



LOVELAND PLANNING COMMISSION MEETING AGENDA

**Monday, January 14, 2019
500 E. 3rd Street – Council Chambers
Loveland, CO 80537
6:30 PM**

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LOVELAND PLANNING COMMISSIONERS: Pat McFall (Acting Chair), Rob Molloy, Jeff Fleischer, Tim Hitchcock, Michael Bears, David Hammond, Milo Hovland, Susan Peterson, and Deborah Tygesen.

CALL TO ORDER

I. PLEDGE OF ALLEGIANCE

II. 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, January 28, 2019 – Regular Meeting Agenda Preview

- i. Election of Planning Commission Officers**
- ii. Downtown Parking Discussion – David Eisenbraun**
- iii. 2018 Planning Commission Report – Robert Paulsen**

2. Hot Topics:

- i. Highway 402 Plan Update – Jennifer Hewett-Apperson**

- c. City Attorney's Office Updates
- d. Committee Reports
- e. Commission Comments

III. APPROVAL OF MINUTES

Review and approval of the November 26, 2018 Meeting minutes

IV. 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?

V. REGULAR AGENDA

1. Sanctuary on the Park – Request for Extension of Preliminary Plat – Troy Bliss

This is a request by Shirley Jane Weitzel for an additional one year extension of the Planning Commission approval of the North Lincoln Avenue 2nd Subdivision preliminary plat. The Sanctuary on the Park development proposal is situated within this subdivision plat. The request indicates that Ms. Weitzel is in discussions with a potential developer to sell assembled properties (including this one) for potential development. In the interim, according to the applicant, having entitlements in place on the subject property for marketing the site is beneficial in the event that current negotiations fall through.

The Sanctuary in the Park site includes 14.3 acres located on the east side of Monroe Avenue, to the southwest of Conrad Ball Middle School. From North Lincoln Avenue, it is located to the east of (behind) Big O Tires. The development approval includes plans for 144 residential units, including single family and multi-family products.

If the Preliminary Subdivision Plat extension is granted, this would be the sixth extension of the City approvals, with a total extension of eleven years following the initial approvals that were effective on December 2, 2008. The applicant has committed to make this the final extension request. Staff supports the extension request.

2. 2019 Update and Process Review Provided by Planning & Legal Staff – Robert Paulsen

This is an informational, administrative item that requires no action by the Planning Commission. With the start of 2019, staff would like to provide updated information and have a discussion on the following topics:

- Status of the Unified Development Code and development application review procedures
- Development Permitting Process: 3 basic components
- Planning Commission Role in Development Permitting
- Planning Commission Operations:
 - Attendance
 - Public Hearings
 - Election of Officers
 - Committee Appointments
 - Study Sessions

VI. ADJOURNMENT

CITY OF LOVELAND
PLANNING COMMISSION MINUTES
November 26, 2018

A meeting of the City of Loveland Planning Commission was held at the Development Center on November 26, 2018 at 6:30 p.m. Members present: Chairwoman Dowding; and Commissioners McFall, Molloy, Fleischer, Hitchcock, Hammond, and Bears. Members absent: Commissioner Hovland. City Staff present: Bob Paulsen, Current Planning Manager; Laurie Stirman, Assistant City Attorney; Lisa Rye, Planning Commission Secretary.

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

CITIZEN REPORTS

There were no citizen reports.

RECOGNITION OF SERVICE

Commissioner McFall presented **Commissioner Dowding** with a recognition plaque for her hard work and dedication over several years with the Loveland Planning Commission. This will be **Commissioner Dowding's** final meeting as she is moving out of the area.

CURRENT PLANNING UPDATES

1. **Robert Paulsen, Current Planning Manager**, mentioned that the next scheduled meeting is December 10th, with the Foundry Art Memo being the only item on the agenda. Since it is not a time-sensitive item, he asked the Commissioners if they would prefer to supplement the meeting with a study session, or to move the item to the January 14th meeting.

Upon discussion, it was decided that the December 10th meeting would be canceled and the Foundry Art Memo item would be moved to the January 14th meeting.

2. As a hot topic item, **Mr. Paulsen** announced that Commissioner McFall will be re-nominated to the Commission and that two additional candidates have also been nominated. All nominations will be presented to City Council on December 18th. In addition to an orientation meeting for the new Commissioners, study sessions will be scheduled at the end of several regular meetings in 2019. **Mr. Paulsen** asked Commissioners to advise him of any items they would like to have discussed.

CITY ATTORNEY'S OFFICE UPDATES

Laurie Stirman, Assistant City Attorney, stated that there is nothing to report.

COMMITTEE REPORTS

Commissioner McFall noted that there will be an upcoming Zoning Board of Adjustment Variance Hearing held on December 19th at 6:00 pm.

COMMISSIONER COMMENTS

There were no comments.

APPROVAL OF THE MINUTES

Commissioner McFall made a motion to approve the October 8, 2018 minutes; upon a second from Commissioner Hitchcock, the minutes were unanimously approved.

CONSENT AGENDA

1. Centerra Emergency Access - Easement Vacation

This public hearing is for the purpose of considering a request for the vacation of an emergency access easement located in an undeveloped area north of the Promenade Shops in east Loveland. The emergency access easement was established in 2004 to provide a second emergency access to the Promenade Shops while the shopping center was under construction. At the time it was established, a notation was included with the easement agreeing to terminate the easement when alternative access became available. Alternative access has since been made available to the Promenade Shops with the buildout of Centerra Parkway. The vacation of the easement is thus being formally pursued at this time.

