City of Loveland

LOVELAND PLANNING COMMISSION MEETING
AGENDA
Monday, June 26, 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, and Mike Ray, Jamie Baker Roskie, and Jeff Fleischer.

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. REPORTS:

a. Citizen Reports

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

b. Current Planning Updates

1. **Monday, July 10, 2017 Agenda Preview:**
    i. **The regular meeting has been cancelled and a Study Session will be held at 6:00 p.m. at the Development Center (410 E. 5th Street)**
2. **Planning Commission Vacancy Update: Tim Hitchcock will be nominated at the July 5, 2017 City Council Meeting**
3. **Expansion of Planning Commission eligibility to residents of the GMA – City Council 1st Reading is July 5th**
4. **Hot Topics:**

c. City Attorney's Office Updates:

d. Committee Reports

e. Commission Comments

IV. APPROVAL OF MINUTES

Review and approval of the June 12, 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. Parkside Village Annexation, Zoning and Preliminary Plat (Presentation Time: 30 minutes)

This is a public hearing to consider the annexation, zoning and preliminary platting for 41 acres of undeveloped land located on the south side of 1st Street SW along the NE shore of Bodecker Reservoir. The applicant, Mosaic Real Estate LLC, is proposing to develop a residential subdivision on 24 acres of the site, leaving 17 acres as natural open space along the Bodecker shoreline. The requested zoning is PUD, which includes the submittal of a Preliminary Development Plan and a Preliminary Plat for approval. The plan proposes the clustering of lots that include 62 single family detached homes and 14 duplexes situated along an internal street layout. Access to the property is from 1st Street.

Upon completion of the public hearing, the Commission's role is to make a recommendation to the City Council on the Annexation, Preliminary Development Plan and Preliminary Plat. Staff believes that the three associated requests are consistent with applicable City policies and requirements, and staff is supporting the requests subject to conditions specified in the staff report.

2. The Brands Flexible Zoning Overlay District (Presentation Time: 30 minutes)

This is a public hearing to consider an application for a flexible zoning overlay district for a 201-acre mixed-use development called The Brands and The Brands West. The project includes two separate land areas on the east and west sides of I-25, north of Crossroads Boulevard. The Brands, located south of the Larimer County Fairgrounds, is envisioned as a 1,267,520 square foot high-end life-style center with an urban core that includes a large pedestrian plaza,

entertainment uses, restaurants, apartments, offices, retail and hotels. The Brands West, located adjacent to the Fort Collins-Loveland Airport, is envisioned as a 939,100 square foot in-line and pad site development that would be developed into retail, restaurants, hotels, offices and light industrial uses.

The Brands and The Brands West properties are zoned Industrial and are subject to traditional, low-intensity development standards in the Municipal Code. Those standards do not accommodate the applicant's vision of high density, urban scale buildings on the property. The flexible zoning overlay district, which is a new land use tool that was recently adopted to stimulate innovative development and promote reinvestment, was selected to provide relief from the existing zoning standards. Staff is supporting approval. The Planning Commission's role is to provide City Council with a recommendation on this request.

3. Amendment to the Intergovernmental Agreement for Growth Management (Presentation Time: 10 minutes)

With this item, the Planning Commission is tasked with providing a recommendation to the City Council regarding the proposed amendment the Intergovernmental Agreement for Growth Management between Loveland and Larimer County (IGA). Loveland's Growth Management Area is put into effect by a combination of the IGA between Loveland and Larimer County and Larimer County's Loveland GMA Overlay zoning district. This zoning district implements the IGA by requiring that any property owner in Larimer County that wishes to pursue a discretionary land use application must first approach the City of Loveland to see if annexation is possible.

Currently, the boundaries of what Loveland considers to be it's GMA and the Larimer County Loveland GMA overlay-zoning district do not match, leading to areas of Loveland's GMA not being covered by the IGA. These areas are primarily in and around the SH 402 Corridor, but some are located north of Hwy 34. This amendment to the IGA and the extension of the overlay-zoning district are an effort towards rectifying this situation.

VII. ADJOURNMENT

CITY OF LOVELAND
PLANNING COMMISSION MINUTES
June 12, 2017

A meeting of the City of Loveland Planning Commission was held in the City Council Chambers on June 12, 2017 at 6:30 p.m. Members present: Chairman Jersvig; and Commissioners Molloy, Forrest, Ray, McFall, Roskie, and Fleischer. Members absent: Commissioner Dowding. City Staff present: Bob Paulsen, Current Planning Manager; Moses Garcia, Assistant City Attorney; and Jenell Cheever, Planning Commission Secretary.

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

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CITIZEN REPORTS

There were no citizen reports.

CURRENT PLANNING UPDATES

1. **Robert Paulsen**, Current Planning Manager, reviewed the agenda items scheduled for the Monday, June 26, 2017 Planning Commission meeting.
2. **Mr. Paulsen** noted that the Unified Development Code Study Session will be held at 6:00 p.m. on June 19, 2017 at the Development Center.
3. **Mr. Paulsen** updated the commissioners on the Planning Commission vacancy and noted that two candidates will be interviewed on June 20, 2017.
4. **Mr. Paulsen** asked the commissioners if they would like to cancel the regular Planning Commission meeting on July 10, 2017 and hold a study session at the Development Center at 6:00 p.m. that evening instead. The commissioners agreed to the schedule change.

CITY ATTORNEY'S OFFICE UPDATES

1. **Moses Garcia**, Assistant City Attorney, informed the commissioners that City Council requested that the employment contract for Interim City Attorney Clay Douglas be reviewed to consider changing his position from the Interim City Attorney to Permanent City Attorney.

COMMITTEE REPORTS

1. **Commissioner Roskie** stated that the Title 18 Committee will meet this week. She also noted that she is unable to attend the next Unified Development Code (UDC) study session so she met with Greg George and Brett Limbaugh to provide her feedback ahead of time.
2. **Commissioner Forrest** stated that there have been no ZBA hearings.

COMMISSIONER COMMENTS

There were no comments.

APPROVAL OF THE MINUTES

Commissioner McFall *made a motion to approve the May 22, 2017 minutes as amended on the record; upon a second from* ***Commissioner Roskie*** *the minutes were unanimously adopted. Commissioner Forrest abstained.*

REGULAR AGENDA

1. Plan of Development for the Downtown Development Authority

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

Upon the Planning Commission's recommendation, the City Council is scheduled to hold a public hearing on July 5, 2017 and consider a resolution approving the DDA Plan. The DDA may not undertake any development project until the City Council has approved the DDA Plan.

Mike Scholl, Economic Development Manager, stated that the Downtown Development Authority has updated the DDA Plan of Development in preparation for the upcoming 2017 ballot measure requesting authorization of debt and tax increment financing. **Mr. Scholl** described the DDA Boundary and noted that the DDA Plan of Development has been modified to exclude some residential properties on the edges of the boundary. These properties were unlikely to receive the benefits from future projects but owners would have been required to pay the tax burden.

Mr. Scholl noted that the plan identifies potential projects to fund. However, all projects are required to go through Bond Council review for approval prior to receiving any funding.

Mr. Scholl also described the methods of financing that will be presented on the ballot during the November election and that the 5 mil property tax increase has been dropped from the ballot.

COMMISSIONER QUESTIONS AND COMMENTS:

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- **Mr. Scholl** answered questions regarding railroad quiet zones and the fate of Loveland Urban Renewal Authority if the bond passes.
- **Commissioner Molloy** asked what the Planning Commission's specific role was in recommending the DDA Plan of Development to City Council. **Robert Rogers**, DDA Attorney, and **Moses Garcia**, Assistant City Attorney, confirmed that the requirement for the Planning Commission to make a recommendation to City Council is specified in the state statutes and there are no specified standards by which the plan is to be judged. Discussion ensued and the Planning Commission determined that their appropriate role was to determine if the proposed projects align with the goals of the Comprehensive Plan for the downtown area and that the Commission did not need to endorse or oppose the financing options--which are considerations better left to the City Council.

Commissioner Forrest *motioned to recommend the City Council adoption of the Plan of Development for the Downtown Development Authority. Upon as second by* ***Commissioner McFall****, the motion was unanimously adopted.*

Commissioner Jersvig called for a recess at 7:18 p.m.

Commissioner Jersvig called the meeting to order at 7:26 p.m.

2. Hydrozone Program and Recent Code Changes

Project Description: Kim Edwards with the Water Resources office of the Water and Power Department will provide an informational overview of the City's Hydrozone program. This voluntary water budget program is designed to provide cost savings to water customers and to conserve water resources by encouraging the use of water-efficient landscaping. To qualify, applicants must submit landscape plans based on hydrozone design that demonstrate water usage that is roughly 25% less than a typical bluegrass lawn. Qualifying landscapes must be irrigated with a dedicated irrigation meter. Most program participants are HOAs and larger commercial properties. The presentation will also include a description of amendments to Title 19 (water rights) adopted by City Council on June 6th that are designed to help participants be successful in meeting program requirements.

Kim Edwards, Engineer with Water and Power's Water Resources office, provided an informational presentation on the Title 19 code revisions that were approved by City Council on June 6th. The code revisions pertain to the Hydrozone Program that is designed to reduce the cost of water rights paid upfront for customers who install a Hydrozone planting scheme and use an irrigation meter. Customers who participate in the Hydrozone Program have an established water budget and are charged a surcharge if they exceed that budget. In order to meet the water use budget, plants are grouped based on similar water use needs. **Ms. Edwards** described the six Hydrozone Program changes that are designed to help customers remain within their water budget and not accrue surcharges. Commissioners thanked **Ms. Edwards** for the presentation and expressed general support for the program.

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ADJOURNMENT

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

Commissioner Jersvig adjourned the meeting at 7:56 p.m.

Approved by:_____
Jeremy Jersvig, Planning Commission Chair

_____
Jenell Cheever, Planning Commission Secretary

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

Planning Commission Staff Report

June 26, 2017

Agenda #: Regular Agenda - 1

Title: Parkside Village Addition

Applicant: Kenneth Mitchell, Mosaic Real Estate LLC

Request: **Annexation, Zoning (Planned Unit Development (PUD) – Preliminary Development Plan), and Preliminary Plat**

Location: Northeast of Boedecker Reservoir along the south side of W. First Street

Create Loveland Comprehensive Plan Land Use Designation: LDR – Low Density Residential

Existing Zoning: T - Tourist (Larimer County)

Proposed Zoning: Parkside Village PUD

Staff Planner: Troy Bliss

Staff Recommendation

CONDITIONAL APPROVAL of the Annexation, Preliminary Development Plan, and Preliminary Plat.

Recommended Motions:

1. *Move to make the findings listed in Section VII of the Planning Commission staff report dated June 26, 2017, and, based on those findings, recommend that City Council approve the Parkside Village Addition, subject to the conditions listed in Section VIII, as amended on the record, and zone the addition to Parkside Village Planned Unit Development;*
2. *Move to make the findings listed in Section VII of the Planning Commission staff report dated June 26, 2017, and, based on those findings, recommend that City Council approve the Parkside Village PUD Preliminary Development Plan, and;*
3. *Move to make the findings listed in Section VII of the Planning Commission staff report dated June 26, 2017, and, based on those findings, recommend that City Council approve the Parkside Village PUD Preliminary Plat*

Summary of Analysis

The public hearing is to consider the following items:

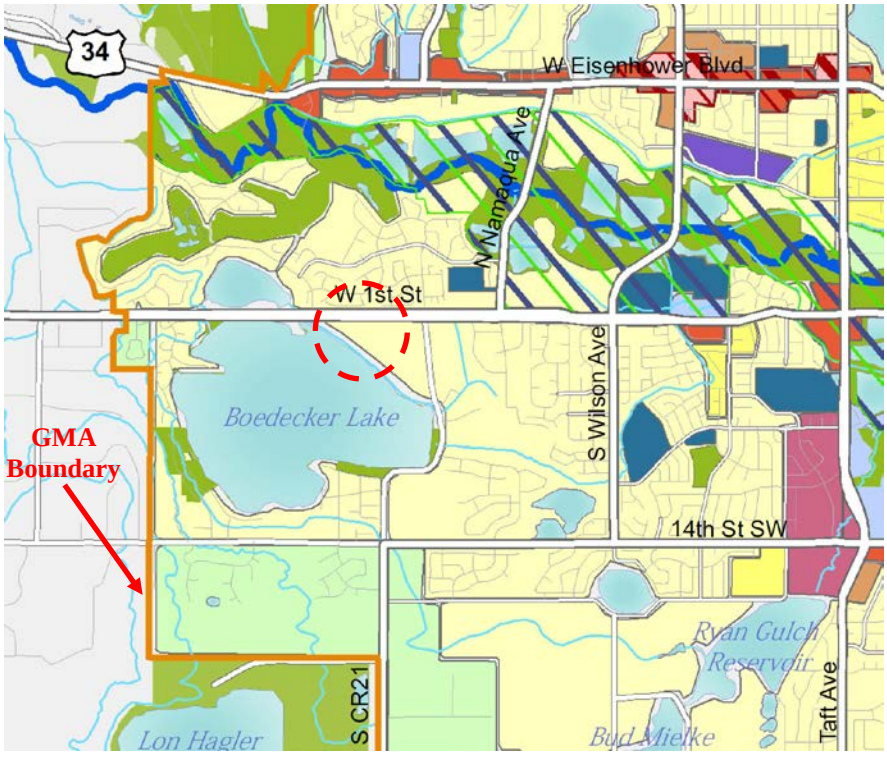
- Annexation of 41 acres of property owned by Heusinkveld/Martinson families;
- Preliminary Development Plan detailing development/zoning requirements for the proposed PUD; and;
- Preliminary Plat for the creation of lots, outlots, and tracts.

The proposal is to annex and incorporate the 41 acre property into the City for development of single-family detached homes and 14 attached two-family dwellings. Development is planned to be clustered on the eastern 24 acres of the site, leaving 17 acres as natural open space along the shoreline of Boedecker Reservoir with possible acquisition by the City's Open Lands Division.

Concerns regarding the development proposal expressed by the neighbors generally include increased traffic volumes, change in the rural character of the area, density, size and quality of lots/homes, and impacts to wildlife habitats.

I. SUMMARY

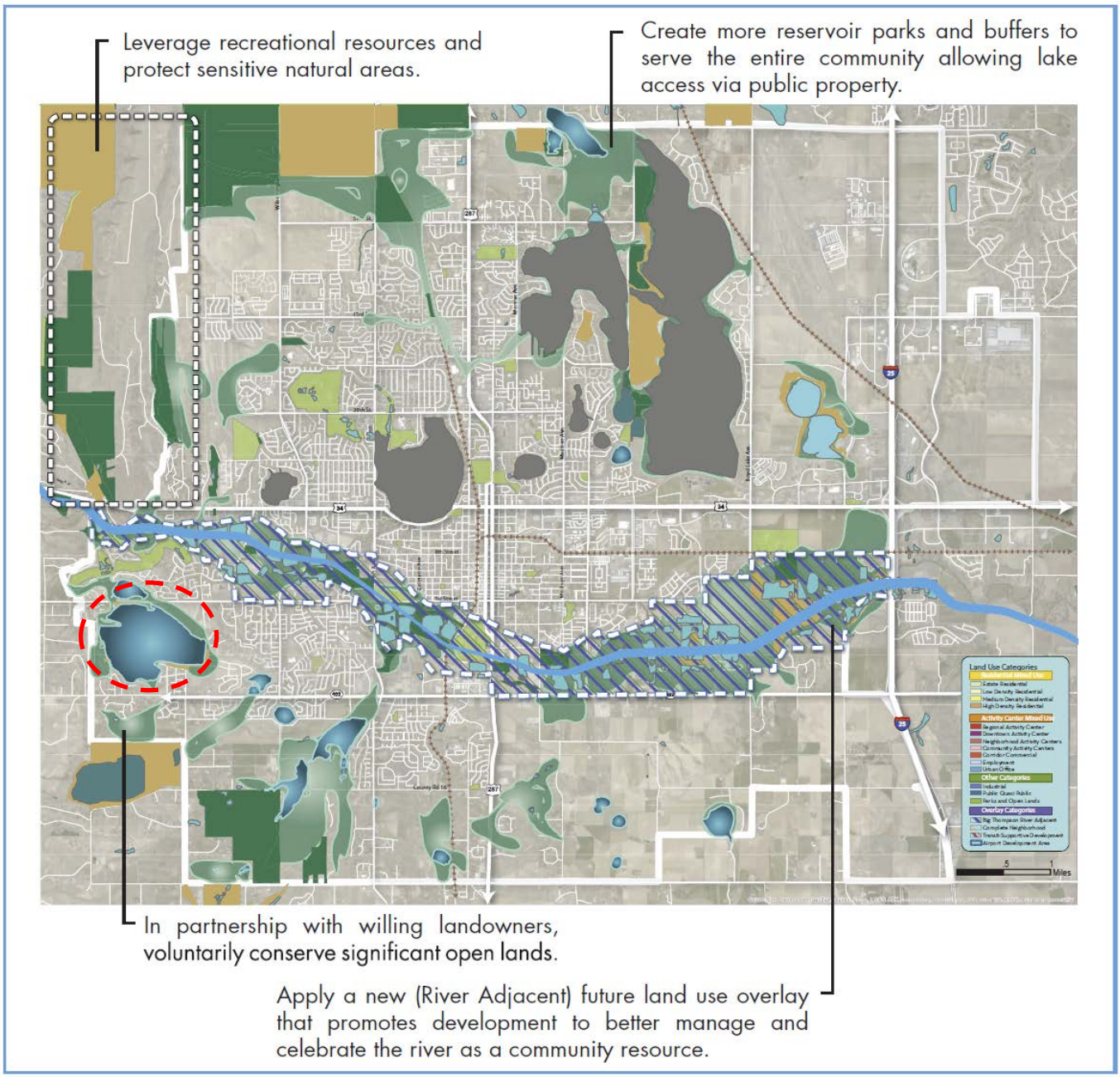
This proposal is to annex 41 acres of land owned by the Heusinkveld/Martinson families and rezone from its current Larimer County designation of T – Tourist to PUD. A Preliminary Development Plan would establish the PUD zoning by detailing all facets of development design. The primary purpose in pursuing PUD zoning for this project is to achieve a level of flexibility for a clustered development on approximately 24 acres – protecting the shoreline of Boedecker Reservoir and its surrounding natural habitats. The zoning would allow for the development of 62 detached single-family dwellings and 14 paired two-family dwellings for a total of 76 units. Density of the development would fall at almost 2 units per acre – being at the low end of the Create Loveland Comprehensive Plan land use designation of Low Density Residential (LDR). A Preliminary Plat has also been prepared for the creation of all lots, outlots, and tracts and future dedications for all public rights-of-way and easements.



Location/Land Use The property is located northeast of Boedecker Reservoir along the south side of W. First Street. The entire 2,400+ linear feet of property along W. First Street is contiguous to the City's municipal boundary. In addition to the land use designation, Create Loveland Comprehensive Plan identifies the location of this property within the City's Growth Management Area (GMA). The GMA is an area where urban-level services are planned to be provided and that the City intends to annex such properties (if not already incorporated).

Site Characteristics

Boedecker Reservoir is identified in the City's Natural Areas Inventory. This inventory identifies undeveloped properties containing potential natural values including habitats important to the City in terms of protection and preservation. This document was used in defining the portion of property that the City may seek to acquire for open lands as well as setting the distance from back of lots to the shoreline (i.e. 200 foot bufferyard). Regardless of whether or not the City acquires the 17 acres, no access from private lots to the natural area will be allowed. The area in which the development is focused, includes a prairie dog colony. The Applicant has represented a willingness to work with the Prairie Dog Coalition and individuals interested in relocating the animals. If suitable site(s) is/are available and relocation details arranged, the prairie dogs will move prior to construction activities beginning. Additional information regarding the natural characteristics of the property can be found in the attached Environmentally Sensitive Areas Report (see **Attachment C**) and in neighborhood correspondence (see **Attachment B**).



PUD Design

The zoning request to establish a PUD follows the procedures outlined in Chapter 18.41 of the Loveland Municipal Code. For purposes of creating the PUD zoning, s non-phased development approach was selected, not requiring a General Development Plan (GDP), establishing the zoning through a Preliminary Development Plan (PDP). (The term "non-phased" refers to a site-specific development plan, identifying all proposed uses, site improvements, access/circulation, and design standards.) The following outlines key design elements related to the project:

- **Traffic:** The additional traffic generated by this development proposal has been analyzed in a Traffic Impact Study (TIS) (see **Attachment D**). General conclusions indicate that the proposed development can be accommodated by the existing street system with some widening along the frontage of W. First Street to install bike lanes, curb/gutter, and sidewalks. Additionally, off-site road improvements would be needed to accommodate this development that include an interim pedestrian/bike lane extension east to Crestone Drive (on the south side of W. First Street), restriping of lanes, and a roundabout design at the intersection of Crestone and W. First Street.

- **Fire Access and Circulation:** The Fire Protection Division has reviewed the submitted plans and has indicated that fire protection will be served with fire trucks accessing the site by way of Green Valley Drive (primary/only access into the site from W. First Street) or through an emergency access point at the west end of the development connecting into the Martinson Drive cul-de-sac.

- **Density:** The gross density of the proposed development is 1.85 units per acre (76 units applied over 41 acres). Another way to calculate density would be focusing just on the 24 acres in which development would be occurring – resulting in a gross density of 3.17 units per acre. Either scenario puts the density with the targeted density of 2 to 4 units per acre for LDR – Low Density Residential land uses identified in the Create Loveland Comprehensive Plan. In comparison, development that is currently under construction in the surrounding Mariana Butte subdivision includes projects such as the Mariana Butte 27th Subdivision (along both sides of Rossum Drive, south of W. Eisenhower Boulevard - all detached single-family homes) with a gross density of 3.07 units per acre. The Mariana Butte 25th Subdivision (north side of W. First Street, between Namaqua Avenue and Crestone Drive – combination of detached single-family and paired two-family homes) has a gross density of 4.20 units per acre.

- **Setbacks and Building Separation:** The PDP proposes the following setbacks:
    - Front – The minimum front yard setback from the street is 15 feet for the main structure of the house, which shall include any porch, casita, courtyard fencing or other dominant architectural feature. Garage door fronts are not included in the 15-foot setback.

      Garage doors will be set back a minimum of 20 feet from the front property line and a minimum of 3 feet behind any front elevation feature, including the main structure of the house, any porch, casita, courtyard fencing or other dominant architectural element.

    - Rear – The rear yard setback shall be a minimum of 15 feet from the rear property line.

    - Corner Side – 10 feet

    - Side – All side yards shall have a minimum setback of 5 feet from the side lot line.

- **Site Access and Parking:** The PDP proposes one intersection at W. First Street (Green Valley Drive). This is the only opportunity for access into the development given intersection spacing and property frontage along W. First Street. This intersection however would be full movement, allowing access and egress in both directions along 1st Street. Additionally, if the property directly east were to ever annex and develop in the City, an east/west local street connection is being planned with this proposed development. Parking along W. First Street would be prohibited. However, parking would be allowed along all local streets within the project. Each home would have at a minimum two-car garage parking with additional parking in the driveway for at least two vehicles by incorporating 20 foot setbacks to the garage.

- **Architecture:** Home elevations have not been provided in the Preliminary Development Plan because a specific builder has not been determined. In-lieu of this detail, the Applicant has created a design narrative within the development plan along with some additional supplementary architectural requirements (see **Attachment G**). One particular design element that comes with challenges, due to a majority of the lot widths (45 to 50 feet), is the percentage of street-facing garages (which will exceed 50% on homes). In response to this design constraint, the Applicant is proposing that:
    - All homes will have an exterior living space element on the front (i.e. porch, casita, or courtyard);
    - All garages will have raised panel doors with window treatments;
    - Perimeter framing of all garage doors will incorporate stone, and;
    - Another key component that is reflected on the development plans is all internal streets will include detached sidewalks with canopy tree lawns.

  The photograph below is an example of what the Applicant anticipates a typical detached single-family home to look like within the proposed development.

- **Landscaping and Open Space:** A key feature to the overall project is the clustering of homes in order to preserve and protect the natural area around Boedecker Reservoir. Seventeen acres are proposed to be set-aside for this purpose. Negotiations with the City Open Lands Division to purchase and acquire the land are in process. Regardless of whether the City acquires the land, it is being platted as an outlot, which comes with no development entitlements. Further, conditions are being recommended to prohibit direct access from private lots to this outlot. Within the area of development, most of the open space would serve to meet the stormwater needs of the project. Within these areas, there would be spaces for

active and passive recreation. The intent for the overall project is to take advantage of the natural open space and limit the amount of maintenance on individual lots.

- **Stormwater Design:** Surface run-off would be directed primarily to the northeast corner and central areas of the site, where detention facilities are to be located that will filter out pollutants, releasing storm water. The drainage provisions have been reviewed and approved at this preliminary stage by the City's stormwater engineering division.

II. ATTACHMENTS

A. Project Description provided by the Applicant
B. Neighborhood Correspondence
C. Environmental Sensitive Areas Report
D. Traffic Impact Study
E. Annexation Map
F. Preliminary Development Plan
G. Summary of Architectural Requirements
H. Preliminary Plat

III. SITE DATA

ACREAGE OF SITE GROSS	41 AC
MASTER PLAN DESIGNATION	LOW DENSITY RESIDENTIAL
EXISTING ZONING	LARIMER COUNTY T TOURIST
PROPOSED ZONING	PARKSIDE VILLAGE PLANNED UNIT DEVELOPMENT
EXISTING USE	VACANT/UNDEVELOPED
PROPOSED USE	SINGLE FAMILY & PAIRED RESIDENTIAL
EXIST ADJACENT ZONING & USE - NORTH	MARIANA BUTTE, SINGLE FAMILY RESIDENTIAL
EXIST ADJACENT ZONING & USE - SOUTH	LARIMER COUNTY BOEDECKER RESERVOIR
EXIST ADJACENT ZONING & USE - WEST	LARIMER COUNTY RURAL RESIDENTIAL AND CONSOLIDATED HOME SUPPLY DITCH
EXIST ADJACENT ZONING & USE - EAST	LARIMER COUNTY RURAL RESIDENTIAL
UTILITY SERVICE – WATER, SEWER	CITY OF LOVELAND
UTILITY SERVICE – ELECTRIC	CITY OF LOVELAND

IV. KEY ISSUES

From a staff perspective, key issues continue to include negotiations between the developer and the City Open Lands Division concerning the proposed City acquisition of approximately 17 acres for open space. Currently, the City's contract with the property owners indicates that the 17 acres would not be purchased until such time that the property has been annexed and platted, creating the separate outlot (currently labeled as Tract A – requested to be changed to an outlot) (see **Attachment H**).

Pedestrian connectivity has also been challenging in terms of the relationship to unincorporated parcels directly to the east and west – creating the inability to extend sidewalks along W. First Street. Soft trails

within the natural open spaces are conceptual based upon topography and options for public use in-lieu of extending sidewalks along W. First Street. These design details will need to be resolved with the Final Development Plan and Final Plat.

Off-site street improvements along W. First Street will continue to include refinement of the design. Currently, an interim roundabout is planned at the intersection of W. First Street and Crestone Drive that would fit within the existing street right-of-way. Additionally, an interim sidewalk would extend from the subject property east to Crestone Drive along the south side of W. First Street within the existing right-of-way providing a pedestrian crossing at the roundabout to get to the north side of W. First Street.

As outlined below in Section VI, surrounding property owners have expressed additional concerns related to the project.

V. BACKGROUND

Application for annexation was initially submitted to the City in July of 2016. City staff and the Applicant have spent a considerable amount of time working to develop appropriate zoning that would provide a level of flexibility for clustering development while balancing the desire to preserve/protect important natural features of the site. Input from interested parties throughout review has helped the City establish requirements/conditions that speak to some of the concerns relating to traffic, site design, architecture, and sensitivity to natural area/habitat. Almost a year later, after a lot of preliminary design and review meetings with the Applicant's team, a plan has been developed that is in-line with the intent of Create Loveland Comprehensive Plan and is designed to be adequately served by all City infrastructure/service needs. Looking ahead beyond the Planning Commission hearing, this project will proceed onto City Council for final consideration. It is anticipated that the public hearing with City Council will occur on August 15, 2017, with notice being provided in advance.

VI. STAFF, APPLICANT, AND NEIGHBORHOOD INTERACTION

A. Notification: An affidavit was received from Kenneth Mitchell, Mosaic Real Estate LLC, certifying that written notice was mailed to all property owners within 1,200 feet of the property on June 7, 2017 and notices were posted in prominent locations on the perimeter of the site at least 15 days prior to the date of the Planning Commission hearing. There were no mineral owners associated with the property. In addition, a notice was published in the Reporter Herald on June 10, 2017.

B. Neighborhood Response: A neighborhood meeting was held at 5:30 p.m. on December 8, 2016 at the City of Loveland Development Center (410 E. 5th Street). The meeting was attended by approximately 40-50 neighbors and interested parties along with City staff and the Applicant. The following is an outline of the neighborhood meeting provided by City staff:

- Representatives from the Prairie Dog Coalition and prairie dog advocates expressed a strong desire to work with the Applicant in finding suitable locations for relocating the animals instead of having them exterminated.
- The concept of clustering development created the perspective of higher density compared to surrounding subdivisions and larger county parcels. As a result of the density, more traffic volume would be created, adding more congestion to an already very busy W. First Street.

- In addition to increased traffic volume, concerns about the safety and speeds along W. First Street were expressed. How will this development improve the situation?
- This is a very rural area. Why does the City want to see urban level development? Create Loveland Comprehensive Plan is not consistent with the vision of some individual's perspectives in how the City should grow.
- The property and the area in general around Boedecker Reservoir is a very picturesque setting, full of wildlife that everyone enjoys. The idea of even developing a portion of the site is alarming. Why does the City not consider purchasing the entire site for natural open space like Rivers Edge?
- What are the price point of the homes and the impacts to surrounding property values?
- The subdivision design with smaller/narrow lots is not compatible to the surrounding area. The type of homes are going to create a tract housing development that will loom over adjacent properties and block views of the reservoir and mountains.

Additional information regarding neighbor and interested party input is included as an attachment to this report (see **Attachment B**).

VII. FINDINGS AND ANALYSIS

Annexation and Zoning

The chapters and sections cited below are from Create Loveland Comprehensive Plan and Chapter 17 of the Loveland Municipal Code.

Annexation Policies and Eligibility

1. **Create Loveland: Development Review and Consistency, Annexation:** *The annexation complies with the laws of the State of Colorado regarding annexation.*
2. **Loveland Municipal Code, Section 17.04.020:** *The annexation complies with the laws of the State of Colorado regarding annexation and the property proposed for annexation is otherwise eligible to be annexed because there is at least one-sixth contiguity between the City and the area seeking annexation and there is no evidence that two or more of the following conditions have been met:*
   - **a.** *Less than 50% of the adult residents of the area proposed to be annexed use some of the recreation, civic, social, religious, industrial or commercial facilities of the municipality and less than 25% of its adult residents are employed in the annexing municipality.*
   - **b.** *One-half or more of the land proposed to be annexed is agricultural, and the landowners of such agricultural land have expressed an intention under oath to devote the land to agricultural use for at least five years.*
   - **c.** *It is not physically practical to extend urban service which the municipality provides normally.*

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

- The annexation complies with the Colorado State Statutes regarding annexation of lands and is within the City's Growth Management Area (GMA).
- There is no evidence that two or more of the conditions listed in Section 17.04.020 of the Municipal Code, cited above, have been met.

- The development of the property will encourage a compact pattern of urban development. The land is immediately contiguous to City limits along the northern boundary. Properties to the north are already receiving City services.
- The annexation complies with the Intergovernmental Agreement with Larimer County to annex property within the City's GMA that are eligible for annexation.

B. City Utilities/Services and Transportation

1. Loveland Municipal Code

a. Section 17.04.040:

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

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

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

b. Section 17.04.040,: *Whether all existing and proposed streets in the newly annexed property are, or will be, constructed in compliance with City street standards, unless the City determines that the existing streets will provide proper access during all seasons of the year to all lots and that curbs, gutters, sidewalks, bike lanes, and other structures in compliance with City standards are not necessary to protect public health, safety, and welfare.*

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

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

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

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

- The site will comply with the requirements in the ACF Ordinance for response distance requirements from the first due Engine Company.

- The proposed annexation/zoning will not negatively impact fire protection for the subject development or surrounding properties.
- Pending future proposed development within this property, of which review and approval by the Fire Authority is required, staff does not object to the proposed annexation and zoning.

Water/Wastewater: Staff believes that this finding can be met, based on the following facts:
The subject annexation is situated within the City's current service area for both water and wastewater. Regarding water there are two adjacent 12" water stubs one in Rossum Drive and one in Green Valley Drive that will be extended and looped through the development. Regarding wastewater there is an existing wastewater stub in Green Valley Drive that can be extended into the site to serve as many homes as possible.

The conditions herein noted require the Developer of the subject annexation to analyze the feasibility of gravity wastewater service to serve any development within the annexation.

The Department finds that:
The annexation and zoning is consistent with the Department's Water and Wastewater master plan by being consistent with the 2005 Comprehensive Master Plan.

Public facilities are available to serve the development.

Power: Staff believes that this finding can be met, based on the following facts:
- The Department finds that the annexation and zoning is consistent with the Department's Power master plan.
- The property is currently being served by the City of Loveland for power services.
- Public facilities are available to serve the development.

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

C. Land Use

1. Create Loveland Comprehensive Master Plan: Development Review and Consistency

a. *The proposal is consistent with the Policies and Supporting Strategies in Chapter 2: Our Future*

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

- Create Loveland identifies the area proposed for annexation as having valuable natural areas and wildlife habitat. Specifically, the plan calls out areas around Boedecker Reservoir in which the City should work with willing landowners to conserve significant open lands.
- The development supports policies contained in Create Loveland including:

- Maintain natural areas according to management type;
- Protect and maintain environmental resources and quality; and
- Maintain and expand City recreational facilities as a valuable asset to the community.

b. *The proposal is consistent with the Land Use Plan and Land Use Designations contained in Chapter 3: Our Places*

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

- The land use plan designates the site as low density residential. This category can allow for a variety of housing types but is predominately detached single-family at a low density. The targeted density range is 2-4 units per acre with building heights between 1-3 stories. With the annexation property, the Parkside Village development would have a density of 1.85 units per acre, which is consistent with the plan.
- The highest priority mode of transportation in the low density residential designation emphasizes pedestrian movement with detached sidewalks, off-street trail systems and connections to neighborhoods and commercial centers. The PDP requires detached walks along all streets and emphasizes pedestrian movement through internal walks looping through the development.

2. Loveland Municipal Code

a. Section 18.04.010*:*

(i) *Whether the zoning will provide adequate light and air; prevent overcrowding of land; avoid undue concentration of population; and facilitate the adequate provision of transportation, water, sewage, schools, parks, and other public requirements.*

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

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

- Development of the property will provide adequate light and air and prevent overcrowding of the land. The density of the development aligns with the city's vision established in the land use plan. While the homes will be up to 2 stories, street side bufferyards and interior landscaping will be provided.
- The zoning for the property proposed for annexation will match the character of the surrounding Mariana Butte development and encourages the most appropriate use of the land, based on the city's vision in Create Loveland.
- As the project is contiguous to existing developments receiving city services, an extension of infrastructure services is practical.

D. Miscellaneous

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

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

- The development supports policies in the comprehensive plan.
- The proposal aligns with the city's vision for redevelopment.
- The property is within the city's growth management area and complies with the city's Intergovernmental Agreement with Larimer County.

2. **Loveland Municipal Code, Section 18.41.050.D.4.c:** *Whether the GDP incorporates environmentally sensitive areas into the project design. Environmentally sensitive areas include, but are not limited to, wetlands, wildlife habitat and corridors, slopes in excess of 20%, flood plain, soils classified as having high water table, stream corridors, and mature stands of vegetation.*

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

- An environmentally sensitive areas report was submitted with the annexation and PDP and was prepared by Blue Mountain Environmental Consulting (see **Attachment C**). The report indicates unique habitat within the project area, particularly within the cottonwood gallery along Boedecker Lake. The environmental report indicates that, based upon the proposed development plan, no significant ecological resources will be adversely impacted on this site. It does suggest, however, that ethical steps be taken for removal of the prairie dogs.

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

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

- There are no severed mineral leasehold owners on the property.
- A geologic hazards and mineral extraction evaluation report was submitted with the annexation and was prepared by Earth Engineering Consultants, LLC. The report indicated that no apparent significant geologic hazards exist on the property. Additionally the report indicates that due to the existing surrounding developments, small parcel size, depth of overburden clay and relatively thin sand and gravel lens, the deposit would not classify as "a commercial resource" under Colorado House Bill –HB 1529.

Preliminary Development Plan and Preliminary Plat

The chapters and sections cited below are from the Loveland Municipal Code pertaining to Preliminary Plats and Preliminary Development Plans. Applicable findings contained in the Municipal Code are specified in italic print followed by the staff analysis as to whether the findings are met by the submitted application. Adequate Community Facilities (ACF) analyses are included below. The Planning Commission decision to approve or deny the applications is to be based on a majority vote on whether or not the findings can be met.

A. City Utilities and Services

1. Section 16.20.030:

a. *The proposed public facilities and services are adequate, consistent with the City's utility planning, and capable of being provided in a timely and efficient manner*

b. *The subdivision complies with the water rights requirements in Title 19.*

c. *The subdivision has been reviewed in accordance with the Loveland Comprehensive Master Plan, including the Parks and Recreation Functional Master Plan, and other pertinent plans approved and adopted by the City, to insure that the subdivision is designed in accordance with good engineering practices and provides for safe and convenient movement.*

2. **Section 16.24.012:** *Electric and water distribution system improvements, sewer collection improvements, storm drainage control facilities, and other improvements as required to be constructed with the subdivision have been designed in accordance with the City of Loveland "Storm Drainage Criteria Manual," 1986 Edition, as amended and the latest edition of the "Development Standards and Specifications Governing the Construction of Public Improvements."*
3. **Section 16.24.090:**
   a. *All new and replacement sanitary sewer and water supply systems have been designed to minimize or eliminate infiltration of floodwaters in the system.*
   b. *The subdivision proposal has adequate drainage provided to reduce exposure to flood damage.*
   c. *The subdivision proposal has public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.*
   d. *The development proposal conforms to all federal, state, and local floodplain regulations*
   e. *When deemed necessary by the Director of Development Services or the Planning Commission for the health, safety, or welfare of the present or future population of the area or necessary to the conservation of water, drainage, and sanitary facilities, the subdivision of land within the flood fringe and floodway, or any stream, river, or drainage course has been prohibited.*
4. **Section 16.24.140:** *All proposed utility facilities, including, but not limited to, gas, electric power, telephone, and CATV cables, are located underground. Where practical, existing utility facilities located above ground, except when located in a public right-of-way, are to be removed and placed underground.*
5. **Chapter 16.41:** *A positive determination of adequacy, or a positive determination of adequacy with conditions, has been made in accordance with Section 16.41.100 for fire protection and emergency rescue services, Section 16.41.120 for water facilities and services, Section 16.41.130 for wastewater facilities and services, Section 16.41.140 for storm drainage facilities, and Section 16.41.150 for power.*
6. **Section 18.41.050:**
   a. *Development permitted by the PDP will not have negative impacts on City utilities. If such impacts exist, Section 18.41.050.D.4(b) of the Loveland Municipal Code requires City staff to recommend either disapproval of the PDP or reasonable conditions designed to mitigate the negative impacts.*
   b. *Whether development permitted by the PDP will be complementary to and in harmony with existing development and future development plans for the area in which the PDP is located by 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.*

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

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

Water/Wastewater: The subject annexation is situated within the City's current service area for both water and wastewater. Regarding water there are two adjacent 12" water stubs one in Rossum Drive and one in Green Valley Drive that will be extended and looped through the development.

Regarding wastewater there is an existing wastewater stub in Green Valley Drive that can be extended into the site to serve as many homes as possible. There is currently no existing water or wastewater service to the development area. The Department finds that the Development will be compliant to ACF for the following reasons:

- The proposed development will not negatively impact City water and wastewater 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.
- The proposed facilities shown on the Preliminary PICPs have been designed pursuant to the City's Development Standards.
- The proposed facilities have been design to minimize flood damage and infiltration.

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

- When final designed and built, the development will not negatively impact City storm drainage utilities and will comply with the Adequate Community Services ordinance outlined in the Loveland Municipal Code, Section 16.41.140.
- No irrigation ditches traverse the site.
- No natural drainage courses/open channels traverse the site.

Power: 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 Department finds that the Development will be compliant to ACF for the following reasons:

- The PDP 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.

B. Transportation

1. **Section 16.20.030:** *The subdivision has been reviewed in accordance with the Loveland Transportation Master Plan to insure that the subdivision is designed in accordance with good engineering practices and provides for safe and convenient movement.*
2. **Section 16.24.015:** *Streets, street signs, highways, curb and gutter, traffic control devices, and other improvements as required to be constructed with the subdivision have been designed in accordance with the Larimer County Urban Area Street Standards, as amended.*
3. **Section 16.24.040:** *Streets have been designed to have a logical relationship to topography and to the location of existing or platted streets in adjacent properties. Certain proposed streets, as determined by the City engineer, have been extended to the boundary of the subdivision to provide for traffic circulation within the vicinity*
4. **Section 16.41.110:** *A positive determination of adequacy, or a positive determination of adequacy with conditions, has been made for transportation facilities in accordance with Chapter 16.41 of the Loveland Municipal Code.*
5. **Section 18.41.050:**

   a. *Development permitted by the PDP will not have negative impacts on traffic in the area. If such impacts exist, Section 18.41.050.D.4(b) of the Loveland Municipal Code requires City*

staff to recommend either disapproval of the PDP or reasonable conditions designed to mitigate the negative impacts.

b. *Whether development permitted by the PDP will be complementary to and in harmony with existing development and future development plans for the area in which the PDP is located by 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.*

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

- A Traffic Impact Study (TIS) has been submitted with the Parkside First Subdivision Preliminary Development Plan (PDP) and Preliminary Plat applications which demonstrates that the transportation system, incorporating the required roadway improvements, can adequately serve the land uses proposed.
- Access to the site will be from W 1st Street aligning with Golden Valley Drive to the North.
- The applicant's traffic engineer, Matt Delich, P.E., has submitted a Traffic Impact Study (TIS) that indicates that the traffic associated with the proposed development will meet the City's standards. The proposed Parkside First Subdivision is estimated to generate approximately 816 daily trips, 63 weekday AM peak hour trips, and 82 weekday PM peak hour trips.
- Off-site intersection improvements are proposed at W 1st Street and Crestone which are required to meet ACF standards.

  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 when typical roadway improvements are constructed. A positive determination of adequacy for transportation facilities for the proposed PDP has been made under the provisions referenced above.

C. Land Use

1. Section 18.41.050.E.2:

a. *The preliminary development plan conforms to the general development plan on file with the city where the property is being developed in phases.*

b. *The PDP conforms to the intent and objectives of Title 18 with regard to Planned Unit Developments and any applicable area plan.*

c. *The PDP complies with applicable land use and development regulations in effect as of the date that the GDP was approved and any land use and development regulations adopted by the City after that date if the Planning Division and Planning Commission expressly find that compliance with such regulations is necessary to protect public health, safety, and welfare.*

d. *Development permitted by the PDP will not have detrimental impacts on property that is in sufficient proximity to the PDP to be affected by it.*

Current Planning: Staff believes that these findings can be met, due to the following:

- The proposed development would not be subject to a GDP given the proposed zoning structure. The PDP for Parkside Village was prepared in-lieu of a GDP as a non-phased PUD.
- Key objectives that this PDP achieves as specified in Section 18.41.020 include a clustered development that conserves open space, making for more efficient use of land to support the cost effective delivery of public services and facilities. Encouraging innovative

residential development for a growing population. And preserve the site natural characteristics.

- Detached single-family and paired two-family dwellings are consistent with the type and density of surrounding urban development as seen in the Mariana Butte Subdivision. Site improvements such as the inclusion of detached sidewalks along all public streets provide a higher focus towards walkability for pedestrians. All common open space areas with the development will be landscaped according to City standards. And all homes will be designed to integrate into the overall character of surrounding development in terms of materials, scale, and height.

D. Subdivision and Design Standards

1. Section 16.20.030:

a. *The subdivision does not create, or mitigates to the extent possible, negative impacts on the surrounding property***.**

b. *The lots and tracts are laid out to allow efficient use of the property to be platted.*

c. *The subdivision provides desirable settings for buildings, protects views, and affords privacy, protect from noise and traffic, and uses resources such as energy and water in keeping with responsible resource stewardship.*

d. *The subdivision has been reviewed in accordance with the pertinent portions of the adopted Comprehensive Master Plan.*

2. Section 16.24.050: *All lots comply with the standards set forth in the GDP and, to the extent practical, lot lines are at right angles to the street line or at right angles to the tangent of the curve of the street line.*

3. Section 16.24.120:

a. *Landscaping complies with the requirements set forth in the GDP and bufferyards required pursuant to the GDP are within separate tracts of land, separate from individual residential lots.*

b. *Street trees are located in compliance with the City's Site Development Performance Standards and guidelines, unless waived by the Director.*

4. Section 18.41.050.E.2: *Development permitted by the PDP will be complementary to and in harmony with existing development and future development plans for the area in which the PDP is located by:*

a. *Incorporating natural physical features into the PDP design and providing sufficient open spaces considering the type and intensity of proposed land uses.*

b. *The PDP incorporates environmentally sensitive areas, including but not limited to wetlands and wildlife corridors, into the project design.*

c. *Incorporating site planning techniques that will foster the implementation of the Create Loveland Comprehensive Plan.*

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

e. *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.*

Current Planning: Staff believes that these findings can be met, due to the following:

- The streetscape design is a key design element of the overall project that includes detached sidewalks along all public streets associated with this development. Tree lawns will be

created between the sidewalks and curb/gutter as a result which goes above normal requirements for street trees.

- Approximately 17 acres of the 41 total acres is anticipated to be acquired by the City Open Lands Division for preservation/protection of valued natural area and wildlife habitat. In addition, greater buffering from the backs of lots to the shoreline of Boedecker Reservoir is being created through the establishment of an outlot to further preservation/protection.
- The natural open space areas particularly to the south and west will help create a more rural transition to existing county residences as well as the Boedecker Reservoir. The treatment along W. First Street will mimic landscape improvements directly north as seen in Mariana Butte. Access into the site will align with Green Valley Drive. The PDP also establishes architectural standards that are unique to this development but provide similar relationships to height and bulk with existing surrounding homes.

III. RECOMMENDED CONDITIONS

Conditions are being recommended by the Development Review Team (DRT) for consideration of the Annexation, Zoning (Preliminary Development Plan) and Preliminary Plat. If recommended and/or modified by the Planning Commission, the conditions for annexation will be included in an annexation agreement presented to City Council for consideration. If recommended and/or modified by the Planning Commission, the conditions listed under the Preliminary Development Plan and Preliminary Plat will be included on the associated plan sets and eventually captured in a development agreement with any subsequent Final Development Plan and Final Plat approvals.

Annexation

Current Planning

1. Annexation of the Parkside Village Addition shall not occur without approval of the Parkside Village PUD Preliminary Development Plan.

2. Annexation of the Parkside Village Addition will create an enclave of unincorporated property currently owned by McCrimmon (parcel #952-1-00-005). As a result, the City may require annexation of this property in the future which may have an impact on development or existing development associated with the Parkside Village Addition.

PW-Transportation:

1. All public improvements with any future development shall comply with the Larimer County Urban Area Street Standards (LCUASS).

2. The developer/owner agrees to acquire and dedicate, at no cost to the City, any rights-of-way necessary for the required street improvements associated with any future development of the land.

3. Prior to the issuance of any building permits for future development, 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) The ultimate adjacent street improvements on west First Street to current 2-lane arterial standards including pavement widening, bike lanes, curb & gutter, a landscaped parkway and sidewalk.

b) All interior public streets to serve the development as shown on the City approved Public Improvement Construction Plans.

4. Any other off-site improvements required will be determined by the findings of a Traffic Impact Study (TIS) at the time a development application is submitted for review.

Water/Wastewater
1. At the time of Final Plat the developer shall provide a final Water and Wastewater System Impact Analysis.

2. The Developer shall extend the wastewater main through the development to provide future service to the west, 4420 W 1st Street, and to the east.

3. The Developer shall provide a 12" water main looped through the site with two points of connection to the existing 12" water mains. The Developer shall extend the water main to provide future water service to the west and to the east.

Preliminary Development Plan
Current Planning
1. All lots abutting Outlot D (as currently depicted in the Preliminary Plat) shall be prohibited from having direct access to Outlot D and the natural area (currently depicted as Tract A in the Preliminary Plat). All lots abutting Outlot D shall be required to install split rail fencing with no gates or other openings prior to issuance of a certificate of occupancy. In addition, the Home Owners Association (HOA) shall include this condition within their respective covenants.

2. Homes shall be limited to a maximum building height of 35 feet as measured in Section 18.04.040 of the Loveland Municipal Code.

3. Developer shall be responsible for installation of all common area (outlot) landscaping/irrigation including all tree lawns along public streets. Sequencing for these landscape improvements will be established with the Final Development Plan.

4. The Home Owners Association (HOA) shall own and maintain all outlots within the Preliminary Development Plan.

5. A restoration and maintenance plan shall be provided with a Final Development Plan identifying proper restoration of all outlots disturbed during construction along with a maintenance plan for the Home Owners Association (HOA) to follow.

6. The Final Development Plan shall provide building elevations for all home designs.

PW-Transportation
1. All public improvements shall comply with the Larimer County Urban Area Street Standards (LCUASS).

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 the issuance of any building permits within the Parkside 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 ultimate street improvements on W 1st Street to the 2-lane arterial standard including left turn lanes, pavement widening, bike lane, curb & gutter and detached sidewalk as shown on the City approved Public Improvement Construction Plans titled Parkside Subdivision prepared by Northern Engineering.

b) All public street improvements (with construction phasing) within the Parkside subdivision as shown on the City approved Public Improvement Construction Plans titled Parkside Subdivision prepared by Northern Engineering.

b) Intersection and pedestrian crossing improvements at W 1st Street and Crestone Ave./CR21 as shown on the City approved Public Improvement Construction Plans titled Parkside Subdivision prepared by Northern Engineering.

c) The off-site pedestrian path on the South side of W 1st Street connecting Parkside Village to the intersection of Crestone Ave/CR21 as shown on the City approved Public Improvement Construction Plans titled Parkside Subdivision prepared by Northern Engineering.

4. 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).

5. 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.

6. 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.

Parks and Recreation
1. Tree removal and construction activities shall comply with the federal Migratory Bird Treaty Act. No activities shall occur near an occupied nest and this area shall be monitored between February 15th and July 15th for potential raptor nesting. Buffer zones and seasonal restrictions shall be followed per the Colorado Parks & Wildlife guidelines.

2. Noxious weeds shall be managed on the property to maintain the ecological integrity of areas not disturbed by construction. Management of noxious weeds within portions of the property not impacted by construction should enhance ecological values of residual lands. Disturbed areas shall be revegetated with a native seed mix as soon as possible and best management practices employed throughout construction to limit soil erosion and sedimentation.

3. Any wetland, drainage, or ditch crossings shall encourage wildlife movement beneath the crossing structure(s). If bridge abutments are proposed, they shall be located outside any wetland / drainage areas. If culverts are proposed, they shall be partially buried or have an open bottom (such as an arched water crossing) to encourage wildlife movement beneath the structure.

4. A 30-foot wide trail easement from the southeast corner to the northwest corner of the property shall be required at preliminary plat. The trail easement shall be dedicated for public access.

5. A 6 foot wide soft trail shall be constructed with the first phase of development within the new 30 foot trail easement. The City of Loveland and the developer shall agree to locate the trail and the developer shall maintain the trail and easement until such time as the City of Loveland agrees to the maintenance of the easement and/or trail.

6. Construct a 6-foot wide pedestrian connection from sidewalk at the Parkside Village development to the soft surface trail within the 30’ easement. Maintain this connection up to the 30’ easement. Construction shall occur during the first phase of development.

<u>Preliminary Plat</u>
Current Planning
1. Tract A shall be changed to an Outlot (Outlot E) prior to submittal of a Final Plat.

LAND USE CONSISTENCY

This application for Annexation and PUD Zoning recognizes the City of Loveland's vision of ***a vibrant community surrounded by natural beauty, where you belong.*** The unique location of the subject site on the northeastern shore of Boedecker Reservoir provides the opportunity to achieve stated City goals ***to protect sensitive natural areas and wildlife habitats from development impacts and to maintain and expand parks and recreation facilities as a valuable asset to the community.***

The City of Loveland Parks Department desires lake access for the entire community as well as a walking path along the shoreline of Boedecker Reservoir. The Proposed Parks Parcel in this request is 17.735 acres of the 41.229 net acres requested for Annexation. This is in concert with the City of Loveland's desire ***to create more reservoir parks and buffers to serve the entire community, allowing lake access via public property.*** The logical path to satisfy this goal is ***to coordinate land development and land conservation efforts between city departments, Larimer County, non-profit partners and landowners.*** In the case of this request, that effort has been ongoing with the Loveland Parks Department in recognition of the unique nature of the subject property.

The proposed PUD zoning with the associated Preliminary Development Plan is consistent with the site's future land use designation of Low Density Residential. This zoning classification provides for low density single family homes with limited duplex and multi-family homes. ***This zoning district can consist of a variety of housing types with an average density of 2-4 units per acre and block lengths of 250-650 feet.***

After the acquisition of the Park Parcel by the City of Loveland, the remainder 23.494 acre site is proposed for development of 69 lots and 76 residences. This is a density of 1.8 units per gross acre and 3.2 units per net acre, consistent with Low Density Residential standards. The PUD contains 7 duplex lots and 62 detached single family homes. The detached single family homes are further delineated with 28 premium view lots with panoramic views of Boedecker Lake and the Front Range, 26 lots surrounding a community open space and 8 perimeter lots abutting an undeveloped parcel to the east. The several types of lots will support a range of product types and pricing:

- Luxury custom home sites with a compact footprint that takes advantage of superior views of the Front Range and Boedecker Reservoir. These lots are designed for a low maintenance lifestyle typical of empty nesters, with upscale construction but minimal yard area to allow for a "lock and leave" lifestyle. Emphasis is on native landscaping adjoining a buffer that provides protection for adjacent riparian resources.

- A smaller lot product that is more affordable and semi-custom in nature. These lots do not have compelling views, but offer solid value and affordability compared to the high end product on the western perimeter overlooking Boedecker Reservoir.

- A duplex product that offers the greatest level of affordability within the community and affords a reasonable market entry point for this unique infill community.

Equally important, the proposed community mirrors the City goal ***to encourage a pattern of compact and contiguous development.***

The site offers ready access to existing roads and utilities in place on the perimeter and annexation would require only minimal additional utility and road infrastructure. There are water and sanitary sewer mains, electricity and gas service, telecommunication facilities and storm drainage already in place, as well as immediate access to West 1st Street, which is also known as Larimer County Road Number 20.

The proposed zoning of PUD with Preliminary Development Plan is compatible with the adjacent Marianna Butte PUD, which is a mixture of duplexes, small lot and larger lot product. Immediately northwest of the site are luxury duplexes with unique lakeside views. Due north are low density single family homes offering a traditional single family lifestyle. East of the subject property are two tracts of land that are unzoned at present and lie in unincorporated Larimer County. The south and southwest border of the subject property adjoin Boedecker Reservoir.

The proposed annexation and PUD zoning offers a unique opportunity to achieve one of the major policy goals of the City of Loveland, that being the following:

"inside the Loveland GMA, lead in protecting open lands using a variety of protection techniques in partnership with willing landowners."

PARKSIDE VILLAGE AT BOEDECKER HILL
ENVIRONMENTALLY SENSETIVE AREAS REPORT©

July 2015
Larimer County, Colorado

Prepared by:

BLUE MOUNTAIN ENVIRONMENTAL CONSULTING

Supporting Sustainable Management of Natural Resources

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1.0 Study Area

This report documents ecological characteristics within the proposed Parkside Village community (the Property) on 42.9 acres (Parcel # 9520100001) in Loveland. The legal description for the site is a portion of the northeast quarter Section 20, Township 5 North, Range 69 West of the 6th Principal Meridian in Larimer County, Colorado. Numerous maps are provided in Appendix A including a Vicinity Map, Bubble Diagram, Site Concept Map and Aerial Map and Photo Point Map.

1.1 Project Background

The proposed Parkside Village community encompasses 42.9 acres (1,868,724 square feet) and is located along the north and eastern shoreline of Boedecker Lake in Loveland. West First Street borders the northern boundary of the Property for approximately 2,382 feet. The core development area consists of +/- 17.5 acres with greatest density occurring near the northeast corner of the parcel. Located on an existing bluff overlooking the lake, the community will likely consist of 100 lots containing townhomes, patio homes and single family residences. The lots in this area will be approximately 50 feet wide by 100 feet deep and will consist of homes ranging in size from 1,850 square feet to 3,200 square feet. East of the single-family detached homes, development will consist of duplexes or townhomes on lots that are approximately 24 feet wide by 90 feet deep and will consist of homes ranging from 1,250 square feet to 2,250 square feet. The type and number of residential structures is indicated in the below table.

Lots	Number
Townhomes (3-Plex)	27
Townhomes (4-Plex)	24
Patio Homes	20
Single Family Residences	29

Development adjacent to the Property includes the Mariana Butte community to the north, Mariana Springs and Mariana Cove communities to the west and private residences to the east. Boedecker Lake State Wildlife Area (SWA) forms the western boundary as well as the shoreline boundary of Boedecker Lake. Boedecker Lake SWA provides the public with recreational activities including hunting for dove and waterfowl, a warm-water fishery and wildlife viewing. The developer proposes to work with the City of Loveland Parks Department and other interested public stakeholders in their acquisition of approximately 24 of the 42.9 acres. This acquisition will provide community-wide benefit and maximize the value of Boedecker Lake and is well suited for the proposed open space, proposed park and linear trail to further enhance connectivity in the region.

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2.0 Site Inventory

This report conforms to the Loveland Colorado 2005 Comprehensive Plan (Section 3.2), the 2014 Parks and Recreation Master Plan (Appendix E) and the Loveland Municipal Code (Chapters 18.41 and 16.20). The site was visited by Matt Tobler (Natural Resource Specialist) and Clint Hinebaugh (Wildlife Biologist) with Blue Mountain Environmental Consulting on July 15th, 2015. Additional information regarding the site and its characteristics was gathered from sources as cited in the following sections. Maps are provided in Appendix A.

2.1 Mature Stands of Vegetation

A diagonal berm separates the Property into northeast and southwest sections which support different ecological communities. A third community is found along the lakeshore. The below discussions detail species composition and ecological features of these areas. Community names correspond the Colorado Vegetation Classification Project, a Vegetation Map is provided in Appendix A.

Disturbed Rangelands: The northwest section contains a prairie dog colony. This area is highly disturbed and dominated field bindweed (*Convolvulus arvensis*) a State listed noxious weed. Vegetation along roadsides was dominated by typical early seral species, including rabbitbrush (*Chrysothamnus* spp.), Russian thistle, Canada thistle (*Cirsium arvense*), yellow sweetclover (*Melilotus officinalis*), smooth brome and prickly lettuce (*Lactuca serriola*).

Shrub / Grass / Forb Mix: Native prairie dominates the area southwest of the berm to the irrigation ditch. Vegetation included yucca (*Yucca* spp.), skunkbrush sumac (*Rhus trilobata*), prickly pear (*Opuntia* spp.), hairy false goldenaster (*Heterotheca villosa*), fringed sage (*Artemisia frigida*), field sagewort (*Artemisia campestris*), yellow salsify (*Tragopogon dubius*), field bindweed, wooly loco (*Astragalus mollissimus*), prairie flax (*Linum lewisii*), beardtongue (*Pensetmon* spp.), Mexican hat (*Ratibida columnifera*), wavyleaf thistle (*Cirsium undulatum*), pepperweed (*Lepidium* spp.), Woods' rose (*Rosa woodsii*), scarlet globemallow (*Sphaeralcea coccinea*), white sagebrush (*Artemisia ludoviciana*), broom snakeweed (*Gutierrezia sarothrae*), mountain brome (*Bromus marginatus*), smooth brome (*Bromus inermis*), sideoats grama (*Bouteloua curtipendula*), blue grama (*Bouteloua gracilis*), threeawn (*Aristida* spp.), Indian ricegrass (*Achnatherum hymenoides*), Canada wildrye (*Elymus canadensis*), western wheatgrass (*Agropyron smithii*), needle and thread (*Hesperostipa comata*) and squirreltail (*Elymus elymoides*). Invasive spaces included cheatgrass (*Anisantha tectorum*) and musk thistle (*Carduus nutans*).

Forested Riparian: Vegetation between the irrigation ditch and the lake shore included plains cottonwood (*Populus deltoides*), green ash (*Fraxinus pennsylvanica*), peachleaf willow (*Salix amygdaloides*), poison ivy (*Toxicodendron rydbergii*), sedges, cattail, rushes and Russian thistle (*Salsola tragus*).

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2.2 Jurisdictional and Non-Jurisdictional Wetlands

The National Wetlands Inventory (http://www.fws.gov/wetlands/) was assessed on July 22, 2015, and indicated that no wetlands exist on the Property. Buckingham Ditch extends for approximately 2,300 feet along the southern boundary and is a non-classified artificial wetland. In reality it is likely that wetlands exist between Buckingham Ditch and the high-water mark of the lake; however, no development is proposed for these areas, so wetlands were not delineated. A small depression in the northeast corner of the site was tested but did not support hydric soil indicators and as such does not qualify as wetland.

2.3 Wildlife Habitat and Corridors

An occupied 12.5-acre black-tailed prairie dog (*Cynomys ludovicianus*) colony exists on the northeast corner of the Property. Due to habitat fragmentation in the region, this colony has been isolated and habitat has been degraded as a result. Large infestations of field bindweed and bare ground are common throughout the colony and native grasses and forbs are almost non-existent.

South and west of the prairie dog colony, a transitional zone of native and non-native short- and mixed-grass prairie habitat exists. Seasonal and/or year-round use can be expected by a number of mammals such as mice, voles, fox squirrel (*Sciurus niger*) and eastern cottontail rabbit (*Sylvilagus floridanus*). Given the Property's location adjacent to Boedecker Lake, species such as mule deer (*Odocoileus hemionus*), elk (*Cervus elaphus*), striped skunk (*Mephitis mephitis*) and red fox *(Vulpes fulva)* may be common.

With the exception of the margins along Boedecker Lake and the Buckingham Ditch, the Property is relatively treeless. Raptors would probably utilize the grasslands primarily for hunting rodents and small birds, especially during the warmer months. Some suitable nesting sites for hawks and owls were identified in the cottonwood stands to the south of the Property. Avifauna expected to utilize the Property include horned lark (*Eremophila alpestris*), burrowing owl (*Athene cunicularia*), American robin (*Turdus migratorius*), mourning dove *(Zenaidura macroura),* western kingbird (*Tyrannus verticalis*), magpies *(Pica pica),* killdeer (*Charadrius vociferus*), swallows, crows *(Corvus brachyrhynchos)* and ravens *(Corvus corax).*

There are no known occurrences or habitat for sensitive and specially valued species on the Property. The USFWS Information, Planning and Conservation System (IPAC) was accessed to determine species of concern in Larimer County, which include the Preble's meadow jumping mouse (*Zapus hudsonius preblei*), Ute lady's tresses orchid (*Spiranthes diluvialis*) and Colorado butterfly plant (*Gaura neomexicana* ssp. *coloradensis*), all of which are associated with riparian/wetland areas.

Typical habitat for the Preble's meadow jumping mouse is composed of well-developed riparian vegetation with adjacent, relatively undisturbed grassland communities and a nearby water source. These riparian areas should include a relatively dense combination of grasses, forbs and

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shrubs. Based on these habitat requirements and the negative trapping data in the area, it is Blue Mountain Environmental Consulting's opinion that the Preble's meadow jumping mouse does not occur on the site and development of the Property will not adversely affect Preble's meadow jumping mouse.

Similarly, it is Blue Mountain Environmental Consulting's opinion that the Ute lady's tresses and Colorado butterfly plant do not occur on the site. The closest known occurrences of these plants are near the northwest boundary of Fort Collins (Ute lady's tresses) and within the City of Fort Collins-managed Soapstone Prairie Natural Area near the Wyoming border (butterfly plant). Suitable habitat is not present within the Property area.

2.4 Natural Areas Identified in the Sites Report

According to the City of Loveland Natural Areas Sites report (2008), Boedecker Lake (Site 55), is "a large open water body bordered by urban development on the south, open water on the north and grass/forb fields elsewhere. A few scattered large trees exist at-various locations. The lake lacks appreciable wetlands, probably because of fluctuating water levels. The value of this site lies in the large amount of open water that provides good waterfowl habitat, especially for migrating species. Areas of barren shoreline provide habitat for shorebirds. Waterfowl habitat would be improved with the creation of islands; if densely vegetated, these islands would provide duck nesting habitat but would discourage goose nesting. The Colorado Parks and Wildlife (CPW) notes that 25 pelicans use the lake and bald eagles are seen in the large trees in winter. The CPW also notes that the lake is important as a walleye and crappie fishery. The addition of shrubs and trees around the lakeshore would greatly benefit many species of wildlife, especial1y raptors. However, as urban development encroaches, raptor use of the area may decline. Similarly, if urban development eliminates habitat adjacent to the lake or interrupts movement corridors to and from the lake, wildlife values will decrease." The site is rated as having an overall habitat value of 6 (on a scale of 1 – 10), raptor habitat value of 6 and mammal habitat value of 4 with a 'medium' enhancement potential.

2.5 Physical Linkages

Residents of Loveland have grown accustomed to the resident and migratory elk population. A migration corridor for elk exists approximately 2 miles to the west, and the Property lies within a Winter Concentration Area. Buckingham Ditch and Boedecker Lake margins serve as a wildlife migration corridor on-site. In addition to avifauna, it is expected that raccoons, skunks and other urban-adapted species use these zones to move through the region. The current development plans do not call for development along the corridor; therefore, the proposed development should not affect the functioning of these areas and associated natural habitats as a migration corridor. According to the City of Loveland Natural Areas Sites report the shore on Boedecker Lake has connectivity to two other Natural Areas including the Small Lake North of Boedecker (Site 65) and the Ditch Northwest of Boedecker (Site 66).

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2.6 Drainage Patterns and Floodways

At present, moisture drains to the northeast and southwest. The highest elevation on the Property is an artificial berm that is visible on the Aerial Map and in the contours of the Site Concept Map. According to the Loveland Floodplain Map accessed on July 22, 2015 (http://maps.cityofloveland.org/Apps/?viewer=Floodplain), the Property is outside of the floodplain.

2.7 Irrigation Canals, Ditches and Water Courses

Buckingham Ditch extends for approximately 2,300 feet along the southern boundary and is a non-classified artificial wetland.

2.8 Slopes Over 20 Percent

The entire Property is relatively flat, only small areas in excess of 20% slope may exist on the southern side of the artificial berm.

2.9 Soils

The Web Soil Survey (http://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm) was accessed on July 29 to develop a custom soil report for the project area. There are six soil types in the project area. The depth to water table and erodibility rating is illustrated in the below table. In general, the erosion hazard is low and the depth to the water table is high.

SYMBOL	NAME	EROSION HAZARD	DEPTH TO WATER TABLE
48	Heldt clay loam 0-3% slope	Slight	>200 cm
53	Kim loan 0-3% slope	Slight	>200 cm
54	Kim loam 3-5% slope	Slight	>200 cm
59	Laporte-Rock outcrop complex3-30% slope	Slight	>200 cm
63	Longmont clay0-3% slope	Slight	69 cm
66	Minnequa silt loam 3-9% slope	Slight	>200 cm

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Erosion Hazard The ratings in this interpretation indicate the hazard of soil loss from off-road and offtrail areas after disturbance activities that expose the soil surface. The ratings are based on slope and soil erosion factor K. The soil loss is caused by sheet or rill erosion in off-road or off-trail areas where 50 to 75 percent of the surface has been exposed by logging, grazing, mining, or other kinds of disturbance. The hazard is described as "slight," "moderate," "severe," or "very severe." A rating of "slight" indicates that erosion is unlikely under ordinary climatic conditions; "moderate" indicates that some erosion is likely and that erosion-control measures may be needed; "severe" indicates that erosion is very likely and that erosion-control measures, including revegetation of bare areas, are advised; and "very severe" indicates that significant erosion is expected, loss of soil productivity and off-site damage are likely, and erosion-control measures are costly and generally impractical.

Depth to Water Table "Water table" refers to a saturated zone in the soil. It occurs during specified months. Estimates of the upper limit are based mainly on observations of the water table at selected sites and on evidence of a saturated zone, namely grayish colors (redoximorphic features) in the soil.

2.10 Landfills and Hazardous Industrial Use

The site appears to be in its natural state and was likely used for agricultural and recreational purposes. Landfills, materials dumping and industrial use were not apparent; however, this report does not constitute a Phase 1 Environmental Assessment as defined by ASTM 1527.

2.11 Faults, Aquifers and Discharge Areas

The Geologic Hazards and Mineral Extraction Evaluation prepared by Earth Engineer Consultants, LLC (EEC, 2015) does not indicate any faults in the project area. According to the United States Geologic Service (http://pubs.usgs.gov/ha/ha730/ch_c/C-text6.html) accessed on July 31, 2015, Boedecker Lake may contribute to the Denver Basin Aquifer system.

2.12 Operating High Water Line

Although there is more than 3,000 feet of shoreline associated with Boedecker Lake on the Property, there are no wetlands or perennial water bodies on the site. Access to the shoreline is limited in summer due to water in the Buckingham Ditch. The high-water line is indicated on site maps.

3.0 Assessment of Potential Impacts of Proposed Development

Construction of Parkside Village will require the removal of the prairie dog colony. Black-tailed prairie dogs are not listed by the United States Fish and Wildlife Service (USFWS), recognized as small game by Colorado Parks and Wildlife and are considered a destructive rodent pest by the Colorado Department of Agriculture. Because the colony exists on private land, the

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landowner must give consent prior to any activity or removal of prairie dogs. Removal options for this location include trapping, using poison baits and using fumigants (poison gas).

Trapping, transporting and relocating is generally the most expensive and least viable option and requires obtaining one of three possible permits from Colorado Parks and Wildlife as well as consent from the District Wildlife Manager. Options for this process include the following:

1. Wild to Black-Footed Ferret Program Permit
2. Wild to Raptor Rehabilitation Permit
3. Wild to Wild Relocation Permit

Several different types of pesticides can be used for prairie dog control/removal in Colorado, including grain baits and products that generate poison gases (fumigants). All of these products are federal restricted use pesticides, except for the USDA gas cartridge. Unless a private pesticide applicators license has been issued to the landowner by the Colorado Department of Agriculture, a commercial applicator must be hired that is licensed in the 'outdoor vertebrate' category. Whichever route is chosen, the developer should collaborate with the neighbor to the east, Mr. Raymond Cochrane, as the colony extends on to his property as well. Timing of prairie dog control should be considered prior to construction activities. For example, grain baits are typically most successful in the fall because prairie dogs eat grass seeds to build up fat reserves for the winter and any baits that contain zinc phosphide are restricted to July 1st – early winter. It is important to understand that removal of the prairie dogs might generate some disapproval by the general public.

A setback of 200 rather than 300 feet may be applicable in this case for several reasons. First, the most significant ecological values at the site result from cottonwood galleries and wetlands which are confined to a narrow band along the lakeshore. Second, nearly all site activities would be confined to an area dominated by a single noxious weed species resulting in minimal impacts to native vegetation. The proposed cluster development will further limit the extent of disturbance to ecological values while minimizing costs to public infrastructure. A significant public benefit will also be attained by construction of the proposed hard surface trail that will link other open spaces with the lakeshore on this property.

4.0 Recommendations for Protection, Mitigation and Enhancement

Potential raptor nesting habitat exists in the cottonwood gallery along Boedecker Lake. If construction or tree removal is proposed to begin during the potential bird nesting periods, a nest search is recommended within two weeks prior to the start of construction or tree removal to avoid Migratory Bird Treaty Act infractions. For this location, nesting activity should be monitored between February 15th to July 15th and recommended buffer zones and seasonal restrictions should be followed per CPW guidelines https://cpw.state.co.us/Documents/WildlifeSpecies/LivingWithWildlife/RaptorBufferGuidelines2008.pdf .

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According to the provided diagram for Parkside Village, two zones of the +/- 17.5-acre development core will contain 5-8 Dwelling Units (DU)/acre along West First Street and 3-5 DU/acre on the bluff, respectively. This portion of the Property is already heavily disturbed from the prairie dog colony, and native prairie to the south will remain relatively un-disturbed. The nearly 2,300 feet of cottonwoods along the Lake margins will also remain undisturbed allowing avifauna, particularly raptors with nest sites, roost sites, and hunting perches for the open water habitat to the south. To reduce impacts to natural features on site, the developer has proposed to limit private yards within the community with emphasis placed on public open space.

Noxious weeds should be managed within all natural areas, disturbance corridors, paths, rights of way and developed areas to maintain the ecological integrity of areas not disturbed by construction. Management of noxious species within portions of the property not impacted by construction would enhance ecological values of these residual lands. Disturbed areas should be revegetated as soon as possible with an appropriate native seed mix. Best management practices should be employed throughout construction to limit soil erosion and sedimentation. Additionally, appropriately designed, constructed, and maintained storm water control systems should be employed to protect lake water quality

The team at Blue Mountain Environmental Consulting believes that no significant ecological resources will be adversely impacted on this site. The primary concern on-site is the ethical removal of black-tailed prairie dogs, timing of construction to avoid disturbing nesting birds, increased runoff from hardened surfaces and the introduction of undesirable plants. All these concerns can be mitigated by the employment of recommendations made herein.

