



City of Loveland

**LOVELAND PLANNING COMMISSION MEETING
AGENDA**

**Monday, March 25, 2019
500 E. 3rd Street – Council Chambers
Loveland, CO 80537
6:30 PM**

The City of Loveland is committed to providing an equal opportunity for services, programs and activities and does not discriminate on the basis of disability, race, age, color, national origin, religion, sexual orientation or gender. For more information on non-discrimination or for translation assistance, please contact the City's Title VI Coordinator at TitleSix@cityofloveland.org or 970-962-2372. The City will make reasonable accommodations for citizens in accordance with the Americans with Disabilities Act (ADA). For more information on ADA or accommodations, please contact the City's ADA Coordinator at ADACoordinator@cityofloveland.org.

“La Ciudad de Loveland está comprometida a proporcionar igualdad de oportunidades para los servicios, programas y actividades y no discriminar en base a discapacidad, raza, edad, color, origen nacional, religión, orientación sexual o género. Para más información sobre la no discriminación o para asistencia en traducción, favor contacte al Coordinador Título VI de la Ciudad al TitleSix@cityofloveland.org o al 970-962-2372. La Ciudad realizará las acomodaciones razonables para los ciudadanos de acuerdo con la Ley de Discapacidades para americanos (ADA). Para más información sobre ADA o acomodaciones, favor contacte al Coordinador de ADA de la Ciudad en ADACoordinator@cityofloveland.org.”

LOVELAND PLANNING COMMISSIONERS: Patrick McFall (Chair), Michael Bears, Jeff Fleischer, Rob Molloy, Tim Hitchcock, 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, April 08, 2019 Agenda Preview

c. City Attorney's Office Updates

d. Committee Reports

e. Commission Comments

f. Economic Development Presentation – Kelly Jones, Director

III. APPROVAL OF MINUTES

Review and approval of the March 11, 2019 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?

1. All Stripes Mineral Hearing – Troy Bliss

This is a public hearing concerning mineral rights that is associated with an application for an amended plat being processed by the City. The amended plat proposes to merge two lots together and is being processed concurrently with a site development plan for a special trade contractor's shop with outdoor storage on 1.9 acres in the I-Developing Industrial zoning district.

An amended plat application is not considered by the Planning Commission. Rather, such application is generally processed administratively. However, the property being platted includes severed mineral estate owners, meaning that the mineral rights are owned separately from the surface rights. Title 24, Article 65.5 of the Colorado Revised State Statutes identifies these applications as a development application whereby a public hearing is required to be held with respect to the mineral estate owners. The requirement for a public hearing at the platting level reflects changes to state statutes which went into effect in August, 2007.

V. REGULAR AGENDA

2. 37th Street Vacation – Public Hearing - Noreen Smyth

This is a public hearing regarding an application to vacate the 37th Street right-of-way between Rocky Mountain Avenue and Boyd Lake Avenue. 37th Street is an existing east-west street that is being realigned based on development plans within the Millennium Planned Unit Development and Industrial District. A new roadway, which extends from Kendall Parkway, will be constructed that functions as a replacement to 37th Street. A portion of the new roadway is already constructed and is in use by the public.

3. Wintergreen GDP Amendment – Public Hearing – Noreen Smyth

This is a public hearing concerning an application to amend the Wintergreen General Development Plan (GDP) to increase the density and number of residential units on Parcel E. The GDP capped the residential density on the parcel at 9.6 units per acre and a maximum of 111 units. The applicant is proposing to develop a multifamily apartment project at a density of 17.6 units per acre with a maximum of 168 units. In conjunction with the change to the maximum density/number of units, the applicant is: 1) including more detailed multifamily residential design standards, and 2) updating other text and diagrams in the GDP to specifically address Parcel E.

The increased density is in keeping with the City's Comprehensive Master Plan designation of a Regional Activity Center. Public outreach included a neighborhood meeting, which two neighbors attended. Questions were raised regarding traffic and site design, however no opposition to the specific amendment request was voiced.

4. ADJOURNMENT

CITY OF LOVELAND
PLANNING COMMISSION MINUTES
March 11, 2019

A meeting of the City of Loveland Planning Commission was held in the City Council Chambers on March 11, 2019 at 6:30 p.m. Members present: Chairman McFall; and Commissioners Bears, Fleischer, Hammond, Hitchcock, Hovland, Molloy, Peterson and Tygesen. Members absent: Commissioners Hammond and Hitchcock. City Staff present: Robert 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.

CURRENT PLANNING UPDATES

1. **Mr. Paulsen** reviewed the agenda scheduled for the Monday, March 25th Planning Commission meeting. Kelly Jones, Director of Economic Development, will be making a presentation on the City's Economic Development program. All Stripes Mineral hearing is on the Consent Agenda for this date, and finally the 37th Street Vacation Public Hearing is on the Regular Agenda.

CITY ATTORNEY'S OFFICE UPDATES

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

COMMITTEE REPORTS

There were no committee reports.

COMMISSIONER COMMENTS

There were no commissioner comments.

APPROVAL OF THE MINUTES

Commissioner Fleischer made a motion to approve the January 28, 2019 minutes; upon a second from Commissioner Bears, the minutes were approved unanimously.

CONSENT AGENDA

There were no items scheduled on the Consent Agenda

REGULAR AGENDA

1. Animal Husbandry Standards – Emily Tarantini

Project Description: Based on the direction from the City Council, Current Planning staff prepared information for Planning Commission review and comment relating to animal husbandry and the City's animal keeping regulations contained in Title 6 of the Municipal Code. Interest in the topic was initiated in August of 2018 following enforcement action taken by the Larimer Humane Association (on behalf of the City) relating to the keeping of pygmy goats by a Loveland Family. Enforcement actions involving pot-bellied pigs have been a more recent development within the city. A third animal type of interest is roosters, which many communities prohibit due to their propensity for early morning crowing.

The role of the Planning Commission is to review the information provided by staff and to take comments from the public on this topic. Following the presentation, the Planning Commission should be prepared to recommend to the City Council whether regulations contained within Title 6 should be amended. City Council will conduct a study session April 9th on the topic of animal husbandry, and information from the Planning Commission will be forwarded to the Council in advance.

Emily Tarantini, Current Planning, provided a presentation and facilitated a discussion regarding animal husbandry standards. **Captain Bill Porter**, Director of Animal Protection and Control with Larimer Humane Society, and Animal Control Supervisors **Joe Quinn** and **Randy Bryant**, were present to offer their knowledge and assist with questions.

Ms. Tarantini explained that a Rule of Four was passed by the City Council, requiring review of animal keeping regulations. Title 6 of the Municipal Code was discussed, specifically section 6.28.020, which addresses limitations on livestock and 6.28.010, which addresses limitations on the number of household pets. According to the Code, livestock is considered a nuisance unless the individual livestock is classified as a show animal. It was pointed out that this part of the code was last amended in 1996. There is no particular specific limit on the number of pets, but the Larimer Humane Society has the authority to enforce the City's animal regulations, handle complaints, and determine safe and unsafe situations for pets.

Animal regulations in other communities were also discussed. **Ms. Tarantini** presented a “Best Practices Table” which compared allowances on pygmy goats and pot-bellied pigs among different Front Range municipalities. Research showed that of the cities compared, Loveland is the only

city that allows for roosters. Pot-bellied pigs are only allowed in Loveland when they are show animals; they are prohibited in Windsor, but are allowed in Greeley, Longmont, Thornton, and Brighton. Pygmy Goats are also allowed in Loveland only when they are show animals, but are allowed in Fort Collins. Greeley, Longmont, Thornton, and Brighton classify pygmy goats as farm animals or livestock, so the keeping of them would be held to certain standards relating to lot size, zoning districts, and special permitting.

Ms. Tarantini mentioned that although pygmy goats are allowed in Fort Collins, there are permitting requirements administered by the Humane Society. Requirements include a test pertinent to the husbandry of pygmy goats, a goat license issued by the Larimer Humane Society and in some cases, consent from nearby neighbors. Physical requirements pertaining to the owner's property, including the provision of a predator resistant shelter is also enforced and inspected prior to approval. The city of Denver has regulations on pot-bellied pigs and allows them only in certain districts, requires a 60-day comment period with neighbors, and requires a Livestock Permit. Pygmy goats are allowed in any zoning district with a food producing animal permit and are limited to no more than two.

Facts reported on pot-bellied pigs indicated that they can weigh between 125 to over 200 pounds and stand between 16-25 inches tall, can live indoors, are sensitive to the sun, can be destructive, can be trained, can live up to 20 years, and they are smart but can be stubborn. Pygmy goats can weigh 75-86 pounds and stand between 16-23 inches tall at the shoulder, and are escape artists. They adapt to all climate types, are picky drinkers, are social and prefer to be in a group, live approximately 10 – 15 years and are loving, affectionate and smart.

Captain Porter provided information about the Larimer Humane Society and responded to the discussion about pot-bellied pigs, pygmy goats and roosters. He also indicated that Loveland's animal regulations are vague, especially in regards to the concept of "show animals." He indicated that because of vagueness within the Code, recent events have been frustrating for all involved. He asked that whichever direction the City decides to go with regards to any new regulations, that the amendments be made clear for animal owners, neighbors, and animal control officers. Captain Porter made the following recommendations:

- Remove or clarify "show animals" within the Code
- Prohibit roosters
- Do not allow full size goats and pigs within city limits
- If pygmy goats are allowed, it is requested that proactive ordinances be made such as responsible laws that protect the quality of life of neighbors, animals, and owners. No intact males and no slaughtering of animals should be allowed within the city limits.
- If pot-bellied pigs are allowed, he asked that the CSU extension office and the health department get involved with this ordinance.

Commissioner Peterson asked how old the pygmy goats must be in order to be shown and wondered if they could be shown as kids (babies). **Captain Porter** responded that he was not aware of a requirement age of the animal for show. **Commissioner McFall** stated that the Code is very ambiguous in this area, and he would like to see the show requirements clearly defined.

Captain Porter shared that there were a number of incidents in Loveland this past year involving pot-bellied pigs, including a bite at a restaurant, loose pigs that escaped, and a pig that was considered a service animal. He shared that his personal opinion is to not allow for pot-bellied pigs within the city limits, but if the City chooses to allow them, there needs to be clearer guidelines.

Commissioner Peterson asked how pygmy goats can be kept safe within city limits if they are escape artists. **Captain Porter** responded that he has sent volunteers out to talk with owners about secure structures, which are needed to keep them from predators and keep them from escaping.

Commissioner McFall opened the discussion for public comment at 7:07 p.m.

- **Ken Vetter**, Loveland resident, asked for clarification on the opportunity for public comment to be heard before decisions are made. **Mr. Paulsen** explained that the discussion tonight includes public comments. He further explained that while public comment might not be taken at the upcoming City Council study session, if the Council directs staff to proceed with amendments to the code, future Planning Commission and City Council public hearings on the code changes would be part of the process. He emphasized that the commission wants to hear public comment and asked that interested citizens contact Emily Tarantini with any questions.
- **Terry Cook**, resident, stated that he owns two dogs and one pot-bellied pig named “Porkchop”, which weighs approximately 75 pounds. He indicated that his neighbor notified the Larimer Humane Society of the pig. Mr. Cook was then issued a warning by Larimer Humane Society, as there is an ordinance prohibiting pot-bellied pigs within the City and they are considered livestock. Mr. Cook stated that his family has contacted councilors in their area to verify the information. Animal Control has provided the Cook’s with an extension while the City researches animal husbandry regulations. He said Porkchop is a domesticated animal and thinks she’s a dog, is potty-trained and goes out the dog door, and they have owned her for two years and have never received one complaint from neighbors. He emphasized that she is vaccinated, is on a specialized diet, and receives periodic check-ups. Mr. Cook asked for their consideration when revising code and hopes that the timeframe will align with the extension they have been granted. **Commissioner Molloy** asked Mr. Cook if pot-bellied pigs are bred to be consumable. **Mr. Cook** responded that they are not bred to be consumable, but are bred to be companions.
- **Patricia Brown**, Loveland resident, stated that there are going to be irresponsible pet owners, and it is a concern when it comes to owning a pot-bellied pig. She believes that owners should be licensed and carry extra insurance in case of bites. She wishes for City Council to consider making it a little more difficult for people to own such animals; and those who can prove to be responsible can have some of these animals. She shared that she believes we need to scrutinize the pet owners more than we do the pets. Ms. Brown also commended Ms. Tarantini on her “excellent presentation.”

- **Janet Vetter**, resident of Loveland, shared that she is opposed to making any changes to the current ordinance regarding pot-bellied pigs and pygmy goats. She described her lot size as being 18 feet wide, with neighbors having similar dimensions. She stated that she believes this size yard is not large enough for the well-being of these animals, nor would it be respectful to her neighbors to have bleating goats or pot-bellied pigs on the other side of their fence line. She requested that City Council consider restrictions within the ordinance requiring a minimum lot size for animals, as well as clearer definitions of what a “show animal” is, and what happens “post show” to the animals. She also stated people should have the right to own these types of animals, but they need to live in an appropriate part of Larimer County that is conducive to owning livestock.
- **Sergeant Joe Quinn, Larimer Humane Society**, stated they will hold-off on enforcing restrictions on the Cooks until the process is complete and City Council comes to a final resolution, provided no new complaints are received.
- **Commissioner McFall** asked if the ordinance states what would happen to a show animal once it is retired. Sergeant Quinn explained that the code is extremely vague, but stated it is written that way for a reason. Although they would not arbitrarily show up at owner’s houses once their animal is retired; according to the code, they could.
- **Commissioner Molloy** asked about the specific complaints that the Larimer Humane Society has received about pot-bellied pigs. Sergeant Quinn answered that one complaint was made because a person was bitten, and another complaint was regarding a 200-pound pig running loose.
- **Commissioner Bears** asked what thoughts Sergeant Quinn had on Mr. Cook’s case and pot-bellied pigs and pot-bellied pigs in general. Sergeant Quinn answered that there should be weight restrictions on pigs, and rabies vaccinations need to be a requirement. He added that it would be good to reach out to organizations such as 4H and Future Farmers of America for their opinions and guidelines.
- **Commissioner McFall** asked what lot size requirements should be for pigs and goats. Sergeant Quinn responded that show animal requirements would be similar to that of horses. **Emily Tarantini** stated that the Loveland ordinance does not cover lot size for livestock except for horses.
- **Commissioner Peterson** questioned how show animals are treated after retirement and if they are now considered pets. **Commissioner Hovland** stated that he was raised on a farm and was involved in 4H and the showing of animals. When he showed animals, they would be sold at the end of the fair. In the case of a pot-bellied pig, they are pets and cannot do the kind of damage of a hog. Many times when animals are part of a show, they are gone the next day, he stated.
- **Kristine Edland**, resident of Loveland, said that she purchased two pedigree goats from a Denver breeder. She shared that she and her partner live in a non-HOA

neighborhood. Some neighbors were unhappy with their raised boxes instead of a lawn, and large amount of firewood on their property, and filed a complaint with city code enforcement. Captain Porter visited the property and mentioned he did not see any of the “squalor” that was mentioned in the complaint. She believes that there are many new ideas such as urban homesteading that need to be addressed within the Code. Ms. Edland stated the City of Portland requires certain lot size and restrictions on the number of animals kept. She shared that she is hoping for some considerations in the city for alternative pets for people who can take care of their animals. **Mr. Paulsen** asked if she believes the requirement for pot-bellied pigs to be show animals is valid. **Ms. Edlund** replied that the showing of animals is important because it demonstrates that people are caring for their animals properly. She likes the idea of online showing and it should be an option.

- **Charlene Horton-Garcia**, Loveland resident, excited that the City is considering changing regulations regarding the keeping of goats, which she believes is a trend that is developing over the front-range. She shared it is confusing that the code allows for roosters as she had one, but was forced to rehome it because of noise complaints she received.

COMMISSIONER COMMENTS

- **Commissioner Molloy** recommended that it be required to register pigs and goats with Larimer County, and they should be vaccinated. He would like the requirement of “show animals” be removed. He believes input from CSU Extension to determine which animals could be domesticated would be helpful.
- **Commissioner Hovland** believes the current Title 6 is very vague, specifically the definition of lot enclosure needs to be rewritten with more clarity, so the animals are safely contained. He would like the Commission to consider the requirements of surrounding communities for the keeping of these animals. He believes the Planning Commission should move forward and tidy up this part of the Code.
- **Commissioner Tygesen** agrees with the commissioners that it is important to register goats and pigs, and to require vaccines. She shared it is important for quality of life to have requirements on size of lots for keeping the animals.
- **Commissioner Bears** believes it is necessary to have a certain yard space as a requirement to keep the animals, and remove the term “show animal” from the code. He believes it makes sense to amend the code.
- **Commissioner Fleischer** agreed with the other commissioner’s statements. He added that he is opposed to allowing roosters within the city limits, as living next to one is a difficult life.

- **Commissioner Peterson** stated that she agrees with Loveland resident, Janet Vetter. She would not want to live next to a pig or goat; however, she lives in an HOA that would not allow that. **Ms. Vetter** stated that her HOA does not allow the keeping of animals that are considered “livestock”. **Commissioner Peterson** added that she would not want to live next to a rooster.
- **Commissioner McFall** stated that he likes the commissioner’s recommendations and believes the ordinance needs to be changed. He shared that he does not like ambiguity. He would like the City Council to consider the Planning Commission’s recommendations, and note their unanimous agreement that the code needs updating. He added that he appreciated the community attendance and thanked them for taking part in the discussion this evening.

Commissioner McFall called for a recess at 7:15 p.m.

Commissioner McFall called the meeting to order at 7:25 p.m.

2. Planning Commission 2018 Accomplishments and 2019 Goals – Robert Paulsen

Early in each year, the Planning Commission reviews its accomplishments from the previous year and establishes goals for the new year. This effort provides a record of past activities and helps the Commission and staff plan for the year ahead. Current Planning staff has provided a preliminary listing of *2018 Accomplishments and 2019 Goals* to facilitate Commission discussion. The establishment of the accomplishments and goals is an administrative action by the Commission.

Mr. Paulsen presented commissioners with an updated memo containing suggestions to consider. He made clear that it is the Planning Commission’s document and whatever items they choose to keep or discard is up to them.

Commissioner Molloy stated that this list of accomplishments and goals is the most thorough he has seen over the years, and the list is perfect as it is.

Commissioner McFall shared that he is happy with the list and the work that went into it. He stated that he would like to have one item added, which is the plans for the Rocky Mountain Center for Innovation and Technology. **Mr. Paulsen** stated that he will add it to the list, as well as ask Kelly Jones, Director of Economic Development, to update the Commission on this topic.

ADJOURNMENT

Commissioner Molloy made a motion to adjourn. Upon a second by Commissioner Peterson, the motion was unanimously adopted.

Commissioner McFall adjourned the meeting at 8:26 p.m.

Approved by: _____
Patrick McFall, Planning Commission Chair

Lisa Rye, Planning Commission Secretary



To: Planning Commission, City of Loveland
From: Kelly Jones, Economic Development Director
Re: Economic Development Update
Date: March 25, 2019

Per the request of the Planning Commission, I've been asked to provide an update on economic development activities. My presentation will include current projects, data on the community, regional partnerships and highlights from Visit Loveland. I'm looking forward to an interactive presentation and look forward to your questions and comments.



CURRENT PLANNING DIVISION
410 E. 5th Street | Loveland, CO 80537 | 970-962-2523
eplan-planning@cityofloveland.org | cityofloveland.org/DC

MEMORANDUM

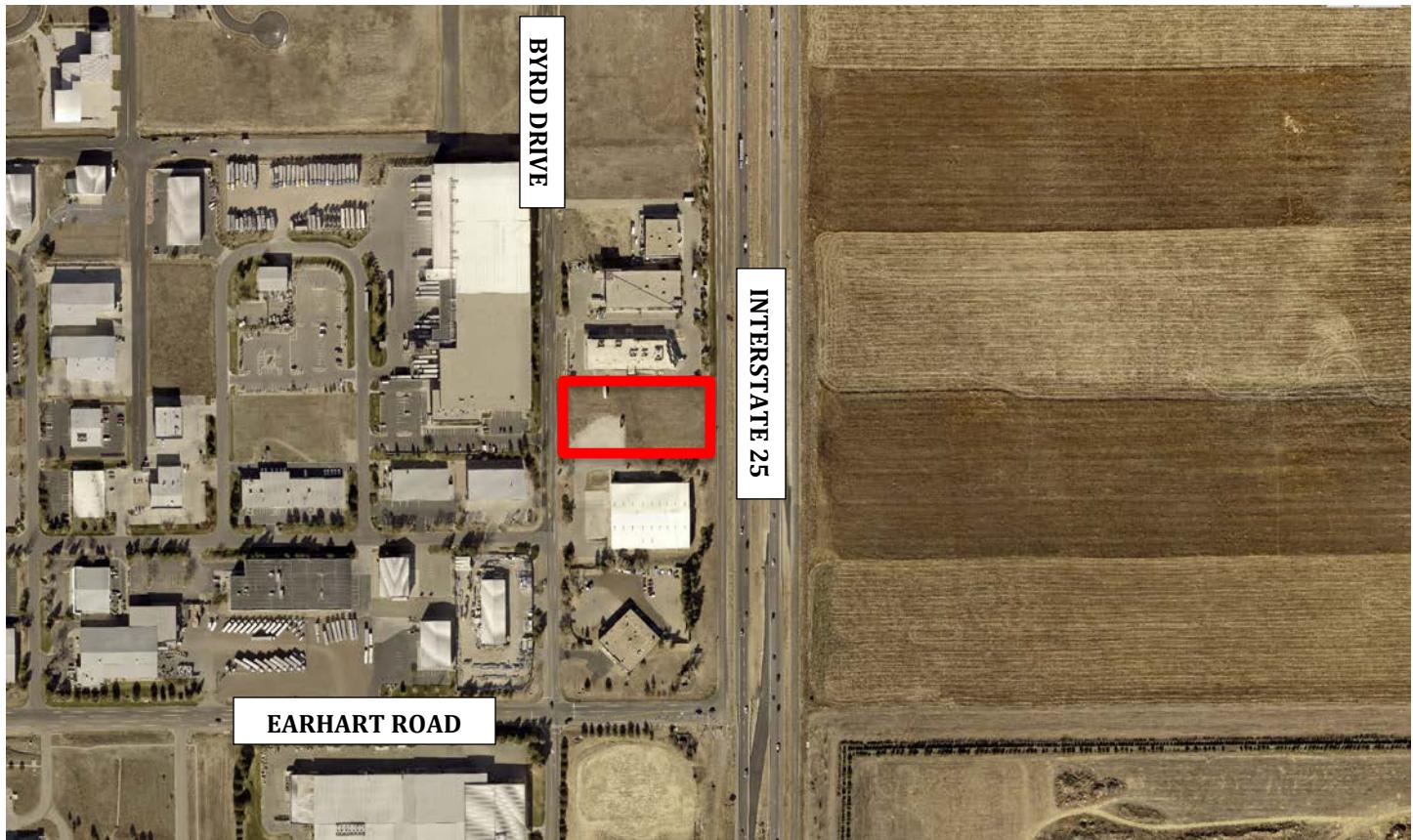
March 25, 2018 – Consent Agenda Item 1

To: Planning Commissioners

From: Troy Bliss, Senior Planner

RE: All Stripes Loveland-Fort Collins Industrial Airpark Second Subdivision (PZ #18-00210) - Mineral Rights Hearing

This is a public hearing concerning mineral rights that is associated with an application for an amended plat being processed by the City. The nature of the proposed development is a lot for a special trade contractor's shop with outdoor storage on 1.9 acres in the I-Developing Industrial zoning district.



Amended plat applications are not considered by the Planning Commission. Rather, such applications are generally processed administratively. However, the property being developed/platted has severed mineral estate owners, meaning that the mineral rights are owned separately from the surface rights. The Planning Commission serves as a conduit in which to facilitate the public hearing. No motion or action other than opening and closing the public hearing shall be made. Based upon the City of Loveland Municipal Code, approval of the amended plat is issued by the Director of Development Services. This approval will be issued sometime at a later date following the public hearing providing no objections are made from mineral owners. Any mineral owners objecting to the application at the mineral rights hearing on March 25, 2019, may seek a surface use agreement with the property owner or pursue other civil remedies. This is coordinated through the property owner and mineral estate owner(s). The City is not party to such an agreement; consequently the only role of Planning Commission is to conduct a public hearing which affords notice to mineral rights owners and provides them the opportunity to be heard. The Planning Commission has no role relative to approval of the site development plan or amended plat.

Per Section 18.14.405 of the Unified Development Code (UDC) and Title 24, Article 65.5 of the Colorado Revised Statutes, notice was provided by the applicant (Nick Soft, All Stripes LLC) to all mineral estate owners on February 21, 2019 (at least 30 days prior to the hearing on March 25, 2019). At the time this memorandum was prepared, no communications, correspondence, etc. has been provided from the mineral estate owners.

ATTACHMENT

1. Mineral Estate Owner's Notice Letter
2. Loveland-Fort Collins Industrial Airpark Second Subdivision

All Stripes and Maintenance LLC.

Phone 970-297-8587

PO Box 1399, Fort Collins, CO 80522

Mineral Estate Owner's Notice Letter

Date: February 21, 2019

Union Pacific Railroad
1400 Douglas Street
Omaha, NE 68179

Re: Public Hearing Before the City of Loveland Planning Commission on development applications for a Site Development Plan (PZ #18-00209) and an Amended Plat (PZ #18-00210)

Dear Mineral Estate Owner:

You are receiving this notice because you have been identified as a mineral estate owner as reflected in the records of the Larimer County Assessor or a Request for Notification of Surface Development filed with the Larimer County Clerk and Recorder, with respect to property that is the subject of the referenced applications. In accordance with the requirements of the Colorado Notification of Surface Development Act, C.R.S. § 24-65.5-101, et seq. ("CNSDA"), a public hearing will be held at least thirty (30) days from the date of this notice.

You are hereby notified that on **March 25, 2019, at 6:30 p.m. at 500 East 3rd Street, Loveland, Colorado 80537**, the City of Loveland Planning Commission will hold a public hearing to consider applications for approval of a Site Development Plan and Amended Plat for the above referenced project on the following property:

5838 Byrd Drive, Loveland, Colorado 80538, legally described as Lots 2 and 3, Block 3, Loveland-Fort Collins Industrial Airpark Second Subdivision, County of Larimer, State of Colorado.

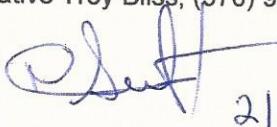
The nature of the proposed development plan and plat is a lot for a special trade contractor's shop with outdoor storage. The name of the Site Development Plan is **All Stripes Site Development Plan** and the name of the plat is **Loveland-Fort Collins Industrial Airpark Second Subdivision Amendment #1**.

The list of mineral estate owners being notified of this public hearing is supplied by the applicant and derived from the current records of the Larimer County Assessor and the Larimer County Clerk and Recorder. As those records are not always current, please feel free to notify any other party who may have an interest in the minerals beneath the surface of the subject property of the scheduled public hearing.

If you have any questions regarding this matter, please contact the applicant representative Nick Suft, All Stripes, LLC, (970) 297-8587, njs@allstripesllc.com or the City of Loveland representative Troy Bliss, (970) 962-2579, Troy.Bliss@cityofloveland.org

Sincerely,

Nick Suft
All Stripes, LLC


2/20/19

SEE VICINITY MAP ON REVERSE SIDE

Google Maps 5838 Byrd Dr

3600 Services of
Anilca · Loveland

Casper's Electronics Inc

Food Services of
Avalon-Loveland

SE Frontage Rd

SE Frontage Rd

SE frontage

NW Frontage Rd

NW frontage rd

Map data ©2019 Google

50 ft

SE Frontage Rd

25

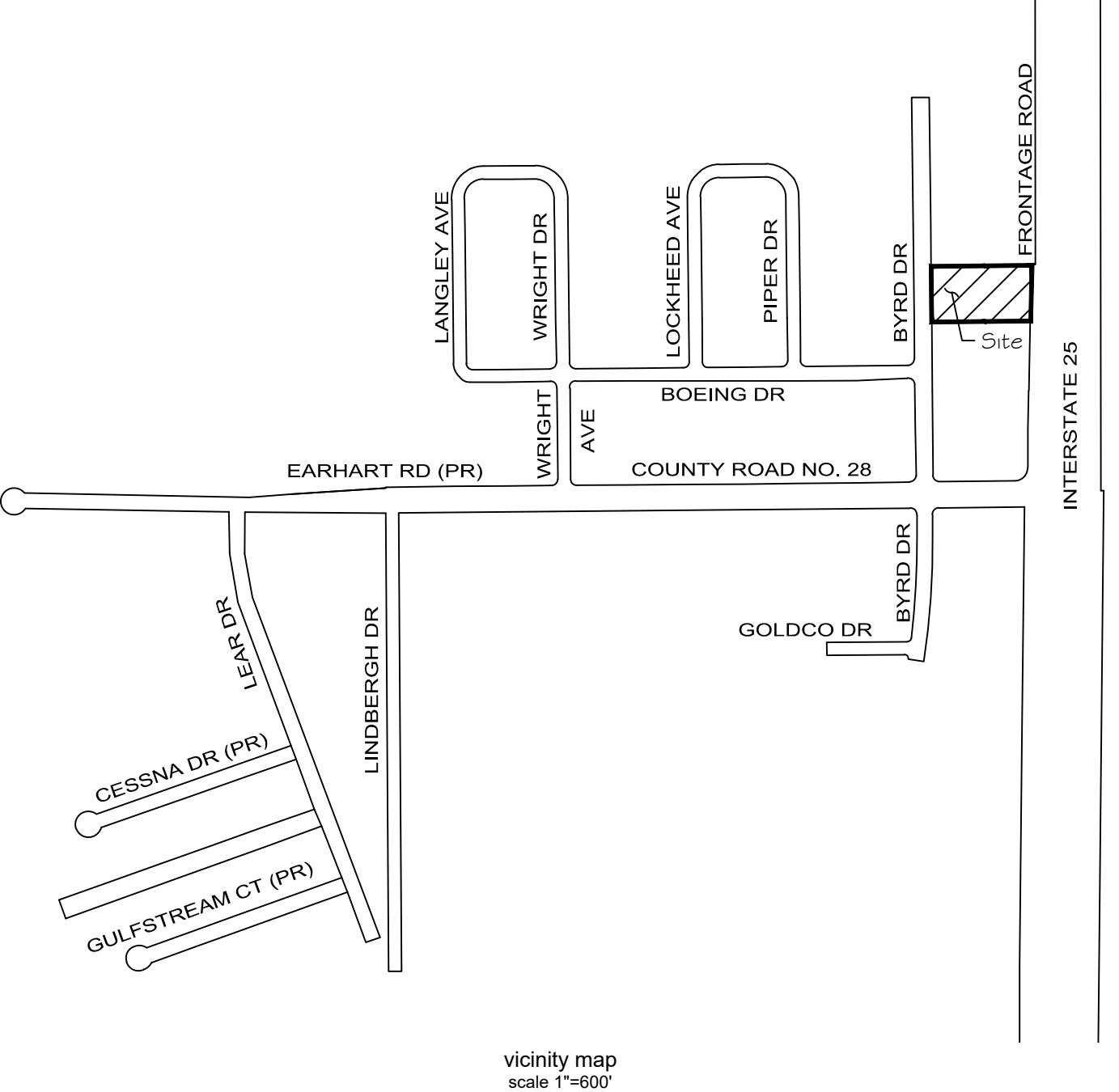
102

39

A small, semi-transparent Google logo is located in the bottom right corner of the slide.

Loveland - Fort Collins Industrial Airpark Second Subdivision Amendment #1

Being a lot merger of Lots 2 and 3, Block 3, LOVELAND - FORT COLLINS INDUSTRIAL AIRPARK, SECOND SUBDIVISION, located in the Southwest $\frac{1}{4}$ of Section 27, Township 6 North, Range 68 West of the 6th P.M., City of Loveland, County of Larimer, State of Colorado



KNOW ALL PERSONS BY THESE PRESENTS that _____, being all the owners and lienholders of the following described property, except any existing public streets, roads, or highways, which property is located in Section 27, Township 6 North, Range 68 West of the 6th P.M., being more particularly described as follows:

Lots 2 and 3, Block 3, LOVELAND - FORT COLLINS INDUSTRIAL AIRPARK, SECOND SUBDIVISION, public records of Larimer County, Colorado, bearing N 00°34'52" W and with all bearings contained herein being relative thereto;

Considering the West line of Lot 2, Block 3, LOVELAND - FORT COLLINS INDUSTRIAL AIRPARK, SECOND SUBDIVISION, public records of Larimer County, Colorado;

BEGINNING at the Southwest corner of Lot 2, Block 3, LOVELAND - FORT COLLINS INDUSTRIAL AIRPARK, SECOND SUBDIVISION, public records of Larimer County, Colorado;

thence N 00°34'52" W for a distance of 215.06 feet along the West line of said Lot 2;

thence N 89°29'40" E for a distance of 205.05 feet along the North line of said Lot 2 to the Northwest corner of Lot 3, Block 3 of said LOVELAND - FORT COLLINS INDUSTRIAL AIRPARK, SECOND SUBDIVISION;

thence N 89°29'40" E for a distance of 184.25 feet along the North line of said Lot 3 to the Northeast corner of said Lot 3 and a point on the West line of the frontage road of Interstate - 25;

thence S 01°20'56" W for a distance of 215.05 feet along the East line of said Lot 3 and the West line of said frontage road to the Southeast corner of said Lot 3;

thence S 89°24'27" W for a distance of 176.98 feet along the South line of said Lot 3 to the South East corner of said Lot 2;

thence S 89°26'55" W for a distance of 205.08 feet along the South line of said Lot 2 to the Point of Beginning.

Containing: 82,901 square feet (1.903 acres) more or less, and is subject to all easements and rights-of-way on record or existing and do hereby designate the same as Loveland - Fort Collins Industrial Airpark Second Subdivision Amendment #1, 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, traffic control signs, alley grading and surfacing, gas service, electric system, grading and landscaping, shall be paid by the owner.

TITLE COMMITMENT NOTES:

PLS Group relied upon Title Commitment Order Number: FCC25156582-2 effective date of May 3, 2018 at 5:00 p.m., provided by Old Republic National Title Insurance Company.

SURVEYOR'S NOTES:

- Bearings are based on the West line of Lot 2, Block 3, LOVELAND - FORT COLLINS INDUSTRIAL AIRPARK, SECOND SUBDIVISION, assumed to bear N 00°34'52" W and monumented as shown herein.
- Entire property is within Zone X (AREA OF MINIMAL FLOOD HAZARD, per Flood Insurance Rate Map 8069C1205F, last updated Dec. 19, 2006.
- Distances shown are in U.S. Survey Feet.
- The total area contains 82,901 square feet more or less.
- Unless otherwise approved by the city, all unsatisfied conditions of approval for the original subdivision shall continue to apply to this property.
- Maintenance and upkeep of Stormwater detention ponds, storm sewersystems, 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.
- Pursuant to Section 16.36.010.A of the Loveland Municipal Code, as amended, all easements dedicated and depicted on previous subdivision plats, but not depicted herein, are hereby vacated.
- Total area in square feet of easements dedicated to the public or the city by this plat. Total area in square feet 12,826 more or less.
- Total area in square feet of easements dedicated to the public or city that is being vacated by this plat. Total area in square feet 13,077 more or less.