Vacation applications are considered legislative. Under Loveland Municipal Code Chapter 16.36, the Planning Commission must hold a public hearing and make a recommendation to Council on the request. City Council is scheduled to hear this matter on December 4, 2018.

Commissioner Dowding noted that there was now one item on the Consent Agenda. She inquired if anyone in the audience, any staff member, or any Commissioner wished to have the item removed from the Consent Agenda. No response was received.

Commissioner McFall moved to approve the Consent Agenda consisting of Centerra Emergency Access Easement Vacation. Upon a second by Commissioner Hammond, the motion was unanimously adopted.

REGULAR AGENDA

2. Planning Commission Report Templates – Jennifer Hewett-Apperson

This is an administrative item. With the recent adoption of the Unified Development Code, Planning staff is working to update the format of staff reports prepared for the Planning Commission. The primary goal is to develop a report template that provides clear and accessible information in a predictable format. To this end, staff is seeking input from the Commission. To assist the Commission, several report examples have been provided for Commissioners to review.

Jennifer Hewett-Apperson, Strategic Planning, facilitated a discussion among Commissioners and asked what the first item is that they look for in the staff reports.

- **Commissioner Molloy** stated that he first looks for the neighborhood response and the number of individuals that attended neighborhood meetings.
- **Commissioner Dowding** mentioned she likes to see charts, the existing zoning of the area, the context of the property and adjacent sites, along with applicant and development review member information.
- **Commissioner Hitchcock** stated that he prefers to see the project area listed early in the report so he can envision what is being discussed.

Ms. Hewett-Apperson asked Commissioners if there are any unwanted items in the staff reports.

- **Commissioner Hammond** responded that the larger folded maps are a waste of paper, and he prefers not to see them as the print is too small to read. He mentioned that he likes the color-coded snapshots of the project areas.
- **Commissioners Hitchcock** and **Molloy** agreed that the grading and utilities maps would be much easier to view digitally than on paper.

Commissioner Dowding asked if Commissioners would like a completely digital packet.

- **Commissioners Fleischer, Molloy, and Hammond** shared that they like the idea of digital agenda packets.
- **Commissioner McFall** stated that he likes the idea of viewing maps digitally as he can expand them and view them in a larger format. He shared that he reads the packets digitally but likes having a paper copy, especially of the staff report, at the meetings.
- **Commissioners Hitchcock** and **Fleischer** added that they like the paper copies since they often write comments on them and can review them at the meeting.
- **Commissioner Hammond** mentioned he doesn't need the Planning magazine contained in his materials. **Mr. Paulsen** explained that we don't pay extra for the additional materials, but he doesn't want to burden any Commissioners with materials they don't want.

- **Commissioner Dowding** added that she believes the staff recommendation is not needed on the first page, but instead at the end of the report. She shared that it is important for the Commissioners to read the materials before they see what the staff recommendation is, so they understand why it is being recommended.
- **Commissioner Molloy** explained that he likes the recommendation on the first page so he doesn't have to search for it. He also asked for the findings to be presented in bold font.
- **Commissioner Dowding** mentioned that she knows who has written the report and finds it distracting. She shared that she wishes to see the report be written in a more neutral manner.
- **Commissioner Molloy** added that the proposed project goals and objectives, provided by the applicant, need to be included in the reports.
- Overall, commissioners responded favorably to the proposed staff report template.

Ms. Hewett-Apperson thanked the Commissioners for their feedback. It was decided that staff will still receive hard copies of materials; although the larger maps will not be printed, they will be available in the electronic packets. The staff reports will generally be structured like the example she provided, and the reports will contain less narrative.

ADJOURNMENT

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

Commissioner Dowding adjourned the meeting at 7:27 p.m.

Approved by: _____
Patrick McFall, Acting Planning Commission Chair

Lisa Rye, Planning Commission Secretary.

MEMORANDUM

To: Planning Commission
From: Troy Bliss
Date: January 14, 2019
Re: **Extension of Planning Commission approval of the North Lincoln Avenue 2nd Subdivision Preliminary Plat**

I. STAFF RECOMMENDATION

City staff recommends that the Planning Commission approve the following motion:

Move to further extend the Planning Commission approval of the Preliminary Plat for North Lincoln Avenue 2nd Subdivision from December 11, 2018 to December 11, 2019, subject to the original conditions of approval set forth in Attachment #3 of this report dated January 14, 2019.

II. ATTACHMENTS

1. Vicinity map.
2. Applicant's letter of request dated December 5, 2018
3. Original conditions of approval from the July 9, 2007 Planning Commission minutes.
4. North Lincoln Avenue 2nd Subdivision preliminary plat, as conditionally approved by Planning Commission on July 9, 2007.
5. Overall Preliminary Development Plan (PDP) site plan for Sanctuary on the Park PUD, as approved by City Council on December 2, 2008.

III. ANALYSIS

A. Summary:

This is a request by Shirley Jane Weitzel for an additional one year extension of the Planning Commission approval of the North Lincoln Avenue 2nd Subdivision preliminary plat. The subject property is generally located east of N. Lincoln Avenue fronting along N. Monroe Avenue between E. 27th Street and E. 23rd Street. The property is undeveloped, zoned Planned Unit Development (PUD) and contains approximately 14.3 acres.

In consideration of the extension requested, the owner is in discussions with a potential developer to sell assembled properties (including this one) for potential redevelopment. In the interim, having entitlements in place for marketing the site is beneficial in the event current negotiations fall through. If granted, this would be the sixth extension of the City approvals, with a total extension of eleven years following the initial approvals given effective on December 2, 2008. The applicant has committed to not request any further extensions beyond this request of December 11, 2019.