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PARKSIDE VILLAGE SUBDIVISION
TRAFFIC IMPACT STUDY

LOVELAND, COLORADO

DECEMBER 2016

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Project #1697

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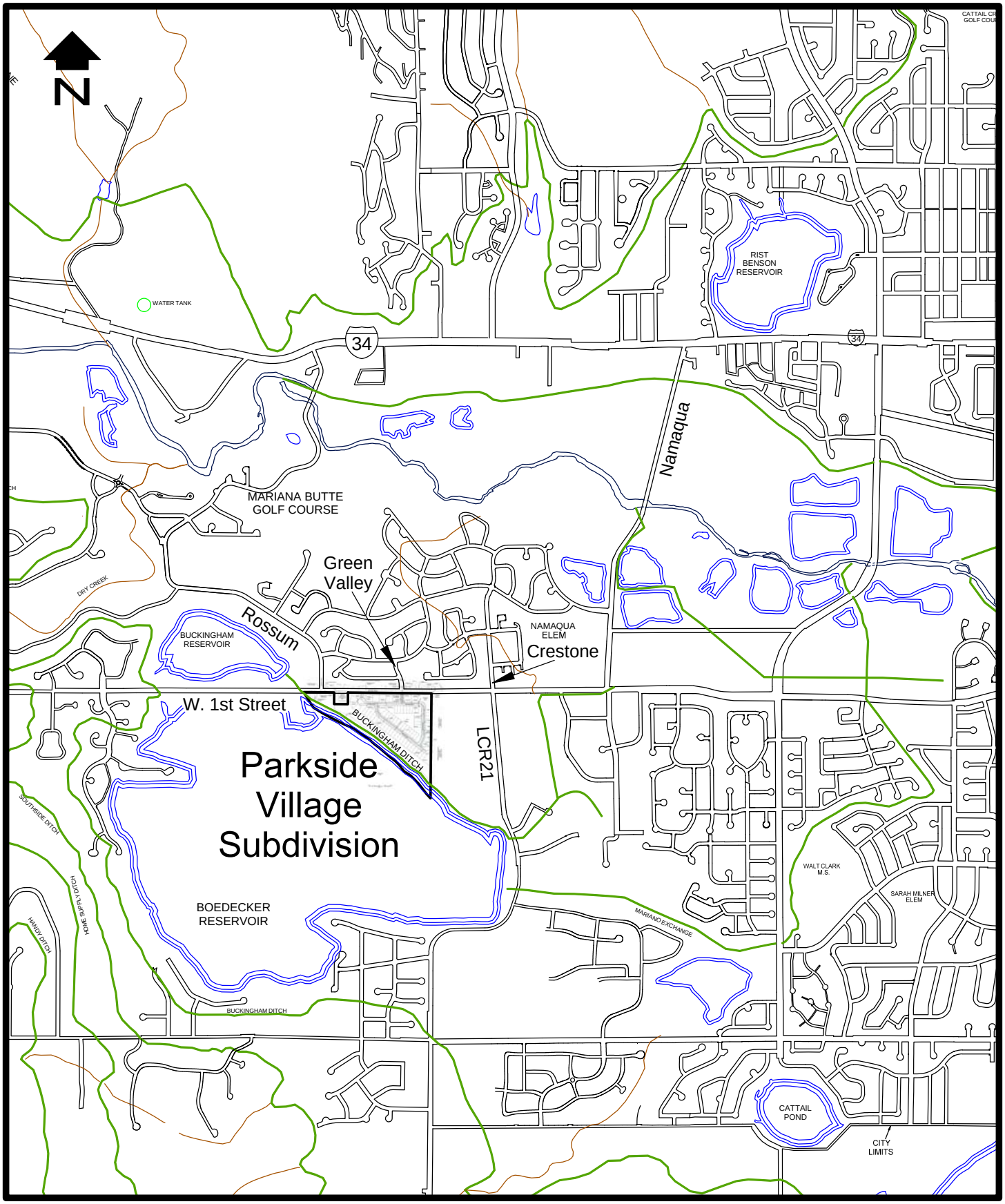
I. INTRODUCTION

This traffic impact study (TIS) is for the proposed Parkside Village Subdivision, located south of (adjacent to) W. 1st Street and west of Larimer County Road 21 (LCR21) in Loveland, Colorado. The location of this site is shown in Figure 1. This TIS addresses the operation at the key intersections for the short range (2021) and long range (2035) futures.

This study involved the collection of data, a review of previous developments and studies in the area, trip generation, trip distribution, trip assignment, and the operation analyses of the key intersections in the area for the existing conditions, the short range (2021) future, and the long range (2035) future. During the course of this analysis, numerous contacts were made with City staff, the project developer (Boedecker Partners LLC/Mosaic Real Estate LLC), the project engineer (Northern Engineering), and the project planner (TB Group). Since this land is within the City of Loveland, the traffic impact study guidelines for Loveland, as contained in the "Larimer County Urban Area Street Standards" (LCUASS) were used.

The following intersections, as agreed to in the scoping discussions, were addressed in this traffic study: W. 1st Street/Namaqua (major intersection), W. 1st Street/Crestone-LCR21 (major intersection), and W. 1st Street/Green Valley (minor intersection) intersections. Appendix A contains the Transportation Impact Study Base Assumptions form and related attachments for the Parkside Village Subdivision.



SCALE: 1"=2000'

SITE LOCATION

Figure 1

DELICH ASSOCIATES

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II. EXISTING CONDITIONS

Land Use

The project site is currently vacant. The land surrounding the site consists of primarily residential uses. There are residential uses to the north, east, and west of the site. Boedecker Lake is to the south of the site. The center of Loveland lies to the east of the Parkside Village Subdivision site.

Roads

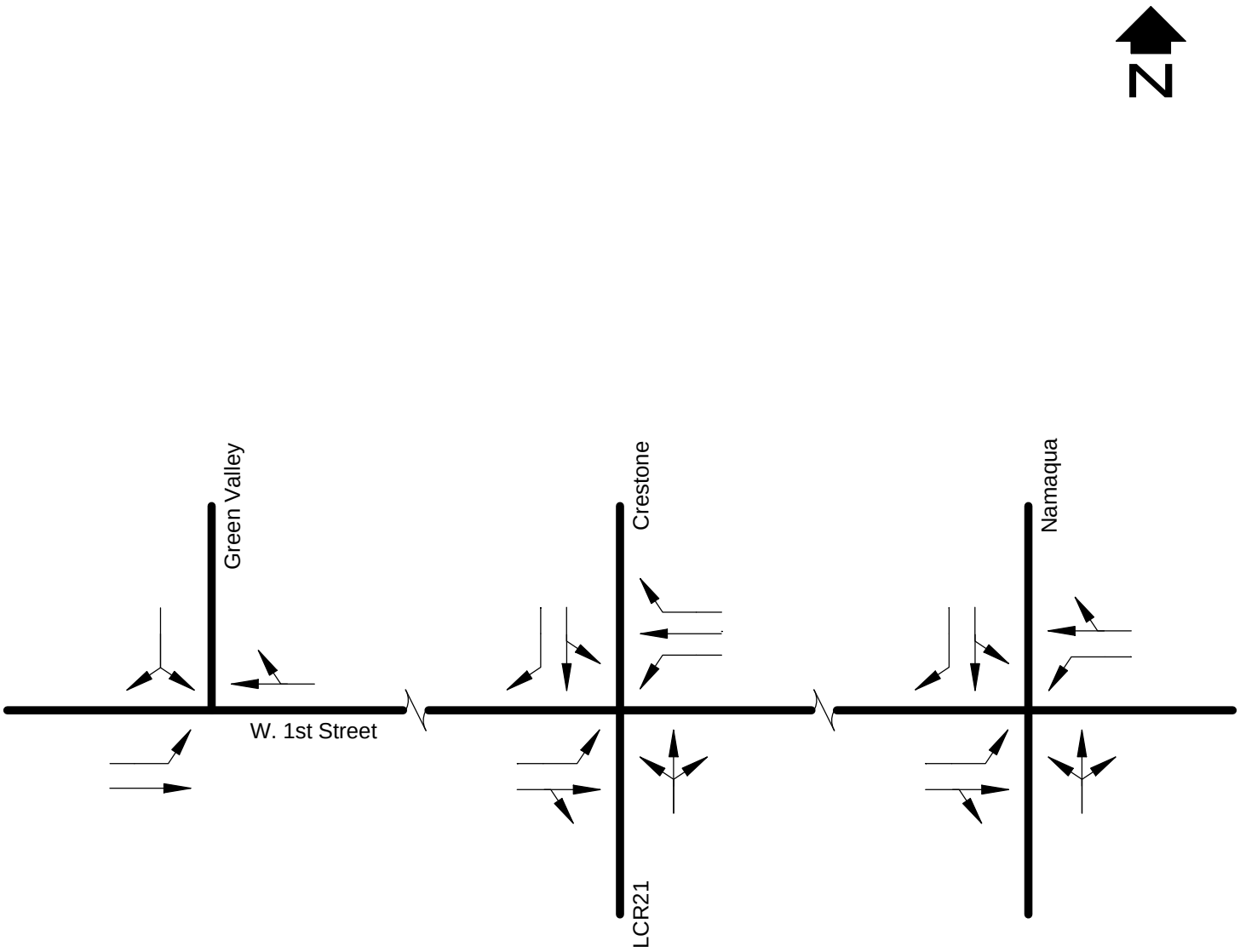
A schematic of the current geometry at the W. 1st Street/Namaqua, W. 1st Street/Crestone-LCR21, and W. 1st Street/Green Valley intersections is shown in Figure 2. The key existing streets are W. 1st Street, Namaqua Road, LCR21, Crestone Drive, and Green Valley Drive.

West 1st Street is classified as a two-lane arterial street. Currently, W. 1st Street has a two-lane cross section with auxiliary turn lanes at intersections. The posted speed on W. 1st Street, east of Namaqua Road, is 40 mph. The posted speed on W. 1st Street, west of Namaqua Road, is 45 mph. At the W. 1st Street/Namaqua intersection, W. 1st Street has eastbound and westbound left-turn lanes and one through lane in each direction. The W. 1st Street/Namaqua intersection has all-way stop sign control. At the W. 1st Street/Crestone-LCR21 intersection, W. 1st Street has eastbound and westbound left-turn lanes, one through lane in each direction, and a westbound right-turn lane. The W. 1st Street/Crestone-LCR21 intersection has stop sign control on Crestone Drive/LCR21. At the W. 1st Street/Green Valley intersection, W. 1st Street has an eastbound left-turn lane and one through lane in each direction. The W. 1st Street/Green Valley intersection has stop sign control on Green Valley Drive.

Namaqua Road is classified as a major collector street north of W. 1st Street. South of W. 1st Street, Namaqua Road is a local street. At the W. 1st Street/Namaqua intersection, Namaqua Road has a combined northbound left-turn/through lane and a southbound right-turn lane. The south leg of Namaqua Road has all movements combined in a single lane. The north and south legs of Namaqua Road are off-set slightly (≈25 feet) at this intersection. The posted speed on Namaqua Road, north of W. 1st Street, is 35 mph.

Crestone Drive/LCR21 is classified as a major collector street. At the W. 1st Street/Crestone-LCR21 intersection, Crestone Drive has a combined northbound left-turn/through lane and a southbound right-turn lane with a posted speed of 30 mph. Larimer County Road 21 has all movements combined in a single lane with a posted speed of 35 mph.

Green Valley Drive is classified as a local street. At the W. 1st Street/Green Valley intersection, Green Valley Drive has all southbound movements combined into a single lane. The posted speed on Green Valley Drive is 20 mph.



EXISTING INTERSECTION GEOMETRY Figure 2

Existing Traffic

Recent weekday peak hour traffic counts at the W. 1st Street/Namaqua, W. 1st Street/Crestone-LCR21, and W. 1st Street/Green Valley intersections are shown in Figure 3. Raw traffic counts are provided in Appendix B. Traffic counts at the W. 1st Street/Namaqua intersection were obtained in December 2016. Traffic counts at the W. 1st Street/Crestone-LCR21 and W. 1st Street/Green Valley intersections were obtained in November 2016. Since counts were performed on different days, the volumes between the intersections were averaged/balanced and are shown in Figure 4.

Existing Operation

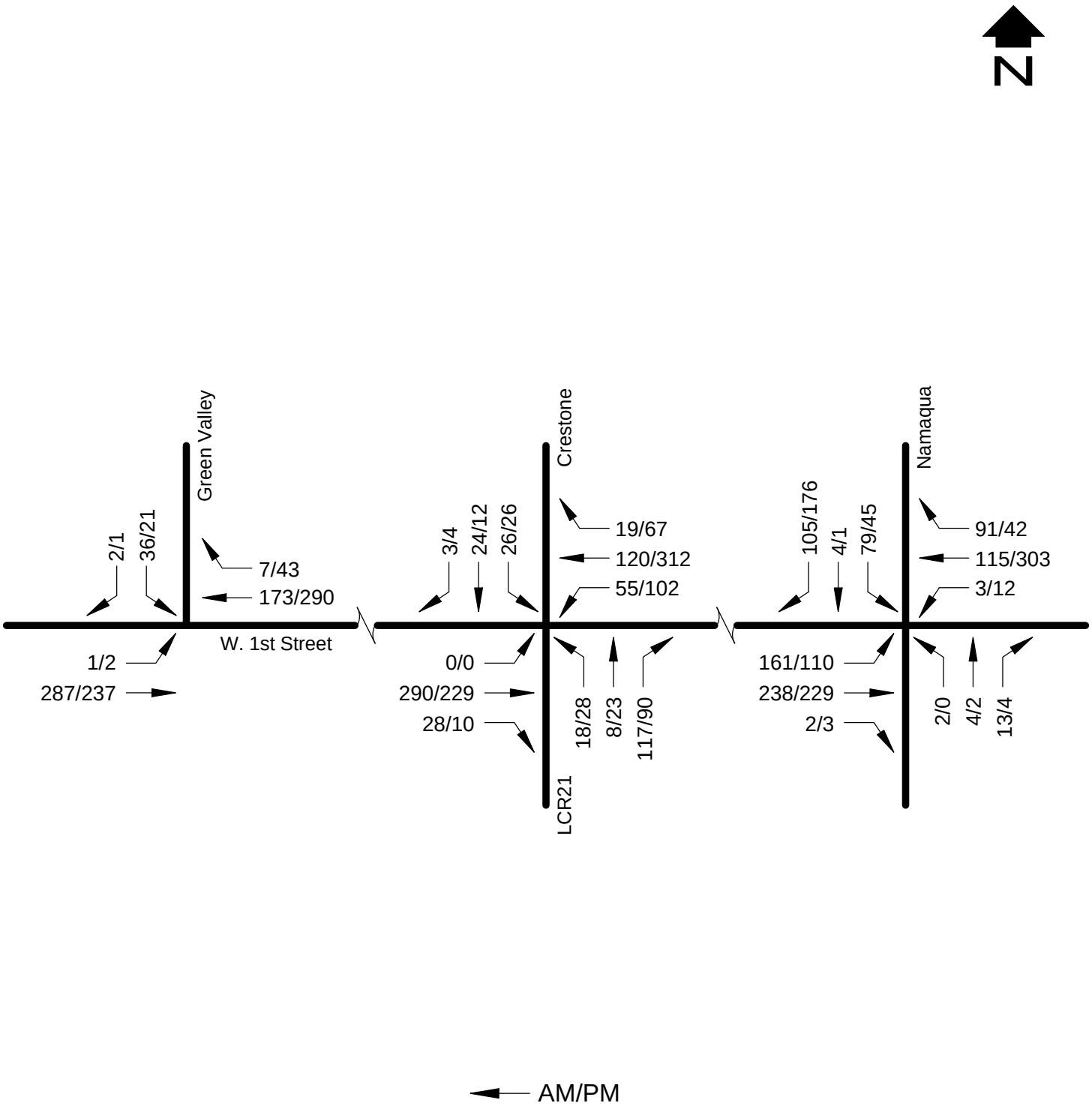
Using the volumes shown in Figure 4, the current peak hour operation at the W. 1st Street/Namaqua, W. 1st Street/Crestone-LCR21, and W. 1st Street/Green Valley intersections is shown in Table 1. Calculation forms for these analyses are provided in Appendix C. The key intersections were analyzed using the unsignalized intersection techniques from the 2010 Highway Capacity Manual (2010 HCM). Acceptable operation is defined by the City of Loveland as level of service (LOS) C or better overall. At major intersections, any leg can operate at level of service D and any movement can operate at level of service E. At minor intersections, any leg can operate at level of service E and any movement can operate at level of service F. A description of level of service at unsignalized intersections is provided in Appendix C. The Loveland Motor Vehicle LOS Standards are also provided in Appendix C. As can be seen in Table 1, the key intersections are currently operating acceptably with existing control and geometry. It is important to note that a westbound right-turn lane is currently warranted at the W. 1st Street/Namaqua intersection and a northbound right-turn lane is currently warranted at the W. 1st Street/Crestone-LCR21 intersection in the morning peak hour with the existing traffic. In addition to this, a westbound right-turn lane is just over the threshold of being required at the W. 1st Street/Green Valley intersection in the afternoon peak hour. Since the development that Green Valley Drive serves is built-out, it is not likely that this right-turn lane will be constructed.

Existing Pedestrians and Bicycles

During the vehicular traffic counts, pedestrian and bicycle traffic volumes were observed. The number of pedestrians and bicyclists was moderately low. Since the traffic counts were conducted in the winter season, it is likely that the number of pedestrians and bicycles would increase in warmer weather due to the proximity of Namaqua Elementary School.

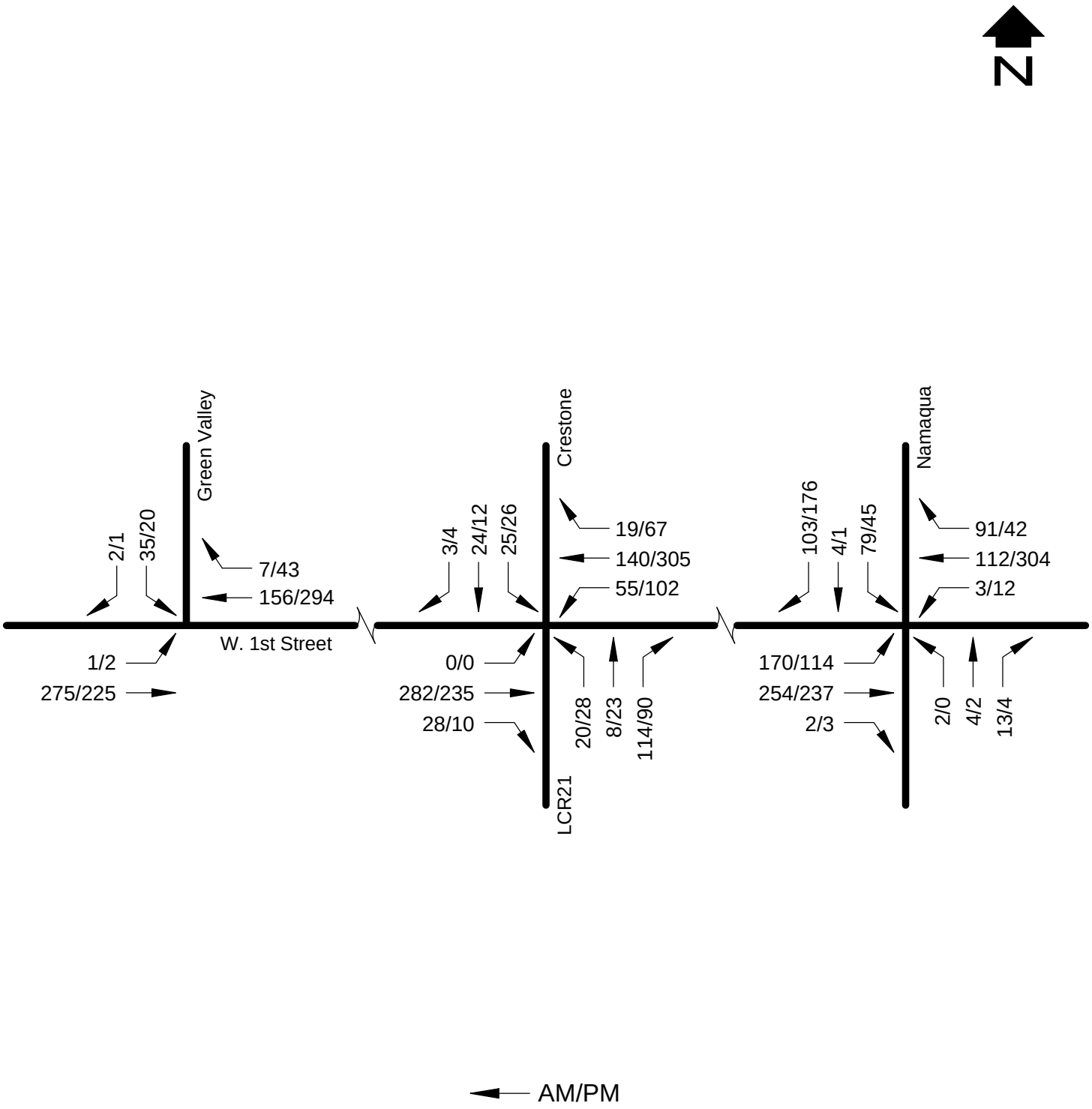
Accident Analysis

Accident data was obtained from the City of Loveland for the W. 1st Street/ Namaqua, W. 1st Street/Crestone-LCR21, and W. 1st Street/Green Valley intersections for a four year, eight month period (1/1/12 to 8/31/16). At the W. 1st Street/Namaqua



RECENT PEAK HOUR TRAFFIC

Figure 3



AVERAGED/BALANCED
RECENT PEAK HOUR TRAFFIC

Figure 4

TABLE 1 Current Peak Hour Operation			
Intersection	**Movement**	**Level of Service**	
		AM	**PM**
W. 1st Street/Namaqua (all-way stop)	EB LT	B	B
	EB T/RT	B	B
	EB APPROACH	B	B
	WB LT	A	A
	WB T/RT	B	C
	WB APPROACH	B	C
	NB LT/T/RT	A	A
	SB LT/T	B	B
	SB RT	A	B
	SB APPROACH	B	B
	OVERALL	B	B
W. 1st Street/Crestone-LCR21 (stop sign)	NB LT/T/RT	B	C
	SB LT/T	C	D
	SB RT	A	B
	SB APPROACH	C	C
	EB LT	A	A
	WB LT	A	A
	OVERALL	A	A
W. 1st Street/Green Valley (stop sign)	SB LT/RT	B	B
	EB LT	A	A
	OVERALL	A	A

intersection, there were five reported accidents: three rear-end accidents (one accident involved DUI) and one accident involving a vehicle striking a fixed object. One accident involved a single vehicle, but did not have any other information. At the W. 1st Street/Crestone-LCR21 intersection, there were two reported accidents: one accident involving turning vehicles and one accident involving a vehicle striking a bicycle. At the W. 1st Street/Green Valley intersection, there was one reported accident: a single vehicle rollover accident. The number and type of accidents at the W. 1st Street/ Namaqua, W. 1st Street/Crestone-LCR21, and W. 1st Street/Green Valley intersections are typical and are not considered to "high" accident locations.

III. PROPOSED DEVELOPMENT

The Parkside Village Subdivision is a proposed residential development. Figure 5 shows the site plan for the Parkside Village Subdivision site. The Parkside Village Subdivision, as analyzed in this TIS, will consist of a 76 single family dwelling units. The analyses in this TIS assumed that Parkside Village Subdivision will be built out over the next 3-4 years, following approval. The analysis year for the short range future was assumed to be the year 2021 and the long range future was assumed to be the year 2035. There will be one full-movement access to/from W. 1st Street that lines up with Green Valley Drive.

Trip Generation

Trip generation is important in considering the impact of a development on the existing and proposed street system. Trip Generation, 9th Edition, ITE was used to determine the trips that would be generated by the Parkside Village Subdivision. A trip is defined as a one-way vehicle movement from origin to destination. Table 2 shows the expected trip generation from the site on a daily and peak hour basis. The full development trip generation resulted in 816 daily trip ends, 63 morning peak hour trip ends, and 82 afternoon peak hour trip ends.

TABLE 2
Trip Generation

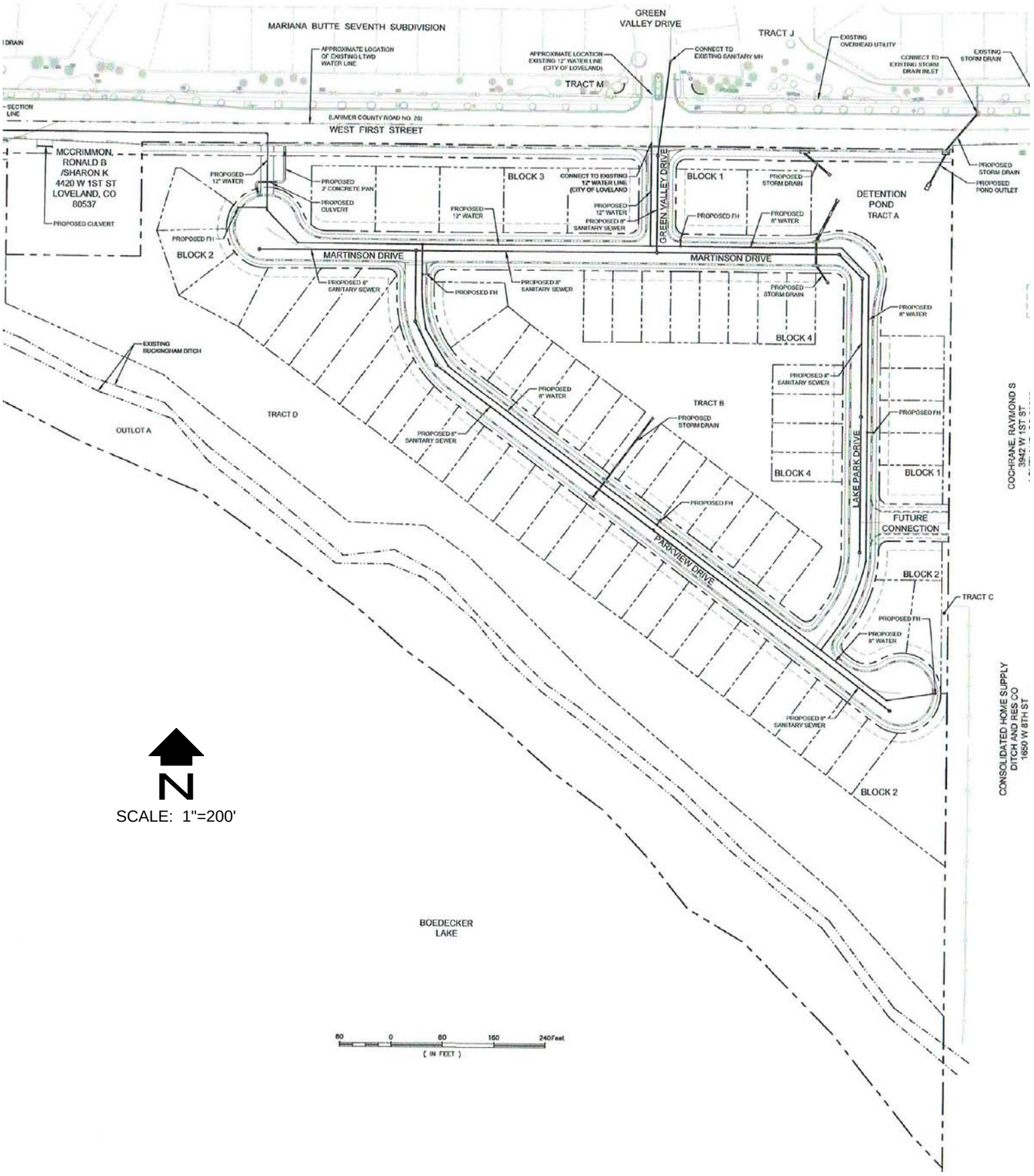
Code	Use	Size	AWDTE		AM Peak Hour				PM Peak Hour			
			Rate	Trips	Rate	In	Rate	Out	Rate	In	Rate	Out
210	Single Family	76 D.U.	EQ	816	EQ	16	EQ	47	EQ	52	EQ	30

Trip Distribution

Trip distribution for the Parkside Village Subdivision was estimated using knowledge of the existing and planned street system, existing traffic patterns, development trends, and engineering judgment. Figure 6 shows the trip distribution used in the following analyses. The trip distribution analysis was agreed to in the scoping discussions and is contained in Appendix A.

Traffic Assignment

Trip assignment is the product of both the trip generation and trip distribution processes. Figure 7 shows the site generated peak hour traffic at the key intersections.

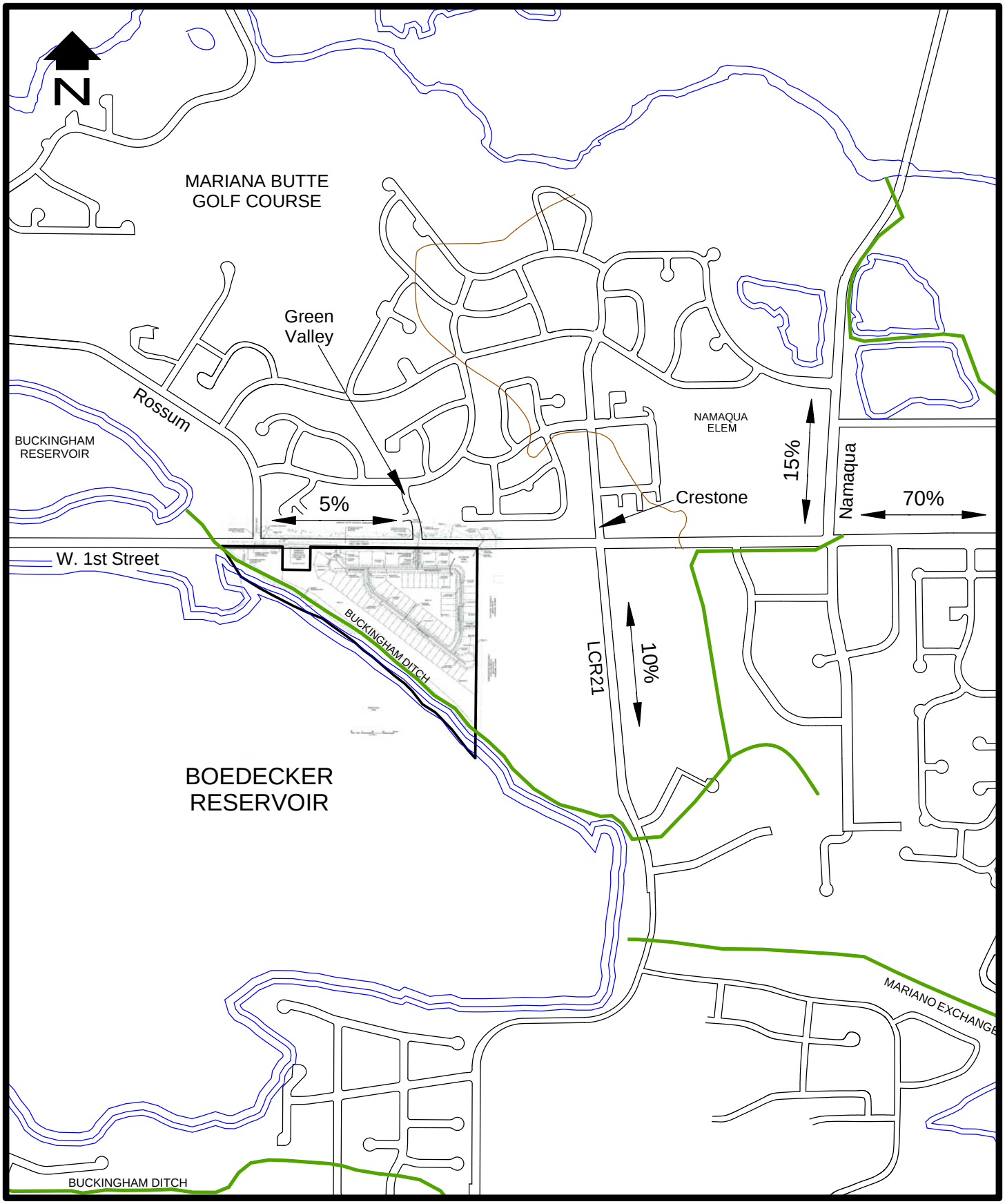


SITE PLAN

Figure 5

DELICH ASSOCIATES

PC ATTACHMENT D



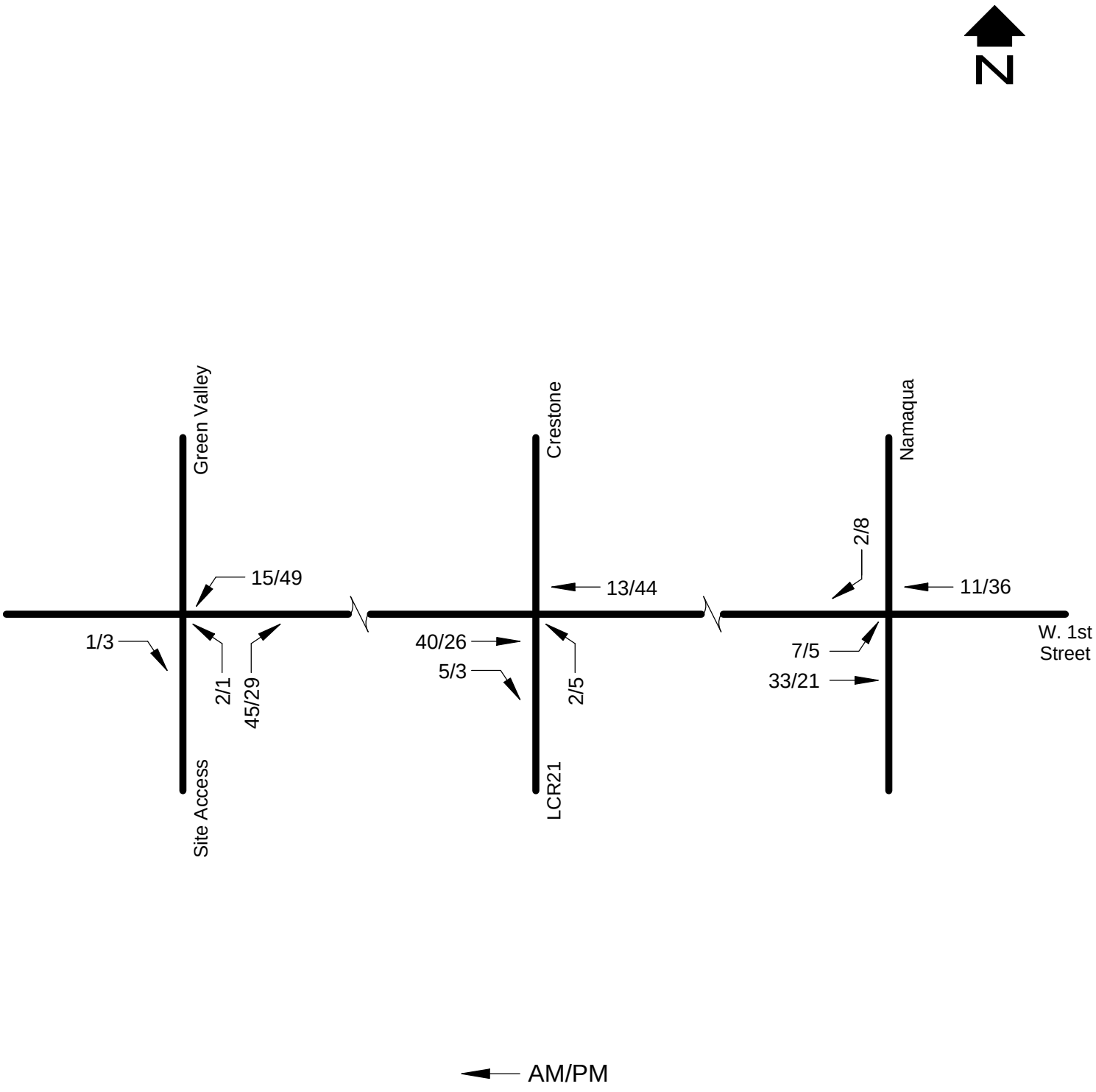
SCALE: 1"=1000'

TRIP DISTRIBUTION

Figure 6

DELICH ASSOCIATES

PC ATTACHMENT D



SITE GENERATED
PEAK HOUR TRAFFIC

Figure 7

Background Traffic Projections

Background traffic projections for the short range (2021) and long range (2035) future horizons were obtained by factoring the existing traffic volumes on W. 1st Street, Namaqua Road (north leg), and LCR21 by two percent per year. There is a development under construction in the area of the Parkside Village Subdivision site called Mountain Gate. The site generated traffic from Mountain Gate was added to the short range (2021) background projections. Figures 8 and 9 show the short range (2021) and long range (2035) background peak hour traffic at the key intersections, respectively.

Total Traffic

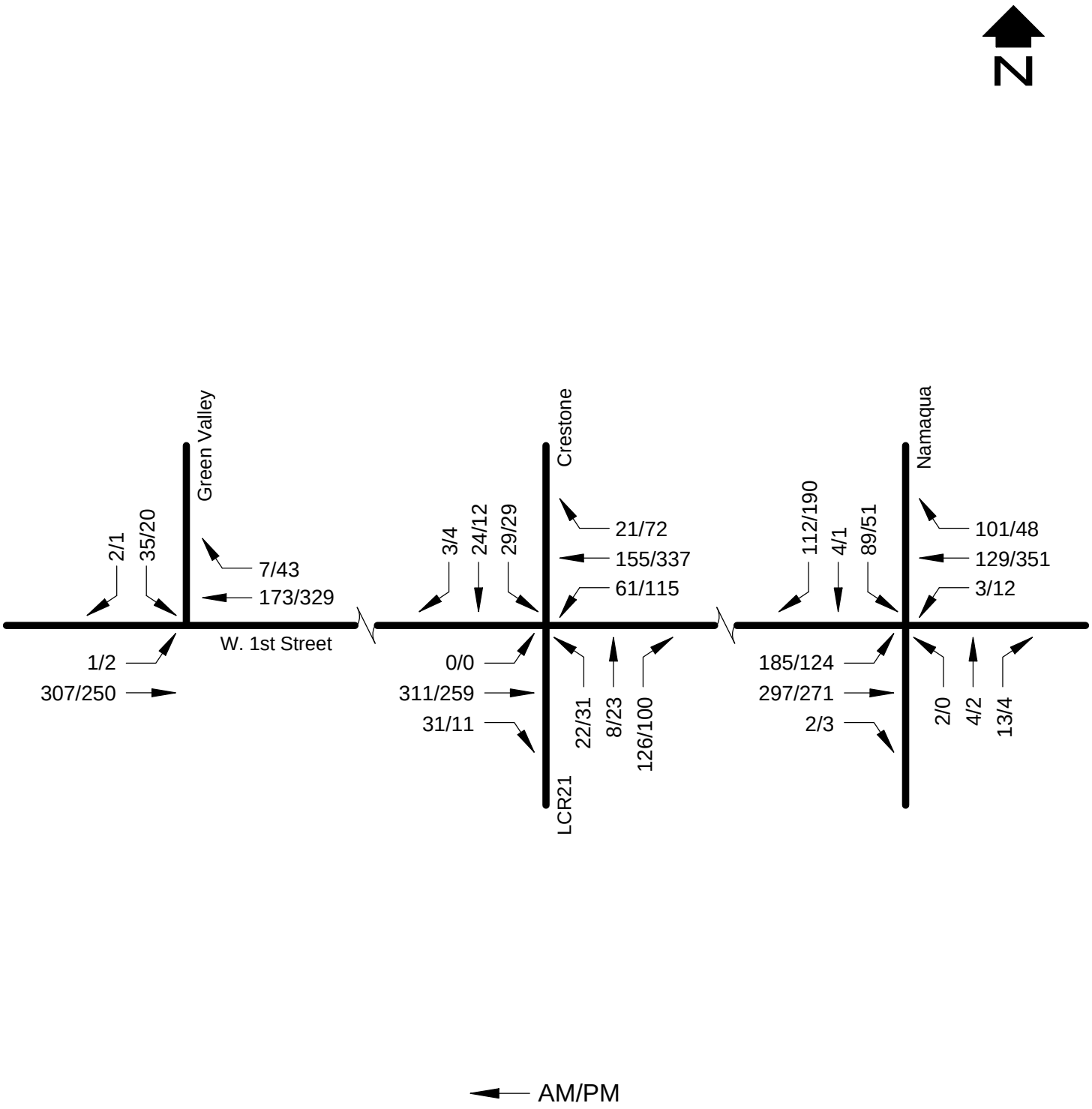
The traffic volumes generated by the proposed Parkside Village Subdivision were added to the background traffic volumes to produce the total traffic volume forecasts for the short range (2021) and long range (2035) futures. Figures 10 and 11 show the short range (2021) and long range (2035) total peak hour traffic, respectively.

Table 3 shows the short range (2021) link volumes for various key street segments with the Parkside Village Subdivision. Table 3 also shows the ACF volume thresholds for each street segment and whether that segment meets the Adequate Community Facilities Ordinance. The threshold volumes shown were calculated for this study. Calculations for the ACF threshold volumes are provided in Appendix D. Table 3 indicates that all links meet the requirements of the Adequate Community Facilities Ordinance.

Signal Warrants

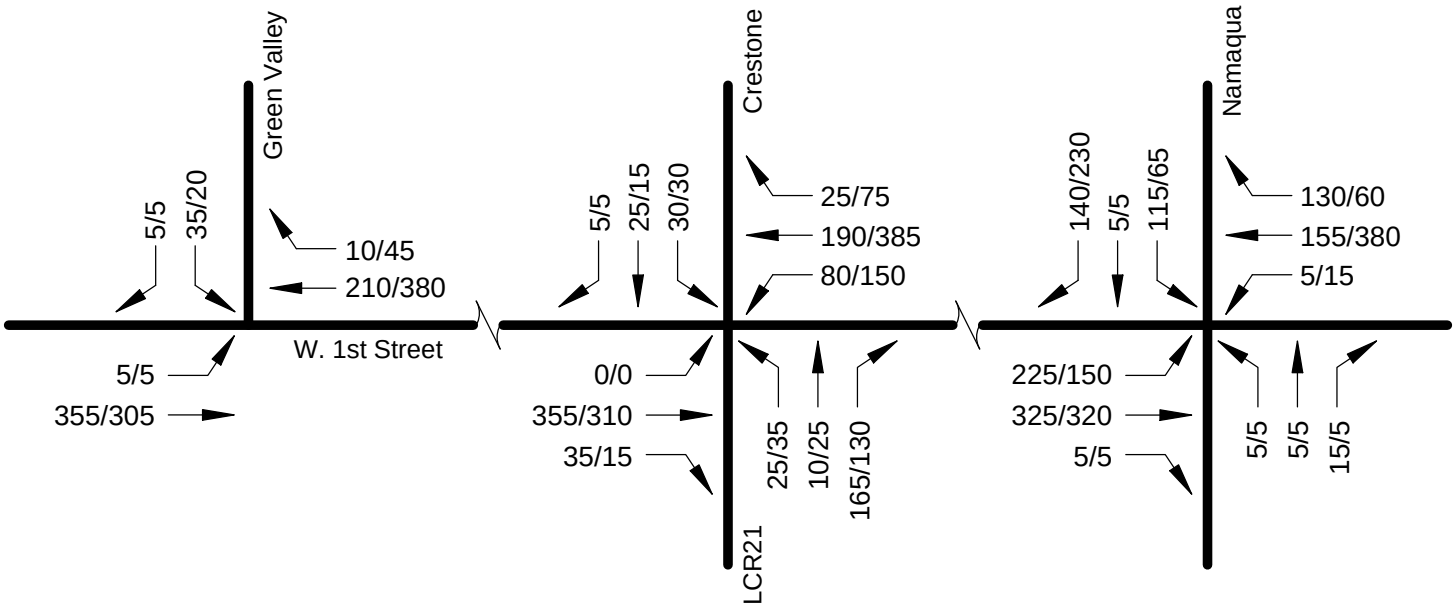
As a matter of policy, traffic signals are not installed at any location until such time that signal installation warrants are met according to the Manual on Uniform Traffic Control Devices. It is acknowledged that peak hour signal warrants should not be applied, but since the peak hour forecasts are readily available in a traffic impact study, it is reasonable to use them to estimate whether other signal warrants may be met. If peak hour signal warrants will not be met at a given intersection, it is reasonable to conclude that it is not likely that other signal warrants would be met. If peak hour signal warrants are met, it merely indicates that further evaluation should occur in the future as the development occurs. However, a judgment can be made that some intersections will likely meet other signal warrants.

Using the long range (2035) total peak hour traffic (Figure 11), the W. 1st Street/ Namaqua, W. 1st Street/Crestone-LCR21, and W. 1st Street/Green Valley intersections will not meet peak hour signal warrants. However, based upon the traffic volume on W. 1st Street, the north leg of Crestone Drive will not meet the City of Loveland level of service criteria. Peak hour signal warrants are provided in Appendix E.



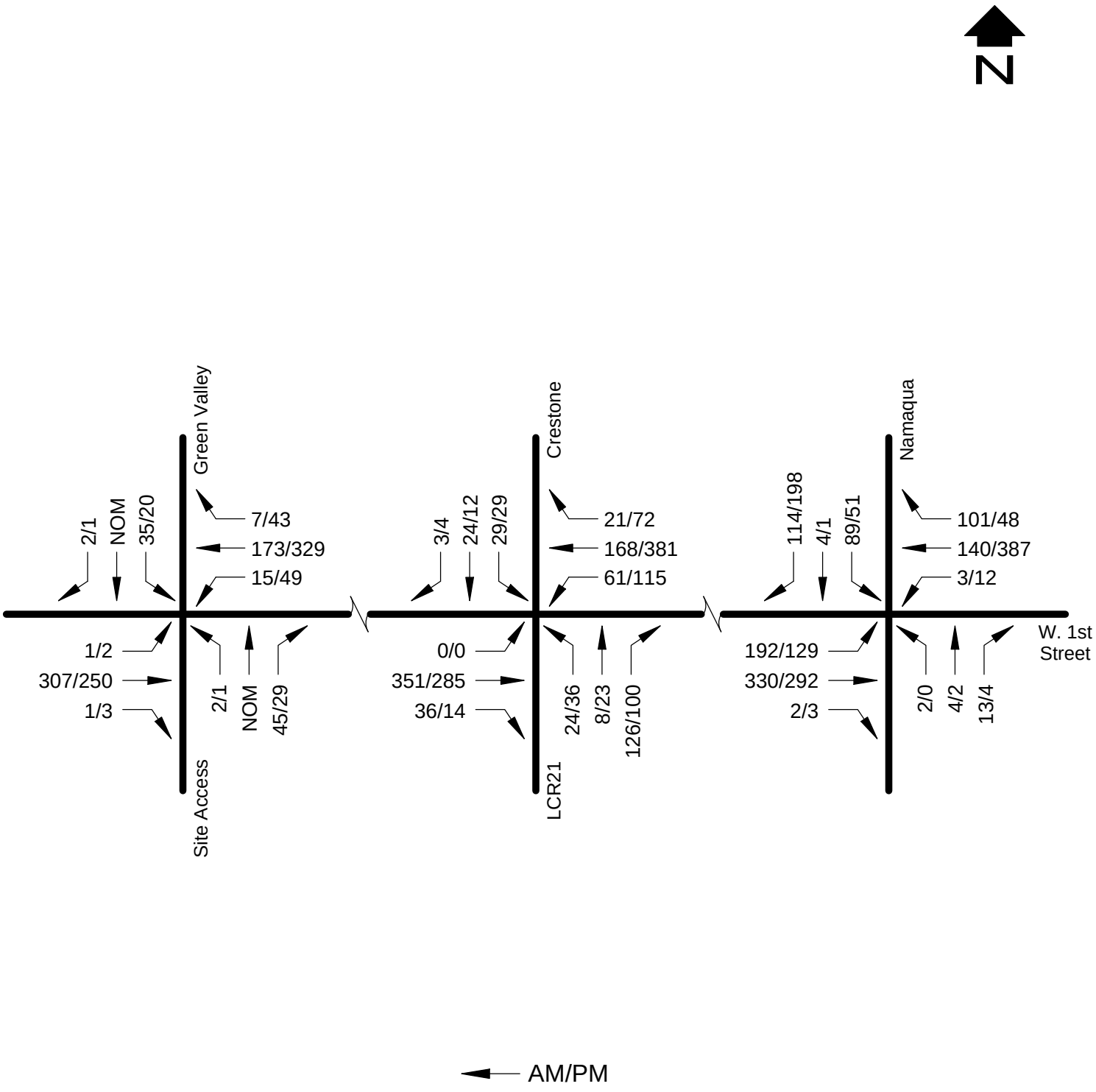
SHORT RANGE (2021) BACKGROUND
PEAK HOUR TRAFFIC

Figure 8



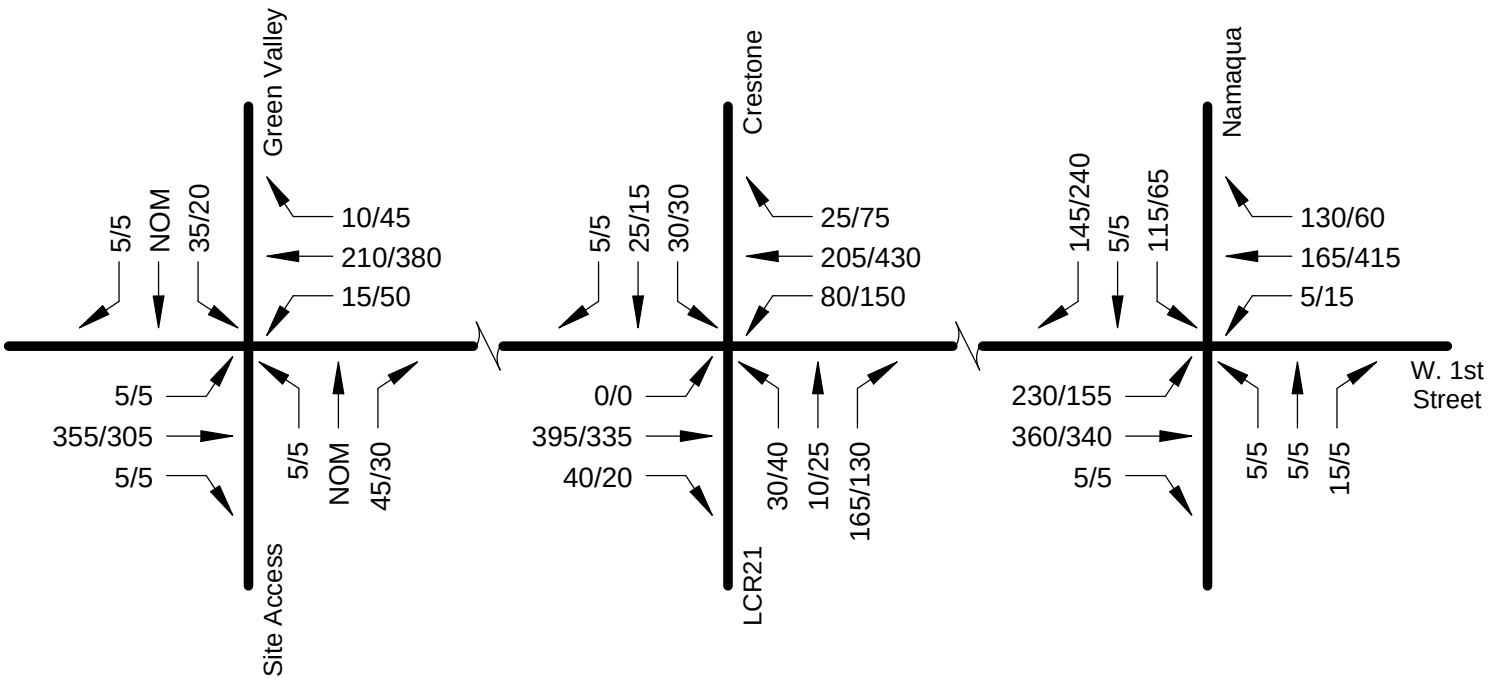
LONG RANGE (2035) BACKGROUND PEAK HOUR TRAFFIC

Figure 9



SHORT RANGE (2021) TOTAL
PEAK HOUR TRAFFIC

Figure 10



LONG RANGE (2035) TOTAL PEAK HOUR TRAFFIC

Figure 11

TABLE 3
Street Traffic Volume Summary for the Existing and Short Range (2021) Conditions

	Street Segment	Direction	Existing Traffic Volume (AM/PM)	Date Existing Volume Taken	Regional Growth and Traffic from Build-out of Other Proposed Development* (AM/PM)	Site Generated Traffic (AM/PM)	Total Traffic (AM/PM)	ACF Traffic Threshold	ACF Compliance (AM/PM)
1	W. 1st Street east of Namaqua Road	EB	346/286	12/2016	399/326	33/21	432/347	810	Y/Y
		WB	206/358	12/2016	233/411	11/36	244/447	810	Y/Y
2	W. 1st Street west of Namaqua Road	EB	426/354	12/2016	484/398	40/26	524/424	810	Y/Y
		WB	217/480	12/2016	243/541	13/44	256/585	810	Y/Y
3	W. 1st Street west of Green Valley Drive	EB	276/227	11/2016	308/252	1/3	309/255	880	Y/Y
		WB	158/295	11/2016	175/330	2/1	177/331	880	Y/Y
4	Namaqua Road north of W. 1st Street	NB	265/158	12/2016	290/174	7/5	297/179	590	Y/Y
		SB	186/222	12/2016	205/242	2/8	207/250	590	Y/Y
5	LCR21 south of W. 1st Street	NB	142/141	11/2016	156/154	2/5	158/159	580	Y/Y
		SB	107/124	11/2016	116/138	5/3	121/141	580	Y/Y
6	Crestone Drive north of W. 1st Street	NB	27/90	11/2016	29/95	0/0	29/95	600	Y/Y
		SB	52/42	11/2016	56/45	0/0	56/45	600	Y/Y

º Approved developments, not yet built:	Mountain Gate
º Proposed developments, not yet approved:	
Notes/Comments	

Geometric Requirements

Figure 12 shows the short range (2021) approach geometry at the key intersections. The geometry at the W. 1st Street/Namaqua and W. 1st Street/Crestone-LCR21 intersections can continue to remain as it exists today. However, as was mentioned earlier, a westbound right-turn lane is currently warranted at the W. 1st Street/Namaqua intersection and a northbound right-turn lane is currently warranted at the W. 1st Street/Crestone-LCR21 intersection with the existing traffic. The Parkside Village Subdivision contributes no traffic to the westbound right-turn movement at the W. 1st Street/Namaqua intersection and contributes no traffic to the northbound right-turn movement at the W. 1st Street/Crestone-LCR21 intersection. The westbound right-turn lane at the W. 1st Street/Namaqua intersection is not likely to be constructed until the property in the northeast quadrant is developed. The northbound right-turn lane at the W. 1st Street/Crestone-LCR21 intersection is not likely to be constructed until the properties in the southwest and southeast quadrants are developed. In addition to this, a westbound right-turn lane is just over the threshold of being required at the W. 1st Street/Green Valley intersection in the afternoon peak hour. Since the development that Green Valley Drive serves is built-out, it is not likely that this right-turn lane will be constructed. At the W. 1st Street/Green Valley-Site Access intersection, a westbound left-turn lane is required.

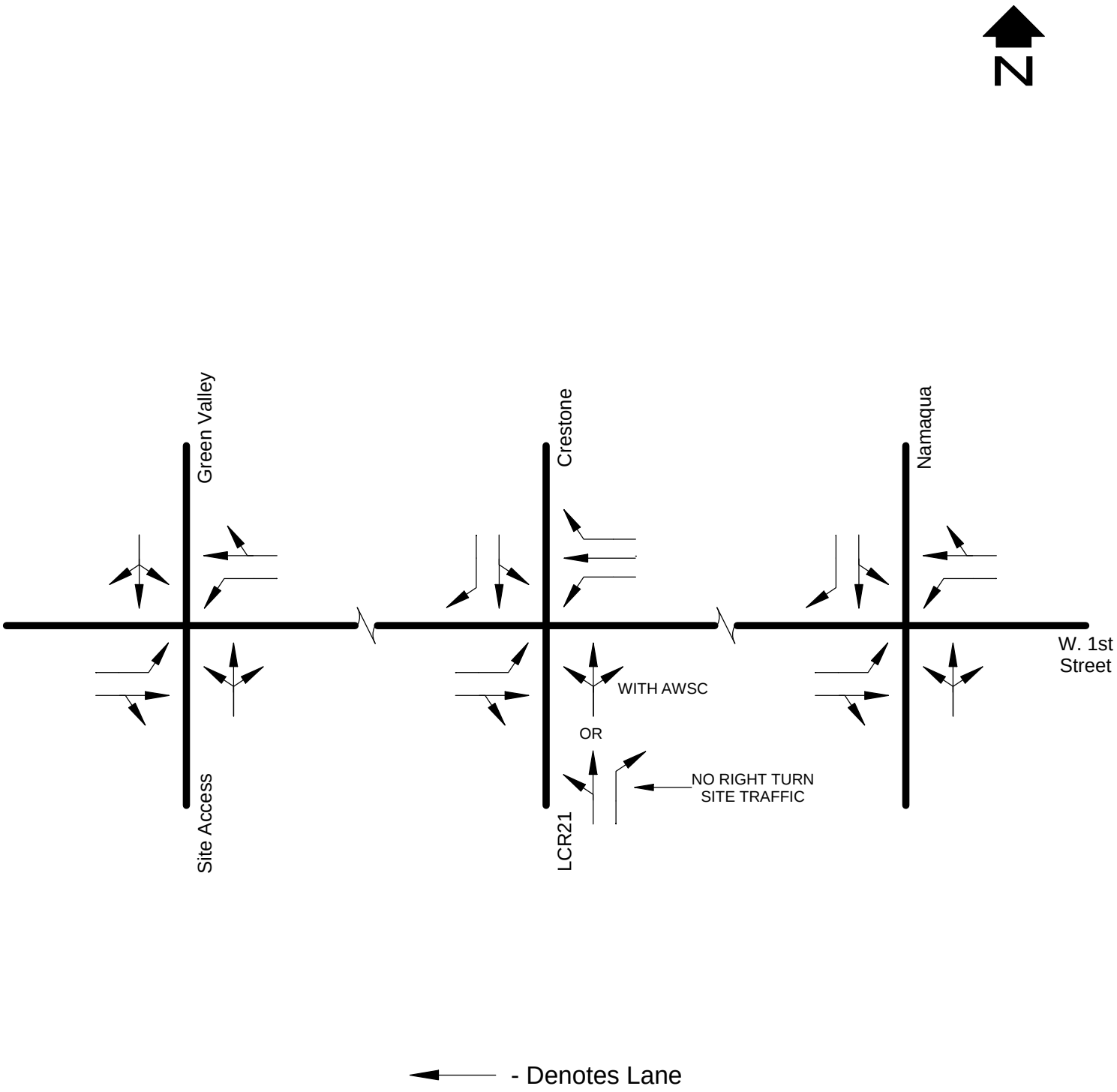
Figure 13 shows the long range (2035) approach geometry at the key intersections. The long range (2035) geometry was developed based upon the operation of the key intersections. It is assumed that the westbound right-turn lane at the W. 1st Street/Namaqua and the northbound right-turn lane at the W. 1st Street/ Crestone-LCR21 intersection would be constructed by/before the long range (2035) future.

Operation Analysis

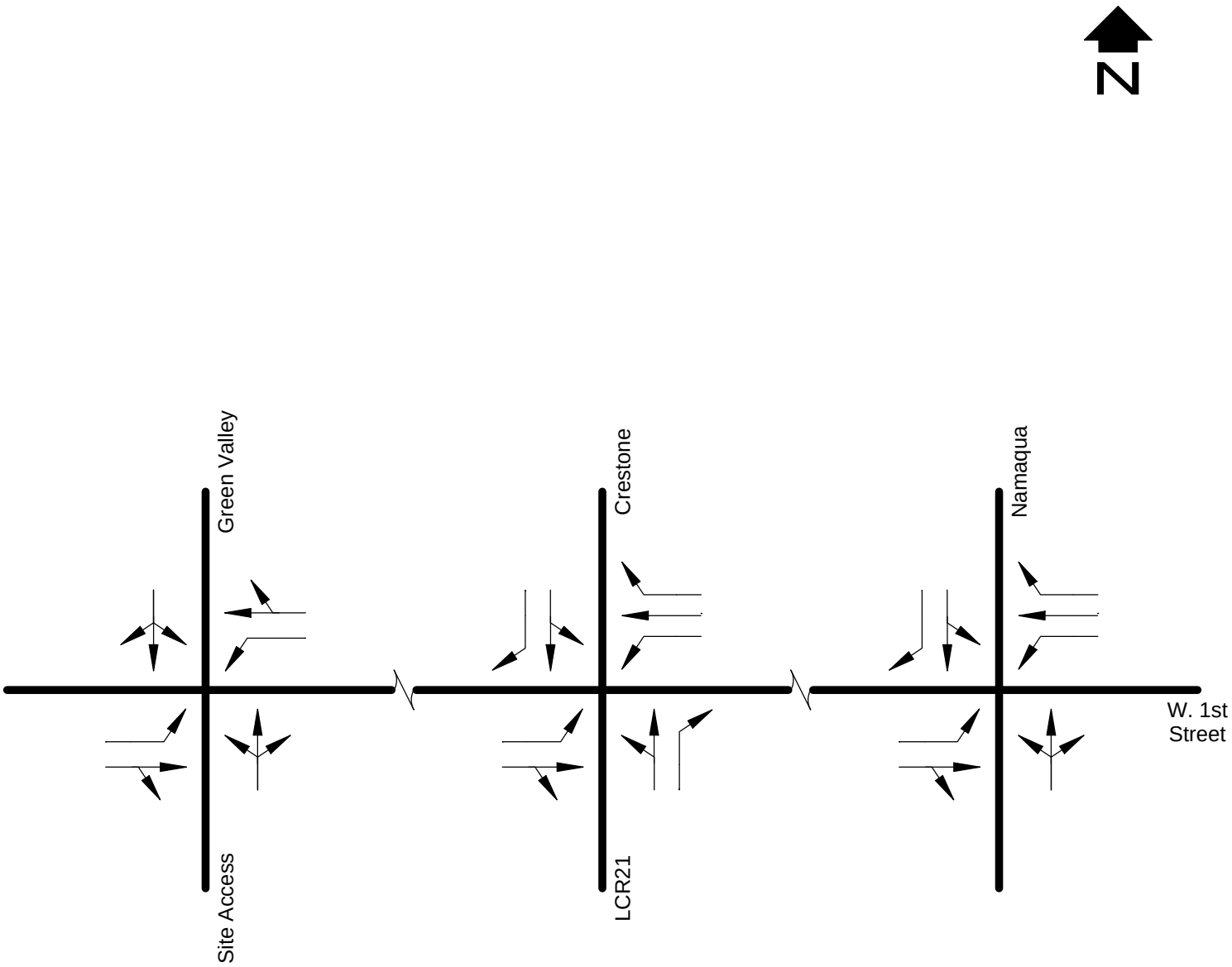
Operation analyses were performed at the W. 1st Street/Namaqua, W. 1st Street/ Crestone-LCR21, and W. 1st Street/Green Valley-Site Access intersections. The operations analyses were conducted for the short range future, reflecting a year 2021 condition, and long range future, reflecting a year 2035 condition. The long range (2035) operational analyses are used for planning and informational purposes only.

Table 4 shows the short range (2021) background peak hour operation at the key intersections. The key intersections meet the Loveland level of service standards in the peak hours with the existing control. Calculation forms for these analyses are provided in Appendix F.

Table 5 shows the long range (2035) background peak hour operation at the key intersections. Calculation forms are provided in Appendix G.



SHORT RANGE (2021) GEOMETRY Figure 12



LONG RANGE (2035) GEOMETRY Figure 13

TABLE 4 Short Range (2021) Background Peak Hour Operation			
Intersection	**Movement**	**Level of Service**	
		AM	**PM**
W. 1st Street/Namaqua (all-way stop)	EB LT	B	B
	EB T/RT	C	B
	EB APPROACH	B	B
	WB LT	A	A
	WB T/RT	B	C
	WB APPROACH	B	C
	NB LT/T/RT	B	B
	SB LT/T	B	B
	SB RT	B	B
	SB APPROACH	B	B
	OVERALL	B	C
W. 1st Street/Crestone-LCR21 (stop sign)	NB LT/T/RT	B	C
	SB LT/T	C	D
	SB RT	A	B
	SB APPROACH	C	D
	EB LT	A	A
	WB LT	A	A
	OVERALL	A	A
W. 1st Street/Green Valley (stop sign)	SB LT/RT	B	B
	EB LT	A	A
	OVERALL	A	A

TABLE 5 Long Range (2035) Background Peak Hour Operation			
Intersection	**Movement**	**Level of Service**	
		AM	**PM**
W. 1st Street/Namaqua (all-way stop)	EB LT	C	B
	EB T/RT	C	C
	EB APPROACH	C	C
	WB LT	B	B
	WB T	B	D
	WB RT	B	B
	WB APPROACH	B	D
	NB LT/T/RT	B	B
	SB LT/T	B	B
	SB RT	B	C
	SB APPROACH	B	C
	OVERALL	C	C
W. 1st Street/Crestone-LCR21 (stop sign)	NB LT/T	C	E
	NB RT	B	B
	NB APPROACH	B	C
	SB LT/T	C	E
	SB RT	A	B
	SB APPROACH	C	E
	EB LT	A	A
	WB LT	A	A
	OVERALL	A	A
W. 1st Street/Green Valley (stop sign)	SB LT/RT	B	B
	EB LT	A	A
	OVERALL	A	A

Using the traffic volumes shown in Figure 10, Table 6 shows the short range (2021) total peak hour operation at the key intersections. Calculation forms for these analyses are provided in Appendix H. The key intersections meet the Loveland level of service standards in the peak hours, except for the north leg (Crestone Drive) of the W. 1st Street/Crestone-LCR21 intersection during the afternoon peak hour. The W. 1st Street/Crestone-LCR21 intersection will meet the Loveland level of service standards with either of two mitigation measures: 1) all-way stop sign control with the current geometry or 2) installation of the required northbound right-turn lane on LCR21. The Parkside Village Subdivision contributes no traffic to the northbound right-turn movement nor does it contribute any traffic to the southbound traffic on Crestone Drive. Therefore, the most appropriate mitigation measure at this intersection is all-way stop sign control.

Using the traffic volumes shown in Figure 11, Table 7 shows the long range (2035) total peak hour operation at the key intersections. Calculation forms for these analyses are provided in Appendix I.

Sight Distance

To the west of the W. 1st Street/Crestone-LCR21 and W. 1st Street/Green Valley-Site Access intersections, there are down sloping vertical curves. As a two-lane arterial, W. 1st Street has a design speed of 45 mph. According to LCUASS, Table 7-4 and Table 7-6, the stopping sight distance on a two-lane arterial at 45 mph is 325 feet. The sight distance was verified in the field where the stopped vehicle on the minor road is 13 feet back from the edge of W. 1st Street and measured from a height of eye at 3.5 feet. The height of the vehicle on W. 1st Street is 4.25 feet. The sight distance to the west of the W. 1st Street/Crestone-LCR21 intersection was measured to be 618 feet, which is adequate. The sight distance to the west of the W. 1st Street/Green Valley-Site Access intersection was measured to be 670 feet, which is adequate. The sight distance at the W. 1st Street/Namaqua intersection is adequate.

Bicycle/Pedestrian Facilities

Bicycle lanes exist along W. 1st Street, Namaqua Road (north leg), and Crestone Drive. It is expected that as streets are built and/or improved, bicycle lanes will be incorporated into the street cross sections where appropriate.

The sidewalk system in this area exists adjacent to developed parcels of land. Sidewalks will be built along the frontage of and within the Parkside Village Subdivision. As shown in Appendix J, one potential pedestrian destination within 1320 feet of the Parkside Village Subdivision site was identified: 1) the residential neighborhood (Mariana Butte) to the north of the site. Appendix J contains a graphic depicting the pedestrian influence area and these two pedestrian destinations. A pedestrian level of service worksheet is also provided in Appendix J. This worksheet shows the level of service for each quality indicator. Since the City of Loveland has no minimum level of service criteria, this level of service could not be indicated.

TABLE 6 Short Range (2021) Total Peak Hour Operation			
Intersection	**Movement**	**Level of Service**	
		AM	**PM**
W. 1st Street/Namaqua (all-way stop)	EB LT	B	B
	EB T/RT	C	C
	EB APPROACH	C	C
	WB LT	A	A
	WB T/RT	B	D
	WB APPROACH	B	D
	NB LT/T/RT	B	B
	SB LT/T	B	B
	SB RT	B	B
	SB APPROACH	B	B
	OVERALL	B	C
W. 1st Street/Crestone-LCR21 (stop sign with existing geometry)	NB LT/T/RT	C	C
	SB LT/T	D	E
	SB RT	A	B
	SB APPROACH	C	E
	EB LT	A	A
	WB LT	A	A
	OVERALL	A	A
W. 1st Street/Crestone-LCR21 (stop sign with NB RT Lane)	NB LT/T	C	D
	NB RT	B	B
	NB APPROACH	B	C
	SB LT/T	C	E
	SB RT	A	B
	SB APPROACH	C	D
	EB LT	A	A
	WB LT	A	A
	OVERALL	A	A
W. 1st Street/Crestone-LCR21 (all-way stop with existing geometry)	NB LT/T/RT	B	B
	SB LT/T	B	B
	SB RT	A	B
	SB APPROACH	B	B
	EB LT	A	A
	EB T/RT	D	C
	EB APPROACH	D	C
	WB LT	B	B
	WB T	B	D
	WB RT	A	A
	WB APPROACH	B	C
	OVERALL	C	C
W. 1st Street/Green Valley-Site Access (stop sign)	NB LT/T/RT	B	B
	SB LT/T/RT	B	C
	EB LT	A	A
	WB LT	A	A
	OVERALL	A	A

TABLE 7 Long Range (2035) Total Peak Hour Operation			
Intersection	**Movement**	**Level of Service**	
		AM	**PM**
W. 1st Street/Namaqua (all-way stop)	EB LT	C	C
	EB T/RT	C	D
	EB APPROACH	C	D
	WB LT	B	B
	WB T	B	E
	WB RT	B	B
	WB APPROACH	B	E
	NB LT/T/RT	B	B
	SB LT/T	B	B
	SB RT	B	C
	SB APPROACH	B	C
	OVERALL	C	D
W. 1st Street/Crestone-LCR21 (stop sign)	NB LT/T	C	E
	NB RT	B	B
	NB APPROACH	B	C
	SB LT/T	D	E
	SB RT	A	B
	SB APPROACH	D	E
	EB LT	A	A
	WB LT	A	A
	OVERALL	A	A
W. 1st Street/Green Valley-Site Access (stop sign)	NB LT/T/RT	B	B
	SB LT/T/RT	C	C
	EB LT	A	A
	WB LT	A	A
	OVERALL	A	A

Adequate Community Facilities

All of the key intersections meet the City of Loveland criteria of level of service during the peak hours with regard to operation, except for the north leg (Crestone Drive) of the W. 1st Street/Crestone-LCR21 intersection during the afternoon peak hour. The W. 1st Street/Crestone-LCR21 intersection will meet the Loveland level of service standards with either of two mitigation measures: 1) all-way stop sign control with the current geometry or 2) installation of the required northbound right-turn lane on LCR21. Therefore, all intersections, with the control devices that either exist or will be installed and with the existing geometry, meet requirements of the Loveland Adequate Community Facilities Ordinance. As noted on Table 3, all street links meet the level of service C standard of the Loveland Adequate Community Facilities Ordinance.

IV. CONCLUSIONS/RECOMMENDATIONS

This study assessed the transportation impacts associated with the development of the Parkside Village Subdivision in Loveland, Colorado. This study analyzed the transportation impacts in the short range (2021) and long range (2035) futures. As a result of these analyses, the following is concluded:

- Development of the Parkside Village Subdivision is feasible from a traffic engineering standpoint. The full development trip generation resulted in 816 daily trip ends, 63 morning peak hour trip ends, and 82 afternoon peak hour trip ends.

- Current operation at the W. 1st Street/Namaqua, W. 1st Street/Crestone-LCR21, and W. 1st Street/Green Valley intersections is acceptable based upon City of Loveland evaluation criteria. It is important to note that a westbound right-turn lane is currently warranted at the W. 1st Street/Namaqua intersection and a northbound right-turn lane is currently warranted at the W. 1st Street/Crestone-LCR21 intersection in the morning peak hour with the existing traffic. In addition to this, a westbound right-turn lane is just over the threshold of being required at the W. 1st Street/Green Valley intersection in the afternoon peak hour. Since the development that Green Valley Drive serves is built-out, it is not likely that this right-turn lane will be constructed

- Using the long range (2035) total peak hour traffic (Figure 11), the W. 1st Street/ Namaqua, W. 1st Street/Crestone-LCR21, and W. 1st Street/Green Valley intersections will not meet peak hour signal warrants.

- The short range (2021) range and long range (2035) geometry is shown in Figures 12 and 13, respectively. In the short range (2021) future, the geometry at the W. 1st Street/Namaqua and W. 1st Street/Crestone-LCR21 intersections can continue to remain as it exists today. At the W. 1st Street/Green Valley-Site Access intersection, a westbound left-turn lane is required. The long range (2035) geometry was developed based upon the operation of the key intersections. It is assumed that the westbound right-turn lane at the W. 1st Street/Namaqua intersection and the northbound right-turn lane at the W. 1st Street/Crestone-LCR21 intersection would be constructed by/before the long range (2035) future.

- Using the short range (2021) background traffic, the key intersections operate at acceptable levels of service in the peak hours.

- With short range (2021) background traffic and the Parkside Village Subdivision, the key intersections meet the Loveland level of service standards in the peak hours, except for the north leg (Crestone Drive) of the W. 1st Street/Crestone-LCR21 intersection during the afternoon peak hour. The W. 1st Street/Crestone-LCR21 intersection will meet the Loveland level of service standards with either

of two mitigation measures: 1) all-way stop sign control with the current geometry or 2) installation of the required northbound right-turn lane on LCR21. The Parkside Village Subdivision contributes no traffic to the northbound right-turn movement nor does it contribute any traffic to the southbound traffic on Crestone Drive. Therefore, the most appropriate mitigation measure is all-way stop sign control.

- Bicycle lanes exist along W. 1st Street, Namaqua Road (north leg), and Crestone Drive. The sidewalk system in this area exists adjacent to developed parcels of land. As streets are improved, sidewalks will be incorporated to the standard cross sections.

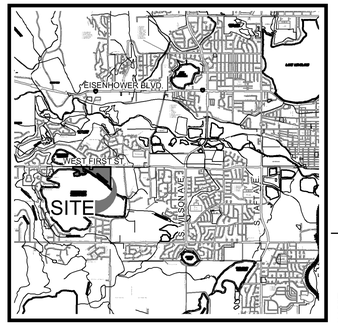
- Table 8 shows a summary of the recommended improvements and the responsibility for that improvement.

- No environmental or special studies are required with this development.