Owner's Signature(s) _____

Lienholder's Signature(s) _____

STATE OF COLORADO)
COUNTY OF LARIMER) ss

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by _____
as _____.

Witness my hand and official seal

My commission expires _____

Notary Public _____

CITY OF LOVELAND APPROVAL:

This plat is hereby approved by the Director of Development Services of the City of Loveland, Larimer County, Colorado, this _____ day of _____, 20____, for filing with the Clerk and Recorder of Larimer County.

Director of Development Services _____

Witness my hand and seal of the City of Loveland

ATTEST:

City Clerk _____

ATTORNEY'S CERTIFICATE:

I, _____, an attorney licensed to practice law in the State of Colorado, certify that I have examined title to the above described land dedicated to the City of Loveland, Colorado, with such land described in Schedule A to Title Commitment No. _____, issued by _____ effective _____, 20____, and that based on such title commitment updated through the date of execution of this plat and my actual knowledge, all persons executing the dedication of this plat are the owners or duly authorized signatories of such land in fee simple, such land is free and clear of all liens, encumbrances, except encumbrances set forth in Schedule B - Section 2 of such title commitment as of such date of execution, and any such encumbrances do not impair the use of such land dedicated to the City of Loveland for the purposes set forth on this plat.

So sworn this _____ day of _____, 20____.

Attorney at Law _____

SURVEYOR'S CERTIFICATE:

I, M. Bryan Short, being a registered Professional Land Surveyor in the State of Colorado, do hereby certify that the survey of LOVELAND - FORT COLLINS INDUSTRIAL AIRPARK SECOND SUBDIVISION AMENDMENT #1 was made by me or under my supervision and that the survey is accurately represented on this plat and that the statements contained herein were read by me and the same are true to the best of my knowledge.

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

Project 2018-1-Draft 8104.dwg February 04, 2019 - 10:13 am

F

P

R

E

V

I

S

O

N

C

E

M

T

E

S

T

U

Y

Z

0

1

2

3

4

5

6

7

8

9

0

1

2

3

4

5

6

7

8

9

0

1

2

3

4

5

6

7

8

9

0

1

2

3

4

5

6

7

8

9

0

1

2

3

4

5

6

7

8

9

0

1

2

3

4

5

6

7

8

9

0

1

2

3

4

5

6

7

8

9

0

1

2

3

4

5

6

7

8

9

0

1

2

3

4

5

6

7

8

9

0

1

2

3

4

5

6

7

8

9

0

1

2

3

4

5

6

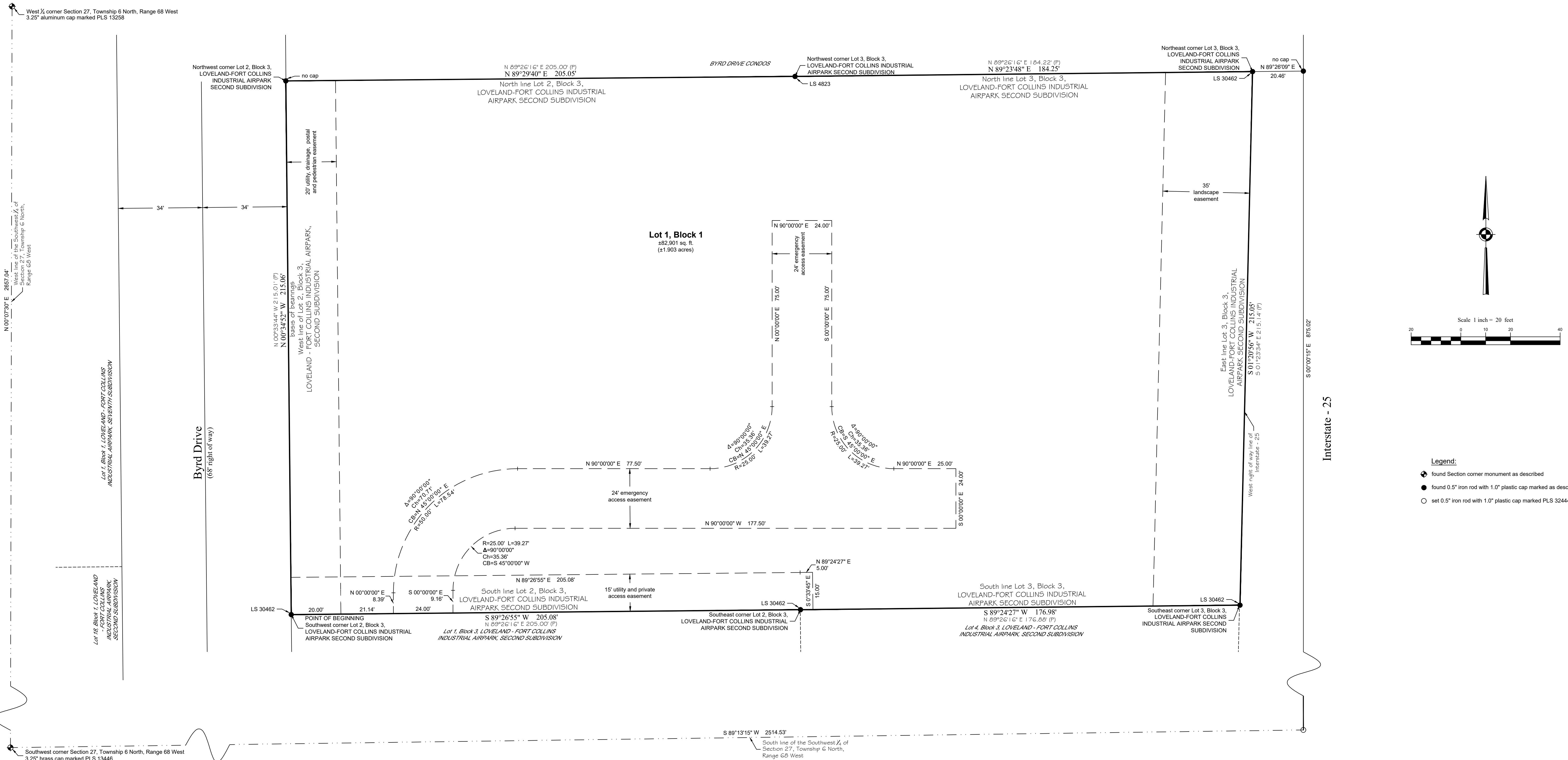
7

8

9

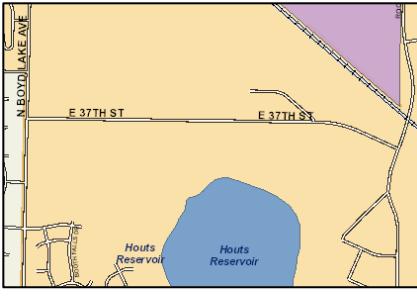
Loveland - Fort Collins Industrial Airpark Second Subdivision Amendment #1

Being a lot merger of Lots 2 and 3, Block 3, LOVELAND - FORT COLLINS INDUSTRIAL AIRPARK, SECOND SUBDIVISION, located in the Southwest $\frac{1}{4}$ of Section 27, Township 6 North, Range 68 West of the 6th P.M., City of Loveland, County of Larimer, State of Colorado



Planning Commission Staff Report

March 25, 2019

37 th Street Vacation		
Agenda #: 2	PZ #18-26	Vacation of Right-of-Way
Location: 	Northwest Centerra area: North of Houts Reservoir, south of the Union-Pacific right-of-way and the Northern Colorado Regional Airport, west of N. Boyd Lake Ave, east of Rocky Mountain Blvd	

Development Review Team Recommended Motion(s)

Recommended Motion: *Move to make the findings listed in Section IX of this report dated March 25, 2019; and, based on those findings, recommend approval of the right-of-way vacation to City Council, as depicted in Attachment #1 to this staff report, in the form included as Attachments #2 & 3 to this staff report.*

Options	Consequence
Approve the Motion	The 37 th Street right-of-way is vacated, allowing for the construction of Kendall Parkway in its place and the alternative development of the land on which the 37 th Street right-of-way currently sits.
Deny the Motion or take no action	The 37 th Street right-of-way will not be vacated, impacting the construction of Kendall Parkway and preventing the development of the land on which the 37 th Street right-of-way currently sits.
Adopt a Modified Action	Specify in the motion.
Refer back to Staff	A referral back to staff may impact the timing of the construction of Kendall Parkway and the development of the land on which the 37 th Street right-of-way currently sits.

Project Summary

Request:

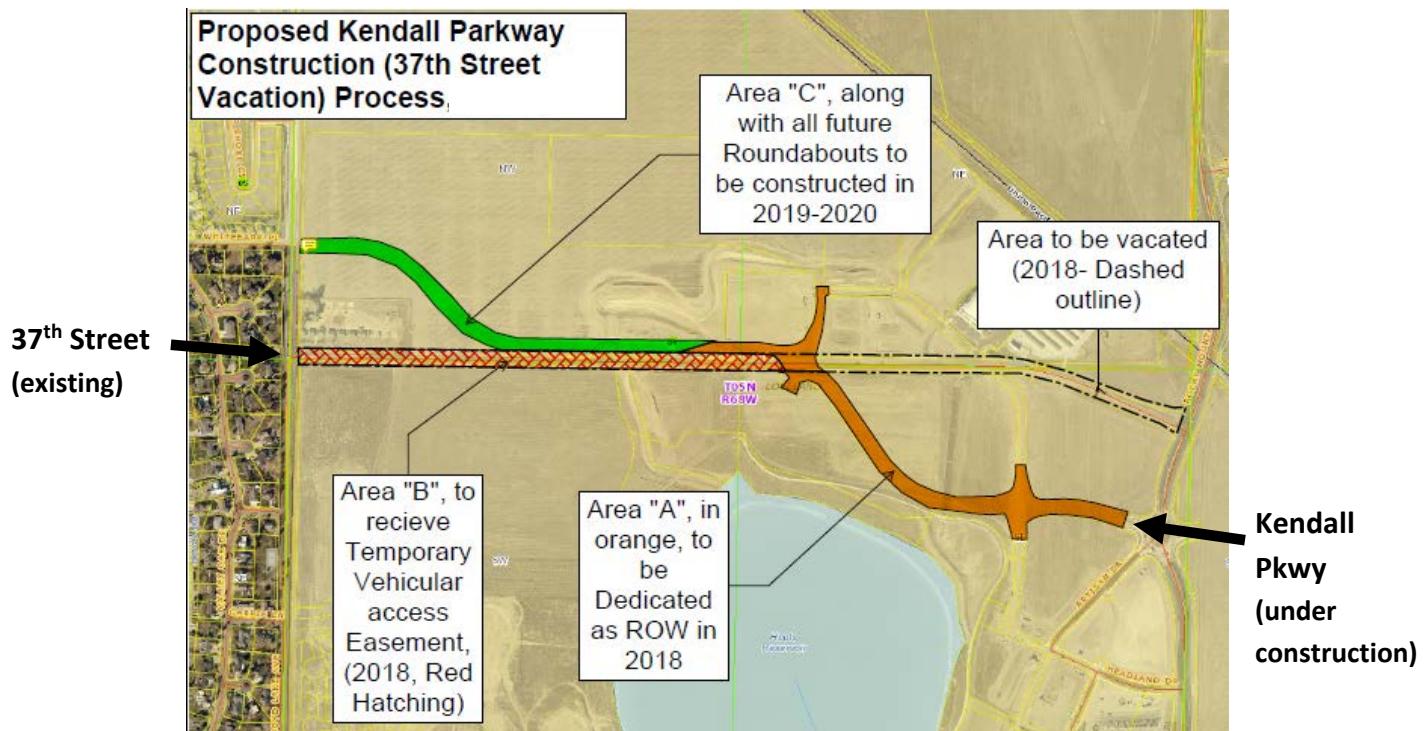
Ongoing development activity within the northwest portion of the Centerra area of Loveland is prompting significant modification to existing roadways and construction of new roadways. The application under consideration with this report seeks to vacate the 37th Street right-of-way, an existing east-west street, to then construct an extension of Kendall Parkway nearby. The removal of 37th Street and the extension of Kendall Parkway in this area essentially functions as a realignment of 37th Street, but with the Kendall Parkway name assigned to the realigned right-of-way.

Area Land Use:

This area is largely zoned Millennium Planned Unit Development (PUD), a mixed-use development, with some parcels zoned I Industrial. Industrial development predominates to the north of the existing 37th Street right-of-way. A residential development, The Lakes, is to the southwest, and existing and proposed commercial developments, including the Rangeview office buildings, are to the southeast.

Proposal:

37th Street is an existing road running from N. Boyd Lake Ave eastward to Rocky Mountain Ave. Kendall Parkway is an existing road to the east of Rocky Mountain Ave. The applicant is in the process of extending Kendall Parkway westward in the vicinity of the existing 37th Street. This extension was planned many years ago, with portions of the right-of-way for the Kendall Parkway extension platted in conjunction with earlier Centerra subdivisions.



The extension of Kendall Parkway, which is already partly constructed, will run northwest from Rocky Mountain Ave, then parallel to the existing 37th Street right-of-way for approximately a quarter mile, and then northwest again, intersecting with N. Boyd Lake Ave to align Kendall Parkway with the existing Whitebark Place right-of-way on the west side of N. Boyd Lake Ave. The remaining portion is anticipated to be constructed later this year.

Dedication documents for the remaining needed right-of-way for Kendall Parkway have been prepared in conjunction with this vacation application, and will be recorded concurrently with the vacation ordinance. For areas of the existing 37th Street that need to remain in service while the new Kendall Parkway is under construction, a temporary vehicular access, emergency access, and utility easement will be established concurrently with the vacation to ensure access remains after the vacation is approved. Once all sections of the Kendall Parkway extension are constructed, the temporary easements on 37th Street will expire. At that point, the 37th Street pavement can be removed and the land will become a part of adjacent parcels for future development.

Attachments

1. Map of existing 37th Street right-of-way and proposed Kendall Parkway right-of-way
2. 37th Street Vacation Exhibit North
3. 37th Street Vacation Exhibit South
4. Justification Letter
5. E Employment Excerpt from Create Loveland Comprehensive Plan
6. Vicinity Map

Applicant Information		Development Review Team Contacts	
Applicant: Centerra Metro District		Planner: Noreen Smyth	
		Traffic Engineer: Randy Maizland	
		LFRA: Ingrid McMillan-Ernst	
Property Owner: Currently public right-of-way; on vacation, adjacent land owners		Stormwater: Kevin Gingery	
		Power: Mark Warner	
		Water/Wastewater: Melissa Morin	

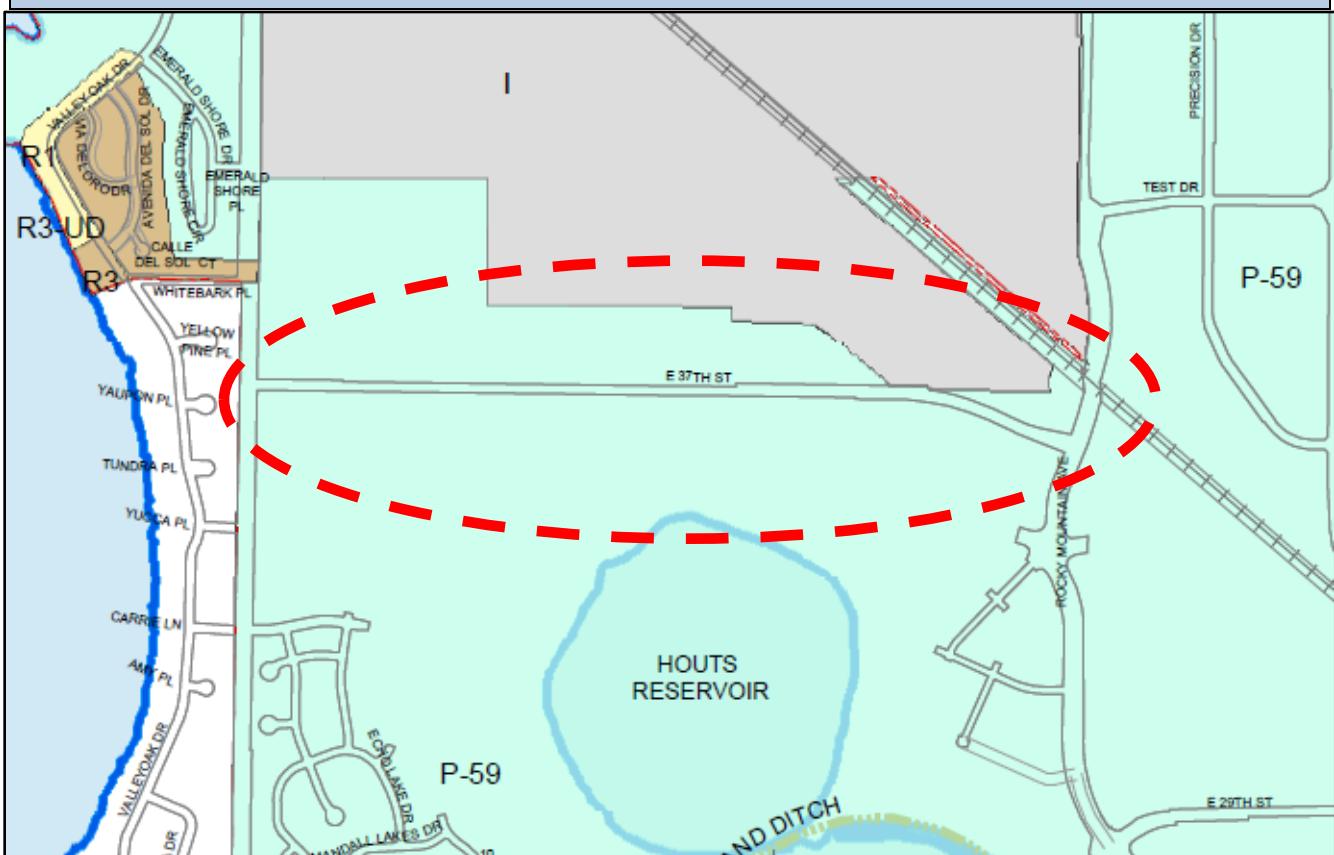
Site Data	
Address/Location	The 37 th Street right-of-way is located north of Houts Reservoir, west of N. Boyd Lake Ave, and east of Rocky Mountain Blvd
Subdivision	Savanna First Subdivision, Savanna Second Subdivision, Savanna Third Subdivision, Millennium Northwest Third Subdivision, Millennium Northwest Eighth Subdivision, Millennium Northwest Twelfth Subdivision
Land Area	8.464 acres
Existing Buildings	None (public street)
Topography	Flat (asphalt)
Access	37 th Street can be accessed from N. Boyd Lake Ave to the west and from Rocky Mountain Ave to the east
Water Provider	City of Loveland
Wastewater Provider	City of Loveland
Electric Provider	City of Loveland
Gas Provider	Xcel
Floodplain	No

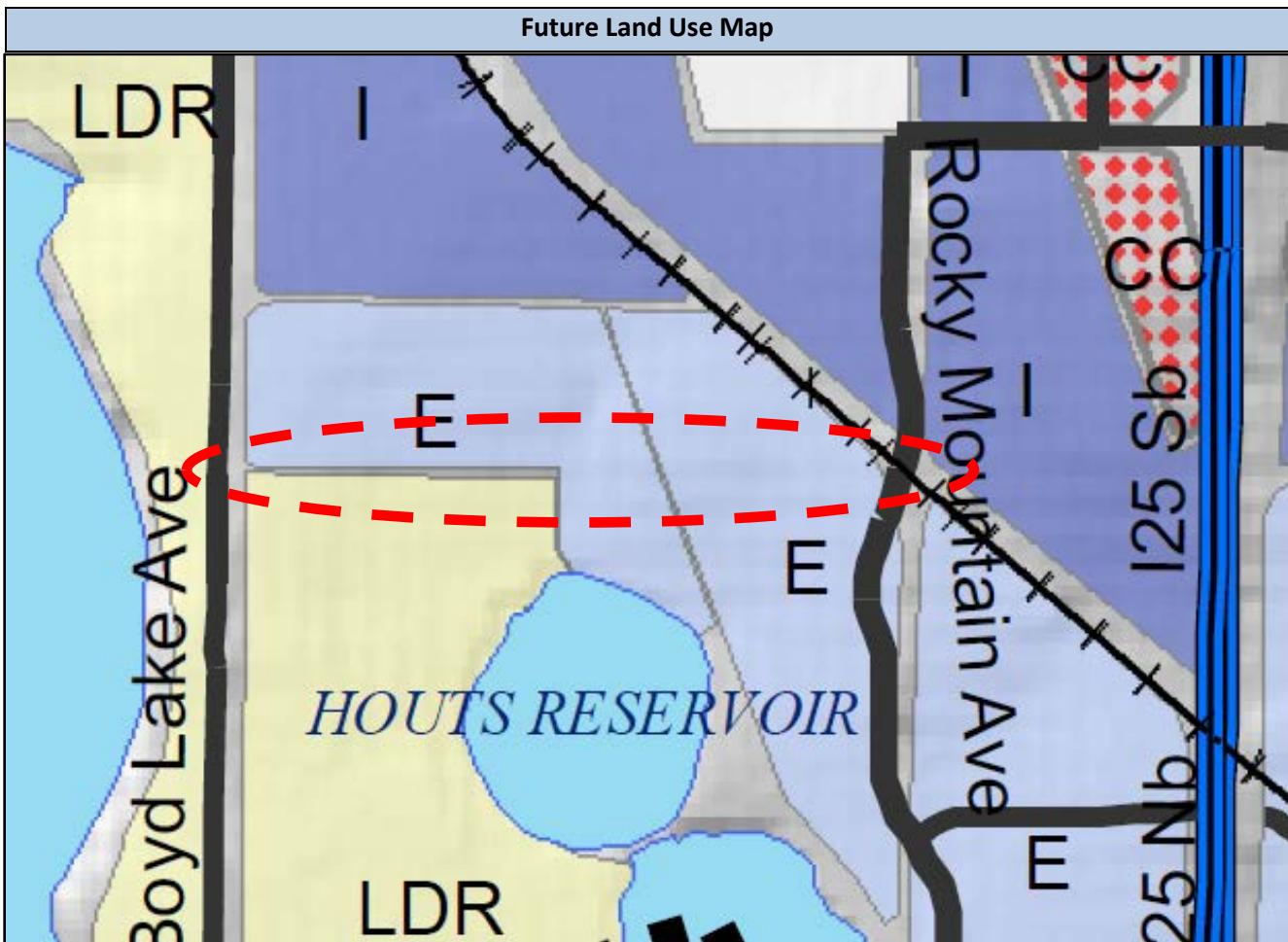
Subject Property and Adjacent Property Designations			
	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	NA	Employment	Public street
Adjacent North	PUD and I Industrial	Employment	Industrial, Institutional, and Undeveloped
Adjacent South	PUD	Employment & Low Density Residential	Undeveloped
Adjacent East	PUD	Employment & Industrial	Undeveloped
Adjacent West	County R Residential	Low Density Residential	Residential

Aerial Map



Zoning Map





Relevant Case History

PZ#	Date	Request	Action
17-98	5/25/17	Millennium General Development Plan Amendment	Revise boundary between Millennium industrial parcel and residential parcel to follow the future Kendall Parkway alignment.

Neighborhood Outreach

Notification	An affidavit was received from the applicant indicating that notification signs for the Planning Commission public hearing were posted along all adjacent rights-of-way and notification letters were sent to all abutting property owners on March 7. Notice of the public hearing was posted in the Reporter-Herald on March 9. Notice was also posted on the City website.
Neighborhood Response	No response was received by staff as a result of the required public notice. No neighborhood meeting is required for right-of-way vacations.

Planning Commission Findings for Approval or Denial

Pursuant to Section 18.17.1602 of the City of Loveland Unified Development Code, the Planning Commission shall consider and make findings regarding the following criteria for vacation of right-of-way or access easement by ordinance. All of the findings and one of the alternative findings must be met in order to recommend approval of the vacation to City Council.

Criteria

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

Finding: The applicant has demonstrated that the proposed vacation meets the above policy.

Analysis: Access and circulation within the Savanna-Millennium development area will be served by the dedication of new right-of-way and construction of Kendall Parkway between Rocky Mountain Avenue and Boyd Lake Avenue. A public access easement will be reserved over existing 37th Street until such time new Kendall Parkway has been constructed and accepted by the City for public use.

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

Finding met: The applicant has demonstrated the proposed vacation meets the above policy.

Analysis:

Transportation Development: The vacation of right-of-way for 37th Street will not negatively impact access to the City's public street network.

Fire: The vacation of right-of-way for 37th Street will not negatively impact fire protection for the subject development or surrounding properties. Access and circulation within the Savanna-Millennium development area will be served by the dedication of new right-of-way and construction of Kendall Parkway between Rocky Mountain Avenue and Boyd Lake Avenue. No current access will be removed prior to a new one being complete, meeting the standards of LFRA.

Water/Wastewater: The subject area to be vacated is in the City's current service area for both water and wastewater. There are existing water mains and/or wastewater mains in the area to be vacated. These existing mains are covered by utility easements either by plat or separate instrument. The Department finds that: 1) The existing right-of-way to be vacated does not impact the existing water and wastewater utility configuration within and adjacent to this development; and 2) The existing right-of-way to be vacated is no longer necessary for public use and convenience.

Stormwater: The existing 37th Street right-of-way is being re-platted to function differently from a storm drainage perspective. Therefore the existing 37th Street right-of-way is no longer necessary for the public use and conveyance of Stormwater.

Power: The subject area to be vacated is within the City's current service area for power. Staff finds that: 1) The existing right-of-way to be vacated does not negatively impact the existing power utility configuration within and adjacent to this development upon dedication of a Temporary 20' Utility Easement for the existing underground electrical duct bank; and 2) The 20' Temporary Utility Easement to be vacated upon completion of the electrical substructure for Kendall Parkway.

Planning Commission Comprehensive Plan Policy Guidance for Approval or Denial

In considering an application for approval or denial the Planning Commission finds that the application either complies or does not comply with the following goals, and policies within the City of Loveland Comprehensive Plan:



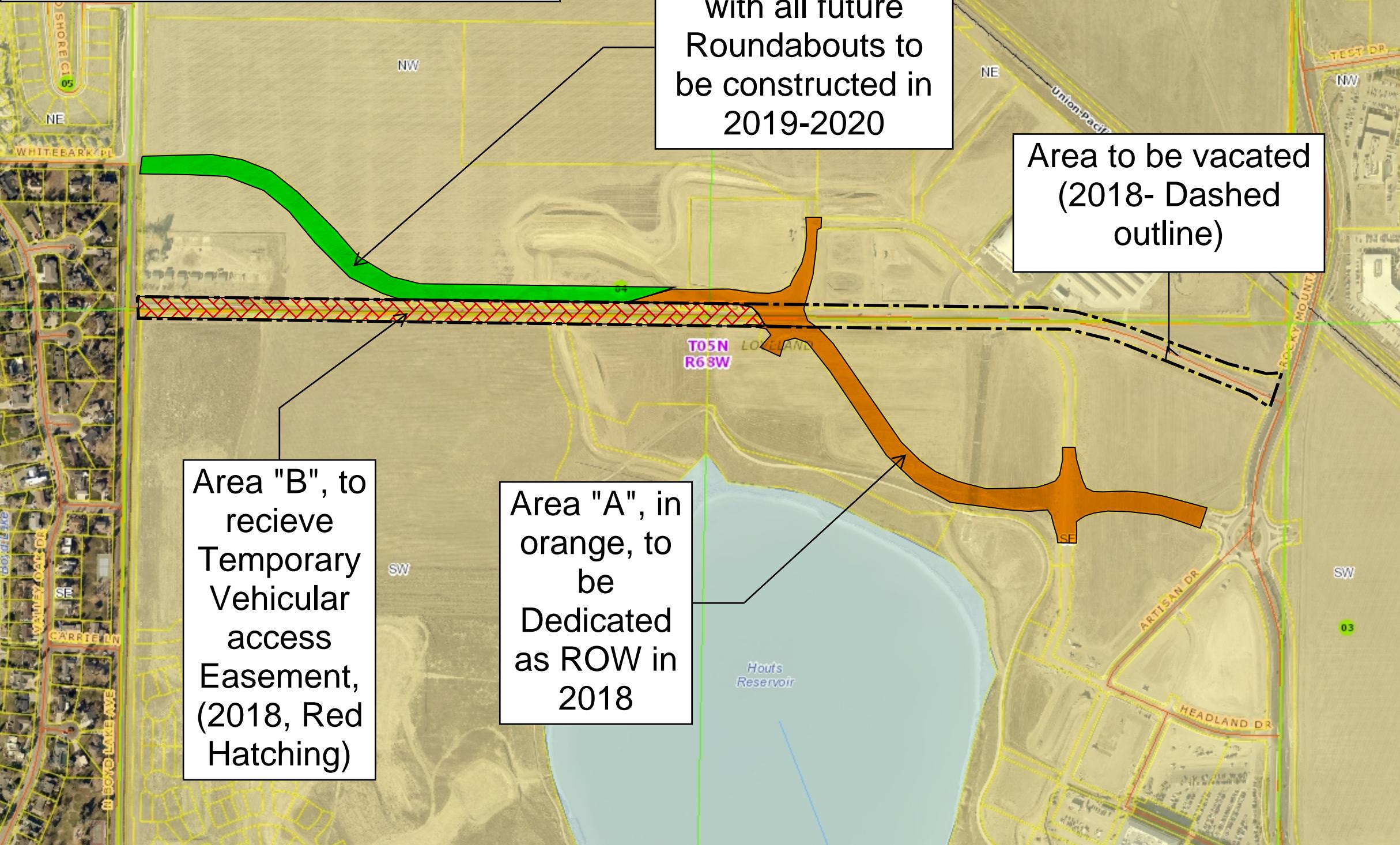
Create Loveland

The existing 37th Street and its proposed Kendall Parkway replacement are in an area designated for Employment land use development per the Comprehensive Plan. The Employment land use category promotes office and industrial development. For large sites, unified development design is supported. The Comprehensive Plan is thus supportive of the large-scale infrastructure planning that is being pursued with this application to vacate existing right-of-way and establish new right-of-way.

Staff Recommendation

Staff recommends APPROVAL of the right-of-way vacation request.

Proposed Kendall Parkway Construction (37th Street Vacation) Process, 2-27-18



Notes

0.14 Miles

0

0.07

0.14

1: 6,000

NAD_1983_HARN_StatePlane_Colorado_North_FIPS_0501_Feet



This map was created by Larimer County GIS using data from multiple sources for informal purposes only and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. This map may not reflect recent updates prior to the date of printing. Larimer County makes no warranty or guarantee concerning the completeness, accuracy, or reliability of this content.



Larimer County Web Map

Legend
Tax Parcels
PLSS Township and Range
PLSS Sections
PLSS Quarter Sections
Railroads
Major Road System
Road System
Lakes and Ponds
Major Rivers and Streams
Rivers and Streams
County Boundary
Rocky Mountain National Park
Parks and Recreation
School Property
Incorporated Areas

Exhibit A- North

DESCRIPTION

A parcel of land in the North One-Half of Section 4, Township 5 North, Range 68 West, of the Sixth Principal Meridian, in the City of Loveland, County of Larimer, State of Colorado, also being the Right-of-Way of East 37th Street between the East Right-of-Way Line of North Boyd Lake Avenue and the West Right-of-Way Line of Rocky Mountain Avenue as shown on the Plats of Millennium Northwest Third Subdivision, recorded under Reception No. 20090046555, Millennium Northwest Eleventh Subdivision, recorded under Reception No. 20170086036, and Savanna First Subdivision, recorded under Reception No. 20100004649, and Rights-of-Way described in the documents recorded under Reception Nos. 20120011405 and 20120011406, more particularly described as follows:

BASIS OF BEARINGS: Bearings are based upon the North Line of the Southwest One-Quarter of said Section 4, said to bear North 89°18'02" West, a distance of 2624.85 Feet per said Plat of Millennium Northwest Eleventh Subdivision, from the Center Quarter Corner of said Section 4, as shown and described on said Plat to the West One-Quarter Corner of said Section 4 as shown and described on said Plat;

COMMENCING (P.O.C.) at the Northeast Corner of Outlot B as shown on said Plat of Millennium Northwest Third Subdivision, also being the Southeast Corner of the Right-of-Way of East 37th Street;

Thence North 21°22'13" East, a distance of 128.41 Feet to the Southeast Corner of the vacated Right-of-Way of East 37th Street described in the document recorded under Reception No. 20080024161, also a point of curvature to the right, having a radius of 25.00 Feet and a central angle of 25°53'56", subtended by a chord which bears South 87°00'53" West, a distance of 11.20 Feet;

Thence, along the Southerly Line of said vacated Right-of-Way of East 37th Street, westerly along the arc a distance of 11.30 Feet;

Thence North 80°02'09" West along said Southerly Line of vacated Right-of-Way of East 37th Street, a distance of 2.90 Feet to the Southeast Corner of Outlot C as shown on said Plat of Millennium Northwest Third Subdivision;

Thence along the Southerly Line of said Outlot C the following four (4) courses:

- 1) North 80°02'09" West, a distance of 102.67 Feet to a point of curvature to the right, having a radius of 960.00 Feet and a central angle of 14°54'51", subtended by a chord which bears North 72°34'44" West, a distance of 249.18 Feet;
- 2) Northwesterly along the arc a distance of 249.89 Feet;
- 3) North 65°07'18" West, a distance of 157.15 Feet to a point of curvature to the left, having a radius of 1472.00 Feet and a central angle of 6°26'08", subtended by a chord which bears North 68°20'22" West, a distance of 165.25 Feet;
- 4) Northwesterly along the arc a distance of 165.34 Feet to the Northwest Corner of said Outlot C;

Thence South 89°17'52" East along the North Line of Outlot C, a distance of 0.01 Feet to the Westerly Line of said vacated East 37th Street to a point of non-tangent curve to the left, having a radius of 1471.50 Feet and a central angle of 4°21'15", subtended by a chord which bears North 73°43'56" West, a distance of 111.80 Feet;

Thence, along said Westerly Line of vacated East 37th Street, westerly along the arc a distance of 111.82 Feet to the North Line of the Southeast One-Quarter of said Section 4, also being the **POINT OF BEGINNING (P.O.B.)**;

Thence North 89°17'52" West along said North Line of the Southeast One-Quarter of Section 4, a distance of 1818.67 Feet to said Center Quarter Corner of Section 4;

Thence North 89°18'02" West along the North Line of the Southwest One-Quarter of said Section 4, a distance of 2564.85 Feet to a point being 60.00 Feet east of the West Line of said Southwest One-Quarter of Section 4;

Thence North 01°03'56" East along a line parallel with and 60.00 Feet east of the West Line of the Northwest One-Quarter of said Section 4, a distance of 40.00 Feet to the Southwest Corner of Outlot C as shown on said Plat of Savanna First Subdivision, also being 40.00 Feet north of said North Line of the Southwest One-Quarter of Section 4;

Thence along the South Line of Outlot C, Outlot B and Lot 1 of said Plat of Savanna First Subdivision the following six (6) courses:

- 1) South 89°18'02" East along a line parallel with and 40.00 Feet north of said North Line of the Southwest One-Quarter of Section 4, a distance of 540.00 Feet;
- 2) South 00°41'58" West, a distance of 10.00 Feet to a line parallel with and 30.00 Feet north of said North Line of the Southwest One-Quarter of Section 4;
- 3) South 89°18'02" East along said 30-Foot parallel line, a distance of 2024.59 Feet;
- 4) South 89°17'52" East along a line parallel with and 30.00 Feet north of said North Line of the Southeast One-Quarter of Section 4, a distance of 459.12 Feet;
- 5) North 00°42'08" East, a distance of 20.00 Feet to a line parallel with and 50.00 Feet north of said North Line of the Southeast One-Quarter of Section 4;
- 6) South 89°17'52" East along said 50-Foot parallel line, a distance of 1190.01 Feet to the Northwest Corner of the Right-of-Way described in the document recorded under Reception No. 20120011406;

Thence South 89°17'52" East along the North Line of said Right-of-Way described in the document recorded under Reception No. 20120011406, a distance of 14.50 Feet;

Thence South 35°06'35" East along the North Line of said Right-of-Way described in the document recorded under Reception No. 20120011406, a distance of 18.55 Feet;

Thence South 81°04'16" East along the North Line of said Right-of-Way described in the document recorded under Reception No. 20120011406, a distance of 15.32 Feet;

Thence South 08°55'44" West along the East Line of said Right-of-Way described in the document recorded under Reception No. 20120011406 and continuing along the East Line of said Right-of-Way Line described in the document recorded under Reception No. 20120011405, a distance of 8.00 Feet to said Westerly Line of said vacated East 37th Street, also to a point of curve to the right, having a radius of 1471.50 Feet and a central angle of 5°09'44", subtended by a chord which bears South 78°29'26" East, a distance of 132.54 Feet;

Thence Southeasterly along the arc a distance of 132.58 Feet along the Westerly Line of said vacated East 37th Street to the **POINT OF BEGINNING (P.O.B.)**.