B. Background:

The preliminary plat for North Lincoln Avenue 2nd Subdivision was originally approved by the Planning Commission on July 9, 2007, along with a recommendation to the City Council for approval of the accompanying rezoning and Sanctuary on the Park PUD Preliminary Development Plan. The subsequent City Council action denied the rezoning and PDP applications due to concerns for project density, traffic impacts and required off-site public improvements that would impact other properties. Since Planning Commission approval of the preliminary plat was conditioned upon City Council approval of the rezoning and PDP, this automatically resulted in a disapproval of the preliminary plat as well.

Following denial of the project by the City Council, the Developer pursued legal action against the City for the disapproval. The outcome of this process was that the court remanded the rezoning and PDP applications back to the City Council for a new determination. The rezoning and PUD Preliminary Development Plan were formally approved, based on a negotiated settlement between the parties to reduce the density to 144 dwelling units and provide an 8% increase in the total open space in the project. This had the automatic effect of reinstating the Planning Commission approval of the preliminary plat, as of December 2, 2008.

C. Process:

This extension is being considered under the City's prior subdivision and zoning ordinances rather than the Unified Development Code (UDC), as the request was made on December 5, 2018. Title 16 of the Municipal Code (the subdivision code) authorizes the Planning Commission to approve all subdivision preliminary plats, subject to appeal to the City Council. Section 16.20.020 of the Municipal Code (the subdivision code), and Section 18.41.050.E.6 of the Municipal Code (the PUD code), stipulate that City approval of both the preliminary plat and PDP expire one year after initial approval. In order to maintain the validity of the preliminary plat and/or PDP, the applicant must submit a complete application for subdivision final plat and matching PUD Final Development Plan before that deadline, or submit a written request for extension. Section 16.20.020 authorizes the Planning Commission to consider and grant such extension requests for preliminary plats. Section 18.41.050.E.6 authorizes the Current Planning Manager to consider and approve extensions of the PDP approval.

The original Owner/Developer (Solitaire Investments, LLC) no longer owns the property. That Owner/Developer had previously requested, and received, Planning Commission approval on 4 of the 5 previous extensions for this subdivision plat, as follows:

- 2/14/09 - 2 year extension;
- 11/28/11 - 1 year extension;
- 11/26/12 - 1 year extension;
- 1/13/14 – 2 year extension, effective retroactively from December 11, 2013 to December 11, 2015; and,
- 11/20/15 – 3 year extension, effective retroactively from December 11, 2015 to December 11, 2018

In each case listed above, the Current Planning Manager also approved a matching extension for the related PDP.

The current owner is the Shirley Jane Weitzel Living Trust. Ms. Weitzel has requested this additional extension to allow time to negotiate the sale of the property, and to prepare the appropriate applications to the City. If the Planning Commission approves the further extension of the preliminary plat, the Current Planning Manager will again approve a matching extension of the PUD Preliminary Development Plan. Since the

Developer's request for this additional extension was submitted prior to the December 11, 2018 deadline, the preliminary plat and Preliminary Development Plan are still considered valid until the Planning Commission and Current Planning Manager take formal actions on the request.

D. Neighborhood response

A request for extension does not require public notice or a public hearing.

E. Key Issues

City development review staff have been consulted in conjunction with the requested extension. Since the original conditions of approval require the final plat and PUD Final Development Plan to meet the City standards in effect at time of final application, staff has no concern about the extension. However, staff does concur with the applicant in that no further extensions be considered/granted beyond requested for an extension to December 11, 2019.

IV. RECOMMENDED CONDITIONS:

There are no recommended additional or revised conditions from City staff for the extension. By referencing the original conditions as part of the recommended motion, the original conditions adopted with the original approval will continue to apply.



VICINITY MAP – NORTH LINCOLN 2ND SUBDIVISION (SANCTUARY ON THE PARK)

December 5, 2018

Mr. Bob Paulsen
Current Planning Manager
City of Loveland
410 E. 5th Street
Loveland, Colorado 80537

RE: Request for Extension of Preliminary Development Plan – ‘Sanctuary on the Park’

Dear Bob –

Ms. Shirley Jane Weitzel owns the property at 2505 N. Monroe Avenue, Loveland, Colorado, which is known as ‘Sanctuary on the Park’. The property is a 15+- acre land parcel that has Preliminary Development Plan (PDP) approval for development of 144 multi-family units. Ms. Weitzel is requesting an extension of the PDP approval for one year.

Ms. Weitzel acquired the property in April 2014. Over the past 30+ years, Ms. Weitzel has assembled four commercial properties fronting to N. Lincoln Avenue and two land parcels (one being the ‘Sanctuary on the Park’ site), which adjoin the commercial properties on their east boundaries and front to Monroe Avenue. Ms. Weitzel recently sold one of the commercial properties (“Sweetheart Lanes” bowling center). Combined, the remaining five properties represent an assemblage of approximately 24 acres.

In 2016, Ms. Weitzel met with Karl Barton, City of Loveland Long Range Planning, to discuss the potential to redevelop the assemblage into a mixed-use project consisting of new commercial and residential land uses. Karl indicated the City would likely have a favorable perspective regarding redevelopment of the 24 acres. Ms. Weitzel is currently engaged in preliminary discussions with a developer to sell the assemblage for a redevelopment project.

The ‘highest & best use’ of the ‘Sanctuary on the Park’ site is its incorporation into a larger mixed-use development. As Ms. Weitzel continues to discuss redevelopment possibilities with the developer, it is prudent for her to preserve the PDP approval attached to the ‘Sanctuary on the Park’ site. Although the property will likely not be developed exactly as depicted in the PDP, the PDP approval may present some benefits to a proposed redevelopment plan for a future buyer/developer.