TABLE 8 Recommended Improvements Summary			
Improvement Description and Location	**Responsible Party**		
	Applicant	**Background**	**Master Planned**
SHORT RANGE (2021)			
On-site infrastructure.	X		
Stripe westbound left-turn lane at W. 1st Street/Green Valley-Site Access intersection. This will also entail widening on the south side of W. 1st Street along the site frontage.	X		
All-way stop sign control at W. 1st Street/Crestone-LCR21 intersection.	X		
LONG RANGE (2035)			
Construct a westbound right-turn lane at the W. 1st Street/Namaqua intersection.		X	

PARKSIDE VILLAGE ADDITION

BEING AN ANNEXATION OF THE NORTH HALF OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 69 WEST OF THE 6TH P.M., TO THE CITY OF LOVELAND, COUNTY OF LARIMER, STATE OF COLORADO



VICINITY MAP
1" = 1000'

SURVEY NOTES:

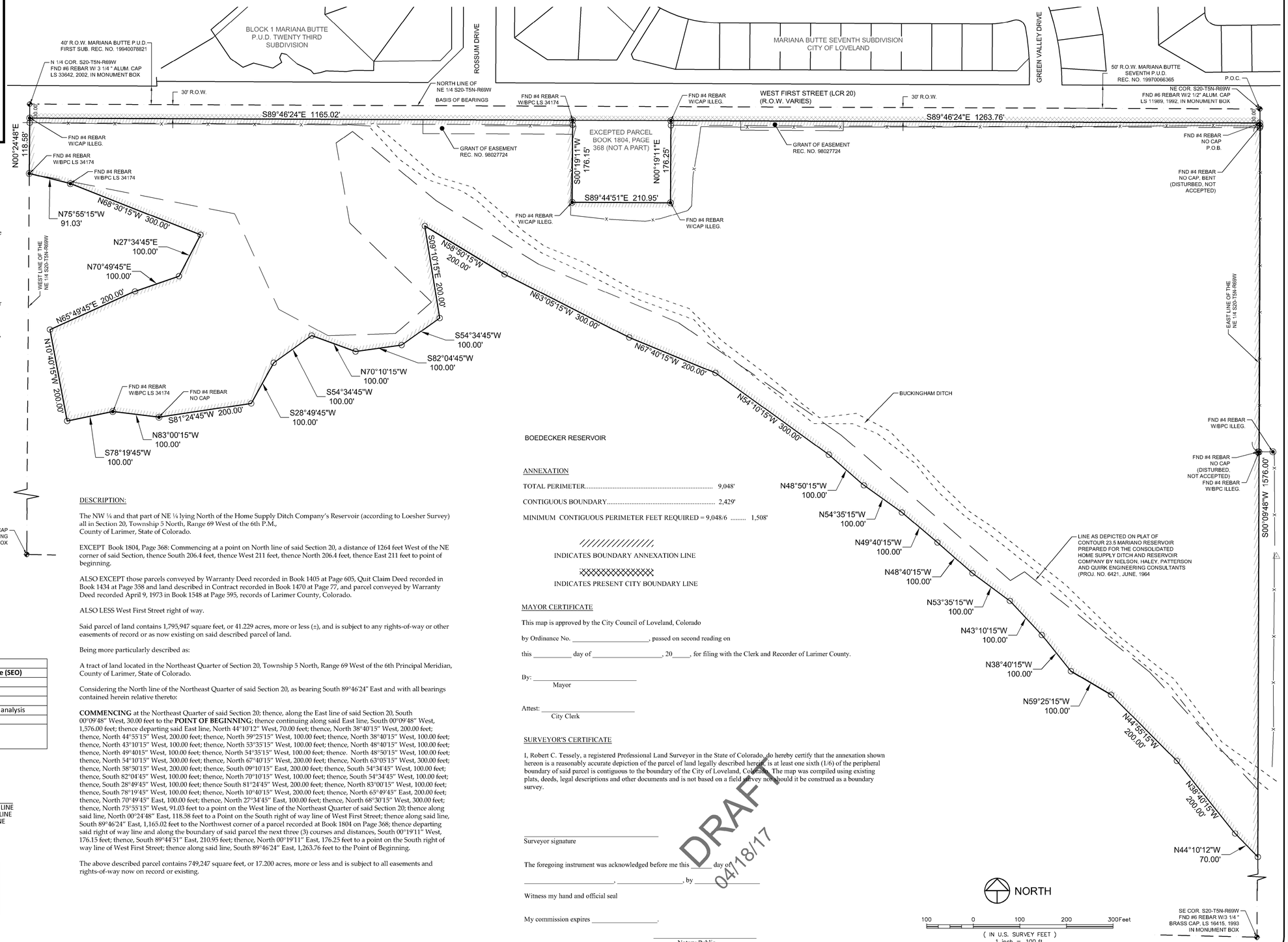
1. No rights-of-way or easements, except those shown hereon, were determined by this survey, nor was any research conducted to determine the existence of additional easements, per the request of the client.

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. 459-H0426929-08TMY, Amendment No. 3, dated April 1, 2016 by Land Title Guarantee Company.

3. Floodplain Note: According to FIRM Map No. 08069C1169F, December 19, 2006 for Larimer County, this parcel does not lie within a FEMA designated 100-year floodplain.

4. Basis of Bearings: The North line of the Northeast Quarter of Section 20, Township 5 North, Range 69 West of the 6th P.M. as bearing South 89°46'24" East (assumed bearing).

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



DESCRIPTION:

The NW ¼ and that part of NE ¼ lying North of the Home Supply Ditch Company's Reservoir (according to Loesher Survey) all in Section 20, Township 5 North, Range 69 West of the 6th P.M., County of Larimer, State of Colorado.

EXCEPT Book 1804, Page 368: Commencing at a point on North line of said Section 20, a distance of 1264 feet West of the NE corner of said Section, thence South 206.4 feet, thence West 211 feet, thence North 206.4 feet, thence East 211 feet to point of beginning.

ALSO EXCEPT those parcels conveyed by Warranty Deed recorded in Book 1405 at Page 605, Quit Claim Deed recorded in Book 1434 at Page 358 and land described in Contract recorded in Book 1470 at Page 77, and parcel conveyed by Warranty Deed recorded April 9, 1973 in Book 1548 at Page 595, records of Larimer County, Colorado.

ALSO LESS West First Street right of way.

Said parcel of land contains 1,795,947 square feet, or 41.229 acres, 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.

Being more particularly described as:

A tract of land located in the Northeast Quarter of Section 20, Township 5 North, Range 69 West of the 6th Principal Meridian, County of Larimer, State of Colorado.

Considering the North line of the Northeast Quarter of said Section 20, as bearing South 89°46'24" East and with all bearings contained herein relative thereto:

COMMENCING at the Northeast Quarter of said Section 20; thence, along the East line of said Section 20, South 00°09'48" West, 30.00 feet to the **POINT OF BEGINNING**; thence continuing along said East line, South 00°09'48" West, 1,576.00 feet; thence departing said East line, North 44°10'12" West, 70.00 feet; thence, North 38°40'15" West, 200.00 feet; thence, North 44°55'15" West, 200.00 feet; thence, North 59°25'15" West, 100.00 feet; thence, North 38°40'15" West, 100.00 feet; thence, North 43°10'15" West, 100.00 feet; thence, North 53°35'15" West, 100.00 feet; thence, North 48°40'15" West, 100.00 feet; thence, North 49°40'15" West, 100.00 feet; thence, North 54°35'15" West, 100.00 feet; thence. North 48°50'15" West, 100.00 feet; thence, North 54°10'15" West, 300.00 feet; thence, North 67°40'15" West, 200.00 feet; thence, North 63°05'15" West, 300.00 feet; thence, North 58°50'15" West, 200.00 feet; thence, South 09°10'15" East, 200.00 feet; thence, South 54°34'45" West, 100.00 feet; thence, South 82°04'45" West, 100.00 feet; thence, North 70°10'15" West, 100.00 feet; thence, South 54°34'45" West, 100.00 feet; thence, South 28°49'45" West, 100.00 feet; thence South 81°24'45" West, 200.00 feet; thence, North 83°00'15" West, 100.00 feet; thence, South 78°19'45" West, 100.00 feet; thence, North 10°40'15" West, 200.00 feet; thence, North 65°49'45" East, 200.00 feet; thence, North 70°49'45" East, 100.00 feet; thence, North 27°34'45" East, 100.00 feet; thence, North 68°30'15" West, 300.00 feet; thence, North 75°55'15" West, 91.03 feet to a point on the West line of the Northeast Quarter of said Section 20; thence along said line, North 00°24'48" East, 118.58 feet to a Point on the South right of way line of West First Street; thence along said line, South 89°46'24" East, 1,165.02 feet to the Northwest corner of a parcel recorded at Book 1804 on Page 368; thence departing said right of way line and along the boundary of said parcel the next three (3) courses and distances, South 00°19'11" West, 176.15 feet; thence, South 89°44'51" East, 210.95 feet; thence, North 00°19'11" East, 176.25 feet to a point on the South right of way line of West First Street; thence along said line, South 89°46'24" East, 1,263.76 feet to the Point of Beginning.

The above described parcel contains 749,247 square feet, or 17.200 acres, more or less and is subject to all easements and rights-of-way now on record or existing.

Boedecker Lake Summary Table	
Information provided by State Engineer's Office (SEO)	
Normal WSEL*:	5062.00
Dam Crest Elevation*:	5068.00
Spillway Crest Elevation*:	5062.00
SEO 100-Yr WSEL:	SEO has not completed analysis
SEO 75% PMP WSEL*:	5067.93
*Note: Elevation referenced to the NGVD-29 Vertical Datum	

Line Legend

- BOUNDARY LINE
- EASEMENT LINE
- SECTION LINE
- FENCE LINE
- DITCH LINE

Symbol Legend	
◉	FND CORNER
◈	FND SECTION CORNER
△	CONTROL POINT
⊠	BENCHMARK
○	CALCULATED POSITION

ANNEXATION

TOTAL PERIMETER	9,048'	
CONTIGUOUS BOUNDARY	2,429'	
MINIMUM CONTIGUOUS PERIMETER FEET REQUIRED = 9,048/6	1,508'	

INDICATES BOUNDARY ANNEXATION LINE

INDICATES PRESENT CITY BOUNDARY LINE

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 Professional Land Surveyor in the State of Colorado, do hereby certify that the 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 04/18/17

_____
Surveyor signature

The foregoing instrument was acknowledged before me this _____ day of

_____, _____, by _____

Witness my hand and official seal

My commission expires _____.

_____
Notary Public

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: 20 | TOWNSHIP: 5 N | RANGE: 69 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: 987--004 | DESIGNED BY: | DRAWN BY: M. Kirkaade | SCALE: 1" = 100' | DATE: 04/18/17 | REVIEWED BY: B. Tessely

PARKSIDE VILLAGE ADDITION
TO THE CITY OF LOVELAND,
COUNTY OF LARIMER, STATE OF COLORADO

Sheet 1 Of 1 Sheet

PRELIMINARY DEVELOPMENT PLAN

OF A PARCEL OF LAND SITUATED IN THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF LOVELAND, COUNTY OF LARIMER, STATE OF COLORADO

(PARKSIDE FIRST SUBDIVISION)

CONDITIONS

TRANSPORTATION

1. ALL PUBLIC IMPROVEMENTS SHALL COMPLY WITH THE LARIMER COUNTY URBAN AREA STREET STANDARDS (LCUASS).

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 THE ISSUANCE OF ANY BUILDING PERMITS WITHIN THE PARKSIDE 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 ULTIMATE STREET IMPROVEMENTS ON W 1ST STREET TO THE 2-LANE ARTERIAL STANDARD INCLUDING LEFT TURN LANES, PAVEMENT WIDENING, BIKE LANE, CURB & GUTTER AND DETACHED SIDEWALK AS SHOWN ON THE CITY APPROVED PUBLIC IMPROVEMENT CONSTRUCTION PLANS TITLED PARKSIDE SUBDIVISION PREPARED BY NORTHERN ENGINEERING.

B) ALL PUBLIC STREET IMPROVEMENTS (WITH CONSTRUCTION PHASING) WITHIN THE PARKSIDE SUBDIVISION AS SHOWN ON THE CITY APPROVED PUBLIC IMPROVEMENT CONSTRUCTION PLANS TITLED PARKSIDE SUBDIVISION PREPARED BY NORTHERN ENGINEERING.

4. PLACEHOLDER FOR ANY OTHER CONDITIONS FROM THE TIS OR CASH-IN-LIEU OPTIONS FOR CONSTRUCTION OF IMPROVEMENTS ON THE WEST END OF 1ST STREET (TBD).

5. 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).

6. 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.

7. 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.

PARKS & RECREATION

1. TREE REMOVAL AND CONSTRUCTION ACTIVITIES SHALL COMPLY WITH THE FEDERAL MIGRATORY BIRD TREATY ACT. NO ACTIVITIES SHALL OCCUR NEAR AN OCCUPIED NEST AND THIS AREA SHALL BE MONITORED BETWEEN FEBRUARY 15TH AND JULY 15TH FOR POTENTIAL RAPTOR NESTING. BUFFER ZONES AND SEASONAL RESTRICTIONS SHALL BE FOLLOWED PER THE COLORADO PARKS & WILDLIFE GUIDELINES.

2. NOXIOUS WEEDS SHALL BE MANAGED ON THE PROPERTY TO MAINTAIN THE ECOLOGICAL INTEGRITY OF AREAS NOT DISTURBED BY CONSTRUCTION. MANAGEMENT OF NOXIOUS WEEDS WITHIN PORTIONS OF THE PROPERTY NOT IMPACTED BY CONSTRUCTION SHOULD ENHANCE ECOLOGICAL VALUES OF RESIDUAL LANDS. DISTURBED AREAS SHALL BE REVEGETATED WITH A NATIVE SEED MIX AS SOON AS POSSIBLE AND BEST MANAGEMENT PRACTICES EMPLOYED THROUGHOUT CONSTRUCTION TO LIMIT SOIL EROSION AND SEDIMENTATION.

3. ANY WETLAND, DRAINAGE, OR DITCH CROSSINGS SHALL ENCOURAGE WILDLIFE MOVEMENT BENEATH THE CROSSING STRUCTURE(S). IF BRIDGE ABUTMENTS ARE PROPOSED, THEY SHALL BE LOCATED OUTSIDE ANY WETLAND / DRAINAGE AREAS. IF CULVERTS ARE PROPOSED, THEY SHALL BE PARTIALLY BURIED OR HAVE AN OPEN BOTTOM (SUCH AS AN ARCHED WATER CROSSING) TO ENCOURAGE WILDLIFE MOVEMENT BENEATH THE STRUCTURE.

4. A 30-FOOT WIDE TRAIL EASEMENT FROM THE SOUTHEAST CORNER TO THE NORTHWEST CORNER OF THE PROPERTY SHALL BE REQUIRED AT PRELIMINARY PLAT. THE TRAIL EASEMENT SHALL BE DEDICATED FOR PUBLIC ACCESS.

5. A 6 FOOT WIDE SOFT TRAIL SHALL BE CONSTRUCTED WITH THE FIRST PHASE OF DEVELOPMENT WITHIN THE NEW 30 FOOT TRAIL EASEMENT. THE CITY OF LOVELAND AND THE DEVELOPER SHALL AGREE TO LOCATE THE TRAIL AND THE DEVELOPER SHALL MAINTAIN THE TRAIL AND EASEMENT UNTIL SUCH TIME AS THE CITY OF LOVELAND AGREES TO THE MAINTENANCE OF THE EASEMENT AND/OR TRAIL.

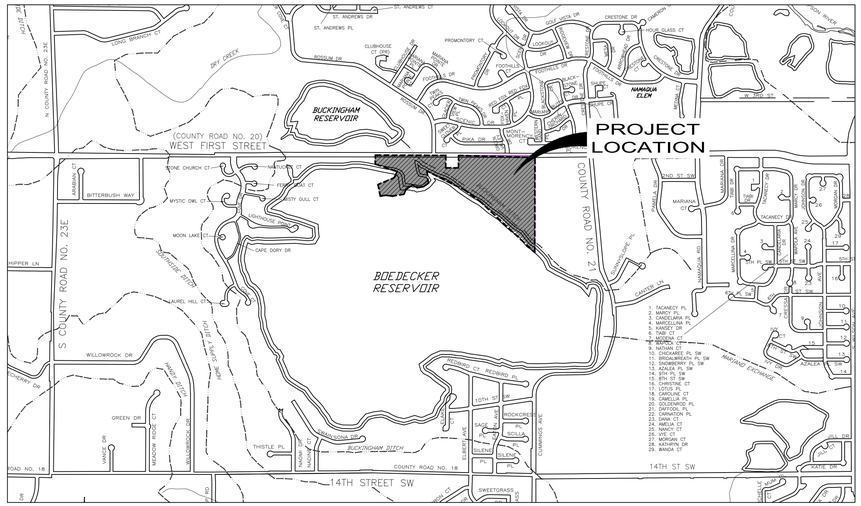
A. APPLICANT RESPONSE: APPLICANT HAS BEEN INVOLVED WITH EXTENSIVE NEGOTIATION WITH THE CITY OF LOVELAND PARK DEPARTMENT CONCERNING THEIR PURCHASE OF 17 +/- ACRES OF THE PROPERTY FOR PUBLIC PARK, TRAIL, AND LAKE ACCESS PURPOSES. THE CITY OF LOVELAND'S PARK DEPARTMENT INTENDS TO BUILD A TRAIL SYSTEM ON THE PROPERTY AT THEIR EXPENSE. ALL IMPROVEMENTS WITH RESPECT TO TRAILS AND PARKS WILL BE EXCLUSIVELY PROVIDED BY THE CITY OF LOVELAND PARKS DEPARTMENT AND NOT THE APPLICANT.

B. CITY RESPONSE: THE CITY OF LOVELAND AGREES TO DEVELOP AND MAINTAIN THE 6-FOOT WIDE SOFT SURFACE TRAIL IF THE CITY PURCHASES THE 17+/- ACRES. IF THE CITY DOES NOT PURCHASE THE PROPERTY, THE ABOVE CONDITION SHALL REMAIN AND THE DEVELOPER WILL BE REQUIRED TO CONSTRUCT AND MAINTAIN THE TRAIL DURING THE FIRST PHASE OF DEVELOPMENT. IF THE17+/- ACRES IS SOLD TO ANOTHER ENTITY, THAT ENTITY SHALL BE RESPONSIBLE FOR CONSTRUCTING AND MAINTAINING THE TRAIL WITH THE FIRST PHASE OF THE PARKSIDE VILLAGE DEVELOPMENT.

6. CONSTRUCT A 6-FOOT WIDE PAVED PEDESTRIAN CONNECTION FROM SIDEWALK AT THE PARKSIDE VILLAGE DEVELOPMENT TO THE SOFT SURFACE TRAIL WITHIN THE 30' EASEMENT. MAINTAIN THIS PAVED CONNECTION UP TO THE 30' EASEMENT. CONSTRUCTION SHALL OCCUR DURING THE FIRST PHASE OF DEVELOPMENT.

SITE DATA TABLE

TOTAL LOTS:	76		
LOT COVERAGE	435,334 S.F.	9.99 AC.	(24%)
DRIVES	237,774 S.F.	5.46 AC.	(13.2%)
WALKWAYS	51,038 S.F.	1.17 AC.	(2.8%)
LANDSCAPE / OPEN SPACE	1,071,801 S.F.	24.60 AC.	(59.6%)
GROSS SITE AREA:	1,795,947 S.F.	41.23 AC.	(100%)
PROPERTY ZONING	PARKSIDE VILLAGE PUD		
LAND USE	SINGLE FAMILY RESIDENTIAL		
FEMA FLOODPLAIN	NO		



VICINITY MAP:

NORTH

NOT TO SCALE

PROJECT PURPOSE:

A RESIDENTIAL PROJECT.

DEVELOPER/APPLICANT

OWNER: BOEDECKER PARTNERS, LLC.
KENNETH MITCHELL, REGISTERED AGENT
1021 NIGHTINGALE DRIVE
FORT COLLINS, COLORADO 80525
(970) 685-17-575

PLANNER/ LANDSCAPE ARCHITECT

KRISTIN TURNER
TB GROUP
444 MOUNTAIN AVENUE
BERTHOUD, COLORADO 80513
(970) 532-5891

TB GROUP
landscape architecture | planning | illustration
444 Mountain Ave, Berthoud,CO 80513 | TEL 970.532.5891 WEB TBGroup.us

SITE ENGINEER/SURVEYOR

NORTHERN ENGINEERING SERVICES, INC.
301 NORTH HOWES STREET, SUITE 010
FORT COLLINS, COLORADO 80521
970.221.4158

CONTACT: ANDY REESE
ANDY@NORTHERNENGINEERING.COM

NORTHERN ENGINEERING

APPROVAL SIGNATURE

a) APPROVED THIS_____DAY OF _____ A.D., 20_____ BY THE CURRENT PLANNING MANAGER OF THE CITY OF LOVELAND, COLORADO.

_____
CURRENT PLANNING MANAGER

b) APPROVED THIS_____DAY OF _____ A.D., 20_____ BY THE CITY ENGINEER OF THE CITY OF LOVELAND, COLORADO.

_____
CITY ENGINEER

c) APPROVED THIS_____DAY OF _____ A.D., 20_____ BY THE CITY ATTORNEY OF THE CITY OF LOVELAND, COLORADO.

_____
CITY ATTORNEY

d) APPROVED THIS_____DAY OF _____ A.D., 20_____ BY THE CITY PLANNING COMMISSION OF THE CITY OF LOVELAND, COLORADO.

_____
CHAIRPERSON

e) APPROVED THIS_____DAY OF _____ A.D., 20_____ BY THE CITY COUNCIL OF THE CITY OF LOVELAND, COLORADO.

_____ _____
MAYOR ATTEST

OWNER'S SIGNATURE BLOCK

KNOW ALL MEN BY THESE PRESENT THAT:

BOEDECKER PARTNERS, LLC.
BEING ALL THE LAWFUL RECORDED OWNERS OF THE PROPERTY SHOWN ON THIS PRELIMINARY DEVELOPMENT PLAN, EXCEPT ANY EXISTING PUBLIC STREETS, ROADS, OR HIGHWAYS, DO HEREBY CERTIFY THAT I/WE ACCEPT THE CONDITIONS SET FORTH ON SAID SITE PLAN AND IN THE CONDITIONS OF APPROVAL BY THE CITY OF LOVELAND, DATED_____, AND THAT I/WE CONSENT TO THE RECORDATION OF ANY INFORMATION THERETO.

_____
(OWNER'S SIGNATURE)

_____
(LIENHOLDER'S SIGNATURE)

_____
(LIENHOLDER'S SIGNATURE)

NOTARIAL CERTIFICATE

STATE OF COLORADO)
)SS
COUNTY OF _____)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS_____DAY OF _____, 20_____, BY_____.

WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES:_____

_____
NOTARY PUBLIC

(SEAL)

SHEET INDEX:

COVER SHEET	1
NARRATIVE	2
SITE PLAN	3
SITE PLAN	4
OVERALL GRADING PLAN	5
OVERALL UTILITY PLAN	6
DRAINAGE EXHIBIT	7
LANDSCAPE NOTES & DETAILS	8
LANDSCAPE PLAN	9
LANDSCAPE PLAN	10

TB GROUP
landscape architecture | planning | illustration
444 Mountain Ave, Berthoud,CO 80513 | TEL 970.532.5891 WEB TBGroup.us

SEAL

PROJECT TITLE

PARKSIDE FIRST SUBDIVISION

LOVELAND, CO

PREPARED FOR

Boedecker Partners, LLC.

1021 NIGHTINGALE DRIVE
FORT COLLINS,CO. 80525
(970) 685-1575
CONTACT: KENNETH MITCHELL

REVISIONS DATE

Staff Comments 4.18.17

DATE

NOVEMBER 21, 2016

SHEET TITLE

Cover Sheet

SHEET INFORMATION

Sheet Number: 1

PDP NARRATIVE

OVERALL PROJECT PROFILE
PARKSIDE HAS BEEN DESIGNED TO BE A LOW-MAINTENANCE OPEN SPACE NEIGHBORHOOD THAT UTILIZES ABUNDANT COMMUNITY OPEN SPACE IN LIEU OF LARGE PRIVATE BACKYARDS. OPEN SPACE WILL BE VERY SENSITIVE TO WATER USE AND WILL EITHER BE LEFT IN A NATURAL STATE OR DEVELOPED WITH NATIVE PLANTS AND ORNAMENTAL VEGETATION WITH MINIMAL TO MODERATE WATER NEEDS. DRY STREAMBEDS, SPACIOUS WALKWAYS AND NATURAL STONE RETAINING WALLS WILL FURTHER LOWER THE WATER BUDGET FOR PARKSIDE.

THE TARGET BUYER FOR PARKSIDE IS LOOKING FOR A HOME THAT HAS MINIMAL EXTERIOR MAINTENANCE NEEDS, AND A "LOCK AND LEAVE" LIFESTYLE ALLOWING ABUNDANT OPPORTUNITY FOR PERSONAL OR BUSINESS TRAVEL FREE OF THE NEED TO MAINTAIN A LARGE PRIVATE LANDSCAPE. DOWN-SIZING BUYERS WILL ALSO BE ATTRACTED TO A SMALLER BUILDING FOOTPRINT WITH A VERY HIGH QUALITY FINISH LEVEL.

DRAMATIC EXTERIOR VIEWS ARE VIEWED TO BE AN IMPORTANT ASPECT OF THE PARKSIDE BUYER PROFILE, SO SPACIOUS OPEN SPACE AND NATURAL BUFFER AREAS ARE PROVIDED.

THERE ARE SEVERAL LOT TYPES BEING OFFERED, PROVIDING THE COMMUNITY A DIVERSITY THAT IS UNUSUAL FOR A SMALL SITE. PRICING WILL RANGE FROM THE HIGH 300'S TO THE LOW $700,000 RANGE, DEPENDING ON LOT SIZE, LOT PRODUCT, AND LOT LOCATION WITHIN THE COMMUNITY.

GENERAL ARCHITECTURAL STANDARDS
THE COMMUNITY STANDARD FOR ARCHITECTURE WILL INVOLVE DIVERSITY OF FORM AND TEXTURE, INTEGRITY OF THE STREETSCAPE, INCORPORATION OF NATURAL LANDSCAPING AT AN APPROPRIATE SCALE AND CONTINUITY OF AN OVERALL THEME OF COHESIVE ARCHITECTURAL STANDARDS THAT ENSURE LONG LASTING VALUE TO THE NEIGHBORHOOD AND THE SURROUNDING COMMUNITY.

IMPORTANCE OF THE WATER BUDGET
THE COMMUNITY WILL SEEK TO BE CONSCIOUS OF ITS WATER BUDGET BY ENCOURAGING THE PLANTING OF NATIVE MATERIALS, THE USE OF NATURAL HARDSCAPE MATERIALS AND REQUIRING EFFICIENT IRRIGATION SYSTEMS.

ACTION BY ACC.
ALL CONSTRUCTION ACTIVITY ON THE SITE WILL BE MONITORED BY AN ARCHITECTURAL CONTROL COMMITTEE ("ACC") THAT WILL REVIEW AND APPROVE ARCHITECTURAL PLANS FOR HOME CONSTRUCTION OR REMODELING, LANDSCAPING AND IRRIGATION AND FENCES AND OTHER EXTERIOR ELEMENTS VISIBLE FROM ANY INTERIOR OR ADJOINING STREET.

OWNER'S RESPONSIBILITY.
A SET OF COVENANTS, CONDITIONS AND RESTRICTIONS WILL BE FILED OF RECORD AND ENFORCED THROUGH A HOMEOWNER'S ASSOCIATION ("HOA") IT WILL BE THE RESPONSIBILITY OF THE OWNER TO MAINTAIN ITS PROPERTY IN A MANNER CONSISTENT WITH COMMUNITY RULES & REGULATIONS AND THE COVENANTS, PROVIDED THAT IF THIS WORK IS NOT PROPERLY PERFORMED BY THE OWNER, THE HOA MAY, AT ITS SOLE OPTION, PERFORM IT AND ASSESS THE OWNER AFTER REASONABLE NOTICE TO CORRECT ANY DEFICIENCY.

SPECIFIC TYPES OF IMPROVEMENTS/GUIDELINES
ACCESSORY BUILDINGS, STORAGE BUILDINGS: ACCESSORY BUILDINGS AND STORAGE BUILDINGS SHALL BE SUBMITTED TO THE ACC FOR APPROVAL PRIOR TO CONSTRUCTION. ALL SUCH BUILDINGS SHALL BE CONSISTENT WITH THE ARCHITECTURAL STYLE, MATERIALS AND COLOR OF THE PRIMARY RESIDENCE. ALL ACCESSORY BUILDINGS AND STORAGE BUILDINGS SHALL BE LOCATED TO THE REAR OF THE PRIMARY RESIDENCE. DETACHED "CASITAS" ARE ALLOWED IF THE INTERIOR AND EXTERIOR ARE FINISHED TO THE STANDARDS OF THE MAIN DWELLING.

AIR CONDITIONING AND HEATING EQUIPMENT/EVAPORATIVE COOLERS/ATTIC VENTILATORS: NO HEATING, AIR CONDITIONING, AIR MOVEMENT OR REFRIGERATION EQUIPMENT MAY BE PLACED OR INSTALLED ON ROOFTOPS OR EXTENDED FROM WINDOWS. GROUND MOUNTED AIR CONDITIONING EQUIPMENT INSTALLED IN THE SIDE YARD SHALL BE INSTALLED IN A MANNER SO AS TO MINIMIZE VISIBILITY FROM THE STREET AND TO MINIMIZE ANY NOISE TO ADJACENT PROPERTY OWNERS. SWAMP COOLERS ARE NOT ALLOWED UNDER ANY CIRCUMSTANCES.

ASTROTURF: ASTROTURF IS NOT ALLOWED IN LIEU OF ANY REQUIRED FRONT YARD SOD REQUIREMENTS.

BOATS: BOATS AND BOAT TRAILERS SHALL NOT BE PARKED ON THE STREETS OF THE PROPERTY OR STORED ON ANY LOT UNLESS FULLY CONTAINED WITHIN A GARAGE. NOTWITHSTANDING THE FOREGOING, RECREATIONAL VEHICLES/CAMPERS MAY BE PARKED UPON THE DRIVEWAY OF THE LOT OR UPON THE STREET IMMEDIATELY ADJACENT TO THE LOT FOR A PERIOD NOT TO EXCEED 24 CONTINUOUS HOURS AT A TIME. NO SUCH PARKING SHALL BE ALLOWED WHICH EXCEEDS MORE THAT A TOTAL OF FIVE DAYS DURING A 30 DAY PERIOD. NO VEHICLES OR CAMPERS SHALL BE PARKED IN A DRIVEWAY IN A WAY THAT BLOCKS THE CITY SIDEWALK.

CARPORTS: FREE STANDING CARPORTS ARE NOT ALLOWED.

FIRE PITS/ OUTDOOR FIREPLACES ETC.: APPROVAL IS REQUIRED FOR ALL PERMANENT INSTALLATIONS. GAS-FIRED FIRE PITS AND FIREPLACES WILL BE THE ONLY OPTION, WITH NO OUTSIDE WOOD BURNING.

DECKS & BALCONIES: APPROVAL WILL BE REQUIRED FOR ALL DECKS. THE DECK MUST BE CONSTRUCTED OF MATERIAL THAT WOULD BE CONSIDERED SIMILAR TO THE MATERIAL OF THE RESIDENCE OR MAINTENANCE-FREE TYPE DECKING PRODUCTS AS MAY BE APPROVED AND BE LOCATED SO AS NOT TO OBSTRUCT OR SUBSTANTIALLY DIMINISH THE VIEW OR CREATE AN UNREASONABLE LEVEL OF NOISE FOR ADJACENT OWNERS. MAINTENANCE-FREE DECKING PRODUCTS MAY BE USED PROVIDED THAT THE DECKING MATERIAL IS CONSISTENT THROUGHOUT THE FRONT, SIDE OR REAR ELEVATION OF A BUILDING AND MUST BE OF A COLOR THAT COMPLEMENTS EITHER THE EXISTING BODY OR TRIM COLOR OF THE HOME. DECKS MAY NOT COVER THAN 50% OF THE REAR YARD OF THE HOME. CONSTRUCTION SHALL NOT OCCUR OVER EASEMENTS BEYOND THE SIDE PLANE OF THE HOME AND MUST BE SET BACK A MINIMUM OF FIVE (5) FEET FROM THE PROPERTY LINE. THE DECK MUST BE INSTALLED AS AN INTEGRAL PART OF THE HOME AND/OR PATIO AREA.

DOG HOUSES & DOG RUNS: DOG HOUSE(S) AND DOG RUN(S) WILL REQUIRE PLAN SUBMITTAL TO THE ACC PRIOR TO INSTALLATION/CONSTRUCTION. DOG HOUSES AND/OR DOG RUNS MUST NOT PRESENT A VISUAL OR NOISE NUISANCE TO THE STREET AND NEIGHBORING YARDS, MUST BE INSTALLED AT GROUND LEVEL, AND SHALL NOT BE VISIBLE ABOVE THE FENCE. METHODS OF CONCEALMENT INCLUDE LANDSCAPING OR OTHER METHODS APPROVED BY THE ACC. ALL DOG RUNS SHALL BE FREE-DRAINING AND SHALL NOT DISCHARGE URINE OR DILUTED WASTE ONTO ABUTTING PROPERTIES. DOG RUNS SHALL BE LIMITED TO ONE HUNDRED (100) SQUARE FEET AND FENCING SHALL NOT BE HIGHER THAN FOUR FEET (FOUR FEET). TARPAULINS AND CHAIN-LINK FENCING SHALL NOT BE PERMITTED.

DRAINAGE/GRADING & GRADE CHANGES: THERE BE NO INTERFERENCE WITH THE ESTABLISHED DRAINAGE PATTERN OVER ANY PROPERTY. THE "ESTABLISHED DRAINAGE PATTERN" MEANS THE DRAINAGE PATTERN AS ENGINEERED AND CONSTRUCTED BY THE ORIGINAL DEVELOPER OR HOMEBUILDER PRIOR (OR IN SOME CASES, IMMEDIATELY FOLLOWING) CONVEYANCE OF TITLE FROM THE HOMEBUILDER TO THE INDIVIDUAL OWNER. LANDSCAPING SHOULD CONFORM TO THE ESTABLISHED DRAINAGE PATTERN. SUMP PUMP DRAINAGE SHOULD BE VENTED AT LEAST SIX FEET (6') FROM THE PROPERTY LINE, ON THE OWNER'S PROPERTY, TO ALLOW FOR ABSORPTION.

DRIVEWAYS: THERE SHALL BE NO EXTENSION OR EXPANSION OF DRIVEWAYS WITHOUT PRIOR ACC APPROVAL. DRIVEWAYS TO THE GARAGE SHALL BE CONSTRUCTED ONLY WITH NEUTRAL TONE CONCRETE OR STONE PAVERS. IF DRIVEWAY EXTENSION OR EXPANSION IS DESIRED, DRAWINGS SHALL BE SUBMITTED TO THE ACC SHOWING THE DESIRED CHANGES/ADDITIONS. ANY APPROVED DRIVEWAY EXPANSION SHALL NOT BE INTENDED TO PROMOTE OR FACILITATE THE PARKING OR STORAGE OF ANY VEHICLE ON THE DRIVEWAY OR SIDE YARD.

ELEVATIONS: ELEVATIONS SHOULD BE SIMPLE, BUT INTERESTING, WITH VARYING ROOF PLANES THAT PROVIDE DIVERSITY TO THE STREETSCAPE. THE FRONT SETBACK WILL BE VARIED TO ALLOW THE MAIN STRUCTURE OF THE HOUSE AND/OR FRONT COURTYARDS AND PORCHES TO PROJECT FORWARD OF GARAGE DOORS. CONTEMPORARY OR MEDITERRANEAN STYLES ARE DISCOURAGED.

FOR THIS REASON, A 15 FOOT FRONT YARD SETBACK FOR THE MAIN STRUCTURE IS PROVIDED SO THAT THE VIEW FROM THE STREET WOULD NOT BE DOMINATED BY GARAGE DOORS. GARAGE DOOR OPENINGS WOULD BE SET BACK A MINIMUM OF 20 FEET FROM THE PROPERTY LINE.

VARYING ROOF PLANES AS WELL AS THE PROJECTION OF THE FRONT ELEVATION CLOSER TO THE STREET THAN THE GARAGE DOORS. WILL BE REQUIRED. IN ADDITION, THE FRONT YARD STREETSCAPE WILL REQUIRE AT LEAST TWO EVERGREEN SHRUBS TO SOFTEN THE DORMANT APPEARANCE OF WINTER LANDSCAPES.

ROOF MATERIAL WILL BE WEATHERED WOOD IN APPEARANCE AND WILL AVOID BRIGHT COLORS OR SOLID WHITE OR BLACK.
EXAMPLES OF MULTIPLE STREETSCAPE ELEMENTS THAT ARE A PART OF THE DESIRED ELEVATION PALETTE INCLUDE:

1. VARIED ROOF ANGLES
2. FRONT PORCH PROJECTING FORWARD OF THE GARAGE DOORS.
3. FRONT COURTYARD PROJECTING FORWARD OF THE GARAGE DOORS.
4. STONE OR BRICK PLACEMENT ON THE FAÇADE AT LEAST UP TO THE SILL LEVEL OF THE PREDOMINANT WINDOW TREATMENT.

HOMES THAT ADJOIN TRACT "D" WILL BE LIMITED TO SINGLE STORY OR STORY AND A HALF AT THE FRONT ELEVATION, AS ALL OF THESE HOMES WILL MOST LIKELY HAVE WALK-OUT BASEMENTS, TRACT D PROVIDES A 200 FOOT BUFFER FROM THE EDGE OF BOEDECKER LAKE.

LOTS 31 AND 32, BLOCK 2 WILL BE LIMITED TO SINGLE STORY ELEVATIONS DUE TO THEIR PROXIMITY TO THE MCKRIMMON OUTPARCEL.

DARK SKY LIGHTING FIXTURES WILL BE REQUIRED ON ALL EXTERIOR FACADES AND INTERIOR COURTYARDS.

FRONT AND REAR PORCH COLORS WILL COMPLEMENT THE HOUSE COLORS AND ALL WINDOWS WILL BE WRAPPED WITH TRIM.

FRONT PORCHES AND COURTYARDS ARE ENCOURAGED AND WILL BE CONSIDERED A PART OF THE FRONT ELEVATION WHEN CALCULATING A MAXIMUM OF 50% OF THE FRONT ELEVATION USED FOR GARAGE DOORS.

GARAGE DOORS WHICH FACE THE STREET WILL HAVE A DECORATIVE WINDOW TREATMENT IN THE TOP PANEL.

FRONT ELEVATIONS WILL HAVE STONE, CULTURED STONE OR BRICK PLACED AT A MINIMUM TO THE HEIGHT OF THE PREDOMINANT GROUND FLOOR WINDOW SILL. STONE, CULTURED STONE OR BRICK WILL BE WRAPPED AROUND ALL FRONT HOUSE CORNERS A MINIMUM OF FOUR FEET TO A HEIGHT MATCHING THE FRONT ELEVATION. FRONT FACING WINDOWS WILL BE DIVIDED LIGHT AND NO SINGLE PANE WINDOWS ARE PERMITTED.

ENERGY DEVICES:

1. SOLAR: APPROVAL IS REQUIRED BY THE ACC. NON-GLARE OR NON-REFLECTIVE FINISHES ARE PREFERRED. INSTALLATIONS BEING MADE FOR ENERGY-EFFICIENT MEASURES MAY BE FURTHER DEFINED BY STATE OR FEDERAL REGULATIONS. DEVICES MUST BE DESIGNED TO APPEAR AS IF THEY ARE AN INTEGRAL PART OF THE ROOF. EVERY ATTEMPT SHALL BE MADE TO MOUNT SUCH DEVICES ON THE BACK SIDE OF ROOF IF POSSIBLE, TO MINIMIZE VISIBILITY FROM FRONT OF RESIDENCE. BLOCK OUT SCREENS ARE REQUIRED FOR APPROVAL (I.E.: ROOFTOP SOLAR PANELS
2. ELECTRIC AUTOMOBILE/HOUSE CHARGES/STORAGE BATTERIES: MUST BE LOCKED WITHIN THE HOME.
3. GENERATORS: APPROVAL IS REQUIRED FOR ALL TYPES OF STAND-BY POWER GENERATORS.

EVAPORATIVE COOLERS: EVAPORATIVE COOLERS ARE NOT ALLOWED.

FENCES: FENCING IS ALLOWED ONLY IN ACCORDANCE WITH THE COMMUNITY STANDARD, WHICH, EXCEPT WHERE LOTS BACK UP TO 1ST STREET, IS A MAXIMUM HEIGHT OF 4' (NOT INCLUDING COLUMNS) WITH THREE RAILS:

THE COMMUNITY FENCE MUST BE INSTALLED IN ANY PORTION OF THE LOT WHICH ADJOINS COMMON AREA, PER THE APPROVED FENCING PLAN FOR PARKSIDE. FENCES MUST BE MAINTAINED ON BOTH SIDES BY THE HOMEOWNER, EXCEPT FOR ANY FENCE ADJOINING 1ST STREET, WHICH WILL BE MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.

FENCES REQUIRE ACC APPROVAL PRIOR TO INSTALLATION. DRAWINGS SHOWING FENCE LOCATION, LAYOUT, DESIGN, HEIGHT AND MATERIAL SHALL BE SUBMITTED TO THE ACC. NO FENCING WILL BE ALLOWED ANYWHERE WITHIN THE FRONT YARD OF RESIDENCE UNLESS ADJOINING A COMMON AREA. UPON REVIEW AND APPROVAL BY THE ACC, INSTALLATION OF WIRE MESH TO THE THREE RAIL FENCE MAY BE ALLOWED FOR PET CONTAINMENT PURPOSES. FENCING MAY EXTEND FROM THE REAR YARD ALONG EACH SIDE LOT LINE OF THE RESIDENCE TO NO MORE THAN 2' BEHIND THE FRONT ELEVATION OF THE RESIDENCE ON BOTH SIDES, EXCEPT WHERE THE SIDE LOT LINE ADJOINS COMMON AREA, IN WHICH CASE THE FENCE MAY EXTEND TO THE FRONT PROPERTY LINE. NOTWITHSTANDING THE FOREGOING, IN THOSE INSTANCES WHERE A HOME HAS AN EXTERIOR DOOR ON THE SIDE OF A GARAGE, FENCING MAY EXTEND UP TO 2' BEYOND THE FRONT EDGE OF SAID EXTERIOR DOOR (BUT IN NO EVENT BEYOND THE FRONT EDGE OF THE HOUSE). OWNERS ARE ADVISED THAT VARIOUS UTILITY COMPANIES AND OTHER SERVICE VENDORS MAY HAVE THE RIGHT TO ACCESS THE LOT BECAUSE OF ESTABLISHED EASEMENTS (INCLUDING REMOVAL OF FENCE WITH NO OBLIGATION TO RESTORE).

LOTS THAT BACK UP TO 1ST STREET ARE ALLOWED A 6 FOOT HIGH CEDAR FENCE ALONG THE REAR BOUNDARY LINE. SUCH FENCES SHALL BE STAINED TO THE COMMUNITY STANDARD AND SHALL HAVE A BORDER TRIM AT THE TOP. SIDE YARDS FOR THESE LOTS SHALL HAVE THE COMMUNITY STANDARD FENCE (4 FOOT TALL WITH THREE RAILS), WITH A "STEPDOWN" TRANSITION ALLOWED WITH PRIOR APPROVAL OF THE ACC.

FIREWOOD/WOOD STORAGE: IS NOT PERMITTED.

FLAGPOLES: FREESTANDING FLAGPOLES ARE NOT ALLOWED. ONE WALL MOUNTED FLAG BRACKET PER RESIDENCE SHALL BE ALLOWED.

GARDENS: VEGETABLE GARDENS SHALL BE ALLOWED ONLY WITHIN THE HOMEOWNER'S BACK YARD, AND NOT ON THE SIDES OF THE HOME OR IN THE FRONT YARD. FLOWER BEDS (ESPECIALLY ANNUALS), VEGETABLE GARDENS AND OTHER LANDSCAPING WHICH REQUIRES REGULAR WATERING, SHOULD NOT BE PLANTED WITHIN FIVE (5) FEET OF THE FOUNDATION WALL OR SLAB AND SHOULD AVOID EXCESSIVE WATERING. FURTHER, PIPING AND HEADS FOR SPRINKLER SYSTEMS SHOULD NOT BE INSTALLED WITHIN FIVE (5) FEET OF FOUNDATION WALLS AND SLABS. ALL FLOWER GARDENS MUST BE WEEDED, CARED FOR AND CAREFULLY MAINTAINED.

GAZEBOS: APPROVAL IS REQUIRED BY THE ACC. GAZEBOS MUST BE SIMILAR IN MATERIAL AND DESIGN TO THE RESIDENCE, MUST BE PAINTED OR STAINED THE BODY OR TRIM COLOR OF THE RESIDENCE AND MUST COMPLY WITH ALL EXISTING SET-BACK REQUIREMENTS. ROOF MATERIAL MUST MATCH THAT OF HOUSE, IF APPLICABLE.

GREENHOUSES: GREENHOUSES REQUIRE PRIOR ACC APPROVAL.

HARD SURFACES, INCLUDING DRIVEWAYS, PATIOS, FRONT PORCHES, STAIRWAYS, PADS AND OWNER-OWNED WALKWAYS: OWNERS ARE RESPONSIBLE FOR ENSURING THE PROPER CONDITION OF HARD SURFACES ON THEIR PROPERTY, INCLUDING DRIVEWAYS AND SIDEWALKS (SUCH THAT SURFACES ARE INTACT AND FREE OF EXCESSIVE CRACKS, CRUMBLING, AND SETTLING. APPROVAL IS REQUIRED FOR ANY REVISIONS OR ADDITIONS TO HARD SURFACES:

1. APPROVED REPLACEMENT OR REPAIR WILL BE REQUIRED IF ANY DISPLACEMENTS, CRACKS OR PORTION OF A CRACK ARE MORE THAN 6" LONG AND IS ½" WIDE OR GREATER.
2. APPROVED REPLACEMENT OR REPAIR WILL BE REQUIRED IF ANY DISPLACEMENTS OR CRACK THAT RESULT IN AN UNEVEN SURFACE OF ¾" OR MORE ON EITHER SIDE OF THE CRACK OR NEXT TO A GARAGE SLAB.
3. APPROVED REPLACEMENT OR REPAIR WILL BE REQUIRED IF ANY SURFACE CRUMBLING/SPALLING/PITTING OCCURS, REGARDLESS OF REASON, THAT COVERS MORE THAN 50% OF THE SURFACE AREA OF THE PARTICULAR HARD SURFACE.

HOT TUBS/SPA TUBS: HOT TUBS/SPA TUBS SHALL REQUIRE ACC PRIOR APPROVAL. HOT TUBS/SPA TUBS SHOULD BE AN INTEGRAL PART OF THE DECK OR PATIO AREA AND OF THE REAR YARD LANDSCAPING. ALSO, HOT TUBS/SPA TUBS MUST BE INSTALLED SO AS NOT TO BE IMMEDIATELY VISIBLE FROM THE FRONT YARD/STREET. HOT TUBS/SPA TUBS SHALL BE INSTALLED IN SUCH A MANNER THAT THEY WILL NOT CAUSE NOISE DISTURBANCE FOR ADJACENT PROPERTY OWNERS.

HOME BUSINESS/OFFICE: HOME BUSINESS/OFFICES ARE ALLOWED IF THEY ARE NOT VISIBLE AND DO NOT DISRUPT THEIR NEIGHBORS WITH SIGNAGE, TRAFFIC OR DELIVERIES, AS SET FORTH IN THE COVENANTS.

HOUSEHOLD PETS: NO ANIMALS, LIVESTOCK, BIRDS, POULTRY, REPTILES OR INSECTS OF ANY KIND SHALL BE RAISED, BRED, KEPT OR BOARDED IN THE PROPERTY; PROVIDED, HOWEVER, THAT THE OWNERS AND RESIDENTS OF EACH LOT MAY KEEP A REASONABLE NUMBER OF BONA FIDE HOUSEHOLD PETS (INCLUDING DOGS, CATS OR OTHER DOMESTIC ANIMALS), SO LONG AS SUCH PETS ARE NOT KEPT FOR ANY COMMERCIAL PURPOSE, INCLUDING BREEDING AND ARE NOT KEPT IN SUCH NUMBER OR IN SUCH MANNER AS TO CREATE A NUISANCE TO ANY RESIDENT OF THE PROPERTY.

LANDSCAPING: LANDSCAPING PLANS MUST BE APPROVED BY THE ACC PRIOR TO INSTALLATION. ONCE THE LANDSCAPING PLAN HAS BEEN APPROVED, NO ALTERATIONS CAN BE MADE UNLESS APPROVED BY THE ACC. PLANS SHALL DEPICT TYPES AND LOCATIONS OF: FENCING, DECKS, PLAYING AREAS, SOD, SEEDED AREAS, EDGING, RETAINING WALLS, ROCK AREAS, SPRINKLER SYSTEMS, FLOWER BEDS/GARDENS, OTHER PLANTING BEDS, MULCH AREAS, LANDSCAPE LIGHTING AND ANY OTHER COMPONENTS OF THE PROPOSED PLAN. OWNERS OF A LOT MUST MAINTAIN THE BUILDER INSTALLED TREE(S) SHOWN ON THE LANDSCAPE PLAN FOR PARKSIDE. OWNERS OF A LOT ADJACENT TO A STREET TREE LAWN ARE REQUIRED TO PLANT AND MAINTAIN GRASS OR GROUNDCOVER OF A TYPE APPROVED BY THE ACC IN THE ADJACENT STREET TREE LAWN ABUTTING THE LOT AND SHALL INSTALL (INCLUDING BORING UNDER THE SIDEWALK) AND MAINTAIN AN UNDERGROUND SPRINKLER SYSTEM. LOT OWNERS ARE RESPONSIBLE FOR REPLACING DEAD OR DISEASED TREES. NO MORE THAN 40% OF THE FRONT YARD LANDSCAPING SHALL BE NON-LIVING MATERIALS, UNLESS OTHERWISE APPROVED BY THE ACC. EACH OWNER SHALL INSTALL LANDSCAPING ON THEIR LOT WITHIN ONE HUNDRED EIGHTY (180) DAYS AFTER ACQUISITION OF SUCH LOT BY SUCH OWNER IF SAID ACQUISITION OCCURS BETWEEN APRIL 1 AND OCTOBER 1; IF SAID ACQUISITION DOES NOT OCCUR BETWEEN SUCH DATES, THEN SUCH LANDSCAPING SHALL BE INSTALLED BY SUCH OWNER BY THE FOLLOWING OCTOBER 1. THE ACC MAY REQUEST ADDITIONAL INFORMATION AND/OR RESUBMITTAL, AS IT DEEMS APPROPRIATE. SPRINKLER SYSTEMS MUST BE INSTALLED TO IRRIGATE LANDSCAPING IN THE FRONT LAWN. WEEDS ON ALL LOTS (INCLUDING, WITHOUT LIMITATION, LOTS OWNED BY BUILDERS) SHALL BE KEPT MOWED/CUT (WEEDS MUST BE MOWED/CUT WHEN THEY EXCEED 4 INCHES IN HEIGHT).

LATTICE WORK: LATTICE WORK SHALL REQUIRE PRIOR ACC APPROVAL. ANY LATTICE WORK SHALL BE INCORPORATED WITHIN THE "GENERAL" LANDSCAPING THEME AND MUST BE MAINTAINED IN GOOD CONDITION AND APPEARANCE. LATTICE MAY NOT BE ATTACHED TO ANY FENCING. LATTICEWORK IS PERMITTED ON REAR DECKS OR TRELLISES BUT SHALL NOT BE PERMITTED ON THE FRONT ELEVATION OF THE LOT/HOME.

LIGHTS AND LIGHTING: LIGHTS AND LIGHTING SHALL BE OF CONVENTIONAL STYLE WITH ILLUMINATION PATTERNS WHICH DO NOT CAUSE A NUISANCE TO NEIGHBORING PROPERTIES. ALL EXTERIOR LIGHTING SHALL BE A "DARK SKY" STANDARD AND NO FLOODLIGHTS MAY BE UTILIZED. LIGHT/LIGHTING FOR USE IN LANDSCAPING SHALL REQUIRE PRIOR ACC APPROVAL.

ORNAMENTS: ORNAMENTS, SUCH AS FOUNTAINS, STATUARY, ARTIFICIAL PLANTS, WAGON WHEELS OR EQUIPMENT, OR OTHER ORNAMENTAL FEATURES COMMONLY KNOWN AS "YARD ART" SHALL NOT BE PLACED OR ALLOWED TO REMAIN WHERE VISIBLE FROM STREETS UNLESS THE SAME HAVE BEEN APPROVED BY THE ACC. THE ACC MAY REQUIRE REMOVAL OF ANY ORNAMENTAL FEATURE PLACED IN THE FRONT YARD WHICH IS NOT IN KEEPING WITH COMMUNITY STANDARDS FOR GOOD TASTE AND ARCHITECTURAL INTEGRITY.

PAINTING: EXTERIOR PAINTING OF RESIDENCES WILL BE KEPT IN GOOD CONDITION AND IN THE COLOR APPROVED WITH THE ORIGINAL CONSTRUCTION SUBMITTAL. COLOR CHANGES THEREAFTER MUST BE PRIOR APPROVED BY THE ACC NO TWO ADJOINING HOMES MAY HAVE THE IDENTICAL PAINT COLOR SCHEME. COLORS SHOULD BE PREDOMINATELY EARTH TONES.

PATIO COVERINGS: PATIO COVERINGS MUST BE APPROVED BY ACC. THEY MUST BE CONSTRUCTED OF WOOD OR MATERIALS GENERALLY RECOGNIZED AS COMPLEMENTARY TO THE RESIDENCE AND MUST BE SIMILAR OR GENERALLY RECOGNIZED AS COMPLEMENTARY IN COLOR TO THE PRIMARY RESIDENCE COLOR.

PAVING: PAVING CAN BE PERFORMED WITH A VARIETY OF MATERIALS AND USED TO ENHANCE THE RESIDENT LANDSCAPING OR TO CREATE PATIO AREAS, WALKWAYS, STOOPS, PORCHES, LANDSCAPING TRIM, ETC. APPROVED PAVING MATERIALS ARE AS FOLLOWS: NEUTRAL TONE CONCRETE, FLAGSTONE, STEPPING STONES, PRE-CAST PATTERNED OR EXPOSED AGGREGATE CONCRETE PAVERS, AND COLORED OR NATURAL ROCK. ALL MATERIAL MUST BE INSTALLED/LOCATED SO AS NOT TO BLOCK ANY EXISTING DRAINAGE PATTERN OF THE LOT. ALL PAVING WILL REQUIRE PRIOR ACC APPROVAL.

PLAY AND SPORTS EQUIPMENT: PLAY AND SPORTS EQUIPMENT REQUIRES PRIOR ACC APPROVAL. IN GENERAL, ALL PLAY EQUIPMENT, TRAMPOLINES AND OTHER SPORTS EQUIPMENT SHALL ONLY BE ALLOWED IN THE REAR OF A RESIDENCE AND THE ACC MAY REQUIRE REASONABLE SCREENING FROM THE STREET.

PLAYHOUSES: PLAYHOUSES REQUIRE PRIOR ACC APPROVAL. PLAYHOUSES SHALL NOT EXCEED 8' IN HEIGHT AT THE PEAK, SHALL HAVE NO MORE THAN 100 SQUARE FEET OF INTERIOR FLOOR SPACE, AND SHALL BE LOCATED IN THE REAR YARD OF THE RESIDENCE. BASIC DESIGN, MATERIALS, COLORS AND ROOF MATERIALS MUST MATCH THE RESIDENCE. PLAYHOUSES ARE TO BE INCORPORATED INTO, AND AT LEAST PARTIALLY SCREENED BY, LANDSCAPING AND SHOULD NOT UNREASONABLY OBSTRUCT ADJACENT NEIGHBOR'S CORRIDOR VIEWS.

POOLS: ALL SWIMMING POOLS SHALL REQUIRE PRIOR ACC APPROVAL. MOVEABLE SMALL CHILDREN TYPE (12' IN DIAMETER OR LESS AND 18" IN DEPTH OR LESS) SWIMMING POOLS NEED NOT RECEIVE ACC APPROVAL. SWIMMING POOLS MAY BE LOCATED ONLY IN THE REAR OF RESIDENCE AND MUST BE AN INTEGRAL PART OF THE DECK OR PATIO AREA. THEY SHOULD BE LOCATED IN SUCH A WAY THAT THEY ARE NOT IMMEDIATELY VISIBLE TO ADJACENT PROPERTY OWNERS.

RECREATION VEHICLES/ CAMPERS: RECREATIONAL VEHICLES AND/OR CAMPERS SHALL NOT BE PARKED ON THE STREETS OF THE PROPERTY OR STORED ON ANY LOT UNLESS FULLY CONTAINED WITHIN A GARAGE. NOTWITHSTANDING THE FOREGOING, RECREATIONAL VEHICLES/CAMPERS MAY BE PARKED UPON THE DRIVEWAY OF THE LOT OF UPON THE STREET IMMEDIATELY ADJACENT TO THE LOT FOR A PERIOD NOT TO EXCEED 48 CONTINUOUS HOURS AT A TIME; AND NO SUCH PARKING SHALL BE ALLOWED WHICH EXCEEDS MORE THAT A TOTAL OF SIX DAYS DURING A 30 DAY PERIOD.

RETAINING WALLS: RETAINING WALLS REQUIRE PRIOR APPROVAL OF ACC. RETAINING WALLS MAY BE USED TO ACCOMMODATE OR CREATE ABRUPT CHANGES IN GRADE. SUCH WALLS SHOULD BE PROPERLY ANCHORED TO WITHSTAND OVERTURNING FORCES. STONE WALLS SHOULD BE MADE THICKER AT THE BOTTOM THAN AT THE TOP TO ACHIEVE STABILITY. TO AVOID DESTRUCTIVE FREEZE-THAW ACTION, ALL RETAINING WALLS SHOULD INCORPORATE WEEP HOLES INTO THE WALL DESIGN TO PERMIT WATER TRAPPED BEHIND THEM TO BE RELEASED. WALLS SHALL NOT BE LOCATED SO AS TO ALTER THE EXISTING DRAINAGE PATTERNS, AND SHALL PROVIDE FOR ADEQUATE DRAINAGE OVER OR THROUGH (BY MEANS OF WEEP HOLES) THE WALL STRUCTURE.

ROOFING: THE STANDARD ROOFING WILL BE A "WEATHERED WOOD" ASPHALT WITH A MINIMUM MANUFACTURER'S WARRANTY OF 25 YEARS OR MORE. ALL ROOFING MATERIALS SHALL BE A NEUTRAL, EARTH TONE COLOR EXCEPT THAT NO ALL-WHITE OR DARK BLACK ROOFING WILL BE ALLOWED.

ROOF TOP EQUIPMENT: NO ROOF TOP EQUIPMENT IS ALLOWED (SEE ALSO "AIR CONDITIONING EQUIPMENT" AND "ANTENNAE"). LIGHTING ROD(S) ARE PERMISSIBLE. DECORATIVE ROOF MOUNTED WEATHER VANES REQUIRE PRIOR ACC APPROVAL.

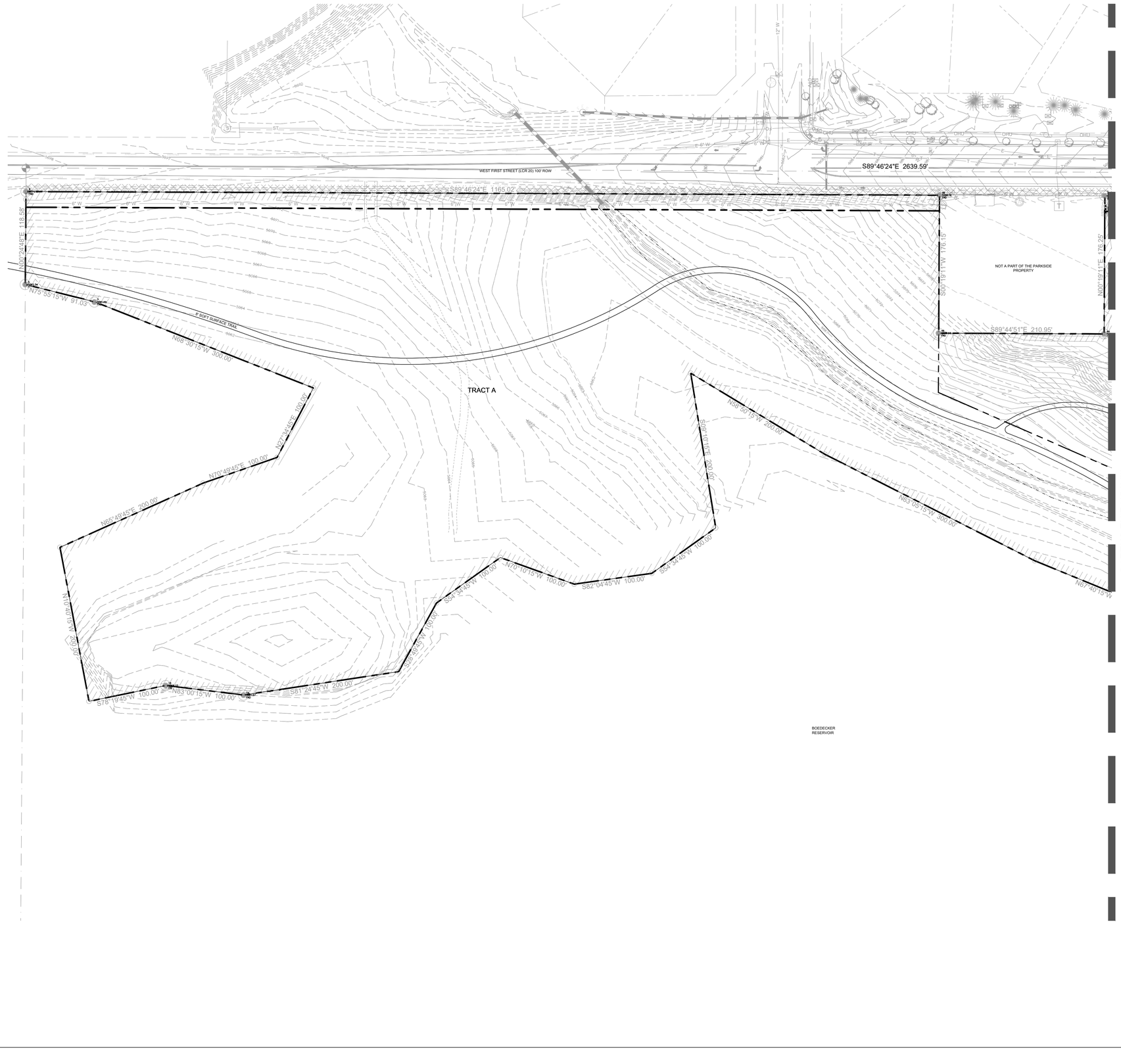
SATELLITE DISHES: MICROWAVE AND/OR SATELLITE TELEVISION DISHES ARE PERMITTED AS LONG AS THEY ARE MOUNTED OR PLACED ON THE SIDE OR REAR OF RESIDENCE WITH PRIOR APPROVAL BY ACC AND ARE APPROPRIATELY SCREENED, OR ARCHITECTURALLY INTEGRATED INTO RESIDENCE

SETBACKS: THE FOLLOWING ARE THE FRONT, SIDE AND REAR YARD SETBACKS FOR LOTS WITHIN PARKSIDE:

1. FRONT YARD SETBACKS SHALL BE 15 FEET FOR THE MAIN STRUCTURE AND 20' FOR GARAGE DOORS. ENCLOSED PATIOS, FRONT PORCHES AND COURTYARDS SHALL ALL BE CONSIDERED AS MAIN STRUCTURE ELEMENTS.
2. SIDE YARD SETBACK WILL BE FIVE (5) FEET, WITH A MINIMUM SEPARATION OF TEN (10) FEET BETWEEN DWELLINGS.
3. REAR YARD SETBACK WILL BE 15 FEET, EXCEPT FOR LOTS THAT ABUT COMMON AREA IN THE REAR, IN WHICH CASE THE REAR YARD SETBACK WILL BE 10 FEET.

STREET TREES: STREET TREE REQUIREMENTS SHALL BE THE PLANS AND SPECIFICATIONS PREPARED BY TB GROUP, A LANDSCAPE ARCHITECTURAL FIRM LOCATED AT 444 MOUNTAIN AVENUE, BERTHOUD, COLORADO 80513.

1. THE OVERALL SITE AND LANDSCAPE PLAN FOR PARKSIDE IS PROVIDED WITHIN THE APPROVAL DOCUMENTS AS REQUIRED BY THE PRELIMINARY AND FINAL DEVELOPMENT PLANS FOR THE COMMUNITY. IN ACCORDANCE WITH SUCH PLAN, THERE ARE TREES REQUIRED TO BE INSTALLED BY THE DEVELOPER IN COMMON AREAS OF PARKSIDE, AND ADDITIONAL TREES TO BE INSTALLED BY THE CONTRACTOR IN THE STREET RIGHT OF WAY ADJACENT TO CONTRACTOR LOTS PRIOR TO THE CERTIFICATE OF OCCUPANCY FOR ANY RESIDENCE. DUE TO THE FRONT YARD DEPTH AND THE SIZE OF LOTS IN PARKSIDE, ONLY ORNAMENTAL TREES WILL BE ALLOWED IN FRONT YARD AREAS.
2. CERTAIN ASPECTS OF THE STREET TREE REQUIREMENTS REQUIRE SPEC



0 60' 90' 120' NORTH

SCALE 1" = 60'-0"

TB GROUP
landscape architecture | planning | illustration

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SEAL

PROJECT TITLE

PARKSIDE FIRST SUBDIVISION

LOVELAND, CO

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FORT COLLINS,CO. 80525
(970) 685-1575
CONTACT: KENNETH MITCHELL

REVISIONS	DATE
Staff Comments	4.18.17

DATE:

NOVEMBER 21, 2016

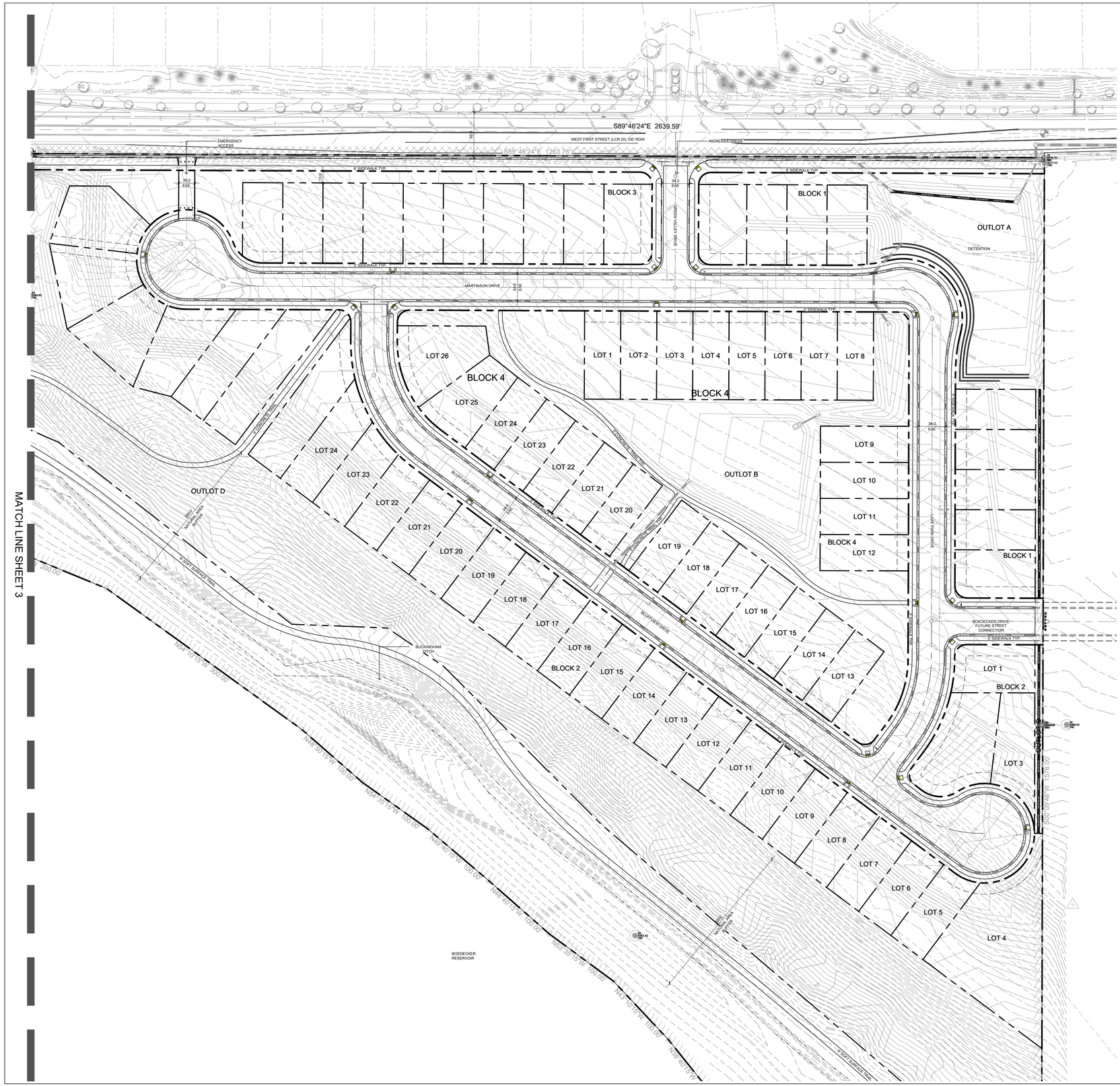
SHEET TITLE

Site Plan

SHEET INFORMATION

Sheet Number: 3

PC ATTACHMENT F



0 60' 90' 120' NORTH

SCALE 1" = 60'-0"

TB GROUP
landscape architecture | planning | illustration

444 Mountain Ave, Berthoud,CO 80513 | TEL 970.532.5891 WEB TBGroup.us

SEAL

PROJECT TITLE

PARKSIDE FIRST SUBDIVISION

LOVELAND, CO

PREPARED FOR

Boedecker Partners, LLC.

1021 NIGHTINGALE DRIVE
FORT COLLINS,CO. 80525
(970) 685-1575
CONTACT: KENNETH MITCHELL

REVISIONS	DATE
Staff Comments	4.18.17

DATE

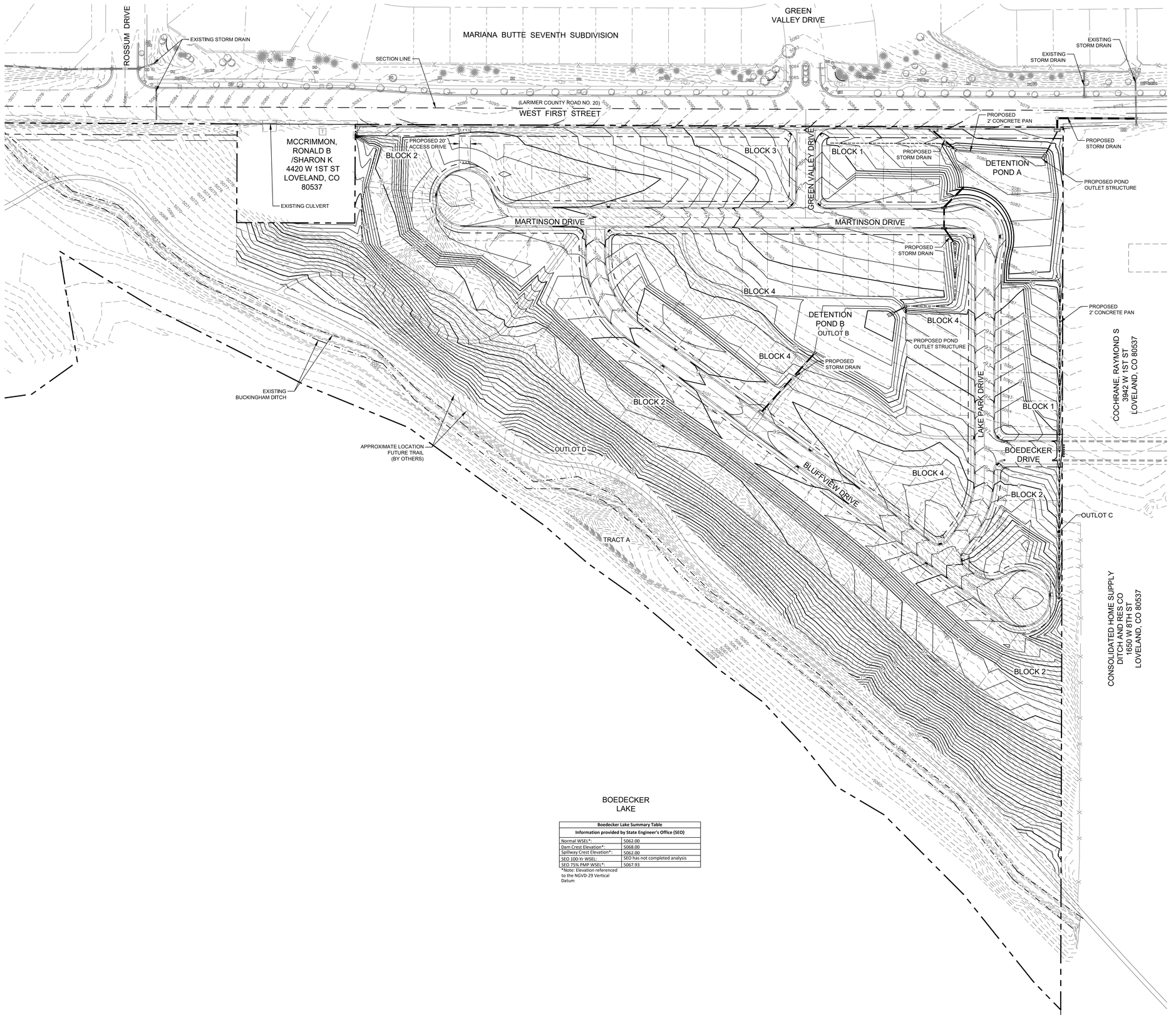
NOVEMBER 21, 2016

SHEET TITLE

Site Plan

SHEET INFORMATION

Sheet Number: 4



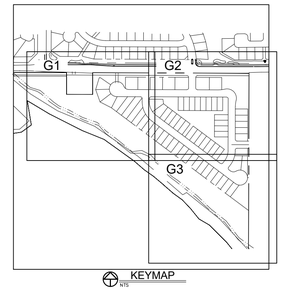
Boedecker Lake Summary Table	
Information provided by State Engineer's Office (SEO)	
Normal WSEL*:	5062.00
Dam Crest Elevation*:	5068.00
Spillway Crest Elevation*:	5062.00
SEO 100-Yr WSEL:	SEO has not completed analysis
SEO 75% PMP WSEL*:	5067.93

*Note: Elevation referenced to the NGVD-29 Vertical Datum

NORTH

80 0 80 160 240 Feet

(IN FEET)
1 inch = 80 ft.



KEYMAP

LEGEND:

- EXISTING STORM SEWER
- PROPOSED STORM SEWER
- PROPOSED STORM INLET
- PROPOSED CONTOUR — 93
- EXISTING CONTOUR — 5013
- PROPOSED SWALE
- PROPOSED CURB & GUTTER
- PROPERTY BOUNDARY
- EXISTING LOT LINE
- EXISTING RIGHT OF WAY
- PROPOSED LOT LINE
- PROPOSED RIGHT OF WAY
- PROPOSED SPOT ELEVATION — 53.43 (47.45)
- EXISTING SPOT ELEVATION
- PROPOSED SLOPES — 2.0%
- PROPOSED CONCRETE CROSS PAN (TYP.)
- LOT TYPE — A

NOTES:

1. THE SIZE, TYPE AND LOCATION OF ALL KNOWN UNDERGROUND UTILITIES ARE APPROXIMATE WHEN SHOWN ON THESE DRAWINGS. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE EXISTENCE OF ALL UNDERGROUND UTILITIES IN THE AREA OF THE WORK. BEFORE COMMENCING NEW CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ALL UNDERGROUND UTILITIES AND SHALL BE RESPONSIBLE FOR FOR ALL UNKNOWN UNDERGROUND UTILITIES.
2. REFER TO THE PLAT FOR LOT AREAS, TRACT SIZES, EASEMENTS, LOT DIMENSIONS, UTILITY EASEMENTS, OTHER EASEMENTS, AND OTHER SURVEY INFORMATION.
3. ALL PROJECT DATA IS ON VERTICAL DATUM CITY OF LOVELAND 1995 LEVEL NET SURVEY ELEVATION (NGVD 29). SEE COVER SHEET FOR BENCHMARK REFERENCES.
4. ALL CURB SPOTS SHOWN ARE FLOWLINE ELEVATIONS. ALL OTHER SPOTS ARE FINISHED GRADE ELEVATIONS.

