improvements shall comply with the Larimer County Urban Area Street Standards (LCUASS) and any variances approved through the review process.

2. The developer agrees to acquire and dedicate, at no cost to the City, any rights-of-way necessary for the required street improvements associated with this development.

3. Prior to approval of the Public Improvement Construction Plans (PICP's), A CDOT Access Permit must be obtained for the emergency access on Lincoln Avenue adjacent to the development.

4. Prior to the issuance of any building permits within the Loveland Eleventh Subdivision, pursuant to the provisions in Section 16.40.010.B of the Loveland Municipal Code, the Developer shall design and construct the following public improvements unless already designed and constructed by others:

a) All public street improvements on North Lincoln Avenue, North Cleveland Avenue, East 2nd Street and East 3rd Street including roadway paving, curb & gutter, ramps and sidewalks as shown on the City approved Public Improvement Construction Plans titled The Foundry and The Foundry Hotel prepared by Interwest Consulting Group for the Loveland Eleventh Subdivision.

b) All final signing and striping as shown on the City approved Public Improvement Construction Plans titled The Foundry prepared by Interwest Consulting Group for the Loveland Eleventh Subdivision.

5. All improvements on East 2nd Street other than the standard asphalt pavement shall be maintained by the same Metro District established to maintain the Central Plaza area for The Foundry. Curb, gutter and sidewalk maintenance is the responsibility of the adjacent property owner on all public streets per City Municipal Code.

6. Prior to the issuance of a Certificate of Occupancy for any buildings within the Loveland Eleventh Subdivision with the exception of the parking garage structure on Second Street, the Westbound right turn lane on First Street at Lincoln Avenue must be constructed and accepted by the City for use by the public.

7. Prior to placement of any amenities within the Public Right-Of-Way for The Foundry Hotel, Loveland Eleventh Subdivision, the developer shall obtain a Revocable Encroachment Permit from the City Public Works Department. The Revocable Encroachment Permit allows special amenities such as furniture, railings, planter pots and structural overhangs etc...to be placed within the right-of-way under special conditions of the permit.

8. City signed Site Development Plans (including any associated Public Improvement Construction Plans), or the issuance of building permits, does not allow any construction within public street or alley rights-of-way or pedestrian easements. A separate City Development Construction Permit or Street right-of-way (ROW) Work Permit must be obtained by the Developer and/or his Contractor at the City Project Engineering office (and approved by Project Engineering) prior to any repair or construction of sidewalk, curb and gutter, driveway accesses, or any other construction in City street or alley rights-of-way or pedestrian easements, (this includes all items proposed in rights-of-way such as utility street cuts, sidewalk ramps, construction staging proposed in street, landscaping, traffic control, etc.). (Call 970-962-2510 to discuss details to obtain a ROW Work Permit).

9. Prior to the commencement of any construction activity that will involve any existing or proposed

street signs or traffic control devices for or within public street rights-of-way (ROW), the Developer and/or his Contractor shall contact the City Traffic Division at (970) 962-2535 to coordinate the removal, relocation, installation, and/or proper storing of the sign(s) or traffic control device(s) and obtain a ROW work permit from the City Public Works Engineering Division to do such work. However, if the Developer and/or his Contractor removes or relocates any existing street sign(s) or traffic control device(s) for or within the public ROW without first obtaining a ROW work permit from the City Public Works Division, then the contractor will be charged for the labor, materials, and equipment to reinstall the sign(s) or traffic control device(s) as deemed necessary by the City. The Developer and/or his Contractor will also be charged to replace any existing street signs or traffic control devices that were damaged or blemished during any construction activity as deemed necessary by the City. The Developer and/or his Contractor may also be subject to additional fines as per the Loveland Municipal Code.

10. All trees, shrubs, and other plant materials located within clear sight triangles shall be trimmed in accordance with the requirements of Section 7 of the Larimer County Urban Area Street Standards (LCUASS). Under current LCUASS requirements, trees shall be limbed to a height of not less than eight (8) feet and shrubs and other plant materials shall be maintained at a height of not more than thirty (30) inches, and said maintenance shall be conducted in perpetuity. Trees are also required to be kept limbed up a minimum of 8’ above all street sidewalks.

Water/Wastewater:

1. Prior to issuance of a Certificate of Occupancy for the Hotel, the Water and Wastewater Infrastructure shown on the Public Improvement Construction Plans for Loveland Eleventh Subdivision (the Foundry Parking Garage, Lincoln Mixed Use, Cleveland Mixed Use & Amenities) shall have received Initial Acceptance by the Water and Power Department.

Carl Walker

Date: December 19, 2016
To: Scott Ranweiler
Email: scott.ranweiler@brinkmanpartners.com
From: Bill Surna
Project #: N1-2016-262
Regarding: Shared Parking Analysis – Foundry Cleveland / Lincoln

---

This memo presents the findings of a Shared Parking Analysis for the proposed development in Loveland, CO. We reviewed the shared parking analysis that was previously prepared for the proposed development. The methodology and concepts used in the previously prepared analysis are nearly identical to our approach; both are based on the Urban Land Institute's methodology. Therefore, this memo will not include a description of the concepts and factors typically included in shared parking analysis.

The land uses in the proposed development have changed. Specifically, we understand that a 90 to 100-room hotel has replaced the office space in the previous analysis. Our understanding of the current plans for the development are:

Residential		**Retail**		
125	1.0 Bedroom Units	13,969	s.f.	Retail Space
2	1.5 Bedroom Units			
24	2.0 Bedroom Units	**Hotel (Leisure)**		
4	3.0 Bedroom Units	95		Rooms

Cinema	
625	Seats

Also from the previous report, we understand that a parking ratio of .70 spaces per bedroom has been negotiated with the City of Loveland for the residential parking demand. We used the .70 ratio for residential parking plus .10 per bedroom for visitors to residents.

We used our shared parking demand model, implementing the negotiated residential ratios, to estimate peak parking demand for the two following scenarios:

1. The residential parking would be open and shared (non-segregated) among all parking user groups.

2. The parking for residents, not including visitors to residents, would be segregated.

However, given the mix of land uses above, the reduction in the peak number of parking spaces due to sharing is limited. The reduction in the estimated peak demand occurs as demand generated from the retail stores during the evening declines while the demand generated by the cinema increases. The overall parking demand peaks in the evening, as does the demand generated by the residents and the hotel.

For these reasons, the estimated peak accumulation resulting from the shared parking calculations are identical for both scenarios. This memo illustrates the results of Scenario 1 (all spaces are shared); however, the estimated peak demand for both scenarios is 434 spaces.

PC ATTACHMENT 1

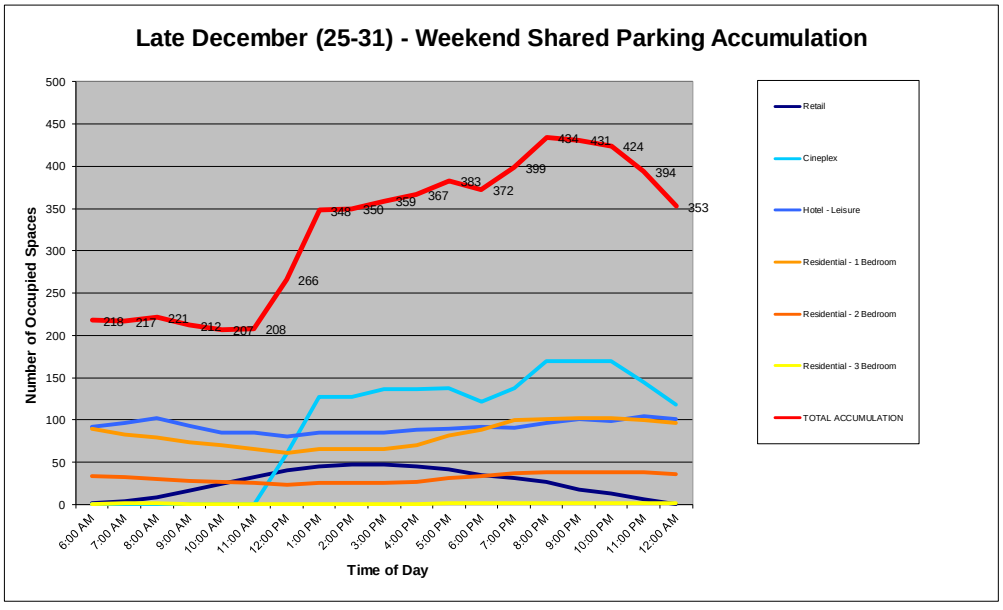
Scenario 1 – Non-segregated Shared Parking with Negotiated Residential Ratios

Table 1 shows the results from the shared parking model. The overall peak demand of 434 spaces is projected to occur during the holiday season in the evening on a weekend. The next highest estimated peak period of 421 spaces is projected to occur in July on a weekend. Figure 1 graphically portrays the projected accumulation pattern.

Table 1 – Shared Parking Model Results

	Peak Accumulation	Day/Month	Peak Hour
	277	Weekday - January	8:00 PM
	375	Weekend - January	9:00 PM
	278	Weekday - February	8:00 PM
	365	Weekend - February	9:00 PM
	280	Weekday - March	8:00 PM
	379	Weekend - March	9:00 PM
	278	Weekday - April	8:00 PM
	365	Weekend - April	9:00 PM
	280	Weekday - May	8:00 PM
	378	Weekend - May	9:00 PM
	300	Weekday - June	8:00 PM
	397	Weekend - June	9:00 PM
	323	Weekday - July	8:00 PM
	421	Weekend - July	9:00 PM
	306	Weekday - August	8:00 PM
	394	Weekend - August	8:00 PM
	254	Weekday - September	8:00 PM
	331	Weekend - September	8:00 PM
	254	Weekday - October	8:00 PM
	350	Weekend - October	8:00 PM
	269	Weekday - November	8:00 PM
	379	Weekend - November	8:00 PM
	257	Weekday - December	8:00 PM
	348	Weekend - December	8:00 PM
	371	Weekday - Late December (25-31)	8:00 PM
	434	Weekend - Late December (25-31)	8:00 PM
Peak Month	**434**	**Weekend - Late December (25-31)**	**8:00 PM**
Peak Base Demand	482		
Shared Parking Reduction	**48**		

Figure 1 – Annual Peak Shared Parking



PC ATTACHMENT 1

Foundry South Catalyst Project, Loveland

Traffic Impact Study

Prepared For:

Brinkman Partners
3528 Precision Drive, Suite 100
Fort Collins, CO 80528

Prepared By:

KELLAR ENGINEERING

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970.219.1602 phone



February 13, 2017

Sean K. Kellar, PE, PTOE

PC ATTACHMENT 2

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PC ATTACHMENT 2

1.0 Introduction

This Traffic Impact Study (TIS) is for the proposed South Catalyst Project in Downtown Loveland located between Cleveland Avenue and Lincoln Avenue; north of 1st Street and south of 4th Street. See Figure 1: Project Location. The purpose of this TIS is to identify project traffic generation characteristics, to identify potential traffic related impacts on the adjacent street system, and to develop mitigation measures required for identified traffic impacts.

Kellar Engineering LLC (KE) has prepared the TIS to document the results of anticipated traffic conditions in accordance with the Larimer County Urban Area Street Standards (LCUASS). The proposed development is anticipated to generate approximately 2,244 daily weekday trips, 211 AM peak hour trips, 289 PM peak hour trips, and 349 Saturday peak hour trips. See Table 1: Trip Generation.

2.0 Existing Conditions

The location of the project site is in Downtown Loveland located between Cleveland Avenue and Lincoln Avenue; north of 1st Street and south of 4th Street. The land uses in this area are mix of commercial, office, parking, and residential.

2.1 Existing Roadway Network

Primary access to the project area will be from 1st Street, Lincoln Avenue, and Cleveland Avenue. East/west traffic will use 1st Street, and north/south traffic will travel via Lincoln Avenue and Cleveland Avenue. 1st Street is an existing east/west 2-lane arterial with a posted speed of 30 mph adjacent to the project site. 1st Street currently has bike lanes, sidewalks, and two 12' wide thru lanes adjacent to the project site. 1st Street also has left-turn lanes at: Railroad Avenue, Cleveland Avenue, and Lincoln Avenue. 1st Street is classified as a 2-lane arterial between Lincoln Avenue and Washington Avenue and classified as a 4-lane arterial between Railroad Avenue and Lincoln Avenue on the 2035 Transportation Plan. Lincoln Avenue (US 287) is an existing northbound one-way street with a posted speed of 30 mph adjacent to the project site. Lincoln Avenue has two northbound thru lanes, on street parking, and sidewalks adjacent to the project site. US

287 is classified as a 6-lane arterial on the 2035 Transportation Plan where 3-lanes northbound is Lincoln Avenue and 3-lanes southbound is Cleveland Avenue. Cleveland Avenue (US 287) is an existing southbound one-way street with a posted speed of 30 mph adjacent to the project area. Cleveland Avenue has 3 southbound thru lanes from 4th Street to 3rd Street and 2 southbound thru lanes from 3rd Street to 1st Street. Cleveland Avenue has sidewalks on both sides of the street and a southbound right-turn lane and a southbound left-turn lane at 1st Street.

Figure 1: Project Location



Downtown Project Area

Project Area

Possible Additional Area

NOTE: All calculations were made using best available data and should be considered approximate.

City of Loveland

PC ATTACHMENT 2

Figure 2: Site Plan



PC ATTACHMENT 2

2.2 Existing Traffic Volumes

Existing peak hour traffic volume counts were conducted by All Traffic Data Services Inc. using Miovision data collection cameras at the ten study intersections on Thursday, January 14, 2016 and on Saturday, January 16, 2016. The counts were conducted during the peak hours of adjacent street traffic in 15-minute intervals from 7:00 AM to 9:00 AM and 4:00 PM to 6:00 PM on Thursday, 1/14/16 and in 15-minute intervals from 11:00 AM to 1:00 PM on Saturday, 1/16/16. These turning movement counts are shown in Figure 3 with the count sheets provided in Appendix A.

2.3 Existing Operation

The ten key intersections were evaluated using techniques provided in the 2010 Highway Capacity Manual. Using the recent peak hour traffic shown in Figure 3, the existing peak hour operation is shown in Table 3. Additionally, the appropriate Synchro outputs are provided in Appendix H. A description of the level of service (LOS) for signalized and unsignalized intersections from the 2010 Highway Capacity Manual and LCUASS Table 4-2 showing the City of Loveland's Motor Vehicle LOS Standards (Intersections) are also provided in Appendix D. The key intersections operate acceptably during the peak hours except for 1st/Railroad. The existing northbound shared thru/left lane operates at a LOS F which also causes the northbound approach to operate at LOS F during the weekday PM peak hour. The South Catalyst project does not contribute any traffic to this northbound left movement and therefore is not required to mitigate per LCUASS criteria.

2.4 Existing Pedestrian and Bicycle Facilities

All streets within and adjacent to the project area currently have sidewalks along both sides of the street. Bike lanes also exist on 1st Street adjacent to the project site. As the properties develop, the public streets are required to comply with the LCUASS requirements which require sidewalks along both sides of the public street and bike lanes along arterials.

2.5 Existing Transit Facilities

This area is currently served by the City of Loveland's Transit (COLT). COLT fixed routes 100, 200, and 300 currently serve the project area with stops at: 1st/Washington, 1st/Cleveland, and 5th/Cleveland. See Appendix E: Transit Map for route information.

3.0 Proposed Development

The proposed development is for a proposed mixed-use development located in Downtown Loveland located between Cleveland Avenue and Lincoln Avenue; north of 1st Street and south of 4th Street. See Figure 1: Project Location and Table 1: Trip Generation. The short range analysis year 2018 includes the proposed development for this project plus an increase in background traffic. The long range analysis year 2035 also includes the proposed development for the project plus an increase in background traffic. Future traffic growth rates were obtained from the North Front Range Metropolitan Planning Organization (NFRMPO) projections of approximately 2% per year growth.

3.1 Trip Generation

Site generated traffic estimates are determined through a process known as trip generation. Rates and equations are applied to the proposed land uses to estimate traffic generated by the development during a specific time interval. The acknowledged source for trip generation rates is the *Trip Generation Report* published by the Institute of Transportation Engineers (ITE). ITE has established trip generation rates in nationwide studies of similar land uses. For this study, KE used the *ITE 9th Edition Trip Generation Report* average trip rates. The Downtown South Catalyst Project is anticipated to generate approximately 2,244 daily weekday trips, 211 AM peak hour trips, 289 PM peak hour trips, and 349 Saturday peak hour trips Table 1 summarizes the estimated trip generation for the proposed development.

3.2 Trip Distribution

Distribution of site traffic on the street system was based on the area street system characteristics, existing traffic patterns and volumes, anticipated surrounding development areas, and the proposed access system for the project. The directional distribution of traffic is a means to quantify the percentage of site generated traffic that approaches the site from a given direction and departs the site back to the original source. Figure 4 illustrates the trip distribution used for the project's analysis.

3.3 Traffic Assignment

Traffic assignment was obtained by applying the trip distributions to the estimated trip generation of the development. Figure 5 shows the site generated peak hour traffic assignment.

3.4 Short Range Total Peak Hour Traffic

Site generated peak hour traffic volumes were added to the background traffic volumes to represent the estimated traffic conditions for the short range 2018 horizon. These background (2018) and short range (2018) total traffic volumes are shown in Figure 6 and Figure 7 respectively.

3.5 Long Range Total Peak Hour Traffic

Site generated peak hour traffic volumes were added to the background traffic volumes to represent the estimated traffic conditions for the long range 2035 horizon. These background (2035) and long range (2035) total traffic volumes are shown in Figure 8 and Figure 9 respectively.

4.0 Traffic Operation Analysis

KE's analysis of traffic operations in the site vicinity was conducted to determine the capacity at the identified intersections. The acknowledged source for determining overall capacity is the 2010 Edition of the Highway Capacity Manual.

4.1 Analysis Methodology

Capacity analysis results are listed in terms of level of service (LOS). LOS is a qualitative term describing operating conditions a driver will experience while traveling on a particular street or highway during a specific time interval. LOS ranges from an A (very little delay) to an F (long delays). A description of the level of service (LOS) for signalized and unsignalized intersections from the 2010 Highway Capacity Manual and a table showing the City of Loveland's Motor Vehicle LOS Standards (Intersections) are also provided in Appendix D.

4.2 Intersection Operational Analysis

Operational analysis was performed for the ten key intersections and the proposed parking garage access for the short range 2018 horizon and the long range 2035 horizon. The calculations for this analysis are provided in Appendix H. Using the short range traffic volumes and the existing lane geometry and intersection control; eight of the ten studied intersections are projected to operate acceptably and meet the LOS requirements for the City of Loveland. However, the following two intersections are anticipated to not meet LOS requirements at time of full project build-out during the 2018 Short Range Total weekday PM peak hour: 1st/Railroad and 1st/Washington. The northbound shared thru/left lane at 1st/Railroad is projected to operate at a LOS F; causing the northbound approach to operate at LOS F during the weekday PM peak hour. Additionally, 1st/Washington is projected to operate at LOS E overall during the weekday PM peak hour from the delay on the southbound and northbound approaches. See Table 4. However, because the South Catalyst project contributes less than two percent of the traffic volume to the movements which do not meet the ACF delay standard, per LCUASS 4.5.1.D, the South Catalyst project is not required to mitigate. The South Catalyst project does not contribute any traffic to the northbound left movement at 1st/Railroad nor does it contribute anything above nominal traffic volumes to the north and south legs at 1st/Washington. Therefore the project is not required to mitigate these intersections in order to comply with LCUASS criteria. It is however recommended that both of these intersections are monitored by the City in the long range future.

Per the Manual on Uniform Traffic Control Devices (MUTCD), traffic signals are not to be installed until signal warrants are met. It is not anticipated that signal warrants will be met at the stop controlled key intersections. Additionally, the existing stop controlled intersections do not meet recommended spacing for traffic signal installations.

Per Figure 8-4 of the Larimer County Urban Area Street Standards (LCUASS), additional right-turn lanes are not warranted at the studied intersections. A westbound to northbound right-turn lane at 1st/Lincoln is not projected to be warranted in the studied peak hours for the short range total 2018 horizon. However, this study found that adding a westbound right-turn lane at this intersection would help relieve some of the

westbound queue at 1st/Lincoln during the PM peak hour. This westbound right-turn lane will allow traffic traveling to the project site to utilize the right-turn lane and not impact westbound thru traffic at the 1st Street/Lincoln Avenue intersection. This westbound right-turn lane should have a minimum storage length of 150 feet. See Synchro outputs in Appendix H for the HCM calculations.

4.3 Adequate Community Facilities (ACF) Ordinance Criteria Link Volumes

The 2018 short range total peak hour link volumes were compared with the ACF Traffic Thresholds in Table 2 to verify that the streets within the project area meet the link volume criteria in the Adequate Community Facilities (ACF) Ordinance. As shown in Table 2, the street links will meet the ACF Ordinance criteria for year 2018 total traffic.

4.4 Service Accesses

The project is also proposing two services accesses (one on Cleveland Avenue and one on Lincoln Avenue) to service the proposed buildings. These service accesses will not be for vehicular access but for authorized operations only. The services are expected to house trash/recycling and grease interceptors. These services are anticipated to occur during off-peak hours (4:00 AM to 6:00 AM) with low volume traffic. See exhibit in Appendix G.

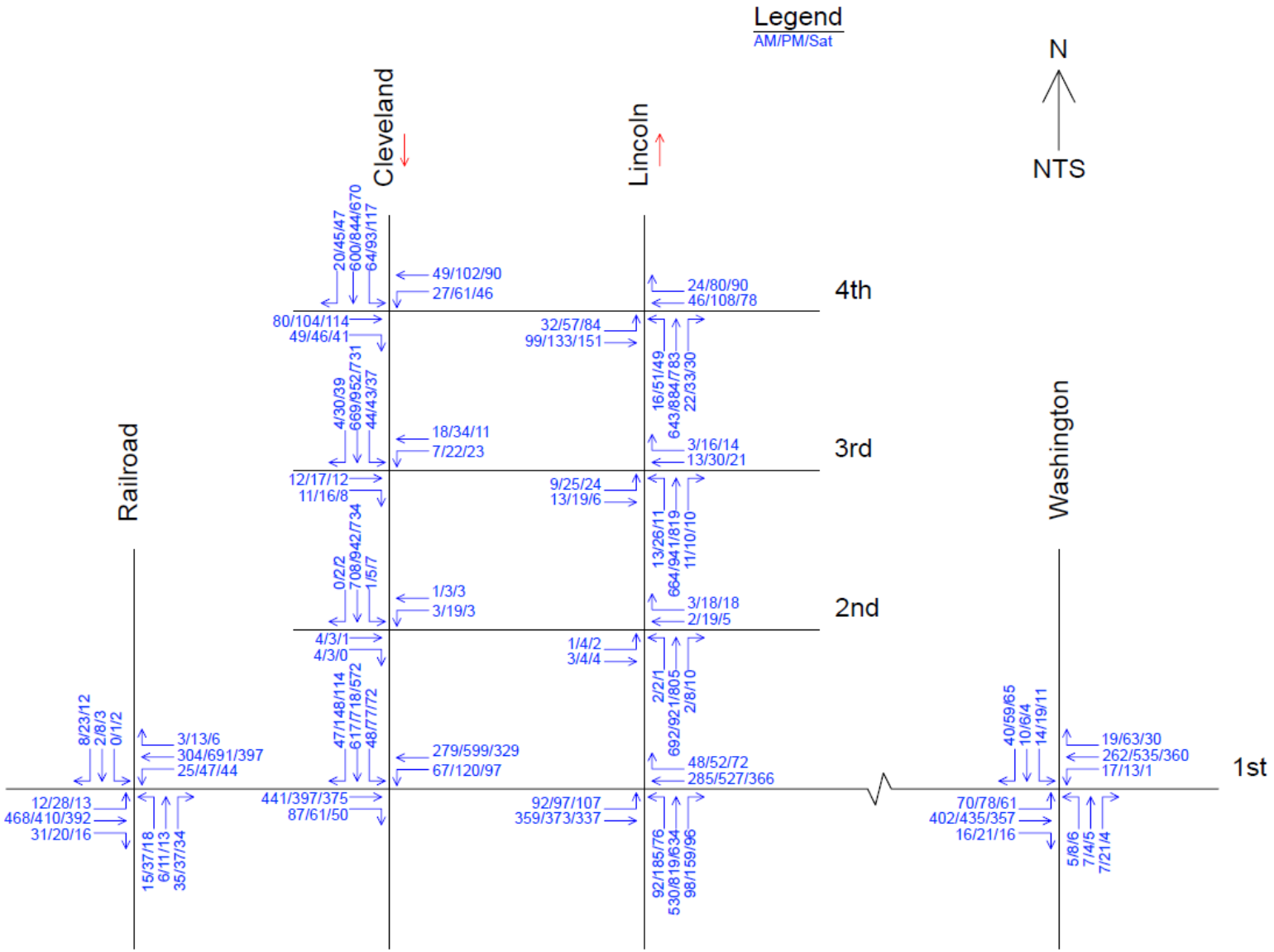
Table 1: Trip Generation (ITE Trip Generation, 9th Edition)

ITE Code	Land Use		Average Daily Trips		AM Peak Hour Trips						PM Peak Hour Trips						Saturday Peak Hour Trips		
		Size	Rate	Total	Rate	% In	In	% Out	Out	Total	Rate	% In	In	% Out	Out	Total	In	Out	Total
310	Hotel	100 Rooms	8.17	817	0.53	59%	31	41%	22	53	0.60	51%	31	49%	29	60	41	32	73
220	Apartments	140 DU	6.65	931	0.51	20%	14	80%	57	71	0.62	65%	57	35%	30	87	33	33	66
826	Retail	15 KSF	44.32	665	6.84	48%	49	52%	54	103	2.71	44%	18	56%	23	41	59	59	118
445	Movie Theater	25 KSF	NA	NA	NA	NA	NA	NA	NA	NA	4.91	62%	76	38%	47	123	89	29	118
Subtotal				2,413			94		133	227			182		129	311	222	153	375
7% Internal Capture				169			7		9	16			13		9	22	16	11	26
Total				**2,244**			**87**		**124**	**211**			**169**		**120**	**289**	**206**	**142**	**349**

DU = Dwelling Units
KSF = Thousand Square Feet
N/A = Not Applicable. Information not provided in ITE Trip Generation
*Parking Structures do not have ITE Trip Generation Rates but are considered ancillary uses to support the trips associated with the overall development