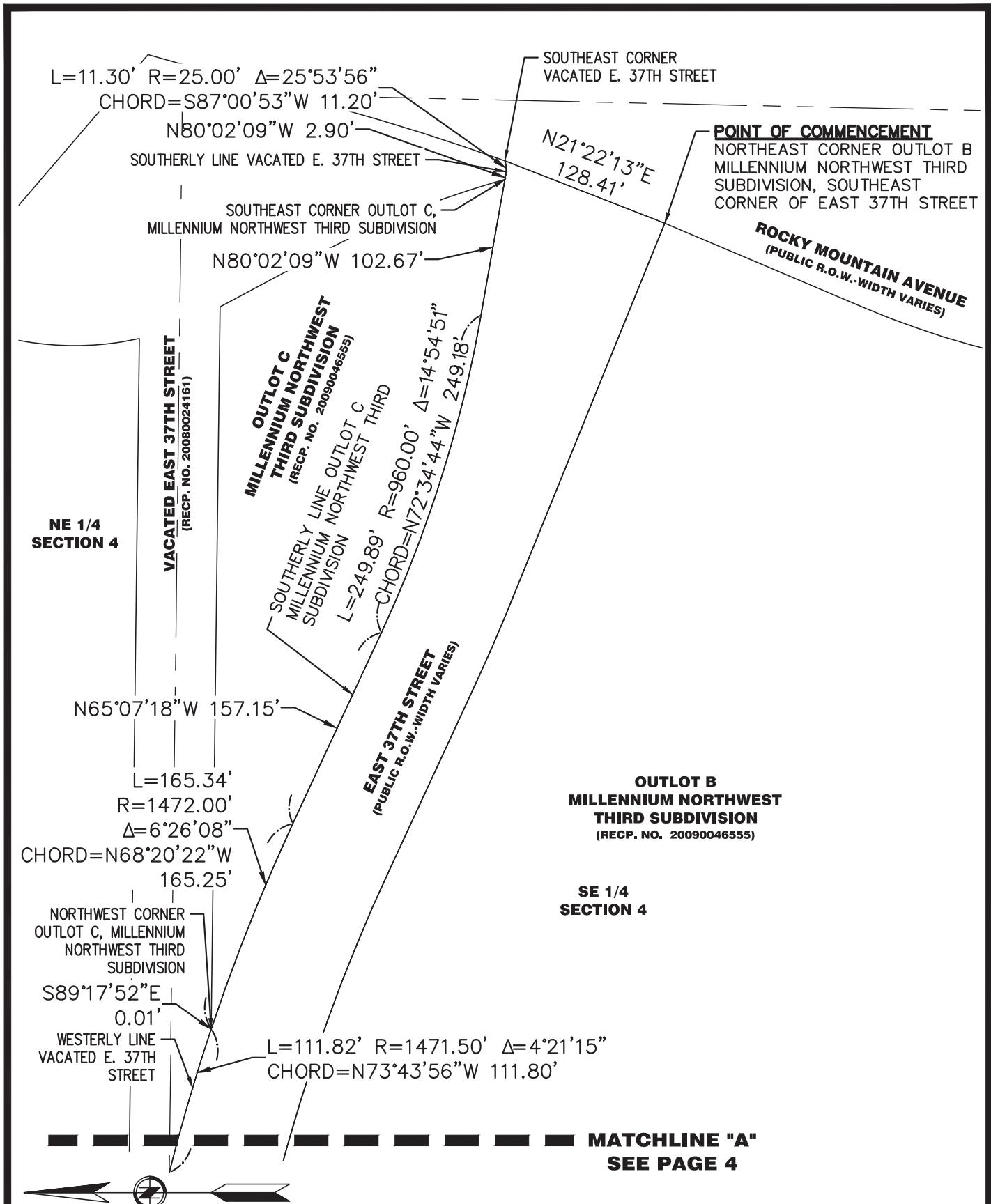
The above described strip description contains 159,033 Square Feet (3.651 Acres) more or less.

I hereby certify that the above parcel description was prepared under my direct supervision.

Eric D. Carson, PLS

Prepared For and on Behalf of
CWC Consulting Group Inc.
9360 Teddy Lane, Suite #203
Lone Tree, Colorado 80124
Phone: (303) 395-2700





CWC CONSULTING GROUP

CIVIL ENGINEERING • LAND SURVEYING • CONSTRUCTION SERVICES

**Exhibit
RIGHT-OF-WAY OF
EAST 37TH STREET**

NOTE: THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY. IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION.

DRAFTED: SLG3	CHECKED: EDC
DATE: 08/20/2018	JOB NO. CWC#120-00140
PAGE: 3 OF 5	SCALE: 1"=100'

PREPARED FOR:
**CENTERRA METROPOLITAN
DISTRICT NO. 1**

**SEE PAGE 4
MATCHLINE "C"**

**NE 1/4
SECTION 4**

OUTLOT C
SAVANNA FIRST SUBDIVISION
(RECP. NO. 20190004649)

**NW 1/4
SECTION 4**

SOUTH LINE OUTLOT C,
SAVANNA FIRST SUBDIVISION

S89°1'8"02"E 2024.59'
N89°1'8"02"W 2624.85'
EAST 37TH STREET
(PUBLIC R.O.W.-WIDTH VARIES)

MATCHLINE "D" SEE THIS PAGE

Exhibit
RIGHT-OF-WAY OF
EAST 37TH STREET

NOTE: THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED SURVEY. IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION

Exhibit

**RIGHT-OF-WAY OF
EAST 37TH STREET**

DRAFTED: SLG3

CHECKED: EDC

DATE: 08/20/2018

JOB NO. CWC#120-00140

PAGE: 5 OF 5

SCALE: 1" = 100'

PREPARED FOR

Page 1 of 1

ARED FOR:
**CENTERRA METROPOLITAN
DISTRICT NO. 1**

OUTLOT C
(REC'D. NO. 20100004649)

SAVANNA FIRST SUBDIVISION
(REC'D. NO. 20100004649)

OUTLOT C, SAVANNA FIRST SUBDIVISION

NW 1/4 SECTION 4

BASIS OF BEARINGS

NO1°03'56"E 40.00'

WEST LINE OF THE NORTHWEST ONE-QUARTER OF SECTION 4

SOUTHWEST CORNER OUTLOT C, SAVANNA FIRST SUBDIVISION

S89°18'02"E 540.00'

SOUTH LINE OUTLOT C, SAVANNA FIRST SUBDIVISION

S89°18'02"W 2624.85'

WEST LINE OF THE SOUTHWEST ONE-QUARTER OF SECTION 4

NO1°03'56"E 40.00'

30'

30'

40'

60'

60'

EAST 37TH STREET
(PUBLIC R.O.W.-WIDTH VARIES)

S89°18'02"E 2024.59'

S89°18'02"E 30'

2024.59'

2564.85'

WEST LINE OF THE SOUTHWEST ONE-QUARTER OF SECTION 4

WEST ONE-QUARTER CORNER OF SECTION 4

SW 1/4 SECTION 4

**MATCHLINE "D"
SEE THIS PAGE**

N. BOYD LAKE AVENUE
(PUBLIC R.O.W.-WIDTH VARIES)

MILLENNIUM NORTHWEST ELEVENTH SUBDIVISION
(REC'D. NO. 20170086036)

MATCHLINE "D" SEE THIS PAGE



North: 1399783.3757' East: 3138723.7047'

Segment #1 : Line

Course: N89°17'52"W Length: 1818.67'
North: 1399805.6649' East: 3136905.1713'

Segment #2 : Line

Course: N89°18'02"W Length: 2564.85'
North: 1399836.9749' East: 3134340.5124'

Segment #3 : Line

Course: N01°03'56"E Length: 40.00'
North: 1399876.9679' East: 3134341.2563'

Segment #4 : Line

Course: S89°18'02"E Length: 540.00'
North: 1399870.3760' East: 3134881.2160'

Segment #5 : Line

Course: S00°41'58"W Length: 10.00'
North: 1399860.3767' East: 3134881.0940'

Segment #6 : Line

Course: S89°18'02"E Length: 2024.59'
North: 1399835.6619' East: 3136905.5331'

Segment #7 : Line

Course: S89°17'52"E Length: 459.12'
North: 1399830.0351' East: 3137364.6186'

Segment #8 : Line

Course: N00°42'08"E Length: 20.00'
North: 1399850.0336' East: 3137364.8637'

Segment #9 : Line

Course: S89°17'52"E Length: 1204.51'
North: 1399835.2714' East: 3138569.2833'

Segment #10 : Line

Course: S35°06'35"E Length: 18.55'
North: 1399820.0965' East: 3138579.9522'

Segment #11 : Line

Course: S81°04'16"E Length: 15.32'
North: 1399817.7187' East: 3138595.0865'

Segment #12 : Line

Course: S08°55'44"W Length: 8.00'
North: 1399809.8156' East: 3138593.8449'

Segment #13 : Curve

Length: 132.58' Radius: 1471.50'
Delta: 005°09'44" Tangent: 66.34'
Chord: 132.54' Course: S78°29'26"E
Course In: S08°55'42"W Course Out: N14°05'26"E
RP North: 1398356.1455' East: 3138365.4697'
End North: 1399783.3712' East: 3138723.7139'

Perimeter: 8856.18' Area: 159033.36 Sq. Ft.
Error Closure: 0.0102 Course: S63°46'39"E
Error North: -0.00452 East: 0.00918

Precision 1: 868253.92

Exhibit B- South

DESCRIPTION

A parcel of land in the South One-Half of Section 4, Township 5 North, Range 68 West, of the Sixth Principal Meridian, in the City of Loveland, County of Larimer, State of Colorado, also being the Right-of-Way of East 37th Street between the East Right-of-Way Line of North Boyd Lake Avenue and the West Right-of-Way Line of Rocky Mountain Avenue as shown on the Plats of Millennium Northwest Third Subdivision, recorded under Reception No. 20090046555, Millennium Northwest Eleventh Subdivision, recorded under Reception No. 20170086036, and Savanna First Subdivision, recorded under Reception No. 20100004649, more particularly described as follows:

BASIS OF BEARINGS: Bearings are based upon the North Line of the Southwest One-Quarter of said Section 4, said to bear North 89°18'02" West, a distance of 2624.85 Feet per said Plat of Millennium Northwest Eleventh Subdivision, from the Center Quarter Corner of said Section 4, as shown and described on said Plat to the West One-Quarter Corner of said Section 4 as shown and described on said Plat;

BEGINNING (P.O.B.) at the Northeast Corner of Outlot B as shown on said Plat of Millennium Northwest Third Subdivision, also being the Southeast Corner of the Right-of-Way of East 37th Street;

Thence along the North Line of said Outlot B the following eight (8) courses:

- 1) North 67°53'56" West, a distance of 314.95 Feet to a point of curvature to the right, having a radius of 1040.00 Feet and a central angle of 2°52'50", subtended by a chord which bears North 66°33'43" West, a distance of 52.28 Feet;
- 2) Northwesterly along the arc a distance of 52.29 Feet;
- 3) North 65°07'18" West, a distance of 157.15 Feet to a point of curvature to the left, having a radius of 1392.00 Feet and a central angle of 24°10'34", subtended by a chord which bears North 77°12'35" West, a distance of 583.01 Feet;
- 4) Westerly along the arc 587.36 Feet to a line parallel with and 40.00 Feet south of the North Line of the Southeast One-Quarter of said Section 4;
- 5) North 89°17'52" West along said 40-Foot parallel line, a distance of 269.53 Feet;
- 6) North 00°00'00" E, a distance 10.00 Feet to a line parallel with and 30.00 Feet south of said North Line of the Southeast One-Quarter of Section 4;
- 7) North 89°17'52" West along said 30-Foot parallel line, a distance of 1208.18 Feet;
- 8) North 89°18'02" West, a distance of 0.23 Feet to the Northwest Corner of said Outlot B, also being the Northeast Corner of Outlot G as shown on said Plat of Millennium Northwest Eleventh Subdivision;

Thence North 89°18'02" West along the North Line of said Outlot G, also being 30.00 Feet south of and parallel with said North Line of the Southwest One-Quarter of Section 4, a distance of 2564.80 Feet to the Northwest Corner of said Outlot G, said Northwest Corner being 60.00 Feet east of the West Line of the Southwest One-Quarter of said Section 4;

Thence North 01°03'12" East along a line parallel with and 60.00 Feet east of said West Line of the Southwest One-Quarter of Section 4, a distance of 29.63 Feet;

Thence North 01°03'56" East along a line parallel with and 60.00 Feet east of the West Line of the Northwest One-Quarter of said Section 4, a distance of 0.37 Feet to the North Line of the Southwest One-Quarter of said Section 4;

Thence South 89°18'02" East along said North Line of the Southwest One-Quarter of Section 4, a distance of 2564.85 Feet to the Center Quarter Corner of said Section 4;

Thence South 89°17'52" East, along the North Line of the Southeast One-Quarter of said Section 4, a distance of 1818.67 Feet to the Westerly Line of the vacated Right-of-Way of East 37th Street described in the

document recorded under Reception No. 20080024161, to a point of curvature to the right, having a radius of 1471.50 Feet and a central angle of $4^{\circ}21'15''$, subtended by a chord which bears South $73^{\circ}43'56''$ East, a distance of 111.80 Feet;

Thence Southeasterly along the arc a distance of 111.82 Feet along the Westerly Line of said vacated East 37th Street, to the North Line of Outlot C as shown on said Plat of Millennium Northwest Third Subdivision, also being 30.00 Feet south of said North Line of the Southeast One-Quarter of Section 4;

Thence North $89^{\circ}17'52''$ West along said North Line of Outlot C, a distance of 0.01 Feet to the Northwest Corner of said Outlot C, to a point of curvature to the right, having a radius of 1472.00 Feet and a central angle of $6^{\circ}26'08''$, subtended by a chord which bears South $68^{\circ}20'22''$ East, a distance of 165.34 Feet;

Thence along the Southerly Line of said Outlot C the following four (4) courses:

- 1) Southeasterly along the arc a distance of 165.34 Feet;
- 2) South $65^{\circ}07'18''$ East, a distance of 157.15 Feet to a point of curvature to the left, having a radius of 960.00 Feet and a central angle of $14^{\circ}54'51''$, subtended by a chord which bears South $72^{\circ}34'44''$ East, a distance of 249.18 Feet;
- 3) Southeasterly along the arc a distance of 249.89 Feet;
- 4) South $80^{\circ}02'09''$ East, a distance of 102.67 Feet to the Southeast Corner of said Outlot C, also being on the Southerly Line of said vacated Right-of-Way of East 37th Street;

Thence South $80^{\circ}02'09''$ East along said Southerly Line of vacated Right-of-Way of East 37th Street, a distance of 2.90 Feet to a point of curvature to the left, having a radius of 25.00 Feet and a central angle of $25^{\circ}53'56''$, subtended by a chord which bears North $87^{\circ}00'53''$ East, a distance of 11.20 Feet;

Thence easterly along the arc a distance of 11.30 Feet to the Southeast Corner of said vacated Right-of-Way of East 37th Street;

Thence South $21^{\circ}22'13''$ West, a distance of 128.41 Feet to said Northeast Corner of Outlot B as shown on the Plat of Millennium Northwest Third Subdivision, also being said Southeast Corner of the Right-of-Way of East 37th Street, also being the **POINT OF BEGINNING (P.O.B.)**.

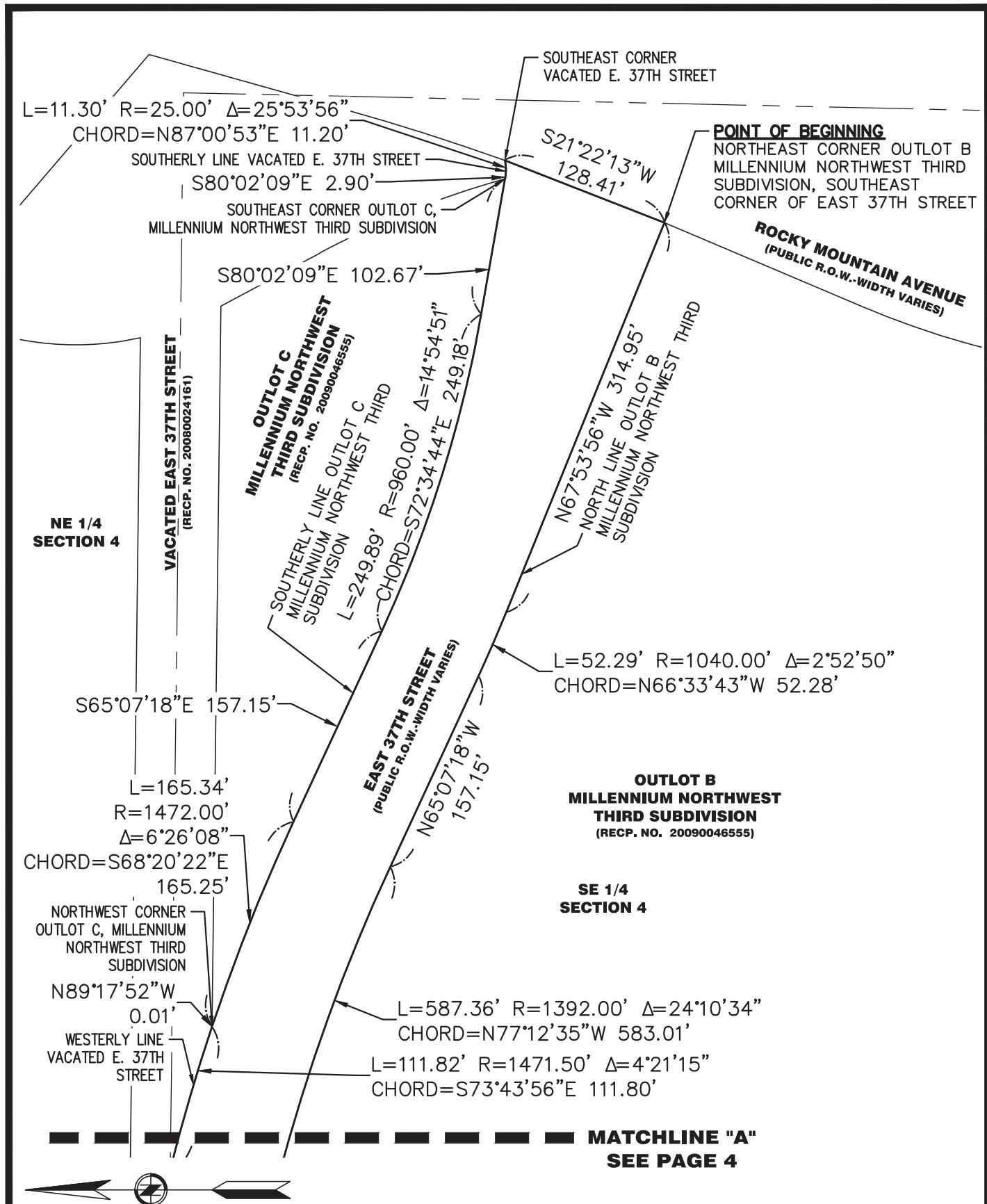
The above described strip description contains 210,235 Square Feet (4.826 Acres) more or less.

I hereby certify that the above parcel description was prepared under my direct supervision.

Eric D. Carson, PLS

Prepared For and on Behalf of
CWC Consulting Group Inc.
9360 Teddy Lane, Suite #203
Lone Tree, Colorado 80124
Phone: (303) 395-2700





**SEE PAGE 3
MATCHLINE "A"**

WESTERLY LINE VACATED
E. 37TH STREET

**LOT 1
SAVANNA FIRST SUBDIVISION
(RECIP. NO. 20100004649)**

**NE 1/4
SECTION 4**

**OUTLOT B
SAVANNA FIRST SUBDIVISION
(RECIP. NO. 20100004649)**

**EAST 37TH STREET
(PUBLIC R.O.W.-WIDTH VARIES)**

NORTH LINE OF THE SOUTHEAST
ONE-QUARTER OF SECTION 4

N89°17'52"W 269.53'
N00°00'00"E 10.00'
N89°17'52"W 1208.18'

**SE 1/4
SECTION 4**

**MATCHLINE "B"
SEE THIS PAGE**

L=587.36' R=1392.00' Δ=24°70'34"
CHORD=N77°12'35"W 583.01'
NORTH LINE OUTLOT B
MILLENNIUM NORTHWEST THIRD
SUBDIVISION

**MATCHLINE "B"
SEE THIS PAGE**

**OUTLOT B
SAVANNA FIRST SUBDIVISION
(RECIP. NO. 20100004649)**

**NE 1/4
SECTION 4**

**OUTLOT C
SAVANNA FIRST SUBDIVISION
(RECIP. NO. 20100004649)**

50'
50'
30'
30'
30'
30'
N89°17'52"W 1208.18'
EAST 37TH STREET
(PUBLIC R.O.W.-WIDTH VARIES)
NORTH LINE OF THE SOUTHEAST
ONE-QUARTER OF SECTION 4
S89°17'52"E 1818.67'
NORTH LINE OUTLOT B
MILLENNIUM NORTHWEST THIRD
SUBDIVISION

**OUTLOT C
SAVANNA FIRST SUBDIVISION
(RECIP. NO. 20100004649)**

**SE 1/4
SECTION 4**

**MATCHLINE "C"
SEE PAGE 5**



CWC CONSULTING GROUP
CIVIL ENGINEERING • LAND SURVEYING • CONSTRUCTION SERVICES

9360 TEDDY LANE, SUITE #203
LONE TREE, COLORADO 80124
TELEPHONE: 303-395-2700
FAX 303-395-2701

**Exhibit
RIGHT-OF-WAY OF
EAST 37TH STREET**

NOTE: THIS EXHIBIT DOES NOT REPRESENT A
MONUMENTED SURVEY. IT IS INTENDED ONLY TO
DEPICT THE ATTACHED DESCRIPTION.

DRAFTED: SLG3	CHECKED: EDC
DATE: 08/16/2018	JOB NO. CWC#120-00140
PAGE: 4 OF 5	SCALE: 1"=100'

PREPARED FOR:
**CENTERRA METROPOLITAN
DISTRICT NO. 1**

SEE PAGE 4
MATCHLINE "C"

NE 1/4
SECTION 4

OUTLOT C
SAVANNA FIRST SUBDIVISION
(RECP. NO. 20100004659)

NW 1/4
SECTION 4

EAST 37TH STREET
(PUBLIC R.O.W.-WIDTH VARIES)
N89°18'02"W 2624.85'

EAST 37TH STREET
(PUBLIC R.O.W.-WIDTH VARIES)
N89°18'32"E 2564.85'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

30'

North: 1399413.0797' East: 3139433.2866'

Segment #1 : Line

Course: N67°53'56"W Length: 314.95'
North: 1399531.5772' East: 3139141.4787'

Segment #2 : Curve

Length: 52.29' Radius: 1040.00'
Delta: 002°52'50" Tangent: 26.15'
Chord: 52.28' Course: N66°33'43"W
Course In: N21°59'52"E Course Out: S24°52'42"W
RP North: 1400495.8635' East: 3139531.0321'
End North: 1399552.3722' East: 3139093.5117'

Segment #3 : Line

Course: N65°07'18"W Length: 157.15'
North: 1399618.4841' East: 3138950.9447'

Segment #4 : Curve

Length: 587.36' Radius: 1392.00'
Delta: 024°10'34" Tangent: 298.12'
Chord: 583.01' Course: N77°12'35"W
Course In: S24°52'42"W Course Out: N00°42'08"E
RP North: 1398355.6572' East: 3138365.3403'
End North: 1399747.5527' East: 3138382.4004'

Segment #5 : Line

Course: N89°17'52"W Length: 269.53'
North: 1399750.8560' East: 3138112.8906'

Segment #6 : Line

Course: N00°00'00"E Length: 10.00'
North: 1399760.8560' East: 3138112.8906'

Segment #7 : Line

Course: N89°17'52"W Length: 1208.18'
North: 1399775.6632' East: 3136904.8014'

Segment #8 : Line

Course: N89°18'02"W Length: 0.23'
North: 1399775.6660' East: 3136904.5714'

Segment #9 : Line

Course: N89°18'02"W Length: 2564.80'
North: 1399806.9753' East: 3134339.9625'

Segment #10 : Line

Course: N01°03'12"E Length: 29.63'
North: 1399836.6003' East: 3134340.5072'

Segment #11 : Line

Course: N01°03'56"E Length: 0.37'
North: 1399836.9702' East: 3134340.5141'

Segment #12 : Line

Course: S89°18'02"E Length: 2564.85'
North: 1399805.6603' East: 3136905.1729'

Segment #13 : Line

Course: S89°17'52"E Length: 1818.67'
North: 1399783.3711' East: 3138723.7064'

Segment #14 : Curve

Length: 111.82' Radius: 1471.50'
Delta: 004°21'15" Tangent: 55.94'
Chord: 111.80' Course: S73°43'56"E
Course In: S14°05'26"W Course Out: N18°26'41"E
RP North: 1398356.1454' East: 3138365.4621'
End North: 1399752.0534' East: 3138831.0294'

Segment #15 : Line

Course: N89°17'52"W Length: 0.01'
North: 1399752.0536' East: 3138831.0194'

Segment #16 : Curve

Length: 165.34' Radius: 1472.00'
Delta: 006°26'08" Tangent: 82.76'
Chord: 165.25' Course: S68°20'22"E
Course In: S18°26'34"W Course Out: N24°52'42"E
RP North: 1398355.6554' East: 3138365.3413'
End North: 1399691.0584' East: 3138984.6011'

Segment #17 : Line

Course: S65°07'18"E Length: 157.15'
North: 1399624.9465' East: 3139127.1681'

Segment #18 : Curve

Length: 249.89' Radius: 960.00'
Delta: 014°54'51" Tangent: 125.65'
Chord: 249.18' Course: S72°34'44"E
Course In: N24°52'42"E Course Out: S09°57'51"W
RP North: 1400495.8616' East: 3139531.0331'
End North: 1399550.3421' East: 3139364.9222'

Segment #19 : Line

Course: S80°02'09"E Length: 102.67'
North: 1399532.5769' East: 3139466.0435'

Segment #20 : Line

Course: S80°02'09"E Length: 2.90'
North: 1399532.0751' East: 3139468.8998'

Segment #21 : Curve

Length: 11.30' Radius: 25.00'
Delta: 025°53'56" Tangent: 5.75'
Chord: 11.20' Course: N87°00'53"E
Course In: N09°57'51"E Course Out: S15°56'05"E
RP North: 1399556.6980' East: 3139473.2256'
End North: 1399532.6586' East: 3139480.0891'

Segment #22 : Line

Course: S21°22'13"W Length: 128.41'
North: 1399413.0774' East: 3139433.2973'

Perimeter: 10507.51' Area: 210234.65 Sq. Ft.
Error Closure: 0.0110 Course: S78°11'23"E
Error North: -0.00225 East: 0.01076

Precision 1: 955227.27

Centerra Metropolitan District
2725 Rocky Mountain Ave, Suite 200
Loveland, CO 80538

March 1, 2018

RE: Justification Letter for Vacation

To Whom it may concern,

As you may be aware, ongoing development activity within Centerra, and more specifically within the area of Centerra west of Rocky Mountain Avenue is resulting in a significant modification to existing roadways, and construction of new roadways within the Millennium GDP. This includes the intended reconstruction (and eventual abandonment) of 37th Street in this area, which will be rerouted and ultimately renamed to Kendall Parkway.

The first phase of this street relocation process is scheduled to start with the construction of Kendall Parkway between Rocky Mountain Avenue to approximately the north side of Houts reservoir in March 2018. After careful consideration of this process, the applicant proposes to complete this transaction with three total steps:

1. The dedication of rights of way for the new alignment of Kendall Parkway to be constructed in 2018 (Area A on the attached map page), concurrent with the construction process and step 2 below.
2. Vacation of all rights of way for the existing 37th Street west of Rocky Mountain and east of Boyd Lake. The applicant proposes that for areas of existing 37th street that need to remain in service during this transition (Area B on the attached Map page), that a temporary vehicular and emergency access easement be dedicated to the City to allow for continued use as later phases of Kendall Parkway are constructed. This vacation step would be fully completed in 2018. The applicant proposes that the temporary easement would expire upon the full construction and City acceptance of Kendall Parkway from Boyd Lake Avenue to Rocky Mountain Avenue.
3. Construction of all remaining phases of Kendall Parkway, including all necessary dedication of rights of way between Boyd Lake Avenue and North Houts (area C on the attached map). At this time, the temporary easement for area B would expire. This step is currently projected for the 2019 calendar year.

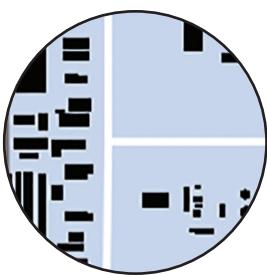
Centerra Metro District (the applicant) is hereby requesting the vacation of 37th Street, A parcel of land in Section 4, Township 5 North, Range 68 West, of the Sixth Principal Meridian, in the City of Loveland, County of Larimer, State of Colorado, also being the Right-of-way of East 37th Street between the East Right-of-way Line of North Boyd Lake Avenue and the West Right-of-way Line of Rocky Mountain Avenue as shown on the Plats of Millennium Northwest Third Subdivision, recorded under Reception No. 20090046555, Millennium Northwest Eleventh Subdivision, recorded under Reception No. 20170086036, and Savanna First Subdivision,

recorded under Reception No. 20100004649. The above described strip description contains 368,685 Square Feet (8.464 Acres) more or less.

Thank you for your consideration of this matter, and please feel free to contact Jim Niemczyk, Project Manager with any questions on the issue.

Respectfully,

Jim Niemczyk
Project Manager
McWhinney Real Estate Services, Inc.
Centerra Metropolitan District



E - EMPLOYMENT

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



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

Land Use Mix



Commercial

- If near other office or light industrial uses or zoning



Employment

- Low- to medium-rise offices
- Light industry



Recreational

- Open space



Residential

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

Transportation

Highest Priority Mode



Detached sidewalks, connections to transit stops

Priority Mode



Designated bike accommodation such as bike lanes or protected bikeway

Priority Mode



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

Priority Mode



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

Zoning Compliance

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

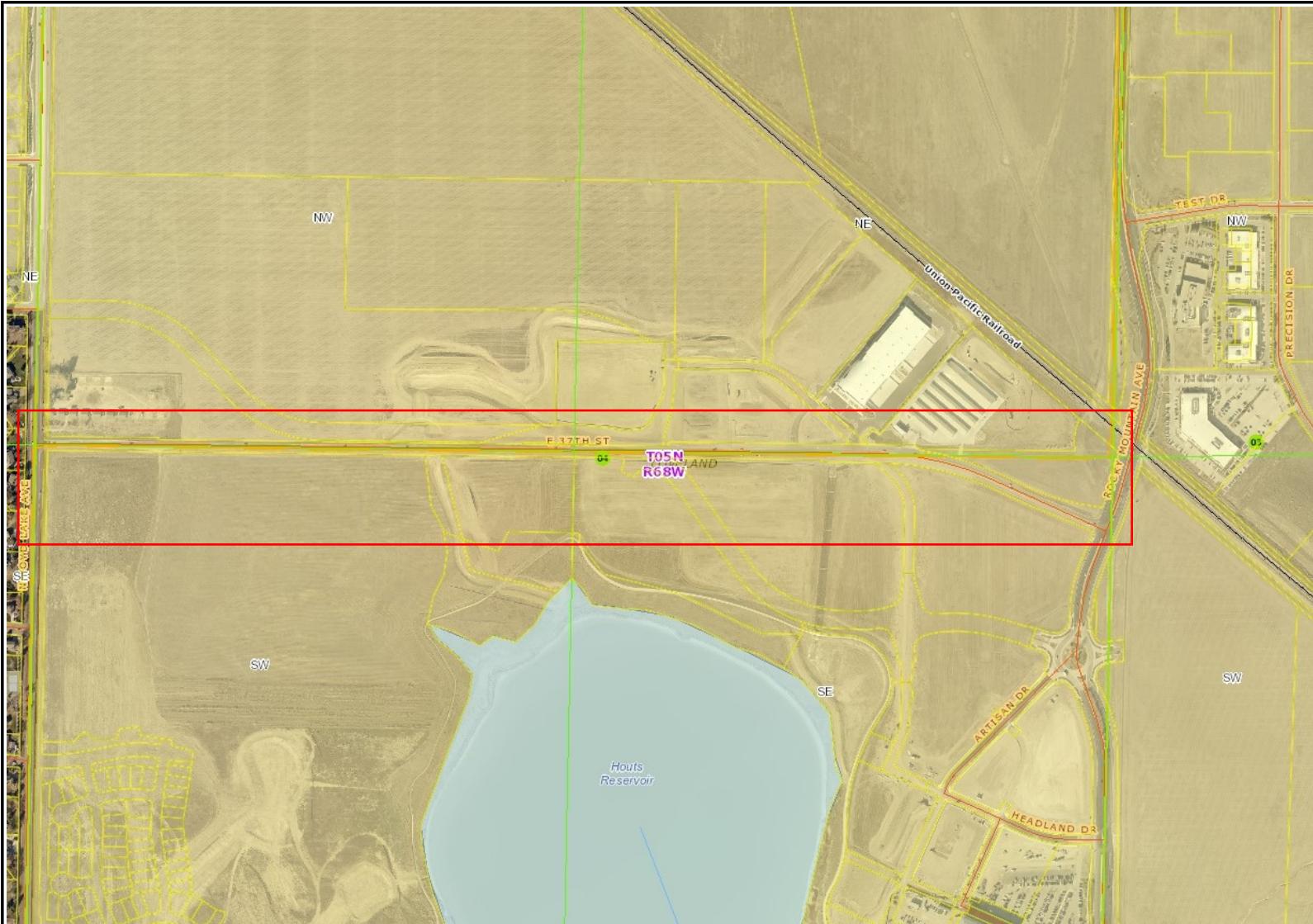
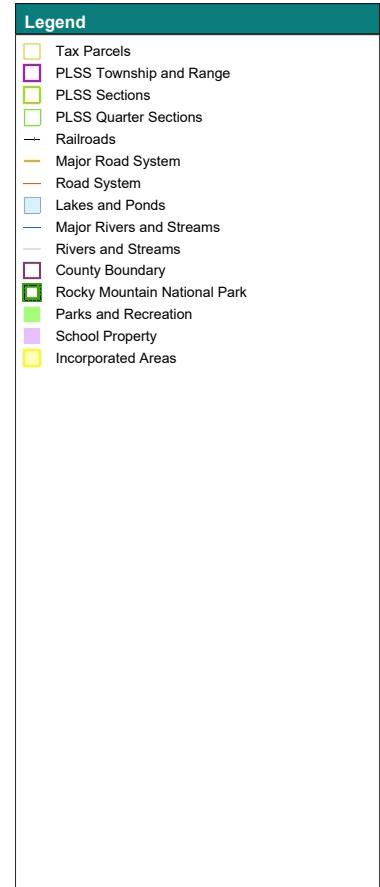
Form

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





37th St - Vacation area



Notes

0.14 Miles 0 0.07 0.14

1:6,000

NAD_1983_HARN_StatePlane_Colorado_North_FIPS_0501_Feet



This map was created by Larimer County GIS using data from multiple sources for informal purposes only and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. This map may not reflect recent updates prior to the date of printing. Larimer County makes no warranty or guarantee concerning the completeness, accuracy, or reliability of this content.