CALL UTILITY NOTIFICATION CENTER OF COLORADO
811
Know what's below. Call before you dig.
CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

No.	Revisions:	Date:
	REVIEW SET NOT FOR CONSTRUCTION	04/18/17

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

PROJECT: 987-004	DESIGNED BY: A. Reese	DRAWN BY: B. Ruch
DATE: APR. 18, 2017	SCALE: 1"=80'	REVIEWED BY: N. Howe

PARKSIDE FIRST SUBDIVISION

OVERALL GRADING PLAN

Sheet 5 Of 10 Sheets

PC ATTACHMENT F

DRAWING FILENAME: D:\Projects\987-004\dwg\Grad\987-004_OGRAD.dwg LAYOUT NAME: PDF-01 DATE: Apr 18, 2017 - 9:48am CAD OPERATOR: ben
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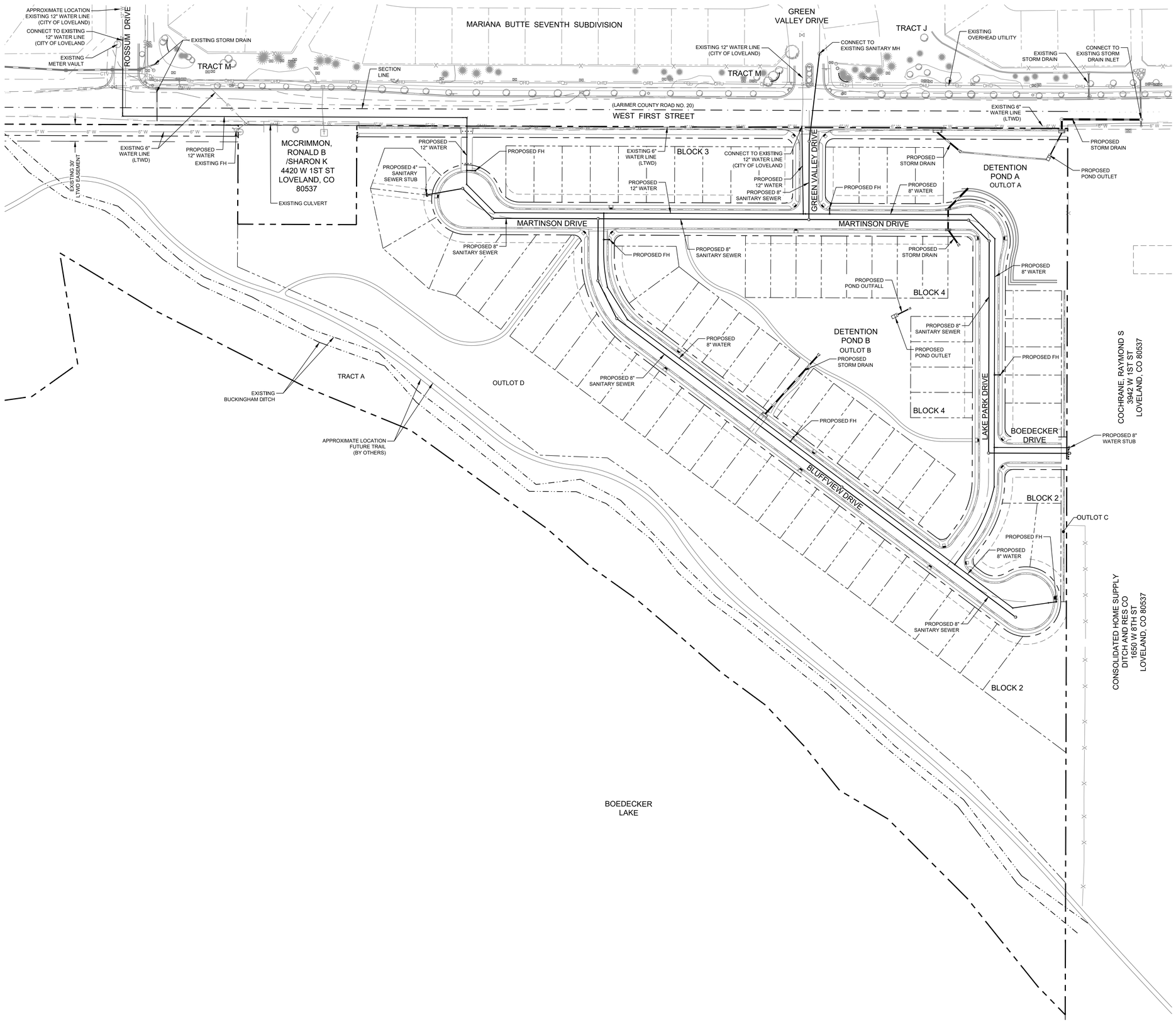

NORTH

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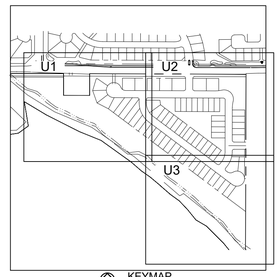

KEYMAP

LEGEND:

- PROPOSED WATER MAIN
- EXISTING WATER MAIN
- PROPOSED SANITARY SEWER
- EXISTING SANITARY SEWER
- PROPOSED SEWER SERVICE
- PROPOSED WATER SERVICE
- PROPOSED FIRE HYDRANT
- EXISTING FIRE HYDRANT
- PROPOSED STORM SEWER
- EXISTING STORM SEWER
- EXISTING TELEPHONE
- EXISTING GAS
- PROPOSED CURB & GUTTER
- PROPERTY BOUNDARY
- EXISTING LOT LINE
- PROPOSED LOT LINE
- EASEMENT LINE
- PROPOSED STORM INLET
- PROPOSED STREET LIGHT
- EXISTING TELEPHONE PEDESTAL
- EXISTING TREES

NOTES:

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2. ALL WATER & WASTEWATER CONSTRUCTION SHALL BE PER CITY OF LOVELAND STANDARDS, LATEST EDITION.
3. ALL WATER FITTINGS AND VALVES ARE ONLY GRAPHICALLY REPRESENTED AND ARE NOT TO SCALE.
4. ALL WATERLINES SHALL HAVE A MINIMUM COVER OF 4.5' AND MAXIMUM COVER OF 6' FROM FINISHED GRADE TO TOP OF PIPE.
5. UTILITY SERVICES ARE SHOWN IN A SCHEMATIC FASHION ONLY. EXACT LOCATIONS SHALL BE PER THE REQUIREMENTS OF THE RESPECTIVE UTILITY PROVIDERS, AND ARE SUBJECT TO CHANGE IN THE FIELD.
6. MAINTAIN 10' HORIZONTAL AND 18" VERTICAL MINIMUM SEPARATION BETWEEN ALL SANITARY SEWER MAINS, WATER MAINS & SERVICES.
7. REFER TO THE PLAT FOR LOT AREAS, TRACT SIZES, EASEMENTS, LOT DIMENSIONS, UTILITY EASEMENTS, OTHER EASEMENTS, AND OTHER SURVEY INFORMATION.
8. LIMITS OF STREET CUT ARE APPROXIMATE. FINAL LIMITS ARE TO BE DETERMINED IN THE FIELD BY THE CITY ENGINEERING INSPECTOR. ALL REPAIRS TO BE IN ACCORDANCE WITH CITY STREET REPAIR STANDARDS.
9. ALL MANHOLE RIM ELEVATIONS (EXISTING & PROPOSED) ARE TO BE ADJUSTED TO ¼" BELOW FINISHED GRADE. IF NECESSARY, CONE SECTIONS SHALL BE ROTATED TO PREVENT LIDS BEING LOCATED WITHIN VEHICLE OR BICYCLE WHEEL PATHS.
10. ALL WATER SERVICES SHALL BE ¾" UNLESS OTHERWISE NOTED.
11. ALL SANITARY SEWER SERVICES SHALL BE 4" UNLESS OTHERWISE NOTED.

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No.	Revisions:	By:	Date:
	REVIEW SET NOT FOR CONSTRUCTION		04/18/17

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PHONE: 970.221.4158
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NE
301 North Howes Street, Suite 100
Fort Collins, Colorado 80521

PROJECT: 987-004	DATE: APR. 18, 2017	REVIEWED BY: N. Haws
DESIGNED BY: A. Reese	SCALE: 1"=80'	
DRAWN BY: B. Ruch		

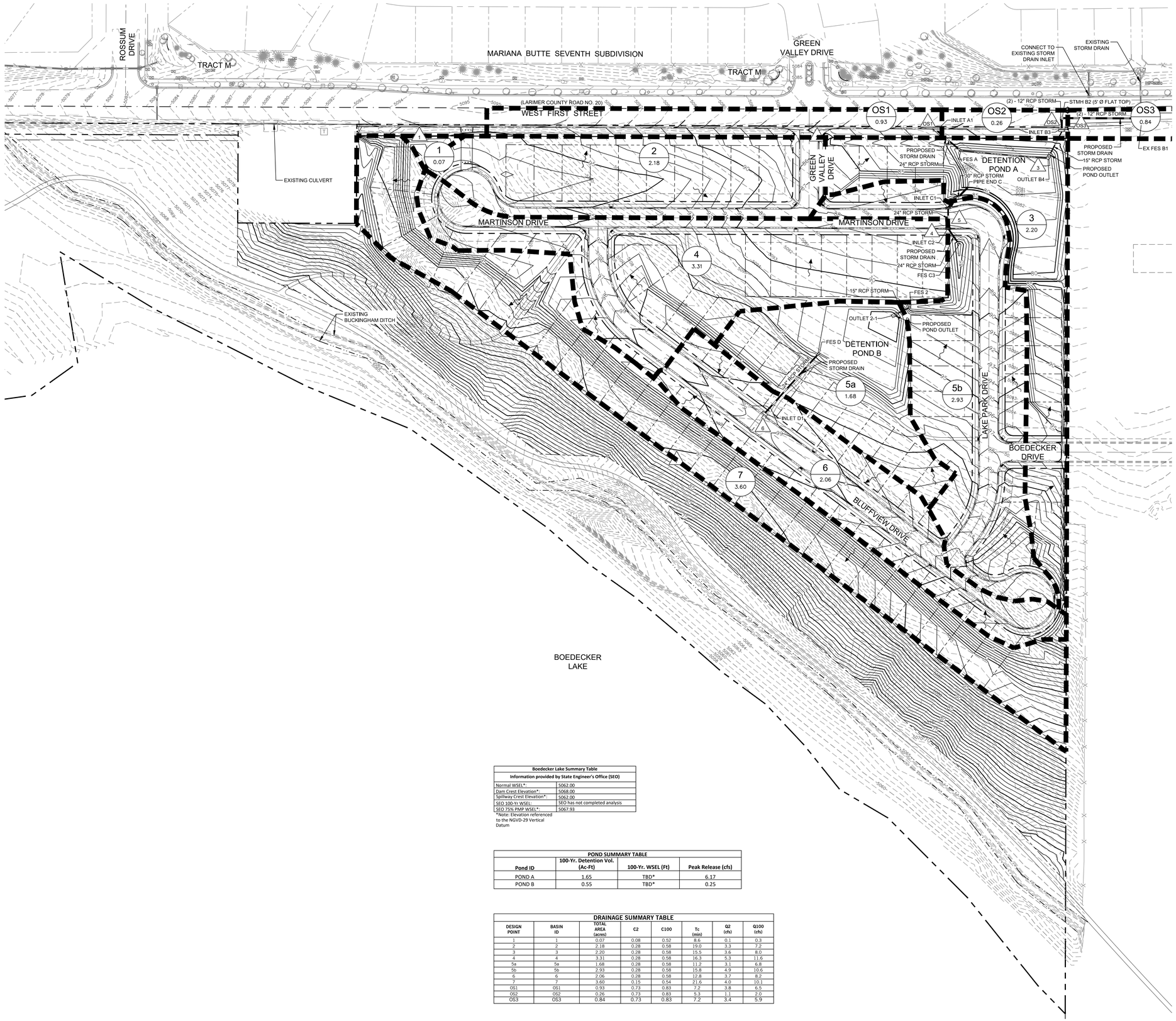
PARKSIDE FIRST SUBDIVISION

OVERALL UTILITY PLAN

Sheet 6 Of 10 Sheets

PC ATTACHMENT F

DRAWING FILENAME: D:\Projects\987-004\Dwg\Util\987-004_OUTL.dwg LAYOUT NAME: PSP-OU1 DATE: Apr 18, 2017 - 9:48am CAD OPERATOR: ben
LIST OF XREFS: [987-004_ADST] [987-004_dSTE] [987-004_xUTIL] [987-004_xUTL-Hwy] [987-004_xETAP] [987-004_xADJ] [987-004 X-PAVOL] [NES-Border]



NORTH

80 0 80 160 240 Feet

(IN FEET)
1 inch = 80 ft.

LEGEND:

- PROPOSED STORM SEWER
- PROPOSED INLET
- PROPOSED CONTOUR (93)
- EXISTING CONTOUR (4953)
- PROPOSED SWALE
- PROPOSED CURB & GUTTER
- PROPERTY BOUNDARY
- DESIGN POINT (A)
- FLOW ARROW
- DRAINAGE BASIN LABEL (BASIN DESIGNATION A, 0.22 BASIN AREA (AC))
- DRAINAGE BASIN BOUNDARY
- PROPOSED SWALE SECTION (1 : 1)

NOTES:

1. REFER TO THE "PRELIMINARY DRAINAGE REPORT FOR PARKSIDE FIRST SUBDIVISION, DATED APRIL 18, 2017" FOR ADDITIONAL INFORMATION.

INLET SCHEDULE:

INLET ID	INLET TYPE
A1	20-FT Type R
B3	10-FT Type R
C1	Double Combination
C2	Double Combination
D1	10-FT Type R

Boedecker Lake Summary Table

Information provided by State Engineer's Office (SEO)	
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Dam Crest Elevation*:	5068.00
Spillway Crest Elevation*:	5062.00
SEO 100-Yr WSEL:	SEO has not completed analysis
SEO 75% PMP WSEL*:	5067.93

*Note: Elevation referenced to the NGVD-29 Vertical Datum

POND SUMMARY TABLE

Pond ID	100-Yr. Detention Vol. (Ac-Ft)	100-Yr. WSEL (Ft)	Peak Release (cfs)
POND A	1.65	TBD*	6.17
POND B	0.55	TBD*	0.25

DRAINAGE SUMMARY TABLE

DESIGN POINT	BASIN ID	TOTAL AREA (acres)	C2	C100	Tc (min)	Q2 (cfs)	Q100 (cfs)
1	1	0.07	0.08	0.52	8.6	0.1	0.3
2	2	2.18	0.28	0.58	19.0	3.3	7.2
3	3	2.20	0.28	0.58	15.5	3.6	8.0
4	4	3.31	0.28	0.58	16.3	5.3	11.6
5a	5a	1.68	0.28	0.58	11.2	3.1	6.8
5b	5b	2.93	0.28	0.58	15.8	4.9	10.6
6	6	2.06	0.28	0.58	12.8	3.7	8.2
7	7	3.60	0.15	0.54	21.6	4.0	10.1
OS1	OS1	0.93	0.73	0.83	7.2	3.8	6.5
OS2	OS2	0.26	0.73	0.83	5.3	1.1	2.0
OS3	OS3	0.84	0.73	0.83	7.2	3.4	5.9

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DATE: APR. 18, 2017
SCALE: 1"=80'
REVIEWED BY: N. Haws

PARKSIDE FIRST SUBDIVISION

DRAINAGE EXHIBIT

Sheet 7 Of 10 Sheets

PC ATTACHMENT F

DRAWING FILENAME: D:\Projects\987-004\Dwg\Drng\987-004_DRNG.dwg [LAYOUT NAME: PSP-DR1 DATE: Apr 18, 2017 - 9:50am CAD OPERATOR: ben
LIST OF XREFS: [987-004_ultb] [987-004_ultb] [987-004_xLEGS] [987-004_xBASE] [987-004_xSITE] [987-004_xTOPO] [987-004_xAS1] [NES-standard]

PLANT LIST

KEY	QTY	DEVELOPER QTY	BUILDER QTY	RATIO	COMMON NAME	BOTANICAL NAME	HEIGHT	WIDTH	SIZE	INSTALLATION NOTES
SHADE / CANOPY TREES -				**172**						
	27	8	19	9.4%	CATALPA	Catalpa speciosa	60'	50'	2" cal. BB	BALANCED, WELL BRANCHED W/ STRAIGHT TRUNK & CENTRAL LEADER
	30	19	11	11.9%	COFFEETREE, KENTUCKY	Gymnocladus dioicus	60'	50'	2" cal. BB	BALANCED, WELL BRANCHED W/ STRAIGHT TRUNK & CENTRAL LEADER
	25	7	18	8.7%	HACKBERRY, WESTERN	Celtis occidentalis	60'	50'	2" cal. BB	BALANCED, WELL BRANCHED W/ STRAIGHT TRUNK & CENTRAL LEADER
	25	7	18	8.7%	HONEYLOCUST, IMPERIAL	Gleditsia triacanthos inermis 'Imperial'	35'	35'	2" cal. BB	BALANCED, WELL BRANCHED W/ STRAIGHT TRUNK & CENTRAL LEADER
	32	11	21	11.1%	LINDEN, REDMOND	Tilia americana 'Redmond'	50'	40'	2" cal. BB	BALANCED, WELL BRANCHED W/ STRAIGHT TRUNK & CENTRAL LEADER
	33	14	19	11.5%	OAK, BUR	Quercus macrocarpa	60'	50'	2" cal. BB	BALANCED, WELL BRANCHED W/ STRAIGHT TRUNK & CENTRAL LEADER
EVERGREEN TREES -				**79**						
	24	24	0	8.4%	SPRUCE, FASTIGIATE NORWAY	Picea abies 'Cupressina'	15'	6'	6' BB	FULL SPECIMEN, EVENLY AND WELL BRANCHED W/ STRAIGHT TRUNK & TOP LEADER
	12	12	0	4.2%	SPRUCE, COLORADO BLUE	Picea pungens glauca	40'	30'	6' BB	FULL SPECIMEN, EVENLY AND WELL BRANCHED W/ STRAIGHT TRUNK & TOP LEADER
	27	27	0	9.4%	SPRUCE, BAKERI	Picea pungens 'Bakeri'	35'	15'	6'BB	FULL SPECIMEN, EVENLY AND WELL BRANCHED W/ STRAIGHT TRUNK & TOP LEADER
	16	16	0	5.6%	PINE, PONDEROSA	Pinus ponderosa	60'	25'	6' BB	FULL SPECIMEN, EVENLY AND WELL BRANCHED W/ STRAIGHT TRUNK & TOP LEADER
ORNAMENTAL TREES -				**36**						
	11	11	0	3.8%	CRABAPPLE, CARDINAL	Malus 'Cardinal'	15'	20'	1.5" cal. BB	BALANCED, WELL BRANCHED W/ STRAIGHT TRUNK & CENTRAL LEADER
	10	10	0	3.5%	LILAC, JAPANESE	Syringa reticulata	20'	20'	1.5" cal. BB	BALANCED, WELL BRANCHED W/ STRAIGHT TRUNK & CENTRAL LEADER
	15	15	0	5.2%	SERVICEBERRY, AUTUMN BRILLANCE	Amelanchier grandiflora 'Autumn Brillance'	20'	20'	1.5" cal. BB	BALANCED, WELL BRANCHED W/ STRAIGHT TRUNK & CENTRAL LEADER
DECIDUOUS SHRUBS -				**56**						
	12	12	0	-	BUTTERFLY BUSH, COMPACT PURPLE	Buddleja davidii nahoensis Petite Plum	5'	5'	5 Gallon	24" (h) FULL SPECIMEN, EVENLY AND WELL BRANCHED
	19	19	0	-	DOGWOOD, REDTWIG	Cornus baileyi	4'	4'	5 Gallon	24" (h) FULL SPECIMEN, EVENLY AND WELL BRANCHED
	13	13	0	-	LILAC, DWARF KOREAN	Syringa meyeri 'Palibin'	4'	4'	5 Gallon	24" (h) FULL SPECIMEN, EVENLY AND WELL BRANCHED
	12	12	0	-	SPIREA, BLUE MIST	Caryopteris x clandonensis 'Blue Mist'	4'	3'	5 Gallon	24" (h) FULL SPECIMEN, EVENLY AND WELL BRANCHED
PERENNIALS / GRASSES -				**87**						
	47	47	0	-	HYSSOP, SONORAN SUNSET	Agastache cana Sonoran Sunset	15"	15"	1 Gallon	WELL ROOTED AND ESTABLISHED
	40	40	0	-	GRASS, HEAVY METAL BLUE SWITCH	Panicum virgatum 'Heavy Metal'	3'	18"	1 Gallon	WELL ROOTED AND ESTABLISHED

NOTES:

THE PLANT LIST ABOVE ILLUSTRATES TYPICAL LANDSCAPE PLANTINGS THAT MAY BE INCLUDED WITH THE PARKSIDE VILLAGE LANDSCAPE PLAN. THE FINAL LANDSCAPE PLANT LIST MAY VARY.

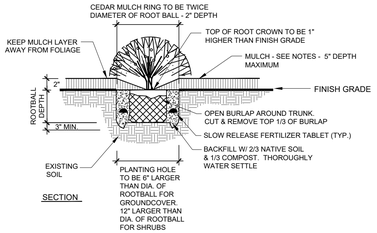
LANDSCAPE NOTES

1. LANDSCAPE CONTRACTOR MUST CONTACT CITY OF LOVELAND AND RECREATION DEPARTMENT PRIOR TO PLANTING IN ORDER FOR CITY TO VERIFY PROPER PLANTING.
2. CONTRACTOR SHALL ENSURE THAT THE LANDSCAPE PLAN IS COORDINATED WITH THE PLANS DONE BY OTHER CONSULTANTS SO THAT THE PROPOSED GRADING, STORM DRAINAGE, OR OTHER CONSTRUCTION DOES NOT CONFLICT NOR PRECLUDE INSTALLATION AND MAINTENANCE OF LANDSCAPE ELEMENTS ON THIS PLAN.
3. JOB SITE TO BE KEPT CLEAN AT ALL TIMES AND CONSTRUCTION AREAS ARE TO BE MAINTAINED FOR SAFETY.
4. SOILS DISTURBED ADJACENT TO WORK AREA, INCLUDING AREAS OUTSIDE OF CONSTRUCTION LIMITS, DUE TO NEW CONSTRUCTION ARE TO BE REGRADED AND SURFACE CONDITIONS REPAIRED EQUIVALENT TO THAT CONDITION PRIOR TO START OF WORK.
5. PROTECT EXISTING SURFACES AND SOILS, BOTH INSIDE AND OUTSIDE OF CONSTRUCTION LIMITS, DURING CONSTRUCTION. IF GRADES, CONCRETE OR ASPHALT ARE DAMAGED DUE TO CONSTRUCTION OPERATIONS OR WEATHER THE CONTRACTOR IS RESPONSIBLE FOR REPAIR TO THAT EQUIVALENT TO EXISTING CONDITIONS AT NO EXPENSE TO THE OWNER / CITY.
6. CONTRACTOR IS RESPONSIBLE FOR SETUP OF BARRICADES, WARNING SIGNAGE, OR OTHER PROTECTIVE DEVICES IF ANY EXCAVATIONS ARE LEFT EXPOSED AFTER ON-SITE WORK HOURS.
7. THE CONTRACTOR SHALL NOT PURPOSEFULLY PROCEED WITH ANY CONSTRUCTION PER PLANS PROVIDED WHEN OBSTRUCTIONS AND/OR GRADE DIFFERENCES EXIST THAT WERE NOT CONSIDERED OR CHANGED AFTER PLANS WERE SUBMITTED. CONTRACTOR SHALL NOTIFY OWNER OR OWNER'S REPRESENTATIVE AND THE CITY OF LOVELAN IF SITUATION ARISES AND REVISIONS ARE NECESSARY.
8. THE CONTRACTOR SHALL PREVENT SEDIMENT, DEBRIS AND OTHER POLLUTANTS FROM ENTERING ANY STORM WATER SEWER SYSTEM OR, ADJACENT WATER WAYS, ETC., DURING THE DEMOLITION OR CONSTRUCTION OPERATIONS THAT ARE PART OF THIS PROJECT. THE CONTRACTOR SHALL BE HELD RESPONSIBLE AND EXPENSE FOR THE CORRECTION OF ANY ADVERSE IMPACTS TO THE STORM WATER SEWER SYSTEM OR, ADJACENT WATER WAYS, WETLANDS ETC., RESULTING FROM THE WORK DONE AS PART OF THIS PROJECT/CONTRACT.
9. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE PRIOR TO BIDDING AND CONSTRUCTION, OF BECOMING AWARE OF ALL EXISTING AND PROPOSED UTILITIES, PIPES, STRUCTURES, ETC. CALL UNCC THREE DAYS BEFORE SCHEDULED WORK AT 811 OR 1-800-922-1987.
10. STREET AND ORNAMENTAL TREES SHALL BE PLANTED NO CLOSER THAN FORTY (40) FEET AND FIFTEEN (15) FEET RESPECTIVELY FROM STREET LIGHTS. NO TREES SHALL BE PLANTED WITHIN TEN (10) FEET FROM WATER AND SEWER LINES, FOUR (4) FEET FROM GAS, TELEPHONE AND ELECTRIC UTILITIES, AND TEN (10) FEET FROM ANY DRIVEWAY.
11. MINIMUM CLEARANCE OF THREE (3) FEET ON EACH SIDE OF FIRE DEPARTMENT CONNECTION (FDC). NO VEGETATION OTHER THAN TURF OR GROUND COVERS PLANTED IN FRONT OF FDC.
12. NO SUBSTANTIAL IMPEDIMENT TO VISIBILITY BETWEEN THE HEIGHTS OF THREE (3) FEET AND EIGHT(8) FEET SHALL BE CREATED OR MAINTAINED AT STREET INTERSECTIONS WITHIN A SITE TRIANGLE DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT OF INTERSECTION OF THE EDGES OF THE DRIVING SURFACE, THEN TO FORTY (40) FEET ALONG BOTH INTERSECTING EDGES AND THEN ALONG A TRANSVERSE LINE CONNECTING THESE POINTS.
13. IF TREES OR SHRUBS ARE LOCATED ON TOP OF FIELD VERIFIED UTILITIES, CONTRACTOR SHALL NOTIFY OWNER BEFORE ANY DIGGING HAS COMMENCED. VERIFY WITH OWNER IF AND WHICH SHRUBS/TREES SHALL BE TAKEN OUT OF PROJECT/CONTRACT.
14. ALL LANDSCAPE AREAS SHALL BE MAINTAINED, INCLUDING MOWING, WATERING AND FERTILIZING BY CONTRACTOR, UP TO FINAL ACCEPTANCE. AT SUCH TIME OWNER WILL BE RESPONSIBLE FOR ALL MAINTENANCE. LANDSCAPE AND IRRIGATION WILL BE WARRANTED FOR ONE (1) FULL YEAR AFTER FINAL ACCEPTANCE BY OWNER
15. TO THE MAXIMUM EXTENT FEASIBLE, TOPSOIL THAT IS REMOVED DURING CONSTRUCTION ACTIVITY SHALL BE CONSERVED FOR LATER USE ON AREAS REQUIRING REVEGETATION AND LANDSCAPING.
16. EXCAVATED MATERIAL TO BE USED AS FILL WILL HAVE ALL ROCKS, DEBRIS, WASTE MATERIAL, FROZEN MATERIAL, VEGETATION LARGER THAN 3" IN ANY DIMENSION REMOVED BEFORE PLACEMENT AND COMPACTION OF SOIL.
17. PROVIDE POSITIVE DRAINAGE AWAY FROM BUILDING FOUNDATIONS AND A SMOOTH TRANSITION BETWEEN ALL ADJACENT EXISTING GRADES AND PROPOSED GRADES
18. PRIOR TO FINE GRADING, SOD AREAS AND PLANTING BEDS, SHALL BE THOROUGHLY LOOSENED AND TILLED TO A 6" DEPTH. REMOVE ALL UNSUITABLE TOPSOIL, INCLUDING ALL ROCKS LARGER THAN 3 INCHES IN ANY DIRECTION, ALL CONCRETE, TRASH, DEBRIS, WEEDS, ROOTS AND OTHER WASTE MATERIALS. AFTER THAT TIME ORGANIC AMENDMENTS SHALL THEN BE THOROUGHLY TILLED AND INCORPORATED TO A MINIMUM 6" DEPTH IN THESE AREAS AT THE MINIMUM OF RATE OF 3 CU. YDS. / 1,000 SQ.FT.
19. 10 - UNIFORMLY COMPACT AND FINE GRADE THESE SOD / GRASS AREAS AND PLANTING BEDS TO A SMOOTH SURFACE, FREE FROM IRREGULAR SURFACE CHANGES. CUT OUT SOFT SPOTS, FILL IN LOW SPOTS AND TRIM HIGH SPOTS TO COMPLY WITH REQUIRED GRADE TOLERANCES.
20. ONCE COMPACTED AND FINE GRADED ALL ROCKS, DEBRIS, WASTE MATERIAL AND VEGETATION MATERIAL LARGER THAN 1/2" WILL BE RAKED FROM THE SURFACE AND REMOVED FROM SITE.
21. SOD TO BE 100% COLORADO GROWN TALL FESCUE GRASS SOD BLEND SPECIFICALLY GROWN FOR LOW WATER LAWN APPLICATIONS WITH MINIMUM THREE (3) IMPROVED VARIETIES, HAVING A HEALTHY VIGOROUS ROOT SYSTEM. ONCE TURF IS LAID IT SHALL BE PROPERLY ROLLED, COMPACTED AND PUSHED TOGETHER TO ELIMINATE ANY GAPS BETWEEN ROLL EDGES. APPLY FERTILIZER IN THESE AREAS PER SOD FARM'S RECOMMENDATIONS.
22. SEEDED AREAS -IF APPLICABLE- ADEQUATE IRRIGATION WILL BE PROVIDED FOR THE ESTABLISHMENT AND MAINTENANCE FOR THESE SEEDED AREAS, AND THAT NATIVE GRASSES SHALL BE MAINTAINED IN A CONDITION OF ACCEPTABLE HEIGHT, FREE OF WEEDS AND DEBRIS, AND SHALL NOT REPRESENT A FIRE HAZARD NOR BECOME A NUISANCE SITE FOR WATER OR WIND EROSION.
23. SECOND DOMESTIC WATER METER TO BE SHOWN ON LANDSCAPE PLAN FOR IRRIGATION CONNECTION OR NON-POTABLE WATER SOURCE CONNECTION.
24. ALL PLANT MATERIALS ARE SIZED AND OUTLINED IN PLANT LIST. ALL PLANTS TO BE PLANTED IN AMENDED SOIL AND STAKED AS SHOWN IN DETAILS, INCLUDING 18" RADIUS WOOD MULCH RING IF PLANTED WITHIN GRASS AREAS PER DETAILS. ALL PLANT MATERIAL SHALL MEET OR EXCEED THE CODE OF STANDARDS CURRENTLY RECOMMENDED BY THE COLORADO NURSERY ACT FOR NUMBER ONE GRADE.
25. IF PLANTS ARE IN NEED OF REPLACEMENT DUE TO DECLINING HEALTH, DISEASE, OR DEATH, THE PLANTS MUST BE REPLACED WITH THE ORIGINAL SPECIES UNLESS APPROVED BY THE TOWN FORESTER.
26. CHANGES IN PLANT SPECIES OF PLANT LOCATIONS FROM WHAT IS LISTED ON THE LANDSCAPE PLAN WILL REQUIRE THE APPROVAL OF THE TOWN FORESTER PRIOR TO INSTALLATION OF REPLACEMENT. OVERALL QUANTITY AND QUALITY TO BE CONSISTENT WITH THE APPROVED PLANS. IN THE EVENT OF CONFLICT WITH THE QUANTITIES INCLUDED IN THE PLANT LIST, SPECIES AND QUANTITIES SHALL BE PROVIDED.
27. ALL TREES AND SHRUBS TO BE BALLED AND BURLAPPED, OR CONTAINERIZED AND SHALL HAVE ALL WIRE, TWINE, BASKETS, BURLAP, AND ALL OTHER NON-BIODEGRADABLE CONTAINMENT MATERIAL REMOVED FROM THE TRUNK AND/OR ROOT BALL OF THE PLANT, PRIOR TO PLANTING.
28. ALL SHRUB BEDS SHALL HAVE MINIMUM 4" DEPTH SHREDDED CEDAR MULCH - NATURAL COLOR AND/OR WASHED SMOOTH COBBLE. PLANTS LOCATED IN ROCK MULCH SHALL HAVE WOOD MULCH AROUND BASE. A CONTINUOUS LAYER OF TYPAR LANDSCAPE FABRIC OR APPROVED EQUAL SHALL BE INSTALLED IN ALL SHRUB BEDS WITH 6" OVERLAP AT SEAMS WITH 4" STAPLES 4' O.C. IN ALL DIRECTIONS.
29. EDGING BETWEEN GRASS TYPES AND SHRUB BEDS SHALL BE HEAVY DUTY STEEL EDGER MIN. 14 GA x 4" WITH ROLLED TOP AND SHALL BE SET LEVEL WITH THE TOP OF THE ADJACENT SOD. NO EDGING SHALL BE USED BETWEEN CEDAR MULCH AND COBBLE TRANSITIONS

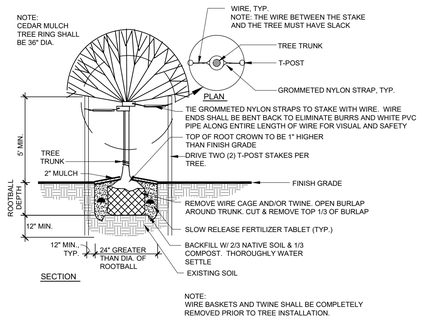
IRRIGATION NOTES

1. IRRIGATION SYSTEM TO BE INSTALLED PER IRRIGATION PLANS. IRRIGATION CONTRACTOR SHALL VERIFY P.S.I. AND GPM AVAILABLE. SYSTEM SHALL BE DESIGNED TO MEET THE AVAILABLE P.S.I. AND GPM. IF NECESSARY CONTACT THE WATER DEPARTMENT PRIOR TO BEGINNING DESIGN TO OBTAIN AVAILABLE PRESSURES.
2. THE IRRIGATION SYSTEM SHALL BE REVIEWED AND APPROVED BY THE TOWN'S WATER DEPARTMENT PRIOR TO ISSUANCE OF A BUILDING PERMIT. THE IRRIGATION SYSTEM MUST BE INSTALLED OR SECURED WITH A FINANCIAL INSTRUMENT DEPOSITED WITH THE TOWN PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR THE BUILDING.
3. ALL INDICATED SOD GRASS AREAS ARE TO BE IRRIGATED BY A PERMANENT UNDERGROUND AUTOMATIC IRRIGATION SYSTEM. TURF AREAS LESS THAN 25 FEET IN WIDTH ARE TO BE IRRIGATED WITH POP-UP SPRAY HEADS AND AREAS GREATER THAN 25 FEET SHALL USE A ROTOR POP-UP SPRAY SYSTEM.
4. ALL TREES, SHRUBS AND PERENNIALS OUTSIDE OF IRRIGATED SOD AREAS, ARE TO BE IRRIGATED WITH A PERMANENT DRIP IRRIGATION SYSTEM.
5. IRRIGATION SYSTEM WITH RAIN SENSOR AND NECESSARY SLEEVING WILL BE DESIGNED AND BUILT BY CONTRACTOR AND ADJUSTED TO A LOW WATER REQUIREMENT, BASED ON THE NEEDS OF SELECTED PLANT MATERIAL.
6. QUICK COUPLERS SHALL BE PROVIDED AT EACH POINT OF CONNECTION AND AT REGULAR SPACING ALONG THE IRRIGATION MAINLINE. SPACING OF QUICK COUPLES SHALL NOT EXCEED 200 FEET. LOCATE QUICK COUPLING VALVE AT A POINT OF EASY ACCESS.
7. FINAL LOCATION OF IRRIGATION HEADS MUST BE APPROVED BY OWNER'S REPRESENTATIVE PRIOR TO PLANTING. HEAD LOCATION SHALL BE COORDINATED IN THE FIELD WITH EXISTING SITE CONDITIONS AND PLANT MATERIAL.
8. ALL IRRIGATION TRENCHES SHALL BE PROPERLY WATERED AND COMPACTED TO AVOID FUTURE SETTLING. ANY SETTLING DURING WARRANTY PERIOD WILL BE REPAIRED BY THE CONTRACTOR AT NO COST TO THE OWNER.
9. COORDINATE ALL IRRIGATION WORK WITH EXISTING UTILITIES AND RESPECTIVE TRADES.
10. ALL IRRIGATION SLEEVING SHALL BE PROVIDED AND INSTALLED BY GENERAL CONTRACTOR. IRRIGATION CONTRACTOR SHALL COORDINATE SLEEVING LOCATIONS WITH GENERAL CONTRACTOR. ALL IRRIGATION SLEEVING TO BE STAKED IN THE FIELD OR LOCATED ON DIMENSIONED "AS-BUILT" DRAWING BY THE GENERAL CONTRACTOR TO ALLOW FUTURE USE AND LOCATION.

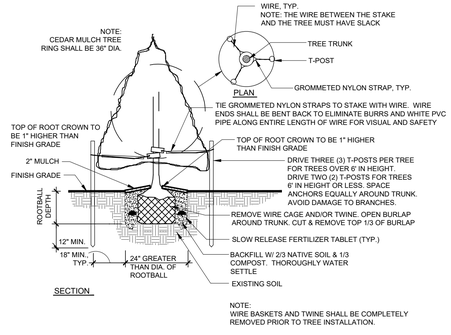
PLANTING DETAILS



GROUND COVER & SHRUB PLANTING DETAIL



DECIDUOUS TREE PLANTING DETAIL



CONIFER TREE PLANTING DETAIL

NATIVE GRASS SEED MIX

NON IRRIGATED NATIVE GRASS -

FOOTHILLS NATIVE GRASS MIX: SEED SHALL BE A MIXTURE THAT MATCHES THE FOLLOWING:

COMMON NAME	%
ANNUAL RYEGRASS	20%
SLENDER WHEATGRASS	15%
MOUNTAIN BROME	10%
PUBESCENT WHEATGRASS	10%
HARD FECUE	10%
KENTUCKY BLUEGRASS	10%
INDIANGRASS	8%
BIG BLUESTEM	7%
BLUE GRAMA	5%
SWITCHGRASS	5%

1. SEED SHALL BE AS MANUFACTURED BY ARKANSAS VALLEY SEED SOLUTIONS, 4625 COLORADO BOULEVARD, DENVER, CO 80216, (877) 957-3337.
2. DRILLED IN TWO PERPENDICULAR DIRECTIONS WITH AN APPLICATION RATE: 25.0 LBS (PLS) PER ACRE (0.57 LBS / 1000 SF)
3. ADEQUATE TEMPORARY IRRIGATION OR BY WATER TRUCK, OR BY OTHER ACCEPTABLE MEANS, WILL BE PROVIDED BY CONTRACTOR FOR THE WATERING , ESTABLISHMENT AND MAINTENANCE OF THESE SEEDED AREAS, AND THAT NATIVE GRASSES SHALL BE MAINTAINED IN A CONDITION OF ACCEPTABLE HEIGHT, FREE OF WEEDS, TRASH AND DEBRIS, AND SHALL NOT REPRESENT A FIRE HAZARD NOR BECOME A NUISANCE SITE FOR WATER OR WIND EROSION.

MULCH IN ALL NATIVE SEED AREAS:

1. IMMEDIATELY FOLLOWING THE RAKING / SEEDING OPERATION, ADD STRAW MULCH TO THE SEEDED AREAS.
2. APPLY STRAW MULCH AT A MINIMUM OF 1.5 TONS PER ACRE OF AIR DRY MATERIAL. SPREAD STRAW MULCH UNIFORMLY OVER THE AREA WITH MECHANICAL MULCH SPREADER / CRIMPER. DO NOT MULCH WHEN WIND VELOCITY EXCEEDS 10 MPH.
3. WHEREVER THE USE OF CRIMPING EQUIPMENT IS PRACTICAL, PLACE MULCH IN THE MANNER NOTED ABOVE AND ANCHOR IT INTO THE SOIL. USE A DISC SUCH AS A MULCH TILLER, WITH A FLAT SERRATED DISC AT LEAS ¼ INCH IN THICKNESS, HAVING DULL EDGES, AND SPACE NO MORE THAN 9 INCHES APART, WITH DISCS OF SUFFICIENT DIAMETER TO PREVENT THE FRAME OF THE EQUIPMENT FROM DRAGGING THE MULCH. ANCHOR MULCH A MINIMUM DEPTH OF 2 INCHES AND ACROSS THE SLOPE WHERE PRACTICAL WITH NO MORE THAN TWO PASSES OF THE ANCHORING EQUIPMENT.
4. IMMEDIATELY UPON COMPLETION OF THE MULCHING AND BINDING OPERATION, THE SEEDED AREAS SHALL BE IRRIGATED, KEEPING THE TOP 2 INCHES OF SOIL EVENLY MOIST UNTIL SEED HAS UNIFORMLY GERMINATED AND GROWN TO A HEIGHT OF 2-INCHES.
5. WATERING APPLICATION SHALL BE DONE IN A MANNER WHICH WILL PROVIDE UNIFORM COVERAGE BUT WHICH WILL NOT CAUSE EROSION, MOVEMENT, OR DAMAGE TO THE FINISHED SURFACE.

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SEAL

PROJECT TITLE

PARKSIDE FIRST SUBDIVISION

LOVELAND, CO

PREPARED FOR

Boedecker Partners, LLC.

1021 NIGHTINGALE DRIVE
FORT COLLINS,CO. 80525
(970) 685-1575
CONTACT: KENNETH MITCHELL

REVISIONS	DATE
Staff Comments	4.18.17

DATE

NOVEMBER 21, 2016

SHEET TITLE

Landscape Notes

SHEET INFORMATION

Sheet Number: 8

PC ATTACHMENT F

PLANT LIST

KEY	QTY	DEVELOPER QTY	BUILDER QTY	RATIO	COMMON NAME
SHADE / CANOPY TREES -				**172**	
	27	8	19	9.4%	CATALPA
	30	19	11	11.9%	COFFEETREE, KENTUCKY
	25	7	18	8.7%	HACKBERRY, WESTERN
	25	7	18	8.7%	HONEYLOCUST, IMPERIAL
	32	11	21	11.1%	LINDEN, REDMOND
	33	14	19	11.5%	OAK, BUR
EVERGREEN TREES -				**79**	
	24	24	0	8.4%	SPRUCE, FASTIGIATE NORWAY
	12	12	0	4.2%	SPRUCE, COLORADO BLUE
	27	27	0	9.4%	SPRUCE, BAKERI
	16	16	0	5.6%	PINE, PONDEROSA
ORNAMENTAL TREES -				**36**	
	11	11	0	3.8%	CRABAPPLE, CARDINAL
	10	10	0	3.5%	LILAC, JAPANESE
	15	15	0	5.2%	SERVICEBERRY, AUTUMN BRILLANCE
DECIDUOUS SHRUBS -				**56**	
	12	12	0	-	BUTTERFLY BUSH, COMPACT PURPLE
	19	19	0	-	DOGWOOD, REDTWIG
	13	13	0	-	LILAC, DWARF KOREAN
	12	12	0	-	SPIREA, BLUE MIST
PERENNIALS / GRASSES -				**87**	
	47	47	0	-	HYSSOP, SONORAN SUNSET
	40	40	0	-	GRASS, HEAVY METAL BLUE SWITCH

NOTES:

THE PLANT LIST ABOVE ILLUSTRATES TYPICAL LANDSCAPE PLANTINGS THAT MAY BE INCLUDED WITH THE PARKSIDE VILLAGE LANDSCAPE PLAN. THE FINAL LANDSCAPE PLANT LIST MAY VARY.

0 60' 90' 120' NORTH

SCALE 1" = 60'-0"

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NOVEMBER 21, 2016

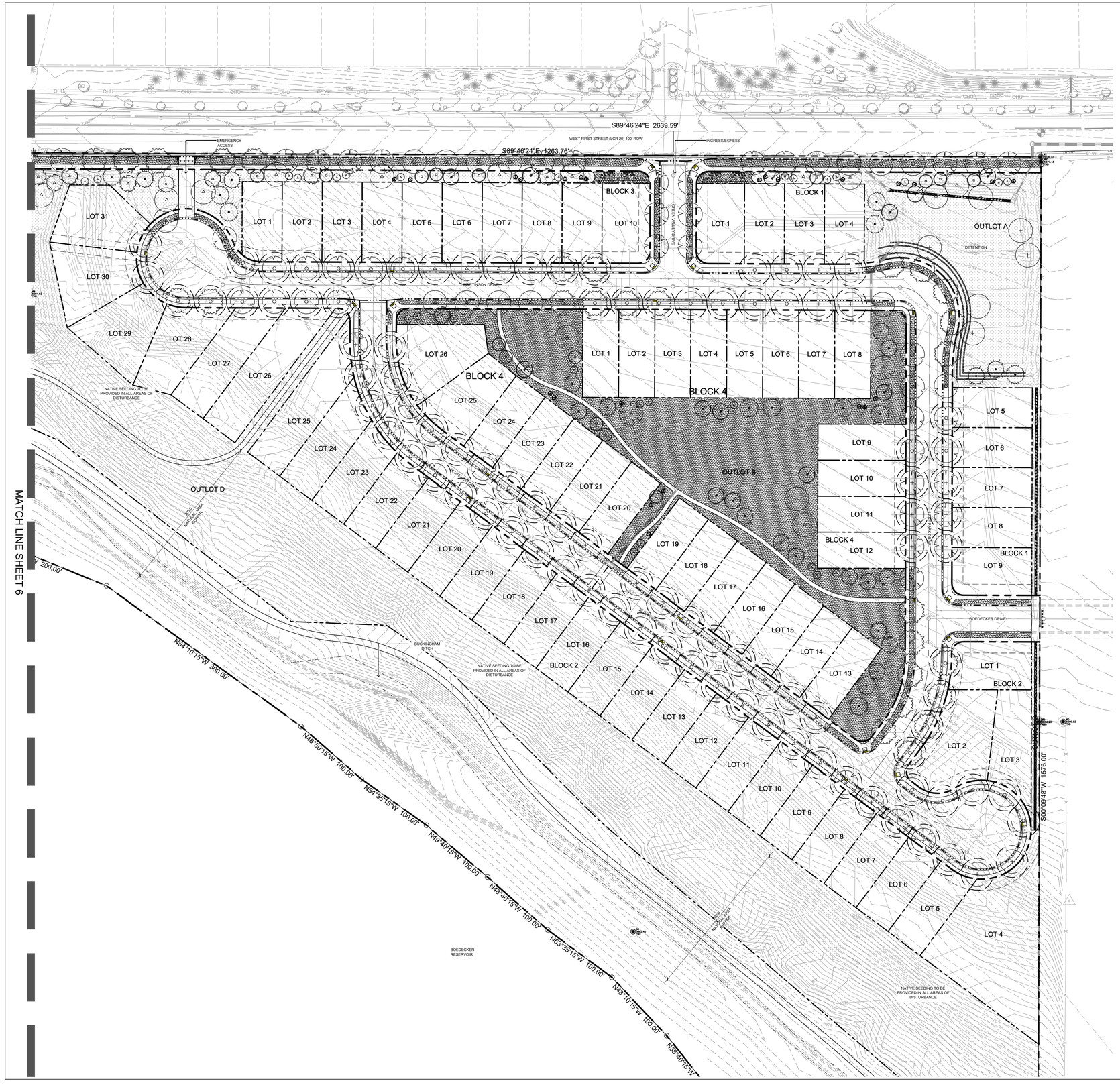
SHEET TITLE

Landscape Plan

SHEET INFORMATION

Sheet Number: 9

PC ATTACHMENT F



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	12	12	0	-	BUTTERFLY BUSH, COMPACT PURPLE
	19	19	0	-	DOGWOOD, REDTWIG
	13	13	0	-	LILAC, DWARF KOREAN
	12	12	0	-	SPIREA, BLUE MIST
PERENNIALS / GRASSES -				**87**	
	47	47	0	-	HYSSOP, SONORAN SUNSET
	40	40	0	-	GRASS, HEAVY METAL BLUE SWITCH

NOTES:

THE PLANT LIST ABOVE ILLUSTRATES TYPICAL LANDSCAPE PLANTINGS THAT MAY BE INCLUDED WITH THE PARKSIDE VILLAGE LANDSCAPE PLAN. THE FINAL LANDSCAPE PLANT LIST MAY VARY.

LEGEND

98,554 S.F. IRRIGATED TURF CURA-TURF FESCUE BLEND SOD

74,800 S.F. NON-IRRIGATED NATIVE SEED MIX ARKANSAS VALLEY SEED MIX (OR APPROVED EQUAL)

8,020 S.F. SHREDDED CEDAR MULCH ALL SHRUB BEDS TO RECEIVE A MINIMUM 4"-0" DEPTH SHREDDED CEDAR WOOD MULCH

STEEL EDGER, ROUNDED TOP

RIGHT OF WAY TREES BY BUILDER (100)

0 60' 90' 120'
SCALE 1" = 60'-0"

NORTH

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SEAL

PROJECT TITLE

PARKSIDE FIRST SUBDIVISION

LOVELAND, CO

PREPARED FOR

Boedecker Partners, LLC.

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CONTACT: KENNETH MITCHELL

REVISIONS	DATE
Staff Comments	4.18.17

DATE

NOVEMBER 21, 2016

SHEET TITLE

Landscape Plan

SHEET INFORMATION

Sheet Number: 10

SUMMARY OF ARCHITECTURAL REQUIREMENTS FOR PARKSIDE

SETBACKS

The minimum front yard setback from the street is 15 feet for the main structure of the house, which shall include any porch, casita, courtyard fencing or other dominant architectural feature. Garage door fronts are not included in the 15 foot setback.

Garage doors will be set back a minimum of 20 feet from the front property line and a minimum of 3 feet from any front elevation feature, including the main structure of the house, any porch, casita, courtyard fencing or other dominant architectural element.

All side yards shall have a minimum setback of 5 feet from the side lot line.

The rear yard setback shall be a minimum of 15 feet from the rear property line.

The side yard setback on a dwelling where the side yard adjoins a city street shall be 10 feet adjoining such street.

Cornices, eaves and similar architectural features may extend 3 feet into the required setbacks except that no cornice, eve or architectural feature shall extend over a lot line or easement.

GENERAL ARCHITECTURAL FEATURES

Roof Fascia shall have a minimum width of eight (8) inches.

Trim boards will be installed around all front and rear yard windows, unless surrounded by masonry.

Trim boards will be installed at all exterior corners unless such corner are masonry.

Front windows shall have a grid (divided light) feature.

Gable ends which face a street shall have a material change from the dominant front elevation exterior material, including lap siding, vertical board and batten siding, fish scale siding, or stucco.

Any gable which faces a street shall have a louvered vent or window.

The first floor of the front elevation shall include 30% masonry, not including the garage door. Where masonry extends to the outside corner of the dwelling unit or garage, it shall be wrapped around the corner a minimum of two (2) feet.

There will be a brick, cultured stone or natural stone soldier course or ledge at the top edge of all masonry.

Roof pitch will be a minimum of five in twelve. Roof material will be weathered wood in appearance and will not be bright colors or solid white or black.

Roofs will have at least two of the following architectural elements:

Dormer window(s)
Gable ends
Varying roof pitch and/or roof planes

Exterior materials and colors shall be harmonious with other existing homes in the neighborhood.

GARAGE DOOR TREATMENT

Garage doors will have raised panel doors with windows in the upper panel. Garage doors will have either a trim board around the frame, or stone at least 36" high on either side of the opening. "Dark Sky" accent lighting will be installed on either side of the garage door.

CASITA

Each home may have a free-standing "casita" that serves as a separate guest quarters, "mother-in-law room", home office or general living space with or without bath and kitchen facilities. The casita will be a minimum of 150 square feet and shall not exceed 750 square feet. The casita may be forward of the main façade of the house as long as it follows the same architectural requirements for front elevations and may be located to the rear of the main façade of the house as long as it allows for the appropriate rear yard setback. The casita may be tied to the main structure of the home with either an enclosed or open breezeway. Casitas in the front of the home will be utilized to create a front entry courtyard for outdoor living space.

MATERiALS AND COLORS

Exterior materials and colors shall be harmonious with other existing homes in the neighborhood.

FENCING

Solid rear yard fencing with a maximum height of 6 feet will be allowed only along 1st Street and the east boundary lots. Fencing in this area will be cedar, stained a standard color for the entire community. The same fence standard will apply to all 6 foot fencing.

Any rear yard fence that adjoins a common area will be an open cedar three rail fence with the same stain color as the 1st Street fence. The common area fence will be a maximum of four feet high at the top of the top rail, and stone columns will be allowed as long as they do not exceed a height of six (6) inches over the highest portion of any wood rail or vertical slat. All stone columns that are a part of any fence will be identical for the entire community.

Front courtyard fencing must match the siding treatment on the main dwelling and will have columns a maximum spacing of eight (8) feet apart. Front courtyard fencing will be a maximum of six (6) feet tall. Front courtyard fencing will be considered the same as a front elevation, with the appropriate first floor masonry requirements.

Side yard fencing to the rear of the main elevation shall match the common area fencing standards.

In all cases, the "finished" side of the fence shall face either the street or any common area boundary.

PARKSIDE FIRST SUBDIVISION

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF LOVELAND, COUNTY OF LARIMER, STATE OF COLORADO

CERTIFICATE OF OWNERSHIP AND DEDICATION:

KNOW ALL PERSONS BY THESE PRESENTS that _____, being all the owners and lienholders of PARKSIDE SUBDIVISION, except any existing public streets, roads or highways, which property is located in Section 20, Township 5 North, Range 69 West of the 6th Principal Meridian, City of Loveland, County of Larimer, State of Colorado being more particularly described as follows:

The NW ¼ and that part of NE ¼ lying North of the Home Supply Ditch Company's Reservoir (according to Loesher Survey) all in Section 20, Township 5 North, Range 69 West of the 6th P.M.,
County of Larimer, State of Colorado.

EXCEPT Book 1804, Page 368: Commencing at a point on North line of said Section 20, a distance of 1264 feet West of the NE corner of said Section, thence South 206.4 feet, thence West 211 feet, thence North 206.4 feet, thence East 211 feet to point of beginning.

ALSO EXCEPT those parcels conveyed by Warranty Deed recorded in Book 1405 at Page 605, Quit Claim Deed recorded in Book 1434 at Page 358 and land described in Contract recorded in Book 1470 at Page 77, and parcel conveyed by Warranty Deed recorded April 9, 1973 in Book 1548 at Page 595, records of Larimer County, Colorado.

ALSO LESS West First Street right of way.

Said parcel of land contains 1,795,947 square feet, or 41.229 acres, 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.

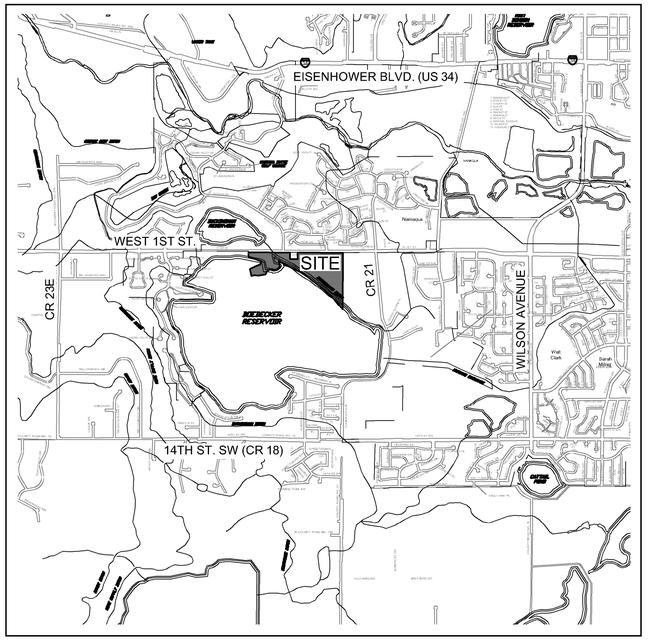
Being more particularly described as:

A tract of land located in the Northeast Quarter of Section 20, Township 5 North, Range 69 West of the 6th Principal Meridian, County of Larimer, State of Colorado.

Considering the North line of the Northeast Quarter of said Section 20, as bearing South 89°46'24" East and with all bearings contained herein relative thereto:

COMMENCING at the Northeast Quarter of said Section 20; thence, along the East line of said Section 20, South 00°09'48" West, 30.00 feet to the **POINT OF BEGINNING**; thence continuing along said East line, South 00°09'48" West, 1,576.00 feet; thence departing said East line, North 44°10'12" West, 70.00 feet; thence, North 38°40'15" West, 200.00 feet; thence, North 44°55'15" West, 200.00 feet; thence, North 59°25'15" West, 100.00 feet; thence, North 38°40'15" West, 100.00 feet; thence, North 43°10'15" West, 100.00 feet; thence, North 53°35'15" West, 100.00 feet; thence, North 48°40'15" West, 100.00 feet; thence, North 49°4015" West, 100.00 feet; thence, North 54°35'15" West, 100.00 feet; thence. North 48°50'15" West, 100.00 feet; thence, North 54°10'15" West, 300.00 feet; thence, North 67°40'15" West, 200.00 feet; thence, North 63°05'15" West, 300.00 feet; thence, North 58°50'15" West, 200.00 feet; thence, South 09°10'15" East, 200.00 feet; thence, South 54°34'45" West, 100.00 feet; thence, South 82°04'45" West, 100.00 feet; thence, North 70°10'15" West, 100.00 feet; thence, South 54°34'45" West, 100.00 feet; thence, South 28°49'45" West, 100.00 feet; thence South 81°24'45" West, 200.00 feet; thence, North 83°00'15" West, 100.00 feet; thence, South 78°19'45" West, 100.00 feet; thence, North 10°40'15" West, 200.00 feet; thence, North 65°49'45" East, 200.00 feet; thence, North 70°49'45" East, 100.00 feet; thence, North 27°34'45" East, 100.00 feet; thence, North 68°30'15" West, 300.00 feet; thence, North 75°55'15" West, 91.03 feet to a point on the West line of the Northeast Quarter of said Section 20; thence along said line, North 00°24'48" East, 118.58 feet to a Point on the South right of way line of West First Street; thence along said line, South 89°46'24" East, 1,165.02 feet to the Northwest corner of a parcel recorded at Book 1804 on Page 368; thence departing said right of way line and along the boundary of said parcel the next three (3) courses and distances, South 00°19'11" West, 176.15 feet; thence, South 89°44'51" East, 210.95 feet; thence, North 00°19'11" East, 176.25 feet to a point on the South right of way line of West First Street; thence along said line, South 89°46'24" East, 1,263.76 feet to the Point of Beginning and do hereby designate the same as **"PARKSIDE FIRST SUBDIVISION"** to the City of Loveland, Colorado.

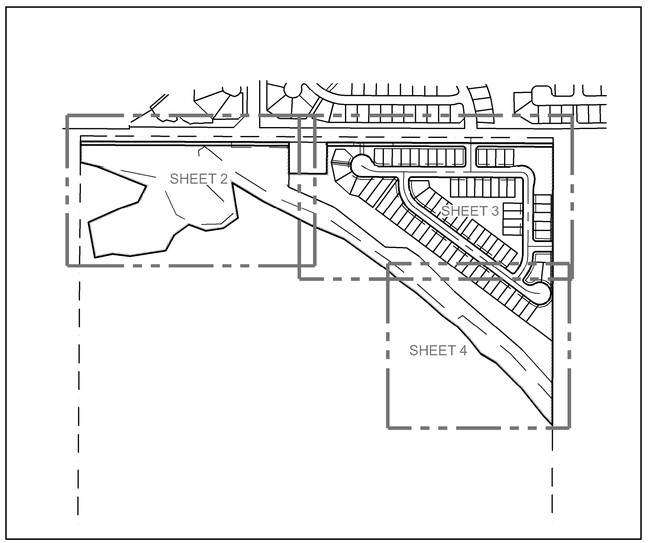
All expenses involving necessary improvements for water system, sanitary sewer system, storm sewer system, curbs and gutters, sidewalks, street improvements, street signs, grading and landscaping shall be paid by owner.



N

VICINITY MAP

NOT TO SCALE



KEY MAP

SCALE: 1" = 400'

LAND USE TABLE							
PARCEL	**AREA**				**PERCENT**	**USE**	**OWNED & MAINTAINED BY**
TRACT A	749,247	S.F.	17.20	AC.	41.72%	Open Space	City of Loveland
OUTLOT A	47,554	S.F.	1.09	AC.	2.65%	Drainage Easement	HOA
OUTLOT B	83,016	S.F.	1.91	AC.	4.62%	Access, Utility &Drainage Easement	HOA
OUTLOT C	2,350	S.F.	0.05	AC.	0.13%	Drainage Easement	HOA
OUTLOT D	240,672	S.F.	5.53	AC.	13.40%	Drainage Easement, Access & Emergency Access	HOA
LOTS	435,334	S.F.	9.99	AC.	24.24%	Development	Owner
RIGHT OF WAY	237,774	S.F.	5.46	AC.	13.24%	Public Access	City of Loveland
TOTAL	**1,795,947**	**S.F.**	**41.23**	**AC.**	**100.00%**		

PLANNING COMMISSION CERTIFICATE:

This preliminary plat of PARKSIDE FIRST SUBDIVISION is hereby approved by the Planning Commission of the City of Loveland, Larimer County, Colorado, this _____ day of _____, _____, for the preliminary conveyance to the city of the public dedications shown hereon, which are accepted; subject to the provision that approval in no way constitutes a final plat.

_____
Planning Commission Chair

NOTES:

1. Basis of Bearings is the North line of the Northeast Quarter as bearing South 89°46'24" East (assumed bearing) and monumented as shown on drawing.

2. The lineal unit of measurement for this drawing is U.S. Survey Feet.

3. Easement note:
Total area in square feet of easements dedicated to the public or the city by this plat. Total area in square feet - 439,319 s.f.

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 - 0 s.f.

4. For all information regarding easements, rights-of-way or title of record, Northern Engineering relied upon File No. 459-H0426929-081-TMY, Amendment No. 3, dated April 1, 2016 at 7:00 A.M., prepared by Heritage Title Company.

5. FLOOD ZONE DESIGNATION: According to FIRM Map No. 08069C1169F, December 19, 2006 for Larimer County, this parcel does not lie within a FEMA designated 100-year floodplain.

6. This project is subject to a development agreement which has been recorded in the real property records of Larimer County.

7. Maintenance and upkeep of Stormwater detention ponds, storm sewer systems, swales, and permanent Stormwater quality improvements are required by the City of Loveland and are a continuing obligation of the homeowner association (HOA), business owner association (BOA), or private property owner. The owner(s) or responsible parties (HOA, BOA) shall provide ongoing maintenance to the private Stormwater improvements as needed to maintain compliance with the approved construction plans and reports.

8. Unless other wise approved by the City, all unsatisfied conditions of approval for the original subdivision shall continue to apply to this property.

SURVEYOR'S CERTIFICATE:

I, Robert C. Tessely, being a registered Professional Land Surveyor in the State of Colorado, do hereby certify that the survey of **"PARKSIDE FIRST SUBDIVISION"** was made by me or under my supervision and that the survey is accurately represented on this plat and that the statements contained hereon were read by me and the same are true to the best of my knowledge.

DRAFT
04/18/17

Robert C. Tessely
Colorado Registered Professional Land Surveyor No. 38470
For and on Behalf of Northern Engineering Services, Inc.

NOTICE:
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SECTION: 20
TOWNSHIP: 5 N
RANGE: 69 W of the 6th PM

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

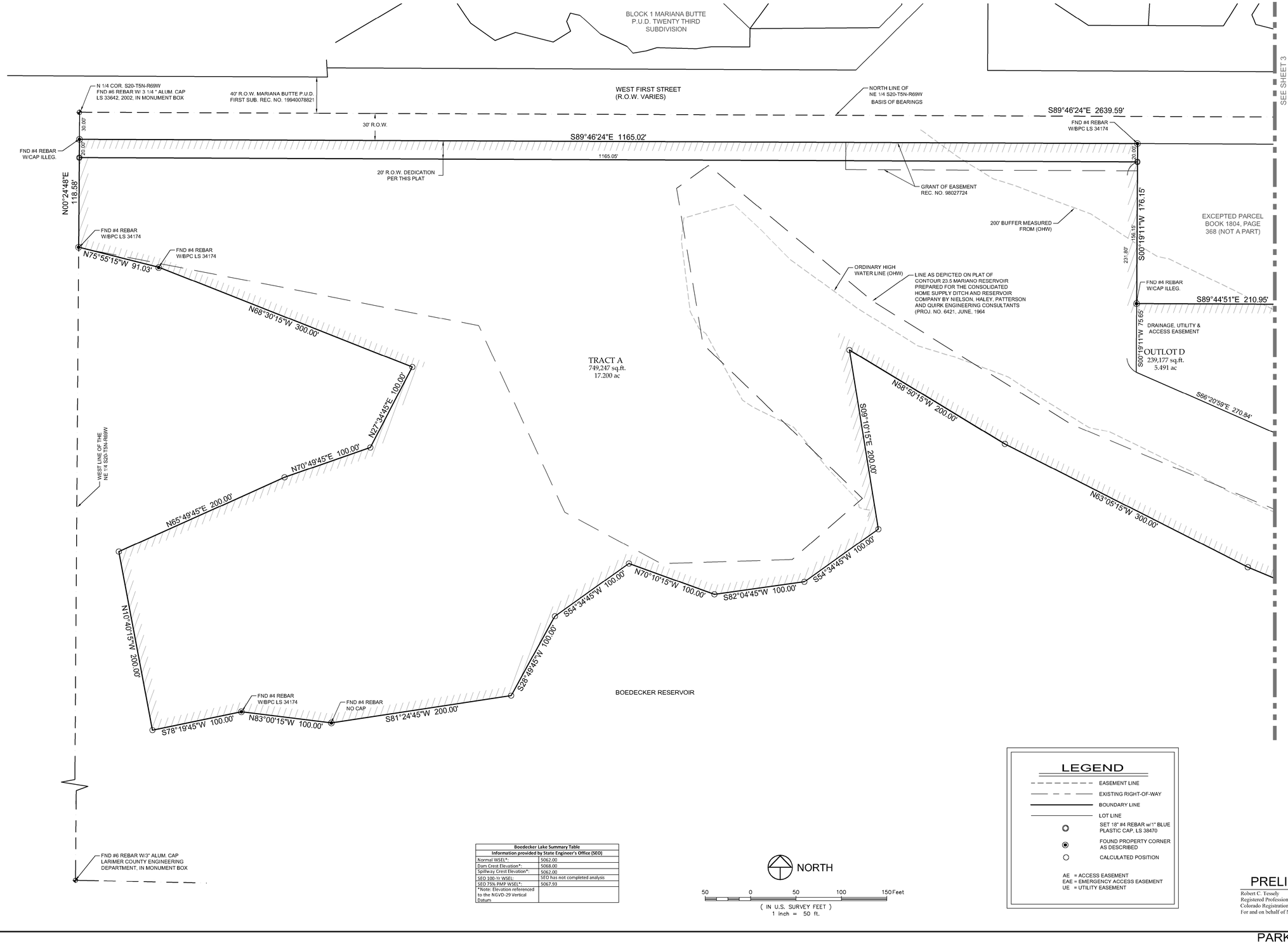
DATE: 04/18/17
SCALE: N/A
REVIEWED BY: ES. tessely
PROJECT: 987-004
DESIGNED BY:
DRAWN BY: M. Kinkade

PARKSIDE FIRST SUBDIVISION
CITY OF LOVELAND
STATE OF COLORADO

Sheet
1
Of 4 Sheets

PARKSIDE FIRST SUBDIVISION

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF LOVELAND, COUNTY OF LARIMER, STATE OF COLORADO



Boedecker Lake Summary Table	
Information provided by State Engineer's Office (SEO)	
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Dam Crest Elevation*:	5068.00
Spillway Crest Elevation*:	5062.00
SEO 100-Yr WSEL:	SEO has not completed analysis
SEO 75% PMP WSEL*:	5067.93
*Note: Elevation referenced to the NGVD-29 Vertical Datum	

NORTH

50 0 50 100 150 Feet

(IN U.S. SURVEY FEET)
1 inch = 50 ft.