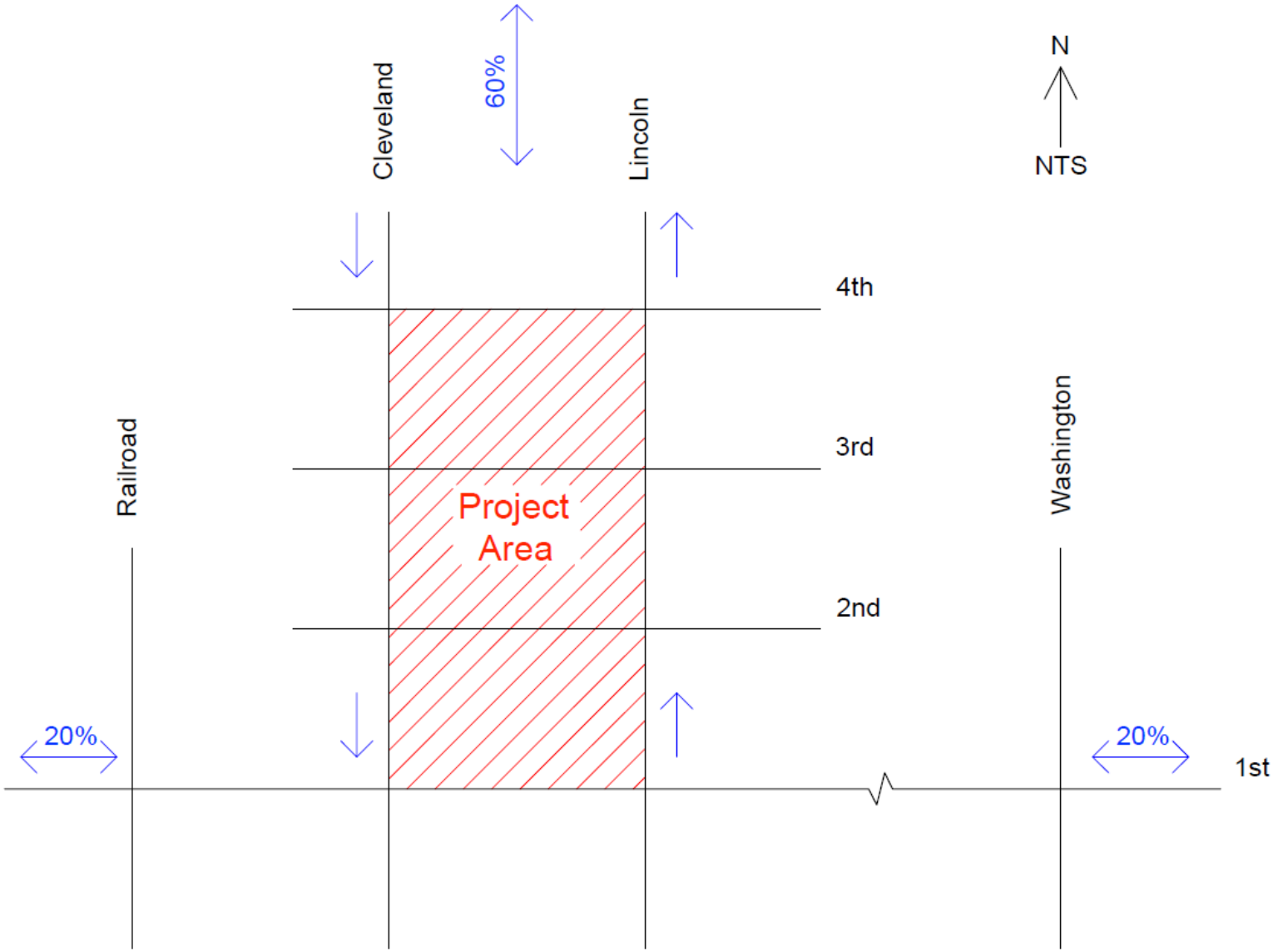
PC ATTACHMENT 2

Figure 3: Recent Peak Hour Traffic



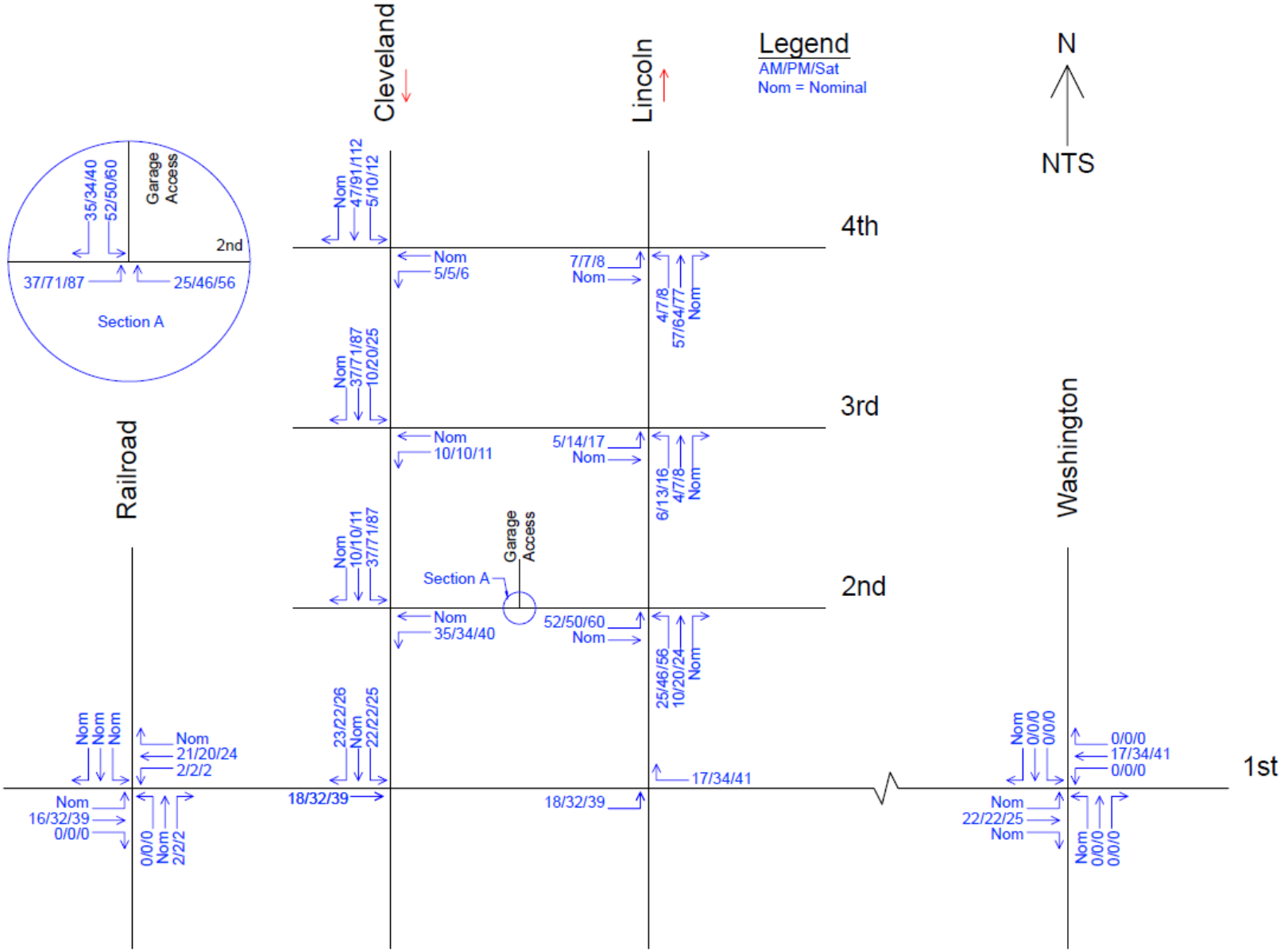
PC ATTACHMENT 2

Figure 4: Trip Distribution



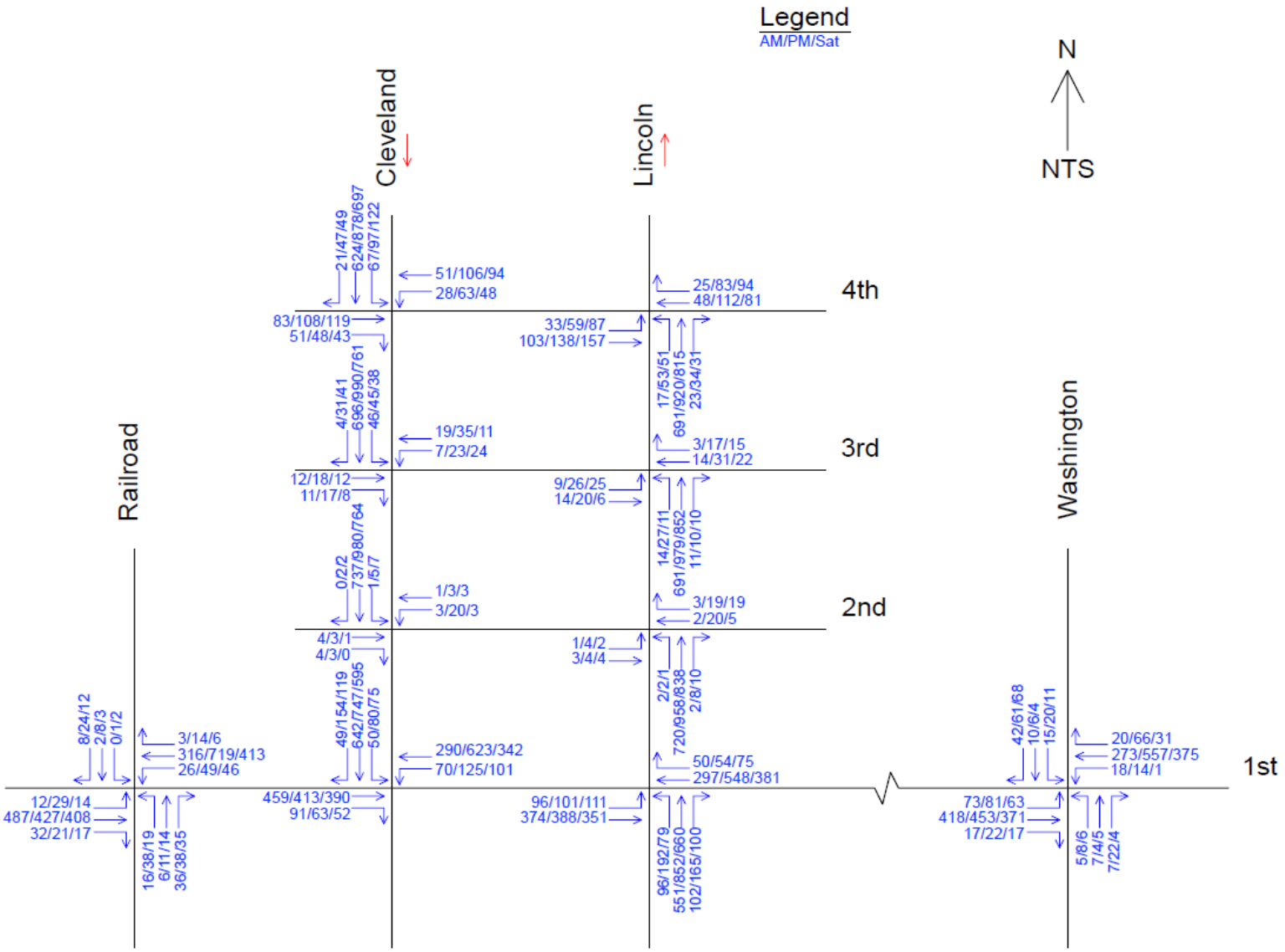
PC ATTACHMENT 2

Figure 5: Site Generated Peak Hour Traffic



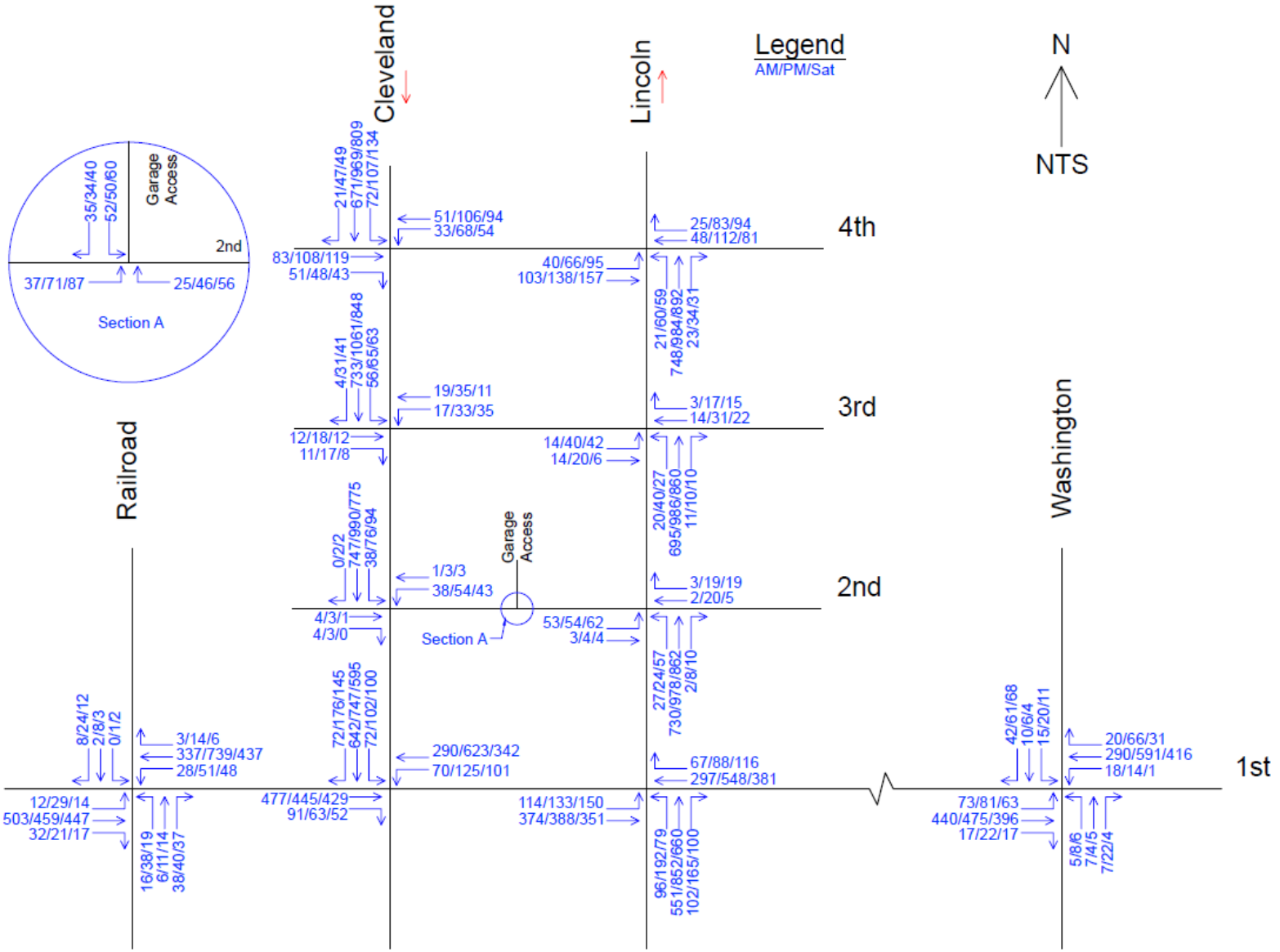
PC ATTACHMENT 2

Figure 6: 2018 Background Peak Hour Traffic



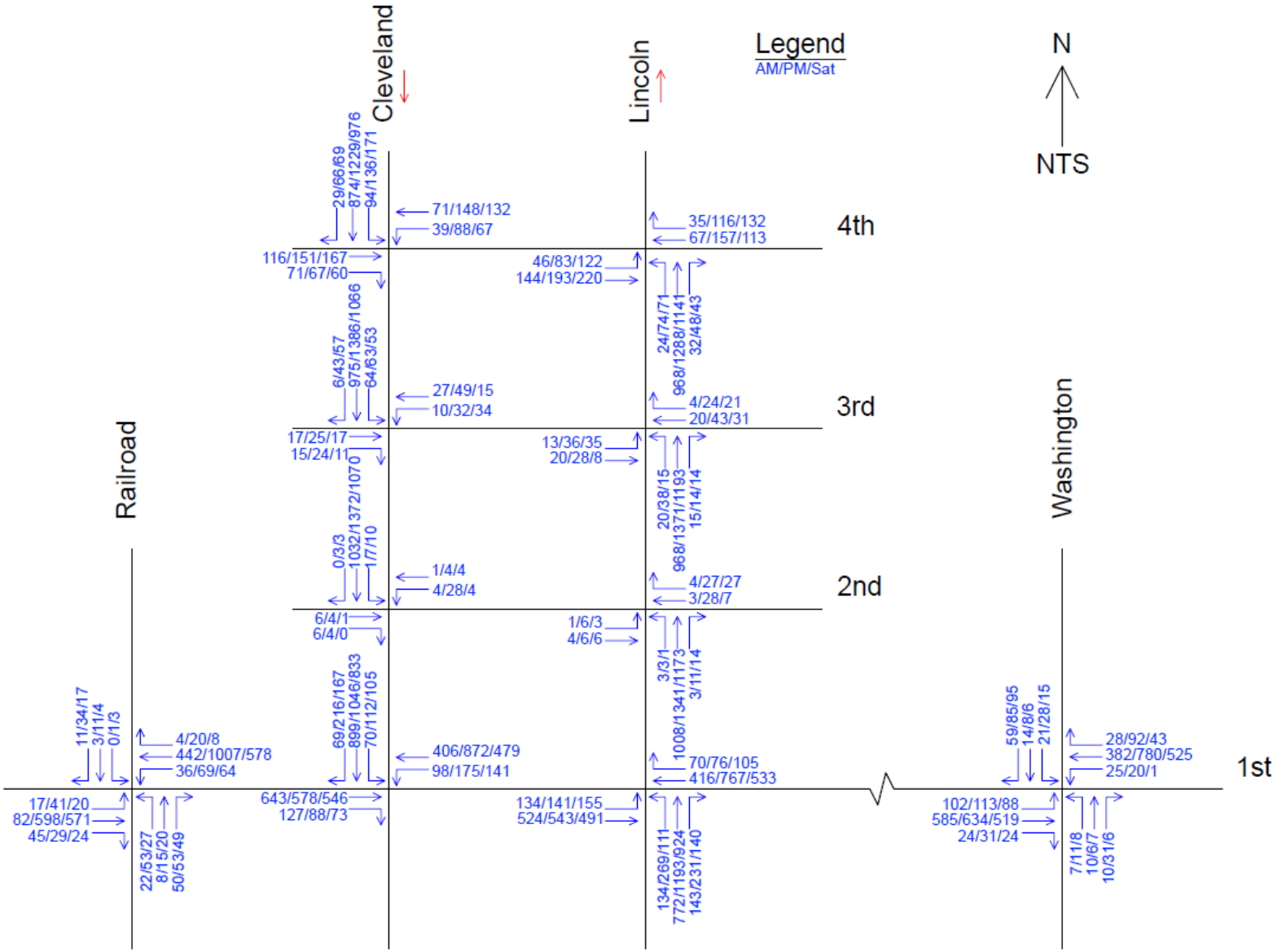
PC ATTACHMENT 2

Figure 7: 2018 Short Range Total Peak Hour Traffic



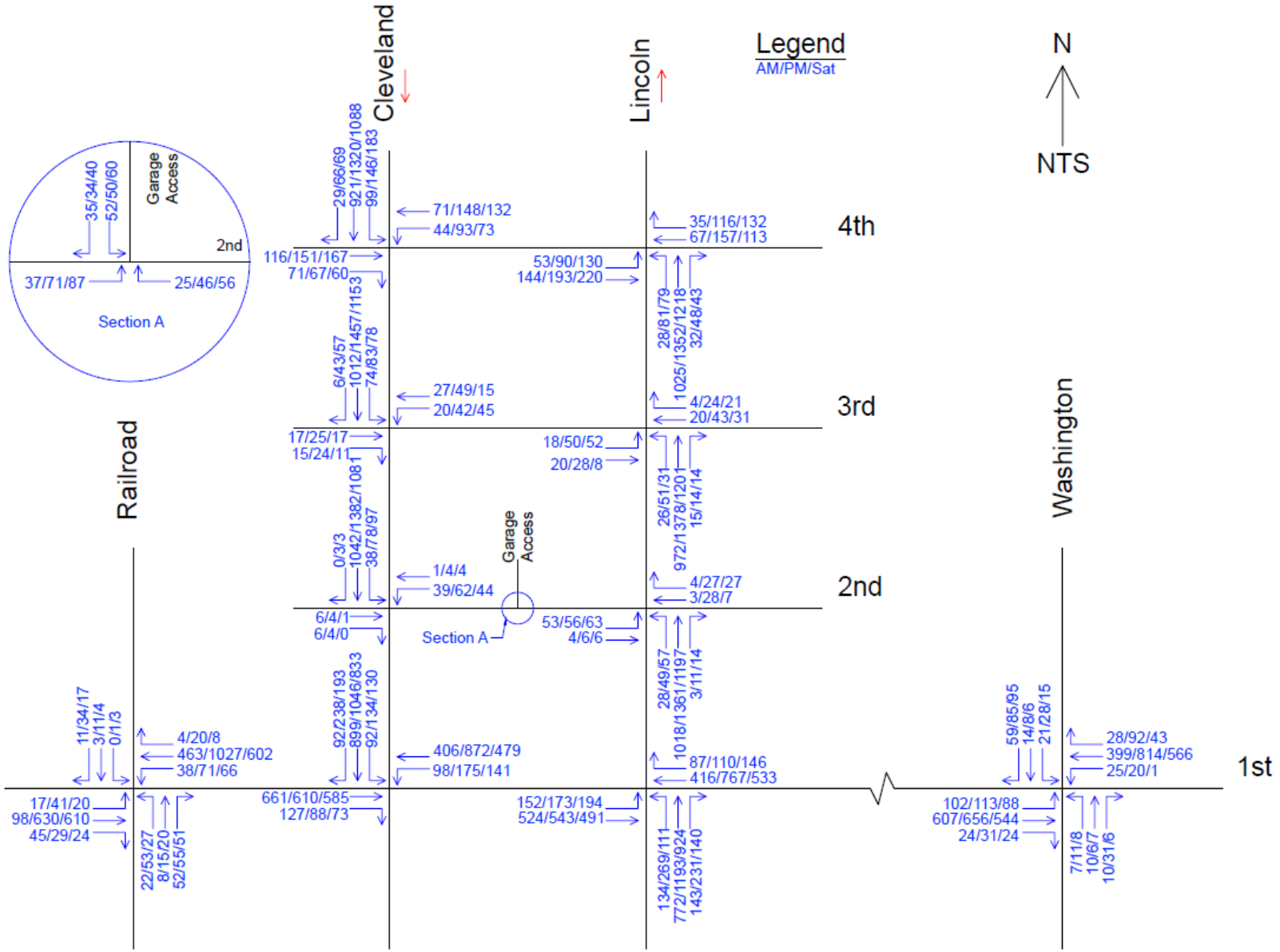
PC ATTACHMENT 2

Figure 8: 2035 Background Peak Hour Traffic



PC ATTACHMENT 2

Figure 9: 2035 Long Range Total Peak Hour Traffic



PC ATTACHMENT 2

Table 2: 2018 Short Range and 2035 Long Range Peak Hour Link Volumes

Street Segment	Direction	Existing Traffic Volume AM/PM/Sat	Date of Traffic Counts	2018 Background Traffic	2035 Background Traffic	Site Generated Traffic	2018 Total Traffic AM/PM/Sat	2035 Total Traffic AM/PM/Sat	ACF Traffic Threshold	Year 2018 ACF Compliance
Lincoln - 1st St. to 2nd St.	NB	696/931/816	Jan. 2016	724/969/849	1014/1356/1189	35/66/80	759/1035/929	1049/1422/1269	1620	Y/Y/Y
										Y/Y/Y
Lincoln - 2nd St. to 3rd St.	NB	688/977/840	Jan. 2016	716/1016/874	1002/1423/1224	10/20/24	726/1036/898	1012/1443/1248	1620	Y/Y/Y
										Y/Y/Y
Lincoln - 3rd St. to 4th St.	NB	681/968/862	Jan. 2016	709/1007/897	992/1410/1256	61/71/85	770/1078/982	1053/1481/1341	1620	Y/Y/Y
										Y/Y/Y
Cleveland - 4th St. to 3rd St.	SB	717/1025/807	Jan. 2016	746/1066/840	1045/1493/1176	47/91/112	793/1157/952	1092/1584/1288	2520	Y/Y/Y
										Y/Y/Y
Cleveland - 3rd St. to 2nd St.	SB	709/949/743	Jan. 2016	738/987/773	1033/1383/1082	14/81/98	752/1068/871	1047/1464/1180	1640	Y/Y/Y
										Y/Y/Y
Cleveland - 2nd St. to 1st St.	SB	712/943/758	Jan. 2016	741/981/789	1037/1374/1104	45/44/51	786/1025/840	1082/1418/1155	1640	Y/Y/Y
										Y/Y/Y
1st St. - Railroad to Cleveland	EB	528/458/425	Jan. 2016	549/477/442	769/667/619	18/32/39	567/509/481	787/699/658	810	Y/Y/Y
	WB	332/751/447	Jan. 2016	345/781/465	484/1094/651	23/22/26	368/803/491	507/1116/677	810	Y/Y/Y
1st St. - Cleveland to Lincoln	EB	451/470/444	Jan. 2016	469/489/462	657/685/647	18/32/39	487/521/501	675/717/686	810	Y/Y/Y
	WB	346/719/426	Jan. 2016	360/748/443	504/1047/621	Nom	360/748/443	504/1047/621	810	Y/Y/Y
1st St. - Lincoln to Jefferson	EB	457/532/433	Jan. 2016	475/553/450	667/775/631	22/22/25	497/575/475	689/797/656	810	Y/Y/Y
	WB	333/579/438	Jan. 2016	346/602/456	485/843/638	17/34/41	363/636/497	502/877/679	810	Y/Y/Y
1st St. - Jefferson to Washington	EB	488/534/434	Jan. 2016	508/556/452	711/778/632	22/22/25	530/578/477	733/800/657	695	Y/Y/Y
	WB	307/602/431	Jan. 2016	319/626/448	447/877/628	17/34/41	336/660/489	464/911/669	695	Y/Y/Y
4th Street - Cleveland to Lincoln	EB	131/190/235	Jan. 2016	136/198/244	191/277/342	7/7/8	143/205/252	198/284/350	505	Y/Y/Y
	WB	76/163/136	Jan. 2016	79/170/141	111/237/198	5/5/6	84/175/147	116/242/204	505	Y/Y/Y
3rd Street - Cleveland to Lincoln	EB	22/44/30	Jan. 2016	23/46/31	32/64/44	5/14/17	28/60/48	37/78/61	340	Y/Y/Y
	WB	25/56/34	Jan. 2016	26/58/35	36/82/50	10/10/11	36/68/46	46/92/61	340	Y/Y/Y
2nd Street - Cleveland to Lincoln	EB	4/8/6	Jan. 2016	4/8/6	6/12/9	52/50/60	56/58/66	58/62/69	340	Y/Y/Y
	WB	4/22/6	Jan. 2016	4/23/6	6/32/9	35/34/40	39/57/49	41/66/49	340	Y/Y/Y

Table 3: Existing Peak Hour Operation

Intersection	Movement	Level of Service (LOS)		
		AM	PM	Saturday
		LOS	LOS	LOS
1st/Cleveland	EB Thru/Right	C	C	C
	EB Approach	C	C	C
	WB Left	B	B	B
	WB Thru	A	A	A
	WB Approach	A	A	A
	SB Left	C	C	C
	SB Thru	C	C	C
	SB Right	C	C	C
	SB Approach	C	C	C
	Overall	C	B	C

Intersection	Movement	Level of Service (LOS)		
		AM	PM	Saturday
		LOS	LOS	LOS
1st/Lincoln	EB Left	B	B	B
	EB Thru	A	A	A
	EB Approach	B	A	B
	WB Thru/Right	C	D	C
	WB Approach	C	D	C
	NB Thru/Left	B	C	B
	NB Right	B	B	B
	NB Approach	B	C	B
	Overall	B	C	B

Table 3: Existing Peak Hour Operation (continued)

Intersection	Movement	Level of Service (LOS)		
		AM	PM	Saturday
		LOS	LOS	LOS
1st/Railroad	EB Left	A	A	A
	EB Thru/Right	A	A	A
	EB Approach	A	A	A
	WB Left	A	A	A
	WB Thru	A	A	A
	WB Right	A	A	A
	WB Approach	A	A	A
	NB Thru/Left	C	F	D
	NB Right	B	B	B
	NB Approach	C	F	C
	SB Thru/Left	C	E	D
	SB Right	B	B	B
	SB Approach	B	C	C
	Overall	A	B	A

Intersection	Movement	Level of Service (LOS)		
		AM	PM	Saturday
		LOS	LOS	LOS
1st/Washington	EB Thru/Left/Right	A	A	A
	EB Approach	A	A	A
	WB Thru/Left/Right	A	A	A
	WB Approach	A	A	A
	NB Thru/Left/Right	C	C	C
	NB Approach	C	C	C
	SB Thru/Left/Right	C	D	C
	SB Approach	C	D	C
	Overall	B	D	B

Intersection	Movement	Level of Service (LOS)		
		AM	PM	Saturday
		LOS	LOS	LOS
2nd/Cleveland	EB Thru/Right	B	C	C
	EB Approach	B	C	C
	WB Thru/Left	B	C	C
	WB Approach	B	C	C
	SB Thru/Left/Right	A	A	A
	SB Approach	A	A	A
	Overall	A	A	A

Table 3: Existing Peak Hour Operation (continued)

Intersection	Movement	Level of Service (LOS)		
		AM	PM	Saturday
		LOS	LOS	LOS
2nd/Lincoln	EB Thru/Left	B	C	C
	EB Approach	B	C	C
	WB Thru/Right	B	C	B
	WB Approach	B	C	B
	NB Thru/Left/Right	A	A	A
	NB Approach	A	A	A
	Overall	A	A	A

Intersection	Movement	Level of Service (LOS)		
		AM	PM	Saturday
		LOS	LOS	LOS
3rd/Cleveland	EB Thru/Right	B	C	C
	EB Approach	B	C	C
	WB Thru/Left	C	C	B
	WB Approach	C	C	B
	SB Thru/Left/Right	A	A	A
	SB Approach	A	A	A
	Overall	A	A	A

Intersection	Movement	Level of Service (LOS)		
		AM	PM	Saturday
		LOS	LOS	LOS
3rd/Lincoln	EB Thru/Left	B	C	C
	EB Approach	B	C	C
	WB Thru/Right	B	C	C
	WB Approach	B	C	C
	NB Thru/Left/Right	A	A	A
	NB Approach	A	A	A
	Overall	A	A	A

Table 3: Existing Peak Hour Operation (continued)

Intersection	Movement	Level of Service (LOS)		
		AM	PM	Saturday
		LOS	LOS	LOS
4th/Cleveland	EB Thru/Right	D	C	C
	EB Approach	D	C	C
	WB Thru/Left	C	C	C
	WB Approach	C	C	C
	SB Thru/Left/Right	A	A	A
	SB Approach	A	A	A
	Overall	B	B	B

Intersection	Movement	Level of Service (LOS)		
		AM	PM	Saturday
		LOS	LOS	LOS
4th/Lincoln	EB Thru/Left	A	B	B
	EB Approach	A	B	B
	WB Thru/Right	B	C	C
	WB Approach	B	C	C
	NB Thru/Left/Right	C	C	C
	NB Approach	C	C	C
	Overall	B	C	C

Table 4: 2018 Short Range Total Peak Hour Operation

Intersection	Movement	Level of Service (LOS)			ACF Compliance
		AM	PM	Saturday	
		LOS	LOS	LOS	
1st/Cleveland	EB Thru/Right	D	C	C	Y
	EB Approach	D	C	C	Y
	WB Left	B	B	B	Y
	WB Thru	A	C	A	Y
	WB Approach	A	B	A	Y
	SB Left	B	B	B	Y
	SB Thru	C	C	C	Y
	SB Right	B	C	C	Y
	SB Approach	C	C	C	Y
	Overall	C	C	B	Y

Intersection	Movement	Level of Service (LOS)			ACF Compliance
		AM	PM	Saturday	
		LOS	LOS	LOS	
1st/Lincoln	EB Left	B	B	B	Y
	EB Thru	B	B	A	Y
	EB Approach	B	B	A	Y
	WB Thru	C	D	C	Y
	WB Right	B	B	C	Y
	WB Approach	C	C	C	Y
	NB Thru/Left	B	C	B	Y
	NB Right	A	B	B	Y
	NB Approach	B	C	B	Y
	Overall	B	C	B	Y

Intersection	Movement	Level of Service (LOS)			ACF Compliance
		AM	PM	Saturday	
		LOS	LOS	LOS	
2nd/Garage Access	EB Thru/Left	A	A	A	Y
	EB Approach	A	A	A	Y
	WB Thru/Right	A	A	A	Y
	WB Approach	A	A	A	Y
	SB Left/Right	A	B	B	Y
	SB Approach	A	B	B	Y
	Overall	A	A	A	Y

Table 4: 2018 Short Range Total Peak Hour Operation (continued)

Intersection	Movement	Level of Service (LOS)			ACF Compliance
		AM	PM	Saturday	
		LOS	LOS	LOS	
1st/Railroad	EB Left	A	A	A	Y
	EB Thru/Right	A	A	A	Y
	EB Approach	A	A	A	Y
	WB Left	A	A	A	Y
	WB Thru	A	A	A	Y
	WB Right	A	A	A	Y
	WB Approach	A	A	A	Y
	NB Thru/Left	D	F	E	See 4.2 Page 11
	NB Right	B	B	B	Y
	NB Approach	C	F	C	See 4.2 Page 11
	SB Thru/Left	C	E	D	Y
	SB Right	B	C	B	Y
	SB Approach	B	C	C	Y
	Overall	A	B	A	Y

Intersection	Movement	Level of Service (LOS)			ACF Compliance
		AM	PM	Saturday	
		LOS	LOS	LOS	
1st/Washington	EB Thru/Left/Right	A	A	A	Y
	EB Approach	A	A	A	Y
	WB Thru/Left/Right	A	A	A	Y
	WB Approach	A	A	A	Y
	NB Thru/Left/Right	C	D	D	Y
	NB Approach	C	D	D	Y
	SB Thru/Left/Right	C	E	C	Y
	SB Approach	C	E	C	See 4.2 Page 11
	Overall	B	E	C	See 4.2 Page 11

Intersection	Movement	Level of Service (LOS)			ACF Compliance
		AM	PM	Saturday	
		LOS	LOS	LOS	
2nd/Cleveland	EB Thru/Right	C	C	C	Y
	EB Approach	C	C	C	Y
	WB Thru/Left	B	C	C	Y
	WB Approach	B	C	C	Y
	SB Thru/Left/Right	A	A	A	Y
	SB Approach	A	A	A	Y
	Overall	A	A	A	Y

Table 4: 2018 Short Range Total Peak Hour Operation (continued)

Intersection	Movement	Level of Service (LOS)			ACF Compliance
		AM	PM	Saturday	
		LOS	LOS	LOS	
2nd/Lincoln	EB Thru/Left	B	C	C	Y
	EB Approach	B	C	C	Y
	WB Thru/Right	B	C	B	Y
	WB Approach	B	C	B	Y
	NB Thru/Left/Right	A	A	A	Y
	NB Approach	A	A	A	Y
	Overall	A	A	A	Y

Intersection	Movement	Level of Service (LOS)			ACF Compliance
		AM	PM	Saturday	
		LOS	LOS	LOS	
3rd/Cleveland	EB Thru/Right	C	C	C	Y
	EB Approach	C	C	C	Y
	WB Thru/Left	C	D	C	Y
	WB Approach	C	D	C	Y
	SB Thru/Left/Right	A	A	A	Y
	SB Approach	A	A	A	Y
	Overall	A	A	A	Y

Intersection	Movement	Level of Service (LOS)			ACF Compliance
		AM	PM	Saturday	
		LOS	LOS	LOS	
3rd/Lincoln	EB Thru/Left	B	C	C	Y
	EB Approach	B	C	C	Y
	WB Thru/Right	C	C	C	Y
	WB Approach	C	C	C	Y
	NB Thru/Left/Right	A	A	A	Y
	NB Approach	A	A	A	Y
	Overall	A	A	A	Y

Table 4: 2018 Short Range Total Peak Hour Operation (continued)

Intersection	Movement	Level of Service (LOS)			ACF Compliance
		AM	PM	Saturday	
		LOS	LOS	LOS	
4th/Cleveland	EB Thru/Right	C	C	C	Y
	EB Approach	C	C	C	Y
	WB Thru/Left	C	C	B	Y
	WB Approach	C	C	B	Y
	SB Thru/Left/Right	A	A	A	Y
	SB Approach	A	A	A	Y
	Overall	A	A	A	Y

Intersection	Movement	Level of Service (LOS)			ACF Compliance
		AM	PM	Saturday	
		LOS	LOS	LOS	
4th/Lincoln	EB Thru/Left	C	B	A	Y
	EB Approach	C	B	A	Y
	WB Thru/Right	C	C	B	Y
	WB Approach	C	C	B	Y
	NB Thru/Left/Right	A	A	C	Y
	NB Approach	A	A	C	Y
	Overall	A	B	B	Y

Table 5: 2035 Long Range Total Peak Hour Operation

Intersection	Movement	Level of Service (LOS)		
		AM	PM	Saturday
		LOS	LOS	LOS
1st/Cleveland	EB Thru/Right	D	D	D
	EB Approach	D	D	D
	WB Left	B	B	B
	WB Thru	B	B	B
	WB Approach	B	B	B
	SB Left	C	B	B
	SB Thru	D	D	C
	SB Right	C	C	A
	SB Approach	C	C	C
	Overall	C	C	C

Intersection	Movement	Level of Service (LOS)		
		AM	PM	Saturday
		LOS	LOS	LOS
1st/Lincoln	EB Left	B	F	B
	EB Thru	B	B	B
	EB Approach	B	C	B
	WB Thru	C	F	C
	WB Right	C	B	B
	WB Approach	C	F	C
	NB Thru/Left	B	E	C
	NB Right	A	C	B
	NB Approach	B	E	C
	Overall	B	E	C

Intersection	Movement	Level of Service (LOS)		
		AM	PM	Saturday
		LOS	LOS	LOS
2nd/Garage Access	EB Thru/Left	A	A	A
	EB Approach	A	A	A
	WB Thru/Right	A	A	A
	WB Approach	A	A	A
	SB Left/Right	A	B	B
	SB Approach	A	B	B
	Overall	A	A	A

Table 5: 2035 Long Range Total Peak Hour Operation (continued)

Intersection	Movement	Level of Service (LOS)		
		AM	PM	Saturday
		LOS	LOS	LOS
1st/Railroad	EB Left	A	B	A
	EB Thru/Right	A	A	A
	EB Approach	A	A	A
	WB Left	A	A	A
	WB Thru	A	A	A
	WB Right	A	A	A
	WB Approach	A	A	A
	NB Thru/Left	C	F	F
	NB Right	A	B	B
	NB Approach	B	F	E
	SB Thru/Left	C	F	E
	SB Right	B	C	B
	SB Approach	B	E	C
	Overall	A	D	B

Intersection	Movement	Level of Service (LOS)		
		AM	PM	Saturday
		LOS	LOS	LOS
1st/Washington	EB Thru/Left/Right	A	A	A
	EB Approach	A	A	A
	WB Thru/Left/Right	A	A	A
	WB Approach	A	A	A
	NB Thru/Left/Right	E	F	E
	NB Approach	E	F	E
	SB Thru/Left/Right	D	F	D
	SB Approach	D	F	D
	Overall	D	F	E

Intersection	Movement	Level of Service (LOS)		
		AM	PM	Saturday
		LOS	LOS	LOS
2nd/Cleveland	EB Thru/Right	C	D	D
	EB Approach	C	D	D
	WB Thru/Left	C	D	C
	WB Approach	C	D	C
	SB Thru/Left/Right	A	A	A
	SB Approach	A	A	A
	Overall	A	B	A

Table 5: 2035 Long Range Total Peak Hour Operation (continued)

Intersection	Movement	Level of Service (LOS)		
		AM	PM	Saturday
		LOS	LOS	LOS
2nd/Lincoln	EB Thru/Left	C	E	D
	EB Approach	C	E	D
	WB Thru/Right	C	E	C
	WB Approach	C	E	C
	NB Thru/Left/Right	A	A	A
	NB Approach	A	A	A
	Overall	A	B	A

Intersection	Movement	Level of Service (LOS)		
		AM	PM	Saturday
		LOS	LOS	LOS
3rd/Cleveland	EB Thru/Right	C	E	D
	EB Approach	C	E	D
	WB Thru/Left	C	F	C
	WB Approach	C	F	C
	SB Thru/Left/Right	A	A	A
	SB Approach	A	A	A
	Overall	A	A	A

Intersection	Movement	Level of Service (LOS)		
		AM	PM	Saturday
		LOS	LOS	LOS
3rd/Lincoln	EB Thru/Left	C	F	D
	EB Approach	C	F	D
	WB Thru/Right	C	E	D
	WB Approach	C	E	D
	NB Thru/Left/Right	A	A	A
	NB Approach	A	A	A
	Overall	A	B	A

Table 5: 2035 Long Range Total Peak Hour Operation (continued)

Intersection	Movement	Level of Service (LOS)		
		AM	PM	Saturday
		LOS	LOS	LOS
4th/Cleveland	EB Thru/Right	C	B	C
	EB Approach	C	B	C
	WB Thru/Left	C	B	B
	WB Approach	C	B	B
	SB Thru/Left/Right	A	A	A
	SB Approach	A	A	A
	Overall	A	B	B

Intersection	Movement	Level of Service (LOS)		
		AM	PM	Saturday
		LOS	LOS	LOS
4th/Lincoln	EB Thru/Left	A	B	B
	EB Approach	A	B	B
	WB Thru/Right	B	B	B
	WB Approach	B	B	B
	NB Thru/Left/Right	C	B	B
	NB Approach	C	B	B
	Overall	B	B	B

Note: Per City of Loveland requirements, ACF compliance does not apply to year 2035 Long Range Analysis. ACF compliance only applies to the year 2018 Short Range Analysis.

5.0 Multimodal Transportation Facilities

As cities continue to grow and become more urban, the emphasis upon all modes of transportation becomes more important. The following sections address the pedestrian, bicycle, and transit facilities that will be available in the vicinity of the project site.

5.1 Pedestrian and Bicycle Facilities

All streets within and adjacent to the project area currently have sidewalks along both sides of the street. Bike lanes also exist on 1st Street adjacent to the project site. As the project develops, the public streets will be required to comply with the LCUASS requirements which require sidewalks along both sides of the public street and bike lanes along arterials. Additionally, future development of the project area will be focused on providing complete streets and adequate pedestrian circulation throughout the project site and pedestrian connectivity to Downtown Loveland.