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

March 25, 2019

Wintergreen General Development Plan Amendment				
Agenda #: 3	PZ #: 18-191	General Development Plan Amendment		
Location: 	455 W. 64 th Street, southwest of the intersection of W. 65 th Street and Highway 287			
Development Review Team Recommended Motion(s)				
Recommended Motion(s): <i>Move to make the findings listed in Section IX of this report dated March 25, 2019; and, based on those findings, recommend approval of the General Development Plan Amendment to City Council, as depicted in Attachment #1 to this staff report.</i>				
Options	Consequence			
Approve the Motion	The GDP will be amended to allow multifamily residential development at an increased density.			
Deny the Motion or take no action	The GDP will not be amended, and any development on the subject parcel will need to meet existing density standards in the GDP.			
Adopt a Modified Action	Specify in the motion.			
Refer back to Staff	Development of a multifamily residential project on the subject property will be delayed.			
Project Brief				
<p>This application is an amendment to the Wintergreen General Development Plan (GDP) to increase the density and number of residential units on Parcel E. The GDP capped the residential density on the parcel at 9.6 units per acre and a maximum of 111 units. The applicant is proposing to develop a multifamily apartment project at a density of 17.6 units per acre with a maximum of 168 units. In conjunction with the change to the maximum density/number of units, the applicant is: 1) including more detailed multifamily residential design standards, and 2) updating other text and diagrams in the GDP to specifically address Parcel E.</p> <p>The increased density is in keeping with the City's Comprehensive Master Plan designation of a Regional Activity Center. Public outreach included a neighborhood meeting, which two neighbors attended. Questions were raised regarding traffic and site design, however no opposition to the specific amendment request was voiced.</p>				

Attachments

1. Wintergreen GDP Fourth Amendment (proposed)
2. Wintergreen GDP Third Amendment (existing)
3. Conceptual Site Plan
4. Application
5. Regional Activity Center excerpt from Comprehensive Plan
6. Vicinity Map

Applicant Information	Development Review Team Contacts
Applicant: M. Timm Development, Inc.	Planner: Noreen Smyth
	Traffic Engineer: Randy Maizland
	LFRA: Ingrid McMillan-Ernst
Property Owner: M. Timm Development, Inc.	Stormwater: Kevin Gingery
	Power: Mark Warner
	Water/Wastewater: Melissa Morin

Site Data	
Address/Location	455 W. 64 th Street
Subdivision	Wintergreen Second Subdivision
Land Area	Entire PUD: 111.8 acres, Subject parcel: 9.66 acres
Existing Buildings	None
Topography	Flat
Access	Subject lot is bordered by 64 th Street, 65 th Street, and Eden Garden Drive
Water Provider	City of Loveland
Wastewater Provider	City of Loveland
Electric Provider	City of Loveland
Gas Provider	Xcel
Floodplain	No

Subject Property and Adjacent Property Designations			
	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	Wintergreen PUD	Regional Activity Center	Vacant
Adjacent North	I Industrial	Industrial	Longview Business Park
Adjacent South	Wintergreen PUD	Low Density Residential	Single Family Residential
Adjacent East	Wintergreen PUD	Regional Activity Center	Retail Shopping Center
Adjacent West	Wintergreen PUD	High Density Residential	Multifamily Residential

Project Description	
Summary	<p>The Wintergreen Planned Unit Development (PUD), also known as "Wintergreen Village", is a mixed use development bordered generally by Highway 287 to the east, the Copper Ridge PUD (under development) to the west, the Longview Business Park to the north, and the Cherry Village mobile home park (unincorporated) to the south. The eastern portion of Wintergreen consists of a Walmart-anchored shopping plaza. The south/southwest portion consists of a single family residential subdivision, and the Ashley Estates multifamily development is at the northwest portion.</p> <p>The 9.44-acre Parcel E is the subject of the current General Development Plan (GDP) amendment request. It is situated in between the Walmart lot and the Ashley Estates lot. There are a few smaller lots within the shopping plaza portion of Wintergreen that have not yet been developed, and there is a townhouse proposal under review on a</p>

lot situated southeast of Parcel E (south of Walmart). Other than these lots, Parcel E is the only other undeveloped land within the Wintergreen PUD.

The Wintergreen GDP, which functions as the zoning document for Wintergreen, designates Parcel E for "Mixed Use", and allows a wide variety of residential, commercial, and light industrial uses. The primary changes to the Wintergreen GDP proposed with this amendment are: 1) an increase in density/number of residential units for Parcel E, and 2) inclusion of more detailed design standards for multifamily buildings. While there are a number of other changes to the GDP proposed with this amendment, as indicated by red clouding in Attachment #1, these changes are non-substantive updates to the GDP document to allow the amended GDP to correspond specifically with Parcel E.

It should be noted that the uses allowed on Parcel E are not proposed to change with the amendment. Parcel E will continue to allow a wide variety of other residential, commercial, and industrial land uses; see Section 2 C in the attached GDP for reference. However, the applicant has indicated an intent to submit, upon approval of the requested GDP amendment, a sketch site development plan for a multifamily residential development of the nature shown in the attached conceptual plan (Attachment #3).

Amended GDP

Changes to the GDP proposed with this amendment consist of the following:

Coversheet:

- Change the Land Use Comparison Table to reference the proposed new density of 17.4 dwelling units per acre instead of the existing 9.66, with corresponding updates to the maximum number of dwelling units (168 instead of 111) and maximum floor area (reduced from 175,200 to 146,800, reflecting the inclusion of smaller unit sizes than could be built with housing types other than multifamily).
- Update the Subtitle, Legal Description, Vicinity Map, and Applicant/Owner to specifically reference Parcel E.
- Correct the size referenced for Parcel E.
- Update certain notes to reflect Parcel E specifically.

Narrative (Sheets 2-3):

- Include a detailed description of multifamily architectural and site design standards, which are minimal in the existing GDP. The standards proposed are similar to those in the City's Unified Development Code (UDC) for multifamily residential developments, and include the following requirements:
 - Design compatibility with nearby residential developments
 - High quality, durable materials for walls and roofs
 - Standards for colors of materials and inclusion of decorative accents
 - Changes in plane for each wall elevation and for roofs
 - Window and door trim
- Clarify that the minimum vehicular parking standard of the UDC applies to the subject property. The UDC bases minimum off-street parking on the number of bedrooms: 1 per studio unit, 1.5 per 1 bedroom unit, 2 per 2+ bedroom unit, and +5% for visitor parking.
- Update language to specifically reflect Parcel E.

Site, Utility, Drainage, and Street Plan (Sheets 4-6, 9): Update to specifically reflect Parcel E.

Residential Elevations (Sheet 8): Add conceptual multifamily elevations illustrating the standards established with the revised narrative.

Conceptual Plan

Attachment 3 is a conceptual plan prepared by the applicant for their proposed multifamily development. Note that the conceptual plan is not being approved as part of this GDP amendment, and is included with this report for reference only. The approval of the GDP amendment does not obligate Parcel E to be developed with the use or

layout shown in the conceptual site plan. In addition, the application of all City standards during later development review processes, including but not limited to transportation, building code, fire code, stormwater, utilities, and landscaping, may result in changes to the site layout. However, as currently proposed, the conceptual multifamily development for the subject property will consist of seven buildings of 24 units each surrounding a center greenspace, with a clubhouse at the north end. A drive aisle circles the buildings, with a combination of surface and garage parking on each side of the drive aisle. Access to the internal drive is shown off of Eden Garden Drive and W. 64th Street.

If the GDP amendment is approved, in order to pursue development of the property, the applicant will submit a sketch site development plan, a final plat, final site development plan, public improvement construction plans, a site work permit, and building permits. The sketch site development plan involves a neighborhood meeting; all other processes are administrative.

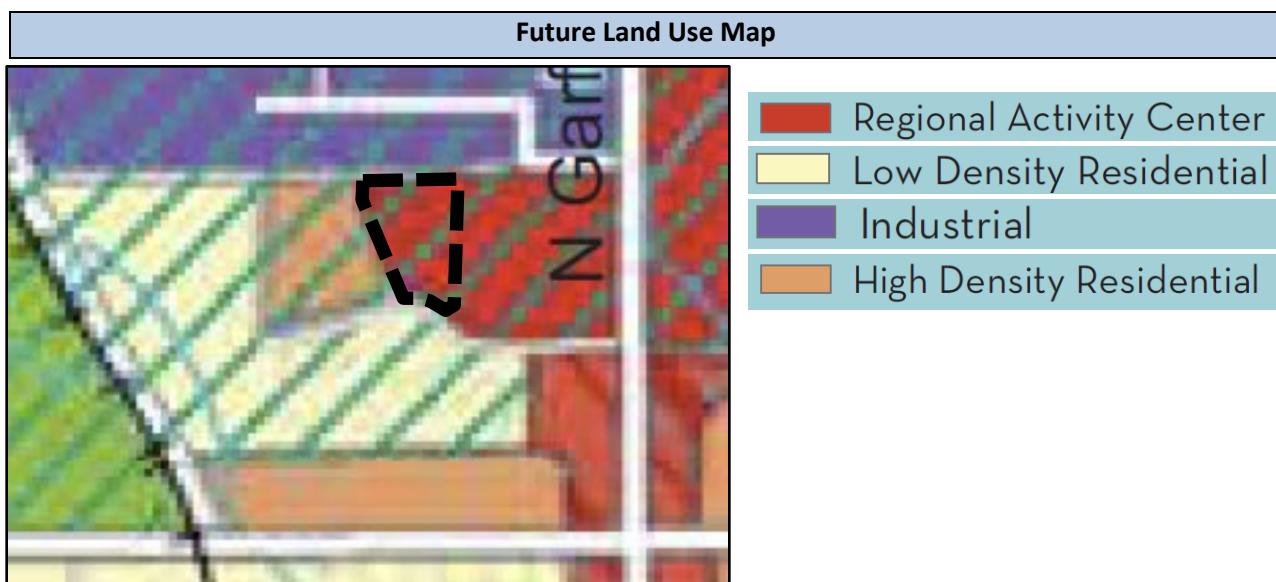
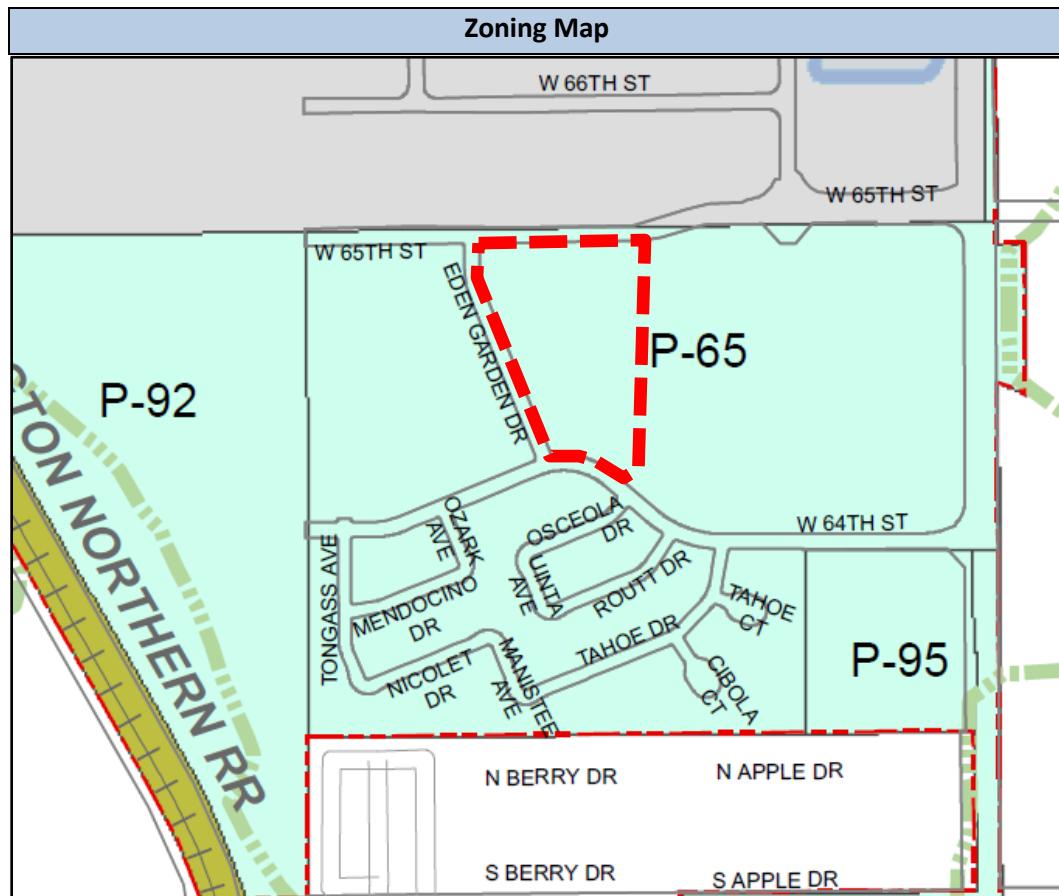
Transportation

A Traffic Impact Study (TIS) was submitted with the GDP amendment application. The TIS demonstrates that the transportation system, incorporating typical expected improvements, can adequately serve the conceptual land use proposed. All future development applications within this area are required to demonstrate compliance with all codes relevant to transportation. The requested GDP amendment and proposed development are not anticipated to significantly impact traffic in the area.

Adjacent Multifamily Residential

The property immediately to the west, the Ashley Estates multifamily development (also within the Wintergreen PUD), consists of 224 units on 2.22 acres, for a net density of 12.3 units per acre. The current amendment request concerning Parcel E will change the allowed density for that parcel from a little lower than that at Ashley Estates to a little higher than at Ashley Estates.





Neighborhood Outreach	
Notification	An affidavit was received from the applicant indicating that notification signs and letters for the neighborhood meeting were posted/sent by February 27, and a neighborhood meeting was held at the Loveland Development Center on March 14. An affidavit was received from the applicant indicating that notification signs and letters for the Planning Commission public hearing were posted posted/sent by March 25. In addition, staff published notice of the public hearing in the Reporter-Herald on March 9, and posted notice of the hearing on the City website.
Neighborhood Response	Two neighbors attended the March 14 neighborhood meeting. A number of questions were asked about increased traffic and about the design of the proposed multifamily meetings. No direct objections were voiced. No calls or emails were received by staff as a result of the public notice.

Planning Commission Criteria and Findings for Approval or Denial	
Pursuant to Section 18.17.907.G. of the City of Loveland Municipal Code the Planning Commission shall consider and make findings regarding the following criteria for Planned Unit Development zoning amendments. All findings must be met in order to approve the requested zoning amendment.	
Criteria	
<p>1. The Zoning Document is consistent with the policies and goals of the Comprehensive Plan, any applicable adopted area plan, or community plan of the City, or reflects stated conditions that have changed since the adoption of the Comprehensive Plan. Specific plan policies are referenced at the end of this document.</p> <p><i>Finding: The above criteria has been met.</i></p> <p><i>Analysis:</i></p> <p>The Create Loveland Comprehensive Plan designates the subject property as “Regional Activity Center” (RAC). The RAC designation is focused on regional commercial, service, and employment uses along state highways, with allowance for high density residential uses. Among parcels within Wintergreen, the RAC designation is given by the Comprehensive Plan to subject parcel and the Walmart-anchored shopping center immediately to the east. The RAC designation seeks for residential development to be at a minimum of 10 units per acre and situated off of major streets. High-quality architecture is particularly encouraged within RAC. The request to increase the density of Parcel E from 9.66 units/acre to 17.4 unit/acre and add multifamily architectural standards is in line with the goals of the RAC designation by the Comprehensive Plan.</p>	
<p>2. The Zoning Document either:</p> <p>a. Advances the following policy objectives:</p> <ul style="list-style-type: none"> i. Promoting more economical and efficient use of land while providing a harmonious grouping of a variety of land uses; ii. Allowing for a project that assists in the implementation of adopted City plans (and not as a device to circumvent the standards of this UDC and good planning practice); iii. Addressing a unique situation or conferring a substantial benefit to the City; or <p>b. The creation of a PUD zone is the only practical way to avoid completely prohibiting a legal, permitted business use within the City.</p> <p><i>Finding: The above criteria has been met.</i></p> <p><i>Analysis:</i></p> <p>The request to increase the density for multifamily developments on Parcel E, and the corresponding changes to the GDP, are in line with the Comprehensive Plan goals for areas designated Regional Activity Center. Many of the other goals of the Comprehensive Plan will be reviewed and enacted in conjunction with future development applications for the subject property.</p>	

3. The PUD complies with all applicable City standards not specifically modified or waived by the Zoning Document;

Finding: The above criteria has been met.

Analysis:

The existing Wintergreen GDP sets all zoning standards for the developments within Wintergreen. The current amendment request seeks to alter the maximum density and number of units allowed for multifamily residential developments on Parcel E, with certain other corresponding changes. All other GDP and Municipal Code requirements must be met with any development on the subject property. City staff will ensure that all GDP and Municipal Code requirements are met during the review of the future sketch site development plan, plat, site development plan, site work permit, and building permit applications.

4. The PUD is integrated and connected with adjacent development through street connections, sidewalks, trails, multi-use pathways, and similar features;

Finding: The above criteria has been met

Analysis:

The existing Wintergreen GDP requires integration and connection between the parcels within Wintergreen. The current amendment request does not alter this requirement.

5. To the maximum extent feasible, the proposal mitigates any potential significant adverse impacts on adjacent properties or on the general community;

Finding: The above criteria has been met

Analysis:

The existing Wintergreen GDP requires buffering between the parcels within Wintergreen. The current amendment request does not eliminate this requirement.

6. Sufficient public safety, transportation, and utility facilities and services are available to serve the subject property, while maintaining sufficient levels of service to existing development;

Finding: The above criteria has been met .

Analysis:

Transportation: A Traffic Impact Study and TIS compliance memo has been submitted with the GDP Amendment which demonstrates that the transportation system, incorporating typical expected improvements, can adequately serve the conceptual land uses proposed. All future development applications within this area are required to demonstrate compliance with the Larimer County Urban Area Street Standards (LCUASS) and the Adequate Community Facilities (ACF) Ordinance for transportation. Therefore, this GDP Amendment and proposed development will not negatively impact traffic in the area.

Water/Wastewater: This development is situated within the City's current service area for both water and wastewater. The Department finds that the Development will be compliant to ACF for the following reasons: 1) The GDP is consistent with the Department's Water and Wastewater master plan by being consistent with the 2015 Comprehensive Master Plan, and 2) The proposed development will not negatively impact City water and wastewater facilities.

Fire: The development site will comply with the requirements in the ACF Ordinance for response distance requirements from the first due Engine Company. The proposed amendment to the GDP for increased density for this development will not negatively impact fire protection for the subject development or surrounding properties.

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

Power: This development is situated within the City's current service area for power. The Department finds that the Development will be compliant to ACF for the following reasons: 1) The proposed development will not negatively impact City power facilities, and 2) The proposed public facilities and services are adequate and consistent with the City's utility planning and provides for efficient and cost-effective delivery of City power.

7. The same development could not be accomplished through the use of other techniques, such as complete neighborhood development, application of the Enhanced Corridor Overlay Zone, height exceptions, variances, minor modifications, or a planned unit development is a preferable way to regulate the subject property due to its large land area or multi-year build-out schedule; and

Finding: The above criteria has been met.

Analysis:

The existing Wintergreen GDP established development standards within the Wintergreen PUD. The current GDP amendment request does not necessitate pursuing the other techniques referenced in this criteria.

8. As applicable, the proposed phasing plan for development of the PUD is rational in terms of available infrastructure, and capacity.

Finding: The above criteria has been met.

Analysis:

The Wintergreen PUD has been developed in rational phases, and the current request to amend the GDP does not impact its phasing.

Planning Commission Comprehensive Plan Policy Guidance for Approval or Denial

In considering an application for approval or denial the Planning Commission finds that the application either complies or does not comply with the following goals, and policies within the City of Loveland Comprehensive Plan:

 Create Loveland	<p>The Create Loveland Comprehensive Plan designates the subject property as "Regional Activity Center" (RAC). The RAC designation is focused on regional commercial, service, and employment uses along state highways, with allowance for high density residential uses. Policies applicable to the RAC designation include the following:</p> <ul style="list-style-type: none">• Residential development at a minimum of 10 units per acre and situated off of major streets.• High-quality architecture• Wide sidewalks and pedestrian amenities such as benches, planters, and gathering places• Bicycle facilities• On collector & arterial roads, transit stations for bus services
---	---

Staff Recommendation

Staff recommends APPROVAL of the General Development Plan amendment request.

WINTERGREEN VILLAGE P.U.D.

4th Amended General Development Plan for Parcel E

OWNERS SIGNATURE BLOCK

KNOW ALL PERSONS BY THESE PRESENTS THAT:

a Colorado Limited Liability Company, being the lawful record owner of the property shown on this Amended General Development Plan, except any existing public streets, roads, or highways, do hereby certify that it accepts the conditions set forth on said plan and in the conditions of approval by the City of Loveland, dated _____, 20____ and that it consents to the recordation of any information thereto.

STATE OF COLORADO)
COUNTY OF LARIMER) ss

The foregoing instrument was acknowledged before me this _____ day of _____, 20____ by

Witness my hand and official seal.

My commission expires: _____

Notary Public

(Tenholder)

STATE OF COLORADO)
COUNTY OF LARIMER) ss

The foregoing instrument was acknowledged before me this _____ day of _____, 20____ by

Witness my hand and official seal.

My commission expires: _____

Notary Public

SIGNATURE BLOCK

Approved this _____ day of _____, 20____ by the Current Planning Manager of the City of Loveland, Colorado.

Current Planning Manager

Approved this _____ day of _____, 20____ by the City Engineer of the City of Loveland, Colorado.

City Engineer

Approved this _____ day of _____, 20____ by the City Attorney of the City of Loveland, Colorado.

City Attorney

Approved this _____ day of _____, 20____ by the City Planning Commission of the City of Loveland, Colorado.

Chairperson

Approved this _____ day of _____, 20____ by the City Council of the City of Loveland, Colorado.

Mayor

OWNER & APPLICANT

M. TIMM DEVELOPMENT, INC.
233 EAST CARRILLO ST. STE D
SANTA BARBARA, CA 93101

Contact: William R. Timm
(805) 963-0358 PHONE
(805) 560-8948 FAX

PLANNING CONSULTANT

KEPHART: COMMUNITY PLANNING ARCHITECTURE
2555 WALNUT STREET
DENVER, CO 80206

Contact: Adam Kantor
(303) 832-4474 PHONE
(303) 832-4476 FAX



CONDITIONS OF APPROVAL

Power:

- Unless Water and Power requirements for location of meters and other electrical equipment can be met on Town homes, the following will apply:
 - All townhome buildings of three or more units per building, electric meters will be located centrally on or near the building.
 - Developer or his representative will be responsible for installing and maintaining the underground electric service to the meter per the National Electric Code.

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

- A note will be added to all final plats of any portion of this property that reads as follows: "A surcharge of % will be added to all bills for the sale of electric power to additional services which came into the existence after January 31, 1987, within the territory herein annexed which surcharge will expire ten years after effective date of this annexation."

Transportation:

- Notwithstanding any information presented in the GPD Amendment (text or graphical depictions), all public improvements shall conform to the Larimer County Urban Area Street Standards (LCUASS) as amended.

Current Planning:

- Paved pedestrian and bicycle connections shall be provided at the end of all cul-de-sacs in a manner that provides a connection to the next adjacent street, ped/bike path or open space.

- A minimum of 4 vehicle parking spaces shall be provided in the center of all cul-de-sacs. These parking areas shall be designed to include a landscaped island at each end, equal to or similar to standard landscape islands in parking lots.

- All types of multi-unit residential development, but not including single family attached, shall comply with the landscape standards for multi-family dwellings, as set forth in the City of Loveland Site Development Performance Standards and Guidelines.

- All bufferyards installed as a part of residential development within this PUD shall be located on a separate tract of land owned and maintained by the applicable HOA or developer except for a multi-family use on a single lot.

- All landscape and utility installations shall be designed so as to avoid conflict, based on City standards for separation of landscape from utilities. Each PDP and FDP shall include depictions which clearly indicate that this criterion has been met.

- The design of future PDP's shall include pedestrian connections linking the open space playfields and private parks throughout the development.

- Each preliminary and final development plan for development of multi-family dwelling units shall include a minimum common open space of 30 % of the gross acres for that development plan.

- The Developer shall install all curbside bufferyards, common open space, private walks and/or paths and other open space and/or private park amenities, including all fences and/or walls located in, or along the edge of, bufferyards and open space. The landscape in each phase shall be planted before issuance of the first building permit in any given phase, unless adequate financial security has been filed by the Developer with the City. This landscape may be installed on the basis of a phased landscape plan approved by the Current Planning Manager as part of any FDP.

- In all landscaped areas using grass or sod, drought tolerant varieties will be installed by the Developer. All formal landscaped areas shall be irrigated by a permanent, automatic irrigation system. All passive open space areas to be landscaped with native grasses or natural area enhancements shall, at a minimum, be irrigated by a temporary automatic irrigation system until all required landscape is successfully established, as determined by the Current Planning Manager.

- In addition to the residential architectural standards included in the GDP, all residential development shall be governed by any additional residential architectural standards adopted by the City at the time of initial application for each preliminary development plan for residential development.

- All portions of the site which continue to be used for agricultural purpose(s) shall be completely enclosed with a 4 foot tall farm fence, along with any necessary gates and/or cattle guards, before issuance of the first building permit for any non-agricultural use within the GDP. Such fences, gates and guards shall be maintained in good repair and condition at all times to assure that agricultural uses do not conflict with approved non-agricultural uses.

- Minimum lot area for development of multi-family dwellings shall be as stipulated in Chapter 18.20 of the Municipal Code for the R3 Zone District.

LEGAL DESCRIPTION

OUTLOTS B, AS WELL AS ADJACENT PORTIONS OF WEST 64TH STREET, WEST 65TH STREET, AND EDEN GARDEN DRIVE, ALL IN THE WINTERGREEN 2ND SUBDIVISION, CITY OF LOVELAND, LARIMER COUNTY, COLORADO.

RESIDENTIAL LOT SIZES

HOUSING TYPE	MINIMUM	TYPICAL	MAXIMUM	MIN LOT WIDTH
SINGLE FAMILY (CONV.)	5,000 SF	6,500± SF	13,000± SF	50 FT
PATIO HOMES (SMALL-LOT S.F.)	4,500 SF	5,000± SF	6,000± SF	45 FT
SINGLE FAMILY ATTACHED	1,500 SF	2,100± SF	2,750± SF	NA
MULTI-FAMILY	NA	NA	NA	NA

GENERAL NOTES

- AREAS SHOWN ARE PER THE RECORDED PLAT OF THE WINTERGREEN SECOND SUBDIVISION (12/23/2005 RECORDATION DATE), AND ARE INCLUSIVE OF RIGHT OF WAY.
- A MINIMUM OF 30% OF THE GROSS RESIDENTIAL SITE AREA SHALL BE DESIGNED FOR COMMON OPEN SPACE. THIS OPEN SPACE MAY INCLUDE DRAINAGE AREAS, DETENTION PONDS, GREENBELTS, TRAILS, TRAIL CORRIDORS, BUFFER YARDS, STREETSCAPE GREENBELTS OR OTHER SIMILAR FEATURES.
- THE RESIDENTIAL DENSITIES SHOWN IN THE LAND USE TABLE ARE MAXIMUMS BASED UPON EXCLUSIVELY RESIDENTIAL USES IN PARCEL E.
- ACCESS AND CIRCULATION WILL BE COORDINATED WITH ADJOINING PROPERTIES TO THE EXTENT POSSIBLE.
- ACCESS POINTS SHOWN ARE ILLUSTRATIVE IN NATURE, AND ARE NOT GUARANTEED BY THE CITY. ACTUAL ACCESS POINTS WILL BE DETERMINED WITH EACH P.D.P.

LAND USE COMPARISON TABLE

Parcel E		3 rd Amended GDP (as recorded)	4 th Amended GDP (as proposed)
		Area	+/ - 11.485 Ac
	Allowed use	Mixed Use	Mixed Use
	Max Density // Floor Area Ratio	9.66 DU/Ac. // 0.35 FAR	17.4 DU/Ac. // 0.35 FAR
	Max Units // Floor Area	111 DU // +/- 175,200 SF	168 Units // +/- 146,800 SF

SHEET KEY

SHEET 1 - Cover Sheet
 SHEET 2 - Narrative 1
 SHEET 3 - Narrative2
 SHEET 4 - Site Plan
 SHEET 5 - Utility Plan
 SHEET 6 - Drainage Plan
 SHEET 7 - Non-Residential Elevations
 SHEET 8 - Residential Elevations
 SHEET 9 - Street Sections

WINTERGREEN VILLAGE PUD
 4th AMENDED GDP FOR PARCEL E.
 Also being Outlot B of the Wintergreen 2nd Subdivision
 LOVELAND, COLORADO

Project #: 218053

Issue Date: 10/24/2018

Revisions

Date

Sheet Title:

COVER SHEET

Sheet No:

1 OF 9

WINTERGREEN VILLAGE PUD

4th AMENDED GDP FOR PARCEL E.

Also being Outlot B of the Wintergreen 2nd Subdivision

LOVELAND, COLORADO

Section 1: Purpose of the Project

The Fourth Amendment to the Wintergreen General Development Plan concerns Parcel E of the 3rd amended GDP, which has a total area of 9.644 acres. The primary purpose of this Amendment is to increase the overall multi-family residential density allowed within Parcel E.

Section 2: Land Use

A. Overall Concept

This Amended GDP increases density to Residential uses previously allowed within Parcel E. Future site plans for these parcels may utilize exclusively Residential uses, exclusively Commercial/Industrial uses, or any combination thereof, to further the intent of providing a diverse, vibrant, walkable neighborhood beyond the boundaries of the original PUD. Any future site plans for Parcel E must fit within the fabric of neighborhood design already built in earlier phases, and must further the goals previously identified in approved documents, including creating a diverse housing mix within a cohesive neighborhood unified by a traditional street pattern, a variety of open areas, and an emphasis on walkability within the neighborhood.

B. Definitions

Unless otherwise stated, all terms herein are defined by the City of Loveland Municipal Code.

- Commercial:** Commercial area providing general retail, shopping, services, and dining opportunities to the neighborhood and surrounding community. Commercial is not considered "Large Retail" or "Big Box Retail" which pertains more to buildings that range from 20,000 s.f. to 200,000 s.f.
- Neighborhood Center:** Park area(s) within residential neighborhoods offering a variety of recreational activities that may include open space, playgrounds, community center, and other uses that meet community needs.
- Patio Home:** One-family dwelling unit that is typically located on a small, individual, simple lot, or which may be under condominium ownership. Patio homes may share a common wall. If patio homes are proposed at the PDP level, specific building elevation will be provided at that time.

C. Permitted Land Uses

Parcel E is proposed to be a Mixed Use development, based upon the use categories described below. The residential density shown in the land use table is a maximum based upon exclusively residential uses within parcel E. The area(s) of any commercial/industrial use(s) in Parcel E shall be excluded from residential density calculations. Remaining residential portion(s) of Parcel E may be developed at the rates described in the land use table.

Note: Until such time as complete development of the land occurs, the site, or portions thereof, may be used for agricultural pursuits.

A. Residential Uses

- Dwelling, Detached Single-Family
- Dwelling, Multi-Family
- Dwelling, Two-Family
- Dwelling, Mixed Use
- Elderly housing
- Patio homes (a.k.a. small-lot single family)
- Home businesses as permitted by city code
- Detached Garages

B. Light Commercial / Industrial Uses

- 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 as provided in Chapter 18.40
- Commercial Daycare centers - adult or child
- Community Facility
- Food Catering
- Indoor Recreation
- Lodging Establishment (hotel and motel)
- Medical/dental labs and clinics
- Office, general administrative
- Open-Air Farmers Market
- Park or Recreation Area
- Personal and business service shops
- Plant Nursery and Greenhouses
- Place of Worship or Assembly
- Print Shop
- Professional Office/Clinic
- Public and Private Schools
- Retail store
- Research Laboratory
- Self-Service Storage Facility
- Vehicle Sales and Leasing for Cars and Light Trucks
- Outdoor Storage
- Health Care Service Facility
- Long Term Care Facility
- Congregate care facility
- Group Care Facility
- Entertainment Facilities and Theaters, indoor
- Essential Public Utility Uses, Facilities, Services, & Structures
- Hospital
- Light Industrial
- Public Service Facility
- Restaurant, Standard indoor or outdoor
- Vehicle Minor Repair, Servicing, and Maintenance
- Veterinary Clinic
- Veterinary Hospital
- Workshop and Custom Small Industry (entirely enclosed within a building and provided there is no excessive odor, glare, smoke, heat, vibration, etc.)
- Warehouse and distribution
- Vehicle Rentals for Heavy Equipment, Large Trucks and Trailers
- Banks and financial services (drive-through facilities permitted)
- Domestic Animal Day Care Facility
- Vehicle Rentals for Cars, Light Trucks and Light Equipment
- Antennas, as defined in Section 18.55.020(A), co-located on an existing tower or structure as provided in Section 18.55.030 and Section 18.55.030 and meeting all other requirements of Chapter 18.55
- Personal wireless service facility as defined in Section 18.55.020(A), located on a new structure, meeting all requirements of Chapter 18.55
- Similar facilities and uses to those listed above

Section 3: Circulation

A. Overall Concept

Access to Parcel E is from North Garfield Avenue via West 64th and 65th streets. Eden Garden Drive borders Parcel E and connects West 64th and West 65th Streets. It is anticipated that private drives and/or local public streets will be constructed within Parcel E; however the uses proposed in future PDP submittals will be determine the circulation design and types of streets required.

B. Components

Private lots may be accessed by local streets, minor collector streets, private drives and private streets. Garage access to residential lots built adjacent to alleys will be via the alley, unless otherwise approved through future PDP / FDPs. Streets shall be designed with as narrow of a section as possible to minimize runoff and calm traffic. Where possible, streets will separate different uses. Every effort will be made to separate residential and non-residential traffic; however, given the mixed use nature of the site, some mixing of traffic will occur.