LEGEND

- EASEMENT LINE
- EXISTING RIGHT-OF-WAY
- BOUNDARY LINE
- LOT LINE
- SET 18" #4 REBAR w/1" BLUE PLASTIC CAP, LS 38470
- FOUND PROPERTY CORNER AS DESCRIBED
- CALCULATED POSITION

AE = ACCESS EASEMENT
EAE = EMERGENCY ACCESS EASEMENT
UE = UTILITY EASEMENT

PRELIMINARY

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

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TOWNSHIP: 5 N
RANGE: 69 W of the 6th PM

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

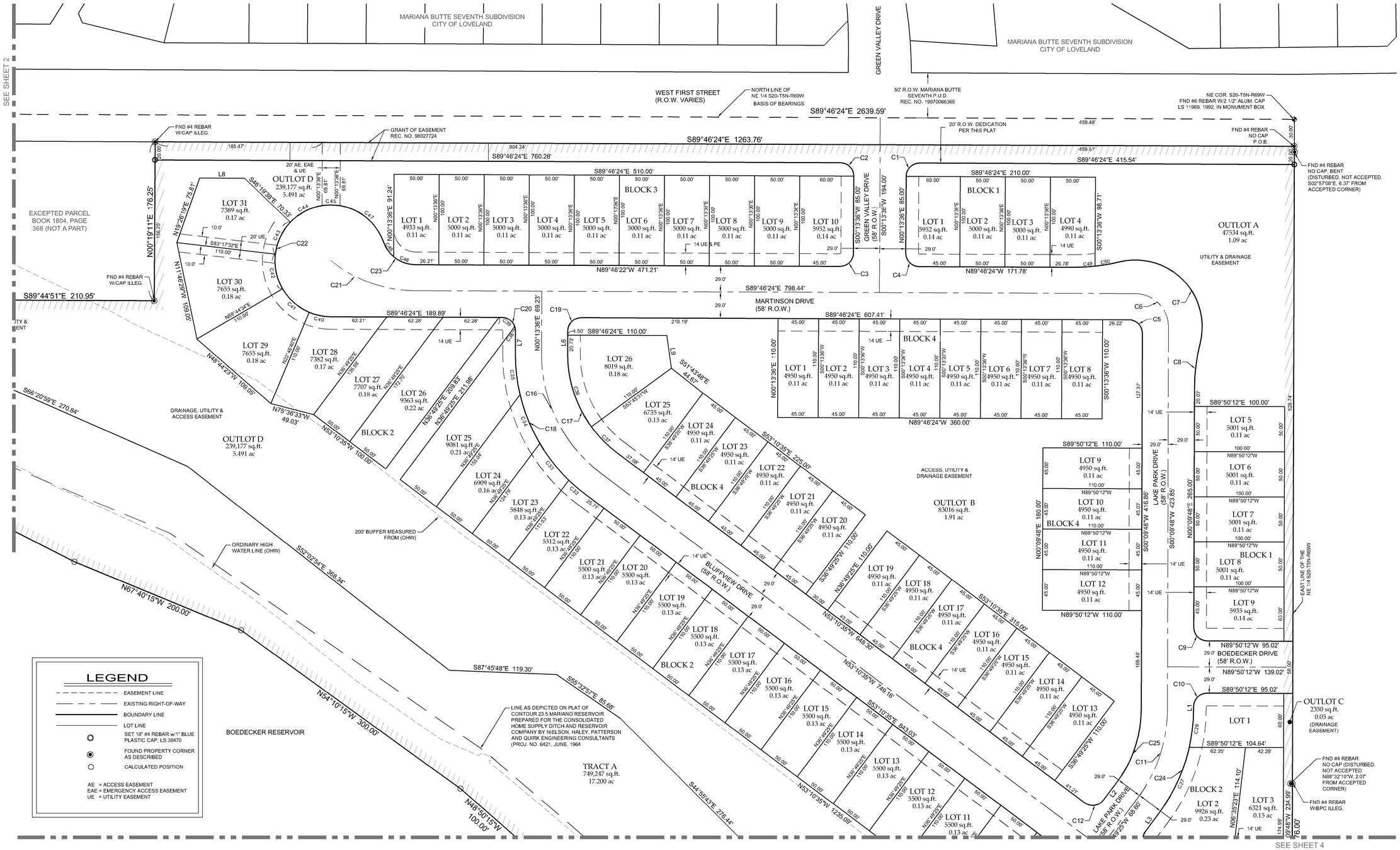
PROJECT: 987-004
DESIGNED BY:
DRAWN BY: M. Kirkscole
SCALE: 1" = 50'
DATE: 04/18/17
REVIEWED BY: B. Tessely

PARKSIDE FIRST SUBDIVISION
CITY OF LOVELAND
STATE OF COLORADO

Sheet
2
Of 4 Sheets

PARKSIDE FIRST SUBDIVISION

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF LOVELAND, COUNTY OF LARIMER, STATE OF COLORADO

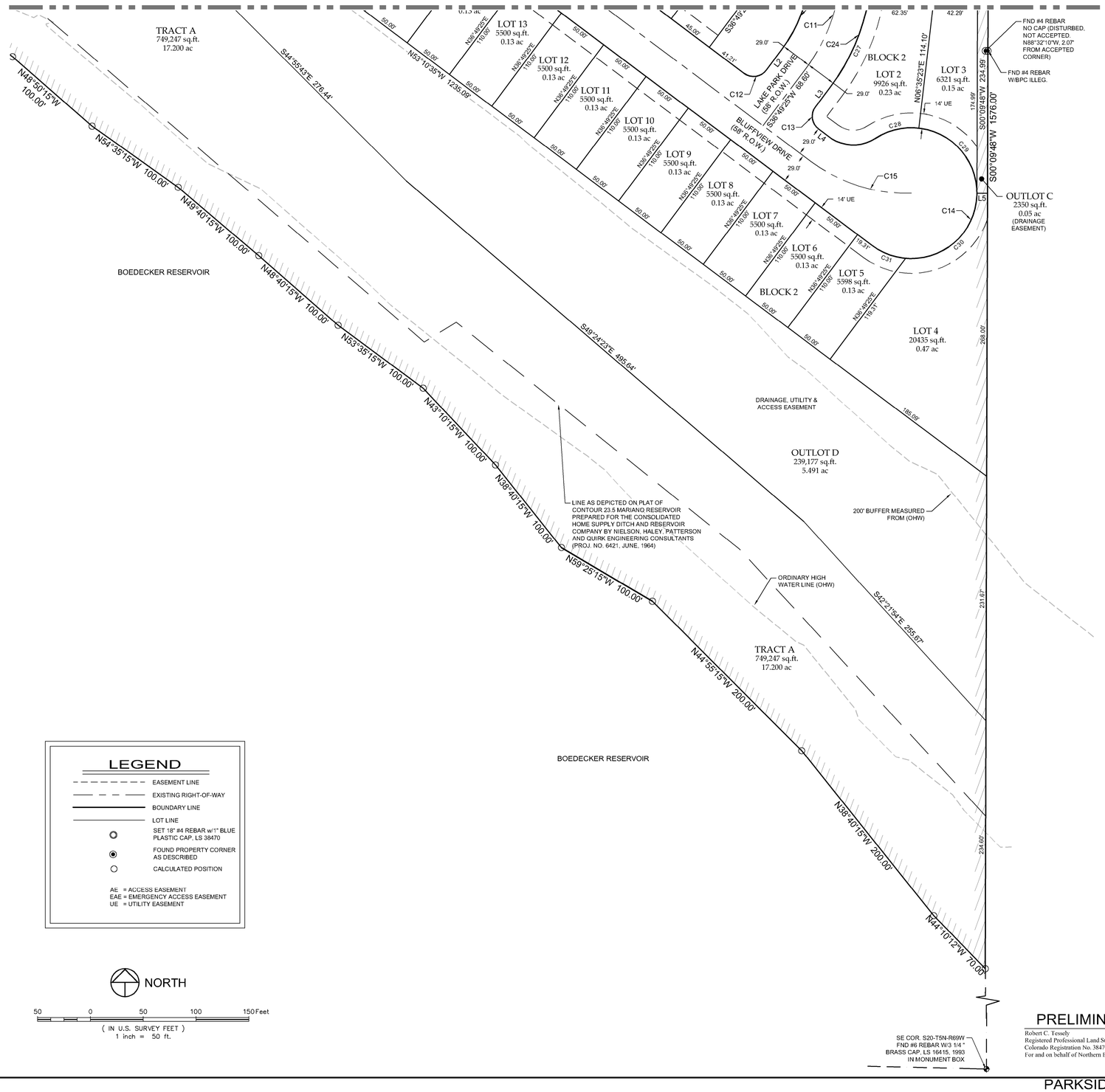

SEE SHEET 2
MARIANA BUTTE SEVENTH SUBDIVISION CITY OF LOVELAND
GREEN VALLEY DRIVE
WEST FIRST STREET (R.O.W. VARIES)
NORTH LINE OF NE 1/4 S20-T5N-R69W BASIS OF BEARINGS
50' R.O.W. MARIANA BUTTE SEVENTH P.U.D. REC. NO. 19970066365
NE COR. S20-T5N-R69W FND #6 REBAR W/2 1/2" ALUM. CAP LS 11989, 1992, IN MONUMENT BOX
FND #4 REBAR NO CAP P.O.B.
FND #4 REBAR NO CAP, BENT (DISTURBED, NOT ACCEPTED. S02°57'06"E, 6.37' FROM ACCEPTED CORNER)
FND #4 REBAR W/CAP ILLEG.
GRANT OF EASEMENT REC. NO. 98027724
20' R.O.W. DEDICATION PER THIS PLAT
S89°46'24"E 2639.59'
S89°46'24"E 1263.76'
S89°46'24"E 760.28'
S89°46'24"E 415.54'
S89°46'24"E 510.00'
S89°46'24"E 210.00'
EXCEPTED PARCEL BOOK 1804, PAGE 368 (NOT A PART)
N00°19'11"E 176.25'
S89°44'51"E 210.95'
OUTLOT D 239,177 sq.ft. 5.491 ac
LOT 31 7389 sq.ft. 0.17 ac
LOT 30 7655 sq.ft. 0.18 ac
LOT 29 7655 sq.ft. 0.18 ac
LOT 28 7382 sq.ft. 0.17 ac
LOT 27 7707 sq.ft. 0.18 ac
LOT 26 9563 sq.ft. 0.22 ac
LOT 25 9081 sq.ft. 0.21 ac
LOT 24 6909 sq.ft. 0.16 ac
LOT 23 5848 sq.ft. 0.13 ac
LOT 22 5512 sq.ft. 0.13 ac
LOT 21 5500 sq.ft. 0.13 ac
LOT 20 5500 sq.ft. 0.13 ac
LOT 19 5500 sq.ft. 0.13 ac
LOT 18 5500 sq.ft. 0.13 ac
LOT 17 5500 sq.ft. 0.13 ac
LOT 16 5500 sq.ft. 0.13 ac
LOT 15 5500 sq.ft. 0.13 ac
LOT 14 5500 sq.ft. 0.13 ac
LOT 13 5500 sq.ft. 0.13 ac
LOT 12 5500 sq.ft. 0.13 ac
LOT 11 5500 sq.ft. 0.13 ac
BLOCK 2
BLOCK 3
BLOCK 4
BLOCK 1
LOT 1 4933 sq.ft. 0.11 ac
LOT 2 5000 sq.ft. 0.11 ac
LOT 3 5000 sq.ft. 0.11 ac
LOT 4 5000 sq.ft. 0.11 ac
LOT 5 5000 sq.ft. 0.11 ac
LOT 6 5000 sq.ft. 0.11 ac
LOT 7 5000 sq.ft. 0.11 ac
LOT 8 5000 sq.ft. 0.11 ac
LOT 9 5000 sq.ft. 0.11 ac
LOT 10 5952 sq.ft. 0.14 ac
LOT 1 5952 sq.ft. 0.14 ac
LOT 2 5000 sq.ft. 0.11 ac
LOT 3 5000 sq.ft. 0.11 ac
LOT 4 4990 sq.ft. 0.11 ac
OUTLOT A 47534 sq.ft. 1.09 ac
UTILITY & DRAINAGE EASEMENT
MARTINSON DRIVE (58' R.O.W.)
BLUFFVIEW DRIVE (58' R.O.W.)
LAKE PARK DRIVE (58' R.O.W.)
BOEDECKER DRIVE (58' R.O.W.)
N89°46'22"W 471.21'
N89°46'24"W 171.78'
N89°46'24"W 360.00'
S89°46'24"E 798.44'
S89°46'24"E 189.89'
S89°46'24"E 607.41'
S89°46'24"E 110.00'
S89°50'12"E 100.00'
S89°50'12"E 110.00'
N89°50'12"W 110.00'
S89°50'12"E 95.02'
S89°50'12"E 104.64'
N89°50'12"W 95.02'
N89°50'12"W 139.02'
S89°50'12"E 234.99'
N89°50'12"W 234.99'
LOT 5 5001 sq.ft. 0.11 ac
LOT 6 5001 sq.ft. 0.11 ac
LOT 7 5001 sq.ft. 0.11 ac
LOT 8 5001 sq.ft. 0.11 ac
LOT 9 5935 sq.ft. 0.14 ac
LOT 1
LOT 2 9926 sq.ft. 0.23 ac
LOT 3 6321 sq.ft. 0.15 ac
OUTLOT B 83016 sq.ft. 1.91 ac
OUTLOT C 2350 sq.ft. 0.05 ac (DRAINAGE EASEMENT)
ACCESS, UTILITY & DRAINAGE EASEMENT
DRAINAGE, UTILITY & ACCESS EASEMENT
200' BUFFER MEASURED FROM (OHW)
ORDINARY HIGH WATER LINE (OHW)
BOEDECKER RESERVOIR
TRACT A 749,247 sq.ft. 17.200 ac
LINE AS DEPICTED ON PLAT OF CONTOUR 23.5 MARIANO RESERVOIR PREPARED FOR THE CONSOLIDATED HOME SUPPLY DITCH AND RESERVOIR COMPANY BY NIELSON, HALEY, PATTERSON AND QUIRK ENGINEERING CONSULTANTS (PROJ. NO. 6421, JUNE, 1964
S66°20'59"E 270.84'
N67°40'15"W 200.00'
S87°45'48"E 119.30'
S52°02'54"E 368.94'
N54°10'15"W 300.00'
S55°32'57"E 95.66'
S44°55'43"E 276.44'
N48°50'15"W 100.00'
S53°10'35"E 225.00'
S53°10'35"E 315.00'
N53°10'35"W 646.30'
N53°10'35"W 749.76'
S53°10'35"E 843.03'
N53°10'35"W 1235.08'
S36°49'25"E 110.00'
N36°49'25"W 110.00'
S00°13'36"E 85.00'
S00°13'36"W 194.00'
N00°13'36"E 85.00'
S00°13'36"W 85.00'
S00°13'36"W 98.71'
S00°13'36"W 110.00'
N00°13'36"E 110.00'
S00°09'48"W 416.86'
S00°09'48"W 423.85'
N00°09'48"E 180.00'
N00°09'48"E 265.00'
S00°09'48"W 234.99'
N00°09'48"E 176.00'
S89°44'34"E 110.00'
N27°46'40"E 110.00'
N48°44'25"W 109.05'
N75°36'33"W 49.03'
N36°49'25"E 209.83'
N36°49'25"E 211.98'
N36°49'25"E 135.58'
N36°49'25"E 172.10'
N36°49'25"E 124.70'
N36°49'25"E 111.55'
S51°43'48"E 44.67'
S50°45'01"W 110.00'
S36°49'25"W 110.00'
N36°49'25"E 110.00'
S36°49'25"W 110.00'
S89°50'12"E 110.00'
N89°50'12"W 110.00'
S00°09'48"W 416.86'
S00°09'48"W 423.85'
N00°09'48"E 180.00'
N00°09'48"E 265.00'
S00°09'48"W 234.99'
N00°09'48"E 176.00'
N89°35'23"E 174.99'
S89°48'25"W 68.60'
L1 29.0'
L2 29.0'
L3 29.0'
L4 29.0'
L5 29.0'
L6 20.73'
L7 29.0'
L8 S46°19'38"E 70.33'
L9 37.08'
C1 R=20.00' Δ=90°00'00" L=31.42' CB=S44°13'36"E 28.28'
C2 R=20.00' Δ=90°00'00" L=31.42' CB=S45°46'24"W 28.28'
C3 R=20.00' Δ=90°00'00" L=31.42' CB=S44°13'36"E 28.28'
C4 R=20.00' Δ=90°00'00" L=31.42' CB=S45°46'24"W 28.28'
C5 R=20.00' Δ=90°00'00" L=31.42' CB=S44°13'36"E 28.28'
C6 R=20.00' Δ=90°00'00" L=31.42' CB=S45°46'24"W 28.28'

PARKSIDE FIRST SUBDIVISION

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF LOVELAND, COUNTY OF LARIMER, STATE OF COLORADO

CURVE TABLE					
CURVE	DELTA	RADIUS	LENGTH	BEARING	CHORD
C1	90°00'00"	15.00'	23.56'	N45°13'36"E	21.21'
C2	90°00'00"	15.00'	23.56'	S44°46'24"E	21.21'
C3	90°00'00"	15.00'	23.56'	S45°13'36"W	21.21'
C4	90°00'00"	15.00'	23.56'	N44°46'24"W	21.21'
C5	89°56'12"	15.00'	23.55'	S44°48'18"E	21.20'
C6	89°56'12"	37.00'	58.08'	S44°48'18"E	52.30'
C7	117°51'59"	74.00'	152.23'	N44°48'18"W	126.77'
C8	13°57'54"	209.00'	50.94'	N07°08'45"E	50.81'
C9	90°00'00"	15.00'	23.56'	N44°50'12"W	21.21'
C10	90°00'00"	15.00'	23.56'	N45°09'48"E	21.21'
C11	36°39'37"	165.00'	105.57'	S18°29'37"W	103.78'
C12	90°00'00"	15.00'	23.56'	S81°49'25"W	21.21'
C13	90°00'00"	15.00'	23.56'	N08°10'35"W	21.21'
C14	250°07'23"	62.00'	270.66'	N01°45'44"E	101.50'
C15	38°42'17"	150.13'	101.42'	N72°32'46"W	99.50'
C16	53°24'11"	165.00'	153.79'	N26°28'29"W	148.28'
C17	53°24'11"	136.00'	126.76'	N26°28'29"W	122.22'
C18	53°24'11"	194.00'	180.82'	S26°28'29"E	174.34'
C19	90°00'00"	15.00'	23.56'	N45°13'36"E	21.21'
C20	90°00'00"	15.00'	23.56'	S44°46'24"E	21.21'
C21	38°48'32"	149.99'	101.60'	S70°26'14"E	99.66'
C22	250°18'21"	62.00'	270.86'	S35°11'48"W	101.38'
C23	69°23'27"	38.00'	46.02'	N54°20'45"W	43.26'
C24	36°39'37"	194.00'	124.13'	N18°29'37"E	122.02'
C25	36°39'37"	136.00'	87.02'	S18°29'37"W	85.54'
C26	12°31'39"	194.00'	42.42'	S06°25'38"W	42.33'
C27	24°07'58"	194.00'	81.71'	S24°45'26"W	81.11'
C28	39°53'21"	62.00'	43.16'	N76°38'43"E	42.30'
C29	83°34'25"	62.00'	90.44'	S41°37'24"E	82.63'
C30	94°51'00"	62.00'	102.64'	S47°35'18"W	91.31'
C31	31°48'37"	62.00'	34.42'	N69°04'53"W	33.98'
C32	7°11'34"	194.00'	24.35'	N49°34'48"W	24.34'
C33	15°19'23"	194.00'	51.88'	N38°19'19"W	51.73'
C34	17°19'34"	194.00'	58.66'	N21°59'51"W	58.44'
C35	13°33'40"	194.00'	45.92'	N06°33'14"W	45.81'
C36	36°28'05"	136.00'	86.56'	S18°00'26"E	85.11'
C37	16°56'06"	136.00'	40.20'	S44°42'32"E	40.05'
C38	18°39'55"	15.00'	4.89'	N09°06'21"W	4.86'
C39	71°20'05"	15.00'	18.68'	N54°06'21"W	17.49'
C40	22°44'00"	62.00'	24.60'	S78°35'22"E	24.44'
C41	36°57'51"	62.00'	40.00'	S48°44'23"E	39.31'
C42	36°57'52"	62.00'	40.00'	S11°46'29"E	39.31'
C43	36°57'54"	62.00'	40.00'	S25°11'25"W	39.31'
C44	37°16'19"	62.00'	40.33'	S62°18'32"W	39.62'
C45	18°33'49"	62.00'	20.09'	N89°46'24"W	20.00'
C46	30°25'37"	38.00'	20.18'	S34°51'50"E	19.94'
C47	60°50'28"	62.00'	65.84'	N50°04'16"W	62.79'
C48	38°57'51"	38.00'	25.84'	S69°33'33"E	25.35'
C49	6°22'42"	209.00'	23.27'	N87°02'15"E	23.25'
C50	7°35'11"	209.00'	27.67'	N80°03'18"E	27.65'

LINE TABLE		
LINE	LENGTH	BEARING
L1	2.92'	N00° 09' 48"E
L2	24.60'	S36° 49' 25"W
L3	24.60'	N36° 49' 25"E
L4	15.43'	N53° 10' 35"W
L5	10.00'	N89° 50' 12"W
L6	25.23'	N00° 13' 36"E
L7	25.23'	S00° 13' 36"W
L8	49.88'	S89° 46' 24"E
L9	36.54'	S07° 46' 53"E



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- EXISTING RIGHT-OF-WAY
- BOUNDARY LINE
- LOT LINE
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- FOUND PROPERTY CORNER AS DESCRIBED
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AE = ACCESS EASEMENT
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50 0 50 100 150 Feet

(IN U.S. SURVEY FEET)
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TOWNSHIP: 5 N
RANGE: 69 W of the 6th PM

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

DATE: 04/18/17
SCALE: 1" = 50'
REVIEWED BY: B. Tessely
PROJECT: 987-004
DESIGNED BY:
DRAWN BY: M. Kirkadze

PARKSIDE FIRST SUBDIVISION
CITY OF LOVELAND
STATE OF COLORADO

Sheet
4
Of 4 Sheets

PRELIMINARY
Robert C. Tessely
Registered Professional Land Surveyor
Colorado Registration No. 38470
For and on behalf of Northern Engineering Services, Inc.

City of Loveland

Development Services
Current Planning
500 East Third Street, Suite 310 • Loveland, CO 80537
(970) 962-2523 • Fax (970) 962-2945 • TDD (970) 962-2620
www.cityofloveland.org

Planning Commission Staff Report

June 26, 2017

Agenda #:	**Regular Agenda - 2**
Title:	The Brands and The Brands West
Applicant:	Eagle Crossing Developments, Stewart Loewenstein
Request:	**Flexible Zoning Overlay District** Approval
Location:	The Brands: Northeast corner of I-25 and Crossroads Boulevard, west of Fairgrounds Avenue The Brands West: East side of I-25, south of Earhart Road, on both sides of Byrd Drive
Existing Zoning:	I – Developing Industrial
Proposed Use:	Variety of commercial, mixed residential and light industrial uses
Staff Planner:	Kerri Burchett

Staff Recommendation

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

Recommended Motion:

Move to find that the criteria listed in Section VI of the Planning Commission staff report dated June 26, 2017 has been met and, based on those criteria, recommend City Council approve the Flexible Zoning Overlay District for The Brands and The Brands West.

Summary of Analysis

This is a public hearing to consider a flexible zoning overlay district for a 201-acre mixed-use development called The Brands and The Brands West. The project includes two separate land areas on the east and west sides of I-25, north of Crossroads Boulevard. The Brands, located south of the Larimer County Fairgrounds, is envisioned as a 1,267,520 square foot high-end life-style center with an urban core that includes a large pedestrian plaza, entertainment uses, restaurants, apartments, offices, retail and hotels. The Brands West, located adjacent to the Fort Collins-Loveland Airport, is envisioned as a 939,100 square foot in-line and pad site development that would be developed into retail, restaurants, hotels, offices and light industrial uses.

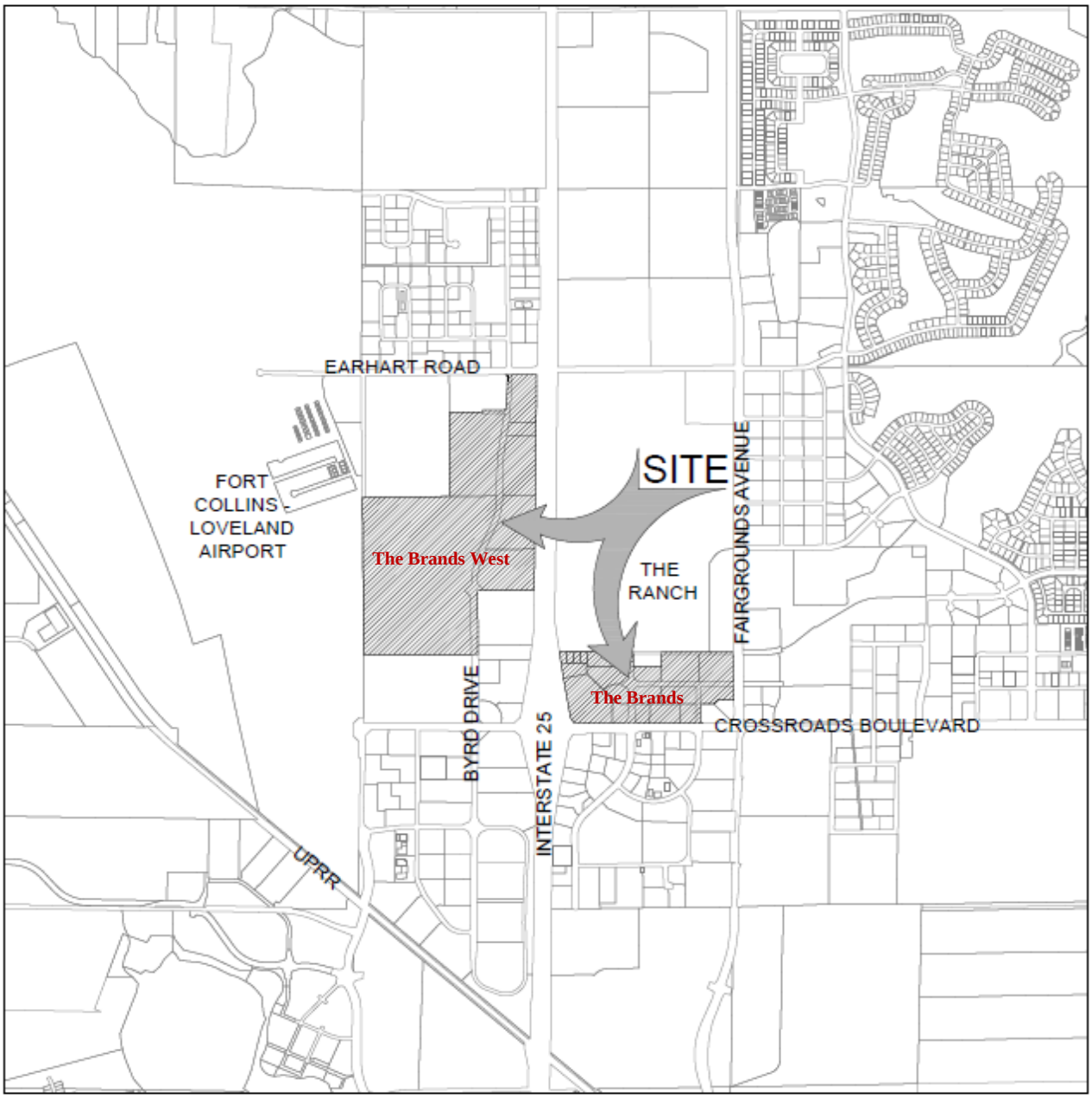
The Brands and The Brands West properties are zoned Industrial and are subject to traditional, low-intensity development standards in the Municipal Code. Those standards do not accommodate the applicant's vision of high density, urban scale buildings on the property. The flexible zoning overlay district, which is a new land use tool that was recently adopted to stimulate innovative development and promote reinvestment, was selected to provide relief from the existing zoning standards. A Business Assistance Agreement for the project was also approved by City Council to provide economic incentives for the project with shared City sales tax and expedited City review.

Staff is recommending approval of the flexible zoning overlay district based on the criteria contained in Section VI of this report. Neighbors in attendance at the neighborhood meeting were supportive of the project.

I. SUMMARY

The Brands and The Brands West is a 201-acre mixed-use development proposal located in two separate land areas on the east and west sides of Interstate 25, north of Crossroads Boulevard. The properties are owned by Eagle Crossing Developments and are zoned I-Developing Industrial. The properties are also subject to a special review that was approved in 1986 that granted significant use allowances. The special review allows all uses by right and uses by special review in both the Business and Industrial zones to be processed as a use by right. The majority of the property is currently vacant. Existing development in The Brands includes a Perkins restaurant and a RE/MAX office. The Brands West is currently being used as a staging area for the CDOT Crossroads-I-25 widening project.

Map 1. Project Vicinity



The applicant's vision for development of the properties is to create a high intensity, mixed-use lifestyle center with a variety of retail, restaurants, offices, entertainment uses, hotels, and housing. The project would be designed in an urban fashion with tall building heights and minimal internal building setbacks. This development style reflects the growth pressures in the area and the desire to create a regional activity and entertainment center along the corridor. Development of The Brands would be centered around an urban core with building heights up to 130 feet, similar to the Embassy Suites hotel to the north of the property. Buildings would be designed with minimal setbacks, fronting onto a large pedestrian plaza that would be activated with pedestrian amenities such as fountains, outdoor seating and entertainment areas (see conceptual rendering below). This vision of development cannot be achieved with the application of the development standards that are established in the Municipal Code. The Code provides for a more low intensity, traditional development with 25 foot building setbacks, bufferyards, and maximum building heights of 50 feet. In order to develop the project as envisioned, relief from the existing development standards is necessary.

The flexible zoning overlay district was recently adopted to stimulate innovative development and promote reinvestment by providing relief from regular land use controls, including the opportunity for relief from use restrictions, development intensity limitations and associated standards in the underlying zoning. Using this tool allows for the approval of a master planning concept for The Brands and The Brands West, as opposed to requesting individual height exceptions and variances which are time consuming and require findings of hardship. The flexible zoning overlay district also provides more certainty in marketing the project and a more expedited review process, as opposed to rezoning the properties to a planned unit development.

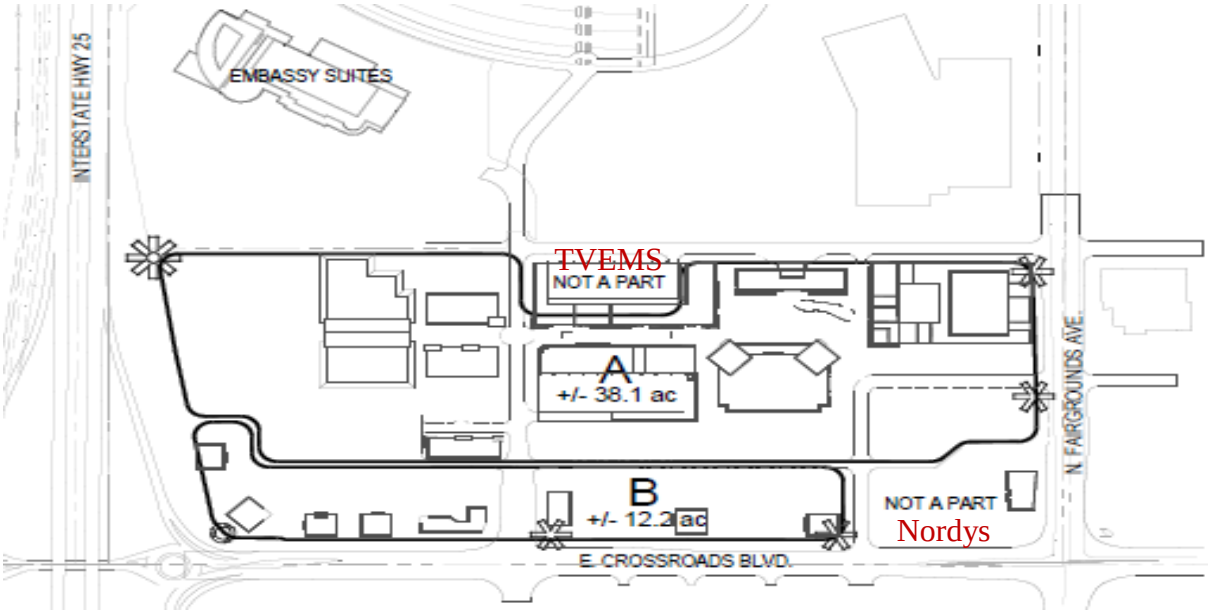
A more detailed description of each planning area within The Brands and The Brands West is provided on pages 4 and 5 of this report. The flexible zoning overlay district submitted by the applicant is included as **Attachment G**. The overlay district outlines the vision for the development, including a conceptual massing and height study, architectural and landscaping design guidelines, and conceptual renderings of the core area and pedestrian plaza in The Brands. The submitted overlay district plan also specifies which zoning standards are being modified by the plan and provides a justification for the zoning modifications.

CONCEPUTAL RENDERINGS:

The Brands

The Brands is located at the northeast corner of I-25 and Crossroads Boulevard, west of Fairgrounds Avenue and directly south of the Larimer County Fairgrounds. The property is approximately 50 acres and includes 19 platted lots. The majority of the lots are vacant; there is one developed lot housing a Perkins restaurant and a RE/MAX office. Nordy's restaurant and the Thompson Valley EMS (TVEMS) buildings are currently not part of the flexible zoning overlay district; however, negotiations with TVEMS are occurring and the property is anticipated to be incorporated into The Brands at a future date.

The Brands is divided into two planning areas: A and B (see below). Area A, located in the northern portion of the site, would be designed around a large pedestrian plaza with entertainment uses, restaurants, apartments, offices, retail and hotels. Currently, there is 1 executed lease agreement for the development of a 12-screen Galaxy movie theater in Area A. Several restaurants are also in lease negotiations. Area B would include more conventional pad site buildings fronting onto Crossroads Boulevard.



CONCEPTUAL AERIAL RENDERING

CONCEPTUAL PEDESTRIAN CORRIDOR

To accommodate the development vision in planning areas A and B, the overlay district requests alternative standards for building setbacks, building height, density and landscaped bufferyards, as identified below. Perimeter setbacks and bufferyards along Crossroads Boulevard and Fairgrounds Avenue will not be altered in order to maintain a consistent and compatible appearance on the arterial street edges. Zero foot setbacks, as identified in the overlay district, would be internal to the project area to accommodate buildings fronting on the pedestrian plaza. Building heights (within Area A) would be limited to 130 feet or the established FAA flight ceiling. This is similar to the height of the Embassy Suites hotel. A maximum of 1,250 dwelling units are proposed in Area A. The tables below identify the existing and modified regulatory components for Planning Areas A and B of The Brands.

PLANNING AREA A

	EXISTING STANDARD	PROPOSED STANDARD	JUSTIFICATION
SETBACKS			
I-25	80' FROM EDGE OF PAVEMENT OR 35' FROM PROPERTY LINE	35' FROM PROPERTY LINE	THE REQUIRED LANDSCAPE BUFFER IS 35', WHICH FUNCTIONS AS A SETBACK. PROVIDING A SETBACK OF 80' FROM THE EDGE OF PAVEMENT IS ACTUALLY A LOWER STANDARD, SINCE 80' FROM THE CURRENT (AND PROPOSED FUTURE) EDGES OF PAVEMENT IS LESS THAN 35' FROM THE PROPERTY LINE. THIS APPROACH SIMPLIFIES THE STANDARD AND PROVIDES AN EVEN SETBACK.
LOCAL OR COLLECTOR RIGHT-OF-WAY	20'	0' (SEE GENERAL STANDARDS NOTE 2.)	ZERO FOOT SETBACKS ARE NECESSARY IN PLANNING AREA A TO BRING BUILDINGS CLOSER TO THE STREET AND/OR PROPERTY LINE TO CREATE A PEDESTRIAN-ORIENTED, URBAN ENVIRONMENT.
SIDE AND REAR PROPERTY LINE	15'	0' (SEE GENERAL STANDARDS NOTE 2.)	
FAIRGROUNDS AVE	20'	20' (SEE GENERAL STANDARDS NOTE 2.)	SETBACKS ON FAIRGROUNDS AVE WILL REMAIN THE SAME AS ESTABLISHED IN SPECIAL REVIEW 572.
HEIGHT			
HEIGHT	50'	130' OR A MAXIMUM ELEVATION OF 5,165', WHICHEVER IS GREATER. BUILDINGS HIGHER THAN 55' ON THE SOUTH SIDE OF THE PEDESTRIAN PLAZA WILL BE REQUIRED TO SUBMIT A SHADOW ANALYSIS AT THE TIME OF SITE PLAN TO IDENTIFY ANY ADVERSE EFFECTS OF SHADING.	THE CHARACTER ENVISIONED FOR PLANNING AREA A REQUIRES A HIGHER LEVEL OF DENSITY THAN IS PERMITTED UNDER THE CURRENT ZONING. TO ACHIEVE THIS DENSITY, BUILDINGS WILL NEED TO BE TALLER AND ARE PROPOSED TO BE PERMITTED UP TO THE FAA FLIGHT CEILING.
DENSITY			
MAXIMUM DWELLING UNITS	NOT STATED IN CODE	1,250 DWELLING UNITS	THE INTENT FOR THE BRANDS AND THE BRANDS WEST IS TO CREATE A DYNAMIC MIXED-USE PROJECT, WHICH INCLUDES PERMITTING UP TO 1,250 DWELLING UNITS. IN ORDER TO CREATE PORTIONS OF THE PROJECT SIMILAR TO, YET UNIQUE FROM, PROJECTS SUCH AS LINCOLN PLACE OR THE GALLERY FLATS. RESIDENTIAL UNITS WITHIN PLANNING AREA A MUST BE WITHIN A MIXED USE BUILDING UNLESS THIS STANDARD IS WAIVED VIA ADMINISTRATIVE APPROVAL AT TIME OF SITE PLAN, IN WHICH CASE THE DEVELOPER MUST DEMONSTRATE THAT A SINGLE-USE RESIDENTIAL BUILDING IS DESIGNED TO FIT WITHIN THE URBAN CHARACTER ESTABLISHED IN AREA A.
FLOOR AREA RATIO (FAR)	0.5	1,200,000 SQUARE FEET TO 1,500,000 SQUARE FEET TOTAL GROSS FLOOR AREA.	THE CURRENT OVERLAY ZONING ENVISIONED THE BRANDS AS AN INDUSTRIAL PROPERTY. THE INCREASE IN DENSITY IS NECESSARY TO CREATE THE MIXED USE DENSITY SHOWN IN THE PROJECT VISION.
BUFFER YARDS			
SIZE OF BUFFER YARDS	VARIES	WHERE POSSIBLE, COMMON OPEN SPACES SHALL BE PROVIDED IN THE FORM OF PEDESTRIAN SPINES, CENTRAL COURTS, PLAZAS AND SQUARES, INSTEAD OF BUFFER YARDS. INTERNAL BUFFER YARDS MAY BE REDUCED TO 0' WITH ADMINISTRATIVE REVIEW AT TIME OF SITE PLAN. (SEE GENERAL STANDARDS NOTE 2.)	THE FINAL INTERNAL CONFIGURATION OF PARKING FIELDS, PAD SITES, VEHICULAR CIRCULATION, AND OTHER ELEMENTS HAS NOT YET BEEN ESTABLISHED. THIS STANDARD WILL ALLOW NECESSARY FLEXIBILITY FOR INTERNAL BUFFER YARDS WHEN FINAL BUILDING PLACEMENT AND PARKING LOT DESIGN HAVE BEEN DETERMINED. PERIMETER SETBACKS AND BUFFER YARDS WILL COMPLY WITH THE MUNICIPAL CODE, EXCEPT AS MODIFIED HEREIN, ALONG FAIRGROUNDS AVE, CROSSROADS BLVD, I-25, AND TO SURROUNDING PROPERTIES NOT WITHIN THE BRANDS WHERE INCOMPATIBLE USES EXIST.
NOTES			
1. PLAZAS MAY ENCROACH INTO BUILDINGS SETBACKS.			
2. NO ADDITIONAL OPEN SPACE DEDICATION WILL BE REQUIRED FOR ANY RESIDENTIAL BUILDINGS DEVELOPED AS SINGLE USE OR AS FOR-SALE RESIDENTIAL PROPERTIES.			

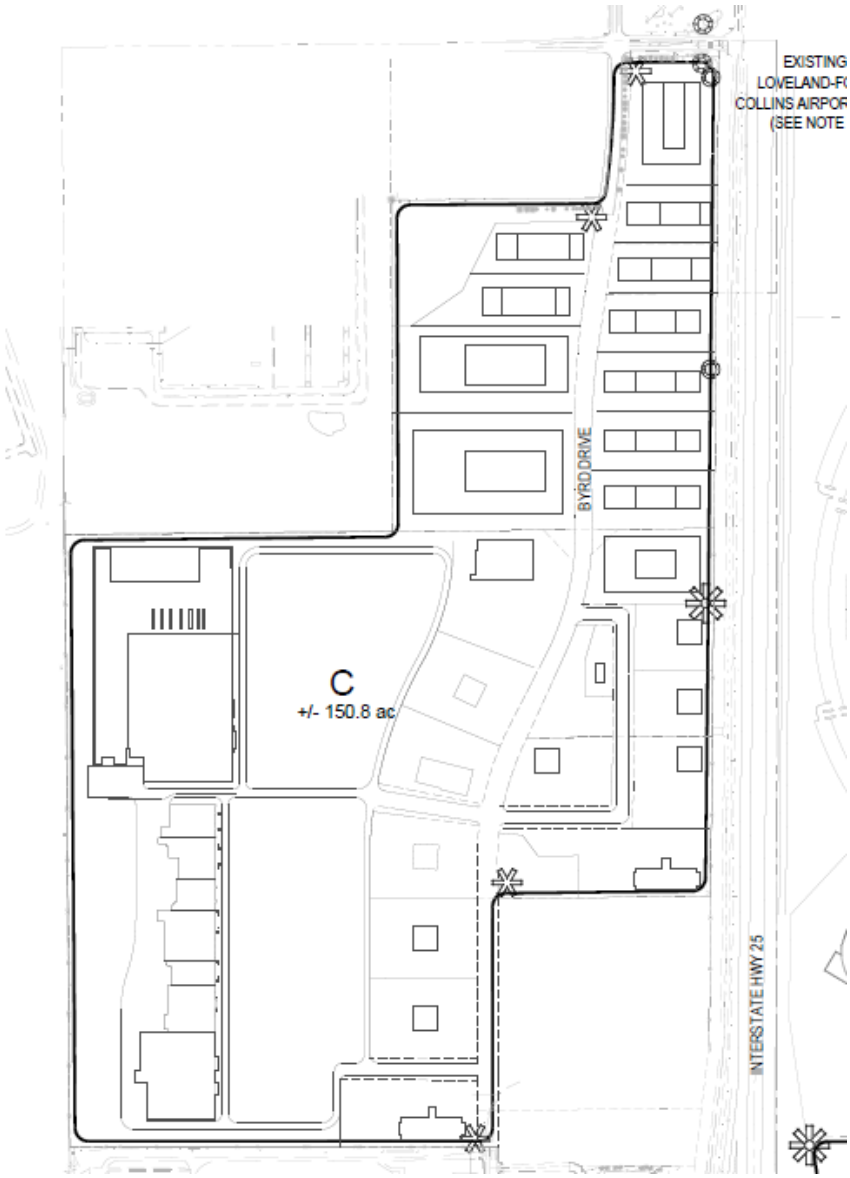
PLANNING AREA B

	EXISTING STANDARD	PROPOSED STANDARD	JUSTIFICATION
SETBACKS			
I-25	80' FROM EDGE OF PAVEMENT OR 35' FROM PROPERTY LINE	35' FROM PROPERTY LINE	THE REQUIRED LANDSCAPE BUFFER IS 35', WHICH FUNCTIONS AS A SETBACK. THE EDGE OF PAVEMENT IS CURRENTLY LESS THAN 35' FROM THE PROPERTY LINE AND I-25 MAY BE MODIFIED IN THE FUTURE. THIS APPROACH SIMPLIFIES THE STANDARD.
CROSSROADS BLVD	30'	30' (SEE GENERAL STANDARDS NOTE 2.)	SETBACKS ON CROSSROADS BLVD WILL REMAIN THE SAME AS ESTABLISHED IN SPECIAL REVIEW 572.
HEIGHT			
HEIGHT	50'	85' FOR OFFICE USES AND 100' FOR HOTELS, UP TO A MAXIMUM ELEVATION OF 5165', WHICHEVER IS GREATER. ALL OTHER USES SHALL USE THE EXISTING STANDARD.	THE CHARACTER ENVISIONED FOR PLANNING AREA B REQUIRES A HIGHER BUILDING HEIGHT FOR CERTAIN USES. TO ACHIEVE THIS DENSITY, BUILDINGS WILL NEED TO BE TALLER AND ARE PROPOSED TO BE PERMITTED UP TO THE FAA FLIGHT CEILING.
BUFFER YARDS			
SIZE OF BUFFER YARDS	VARIES	WHERE POSSIBLE, COMMON OPEN SPACES SHALL BE PROVIDED IN THE FORM OF PEDESTRIAN SPINES, CENTRAL COURTS, PLAZAS AND SQUARES, INSTEAD OF BUFFER YARDS. INTERNAL BUFFER YARDS MAY BE REDUCED TO 0' WITH ADMINISTRATIVE REVIEW AT TIME OF SITE PLAN. (SEE GENERAL STANDARDS NOTE 2.)	THE FINAL INTERNAL CONFIGURATION OF PARKING FIELDS, PAD SITES, VEHICULAR CIRCULATION, AND OTHER ELEMENTS HAS NOT YET BEEN ESTABLISHED. THIS STANDARD WILL ALLOW NECESSARY FLEXIBILITY FOR INTERNAL BUFFER YARDS WHEN FINAL BUILDING PLACEMENT AND PARKING LOT DESIGN HAVE BEEN DESIGNED.
NOTES			
1. PLAZAS MAY ENCROACH INTO BUILDINGS SETBACKS.			

The Brands West

The Brands West is located adjacent to the airport and includes properties on both sides of Byrd Drive. It is envisioned as a 939,100 square foot in-line and pad development that would include retail, restaurants, hotels, offices and light industrial uses. The property is currently vacant and platted into 7 developable lots. The properties are being used by the Colorado Department of Transportation for a staging area for the Crossroads-I-25 widening project.

In the overlay district, The Brands West is identified as planning area C. This area is anticipated to be developed as the last phase of the The Brands and The Brands West project. A modification to building heights for office, hotels, tourism uses, anchor and junior anchor retailers and regional distribution centers is the only requested modification to development standards for this planning area.



PLANNING AREA C

	EXISTING STANDARD	PROPOSED STANDARD	JUSTIFICATION
SETBACKS			
BYRD DRIVE	20'	30'	A LARGER SETBACK IS REQUIRED BECAUSE OF EXISTING DRAINAGE AND UTILITIES EASEMENTS.
HEIGHT			
HEIGHT	50'	100' FOR OFFICE, HOTELS, TOURISM USES, ANCHOR RETAILERS AND JUNIOR ANCHOR RETAILERS (AS DEFINED IN THE APPROVED BUSINESS ASSISTANCE AGREEMENT), AND REGIONAL DISTRIBUTION CENTERS, UP TO A MAXIMUM ELEVATION OF 5165', WHICHEVER IS GREATER. ALL OTHER USES SHALL USE THE EXISTING STANDARD.	THE CHARACTER ENVISIONED FOR PLANNING AREA C WILL REQUIRE A HIGHER BUILDING HEIGHT FOR CERTAIN USES. TO ACHIEVE THIS DENSITY, BUILDINGS WILL NEED TO BE TALLER AND ARE PROPOSED TO BE PERMITTED UP TO THE FAA FLIGHT CEILING. ANCHOR RETAILERS ARE DEFINED IN THE APPROVED BUSINESS ASSISTANCE AGREEMENT (BAA) AS TENANTS OR OWNERS OF RETAIL SPACE HAVING (A) AT LEAST 50,000 SF OF RETAIL SPACE OR (B) SALES OF NOT LESS THAN $15 MILLION ANNUALLY BASED ON AVERAGE NATIONAL SALES PERFORMANCE. JUNIOR ANCHOR RETAILERS ARE DEFINED IN THE BAA AS OWNERS OR TENANTS OF RETAIL SPACE HAVING (A) BETWEEN 7,500 SF AND 49,999 SF OF RETAIL SPACE OR (B) SALES OF NOT LESS THAN $10 MILLION ANNUALLY BASED ON AVERAGE NATIONAL SALES PERFORMANCE.
NOTES			
1. PLAZAS MAY ENCROACH INTO BUILDINGS SETBACKS.			

General Modifications

The submitted overlay district proposes general modifications to architectural colors and materials to provide more flexibility and a broader color palette. Other modifications include screening along I-25, along with signage and lighting standards that would apply to both The Brands and The Brands West, as indicated below. The developments are being planned in a cohesive manner. Consistent and thematic streetscape elements will be incorporated into each planning area to tie the projects together. This includes lighting, landscaping, street furniture and signage. The specific thematic elements are being designed and will be submitted as a pedestrian amenity plan with the first development proposal. The amenity plan will ensure that The Brands and The Brands West are recognizable as a cohesive and master planned development.

GENERAL

	EXISTING STANDARD	PROPOSED STANDARD	JUSTIFICATION
ARCHITECTURE			
COLORS	PREDOMINANT EXTERIOR COLORS SHALL BE NEUTRAL OR EARTH TONE COLORS	COLORS SHALL BE GENERALLY CONSISTENT WITH THE CHARACTER OF THE CONCEPTUAL ARCHITECTURE CONTAINED WITHIN THIS FZOD PLAN.	THE DYNAMIC DEVELOPMENT ENVISIONED FOR THE BRANDS AND BRANDS WEST WILL REQUIRE ADDITIONAL FLEXIBILITY FOR COLOR PALETTE TO MAKE THE DEVELOPMENT DISTINCTIVE AND INTERNALLY CONSISTENT.
MATERIALS	TWO KINDS OF MATERIAL; 25% BRICK OR STONE; METAL PROHIBITED WITHIN 750' OF I-25; 25% MAXIMUM METAL SIDING (CANNOT BE CORRUGATED)	ACCENT METAL PANELS ARE ALLOWED THROUGHOUT THE PROJECT. REFER TO ARCHITECTURAL STANDARDS FOR ADDITIONAL INFORMATION.	THE "CONTEMPORARY COLORADO" ARCHITECTURAL STYLE PROPOSED FOR THE BRANDS AND THE BRANDS WEST MAY INCLUDE METAL AS ONE OF MANY POTENTIAL BUILDING MATERIALS. REFER TO ARCHITECTURAL STANDARDS FOR ADDITIONAL INFORMATION.
GAS STATION CANOPY HEIGHT	NO CANOPIES SHALL EXCEED 16.5 FEET IN TOTAL HEIGHT.	MAXIMUM HEIGHT OF ANY CANOPY STRUCTURE SHALL NOT EXCEED 17.5 FEET.	A COMPARABLE STANDARD HAS BEEN ESTABLISHED ELSEWHERE IN LOVELAND.
LANDSCAPE BUFFERS			
SCREENING	SCREENING THROUGH 4-6' MEANDERING BERMS, PER THE HIGHWAY 34 CORRIDOR PLAN (AS ESTABLISHED IN THE DEVELOPMENT AGREEMENT(S) FOR THE SITE).	SCREENING THROUGH MEANDERING BERMS, TO WHATEVER HEIGHT IS FEASIBLE.	BERMS OF 4' TO 6' MAY NOT BE ACHIEVABLE UNDER THE STANDARD FOR A 35' SETBACK, SINCE GRADES WOULD HAVE TO BE STEEPER THAN CODE PERMITS TO ACHIEVE SUCH A HEIGHT. ADDITIONALLY, GRADES IN THE WESTERN HALF OF PLANNING AREA B WILL MAKE BERMING DIFFICULT.
SIGNAGE			
FREESTANDING ELECTRONIC SIGNS / PROJECT IDENTIFICATION SIGN	2 DIGITAL SIGNS TOTAL (1 ON EAST SIDE OF I-25, 1 WEST SIDE OF I-25) / TWO SIGNS PER PROJECT ENTRY FROM AN ARTERIAL OR COLLECTOR / COMMERCIAL PROJECT IDENTIFICATION SIGNS SHALL BE COUNTED AS A FREESTANDING SIGN.	SAME, WITH ADDITIONAL PROJECT IDENTIFICATION SIGNS AT THE LOCATIONS SHOWN ON SHEET 2 OF THIS PLAN SET. ADDITIONALLY, SECTION 18.50.080.B DOES NOT APPLY.	THE LARGE DIGITAL SIGN CAN BE BUILT WHEN THE RIGHT TO BUILD TWO SMALLER SIGNS IS FORFEITED. AT THE BRANDS THERE IS AN EXISTING RETAINING WALL AT THE ROUNDABOUT AT THE INTERSECTION OF CROSSROADS BOULEVARD AND I-25. THE DEVELOPER IS PROPOSING THAT A PROJECT IDENTIFICATION SIGN MAY BE PUT ON THIS WALL WITHOUT AFFECTING THE RIGHT TO BUILD ONE LARGER ELECTRONIC SIGN ON THE EAST SIDE OF I-25. IN ADDITION, THE BRANDS WEST HAS A LENGTHY I-25 FRONTAGE (+/- 3,152') AND THE DEVELOPER IS PROPOSING THAT, DUE TO THE LENGTHY FRONTAGE AND THE SCOPE OF THE PROJECT, ONE LARGE ELECTRONIC SIGN BE BUILT ON THIS FRONTAGE AS WELL AS ONE PROJECT IDENTIFICATION SIGN. THE EXISTING FORT COLLINS - LOVELAND AIRPORT SIGN AT THE INTERSECTION OF THE FRONTAGE ROAD AND EARHART DRIVE DOES NOT COUNT TOWARDS THE PROJECT'S TOTAL PERMITTED NUMBER OF SIGNS AND MAY BE REPLACED IN THE FUTURE WITH AN ADDITIONAL PROJECT IDENTIFICATION SIGN.
RIGHT-OF-WAY			
LIGHTING, SIGNAGE, AND OTHER ELEMENTS WITH THE PUBLIC RIGHT-OF-WAY.	VARIES. THE CITY'S STANDARD STREET LIGHT SHALL BE USED.	A UNIQUE STREET LIGHT MAY BE USED AT THE BRANDS WEST AND THE BRANDS AT THE RANCH WITHIN THE PUBLIC RIGHT-OF-WAY. THIS MAY INCLUDE THE CITY'S STANDARD LIGHT IN AN ALTERNATE COLOR, THE CITY'S NEW STANDARD DOWNTOWN AREA LIGHT, OR ANOTHER YET TO BE DETERMINED FIXTURE. ADDITIONALLY, WAYFINDING SIGNAGE, PEDESTRIAN FURNITURE, ENHANCED PAVING AT CROSSWALKS / INTERSECTIONS, AND OTHER ELEMENTS MAY BE LOCATED WITHIN THE PUBLIC RIGHT-OF-WAY. ANY IMPROVEMENTS THAT DO NOT MEET LCUASS STANDARDS WILL BE MAINTAINED BY THE DISTRICT.	THE FINAL DESIGN CHARACTER FOR THE BRANDS AND THE BRANDS AT THE RANCH HAS NOT YET BEEN DETERMINED, HOWEVER IT WILL BE CRITICAL THAT THE CHARACTER OF THE PEDESTRIAN PLAZA AND OTHER PEDESTRIAN AREAS SEAMLESSLY INTERFACE WITH THE PUBLIC RIGHT-OF-WAY SO THAT THE PROJECT HAS ONE CONSISTENT CHARACTER AND FEEL. MAINTENANCE OF ENHANCED PAVING AT CROSSWALKS / INTERSECTIONS, PEDESTRIAN FURNITURE, AND OTHER ELEMENTS WILL BE THE RESPONSIBILITY OF THE METROPOLITAN DISTRICT. STREET LIGHT MAINTENANCE WILL BE DETERMINED BY SEPARATE DOCUMENT AT THE TIME OF FINAL DESIGN.
NOTES			
1. USES SUBSTANTIALLY SIMILAR TO, OR COMPATIBLE WITH, THOSE APPROVED VIA SPECIAL REVIEW 572 ARE PERMITTED BY RIGHT.			
2. PERIMETER SETBACKS AND BUFFER YARDS FOR FRONTAGES ALONG CROSSROADS BLVD. AND FAIRGROUNDS AVE. WILL COMPLY WITH THE MUNICIPAL CODE OR SPECIAL REVIEW 572.			

Business Assistance Agreement

The applicant presented the vision of The Brands and The Brands West development to the City Council in December of 2016. City Council approved a Business Assistance Agreement for the project, finding that the development proposal was in accordance with the City's comprehensive master plan and was anticipated to act as a catalyst for growth in the area, creating approximately 6,800 permanent jobs and 4,600 construction jobs. The Business Assistance Agreement provides incentives for the development, including a limited waiver of City building permit fees, a limited City use tax credit, additional economic incentive in the form of sharing the City sales tax or credit of the City sales tax, and expedited administrative review periods by the City. The Business Assistance Agreement is included as **Attachment E** to this report.

II. ATTACHMENTS

A. Applicant's Finding Statement
B. Chapter 18.44 Flexible Zoning Overlay District
C. Chapter 18.28 Developing Business District
D. Chapter 18.36 Developing Industrial District
E. Business Assistance Agreement
F. Neighborhood meeting notes provided by Norris Design
G. The Brands and The Brands West Flexible Zoning Overlay District
H. Special Review #572

III. SITE DATA

GENERAL

ACREAGE OF OVERLAY DISTRICT	201 AC
MASTER PLAN DESIGNATION	INDUSTRIAL
EXISTING ZONING	I DEVELOPING INDUSTRIAL

THE BRANDS

ACREAGE	50.3 AC
EXISTING USE	VACANT AND RESTAURANT
NUMBER OF DWELLING UNITS PROPOSED	1,250
EXIST ADJ ZONING & USE - NORTH	PUD LARIMER COUNTY FAIRGROUNDS AND EMBASSY SUITES
EXIST ADJ ZONING & USE - SOUTH	I INDUSTRIAL, COMMERCIAL BUSINESSES
EXIST ADJ ZONING & USE - WEST	I INDUSTRIAL, I-25
EXIST ADJ ZONING & USE - EAST	TOWN OF WINDSOR, COMMERCIAL AND VACANT
UTILITY SERVICE –ELECTRIC	CITY OF LOVELAND
UTILITY SERVICE – WATER & SEWER	FORT COLLINS-LOVELAND WATER AND SOUTH FORT COLLINS SANITATION DISTRICT

THE BRANDS WEST

ACREAGE	150.8 AC
NUMBER OF DWELLING UNITS PROPOSED	0
EXIST ADJ ZONING & USE - NORTH	I DEVELOPING INDUSTRIAL, VACANT AND LIGHT INDUSTRIAL
EXIST ADJ ZONING & USE - SOUTH	I DEVELOPING INDUSTRIAL AND COUNTY AIRPORT, COMMERCIAL (THUNDER MOUNTAIN) AND WAPA

EXIST ADJ ZONING & USE - WEST	I- DEVELOPING INDUSTRIAL. AIRPORT
EXIST ADJ ZONING & USE - EAST	I DEVELOPING INDUSTRIAL-VACANT AND I-25
UTILITY SERVICE –ELECTRIC	CITY OF LOVELAND
UTILITY SERVICE – WATER & SEWER	FORT COLLINS-LOVELAND WATER AND SOUTH FORT COLLINS SANITATION DISTRICT

IV. KEY ISSUES

City staff believes that all key issues have been addressed in the development proposal.

V. STAFF, APPLICANT, AND NEIGHBORHOOD INTERACTION

A. Notification: An affidavit was received from Destiny Bennett and Norris Design certifying that written notice was mailed to all property owners within 1,200 feet of the property on May 23, 2017 and notices were posted in prominent locations on the perimeter of the site on June 9, 2017. In addition, a notice was published in the Reporter Herald on June 10, 2017.

B. Neighborhood Response: A neighborhood meeting was held at 5:30 p.m. on June 8, 2017 in the Development Center. The meeting was attended by 5 neighbors: 2 County representatives, a representative from TVEMS, and 2 neighbors from Steeplechase, the residential development east of the property in the Town of Windsor. Those in attendance were supportive of the project and asked informational questions about the timing of traffic studies, the planning process, and anticipated uses. Notes from the neighborhood meeting, provided from the applicant, are included as **Attachment F**.

VI. CRITERIA AND ANALYSIS

The chapters and sections cited below are from the Loveland Municipal Code pertaining to the Flexible Zoning Overlay District Eligibility Criteria. Applicable criteria contained in the Municipal Code are specified in italic print followed by the staff analysis as to whether the criteria is met by the submitted application.

1. **Section 18.44.050.A:** *District boundaries shall be consistent with the city's infill definition where at least eighty percent of the district boundary is contiguous to properties within the city limits; greenfield sites are unsuitable for district designation.*

   Current Planning: Staff believes that this criteria can be met based on the following facts:

   - Both The Brands and The Brands West meet the eligibility criteria of infill development where at least 80% of the boundaries are contiguous to properties within the city limits.

   - The definition of "greenfield development" as identified in Chapter 18.44 means open land that is not surrounded by or substantially constrained by development, including leapfrog development, and where there has been no previous development activity other than agricultural uses or similar low-intensity uses. The intent of the provision to exclude greenfield development is to promote reinvestment into areas that have development constraints.

Both The Brands and The Brands West properties are platted and have infrastructure installed. The properties are located in areas along Crossroads Boulevard, Fairgrounds Avenue, and I-25 that are receiving increasing growth pressures for development. Development activity has occurred along Fairgrounds Avenue and Crossroads Boulevard with the development of the Larimer County Fairgrounds, hotels, restaurants, and office buildings. A new elementary school and residential development is planned to the north of the County Fairgrounds. Increasing development pressures for this area are also occurring in the Town of Windsor, whose Town limits are on the east side of Fairgrounds Avenue. The Town is processing a similar overlay application for The Brands East along with additional residential development proposals along the corridor.

The Brands contains existing development along with constructed rights-of-way and utilities internal to the project area. The Brands West is currently being used as a high-intensity staging area for CDOT's Crossroads-I-25 widening project. The properties are not being used for agricultural purposes and staff believes that they are not considered greenfield development as defined in Chapter 18.44.

2. **Section 18.44.050.B:** *Property within the district boundaries is contiguous or separated only by public rights-of-way; and*
3. **Section 18.44.050.C:** *District boundaries are discernable and distinguishable from adjacent lands.*

Current Planning: Staff believes that these criteria can be met based on the following facts:

- The boundaries of The Brands and The Brands West are within two separate land areas, on the east and west side of I-25. Within each of the land areas, the properties are contiguous or separated only by public rights-of-way. The properties are all owned by Eagle Crossing Development and will appear cohesive when developed.
- The district boundaries are discernable from adjacent lands. The Brands is bordered by I-25 on the west, Crossroads Boulevard on the south, Fairgrounds Avenue on the east and the Larimer County Fairgrounds to the north. The Brands West is bordered on the west by airport, and I-25 to the east. The properties will incorporate thematic elements including signage, streetscape furniture and signs that will distinguish it as part of The Brands.

4. **Section 18.44.050.D:** *The district use meets applicable Adequate Community Facilities (ACF) standards set forth in Chapter 16.41*.

Transportation Engineering: Staff believes that this criterion can be met based on the following fact:

- Development plan applications within this project area will be required to demonstrate conformance with ACF requirements for transportation with future site development plans. Language has been incorporated into page 2 of the district plan that indicates that a master traffic impact study will be provided with the development to address the overall impacts to the transportation system and to identify the larger scale improvements needed. Therefore, this development will not negatively impact traffic in the area.

Fire Prevention: Staff believes that this criterion can be met based on the following facts:

- The development will comply with the requirements in the ACF Ordinance for response distance requirements from the first due Engine Company.

- The development will not negatively impact fire protection for the subject development or surrounding properties. The development plan will be required to meet current International Fire Code requirements.

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

- This development is located within the Fort Collins-Loveland Water District and South Fort Collins Sanitation District. The City has no concerns regarding the development.
- The District will provide water and wastewater service to the project. Future development plans will be routed to the District for their review and comments. The City, District and the developer will work collaboratively to ensure that the water and wastewater needs are met with future site development plans and subdivision plats.

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

- Proposed stormwater facilities will be reviewed with future site development plans to ensure that the 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.

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

- The flexible zoning overlay district is consistent with the Power Division's master plan by being consistent with the City's Create Loveland master plan.
- The proposed development will not negatively impact City power facilities.
- Existing developments are being served by the City's electric system.

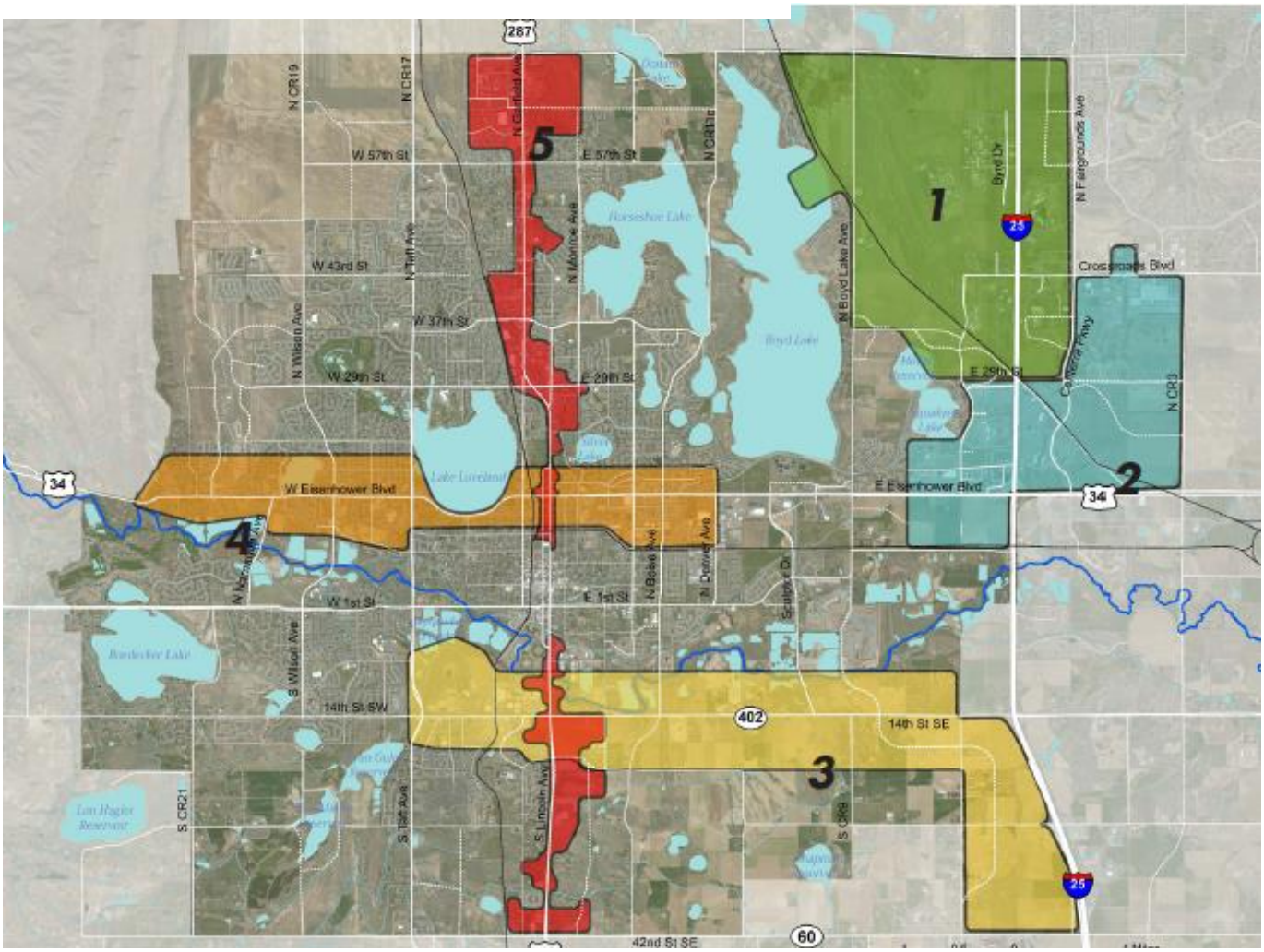
5. **Section 18.44.050.E:** *The district plan is consistent with the intent and goals of applicable land use plans and policies; however a district plan may vary from the use, density and intensity provisions specified in the land use plan component of the Comprehensive Plan.*

Current Planning: Staff believes that this criterion can be met based on the following facts:

- Create Loveland, the City's Comprehensive Plan, identifies land around the airport, Crossroads Boulevard and I-25 as a market-supported development opportunity (see Map 2 on page 12). Both the City of Loveland and Fort Collins have identified the Airport area as a key economic development driver for the region with strong potential for future development.
- Goals for the airport area include to encourage high quality investment that is consistent with the City's long term goals and policies and to offer economic incentives according to the City's incentive policy. The goals are aimed at supporting this area to become a key economic and innovation center for the region.
- The Brands is designated as a Regional Activity Center and The Brands West is designated as Industrial in Create Loveland. The current zoning and use allowances are consistent with these designations. Provisions designated for modification in the flexible zoning overlay district relate to building form, setback, heights and other intensity provisions as opposed to use designations.

- City Council determined that the development proposal is consistent with the goals of Create Loveland and approved a Business Assistance Agreement that provides financial incentives for the project.

Map 2: Development Opportunity Areas



6. **Section 18.44.050.F:** *The district plan has been designed to prevent incompatibility with adjacent and nearby property and land uses, particularly sensitive uses.*

Current Planning: Staff believes that this criterion can be met based on the following facts:

- The overlay district has been designed to maintain consistent perimeter street edges with building setbacks and landscaping consistent with the existing development patterns. Modification and relief to standards are generally internal to the property boundaries.
- Surrounding property owners that attended the neighborhood meeting were supportive of the project.

7. **Section 18.44.050.G:** *Community benefits of the flexible zoning overlay district and the associated district plan shall outweigh any negative impacts to surrounding properties or to the community.*
8. **Section 18.44.050.H:** *Establishment of the district encourages property investment and development, which might otherwise not occur, and furthers a valid purpose.*

Current Planning: Staff believes that this criterion can be met based on the following facts:

- Development of The Brands and The Brands West is anticipated to be a catalyst for growth in the area and create approximately 6,800 permanent jobs and 4,600 construction jobs.
- In approving the Business Assistance Agreement, City Council found that the anticipated development was in the best interest of the public by encouraging activities that provide significant social, economic, or cultural benefits to the citizens of Loveland.
- Establishment of the flexible zoning overlay district will encourage property investment in the area. Modifying the standards requested for relief in the overlay district are critical in realizing the vision of the project.

VII. RECOMMENDED CONDITIONS

There are no recommended conditions of approval by City Staff.

The Brands and Brands West
Flexible Zoning Overlay District

April 5, 2017

Introduction
The Brands and Brands West form an exciting mixed use development located adjacent to I-25 north of Crossroads Blvd. The Brands site is located south of the Ranch and incorporates +/- 50 acres. Formerly known as Eagle Crossing, The Brands is envisioned as a premier lifestyle center with a diverse mix of entertainment, retail, hotel, restaurant, residential, and other uses designed to create a dynamic pedestrian-oriented development adjacent to the Ranch. As a unique, community-oriented property, The Brands open-air regional lifestyle center will give consumers the opportunity to combine shopping, dining and entertainment with residential uses. This development is designed to be a social hub of the community featuring a main street setting, authentic public spaces for civic functions, and abundant landscaping and amenities.

Brands West is a +/- 150 acre, dynamic in-line and pad site development with uses possibly including but not limited to retail, restaurants, office, light industrial and hotels. Brands West site is on either side of the recent extension of Byrd Dr. and extends from I-25 on the east to the Fort Collins-Loveland Airport on the west.

Written Explanation of the Community Benefit
The current underlying zoning for The Brands and Brands West are I-Industrial, as is the zoning for all abutting properties within the City of Loveland with the exception of the Ranch, which is zoned PUD. While some light industrial uses have developed in proximity to the Fort Collins-Loveland airport the majority of development in the area is auto-oriented commercial development. This is true for properties around the interchange, as well as the Centerra development to the south. The 1986 overlay zoning envisioned the property as an industrial center, however market demands in the intervening decades have led to the current land use forms.

Current trends in retail development indicate that consumers are interested in an amenitized shopping experience, centering on a pedestrian-oriented environment with enhanced architecture and a broad mix of land uses. The Brands and Brands West have been designed to provide a shopping, entrainment, and residential environment consistent with these trends, while also providing a variety of traditional commercial options.

These two projects are fundamentally consistent with the objectives of the Flexible Zoning Overlay District, as specified in Section 18.44.020 of the Loveland Municipal Code. A response to each objective is provided below:

A. *Further the intent and goals of adopted land use plans*
The proposed development patterns for The Brands and Brands West envision a series of uses generally consistent with those identified in the 1986 overlay zone. Proposed uses are also compatible with surrounding developments.

B. *Encourage investment in areas experiencing blight, disinvestment or underutilization of land*
Located on either side of I-25 at a major interchange, The Brands and Brands West have the potential to be premier commercial and residential developments, offering easy access to a variety of land uses while simultaneously reducing the demand on the city's surface streets. The Brands site is underutilized, and has seen a low level of commercial development in the last decade, including Perkins, Nordy's, and Thompson

PC Attachment A

Valley EMS. However, given the site's excellent location and its proximity to the dynamic developments planned for the adjacent Ranch property, the site is capable of carrying a uniquely dense and diverse development. The FZOD designation will permit modifications to the existing zoning that will help facilitate this development.

C. *Create opportunities for development and redevelopment that would otherwise be unachievable*
As detailed in the Business Assistance Agreement for The Brands and Brands West, the two projects are anticipated to provide approximately 2.2 million square feet of new development, creating approximately 6,800 permanent jobs and 4,600 construction jobs. This would not be achievable without the flexibility created by the FZOD designation.

D. *Promote coordination and cooperation between property owners that are interested in pursuing redevelopment initiatives*
The developer is coordinating closely with Larimer County and the Ranch to ensure that future development on the Ranch property is compatible with The Brands. Additionally, the developer controls property to the east of The Brands site in Windsor and envisions a compatible development on that site.

E. *Facilitate design innovation with the reduction or elimination of certain land use and zoning controls*
The flexibility offered by the FZOD designation will allow a denser development in the core of the site, with higher building heights, limited setbacks internally and a higher level of architectural character than what would otherwise be permitted by the 1986 overlay zoning. Higher buildings and a higher Floor Area Ratio (FAR) are critical for creating the dense and dynamic pedestrian-oriented core of the project.

F. *Ensure adequate public safety within and adjacent to district boundaries*
The developer will work with the City of Loveland and appropriate agencies to ensure the development complies with the applicable codes and standards that apply to public safety.

G. *Maintain quality standards for the provision of city services for properties within and adjacent to district boundaries*
City services will be provided at an appropriate level with coordination from the developer and adjacent properties.

H. *Protect land uses and neighborhoods that are adjacent to flexible overlay zoning districts from material negative impacts*
The developer is coordinating closely with The Brands and Larimer County to ensure the two sites work in tandem. Development at Brands West site is envisioned to have a character and massing compatible with the existing retail and industrial uses surrounding the site.

Written Explanation of Compatibility
Both The Brands and Brands West sites have been designed for compatibility with the existing surrounding development. Brands West is located in an area bordered by the Fort Collins-Loveland airport to the west, airport-oriented industrial development to the north, I-25 to the east, and existing retail to the south. Because of its proximity to the airport, Brands West site has inherent limitations on building height. The proposed FZOD designation carries forward the current 50' building height established in the Loveland Municipal Code, with increased heights for certain

uses, so long as they remain below the FAA flight ceiling. This limitation on height creates opportunities for more horizontal development that is in keeping with the surrounding land use patterns. Brands West is therefore proposing a more traditional auto-oriented development, providing for in-line, pad site, and anchor retail and restaurant opportunities.

Smaller and mid-size pad sites are generally planned to be located between Byrd Dr. and I-25, with a larger in-line development setback from the interstate on the west side of the site. Since the grade generally falls to west, this approach will help create opportunities for views to the west from the interstate between pad sites, while siting the larger portions of the development lower and further west.

As shown in the FZOD plan set included in this application, two planning areas (A and B) are shown in The Brands site.

The heart of The Brands site (Area A) is planned to include a variety of land uses, possibly including but not limited to residential, hotels, entertainment, a theater, retail, restaurants, and office. This area is envisioned as the densest part of the project, centering on a pedestrian oriented spine. As a unique, community-oriented property, The Brands open-air regional lifestyle center will give consumers the opportunity to combine shopping, dining and entertainment with residential uses. This development is designed to be a social hub of the community featuring a main street setting, authentic public spaces for civic functions, and abundant landscaping and amenities. Since the FAA flight ceiling is higher for The Brands than Brands West, the tallest structures are planned for north edge of The Brands properties. The proposed uses and forms are fundamentally consistent with the Ranch to the north, including the existing Embassy Suites tower and the existing/planned community recreation, athletic, and event facilities. The developer is closely coordinating with Larimer County and the Ranch to ensure that development at The Brands site is compatible and integrated with the expansion of the Ranch.

Smaller, auto-oriented pad site developments are located on the southern edge of the site in Area B. This approach will help to mirror the existing development across Crossroads Blvd to the south.

Both projects include infrastructure and site grading improvements required prior to actual development. For Brands West, detention ponds and swales have been prepared. In addition, Byrd Dr. has been recently completed to replace the I-25 frontage road. On The Brands site, internal roads have been built to serve existing and planned pad sites and the entire property has seen substantial grading. Because of these factors, there are no known sensitive areas within the two developments.

Purpose Statement
The Brands and Brands West are consistent with the eligibility requirements for a FZOD zone, as established in Section 18.44.050 of the Loveland Municipal Code and as stated again below:

A. *District boundaries shall be consistent with the city's infill definition where at least eighty percent of the district boundary is contiguous to properties within the city limits; greenfield sites are unsuitable for district designation*
Both projects are fully annexed into the City of Loveland. At the direction of the City, the FZOD designation has been pursued to minimize changes to the land use code for these two sites.

B. *Property within the district boundaries is contiguous or separated only by public rights of-way*

With the exception of internal ROW, each site is fully contiguous with itself.

C. *District boundaries are reasonably discernable and distinguishable from adjacent land*
The boundaries of the FZOD districts are clearly discernable and distinguishable from the surrounding properties. Please refer to Sheet 2 in the FZOD plan set for a graphic depiction of the FZOD area.

D. *The district use meets applicable Adequate Community Facilities (ACF) standards set forth in chapter 16.41*
The district is in general compliance with the ACF standards established in the Loveland Municipal Code. The ultimate density and total square feet of development will be determined at each filing. Adequate provision of services will be detailed at time of site plan and/or plat.

E. *The district plan is consistent with the intent and goals of applicable land use plans and policies; however, a district plan may vary from the use, density and intensity provisions specified in the land use plan component of the Comprehensive Plan*
Figure 3.10 of the 2015 Comprehensive Plan shows the suggested future land use for the City of Loveland. Brands West is shown as industrial, which is consistent with the current zoning and current overlay zoning.

The Brands is shown as Regional Activity Center, which should include elements such as "medium- and large-format retail, major cultural and entertainment uses, hotels, medium- to high-rise regional and corporate offices…, major public/quasi-public uses…, plazas & parks…., a minimum of 10 units / acre..." (Chapter 3, p. 103).

The proposed development plan envisions a dynamic mixtures of these and/or similar uses. The current zoning for the property permits this diversity of uses, but the FZOD designation will provide the flexibility in density, form, and other metrics of bulk and plan to permit the envisioned community to move forward.

The Comprehensive Plan also states that the RAC land use category "[s]erves regional commercial, service and employment uses at major intersections along interstates and state highways" (Chapter 3, p. 103). The Brands site is well located for RAC designation at the intersection of I-25 and Crossroads Blvd.

F. *The district plan has been designed to prevent incompatibility with adjacent and nearby property and land uses, particularly sensitive uses*
As described above, the plan for The Brands and Brands West has been designed to be contextually appropriate and to integrate into existing developments, while also complying with the unique height limitations associated with proximity to the airport.

G. *Community benefits of the flexible zoning overlay district and the associated district plan shall outweigh any negative impacts to surrounding properties or to the community*
As described above, the plan for The Brands and Brands West has been designed to minimize impacts to neighboring properties. Employment and financial benefits of the two projects is established in the 2016 Development Assistance Agreement.

H. *Establishment of the district encourages property investment and development which might otherwise not occur, and furthers a valid public purpose.*
The FZOD designation for The Brands and Brands West will substantially increase the viability of both

projects. The underlying zoning permits a broad range of uses, however the density, building massing, setbacks, and other development standards were established to encourage lower density industrial development. With increasing demand for the broad array of uses permitted at The Brands and Brands West, minor alterations to the existing underlying zoning will facilitate development that can capitalize on the changing trends in retail developments, the proximity to I-25 at an interchange currently undergoing expansion, and future investment in the Ranch to create vibrant mixed use development.

Land Use Map Consistency

As stated above in the "Purpose Statement" section of this document, the proposed FZOD designation is consistent with the vision and values of the 2015 Comprehensive Plan.

Chapter 18.44

FLEXIBLE ZONING OVERLAY DISTRICT

Sections:

18.44.010 Purpose.
18.44.020 Objectives of the flexible zoning overlay district.
18.44.030 Definitions.
18.44.040 Establishment of flexible zoning overlay districts.
18.44.050 Eligibility criteria.
18.44.060 Permitted uses and applicable development standards.
18.44.070 Overlay district application requirements.
18.44.080 Procedures for approval of flexible zoning overlay districts.
18.44.090 Flexible zoning project plan application requirements.
18.44.100 Procedures for approval of flexible zoning project plans.
18.44.110 Expiration of a district and termination of a district plan.

18.44.010 Purpose.

The purpose of this chapter is to provide standards and procedures for the establishment of flexible zoning overlay districts in areas of the community that are experiencing disinvestment or under-utilization of land. The flexible zoning overlay is intended to stimulate innovative development and promote reinvestment by providing relief from regular land use controls, including the opportunity for relief from use restrictions, development intensity limitations and associated standards included in the provisions of the underlying zoning.