5.2 Transit Facilities

This area is served by the City of Loveland's Transit (COLT). COLT fixed routes 100, 200, and 300 currently serve the project area with stops at: 1st/Washington, 1st/Cleveland, and 5th/Cleveland. It is anticipated that COLT will continue to serve the project area upon project build-out. See Appendix E: Transit Map for route information.

6.0 Conclusions

This Traffic Impact Study (TIS) for the proposed Downtown Loveland South Catalyst Project verifies that the project will be able to meet the City of Loveland's Standards for traffic at the time of development.

The findings of the TIS are summarized below:

1. The Downtown Loveland South Catalyst Project has demonstrated the ability to comply with the Adequate Community Facilities (ACF) Ordinance and the Larimer County Urban Area Street Standards (LCUASS) and meet the City's standards for traffic at the time of development.

2. The Downtown Loveland South Catalyst Project is anticipated to generate approximately 2,244 daily weekday trips, 211 AM peak hour trips, 289 PM peak hour trips, and 349 Saturday peak hour trips

3. A westbound right-turn lane in 1st Street at the 1st Street/Lincoln Avenue intersection is required by LCUASS with phase1 of the project. This westbound right-turn lane will allow traffic traveling to the project site to utilize the right-turn lane and not impact westbound thru traffic at the 1st Street/Lincoln Avenue intersection. This westbound right-turn lane should have a minimum storage length of 150 feet. The westbound queue at 1st Street/Lincoln Avenue will be a problem with or without the development of the Foundry project.

4. With the exception of adding a westbound right-turn lane at the 1st Street/Lincoln Avenue intersection, it is anticipated that the existing roadway geometries in the project area will be able to adequately handle the project's traffic.

5. It is not anticipated that signal warrants will be met at the stop controlled key intersections. Additionally, the existing stop controlled intersections do not meet recommended spacing for traffic signal installations.

LOVELAND ELEVENTH SUBDIVISION

Being a Subdivision of Blocks 19, 24, and a portion of Block 18 of the Original Town of Loveland, and Vacated Rights of Way of East Third Street and Vacated Right of Way of Opera Alley, Situate in the Southwest Quarter of Section 13, Township 5 North, Range 69 West of the 6th P.M., City of Loveland, County of Larimer, State of Colorado

STATEMENT OF OWNERSHIP, SUBDIVISION AND DEDICATION

KNOW ALL PERSONS BY THESE PRESENTS that the undersigned, The Foundry Loveland, LLC, a Colorado limited liability company and the City of Loveland, Colorado, a Colorado homerule municipality, being all the owners and lienholders of the following described property, except any existing public streets, roads or highways, which property is located in the Southwest Quarter of Section 13, Township 5 North, Range 69 West of the 6th P.M., being more particularly described as follows:

Block 18

Lot 1, Morgan Subdivision as recorded on February 10, 1981 at Book 2102, Page 19, and Lots 18 through 24, Block 18, Original Town of Loveland, and the vacated right of way of East Third Street as recorded on April 4, 2017 as Reception No. 20170021516.

Said described parcel contains 34,586 Square Feet or 0.794 Acres, More or Less.

Block 19

Lot 1, Amended Plat of Lots 1 Through 7, Block 19, Original Town of Loveland, as recorded on October 26, 2010 as Reception 20100065440, and Lots 8 Through 24, Block 19, Original Town of Loveland, and portions of the vacated right of way of East Third Street as recorded on April 4, 2017 as Reception No. 20170021516, and the vacated right of way of Opera Alley as recorded on April 4, 2017 as Reception No. 20170021516.

Said described parcel contains 93,611 Square Feet or 2.149 Acres, More or Less.

Block 24

Lots One (1) through Twelve (12), Block Twenty-four (24) of the Original Plat of the Town of Loveland as recorded on October 18, 1877 at Reception No. 5280 and re-recorded on November 15, 1877 at Reception No. 5335, excepting therefrom parcels deeded to the Colorado Department of Transportation per documents recorded at Reception No.'s 2001053327, 2001089804 and 2002085435, within the records of the Larimer County Clerk and Recorder, all described parcels situate in the West Half of the Southwest Quarter (W1/2SW1/4) of Section Thirteen (13), Township Five North (T.5N.), Range Sixty-nine West (R.69W.) of the Sixth Principal Meridian (6th P.M.), City of Loveland, County of Larimer, State of Colorado.

Said described parcels contains 48,382 Square Feet or 1.111 Acres, More or Less.

Containing Total of (4.054 acres) (176,578 square feet) more or less (±), and is subject to all easements and right-of-ways on record or existing, do hereby subdivide the same into lots, blocks, tracts, outlots, right-of-ways, and easements, as shown on this plat; and do hereby designate and dedicate: (i) all such rights-of-way and easements, other than utility easements and private easements, to and for public use, except where indicated otherwise on this plat; and (ii) all such utility easements to and for public use for the installation and maintenance of utility, irrigation and drainage facilities: and do hereby designate the same as LOVELAND ELEVENTH SUBDIVISION to the City of Loveland Colorado.

All expenses involving necessary improvements for water system, sanitary sewer system, storm sewer system, curb and gutters, sidewalks, street improvements, street signs, traffic control signs, alley grading and surfacing, gas service, electric system, grading and landscaping shall be paid by the City of Loveland.

VACATION STATEMENT

Know all men by these presents that we the undersigned, being the owner(s) of the land described herein, and as shown on the attached map do hereby vacate all lots and blocks of the above described parcel of land.

OWNER(S): The Foundry Loveland, LLC, a Colorado limited liability company

By: Brinkman Entity Management, LLC, a Colorado limited liability company, Manager

By: _____
Kevin Brinkman, Manager

NOTARIAL CERTIFICATE

STATE OF COLORADO)
ss
COUNTY OF LARIMER)

The foregoing instrument was acknowledged before me this 20th day of April, 2017,

by Kevin Brinkman as Manager of Brinkman Entity Management, LLC, a Colorado limited liability company Manager of The Foundry Loveland, LLC, a Colorado limited liability company.

Witness my hand and official seal. (SEAL)

My commission expires 12/8/2020

Gayle E Schmidt
Notary Public

GAYLE E SCHMIDT
Notary Public
State of Colorado
Notary ID # 20164040638
My Commission Expires 12-08-2020

ATTORNEY'S CERTIFICATE

I, Benjamin D. Kramer, an attorney licensed to practice law in the State of Colorado, certify that I have examined the Title Commitment referenced below related to the portion of land dedicated to the City of Loveland, Colorado by this plat located within the boundaries of the land owned by The Foundry Loveland, LLC described in the Bargain and Sale Deed recorded with the Larimer County Clerk and Recorder at Reception No. 20160067924, and that based on Title Commitment Order Number FCC25146382-6 issued by Land Title Guarantee Company effective March 23, 2017 and my actual knowledge, all persons executing the dedication of this plat are the owners or duly authorized signatories of such land referenced in this Attorney's Certificate in fee simple, such land is free and clear of all liens and encumbrances, except encumbrances set forth in Schedule B – Section 2 of such Title Commitment as of the date thereof, and any such encumbrances do not impair the use of such land dedicated to the City of Loveland for the purposes set forth on this plat; provided, however, the use of Outlot A and/or Lot 1 Block 1 may be impaired by easement and/or other rights vested in the Greeley & Loveland Irrigation Company.

So sworn this 20 day of April 2017.

_____
Attorney at Law

DIRECTOR OF DEVELOPMENT SERVICES

This plat is approved by the Director of Development Services of the City of Loveland, Larimer County, Colorado, this 20TH day of APRIL 2017, for filing with the Clerk and Recorder of Larimer County and for conveyance to the City of the public dedications shown hereon, which are accepted; subject to the provisions that approval in no way obligates the City of Loveland, for the financing or constructing of improvements on land, streets or easements dedicated to the public except as specifically agreed to by the Director of Development Services.

_____
Director of Development Services

Witness my hand and seal of the City of Loveland

ATTEST:

_____
Acting City Clerk

CITY OF LOVELAND SEAL COLORADO

OWNER(S): City of Loveland, Colorado, a Colorado homerule municipality

By: Stephen C Adams

NOTARIAL CERTIFICATE

STATE OF Colorado)
ss
COUNTY OF Larimer)

The foregoing instrument was acknowledged before me this 25th day of April, 2017

by Stephen C Adams as City Manager

Witness my hand and official seal. (SEAL)

My commission expires 2/10/2020

Linda J. Valdez
(Notary Public

LINDA J VALDEZ
NOTARY PUBLIC - STATE OF COLORADO
NOTARY IDENTIFICATION # 20174013857
My Commission Expires 02/10/2020

ATTORNEY'S CERTIFICATE

I, Charbonnet M. Douglas, an attorney licensed to practice law in the State of Colorado, certify that I have examined the Title Commitment referenced below related to the above described land dedicated to the City of Loveland, Colorado by this plat, excluding that land owned by The Foundry Loveland, LLC described in the Bargain and Sale Deed recorded with the Larimer County Clerk and Recorder at Reception No. 20160067924, and that based on Title Commitment Order Number FCC25146382-6 issued by Land Title Guarantee Company effective March 23, 2017 and my actual knowledge, all persons executing the dedication of this plat are the owners or duly authorized signatories of such land referenced in this Attorney's Certificate in fee simple, such land is free and clear of all liens and encumbrances, except encumbrances set forth in Schedule B – Section 2 of such Title Commitment as of the date thereof, and any such encumbrances do not impair the use of such land dedicated to the City of Loveland for the purposes set forth on this plat; provided, however, the use of Outlot A and/or Lot 1 Block 1 may be impaired by easement and/or other rights vested in the Greeley & Loveland Irrigation Company.

So sworn this 20th day of April 2017.

Charbonnet M. Douglas
Attorney at Law

BASIS OF BEARINGS AND LINEAL UNIT DEFINITION

Assuming the East line of the Blocks 18, 19 and 24, Original Town of Loveland, as bearing South 00°11'24" West, as monumented as shown on the plat, being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2011, a distance of 733.94 feet with all other bearings contained herein relative thereto.

The lineal dimensions as contained herein are based upon the "U.S. Survey Foot."

TITLE COMMITMENT NOTE

This survey does not constitute a title search by King Surveyors to determine ownership or easements of record. For all information regarding easements, rights-of-way and title of records, King Surveyors relied upon Title Commitment Number FCC25146382-5, dated 02-10-2017 as prepared by Land Title Guarantee Company to delineate the aforesaid information.

PREVIOUS CONDITIONS REFERENCE:

Unless otherwise approved by the City, all unsatisfied conditions of approval for the original subdivision shall continue to apply to this property.

FLOOD PLAIN NOTE

Entire property is in flood zone 'X', "areas determined to be outside the 0.2% annual chance of floodplain" per FEMA flood map 08069C1189F revised December 19, 2006.

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)

DEVELOPMENT AGREEMENT NOTE:

This plat is subject to a development agreement which has been recorded in the real property records of Larimer County.

EASEMENT NOTE:

Total area in square feet of easements dedicated to the public or the city by this plat. Total area in square feet 31,666. (Excluding easements dedicated exclusively to outside entities or agencies.)

Total area in square feet of easements dedicated to the public or the city that is being vacated by this plat. Total area in square feet 1,154.

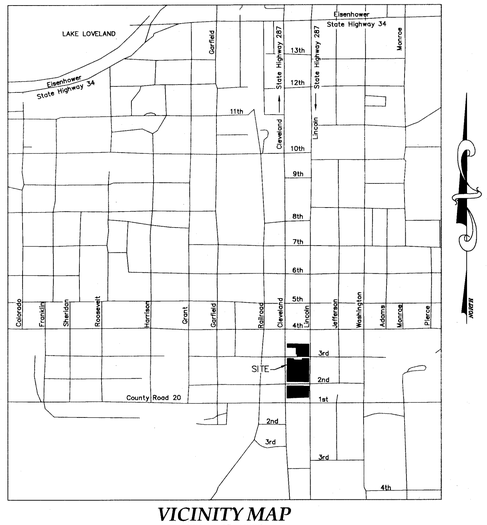
SURVEYOR'S STATEMENT

I, David B. Dusdal, being a registered Professional Land Surveyor in the State of Colorado, do hereby certify that the survey of LOVELAND ELEVENTH SUBDIVISION was made by me or under my supervision and that the survey is accurately represented on this plat and that the statements contained hereon were read by me and same are true to the best of my knowledge.

Dated this 19 day of April, 2017.

David B Dusdal
On Behalf of King Surveyors
4/19/17

David B. Dusdal – On Behalf Of King Surveyors
Colorado Registered Professional
Land Surveyor #28650



VICINITY MAP
SCALE: 1"=1000'

OWNERS: CITY OF LOVELAND
227 EAST 2ND STREET
LOVELAND, CO 80537

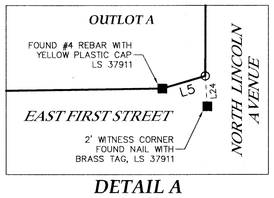
THE FOUNDRY LOVELAND, LLC
3528 PRECISION DRIVE #100
FORT COLLINS, CO 80528

ENGINEER: INTERWEST CONSULTING GROUP
1218 ASH STREET, UNIT A
WINDSOR, CO 80550

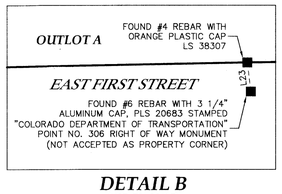
SURVEYOR: KING SURVEYORS
DAVID DUSDAL
650 GARDEN DRIVE
WINDSOR, CO 80550
PHONE: (970) 686-5011

LAND USE TABLE

LOTS (6)	3.320 ACRES	82%
TRACT A	0.430 ACRES	11%
OUTLOT A	0.304 ACRES	7%
TOTAL	4.054 ACRES	100%



DETAIL A
SCALE: 1"=5'



DETAIL B
(NOT TO SCALE)

LINE TABLE		
LINE	BEARING	LENGTH
L1	N00°13'44"E	24.00'
L2	N89°10'23"W	12.00'
L3	S00°15'40"W	19.03'
L4	N00°11'24"E	20.39'
L5	S73°41'26"W	3.10'
L6	S89°13'38"W	46.93'
L7	S88°53'51"W	37.61'
L8	S87°50'45"W	37.62'
L9	N00°49'37"E	10.00'
L10	N18°47'22"E	20.80'
L11	N89°13'25"W	3.00'
L12	N89°13'25"W	2.00'
L13	N00°15'40"E	10.00'
L14	N00°15'40"E	10.00'
L15	N00°11'24"E	10.00'

LINE TABLE		
LINE	BEARING	LENGTH
L16	N00°11'24"E	10.00'
L17	N00°11'24"E	10.00'
L18	S89°10'23"E	10.00'
L19	S00°49'37"W	10.00'
L20	N00°11'24"E	16.00'
L21	N00°11'24"E	18.58'
L22	N00°15'40"E	21.92'
L23	N06°56'30"W	0.41'
L24	S03°40'17"E	2.10'
L25	N90°00'00"W	1.00'
L26	N00°15'40"E	12.00'
L27	N90°00'00"E	1.00'
L28	N00°14'59"E	3.99'
L29	S89°13'25"E	30.00'
L30	N00°13'44"E	20.00'

LINE TABLE		
LINE	BEARING	LENGTH
L31	S89°43'46"E	3.94'
L32	S00°16'14"W	13.00'
L33	N89°43'46"W	3.92'
L34	N30°11'24"E	20.65'
L35	N00°11'24"E	33.13'

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

DATE: 1/3/2017
FILE NAME: 20160827SUB
SCALE: 1"=30'
DRAWN BY: CSK
CHECKED BY: DBD

REVISIONS:		DATE:
CITY COMMENTS & LINE WORK	CDL	2/12/17
REVISED OUTLOT & TRACK NAMES	CSK	2/28/17
REVISED LOT LINES & EASEMENT	CSK	3/14/17
REVISED EASEMENTS	LEC	4/12/17
CODO CHECKED	LEC/CSK	4/19/17

LOVELAND ELEVENTH SUBDIVISION
FOR
INTERWEST CONSULTING GROUP
1218 ASH STREET, UNIT A
WINDSOR, CO 80550

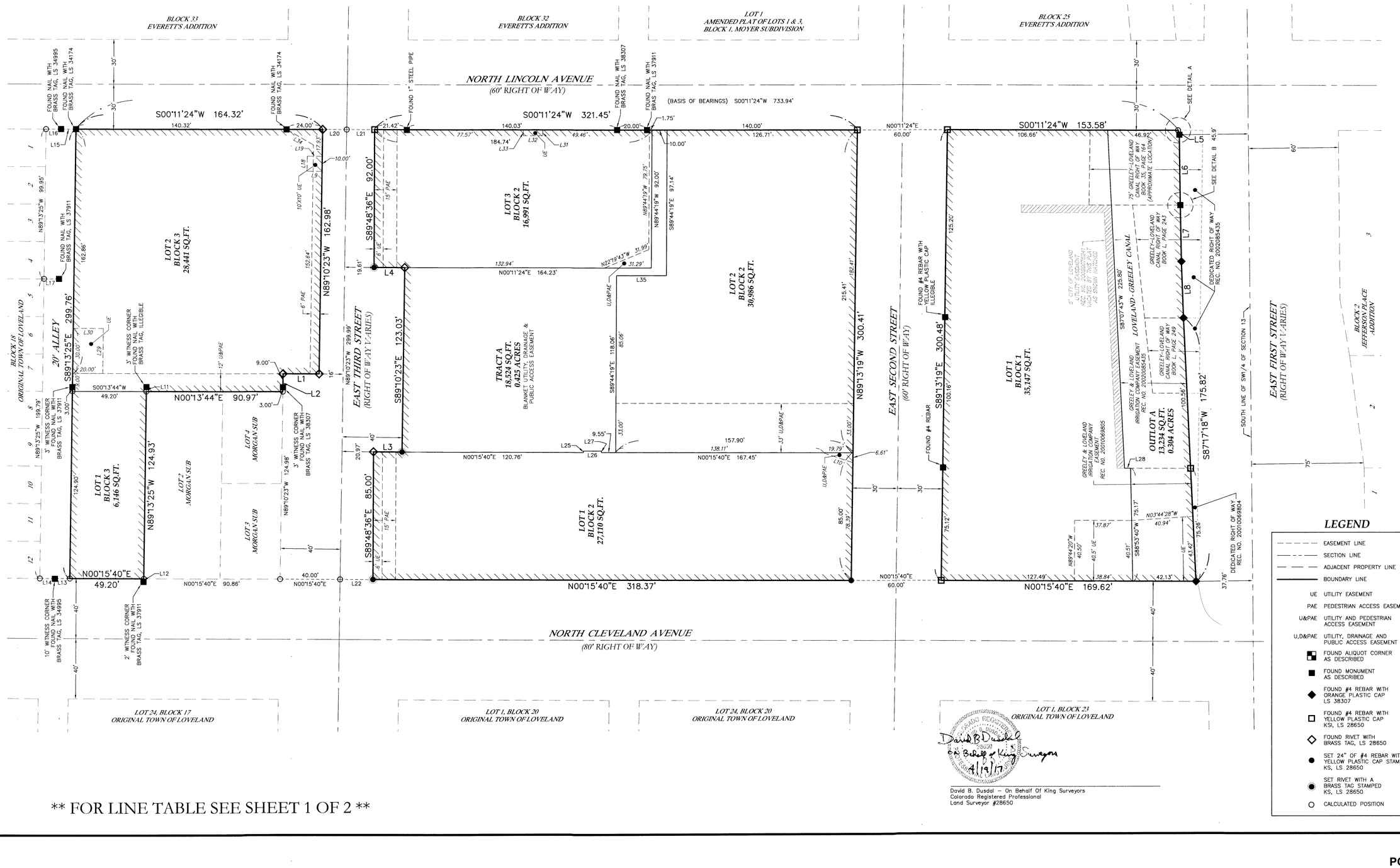
PROJECT #: 20160827

1
SHT 1 OF 2

PC ATTACHMENT 3

LOVELAND ELEVENTH SUBDIVISION

Being a Subdivision of Blocks 19, 24, and a portion of Block 18 of the Original Town of Loveland,
and Vacated Rights of Way of East Third Street and Vacated Right of Way of Opera Alley,
Situate in the Southwest Quarter of Section 13, Township 5 North, Range 69 West of the 6th P.M.,
City of Loveland, County of Larimer, State of Colorado



** FOR LINE TABLE SEE SHEET 1 OF 2 **

LEGEND

- EASEMENT LINE
- SECTION LINE
- ADJACENT PROPERTY LINE
- BOUNDARY LINE
- UE UTILITY EASEMENT
- PAE PEDESTRIAN ACCESS EASEMENT
- U&PAE UTILITY AND PEDESTRIAN ACCESS EASEMENT
- U,D&PAE UTILITY, DRAINAGE AND PUBLIC ACCESS EASEMENT
- FOUND ALIQUOT CORNER AS DESCRIBED
- FOUND MONUMENT AS DESCRIBED
- FOUND #4 REBAR WITH ORANGE PLASTIC CAP LS 38307
- FOUND #4 REBAR WITH YELLOW PLASTIC CAP KSI, LS 28650
- FOUND RIVET WITH BRASS TAG, LS 28650
- SET 24" OF #4 REBAR WITH A YELLOW PLASTIC CAP STAMPED KS, LS 28650
- SET RIVET WITH A BRASS TAG STAMPED KS, LS 28650
- CALCULATED POSITION

COLORADO REGISTERED
28650
LAND SURVEYOR
4/19/17

David B. Dusdal – On Behalf Of King Surveyors
Colorado Registered Professional
Land Surveyor #28650

SCALE IN FEET
SCALE: 1"=30'

DATE: 1/3/2017
FILE NAME: 20160827SUB
SCALE: 1"=30'
DRAWN BY: CSK
CHECKED BY: DBD

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

REVISIONS:	DATE:
CITY COMMENTS & LINE WORK CDL	2/12/17
REVISED OUTLOT & TRACK NAMES CSK	2/28/17
REVISED LOT LINES & EASEMENT CSK	3/14/17
REVISED EASEMENTS LEC	4/12/17
COGO CHECKED LEC/CSK	4/19/17

LOVELAND ELEVENTH SUBDIVISION
FOR
INTERWEST CONSULTING GROUP
1218 ASH STREET, UNIT A
WINDSOR, CO 80550

PROJECT #: 20160827

2
SHT 2 OF 2

P:\20160827\DWG\20160827SUB.dwg, 4/19/2017 2:54:42 PM, carol

SITE DEVELOPMENT PLAN

LOT 1, BLOCK 1, LOVELAND ELEVENTH SUBDIVISION

THE FOUNDRY HOTEL

256 E 2ND STREET

LAND USE TABLE

ZONING	BE - CENTRAL BUSINESS 'DISTRICT'
MASTER PLAN DESIGNATION	DAC- DOWNTOWN ACTIVITY CENTER
SITE ACREAGE	35,147 SF (0.81 AC)
FAR	1.79
LAND USE	COMMERCIAL
BUILDING COVERAGE	16,467 SF
PARKING AD DRIVES	453 SF
OPEN SPACE	18,227 SF
LANDSCAPE AREA	10,125 SF
GROSS BUILDING SQUARE FOOTAGE	63,255
FLOOR 1	16,449 SF
FLOORS 2-4	15,602 SF
BUILDING HEIGHT	55'
OCCUPANCY CLASSIFICATION	R1
CONSTRUCTION TYPE	V-A

FULLY SPRINKLERED PER NFPA 13

PARKING DATA

HOTEL
102 ROOMS + 12 EMPLOYEES

PARKING REQUIRED 1 SPACE PER UNIT
0.75 SPACES PER EMPLOYEE = 111 SPACES REQUIRED

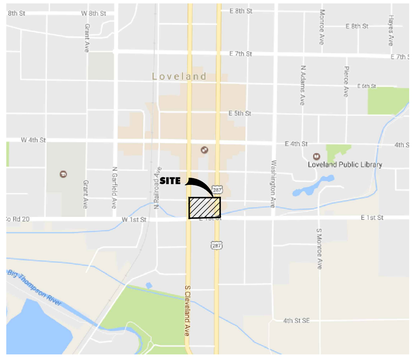
20% SHARED PARKING REDUCTION = 89 SPACES REQUIRED

PARKING PROVIDED IN PARKING GARAGE 463 SPACES PROVIDED

BIKE PARKING REQUIRED (2 SPACES PER 25 AUTO) 9 SPACES REQUIRED
BIKE PARKING PROVIDED 10 SPACES PROVIDED

(THIS SITE IS LOCATED WITHIN GENERAL IMPROVEMENT DISTRICT #1 PER ORDINANCE _____).

VICINITY MAP



SIGNATURES AND APPROVALS

APPROVED THIS _____ DAY OF _____, 20____ BY THE CURRENT PLANNING MANAGER OF CITY OF LOVELAND, COLORADO.

_____
CURRENT PLANNING MANAGER

SHEET INDEX

SHEET 1 OF 9	COVER SHEET
SHEET 2 OF 9	SITE PLAN
SHEET 3 OF 9	SITE PLAN DETAILS
SHEET 4 OF 9	LANDSCAPE PLAN
SHEET 5 OF 9	ARCHITECTURAL ELEVATIONS
SHEET 6 OF 9	ARCHITECTURAL PERSPECTIVES
SHEET 7 OF 9	SITE PHOTOMETRIC PLAN
SHEET 8 OF 9	LIGHTING CUT SHEETS
SHEET 9 OF 9	LIGHTING CUT SHEETS

OWNERS CERTIFICATION

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

_____
(Signature)

_____
(Title)

STATE OF COLORADO)
) ss.
COUNTY OF LARIMER)

The foregoing agreement was acknowledged before me this _____ day of, _____, 2_____, by

_____.

Witness my hand and official seal.

My commission expires:_____.

_____
Notary Public

OWNERS CERTIFICATION

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_____
Notary Public

PLANNING REVIEW CONDITIONS (DRAFT)

1.

TRANSPORTATION CONDITIONS (DRAFT)

1. ALL PUBLIC IMPROVEMENTS SHALL COMPLY WITH THE LARIMER COUNTY URBAN AREA STREET STANDARDS (LCUASS) AND ANY VARIANCES APPROVED THROUGH THE REVIEW PROCESS.

2. THE DEVELOPER AGREES TO ACQUIRE AND DEDICATE, AT NO COST TO THE CITY, ANY RIGHTS-OF-WAY NECESSARY FOR THE REQUIRED STREET IMPROVEMENTS ASSOCIATED WITH THIS DEVELOPMENT.

3. PRIOR TO APPROVAL OF THE PUBLIC IMPROVEMENT CONSTRUCTION PLANS (PICP'S), A CDOT ACCESS PERMIT MUST BE OBTAINED FOR THE EMERGENCY ACCESS ON LINCOLN AVENUE ADJACENT TO THE DEVELOPMENT.

4. PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS WITHIN THE LOVELAND ELEVENTH SUBDIVISION, PURSUANT TO THE PROVISIONS IN SECTION 16.40.010.B OF THE LOVELAND MUNICIPAL CODE, THE DEVELOPER SHALL DESIGN AND CONSTRUCT THE FOLLOWING PUBLIC IMPROVEMENTS UNLESS ALREADY DESIGNED AND CONSTRUCTED BY OTHERS:

   4.1. ALL PUBLIC STREET IMPROVEMENTS ON NORTH LINCOLN AVENUE, NORTH CLEVELAND AVENUE, EAST 2ND STREET AND EAST 3RD STREET INCLUDING ROADWAY PAVING, CURB & GUTTER, RAMPS AND SIDEWALKS AS SHOWN ON THE CITY APPROVED PUBLIC IMPROVEMENT CONSTRUCTION PLANS TITLED THE FOUNDRY AND THE FOUNDRY HOTEL PREPARED BY INTERWEST CONSULTING GROUP FOR THE LOVELAND ELEVENTH SUBDIVISION.

   4.2. ALL FINAL SIGNING AND STRIPING AS SHOWN ON THE CITY APPROVED PUBLIC IMPROVEMENT CONSTRUCTION PLANS TITLED THE FOUNDRY PREPARED BY INTERWEST CONSULTING GROUP FOR THE LOVELAND ELEVENTH SUBDIVISION.

   4.3. ALL IMPROVEMENTS ON EAST 2ND STREET OTHER THAN THE STANDARD ASPHALT PAVEMENT SHALL BE MAINTAINED BY THE SAME METRO DISTRICT ESTABLISHED TO MAINTAIN THE CENTRAL PLAZA AREA FOR THE FOUNDRY. CURB, GUTTER AND SIDEWALK MAINTENANCE IS THE RESPONSIBILITY OF THE ADJACENT PROPERTY OWNER ON ALL PUBLIC STREETS PER CITY MUNICIPAL CODE.

5. PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR ANY BUILDINGS WITHIN THE LOVELAND ELEVENTH SUBDIVISION WITH THE EXCEPTION OF THE PARKING GARAGE STRUCTURE ON SECOND STREET, THE WESTBOUND RIGHT TURN LANE ON FIRST STREET AT LINCOLN AVENUE MUST BE CONSTRUCTED AND ACCEPTED BY THE CITY FOR USE BY THE PUBLIC.

6. PRIOR TO PLACEMENT OF ANY AMENITIES WITHIN THE PUBLIC RIGHT-OF-WAY FOR THE FOUNDRY HOTEL, LOVELAND ELEVENTH SUBDIVISION, THE DEVELOPER SHALL OBTAIN A REVOCABLE ENCROACHMENT PERMIT FROM THE CITY PUBLIC WORKS DEPARTMENT. THE REVOCABLE ENCROACHMENT PERMIT ALLOWS SPECIAL AMENITIES SUCH AS FURNITURE, RAILINGS, PLANTER POTS AND STRUCTURAL OVERHANGS ETC...TO BE PLACED WITHIN THE RIGHT-OF-WAY UNDER SPECIAL CONDITIONS OF THE PERMIT.

7. CITY SIGNED SITE DEVELOPMENT PLANS (INCLUDING ANY ASSOCIATED PUBLIC IMPROVEMENT CONSTRUCTION PLANS), OR THE ISSUANCE OF BUILDING PERMITS, DOES NOT ALLOW ANY CONSTRUCTION WITHIN PUBLIC STREET OR ALLEY RIGHTS-OF-WAY OR PEDESTRIAN EASEMENTS. A SEPARATE CITY DEVELOPMENT CONSTRUCTION PERMIT OR STREET RIGHT-OF-WAY (ROW) WORK PERMIT MUST BE OBTAINED BY THE DEVELOPER AND/OR HIS CONTRACTOR AT THE CITY PROJECT ENGINEERING OFFICE (AND APPROVED BY PROJECT ENGINEERING) PRIOR TO ANY REPAIR OR CONSTRUCTION OF SIDEWALK, CURB AND GUTTER, DRIVEWAY ACCESSES, OR ANY OTHER CONSTRUCTION IN CITY STREET OR ALLEY RIGHTS-OF-WAY OR PEDESTRIAN EASEMENTS, (THIS INCLUDES ALL ITEMS PROPOSED IN RIGHTS-OF-WAY SUCH AS UTILITY STREET CUTS, SIDEWALK RAMPS, CONSTRUCTION STAGING PROPOSED IN STREET, LANDSCAPING, TRAFFIC CONTROL, ETC.). (CALL 970-962-2510 TO DISCUSS DETAILS TO OBTAIN A ROW WORK PERMIT).

8. PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION ACTIVITY THAT WILL INVOLVE ANY EXISTING OR PROPOSED STREET SIGNS OR TRAFFIC CONTROL DEVICES FOR OR WITHIN PUBLIC STREET RIGHTS-OF-WAY (ROW), THE DEVELOPER AND/OR HIS CONTRACTOR SHALL CONTACT THE CITY TRAFFIC DIVISION AT (970) 962-2535 TO COORDINATE THE REMOVAL, RELOCATION, INSTALLATION, AND/OR PROPER STORING OF THE SIGN(S) OR TRAFFIC CONTROL DEVICE(S) AND OBTAIN A ROW WORK PERMIT FROM THE CITY PUBLIC WORKS ENGINEERING DIVISION TO DO SUCH WORK. HOWEVER, IF THE DEVELOPER AND/OR HIS CONTRACTOR REMOVES OR RELOCATES ANY EXISTING STREET SIGN(S) OR TRAFFIC CONTROL DEVICE(S) FOR OR WITHIN THE PUBLIC ROW WITHOUT FIRST OBTAINING A ROW WORK PERMIT FROM THE CITY PUBLIC WORKS DIVISION, THEN THE CONTRACTOR WILL BE CHARGED FOR THE LABOR, MATERIALS, AND EQUIPMENT TO REINSTALL THE SIGN(S) OR TRAFFIC CONTROL DEVICE(S) AS DEEMED NECESSARY BY THE CITY. THE DEVELOPER AND/OR HIS CONTRACTOR WILL ALSO BE CHARGED TO REPLACE ANY EXISTING STREET SIGNS OR TRAFFIC CONTROL DEVICES THAT WERE DAMAGED OR BLEMISHED DURING ANY CONSTRUCTION ACTIVITY AS DEEMED NECESSARY BY THE CITY. THE DEVELOPER AND/OR HIS CONTRACTOR MAY ALSO BE SUBJECT TO ADDITIONAL FINES AS PER THE LOVELAND MUNICIPAL CODE.

9. ALL TREES, SHRUBS, AND OTHER PLANT MATERIALS LOCATED WITHIN CLEAR SIGHT TRIANGLES SHALL BE TRIMMED IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 7 OF THE LARIMER COUNTY URBAN AREA STREET STANDARDS (LCUASS). UNDER CURRENT LCUASS REQUIREMENTS, TREES SHALL BE LIMBED TO A HEIGHT OF NOT LESS THAN EIGHT (8) FEET AND SHRUBS AND OTHER PLANT MATERIALS SHALL BE MAINTAINED AT A HEIGHT OF NOT MORE THAN THIRTY (30) INCHES, AND SAID MAINTENANCE SHALL BE CONDUCTED IN PERPETUITY. TREES ARE ALSO REQUIRED TO BE KEPT LIMBED UP A MINIMUM OF 8' ABOVE ALL STREET SIDEWALKS.