An overall system of pedestrian ways will be provided along roadways and through selected open space areas. Detached sidewalks will be provided along future collector streets. Attached sidewalks will be provided on all local streets. All required street-side sidewalks shall be located wholly within the right-of-way.

C. Performance Standards

Street improvements and new streets will be constructed in accordance with the street-cross sections shown on Sheet 8 per the Larimer County Urban Area Street Standards. On-street parking is permitted on the minor collector and local streets.

Section 4: Public and Private Utilities

A. Overall Concept

All public facilities and services are readily available to the site. Utilities will be installed underground, and will be provided for as described below.

B. Water and Sewer

- Water and sanitary sewer service will be provided by the City of Loveland. The following improvements are currently available to the site. Additional improvements will be determined with each specific proposal.
- Water service is available in West 64th Street, West 65th Street, and Eden Garden Drive. These lines and services were sized and constructed with the Wintergreen Second Subdivision.
- Sanitary sewer service for this site is available in West 64th Street.
- Details of these service connections and specific alignments will be finalized at the time of preliminary and final plan development.

C. Storm Drainage

Detention ponds within Parcel A of Wintergreen Village have been designed to accommodate the development of Parcel E. Additional pond capacity may be required pending review of future site plans. If required, additional capacity will be provided within Parcel E. The Final Drainage and Erosion Control Study for Wintergreen Second Subdivision, dated 2005, prepare by Stantec will be amended as needed when Parcel E is developed and provided during the PDP and FDP approval process.

D. Electric

Service will be provided by the City of Loveland Light and Power Department.

E. Private Utilities

Commercial utilities including natural gas, telephone, and CATV will be provided by Xcel Energy, Qwest, and Comcast, respectively.

F. Irrigation Ditches

None on site.

Section 5: Public and Private Facilities

A. Parks and Open Space

Parcel E will be designed to maximize the effect of parks and open space upon the neighborhood and continue the concept that has been previously implemented within Wintergreen Village. Open space playfields will be provided at the rate of one acre per hundred units, in addition to open space to 20% of the gross site area. Public trail connections will be provided within open space areas to provide alternative north - south trail corridors between West 64th and West 65th Streets.

B. Schools

The Thompson School District has not identified a school site within Parcel E.

C. Fire and Police

The development will be served by the City of Loveland Police and Loveland Fire Rescue Authority.

Section 6: Landscaping & Fencing

A. Overall Concept

Landscaping within Parcel E will fit within the overall Wintergreen Village concept of xeric and naturalized plantings in traditional patterns. The primary emphasis on landscaping will be along the perimeter of Parcel E to create a separation between the mixed uses within other parcels and adjacent residential development. Residential portions of Parcel E will be separated from light and moderate commercial/industrial uses within that parcel by streets, sound walls, architectural design, and/or traditional buffer yards.

B. Edge Treatment

Landscaping: Perimeter landscaping and grading has a number of edge functions, including separation of uses, noise mitigation, recreational opportunities, aesthetic qualities, and storm drainage. Landscaping and/or berms must be placed between the public right-of-way and the parking areas, to decrease the visual impact of the parking areas. Parking areas shall be screened from view of adjacent streets and residences. Screening can be achieved by building placement, the use of berms or fencing (minimum 3' high), and/or landscape plantings.

Entries: Entries will be provided into the individual parcels from adjacent streets. These entries may be public streets and / or private drives. Potential entry points are proposed on the Site Plan graphic on Sheet 4. The ultimate design and location of these entries will be determined in future PDP submittals.

Perimeter Fencing: The use of fencing as a part of the development's edges will be minimized to the extent practical. The dominant form of edge treatment will be landscaping. Perimeter fencing (except where needed for sound mitigation, where heights may extend to 8 feet) will be limited to a maximum of 6 feet in height. Chain link and unembellished stockade wood fencing is prohibited.

C. Collector and Local Streetscape

The treatment of the street frontage is vital to the appearance of this development and its identity. Large clusters of coniferous trees mixed with a variety of shrubs and grasses, with large shade trees planted in colonnade fashion in the tree lawns along the streets and internal private drive, will be designed to create a sense of nature within the more urban context of the city and neighborhood. The use of native plant species is encouraged and will be employed where practical.

D. Installation & Maintenance

The landscaped areas of the development, including perimeter areas, common open space, and entry features, will be maintained by the property owner or appropriate Homeowners' Association(s).

Right-of-way landscaping will be installed by the developer and maintained by the HOA.

Privately owned landscaping will be maintained privately. For fee-simple residential lots, the homebuilder will install the landscaping for yards abutting rights of way up to the adjacent building facade. At a minimum, the homebuilder will install one tree per yard, with one additional tree for corner lots. Multifamily landscaping will be installed by the homebuilder and maintained by the HOA. Non-residential lots, parking areas, and private drive landscaping will be installed by the building owner and privately maintained.

E. Water Conservation Measures

Landscape design of common open space areas will incorporate, where practical, Xeriscape principles that will decrease the need for irrigation water from a standard landscape treatment. City of Loveland Raw Water requirements will be proportionally decreased for those areas that are planted with non-irrigated or low-irrigation, native and apt landscaping materials and will not require city water for irrigation. This proportional decrease will be calculated objectively and included on subsequent P.D.P. and F.D.P. documents.

F. Private Fencing

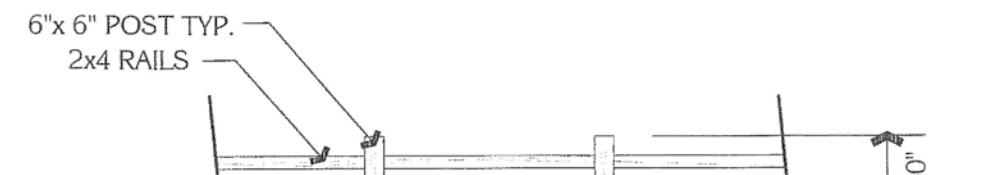
Fences will be allowed on fee-simple residential lots according to the following criteria:

- Backyard fencing on corner lots: 6 foot privacy fences will be allowed on lot lines;
- Backyard fencing on corner lots: 6 foot privacy fences will be allowed, setback a minimum of 10 feet from adjacent sidewalk, or curb where no walk is present;
- Front yard fencing: open rail, picket or other fencing will be allowed at a maximum height of 36 inches;
- Sideyard fencing will not be allowed to protrude beyond the front facade of the house;
- Fencing adjacent to Open Spaces: May be solid or open, limited to a maximum height of 48 inches;

Fence and wall designs are shown on this sheet as a minimum standard. Other designs may be approved as part of a PDP / FDP if fence / wall materials and colors match building design, incorporate masonry, wrought iron, or other higher quality materials, as approved by the Director.

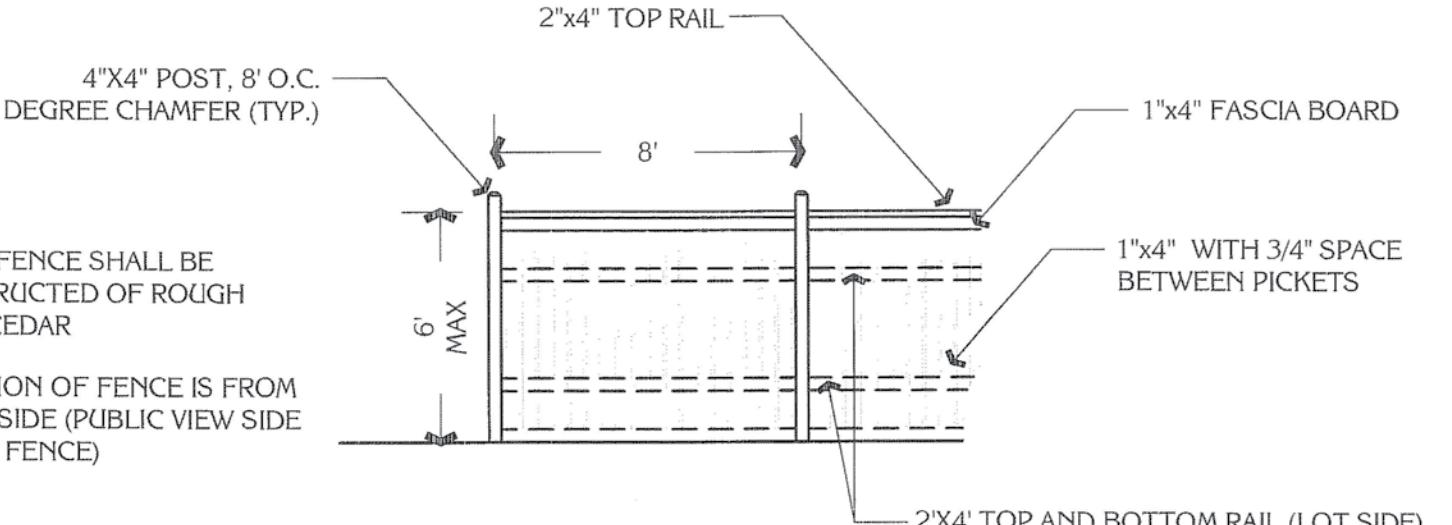
G. Noise Mitigation

- Noise mitigation measures may be required within Parcel E, adjacent to W. 65th St., W. 64th St., the East property line of Parcel E.
- The type and extent of noise mitigation measures will depend upon the uses proposed and the location of those uses.
- As part of any PDP/FDP and/or building permit application for light commercial/industrial uses in Parcel E, a qualified professional shall prepare a noise impact report to determine noise impacts of the proposed uses on adjacent properties. The report shall include specific recommendations for mitigation measures that will be consistent with the other pertinent design and development standards in this plan, and based on the requirement that the mitigation measures shall be located on the same site as the non-residential development generating them.
- All allowed uses in this PUD shall be governed by the provisions of the City noise ordinance, except that all non-residential uses shall comply with the normal limitations for commercial areas and uses, and that noise levels generated by non-residential uses shall meet the more restrictive limitations described below. All noise generated on non-residential sites, both internal to a building and external to a building, shall be governed by these limitations.
- Noise levels generated by non-residential uses may not exceed 60 dBA from 9 a.m. to 7 a.m., and 65 dBA from 7 a.m. to 9 p.m. If adjacent to a residential use, noise levels may not exceed 50 dBA from 9 p.m. to 7 a.m. and 55 dBA from 7 a.m. to 9 p.m., as measured 25' within the property line and on all floors of residential units.
- Noise Mitigation Techniques
 - Preferred: Control and mitigate noise sources within a building by building design, materials, architecture, orientation, or setbacks.
 - Alternative: Install noise mitigation measures on the site external to buildings in complete compliance with noise mitigation measures recommended by a qualified professional and approved in writing by the City of Loveland. If the approved mitigation measures consist of walls, they shall be designed to be consistent with the Sound Wall detail depicted below. If it becomes necessary to implement a wall that is greater in height than six feet, the City of Loveland is authorized to require other site improvements, such as landscape or an enhanced design of these walls to mitigate the negative visual effects of taller walls.



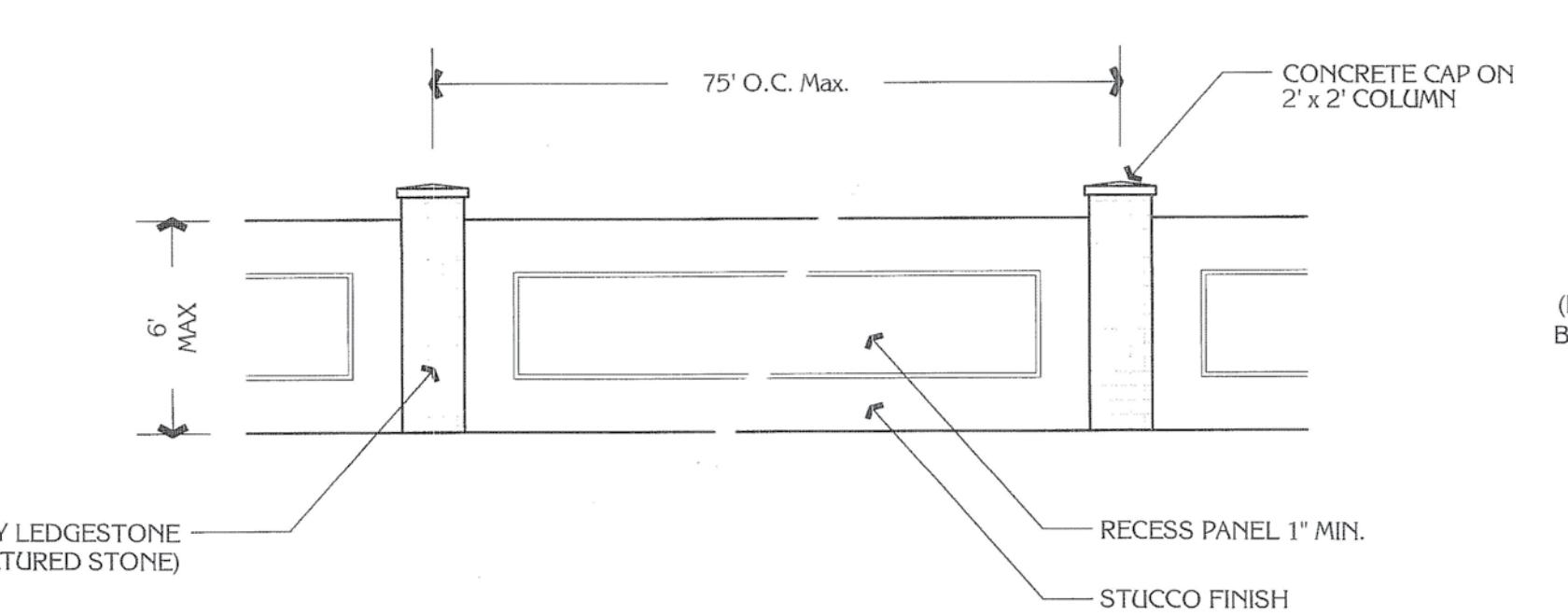
OPEN RAIL FENCE DETAIL

SCALE: 1" = 5'



RESIDENTIAL PRIVACY FENCE DETAIL

SCALE: 1" = 5'



SOUND WALL DETAIL

SCALE: 1" = 5'

Section 7: Architectural & Site Requirements

A. Overall Concept

One of the most important aspects of the development's overall appearance as viewed from its edge is the appearance of the structures. Elevations of structures visible from public rights of way will be detailed or screened to provide visual interest and avoid unattractive views as set forth in the following guidelines. All mechanical equipment located on the exterior ground level of any building or structure shall be screened from view of adjacent public streets and properties with appropriate usage of walls and/or landscape plantings. The overall design concept will emphasize the following elements:

- An attractive streetscape helps to create an identity for the neighborhood, bolstering a sense of place, and belonging in residents and business users. Consistent and quality architecture for street-facing building elevations is an important element in achieving these goals.
- Building form and character shall be of an appropriate scale. Design considerations shall include the scale and form of the building's major elements, including roofs, walls, and openings.
- Roofing materials, windows, building materials, and finish will be of a high quality, and coordinated to achieve a cohesive appearance.

B. Performance Standards

1. Residential Units

- All residential roofs shall be gabled, hipped, gambrel, or other sloping form.
- Architectural features (i.e., windows, dormers, wall offsets) shall be incorporated into all facades of residential structures that face a public right-of-way to provide visual interest along the streetscape.
- Detached garage structures shall be designed to be consistent with the materials, colors and architecture of the principal structure, such as in the multi-family areas.
- On residential lots less than 65 feet wide, measured at the front building setback, garage doors that are visible as part of the front building elevation (facing any public street) shall be recessed behind either the front facade of the living portion of the dwelling or a covered porch by at least 4 feet. Covered porches referred to in this standard shall measure at least 8 feet, measured across the front of the building, by 6 feet in depth.
- Garage doors visible as a part of the front elevation shall not comprise more than 40% of the ground floor street-facing linear building frontage. Alley-loaded and corner lots are exempt from this requirement.
- Lots less than 65 feet wide, measured at the front building setback, shall not be permitted a garage where garage doors for more than two cars are visible as part of the building elevation facing any adjacent public street. Multiple car garages utilizing tandem spaces would be permitted.

2. Light Commercial / Industrial Structures

- All non-residential structures shall comply with the provisions of the Commercial Architectural Standards set forth in Section 18.53.030 of the Loveland Municipal Code.
- All building designs shall provide architectural features on all facades visible from public rights of way or residential developments to increase visual interest and provide for an attractive development. Screening and buffering may be used where appropriate in lieu of architectural features.
- The architectural design shall be sensitive to the neighborhood context of the site, and provide a compatible and complementary design.
- Building colors for primary and accessory structures shall be low-reflective, subtle, neutral or earth tones colors with the intent of promoting a harmonious appearance of the structures within the context of the surrounding neighborhood and open spaces. Bright accent colors, intended to express corporate or business logos, shall be used only on a limited basis and shall not be internally illuminated, except for any portions thereof that are permitted as signs, per this G.D.P.
- Landscaping and/or berms (minimum 3' high) must be placed between the public rights-of-way and the parking areas, to decrease the visual impact of the parking areas. Typical "highway strip" type development is not appropriate in this area.
- Parking areas shall be screened from view of adjacent streets and residences.

WINTERGREEN VILLAGE PUD

4th AMENDED GDP FOR PARCEL E.

Also being Outlot B of the Wintergreen 2nd Subdivision

LOVELAND, COLORADO

4. Drive -Through Facilities: In addition to the performance standards for all commercial areas as listed above, drive-through facilities shall meet the following performance standards.

- Drive-through facilities may be approved only as an accessory use to a commercial/retail or industrial use.
- Speakers at drive-through facilities shall not be audible from adjacent residential uses. Sound attenuation walls, landscaping, or other mitigation measures shall be required as necessary to meet this standard.
- Pedestrian walkways shall intersect drive-through lanes only at locations where both the pedestrians and drivers have clear visibility of the intersection.
- Drive through lanes shall have a minimum width of twelve (12) feet on curves and a minimum of eleven (11) feet on straight sections.
- Minimum off-street stacking spaces shall be provided as follows:

ACTIVITY TYPE	MINIMUM STACKING	MEASURED FROM
Bank teller lane	4 Cars	Teller or window
Automated teller machine	3 Cars	Teller machine
Restaurant drive-through	6 Cars	Order box
Restaurant drive-through	4 Cars	Order box to pick-up window
Car wash stall, automated	4 Cars	Entrance
Car wash stall, self-service	3 Cars	Entrance
Other	4 Cars	Pick-up window

- No drive-through lane shall exit directly into a public right-of-way. Drive-through lanes shall be integrated with the on-site circulation and shall merge with the access drive prior to reaching the street right-of-way.
- Drive-through lanes shall be separated from landscaped areas by a six (6) inch high, poured in place, concrete curb or other suitable protective device approved by the Director.
- Drive-through lanes shall be screened from view from public rights-of-way and landscaping shall be used to minimize the visual impacts of reader boards and directional signs. To the maximum extent feasible, drive-through lanes shall not be located between the principle building and adjacent public roadways or sidewalks. If the Director determines that there is no feasible alternative, drive-through lanes may be located between the principle building and adjacent public roadways or sidewalks, provided such lanes are set back a minimum of twenty (20) feet from any adjacent public roadway or sidewalk and the entire twenty (20) foot setback is landscaped and/or bermed with a minimum three (3) foot high berm to screen the drive-through lane and facility from adjacent roadways.
- Menu boards shall be a maximum area of thirty (30) square feet, with a maximum height of six (6) feet and, to the maximum extent feasible, shall face away from public rights-of-way.
- Any drive-through facilities shall be secondary in emphasis and priority to any other access and circulation function. Such facilities shall be located in side or rear locations that do not interrupt direct pedestrian access along connecting pedestrian frontage.
- The design and layout of drive-through facilities for restaurants, banks, or other uses shall: avoid potential pedestrian/vehicle conflicts; provide adequate directional signage to ensure a free-flow through the facility; and provide a walk-up service option as well as drive-through.
- Drive-through facilities and reader boards shall be located on the rear or side of principal structures to minimize their visibility from public roadways.
- Drive-through lanes adjacent to public streets or sidewalks shall be separated from such streets or sidewalks by walls, railings, or evergreen hedges at least 3 feet high.
- Car wash facilities and gas station auto service bays shall be located on the side or rear of principal structures to minimize their visibility from public streets.

5. Parking lot lighting, shall meet the following performance standards:

- Light sources shall be concealed and fully shielded and shall feature sharp cut-off capability so as to minimize up-light, spill-light, glare and unnecessary diffusion on adjacent property.
- Parking lot lighting shall be designed to provide the minimum lighting necessary to ensure adequate vision and comfort in parking areas and to not cause glare or direct illumination onto adjacent properties or streets.
- The style of light standards and fixtures shall be consistent with the style and character of architecture proposed on the site. Poles shall be anodized (or otherwise coated) to minimize glare from the light source.
- Light sources shall minimize contrast with the light produced by surrounding uses, and must produce an unobtrusive degree of brightness in both illumination levels and color rendition. Incandescent, metal halide, and high-pressure sodium light sources all can provide adequate illumination with low contrast and brightness and are permitted light sources.
- Light levels measured twenty (20) feet beyond the property line of the development site (adjacent to residential uses or public rights-of-way) shall not exceed one-tenth (0.1) foot-candle as a direct result of the on-site lighting.
- Cut-off fixtures, meeting the specification established by the Illuminating Engineering Society of North America (IESNA) should be used in parking lots or, for fixtures that are not cut-off fixtures, the maximum initial lumens generated by each fixture should not exceed two thousand (2,000), and the mounting height of such fixtures should not exceed twenty (20) feet.
- Minimum illumination levels shall be no less than 0.3 foot candles.
- The uniformity ratio (ratio of average to minimum illumination) shall be no greater than four to one (4:1).
- The minimum Color Rendering Index (CRI) shall be 20.

6. Materials
Potential building materials and forms are outlined below:

- Commercial:
 - Siding - Brick, stone, hardboard lap siding, wood siding, vinyl, stucco or synthetic stucco, split face CMU, smooth face CMU, Quik-Brik, Glass, metal siding or metal panels. No vertical T111 siding shall be permitted. Other materials not listed above may be allowed to further the intent of this section, if approved by the City of Loveland.
 - Roofing - For sloped roofs asphalt or fiberglass shingles, tile, or standing-seam metal shall be used. These restrictions shall not apply for flat roofs.
- Residential:
 - Siding - Brick, stone, hardboard lap siding, wood siding, vinyl, stucco or synthetic stucco, metal siding, metal panels. No vertical T111 siding shall be permitted.
 - Roofing - For sloped roofs asphalt or fiberglass shingles, tile, or standing-seam metal shall be used (flat roofs are prohibited for residential structures).
 - The appropriate materials for architectural elements may include, but are not limited to, the use of brick, stone, lap or other wood siding, synthetic stucco, split face CMU, smooth face CMU, Quik-Brik, Glass, asphalt shingles, tiles, wood shingles, dormers, and covered porches.
 - Appropriate materials will be further defined with the respective P.D.P.

7. Multifamily architectural and site design standards.
Any lot where a multifamily dwelling is the principal use shall comply with all of the following criteria:

- Exterior architecture elevations, including proposed roof style and pitch, window and door detail and materials and colors, shall be compatible with the character of the surrounding area if there is an established character.
- All sides of any multifamily building shall include a combination of durable materials such as stucco, brick, stone, colored and textured concrete and decorative masonry block; glass or acrylic block; vinyl, concrete or wood siding, and hardwood and pressure-treated wood.
- Accent and decorative components may also include marble and granite; steel, copper and aluminum; heavy timber; and terracotta. Other materials may be approved on a case-by-case basis. Materials and colors shall be indicated on elevation illustrations.
- Every elevation shall be broken up through the use of decorative architectural features such as change in plane; molding, columns, cornice, frieze or arches; rigid awnings or canopies; color and texture variations; recessed windows or doors; bay windows, window sills or window boxes; decks and covered patios; or exposed structural elements like steel or timber beams.
- Building entrances shall be identified and directly accessible from a public sidewalk or sidewalk internal to the site.
- Windows and doors shall have at least three-inch exterior trim, unless otherwise enhanced with approved decorative features.

- Windows and glazing shall not be highly reflective.
- Reflective, neon, primary (red, blue, yellow) and secondary (purple, green, orange) colors shall not be permitted as exterior paint colors on any structure within a multi-family development, except for trim and accent by approval of the Community Development Director. Acceptable colors include subtle warm and cool colors, earth-tone colors and neutral colors. Samples of proposed materials and colors shall be provided upon request of the Community Development Director.
- i. Roofs shall be gable, gambrel, hipped or otherwise broken up through varying planes. Flat roofs with varying planes shall be considered on a case-by-case basis when appropriate to the architectural character of the building.
- j. Roofs shall be constructed of asphalt, fiberglass, non-reflective metal shake or wood shake shingle; clay, concrete, fiber cement or non-reflective metal tile; slate; or non-reflective metal standing seam. Other materials may be considered on a case-by-case basis. Roof materials shall be indicated on the elevation illustrations.

D. Minimum Setbacks

The following minimum setbacks shall apply to all development within Parcel E. These setbacks are measured from the nearest property or right-of-way line, and apply to both principal structures and detached garages, unless otherwise stated.

Staggered setbacks, or other methods, shall be utilized where appropriate throughout the residential areas to provide variety and interest along residential streetscapes. A setback matrix or other objective mechanism shall be included with all residential P.D.P.'s.

1. Single Family Detached & Patio Homes

- Front yard
 - Garage door to ROW: 20 feet
 - Side-loaded garage to ROW: 15 feet
 - Building wall to ROW: 15 feet
- Side yard
 - Internal side yard setback: 5 feet, or 3:1 ratio of building height to side yard setback (whichever is greater)
 - Minimum building separation: 10 feet
 - Building wall to ROW: 15 feet
 - Garage door to ROW: 20 feet
- Rear yard
 - Principal Structure to rear lot line: 15 feet
 - Detached garage to rear lot line: 10 feet (with garage access from local street)
 - Principal structure to alley: 6 feet
 - Detached garage to alley: 6 feet (with garage access from alley)

2. Single Family Attached Homes

- Front yard (building wall to ROW): 15 feet
- Side yard
 - Exterior wall to property line: 5 feet, or 3:1 ratio of building height to side yard setback (whichever is greater)
 - Minimum building separation: 10 feet
 - Building wall to ROW: 15 feet
- Rear yard (Principal structure & detached garages): 6 feet

3. Multi-family & Related Off-Street Parking

- Building to property line / right of way: 20 feet
- Building to building: 20 feet
- Building to detached garage: 15 feet
- Detached garage to detached garage: 10 feet (between structures; multiple garages may be in one structure)
- Building to off-street parking: 10 feet
- Off-street parking to ROW: 15 feet

4. Light Commercial / Industrial Structures & Related Off-Street Parking:

- Building to property line / ROW: 15 feet, plus 4 foot minimum offset between adjacent structures
- Between buildings: 15 feet
- Off-street parking to ROW: 25 feet (15 feet if buffered by low walls or hedges)

E. Building Height

Building heights are limited to 40 feet for multi-family and commercial structures, and 30 feet for all other primary residential structures. The eaves of a detached garage, may not exceed 10 feet in height, with roof slopes to match the primary building architecture. Refer to Loveland Municipal Code Section 18.54 to calculate building height.

F. Parking & Drives

Parking for residential units and non-residential uses will occur on each lot, or on-street as allowed by code.

Parking for multifamily uses will be accommodated per Table 18.05.303.A of the Loveland Unified Development Code. Commercial uses will be accommodated on-site per code. Multi-family and commercial parking will be separated from public streets by a combination of berms, landscaping, setbacks or by other means per the individual site plans and as approved by the city. Additional off-street parking may be required in cul-de-sac islands, to be determined with P.D.P.

G. Utility Connections

Unless Water and Power requirements for location of meters and other electrical equipment can be met on single family attached and any other building or three or more units per building, the following will apply:

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

Section 10: Implementation

The following regulatory procedures shall apply to all development that occurs within Parcel E of the Wintergreen Village P.U.D. It is the intent of this plan to provide a mechanism by which land can be developed in a manner that encourages flexibility and innovative design of development, in compliance with other applicable land use and development regulations in effect at the time of approval of this Plan.

All land within this G.D.P. will be governed by the provisions of the City of Loveland Site Development Performance Standards and Guidelines, unless other specific standards and provisions are set forth in this plan.

A. Noise Impacts

A Noise Impact Assessment was completed for this site by Balloffet and Associates in 1998 updated by Felsburg Holt & Ullevig in 2004, and subsequently in 2008 as a part of a previous amendment. The 2008 update concluded that the majority of the uses proposed with this amendment would require no mitigation. The mitigation measures required for remaining uses are outlined in section G.1 along with maximum noise levels for both residential and light commercial/industrial development proposed in Parcel E.

Section 11: Supplementary Regulations

A. Signs

Purpose: The purpose of these supplementary regulations is to encourage the effective use of signs in the development; to improve pedestrian and traffic safety; to minimize the potential for adverse impacts of signs; and to encourage the creative use of signing and environmental graphics as a part of the overall development image.

Permitted signs:

1. All signs as allowed by the City of Loveland Sign Code shall be permitted including residential, commercial, and industrial project identification signs (hereafter referred to as "project identification signs"), joint identification signs, and wall signs.
2. A signage program shall be developed for Parcel E with the P.D.P. to illustrate proposed sign locations.
3. Additional signs within Parcel E may be proposed as part of the entry to sub-neighborhoods within the mixed-use project. These signs shall be designed and built to the following standards:
 - Signs must be designed to complement the Project Identification Sign in terms of colors, materials, scale, and general design.
 - Signs shall not exceed 5 feet in height.
 - Signs shall not exceed 30 square feet in sign face as defined by the sign code.

Materials: Appropriate sign materials may include wood, brick, stone, architectural block, stucco or synthetic stucco, brass or other decorative metals. Water features, additional materials not listed herein, or other special identity features may be incorporated into the Project Identification Sign(s), pending P.D.P. / FDP approval.

Application: Other than as noted above, signs shall be designed and installed in accordance with the Loveland Municipal Code, with regard to size, location, height, and other applicable standards.

Section 12: Regulatory Procedures

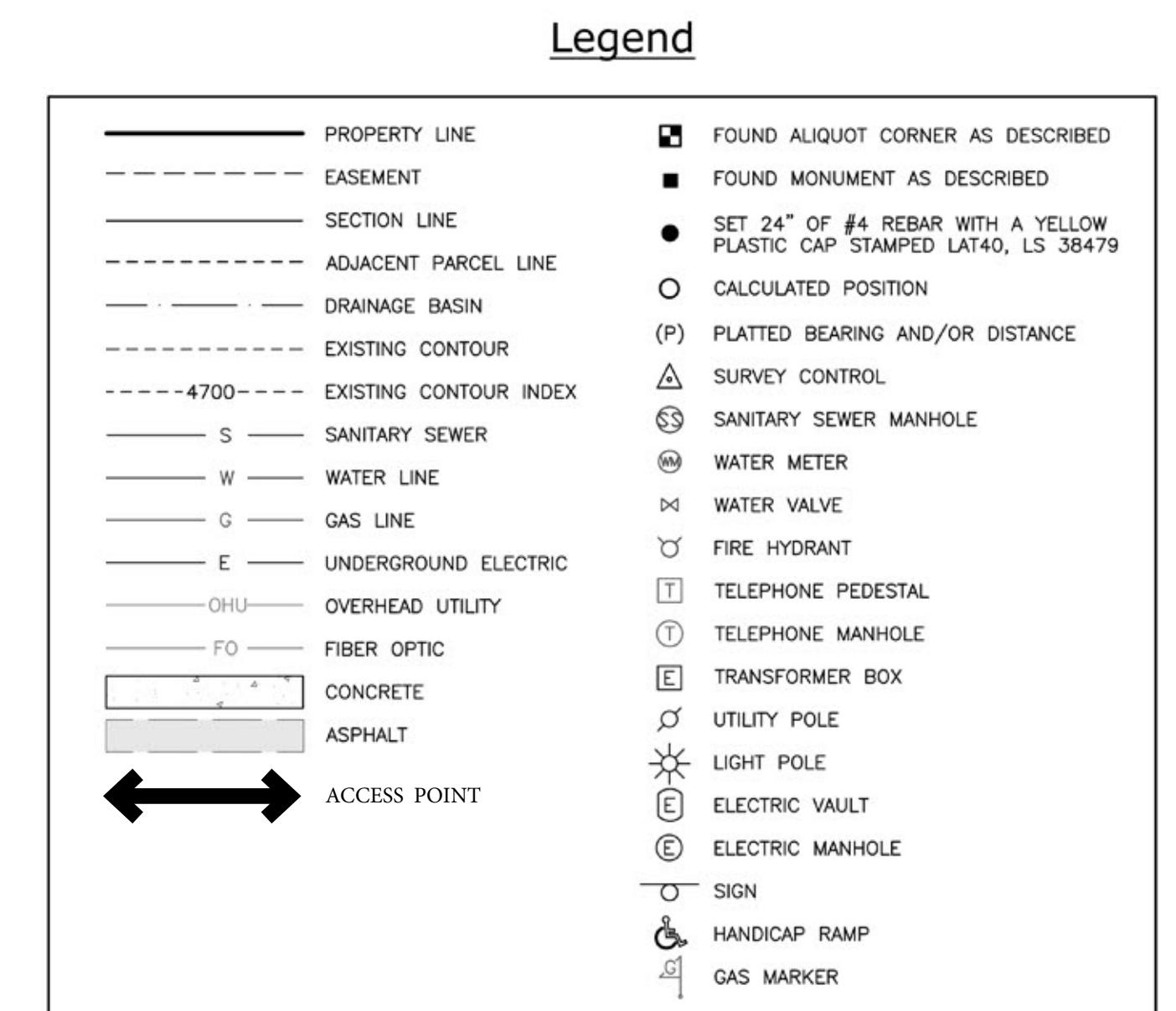
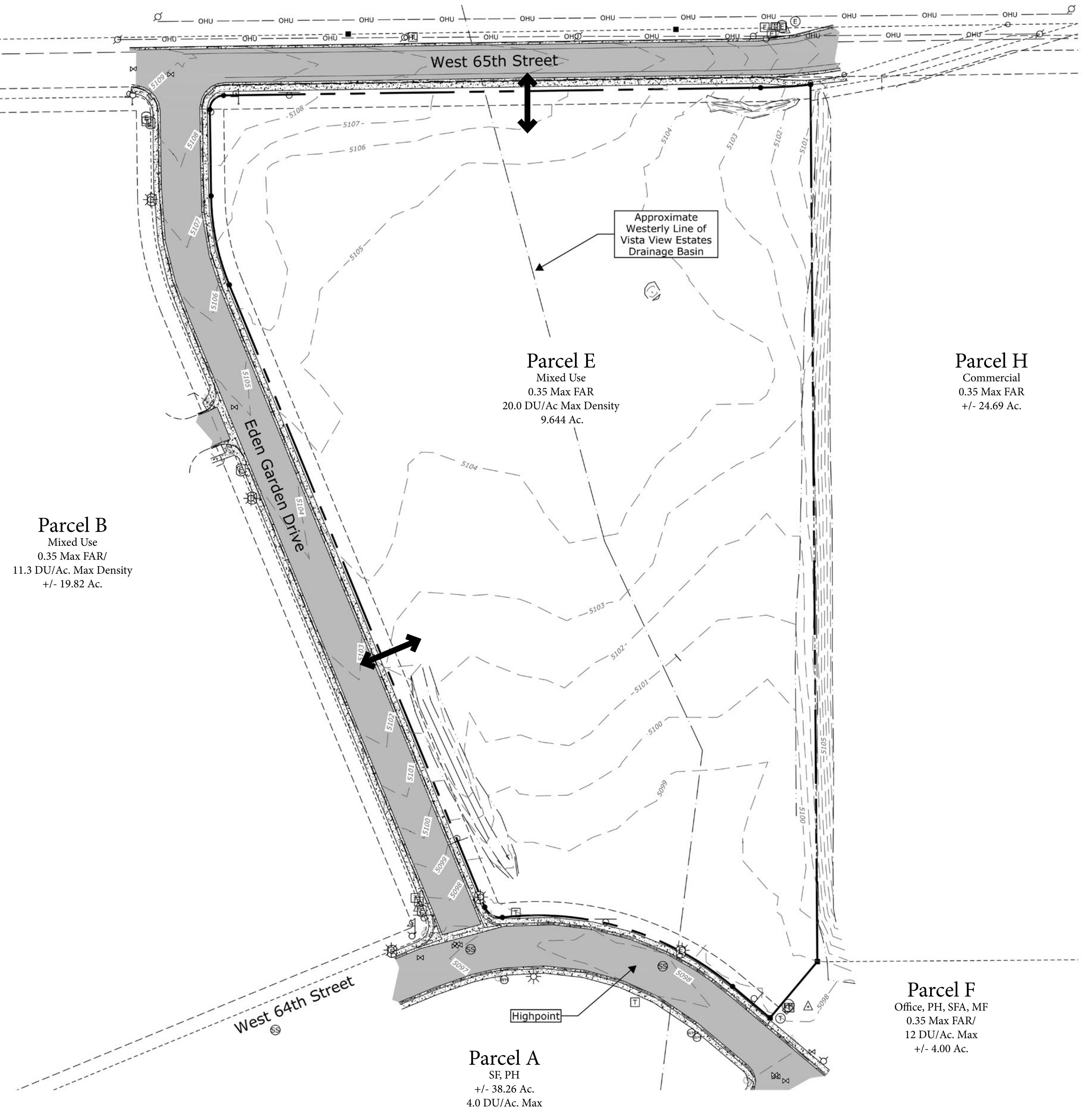
It is the intent of this plan to provide a mechanism by which land can be developed in a manner that encourages flexibility and innovative design of residential development in compliance with other applicable land use and development regulations in effect at the time of approval of this Plan. All development and use of land within this PUD shall be governed by all applicable sections of the Loveland Municipal Code, except as expressly set forth in this plan.