18.44.020 Objectives of the flexible zoning overlay district.

Objectives to be achieved through the establishment of a flexible overlay zoning district are to:

A. Further the intent and goals of adopted land use plans;

B. Encourage investment in areas experiencing blight, disinvestment or underutilization of land;

C. Create opportunities for development and redevelopment that would otherwise be unachievable.

D. Promote coordination and cooperation between property owners that are interested in pursuing redevelopment initiatives;

E. Facilitate design innovation with the reduction or elimination of certain land use and zoning controls;

F. Ensure adequate public safety within and adjacent to district boundaries;

G. Maintain quality standards for the provision of city services for properties within and adjacent to district boundaries; and

H. Protect land uses and neighborhoods that are adjacent to flexible overlay zoning districts from material negative impacts.

I.

18.44.030 Definitions.

The words, terms and phrases in this section shall have the meanings as set forth below, unless the context requires otherwise.

A. “Flexible zoning overlay district” or “district” shall mean all land within a designated area that has been approved by the council following a public hearing with public notice that will be subject to the provisions of this chapter.
B. “Flexible zoning overlay district plan” or “district plan” shall mean a general plan of development that complies with the requirements specified in this chapter.
C. “Flexible zoning project” or “project” shall mean a development project located within a district that conforms to the established district plan.
D. “Flexible zoning project plan” or “project plan” shall mean a site specific plan of development located within a district that complies with the requirements specified in this chapter.
E. “Greenfield sites” shall mean open land that is not surrounded by or substantially constrained by development, including leapfrog development, and where there has been no previous development activity other than agricultural uses or similar low-intensity uses.
F. “Sensitive uses” shall mean single family and two-family homes, schools and daycare facilities, medical care facilities including hospitals, clinics and nursing facilities, or other uses that may be materially impacted in a negative manner by the location of a district or development project.

18.44.040 Establishment of flexible zoning overlay districts.
Establishment of a flexible zoning overlay district includes the following:
A. Submittal of a complete application signed by owners of real property within the district boundaries;
B. Review of the application by the development review team for completeness;
C. Conducting a neighborhood meeting and public hearings by the planning commission and the council all of which shall be publicly noticed; and
D. Approval of the district, district plan, and, if applicable, the project plan by council following the public hearing.

18.44.050 Eligibility criteria.
All districts shall meet the following eligibility requirements:
A. District boundaries shall be consistent with the city’s infill definition where at least eighty percent of the district boundary is contiguous to properties within the city limits; greenfield sites are unsuitable for district designation;
B. Property within the district boundaries is contiguous or separated only by public rights-of-way;
C. District boundaries are reasonably discernable and distinguishable from adjacent land;
D. The district use meets applicable Adequate Community Facilities (ACF) standards set forth in chapter 16.41;
E. The district plan is consistent with the intent and goals of applicable land use plans and policies; however, a district plan may vary from the use, density and intensity provisions specified in the land use plan component of the Comprehensive Plan;
F. The district plan has been designed to prevent incompatibility with adjacent and nearby property and land uses, particularly sensitive uses;
G. Community benefits of the flexible zoning overlay district and the associated district plan shall outweigh any negative impacts to surrounding properties or to the community; and
H. Establishment of the district encourages property investment and development which might otherwise not occur, and furthers a valid public purpose.

18.44.060 Permitted uses and applicable development standards.

A. When a flexible zoning overlay district is established, the underlying zoning designation remains in place except as modified by the district plan.
B. Once a district has been established and a district plan approved, subsequent development and redevelopment within the district must conform to the district plan.
C. All property within a flexible zoning overlay district is subject to this title, except where specifically exempted in the district plan.

18.44.070 Overlay district application requirements.
A. An application for establishment of a flexible zoning overlay district may be submitted by a property owner within the proposed district boundaries or by written consent of three city council members.
B. An applicant must present preliminary plans for a proposed district at a concept review meeting prior to making an application to establish a district.
C. Written consent from all owners of property within the proposed district boundaries must be provided before notice of a public hearing before the planning commission.
D. The application shall include the following information along with information specified on the city's submittal checklist for establishment of a district:
1. A written explanation of the community benefit that the district and district plan will provide and how the proposed development furthers the intent and goals of applicable land use plans and policies;
2. A written explanation of how the proposed development achieves compatibility with surrounding uses, particularly sensitive uses;
3. A purpose statement indicating how the district plan achieves compliance with the eligibility criteria listed in Section 18.44.050;
4. A map of the proposed district boundaries, including all lots, tracts, outlots and rights-of-way;
5. A list of all owners of real property within the district boundaries;
6. A district plan which specifies the type and extent of development proposed, including the following components**:**
a. A master plan indicating the intensity and general configuration of the proposed use or uses;
b. An architectural concept plan that includes a building massing and height study;
c. A phasing plan, including a projected timeframe for each phase; and,
d. A listing of zoning standards that will be applicable to development within the district.

18.44.080 Procedures for approval of flexible zoning overlay districts.
A. Review process. Upon receipt of a complete application within the allowed timeframe, the development review team will undertake the review procedures specified in chapter 18.39 of this title.
B. Public notice requirements. Notice shall be provided in accordance with chapter 18.05, and conform to the notice distance requirements for rezoning applications as specified in Table 18.05-1.
C. Neighborhood meeting. Prior to completion of the review process by the development review team, the applicant shall provide public notice for and conduct a neighborhood meeting.
D. .Planning commission.
1. A public hearing shall be conducted with public notice before the planning commission following the neighborhood meeting.

2. Notes from the neighborhood meeting, relevant application materials, written input from interested parties and a recommendation from the current planning manager as to whether the district plan meets the eligibility criteria of section 18.44.050 shall be forwarded to the planning commission for review at the public hearing.
3. Based upon information received at the public hearing, the planning commission shall, by resolution within thirty days of the hearing, recommend approval, approval with conditions or denial of the district and district plan based on eligibility criteria of Section 18.44.050.
4. The public hearing may be continued if the planning commission determines that additional information is necessary to consider before a decision can be rendered.
5. If the applicant objects to any condition of approval placed by the planning commission upon the district plan, the planning commission shall recommend denial.
6. The planning commission's recommendation shall be forwarded to the council along with the approved minutes of the public hearing and all other material considered by the planning commission in making its recommendation.
E. City council. The council shall conduct a public hearing with public notice upon receipt of the recommendation of the planning commission, the approved minutes of any planning commission public hearing, and all materials considered by the planning commission in making its recommendation, and any materials submitted following any such planning commission hearing.
1. Council shall approve, approve with conditions or to deny the district and the associated district plan based on eligibility criteria of section 18.44.050.
2. Council may establish an expiration date for a district and for associated district plans.
3. If the applicant objects to any condition of approval placed upon the district plan by the council, the district plan shall not be approved.
4. The council may remand a district plan to the planning commission for any reason.
5. If the council approves a district plan, it shall adopt an ordinance establishing the district and the district plan. The adopted plan, signed by the mayor, the city attorney and the current planning manager, shall be recorded with the Larimer County clerk and recorder's office along with the adopting ordinance.
6. The adopted overlay zone shall be designated on the official zoning map.
F. A project plan may be considered concurrently with a district plan. When a concurrent submittal is made, the council shall have final decision making authority on both plans.
G. A district plan shall be amended in the same manner it was approved unless the current planning manager determines that the proposed amendment meets the following criteria:
1. The amendment would not allow new uses;
2. The amendment would not allow a change in development density or intensity greater than 20%;
3. The amendment would not alter a condition approved by council; and
4. There is no reason to believe that any party would be aggrieved by the amendment. Where these criteria have been met, the amendment shall be considered minor and the current planning manager shall have the authority to approve, approve with conditions or deny the amendment. Alternatively, the current planning manager may forward a minor amendment to the planning commission for determination at a public hearing with public notice.
H. Planning commission decisions on district plan amendments may be appealed to council by a party in interest. The appeal shall be processed and heard as specified in chapter 18.80.

18.44.085 Flexible zoning project plan required.
Project plans are approved subsequent to or concurrently with approval of an associated district and district plan. Project plans are specific and detailed development plans that are reviewed and approved administratively unless approved concurrently with a district or district plan as specified in Section 18.44.80. Development within a flexible zoning overlay district must conform to an approved project plan.

18.44.090 Flexible zoning project plan application requirements.
Applications for flexible zoning project plans, including associated subdivision, infrastructure and related applications, shall be subject to the requirements for site development plans specified in chapter 18.46 and any conditions adopted by Council.

18.44.100 Procedures for approval of flexible zoning project plans.
A. Development within an established district must be consistent with the approved district plan.
B. Applications for approving or amending project plans shall be subject to the procedures for site development plans specified in chapter 18.39 and 18.46 unless project plans are approved as otherwise authorized by this chapter.
C. Building permits. Any building permit issued for development or redevelopment within a district shall be consistent with the district plan and with the project plan approved for the property.

18.44.110 Establishment, extension, expiration and termination of a district and district plan.
Council has exclusive authority to establish with or without conditions, limit, terminate and extend districts and district plans.
A. Districts and associated district plans shall be established for a period of forty-eight months from the date of the approval of the adopting ordinance, unless such ordinance specifies otherwise. When a district expires or is terminated, the district overlay designation on the official zoning map is removed and the authority of the underlying zoning regulations is reestablished. Any nonconforming uses or buildings resulting from a district expiration or termination will be subject to Chapter 18.56 of this title.
B. The established expiration date for a flexible zoning overlay district may be extended by the council at the request of all property owners within the district. To be considered, a written extension request must be submitted to the city prior to the expiration date.
C. Any district with an expiration date shall be approved only after the applicant has provided an agreement, in a form approved by the city attorney, that acknowledges the limited term of the district and the absence of any right to use or rely on the district beyond such term and indemnifies the city for any claim related to the expiration of the district.
D. At the request of all property owners within a district or upon failure of the property owners to maintain any ongoing conditions of the district or district plan, or upon abandonment of the use permitted by the district and district plan, council may terminate the district and district plan.
E. Subject to the foregoing, once a project plan is approved and any and all district or district plan conditions set by council have been fully satisfied, the district and the district plan shall not expire or terminate.
1. Upon such approval and full satisfaction of any and all such conditions, the district property owner may request written certification from the current planning manager to this effect; and

I. Upon receipt of such certification, the city clerk's office shall record the ordinance establishing the district and the district plan with the Larimer County clerk and recorder's office.

(Ord. 6040 § 1, 2016)

Chapter 18.28

B DISTRICT-DEVELOPING BUSINESS DISTRICT

Sections:

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

18.28.000 Purpose.

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

18.28.010 Uses permitted by right.

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

A. Financial services;

B. Gas station with or without convenience goods or other services subject to Sections 18.52.060 and 18.50.135 and located three hundred feet or more from a residential use or zone district (measurement shall be made from the nearest site or lot line of the gas station to the nearest lot line of the residential use or zone district);

C. Place of worship or assembly;

D. Lodging establishments;

E. Clubs and lodges;

F. Medical, dental, or professional office or clinic;

G. Office, general administrative;

H. Parking lot and parking garage;

I. Park or recreation area;

J. Personal and business service shop;

K. Public and private school;

L. Essential public utility uses, facilities, services, and structures (underground);

M. Indoor entertainment facility and theater;

N. Restaurant standard;

O. Retail store;

P. Bed and breakfast establishment;

Q. Accessory buildings and uses;
R. Commercial child day care center licensed according to the statutes of the state;
S. Multiple-family dwellings for the elderly;
T. Combined use (or mixed-use) developments of permitted use;
U. Boardinghouses and rooming houses;
V. Community facility;
W. Long term care facility;
X. One-family dwelling;
Y. Printing shop, provided that no such shop occupies more than 3,500 square feet of floor area;
Z. Retail laundry;
AA. Special trade contractor's shop (any outdoor storage shall be subject to special review as provided in Chapter 18.40.);
BB. Two-family dwelling;
CC. Antennas, as defined in Section 18.55.020, located on an existing tower or structure as provided in Section 18.55.030 and Section 18.55.030 and meeting all other requirements of Chapter 18.55;
DD. Art gallery, studio, and workshop including live/work studio and workshop. Such facilities may include the display, sale, fabrication or production of paintings, sculptures, ceramics and other art media. Limited outdoor fabrication of art work may be permitted subject to special review as provided in Chapter 18.40.
EE. Bar or tavern;
FF. Convention and conference center;
GG. Food catering;
HH. Funeral home
II. Garden supply;
JJ. Health care service facility;
KK. Outdoor storage of equipment or products or other goods as an accessory use subject to Section 4.06 of the Site Development Performance Standards and Guidelines;
LL. Parking garage and parking lots;
MM. Research laboratory;
NN. Warehouse and distribution (enclosed within a building);
OO. Hospital;
PP. Workshop and custom small industry (entirely enclosed within a building and provided there is no excessive odor, glare, smoke, heat, vibration, etc.). Limited outdoor fabrication of products may be permitted subject to special review as provided in Chapter 18.40; and
QQ. Shelter for victims of domestic violence, subject to Section 18.52.070.

18.28.020 Uses permitted by special review.
The following uses are permitted by special review in a B district subject to the provisions of Chapter 18.40:
A. Vehicle sales and leasing of cars and light trucks;
B. Vehicle minor and major repair, servicing and maintenance;
C. Car wash;
D. Combined-use (or mixed-use) developments containing one or more special review use(s);
E. Dairy processing plants, laundry and dry-cleaning plants;

F. Gas station with or without convenience goods or other services subject to Sections 18.52.060 and 18.50.135 and located less than three hundred feet from a residential use or zone district (measurement shall be made from the nearest site or lot line of the gas station to the nearest lot line of the residential use or zone district)
G. Lumberyard;
H. Light industrial, indoor;
I. Mobile home park and RV park/campground;
J. Pet store and veterinary clinic small animal hospitals;
K. Printing shop over 3,500 square feet of floor area;
L. Aboveground public utility and public service installations and facilities, essential public utility uses, facilities, services, and structures (above ground);
M. Private recreational uses, outdoor;
N. Restaurants and other eating and drinking places, outdoor;
O. Undertaking establishments;
P. Warehouses and enclosed storage;
Q. Wholesale stores;
R. Multiple-family dwelling;
S. Restaurant, drive-in or fast food;
T. Massage parlors(massage therapy included in definition of health care service facility);
U. Congregate care facility;
V. Combined use developments including one or more special review use(s);
W. Attended recycling collection facility;
X. Unattended recycling collection facility;
Y. Convenience store;
Z. Personal wireless service facility (on new structure) as defined in Section 18.55.020, located on a new structure, meeting all requirements of Chapter 18.55;
AA. Group care facility;
BB. Contractor's storage yard;
CC. Domestic animal day care facility;
DD. Open-air farmers market;
EE. Outdoor recreation facility;
FF. Nightclub;
GG. Plant nursery;
HH. Self-service storage facility;
II. Vehicle rentals for cars, light trucks and light equipment;
JJ. Sales and leasing of farm equipment and mobile homes, recreational vehicles, large trucks and boats with outdoor storage;
KK. Vehicle rental for heavy equipment, large trucks, and trailers;
LL. Outdoor storage of equipment, products or other goods as a principle use;
MM. Crematorium, subject to Section 18.52.080; and
NN. Firing range, indoor.

*See Chapter 18.40.

18.28.030 Minimum yards.

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

18.28.035 Height limitations.
Buildings and structures in this zone shall comply with Chapter 18.54.
18.28.040 Off-street parking.
The minimum off-street parking in the B district shall be as provided in Chapter 18.42.
18.28.050 Site development plan review.
Category 2 development shall be subject to the provisions of Chapters 18.39 and 18.46, and the site development performance standards and guidelines as provided in Chapter 18.47.
18.28.060 Usable open space.
The usable open space in the B district shall be ten percent of the total lot area.
18.28.070 Lot area, multiple-family dwellings.
A. The minimum area of a lot for multiple-family dwellings in the B district shall be seven thousand square feet for the first two units, plus one thousand square feet for each additional dwelling unit up to four dwelling units, plus two thousand square feet for each additional dwelling unit over four units.
B. The minimum area of a lot for multiple-family dwellings for the elderly shall be seven thousand square feet.

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

Chapter 18.36

I DISTRICT-DEVELOPING INDUSTRIAL DISTRICT

Sections:

18.36.000 Purpose.
18.36.010 Uses permitted by right.
18.36.020 Uses permitted by special review.
18.36.025 Site development plan review.
18.36.030 Lot area.
18.36.040 Yards.
18.36.045 Height limitations.
18.36.050 Off-street parking area.
18.36.060 Special review performance standards.
18.36.070 Open space.
18.36.080 Applicability.

18.36.000 Purpose.

The developing industrial (I) district is intended to provide a location for a variety of employment opportunities such as manufacturing, warehousing and distribution, and a wide range of commercial and higher intensity industrial operations. The I District is intended to implement the industrial category as depicted on the Comprehensive Master Plan Land Use Plan Map. The I district also accommodates complementary and supporting uses such as convenience shopping centers and appropriately located accessory commercial child day care centers**.** Locations for the I district require good access to major arterial streets.

18.36.010 Uses permitted by right.

The following uses are permitted by right in an I district:

A. Administrative, insurance and research facilities;

B. Experimental or testing laboratories;

C. Manufacturing, assembly or packaging of products from previously prepared materials;

D. Manufacture of electric or electronic instruments and devices;

E. Manufacture and preparation of food products;

F. Warehouses, distribution and wholesale uses;

G. Any industrial or manufacturing use similar in character and external effects to above uses;

H. Utility service facilities;

I. Retail and wholesale sales of products produced on site or products incidental to such products, provided such use is incidental to the primary manufacturing use;

J. Minor recycling processing facilities;

K. Accessory uses which are reasonably required to provide necessary maintenance or security of the principal use, including, a dwelling unit for occupancy as a caretaker's quarters or for occupancy by the business or property owner;

L. Accessory buildings and uses including commercial child day care centers when incorporated as part of a development project and compatible with surrounding uses;

M. Antennas, as defined in Section 18.55.020, located on an existing tower or structure as provided in Section 18.55.030 and meeting all other requirements of Chapter 18.55;
N. Art gallery, studio, and workshop including live/work studio and workshop. Such facilities may include the display, sale, fabrication or production of paintings, sculptures, ceramics and other art media. Limited outdoor fabrication of art work may be permitted subject to special review as provided in Chapter 18.40.
O. Bar or tavern;
P. Car wash;
Q. Clubs and lodges;
R. Convention and conference center;
S. Domestic animal day care facility;
T. Food catering;
U. Funeral home;
V. Greenhouse;
W. Health care service facility;
X. Indoor recreation;
Y. Light industrial;
Z. Lodging establishments (hotel and motel);
AA. Lumber yards with outdoor storage screened as required by Section 4.06 of Site Development Performance Standards and Guidelines;
BB. Parking garage and parking lot;
CC. Personal and business service shop;
DD. Place of worship or assembly;
EE. Special trade contractor's shop (any outdoor storage screened as required by Section 4.06 of the Site Development Performance Standards and Guidelines);
FF. Medical or professional office/clinic;
GG. Office, general administrative;
HH. Outdoor storage subject to Section 4.06 of the Site Development Performance Standards and Guidelines;
II. Restaurant, standard;
JJ. Retail store;
KK. Self-service storage facility;
LL. Vehicle minor and major repair, servicing, and maintenance;
MM. Vehicle rentals for cars, light trucks and light equipment;
NN. Vehicle rentals for heavy equipment, large trucks and trailers;
OO. Vehicle sales and leasing for cars and light trucks;
PP. Sales and leasing of farm equipment, mobile homes, recreational vehicles, large trucks and boats with outdoor storage;
QQ. Veterinary facility, clinic, or hospital;
RR. Workshop and custom small industry. Limited outdoor fabrication of products may be permitted subject to special review as provided in Chapter 18.40;
SS. Crematorium located more than five hundred feet, as measured by a straight line, from any property boundary zoned R1, R1e, R2, R3, R3e, or located more than five hundred feet from any residential property within a planned unit development, subject to Section 18.52.080; and

TT. Firing range, indoor.

18.36.020 Uses permitted by special review.

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

A. Any business, commercial, industrial, or manufacturing use which by virtue of its site, location, traffic, or other external impacts, as determined by the development director, warrants exceptional review and public hearing, as set forth in Chapter 18.40;

B. Parks and recreation areas;

C. Community facility;

D. Major recycling processing facilities;

E. Personal wireless service facility as defined in Section 18.55.020, located on a new structure, meeting all requirements of Chapter 18.55;

F. Sexually oriented businesses;

G. Essential public utility uses, facilities, services, and structures (above ground);

H. Heavy industrial use;

I. Open-air farmers market;

J. Plant nursery;

K. Kennel;

L. Truck stop;

M. Junkyard;

N. Packing facility;

O. Recycling collection facility, attended;

P. Recycling collection facility, unattended;

Q. Resource extraction, process, and sales;

R. Restaurant, drive-in or fast food;

S. Airport and heliport;

T. Jails, detention, and penal centers;

U. Crematorium located five hundred feet or less, as measured by a straight line, from any property boundary zoned R1, R1e, R2, R3, R3e, or located five hundred feet or less from any residential property within a planned unit development, subject to Section 18.52.080; and

V. Safety training facility.

18.36.025 Site development plan review.

Development of any use within the I district shall be subject to the provisions of Chapters 18.39 and 18.46, and to the design standards and guidelines specified in chapter 18.47.

18.36.030 Lot area.

The minimum area of lot in an I district shall be two times the total floor area of the building.

18.36.040 Yards.

The minimum yards in an I district, being the minimum distance of any building from an alley, street, or zoning district line, shall be twenty-five feet.

18.36.045 Height limitations.
Buildings and structures in an I district shall comply with Chapter 18.54.

18.36.050 Off-street parking area.
The minimum off-street parking area for all permitted uses in an I district shall be as provided in Chapter 18.42.

18.36.060 Special review performance standards.
Uses permitted by special review within an I district shall be subject to the performance standards set forth in Section 18.46.020.

18.36.070 Open space.
The open space in an I district, exclusive of streets and off-street parking areas, shall be not less than ten percent of the total lot area. Page 18-97 Current as of 08/30/2016

18.36.080 Applicability.
Compliance with Section 18.36.025 for a use permitted by right under Section 18.36.010 shall satisfy any requirement imposed upon the annexation of any property prior to October 1, 1980, requiring compliance with special review provisions of this Code for any use thereon.

BUSINESS ASSISTANCE AGREEMENT
REGARDING
THE BRANDS AND THE BRANDS WEST

This BUSINESS ASSISTANCE AGREEMENT REGARDING THE BRANDS AND THE BRANDS WEST (this "Agreement") is entered into and to be effective as of December 21, 2016 ("Effective Date"), by and between the **CITY OF LOVELAND,** a Colorado home rule municipality ("City") and **EAGLE CROSSING DEVELOPMENT, INC.,** a Colorado corporation ("Developer"). The City and Developer shall be individually referred to hereafter as a "Party" and collectively referred to hereafter as "Parties."

RECITALS:

WHEREAS, Developer proposes to build a 1,267,520 sq. ft. high-end, mixed use, master planned development consisting of major and minor retail anchor stores, mixed-use retail, a 12-screen IMAX movie theater, two luxury multi-family apartment facilities, nationally recognized restaurants, Class "A" office spaces and a full-service hotel, substantially in the manner more fully described in **Exhibit "A"** (the "Brands"); and

WHEREAS, the Brands will occupy approximately 60 acres of land generally located at the northeast corner of Interstate 25 ("I-25") and Crossroads Boulevard in the City of Loveland, the legal description of which is set forth in **Exhibit "B"** ("Site 1"); and

WHEREAS, Developer also proposes to build an additional 939,100 sq. ft. high-end, mixed use, master planned development consisting of mixed-use retail, pad sites for nationally recognized retailers and restaurants, two limited-service hotels, and light industrial space, substantially in the manner more fully described in **Exhibit "C"** (the "Brands West"); and

WHEREAS, the Brands West will occupy approximately 140 acres of land generally located at the northwest corner of I-25 and Crossroads Boulevard in the City of Loveland, the legal description of which is set forth in **Exhibit "D"** ("Site 2"); and

WHEREAS, development of the Brands and the Brands West (together, the "Project") is in accordance with the City's comprehensive master plan, as amended, and is anticipated to act as a catalyst for growth in the area and create approximately 6,800 permanent jobs and 4,600 constructions jobs; and

WHEREAS, in connection with the development of the Project, Developer, subject to certain limitations, seeks (i) a limited waiver of City building permit fees, (ii) a limited City use tax credit, (iii) an additional economic incentive in the form of sharing of the City sales tax or credit of the City sales tax, and (iv) expedited administrative review periods by the City; and

WHEREAS, the waiver of City building permit fees is authorized under Section 16.38.070 of the Loveland Municipal Code ("City Code"), if the Loveland City Council ("City Council")

finds that such waiver is in the best interests of the public by encouraging activities that provide significant social, economic, or cultural benefits, and requires no reimbursement by the City's general fund unless the fee is a capital-related fee; and

WHEREAS, a credit of City use tax is authorized under City Code Section 3.16.590, so long as such credit does not exceed the amount of tax that would otherwise be collected pursuant to Chapter 3.16 of the City Code, and the City Council finds that granting of such credit is in the best interests of the City and will serve a public purpose, which purpose may include, without limitation, providing significant social, economic or cultural benefits; and

WHEREAS, provision of cash assistance in the form of sharing the City sales tax through a sales tax rebate or sales tax credit is authorized under City Code Section 3.04.090 for all public purposes to the full extent authorized by the Colorado Constitution, which includes the public purposes of producing significant economic, cultural and social benefits to the citizens of Loveland; and

WHEREAS, by adoption of Resolution #R-133 -2016, the City Council made findings that the terms of this Agreement and the economic assistance for the Project hereinafter set forth in this Agreement are in the best interests of the City and the public and serve the public purposes of producing significant economic and social benefits to the citizens of Loveland, primarily in the form of economic development and employment opportunities; and

WHEREAS, the City desires to encourage development of the Project and, subject to the conditions set forth below, is willing to provide certain direct and indirect assistance and incentives to Developer to support such development; and

WHEREAS, the Parties desire to set forth their agreement regarding the terms and conditions upon which the City shall provide assistance and incentives to Developer for development and completion of the Project at Site 1 and Site 2 (the "Sites").

NOW, THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. Land Acquisition. Developer represents that it is the owner, affiliate or partner of the owner of all real property generally within the Sites.

2. Land Development. Developer represents that its intention is to commence phase one of the Brands substantially in accordance with **Exhibit "A"** no later than December 31, 2017 ("Commencement Date"). "Commence Construction" shall mean the commencement by the Developer of actual physical work, including, but not limited to, site grading and construction, on the Sites as required to carry out the Project. Developer shall construct the Brands West substantially in accordance with **Exhibit "C"** within the time frame set forth under this Agreement.

3. Coordination/Expedited and Administrative Review. The City shall designate a City employee to coordinate with Developer to manage the submittal timelines and review periods for

efficient and effective processing of development applications, building permits and other City-required applications related to the development, construction and completion of the Project. The City agrees that it shall review and process all submittals of any plans, specifications, drawings, details, permit applications, subdivision plats, zoning variances, or other pertinent data required in connection with the Project in a prompt and efficient manner, using best efforts to expedite consideration of approvals. To the extent permitted by the City Code and applicable law, the City agrees to allow for administrative review and approval of zoning variances including height variances, minimal set back requirements, open space requirements, parking and FAR.

4. Qualifications. No person causing development on the Sites shall be entitled to a building permit fee waiver or use tax credit pursuant to this Agreement unless such development is an Anchor Retailer or a Junior Anchor Retailer.

4.1 Anchor Retailer and Junior Anchor Retailer. For the purpose of this Agreement an "Anchor Retailer" shall be an owner or a tenant of retail space on either of the Sites comprised of (a) at least 50,000 square feet of retail space or (b) sales of not less than $15 million annually based on average national sales performance, and a "Junior Anchor Retailer" shall be an owner or a tenant of retail space on either of the Sites comprised of (a) between 7,500 square feet and 49,999 square feet of retail space or (b) sales of not less than $10 million annually based on average national sales performance.

4.2 Building Permit Fee Waiver and Use Tax Credit. The City shall waive the City building permit fees for Anchor Retailer and Junior Anchor Retailer development of the Project and grant a City use tax credit up to a combined amount of six dollars and sixty cents per square foot ($6.60/sq. ft.), subject to the limitations set forth in this Agreement.

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4.3 Development Term. The City shall waive building permit fees and grant a use tax credit for the Project, as provided herein, from the period including the Effective Date through and including December 31, 2021, for any building permit issued by said date. Developer or tenant shall be obligated to pay any building permit fees or use taxes due and owing after such period.

4.4 Maximum Use Tax Credit. The Project shall not be entitled to a use tax credit that exceeds the amount of use tax that would otherwise be collected pursuant to Chapter 3.16 of the City Code. If the combined amount of the building permit fee waiver and use tax credit for any development on the Project is less than six dollars and sixty cents per square foot ($6.60/sq. ft.), the City shall have no obligation to waive more than the actual building permit fees plus the use tax that would otherwise be collected pursuant to Chapter 3.16 of the City Code.

4.5 Other Fees and Charges.

4.5.1 Generally. The City waives no fees other than the building fee as set forth in this Agreement. Developer will be required to pay to the City all other capital-related fees, including capital expansion fees, impact fees and other fees and charges regularly imposed uniformly on new development in the City.

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4.5.2 Fire, Water and Sewer. The Developer shall not be entitled to waiver of any fees or charges related to the provision of services by any other governmental entity including, without limitation, fire, water and sewer services.

4.5.3 Other Use Tax. Use taxes credits granted pursuant to this §4, shall not include any amounts for use taxes or fees payable to Larimer County in connection with the Project, which shall be paid by Developer as required by law.

5. Sharing of City Sales Tax. Subject to annual appropriation, the City agrees to share City sales tax generated by the Project subject to the terms and conditions set forth below.

5.1 Anchor Retailers' Rebate.

5.1.1 Once collection of City sales tax begins on an Anchor Retailer, Developer or its assigns shall be entitled to a rebate of 2 cents for each 3 cents of such sales tax received by the City for sales by such Anchor Retailer.

5.1.2 Any City sales tax rebated to Developer or its assigns with respect to an Anchor Retailer pursuant to this Agreement shall expire at the earlier of twenty five (25) years after the issuance of a certificate of occupancy or December 31, 2047.

5.2 Junior Anchor Retailers' Rebate.

5.2.1 Once collection of City sales tax begins on a Junior Anchor Retailer, Developer or its assigns shall be entitled to a rebate of 2 cents for each 3 cents of such sales tax received by the City for sales by such Junior Anchor Retailer for years 1 through 15 from the date a certificate of occupancy is issued.

5.2.2 Once collection of City sales tax begins on a Junior Anchor Retailer, Developer or its assigns shall be entitled to a rebate of 1.25 cents for each 3 cents of City sales tax received by the City for sales by such Junior Anchor Retailer for years 16 through 25 from the date a certificate of occupancy is issued.

5.2.3 Notwithstanding §§5.2.1 and 5.2.2, any sales tax rebated to Developer or its assigns with respect to a Junior Anchor Retailer pursuant to this Agreement shall expire at the earlier of twenty five (25) years after the issuance of a certificate of occupancy or December 31, 2047.

5.3 Other Retailers' Rebate.

5.3.1 Once collection of City sales tax begins on any retailer other than an Anchor Retailer or Junior Anchor Retailer, Developer or its assigns shall be entitled to a rebate of 1.25 cents for each 3 cents of such sales tax received by the City for sales by such retailer.

5.3.2 Any sales tax rebated to Developer or its assigns with respect to any retailer other than an Anchor Retailer or Junior Anchor Retailer pursuant to this Agreement shall expire at the earlier of twenty five (25) years after the issuance of a certificate of occupancy or December 31, 2047.

5.4 Sales Tax Limitation. Any sharing of City sales tax granted under this §5 shall be limited to retail sales transactions which are subject to retail sales tax pursuant to the City Code and implementing regulations and does not include use tax.

5.5 Sales Tax Credit. At the request of the Developer, in lieu of the sales tax rebates described in §§5.1 through 5.3, the City will consider adoption of a resolution granting a sales tax credit against the collection of such taxes within the Sites equivalent to the terms expressed in §§5.1 through 5.3, and the Developer agrees to impose and collect a Credit Public Improvement Fee ("Credit PIF") at a rate equal to that of such sales tax credit.

5.6 Adjustments. A retailer that initially meets the qualifications to receive a rebate of 2% of the City's 3% sales tax under this §5, shall lose its qualification to receive such rebate or credit in the event that such retailer no longer derives a majority of its revenue from sales of taxable goods and/or food and beverages (hereinafter referred to as a "Change of Use.") In the event of a Change in Use, such retailer shall be entitled to receive a sales tax credit or rebate only upon the written approval of the City Council.

5.7 Non-Disclosure of Confidential Information. City agrees that it will not disclose any confidential or proprietary information to any person that could reasonably lead to the disclosure of proprietary information of the Developer, or of sales tax return information of any Anchor Retailer, Junior Anchor Retailer or other retailer receiving a rebate of City sales tax pursuant to this Agreement that may be restricted under state law and City Code Section 3.16.230. Upon receipt of any request for such information by the City, the City shall notify the Developer prior to the time a response is due from the City under Colorado open records laws or the time the City intends to respond so the Developer may consider whether any exception to disclosure exists under Colorado law and/or whether such disclosure could reasonably be construed as a violation of this §5.7, Colorado law or the City Code, and the City agrees to consider responses provided to the City by the Developer in such circumstances. The City shall exercise reasonable efforts to prevent such disclosure, including claiming lawful exceptions to disclosure under Colorado law. Notwithstanding anything contained in this §5.7 to the contrary, the City shall be permitted to exercise its reasonable discretion in response to such requests taking into consideration the requirements of law and this §5.7.

6. Exclusions. Notwithstanding the provisions of §§4 and 5 of this Agreement, Developer shall not be entitled to any benefit under this Agreement including, without limitation, building

permit fee waivers, use tax credits and sales tax rebates or credits on the Sites for certain developments set forth below, except as provided herein.

6.1 IMAX Theater. Developer shall not be entitled to any benefit under this Agreement for development of the IMAX theater.

6.2 Existing Retailers. Any Anchor Retailer or Junior Anchor Retailer operating within the City that desires to relocate to either of the Sites shall not be entitled to receive any benefits under this Agreement without the prior approval of the City Council.

6.3 New Development Only. Developer or its assigns shall not be entitled to any benefit under Section 4.2 of this Agreement for any redevelopment of any retail structure on either of the Sites that previously was the beneficiary of the benefits of Section 4.2, it being the intention of the Parties that Section 4.2 shall apply one time to each retail structure and not to any modification or redevelopment thereof.

6.4 Addition of real property. Developer shall not be entitled to any benefit under this Agreement for any real estate added to either of the Sites, subsequent to the Effective Date without the City's written consent.

6.5 City Council Action. Any Party subject to the provisions of this §6 may apply to the City Council for a waiver of one or more of the provisions of this §6. The City Council, in its sole discretion, may grant or deny such waiver, in whole or in part.

7. Public Improvement Fee and Metropolitan District Mill Levy as Conditions Precedent.

7.1 Imposition of Public Improvement Fee and Mill Levy. The City's obligation to provide any benefit under this Agreement including, without limitation, building permit fee waivers, use tax credits and sales tax sharing or sales tax credits on the Sites shall be subject to (a) Developer implementing, recording and maintaining a Public Improvement Fee ("PIF") of 1.75% of retail sales, in addition to a Credit PIF or any other PIF imposed by Developer, for retail sales occurring on the Sites, and (b) any metropolitan districts existing or formed to serve the Sites levying a mill levy on taxable property within the Sites at a rate of 39 mills (the "Mill Levy"), with the proceeds of the PIF and the property taxes generated from the Mill Levy to be applied to the financing, construction, operation or maintenance of the Project. Developer shall not reduce the PIF or Mill Levy including, without limitation, the rate of and area subject to the PIF or Mill Levy, without the prior written consent of the City Manager.

7.2 Metropolitan Districts. The Parties contemplate that one or more metropolitan districts, in addition to Eagle Crossing-Loveland Metropolitan District Nos. 1-4 which were previously organized to serve the Brands, will be essential to the development of the Brands West as contemplated in this Agreement. The City agrees to consider, on an expedited basis, petitions for the formation of metropolitan districts for the financing, construction, operation and/or maintenance of improvements necessary for the Project. The general form of service plans is expected to be substantially similar to that which was approved for the Eagle Crossing-Loveland Metropolitan District Nos. 1-4.

8. Financial Records and Audits. The City shall have the right, but not the obligation, at any time to inspect, copy and/or have an audit performed of the books, accounts and records of any retailer receiving a City sales tax rebate or credit pursuant to §5 and for any purpose permitted by law.

9. Notices. Any notice or report required or desired to be given regarding this Agreement shall be in writing and may be given by personal delivery, certified mail return receipt requested, courier service, or by facsimile (provided such notice is also given by personal delivery or courier service). Any notice or report addressed to Developer or the City at their respective addresses set forth below shall be deemed to have been given: (i) when personally delivered, (ii) if properly addressed and deposited in the mail (certified, return receipt requested) on the first business day after the date shown on the return receipt for acceptance or rejection, (iii) if properly addressed and deposited with a reputable overnight carrier, on the business day next following the date of deposit, or (iv) if properly addressed and sent by facsimile transmission, on the day of receipt by the sender of a "confirmation copy" of the facsimile transmission (confirming transmission of all pages), provided that: (a) a copy of such facsimile notice is also sent on the same date by certified mail or overnight courier, and (b) if the date on which such facsimile notice is given falls on a Saturday, Sunday or federally-recognized holiday, then such date shall automatically be extended to the next business day thereafter. The Parties may also agree to alternative means of providing written notice, including electronic mail.

A copy of each notice to City shall be delivered to:

City Manager
City of Loveland
500 East Third Street, Suite 330
Loveland, CO 80537
Facsimile No.: 970-962-2900

with a copy to:

City Attorney
City of Loveland
500 East Third Street, Suite 330
Loveland, CO 80537
Facsimile No.: 970-962-2900

A copy of each notice to Developer shall be delivered to:

Martin Lind, President
Water Valley Land Company, LLC
1625 Pelican Lakes Pointe, Suite 201
Windsor, CO 80550
Facsimile No.: 970-686-2768
Email: mlind@watervalley.com

With a copy to:

William P. Ankele, Jr., Esq.
White Bear Ankele Tanaka & Waldron
2154 East Commons Avenue, Suite 2000
Centennial, CO 80122
Facsimile No.: 303-858-1801
Email: wpankele@wbapc.com

10. Default and Remedies.

10.1 Default. Default, with respect to any Party, shall result upon the happening of either of the following events, subject to Force Majeure (defined below): the failure of such Party to observe or timely perform any covenant, condition or obligation required to be performed by such Party pursuant to the terms of this Agreement; or such Party files for bankruptcy. "Force Majeure" shall mean any delay in or failure of performance by any Party of its obligations under this Agreement as a result of acts of God; fires; floods; earthquake; strikes; labor disputes; regulation or order of civil or military authorities; or other causes, similar or dissimilar, which are beyond the control of such Party. Failure by the Developer to obtain funding for the Project shall not be considered to be Force Majeure

10.2 Notice of Default and Opportunity to Cure. In the event of default by one Party in the performance of its obligations under this Agreement, notice of such default shall be given to the defaulting Party by a nondefaulting Party. If the default is a failure to pay any amount of money due pursuant to the terms of this Agreement, then such default shall be cured within forty-five (45) days after notice of default is given to the defaulting Party. If such default constitutes a breach or violation of any term or provision of this Agreement other than the payment of a monetary amount, the defaulting Party shall have forty-five (45) days within which to institute corrective action and shall proceed diligently thereafter to cure the default.

10.3 Remedies. In the event of a default, and in the event such default is not cured within the applicable notice and cure period provided in this §10, any nondefaulting Party shall have the following remedies set forth below.

10.3.1 The nondefaulting Party may seek enforcement of the terms and provisions of this Agreement by any equitable remedy including specific performance, injunction, writ of mandamus and/or declaratory judgment.

10.3.2 No Party shall be entitled to or claim damages, including without limitation, lost profits, economic damages, or actual, direct, incidental, consequential, punitive or exemplary damages.

10.4 Attorneys' Fee and Costs. In the event of any litigation or other proceeding to enforce any of the terms, covenants or conditions hereof, the prevailing Party in such litigation or other proceeding may obtain, as part of its judgment or award, its reasonable attorneys' fees and costs.

11. Term and Termination.

11.1 Term. Unless sooner terminated pursuant to the provisions herein, this Agreement shall commence on the Effective Date and continue in effect until the last day that City sales tax shared under this Agreement pursuant to §5 is collected ("Termination Date").

11.2 Termination. This Agreement may be terminated prior to the Termination Date (a) with the unanimous written consent of the Parties, or (b) if the Developer has not Commenced Construction of the Project and has not been issued at least one certificate of occupancy for the Project within five (5) years from the Effective date.

11.3 Upon a termination of this Agreement, each of the Parties shall have no further obligation or liability to the other Parties under this Agreement, save and except for any obligations that are stated herein to survive termination.

12. Miscellaneous.

12.1 Generally. Developer shall, at its sole cost and expense, comply with all applicable federal, state and local laws, rules, statutes, regulations, ordinances, and policies, including development standards and guidelines.

12.1.1 The City may require that any public improvements constructed by Developer be oversized. Developer shall be subject to the City's customary policy and practice of reimbursing a developer for that portion of public improvements which has been oversized, over time and subject to annual appropriation.

12.2 Amendment. This Agreement shall be amended only by an instrument signed by all of the Parties. It may not be amended or modified by course of conduct or by an oral understanding or agreement among any of the Parties.

12.3 Applicable Law, Jurisdiction and Venue. This Agreement shall be governed by and enforced in accordance with the laws of the State of Colorado. In addition, the Parties hereto acknowledge that there are legal constraints imposed upon the City by the constitutions, statutes, and rules and regulations of the State of Colorado and of the United States, and by the City's Charter and Code, and that, subject to such constraints, the Parties intend to carry out the terms and conditions of this Agreement. Notwithstanding any other provisions of this Agreement to the contrary, in no event shall the Parties hereto exercise any power or take any action which shall be prohibited by applicable law. Whenever possible, each provision of this Agreement shall be interpreted in such a manner so as to be effective and valid under applicable law. Venue for any judicial proceeding concerning this Agreement shall only be in the District Court for Larimer County, Colorado.

12.4 Binding Effect; Assignment and Delegation. This Agreement shall be binding upon and inure to the benefit of the successors and assigns of City and Developer; provided, however, that except for assignments to Authorized Lenders (as hereinafter defined) or

any subsidiary or affiliate of the Developer or to a financial partner (collectively "Finance Party"), Developer shall not, prior to the issuance of the first certificate of occupancy for any portion of the Project, assign any of the Developer's rights or delegate any of Developer's obligations pursuant to this Agreement to any party or transfer a controlling interest in Developer without the prior written consent of the City Council. For the purposes of this Agreement "Authorized Lender" shall mean the holder of a mortgage, deed of trust, or similar conveyance required for any reasonable method of financing construction of the Project. Any other assignment or delegation prior to such certificate of occupancy without the City Council's prior written consent shall be deemed null and void and without any affect and shall be considered a material default of this Agreement. After the issuance of the first Certificate of Occupancy and prior to December 31, 2022, Developer may not assign its rights hereunder or delegate its obligations hereunder to any person or entity not a Finance Party ("Non-Finance Party") unless Developer remains an active member or part of such Non-Finance Party. After said date, there shall be no restriction of assignments or delegations of any portion of this Agreement by Developer. Subject to the foregoing, the City consents to the assignment and delegation of this Agreement by Developer and its Finance Parties to any a separate, special purpose entity or entities to develop, own and/or operate all or a portion of the Project. Upon a permitted assignment or delegation of this Agreement or any portion hereof by Developer, Developer shall be deemed relieved of its personal and primary obligation to perform the obligations to be performed by Developer hereunder that have been assigned or delegated.

12.5 Execution and Counterparts. This Agreement may be executed in counterparts, each of which shall constitute an original. This Agreement shall only be effective if the same agreement is, or identical counterparts are, signed by the City and Developer. Facsimile and electronic pdf signatures shall be accepted as originals.

12.6 Mutual Cooperation. The Parties each agree to execute, acknowledge and deliver or to cause to have executed, acknowledged and delivered, such other and further instruments and documents as may reasonably be requested by another party to carry out this Agreement. Each Party hereto shall use its good faith efforts to cause satisfaction of all conditions to its obligation under this Agreement, and to exercise good faith in fulfilling its obligations under this Agreement.

12.7 Incorporation of Exhibits. All exhibits referred to in this Agreement are incorporated into and made a part of this Agreement as if fully set forth herein.

12.8 Multi-fiscal Year Obligations. Notwithstanding any provision to the contrary contained herein, the City's obligation to rebate City sales tax or make any other payments shall be subject to annual appropriation by the City Council, in its sole discretion. Nothing in this Agreement is intended to nor shall be construed to create any multiple-fiscal year direct or indirect debt or financial obligation on the part of the City within the meaning of the Constitution, the Charter, or the laws of the State, and any such financial obligation of the City created by this Agreement is expressly subject to annual appropriation by the City.

12.9 Third Party Beneficiaries. No rights created in favor of any Party shall be construed as benefiting any person or entity that is not a Party to this Agreement.

12.10 Severability. If any provision of this Agreement is held to be illegal, invalid or unenforceable, in whole or in part, such provision shall be fully severable and this Agreement shall be construed and enforced, and shall not be affected by the illegal, invalid or unenforceable provision or by the severance of such provision from this Agreement.

12.11 Captions. The titles of sections and subsections of this Agreement are inserted for convenience of reference only and shall not be considered in construing or interpreting any section of this Agreement.

12.12 No Partnership. Nothing contained in this Agreement shall be construed to create a partnership, joint venture or other joint enterprise between or among any of the Parties.

12.13 No Waiver. No waiver by any Party of the performance or satisfaction of any covenant or condition herein shall be valid unless in writing and shall not be considered to be a waiver by such Party of any other covenant or condition hereunder

12.14 Interpretation. The terms and provisions of this Agreement have been negotiated among the Parties and shall not be construed in favor of or against the Party primarily responsible for drafting this Agreement. Except as otherwise provided by law, to the extent that any of the terms or provisions of this Agreement may conflict with any future provision of the City Code, the terms and provisions of this Agreement shall, to the extent permitted by law, govern and shall be deemed to supersede such provisions.

12.15 Delegation of Authority. Nothing contained in this Agreement is intended to, or shall be construed to, constitute or require an unlawful delegation of authority by the City or an unlawful restraint on the legislative discretion of future City Councils.

12.16 Nonliability of Officials and Employees. No member of the City Council, member of the board of Developer, or any official, employee, agent or consultant of either Party shall be personally liable for the performance of any of the terms or provisions of this Agreement, nor shall any such person be liable in the event of a breach or default by any Party.

12.17 Conflict of Interest. No Party shall allow or knowingly permit a member of City Council or a City employee to have any interest, direct or indirect, in this Agreement, including any financial interest.

12.18 Indemnification. Developer shall defend, indemnify, assume all responsibility for and hold harmless the City, members of the City Council, and all of the officers, directors, shareholders, employees and agents of the Parties from all claims or suits for any damages to property or injury to persons, including accidental death, and for the costs of litigation and reasonable attorneys' fees of all such parties and persons that may be caused by any of Developer's construction activities, whether such activities are undertaken by Developer and/or any of its affiliates, or any person directly or indirectly employed by, or under contract with, Developer, whether such damages shall accrue or be discovered before or after the expiration of the term of this Agreement, provided however, that the provisions of this section shall not apply

to loss, damage or claims attributable solely to the negligent or intentional acts or omissions of a Party or person to be indemnified. This §12.8 shall survive termination of this Agreement.

12.19 Disclosure. Developer understands and acknowledges that under the Colorado Open Records Act, C.R.S. §§ 24-72-201 et al., ("CORA") this Agreement is subject to public inspection. In addition to the public inspection requirements of CORA, Developer also understands and acknowledges that the Colorado Open Meetings Law, C.R.S. § 24-6-402, ("COML") may require a disclosure of the terms and conditions of this Agreement at public meetings of the City Council. Therefore, any such disclosures of the terms and conditions of this Agreement under CORA or COML are permitted under this Agreement and shall not be considered a breach of any provision of this Agreement. Additionally, Developer understands and acknowledges that if and to the extent the disclosure under CORA or COML requirements is in conflict with this Agreement, the disclosure requirements under CORA and/or COML shall be deemed to control.

12.20 WAIVER OF JURY TRIAL. TO THE EXTENT PERMITTED BY APPLICABLE LAW, THE PARTIES HEREBY IRREVOCABLY WAIVE ANY AND ALL RIGHT TO TRIAL BY JURY IN ANY LEGAL PROCEEDING ARISING OUT OF OR RELATING TO THIS AGREEMENT, OR THE TRANSACTIONS CONTEMPLATED HEREBY.

13. City Council Approval. Notwithstanding any of the foregoing, the City shall have no obligation under this Agreement and Developer may not rely on this Agreement, unless City Council has taken formal action and approved this Agreement.

IN WITNESS WHEREOF, the Parties have entered into this Agreement on the date set forth above.

CITY:

CITY OF LOVELAND,
a Colorado home rule municipality

By: Stephen C Adams
Stephen C. Adams, City Manager

ATTEST:

Deputy City Clerk

CITY OF LOVELAND COLORADO SEAL

APPROVED AS TO FORM:

Assistant City Attorney

DEVELOPER:

Eagle Crossing Development, Inc.,
a Colorado corporation

By: _____

Martin Lind, President
Print Name and Title

ATTEST:

_____
Secretary

EXHIBIT A (Page 1 of 2)

(Brands)

The Brands is defined as:

- Development of approximately 1,267,520 sq. ft.
- Approximately 424,400 sq. ft. of retail space
  - 110,000 sq. ft. nationally known Anchor Retailer
  - 79,000 sq. ft. of Junior Anchor Retailer space
  - Ten nationally recognized restaurants
- 129,000 sq. ft. of Class "A" office spaces
- A full service hotel – 200 rooms
- A 12-screen luxury theater including IMAX capabilities
- Two luxury multi-family apartment facilities
  - A 312 unit multi-family complex
  - A 268 unit multi-family complex
- Developer will seek to achieve the design as presented in the concept plan depicted on page 2 of this Exhibit A.

[Concept Plan]

EXHIBIT A (Page 2 of 2)

(Brands)

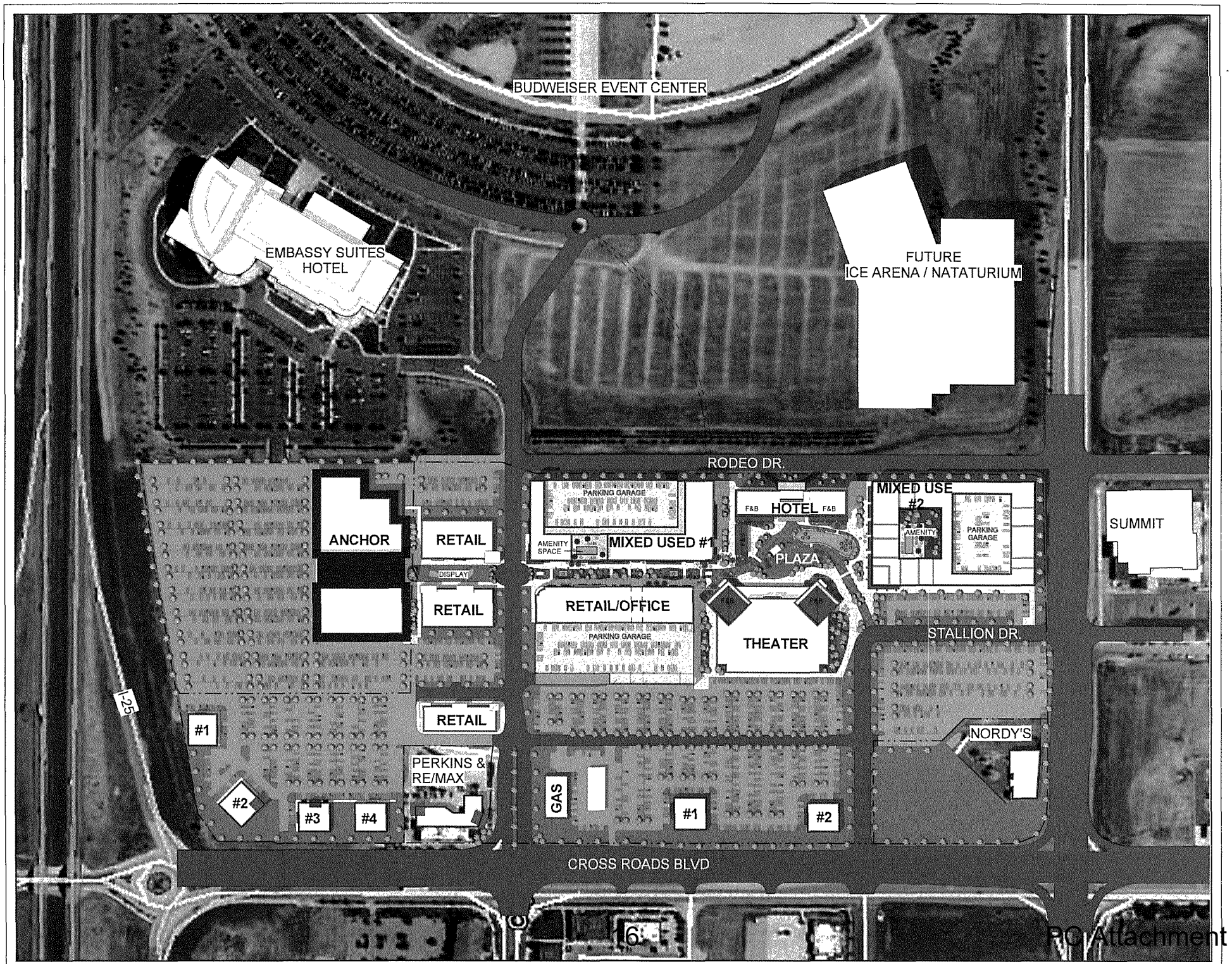
BUDWEISER EVENT CENTER
EMBASSY SUITES HOTEL
FUTURE ICE ARENA / NATATURIUM
RODEO DR.
ANCHOR
RETAIL
DISPLAY
RETAIL
RETAIL
PARKING GARAGE
AMENITY SPACE
MIXED USED #1
RETAIL/OFFICE
PARKING GARAGE
F&B
HOTEL
F&B
PLAZA
F&B
F&B
THEATER
MIXED USE #2
AMENITY
PARKING GARAGE
SUMMIT
STALLION DR.
NORDY'S
I-25
#1
#2
#3
#4
PERKINS & RE/MAX
GAS
#1
#2
CROSS ROADS BLVD

EXHIBIT B

(Legal Description of Site 1)

Legal Description	ParcelNumber
Lot 2, Block 3, East Loveland Industrial Eighteenth Subdivision	86344-07-002
Lot 3, Block 3, East Loveland Industrial Eighteenth Subdivision	86344-07-003
Lot 1, Block 4, East Loveland Industrial Eighteenth Subdivision	86344-08-001
Lot 2, Block 4, East Loveland Industrial Eighteenth Subdivision	86344-08-002
Lot 3, Block 4, East Loveland Industrial Eighteenth Subdivision	86344-08-003
Lot 4, Block 4, East Loveland Industrial Eighteenth Subdivision	86344-08-004
Lot 5, Block 4, East Loveland Industrial Eighteenth Subdivision	86344-08-005
Lot 1, Block 5, East Loveland Industrial Eighteenth Subdivision	86344-09-001
Lot 1, Block 1, East Loveland Industrial Nineteenth Subdivision	86344-10-001
Lot 2, Block 1, East Loveland Industrial Nineteenth Subdivision	86344-10-002
Lot 3, Block 1, East Loveland Industrial Nineteenth Subdivision	86344-10-003
Lot 5, Block 1, East Loveland Industrial Nineteenth Subdivision	86344-10-005
Lot 6, Block 1, East Loveland Industrial Nineteenth Subdivision	86344-10-006
Lot 7, Block 1, East Loveland Industrial Nineteenth Subdivision	86344-10-007
Lot 2, Block 1, East Loveland Industrial Twenty-First Subdivision	86344-13-002
Lot 1, Block 1, East Loveland Industrial Nineteenth Subdivision	86344-10-008
Lot 1, Block 1, East Loveland Industrial Nineteenth Subdivision	86344-10-009
Lot 1, Block 1, East Loveland Industrial Nineteenth Subdivision	86344-10-010

EXHIBIT C (Page 1 of 2)

(Brands West)

The Brands West is defined as:

- Development of approximately 939,100 sq. ft.
- Approximately 597,100 sq. ft. of retail space
  - 210,000 sq. ft. home improvement concept store
  - 90,000 sq. ft. national Anchor Retailer
  - 201,000 sq. ft. Junior Anchor Retailer
  - Eleven pad sites for nationally recognized users including restaurants
- Two limited service hotels – with a combined total of 200 rooms
- 222,000 sq. ft. of light industrial space
- Developer will seek to achieve the design as presented in the concept plan depicted on page 2 of this Exhibit C.

[Concept Plan]

EXHIBIT C (Page 2 of 2)
(Brands West)

EXHIBIT D

(Legal Description of Site 2)

Block One, Lot One, East Loveland Industrial 20th Subdivision, Loveland, Larimer County; known as 4850 Byrd Drive;
Block 2, Tract One, East Loveland Industrial 20th Subdivision, Loveland, Larimer County; known as 4875 Byrd Drive;
Block One, Lot 2, East Loveland Industrial 20th Subdivision, Loveland, Larimer County; known as 5060 Byrd Drive;
Block One, Lot 3, East Loveland Industrial 17th Subdivision, Loveland, Larimer County; known as 5280 Byrd Drive;
Block 2, Lot One, East Loveland Industrial 17th Subdivision, Loveland, Larimer County; known as 5365 Byrd Drive;
Block One, Lot 2, East Loveland Industrial 17th Subdivision, Loveland, Larimer County; known as 5440 Byrd Drive;
Block One, Lot 1, East Loveland Industrial 17th Subdivision, Loveland, Larimer County; known as 5550 Byrd Drive.

MEETING NOTES

Project:	The Brands and Brands West FZOD	**Date:**	6/8/17
Subject:	Neighborhood Meeting	**Time:**	5:30 PM
Minutes by:	Dave Thorpe	**Location**:	Loveland Develop. Center

Company	Attendees	Email
City of Loveland	Kerri Burchett	x@x.com
Water Valley	Stewart Lowenstein	
Norris Design	Don Ryan	
Norris Design	Dave Thorpe	

Discussion Topics

5:30: Kerri gave an overview of the type of submittal and the timing.

5:37: Stewart explained the vision for the project, big picture. “Sleep, stay, eat, work” type of development

Questions:
Q: How does the traffic study fit in? Doing it after the fact isn’t really ok.
A: Kerri answered. It will happened before any construction. At time of site plan.

Q: Jokingly asked if there would be any horse parking.
A: Stewart answered. No, but we never thought of that.

Q: Will you accommodate horse trailer parking?
A: Stewart answered. Thanks for the suggestion.

Q: Will the residential be condos or apartments?
A: Stewart answered. First phase is a Texas wrap apartment, probably 5-story.

Q: Will they be leased or owned?
A: Stewart answered. Probably lease for first building. Future ones may not be. Some discussion of construction defects laws and if that may lead to condos in the future.

Q: What is the timeframe for development?
A: Stewart answered. There is a lot of interest in the Windsor sites. Maybe break ground in a year. No tenants quite yet for the Brands West. The Brands would probably be three phases. Phase one would be the Galaxy Theater, plaza, maybe wrap apartments, and pads on Crossroads. Not exactly sure about future phases.

Q: What will the Planning Commission be hearing?
A: Kerri answered. Not the uses. Those are set in the zoning. Mainly variations from dimensional standards.

Q: What does “uses by special review” really mean?
A: Kerri answered. Mainly just a neighborhood meeting is required.

Q: Are landscape standards being modified?

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A: Kerri answered. In part. Discussion of the sheet in FZOD that lists changes to code. Discussion of setbacks, including on different sides of PA-A.

Q: So, the Planning Commission isn't actually approving the site plan? It's just the changes to the code in the FZOD?
A: Kerri answered. Correct.

Q: What are the next steps?
A: Kerri answered. A SDP, a vision / context diagram, and administrative reviews.

Q: What is the entitlement process in Windsor?
A: Kerri answered. A PUD and then site plan. Same standards as FZOD. Dave Thorpe clarified that PUD in Windsor is an overlay like FZOD, so underlying zoning will also be made uniform in Windsor.

Q: Concerns about regional detention and moving water from the Ranch.
A: Stewart answered. TST is working on that issue currently.

Q: Is the regional pond under Martin's control?
A: Stewart answered. Yes.

Q: Questions about why the site plan is evolving and is inconsistent about how it includes the Ranch site.
A: Stewart answered and explained how it is evolving and what is still not resolved with the County.

Q: What is the difference between the Ranch's zoning and the Brands FZOD?
A: Kerri answered and explained some of the differences.

Q: To include the Ranch and EMS, would you expand the FZOD or do a second one?
A: Kerri answered. It depends on how far along in the process they are.

Q: Does the new Sports Park affect the time horizon for this project?
A: Stewart answered. We think the uses are complementary. WVLC is excited about the sports park. It will be good for everybody.

Q: What is the timeframe between a site plan and a certificate of occupancy?
A: Stewart answered. It depends on the use. A pad site like a Chili's is about 8 months. It's longer (12-14 months) for a wrap apartment.

6:30: Stewart had to leave.

Discussion continued between Ranch's representatives and Kerri about the County's zoning, when amendments are required, how to add buildings to the PUD, etc… Conversations included the fact that adding uses require new hearings. No known conversations between the Ranch's master planning team and the City regarding uses / zoning.

Kerri explained why the public notice vicinity map is different from the site plan, because of notice windows and not knowing if the land swap would be finalized. Easier to remove land from notice than to add it later.

6:45: Meeting ended.

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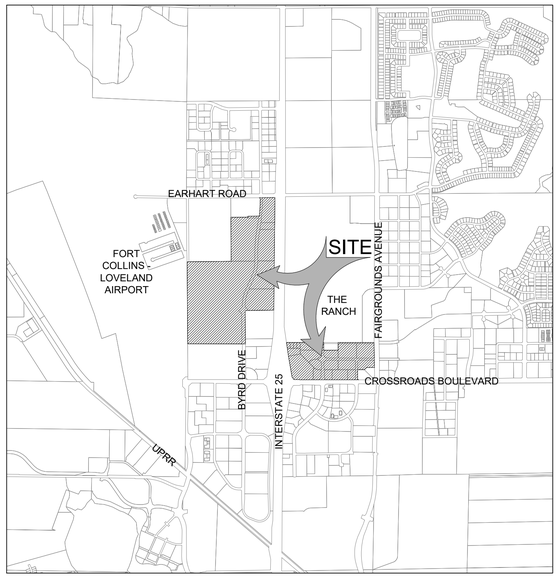
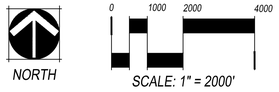
THE BRANDS AND THE BRANDS WEST

FLEXIBLE ZONING OVERLAY DISTRICT

LOCATED IN THE SOUTHEAST QUARTER AND WEST HALF OF SECTION 34, TOWNSHIP 6 NORTH,
RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF LOVELAND, COUNTY OF LARIMER, STATE OF COLORADO

VICINITY MAP





SHEET INDEX:

SHEET 1: COVER SHEET
SHEET 2: NOTES
SHEET 3: CONCEPTUAL MASTER PLAN
SHEET 4: CODE MODIFICATIONS
SHEET 5: BRANDS WEST MASSING PLAN
SHEET 6: BRANDS MASSING PLAN
SHEET 7: LANDSCAPE DESIGN GUIDELINES
SHEET 8: ARCHITECTURAL DESIGN GUIDELINES
SHEET 9: ARCHITECTURAL DESIGN GUIDELINES
SHEET 10: ARCHITECTURAL DESIGN GUIDELINES
SHEET 11: CONCEPTUAL RENDERINGS

OWNERS CERTIFICATION:

KNOW ALL PERSONS BY THESE PRESENTS THAT:
□□□

PROJECT VISION:

PER THE APPROVED BUSINESS ASSISTANCE AGREEMENT, THE BRANDS IS ENVISIONED AS A □/- 1,267,520 SF HIGH-END, MIXED USE, MASTER PLANNED DEVELOPMENT AND THE BRANDS WEST IS ENVISIONED AS A □/- 939,100 SF HIGH-END, MIXED-USE, MASTER PLANNED DEVELOPMENT.

THE BRANDS SITE, LOCATED SOUTH OF THE RANCH, IS PLANNED TO HAVE A VARIETY OF LAND USES AND DENSITIES, WITH GENERALLY SUBURBAN AUTO-ORIENTED DEVELOPMENT ON THE SOUTHERN AND WESTERN BORDERS AND A VIBRANT MIXED USE CORE ALONG THE NORTHERN EDGE. THIS CORE IS ANTICIPATED TO INCLUDE USES INCLUDING BUT NOT LIMITED TO AN AMENITI□ED PEDESTRIAN PLA□A, A MOVIE THEATER, RESTAURANTS, APARTMENTS, RETAIL, OFFICE, HOTEL, AND OTHER USES.

THE BRANDS WEST IS LOCATED WEST OF I-25 ON EITHER SIDE OF BYRD DR. AND IS ENVISIONED AS A DYNAMIC IN-LINE AND PAD DEVELOPMENT PROJECT, WITH USES POSSIBLY INCLUDING BUT NOT LIMITED TO RETAIL, RESTAURANTS, HOTELS, OFFICE AND LIGHT INDUSTRIAL.

THE PROJECTS LEVERAGE EXISTING INVESTMENTS IN THE RANCH, THE FORT COLLINS - LOVELAND AIRPORT, I-25, AND OTHER PUBLIC PROJECTS TO FURTHER ACTIVATE THE I-25 CORRIDOR, CREATING UNIQUE AND IDENTIFIABLE ENVIRONMENTS TO LIVE, WORK, AND PLAY IN LOVELAND.

FLEXIBILITY IN INTERPRETATION OF DEVELOPMENT STANDARDS:

TO ENCOURAGE INNOVATION IN DESIGN, THE CURRENT PLANNING MANAGER MAY ADMINISTRATIVELY APPROVE AN ALTERNATIVE STANDARD DIFFERENT THAN THE STANDARDS APPLICABLE TO THE FLEXIBLE OVERLAY □ONE PROVIDED THE CURRENT PLANNING MANAGER DETERMINES THAT:

1. THE APPLICANT HAS DEMONSTRATED THAT:
   a. THE ALTERNATIVE STANDARD ACHIEVES THE INTENT OF THE STANDARD TO THE SAME OR GREATER DEGREE AND RESULTS IN EQUIVALENT OR GREATER BENEFITS TO THE COMMUNITY AS WOULD COMPLIANCE WITH THE SUBJECT STANDARD□AND
   b. THE ALTERNATIVE STANDARD DOES NOT EXCEED A 20□ DEVIATION TO THE SUBJECT STANDARD□AND
   c. THE ALTERNATIVE IS CONSISTENT WITH THE CHARACTER OF THE BRANDS AND/OR THE BRANDS WEST.
2. STATEMENT OF FINDINGS. WHENEVER THE CURRENT PLANNING MANAGER APPROVES AN ALTERNATIVE STANDARD, THE CURRENT PLANNING MANAGER SHALL FORMULATE A WRITTEN STATEMENT OF FINDINGS BASED ON THE ABOVE CRITERIA FOR SUCH ACTION. SUCH STATEMENT SHALL BE INCLUDED IN THE DEVELOPMENT APPLICATION FILE.
3. APPEALS. FINAL DECISIONS BY THE CURRENT PLANNING MANAGER WITH RESPECT TO SUCH ALTERNATIVE COMPLIANCE MAY BE APPEALED BY THE DEVELOPER TO THE PLANNING COMMISSION IN ACCORDANCE WITH THE PROVISIONS IN THE MUNICIPAL CODE.

REVERSION OF DEVELOPMENT STANDARDS:

THE APPROVED BUSINESS ASSISTANCE AGREEMENT ESTABLISHES A CONCEPTUAL VISION FOR THE BRANDS AND THE BRANDS WEST. ACTUAL SITE PLANS AND PLATS MAY VARY FROM THAT VISION, BASED ON MARKET DEMANDS AS THE PROJECT BUILDS OUT. SO LONG AS THE PROJECTS ARE SUBSTANTIALLY CONSISTENT WITH THE GENERAL VISION ESTABLISHED IN THE BUSINESS ASSISTANCE AGREEMENT, INCLUDING BUT NOT LIMITED TO AN URBAN MIXED-USE, PEDESTRIAN-FRIENDLY DESIGN FOR PORTIONS OF THE BRANDS, THE STANDARDS INCLUDED HEREIN SHALL BE THE DEVELOPMENT STANDARDS FOR THE BRANDS AND THE BRANDS WEST.

IN THE CASE THAT PLANNING AREA A, AS DESCRIBED IN THIS FLEXIBLE □ONING OVERLAY DOCUMENT, DEVELOPS WITHOUT WHAT MAY REASONABLY BE INTERPRETED TO BE AN URBAN CHARACTER AND AMENITI□ED PEDESTRIAN PLA□A, THE STANDARDS CONTAINED HEREIN SHALL NO LONGER BE APPLICABLE AND THE THEN CURRENT CITY STANDARDS WILL HOLD.

FUTURE PLANNED SIGN PROGRAM:

ALL SIGNS SHALL COMPLY WITH THE MUNICIPAL CODE, UNLESS AS SPECIFIED IN THIS F□OD. PRIOR TO THE APPROVAL OF A FREESTANDING SIGN WITHIN THE DEVELOPMENT, A PLANNED SIGN PROGRAM SHALL BE APPROVED THAT IDENTIFIES UNIFYING DESIGN ELEMENTS THAT WILL CREATE A CONSISTENT IMAGE ALONG PUBLIC ROADWAYS. IN THE EVENT THAT A SIGNAGE PROGRAM IS REQUESTED THAT EXCEEDS THE ALLOWANCES SET FORTH IN THE MUNICIPAL CODE, THE PLANNED SIGN PROGRAM SHALL REQUIRE CITY COUNCIL APPROVAL AT A NOTICED PUBLIC HEARING.

REVIEW TIMELINES:

THIS PROJECT IS SUBJECT TO TWO (2) WEEK REVIEW PERIODS FOR EACH SUBSEQUENT SITE DEVELOPMENT PLAN (SDP) SUBMITTAL, WITH AN ANTICIPATED THREE (3) ROUNDS OF REVIEW PER SUBMITTAL. A SDP MAY BE REVIEWED IN LESS TIME OR HAVE FEWER ROUNDS OF REVIEW IF THE FULL PROCESS IS NOT REQUIRED, AS DETERMINED BY THE CITY OF LOVELAND. DEVELOPMENT APPLICATIONS THAT CONTAIN MASTER LEVEL STUDIES SHALL BE SUBJECT TO A 3 WEEK REVIEW PERIOD FOR THE FIRST ROUND OF REVIEW.

ADMINISTRATIVE REVIEW OF SITE PLAN AND PLATS:

ALL SUBDIVISIONS WITHIN THE BRANDS AND THE BRANDS WEST ARE SUBJECT TO THE PROCESS FOR A MINOR SUBDIVISION REVIEW, EXCEPT AS MODIFIED BY THIS FLEXIBLE □ONING OVERLAY BELOW:

- ALL SITE PLANS GENERALLY CONSISTENT WITH THIS FLEXIBLE □ONING OVERLAY SHALL BE SUBJECT TO ADMINISTRATIVE SITE PLAN REVIEW AND DO NOT REQUIRE PLANNING COMMISSION OR CITY COUNCIL HEARINGS.
- PUBLIC NOTICE OF ADMINISTRATIVE APPROVALS OF A MINOR SUBDIVISION PLAT OR SITE DEVELOPMENT PLAN IS NOT REQUIRED.
- THERE SHALL BE NO LIMIT TO THE NUMBER OF LOTS CREATED THROUGH THE MINOR SUBDIVISION REVIEW.
- THERE SHALL BE NO TIME CONSTRAINTS FOR SUBDIVIDING PROPERTY THROUGH THE MINOR SUBDIVISION PROCESS.

VESTING:

THE BUSINESS ASSISTANCE AGREEMENT, APPROVED DECEMBER 15, 2016, IS VESTED UNTIL DECEMBER 31, 2047. THE PROVISIONS IN THE FLEXIBLE □ONING OVERLAY SHALL COINCIDE WITH THE BUSINESS ASSISTANCE AGREEMENT AND SHALL BE VESTED UNTIL DECEMBER 31, 2047.

STATEMENT OF APPLICABLE CODES AND GUIDELINES:

THIS FLEXIBLE □ONING OVERLAY PLAN IS THE GUIDING □ONING DOCUMENT FOR THE BRANDS AND THE BRANDS WEST. THIS PLAN INCLUDES MODIFICATIONS TO CITY OF LOVELAND CODES AND DEVELOPMENT STANDARDS, DEVELOPMENT AGREEMENTS AND AMENDMENTS, AS SPECIFIED HEREIN. SUCH PLANS, REGULATIONS, STANDARDS, AGREEMENTS, AMENDMENTS AND GUIDELINES, MAY INCLUDE BUT ARE NOT LIMITED TO ALL APPLICABLE SECTIONS OF TITLE 18, THE SITE DEVELOPMENT PERFORMANCE STANDARDS AND GUIDELINES (EXCLUDING CHAPTER 8-SITE DEVELOPMENT STANDARDS AND GUIDELINES FOR THE I-25 CORRIDOR), THE OPEN LANDS PLAN, EXISTING APPLICABLE DEVELOPMENT AGREEMENTS, DEVELOPMENT AGREEMENT AMENDMENTS AND THE CITY OF LOVELAND COMPREHENSIVE MASTER PLAN ALSO APPLY TO THIS PROPERTY.

IN CASES WHERE THIS FLEXIBLE □ONING OVERLAY IS INCONSISTENT WITH THE LOVELAND MUNICIPAL CODE OR OTHER APPLICABLE PLANS, REGULATIONS, OR AGREEMENTS, THE FLEXIBLE □ONING OVERLAY SHALL HOLD. IN INSTANCES WHERE THIS FLEXIBLE □ONING OVERLAY IS SILENT, THE APPLICABLE SECTION OF THE MUNICIPAL CODE OR OTHER APPLICABLE GUIDELINES, PLANS, AGREEMENTS, OR REGULATIONS SHALL HOLD.

TRANSPORTATION:

A MASTER TRAFFIC IMPACT STUDY WILL NEED TO BE PROVIDED AND APPROVED FOR ANY DEVELOPMENT WITHIN THE BRANDS □ONING OVERLAY DISTRICT AREA A AND AREA C THAT THE CITY ENGINEER DEEMS IS NEEDED TO ADDRESS THE OVERALL IMPACTS TO THE TRANSPORTATION SYSTEM AND TO IDENTIFY THE LARGER SCALE IMPROVEMENT NEEDS NECESSITATED BY THE BRANDS □ONING OVERLAY DISTRICT.