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bha
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phone 970.223.7577
www.bhadesign.com

THE FOUNDRY HOTEL
SITE DEVELOPMENT PLAN
LOVELAND, CO 80538

PROJ. NO.	115253.02
DRAWN:	DE
CHECKED:	MM
APPROVED:	RS
DATE:	SEP 18, 2017

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THE FOUNDRY

ISSUED FOR:
SITE DEVELOPMENT PLAN

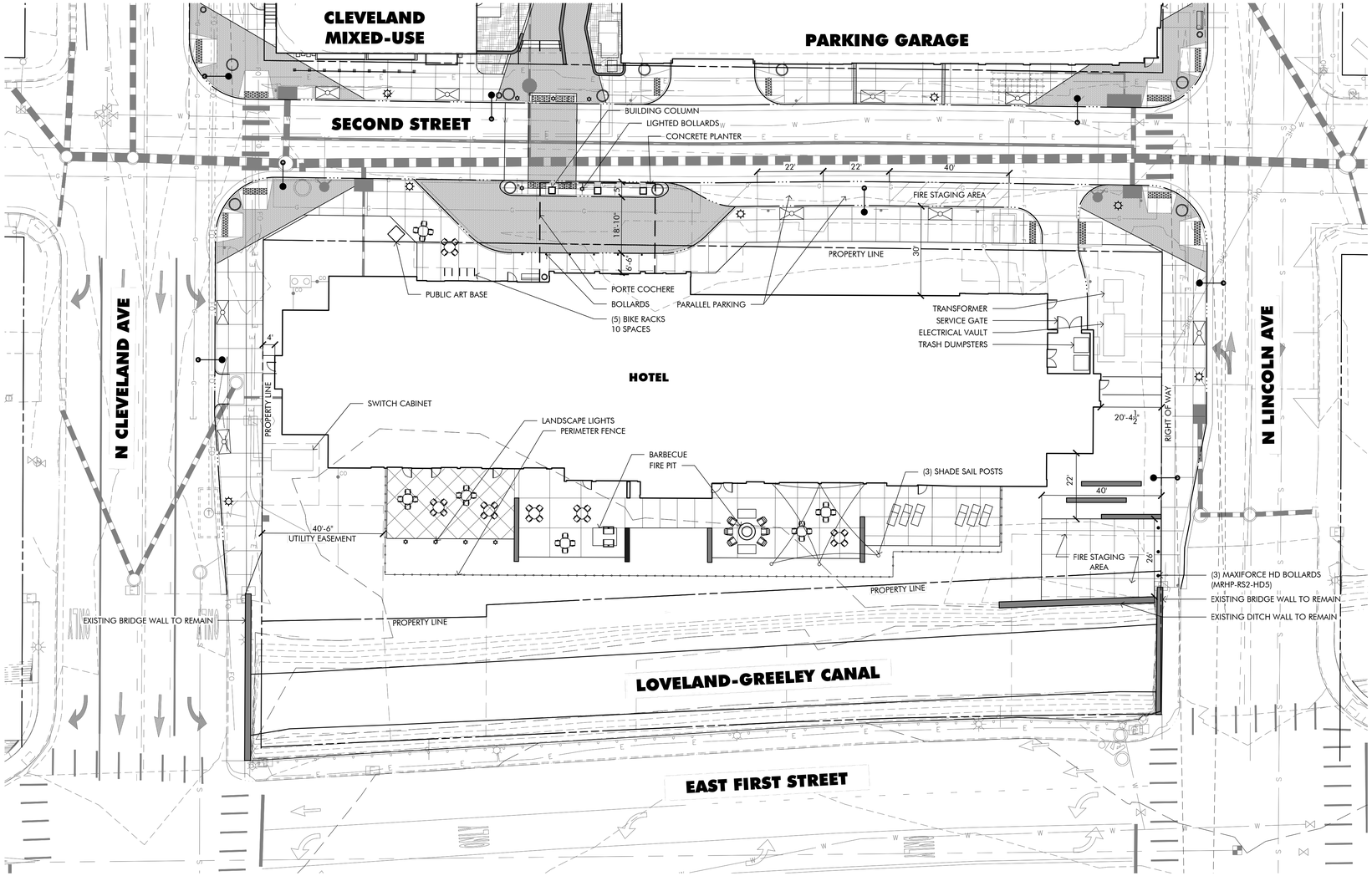
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SCALE:

SHEET NUMBER
Sheet 1 of 9

PC ATTACHMENT 4

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LEGEND

- LIGHTED BOLLARD
- PLANTER POT
- TREE GRATE
- PEDESTRIAN LIGHT
- STREET LIGHT
- CAST IN PLACE CONCRETE SEAT WALL
- BENCH
- TABLE
- LITTER RECEPTACLE
- PAVERS
- CONCRETE

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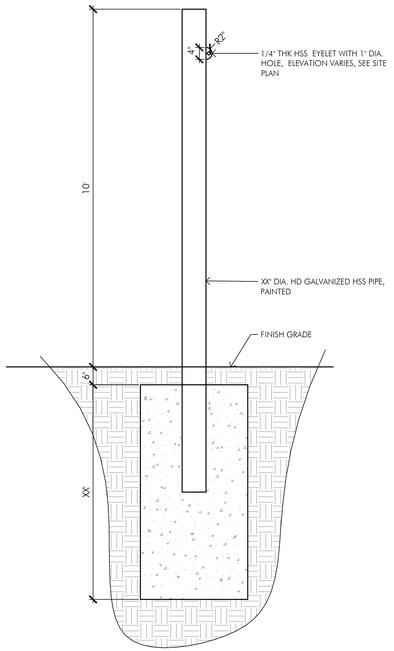
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Sheet 2 of 9

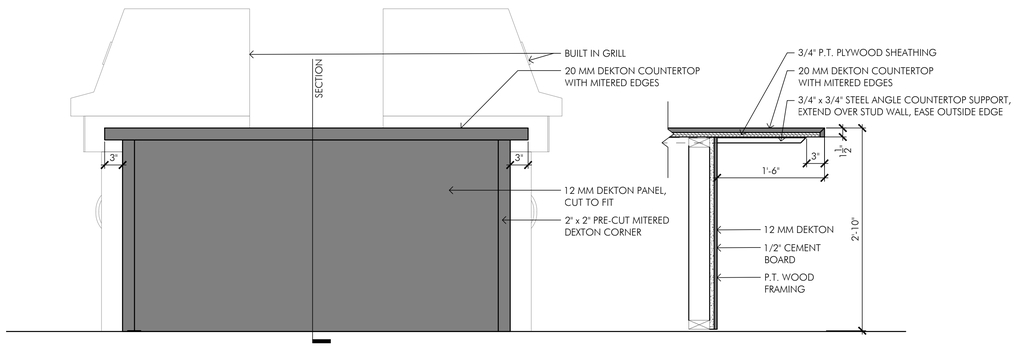
NORTH
0' 10' 20' 40'
SCALE: 1" = 20'

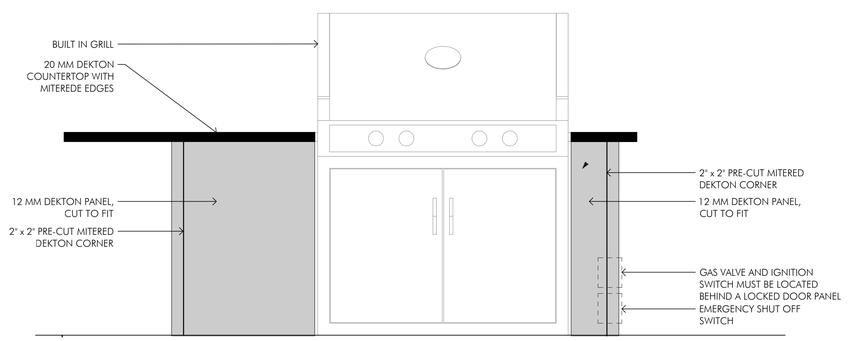
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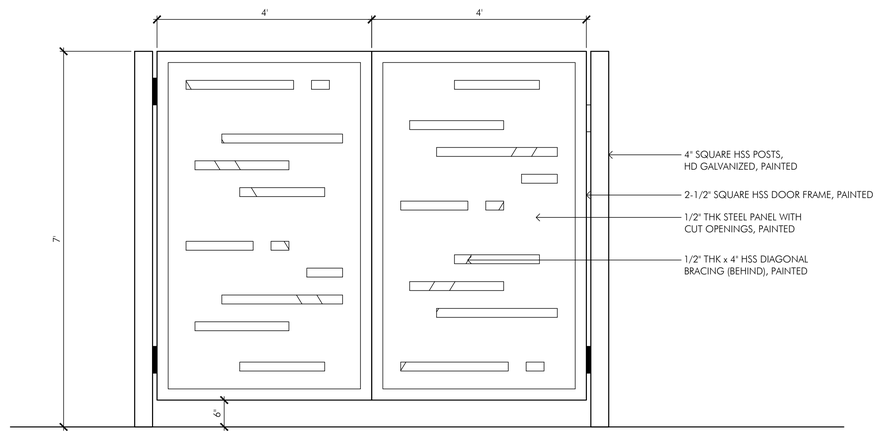


SHADE SAIL POST

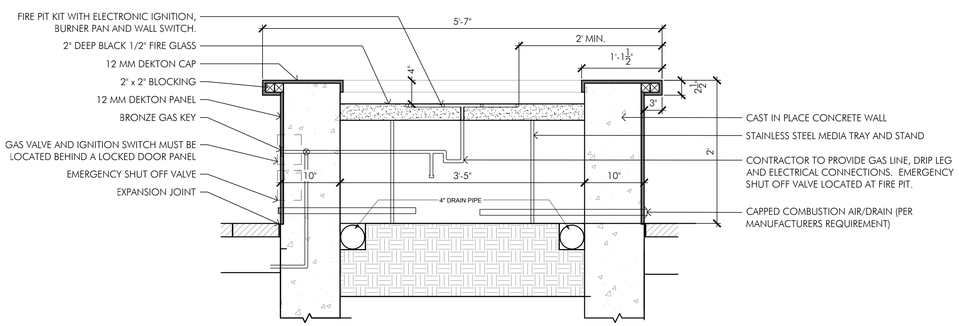




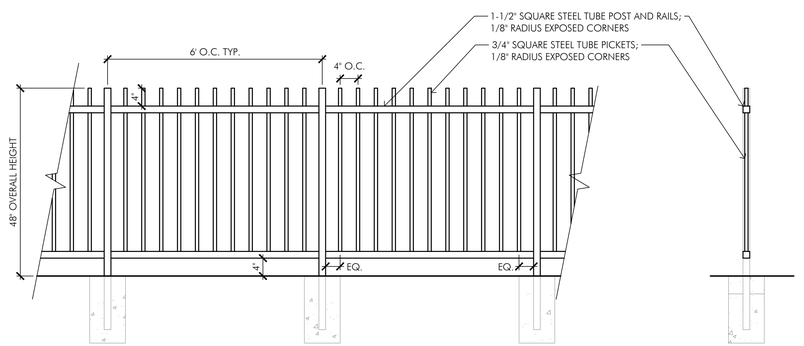
BARBEQUE



SERVICE GATE



FIREPIT



PERIMETER FENCE

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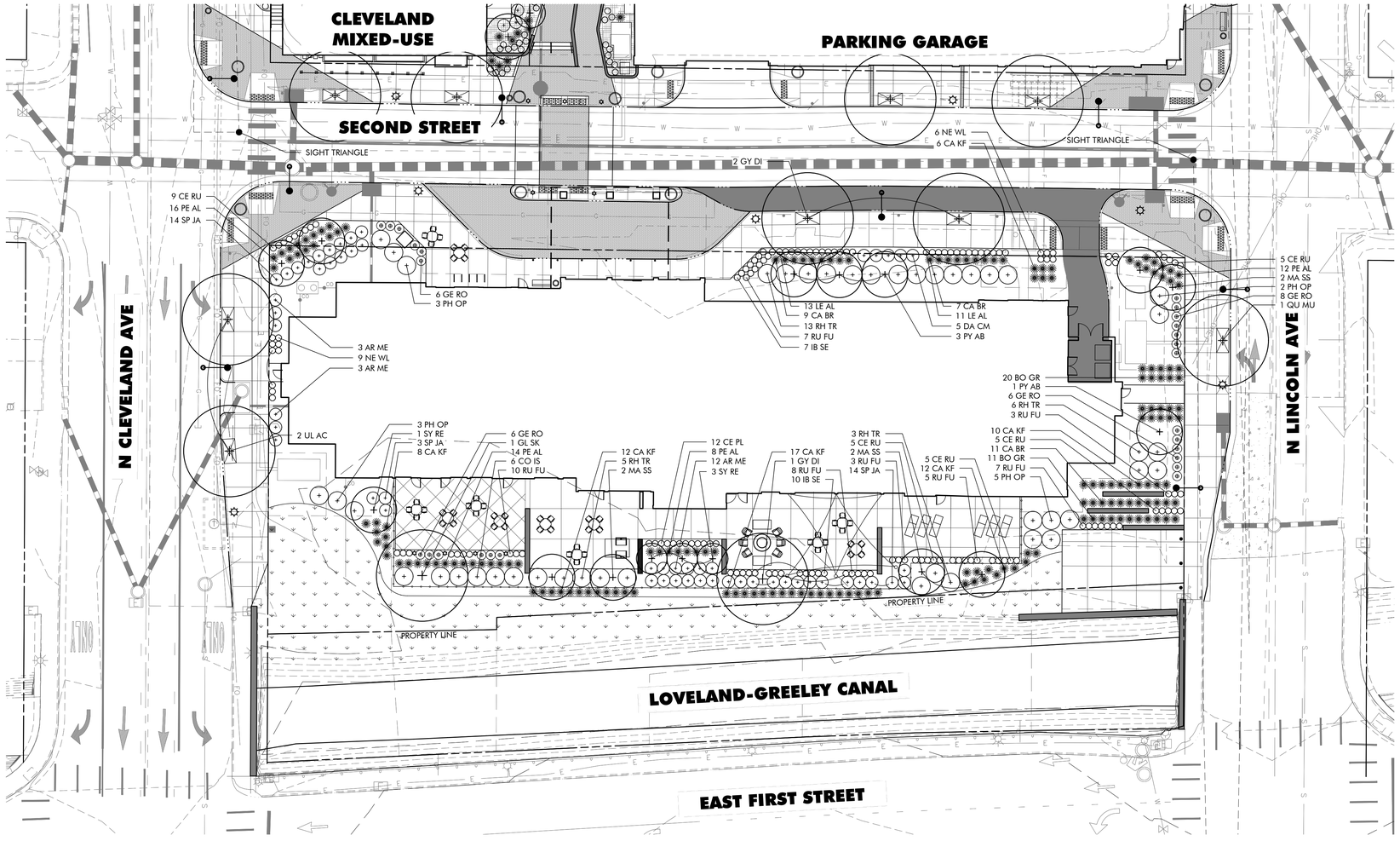
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SITE PLAN

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Sheet 3 of 9

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PLANT LIST

Symbol	Botanical Name	Common Name	Size	Root	Quantity
Deciduous Trees					
GL SK	Gleditsia triacanthos inermis 'Skyline'	Skyline Honeylocust	2" Cal.	BB	1
GY DI	Gymnocladus dioicus 'Espresso'	Seedless Kentucky Coffeetree	2" Cal.	BB	3
QU MU	Quercus muehlenbergii	Chinkapin Oak	3" Cal.	BB	1
UL AC	Ulmus 'Morton'	Accolade Elm	2" Cal.	BB	2
Ornamental Trees					
MA SS	Malus 'Spring Snow'	Spring Snow Crabapple	2" Cal.	BB	6
PY AB	Pyrus calleryana 'Autumn Blaze'	Autumn Blaze pear	2" Cal.	BB	4
SY RE	Syringa reticulata	Japanese Tree Lilac	2" Cal.	BB	4
Dedicuous Shrubs					
AR ME	Aronia melanocarpa 'Iriquois Beauty'	Iriquios Beauty Dwarf Chokeberry	5 Gal.	Cont.	18
DA CM	Daphne x burkwoodi 'Carol Mackie'	Carol Mackie Daphne	5 Gal.	Cont.	5
RH TR	Rhus trilboata 'Autumn Amber'	Autumn Amber Creeping Three Leaf Sumac	5 Gal.	Cont.	27
PH OP	Physocarpus opulifolius 'Monlo'	Diabolo Ninebark	5 Gal.	Cont.	13
SP JA	Spirea japonica 'Limemound'	Limemound Spirea	5 Gal.	Cont.	31
Ornamental Grasses					
BO GR	Bouteloua gracilis 'Blonde Ambition'	Blonde Ambition Blue Grama Grass	1 Gal.	Cont.	31
CA BR	Calamagrostis brachytricha	Korean Feather Reed Grass	1 Gal.	Cont.	27
CA KF	Calamagrostis acutiflora 'Karl Foerster'	Karl Foerster Feather Reed Grass	1 Gal.	Cont.	65
PE AL	Pennisetum alopecuroides 'Hameln'	Dwarf Fountain Grass	1 Gal.	Cont.	50
Perennials					
CE RU	Centranthus ruber	Jupiter's Beard	1 Gal.	Cont.	29
GE RO	Geranium 'Rozanne'	Blue Cranesbill	1 Gal.	Cont.	26
IB SE	Iberis sempervirens	Evergreen Candytuft	1 Gal.	Cont.	17
LE AL	Leucanthemum superbum 'Alaska'	Shasta Daisy	1 Gal.	Cont.	24
NE WL	Nepeta faassenii 'Walker's Low'	Walker's Low Catmint	1 Gal.	Cont.	14
RU FU	Rudbeckia fulgida 'Goldsturm'	Black Eyed Susan	1 Gal.	Cont.	43

NOTES

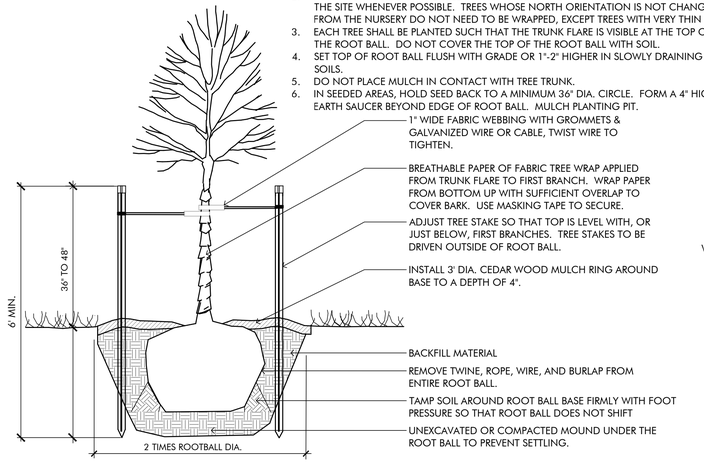
1. LANDSCAPE MATERIALS SHALL BE IN ACCORDANCE WITH AAN SPECIFICATIONS FOR NUMBER ONE GRADE.
2. SHRUB BEDS AND TREES TO BE IRRIGATED WITH AN AUTOMATIC DRIP (TRICKLE) IRRIGATION SYSTEM.
3. TURF AREAS TO BE IRRIGATED WITH AN AUTOMATIC UNDERGROUND SPRINKLER IRRIGATION SYSTEM.
4. SHRUB BEDS SHALL BE MULCHED WITH A 3" LAYER OF ROCK MULCH WITH NON-WOVEN POLYPROPYLENE WEED BARRIER SUCH AS TYPAR OR MIRAFI.
5. THE SOIL IN ALL LANDSCAPE AREAS SHALL THOROUGHLY LOOSENED TO A DEPTH OF NOT LESS THAN EIGHT (8) INCHES AND SOIL AMENDMENT SHALL BE THOROUGHLY INCORPORATED INTO THE SOIL OF ALL LANDSCAPE AREAS TO A DEPTH OF AT LEAST SIX (6) INCHES BY TILLING, DISCING OR OTHER SUITABLE METHOD, AT A RATE OF AT LEAST THREE (3) CUBIC YARDS OF SOIL AMENDMENT PER ONE THOUSAND (1,000) SQUARE FEET OF LANDSCAPE AREA.

LEGEND

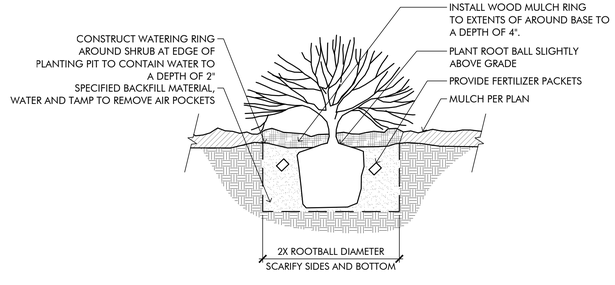
- NATIVE SEED
- ROCK MULCH
- DECIDUOUS SHADE TREE
- DECIDUOUS ORNAMENTAL TREE
- DECIDUOUS SHRUB
- ORNAMENTAL GRASSES
- PERENNIALS

GENERAL TREE PLANTING NOTES

1. PRUNE ONLY CROSSOVER LIMBS, CO-DOMINANT LEADERS, AND BROKEN OR DEAD BRANCHES. SOME INTERIOR TWIGS AND LATERAL BRANCHES MAY BE PRUNED; HOWEVER, DO NOT REMOVE THE TERMINAL BUDS OF BRANCHES THAT EXTEND TO THE EDGE OF THE CROWN.
2. MARK NORTH SIDE OF THE TREE IN THE NURSERY AND ROTATE TREE TO FACE NORTH AT THE SITE WHENEVER POSSIBLE. TREES WHOSE NORTH ORIENTATION IS NOT CHANGED FROM THE NURSERY DO NOT NEED TO BE WRAPPED, EXCEPT TREES WITH VERY THIN BARK.
3. EACH TREE SHALL BE PLANTED SUCH THAT THE TRUNK FLARE IS VISIBLE AT THE TOP OF THE ROOT BALL. DO NOT COVER THE TOP OF THE ROOT BALL WITH SOIL.
4. SET TOP OF ROOT BALL FLUSH WITH GRADE OR 1"-2" HIGHER IN SLOWLY DRAINING SOILS.
5. DO NOT PLACE MULCH IN CONTACT WITH TREE TRUNK.
6. IN SEEDED AREAS, HOLD SEED BACK TO A MINIMUM 36" DIA. CIRCLE. FORM A 4" HIGH EARTH SAUCER BEYOND EDGE OF ROOT BALL. MULCH PLANTING PIT.



DECIDUOUS TREE PLANTING



SHRUB PLANTING



0' 10' 20' 40'

SCALE: 1" = 20'

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THE FOUNDRY HOTEL
SITE DEVELOPMENT PLAN
LOVELAND, CO 80538

PROJ. NO.	115253.02
DRAWN:	DE
CHECKED:	MM
APPROVED:	RS
DATE:	SEP 18, 2017

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THE FOUNDRY

ISSUED FOR:
SITE DEVELOPMENT PLAN

SHEET TITLE:
SITE PLAN

SCALE:

SHEET NUMBER

Sheet 4 of 9

PC ATTACHMENT 4

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1 NORTH ELEVATION
3/32" = 1'-0"

0' 4' 8' 16' 32'



2 SOUTH ELEVATION
3/32" = 1'-0"

0' 4' 8' 16' 32'



3 EAST ELEVATION
3/32" = 1'-0"

0' 4' 8' 16' 32'



4 WEST ELEVATION
3/32" = 1'-0"

0' 4' 8' 16' 32'

NOTES

1. ALL ROOFTOP MECHANICAL EQUIPMENT TO BE SCREENED FROM STREET LEVEL AS REQUIRED.
2. SIGNAGE TO BE APPROVED BY SEPARATE PERMIT PROCESS.

MATERIAL LEGEND

1. BRICK, COLOR: IRON SPOT
2. STUCCO W/ REVEALS, COLOR: LIGHT GRAY
3. STUCCO W/ REVEALS, COLOR: MEDIUM GRAY
4. METAL PANEL, COLOR: ZINC GRAY
5. STOREFRONT, DARK BRONZE PAINTED ALUMINUM & CLEAR GLASS
6. ALUMINUM WINDOW FRAME & CLEAR GLASS
7. BREAK METAL ACCENT, COLOR: ORANGE
8. BRICK ROWLOCK, COLOR: IRON SPOT
9. PAINTED METAL PLINTH, COLOR: ZINC GRAY
10. PAINTED METAL / PERFORATED ROOF CANOPY, COLOR: ZINC GRAY
10. PAINTED METAL / PERFORATED PORTE COCHERE, COLOR: BLACKENED STEEL

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THE FOUNDRY HOTEL

256 EAST 2ND STREET
LOVELAND, CO 80538

PROJ. NO. 117035.00
DRAWN: MF
CHECKED: MS
APPROVED: EI
DATE: 2017/09/18

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THE FOUNDRY HOTEL

ISSUED FOR:
SITE DEVELOPMENT PLAN

SHEET TITLE:
ARCHITECTURAL ELEVATIONS

SCALE: As indicated
SHEET NUMBER

Sheet 5 of 9

PC ATTACHMENT 4



VIEW FROM PASEO LOOKING SOUTH



VIEW FROM CLEVELAND AVE LOOKING SOUTHEAST



VIEW FROM LINCOLN AVE LOOKING NORTHWEST



VIEW FROM CLEVELAND AVE LOOKING NORTHEAST

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PROJ. NO. 117035.00
DRAWN: Author
CHECKED: Checker
APPROVED: Approver
DATE: 2017/09/18

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THE FOUNDRY HOTEL

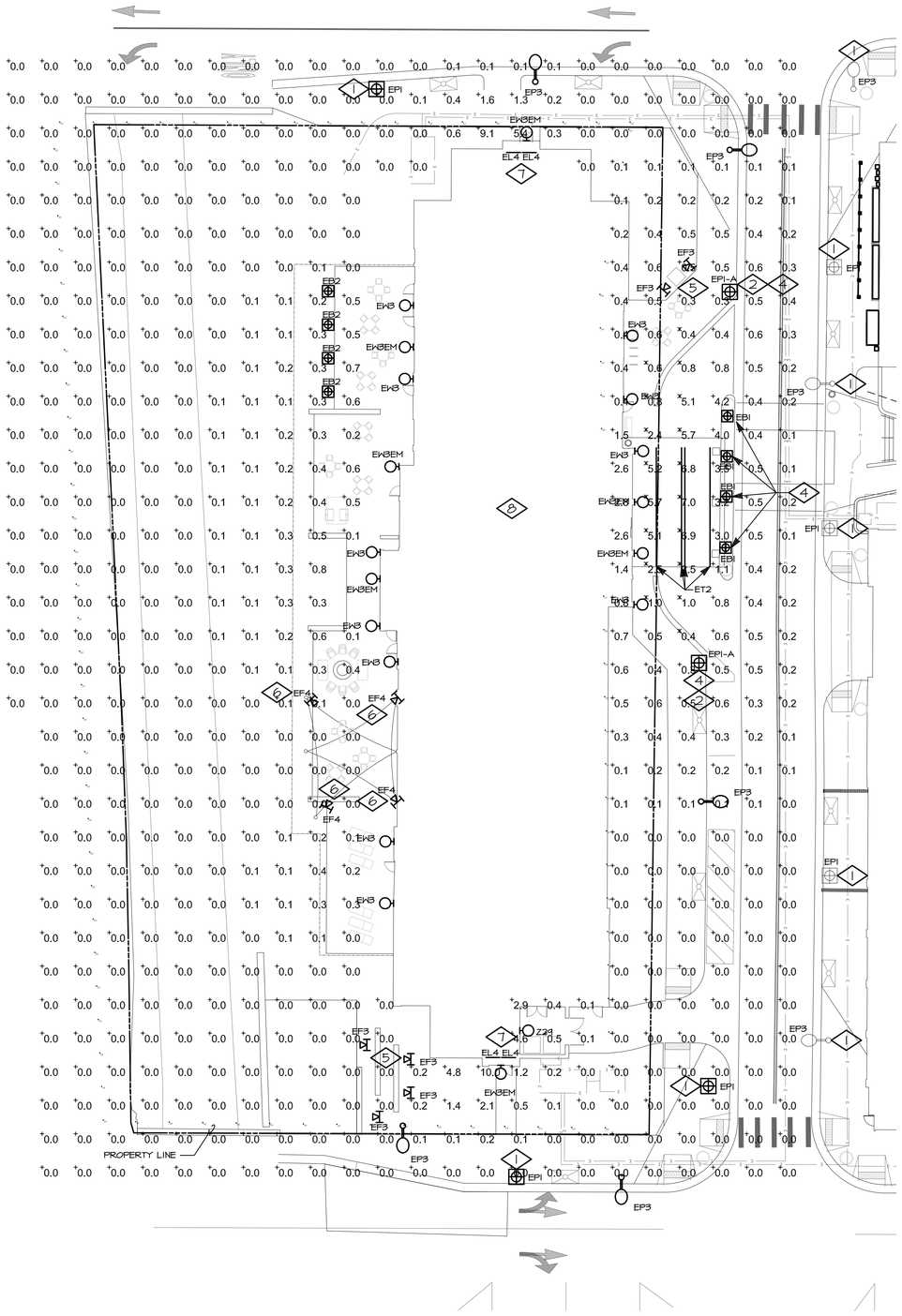
ISSUED FOR:
SITE DEVELOPMENT PLAN

SHEET TITLE:
ARCHITECTURAL PERSPECTIVES

SCALE:
SHEET NUMBER

Sheet 6 of 9

PC ATTACHMENT 4



NORTH

1 | PHOTOMETRIC SITE PLAN

6 | SCALE: 1" = 30'-0"

LIGHTING FIXTURE SCHEDULE

TYPE	DESCRIPTION	MANUFACTURER	CATALOG NUMBER	VOLTAGE	LAMP QTY	LAMP WATT	LAMP TYPE	LUMEN OUTPUT	COLOR TEMP	MAX WATTS	CUTOFF	MOUNTING LOCATION	INFORMATION BOF/RFD/OFH	NOTES
EB1	PEDESTRIAN LED BOLLARD	EATON INVUE	ABB-BI-LED-42-D1-5-XX-8030	UNV	1	16	LED	717	3000K	16	BI-U0-G1	POLE GROUND	42" OFH	
EB2	SMALL LED LANDSCAPE LIGHT	KUZCO LIGHTING	EB0112-BK	UNV	1	10	LED	800	3000K	10	FULL CUTOFF	POLE GROUND	7'-7/8" OFH	
EF3	EXTERIOR ACCENT LIGHT PUBLIC ART	EATON-LUMIERE	203-1OLED-30-21-12-XX	120/12	1	10	LED	419	3000K	10	NOT VERIFIED	SURFACE GROUND		4
EF4	SMALL EXTERIOR FLOOR LIGHT	GVA LIGHTING	LIRA-BM-5W-3000K-20-ND-24VDC-LLX	120/24	1	5	LED	400	3000K	5	NOT VERIFIED	SURFACE POLE		
EL4	4' LED LINEAR UPLIGHT, RGB CAPABILITY	VIVID LEDS	WDZ536L12LP-RGB-15-5T-XX-RB	120	1	40	LED		3000K	40	NOT VERIFIED	SURFACE		3
EP1	PEDESTRIAN-SCALE LED POST-TOP	EATON INVUE	ARB-BI-LED-D1-T5-XX-7030	UNV	1	24	LED	2300	3000K	24	B2-U1-G1	POLE GROUND	14'-0" OFH	
EP3	LED STREET LIGHT, 8' EXTENDED ARM CITY OF LOVELAND STANDARD STANDARD DARK BRONZE FINISH	PHILIPS-LUMEC	LUMINAIRE: MSC-135W80LED4K-T-LE3F-120-CLO-XXX-PHB MAST ARM: 261-00644 POLE: 27H-0015	120	1	135	LED	13063	4000K	135	FULL CUTOFF	POLE FLOOR	32'-0" OFH	1
ET2	EXTERIOR LED TAPE LIGHT WITH FROSTED LENSED CHANNEL	JESCO LIGHTING	DL-FLEX-WET-HO DL-FLEX-OD-CH6	120/24	1	3.25 /FT	LED	260 /FT	3000K	9.8	NOTE 2	SURFACE	NOTE 2	2
EW6	DECORATIVE LED WALL SCONCE	KUZCO LIGHTING	EW53416-XX	120	1	9.5	LED	600	3000K	9.5	NOT VERIFIED	SURFACE WALL	6'-0" BOF	5
EW6EM	DECORATIVE LED WALL SCONCE WITH REMOTE EM INVERTER	KUZCO LIGHTING	EW53416-XX EL1-5-20 OR APPROVED EQUAL	120	1	9.8	LED	600	3000K	9.8	NOT VERIFIED	SURFACE WALL	6'-0" BOF	
Z24	EXTERIOR LED WALLPACK, MARRIOTT STANDARD	EATON-LUMARK	XTOR2B-Y-BK	120/277	1	18	LED	2000	3000K	18	FULL CUTOFF	SURFACE WALL	8'-0" BOF	

ABBREVIATIONS: BOF - BOTTOM OF FIXTURE, RFD - RECESSED FIXTURE DEPTH, OFH - OVERALL FIXTURE HEIGHT, AFF(AFG) - ABOVE FINISHED FLOOR (GRADE), WFD - WALL FIXTURE DEPTH

GENERAL NOTES:

A. EC TO CONFIRM ALL FIXTURE FINISHES WITH ARCHITECT/OWNER PRIOR TO PURCHASE.

SPECIFIC NOTES:

1. STOCK NUMBERS PROVIDED FOR MAST ARM AND POLE, REFER TO CITY OF LOVELAND STANDARDS FOR APPROVED MANUFACTURERS AND CATALOG NUMBERS.
2. EC TO PROVIDE ALL PARTS AND PIECES NECESSARY FOR FULLY FUNCTIONAL SYSTEM, INCLUDING BUT NOT LIMITED TO POWER SUPPLY, MOUNTING CLIPS, CONNECTORS, ETC. EC TO MOUNT FIXTURES TO PORTE COCHERE STRUCTURE. COORDINATE EXACT MOUNTING LOCATIONS IN FIELD WITH ARCHITECT.
3. EL4 TO MOUNT HORIZONTALLY ON BUILDING STRUCTURE AND GRAZE UPWARDS ON BUILDING FACADE. EXACT MOUNTING LOCATION TO BE COORDINATED IN FIELD WITH ARCHITECT.
4. EF4 FIXTURES INTENDED TO REPRESENT ANTICIPATED PUBLIC ART ACCENT LIGHTING. EXACT SPECIFICATIONS AND LOCATIONS TO BE DETERMINED WHEN ART INSTALLATIONS ARE CONFIRMED.
5. EC TO LOCATE REMOTE EMERGENCY INVERTER IN NEAREST ACCESSIBLE INTERIOR LOCATION.

GENERAL NOTES

A. LIGHTING CALCULATIONS WERE MADE USING A LIGHT LOSS FACTOR OF 1.0.

B. CALCULATION POINTS WERE TAKEN AT GRADE LEVEL ON A 10'X10' GRID, EXCEPT WHERE OTHERWISE NOTED. CALCULATIONS DO NOT REPRESENT ANY SLOPE OF ELEVATION CHANGE.

C. ILLUMINANCE CONTRIBUTIONS FROM ADJACENT PROPERTIES, LANDSCAPE LIGHTING, DECORATIVE LIGHTING, AND EXISTING STREET LUMINAIRES ARE NOT INCLUDED IN CALCULATIONS.

D. 'EP3' STREET LIGHTING PROPOSED BY THE CITY ARE SHOWN ON PLAN FOR REFERENCE, BUT ARE NOT INCLUDED IN CALCULATIONS. AREAS SURROUNDING THESE LOCATIONS ARE EXPECTED TO RECEIVE SIGNIFICANT LIGHT LEVEL CONTRIBUTIONS FROM THESE LIGHTS THAT ARE NOT REFLECTED IN THESE CALCULATIONS AND MAY APPEAR UNDERLIT.