Mr. Bob Paulsen
December 5, 2018
Page 2

Based on the uncertainty as to how the 'Sanctuary on the Park' site might be incorporated into a larger development, additional time is needed to fully explore the possibilities for the property's integration into a redevelopment project to include Ms. Weitzels' assemblage and several adjoining properties. Therefore, Ms. Weitzel respectfully requests the City of Loveland Planning Commission grant a one year extension of the PDP approved for the 'Sanctuary on the Park' site.

Please contact me with any further questions you may regarding this matter.

Your consideration of this request is greatly appreciated.

Sincerely,



A handwritten signature in blue ink, appearing to read "Larry Melton".

Larry Melton
Broker

1 *Commissioner Haenny made a motion to recommend to City Council that they review the issue of*
2 *the intersection at 29th Street and Monroe Avenue and consider allowing a variance from the*
3 *LCUASS standards and determine what the developer shall contribute to cash-in-lieu for their*
4 *proportionate share of responsibility for the right turn lane. Upon a second by Commissioner*
5 *Crescibene the motion was unanimously adopted.*

6

7 The following conditions are recommended by City staff.

8

9 **RECOMMENDED CONDITIONS**

10

11 **A. Preliminary Development Plan:**

12

13 **Power:**

14

15 1. Unless Water and Power requirements for location of meters and other electrical equipment
16 can be met on Condominiums, the following will apply:

17

18 a. For all multi-family buildings of three or more units per building, electric meters will
19 be located centrally on or near the building.

20 b. The developer or his representative will be responsible for installing the underground
21 electric service to the meter per the National Electric Code.

22

23 2. For all other multiplex buildings of three units or more, electric meters will be located
24 centrally on or near the building, and the developer or his representative will be responsible for
25 installing the underground electric service to the meter per the National Electric Code.

26

27 3. Any costs associated with the relocation, raising, or lowering of existing underground and
28 overhead electric lines and facilities shall be the responsibility of the developer.

29

30 4. The twenty-two foot utility easements in the road ways are not adequate for the total needs of
31 power installation to all aspects of the site. As part of the final plat, the Developer shall depict and
32 dedicate sufficient utility easements throughout the development to assure that all power
33 improvements can be installed as needed, as determined in the sole discretion of the Power
34 Department.

35

36 **Stormwater:**

37

38 5. Prior to approval of the Final Plat and Final Construction Drawings, the Developer shall
39 provide the Loveland Stormwater Utility with a recorded copy of an Agreement between the Big
40 Lateral Ditch Company and the Developer to tie into their pipeline with the proposed detention pond
41 outlet pipe.

42

43 **Fire Prevention:**

1 6. Prior to approval of the FDP a "Fire Lane – No Parking" sign plan shall be submitted for
2 review and approval.

3

4 **Transportation Development Review:**

5 7. Notwithstanding any information presented in the Preliminary Development Plan (PDP),
6 preliminary plat or accompanying preliminary construction plan documents (text or graphical
7 depictions), all public improvements shall conform to the Larimer County Urban Area Street
8 Standards (LCUASS), as amended, unless specific variances are requested and approved in writing.

9

10 8. Prior to approval of the Final Development Plan (FDP), final public improvement
11 construction plans or the final plat, the developer shall submit recorded deeds of dedication to the
12 City for all offsite right-of-way required for transportation facilities needed to meet City ordinances
13 and/or any development conditions applicable to the property, unless otherwise approved by the City
14 Engineer.

15

16 9. Prior to approval of the FDP or final public improvement construction plans, the developer's
17 construction plans shall show the complete design for the proposed local street north extension of
18 Maple Drive to connect to the 27th Street and Lincoln Drive intersection; unless already designed by
19 others.

20

21 10. Prior to the issuance of any building permits within the PDP, pursuant to the provisions in
22 Section 16.40.010.B of the Loveland Municipal Code, the developer shall design and construct the
23 following improvements, unless designed and constructed by others. A cash-in-lieu payment or
24 financial security for all or part of these improvements may be accepted if approved by the City
25 Engineer:

26 a. Monroe Avenue to major collector standards adjacent to the property including curb,
27 gutter, and sidewalk on the west side and offsite tapers to match the existing roadway

28 b. Maple Drive extending from the south property line of this development to the south
29 property line of the Willow Park Addition per the LCUASS local street standards (including
30 curb, gutter, and sidewalk on both sides of the street)

31 c. A street connecting Maple Drive to the 27th Street and Lincoln Drive intersection per
32 the LCUASS local street standards (including curb, gutter, and sidewalk on both sides of the
33 street)

34 d. Northbound right-turn lane at US 287 and 23rd Avenue. Any costs associated with
35 oversizing the roadway improvements shall be reimbursable to the developer per standard
36 City policies.

37 e. Eastbound right-turn lane at 29th Street and Monroe Avenue.

38 f. An enhanced pedestrian crossing of Monroe Avenue as approved by the City.

39

40 **Current Planning:**

41 11. Before issuance of the first building permit for any permanent structure on the site, the

1 Developer shall install all landscape shown on the approved landscape plans, unless financial
2 security is filed by the Developer with the City to assure installation at a later date acceptable to the
3 City. Installation of the landscape and/or filing financial security may be phased, based on a phasing
4 plan submitted with the FDP or at time of building permit application.