Project #: 218053
Issue Date: 10/24/2018
Revisions
Sheet Title: NARRATIVE
Sheet No: 3 OF 9

Longview Industrial Park

(not a part)

City of Loveland



WINTERGREEN VILLAGE PUD

4th AMENDED GDP FOR PARCEL E.

Also being Outlot B of the Wintergreen 2nd Subdivision
LOVELAND, COLORADO

Project #: 218053

Issue Date: 10/24/2018

Revisions

Sheet Title:

SITE PLAN

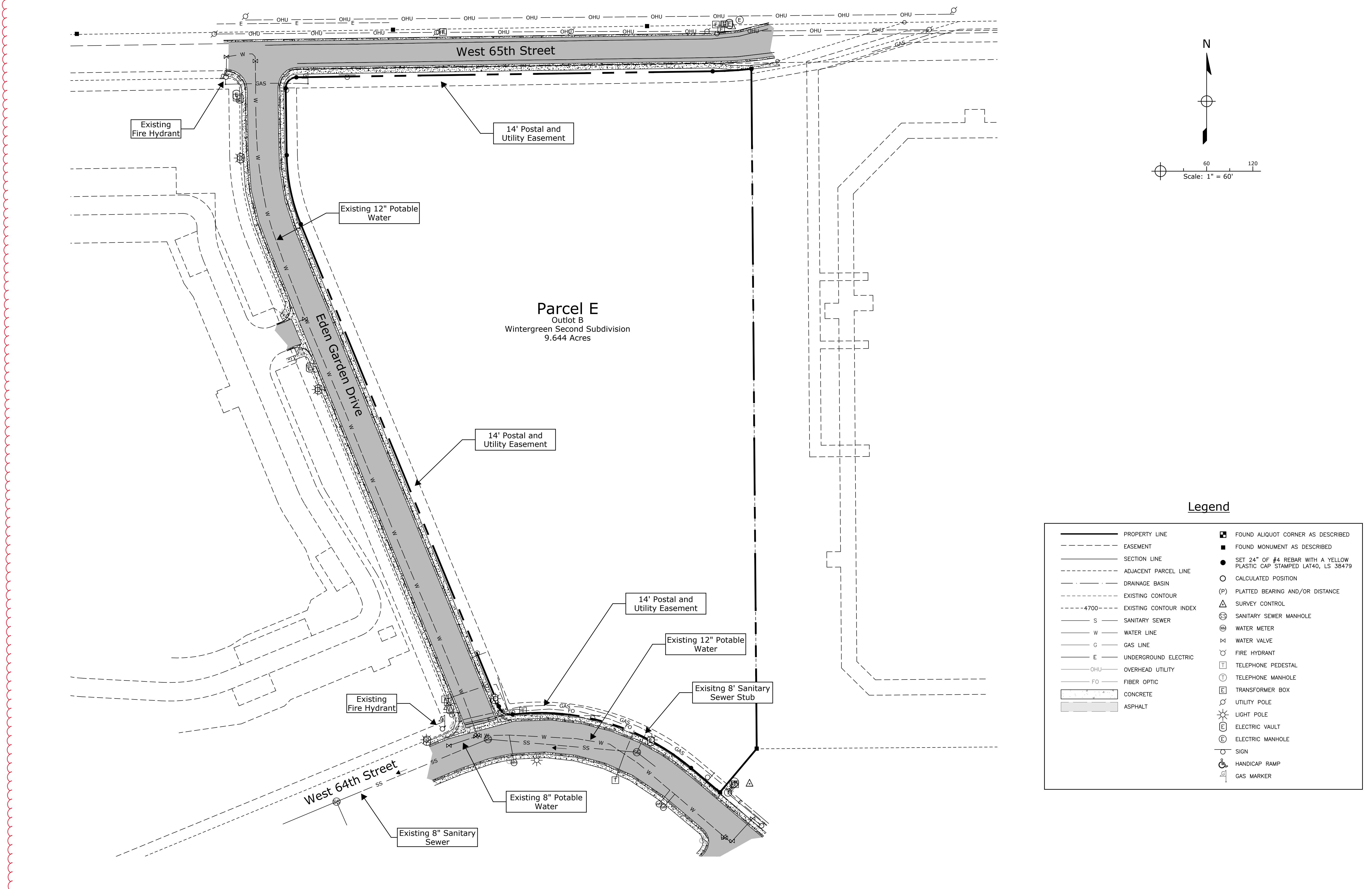
Sheet No:

4 OF 9

**WINTERGREEN VILLAGE PUD
4th AMENDED GDP FOR PARCEL E.**

Also being Outlot B of the Wintergreen 2nd Subdivision
LOVELAND, COLORADO

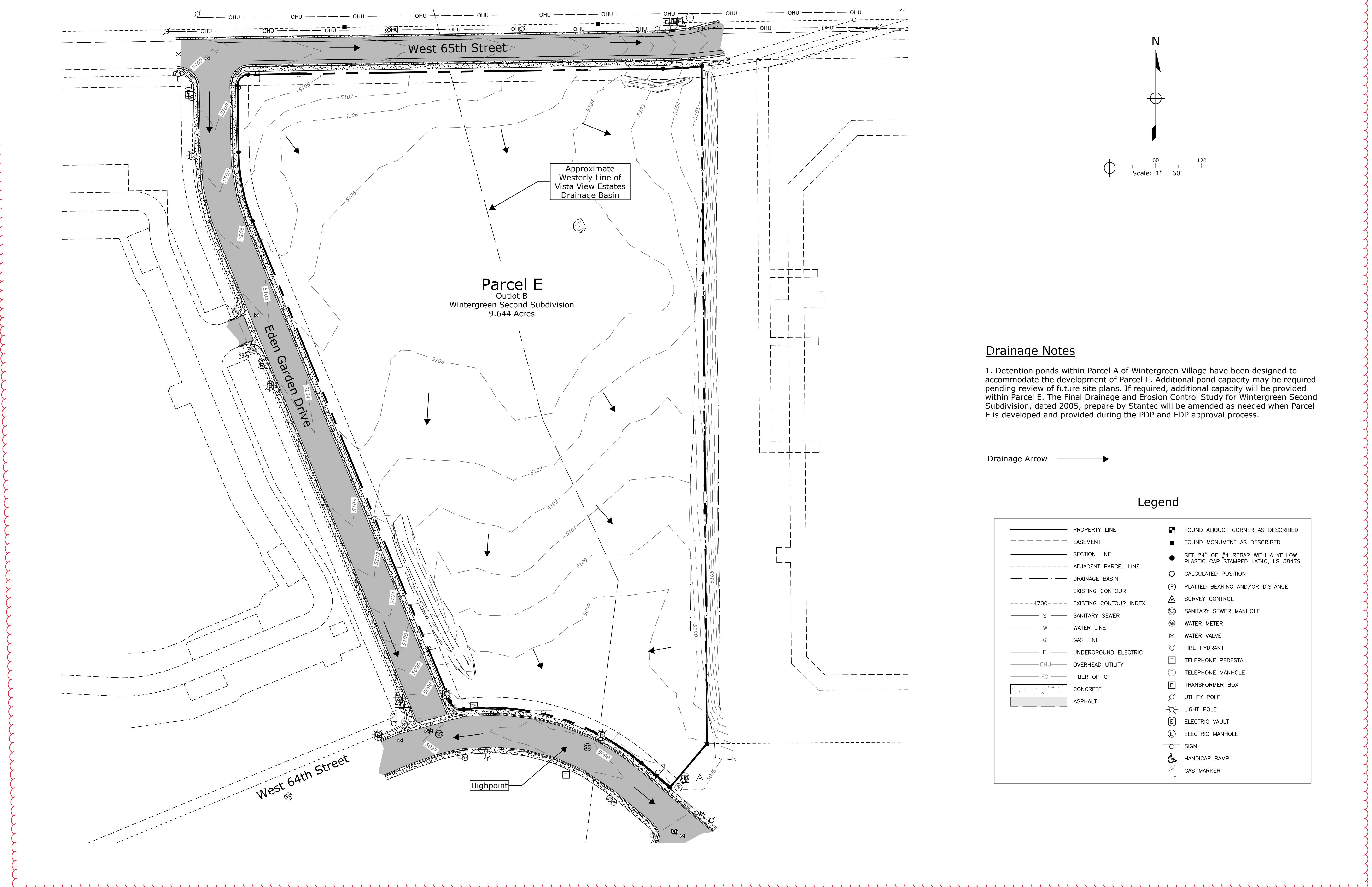
Project #:	218053
Issue Date: 10/24/2018	
Revisions	
Sheet Title:	
UTILITY PLAN	
Sheet No:	
5 OF 9	



WINTERGREEN VILLAGE PUD

4th AMENDED GDP FOR PARCEL E.

Also being Outlot B of the Wintergreen 2nd Subdivision
LOVELAND, COLORADO



Drainage Notes

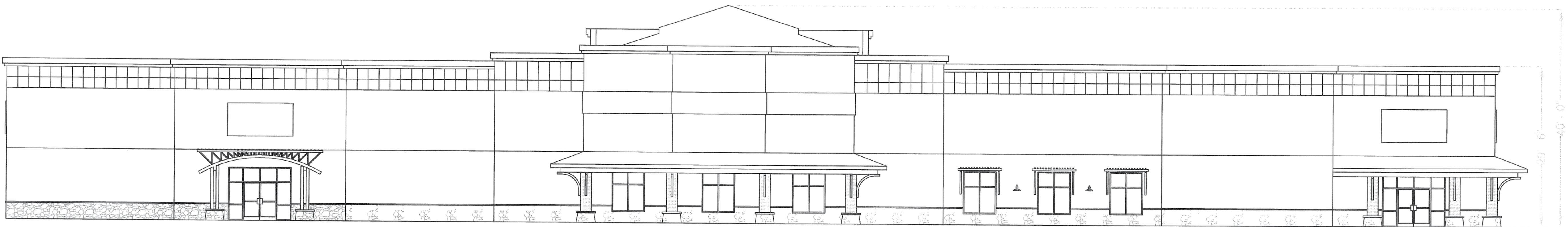
1. Detention ponds within Parcel A of Wintergreen Village have been designed to accommodate the development of Parcel E. Additional pond capacity may be required pending review of future site plans. If required, additional capacity will be provided within Parcel E. The Final Drainage and Erosion Control Study for Wintergreen Second Subdivision, dated 2005, prepared by Stantec will be amended as needed when Parcel E is developed and provided during the PDP and FDP approval process.

Drainage Arrow →

Legend

PROPERTY LINE	FOUND ALIQUOT CORNER AS DESCRIBED
EASEMENT	FOUND MONUMENT AS DESCRIBED
SECTION LINE	SET 24" OF #4 REBAR WITH A YELLOW PLASTIC CAP STAMPED LAT40, LS 38479
ADJACENT PARCEL LINE	CALCULATED POSITION
SECTION LINE	(P) PLATTED BEARING AND/OR DISTANCE
ADJACENT PARCEL LINE	△ SURVEY CONTROL
DRAINAGE BASIN	○ SANITARY SEWER MANHOLE
EXISTING CONTOUR	◎ WATER METER
EXISTING CONTOUR INDEX	■ WATER VALVE
S SANITARY SEWER	○ FIRE HYDRANT
W WATER LINE	■ TELEPHONE PEDESTAL
G GAS LINE	○ TELEPHONE MANHOLE
E UNDERGROUND ELECTRIC	■ TRANSFORMER BOX
CHU OVERHEAD UTILITY	○ UTILITY POLE
FO FIBER OPTIC	○ LIGHT POLE
CONCRETE	○ ELECTRIC VAULT
ASPHALT	○ ELECTRIC MANHOLE
	○ SIGN
	■ HANDICAP RAMP
	○ GAS MARKER

Project #: 218053
Issue Date: 10/24/2018
Revisions
Sheet Title: DRAINAGE PLAN
Sheet No: 6 OF 9



FRONT ELEVATION
 CONCEPTUAL INDUSTRIAL ELEVATIONS

NOT TO SCALE



CONCEPTUAL RETAIL ELEVATION

NOT TO SCALE



CONCEPTUAL OFFICE ELEVATION

NOT TO SCALE

WINTERGREEN VILLAGE PUD

4th AMENDED GDP FOR PARCEL E.

Also being Outlot B of the Wintergreen 2nd Subdivision
LOVELAND, COLORADO

Project #: 218053

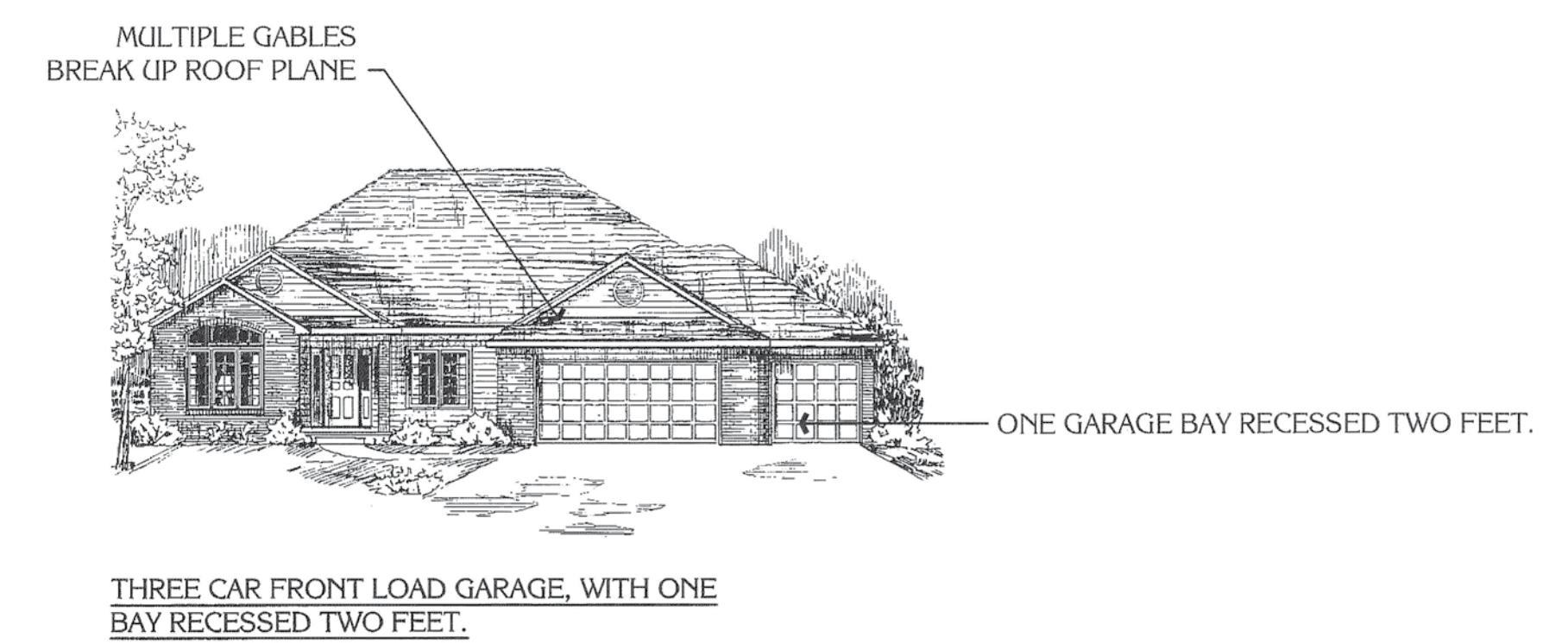
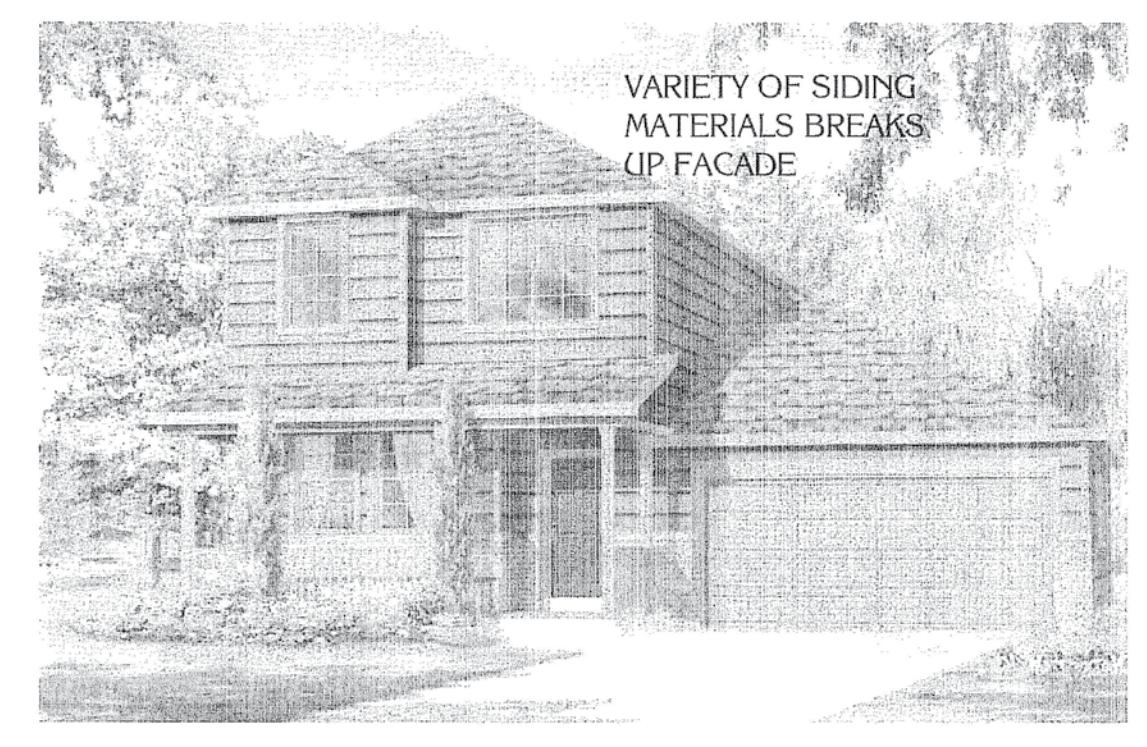
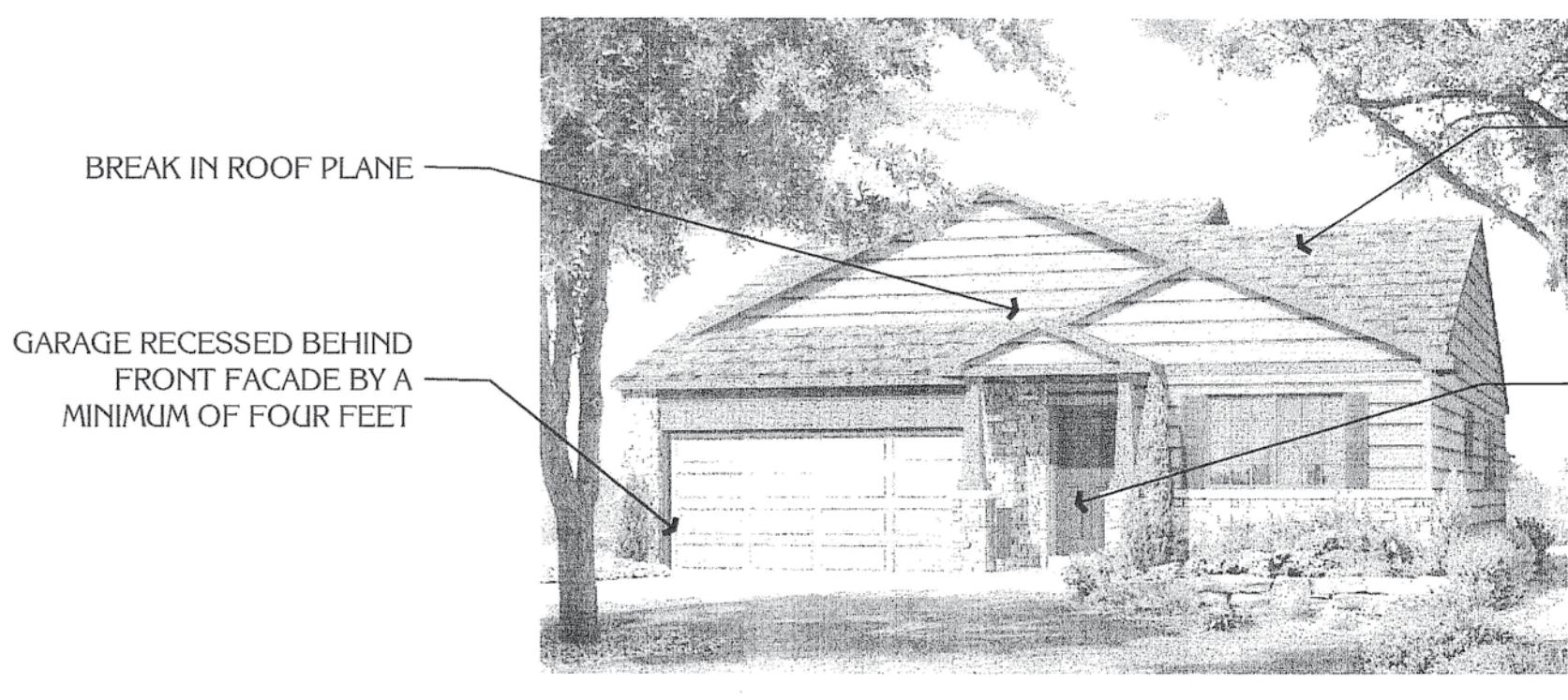
Issue Date: 10/24/2018

Revisions

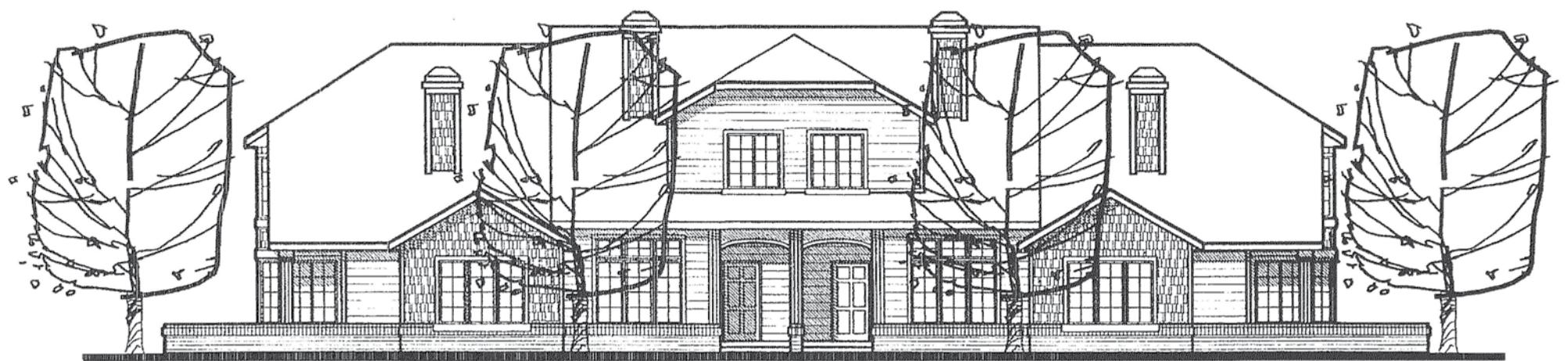
Sheet Title:
**NON-RESIDENTIAL
ELEVATIONS**

Sheet No:

7 OF 9



TYPICAL SINGLE FAMILY ELEVATIONS



CONCEPTUAL TOWNHOME ELEVATIONS
NUMBER OF UNITS ATTACHED MAY VARY. MORE DETAILED ELEVATIONS WILL BE PROVIDED WITH THE P.D.P.

CONCEPTUAL TOWNHOME ELEVATIONS

NOT TO SCALE

NUMBER OF UNITS PER BUILDING MAY VARY. MORE DETAILED ELEVATIONS WILL BE PROVIDED WITH THE P.D.P.



FRONT ELEVATION (HIP ROOF OPTION)



FRONT ELEVATION (GABLE ROOF)



SIDE ELEVATION (OPPOSITE SIDE SIMILAR)



SIDE ELEVATION (OPPOSITE SIDE SIMILAR)

Note: Imagery depicted is conceptual in nature only and is subject to refinement at time of site plan approval.

CONCEPTUAL MULTI-FAMILY ELEVATIONS

WINTERGREEN VILLAGE PUD

4th AMENDED GDP FOR PARCEL E.

Also being Outlot B of the Wintergreen 2nd Subdivision
LOVELAND, COLORADO

Project #: 218053

Issue Date: 10/24/2018

Revisions

Sheet Title:
RESIDENTIAL ELEVATIONS

Sheet No:

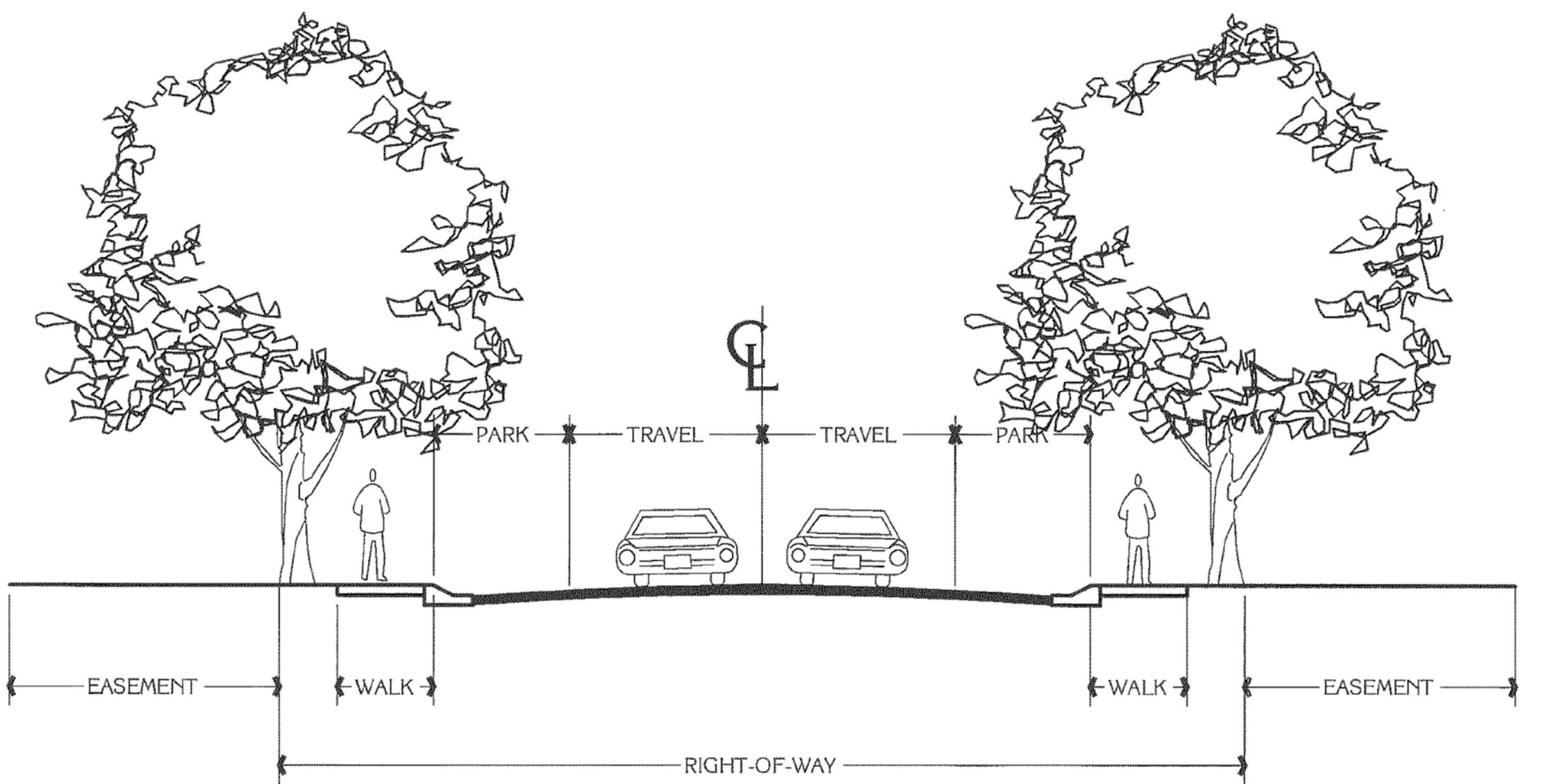
8 OF 9

WINTERGREEN VILLAGE PUD

4th AMENDED GDP FOR PARCEL E.

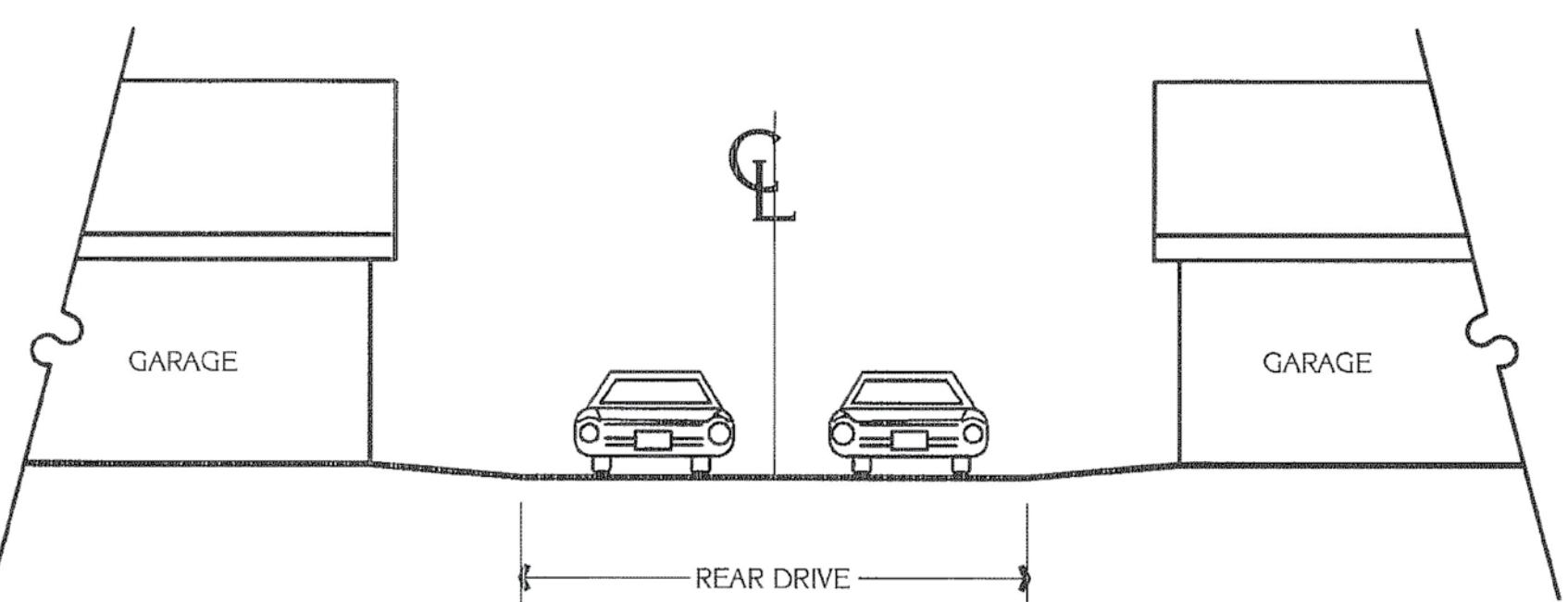
Also being Outlot B of the Wintergreen 2nd Subdivision
LOVELAND, COLORADO

Project #: 218053
Issue Date: 10/24/2018
Revisions
Sheet Title: STREET SECTIONS
Sheet No: 9 OF 9



TYPICAL LOCAL STREET

50' RIGHT-OF-WAY



TYPICAL ALLEY

32' BUILDING TO BUILDING

WINTERGREEN VILLAGE P.U.D.

3rd Amended General Development Plan for Parcels B, C and E, also being Outlots B and C of the Wintergreen 2nd Subdivision

OWNERS SIGNATURE BLOCK

KNOW ALL PERSONS BY THESE PRESENTS THAT:

SDC LOVELAND, LLC, a Colorado Limited Liability Company, being the lawful record owner of the property shown on this Amended General Development Plan, except any existing public streets, roads, or highways, do hereby certify that it accepts the conditions set forth on said plan and in the conditions of approval by the City of Loveland, dated JANUARY 2005, 2000 and that it consents to the recordation of any information thereto.


Peter L. Snively, Jr. Managing Member

STATE OF COLORADO)
ss
COUNTY OF LARIMER)

The foregoing instrument was acknowledged before me this 2nd day of April, 2009 by
Peter L. Snively, Jr.

Witness my hand and official seal.