E. APPLICABLE CODES THAT HAVE BEEN DESIGNED TO ARE 2012 IECC AND 2014 NEC.

F. PEDESTRIAN AREA IS A PATH OF EGRESS AND THEREFORE, THE LIGHTING LEVELS HAVE BEEN DESIGNED TO MEET MINIMUM EGRESS LIGHTING LEVEL REQUIREMENTS.

G. REFER TO SITE PLAN FOR PEDESTAL LIGHTING BASE. PEDESTAL SHOWN FOR GROUNDING AND CONDUIT ONLY. ALL BASES TO BE PROVIDED WITH DOUBLE NUTS ON BOLTS INCLUDING FLAT WASHERS. BOLT AND CONDUIT LENGTHS TO MATCH ARCHITECTURAL TREATMENT OF TOP OF POLE FOUNDATIONS. TREATMENT TO BE DONE IN FIELD. EXTENSION MEASUREMENTS APPROXIMATE. COORDINATE WITH ARCHITECTURAL AND CIVIL FOR EXACT.

KEYNOTE LEGEND

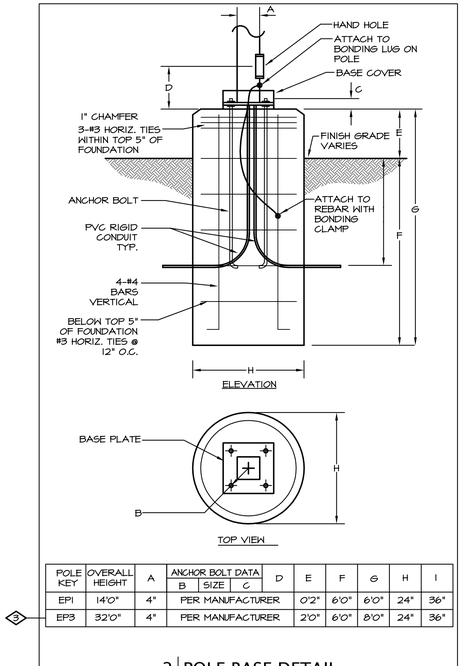
KEY VALUE	
1.	OFF-SITE FIXTURE SHOWN FOR REFERENCE, BUT NOT INCLUDED IN PHOTOMETRIC CALCULATION.
2.	POLE TO BE VISCO CUSTOM POLE, OR APPROVED EQUAL. POLE TO HAVE 30" PLANTER ARMS, MOUNTED AT 10'-0" AFF, WITH EYEBOLTS MOUNTED 24" FROM POLE. PROVIDE 1-1/4" DIAMETER HOLE WITH GROMMET FOR IRRIGATION AT APPROXIMATELY 9'-8" AFF. PROVIDE (2) SEPARATE CONDUITS FOR IRRIGATION AND ELECTRICAL CONNECTIONS INSIDE POLE. CONFIRM IRRIGATION CONDUIT REQUIREMENTS PRIOR TO ROUGH-IN AND INSTALLATION. COORDINATE EXACT IRRIGATION REQUIREMENTS WITH LANDSCAPE ARCHITECT PRIOR TO ROUGH-IN.
3.	USE WITH BREAKAWAY BASE, STOCK NUMBER 261-00710. REFER TO CITY OF LOVELAND STANDARDS FOR APPROVED MANUFACTURERS, CATALOG NUMBERS, AND OTHER DETAILS.
4.	PUBLIC RIGHT-OF-WAY LIGHTING INCLUDED IN PHOTOMETRIC CALCULATION TO DEMONSTRATE ILLUMINANCE CONTRIBUTIONS TO NEW DROP-OFF AREA.
5.	EP3 INTENDED TO ILLUMINATE ANTICIPATED PUBLIC ART INSTALLATION, NOT INCLUDED IN PHOTOMETRIC CALCULATION. EXACT LOCATIONS TO BE DETERMINED.
6.	EF4 TO BE MOUNTED TO POLE OR WALL UNDERNEATH SHADE CANOPY CONNECTION POINT AND AIMED TO LIGHT THE UNDERSIDE

KEYNOTE LEGEND

KEY VALUE	
7.	OF FABRIC SAILS, NOT INCLUDED IN PHOTOMETRIC CALCULATION.
7.	LINEAR UPLIGHT INTENDED TO ACCENT RECESSED WALL FEATURES, NOT INCLUDED IN PHOTOMETRIC CALCULATION. UPLIGHT GLOW TO BE CAPTURED BY OVERHANGING ROOF STRUCTURE.
8.	ROOF OVERHANG STRUCTURE INTENDED TO BE LIT WITH A SOFT GLOW. EXACT DETAILS TO BE DETERMINED.

Statistics

Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Block 1 Property Line	+	0.2 fc	8.9 fc	0.0 fc	N/A	N/A
Block 1 Site	+	0.3 fc	10.0 fc	0.0 fc	N/A	N/A
Porte Cochere	X	3.3 fc	7.0 fc	0.4 fc	17.5:1	8.3:1



POLE KEY	OVERALL HEIGHT	A	ANCHOR BOLT DATA B	SIZE	C	D	E	F	G	H	I
EP1	14'0"	4"	PER MANUFACTURER			0'2"	6'0"	6'0"	24"	36"	
3 EP3	32'0"	4"	PER MANUFACTURER			2'0"	6'0"	8'0"	24"	36"	

2 | POLE BASE DETAIL

6 | SCALE: NONE

AE DESIGN
Integrated Lighting and Electrical Solutions
1900 Wazee Street #205 | Denver, CO 80202 | 303.296.3034
aedesign-inc.com
Project #:3489.00

OZ ARCHITECTURE
3003 Larimer Street
Denver, Colorado 80205
phone 303.861.5704
www.ozarch.com

bha
1603 Oakridge Drive
Fort Collins, CO 80525
phone 970.223.7577
www.bhadesign.com

THE FOUNDRY HOTEL
SITE DEVELOPMENT PLAN
LOVELAND, CO 80538

PROJ. NO.	115253.02
DRAWN:	MJS
CHECKED:	ARC
APPROVED:	JEM
DATE:	SEP. 18, 2017

© OZ ARCHITECTURE

THE FOUNDRY HOTEL

ISSUED FOR:
SITE DEVELOPMENT PLAN

SHEET TITLE:
SITE PHOTOMETRIC PLAN

SCALE:

SHEET NUMBER
Sheet 7 of 9

PC ATTACHMENT 4

Invue

DESCRIPTION

The Arbor Bollard from Invue brings architectural style to the pedestrian level. The Arbor Bollard can be used along with Arbor post top luminaires to provide a coordinated look sure to enhance any architectural setting. WaveStream™ LED optics present a pixilation free image replacing visible glare, while providing high levels of pavement illumination.

Catalog #		Type
Project		
Comments		Date
Prepared by		

SPECIFICATION FEATURES

Construction
Top Housing: Low copper, cast aluminum top maintains strength and precision while providing for: rapid heat dissipation, vandal resistance and superior dayform. Lower Housing: Heavy 0.188" wall seamless extruded aluminum 4" O.D. shaft attaches to base via stainless steel fasteners. BASE: Rugged corrosion resistant extruded aluminum base mounts to foundation with three anchor bolts. Base features a pliable 12" thick neoprene leveling pad fitted to the bottom of base allows for sealing against water and dirt ingress regardless of minor deviations in grade of concrete pad.

Optics
Symmetric and asymmetric distributions are available using WaveStream LED optical technology. The optical waveguide is manufactured using precision injection molded acrylic for the ultimate level of glare control and visual comfort. Offered standard in 4000K (+/- 275K) CCT, optional 3000K minimum 80 CRI.

Electrical
LED driver(s) are mounted to electrical tray for easy installation and maintenance for 120-277V/ 50/60Hz, 347V 60Hz or 480V 60Hz operation. Offered standard with 0-10V dimming driver and Eaton's proprietary circuit module designed to withstand 10kV of transient line surge. Luminaire is suitable for ambient temperature applications from -30°C (-22°F) to 40°C (104°F) and IP66 rated against the ingress of dust and water.

Controls
The Arbor Bollard options are designed to be simple and cost-effective ASHRAE and California Title 24 compliant solutions. An integrated dimming and occupancy sensor is a standalone control option available in on/off (MSP) and bi-level dimming (MSPDIM) operation. An optional handheld remote (RMHK) allows custom programming to suit all needs.

Mounting
Luminaire is mounted to a 3 x 1/2" anchor bolts on a 2-3/8" bolt circle to with stand a 400 pound overturn moment. Order anchor bolts and installation template separately (ABAnchor).

Finish
Eaton utilizes premium ultra-weatherable TGIC based polyester powder coatings that are specifically formulated to withstand extended outdoor exposure. The powders are formulated exclusively for Eaton to serve functionality as well as decorative. Good film appearance combinded with excellent mechanical an exterior exposure qualities display greater than twice as much gloss retention. RAL and custom color matches available. Finish is compliant. with ASTM B117 3003hr salt spray standard.

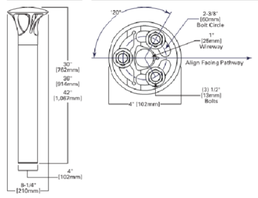
Warranty
Five-year warranty.



ABB ARBOR BOLLARD

PATHWAY LUMINAIRE

DIMENSIONS



BOLT CIRCLE ORIENTATION

CERTIFICATION DATA
UL/cUL Listed
IP66 Housing
ISO 9001
RoHS

ENERGY DATA
Electronic LED Driver
>0.9 Power Factor
<20% Total Harmonic Distortion
120-277V 50/60Hz, 347V 60Hz,
480V 60Hz
-30°C Minimum Temperature
40°C Ambient Temperature Rating

Approximate Net Weight:
18.2lbs (lbs. [8.25 kgs.])

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EATON
Powering Business Worldwide

1 | EB1
7 | SCALE: NTS

Invue

DESCRIPTION

The Invue Arbor post top brings architectural style to areas ite and pedestrian scale applications. Its dayform appearance brings a desired organic look into the urban environment. WaveStream™ LED Optics provide a uniform pixelation free image, managing glare while providing high levels of visibility.

Catalog #		Type
Project		
Comments		Date
Prepared by		

SPECIFICATION FEATURES

Construction
Two-piece IP66 rated housing is cast from low copper content corrosion resistant aluminum, maintaining strength and precision to sustain long term dayform appearance. ANSI C136.31 testing compliance prevents damage from installation generated vibration. External hardware and casting seams are minimized to enhance appearance.

Optics
Specifically designed for pedestrian applications, WaveStream LED optical waveguide technology produces both symmetric NEMA type V and asymmetric NEMA I, II, IV distributions. The waveguide is manufactured from precision injection molded acrylic resulting in a pixelation free optical image for improved glare control and visual comfort. Luminaire efficacy's measure up to 100 lm/w for 4000K (+/- 275K) CCT at 70 CRI (min), optional 3000K CCT at 80 CRI is also available.

Electrical
LED driver(s) are directly mounted to copper housing thermal pad for optimal thermal performance. Standard 0-10V dimming drivers and Eaton's proprietary surge protection module are designed to withstand 16kV of transient line surge. Drivers operate at 120-277V 50/60Hz with 347V/60Hz or 480V/60Hz operation optional. Suitable for ambient temperature applications from -30°C (-22°F) to 40°C (104°F). Limited high ambient options allow for 50°C operation.

Controls
The Arbor LED luminaire control options are designed to be simple and cost-effective ASHRAE and California Title 24 compliant solutions. The ANSI C136.41 compliant NEMA 7-PIN receptacle enables wireless dimming when used with compatible photocontrol. An integrated dimming and occupancy sensor is a standalone control option available in on/off (MS) and bi-level dimming (MS/DIM) operation. The optional LunaWatt™ system is best described as a peer-to-peer wireless network of luminaire-integral sensors that operate in accordance with programmable profiles. Each sensor is capable of motion and photo sensing, metering power consumption and wireless communication.

Mounting
Fitter assembly mounts over 2-3/8" O.D. tenon and is secured via six concealed stainless steel set screws. Design of fitter provides seamless transition to 3" O.D. round pole top. Additional mounting accessories include a single fixture arm mount, twin fixture arm mount and wall mount arm. Additional pole mount accessories mount to a 3" x 4" long tenon for 4" - 5" O.D. poles tops. For existing 2-3/8" tenons an adapter is shipped standard.

Finish
Eaton utilizes premium ultra-weatherableTGIC based polyester powder coatings that are specifically formulated to withstand extended outdoor exposure. The powders are formulated exclusively for Eaton to serve functionality as well as decorative. Good film appearance combinded with excellent mechanical an exterior exposure qualities display greater than twice as much gloss retention. RAL and custom color matches available. Finish is compliant with ASTM B117 3600hr salt spray standard.

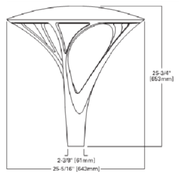
Warranty
Five-year warranty.



ARB ARBOR POST TOP

DECORATIVE LUMINAIRE

DIMENSIONS



CERTIFICATION DATA
UL/cUL Listed
IP66 Housing
ISO 9001
DesignLights CensorSum™ Qualified*

ENERGY DATA
Electronic LED Driver
>0.9 Power Factor
<20% Total Harmonic Distortion
120-277V 50/60Hz, 347V/60Hz,
480V/60Hz
-30°C Minimum Temperature
40°C Ambient Temperature Rating

EPA
Effective Projected Area: (Sq. Ft.) 0.9

Approximate Net Weight:
37 lbs. (16.8 kgs.)

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*www.designlights.org

EATON
Powering Business Worldwide

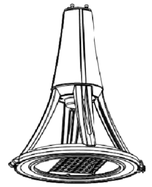
2 | EP1
7 | SCALE: NTS

Modern styling meets advanced lighting technology

PHILIPS LUMEC URBANSCAPE LED PENDANT URBAN LUMINAIRE

The Philips Lumec UrbanScape LED Pendant luminaire combines style and performance to create flexible, durable and attractive energy-saving solutions that blend in well with modern-styled urban architecture. Thanks to the open design it is capable of more powerful lumen packages suited to the higher visibility requirements of roads and intersections – up to 96 LEDs can deliver over 20,000 lumens, equivalent to 400W HID. The pendant model comes with a choice of flat or sag lens and an optional white opaque globe.

URBANSCAPE LED PENDANT URBAN LUMINAIRE



Project:
Location:
Catalog No:
Fixture Type:
Mfg: Lamps: Qty:
Notes:

Ordering guide

example: MSC-145W96LED4K-T-LE3F-120-CDMGME5-SMA-RCD-BKTX

Luminaire	LED Module	Optical System	Voltage	Driver Options	Adapter	Luminaire Options	Accessories	Mounting	Poin	Finish
MSC								—	—	

MSC[1]: UrbanScape Pendant LED Luminaire

LED Module
- 35W32LED4K-T[1]
- 52W32LED4K-T[1]
- 72W32LED4K-T[1]
- 97W32LED4K-T[1]
- 55W48LED4K-T
- 88W48LED4K-T
- 108W48LED4K-T
- 140W48LED4K-T
- 79W64LED4K-T
- 119W64LED4K-T
- 145W64LED4K-T[1]
- 195W64LED4K-T[1]
- 99W80LED4K-T
- 135W80LED4K-T
- 180W80LED4K-T
- 119W96LED4K-T
- 160W96LED4K-T
- 215W96LED4K-T[1]

Optical System
- LE1F: Type II (ASYM) flat lens
- LE1F: Type III (ASYM) flat lens
- LE1WF[1]: Type III (ASYM) wide flat lens
- LE4F: Type IV (ASYM) flat lens
- LE1P: Type V (SYMM) flat lens
- LE1S: Type II (ASYM) sag lens
- LE1S: Type III (ASYM) sag lens
- LE1WS[1]: Type III (ASYM) wide sag lens
- LE4S: Type IV (ASYM) sag lens
- LE1S: Type V (SYMM) sag lens

Voltage
- 120: 120V
- 208: 208V
- 240: 240V
- 277: 277V
- 347: 347V[1]
- 480: 480V[1]

Driver Options
- CDMG: Dynadimmer for standard dimming (Small pig 7 for complete Dynadimmer solution)
- CLO: Pre-set driver to manage lumen depreciation
- AST: Pre-set driver for progressive start up
- OTL: Pre-set driver to signal end of life of the lamp
- DALI: Pre-set driver compatible with the DALI control system

Adapter
- MA1: 1¼" NPT threaded hole adaptor accepting a threaded tube.
- MA2: 1½" NPT threaded hole adaptor accepting a threaded tube.
- SMA: Decorative retro side-mounted cast-aluminum, accepts tubes from 1¼" to 2¼"
- SMB: Decorative contemporary side-mounted cast-aluminum, accepts tubes from 1¼" to 2¼"

Luminaire Options
- BX[1]: Bird-repellent
- DH: Opaque decorative hood
- HS: House Side Shield
- PHR: Photoelectric cell
- PHRXL[1]: Photoelectric cell, extended life
- PHS: Shorting Cap
- RCD[1]: 5-Pin receptacle for dimming photoelectric cell

Accessories
- SPC[1]: Stanserve Photo-cell Control Node-On-Off
- SPCD[1]: Stanserve Photo-cell Control Node-Dimming

Mounting
Consult the Philips web site for details and the complete line of Mountings

Poin
Consult the Philips web site for details and the complete line of Poles

Finish
- BE2TX
- BE6TX
- BE8TX
- BG1TX
- BKTX
- BRTX
- GN4TX
- GN6TX
- GN8TX
- GNTX
- GR
- GY3TX
- NP
- RD2TX
- RD4TX
- TG
- TS
- WHTX

(Consult pg 6 for color descriptions)

1. Luminaire is always shipped with a dimmable 0-10V driver (except for 35W32LED4K).
2. 347V and 480V not available.
3. Not available with DH option.
4. Not available with HS option.
5. Not available with driver options.
6. Can not be used with DH, PHR, PHRXL, PHR or RCD.
7. Use of photoelectric cell or shorting cap is required to ensure proper illumination.
8. Luminaire option RCD is required with this accessory.
9. CDMG, CDMGP and DALI are not available with SPC and SPCD.

PHILIPS LUMEC

3 | EP3
7 | SCALE: NTS

Lumière

DESCRIPTION

Cambria 203 is a small, low voltage dimmable LED anc halogen MR16 luminaire. It is available with a fully adjustable side swivel stem (203, 203-FL), an adjustable center rear swivel (203-CRS) or a stationary rear flush mount (203-FM). Side swivel models 203 and 203-FL provide 340° tilt and 360° rotation. Center rear swivel model CRS provides 200° tilt and 360° rotation. Center rear swivel model CRS provides 200° tilt and 360° rotation. Various lenses, louvers and color or dichroic filters can be combined - up to three at once - to create multiple lighting effects. The Lumiere exclusive Siphon Protection System (S.P.S.) prevents water from siphoning into the fixture through its own lead wires.

Catalog #		Type
Project		
Comments		Date
Prepared by		

SPECIFICATION FEATURES

Material
Housing, hood and mounting stem are precision-machined from corrosion-resistant billet stock 6061-T6 aluminum, C360 brass, C932 bronze, C110 copper or 303/304 stainless steel.

Finish
Fixtures constructed from 6061-T6 aluminum are double protected by an ROHS compliant chemical film underoxating and polyester powdercoat paint finish, surpassing the rigorous demands of the outdoor environment. A variety of standard colors are available.

Brass, Bronze, Copper or Stainless Steel
Fixtures constructed from brass, bronze, copper or stainless steel are left unpainted to reveal the natural beauty of the material. Brass, bronze and copper will patina naturally over time.

Hood
Hood is removable for easy relamping and accepts up to three internal accessories at once (lenses, louvers, filters) to achieve multiple lighting effects. Model 203, 203-CRS & 203-FM: Weep holes prevent warer and mineral stains from collecting on the lens, even in the straight-up position. Model 203-FL: Tha flush lens design reduces fixture length, minimizes debris collection and prevents water and mineral stains from collecting on the lens.

Gasket
Housing and hood are sealed with a high temperature silicone o-ring gasket to prevent water intrusion.

Lens
Tempered glass lens, factory sealed with high temperature adhesive to prevent water intrusion and breakage due to thermal shock.

Mounting Stem
Model 203 and 203-FL include fully adjustable side-mounted swivel stem, providing 340° tilt and 360° rotation for easy aiming. Center rear swivel (203-CRS) or stationary rear flush mount (203-FM) models are also available. All models include 1/2" NPS threaded male fitting. Stainless steel anti-locking mechanisms are standard (not available on 203-FM). Luminéra's exclusive Siphon Protection System (S.P.S.) prevents water from siphoning into the fixture through its own lead wires.

Hardware
Stainless steel hardware is standard to provide maximum corrosion-resistance.

Socket
Ceramic socket with 250° C Teflon® coated lead wires and GU5.3 bi-pin base.

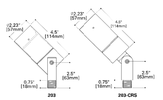
Electrical
Remote 12V transformer required (not included). **NOTE:** initial power draw on LED equipped fixtures is 15 watts. When sizing transformer use 15 watts per LED fixture. Nominal power draw after start up is 6 watts or 10 watts accordingly. Also, LEDs are more voltage sensitive than standard halogen MR16 lamps. The LED module is designed to operate between 10 and 13 volts. Any less or more voltage can cause premature failures.

Lamp
Halogen lamp not included. LED modules are included and are available in four color temperatures (2700, 3000, 4000, and 5700) and three distributions (spot, narrow, and flood). Both color temperature and distribution must be specified when ordering. Soraa lamp compatible (10W Max).



203
CAMBRIA
LED
HALOGEN

APPLICATIONS:
ACCENT / FLOOD



WORKS WITH SORAA

CERTIFICATION DATA
UL and cUL Wet Location Listed
LM79 / LM80 Compliant
ROHS Compliant
IP65 Ingressed Protection Rated

TECHNICAL DATA
8W LED, 170/60,000 hours at 25°C
10W LEC, 170/60,000 hourse 25°C
Low Voltage: 50W Halogen MR16

ORDERING INFORMATION

Sample Number: 203-FL-50MR16-12-NSS

Series	Construction	Source (for LED, select from each column and combine)			Voltage	Finish
203=LED of MR16 Cambria Accent Fixture	=Standard Side Swivel Stem, 1/2" NPS **CRS**=Center Rear Swivel Stem, 1/2" NPS **FM**=Rear Flush Mount, 1/2" NPS **FL**=Flush Lens, Side Swivel Stem, 1/2" NPS	**50MR16**=50W max. Halogen MR16 (lamp not included)			**12**=12V	**Painted** **BK**=Black **BZ**=Bronze **CS**=City Silver **VG**=Verde **WT**=White **Premium Finish** **NBR**=Natural Brass **NCP**=Natural Copper **NBZ**=Natural Bronze **NSS**=Natural Stainless Steel
		6LED=6W LED **10LED**=10W LED	**27**=2700K **30**=3000K **40**=4000K **57**=5700K	**12**=12° Spot **21**=21° Narrow **41**=41° Wide		
		4LED=4W LED **7LED**=7W LED	**AM**=Amber (585-595nm)			

EATON
Powering Business Worldwide

ADL032452
July 22, 2016
1 of 3

4 | EF3
7 | SCALE: NTS

Product Description

> Standard Ship - 30 Day Lead Time

The Twilight series is the leader in the industry for an economical color changing luminaire. Sticking to the basics by using industry standard DMX protocal for control, to clever wiring, to internal self-control with built-in programs, the Twilight series offers a basic solution that applies to even the most difficult applications. With quality throughout, from the LEDS to the die-cast housing, the Twilight shines above the rest.

Project:		Type:	
Location:			
Prepared By:		Date:	
Comments:			

Performance Summary

TWILIGHT Z5 LP SERIES

Static Color, Static White, or RGB Color Changing

LED DMX Wash, Stripe or Graze

- Edison LEDS with RGB efficacy >35 Lm/W and white >80 Lm/W**
- Solid state with high shock and vibration resistance
- Dimming capability with DMX or built-in controller
- Each red, green & blue LED has a 256 color depth
- Precise optics with photometric lens built over each LED
- Easy installation with 140 degree rotating mounting brackets
- RGB color changing modes by DMX 512 controller
- Fixture modes: 1) Independant, 2) DMX, 3) Master/Slave
- LED screen with push button control to change programs or setup DMX
- Built-in self-control with pre-programmed lighting effects
- Programs include solid colors, flashing, fading, color jumping
- High vertical illuminance for large space lighting
- Die-cast 6063 aluminum alloy silver housing with low heat generation
- Durable polycarbonate clear cover with water resistant protection
- Natural convection cooling method
- Light lens is 30% brighter than ordinary lens
- 5' power cable whip and 1.5' in and out DMX cable standard option
- 1.5' power cable in and out and 1.5' DMX cable in and out linkable option
- Contains no mercury or lead and cool to the touch
- No infrared or UV radiation
- Operating temperature: -20 to 40 degrees celsius
- IP65 rated, applicable for indoor or outdoor applications
- Constant current driver with universal voltage: 100-240 VAC
- 100,000 hour LED life
- Cerrifications: CE, RoHS, ETL
- 1 year system warranty - 2 or 3 year optional

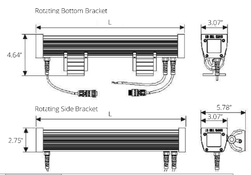


Power Linkable Option:

DMX Signal Cable with IP68 Connector



Power Cable with IP68 Connector



Models:

- WVDZ518L50LP: 18 LEDS - 20W - 22.6" (L) - 7.7 Lbs
- WVDZ536L10LP: 36 LEDS - 40W - 43.5" (L) - 11.7 Lbs
- WVDZ536L12LP: 36 LEDS - 40W - 48" (L) - 12.4 Lbs

Static color or white - 18/36 LEDS
RGB rotating - LEDS - R:6/12, G:6/12, B:6/12

Ordering Information:

Part Number:

*Adder Applies

Ordering Example: VWDZ536L10P-RGB-10-ST-SG-RB

Family	CCT	Optic	Connection	Finish	Mounting	Accessories*
WVDZ518L50LP WVDZ536L10LP WVDZ536L12LP	RGB - RGB Color Changing W - Static White - 3000K N - Static White - 4300K C - Static White - 6000K R - Static Red - 625nm G - Static Green - 525nm B - Static Blue - 466nm Y - Static Yellow/Amber - 590nm	10 - 10 Degree 20 - 20 Degree 45 - 45 Degree 15 - 15 x 50 Degree	ST - Standard LK - Linkable*	SG - Silver Gray WT - White* BK - Black* CS - Custom*	RB - Rotating Bottom Bracket RS - Rotating Side Bracket	GP - Field Installed Grounded Plug DMX Cables DMX Controllers Wireless DMX Signal Amplifiers

VividLeds
ILLUMINATING YOUR GREEN FUTURE

Vivid Leds, Inc.
PO BOX 9
Sellersburg, IN 47172
800-974-3570
www.vividleds.us

Dimensions, specifications, and product pictures are subject to change without notice.

**80 Lm/W is based on 6000K white CC*, Static color or RGB LEDS > 35 Lm/W.

J9

The product on this page is a manufactured to order, non-stocking item. This product cannot be returned for refund or credit.

Revised 7.14.17

5 | EL4
7 | SCALE: NTS

EW53916

SPECIFICATION SHEET

PROJECT	
DATE	TYPE

Sophisticated LED technology meets modern outdoor wall sconces

- Formed aluminum with powder coat and stone inlaid finish
- Black or Grey metal details
- Dimmable with ELV dimmer (Not included)
- Custom options available

Color Temp	3000K
CRI (Ra)	>90
Dimming	100% - 10%
Rated Life	50,000 hours

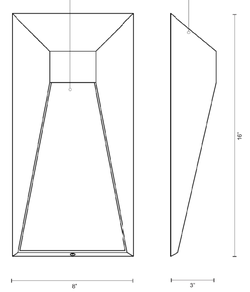
Voltage	Watt	LED Lumens	Delivered Lumens	Finish(es)
12V	9.5W	600lm		BK / GY



EW53916-BK

Stone inlaid finish

Metal Finish
BK - Black
GY - Grey





EW53916-BK



EW53916-GY

KUZCO LIGHTING
20170103

19054 28th Avenue
Surrey, BC, Canada
V3Z 6M3

T: 604 538 7762
F: 604 538 7796
W: Kuzcolighting.com

Intertek

6 | EW6
7 | SCALE: NTS

OZ ARCHITECTURE
3003 Larimer Street
Denver, Colorado 80205
phone 303.861.5704
www.ozarch.com

bha
1603 Oakridge Drive
Fort Collins, CO 80525
phone 970.223.7577
www.bhadesign.com

THE FOUNDRY HOTEL
SITE DEVELOPMENT PLAN
LOVELAND, CO 80538

PROJ. NO.	115253.02
DRAWN:	MJS
CHECKED:	ARC
APPROVED:	JEM
DATE:	SEP. 18, 2017

© OZ ARCHITECTURE

THE FOUNDRY HOTEL

ISSUED FOR:
SITE DEVELOPMENT PLAN

SHEET TITLE:
LIGHTING CUT SHEETS

SCALE:

SHEET NUMBER
Sheet 8 of 9

AE DESIGN
Integrated Lighting and Electrical Solutions
1900 Wazee Street #205 | Denver, CO 80202 | 303.296.3034
aedesign-inc.com
Project #:3489.00

PC ATTACHMENT 4

LIRA™

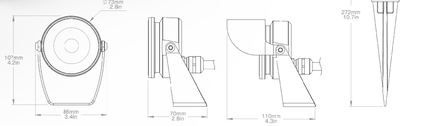
GVA LIGHTING

Monochromatic Architectural Spot Light

PRODUCT SPECIFICATION SHEET



DATE:	
TYPE:	
COMPANY:	
PROJECT:	



FEATURES:

- IP66 rated for use in dry, damp, or wet locations
- Sealed with desiccant to avoid condensation
- Machined and anodized aluminum body for superior thermal management
- Tempered glass
- 5m (16.4ft) leader cable with proprietary moisture blocking design
- Wet location cable suitable for direct burial and/or exposed runs
- Two axis (2 x 360°) adjustable mounting bracket
- 5 year limited warranty

OPTIONS:

- Narrow, Medium, Wide, Elliptical (vertical) or Elliptical (horizontal) beam angle options
- Optical accessories for glare control

SPECIFICATION LOGIC: LIRA™ MONO

FAMILY	BODY COLOR	POWER	LED COLOR	OPTICS (IP66/68)	CONTROL	INPUT VOLTAGE	INPUT CABLE LENGTH
LIRA	**BM** - Black Matte **CM** - Clear Matte **CC** - Custom Color	**5W** **8W** **10W**	**2700K** **3000K** **3500K** **4000K** **5000K** **6500K**	**8** - 8°x8° **10** - 10°x10° **20** - 20°x20° **40** - 40°x40° **60** - 60°x60° **80** - 80°x80° **10x40** - 10°Hx40°V **40x10** - 40°Hx10°V **10x60** - 10°Hx60°V **60x10** - 60°Hx10°V **30x60** - 30°Hx60°V **60x30** - 60°Hx30°V	**ND** - Non-Dimming	**24VDC**	**LL5** - 5m (16.4ft) **LLX** - Custom (specify in meters or feet)

PRODUCT CONFIGURATION

GVA Lighting, Inc. 3400 Ridgeway Drive, #14 Mississauga, Ontario L5L 0A2
Tel: + 1 905 569 6048 Email: info@gvalighting.com

1 | EF3
8 | SCALE: NTS

Lumark

DESCRIPTION

The patented Lumark Crosstour™ LED Wall Pack Series of luminaries provides an architectural style with super bright, energy efficient LEDs. The low-profile, rugged die-cast aluminum construction, universal back box, stainless steel hardware along with a sealed and gasketed optical compartment make the Crosstour impervious to contaminants. The Crosstour wall luminaire is ideal for wall/surface, inverted mount for façade/canopy illumination, post/bollard, site lighting, floodlight and low level pathway illumination including stairs. Typical applications include building entrances, multi-use facilities, apartment buildings, institutions, schools, stairways and loading docks test.

Catalog #		Type	
Project			
Comments		Date	
Prepared by			

SPECIFICATION FEATURES

Construction
Slim, low-profile LED design with rugged one-piece, die-cast aluminum hinged removable door and back box. Matching housing styles incorporate both a small and medium design. The small housing is available in 12W, 18W and 26W. The medium housing is available in the 38W model. Patented secure lock hinge feature allows for safe and easy tool-less electrical connections with the supplied push-in connectors. Back box includes three half-inch, NPT threaded conduit entry points. The universal back box supports both the small and medium forms and mounts to standard 3-1/2" to 4" round and octagonal, 4" square, single gang and masonry junction boxes. Key hole gasket allows for adaptation to junction box or wall. External fin design extracts heat from the fixture surface. One-piece silicone gasket seals door and back box. Minimum 5" wide pole for site lighting application. Not recommended for car wash applications.

Optical
Silicone sealed optical LED chamber incorporates a custom engineered mirrored anodized reflector providing high-efficiency illumination. Optical assembly includes impact-resistant tempered glass and meets IESNA requirements for full cutoff compliance. Available in seven lumen packages; 5000K, 4000K and 3000K CCT.

Electrical
LED driver is mounted to the die-cast housing for optimal heat sinking. LED thermal management system incorporates both conduction and natural convection to transfer heat rapidly away from the LED source. 12W, 18W, 26W and 38W series operate in -40°C to 40°C [-40°F to 104°F]. High ambient 50°C models available. Crosstour luminaires maintain greater than 89% of initial light output after 72,000 hours of operation. Three half-inch NPT threaded conduit entry points allow for thru-branch wiring. Back box is an authorized electrical wiring compartment. Integral LED electronic driver incorporates surge protection. 120-277V 50/60Hz or 347V 60Hz models.

Finish
Crosstour is protected with a Super durable TGIC carbon bronze or summit white polyester powder coat paint. Super durable TGIC powder coat paint finishes withstand extreme climate conditions while providing optimal color and gloss retention of the installed life.

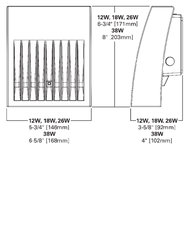
Warranty
Five-year warranty.



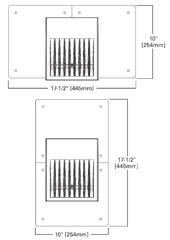
XTOR
CROSSTOUR LED

APPLICATIONS:
WALL / SURFACE
POST / BOLLARD
LOW LEVEL
FLOODLIGHT
INVERTED
SITE LIGHTING

DIMENSIONS



ESCUTCHEON PLATES



CERTIFICATION DATA
UL/cUL Wet Location Listed
LM79 / LM80 Compliant
ROHS Compliant
ADA Compliant
NOM Compliant Models
IP66 Ingressed Protection Rated
Title 24 Compliant
DesignLights Consortium® Qualified*

TECHNICAL DATA
40°C Maximum Ambient Temperature
External Supply Wiring 90°C Minimum

EPA
Effective Projected Area (Sq. Ft.):
XTOR1B, XTOR2B, XTOR3B=0.34
XTOR4B=0.45

SHIPPING DATA:
Approximate Net Weight:
3.7 – 5.75 lbs. [1.7 – 2.4 kgs.]