5
6 For areas landscaped with dry land seed mix, the City shall not give approval of the landscape and/or
7 shall not release any financial security, until such time that the City determines that the
8 grasses/ground cover in said areas are successfully emergent, in the sole discretion of the Current
9 Planning Manager.

10
11 12. Before issuance of the first building permit for any permanent structure on the site, the
12 Developer shall install all open space improvements or amenities, such as private walks, fences,
13 walls, etc. as shown on the approved plans, unless financial security is filed by the Developer with
14 the City to assure installation at a later date acceptable to the City. Installation of the landscape
15 and/or filing of financial security may be phased, based on a phasing plan submitted with the FDP or
16 at time of building permit application.

17
18 13. Before issuance of the first building permit for any permanent structure, the Developer shall
19 install all paving, striping and signage for the internal circulation and parking areas, as shown on the
20 approved plans. Paving and striping and/or filing of financial security may be phased, based on a
21 phasing plan submitted with the FDP or at time of building permit application.

22
23 14. All exterior lighting shall comply with the lighting plans approved as part of the FDP. All
24 exterior lighting shall be designed, installed and maintained in a manner that assures that no direct
25 light or glare is visible beyond the property lines of Lot 1, Block 1.

26
27 15. As part of any FDP for the multi-family phase of the development, the Developer shall
28 provide a design and timing mechanism, acceptable to the Fire Marshal and Current Planning
29 Manager, for installation of a suitable driving/travel surface for the future emergency, pedestrian and
30 bicycle access located between the parking drive lane and west property line, just south of garage #2,
31 as shown on the PDP site plan. The design and mechanism for the pedestrian and bicycle connection
32 can be separate from the design and mechanism for the emergency access connection.

33
34 16. Upon development or redevelopment of the adjacent Lot 1, Block 1 of the North Lincoln
35 Avenue 1st Subdivision, and if, in the judgment of the Fire Marshal and Current Planning Manager,
36 said development or redevelopment provides an opportunity to provide a shared emergency,
37 pedestrian and/or bicycle access connection from Sanctuary on the Park to said adjacent lot, the
38 Property Owner of this portion of Sanctuary on the Park PUD shall, within 30 days of receipt of
39 written notice from the City, remove the section(s) of the west perimeter fence sufficient to allow
40 unhindered and unobstructed movement of emergency vehicles, pedestrians and bicyclists across all
41 portions of the travel surface described in condition 16.a. above.

1
2 17. If, at the time of FDP, an agreement is reached between the Developer and the City to
3 approve Sanctuary on the Park as an affordable housing development, pursuant to City standards and
4 as described in Section 11 of the PDP narrative, a reduction in all applicable private and public
5 improvements, such as landscape and sidewalks, may be authorized by the Director of Development
6 Services of the City of Loveland.

7
8 18. Notwithstanding the actual landscape depictions on sheet 5 of the PDP, the FDP landscape
9 plan shall provide a detailed design for all normally required landscape bufferyards along the
10 perimeters of the development, as set forth in the Landscape Buffer Areas Table on sheet 5 of the
11 PDP, and as adjusted to comply with all applicable conditions of approval.

12
13 19. Landscaped entry features, consistent with the City standards, shall be included in the FDP
14 landscape plans.

15
16 20. In order to preserve any active raptor nest that may be located in existing mature trees, no
17 initial site work or disturbance to the site, including tree removal or trimming, may be performed
18 during the months of February-July of each year.

19
20 If the Developer desires to commence work during the months of February-July, it may submit to the
21 Current Planning Manager of the City an updated written report, from a qualified professional,
22 indicating whether there are any active raptor nests in any portion of the site. Upon review of this
23 report by the Current Planning Manager, and any other available sources of expertise in this field, the
24 Current Planning Manager may determine, in his/her sole discretion, that no disturbance to active
25 nests would occur and that site work may commence. If such a determination is made, it shall be
26 communicated to the Developer in writing. No work on the site shall commence until such time such
27 that said written authority has been granted by the Current Planning Manager.

28
29 21. A limited solid-material fence, such as split rail or equal, shall be provided along that portion
30 of the north perimeter of the site adjacent to the church. This fence shall be included in the FDP
31 submitted to the City.

32
33 **B. Preliminary Plat:**

34
35 **Fire Protection:**

36
37 22. Prior to approval of the Final Plat, a "Fire Lane – No Parking" sign plan shall be submitted
38 for review and approval by the fire department.

39
40 **Current Planning:**

41

1 23. No final plat for this site may use blanket easements and building envelopes in-lieu-of
2 platting specific easements needed for public utilities, public drainage and other public purposes.
3

4 24. As part of the final plat, the owner(s) of record of the Big Lateral Ditch Easement passing
5 through the property must either sign the final plat, for dedication of the proposed street, or an
6 appropriate release form approved for this purpose by the City Attorney.
7

8 25. The Planning Commission approval of the preliminary subdivision plat shall not become
9 effective until the effective date of the City Council ordinance approving the rezoning of Parcels 1
10 and 2 of the North Lincoln Avenue Addition from R-2 to Sanctuary on the Park PUD (P-99).
11

12 26. At time of final plat, the Developer shall provide utility easements having a minimum width
13 of 5 feet, located along the entire perimeters/footprints of all single-family attached dwelling units,
14 for the installation of utility service and meters.
15

16 27. At time of final plat, the Developer shall dedicate an emergency, pedestrian and bicycle
17 access easement in the area located between the parking drive lane and west property line, just south
18 of garage #2, as shown on the PDP site plan.
19