CHECKED BY: MB & DR
DRAWN BY: DT, ML & DH

NORRIS DESIGN
Planning | Landscape Architecture | Project Promotion

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Denver, Colorado 80204
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F 303.892.1186
www.norris-design.com

THE BRANDS AND THE BRANDS WEST

FLEXIBLE □ONING OVERLAY DISTRICT
LOVELAND, COLORADO

OWNERS:

EAGLE CROSSING DEVELOPMENT, INC
1625 PELICAN LAKES PT
SUITE 201
WINDSOR, CO 80550

EAGLE CROSSING ONE, LLC
1625 PELICAN LAKES PT
SUITE 201
WINDSOR, CO 80550

BYRD DRIVE DEVELOPMENT, LLC
1625 PELICAN LAKES PT
SUITE 201
WINDSOR, CO 80550

ARCHITECT:

YAEGER ARCHITECTURE
7780 W. 119TH ST
OVERLAND PARK, KS
66213
913.742.8000

DATE:
04/05/17 SUBMITTAL
05/03/17 RESUBMITTAL
06/06/17 RESUBMITTAL
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SHEET TITLE:
NOTES

2 OF 11

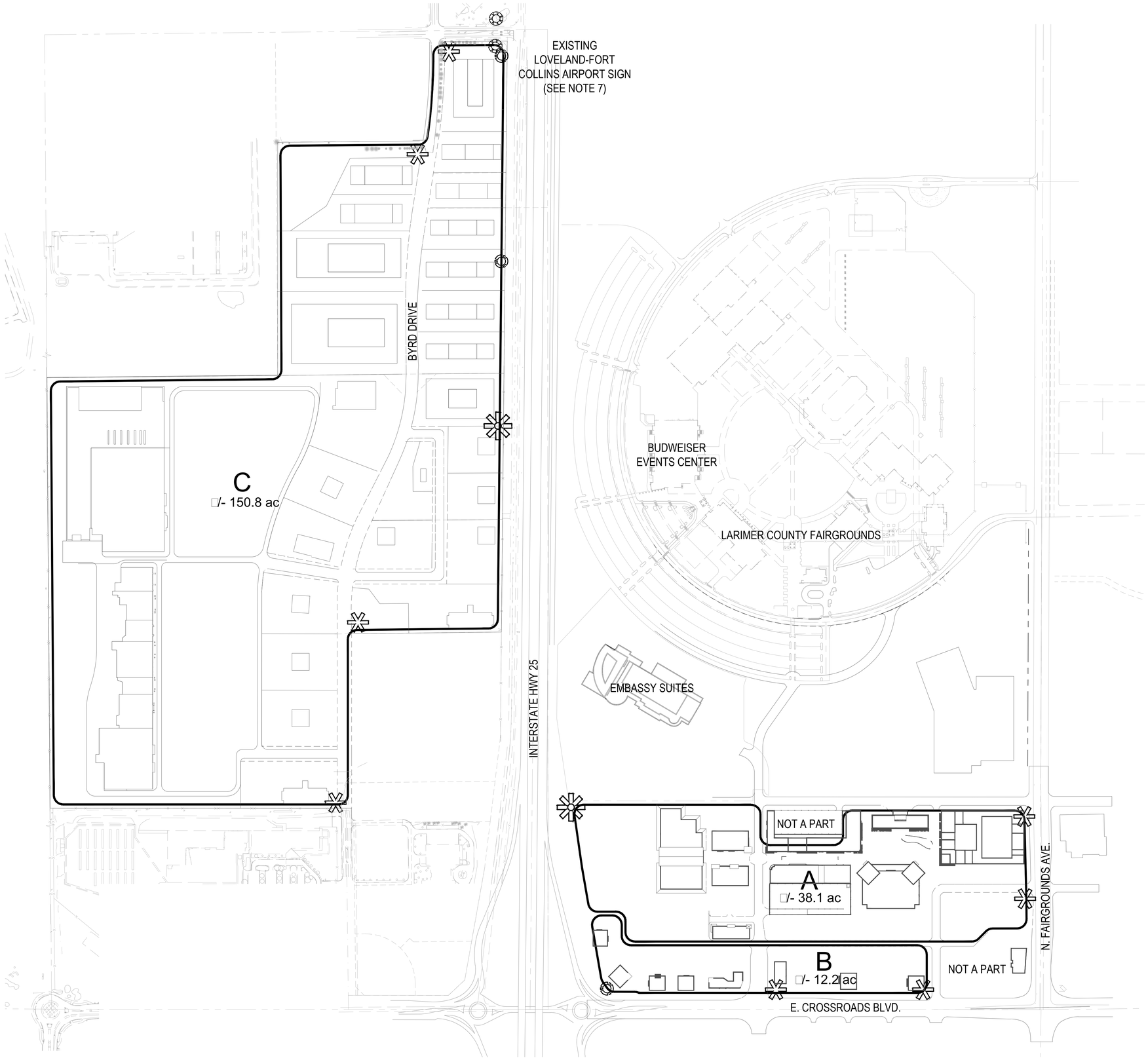
LEGEND

- PLANNING AREA BOUNDARY
- DIGITAL PRIMARY MONUMENT AND / OR SIGN LOCATIONS
- SECONDARY MONUMENT AND / OR TENANT SIGN LOCATIONS
- PROJECT IDENTIFICATION SIGN LOCATIONS
- EXISTING LOVELAND-FORT COLLINS AIRPORT SIGN

NORTH

0 125 250 500

SCALE: 1" = 250'



GENERAL NOTES

1. THIS IMAGE IS CONCEPTUAL AND SUBJECT TO CHANGE.
2. THIS PLAN DOES NOT VEST ACCESS POINTS. ACCESS POINTS TO BE DETERMINED AT TIME OF SDP AND/OR TIS.
3. SHIFTS ARE PERMITTED BETWEEN THE INTERNAL BOUNDARIES OF PLANNING AREAS TO ACCOMMODATE SITE LAYOUT.
4. EXISTING INTERIOR LOT LINES WILL BE REPLATTED AS NECESSARY WITH FUTURE PLATS.
5. CLASSIFICATION OF ALL ROADS INTERNAL TO THIS CONCEPTUAL MASTER PLAN WILL BE DETERMINED WITH FUTURE SUBMITTALS.
6. THE LOCATION, NUMBER AND TYPE OF FREESTANDING SIGNS SHOWN ARE CONCEPTUAL AND SUBJECT TO CHANGE WITH A FUTURE PLANNED SIGN PROGRAM.
7. THE EXISTING FORT COLLINS - LOVELAND AIRPORT SIGN MAY REMAIN IN PLACE AND/OR BE REPLACED BY AN ADDITIONAL BRANDS WEST PROJECT IDENTIFICATION SIGN SUBJECT TO THE TERMS SPECIFIED IN THE REVOCABLE SIGNAGE AND LANDSCAPE EASEMENT AGREEMENT RECORDED AT LARIMER COUNTY RECEPTION □20050086035.

PHASING NOTES

1. ANTICIPATED PROJECT PHASING IS AS FOLLOWS:
   - 1.1. PLANNING AREA B
   - 1.2. PLANNING AREA A
   - 1.3. PLANNING AREA C
2. PHASING MAY OCCUR IN A DIFFERENT ORDER AND DEVELOPMENT WITHIN PLANNING AREAS MAY OCCUR CONCURRENTLY.
3. PHASING WILL BE COMPLETED IN A LOGICAL MANNER WITH THE EXTENSION OF INFRASTRUCTURE AS DEVELOPMENT OCCURS OVER TIME.

CHECKED BY: MB & DR
DRAWN BY: DT, ML & DH

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7780 W. 119TH ST
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66213
913.742.8000

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SHEET TITLE:
CONCEPTUAL MASTER PLAN

3 OF 11

MODIFICATIONS TO CITY OF LOVELAND CODES AND DESIGN STANDARDS:

PLANNING AREA A

	EXISTING STANDARD	PROPOSED STANDARD	JUSTIFICATION
SETBACKS			
I-25	80' FROM EDGE OF PAVEMENT OR 35' FROM PROPERTY LINE	35' FROM PROPERTY LINE	THE REQUIRED LANDSCAPE BUFFER IS 35', WHICH FUNCTIONS AS A SETBACK. PROVIDING A SETBACK OF 80' FROM THE EDGE OF PAVEMENT IS ACTUALLY A LOWER STANDARD, SINCE 80' FROM THE CURRENT (AND PROPOSED FUTURE) EDGES OF PAVEMENT IS LESS THAN 35' FROM THE PROPERTY LINE. THIS APPROACH SIMPLIFIES THE STANDARD AND PROVIDES AN EVEN SETBACK.
LOCAL OR COLLECTOR RIGHT-OF-WAY	20'	0' (SEE GENERAL STANDARDS NOTE 2.)	ZERO FOOT SETBACKS ARE NECESSARY IN PLANNING AREA A TO BRING BUILDINGS CLOSER TO THE STREET AND/OR PROPERTY LINE TO CREATE A PEDESTRIAN-ORIENTED, URBAN ENVIRONMENT.
SIDE AND REAR PROPERTY LINE	15'	0' (SEE GENERAL STANDARDS NOTE 2.)	
FAIRGROUNDS AVE	20'	20' (SEE GENERAL STANDARDS NOTE 2.)	SETBACKS ON FAIRGROUNDS AVE WILL REMAIN THE SAME AS ESTABLISHED IN SPECIAL REVIEW 572.
HEIGHT			
HEIGHT	50'	130' OR A MAXIMUM ELEVATION OF 5,165', WHICHEVER IS GREATER. BUILDINGS HIGHER THAN 55' ON THE SOUTH SIDE OF THE PEDESTRIAN PLAZA WILL BE REQUIRED TO SUBMIT A SHADOW ANALYSIS AT THE TIME OF SITE PLAN TO IDENTIFY ANY ADVERSE EFFECTS OF SHADING.	THE CHARACTER ENVISIONED FOR PLANNING AREA A REQUIRES A HIGHER LEVEL OF DENSITY THAN IS PERMITTED UNDER THE CURRENT ZONING. TO ACHIEVE THIS DENSITY, BUILDINGS WILL NEED TO BE TALLER AND ARE PROPOSED TO BE PERMITTED UP TO THE FAA FLIGHT CEILING.
DENSITY			
MAXIMUM DWELLING UNITS	NOT STATED IN CODE	1,250 DWELLING UNITS	THE INTENT FOR THE BRANDS AND THE BRANDS WEST IS TO CREATE A DYNAMIC MIXED-USE PROJECT, WHICH INCLUDES PERMITTING UP TO 1,250 DWELLING UNITS, IN ORDER TO CREATE PORTIONS OF THE PROJECT SIMILAR TO, YET UNIQUE FROM, PROJECTS SUCH AS LINCOLN PLACE OR THE GALLERY FLATS. RESIDENTIAL UNITS WITHIN PLANNING AREA A MUST BE WITHIN A MIXED USE BUILDING UNLESS THIS STANDARD IS WAIVED VIA ADMINISTRATIVE APPROVAL AT TIME OF SITE PLAN, IN WHICH CASE THE DEVELOPER MUST DEMONSTRATE THAT A SINGLE-USE RESIDENTIAL BUILDING IS DESIGNED TO FIT WITHIN THE URBAN CHARACTER ESTABLISHED IN AREA A.
FLOOR AREA RATIO (FAR)	0.5	1,200,000 SQUARE FEET TO 1,500,000 SQUARE FEET TOTAL GROSS FLOOR AREA.	THE CURRENT OVERLAY ZONING ENVISIONED THE BRANDS AS AN INDUSTRIAL PROPERTY. THE INCREASE IN DENSITY IS NECESSARY TO CREATE THE MIXED USE DENSITY SHOWN IN THE PROJECT VISION.
BUFFER YARDS			
SIZE OF BUFFER YARDS	VARIES	WHERE POSSIBLE, COMMON OPEN SPACES SHALL BE PROVIDED IN THE FORM OF PEDESTRIAN SPINES, CENTRAL COURTS, PLAZAS AND SQUARES, INSTEAD OF BUFFER YARDS. INTERNAL BUFFER YARDS MAY BE REDUCED TO 0' WITH ADMINISTRATIVE REVIEW AT TIME OF SITE PLAN. (SEE GENERAL STANDARDS NOTE 2.)	THE FINAL INTERNAL CONFIGURATION OF PARKING FIELDS, PAD SITES, VEHICULAR CIRCULATION, AND OTHER ELEMENTS HAS NOT YET BEEN ESTABLISHED. THIS STANDARD WILL ALLOW NECESSARY FLEXIBILITY FOR INTERNAL BUFFER YARDS WHEN FINAL BUILDING PLACEMENT AND PARKING LOT DESIGN HAVE BEEN DETERMINED. PERIMETER SETBACKS AND BUFFER YARDS WILL COMPLY WITH THE MUNICIPAL CODE, EXCEPT AS MODIFIED HEREIN, ALONG FAIRGROUNDS AVE, CROSSROADS BLVD, I-25, AND TO SURROUNDING PROPERTIES NOT WITHIN THE BRANDS WHERE INCOMPATIBLE USES EXIST.
NOTES			
1. PLAZAS MAY ENCROACH INTO BUILDINGS SETBACKS.			
2. NO ADDITIONAL OPEN SPACE DEDICATION WILL BE REQUIRED FOR ANY RESIDENTIAL BUILDINGS DEVELOPED AS SINGLE USE OR AS FOR-SALE RESIDENTIAL PROPERTIES.			

PLANNING AREA B

	EXISTING STANDARD	PROPOSED STANDARD	JUSTIFICATION
SETBACKS			
I-25	80' FROM EDGE OF PAVEMENT OR 35' FROM PROPERTY LINE	35' FROM PROPERTY LINE	THE REQUIRED LANDSCAPE BUFFER IS 35', WHICH FUNCTIONS AS A SETBACK. THE EDGE OF PAVEMENT IS CURRENTLY LESS THAN 35' FROM THE PROPERTY LINE AND I-25 MAY BE MODIFIED IN THE FUTURE. THIS APPROACH SIMPLIFIES THE STANDARD.
CROSSROADS BLVD	30'	30' (SEE GENERAL STANDARDS NOTE 2.)	SETBACKS ON CROSSROADS BLVD WILL REMAIN THE SAME AS ESTABLISHED IN SPECIAL REVIEW 572.
HEIGHT			
HEIGHT	50'	85' FOR OFFICE USES AND 100' FOR HOTELS, UP TO A MAXIMUM ELEVATION OF 5165', WHICHEVER IS GREATER. ALL OTHER USES SHALL USE THE EXISTING STANDARD.	THE CHARACTER ENVISIONED FOR PLANNING AREA B REQUIRES A HIGHER BUILDING HEIGHT FOR CERTAIN USES. TO ACHIEVE THIS DENSITY, BUILDINGS WILL NEED TO BE TALLER AND ARE PROPOSED TO BE PERMITTED UP TO THE FAA FLIGHT CEILING.
BUFFER YARDS			
SIZE OF BUFFER YARDS	VARIES	WHERE POSSIBLE, COMMON OPEN SPACES SHALL BE PROVIDED IN THE FORM OF PEDESTRIAN SPINES, CENTRAL COURTS, PLAZAS AND SQUARES, INSTEAD OF BUFFER YARDS. INTERNAL BUFFER YARDS MAY BE REDUCED TO 0' WITH ADMINISTRATIVE REVIEW AT TIME OF SITE PLAN. (SEE GENERAL STANDARDS NOTE 2.)	THE FINAL INTERNAL CONFIGURATION OF PARKING FIELDS, PAD SITES, VEHICULAR CIRCULATION, AND OTHER ELEMENTS HAS NOT YET BEEN ESTABLISHED. THIS STANDARD WILL ALLOW NECESSARY FLEXIBILITY FOR INTERNAL BUFFER YARDS WHEN FINAL BUILDING PLACEMENT AND PARKING LOT DESIGN HAVE BEEN DESIGNED.
NOTES			
1. PLAZAS MAY ENCROACH INTO BUILDINGS SETBACKS.			

PLANNING AREA C

	EXISTING STANDARD	PROPOSED STANDARD	JUSTIFICATION
SETBACKS			
BYRD DRIVE	20'	30'	A LARGER SETBACK IS REQUIRED BECAUSE OF EXISTING DRAINAGE AND UTILITIES EASEMENTS.
HEIGHT			
HEIGHT	50'	100' FOR OFFICE, HOTELS, TOURISM USES, ANCHOR RETAILERS AND JUNIOR ANCHOR RETAILERS (AS DEFINED IN THE APPROVED BUSINESS ASSISTANCE AGREEMENT), AND REGIONAL DISTRIBUTION CENTERS, UP TO A MAXIMUM ELEVATION OF 5165', WHICHEVER IS GREATER. ALL OTHER USES SHALL USE THE EXISTING STANDARD.	THE CHARACTER ENVISIONED FOR PLANNING AREA C WILL REQUIRE A HIGHER BUILDING HEIGHT FOR CERTAIN USES. TO ACHIEVE THIS DENSITY, BUILDINGS WILL NEED TO BE TALLER AND ARE PROPOSED TO BE PERMITTED UP TO THE FAA FLIGHT CEILING. ANCHOR RETAILERS ARE DEFINED IN THE APPROVED BUSINESS ASSISTANCE AGREEMENT (BAA) AS TENANTS OR OWNERS OF RETAIL SPACE HAVING (A) AT LEAST 50,000 SF OF RETAIL SPACE OR (B) SALES OF NOT LESS THAN $15 MILLION ANNUALLY BASED ON AVERAGE NATIONAL SALES PERFORMANCE. JUNIOR ANCHOR RETAILERS ARE DEFINED IN THE BAA AS OWNERS OR TENANTS OF RETAIL SPACE HAVING (A) BETWEEN 7,500 SF AND 49,999 SF OF RETAIL SPACE OR (B) SALES OF NOT LESS THAN $10 MILLION ANNUALLY BASED ON AVERAGE NATIONAL SALES PERFORMANCE.
NOTES			
1. PLAZAS MAY ENCROACH INTO BUILDINGS SETBACKS.			

GENERAL

	EXISTING STANDARD	PROPOSED STANDARD	JUSTIFICATION
ARCHITECTURE			
COLORS	PREDOMINANT EXTERIOR COLORS SHALL BE NEUTRAL OR EARTH TONE COLORS	COLORS SHALL BE GENERALLY CONSISTENT WITH THE CHARACTER OF THE CONCEPTUAL ARCHITECTURE CONTAINED WITHIN THIS FZOD PLAN.	THE DYNAMIC DEVELOPMENT ENVISIONED FOR THE BRANDS AND BRANDS WEST WILL REQUIRE ADDITIONAL FLEXIBILITY FOR COLOR PALETTE TO MAKE THE DEVELOPMENT DISTINCTIVE AND INTERNALLY CONSISTENT.
MATERIALS	TWO KINDS OF MATERIAL; 25% BRICK OR STONE; METAL PROHIBITED WITHIN 750' OF I-25; 25% MAXIMUM METAL SIDING (CANNOT BE CORRUGATED)	ACCENT METAL PANELS ARE ALLOWED THROUGHOUT THE PROJECT. REFER TO ARCHITECTURAL STANDARDS FOR ADDITIONAL INFORMATION.	THE "CONTEMPORARY COLORADO" ARCHITECTURAL STYLE PROPOSED FOR THE BRANDS AND THE BRANDS WEST MAY INCLUDE METAL AS ONE OF MANY POTENTIAL BUILDING MATERIALS. REFER TO ARCHITECTURAL STANDARDS FOR ADDITIONAL INFORMATION.
GAS STATION CANOPY HEIGHT	NO CANOPIES SHALL EXCEED 16.5 FEET IN TOTAL HEIGHT.	MAXIMUM HEIGHT OF ANY CANOPY STRUCTURE SHALL NOT EXCEED 17.5 FEET.	A COMPARABLE STANDARD HAS BEEN ESTABLISHED ELSEWHERE IN LOVELAND.
LANDSCAPE BUFFERS			
SCREENING	SCREENING THROUGH 4-6' MEANDERING BERMS, PER THE HIGHWAY 34 CORRIDOR PLAN (AS ESTABLISHED IN THE DEVELOPMENT AGREEMENT(S) FOR THE SITE).	SCREENING THROUGH MEANDERING BERMS, TO WHATEVER HEIGHT IS FEASIBLE.	BERMS OF 4' TO 6' MAY NOT BE ACHIEVABLE UNDER THE STANDARD FOR A 35' SETBACK, SINCE GRADES WOULD HAVE TO BE STEEPER THAN CODE PERMITS TO ACHIEVE SUCH A HEIGHT. ADDITIONALLY, GRADES IN THE WESTERN HALF OF PLANNING AREA B WILL MAKE BERMING DIFFICULT.
SIGNAGE			
FREESTANDING ELECTRONIC SIGNS / PROJECT IDENTIFICATION SIGN	2 DIGITAL SIGNS TOTAL (1 ON EAST SIDE OF I-25, 1 WEST SIDE OF I-25) / TWO SIGNS PER PROJECT ENTRY FROM AN ARTERIAL OR COLLECTOR / COMMERCIAL PROJECT IDENTIFICATION SIGNS SHALL BE COUNTED AS A FREESTANDING SIGN.	SAME, WITH ADDITIONAL PROJECT IDENTIFICATION SIGNS AT THE LOCATIONS SHOWN ON SHEET 2 OF THIS PLAN SET. ADDITIONALLY, SECTION 18.50.080.B DOES NOT APPLY.	THE LARGE DIGITAL SIGN CAN BE BUILT WHEN THE RIGHT TO BUILD TWO SMALLER SIGNS IS FORFEITED. AT THE BRANDS THERE IS AN EXISTING RETAINING WALL AT THE ROUNDABOUT AT THE INTERSECTION OF CROSSROADS BOULEVARD AND I-25. THE DEVELOPER IS PROPOSING THAT A PROJECT IDENTIFICATION SIGN MAY BE PUT ON THIS WALL WITHOUT AFFECTING THE RIGHT TO BUILD ONE LARGER ELECTRONIC SIGN ON THE EAST SIDE OF I-25. IN ADDITION, THE BRANDS WEST HAS A LENGTHY I-25 FRONTAGE (+/- 3,152') AND THE DEVELOPER IS PROPOSING THAT, DUE TO THE LENGTHY FRONTAGE AND THE SCOPE OF THE PROJECT, ONE LARGE ELECTRONIC SIGN BE BUILT ON THIS FRONTAGE AS WELL AS ONE PROJECT IDENTIFICATION SIGN. THE EXISTING FORT COLLINS - LOVELAND AIRPORT SIGN AT THE INTERSECTION OF THE FRONTAGE ROAD AND EARHART DRIVE DOES NOT COUNT TOWARDS THE PROJECT'S TOTAL PERMITTED NUMBER OF SIGNS AND MAY BE REPLACED IN THE FUTURE WITH AN ADDITIONAL PROJECT IDENTIFICATION SIGN.
RIGHT-OF-WAY			
LIGHTING, SIGNAGE, AND OTHER ELEMENTS WITH THE PUBLIC RIGHT-OF-WAY	VARIES. THE CITY'S STANDARD STREET LIGHT SHALL BE USED.	A UNIQUE STREET LIGHT MAY BE USED AT THE BRANDS WEST AND THE BRANDS AT THE RANCH WITHIN THE PUBLIC RIGHT-OF-WAY. THIS MAY INCLUDE THE CITY'S STANDARD LIGHT IN AN ALTERNATE COLOR, THE CITY'S NEW STANDARD DOWNTOWN AREA LIGHT, OR ANOTHER YET TO BE DETERMINED FIXTURE. ADDITIONALLY, WAYFINDING SIGNAGE, PEDESTRIAN FURNITURE, ENHANCED PAVING AT CROSSWALKS / INTERSECTIONS, AND OTHER ELEMENTS MAY BE LOCATED WITHIN THE PUBLIC RIGHT-OF-WAY. ANY IMPROVEMENTS THAT DO NOT MEET LCUASS STANDARDS WILL BE MAINTAINED BY THE DISTRICT.	THE FINAL DESIGN CHARACTER FOR THE BRANDS AND THE BRANDS AT THE RANCH HAS NOT YET BEEN DETERMINED, HOWEVER IT WILL BE CRITICAL THAT THE CHARACTER OF THE PEDESTRIAN PLAZA AND OTHER PEDESTRIAN AREAS SEAMLESSLY INTERFACE WITH THE PUBLIC RIGHT-OF-WAY SO THAT THE PROJECT HAS ONE CONSISTENT CHARACTER AND FEEL. MAINTENANCE OF ENHANCED PAVING AT CROSSWALKS / INTERSECTIONS, PEDESTRIAN FURNITURE, AND OTHER ELEMENTS WILL BE THE RESPONSIBILITY OF THE METROPOLITAN DISTRICT. STREET LIGHT MAINTENANCE WILL BE DETERMINED BY SEPARATE DOCUMENT AT THE TIME OF FINAL DESIGN.
NOTES			
1. USES SUBSTANTIALLY SIMILAR TO, OR COMPATIBLE WITH, THOSE APPROVED VIA SPECIAL REVIEW 572 ARE PERMITTED BY RIGHT.			
2. PERIMETER SETBACKS AND BUFFER YARDS FOR FRONTAGES ALONG CROSSROADS BLVD. AND FAIRGROUNDS AVE. WILL COMPLY WITH THE MUNICIPAL CODE OR SPECIAL REVIEW 572.			

CHECKED BY: MB & DR
DRAWN BY: DT, ML & DH

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SHEET TITLE:
MODIFICATIONS TO CODE

4 OF 11

PC Attachment G

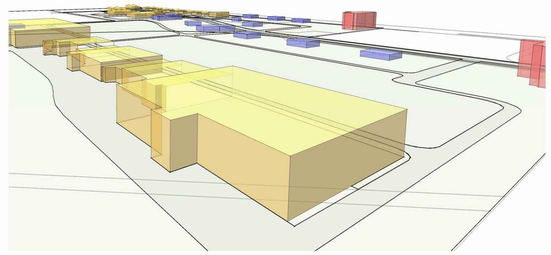
CONCEPTUAL MASSING AND HEIGHT STUDY. THIS IMAGE IS NOT TO BE USED TO DEFINE DESIGN STANDARDS AND/OR PARTICULAR SITE LOCATION.

4 OVERALL SITE MASSING
SCALE:

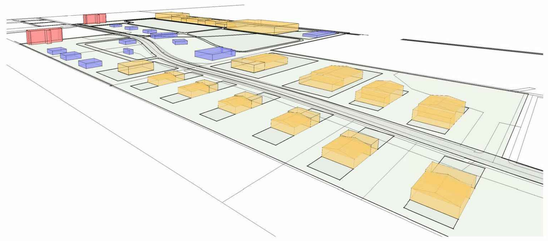
BUILDING HEIGHT OF 70' +

BUILDING HEIGHT OF 30' - 69'

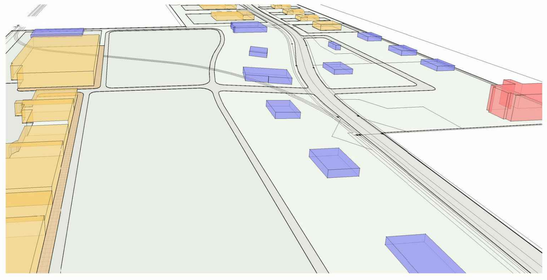
BUILDING HEIGHT OF 0' - 29'



1 VIEW FROM SOUTHWEST
SCALE:



2 VIEW FROM NORTHEAST
SCALE:



3 VIEW FROM SOUTH
SCALE:

YAEGER ARCHITECTURE
OVERLAND PARK, KS 913-742-8000

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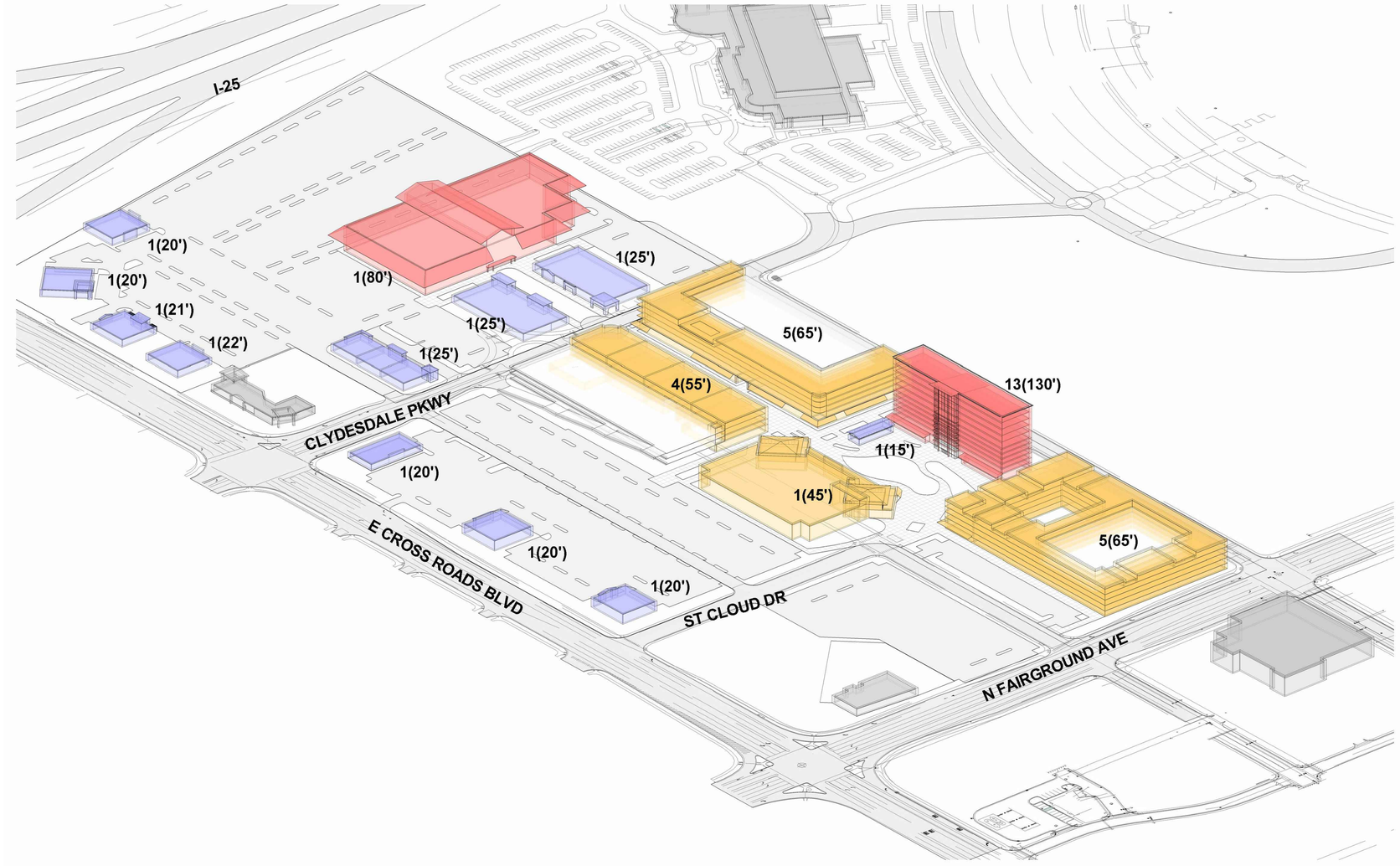
SHEET TITLE:
BRANDS WEST MASSING STUDY

5 OF 11

CONCEPTUAL MASSING AND HEIGHT STUDY. THIS IMAGE IS NOT TO BE USED TO DEFINE DESIGN STANDARDS AND/OR PARTICULAR SITE LOCATION.



4 OVERALL SITE MASSING
SCALE:

BUILDING HEIGHT OF 70' +

BUILDING HEIGHT OF 30' - 69'

BUILDING HEIGHT OF 0' - 29'

1 VIEW FROM SOUTHEAST
SCALE:

2 VIEW FROM SOUTHEAST
SCALE:

3 VIEW FROM SOUTHEAST
SCALE:

YAEGER ARCHITECTURE
OVERLAND PARK, KS 913-742-8000

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NOT FOR CONSTRUCTION

SHEET TITLE:
BRANDS MASSING STUDY

6 OF 11

PC Attachment G

LANDSCAPE DESIGN GUIDELINES:

OVERALL CONCEPT
THE OVERALL THEMING AND DESIGN WILL ESTABLISH A HIGH QUALITY DEVELOPMENT THROUGH THE STRATEGIC SITE LAYOUT AND ENHANCED LANDSCAPE TREATMENTS. THE DESIGN WILL FOCUS ON ESTABLISHING DESIRABLE VIEWS ALONG PROMINENT PEDESTRIAN AND VEHICULAR CORRIDORS, HIGHLIGHTING KEY OUTDOOR PLA□A AREAS WITH AN INTENSITY AND REFINEMENT OF MATERIALS, COMPLEMENTING ARCHITECTURAL FEATURES WITH ENHANCED LANDSCAPING TREATMENT, BUFFERING VISUALLY LESS DESIRABLE AREAS, AND RELATING TO THE SURROUNDING ENVIRONMENTAL CONTEXT THROUGHOUT THE SITE.

THROUGHOUT THE PROJECT, CERTAIN ELEMENTS WILL REPEAT SIMILAR OR COMPLIMENTARY MATERIALS AND THEMES POSSIBLY INCLUDING, BUT NOT LIMITED TO, LIGHTING, BENCHES, WASTE RECEPTACLES, OTHER PEDESTRIAN AMENITIES, TREE SPECIES, POTS, AND THE MASONRY OR ROCK MATERIAL UTILI□ED IN PLANTERS, MONUMENTS, AND PAVING TREATMENTS. FOR EXAMPLE, THEMATIC PEDESTRIAN STREET LIGHTING FIXTURES SHOULD BE CONSISTENT OR COMPATIBLE THROUGHOUT THE DEVELOPMENT AND SHALL BE INCORPORATED INTO EACH SITE DEVELOPMENT PLAN. INNOVATIVE LIGHTING SHOULD BE CONSIDERED WHERE APPROPRIATE. WHERE VARIETY IN DESIGN OCCURS BETWEEN PLANNING AREAS, SIMILAR OR COMPATIBLE ELEMENTS SHOULD BE USED. AS A DISTINCT FOCAL POINT OF THE DEVELOPMENT, THE PEDESTRIAN PLA□A WITHIN PLANNING AREA A MAY HAVE CERTAIN UNIQUE INTERNALLY-CONSISTENT MATERIALS OR THEMES NOT NECESSARILY REPEATED THROUGHOUT OTHER PLANNING AREAS, THOUGH THE TREATMENTS IN THIS PORTION OF PLANNING AREA A SHOULD BE COMPATIBLE WITH TREATMENTS ELSEWHERE WITHIN THE BRANDS AND THE BRANDS WEST. PLANNING AREAS A AND B SHALL BLEND HARMONIOUSLY WHERE VISIBLE FROM OFF SITE.

THE FOLLOWING LANDSCAPE ELEMENTS SHALL BE INCORPORATED THROUGHOUT THE SITE:

- PEDESTRIAN PLA□AS: THE INTENSITY OF LANDSCAPE AND HARDSCAPE DESIGN ELEMENTS WILL CULMINATE AT THE PEDESTRIAN PLA□AS CREATING AN ENHANCED PARK-LIKE SETTING CENTRALLY LOCATED IN AREA A.
- STREET TREES: ORGANI□ED IN A REGULAR SPACING ALONG VEHICULAR CORRIDORS THEY WILL DEFINE THE STREETSCAPE AND PROVIDE SUMMER SHADE FOR PEDESTRIANS
- ARCHITECTURAL LANDSCAPING: TO PROVIDE VISUAL INTEREST THAT COMPLIMENTS THE STRUCTURES AND GUIDES THE USERS TO THE MAIN ENTRIES AND IMPORTANT FEATURES AS WELL AS BUFFERING LESS DESIRABLE AREAS OF THE STRUCTURES.
- PLANT CONTAINERS AND PLANTERS: CLAY OR CONCRETE PLANT CONTAINERS MAY BE USED TO DEFINE OUTDOOR SPACES, ACCENT BUILDING ENTRANCES AND PROVIDE VISUAL INTEREST ALONG THE STREET AND PEDESTRIAN CORRIDORS.
- OTHER SITE AMENITIES: ITEMS SUCH AS WATER FEATURES, ENHANCED PAVING, LIGHTING, BENCHES, BIKE RACKS,AND TRASH RECEPTACLES SHALL BE INCLUDED WHERE APPROPRIATE AND SHALL BE CONSISTENT WITH THE DESIGN THEME AND QUALITY OF THE DEVELOPMENT.
- PARKING LOT LANDSCAPING: LANDSCAPING SHALL BE PROVIDED IN ACCORDANCE WITH CITY CODE, EXCEPT AS MODIFIED IN PARTICULAR INSTANCES AT THE TIME OF SITE PLAN.

SIGNAGE
SIGNS SHALL BE IN ACCORDANCE WITH THE LOVELAND MUNICIPAL CODE WITH REGARD TO SI□E, LOCATION AND HEIGHT, AND OTHER APPLICABLE STANDARDS, OR AS STATED ON SHEET 1 OF THE F□OD PLAN, IN ACCORDANCE WITH A FUTURE PLANNED SIGN PROGRAM FOR THE BRANDS AND THE BRANDS WEST WHICH WILL BE PREPARED AND REVIEWED AS AN ADDITION TO THIS F□OD. CHARACTER OF SIGNS SHOULD GENERALLY RELATE TO THE ARCHITECTURE OF THE BRANDS AND THE BRANDS WEST, INCLUDING BUT NOT LIMITED TO MATERIALS, COLORS, AND OTHER DESIGN FEATURES. APPLICATIONS FOR SIGN PERMITS SHALL BE SUBMITTED PRIOR TO SIGN CONSTRUCTION.

ENTRY FEATURES
MAJOR VEHICULAR ENTRIES TO THE BRANDS OR THE BRANDS WEST SHALL HAVE ENHANCED LANDSCAPING IN ORDER TO SET THE STYLISTIC AND/OR DESIGN TONE FOR THE REST OF THE PROJECT. SUCH ENHANCEMENTS MAY INCLUDE BUT ARE NOT LIMITED TO MONUMENTATION, SIGNAGE, INCREASED DENSITY OF PLANT MATERIAL, SCULPTURES, AND PEDESTRIAN GATHERING AREAS. ORNAMENTAL TREES AT THESE KEY POINTS ARE PERMITTED TO HIGHLIGHT THE AREA AND CREATE SEASONAL INTEREST. ANNUAL PLANTS AND FLOWERS FOR ADDITIONAL SEASONAL COLOR MAY ALSO BY INCORPORATED, ESPECIALLY AROUND MONUMENT SIGNAGE. THE INTENSITY AND SCALE OF LANDSCAPE SHOULD BE ITS GREATEST AT PRIMARY ENTRIES□A REDUCTION IN THE LEVEL OF LANDSCAPING IS PERMITTED FOR SECONDARY AND TERTIARY ENTRANCES, AS WELL AS FOR PEDESTRIAN-ONLY ENTRANCES TO THE DEVELOPMENT.

EDGE AND PERIMETER TREATMENTS
THE EDGES OF THE BRANDS AND THE BRANDS WEST SHALL BE DESIGNED TO BE GENERALLY COMPATIBLE WITH SURROUNDING DEVELOPMENTS. THIS MAY INCLUDE VARIOUS COMBINATIONS OF LANDSCAPE TREATMENTS, GENERALLY CONSISTENT WITH THE CITY'S LANDSCAPE DESIGN STANDARDS UNLESS MODIFIED AT THE TIME OF SITE PLAN. LANDSCAPE BUFFERS ALONG INTERSTATE 25, CROSSROADS BLVD, AND FAIRGROUNDS AVE SHOULD MEET THE MINIMUM STANDARDS ESTABLISHED WITHIN THIS F□OD.

THE LANDSCAPE ALONG ROAD FRONTAGES WILL PROMOTE AND ENHANCE THE EXPERIENCE OF BOTH PEDESTRIAN AND VEHICULAR TRAFFIC AS WELL AS PROVIDE YEAR-ROUND INTEREST. TREES WILL BE USED TO CAPTURE VIEW CORRIDORS AND PROVIDE SCREENING FROM VEHICLES. THE STREETSCAPE WILL PROVIDE UNITY AND STRUCTURE WITHIN THE DEVELOPMENT THROUGH THE USE OF PLANT MATERIALS AND PEDESTRIAN FRIENDLY, GENERALLY DETACHED, SIDEWALKS.

EDGE SCREENING OF PARKING AREAS WILL BE ENHANCED AND DESIGNED IN GENERAL CONFORMANCE WITH THE CITY'S LANDSCAPE DESIGN STANDARDS. SUCH AREAS ARE INTENDED TO SOFTEN THE VISUAL IMPACT OF PARKING AREAS ON ADJACENT ROADWAY CORRIDORS AND MAY BE DESIGNED WITH A COMBINATION PLANT MATERIALS AND BERMING WHERE FEASIBLE, AS WELL AS OTHER POTENTIAL LANDSCAPE TREATMENTS, TO SCREEN PARKING LOTS.

IT IS ANTICIPATED THAT THE PROJECT WILL HAVE A HIGHER LEVEL OF LANDSCAPE BUFFER TREATMENTS ALONG INTERSTATE 25 AND CROSSROADS BLVD, WHICH WILL DECREASE AS APPROPRIATE FOR LOWER CLASSIFICATION ROADS AND FOR INTERNAL DRIVES.

INTERNAL ROADWAY STREETSCAPE TREATMENTS
THE LANDSCAPE ALONG INTERNAL ROADWAYS SHALL REFLECT THE OVERALL LANDSCAPE THEME BUT WILL HAVE MORE FORMAL TREE SPACING AND WILL BLEND WITH THE LANDSCAPE IN ADJACENT PARCELS. PARKING LOTS WILL BE SCREENED WHILE HIGHLIGHTING VIEW CORRIDORS TO ANY RELEVANT PUBLIC ART, ARCHITECTURE, AND OFF SITE VIEWS. THE LANDSCAPE WILL ENHANCE CIRCULATION AND SAFETY AND CREATE A STRONG VISUAL EXPERIENCE FOR PEDESTRIANS AND BICYCLISTS. LOCAL ROADWAYS WILL PROVIDE STRUCTURE AND OVERALL UNITY TO THE TWO DISTRICTS WITH DETACHED SIDEWALKS AND TREE LAWNS TO CREATE SEPARATION BETWEEN VEHICULAR AND PEDESTRIAN TRAFFIC. DECIDUOUS TREES WILL BE USED PRIMARILY TO PROVIDE WINTER EXPOSURE AND SUMMER SHADE. PLANT MATERIALS SHALL BE ARRANGED TO HIGHLIGHT STRONG ARCHITECTURAL ELEMENTS OF THE MIXED USE COMMERCIAL BUILDINGS WHILE SCREENING AREAS WHERE THERE IS POTENTIAL FOR MORE VISUAL CLUTTER.

PARKING LOT SCREENING ALONG ROADS AND DRIVES INTERNAL TO THE SITE WILL BE DESIGNED IN GENERAL CONFORMANCE TO THE CITY'S LANDSCAPE DESIGN STANDARDS. ANY NECESSARY SITE-SPECIFIC DEPARTURES FROM THE LANDSCAPE DESIGN STANDARDS WILL BE ADDRESSED AT THE TIME OF SITE PLAN.

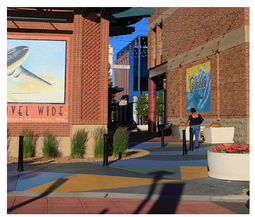
LANDSCAPE STANDARDS IN COMMERCIAL AND PUBLIC GATHERING AREAS
THE PROJECT MAY INCLUDE VARIOUS OUTDOOR ELEMENTS, SUCH AS PLA□AS, GATHERING SPACES, LAWNS, OR SCULPTURE PARKS IN ALL PLANNING AREAS. WHERE APPROPRIATE AND FEASIBLE, PEDESTRIAN CONNECTIONS SHOULD BE PROVIDED THROUGH SUCH SPACES, CREATING AN INTEGRATED PEDESTRIAN NETWORK THROUGHOUT THE PROJECT. SMALL, DIFFERENTIATED SEATING AREAS ARE ENCOURAGED THROUGHOUT THE PROJECT, AS ARE OTHER PEDESTRIAN AMENITIES INCLUDING BUT NOT LIMITED TO BENCHES, SEAT WALLS, BIKE RACKS, AND WASTE RECEPTACLES. GATHERING AREAS SHOULD INCLUDE VARYING MIXTURES OF SOFT- AND HARD-SCAPE ELEMENTS, WHICH MAY INCLUDE ELEMENTS SUCH AS LANDSCAPE BEDS, TURF AREAS, PLANTERS, PERGOLAS OR TRELLISES, WALLS OR OTHER GROUNDPLANE VARIATION, AND WATER FEATURES.

TREE GRATES WILL NOT BE PERMITTED. OPEN TREE PITS ARE ENCOURAGED AS TREES ESTABLISH MUCH BETTER IN AMENDED SOIL THAT RECEIVES PRECIPITATION AND AIR TO ALLOW FOR ROOTS TO BREATHE AND ESTABLISH. WHERE NECESSARY IN PEDESTRIAN AREAS OR PROMENADES, TREE PITS MAY BE OVERLAID BY A FRAME AND PAVER SYSTEM THAT COMES UP TO THE TRUNK. THESE INSTALLATIONS OPEN UP TIGHT SPACES BY PROVIDING SAFE PEDESTRIAN MOVEMENT UNDER THE TREES WITHOUT COMPACTING THE SOIL OVER THE ROOTS, AND CAN BE EASILY SCALED AS THE TREE TRUNK GROWS LARGER, AND MAY REDUCE THE ACCUMULATION OF WEEDS AND TRASH.

A VARIETY OF RAISED PLANTERS AND PLANTER POTS WILL BE USED IN KEY AREAS SUCH AS BUILDING ENTRANCES, PEDESTRIAN PROMENADES, AND PLA□AS FOR AESTHETICS AND TO AID CIRCULATION. FLOWER BEDS WITH ENHANCED PERENNIAL AND ANNUAL COLOR WILL BE USED AT KEY PEDESTRIAN AND VEHICULAR INTERSECTIONS.

LOW LANDSCAPE WALLS SHALL BE MADE OF INDIGENOUS STONE OR STONE VENEER WITH STRONG HORI□ONTAL LINES. THEY MAY INCLUDE STONE, CONCRETE, OR WOODEN CAPS. NATURAL STONE BOULDERS AND SLABS MAY BE INCORPORATED AS SEATING AND VISUAL STRUCTURE.

PEDESTRIAN NETWORK AND CONNECTIONS
A PEDESTRIAN SIDEWALK AND PLA□A NETWORK WILL BE PROVIDED ALONG ALL PUBLIC AND PRIVATE ROADS INTERNAL TO THE PROJECT, AND ALONG ALL EDGE ROADWAYS SUCH AS FAIRGROUNDS AVE AND CROSSROADS BLVD. AN INTERNAL PLA□A SPACE WILL PROVIDE A PEDESTRIAN-ONLY CORE TO THE DEVELOPMENT WITHIN PLANNING AREA A. MID-BLOCK CROSSINGS ARE PERMITTED WHERE APPROPRIATE. WAYFINDING SIGNAGE, PEDESTRIAN FURNITURE, ENHANCED PAVING AT CROSSWALKS / INTERSECTIONS, AND OTHER ELEMENTS MAY BE LOCATED WITHIN THE PUBLIC RIGHT-OF-WAY. ANY IMPROVEMENTS THAT DO NOT MEET LCUASS STANDARDS WILL BE MAINTAINED BY THE METRO DISTRICT.

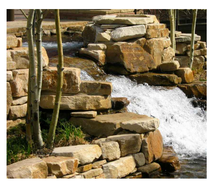


SCREEN WALLS/TRASH ENCLOSURES
TRASH ENCLOSURES, LOADING AREAS, AND OTHER SIMILARLY UNATTRACTIVE LAND USES SHALL BE GENERALLY LOCATED IN AN UNOBTRUSIVE LOCATION. WHEN SCREENED WITH PLANT MATERIAL, SUCH PLANTS SHOULD GENERALLY BE CONIFEROUS. A VARIETY OF OTHER SCREENING METHODS MAY BE ALLOWED AS APPROPRIATE, INCLUDING BUT NOT LIMITED TO BERMING OR WALLS.

OVERALL LANDSCAPE CONCEPT AND PALETTE OF PLANT MATERIALS USED TO CARRY IT OUT
THE OVERALL LANDSCAPE CONCEPT SHALL UTILI□E NATIVE AND ADAPTED PLANTS IN A UNIQUE WAY TO CREATE A PROJECT-SPECIFIC DISTINCTIVE MASSING OF NATIVE SHRUBS, GRASSES, PERENNIALS, ANNUALS AND HARDSCAPE ELEMENTS IN STRONG CONFIGURATION TO HELP AUGMENT THE FORMS AND LINES OF THE DEVELOPMENT.

THE LANDSCAPE WILL CONNECT THE OVERALL DEVELOPMENT THROUGH THE USE OF SIGNATURE PLANTS AND A SPECIFIC PLANT LIST. SIGNATURE SPECIES ARE ICONIC TO THE OVERALL THEME AND SHOULD BE HIGHLIGHTED AND UTILI□ED IN EACH OF THE PARCELS, WHILE UTILI□ING THE OTHER PLANT SPECIES IN ORDER TO CREATE AN ORGANIC, NATURAL LOOK. 50□ OF ALL TREES SHALL BE EVERGREEN TO ENSURE FOUR SEASON INTEREST. LOW WATER USE NATIVE PLANTS SHALL BE USED FOR THE MAJORITY OF THE LANDSCAPE. HIGH WATER PLANTS WILL ONLY BE PERMITTED IN AREAS WHERE THERE IS NATURAL RUNOFF OR LOW SWALES WHICH HAVE READILY AVAILABLE GROUND WATER. PLANTINGS SHALL BE GROUPED INTO □ONES BY SIMILAR WATER NEEDS.

THE ULTIMATE DESIGN FOR PLANTING AND HARDSCAPE SHOULD APPROPRIATELY COMPLIMENT THE PROJECT ARCHITECTURE AND MONUMENTATION. WHERE FEASIBLE, THE USE OF LOW WATER PLANT MATERIAL IS ENCOURAGED. REFER TO CHAPTER 19 OF THE LOVELAND MUNICIPAL CODE FOR ADDITIONAL INFORMATION ON LOW WATER USE LANDSCAPE DESIGN.



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05/03/17 RESUBMITTAL
06/06/17 RESUBMITTAL
06/12/17 RESUBMITTAL
06/16/17 RESUBMITTAL

NOT FOR CONSTRUCTION

SHEET TITLE:
LANDSCAPE GUIDELINES

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ARCHITECUTRAL DESIGN GUIDELINES:

THE PROVISIONS OF THESE GUIDELINES ARE INTENDED TO FUNCTION AS A SUPPLEMENT TO THE COMMERCIAL AND ARCHITECTURAL STANDARDS INCLUDED IN TITLE 18 OF THE LOVELAND MUNICIPAL CODE, AS AMENDED. SPECIFICALLY, COMMERCIAL AND INDUSTRIAL ARCHITECTURAL STANDARDS. ANY REQUIREMENTS OF ANY SECTION OF THE LOVELAND MUNICIPAL CODE DEALING WITH ARCHITECTURAL STANDARDS SHALL CONTINUE TO APPLY TO THIS PROJECT. IN CASES WHERE THE STANDARDS IN THESE GUIDELINES CONTRADICT THE STANDARDS IN ANY SECTION OF LOVELAND'S MUNICIPAL CODE, THE STANDARDS INCLUDED IN THESE GUIDELINES SHALL GOVERN. IN CASES WHERE THESE GUIDELINES ARE SILENT, ANY APPLICABLE SECTION OF LOVELAND'S MUNICIPAL CODE SHALL GOVERN. THESE STANDARDS ARE INTENDED TO CREATE A UNIQUE AND DISTINCTIVE BUILT ENVIRONMENT WITHIN THE PROJECT. TYPE 2 STANDARDS SHALL APPLY TO THIS PROJECT.

ARCHITECTURAL THEME

THE ARCHITECTURE SHOULD BE ONE THAT IS GROUNDED IN ITS SITE, BOTH FROM A LOCAL AND REGIONAL PERSPECTIVE. THE ARCHITECTURE SHOULD BE OF A MODERN EXPRESSION OF COLORADO ARCHITECTURE STYLES OF THE FRONT RANGE AND ROCKY MOUNTAIN REGION. THIS SHOULD MANIFEST ITSELF IN THE USE OF QUALITY MATERIALS, ARTICULATION OF THE PLAN, AND ARTICULATION OF THE BUILDING FACADES. KEY THEMES TO BE CONSIDERED TO ACHIEVE THIS VERNACULAR COLORADO IMAGE INCLUDE: RUSTIC, RANCH, AGRICULTURAL, AGRARIAN, FOLK, PRAIRIE, MOUNTAIN, WESTERN INDUSTRIAL, WITH MODERN INTERPRETATIONS OF THESE AUTHENTIC STYLES WITH NATIVE MATERIALS FOR THIS SITE. SOME FLEXIBILITY IN THESE GUIDELINES WILL BE CONSIDERED TO ALLOW FOR ARCHITECTURAL VARIETY AND FRANCHISE ARCHITECTURE. THESE GUIDELINES RECOGNI□E THAT CERTAIN ELEMENTS OF A BUILDING DESIGN MAY BE ASSOCIATED SPECIFICALLY WITH A NATIONAL BRAND IDENTITY. IT IS THE INTENT OF THESE GUIDELINES NOT TO PROHIBIT DESIGN THAT SUPPORTS BRAND IDENTITY, BUT RATHER TO GUIDE THE FRANCHISE TO MINOR ADJUSTMENTS IN DESIGN TO ALLOW THE BRAND IDENTITY TO INTEGRATE INTO THE DEVELOPMENT.

DESIGN CONSIDERATIONS SHALL INCLUDE CREATING VISUAL INTEREST USING A VARIETY OF BUILDING TYPES IN EACH DEVELOPMENT AREA. THE AREAS SHALL BE DEVELOPED WITH CONSISTENT AND COMPLIMENTARY STYLES OF ARCHITECTURE REFLECTED ON ALL SIDES OF THE BUILDING. THE GUIDELINES REQUIRE THAT CAREFUL DESIGN ATTENTION BE PAID TO MATERIAL SELECTION, MASSING, PROPORTIONS, AND DETAILING. DESIGN THAT EXPEDIENTLY SATISFIES ONLY THE FUNCTIONAL REQUIREMENTS OF A BUILDING'S PROGRAM, WITHOUT REGARD TO A HIGHER SENSE OF REFINEMENT, IS NOT ACCEPTABLE.

OVERALL DESIGN PRINCIPALS

1. BUILDING ORIENTATION

AREA A

BUILDINGS LOCATED ADJACENT TO THE AREA A PEDESTRIAN PLA□A SHALL BE ORIENTED TO FACE THE PLA□A, AND BE ORIENTED TO ENCLOSE THE PLA□A WITH MINIMUM SETBACKS.

PARKING FIELDS: MAJOR ANCHORS SHALL HAVE NOT MORE THAN 75□ OF THEIR PARKING REQUIREMENT LOCATED BETWEEN THE ANCHOR BUILDING AND I-25. FOR ALL OTHER USES, NOT MORE THAN 50□ OF THE PARKING REQUIREMENT SHALL BE LOCATED BETWEEN THE BUILDING AND I-25.

AREA B

REVERSE MODE DESIGN SHALL BE UTILI□ED WITHIN AREA B FOR BUILDINGS FRONTING CROSSROADS BLVD. OR I-25.

2. BUILDING MASSING

SCALE OF BUILDINGS

WITHIN THE OVERALL VOLUME OF A BUILDING, STRATEGIES SHOULD BE EMPLOYED TO FURTHER BREAK DOWN THE MASSING AND SCALE TO CREATE MORE VISUALLY INTERESTING BUILDINGS. ADDING OR SUBTRACTING ELEMENTS SHOULD BE USED TO CREATE DEPTH AND SHADOWS, AND LEND BUILDINGS A MORE HUMAN SCALE.

- ADDITIVE: INCORPORATE PROJECTING BAYS, DORMERS, PORCHES, BALCONIES, AWNINGS, AND SUN SCREENING. THESE ELEMENTS SHOULD BE SCALED AND DETAILED TO BLEND WITH THE OVERALL AESTHETIC OF BUILDINGS.
- SUBTRACTIVE: INCLUDE RECESSED PORCHES, TERRACES, AND OTHER STEP-BACKS THAT SERVE TO PUNCTUATE THE FACADE AND CREATE DEPTH USING SHADOWS.

VARIATION IN BUILDING MASSING

VARY THE ROOF HEIGHT, FAÇADE PLANE, SETBACKS, AND FLOOR-TO-FLOOR HEIGHT. LARGE, MONOTONOUS BUILDINGS SHOULD BE MADE TO APPEAR AS A COLLECTION OF DISCREET ONES THAT ARE MORE PEDESTRIAN APPROPRIATE IN THEIR SCALE.

EMPHASIZE CORNERS

BUILDINGS LOCATED AT CORNERS SHOULD INCLUDE HIGHER INTENSITY OR DISTINCT MASSING SUCH AS A TOWER ELEMENT OR CURVED FAÇADE, AT THE PRIMARY CORNERS OF THE BUILDING ADJACENT TO PUBLIC AREAS OR STREETS. CREATE MULTI-STORY FACETS, VERTICAL CORNER ELEMENTS, BAYS, OR SUBTRACTIONS TO HELP PUNCTUATE THE CORNERS. INCREASED HEIGHT MAY BE APPROPRIATE TO FURTHER EMPHASI□E THE IMPORTANCE OF A CRITICAL CORNER OF BUILDINGS.

ROOF FORMS

CONSISTENT ROOF FORMS SHOULD BE USED THROUGHOUT THE PROJECT TO CREATE A UNIFIED APPEARANCE. ROOF FORMS SHOULD TAKE INTO CONSIDERATION THE LOCATION OF THE BUILDING RELATIVE TO SURROUNDING GRADE, THE EFFECT OF THE BUILDING ON VIEWS FROM SURROUNDING PLA□AS AND GREEN SPACES, THE ABILITY TO ADEQUATELY SCREEN ROOF TOP MOUNTED MECHANICAL EQUIPMENT, AND THE REQUIREMENT THAT THE BUILDING DESIGN FULFILL THE INTENT OF THESE ARCHITECTURAL DESIGN GUIDELINES.

ALL PRIMARY STRUCTURES SHALL HAVE A RECOGNI□ABLE TOP CONSISTING OF EITHER A CORNICE OR PEAKED/ PITCHED ROOF.

SLOPED ROOFS SUCH AS SHED ROOFS, GABLED ROOFS OR OTHER ROOF FORMS CAN BE USED TO PROVIDE EMPHASIS TO IMPORTANT BUILDING ELEMENTS SUCH AS ENTRANCES, BUILDING TERMINUS, CORNERS, OR OTHER BUILDING ELEMENTS.

WHERE APPROPRIATE TO THE ARCHITECTURAL STYLE, OVERHANGING EAVES SHOULD INCLUDE BRACKETS TO PROVIDE VISUAL SUPPORT TO THE EAVE.

PARAPET WALLS SHALL HAVE A THREE-DIMENSIONAL CORNICE TREATMENT THAT IS DIFFERENTIATED FROM THE WALL MATERIAL BY COLOR, MATERIAL, OR TEXTURE IN ADDITION TO BEING THREE DIMENSIONAL. COLORED BANDING ABSENT OF A CHANGE IN PLANE SHALL NOT BE SUFFICIENT.

DISCOURAGE:

- BIG BOXES WITH MONOTONOUS BUILDING ELEVATIONS□
- LARGE BLOCKS WITH FEW CONNECTIONS BETWEEN BUILDINGS□
- BUILDING CLUSTERS HAVING AN IDENTICAL LOOK AND DESIGN.

3. BUILDING HEIGHTS

REFER TO THE LOVELAND MUNICIPAL CODE FOR BUILDING HEIGHT REGULATIONS. THE MAXIMUM HEIGHT OF BUILDINGS FOR THIS DEVELOPMENT WILL BE DETERMINED BY THE FLIGHT CEILING OF THE NEARBY FORT COLLINS-LOVELAND AIRPORT. GROUND FLOOR LEVELS SHOULD BE DESIGNED WITH A GREATER FLOOR-TO-FLOOR HEIGHT FOR RETAIL USES. WHERE APPROPRIATE, EFFORTS SHOULD BE MADE TO ACKNOWLEDGE OR REFERENCE THE HEIGHTS OF ADJACENT BUILDINGS TO FOSTER GREATER VISUAL HARMONY BETWEEN NEW PROJECTS AND THE EXISTING FABRIC. CORRELATING FLOOR HEIGHTS, CORNICES, LINTELS, AND STEP-BACKS IS ENCOURAGED

BUILDINGS HIGHER THAN 55' ON THE SOUTH SIDE OF THE AREA A PEDESTRIAN PLA□A WILL BE REQUIRED TO SUBMIT A SHADOW ANALYSIS AT THE TIME OF SITE PLAN TO IDENTIFY ANY ADVERSE EFFECTS OF SHADING.

A RANGE OF BUILDING HEIGHTS

THE HEIGHT OF LARGE BUILDINGS SHOULD VARY TO ADD VARIETY AND VISUAL INTEREST, AS WELL AS TO BREAK DOWN BUILDING MASSING. IN SMALLER BUILDINGS, THE DEGREE OF VARIETY MAY BE LESS, SUCH AS VARYING THE HEIGHT OF PARAPETS OR EXPRESSING VERTICAL CIRCULATION ELEMENTS. ADDITIONAL HEIGHT MAY BE WARRANTED IN THE FOLLOWING CASES:

- AT IMPORTANT INTERSECTIONS/SQUARES□
- AT BUILDING CORNERS (SEE BUILDING MASSING ABOVE)□
- WHEN ALIGNED WITH OR TERMINATING IMPORTANT VIEW CORRIDORS.

4. MATERIALS AND COLORS

HIGH-QUALITY AND NATURAL MATERIALS

CHOOSE HIGH-QUALITY MATERIALS TO ENSURE THAT BUILDINGS LAST, AND MATERIALS THAT ARE APPROPRIATE TO THE ARCHITECTURAL STYLE PROPOSED. LOCALLY SOURCED MATERIALS OFFER ADDITIONAL LAYERS OF BENEFIT IN THE FORM OF STIMULATING THE LOCAL ECONOMY, REDUCING THE ENERGY INVOLVED IN TRANSPORTATION, AND BEING A PRODUCT OF THE AREA. EXTERIOR CLADDING AND DETAILING SHOULD BE CHOSEN FOR ITS ABILITY TO WORK WITH THE LOCAL CLIMATE AND RESIST DEGRADATION. CHOOSE ENVIRONMENTALLY AND HISTORICALLY APPROPRIATE MATERIALS. MATERIALS SHOULD BE CHOSEN THAT ARE DURABLE, RESILIENT, EASILY SOURCED AND REPAIRED, RESIST AGING POORLY, AND ARE NATURAL AND SUSTAINABLE.

ALLOWED EXTERIOR MATERIALS INCLUDE BRICK, STONE (NATIVE OR CULTURED), STUCCO, ARCHITECTURAL PRECAST CONCRETE, TINTED AND TEXTURED CMU, WOOD, GLASS, ARCHITECTURALLY INTEGRATED METAL WALL PANELS, OR OTHER SIMILAR HIGH QUALITY MATERIALS. AT LEAST TWO KINDS OF MATERIALS DISTINCTLY DIFFERENT IN TEXTURE OR PATTERN SHOULD BE USED ON EACH APPROPRIATE FAÇADE BASED ON THE DESIGN AREA REQUIREMENTS THAT THE BUILDING IS LOCATED IN, ESPECIALLY FACADES VISIBLE FROM PUBLIC ROADS OR GATHERING AREAS.

DISCOURAGE:

- FLAT, REPETITIVE FACADES□
- VINYL SIDING, LARGE PANELS, AND INEXPENSIVE MATERIALS□
- HISTORICAL FACSIMILES OR FAUX-HISTORICAL TREATMENTS.

5. FAÇADES, FEATURES AND DETAILS

GROUND LEVEL FAÇADES

IN HIGH DENSITY DESIGN AREAS THE USE OF FREQUENT ENTRANCES, LARGE AREAS OF GROUND-LEVEL TRANSPARENCY, BUILDING PERMEABILITY, AND HIGH-QUALITY MATERIALS SHOULD BE CONSIDERED TO CREATE AN ENGAGING PEDESTRIAN EXPERIENCE. THE GROUND LEVELS OF BUILDINGS SHOULD RECEIVE THE HIGHEST DEGREE OF DETAILING TO ENLIVEN THE PUBLIC REALM AND CREATE A UNIQUE SENSE OF PLACE.

BUILDING BASE

FACADES SHALL HAVE A RECOGNI□ABLE BASE TREATMENT CONSISTING OF INTEGRALLY TEXTURED MATERIALS SUCH AS STONE, STONE VENEER OR MASONRY PLUS THICKER WALLS, LEDGES, OR SILLS.

PLUS, NO LESS THAN TWO OF THE FOLLOWING:

- LIGHTER OR DARKER COLORED MATERIALS, MULLIONS OR PANELS AS COMPARED TO THE UPPER FAÇADE;
- MATERIAL SCORING AND REVEALS□
- MODULAR STORE FRONT ON FIRST FLOOR□
- CHANGE IN WINDOW PATTERN ON FIRST FLOOR AS COMPARED TO UPPER FLOORS□
- SENSORY MATERIALS ON THE FIRST FLOOR□
- RAISED PLANTERS ATTACHED TO OR CLOSELY RELATED TO THE BUILDING.

BUILDING ENTRANCES

HAVE FREQUENT ENTRANCES ALONG PUBLIC WAYS TO CREATE A LIVELY AND MORE INTERESTING PEDESTRIAN EXPERIENCE. ENTRANCES AND GROUND FLOOR WINDOWS SHOULD:

- BE AT GRADE, EASILY PERCEIVED AND NAVIGABLE, AND THEY SHOULD AID IN PEDESTRIAN COMFORT, SAFETY AND ORIENTATION□
- BE ACCESSIBLE TO PERSONS WITH DISABILITIES. THE PUBLIC REALM/ PROJECT INTERFACE SHOULD BE GUIDED BY THE PRINCIPLES OF UNIVERSAL DESIGN TO ACCOMMODATE THE WIDEST RANGE OF USERS.

PRIMARY BUILDING ENTRANCES SHALL HAVE A CANOPY, OVERHANG, OR PORTE COCHERE.

ADDITIONALLY, PRIMARY BUILDING ENTRANCES SHOULD CONSIDER NO LESS THAN THREE OF THE FOLLOWING:

- RECESSES / PROJECTIONS□
- ARCADES, PORTICOS□
- RAISED CORNICE PARAPET OVER THE DOOR□
- PEAKED ROOF FORM AT ENTRYWAY□
- ARCHES□
- COLOR CHANGE□
- TEXTURE CHANGE□
- MATERIAL CHANGE□
- DOOR(S) WHICH PROVIDE A FOCAL ELEMENT AT THE ENTRANCE□
- FUNCTIONAL OUTDOOR PATIOS□
- DISTINCTIVE GROUND PLANE TREATMENT TO PROVIDE EMPHASIS TO THE ENTRYWAY□
- ARCHITECTURAL DETAILS THAT PROVIDE DETAIL AND INTEREST AT THE HUMAN SCALE□
- PEDESTRIAN AMENITIES SUCH AS SEATING AREAS, LANDSCAPE WALLS, ARTWORK, AND/ OR GARDENS.

TRANSPARENCY AT GROUND LEVEL

ENCOURAGE LARGE AREAS OF GLA□ING AT GROUND LEVEL TO DISSOLVE THE VISUAL BARRIER BETWEEN THE INTERIOR AND EXTERIOR, ALLOWING THE SIDEWALK TO BENEFIT FROM THE ADJACENT ACTIVITY. PROVIDE LARGE SECTIONS OF GLA□ING TO ALLOW USES TO VISUALLY SPILL OUT INTO THE SIDEWALKS AND STREETS, ACTIVATING THEM AND ENHANCING THE PEDESTRIAN EXPERIENCE. RETRACTABLE WINDOWS ARE ENCOURAGED.

FAÇADE WINDOWS AND OPENINGS

ALL FACADES THAT FACE PUBLIC STREETS, PEDESTRIAN WALKWAYS, PLA□AS, OPEN SPACES, SHALL HAVE WINDOWS OR SIMULATED WINDOWS.

ALL BUILDINGS MAY HAVE ONE FAÇADE DESIGNATED AS THE REAR OF THE BUILDING THAT DOES NOT HAVE TO MEET TRANSPARENCY REQUIREMENTS. THIS FAÇADE SHALL NOT FACE UPON A PUBLIC STREET, SIDEWALK, PARKING LOT, PLA□A, OR OPEN SPACE. IF A BUILDING HAS NO FAÇADE THAT DOES NOT FACE UPON A STREET, SIDEWALK, PARKING LOT, PLA□A, OR OPEN SPACE, THEN ALL FACADES MUST MEET TRANSPARENCY REQUIREMENTS. REAR FAÇADES MUST BE SCREENED PER CITY CODE.

BREAKING UP BUILDING LINES

BREAK UP VERTICAL AND HORI□ONTAL BUILDING LINES, SO THAT LARGE MASSES APPEAR COMPOSED OF SMALLER, DISCRETE VOLUMES. CONSIDER VARIATIONS IN DEPTH, CHANGES IN MATERIAL, AND AGGREGATING ARCHITECTURAL ELEMENTS.

CANOPIES AND AWNINGS

UTILI□E EXTERIOR OVERHANGS AND PROJECTIONS TO PROTECT PEDESTRIANS FROM THE WEATHER, CREATE A THRESHOLD AT THE ENTRANCES TO SHOPS AND RESTAURANTS, AND VISUALLY COMPLETE THE OVERHEAD ELEMENTS OF THE PUBLIC REALM.

BALCONIES AND TERRACES

INCORPORATE BALCONIES AND TERRACES TO CREATE DEPTH IN THE FACADE THROUGH THE INTERPLAY OF LIGHT AND SHADOW, AS WELL AS VISUALLY BREAKING DOWN THE MASSING.

OUTDOOR SEATING AREAS

CREATE SETBACKS ALONG THE PRIMARY FRONTAGE OF A BUILDING, SO SPACE CAN BE RESERVED FOR OUTDOOR SEATING AREAS AND DISPLAYS FOR SHOPS. AREAS WITH EVEN GREATER SETBACKS CAN BE USED TO ACCOMMODATE LANDSCAPING THAT SERVES TO BREAK UP THE MONOTONOUS CHARACTER OF LONG BUILDING FACADES.

DISCOURAGE:

- CHEAP EXTERIOR FINISHES□
- MONOLITHIC FAÇADE TREATMENTS;
- LONG, UNINTERRUPTED ELEVATIONS□
- MIRRORED OR HIGHLY REFLECTIVE GLASS□
- FLAT, BLANK WALLS.

UNIFIED DESIGN AGREEMENT

AN ARCHITECTURAL REVIEW BOARD WILL BE IN PLACE TO REVIEW EACH PROJECT WITHIN THE DEVELOPMENT. AN APPROVAL FROM THE ARCHITECTURAL REVIEW BOARD SHALL BE REQUIRED PRIOR TO THE SUBMISSION OF SITE DEVELOPMENT PLANS. A LETTER OF APPROVAL FROM THE ARCHITECTURAL REVIEW BOARD SHALL BE REQUIRED PRIOR TO PLAT SUBMITTALS.

ADDITIONAL SUBMITTAL REQUIREMENTS

IN ADDITION TO THE ITEMS REQUIRED IN THE SUBMITTAL CHECKLISTS, THE FOLLOWING ITEMS SHALL BE INCLUDED:

1. LETTER OF APPROVAL FROM THE ARCHITECTURAL REVIEW BOARD SHALL BE SUBMITTED WITH AN APPLICATION FOR A SITE DEVELOPMENT PLAN.
2. PEDESTRIAN AMENITY PLAN: THE FIRST SITE DEVELOPMENT PLAN SUBMITTAL IN EACH PLANNING AREA SHALL INCLUDE A PEDESTRIAN AMENITY PLAN THAT SPECIFIES THEMATIC FEATURES THAT WILL BE INCORPORATED THROUGHOUT THE PLANNING AREA, INDICATING PRIVATE VERSUS PUBLIC MAINTENANCE AREA AND GOVERNANCE RESPONSIBILITIES.
3. CONTEXT DIAGRAM: SITE DEVELOPMENT PLAN AND SUBDIVISION PLAT SUBMITTALS WITHIN PLANNING AREA A SHALL INCLUDE A CONTEXT DIAGRAM DEPICTING THE FOLLOWING:
   A. A VISION STATEMENT DESCRIBING HOW THE PROJECT FITS WITHIN THE CONTEXT OF THE PLANNING AREA□
   B. A PLAN DIAGRAM GRAPHICALLY DEPICTING HOW THE PROJECT FITS WITHIN THE PLANNING AREA, INCLUDING THE PROPOSED LAND USES AND BLOCK PATTERNS, PEDESTRIAN AND VEHICULAR LINKAGES AND SIGNIFICANT VIEWS AND VISTAS.
4. PEDESTRIAN PLA□A: THE DESIGN FOR THE PEDESTRIAN PLA□A IN PLANNING AREA A SHALL BE INCLUDED IN THE SITE DEVELOPMENT PLAN FOR ANY BUILDING LOCATED ADJACENT TO THE PLA□A. THE PLA□A SHALL BE CONSTRUCTED AS PART OF THE SITE DEVELOPMENT PLAN UNLESS AN ALTERNATIVE PHASING PLAN IS APPROVED BY THE CURRENT PLANNING MANAGER.

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SHEET TITLE:
ARCHITECTURE STANDARDS

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INDIVIDUAL PLANNING AREA STANDARDS

AREA “A”

THE INTENDED DESIGN FOR AREA “A” IS A HIGH DENSITY, HIGH-QUALITY ENVIRONMENT WITH EXTENSIVE LANDSCAPING. THE BUILDINGS WITH IN THIS AREA ARE MEANT TO EVOKE A SENSE OF PLACE WHILE ACCOMMODATING AND REACTING TO THE HIGH LEVEL OF PEDESTRIAN ACTIVITY IN THIS AREA. NATIONAL BRAND TENANTS SHALL BE ALLOWED TO MAINTAIN THE ELEMENTS REQUIRED FOR THEIR NATIONAL BRAND IDENTITY BUT SHALL STILL INTEGRATE INTO THE DEVELOPMENT.

THE FOLLOWING INCLUDES STANDARDS THAT SHALL BE APPLICABLE TO PLANNING AREA "A", WHICH HAVE BEEN DRAWN FROM OTHER PORTIONS OF THE LOVELAND MUNICIPAL CODE. ONLY THOSE PORTIONS LISTED BELOW ARE APPLICABLE TO PLANNING AREA "A". OTHER DOWNTOWN AREA STANDARDS NOT SPECIFICALLY INCLUDED BELOW DO NOT APPLY TO THE PROJECT.