EATON
Powering Business Worldwide

*www.designlights.org

TD514013EN
2017-07-25 12:21:59

2 | Z29
8 | SCALE: NTS

DL-FLEX-WET & DL-FLEX-WET-HO

LED FLEXIBLE LINEAR WET LOCATION
DL-FLEX-WET STATIC SERIES

Type	
Project	
Catalog No.	



DL-FLEX-WET



DL-FLEX-WET-HO

DESCRIPTION

DL-FLEX-WET & DL-FLEX-WET-HO is an outdoor lighting system featuring a variety of control options. Made of highly flexible material that can conform to most surfaces. For best results, make bends on center between the LEDs with a bend angle no less than 45 degrees.

Note: DL-FLEX-WET is cut-to-length and, therefore, considered custom and non-returnable.

SPECIFICATIONS

Beam Angle	120°
Input Voltage	24V DC
Lamp Life	50,000 hours
Dimensions (per section)	5/8"W x 5/16"H See Ordering Information for exact lengths.
LEDs (per ft)	18
LED Spacing	5/8"
Operating Temperature *	–22°F - 140°F
Max Run †	DL-FLEX-WET : 30 ft DL-FLEX-WET-HO : 20 ft
Min Run ‡	~ 3-15/16"
Mounting	Clips or Channel
Environment ‖	Dry, Damp, and Wet location IP66
Certifications	c UL us LISTED
Warranty	5 Years – see published warranty terms for detailed information.

* Exceeding the operating temperature values may damage the LEDs by reducing the lifespan, lumen output, and adversely impact color consistency. It is recommended adequate airflow and heatsinking be taken into consideration in the installation and application of this product. Improper thermal management may lead to premature product failure.

† Single runs can not exceed max run values. Min run indicates minimum increments.

‡ This product cannot be submersed in water.

LUMEN DATA

Part Number	Color Temp *	Watts † (per ft)	Lumens (per ft)	Efficacy (lm/W)
DL-FLEX-WET	Warm White	1.3	115	82
	Neutral White*	1.3	120	92
DL-FLEX-WET-HO	Warm White	3.25	260	80
	Neutral White	3.25	280	86

* Warm White: 3000-3430K, Neutral White: 3500-4000K
◆ Contact factory
† Max value

Contact factory for other color options.

FEATURES

- Low power consumption, low heat output.
- No UV/IR radiation emitted, no mercury.
- For a 90° bend or tighter, do so at the cutting mark.

APPLICATIONS

- Outdoor gardens
- Path and contour marking
- Outdoor display lighting
- Bathroom lighting
- Signage
- Accent and edge lighting
- Backlighting

JESCO LIGHTING GROUP
www.jescolighting.com
support@jescolighting.com
Tech Support: 855.592.0029
15 Harbor Park Drive
Port Washington, NY 11050
Main Line: 800.527.7796
Fax Line: 855.265.5768
218 South 6th Ave
City of Industry, CA 91746
Main Line: 855.654.9110
Fax Line: 626.333.2955

Rev 6
10/22/2015

Specifications subject to change without notice.

3 | ET2
8 | SCALE: NTS

EB0112-BK

SPECIFICATION SHEET

PROJECT	
DATE	TYPE

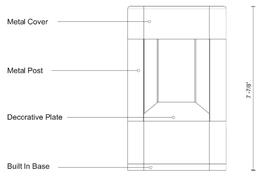
Sophisticated LED technology meets outdoor bollard

- Die-cast aluminum housing and wet location listed
- Dimmable with ELV dimmer (Not included)
- Powder coat finishes
- 120V

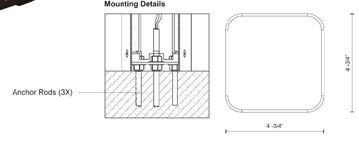
Color Temp 3000K
CRI (Ra) >80
Dimming 100% - 10%
Rated Life 50,000 hours

Voltage	Watt	LED Lumens	Delivered Lumens	Finish(es)
120V	10W	800	TBA	BK - Black





Mounting Details



KUZCO LIGHTING
20150430
19054 28th Avenue
Surrey, BC, Canada
V3Z 6M3
T: 604 538 7162
F: 604 538 7196
W: Kuzcolighting.com

Intertek

4 | EB2
8 | SCALE: NTS

OZ ARCHITECTURE
3003 Larimer Street
Denver, Colorado 80205
phone 303.861.5704
www.ozarch.com

bha
1603 Oakridge Drive
Fort Collins, CO 80525
phone 970.223.7577
www.bhadesign.com

THE FOUNDRY HOTEL
SITE DEVELOPMENT PLAN
LOVELAND, CO 80538

PROJ. NO.	115253.02
DRAWN:	MJS
CHECKED:	ARC
APPROVED:	JEM
DATE:	SEP. 18, 2017

© OZ ARCHITECTURE

THE FOUNDRY HOTEL

ISSUED FOR:
SITE DEVELOPMENT PLAN

SHEET TITLE:
LIGHTING CUT SHEETS

SCALE:

SHEET NUMBER

Sheet 9 of 9

AE DESIGN
Integrated Lighting and Electrical Solutions
1900 Wazee Street #205 | Denver, CO 80202 | 303.296.3034
aedesign-inc.com
Project #:3489.00

PC ATTACHMENT 4

EXHIBIT A

PROPERTY DESCRIPTION
East Second Street Right of Way Vacation

A description of a portion of the East Second Street Right of Way, being part of the Original Town of Loveland as recorded October 18, 1877 as Reception No. 5280 and re-recorded on November 15, 1877 at Reception No. 5335 of the Records of Larimer County, located in the Southwest Quarter (SW1/4) of Section Thirteen (13), Township Five North (T.5N.), Range Sixty-Nine West (R.69W.) 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 Lot 1, Block 1, Loveland Eleventh Subdivision recorded April 25, 2017 as Reception No. 20170026758 of the Records of Larimer County and assuming the North line of said Lot 1 as bearing North 89°13'19" West being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2011, a distance of 300.48 feet with all other bearings contained herein relative thereto;

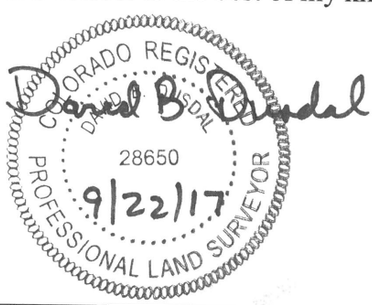
THENCE North 89°13'19" West along the North line of said Lot 1 a distance of 157.20 feet to the **POINT OF BEGINNING**;

THENCE North 89°13'19" West along the North line of said Lot 1 a distance of 52.00 feet;
THENCE North 00°15'41" East a distance of 19.00 feet;
THENCE South 89°13'19" East a distance of 52.00 feet;
THENCE South 00°15'41" West a distance of 19.00 feet to the **POINT OF BEGINNING**.

Said described parcel of land contains 988 Square Feet, more or less (±), 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, David B. Dusdal, a Colorado Registered Professional Land Surveyor do hereby state that this Property Description was prepared under my personal supervision and checking, and that it is true and correct to the best of my knowledge and belief.

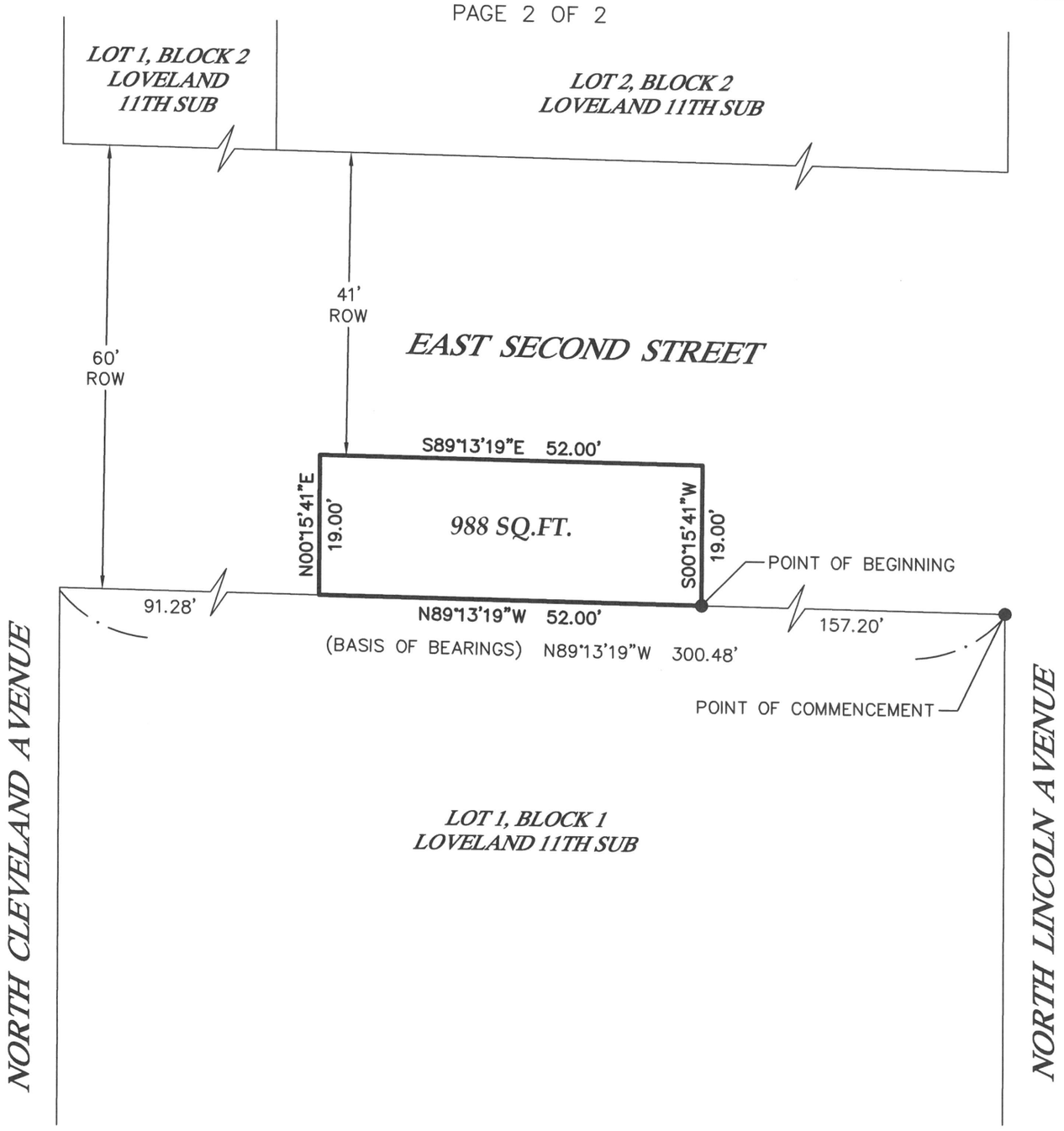


David B. Dusdal - on behalf of King Surveyors
Colorado Registered Professional
Land Surveyor #28650

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

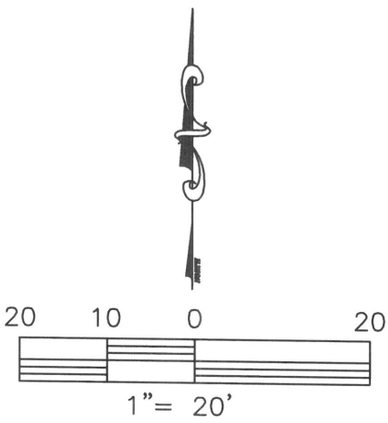
PC ATTACHMENT 5

EAST SECOND STREET RIGHT OF WAY VACATION	EXHIBIT A	SOUTHWEST QUARTER SECTION 13, T.5N., R.69W.





David B. Dusdal – On Behalf Of King Surveyors
Colorado Registered Professional
Land Surveyor #28650



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)

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.

PC ATTACHMENT 5

KING SURVEYORS
650 E. Garden Drive | Windsor, Colorado 80550
phone: (970) 686-5011 | fax: (970) 686-5821
email: contact@KingSurveyors.com

PROJECT NO: 20160827
DATE: 9/20/2017
CLIENT: INTERWEST
DWG: 20160827EXH–ESMT
DRAWN: CSK **CHECKED:** DBD

Community & Strategic Planning Division
410 E. 5th Street • Loveland, CO 80537
(970) 962-2523 • eplan-planning@cityofloveland.org

Planning Commission Staff Report

October 23, 2017

Agenda #: Regular Agenda -# 4

Title: HIP Streets Modernization

Applicant: Stanley Consultants & Community & Strategic Planning

Request: **Addendum to the 2009 HIP Streets Master Plan**

Location: The boundaries are approximately from 2nd Street to 6th Street and from North Garfield Avenue to Washington Ave.

Existing Zoning: All improvements are within the public right-of-way, zoned BE – Established Business District

Staff Planner: David Eisenbraun

Staff Recommendation

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

Recommended Motions:

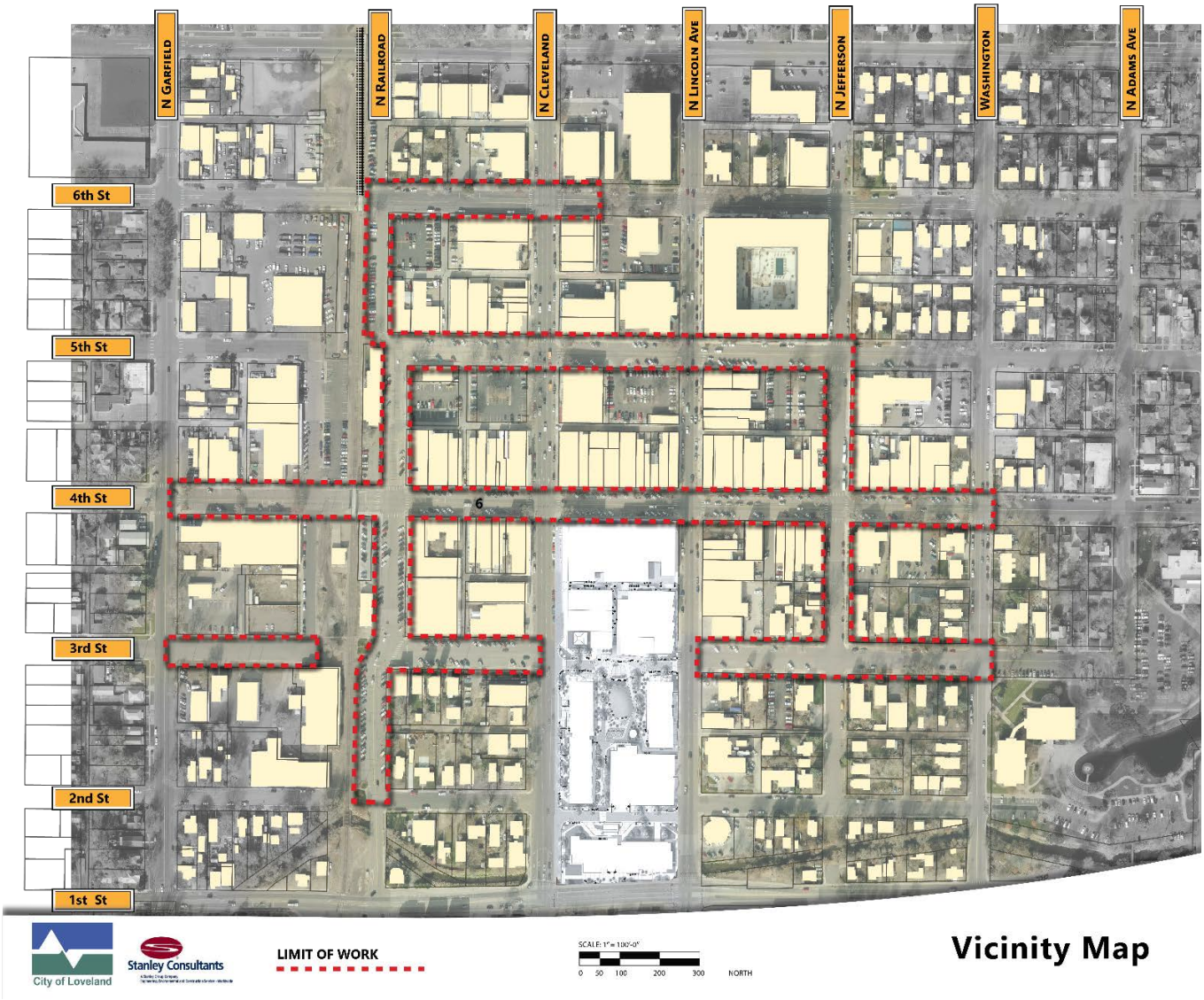
1. *Move to approve the HIP Streets Modernization Plan as an update and addendum to the 2009 Heart Improvement Program Streets Master Plan and to recommend adoption of the HIP Streets Modernization Plan by City Council, as amended on the record.*

Summary of Analysis

This is a public hearing to consider a graphic and materials update to the 2009 HIP Streets Master Plan. The project is referred to as the HIP Streets Modernization and is a collaboration between the applicant, Stanley Consultants, and the City of Loveland...

The 2009 HIP (Heart Improvement Program) Streets Master Plan was adopted to guide and outline improvements that would enhance the Downtown pedestrian and street network, focusing on public spaces, streets, infrastructure, cultural destinations and retail corridors. While much of the existing infrastructure today remains as it was in 2009, new catalysts projects and the desire to have an updated vision to guide redevelopment warrants an addendum to the original plan. The addendum includes thematic materials and patterns that are consistent with recent Downtown redevelopment projects including the Foundry. The modernization sets forth priorities based on the City's vision, public feedback and the ongoing redevelopment efforts. Elements within the plan include enhanced sidewalk pavement and designs, reconfiguration of parking, increased outdoor amenities and multi-modal infrastructure. Staff believes all key issues have been resolved and recommends approval of the plan addendum. The role of the Planning Commission is to determine whether the plan as presented will further downtown Loveland's health, safety and welfare and make a recommendation to City Council. The plan addendum request will be presented to City Council on December 5th.

I. VICINITY MAP



(HIP Streets Modernization Boundaries)

II. PROJECT PROCESS & DESCRIPTION

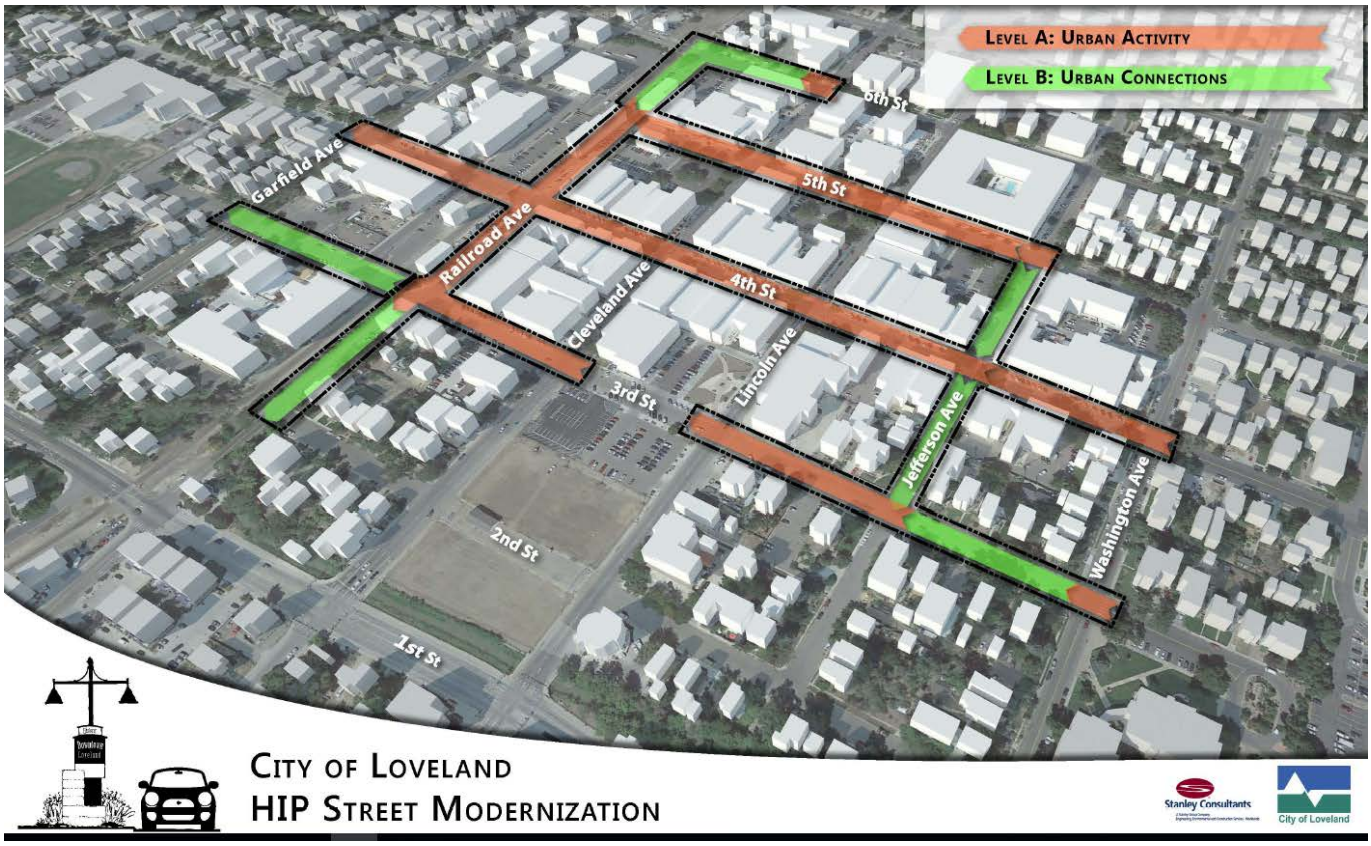
This graphic and materials update to the 2009 HIP Streets Mater Plan is in response to the vast amount of redevelopment happening in and around downtown. This update was undertaken with an extremely collaborative approach, incorporating opportunities for input from all facets of the community. Public input was solicited at the Project Start-up, Concept Design, Draft and Final Master Plan tasks. Each public open house included opportunities to comment on graphic presentation materials, notate on the drawings themselves and provide meaningful input indicating their concerns and preferences on project designs. Detailed information and project graphics were available throughout the project on the City's website, allowing additional opportunities for public comment. The project received guidance from a City Staff Technical Committee, Steering Committee and the general public throughout the duration of the project. The role of the City Staff Technical Committee was to review design concepts for compliance with technical standards and consideration for durability, cost and long-term maintenance. The Steering Committee was comprised of representatives from various owners within the downtown and citizens with a vested interest. The Steering Committee assisted in creation of the project goals, vision and designs, balancing input from their representative groups, public meetings and personal preferences based on what they would like to see in Downtown Loveland.

This update shall incorporate projects completed to date and projects pending. With the collaborative approach, we are working closely with the Brinkman Team on the Foundry as a first catalyst to the overall HIP Streets Modernization. With the installation of compatible designs and materials, the community at large will see how the design provides new opportunities. The Modernization, however, is keeping some key distinctive elements for the remainder of the downtown area as to not mirror the Foundry, but merely work together as a complimentary whole.

This update is prioritized to understand how we build out this vision with many new projects and redevelopment coming into the downtown district. Our goal is to integrate the whole district in a unified and cost effective manner. The plan focuses on public right of way improvements only, and covers 19 blocks throughout the downtown core. Primary components include the design of streets that take all users into account, include sidewalks lined with a variety of interesting features and activities and promote safety for vehicles, pedestrians and bicyclists. Furthermore, the plan strives to ensure it provides public spaces that accommodate a variety of uses and users, promote social interaction and a sense of community, and include memorable architectural, landscape and hardscape elements.

The HIP Streets Modernization designates two levels of materials. The Urban Activity is the highest level of finish, which incorporates various concrete scoring patterns and brick or sandstone bands to denote a more recognizable downtown core character. The Urban Connections level of detail contains standard concrete finishes with fewer element changes to better transition into the surrounding residential neighborhoods.

The project boundaries will focus on the downtown core. The boundaries will be approximately from 2nd St. N to 6th St. N, and from N Garfield Ave. to Washington Ave.



III. TIMELINE

MARCH '17 ..... STANLEY STARTS UPDATE
APRIL '17 ..... KICKOFF MEETING
MAY '17 ..... TECHNICAL TEAM MEETING #1
JUNE '17 ..... STEERING COMMITTEE MEETING #1
JUNE '17 ..... PUBLIC OPEN HOUSE #1
JULY '17 ..... TECHNICAL TEAM MEETING #2
AUGUST '17 ..... STEERING COMMITTEE MEETING #2
AUGUST '17 ..... PUBLIC OPEN HOUSE #2
AUGUST '17 ..... PRESENTATION TO DDA
OCTOBER '17 ..... CITY COUNCIL STUDY SESSION
OCTOBER '17 ..... TECHNICAL TEAM MEETING #3
OCTOBER '17 ..... STEERING COMMITTEE MEETING #3
OCTOBER '17 ..... PUBLIC OPEN HOUSE #3
OCTOBER '17 ..... PLANNING COMMISSION HEARING
NOVEMBER '17 ..... DDA MEETING
NOVEMBER '17 ..... LDP MEETING
DECEMBER '17 ..... CITY COUNCIL ADOPTION

IV. BACKGROUND

The original 2009 HIP Streets Master Plan was adopted in an effort to create a functional and aesthetically pleasing downtown environment. The plan strived to create a downtown network, which incorporated public spaces, pedestrian amenities, and a vibrant atmosphere for people to live, work, shop and visit. Specific to this streetscape plan, only design elements within the public right-of-way are addressed while the remainder is place on the individual redevelopment. The driving goals of the plan are to increase safety for all users, pedestrians and vehicles alike, and provide additional outdoor amenity spaces for the general public and property owners. The primary challenge in initial implementation of the 2009 HIP Streets Master Plan was based on the high level of finishes recommended. The overall design and materiality became cost prohibitive in light of the recent economic recession and thus, the plan became largely dormant. The only few elements ever implemented were a handful of wayfinding signs, Kitchen (Painters) Alley and various elements in the BE zoning code (i.e. sidewalk widths).

Since the plan's inception, downtown development and redevelopments have largely bolstered the vitality and sense of community. This created the need to look at the 2009 HIP Streets Master Plan and determine how it could be reimagined in a way that would both modernize it and ensure it could be updated in a way that lent itself to realistic implementation and maintenance goals. Since 2009, momentum has been building to improve the City's existing Downtown infrastructure. With the exception of minor upgrades, much of the Downtown Loveland infrastructure is as it has been for decades. Improvements to these elements along with utility services will not only benefit residents, business owners, property owners and visitors to the Downtown, but also provide the infrastructure framework that will attract new businesses and development to the Downtown core. Many communities have undergone similar infrastructure improvement projects and have reaped the benefits of a Downtown the community can be proud of and one which is the preferred location for new businesses to locate.

By the end of 2016, activity and investments within the downtown created an evident need for staff to look at the 2009 HIP Streets Master Plan and provide an update in a way that would increase the overall feasibility and implementation opportunities. It was then determined based on the limited funding and time, in an effort to coordinate with other projects like the Foundry, that a graphic and materials update is the most appropriate route.

Next actions for the HIP Streets Modernization is to be brought to City Council for adoption by Resolution December 5, 2017.

V. STAFF, APPLICANT, AND NEIGHBORHOOD INTERACTION

A. Notification

David Eisenbraun certified proper notice was provided and published in the Reporter Herald on October 4, 2017. All notices stated that the Planning Commission will hold a public hearing on October 23, 2017. No mailings or signs are required.

B. Neighborhood Interaction/Response

A neighborhood meeting is not required in conjunction with this application. However, to date, there have been three public open houses, monthly updates in the Development Services newsletters, information provided at various community events (Night on the Town, BBQ Festival, Corn Roast), and a survey on Open City Hall, which saw over 200 responses in an effort to draw feedback from those who are directly connected with the downtown..

VI. ATTACHMENTS

1. PowerPoint Presentation
2. Graphic Update Plan Set

DEVELOPMENT CENTER
Planning + Permitting + Building

City of Loveland

HIP STREETS MODERNIZATION

Planning Commission | October 23, 2017

Attachment 1

DEVELOPMENT CENTER
Planning + Permitting + Building

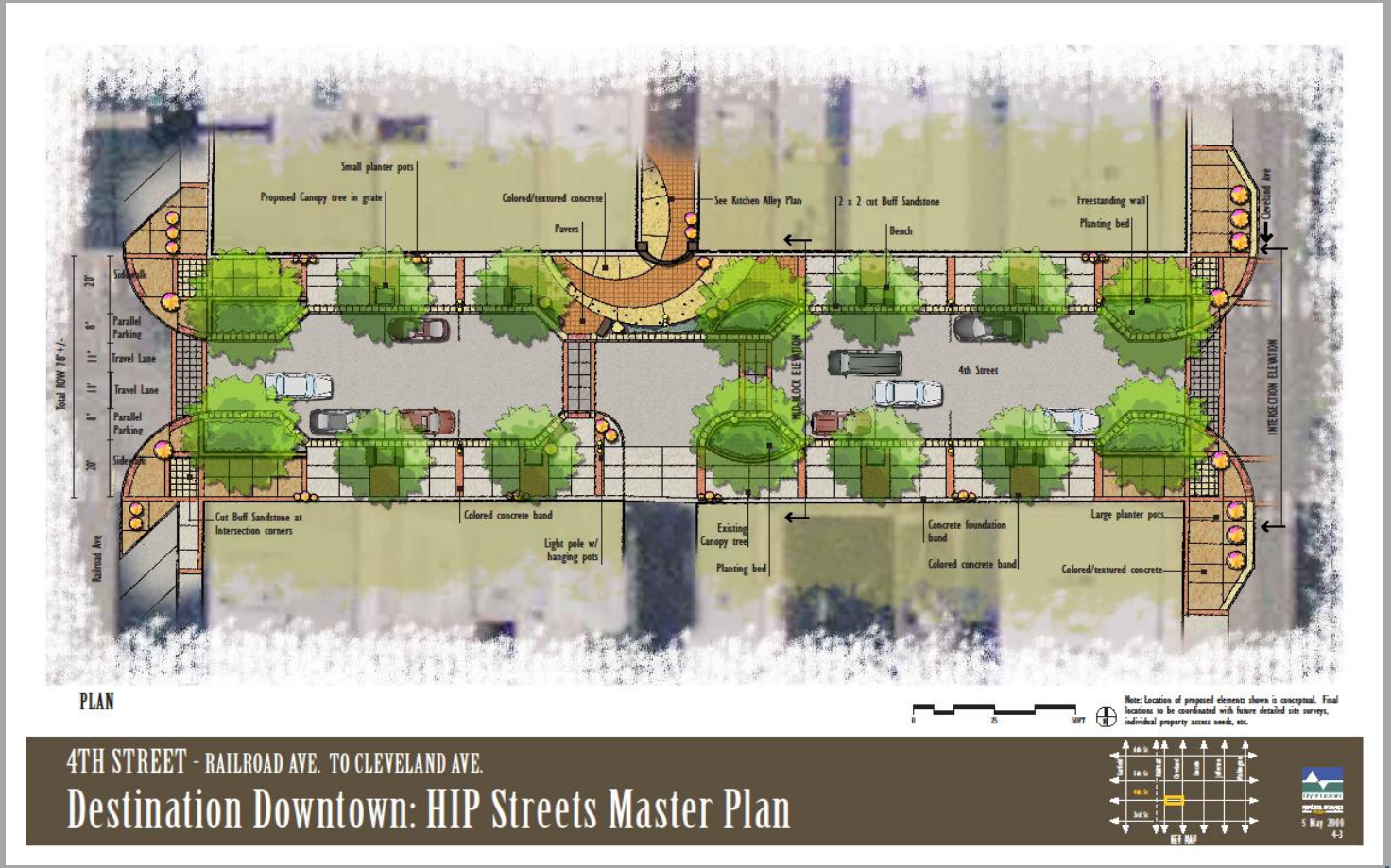
AGENDA

- Background
- Timeline
- Project context
- HIP Streets Plan “Modernized”
  - Layout of Blocks
  - Materials
- Questions/Feedback

DEVELOPMENT CENTER
Planning + Permitting + Building

BACKGROUND

- 2009 Plan
  - The Public Works Department completed the HIP (Heart Improvement Program) Streets Master Plan.
  - Aesthetically pleasing, eclectic, and facilitates a vibrant sense of community and business.
- HIP Streets Plan
  - Functional network of public spaces
  - Design an inclusive streetscape