20 3. Various Amendments to Title 18.
21

22 A public hearing to consider amendments which make up the Group I amendments and relate to
23 lighting standards and guidelines, landscape standards and guidelines, and portable signs in
24 downtown Loveland. The vested rights amendments have been added to Group II, which will be
25 presented to the commission in the near future.
26

27 Sherry Albertson-Clark, Consultant gave a staff presentation on lighting and illumination
28 amendments to Title 18 and stated the changes are a blend of existing requirements and I-25 lighting
29 requirements.
30

31 Gary Wilson, Community and Strategic Planning gave a staff presentation on amendments to the
32 sign code. He stated currently there are no regulations in place for portable signs making it
33 impossible for Code Enforcement to enforce. He stated the amendments would include restrictions
34 regarding rights-of-way, size limitations and materials used. He commented that businesses would
35 be required to take down their signage when they are closed. He responded to questions and stated
36 portable signs would be restricted to the downtown area and that if allowed city-wide he believed
37 there would be a proliferation of signs oriented to traffic.
38

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Consultants

Legend

◆ SECTION CORNER MONUMENT AS NOTED

△ 1/4 CORNER MONUMENT AS NOTED

○ FOUND PROPERTY CORNER AS NOTED

(R) RECORD DIMENSIONS FROM LAND SURVEY PLAT REC. NO. 9703484

(D) RECORD DIMENSIONS FROM DEED AT REC. NO. 20070001502

— SECTION LINE

— EXISTING RIGHT OF WAY LINE

— EXISTING EASEMENT

— PROPOSED RIGHT OF WAY LINE

— LOT LINE

— BOUNDARY

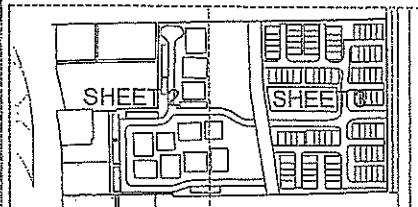
— PROPOSED UTILITY EASEMENT

— CENTERLINE ROAD

— BUILDING TIES

— EMERGENCY ACCESS EASEMENT

— BUILDING ENVELOPE



KEY MAP
(NOT TO SCALE)

File Name: 10530v-H02.dwg KJL DLS 02.01.24

Dmv. Chkd. Dsgn. YR1400

Permit-Stamp

Client/Project

SOLITAIRE INVESTMENTS LLC
PRELIMINARY PLAT OF NORTH LINCOLN AVENUE SECOND SUBDIVISION
LOVELAND, CO

A PRELIMINARY PLAT OF NORTH LINCOLN AVENUE SECOND SUBDIVISION

BEING A SUBDIVISION OF OUTLOT A, NORTH LINCOLN AVENUE FIRST SUBDIVISION, LOCATED IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 5 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF LOVELAND, COUNTY OF LARIMER, STATE OF COLORADO

DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT SOLITAIRE INVESTMENTS, LLC, BEING THE OWNERS AND LIEN HOLDERS OF THE FOLLOWING DESCRIBED PROPERTY, EXCEPT ANY EXISTING PUBLIC STREETS, ROADS OR HIGHWAYS, WHICH PROPERTY IS LOCATED IN THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 5 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF LOVELAND, COUNTY OF LARIMER, STATE OF COLORADO, AS DESCRIBED AT RECEPTION NUMBERS 2000039588 AND 20070001502 OF THE CLERK AND RECORDERS OFFICE OF LARIMER COUNTY, AND FOUND MONUMENTED AS FOLLOWS:

DATED THIS _____ DAY OF _____, 20____.

Considering the East line of the Northeast Quarter of the Northwest Quarter of said Section 12, as bearing South 00'00"07' East, as shown monumented hereon and with all bearings herein relative thereto.

COMMENCING at the North Quarter Corner of said Section 12; Thence along said East line of the Northeast Quarter of the Northwest Quarter South 00'00"07' East 991.55 feet;

Thence along the West Right of Way line for North Monroe Avenue as described shown on the plot of North Lincoln Avenue 1st Subdivision of the Clerk and Recorders Office of Larimer County; also being the East boundary line of said North Lincoln Avenue 1st Subdivision;

Thence along said West Right of Way line South 00'00"00" East a distance of 662.56 feet to a point on the North line of that parcel described at Reception Number 9014940, of the Clerk and Recorders Office of Larimer County;

Thence along said Northwesterly parcel line South 85'13"46" West a distance of 242.29 feet to a found #4 rebar and cap marked LS 16547;

Thence South 89'02"14" West a distance of 217.27 feet to the Northwesterly corner of CONGER SECOND SUBDIVISION of the Clerk and Recorders Office of Larimer County found monumented by a #4 rebar and cap marked LS 4112;

Thence along the Easterly and Northwesterly lines of said CONGER SECOND SUBDIVISION the following two (2) courses:

1) North 03'55"50" West a distance of 9.60 feet to a found 1" pipe with an illegible cap; Thence

2) South 88'26"25" West a distance of 40.01 feet to the POINT OF BEGINNING, the Easterly line of LEBO'S SECOND ADDITION, of the Clerk and Recorders Office of Larimer County, monumented by a found 1" pipe marked LS 4112;

Thence along the Easterly of said LEBO'S SECOND ADDITION,

North 00'51"37" West a distance of 320.69 feet to the South line of that parcel described at Reception Number 20070001502 and a found 1" pipe and cap marked LS 4112;

Thence along the Southerly and Easterly line of said parcel the following four (4) courses:

1) North 87'57"40" East a distance of 30.32 feet to a found #4 rebar and cap marked LS 36579; Thence

2) North 01'13"08" East a distance of 7.52 feet to a found #4 rebar and cap marked LS 36579; Thence