My commission expires: 10/06/11

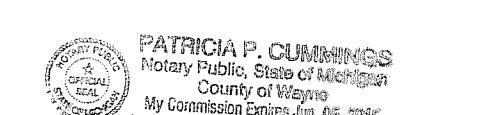

Notary Public
J.M. J.P.
(holder)
My Commission Expires 10/06/09

STATE OF COLORADO)
ss
COUNTY OF LARIMER)
MICHIGAN
OAKLAND

The foregoing instrument was acknowledged before me this 30 day of APRIL, 2009 by
JASON ZALEWSKI, AIA

Witness my hand and official seal.

My commission expires: 6-5-15

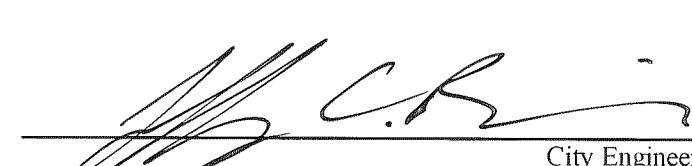

PATRICIA P. CUMMINGS
Notary Public, State of Michigan
My Commission Expires 06/2015
Acting in the County of OAKLAND
Notary Public

SIGNATURE BLOCK

Approved this 4TH day of JUNE, 2009 by the Current Planning Manager of the City of Loveland, Colorado.


Bob Pauer
Current Planning Manager

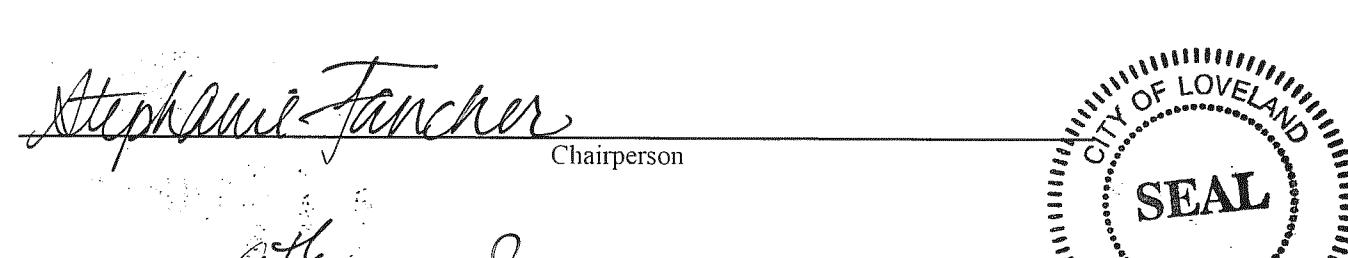
Approved this 3RD day of JUNE, 2009 by the City Engineer of the City of Loveland, Colorado.


C. R. Brink
City Engineer

Approved this 10th day of JUNE, 2009 by the City Attorney of the City of Loveland, Colorado.

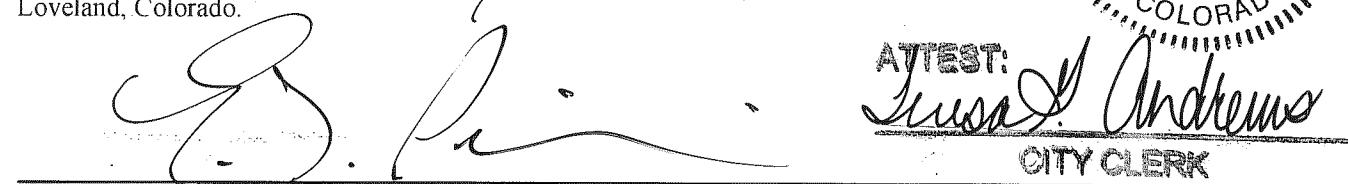

John D. Wend
City Attorney

Approved this 8th day of JUNE, 2009 by the City Planning Commission of the City of Loveland, Colorado.


Stephanie Fancher
Chairperson

CITY OF LOVELAND
COLORADO
SEAL

Approved this 9th day of JUNE, 2009 by the City Council of the City of Loveland, Colorado.


G. P. Anderson
CITY CLERK
Mayor

OWNER & APPLICANT

SDC LOVELAND, LLC
7139 PINE STREET, SUITE 110
CHAGRIN FALLS, OH 44022

CONTACT: KELLEY COEY
(440) 585-9091 PHONE

PLANNING CONSULTANT

VIGNETTE STUDIOS, LLC
144 NORTH MASON STREET, SUITE 2
FORT COLLINS, CO 80524

CONTACT: LEE MARTIN
(970) 472-9125 PHONE
(970) 494-0728 FAX

CONDITIONS OF APPROVAL

Power:

- Unless Water and Power requirements for location of meters and other electrical equipment can be met on Town homes, the following will apply:
 - All townhome buildings of three or more units per building, electric meters will be located centrally on or near the building.
 - Developer or his representative will be responsible for installing and maintaining the underground electric service to the meter per the National Electric Code.
- For all other multiplex buildings of three units or more, electric meters will be located centrally on or near the building, and the developer or his representative will be responsible for installing and maintaining the underground electric service to the meter per the National Electric Code.
- A note will be added to all final plats of any portion of this property that reads as follows: "A surcharge of 5% will be added to all bills for the sale of electric power to additional services which came into existence after January 31, 1987, within the territory herein annexed which surcharge will expire ten years after effective date of this annexation."

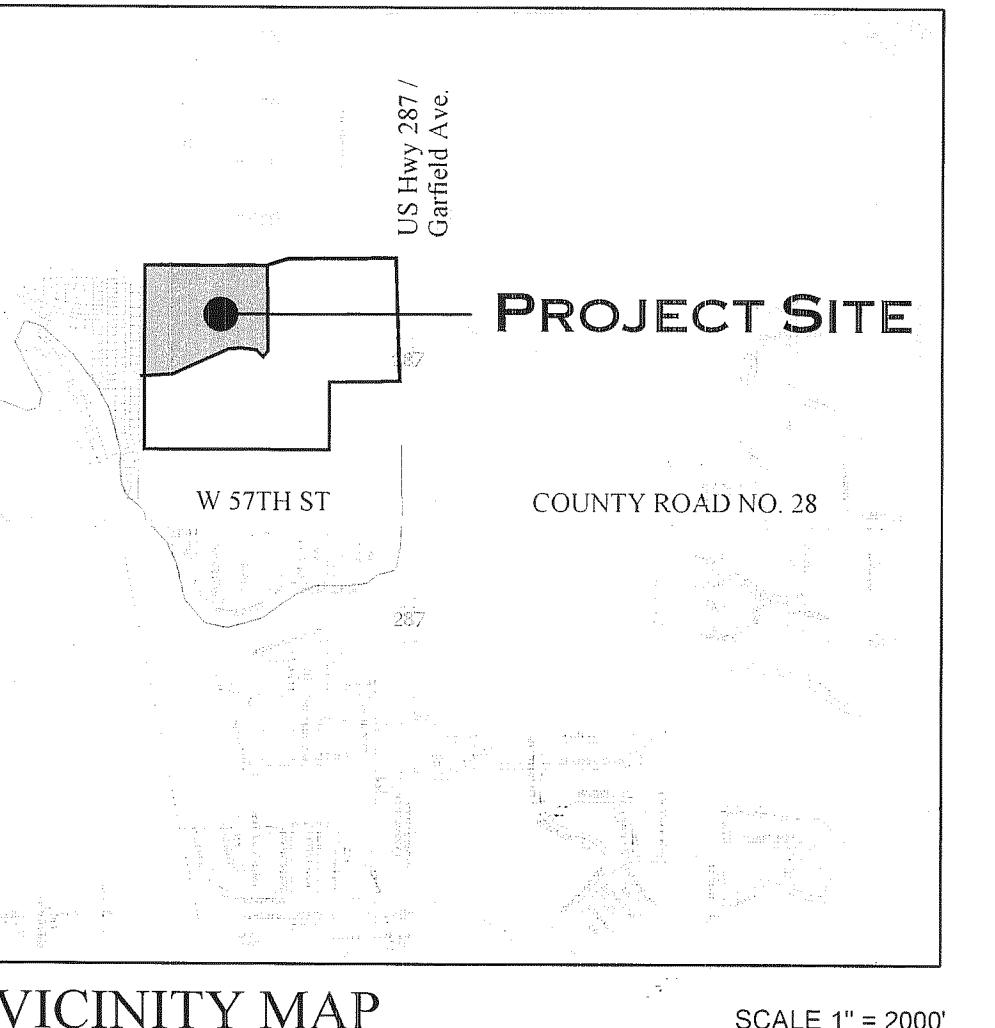
Transportation:

- Notwithstanding any information presented in the GDP Amendment (text or graphical depictions), all public improvements shall conform to the Larimer County Urban Area Street Standards (LCUASS) as amended.

Current Planning:

- Paved pedestrian and bicycle connections shall be provided at the end of all cul-de-sacs in a manner that provides a connection to the next adjacent street, ped/bike path or open space.
- A minimum of 4 vehicle parking spaces shall be provided in the center of all cul-de-sacs. These parking areas shall be designed to include a landscaped island at each end, equal to or similar to standard landscape islands in parking lots.
- All types of multi-unit residential development, but not including single family attached, shall comply with the landscape standards for multi-family dwellings, as set forth in the City of Loveland Site Development Performance Standards and Guidelines.
- All bufferyards installed as part of residential development within this PUD shall be located on a separate tract of land owned and maintained by the applicable HOA or developer.
- All landscape and utility installations shall be designed so as to avoid conflict, based on City standards for separation of landscape from utilities. Each PDP and FDP shall include depictions which clearly indicate that this criterion has been met.

- All portions of the site which continue to be used for agricultural purpose(s) shall be completely enclosed with a 4 foot tall farm fence, along with any necessary gates and/or cattle guards, before issuance of the first building permit for any non-agricultural use within the GDP. Such fences, gates and guards shall be maintained in good repair and condition at all times to assure that agricultural uses do not conflict with approved non-agricultural uses.
- Minimum lot area for development of multi-family dwellings shall be as stipulated in Chapter 18.20 of the Municipal Code for the R3 Zone District.



LEGAL DESCRIPTION

OUTLOTS B AND C, AS WELL AS ADJACENT PORTIONS OF WEST 64TH STREET, WEST 65TH STREET, AND EDEN GARDEN DRIVE, ALL IN THE WINTERGREEN 2ND SUBDIVISION, CITY OF LOVELAND, LARIMER COUNTY, COLORADO.

RESIDENTIAL LOT SIZES

HOUSING TYPE	MINIMUM	TYPICAL	MAXIMUM	MIN LOT WIDTH
SINGLE FAMILY (CONV.)	5,000 SF	6,500± SF	13,000± SF	50 FT
PATIO HOMES (SMALL-LOT S.F.)	4,500 SF	5,000± SF	6,000± SF	45 FT
SINGLE FAMILY ATTACHED	1,500 SF	2,100± SF	2,750± SF	NA
MULTI-FAMILY	NA	NA	NA	NA

GENERAL NOTES

1. AREAS SHOWN ARE PER THE RECORDED PLAT OF THE WINTERGREEN SECOND SUBDIVISION (12/23/2005 RECORDATION DATE), AND ARE INCLUSIVE OF RIGHT OF WAY.

2. PARCEL C OF THE SECOND AMENDMENT TO THE WINTERGREEN GDP IS REMOVED AS A FORMAL BUFFER PARCEL WITH THIS AMENDMENT TO THE WINTERGREEN GENERAL DEVELOPMENT PLAN.

3. GROSS DENSITY AND NUMBER OF DWELLING UNITS THE SECOND AMENDMENT TO THE WINTERGREEN GDP ALSO CALLED FOR 75 - 224 UNITS IN PARCEL B (4-12 DU/ACRE) AND 65 - 111 UNITS IN PARCEL E (7-12 DU/ACRE). THESE UNIT RANGES ARE PROPOSED TO REMAIN UNCHANGED, EXCEPT AS NOTED BELOW (NOTE 3). GROSS DENSITY RANGES DECREASE SLIGHTLY AS A RESULT OF ELIMINATING PARCEL C WITH THIS AMENDMENT AND INCORPORATING THE AREA OF WHAT HAD BEEN PARCEL C INTO PARCELS B & E.

4. THE MAXIMUM GROSS DENSITY SHALL NOT EXCEED 11.30 UNITS PER ACRE FOR PARCEL B AND 9.66 UNITS PER ACRE FOR PARCEL E UNLESS THE RESIDENTIAL DEVELOPMENT IN THE RESPECTIVE PARCEL MEETS THE REQUIREMENTS OF CITY CODE CHAPTER 16.43 BY PROVIDING AT LEAST 10% OF THE DWELLING UNITS IN PARCELS B AND E TO HOUSEHOLDS MAKING 70% OR LESS OF THE MEDIAN FAMILY INCOME. IF THE DEVELOPMENT SATISFIES THIS AFFORDABLE HOUSING REQUIREMENT AS STATED HEREIN, THEN THE MAXIMUM ALLOWED GROSS DENSITY SHALL BE INCREASED TO 12.43 UNITS PER ACRE FOR PARCEL B AND 10.63 UNITS PER ACRE FOR PARCEL E.

5. A MINIMUM OF 20% OF THE GROSS RESIDENTIAL SITE AREA SHALL BE DESIGNATED FOR OPEN SPACE. THIS OPEN SPACE MAY INCLUDE DRAINAGE AREAS, DETENTION PONDS, GREENBELTS, TRAIL CORRIDORS, BUFFER YARDS, STREETSCAPE GREENBELTS OR OTHER SIMILAR FEATURES.

6. THE RESIDENTIAL DENSITIES SHOWN IN THE LAND USE TABLE ARE MAXIMUMS BASED UPON EXCLUSIVELY RESIDENTIAL USES IN PARCELS B & E. THE AREA(S) OF ANY COMMERCIAL / INDUSTRIAL USE(S) WITHIN PARCELS B & E SHALL BE EXCLUDED FROM RESIDENTIAL DENSITIES CALCULATION. REMAINING RESIDENTIAL PORTIONS OF PARCELS B & E MAY BE DEVELOPED AT THE RATES DESCRIBED IN THE LAND USE TABLE, AND/OR AS MODIFIED BY MEETING THE AFFORDABLE HOUSING REQUIREMENT AS STATED HEREIN.

7. ACCESS AND CIRCULATION WILL BE COORDINATED WITH ADJOINING PROPERTIES TO THE EXTENT POSSIBLE.

8. ACCESS POINTS SHOWN ARE ILLUSTRATIVE IN NATURE, AND ARE NOT GUARANTEED BY THE CITY. ACTUAL ACCESS POINTS WILL BE DETERMINED WITH EACH P.D.P.

LAND USE COMPARISON TABLE

	2nd Amended GDP (as recorded)	3rd Amended GDP (as proposed)
Parcel B	Area: ±18.73 Ac Allowed Use: SF, PH, SFA, MF Max Density // Floor Area Ratio: 12.0 DU / Ac. Max Units // Floor Area: 224 D.U.	Area: ±19.82 Ac Mixed Use 11.30 DU / Ac. // 0.35 FAR 224 D.U. // ±300,200 SF
Parcel C	Area: ±4.11 Ac. Allowed Use: Buffer Max Density // Floor Area Ratio: N/A Max Units // Floor Area: N/A	The area of Parcel C has been incorporated into Parcels B & E
Parcel E	Area: ±9.30 Ac. Allowed Use: SF, PH, SFA, MF Max Density // Floor Area Ratio: 12.0 DU / Ac. Max Units // Floor Area: 111 D.U.	Area: ±11.485 Ac. Mixed Use 9.66 DU / Ac. // 0.35 FAR 111 D.U. // ±175,200 SF
Total	Area: ±32.14 Ac. Allowed Use: SF, PH, SFA, MF Max Density // Floor Area Ratio: 10.42 DU / Ac. Max Units // Floor Area: 335 D.U.	Area: ±31.305 Ac. Mixed Use 10.70 DU / Ac. // 0.35 FAR 335 D.U. // ±474,400 SF

SHEET KEY

- Cover Sheet
- Narrative-I
- Narrative-2
- Site Plan
- Utility Plan
- Non-Residential Elevations
- Residential Elevations
- Street Sections

WINTERGREEN VILLAGE PUD

3rd AMENDED GENERAL DEVELOPMENT PLAN

Also being Outlots B and C of the Wintergreen 2nd Subdivision
LOVELAND, COLORADO

Section 1: Purpose of the Project

This Third Amendment to the Wintergreen General Development Plan concerns Parcels B, C, and E of the original GDP, which have a combined gross area of ±31.305 acres. The primary purpose of this Amendment is to expand the list of permitted uses described below. Because of the range of these permitted uses, Parcel C of the original Wintergreen General Development Plan may become unnecessary as a buffer along the north property line. Therefore, a secondary purpose of this Amendment is to eliminate Parcel C from the Land Use Table as a formal buffer, and acknowledge that any buffers that might be required will occur within Parcels B and E, to be formally defined within future PDP and FDP processes.

Section 2: Land Use

A. Overall Concept

This Amended GDP adds Light and Moderate Commercial / Industrial uses to the Residential uses previously allowed within Parcels B and E. Future site plans for these parcels may utilize exclusively Residential uses, exclusively Commercial / Industrial uses, or any combination thereof, to further the intent of providing a diverse, vibrant, walkable neighborhood beyond the boundaries of the original PUD. Any future site plans for Parcels B and E must fit within the fabric of the neighborhood design already built in earlier phases, and must further the goals previously identified in approved documents, including creating a diverse housing mix within a cohesive neighborhood unified by a traditional street pattern, a variety of open areas, and an emphasis on walkability within the neighborhood.

B. Definitions

Unless otherwise stated, all terms herein are defined by the City of Loveland Municipal Code.

- **Commercial:** Commercial area providing general retail, shopping, services, and dining opportunities to the neighborhood and surrounding community. Commercial is not considered "Large Retail" or "Big Box Retail" which pertains more to buildings that range from 20,000 s.f. to 200,000 s.f.
- **Neighborhood Center:** Park area(s) within residential neighborhoods offering a variety of recreational activities that may include open space, playgrounds, community center, and other uses that meet community needs.
- **Patio Home:** One-family dwelling unit that is typically located on a small, individual, simple lot, or which may be under condominium ownership. Patio homes may share a common wall. If patio homes are proposed at the PDP level, specific building elevation will be provided at that time.

C. Permitted Land Uses

Parcels B and E are proposed to be a Mixed Use development, based upon the use categories described below. The residential densities shown in the land use table are maximums based upon exclusively residential uses within parcels B & E. The area(s) of any commercial/industrial use(s) in Parcel B & E shall be excluded from residential density calculations. Remaining residential portion(s) of Parcels B&E may be developed at the rates described in the land use table, and/or as modified by meeting the affordable housing requirement as stated herein.

Note: Until such time as complete development of the land occurs, the site, or portions thereof, may be used for agricultural purposes.

- **Residential Uses**
 - a. Dwelling, Detached Single-Family
 - b. Dwelling, Multi-Family
 - c. Dwelling, Two-Family
 - d. Dwelling, Mixed Use
 - e. Elderly housing
 - f. Patio homes (a.k.a. small-lot single family)
 - g. Home businesses as permitted by city code
 - h. Detached Garages

- **Light Commercial / Industrial Uses**
 - a. Art gallery, studio and workshop including live/work studio and workshop. Such facilities may include the display, sale, fabrication or production of paintings, sculptures, ceramics and other art media. Limited outdoor fabrication of art work may be permitted as provided in Chapter 18.40
 - b. Commercial Daycare centers - adult or child
 - c. Community Facility
 - d. Food Catering
 - e. Indoor Recreation
 - f. Lodging Establishment (hotel and motel)
 - g. Medical/dental labs and clinics
 - h. Office, general administrative
 - i. Open-Air Farmers Market
 - j. Park or Recreation Area
 - k. Personal and business service shops
 - l. Plant Nursery and Greenhouses
 - m. Place of Worship or Assembly
 - n. Print Shop
 - o. Professional Office/Clinic
 - p. Public and Private Schools
 - q. Retail store
 - r. Research Laboratory
 - s. Self-Service Storage Facility
 - t. Vehicle Sales and Leasing for Cars and Light Trucks
 - u. Outdoor Storage
 - v. Health Care Service Facility
 - w. Long Term Care Facility
 - x. Congregate care facility
 - y. Group Care Facility
 - z. Entertainment Facilities and Theaters, indoor
 - aa. Essential Public Utility Uses, Facilities, Services, & Structures
 - ab. Hospital
 - ac. Light Industrial
 - ad. Public Service Facility
 - ae. Restaurant, Standard indoor or outdoor
 - af. Vehicle Minor Repair, Servicing, and Maintenance
 - ag. Veterinary Clinic
 - ah. Veterinary Hospital
 - ai. Workshop and Custom Small Industry (entirely enclosed within a building and provided there is no excessive odor, glare, smoke, heat, vibration, etc.)
 - aj. Warehouses and distribution;
 - ak. Vehicle Rentals for Heavy Equipment, Large Trucks and Trailers
 - al. Banks and financial services (drive-through facilities permitted)
 - am. Domestic Animal Day Care Facility
 - an. Vehicle Rentals for Cars, Light Trucks and Light Equipment
 - ao. Antennas, as defined in Section 18.55.020(A), co-located on an existing tower or structure as provided in Section 18.55.030 and Section 18.55.030 and meeting all other requirements of Chapter 18.55
 - ap. Personal wireless service facility as defined in Section 18.55.020(A), located on a new structure, meeting all requirements of Chapter 18.55
 - aq. Similar facilities and uses to those listed above

Section 3: Circulation

A. Overall Concept

Access to Parcels B & E is from North Garfield Avenue via West 64th and 65th Streets. Eden Garden Drive separates Parcel E from Parcel B, connecting West 64th and West 65th Streets. It is anticipated that private drives and / or local public streets will be constructed within the two parcels; however, the uses proposed in future PDP submittals will determine the circulation design and types of streets required.

B. Components

Private lots may be accessed by local streets, minor collector streets, private drives and private streets. Garage access to residential lots built adjacent to alleys will be via the alley, unless otherwise approved through future PDP / FDPs. Streets shall be designed with as narrow of a section as possible to minimize runoff and calm traffic. Where possible, streets will separate different uses. Every effort will be made to separate residential and non-residential traffic; however, given the mixed use nature of the site, some mixing of traffic will occur.

An overall system of pedestrian ways will be provided along roadways and through selected open space areas. Detached sidewalks will be provided along future collector streets. Attached sidewalks will be provided on all local streets. All required street-side sidewalks shall be located wholly within the right-of-way.

C. Performance Standards

Street improvements and new streets will be constructed in accordance with the street-cross sections shown on Sheet 8 per the Larimer County Urban Area Street Standards. On-street parking is permitted on the minor collector and local streets.

Section 4: Public and Private Utilities

A. Overall Concept

All public facilities and services are readily available to the site. Utilities will be installed underground, and will be provided for as described below.

B. Water and Sewer

- Water and sanitary sewer service will be provided by the City of Loveland. The following improvements are currently available to the site. Additional improvements will be determined with each specific proposal.
- Water service is available in West 64th Street, West 65th Street, and Eden Garden Drive. These lines and services were sized and constructed with the Wintergreen Second Subdivision.
- Sanitary sewer service for this site is available in West 64th Street.
- Details of these service connections and specific alignments will be finalized at the time of preliminary and final plan development.

C. Storm Drainage

Drainage design will conform to the City of Loveland Master Drainage Basin Study (1986), as completed for the City of Loveland by WRC Engineering, Inc. Detention ponds within Parcel A have been designed to accommodate the development of Parcels B and E with residential land uses. Additional pond capacity may be required as a result of this Amendment, pending review of future PDP site plans. If required, this additional capacity will be provided within Parcels E and / or B, for discharge to Dry Creek at the 2-year historic rate.

D. Electric

Service will be provided by the City of Loveland Light and Power Department.

E. Private Utilities

Commercial utilities including natural gas, telephone, and CATV will be provided by Xcel Energy, Qwest, and Comcast, respectively.

F. Irrigation Ditches

None on site.

Section 5: Public and Private Facilities

A. Parks and Open Space

Parcels B & E will be designed to maximize the effect of parks and open space upon the neighborhood and continue the concept that has been previously implemented within Wintergreen Village. Open space playfields will be provided at the rate of one acre per hundred units, in addition to open space at 20% of the gross site area. Public trail connections will be provided within open space areas to provide alternative north - south trail corridors between West 64th and West 65th Streets.

B. Schools

The Thompson School District has not identified a school site within Parcels B & E.

C. Fire and Police

The development will be served by the City of Loveland Police and Fire Departments.

Section 6: Landscaping & Fencing

A. Overall Concept

Landscaping within Parcels B & E will fit within the overall Wintergreen Village concept of xeric and naturalized plantings in traditional patterns. The primary emphasis on landscaping will be along the perimeter of Parcels B & E to create a separation between the mixed uses within Parcels B & E, and adjacent residential development in Parcel A, as well as Copper Ridge to the west. Residential portions of Parcels B & E will be separated from light- and moderate commercial / industrial uses within those parcels by streets, sound walls, architectural design, and / or traditional buffer yards.

B. Edge Treatment

Landscaping: Perimeter landscaping and grading has a number of edge functions, including separation of uses, noise mitigation, recreational opportunities, aesthetic qualities, and storm drainage. Landscaping and / or berms must be placed between the public rights-of-way and the parking areas, to decrease the visual impact of the parking areas. Parking areas shall be screened from view of adjacent streets and residential areas. Screening can be achieved by building placement, the use of berms (minimum 3' high), and/or landscape plantings.

Entries: Entries will be provided into the individual parcels from adjacent streets. These entries may be public streets and / or private drives. Potential entry points are proposed on the Site Plan graphic on Sheet 4. The ultimate design and location of these entries will be determined in future PDP submittals.

Perimeter Fencing: The use of fencing as a part of the development's edges will be minimized to the extent practical. The dominant form of edge treatment will be landscaping. Perimeter fencing (except where needed for sound mitigation, where heights may extend to 8 feet) will be limited to a maximum of 6 feet in height. Chain link and unembellished stockade wood fencing is prohibited.

C. Collector and Local Streetscape

The treatment of the street frontage is vital to the appearance of this development and its identity. Large clusters of coniferous trees mixed with a variety of shrubs and grasses, with large shade trees planted in colonnade fashion in the tree lawns along the streets and internal private drive, will be designed to create a sense of nature within the more urban context of the city and neighborhood. The use of native plant species is encouraged and will be employed where practical.

D. Installation & Maintenance

The landscaped areas of the development, including perimeter areas, common open space, and entry features, will be maintained by the property owner or appropriate Homeowners' Association(s).

Right-of-way landscaping will be installed by the developer and maintained by the HOA.

Privately owned landscaping will be maintained privately. For fee-simple residential lots, the homebuilder will install the landscaping for yards abutting rights of way up to the adjacent building facade. At a minimum, the homebuilder will install one tree per yard, with one additional tree for corner lots. Multifamily landscaping will be installed by the homebuilder and maintained by the HOA. Non-residential lots, parking areas, and private drive landscaping will be installed by the building owner and privately maintained.

E. Water Conservation Measures

Landscape design of common open space areas will incorporate, where practical, Xeriscape principles that will decrease the need for irrigation water from a standard landscape treatment. City of Loveland Raw Water requirements will be proportionally decreased for those areas that are planted with non-irrigated or low-irrigation, native and apt landscaping materials and will not require city water for irrigation. This proportional decrease will be calculated objectively and included on subsequent P.D.P. and F.D.P. documents.

F. Private Fencing

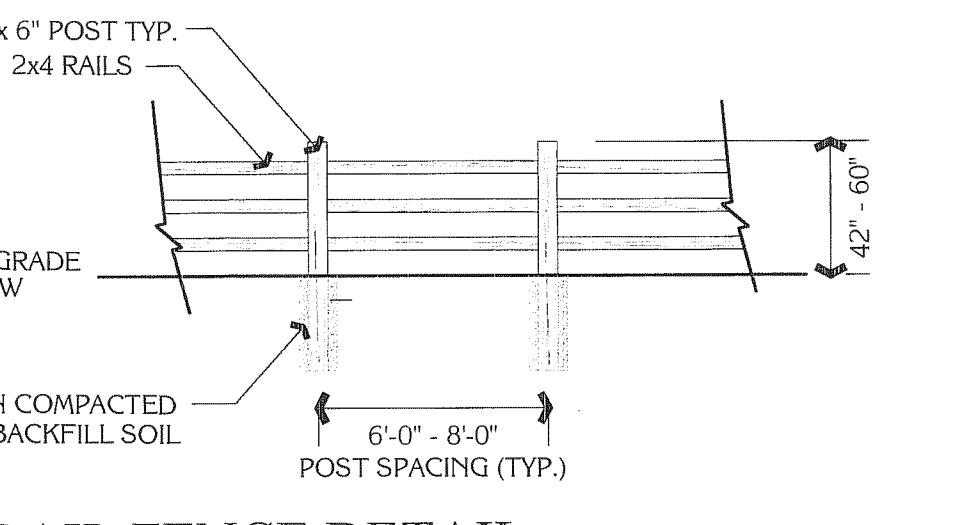
Fences will be allowed on fee-simple residential lots according to the following criteria:

1. Backyard fencing between lots: 6 foot privacy fences will be allowed on lot lines;
2. Backyard fencing on corner lots: 6 foot privacy fences will be allowed, setback a minimum of 10 feet from adjacent sidewalk, or curb where no walk is present;
3. Front yard fencing: open rail, picket or other fencing will be allowed at a maximum height of 36 inches;
4. Sideyard fencing will not be allowed to protrude beyond the front facade of the house;
5. Fencing adjacent to Open Spaces: May be solid or open, limited to a maximum height of 48 inches;

Fence and wall designs are shown on this sheet as a minimum standard. Other designs may be approved as part of a PDP / FDP if fence / wall materials and colors match building design, incorporate masonry, wrought iron, or other higher quality materials, as approved by the Director.

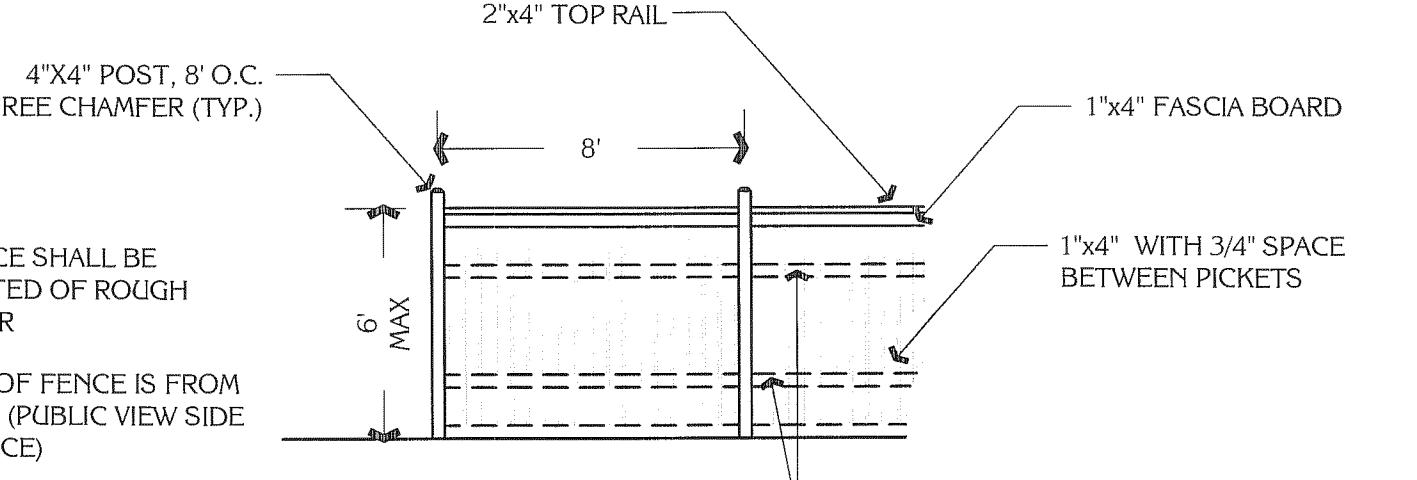
G. Noise Mitigation

1. Noise mitigation measures may be required within Parcels B&E, adjacent to W. 65th St., W. 64th St., the East property line of Parcel E, and on the West property line of Parcel B.
2. The type and extent of noise mitigation measures will depend upon the uses proposed and the location of those uses.
3. As part of any PDP/FDP and/or building permit application for light commercial/industrial uses in Parcels B&E, a qualified professional shall prepare a noise impact report to determine noise impacts of the proposed uses on adjacent properties. The report shall include specific recommendations for mitigation measures that will be consistent with the other pertinent design and development standards in this plan, and based on the requirement that the mitigation measures shall be located on the same site as the non-residential development generating them.
4. All allowed uses in this PUD shall be governed by the provisions of the City noise ordinance, except that all non-residential uses shall comply with the normal limitations for commercial areas and uses, and that noise levels generated by non-residential uses shall meet the more restrictive limitations described below. All noise generated on non-residential sites, both internal to a building and external to a building, shall be governed by these limitations.
5. Noise levels generated by non-residential uses may not exceed 60 dBA from 9 a.m. to 7 a.m., and 65 dBA from 7 a.m. to 9 p.m. If adjacent to a residential use, noise levels may not exceed 50 dBA from 9 p.m. to 7 a.m., and 55 dBA from 7 a.m. to 9 p.m., as measured 25' within the property line and on all floors of residential units.
6. Noise Mitigation Techniques
 - Preferred: Control and mitigate noise sources within a building by building design, materials, architecture, orientation, or setbacks.
 - Alternative: Install noise mitigation measures on the site external to buildings in complete compliance with noise mitigation measures recommended by a qualified professional and approved in writing by the City of Loveland. If the approved mitigation measures consist of walls, they shall be designed to be consistent with the Sound Wall detail depicted below. If it becomes necessary to implement a wall that is greater in height than six feet, the City of Loveland is authorized to require other site improvements, such as landscape or an enhanced design of these walls to mitigate the negative visual effects of taller walls.