DEVELOPMENT CENTER
Planning + Permitting + Building

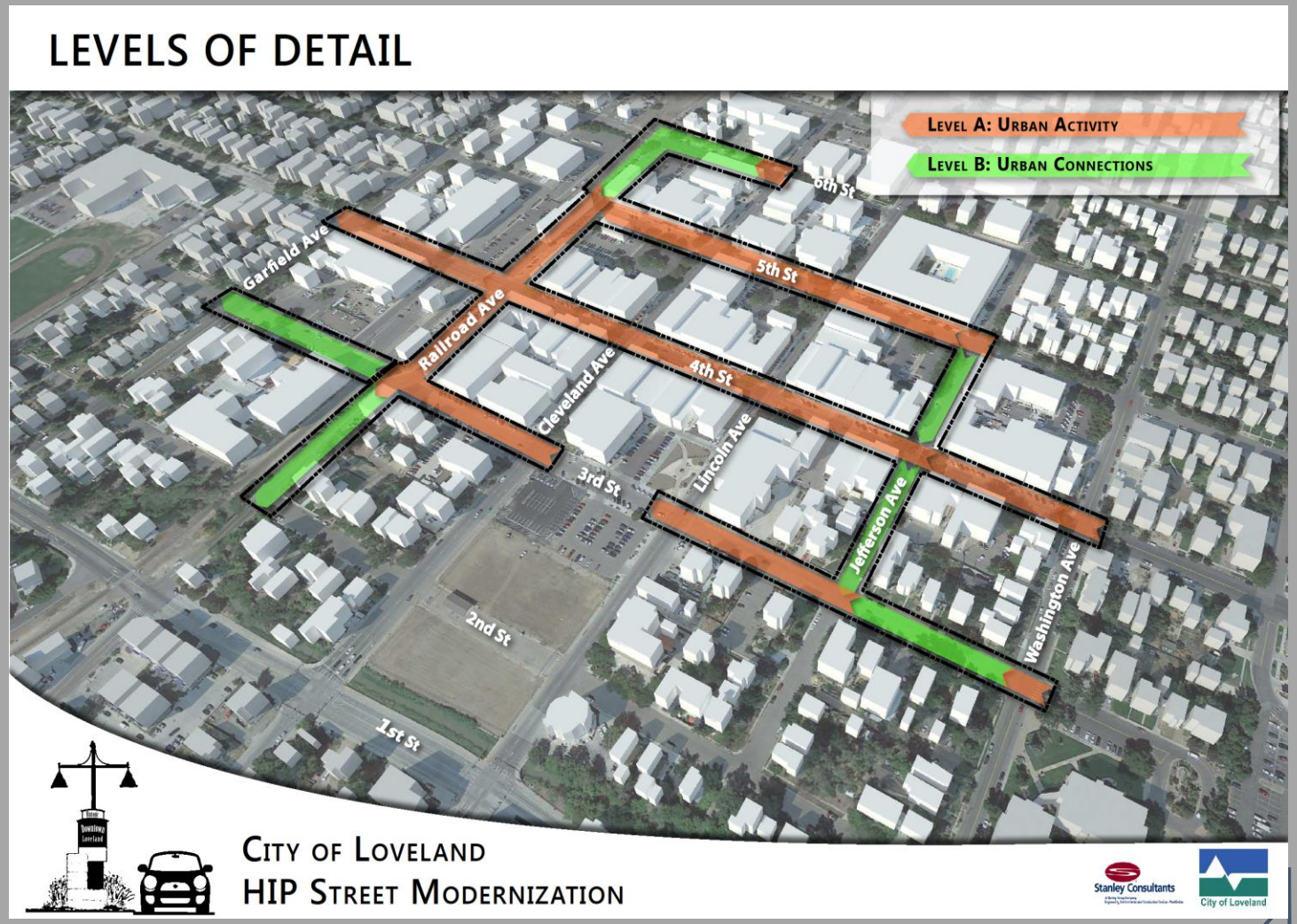
TIMELINE

- Outreach
  - Public open houses, community events, stakeholder committee, and newsletters
  - Open City Hall Survey – over 200 responses!
- Moving forward
  - DDA Meeting - November
  - LDP Meeting - November
  - City Council 1st Reading – December 5th

DEVELOPMENT CENTER
Planning + Permitting + Building

PROJECT CONTEXT

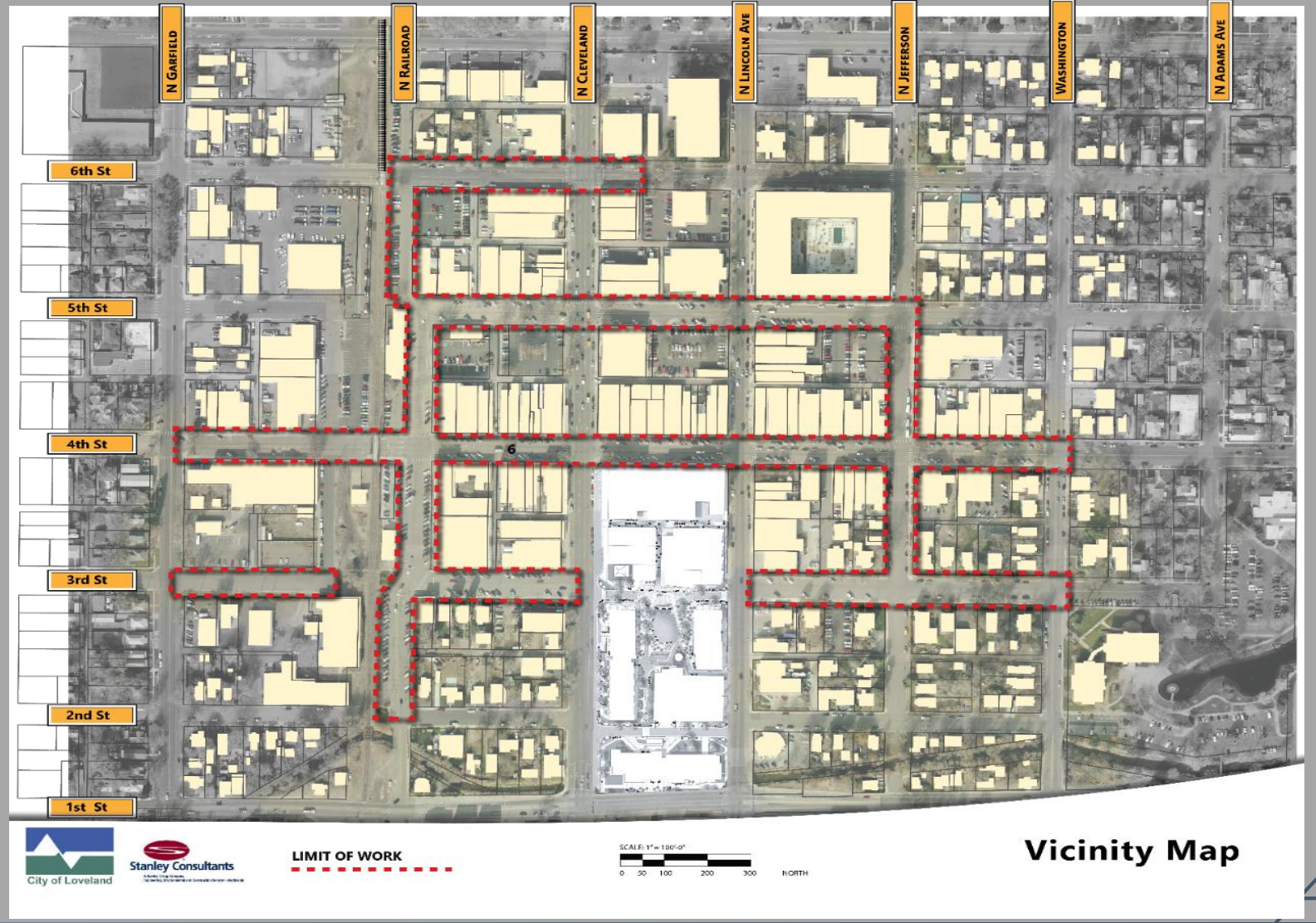
- Improvements to the public ROW only
- Two complimentary levels of materiality
- 19 blocks proposed to be improved
- New and enhanced multi-modal facilities



DEVELOPMENT CENTER
Planning + Permitting + Building

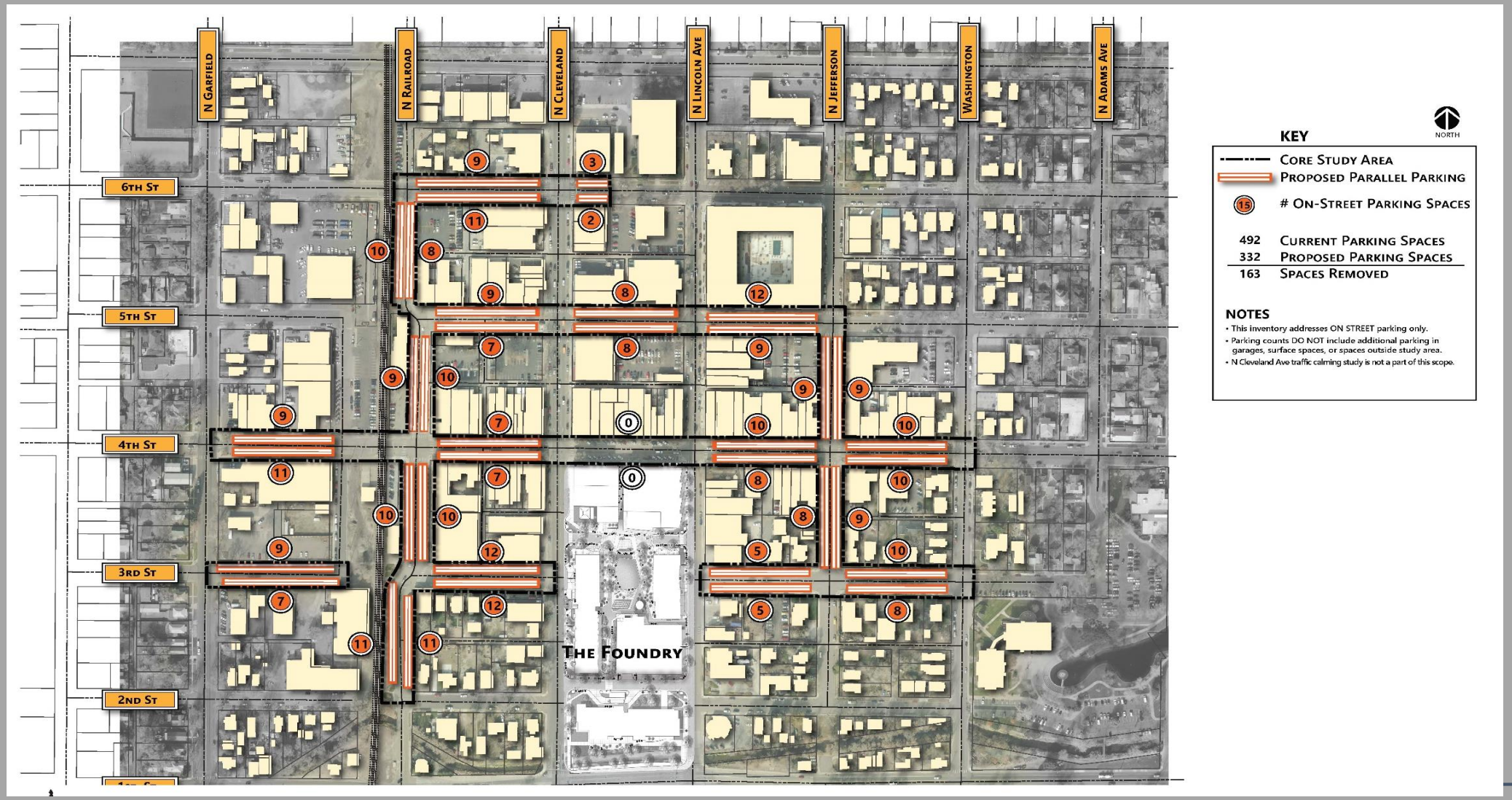
PROJECT BOUNDARIES

- Safety is paramount for all users
- Incorporate multi-modal options
- Increase pedestrian amenities
- Create additional opportunities for businesses



DEVELOPMENT CENTER
Planning + Permitting + Building

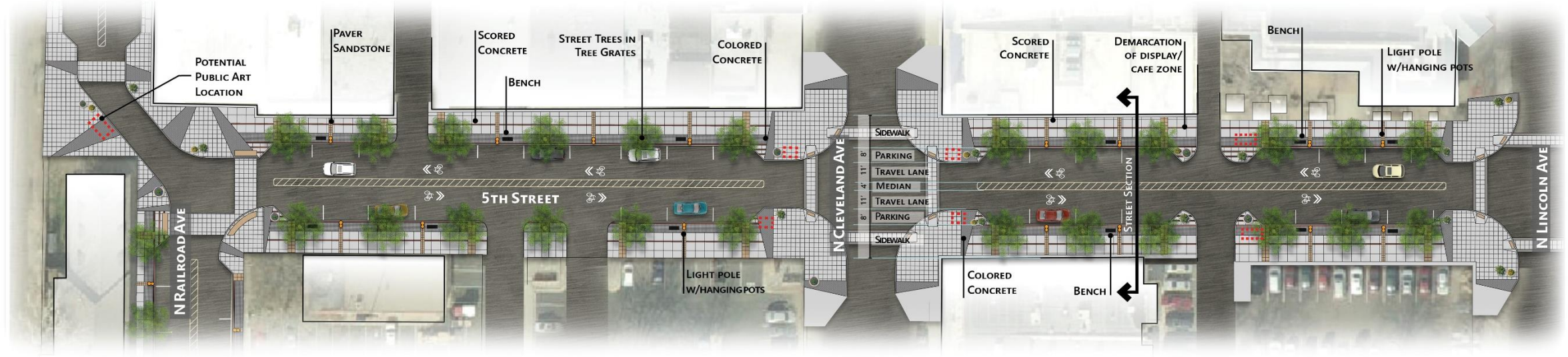
PROPOSED PARKING



DEVELOPMENT CENTER
Planning + Permitting + Building

BLOCK LAYOUT

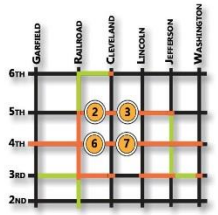
Block 2 & 3



0 12.5 25 50 75 NORTH



City of Loveland
HIP Street Modernization



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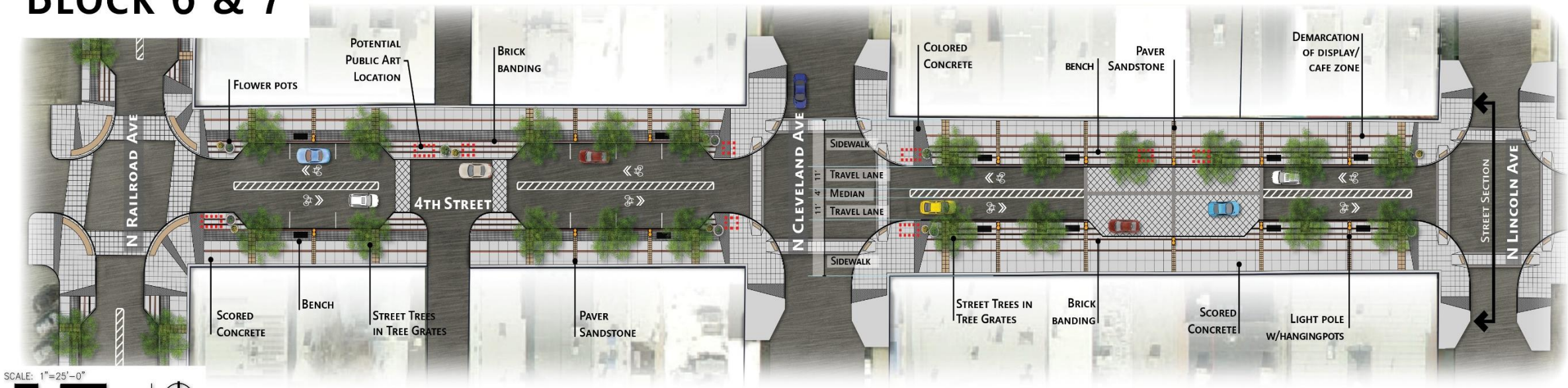
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DEVELOPMENT CENTER
Planning + Permitting + Building

BLOCK LAYOUT

Block 6 & 7

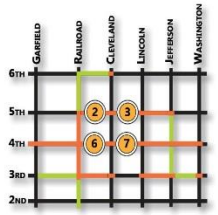


SCALE: 1"=25'-0"

0 12.5 25 50 75 NORTH



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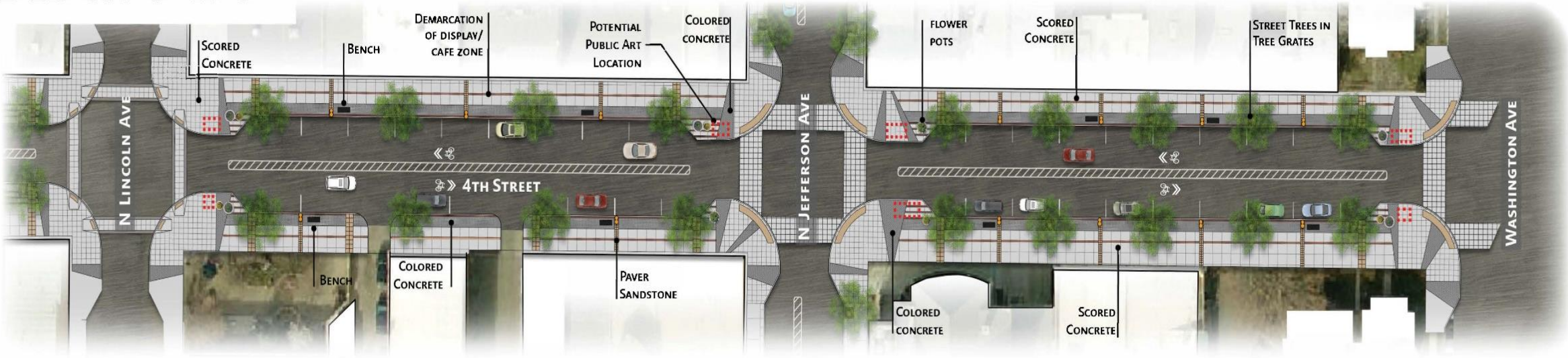
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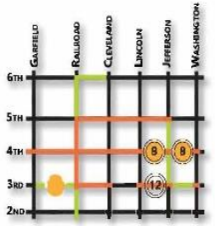
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BLOCK LAYOUT

Block 8 & 9



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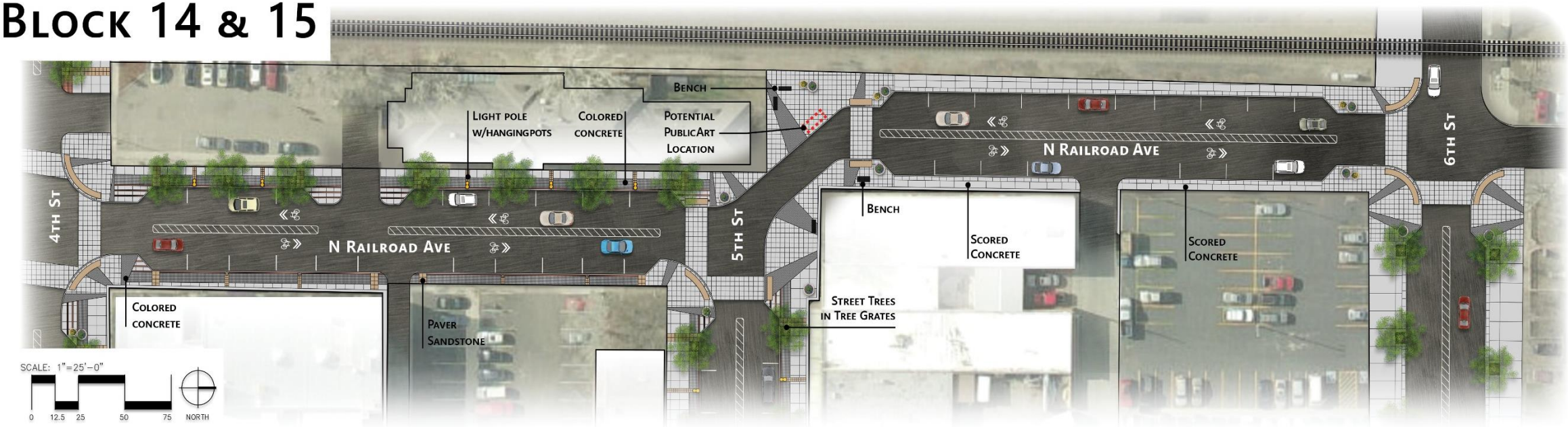
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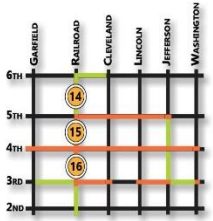
BLOCK LAYOUT

Block 14 & 15





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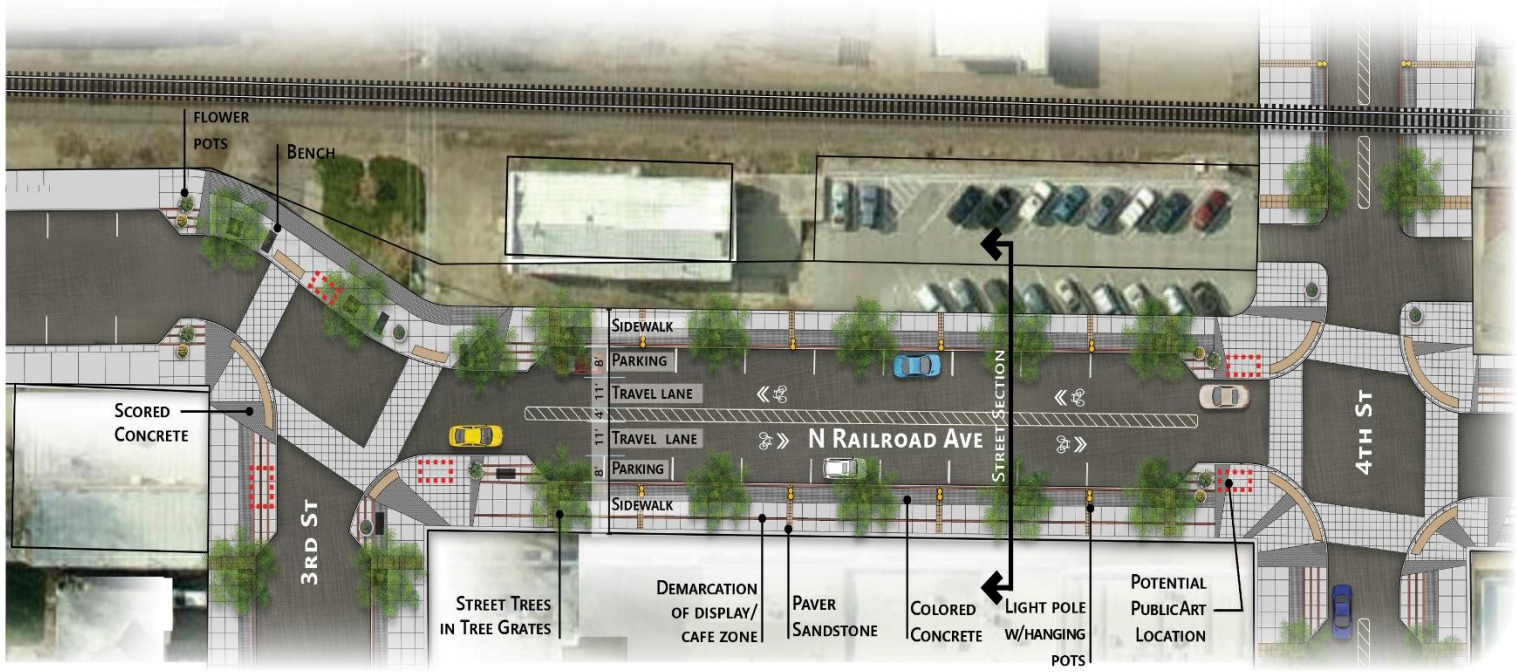
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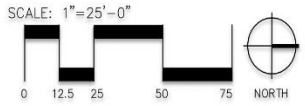
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DEVELOPMENT CENTER
Planning + Permitting + Building

BLOCK LAYOUT

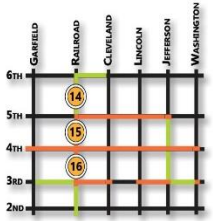
Block 16







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HIP Street Modernization



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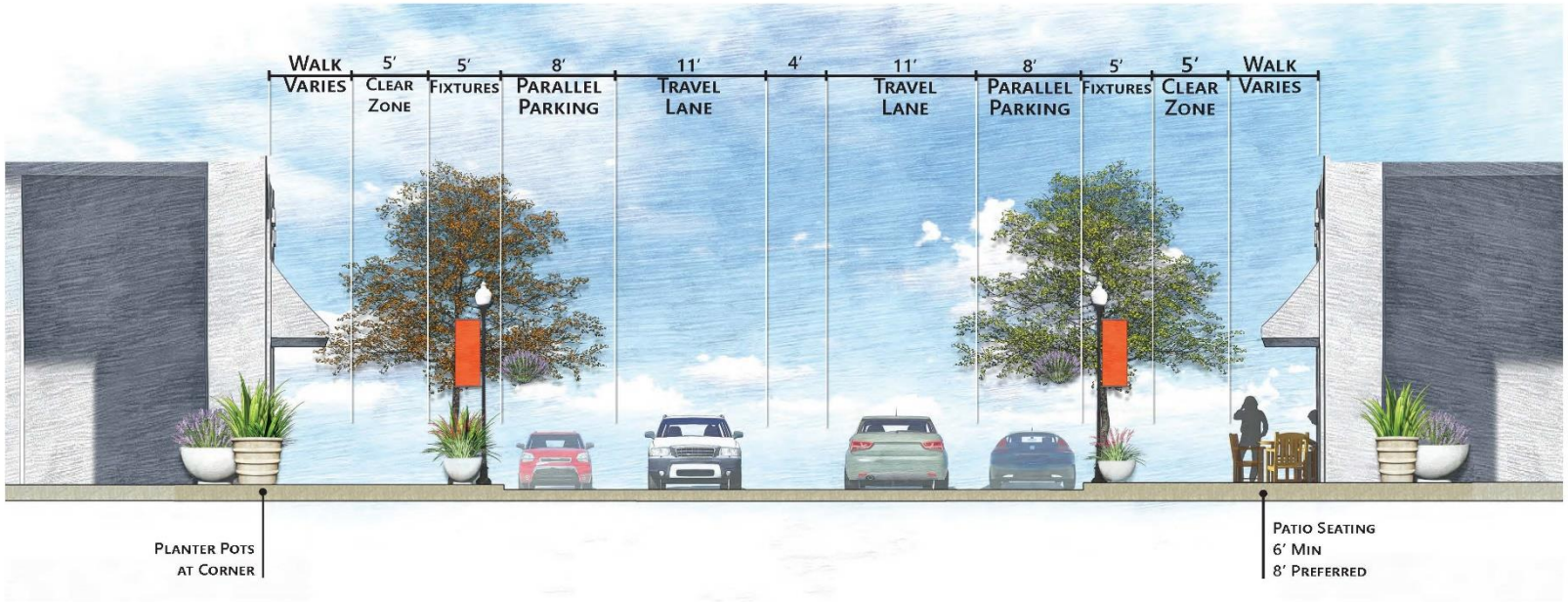
DEVELOPMENT CENTER
Planning + Permitting + Building

TYPICAL SECTION

CONCEPT STREET SECTION

BLOCK 3 - 5TH ST /
CLEVELAND AVE TO LINCOLN AVE





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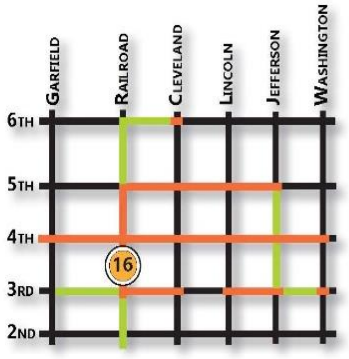
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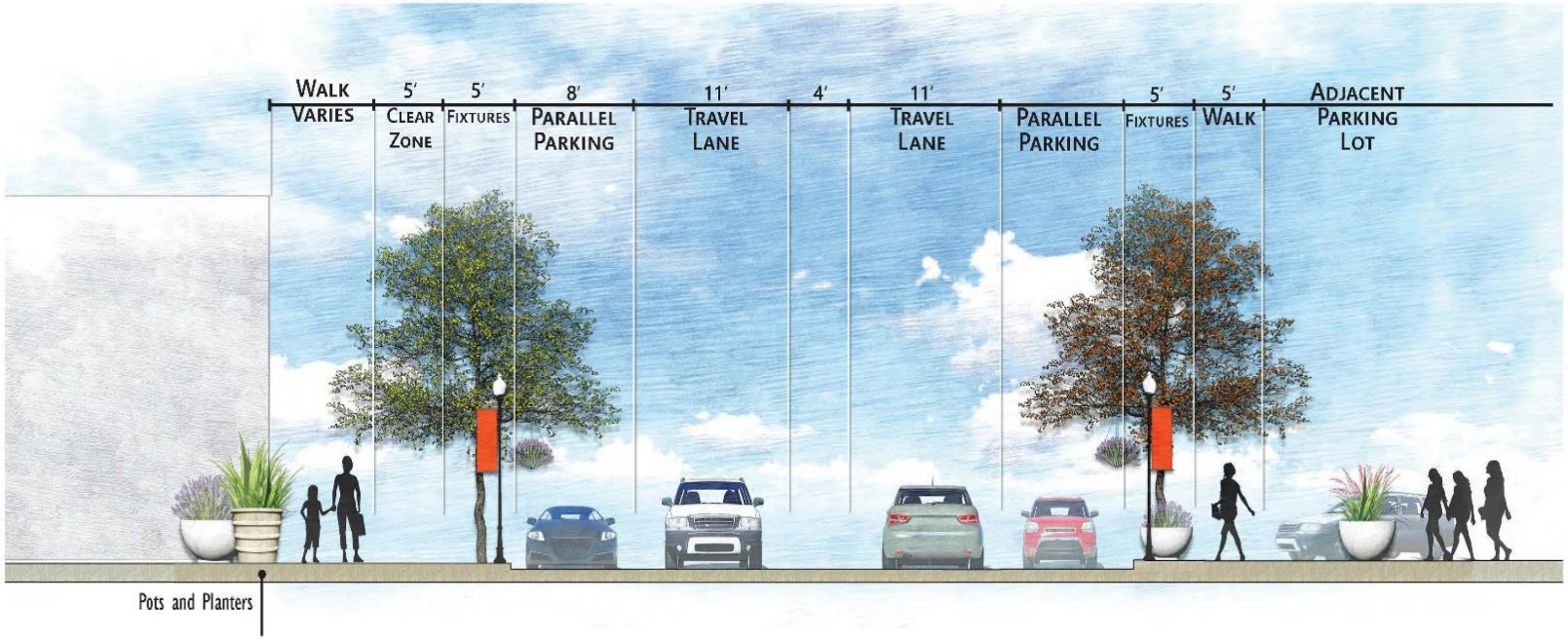
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TYPICAL SECTION

BLOCK 16 - RAILROAD AVE / 3RD ST TO 4TH ST





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PLAN MATERIALS

- Complimentary material style and design
- Sensitive to the downtown character
- Easy to maintain, replace, or repair
- Cost effective and durable for the future



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QUESTIONS



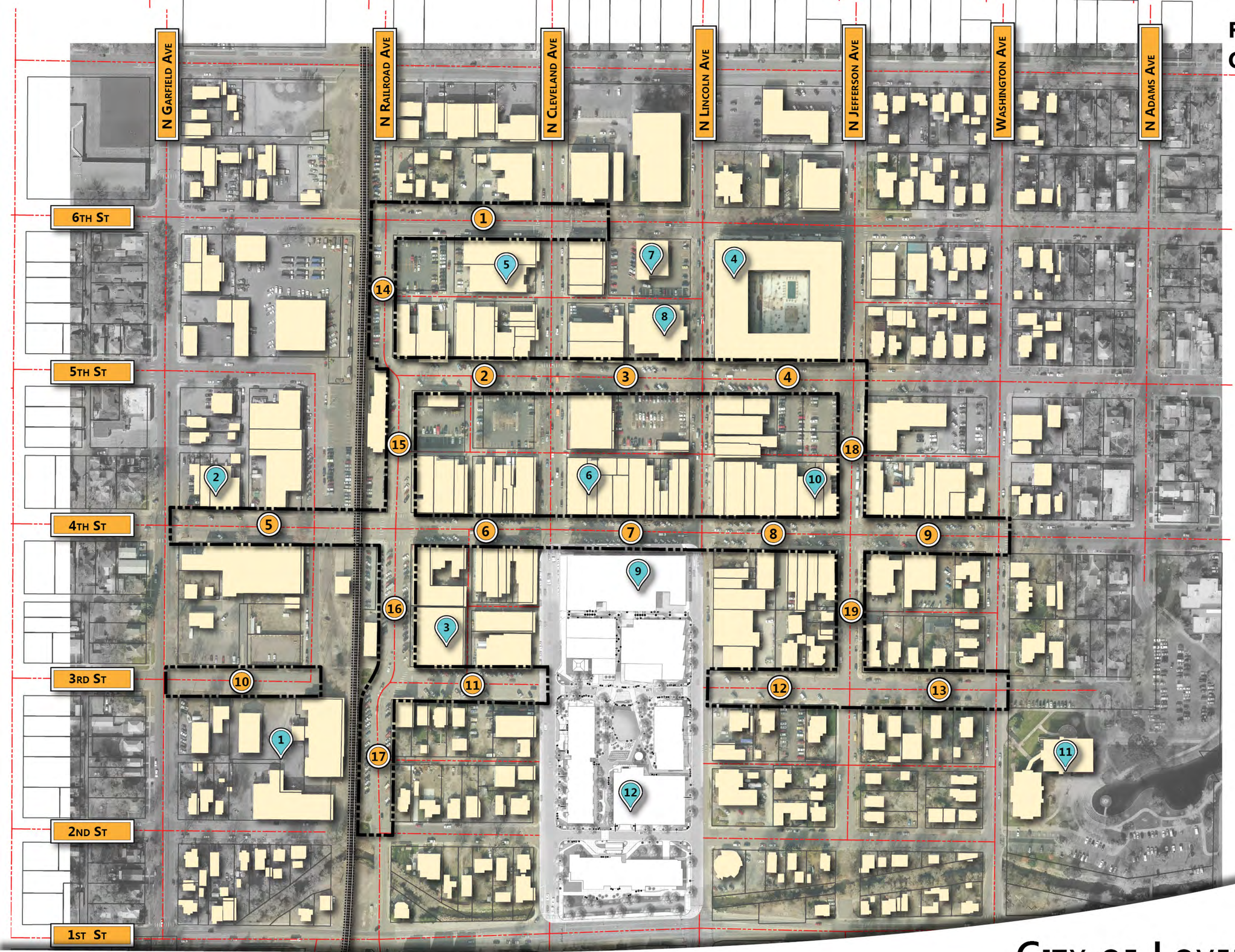
HIP STREETS

Modernizing the Downtown Streetscape
| 2009 HIP Streets Master Plan Addendum |

Stanley Consultants | City of Loveland | Downtown LV·CO Loveland District | DC Development Center

Attachment 2

FRAMEWORK PLAN
OVERALL STUDY AREA



Loveland Downtown Blocks		
Block	Street Names	
1	6th	Railroad to Cleveland
2	5th	Railroad to Cleveland
3	5th	Cleveland to Lincoln
4	5th	Lincoln to Jefferson
5	4th	Garfield to Railroad
6	4th	Railroad to Cleveland
7	4th	Cleveland to Lincoln
8	4th	Lincoln to Jefferson
9	4th	Jefferson to Washington
10	3rd	Garfield to Railroad
11	3rd	Railroad to Cleveland
12	3rd	Lincoln to Jefferson
13	3rd	Jefferson to Washington
14	Railroad	5th to 6th
15	Railroad	4th to 5th
16	Railroad	3rd to 4th
17	Railroad	2nd to 3rd
18	Jefferson	4th to 5th
19	Jefferson	3rd to 4th

Points Of Interest	
1	Art Space
2	Alliance Auto
3	Art Works
4	Lincoln Place
5	The Pulliam
6	Desk Chair
7	Gallery Flats
8	Museum
9	Rialto
10	Dark Heart
11	City Hall
12	The Foundary

LIMIT OF WORK

SCALE: 1" = 100'-0"

0 50 100 200 300

NORTH

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HIP Street Modernization

EXISTING CONDITIONS

EXISTING PHOTOS

3RD ST



6TH ST



5TH ST

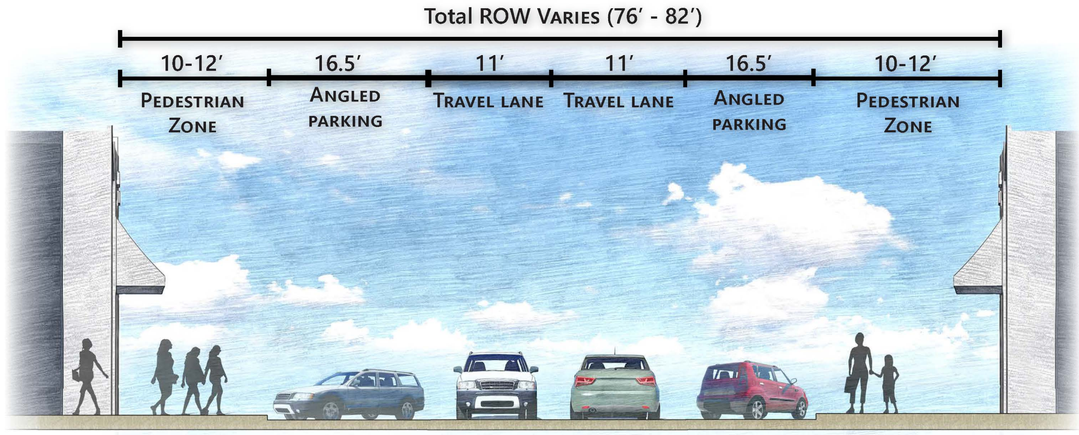


4TH ST

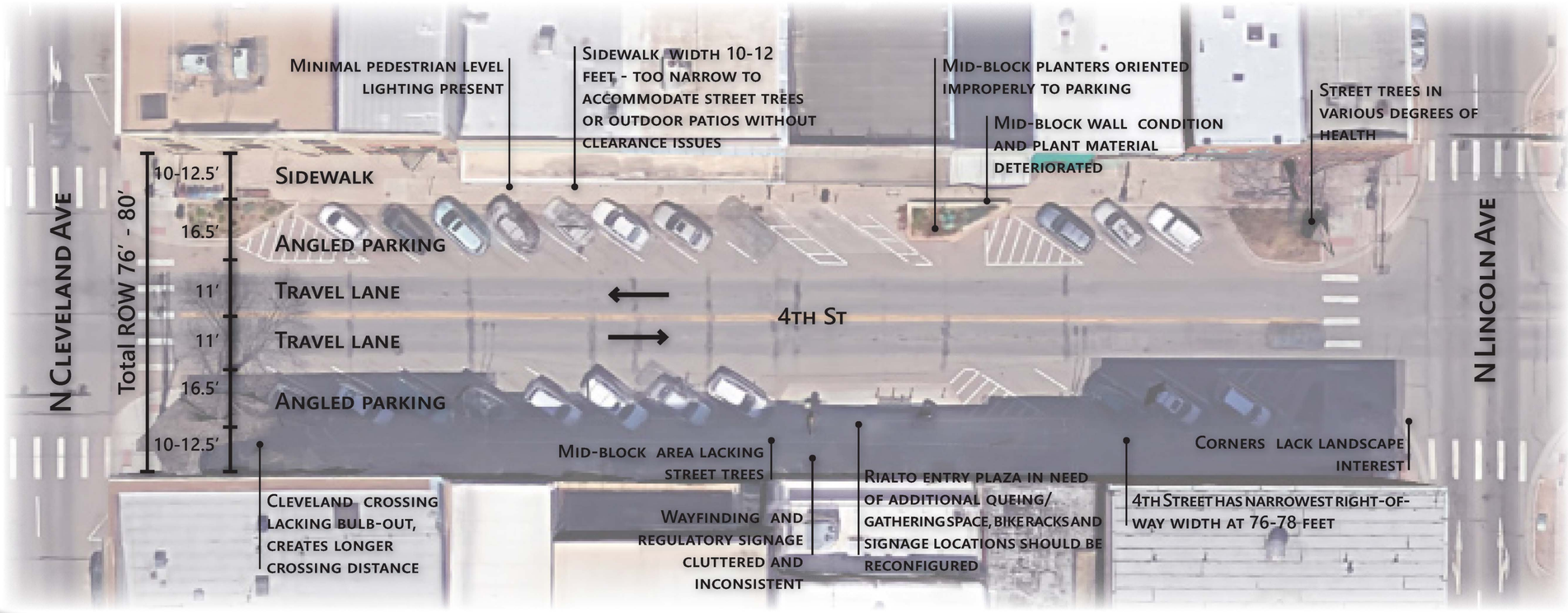


4TH ST





TYPICAL EXISTING SECTION



TYPICAL EXISTING PLAN

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HIP STREET MODERNIZATION

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ON-STREET PARKING - EXISTING INVENTORY / CONFIGURATION



NORTH

KEY

- Core Study Area
- Existing Parallel Parking
- Existing Angled Parking
- Existing 90 Degree Parking
- (15) # On-Street Parking Spaces

NOTES

- This inventory addresses ON STREET parking only.
- Existing parking quantities shown are per the recently completed inventory.
- Total parking counts DO NOT include additional parking garage or surface spaces.