3) North 88'30"55" East a distance of 156.61 feet to the Southerly Corner of said parcel monumented by a #4 rebar and cap marked LS 36579; Thence

4) North 01'03"08" East a distance of 180.17 feet to the Southeasterly corner of said KINNEY SECOND ADDITION, of the Clerk and Recorders Office of Larimer County,

Thence along the Easterly line of said KINNEY SECOND ADDITION, North 01'02"46" East a distance of 148.45 feet to a point on South line of FERRER FIRST ADDITION of the Clerk and Recorders Office of Larimer County, monumented by a found #4 rebar and cap marked LS 12374;

Thence along said Southerly line, and the Southerly line of the LUTHERAN CHURCH of HOPE FIRST SUBDIVISION, of the Clerk and Recorders Office of Larimer County, North 88'41"00" East a distance of 894.78 feet to the POINT OF BEGINNING.

The above described parcel contains 15.117 acres, more or less, and is subject to all easements and RIGHTS-OF-WAY of record or existing,

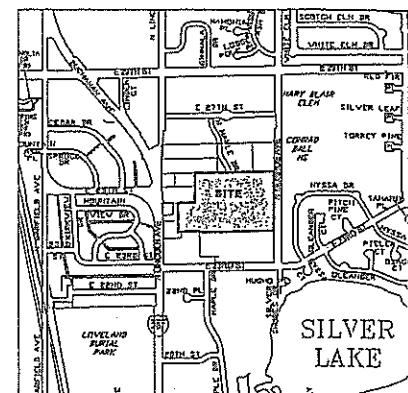
OR HEREBY SUBDIVIDE THE SAME INTO LOTS, BLOCKS, TRACTS, OUTLOTS, RIGHTS-OF-WAY AND EASEMENTS, AS SHOWN ON THIS PLAT; AND DO HEREBY DESIGNATE AND DEDICATE: (I) ALL SUCH RIGHTS-OF-WAY AND EASEMENTS, OTHER THAN UTILITY EASEMENTS AND PRIVATE EASEMENTS, TO AND FOR PUBLIC USE, EXCEPT WHERE INDICATED OTHERWISE ON THIS PLAT; AND (II) ALL SUCH UTILITY EASEMENTS TO AND FOR PUBLIC USE FOR THE INSTALLATION AND MAINTENANCE OF UTILITY, IRRIGATION AND DRAINAGE FACILITIES; AND DO HEREBY DESIGNATE THE SAME AS NORTH LINCOLN AVENUE SECOND SUBDIVISION TO THE CITY OF LOVELAND, COLORADO.

PRIVATE DEDICATION STATEMENT:

The owner hereby grants and dedicates easements for access, ingress and egress, over, upon, through and across all private drives for the benefit and use of the owners, patrons, invitees, and guests of the North Lincoln Avenue Second Subdivision for their reciprocal and mutual use and enjoyment. This grant and dedication shall run with the land, and shall be binding and enforceable upon the owner and the owner's successors and assigns and it shall inure to the benefit of all current and future owners, patrons, invitees, and guests of the North Lincoln Avenue Second Subdivision. The private access easements hereby granted and dedicated shall be maintained by the property owner(s) of the North Lincoln Avenue Second Subdivision.

AT LEAST 20% OF THE TOTAL NUMBER OF UNITS IN THIS DEVELOPMENT WILL BE SOLD TO HOUSEHOLDS EARNING NO MORE THAN 70% OF THE AREA MEDIAN INCOME AS DEFINED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT. PRIOR TO THE ISSUANCE OF THE 149TH DWELLING OCCUPANCY PERMIT, IF THE ABOVE CONDITION HAS NOT BEEN MET, NO ADDITIONAL OCCUPANCY PERMITS WILL BE ISSUED FOR DWELLING UNITS UNLESS THE PURCHASING HOUSEHOLDER EARNED NO MORE THAN 70% OF THE AREA MEDIAN INCOME AS DEFINED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, UNTIL THE ABOVE CONDITION IS MET OR UNTIL THE CITY COUNCIL HAS APPROVED AN AMENDMENT TO THIS CONDITION.

11) THE TEMPORARY SEPTIC SYSTEM EASEMENT SHOWN SHALL EXPIRE UPON CONNECTION OF A SANITARY SEWER SERVICE LINE TO APPROVED FUTURE SANITARY SEWER PUBLIC IMPROVEMENTS.



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Consultants

Legend

- ◆ SECTION CORNER MONUMENT AS NOTED
- △ 1/4 CORNER MONUMENT AS NOTED
- FOUND PROPERTY CORNER AS NOTED
- (R) RECORD DIMENSIONS FROM LAND SURVEY PLAT REC. NO. 97034184
- (D) RECORD DIMENSIONS FROM DEED AT REC. NO. 20070001502
- SECTION LINE
- EXISTING RIGHT OF WAY LINE
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- LOT LINE
- BOUNDARY
- PROPOSED UTILITY EASEMENT
- CENTERLINE ROAD
- BUILDING TIES
- EMERGENCY ACCESS EASEMENT
- BUILDING ENVELOPE

File Name: 10530-pl.deg RJD DMS Chkd. Dsgn. 07.01.15

Perm-Seal



Client/Project
SOLITAIRE INVESTMENTS LLC

PRELIMINARY PLAT OF NORTH LINCOLN AVENUE SECOND SUBDIVISION
LOVELAND, CO

REVISED

JUN 28 2007

Title

RECEIVED

BY

0

10'

20'

30'

40'

50'

60'

70'

80'

90'

100'

110'

120'

130'

140'