CHARACTER AREA A URBAN DESIGN STANDARDS

A. ARCHITECTURAL FEATURES: AREA “A” BUILDINGS SHALL ACHIEVE QUALITY APPEARANCE THROUGH THE USE OF QUALITY MATERIALS AND PROPORTIONS AND ARCHITECTURAL RHYTHM.
   1. BUILDINGS SHALL INCORPORATE A COMBINATION OF THE FOLLOWING FEATURES: COLUMNS, PILASTERS, WINDOW DORMERS, BAY WINDOWS, CORBELS, BALCONIES, PORCHES, OR OTHER SIMILAR ARCHITECTURAL FEATURES TO ADD VISUAL INTEREST AND DIVERSITY.
   2. ALL ELEVATIONS FACING A PUBLIC STREET RIGHT-OF-WAY, PUBLIC PLA□A OR PEDESTRIAN SPACE, OR PUBLIC PARKING LOT SHALL CONTAIN A CORNICE PARAPET, CAPSTONE FINISH, EAVES PROJECTING AT LEAST TWELVE INCHES, OR OTHER ROOF FEATURES.
   3. ALL ROOFTOP MECHANICAL EQUIPMENT SHALL BE SCREENED FROM VIEW FROM PUBLIC RIGHTS-OF-WAY WITH SCREENING MATERIALS COMPARABLE TO THE COLOR, TONE AND TEXTURE OF MATERIALS USED ON THE BUILDING.
   4. EACH BUILDING FRONTING A PUBLIC STREET OR PLA□A SHALL HAVE AT LEAST ONE PRIMARY ENTRANCE THAT SHALL BE CLEARLY DEFINED AND RECESSED OR FRAMED BY ELEMENTS SUCH AS AWNINGS, PORTICOS OR OTHER ARCHITECTURAL FEATURES. BUILDINGS FRONTING ONTO A PEDESTRIAN PLA□A SHALL PLACE THE PRIMARY ENTRANCE ON THE PEDESTRIAN PLA□A FRONTAGE.
   5. WINDOWS AND DOORS SHALL COMPRISE A MINIMUM PERCENTAGE OF FACADES FACING PUBLIC STREETS RIGHTS-OF-WAY, AS SET FORTH IN TABLE A-1 IN THIS SECTION.
   6. NO WALL FACING A PLA□A OR PUBLIC STREET SHALL EXTEND MORE THAN TWENTY HORI□ONTAL LINEAR FEET ON THE GROUND FLOOR WITHOUT A WINDOW OR OTHER OPENING.
   7. FACADES GREATER THAN SEVENTY-FIVE FEET IN LENGTH SHALL CONTAIN RECESSES OR PROJECTIONS OF A MINIMUM DEPTH OF THREE PERCENT OF THE FACADE LENGTH EXTENDING FOR A MINIMUM OF TWENTY PERCENT OF THE LENGTH OF THE FACADE.
   8. FACADES VISIBLE FROM A PUBLIC STREET, PUBLIC PLA□A OR PUBLIC PEDESTRIAN SPACE SHALL BE FINISHED WITH QUALITY MATERIALS THAT REINFORCE THE PEDESTRIAN CHARACTER OF THE PLA□A. MINIMUM WINDOW AND DOOR OPENINGS SHALL BE LIMITED TO THE PERCENTAGES INDICATED IN TABLE A-1 IN THIS SECTION.
      a. AT LEAST TWENTY PERCENT (20□) OF FACADES SHALL CONSIST OF BRICK OR STONE. THE AREA OF WINDOWS AND DOORS SHALL BE EXCLUDED FROM THE EXTERNAL WALL AREA FOR THIS CALCULATION.
      b. THE REMAINDER OF THE FACADE NOT CONSISTING OF WINDOWS AND DOORS SHALL CONSIST OF QUALITY MATERIALS SUCH AS: BRICK, TEXTURED AND/OR GROUND FACE CONCRETE BLOCK, TEXTURED ARCHITECTURAL PRECAST PANELS, MASONRY, NATURAL AND SYNTHETIC STONE, EXTERIOR INSULATION FINISHING SYSTEMS, STUCCO, AND SIMILAR HIGH QUALITY MATERIALS AS APPROVED BY THE CURRENT PLANNING MANAGER.
      c. WOOD AND METAL ARE ACCEPTABLE ACCENT MATERIALS BUT SHOULD NOT ACCOUNT FOR MORE THAN THIRTY PERCENT (30□) OF ANY ONE FACADE.
      d. NO WALL FACING A PLA□A OR PUBLIC STREET SHALL EXTEND MORE THAN TWENTY-FIVE HORI□ONTAL LINEAR FEET WITHOUT A WINDOW OR OTHER OPENING.

TABLE A-1 AREA A MINIMUM WINDOW AND DOOR PERCENTAGES

CHARACTER AREA	CORE	
	STREET TYPE	
FACADE TYPE / LOCATION	PRIMARY PEDESTRIAN PLA□A SIDE	NON-PRIMARY PEDESTRIAN PLA□A SIDE
PRIMARY, GROUND FLOOR	40□	40□
SECONDARY, GROUND FLOOR	40□	30□
RESIDENTIAL, GROUND FLOOR	20□	20□
UPPER FLOORS, ALL USES (1)	15□	15□
(1) UPPER FLOOR SURFACE AREA SHALL BE MEASURED EXCLUDING CORNICE OR OTHER ROOF FEATURES.		

B. OPEN SPACE: WHERE SUFFICIENT SITE AREA IS AVAILABLE, COMMON OPEN SPACES SHALL BE PROVIDED IN THE FORM OF CENTRAL COURTS AND SQUARES TO PROVIDE A FOCAL POINT FOR ACTIVITY, INSTEAD OF PERIMETER BUFFER YARDS.

C. OTHER SITE AMENITIES. SITE AMENITIES SHALL INCLUDE ORNAMENTAL STREET LIGHTING, FENCING, PLANTERS, BENCHES, AND FEATURE LANDSCAPING AT ENTRIES AND WITHIN CENTRAL OPEN SPACES.

AREA A STREET CHARACTER URBAN DESIGN STANDARDS

A. ARCHITECTURAL FEATURES
   1. GROUND FLOOR FACADES FACING THE PLA□A SHALL BE DESIGNED AS A TYPICAL STOREFRONT HAVING THE FOLLOWING FEATURES: LARGE DISPLAY WINDOWS WITH METAL OR WOOD FRAMES□TRANSOM WINDOWS□KICK PLATES OF BETWEEN ONE FOOT AND TWO-AND-A-HALF FEET IN HEIGHT AND CONSTRUCTED OF METAL, TILE, STONE, BRICK, OR OTHER SIMILAR HIGH QUALITY MATERIAL.
   2. ORNAMENTATION OR A BANDING TECHNIQUE SHOULD BE USED TO DELINEATE THE GROUND FLOOR FROM THE UPPER FLOORS.

AREA “B”

THE INTENDED DESIGN FOR AREA “B” IS HIGH-QUALITY BUILDINGS AT LOWER DENSITIES WITH ABUNDANT LANDSCAPING. THIS AREA IS MORE AUTOMOBILE ORIENTED AND MUST ADDRESS THE ISSUE OF THE INTERACTION BETWEEN THE AUTOMOBILE AND THE PEDESTRIAN. NATIONAL BRAND TENANTS SHALL BE ALLOWED TO MAINTAIN THE ELEMENTS REQUIRED FOR THEIR NATIONAL BRAND IDENTITY BUT SHALL STILL INTEGRATE INTO THE DEVELOPMENT. AREA "B" SHALL BLEND HARMONIOUSLY WITH AREA “A” CARRYING THE THEMATIC ELEMENTS THROUGHOUT THE ENTIRETY OF THE SITE.

AREA B COMMERCIAL (NON-INDUSTRIAL) ARCHITECTURAL STANDARDS.

A. APPLICATION.
   1. THE FOLLOWING STANDARDS APPLY TO RETAIL, RESTAURANTS, CONVENIENCE STORES, OFFICE, INSTITUTIONAL AND OTHER COMMERCIAL BUILDINGS LOCATED IN AREA “B.”
   2. IT IS INTENDED THAT THESE STANDARDS APPLY TO THE PRIMARY FAÇADE OF THE BUILDING AND THAT ALL SIDES OF BUILDING, WHERE VISIBLE FROM PUBLIC RIGHTS-OF-WAY AND PRIVATE ROADS OR SERVICES DRIVES OR ADJACENT RESIDENTIAL NEIGHBORHOODS, SHALL INCLUDE DESIGN CHARACTERISTICS AND MATERIALS CONSISTENT WITH THOSE OF THE PRIMARY FAÇADE, EXCEPT AS PROVIDED IN SUBSECTION B BELOW.

B. EXCEPTIONS. THE DIRECTOR MAY WAIVE THE APPLICATION OF THE STANDARDS SET FORTH IN THIS F□OD IN CASES WHERE THE VISIBILITY OF SIDE OR REAR WALLS OF THE BUILDING IS SUBSTANTIALLY DIMINISHED BY LANDSCAPING, OR BY A DECORATIVE SCREENING WALL OR EARTHEN BERM COMBINED WITH LANDSCAPING, LOCATED BETWEEN THE BUILDING WALL AND ANY SUCH RIGHT-OF-WAY OR ADJACENT PROPERTY. A WAIVER MAY ALSO BE CONSIDERED IN CASES WHERE FLEXIBILITY IN THE INTERPRETATION OF THESE STANDARDS IS APPLICABLE, AS STATED ON SHEET 1 OF THIS F□OD. LANDSCAPE SCREENING SHALL BE DESIGNED TO BE AT LEAST SIXTY PERCENT OPAQUE TO A HEIGHT OF SIX FEET UPON INSTALLATION AND A MINIMUM OF EIGHTY PERCENT OPAQUE TO A HEIGHT OF SIX FEET WITHIN FIVE YEARS OF PLANNING. SUCH LANDSCAPING SHALL CONSIST OF PRIMARILY EVERGREEN PLANT MATERIAL TO PROVIDE YEAR-ROUND SCREENING. THE REQUIRED LANDSCAPING SHALL BE MAINTAINED IN HEALTHY CONDITION BY THE CURRENT OWNER. IN THE EVENT ANY REQUIRED LANDSCAPING MATERIAL DIES OR IS DESTROYED, IT SHALL BE REPLACED BY THE OWNER WITHIN SIX MONTHS. REPLACEMENT MATERIAL SHALL CONFORM TO THE ORIGINAL INTENT OF THE LANDSCAPE PLAN.

C. DESIGN COMPATIBILITY.
   1. TYPE 2 STANDARDS:
      a. BUILDING DESIGN SHALL CONTRIBUTE TO THE SPECIAL OR UNIQUE CHARACTERISTICS OF AN AREA AND/OR DEVELOPMENT THROUGH THE USE OF PREDOMINANT BUILDING MASSING AND SCALE, BUILDING MATERIALS, ARCHITECTURAL ELEMENTS AND COLOR PALETTE.
      b. DESIGN COMPATIBILITY SHALL BE ACHIEVED THROUGH TECHNIQUES SUCH AS THE REPETITION OF ROOF LINES, THE USE OF SIMILAR PROPORTIONS IN BUILDING MASS AND OUTDOOR SPACES, SIMILAR RELATIONSHIPS TO THE STREET, SIMILAR WINDOW AND DOOR PATTERNS, AND/OR THE USE OF BUILDING MATERIALS THAT HAVE COLOR SHADES AND TEXTURES SIMILAR TO THOSE EXISTING IN THE IMMEDIATE AREA OF THE PROPOSED DEVELOPMENT.
      c. WHERE THERE IS NO ESTABLISHED OR CONSISTENT NEIGHBORHOOD OR AREA CHARACTER OR UNIFYING THEME, OR WHERE IT IS NOT DESIRABLE TO CONTINUE THE EXISTING CHARACTER BECAUSE IT DOES NOT REFLECT A DESIGN THEME CONSISTENT WITH THE ARCHITECTURAL STANDARDS AS DESCRIBED HEREIN, THE PROPOSED DEVELOPMENT SHALL BE DESIGNED TO ESTABLISH AN ATTRACTIVE IMAGE AND SET A STANDARD OF QUALITY FOR FUTURE DEVELOPMENTS AND BUILDINGS WITHIN THE AREA. GREATER ATTENTION TO DESIGN WITH RESPECT TO DESIGN COMPATIBILITY STANDARDS IN THIS SUBSECTION C SHALL BE REQUIRED IN AREAS OF HIGH VISIBILITY, SUCH AS COMMUNITY ENTRYWAYS AND ARTERIAL AND MAJOR COLLECTOR ROADWAYS.

D. BUILDING DESIGN ELEMENTS.
   1. TYPE 2 STANDARDS: ALL BUILDINGS SHALL BE DESIGNED AND MAINTAINED USING THE FOLLOWING BUILDING ELEMENTS, WITH A MINIMUM OF ONE ITEM EACH SELECTED FROM FOUR OF THE FIVE GROUPS BELOW:
      a. GROUP 1 - EXTERIOR WALL ARTICULATION.
      □ OPENINGS OR ELEMENTS SIMULATING OPENINGS THAT OCCUPY AT LEAST TWENTY PERCENT OF THE WALL SURFACE AREA (EXCLUDING OVERHEAR OR DOCK DOORS)□OR
      □□ BUILDING BAYS CREATED BY COLUMNS, RIBS, PILASTERS OR PIERS OR AN EQUIVALENT ELEMENT THAT DIVIDES A WALL INTO SMALLER PROPORTIONS OR SEGMENTS WITH ELEMENTS BEING AT LEAST ONE FOOT IN WIDTH, A MINIMUM DEPTH OF EIGHT INCHES, AND SPACED AT INTERVALS OF NO MORE THAN TWENTY FIVE PERCENT OF THE EXTERIOR BUILDING WALLS. FOR BUILDINGS OVER TWENTY THOUSAND SQUARE FEET IN FLOOR AREA, SUCH ELEMENTS SHALL BE AT LEAST EIGHTEEN INCHES IN WIDTH, WITH A MINIMUM DEPTH OF TWELVE INCHES, AND SPACED AT INTERVALS OF NO MORE THAN TWENTY PERCENT OF THE EXTERIOR BUILDING WALLS□OR
      □□□ A RECOGNI□ABLE BASE TREATMENT OF THE WALL CONSISTING OF THICKER WALLS, LEDGES OR SILLS USING INTEGRALLY TEXTURED AND COLORED MATERIALS SUCH AS STONE, MASONRY, OR A DECORATIVE CONCRETE□OR
      □□ SOME OTHER ARCHITECTURAL FEATURE THAT BREAKS UP THE EXTERIOR HORI□ONTAL AND VERTICAL MASS OF THE WALL IN A MANNER EQUIVALENT TO (I), (II), OR (III) ABOVE.
      b. GROUP 2 - ROOF ARTICULATION.
      □ CHANGES IN ROOF LINES, INCLUDING THE USE OF STEPPED CORNICE PARAPETS, A COMBINATION OF FLAT AND SLOPED ROOFS, OR PITCHED ROOFS WITH AT LEAST TWO ROOF LINE ELEVATION CHANGES□OR
      □□ SOME OTHER ARCHITECTURAL FEATURE OR TREATMENT WHICH BREAKS UP THE EXTERIOR HORI□ONTAL AND VERTICAL MASS OF THE ROOF IN A MANNER EQUIVALENT TO (I) ABOVE.
      c. GROUP 3 - BUILDING OPENINGS, WALKWAYS AND ENTRANCES.
      □ CANOPIES OR AWNINGS OVER AT LEAST THIRTY PERCENT OF THE OPENINGS OF THE BUILDING□OR
      □□ COVERED WALKWAYS, PORTICOS AND/OR ARCADES COVERING AT LEAST TWENTY PERCENT OF THE HORI□ONTAL LENGTH OF THE FRONT FAÇADE; OR
      □□□ RAISED CORNICE PARAPETS OVER ENTRIES□OR
      □□ SOME OTHER ARCHITECTURAL FEATURE OR TREATMENT WHICH ADDS DEFINITION TO THE BUILDING OPENINGS, WALKWAYS OR ENTRANCES IN A MANNER EQUIVALENT TO (I), (II), OR (III) ABOVE.
      d. GROUP 4 - BUILDING MATERIALS. (THE AREA OF WINDOWS AND DOORS, INCLUDING OVERHEARD DOORS, SHALL BE EXCLUDED FROM THE WALL AREA CALCULATION FOR THE FOLLOWING STANDARDS.)
      □ AT LEAST TWO KINDS OF MATERIALS DISTINCTIVELY DIFFERENT IN TEXTURE OR MASONRY PATTERN, AT LEAST ONE OF WHICH IS DECORATIVE BLOCK, BRICK OR STONE, WITH EACH OF THE REQUIRED MATERIALS COVERING AT LEAST TWENTY PERCENT OF THE EXTERIOR WALLS OF THE BUILDING□OR
      □□ BRICK OR STONE (INCLUDING SYNTHETIC STONE) COVERING AT LEAST FORTY PERCENT OF THE EXTERIOR WALLS OF THE BUILDING.
      e. GROUP 5 - OTHER ARCHITECTURAL DEFINITION.
      □ OVERHANDING EAVES EXTENDING AT LEAST TWENTY FOUR INCHES PAST THE SUPPORTING WALLS, OR WITH FLAT ROOFS, CORNICE PARAPETS OR CAPSTONE FINISH□OR
      □□ ORNAMENTAL LIGHTING FIXTURES (EXCLUDING NEON)FOR ALL EXTERIOR BUILDING LIGHTING□OR
      □□□ A FEATURE THAT ADDS ARCHITECTURAL DEFINITION TO THE BUILDING, IN A MANNER EQUIVALENT TO (I), (II), OR (III) ABOVE.

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AREA “B” (CONTINUED)

E. ARTICULATION OF WALLS. TYPE 2 STANDARD: FACADES, AND ANY WALL OF THE BUILDING FACING ANY ROAD OR PUBLIC OR PRIVATE SERVICE DRIVE, GREATER THAN ONE HUNDRED FEET IN LENGTH, MEASURED HORI□ONTALLY, SHALL INCORPORATE WALL PLANE PROJECTIONS OR RECESSES HAVING A DEPTH OF AT LEAST TWO PERCENT OF THE LENGTH OF THE FAÇADE, EXTENDING AT LEAST FIFTEEN PERCENT OF THE LENGTH OF THE FACADE. NO UNINTERRUPTED LENGTH OF ANY FACADE SHALL EXCEED ONE HUNDRED HORI□ONTAL FEET.

F. DELIVERY/LOADING DOORS AND DOCKS. TYPE 2 STANDARD: NO DELIVERY, LOADING, DOCK OR TRASH REMOVAL DOOR OR FACILITY SHALL BE LOCATED ON THE MAIN STREET FACING FAÇADE OF THE BUILDING. ANY SUCH DOOR OR FACILITY LOCATED ON THE SIDE OR REAR WALL OF THE BUILDING SHALL BE SCREENED IN ACCORDANCE WITH THE SITE DEVELOPMENT PERFORMANCE STANDARDS AND GUIDELINES, AS AMENDED. FOR SITES THAT HAVE ROAD FRONTAGE ON MULTIPLE SIDES, THESE FACILITIES SHALL BE LOCATED IN THE LEAST OBTRUSIVE MANNER, PREFERABLY ON A NON-ROAD FACING SIDE OF THE BUILDING, OR THE ROAD FRONTAGE THAT HAS THE LEAST PUBLIC VISIBILITY.

G. ROOFTOP MECHANICAL UNITS. TYPE 2 STANDARD: ROOFTOP MECHANICAL UNITS AND OTHER MISCELLANEOUS ROOFTOP EQUIPMENT SHALL BE SUBSTANTIALLY SCREENED FROM VIEW FROM PUBLIC RIGHTS-OF-WAY AND OTHER PUBLIC PLACES. SCREENING MATERIALS SHALL BE OF THE SAME OR COMPARABLE MATERIAL, TEXTURE AND COLOR AS THE MATERIALS USED ON THE BUILDING. ROOF-MOUNTED EQUIPMENT SCREENING SHALL BE CONSTRUCTED AS AN ENCOMPASSING MONOLITHIC UNIT, RATHER THAN AS SEVERAL INDIVIDUAL SCREENS (I.E., MULTIPLE EQUIPMENT SCREENS, OR "HATS," SURROUNDING INDIVIDUAL ELEMENTS SHALL NOT BE PERMITTED) FOR BUILDINGS UNDER 75,000 SQUARE FEET. BUILDINGS OVER 75,000 SQUARE FEET ARE PERMITTED MULTIPLE SCREENS. THE HEIGHT OF THE SCREENING ELEMENT SHALL EQUAL OR EXCEED THE HEIGHT OF THE STRUCTURE'S TALLEST PIECE OF INSTALLED EQUIPMENT.

H. CART STORAGE AND VENDING MACHINES. TYPE 2 STANDARD: CART STORAGE AREAS, CART CORRALS, VENDING MACHINES, AND VIDEO AND BOOK RETURN CONTAINERS SHALL BE PLACED INSIDE THE PRINCIPAL BUILDING, PLACED IN AN ACCESSORY STRUCTURE DESIGNED TO COMPLEMENT THE PRINCIPAL BUILDING, OR SCREENED WITH WALLS AND LANDSCAPING.

I. MULTI-BUILDING DEVELOPMENTS. TYPE 1 STANDARD: DEVELOPMENTS WITH MULTIPLE BUILDINGS SHALL INCLUDE PREDOMINANT CHARACTERISTICS IN EACH BUILDING SO THAT THE BUILDINGS WITHIN THE DEVELOPMENT APPEAR TO BE PART OF A COHESIVE, PLANNED AREA, YET ARE NOT MONOTONOUS IN DESIGN. PREDOMINANT CHARACTERISTICS MAY INCLUDE USE OF THE SAME OR SIMILAR ARCHITECTURAL STYLE, MATERIALS AND COLORS.

J. BUILDING ENTRANCES. TYPE 1 STANDARD: PRIMARY PUBLIC ENTRANCES SHALL BE CLEARLY DEFINED AND RECESSED AND PROJECTED OR FRAMED BY ELEMENTS SUCH AS AWNINGS, ARCADES, PORTICOS OR OTHER ARCHITECTURAL FEATURES.

K. BUILDING COLORS.

TYPE 1 STANDARD: COLORS SHALL BE USED TO BLEND BUILDINGS INTO AN AREA AND TO UNIFY ELEMENTS OF A DEVELOPMENT. COLOR SHOULD BE DRAWN FROM THE SURROUNDING AREA AND, IF IN A NEW DEVELOPMENT AREA, SHALL BE SELECTED TO ESTABLISH AN ATTRACTIVE IMAGE AND SET A STANDARD OF QUALITY FOR FUTURE DEVELOPMENTS AND BUILDINGS WITHIN THE AREA. MONOTONOUS OR MONOCHROMATIC COLOR PALETTES ARE STRONGLY DISCOURAGED. ACCENT COLORS USED TO CALL ATTENTION TO A PARTICULAR FEATURE OR PORTION OF A BUILDING, OR TO FORM A PARTICULAR PATTERN, SHALL BE COMPATIBLE WITH PREDOMINANT BUILDING BASE COLORS AND MAY BE INCORPORATED USING SUCH ELEMENTS AS SHUTTERS, WINDOW MULLIONS, BUILDING TRIM AND AWNINGS.

TYPE 2 STANDARD: ACCENT COLORS SHALL COVER NO MORE THAN TEN PERCENT OF A BUILDING FAÇADE.

L. FRANCHISE ARCHITECTURE. TYPE 1 STANDARD: PROTOTYPICAL OR FRANCHISE ARCHITECTURAL DESIGNS MAY BE REQUIRED TO BE MODIFIED TO MEET THESE ARCHITECTURAL STANDARDS. CHANGES TO PROTOTYPICAL FRANCHISE STYLES TO MEET THESE STANDARDS MAY INCLUDE, BUT NOT LIMITED TO, MODIFICATIONS TO ROOFS, WINDOWS, DOORS, BUILDING MASS, MATERIALS, COLORS, PLACEMENT OF ARCHITECTURAL FEATURES AND DETAILS, ETC. CARE SHOULD BE TAKEN TO ENSURE THAT SUCH MODIFICATIONS COMPLY WITH SUBSECTION C. DESIGN COMPATIBILITY. FRANCHISE ARCHITECTURAL STYLES FOUND TO MEET THESE STANDARDS WILL NOT REQUIRE ANY MODIFICATION. NATIONAL FRANCHISE BUILDINGS SHALL BE ALLOWED TO RETAIN THE ELEMENTS REQUIRED TO CONVEY THEIR NATIONAL IDENTITY AND BRAND.

M. ILLUMINATION. TYPE 2 STANDARD: ILLUMINATION HIGHLIGHTING THE ENTIRE FAÇADE OF A BUILDING, OR A SIGNIFICANT PORTION OF THE BUILDING, OR BACK LIGHTED TRANSLUCENT AWNINGS INTENDED TO FUNCTION AS SIGNAGE, SHALL NOT BE PERMITTED AS PART OF A BUILDING DESIGN. THIS STANDARD IS NOT INTENDED TO PRECLUDE THE USE OF LIGHTING (INCLUDING NEON LIGHTING) TO ACCENT LIMITED PORTIONS OF THE BUILDING FAÇADE.

N. METAL SIDING. METAL SIDING MAY BE USED AS AN EXTERIOR FINISH MATERIAL AS LONG AS THE AMOUNT USED DOES NOT EXCEED THIRTY PERCENT OF THE AREA OF ANY SINGLE WALL, EXCLUSIVE OF THE ROOF, AND PROVIDED IT MATCHES OR COMPLEMENTS THE BUILDING COLOR AND/OR MATERIAL SCHEME. FURTHER, SUCH METAL SIDING SHALL BE AN ARCHITECTURAL PANEL OR EQUAL QUALITY, NOT A “CORRUGATED” TYPE. ARCHITECTURAL METALS, SUCH AS BRON□E, BRASS, COPPER AND WROUGHT IRON, MAY BE USED AND MAY EXCEED THE THIRTY PERCENT AREA LIMIT.

AREA “C”

COMMERCIAL USES WITHIN AREA C OR INDUSTRIAL USES THAT ARE ABUTTING BYRD DRIVE AND/OR I-25 SHALL ADHERE TO THE DEVELOPMENT STANDARDS FOR AREA B.

INDUSTRIAL ARCHITECTURAL STANDARDS

A. FOR INDUSTRIAL SITES AND BUILDINGS THAT ARE NOT ADJACENT TO A MAJOR OR MINOR ARTERIAL ROAD OR INTERSTATE HIGHWAY, OR SERVICE ROAD AS DEFINED IN SUBSECTION B OF THIS SECTION, THERE SHALL BE NO LIMIT ON THE USE OF METAL EXTERIOR SIDING.

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04/05/17 SUBMITTAL
05/03/17 RESUBMITTAL
06/06/17 RESUBMITTAL
06/12/17 RESUBMITTAL
06/16/17 RESUBMITTAL

NOT FOR CONSTRUCTION

SHEET TITLE:
ARCHITECTURE STANDARDS

10 OF 11

CHECKED BY: MB & DR
DRAWN BY: DT, ML & DH

CONCEPUTAL RENDERINGS:

CONCEPTUAL HOTEL AND PLA□A RENDERING

CONCEPTUAL PEDESTRIAN CORRIDOR

CONCEPTUAL AERIAL RENDERING

NOTE: THIS IMAGE IS CONCEPTUAL AND SUBJECT TO CHANGE.
IT DOES NOT REPRESENT A FINAL SITE PLAN.

YAEGER ARCHITECTURE
OVERLAND PARK, KS 913-742-8000

CHECKED BY: MB & DR
DRAWN BY: DT, ML & DH

NORRIS DESIGN
Planning | Landscape Architecture | Project Promotion

1101 Bannock Street
Denver, Colorado 80204
P 303.892.1166
F 303.892.1186
www.norris-design.com

THE BRANDS AND THE BRANDS WEST

FLEXIBLE □ONING OVERLAY DISTRICT
LOVELAND, COLORADO

OWNERS:

EAGLE CROSSING DEVELOPMENT, INC
1625 PELICAN LAKES PT
SUITE 201
WINDSOR, CO 80550

EAGLE CROSSING ONE, LLC
1625 PELICAN LAKES PT
SUITE 201
WINDSOR, CO 80550

BYRD DRIVE DEVELOPMENT, LLC
1625 PELICAN LAKES PT
SUITE 201
WINDSOR, CO 80550

ARCHITECT:

YAEGER ARCHITECTURE
7780 W. 119TH ST
OVERLAND PARK, KS
66213
913.742.8000

DATE:
04/05/17 SUBMITTAL
05/03/17 RESUBMITTAL
06/06/17 RESUBMITTAL
06/12/17 RESUBMITTAL
06/16/17 RESUBMITTAL

NOT FOR CONSTRUCTION

SHEET TITLE:
CONCEPTUAL RENDERINGS

11 OF 11

COVENANTS & DESIGN GUIDELINES

STORAGE & LOADING AREAS

- Outdoor storage areas and/or loading facilities shall be placed on the side or rear of the lot and be screened.

SITE LIGHTING

- All flood, spot or other lights placed on each lot shall be placed such that the direct, indirect or reflected light therefrom will not unreasonably disturb the owners or occupants of adjacent property or Lots.

OFF-STREET PARKING

- Adequate off-street parking shall be provided by each owner and tenant for customers and visitors, and meet city standards provided in Chapter 18.42 of the Loveland Municipal Code unless specifically varied.

SIGNAGE

- Except as noted, signs are to conform to City of Loveland requirements unless specific variances are granted.

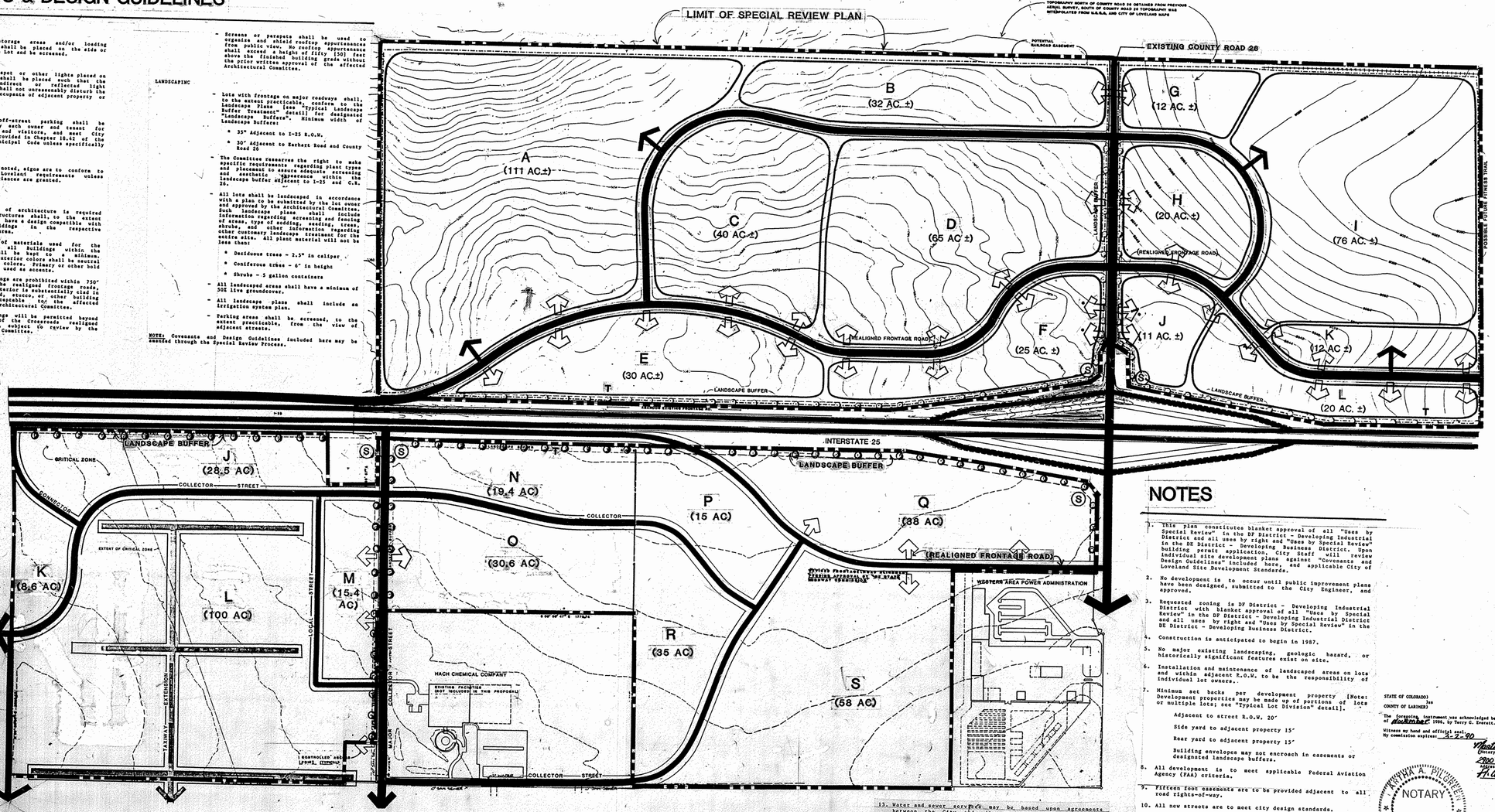
ARCHITECTURAL GUIDELINES

- No one style of architecture is required however, structures shall, to the extent practicable, have a design compatible with other buildings in the respective development area.
- The number of materials used for the exterior of all buildings within the Property shall be kept to a minimum. Predominant exterior colors shall be neutral or earth tone colors. Primary or other bold colors may be used as accents.
- Metal buildings are prohibited within 750' of I-25, or the realigned frontage roads, unless the exterior is architecturally clad in masonry, wood, stucco or other building material acceptable to the Developer's Architectural Committee.
- Metal buildings will be permitted beyond 750' east of the Crossroads realigned frontage road, subject to review by the Architectural Committee.

LANDSCAPING

- Screens or parapets shall be used to organize and shield rooftop appurtenances from public view. Rooftop appurtenances shall exceed a height of fifty [50] feet above the finished building grade without the prior written approval of the affected Architectural Committee.
- Lots with frontage on major roadways shall, to the extent practicable, conform to the Landscape Plan, less typical Landscape Buffer Treatment detail for designated "Landscape Buffers". Minimum width of Landscape Buffers:
  - 35' Adjacent to I-25 R.O.W.
  - 30' Adjacent to Earhart Road and County Road 26
- The Committee reserves the right to make specific recommendations regarding plant types and placement to assure adequate screening and aesthetic appeal within the landscape buffer adjacent to I-25 and C.R. 26.
- All lots shall be landscaped in accordance with a plan to be submitted by the lot owner and approved by the Architectural Committee. Such landscape plans shall include information regarding screening and fencing of areas, type of sodding, seeding, trees, shrubs, and other plantings, and other customary landscape treatment for the entire area. All plant material will not be less than:
  - Deciduous trees - 2.5" in caliper
  - Coniferous trees - 6' in height
  - Shrubs - 5 gallon containers
- All landscaped areas shall have a minimum of 50% live ground cover.
- All landscape plans shall include an irrigation system plan.
- Parking areas shall be screened, to the extent practicable, from the view of adjacent streets.

NOTE: Covenants and Design Guidelines included here may be amended through the Special Review Process.



LEGAL DESCRIPTION

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, being all the Owners and Lienholders of the following described property, except any existing public streets, roads or highways, located in that portion of Section 27 and 34, Township 6 North, Range 68 West, and that portion of Section 3, Township 5 North, Range 68 West of the 6th Principal Meridian, Larimer County, Colorado being more particularly described as follows:

Considering the North line of the Northeast Quarter of said Section 34 as bearing North 89°26'17" East and with all bearings contained herein relative thereto:

Commencing at the North Quarter Corner of said Section 34; thence along said North line of the Northeast Quarter, North 89°26'17" East, 85.00 feet to the POINT OF BEGINNING, said point being on the East right-of-way line of U.S. Highway I-25; thence along said North line of the Northeast Quarter, North 89°26'17" East, 2557.39 feet to the Northeast Corner of said Section 34; thence along the East line of said Northeast Quarter, South 00° 14'11" West, 2628.62 feet to the East Quarter corner of said Section 34; thence along the East line of the Southeast Quarter of said Section 34, South 00°14'11" West, 2628.62 feet to the Southeast Corner of said Section 34; thence along the East line of the Northeast Quarter of said Section 3, South 01°09'42" West, 2607.52 feet to the East Quarter Corner of said Section 3; thence along the South line of said Northeast Quarter, South 89°20'59" West, 2572.26 feet to a point on the East right-of-way line of U.S. Highway I-25; thence along said East right-of-way the following 7 courses and distances; North 00°52'42" East, 1093.11 feet; thence, North 08° 55'11" East, 504.67 feet; thence, North 10° 41'41" East, 914.10 feet; thence, North 39°41'11" East, 952.60 feet; thence, South 89°55'19" East, 150.00 feet; thence, North 65° 51'11" East, 109.67 feet; thence, North 00°04'41" East, 60.05 feet; thence, North 65°41'49" West, 109.65 feet; thence, North 89° 55'19" West, 150.00 feet; thence North 34° 30'19" West, 92.10 feet; thence, North 08°50'13" West, 1419.27 feet; thence, North 00°36'41" East, 1307.87 feet to the Point of Beginning.

The above described tract of land contains 455.222 acres more or less.

ALSO

Commencing at the North Quarter Corner of said Section 34; thence South 89°26'17" West, 215.05 feet to the POINT OF BEGINNING, said point being on the West right-of-way line of U.S. Highway I-25; thence along said West right-of-way line the following 4 courses and distances; South 00°36'41" West, 3769.73 feet; thence, South 00°51'11" West, 704.20 feet; thence, South 10°04'11" West, 604.30 feet; thence, South 08°51'41" West, 130.35 feet to a point on the North right-of-way line of County Road No. 26; thence along said North right-of-way line, North 89°55'19" West, 533.35 feet to the Southeast corner of a tract of land described in Book 2082, Page 541 recorded in said County; thence along the East line of said tract of land, North 00°37'47" West, 997.94 feet, thence along the North line of said tract of land, North 89°55'19" West, 1577.70 feet to the West line of the Southeast Quarter of said Section 34; thence along said West line, North 00°22'25" West, 1525.95 feet to the West Quarter Corner of said Section 34; thence along the West line of the Northwest Quarter of said Section 34, North 00°22'13" West, 768.50 feet to the Southwest corner of a tract of land described in Book 1748, Page 133 recorded in said County; thence along the South line of said Tract of land, North 89°26'17" East, 1230.00 feet; thence along the East line of said tract of land, North 00°22'13" West, 1270.76 feet; thence along the North line of said tract of land South 89°26'17" West, 1230.00 feet to the West line of the Northwest Quarter of said Section 34; thence along said West line, North 00°22'13" West, 60.00 feet to the Northwest corner of said Section 34; thence, along the West line of the Southwest Quarter of said Section 27, North 00°09'44" East, 40.00 feet to the Southwest corner of Lot 3, Block 3 of Loveland-Fort Collins Industrial Airpark, First filing record in said County; thence along the South line of said Lot 3, North 89°26'17" East, 1265.84 feet; thence along the west line of said Lot 3, North 00°33'46" West, 215.00 feet; thence along the North line of said Lot 3, North 89°26'17" West, 261.72 feet to the West line of the Southwest Quarter of said Section 27; thence along said West line, North 00°09'44" East, 2390.46 feet to the West Quarter Corner of said Section 27; thence along the North line of said Southwest Quarter, North 89° 35'55" East, 2508.52 feet to a point on the West right-of-way of U.S. Highway I-25; thence along said West right-of-way the following 3 courses and distances; South 00° 09'44" West, 1765.33 feet to the Northeast Corner of the Loveland-Fort Collins Industrial Airpark Third Filing; thence, South 89°26'16" West, 20.53 feet, thence along the East lot lines of Lot 3 and 4 of Block 3; South 01°23'36" West, 685.20 feet to the Northeast corner of Block 1 of Loveland-Fort Collins Industrial Airpark, First Filing; thence along the North line of said Block 1, South 89° 26'16" West, 372.66 feet; thence along the West line of said Block 1, South 00°33'46" East, 324.98 feet to a curve concave to the Northeast having a central angle of 90°00'00" and a radius of 25.00 feet and the chord of which bears, South 45°33'44" East, 35.36 feet; thence along the arc of said curve 39.27 feet; thence along the South line of said Block 1, North 89° 26'16" East, 391.08 feet to a curve concave to the Northwest having a central angle of 89°06'52", a radius of 50.00 feet and the chord of which bears, North 44°42'50" East, 70.37 feet; thence along the arc of said curve 78.06 feet; thence, South 07°50'20" West, 90.49 feet to the Point of Beginning.

The above described tract of land contains 344.424 acres more or less.

SURVEYOR'S CERTIFICATE

I, Terry G. Everett, being first duly sworn on his oath, deposes and says that he is a Registered Land Surveyor under the laws of the State of Colorado. That the survey of East Loveland Industrial Annexation, to the City of Loveland, Colorado was made by him or under his supervision; that the survey is accurately represented on this map; and that the statements contained thereon were read by him and the same are true of his own knowledge.

GLE, Survey

By: Terry G. Everett
Terry G. Everett
Colorado L.S. #17483

NOTES

1. This plan constitutes blanket approval of all "Uses by Special Review" in the DF District - Developing Industrial District and all uses by right and "Uses by Special Review" in the DE District - Developing Business District. Upon building permit application, City Staff will review individual site development plans against "Covenants and Design Guidelines" included here, and applicable City of Loveland Site Development Standards.
2. No development is to occur until public improvement plans have been designed, submitted to the City Engineer, and approved.
3. Requested zoning is DF District - Developing Industrial District with blanket approval of all "Uses by Special Review" in the DF District - Developing Industrial District and all uses by right and "Uses by Special Review" in the DE District - Developing Business District.
4. Construction is anticipated to begin in 1987.
5. No major existing landscaping, geologic hazard, or historically significant features exist on site.
6. Installation and maintenance of landscaped areas on lots and within adjacent R.O.W. to be the responsibility of individual lot owners.
7. Minimum set backs per development property [Note: Development properties may be made up of portions of lots or multiple lots; see "Typical Lot Division" detail].
   - Adjacent to street R.O.W. 20'
   - Side yard to adjacent property 15'
   - Rear yard to adjacent property 15'
   - Building envelopes may not encroach in easements or designated landscape buffers.
8. All development to be to meet applicable Federal Aviation Agency (FAA) criteria.
9. Fifteen foot easements are to be provided adjacent to all road rights-of-way.
10. All new streets are to meet city design standards.
11. Water distribution systems and fire protection shall meet City of Loveland standards.
12. All fire hydrant locations shall be approved by the Fire Marshal's Office.
13. Water and sewer services may be based upon agreements between the City and the various service districts. Provided that in the event the City of Loveland elects to provide water and sewer services, the property owners will not incur any costs associated with the City's acquisition or duplication of these services. Also, certain fees may have been waived or deferred by the service districts as to existing users. The City agrees to pay to the Districts all such fees as have been waived or deferred if the City elects to provide such services. Further, any City fee associated with water or sewer taps will be charged only on those taps purchased after the City's acquisition of such service. No additional fees will be imposed on taps existing at the time of the City's acquisition of water and sewer service within the area of this annexation.

STATE OF COLORADO } ss.
COUNTY OF LARIMER }

The foregoing instrument was acknowledged before me this 11th day of December, 1986, by Terry G. Everett.

Witness my hand and official seal.
My commission expires: 3-2-90

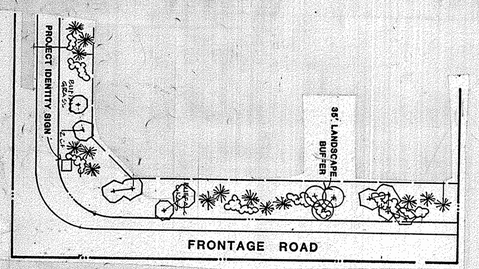
Martha A. Pilgrim
Notary Public
2900 S. College Ave.
Ft. Collins, CO 80525

NOTARY PUBLIC

RBD INC
Engineering Consultants
2900 South College Avenue
Fort Collins, Colorado 80525
303/226-4955

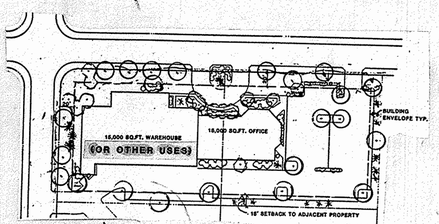
Cityscape
urban design, inc.
bldg. 21 suite 242, old town square
fort collins, colorado 80524
(303) 221-0731

TYPICAL LANDSCAPE BUFFER TREATMENT



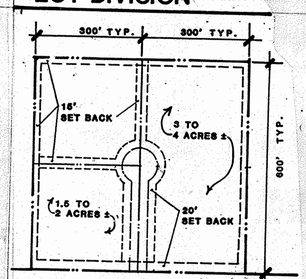
1" = 60'

TYPICAL SITE / LANDSCAPE PLAN



1" = 100'

TYPICAL LOT DIVISION

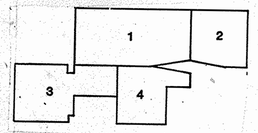


- Typical 6 to 8 acre lot may be developed for a single user.
- Multiple lots may be combined to accomodate lager users.
- Typical 6 to 8 acre lots may be subdivided as illustrated to accomodate smaller users.

LEGEND

- G DEVELOPMENT AREA
- MAJOR ROADWAY
- ALLOWED ACCESS POINT (MINIMUM 300' SPACING ON MAJOR ROADWAYS)
- RIGHT TURNS ONLY
- NO UNUSUAL ACCESS RESTRICTIONS ON OTHER STREETS
- ACCESS POINTS SUBJECT TO REVIEW UPON COMPLETION OF EAST LOVELAND TRANSPORTATION PLAN
- (S) PROJECT IDENTITY SIGN; 200 SQ. FT. MAXIMUM
- T TEMPORARY DEVELOPMENT SIGN

OWNERSHIP KEY



1 CROSSROADS BUSINESS PARK (SWIFT)

2 CROSSROADS BUSINESS PARK (SCHOENFELDER)

3 LOVELAND - FORT COLLINS INDUSTRIAL AIR PARK (TRIAD)

4 LOVELAND - FORT COLLINS INDUSTRIAL AIR PARK (MOUNTAIN AIR)

MASTER SPECIAL REVIEW PLAN #572

EAST LOVELAND INDUSTRIAL ADDITION

OWNERS SIGNATURE

"The undersigned agree that the real property described in the application for special review filed herewith, and as shown on the site plan, shall be subject to the requirements of Chapter 18.40 of the Municipal Code of the City of Loveland, Colorado, and any other ordinances of the City of Loveland pertaining thereto."

Timothy W. Hacker, Pres.

D. R. Schoenfelder

STATE OF COLORADO, } ss.
COUNTY OF LARIMER. }

The foregoing agreement was acknowledged before me this 12th day of December, 1986, by Timothy W. Hacker, Pres. & D. R. Schoenfelder.

Witness my hand and official seal.
My commission expires January 20, 1990.

Notary Public
Box 2164 Town Square, Sunbelt, Ft Collins, CO 80524

REVISIONS		DATE OF PREPARATION 9-16-86	
		DATE	ITEM	BY
	1	10-16-86		EH
	2	10-17-86		EH
	3	10-24-86		EH
	4	10-29-86 - NOTES		EH
	5	11-18-86		EH
	6			

PROJECT NO. 5242
SHEET NO. 1 OF 1

0 400 800

City of Loveland

Community & Strategic Planning
410 E 5th Street • Loveland, CO 80537
(970) 962-2607 • Fax (970) 962-2945 • TDD (970) 962-2620
www.cityofloveland.org

Memorandum

To: Loveland Planning Commission

From: Karl Barton, Development Services

Through: Brett Limbaugh, Development Services Director

Date: June 26, 2017

RE: Recommendation on Amendment to the Intergovernmental Agreement for Growth Management

---

I. MOTION

Move to recommend that the City Council approve an amendment to the Intergovernmental Agreement for Growth Management between the City of Loveland and Larimer County dated January 12, 2004, specifically to Exhibit 1 of such agreement, to reflect changes made by Larimer County, to the Loveland Growth Management Area overlay-zoning district.

II. ATTACHMENTS

1. Area to be added to Larimer County Loveland Growth Management Area overlay-zoning district
2. Intergovernmental Agreement for Growth Management with Amended Exhibit 1

III. PROJECT DESCRIPTION

This item is a Motion on a recommendation to the City Council to amend the Intergovernmental Agreement for Growth Management between Loveland and Larimer County (IGA). The amendment consists of an updated Exhibit 1 of the IGA to show the expanded extent of the Larimer County Loveland Growth Management Area overlay-zoning district. There are no changes being proposed to the text and provisions of the IGA. Larimer County will also approve this amendment to the IGA and will approve the extension of the overlay-zoning district through a separate process.

IV. PROJECT BACKGROUND

Loveland's Growth Management Area is put into effect by a combination of the IGA between Loveland and Larimer County and Larimer County's Loveland GMA Overlay zoning district. This zoning district implements the IGA by requiring that any property in Larimer County that wishes to pursue a discretionary land use application must approach Loveland to see if annexation is possible.

However, the boundaries of what Loveland considers to be its GMA and the Larimer County Loveland GMA overlay-zoning district do not match, leading to areas of Loveland's GMA not being covered by the IGA. These areas are primarily in and around the SH 402 Corridor, but some are located north of Hwy 34. This amendment to the IGA and the extension of the overlay-zoning district are an effort towards rectifying this situation.

SH 402 is the last major undeveloped corridor in the Loveland area and because it links I-25 and Hwy 287, the main north – south route through Loveland, it is sure to face development pressure in the near future. Loveland and Larimer County agree that it is appropriate to extend the overlay-zoning district so that more property is covered by the IGA and greater certainty is created around growth, annexation, and development in these important areas. Loveland's Future Land Use Plan in *Create Loveland* has a vision for the 402 corridor that features high quality employment and commercial uses along with a mix of residential products.

See ATTACHMENT 1 for a depiction of the area where the overlay-zoning district is proposed to be expanded.

The portion of Loveland's GMA where it overlaps with that of Johnstown is not included in the expansion of Larimer County's overlay-zoning district. There is a separate IGA regarding annexation in place between these two communities.

IV. PROJECT HISTORY

Extending the overlay zoning district and therefore the IGA are parts of a larger suite of projects to adequately plan for growth and development along the SH 402 Corridor. Since 2012, Loveland, Larimer County and Johnstown have been collaborating to align GMAs and land use plans.

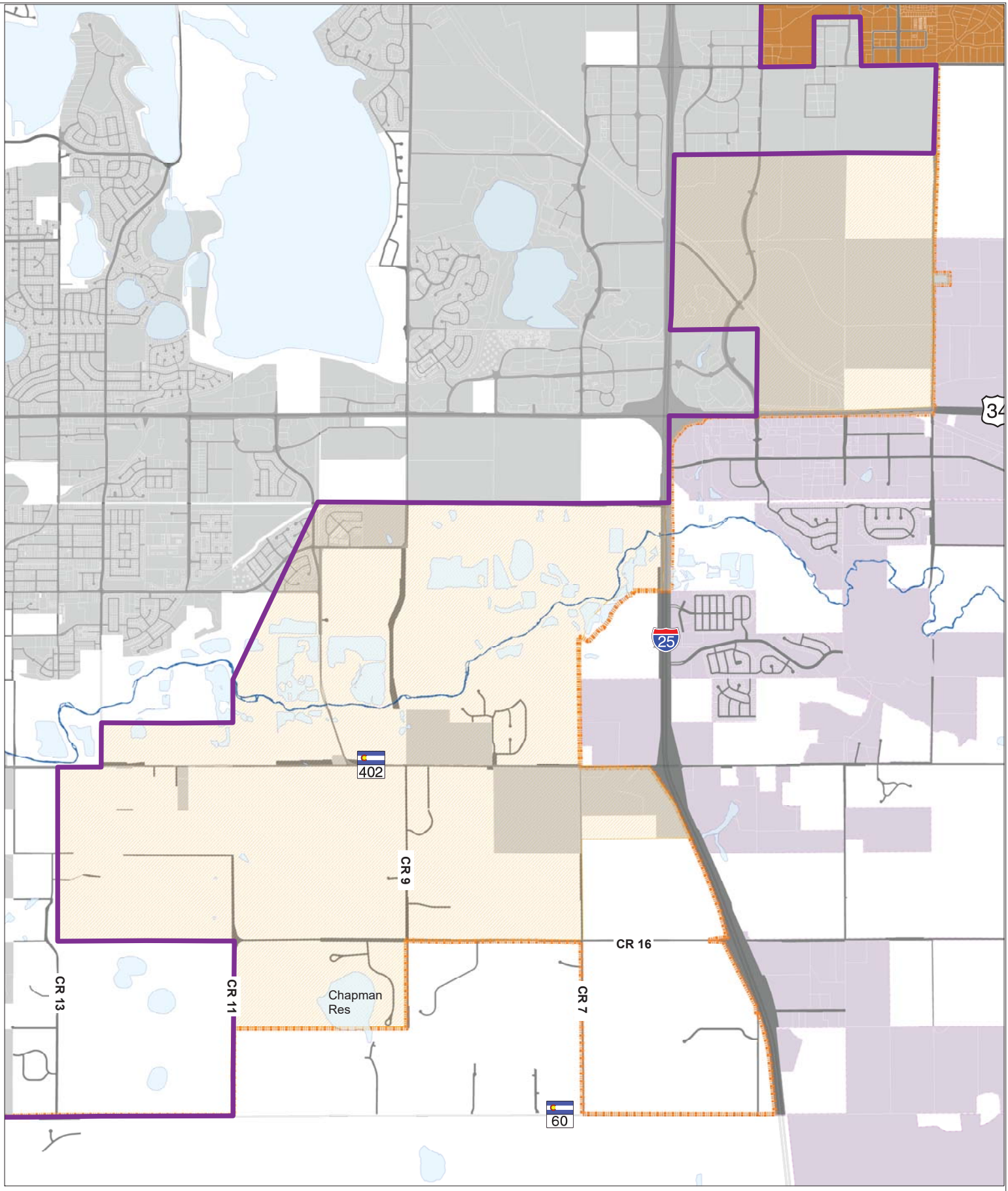
Since 2015, in an effort to address the overlay-zoning district, staff from the Loveland and Larimer County have held multiple meetings with property owners in this area (July 20, 2015, Sept 24, 2015, Nov 19, 2015, March 23, 2017, and May 25, 2017). Additionally, work sessions with the Loveland Planning Commission and Larimer County Planning Commission and Board of County Commissioners were held on February 8, 2016, March 8, 2017, and May 10, 2017. At the May 10th joint meeting, staff received preliminary support from the Larimer County Planning Commission and Board of County Commissioners to move forward with the proposed extension as shown in ATTACHMENT 1. Residents attending the open houses have also generally been supportive of the proposed overlay-zoning extension.

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

Residents within the area where the overlay-zoning is anticipated to be extended, as well as within an area 500 feet beyond that, were notified of this hearing.

V. **RECOMMENDED ACTION**

Staff recommends that the Planning Commission approve the motion recommending that the City Council amend the Intergovernmental Agreement for Growth Management between the City of Loveland and Larimer County, dated January 12, 2004.



Document Path: J:\PROJECTS\DevelopmentServices\InnovationGatewayProject\402 Corridor Plan\2017 maps for 402 Corridor\402Corridor2017 - Propsed GMA Zoning Extension.mxd

Proposed Extent of Loveland GMA Overlay Zoning District

- Proposed Extent of Larimer County Loveland GMA Overlay Zoning Expansion
- Current Larimer County Loveland GMA Overlay Zoning District
- Loveland GMA Boundary
- Loveland
- Johnstown
- Windsor

ATTACHMENT 1

Intergovernmental Agreement

For Growth Management

City of Loveland, Colorado
and
Larimer County, Colorado

Approved
January 12, 2004

ATTACHMENT 2

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ATTACHMENT 2

INTERGOVERNMENTAL AGREEMENT
For Growth Management

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

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

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

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

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

WHEREAS, the purposes of this Intergovernmental Agreement are to:

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

ATTACHMENT 2

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

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

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

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

1.0 Definitions

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

Annexation. Annexation means the incorporation of a land area into an existing municipality with a resulting change in the boundaries of that municipality.
Adequate Community Facilities (ACF). Standards for community facilities established to maintain a level of service, such as a level of service C or D for roads.
Adequate Public Facilities (APF). Standards for public facilities as established in the County Land Use Code.
Capital Expansion Fee (CEF). Fees charged to development and collected by the Parties to the agreement to fund the expansion of public capital facilities.
Growth Management Area (GMA). (As defined in Section 2.1 of this Agreement)
Cooperative Planning Area (CPA). (As defined in Section 2.2 of this Agreement)
Community Influence Area (CIA). (As defined in Section 2.3 of this Agreement.)
Growth Management Area Overlay Zone District. The overlay zoning district applied by Larimer County to municipal GMAs to implement the standards and requirements of Intergovernmental Agreements (Larimer County Land Use Code Chapter 4.2.1).
Larimer County Land Use Code. The code of regulations as adopted and amended by the Larimer County Board of County Commissioners pursuant to the authority of Title 30, Article 28 of the Colorado Revised Statutes to implement the Larimer County Master Plan, as amended, and the land use regulatory authority of Larimer County, Colorado.
Larimer County Master Plan. The official policy document, and all elements, functional components or sub-area components as adopted and as it may be amended by Larimer County, Colorado, pursuant to the authority of Title 30, Article 28 of the Colorado Revised Statutes that establishes the long-range framework for decision making for the unincorporated area of the County.
Loveland Comprehensive Plan. The City of Loveland 1994 Comprehensive Master Plan and all elements, functional components or sub-area components as adopted and as it may be amended by the City of Loveland, Colorado, pursuant to Title 31, Article 23 of the Colorado Revised Statutes and pursuant to the City's Charter and Code, all which provide

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

2.0 Description of Areas Addressed in Intergovernmental Agreement

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

2.1 Growth Management Area (GMA)

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

2.2 Cooperative Planning Area (CPA)

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

2.3 Community Influence Area (CIA)

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

2.4 Area Boundaries

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

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

2.4.2 The Parties acknowledge that in order to implement the terms of this Agreement, the County must adopt and apply the County's GMA Overlay Zoning District pursuant to Section 4.2 of the Larimer County Land Use Code. The County has previously adopted a part of the GMA area shown on Exhibit 1 as an overlay zoning district pursuant the Intergovernmental Agreement between the City and County dated August 2, I989. The County agrees that it shall propose for adoption as an overlay zone district that area of the GMA shown on Exhibit 1, which differs from the current GMA Overlay Zone District boundary. The final decision regarding the GMA Overlay Zone District boundary shall be within the sole discretion of the County.

2.4.3 In the event the GMA Overlay Zone District boundary as finally adopted by the County differs from that shown on Exhibit 1, the parties agree that an amendment to this Agreement shall be prepared and executed by both parties showing the GMA, CPA and CIA area boundaries as revised, with the GMA boundary matching the County GMA Overlay Zone District boundary. All references in this Agreement to the GMA are intended to refer to the area adopted and applied by Larimer County as the GMA Overlay Zone District.

2.4.4 The parties acknowledge that the County has not adopted the CPA Overlay Zone District and does not intend to adopt a CIA Overlay Zone District.

2.5 Procedure for Modification of Area Boundaries

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

2.6 Planning Boundaries in Loveland Comprehensive Plan

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

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

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

3.1 Authority to Approve Development

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

3.2 Applicable Master Plan

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

3.2.1 Loveland shall prepare and consider amendments to the Loveland Comprehensive Plan, if necessary, to ensure that such plan will be specific enough to give guidance, through maps and text, to the County, property owners and developers as to what types, densities and intensities of land use are acceptable on any given parcel of land in the GMA.

3.2.2 Loveland acknowledges that any amendment to its Comprehensive Plan applicable to the GMA shall have no effect within the GMA Overlay Zone District without an amendment, if such is needed, to this Intergovernmental Agreement and/or to the GMA Overlay Zone District, and any supplementary regulations.

3.2.3 The County will encourage the location of urban development in the GMA or other areas specifically designated for urban development in accordance with the Larimer County Master Plan.

3.2.4 In cases where development is proposed in the GMA Overlay Zone District, regardless of whether the site is eligible for annexation or not, and the public utilities necessary to support the development are not available for any reason, then the County may consider and approve uses and densities consistent with existing County zoning, County development standards, and the development design standards in the Supplementary Regulations. The City shall annex such developed property at the time it becomes eligible for annexation as provided for under Sec. 3.3.1 of this Agreement.

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3.2.5 Loveland will strive to enter into intergovernmental agreements with all applicable special districts, which shall require the special districts to plan their facilities according to Loveland's adopted Comprehensive Plan.

3.2.6 The County shall not establish or approve any new improvement district or other form of special district within the GMA without consulting the City of Loveland.

3.2.7 Nothing in this Intergovernmental Agreement shall be construed or applied to limit the County's legislative authority or discretion in adopting or amending its land use regulations.

3.2.8 Nothing in this Intergovernmental Agreement shall be construed or applied to limit the City's legislative authority or discretion in adopting or amending its land use regulations.

3.3 Annexations within the GMA

3.3.1 It is the Parties' intent that Loveland will annex all property within the GMA that is eligible for annexation. The phrase "eligible for annexation" shall mean any land that is eligible for annexation pursuant to the Municipal Annexation Act of the State of Colorado, C.R.S. 31-12-101 through 123. It is Loveland's policy to annex as expeditiously as possible all lands eligible for annexation in the GMA at such time that an annexation petition conforming to the requirements of state law is filed, all required fees and additional or supplemental information is received from the property owner(s); and the property owner(s) and the City of Loveland reach a mutual agreement on the reasonable conditions and terms of the annexation. For properties subject to signed annexation agreements with a power of attorney in favor of the City, the City shall be the applicant and shall prepare and file the annexation petition. The City represents that it fully intends to annex all lands in the Growth Management Area at such time as they become eligible for annexation. Decisions regarding annexations shall, however, be subject to the sole discretion of the City Council. In addition, the Parties agree that the policies in this section shall guide annexation of property within the GMA. When any proposed annexation is located wholly within the GMA, the County agrees to waive the requirement for an Annexation Impact Report pursuant to C.R.S. 31-12-108.5. This provision shall not change the requirements for notice to the County contained elsewhere in the Municipal Annexation Act.

3.3.2 When undertaking any annexation of land within the GMA, Loveland shall annex the entire width of public roadways located within and immediately adjacent to such lands. It is the intent of this Intergovernmental Agreement that all public roadways immediately adjacent to the corporate limits of the City of Loveland shall be located within the City of Loveland.

3.3.3 Larimer County shall not accept applications for any of the following development applications for property within the GMA Overlay Zone District which has any contiguity to the boundary of the City unless the owner(s) of the property described in the application has first sought a decision concerning annexation from Loveland and Loveland has issued to Larimer County a written denial of the request for annexation:

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

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

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

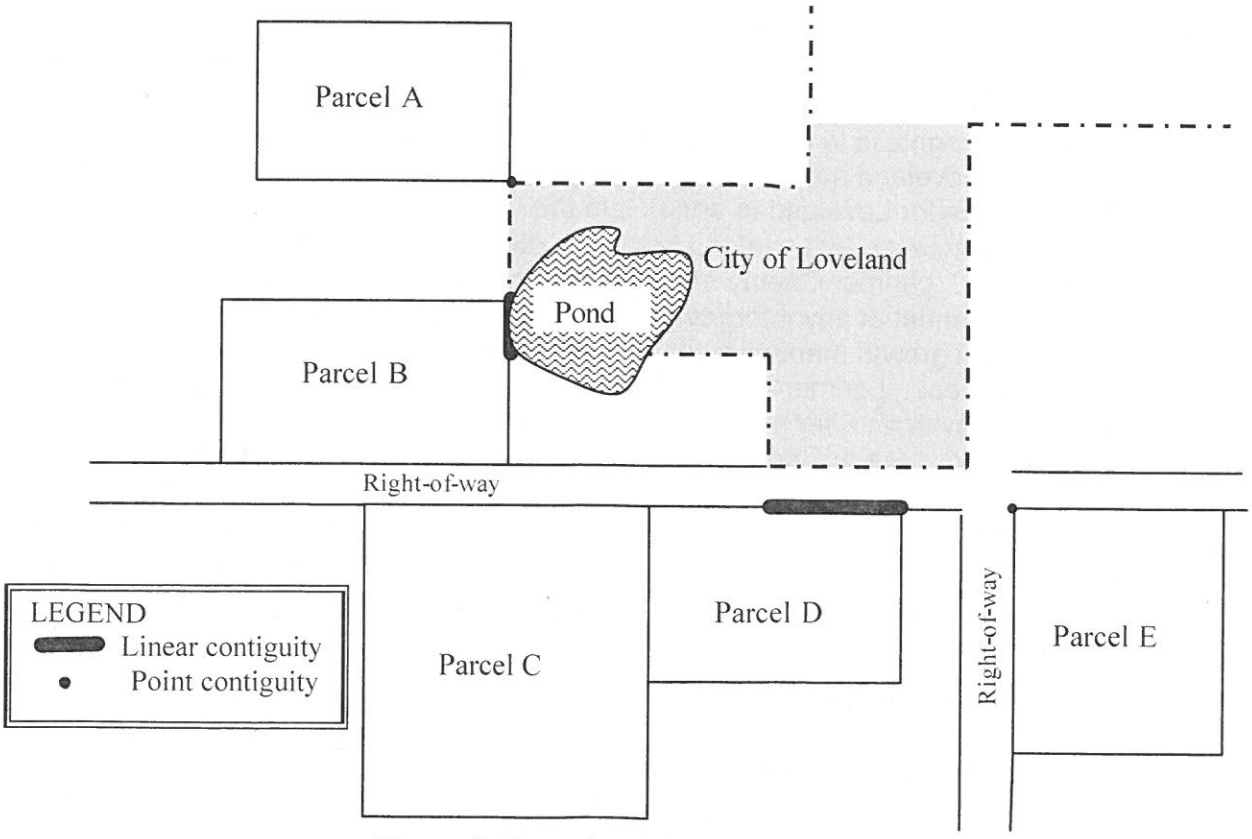

Figure 1: Parcels with and without Contiguity

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

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

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

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

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

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

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

3.4 Regulation of Development within the GMA

3.4.1 Supplementary Regulations

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

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

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

3.5 Referral of Development Applications within the GMA

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

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

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

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

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

a. Requests for modifications to or appeals of the Loveland GMA supplementary regulations filed with the Board of County Commissioners; and

b. Rural Land Plans.

3.5.3 Rural Land Plans in the GMA may be permitted by the County subject to review by the City as provided for in paragraph 3.5.2 and the application of any conditions necessary to prevent such development from becoming an impediment to future planned urban development in the surrounding area of the GMA. Such conditions may include, but are not limited to, preservation of necessary right-of-way for road or utility extensions necessary to serve future urban development in the area.

3.5.4 While the City may issue comments and recommendations to the County in accordance with this section, the final authority and discretion regarding approval, disapproval, or approval with conditions rests with the appropriate or designated decision-making body of Larimer County. The County will encourage compliance with recommendations and comments of the City; however, the County is only obligated to require compliance with development standards in the County Land Use Code and supplementary regulations for the Loveland GMA Overlay Zone District. If Loveland recommends against approval or conditional approval of an application and the County subsequently grants approval or elects not to impose a recommended condition, the County shall promptly provide to Loveland the minutes from the meeting at which the decision was made. Additionally, any decision regarding interpretation of the Larimer County Land Use Code, including Supplementary Regulations, shall be made by the County.

3.5.5 Loveland shall provide the County with an opportunity to review and comment upon any proposed developments in the City that are expected to (a.) necessitate physical modification to a County road or intersection; (b.) generate traffic that will require an intermediate level of traffic study per the Larimer County Urban Area Street Standards; or (c.) cause roads within the County jurisdiction to drop to lower level of service standards. Any proposed development in the City that will contribute storm water run off above historic rates or alter a point of discharge to downstream property in Larimer County shall also be referred to the County for comment. For purposes of this paragraph, "development" means application for rezoning, major or minor subdivision, and Planned Unit Development. The County has at least twenty-one (21) days from the date of mailing or hand delivery to the County to return comments and recommendations to the City before any final decision is made on such application. Additionally, the City shall honor specific requests by the County to review and comment on specific development proposals. While the County may issue comments and recommendations to the City in accordance with this section, the final authority

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

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

3.6.1 **Street CEFs:** To the extent they may legally do so, the Parties agree to consider a coordinated street CEF program for the Loveland GMA, subject to the necessary study and analysis to create such a program, and provided that both Parties agree to such a program.

3.6.2 **Street ACFs and APFs:** To the extent they may legally do so, the Parties agree to condition development approvals within their jurisdiction to require mitigation of impacts to roads outside their jurisdiction in accordance with level of service standards in the Larimer County Urban Area Street Standards.

3.6.3 **Parks:** The County collects both community and regional park CEFs. Community park CEFs are collected by the County from new development according to a schedule in the Larimer County Land Use Code (Section 9.3.8). The Parties agree that such community park CEFs collected from new development, as may be amended from time to time, within the Loveland GMA Overlay Zone District, shall be transmitted to the City for expenditure on its community park acquisition program.

3.6.4 **Parks, Open Space and Trail Coordination:** The Parties agree to cooperate in the coordination of trail connections, and establishing open space, parks and trail segments; the development of compatible design standards; and the exchange information about opportunities for securing trail right-of-way easements and open space adjacencies.

3.6.5 **Drainage:** The Parties acknowledge that a coordinated storm drainage CEF program within the Loveland GMA Overlay Zone is desirable and may be entered into subsequent to this Agreement. Such a coordinated storm drainage CEF program is contingent on completion of master plans for drainage basins within Loveland and the County and mutual agreement to a coordinated CEF program by the Parties to this Agreement.

3.6.6 **Reimbursement Agreements:** The Parties will consider mutual reimbursement agreements, to the extent they may legally do so, whereby developers within one jurisdiction (City or County) are reimbursed for improvements that benefit developments outside that jurisdiction.

3.7 Maintenance of Subdivision Roads within the GMA

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

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

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

4.0 Annexation of Enclaves

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

5.0 Development Within the CPA

5.1 Applicable Plan(s)

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

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5.2 Referral of Development Applications in the CPA

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

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

5.2.1 While Loveland may submit comments and recommendations to the County in accordance with this Section 5.2, the final authority and discretion regarding approval, denial, or approval with conditions rests with the appropriate or designated decision-making body of Larimer County. If Loveland recommends against approval or conditional approval of an application and the County subsequently grants approval or elects not to impose a recommended condition, the County shall promptly provide to Loveland the minutes from the meeting at which the decision was made.

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

5.2.3 The County shall not establish or approve any new improvement district or other form of special district within the CPA without consulting the City of Loveland.

6.0 Development Within the CIA

6.1 Referral of Development Applications in the CIA

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

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

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

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

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

7.0 Implementation of Intergovernmental Agreement

7.1 Amendment of Codes

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

7.2 Inform and Train

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

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

8.0 Enforcement

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

9.0 Termination

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

10.0 Term of Intergovernmental Agreement

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

11.0 General Provisions

11.1 Amendment of Agreement

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

11.2 Notice

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

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

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

11.3 Application and Interpretation of Other Provisions

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

11.4 Exhibits

ATTACHMENT 2

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

11.5 Paragraph Captions

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

11.6 Additional Documents or Action

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

11.7 Severability

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

11.8 Waiver of Breach

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

11.9 No Third Party Beneficiaries

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

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

CITY OF LOVELAND

Attest: By _____
Mayor

_____ _____
City Clerk Date

APPROVED AS TO LEGAL FORM: APPROVED AS TO CONTENT:

_____ _____
City Attorney City Manager

ATTACHMENT 2

THE COUNTY OF LARIMER, COLORADO

ATTEST:

By _____
Chair, Board of Commissioners

_____ _____
Secretary Date

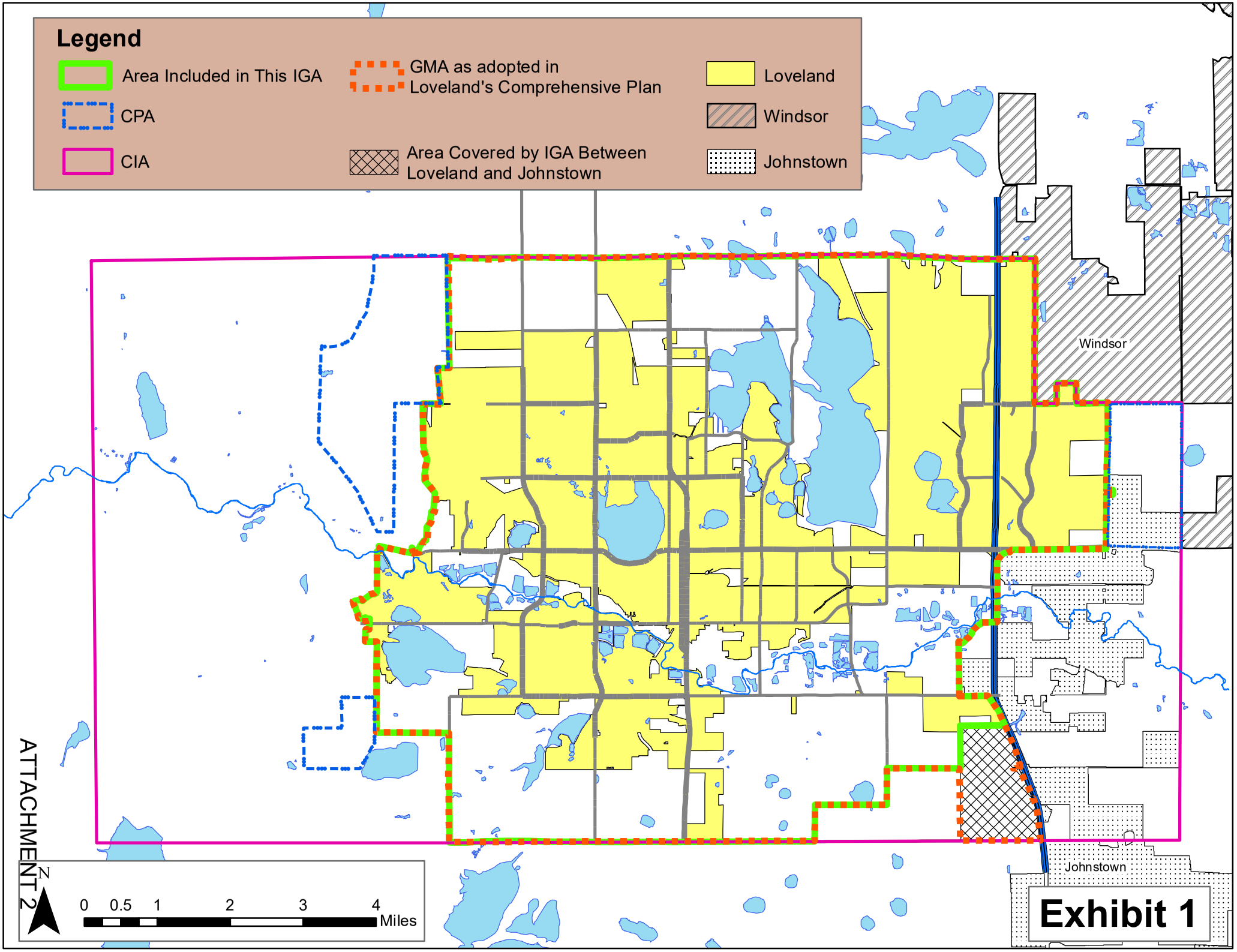
APPROVED AS TO LEGAL FORM:

_____
County Attorney

APPROVED AS TO CONTENT:

_____
County Manager

ATTACHMENT 2


Legend
Area Included in This IGA
CPA
CIA
GMA as adopted in Loveland's Comprehensive Plan
Area Covered by IGA Between Loveland and Johnstown
Loveland
Windsor
Johnstown
Windsor
Johnstown
N
0 0.5 1 2 3 4
Miles
ATTACHMENT 2
Exhibit 1

ATTACHMENT 2