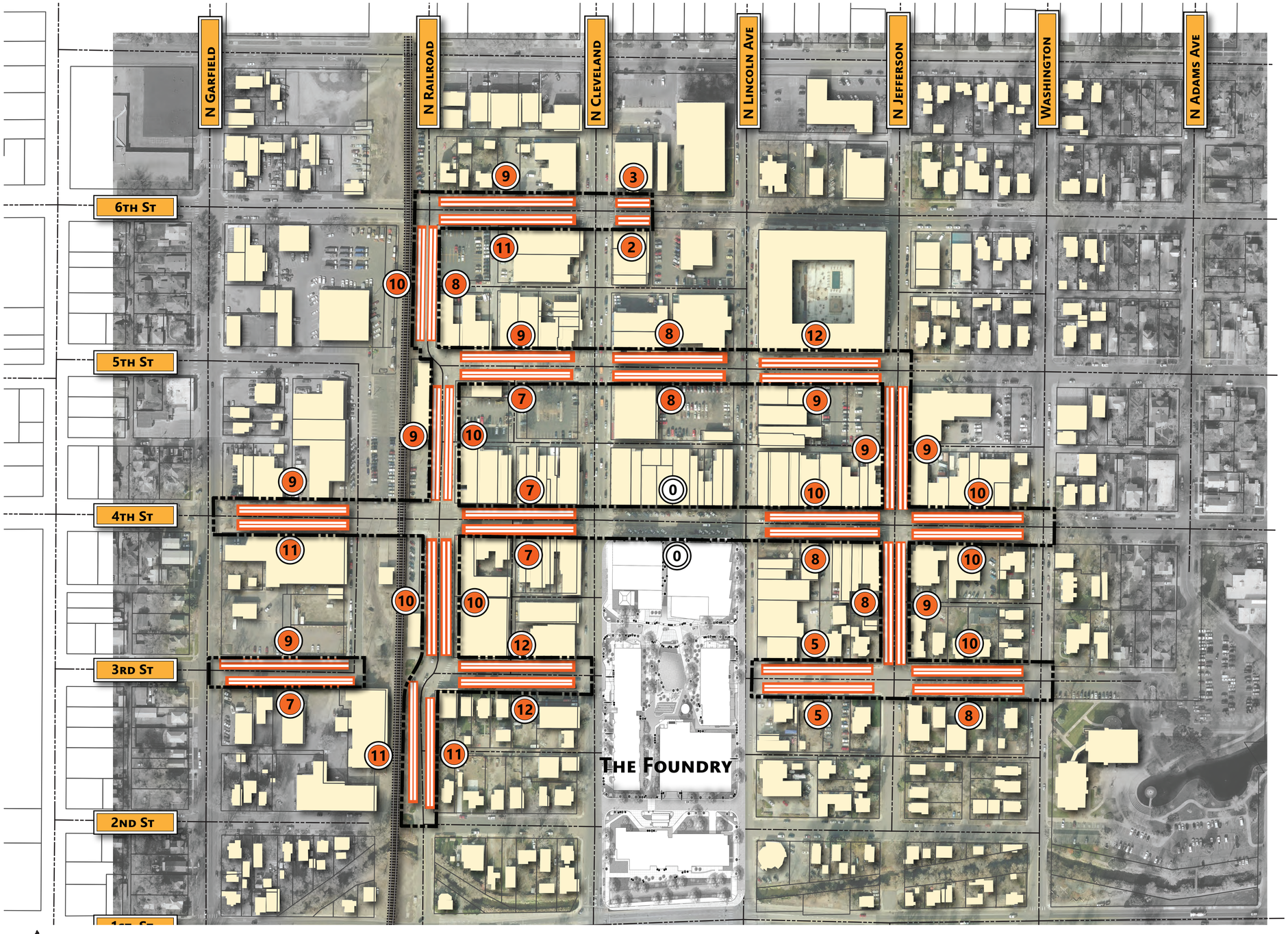
Historic Downtown Loveland

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ON-STREET PARKING - PROPOSED CONFIGURATION



NORTH

KEY

- Core Study Area
- Proposed Parallel Parking
- (15) # On-Street Parking Spaces

492	Current Parking Spaces
332	Proposed Parking Spaces
163	Spaces Removed

NOTES

- This inventory addresses ON STREET parking only.
- Parking counts DO NOT include additional parking in garages, surface spaces, or spaces outside study area.
- N Cleveland Ave traffic calming study is not a part of this scope.

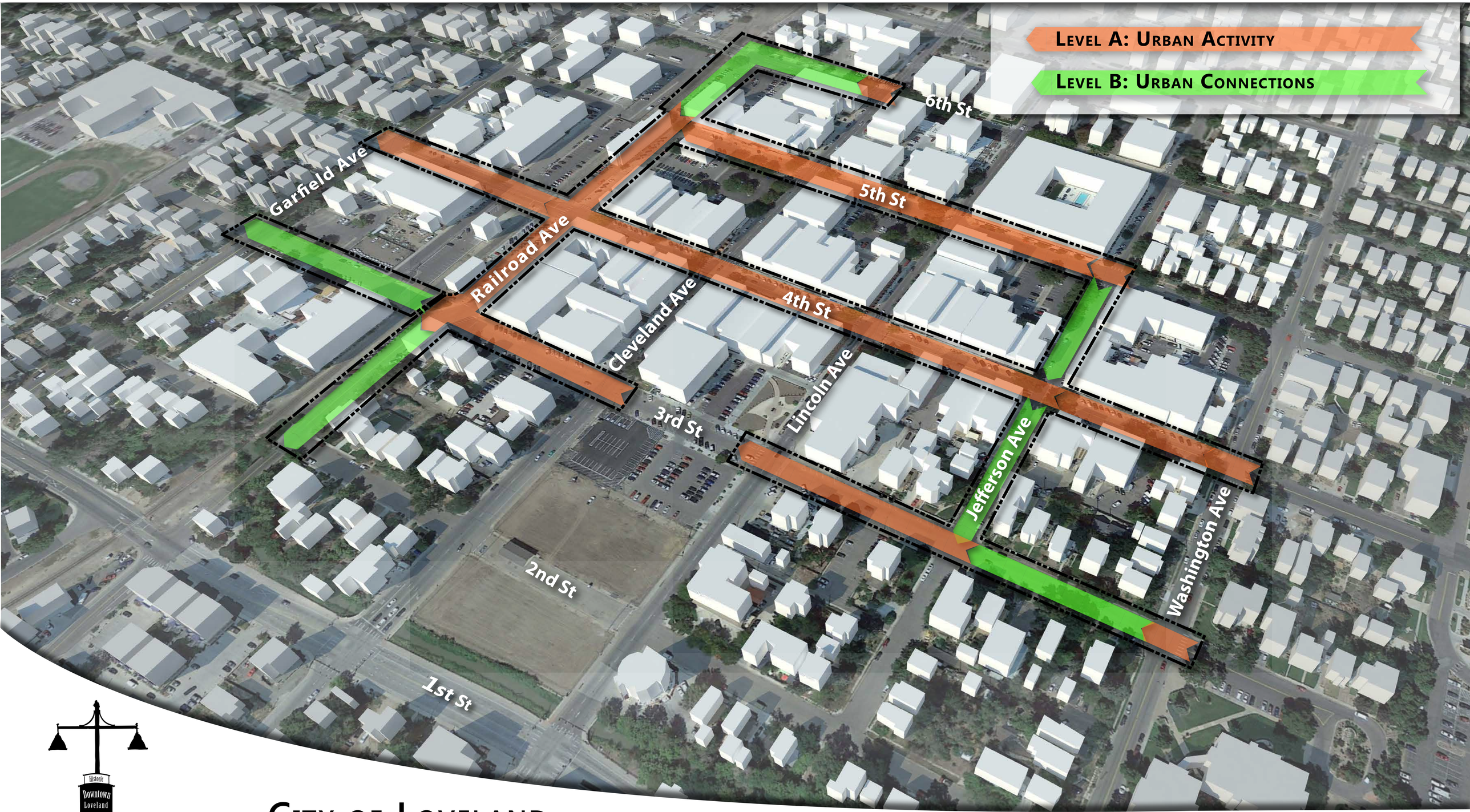
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LEVELS OF DETAIL



Historic Downtown Loveland

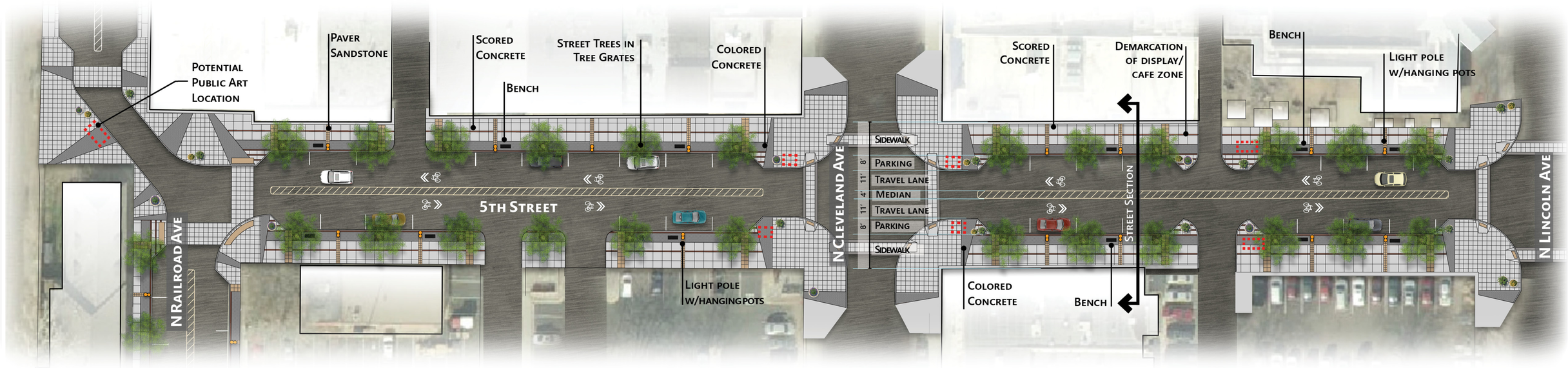
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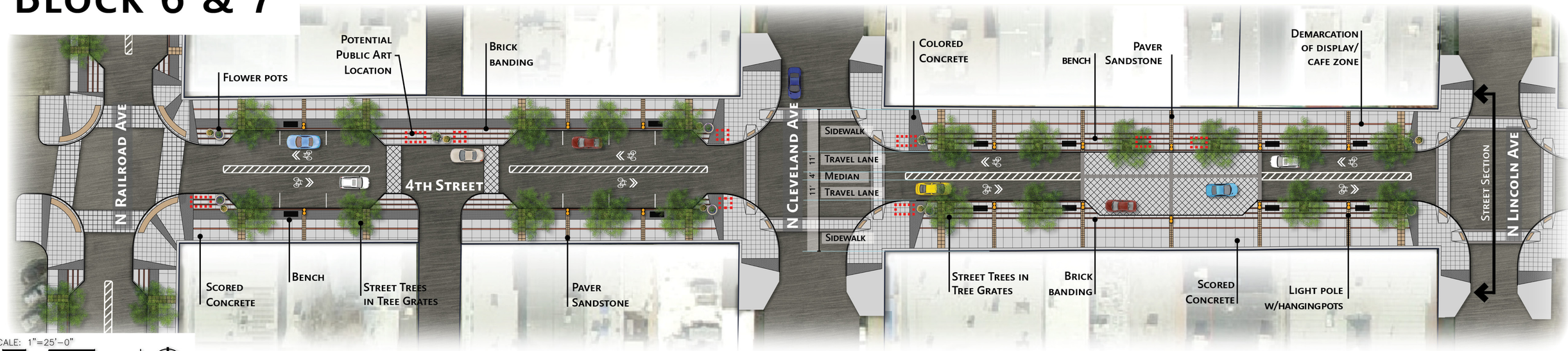
City of Loveland

CONCEPTS

Block 2 & 3



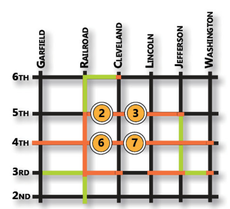
Block 6 & 7



SCALE: 1"=25'-0"

0 12.5 25 50 75 NORTH

City of Loveland
HIP Street Modernization



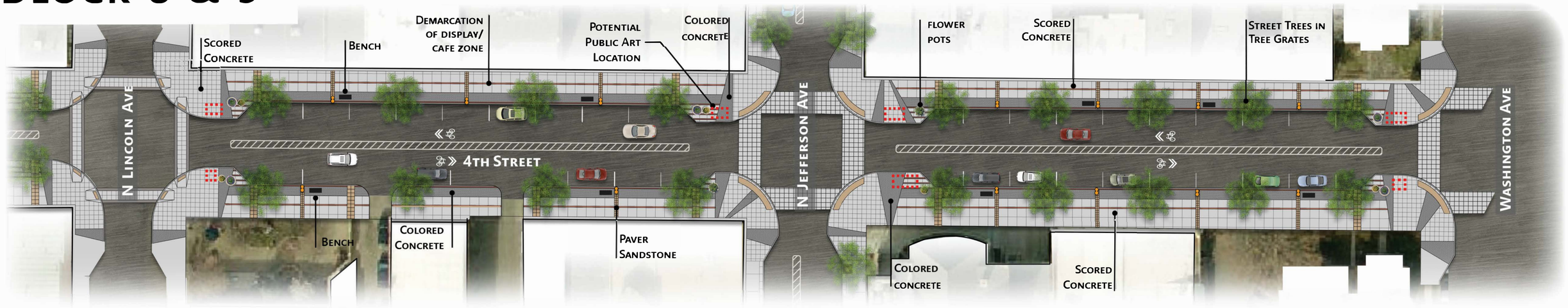
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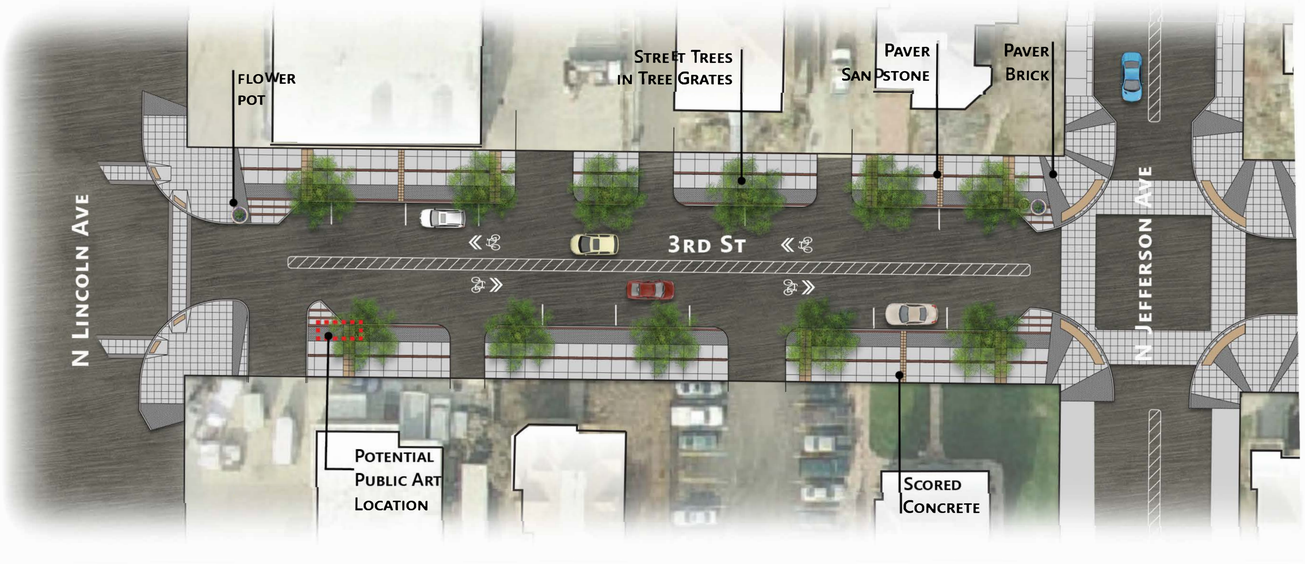
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CONCEPTS

Block 8 & 9



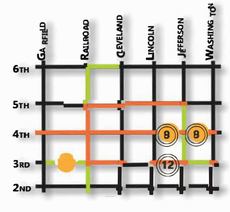
Block 12



SCALE: 1"=25'-0"

0 12.5 25 50 75 NORTH

City of Loveland
HIP Street Modernization



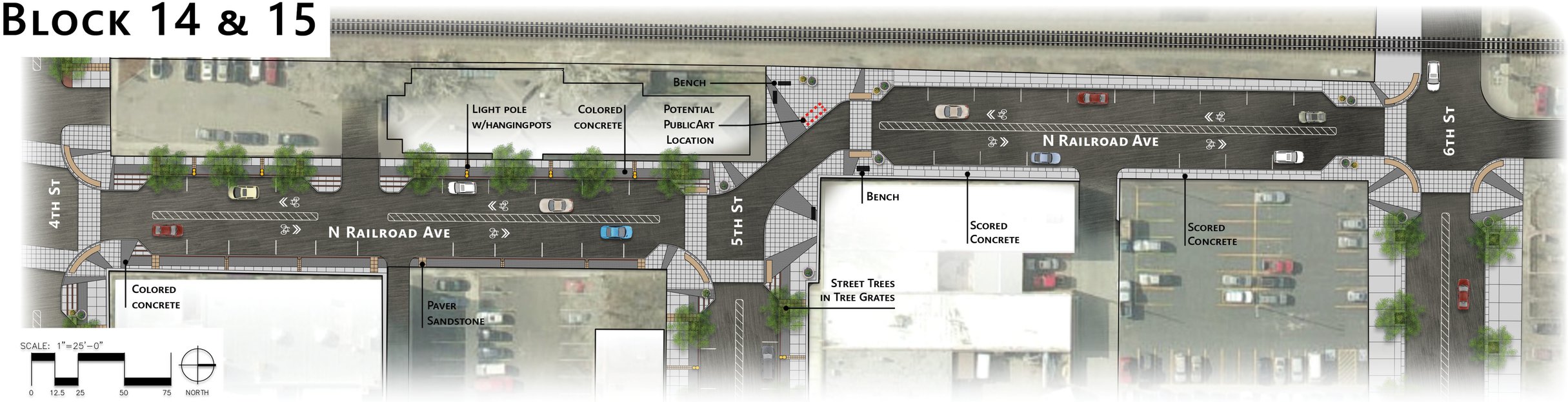
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City of Loveland

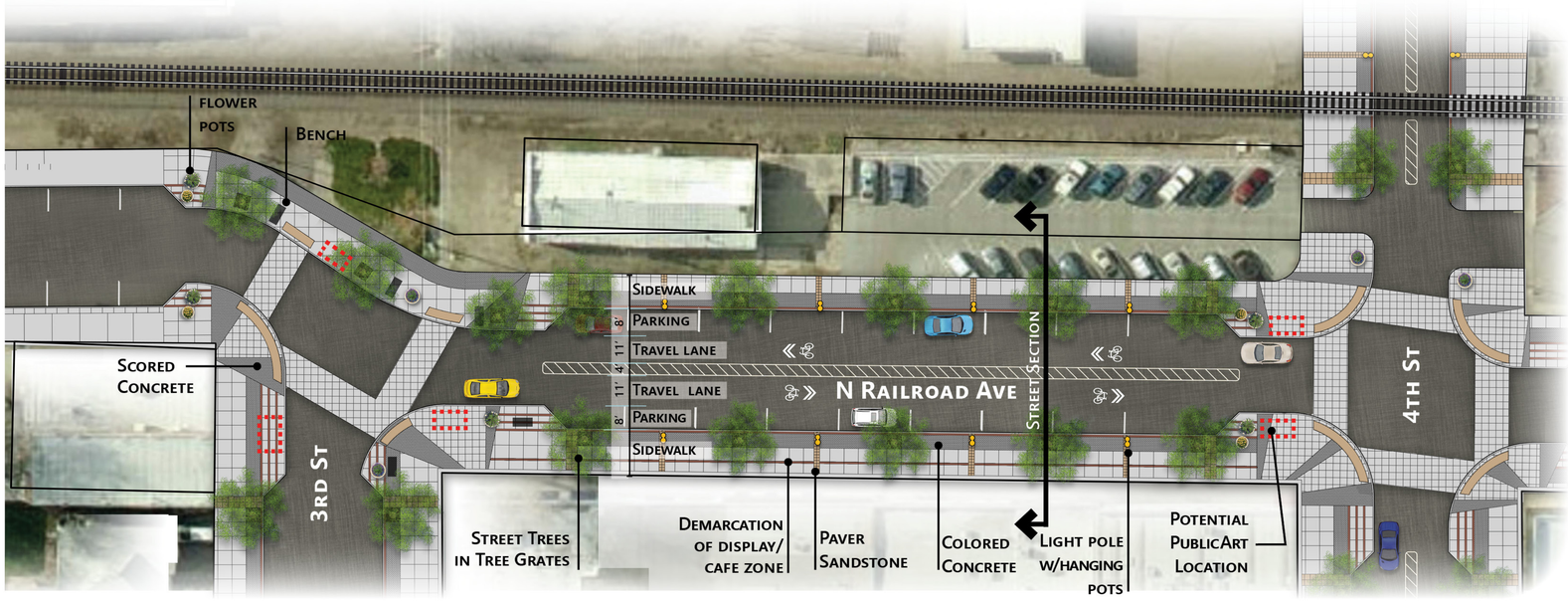
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CONCEPTS

Block 14 & 15



Block 16



City of Loveland
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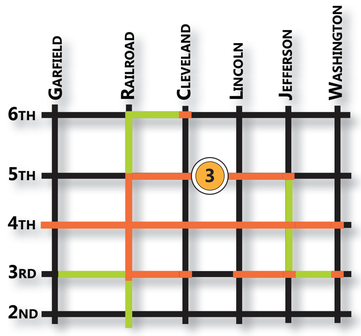
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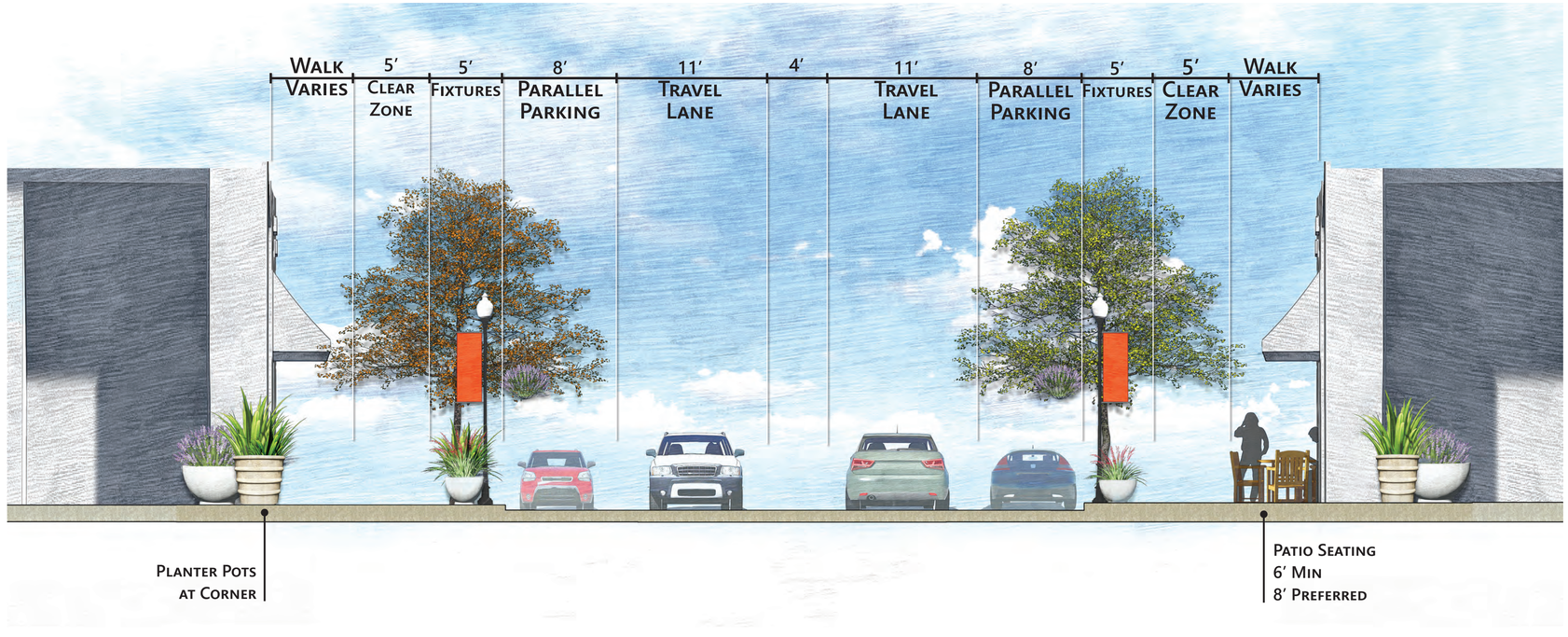
City of Loveland

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CONCEPT STREET SECTION

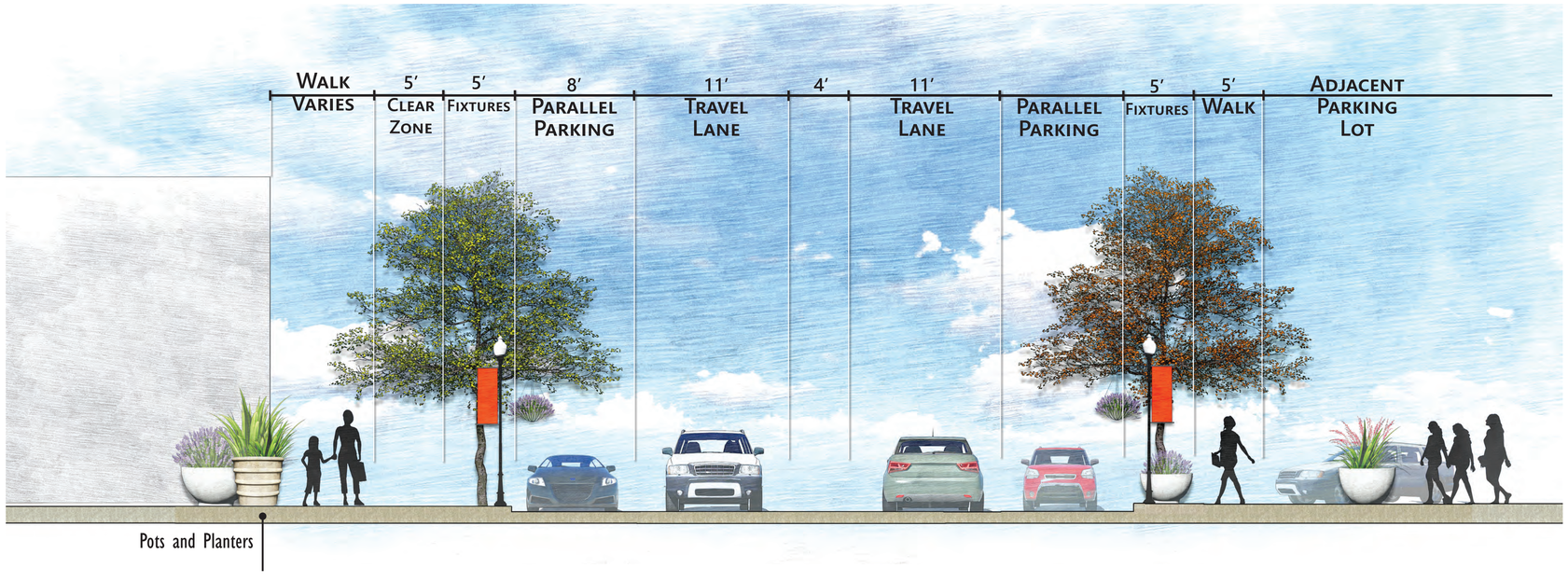
BLOCK 3 - 5TH ST / CLEVELAND AVE TO LINCOLN AVE





BLOCK 16 - RAILROAD AVE / 3RD ST TO 4TH ST





CITY OF LOVELAND
HIP STREET MODERNIZATION

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SITE FURNISHINGS - STREETSCAPE PALETTE SECTION

Benches

The following "Legacy" bench is proposed to be used throughout the streetscape. The Legacy bench is already being used in some areas of the City. The existing benches will have the wood replaced and more benches shall be fabricated by local artists to fulfill need.



These benches are other durable, vandal resistant benches that are readily available and can be used as alternatives to the "Legacy" bench.







Optional create an "Artist Bench" Program similar to bike rack program.
- Specify a catalog bench and artist can "customize"
- Or local artists can create unique benches, with some guidelines about ergonomics (comfort, size, materials, etc.)



Trash Receptacles











Bike Racks



Continue the "Artist Bike Rack" Program
- Add small & friendly signs indicating these are usable
- Add bikes so people understand they are usable racks

In areas where a standard bike rack is desired, or bike parking needs to be maximized, the following racks are suggested:





Planters





Taller, varied pots along streetscape





Low, wide pots at intersections





Sculptural "plants" Added Seasonally

Accent Lighting







Changeable LED Lights in Wayfinding, Kiosks, Built Elements



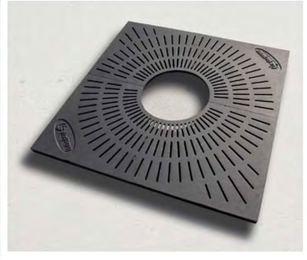
Grates



Iron Age Grates:
Recycled steel with baked-on french fry oil finish







Lighting









Banners/Hanging Pots on Poles



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CARL'S
CANTEEN