150'

160'

170'

180'

190'

200'

210'

220'

230'

240'

250'

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270'

280'

290'

300'

310'

320'

330'

340'

350'

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370'

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390'

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410'

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880'

890'

900'

910'

920'

930'

940'

950'

960'

970'

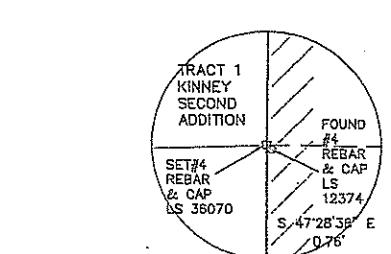
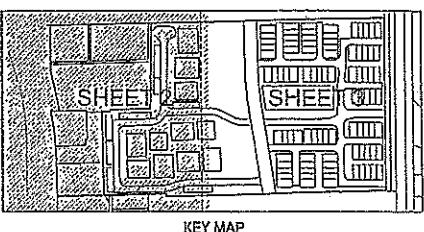
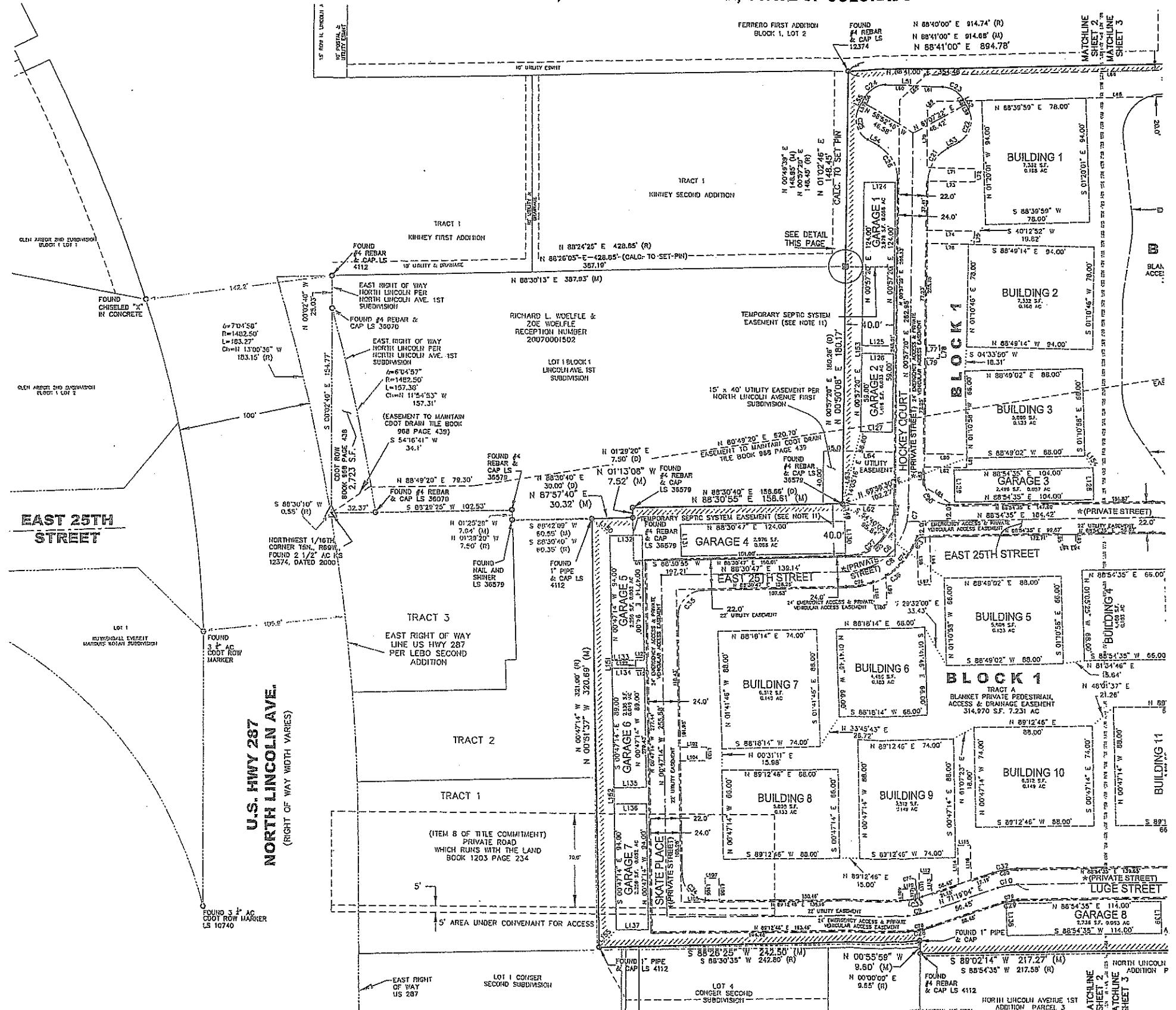
980'

990'

1000'

A PRELIMINARY PLAT OF
NORTH LINCOLN AVENUE SECOND
SUBDIVISION

BEING A SUBDIVISION OF OUTLOT A, NORTH LINCOLN AVENUE FIRST SUBDIVISION, LOCATED IN
THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 5 NORTH, RANGE 69 WEST OF THE 6TH
PRINCIPAL MERIDIAN, CITY OF LOVELAND, COUNTY OF LARIMER, STATE OF COLORADO



DETAIL
SCALE
1"=10'

* SEE PRIVATE DEDICATION
STATEMENT ON SHEET 1

Project No. 187010530 Scale 1"=40' Drawing No. Sheet Revision