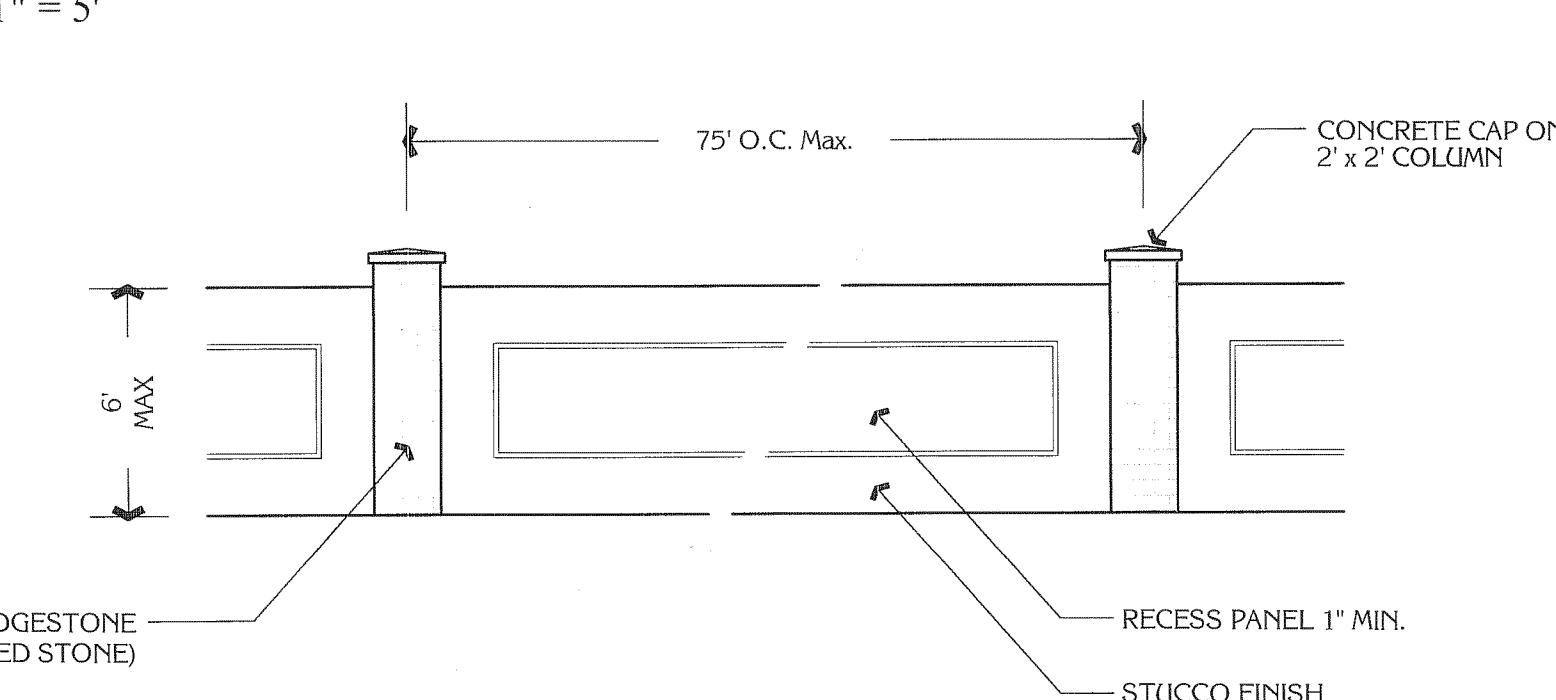
OPEN RAIL FENCE DETAIL

SCALE: 1" = 5'



RESIDENTIAL PRIVACY FENCE DETAIL

SCALE: 1" = 5'



SOUND WALL DETAIL

SCALE: 1" = 5'

Section 7: Architectural & Site Requirements

A. Overall Concept

One of the most important aspects of the development's overall appearance as viewed from its edge is the appearance of the structures. Elevations of structures visible from public rights of way will be detailed or screened to provide visual interest and avoid unattractive views as set forth in the following guidelines. All mechanical equipment located on the exterior ground level of any building or structure shall be screened from view of adjacent public streets and properties with appropriate usage of walls and/or landscape plantings. The overall design concept will emphasize the following elements:

1. An attractive streetscape helps to create an identity for the neighborhood, bolstering a sense of place, and belonging in residents and business users. Consistent and quality architecture for street-facing buildings elevations is an important element in achieving these goals.
2. Building form and character shall be of an appropriate scale. Design considerations shall include the scale and form of the building's major elements, including roofs, walls, and openings.
3. Roofing materials, windows, building materials, and finish will be of a high quality, and coordinated to achieve a cohesive appearance.

B. Performance Standards

1. Residential Units
 - a. All residential roofs shall be gabled, hipped, gambrel, or other sloping form.
 - b. Architectural features (i.e., windows, dormers, wall offsets) shall be incorporated into all facades of residential structures that face a public right-of-way to provide visual interest along the streetscape.

WINTERGREEN VILLAGE PUD

Also being Outlots B and C of the Wintergreen 2nd Subdivision
LOVELAND, COLORADO

4. Drive -Through Facilities: In addition to the performance standards for all commercial areas as listed above, drive-through facilities shall meet the following performance standards.

- Drive-through facilities may be approved only as an accessory use to a commercial/retail or industrial use.
- Speakers at drive-through facilities shall not be audible from adjacent residential uses. Sound attenuation walls, landscaping, or other mitigation measures shall be required as necessary to meet this standard.
- Pedestrian walkways shall intersect drive-through lanes only at locations where both the pedestrians and drivers have clear visibility of the intersection.
- Drive through lanes shall have a minimum width of twelve (12) feet on curves and a minimum of eleven (11) feet on straight sections.
- Minimum off-street stacking spaces shall be provided as follows:

ACTIVITY TYPE	MINIMUM STACKING	MEASURED FROM
Bank teller lane	4 Cars	Teller or window
Automated teller machine	3 Cars	Teller machine
Restaurant drive-through	6 Cars	Order box
Restaurant drive-through	4 Cars	Order box to pick-up window
Car wash stall, automated	4 Cars	Entrance
Car wash stall, self-service	3 Cars	Entrance
Other	4 Cars	Pick-up window

- No drive-through lane shall exit directly into a public right-of-way. Drive-through lanes shall be integrated with the on-site circulation and shall merge with the access drive prior to reaching the street right-of-way.
- Drive-through lanes shall be separated from landscaped areas by a six (6) inch high, poured in place, concrete curb or other suitable protective device approved by the Director.
- Drive-through lanes shall be screened from view from public rights-of-way and landscaping shall be used to minimize the visual impacts of reader boards and directional signs. To the maximum extent feasible, drive-through lanes shall not be located between the principle building and adjacent public roadways or sidewalks. If the Director determines that there is no feasible alternative, drive-through lanes may be located between the principle building and adjacent public roadways or sidewalks, provided such lanes are set back a minimum of twenty (20) feet from any adjacent public roadway or sidewalk and the entire twenty (20) foot setback is landscaped and/or bermed with a minimum three (3) foot high berm to screen the drive-through lane and facility from adjacent roadways.
- Menu boards shall be a maximum area of thirty (30) square feet, with a maximum height of six (6) feet and, to the maximum extent feasible, shall face away from public rights-of-way.
- Any drive-through facilities shall be secondary in emphasis and priority to any other access and circulation function. Such facilities shall be located in side or rear locations that do not interrupt direct pedestrian access along connecting pedestrian frontage.
- The design and layout of drive-through facilities for restaurants, banks, or other uses shall: avoid potential pedestrian/vehicle conflicts; provide adequate directional signage to ensure a free-flow through the facility; and provide a walk-up service option as well as drive-through.
- Drive-through facilities and reader boards shall be located on the rear or side of principal structures to minimize their visibility from public roadways.
- Drive-through lanes adjacent to public streets or sidewalks shall be separated from such streets or sidewalks by walls, railings, or evergreen hedges at least 3 feet high.
- Car wash facilities and gas station auto service bays shall be located on the side or rear of principal structures to minimize their visibility from public streets.

5. Parking lot lighting, shall meet the following performance standards:

- Light sources shall be concealed and fully shielded and shall feature sharp cut-off capability so as to minimize up-light, spill-light, glare and unnecessary diffusion on adjacent property.
- Parking lot lighting shall be designed to provide the minimum lighting necessary to ensure adequate vision and comfort in parking areas and to not cause glare or direct illumination onto adjacent properties or streets.
- The style of light standards and fixtures shall be consistent with the style and character of architecture proposed on the site. Poles shall be anodized (or otherwise coated) to minimize glare from the light source.
- Light sources shall minimize contrast with the light produced by surrounding uses, and must produce an unobtrusive degree of brightness in both illumination levels and color rendition. Incandescent, metal halide, and high-pressure sodium light sources all can provide adequate illumination with low contrast and brightness and are permitted light sources.
- Light levels measured twenty (20) feet beyond the property line of the development site (adjacent to residential uses or public rights-of-way) shall not exceed one-tenth (0.1) foot-candle as a direct result of the on-site lighting.
- Cut-off fixtures, meeting the specification established by the Illuminating Engineering Society of North America (IESNA) should be used in parking lots or, for fixtures that are not cut-off fixtures, the maximum initial lumens generated by each fixture should not exceed two thousand (2,000), and the mounting height of such fixtures should not exceed twenty (20) feet.
- Minimum illumination levels shall be no less than 0.3 foot candles.
- The uniformity ratio (ratio of average to minimum illuminance) shall be no greater than four to one (4:1).
- The minimum Color Rendering Index (CRI) shall be 20.

6. Materials

Potential building materials and forms are outlined below:

- Commercial:
 - Siding - Brick, stone, hardboard lap siding, wood siding, vinyl, stucco or synthetic stucco, split face CMU, smooth face CMU, Quik-Brik, Glass, metal siding or metal panels. No vertical T111 siding shall be permitted. Other materials not listed above may be allowed to further the intent of this section, if approved by the City of Loveland.
 - Roofing - For sloped roofs asphalt or fiberglass shingles, tile, or standing-seam metal shall be used. These restrictions shall not apply for flat roofs.
- Residential:
 - Siding - Brick, stone, hardboard lap siding, wood siding, vinyl, stucco or synthetic stucco, metal siding, metal panels. No vertical T111 siding shall be permitted.
 - Roofing - For sloped roofs asphalt or fiberglass shingles, tile, or standing-seam metal shall be used (flat roofs are prohibited for residential structures).
 - The appropriate materials for architectural elements may include, but are not limited to, the use of brick, stone, lap or other wood siding, synthetic stucco, split face CMU, smooth face CMU, Quik-Brik, Glass, asphalt shingles, tiles, wood shingles, dormers, and covered porches.
 - Appropriate materials will be further defined with the respective P.D.P.

D. Minimum Setbacks

The following minimum setbacks shall apply to all development within Parcels B & E. These setbacks are measured from the nearest property or right-of-way line, and apply to both principal structures and detached garages, unless otherwise stated.

Staggered setbacks, or other methods, shall be utilized where appropriate throughout the residential areas to provide variety and interest along residential streetscapes. A setback matrix or other objective mechanism shall be included with all residential P.D.P.'s.

- Single Family Detached & Patio Homes
 - Front yard
 - Garage door to ROW: 20 feet
 - Side-loaded garage to ROW: 15 feet
 - Building wall to ROW: 15 feet
 - Side yard
 - Internal side yard setback: 5 feet, or 3:1 ratio of building height to side yard setback (whichever is greater)
 - Minimum building separation: 10 feet
 - Building wall to ROW: 15 feet
 - Garage door to ROW: 20 feet
 - Rear yard
 - Principal Structure to rear lot line: 15 feet
 - Detached garage to rear lot line: 10 feet (with garage access from local street)
 - Principal structure to alley: 6 feet
 - Detached garage to alley: 6 feet (with garage access from alley)
- Single Family Attached Homes
 - Front yard (building wall to ROW): 15 feet
 - Side yard
 - Exterior wall to property line: 5 feet, or 3:1 ratio of building height to side yard setback (whichever is greater)
 - Minimum building separation: 10 feet
 - Building wall to ROW: 15 feet
 - Rear yard (Principal structure & detached garages)
 - 6 feet
- Multi-family & Related Off-Street Parking
 - Building to property line / right of way: 20 feet
 - Building to building: 20 feet
 - Building to detached garage: 15 feet
 - Detached garage to detached garage: 10 feet (between structures; multiple garages may be in one structure)
 - Building to off-street parking: 10 feet
 - Off-street parking to ROW: 15 feet
- Light Commercial / Industrial Structures & Related Off-Street Parking
 - Building to property line / ROW: 15 feet, plus 4 foot minimum offset between adjacent structures
 - Between buildings: 15 feet
 - Off-street parking to ROW: 25 feet (15 feet if buffered by low walls or hedges)

E. Building Height

Building heights are limited to 40 feet for multi-family and commercial structures, and 30 feet for all other primary residential structures. The eaves of a detached garage, may not exceed 10 feet in height, with roof slopes to match the primary building architecture. Refer to Loveland Municipal Code Section 18.54 to calculate building height.

F. Parking & Drives

Parking for residential units and non-residential uses will occur on each lot, or on-street as allowed by code.

Parking for multi-family and commercial uses will be accommodated on-site per code, and will be visually separated from public streets by a combination of berms, landscaping, setbacks or by other means per the individual site plans and as approved by the City. Additional off-street parking may be required in cul-de-sac islands, to be determined with P.D.P.

G. Utility Connections

Unless Water and Power requirements for location of meters and other electrical equipment can be met on single family attached and any other building or three or more units per building, the following will apply:

- For all buildings of three or more units per building, electric meters will be located centrally on or near the building.
- The developer or his representative will be responsible for installing and maintaining the underground electric service to the meter per the National Electric Code.

Section 8: Landform Modification

Parcels B & E have gently rolling topography. The property slopes generally to the south at approximately 2.5%. The development of the parcels within this amendment will generally conform to the existing topography, with grade modifications as needed to facilitate proper drainage.

Detailed grading design will be submitted with P.D.P.'s.

Section 9: Drainage Statement

Drainage design for Parcels B & E will conform to the City of Loveland Master Drainage Basin Study (1986), as completed for the City of Loveland by WRC Engineering, Inc. For the Wintergreen Village PUD, on-site detention has been and will continue to be provided with discharge to the Dry Creek and the existing creek east of the Louden Ditch at the two-year historic rate as development within the Wintergreen Village PUD progresses. Wintergreen Village straddles a ridge lying between Dry Creek Basin (Sub-basin 9), and the Horseshoe Basin (Sub-basins 5 and 6). Detention is anticipated to occur in two locations. The eastern portion of the site, which is in the Horseshoe Basin will drain to a detention facility in the northeast corner of the site outfalling into an existing pipe under North Garfield Ave., and into the existing creek east of Louden Ditch. The southern and western portion of the site, which is in the Dry Creek Basin will flow into a detention area along the southern portion of the site (Parcel A). This area will outfall in a piped system to the southwest and into Dry Creek through a culvert underneath the railroad. Should the ponds already designed within Parcel A be unable to accommodate the above requirements, as determined through future PDP / FDP submittals, additional stormwater detention facilities will be provided within Parcels B and / or E.

A final drainage report has been prepared for Wintergreen Second Filing, of which this GPD amendment is a part. This drainage report will be compiled with and amended as needed for each subsequent PDP and FDP. Generalized locations and sizing of detention and conveyance facilities are included in this report. This site is located within the Horseshoe Basin as defined by the City of Loveland Master Drainage Plan.

Section 10: Implementation

The following regulatory procedures shall apply to all development that occurs within Parcels B & E of the Wintergreen Village P.U.D. It is the intent of this plan to provide a mechanism by which land can be developed in a manner that encourages flexibility and innovative design of development, in compliance with other applicable land use and development regulations in effect at the time of approval of this Plan.

All land within this GPD will be governed by the provisions of the City of Loveland Site Development Performance Standards and Guidelines, unless other specific standards and provisions are set forth in this plan.

A. Noise Impacts

A Noise Impact Assessment was completed for this site by Balloufet and Associates in 1998 updated by Felsburg Holt & Ullevig in 2004, and subsequently in 2008 as a part of this amendment. The 2008 update concluded that the majority of the uses proposed with this amendment would require no mitigation. The mitigation measures required for remaining uses are outlined in section 6G, along with maximum noise levels for both residential and light commercial/industrial development proposed in Parcels B&E.

Section 11: Supplementary Regulations

A. Signs

Purpose: The purpose of these supplementary regulations is to encourage the effective use of signs in the development; to improve pedestrian and traffic safety; to minimize the potential for adverse impacts of signs; and to encourage the creative use of signing and environmental graphics as a part of the overall development image.

Permitted signs: Signs permitted within this P.U.D. shall include:

- All signs as allowed by the City of Loveland Sign Code shall be permitted including residential, commercial, and industrial project identification signs (hereafter referred to as "project identification signs"), joint identification signs, and wall signs.
- A signage program shall be developed for Parcels B and E with the PDP to illustrate proposed sign locations.
- Additional signs within Parcels B and E may be proposed as part of the entry to sub-neighborhoods within the mixed-use project. These signs shall be designed and built to the following standards:
 - Signs must be designed to complement the Project Identification Sign in terms of colors, materials, scale, and general design.
 - Signs shall not exceed 5 feet in height.
 - Signs shall not exceed 30 square feet in sign face as defined by the sign code..

Materials: Appropriate sign materials may include wood, brick, stone, architectural block, stucco or synthetic stucco, brass or other decorative metals. Water features, additional materials not listed herein, or other special identity features may be incorporated into the Project Identification Sign(s), pending PDP / FDP approval.

Application: Other than as noted above, signs shall be designed and installed in accordance with the Loveland Municipal Code, with regard to size, location, height, and other applicable standards.

Section 12: Regulatory Procedures

It is the intent of this plan to provide a mechanism by which land can be developed in a manner that encourages flexibility and innovative design of residential development in compliance with other applicable land use and development regulations in effect at the time of approval of this Plan. All development and use of land within this PUD shall be governed by all applicable sections of the Loveland Municipal Code, except as expressly set forth in this plan.

JOB NO: 35013B
ACAD FILE: 3rdGDP-Mylars
DRAWN: LM/BG/MA
CHECKED: TH
ISSUE DATE: 05-20-2008
REVISIONS DATE
PER CITY COMMENT 08-12-2008
PER CITY COMMENT 09-23-2008
PER CITY COMMENT 10-31-2008
MYLARS 02-06-2009

SHEET TITLE:

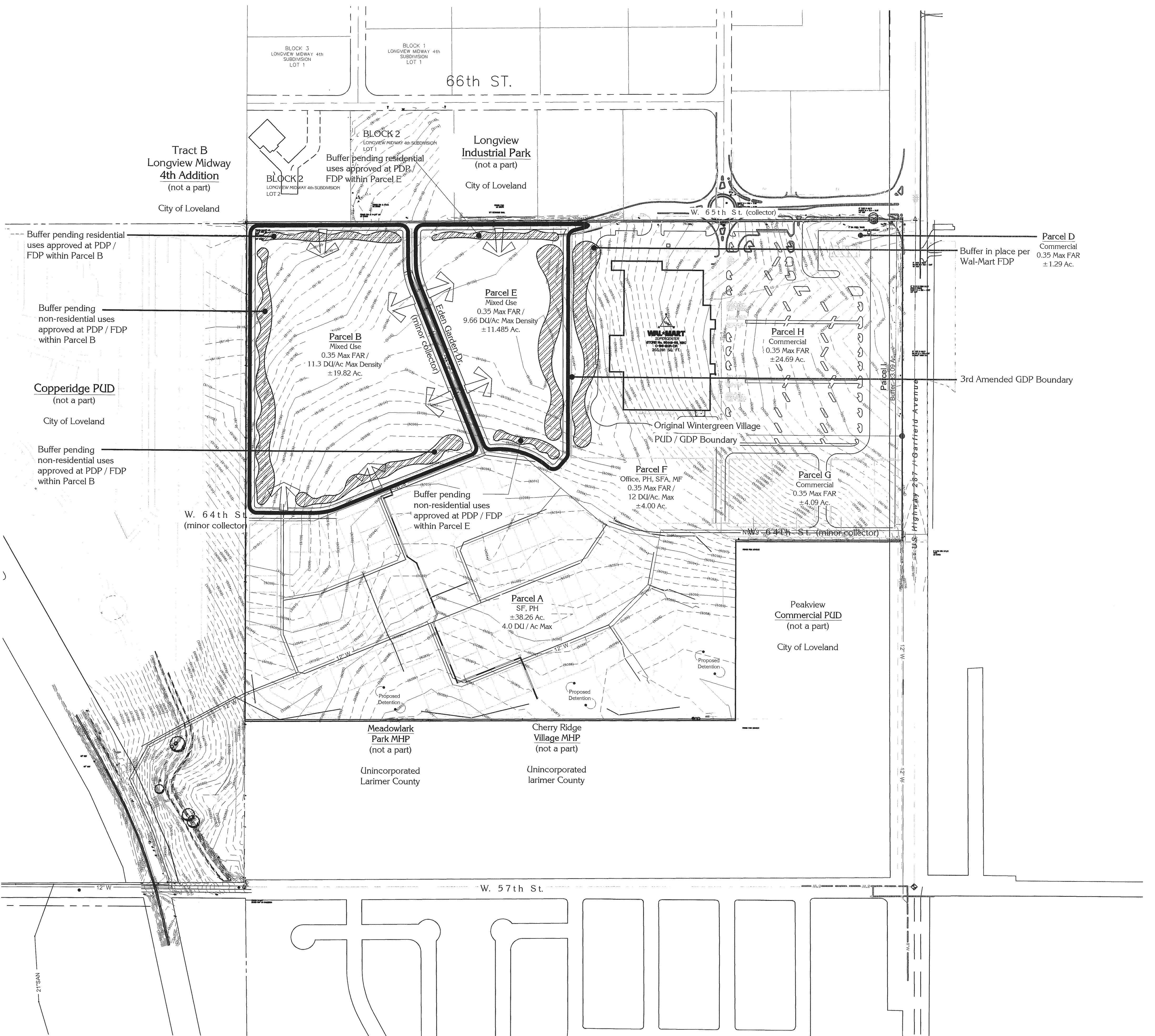
NARRATIVE

SHEET NO:

3 OF 8

WINTERGREEN VILLAGE PUD

Also being Outlots B and C of the Wintergreen 2nd Subdivision
LOVELAND, COLORADO



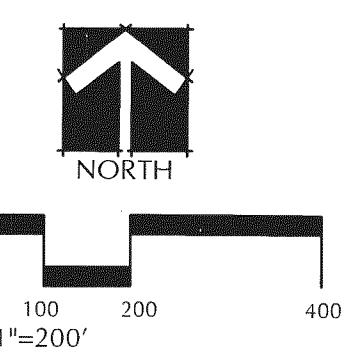
NOTE: SEE COVER SHEET FOR
GENERAL NOTES AND LAND
USE INFORMATION

JOB NO: 35013B
ACAD FILE: 3rdGDP-Myers
DRAWN: LM/BG/MA
CHECKED: TH
ISSUE DATE: 05-20-2008
REVISIONS DATE
PER CITY COMMENT: 08-12-2008
PER CITY COMMENT: 09-23-2008
PER CITY COMMENT: 10-31-2008
MYLARS 02-06-2009

SHEET TITLE:

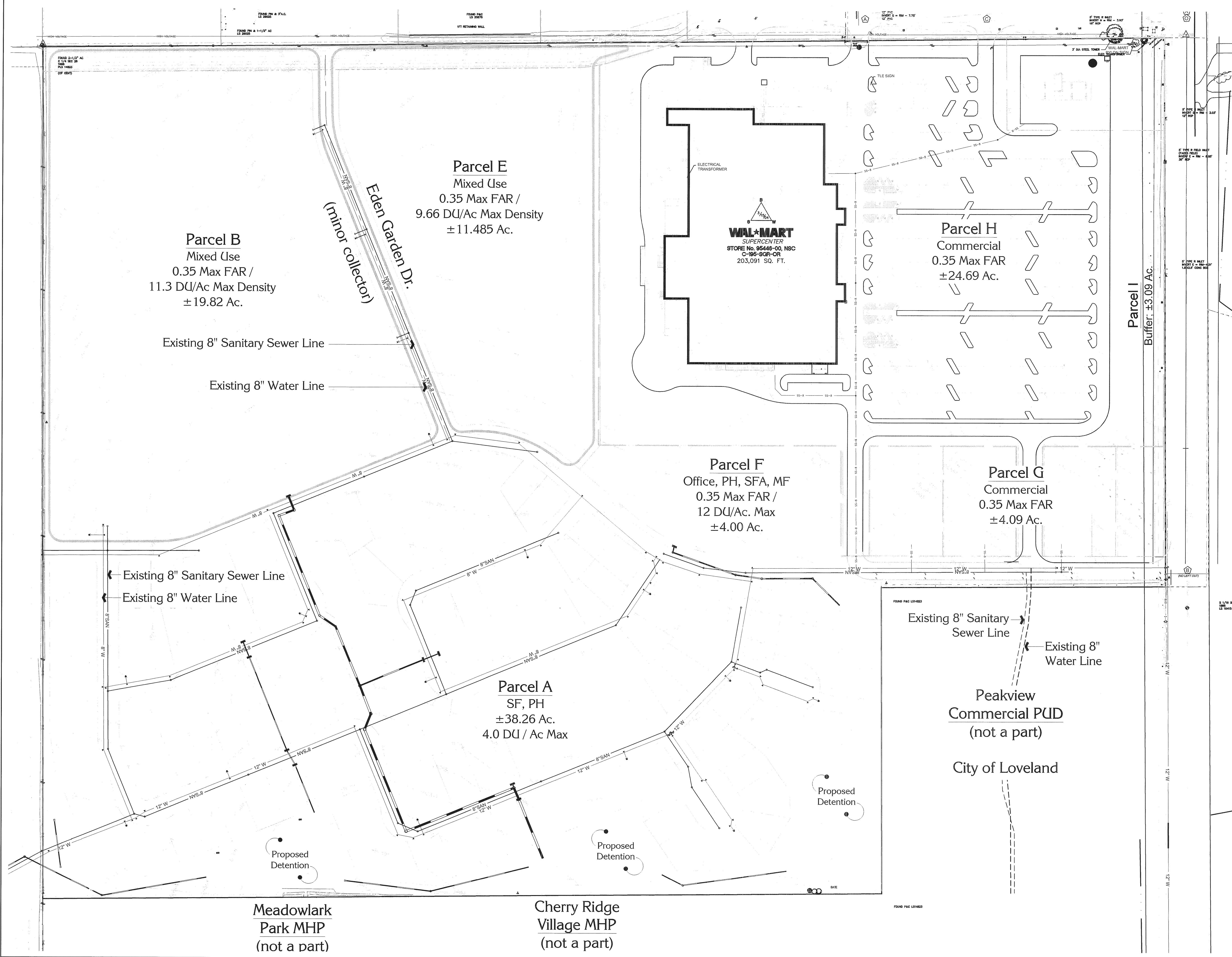
SITE PLAN

SHEET NO:



WINNERGREEN VILLAGE PUD

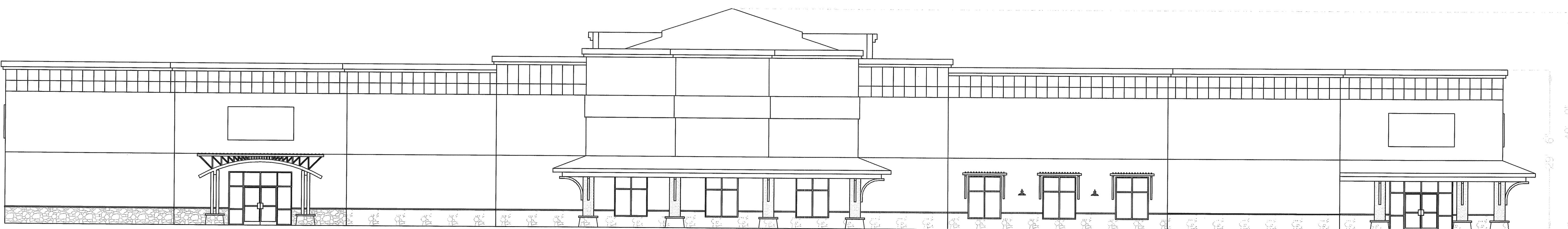
LOVELAND, COLORADO



WINTERGREEN VILLAGE PUD

3rd AMENDED GENERAL DEVELOPMENT PLAN

Also being Outlots B and C of the Wintergreen 2nd Subdivision
LOVELAND, COLORADO



FRONT ELEVATION

CONCEPTUAL INDUSTRIAL ELEVATIONS

NOT TO SCALE



CONCEPTUAL RETAIL ELEVATION

NOT TO SCALE



CONCEPTUAL OFFICE ELEVATION

NOT TO SCALE

JOB NO: 35013B
ACAD FILE: 3RDGDP-MYLARS
DRAWN: LM/BG/MA
CHECKED: TH
ISSUE DATE: 05-20-2008
REVISIONS DATE
PER CITY COMMENT 08-12-2008
PER CITY COMMENT 09-23-2008
PER CITY COMMENT 10-31-2008
MYLARS 02-06-2009

SHEET TITLE: NON-RESIDENTIAL ELEVATIONS
SHEET NO: 6 OF 8

WINTERGREEN VILLAGE PUD

Also being Outlots B and C of the Wintergreen 2nd Subdivision
LOVELAND, COLORADO

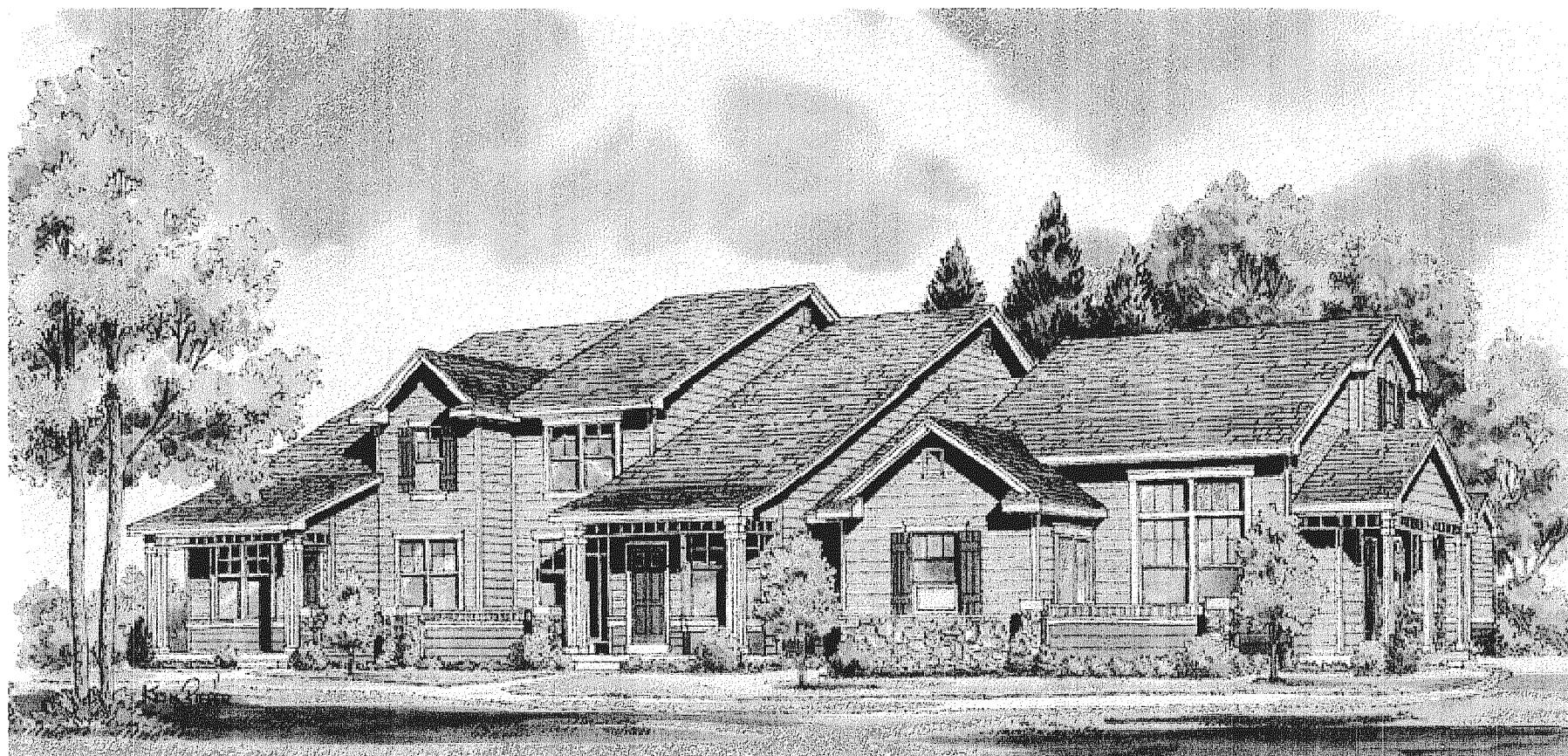
JOB NO: 35013B
ACAD FILE: 3RDGDP-MYLARS
DRAWN: LM/BG/MA
CHECKED: TH
ISSUE DATE: 05-20-2008
REVISIONS DATE
PER CITY COMMENT 08-12-2008
PER CITY COMMENT 09-23-2008
PER CITY COMMENT 10-31-2008
MYLARS 02-06-2009

SHEET TITLE:
**RESIDENTIAL
ELEVATIONS**

SHEET NO:

7 OF 8

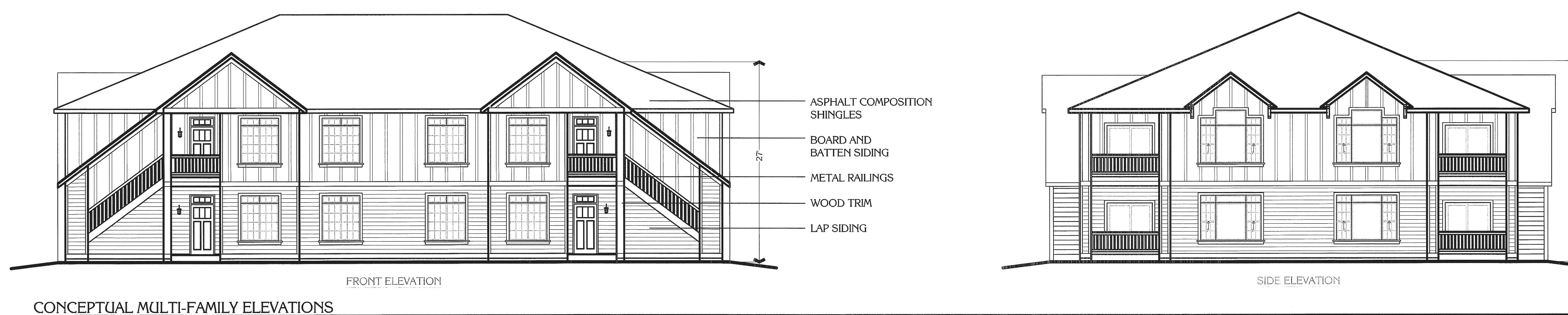
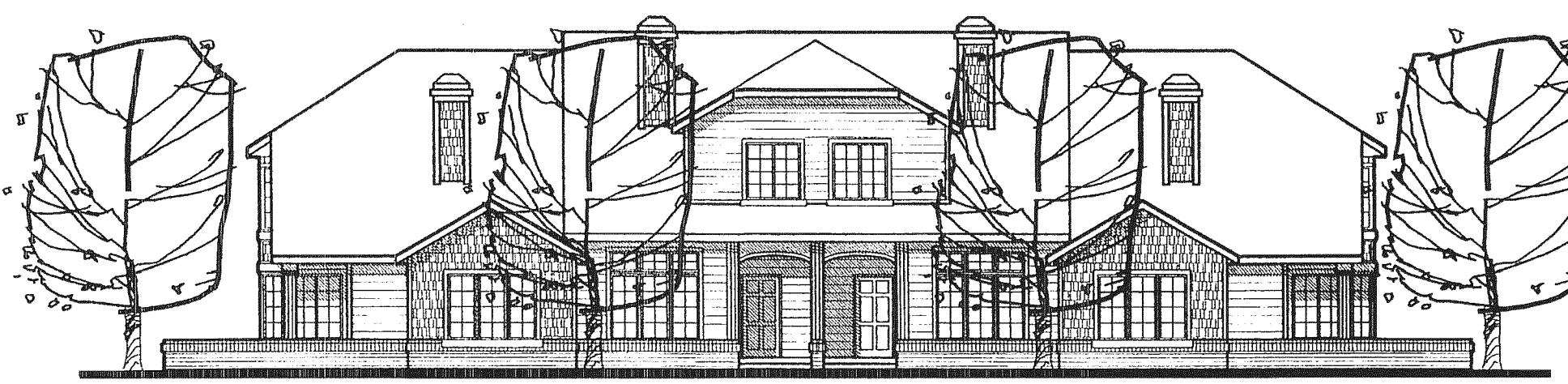
TYPICAL SINGLE FAMILY ELEVATIONS



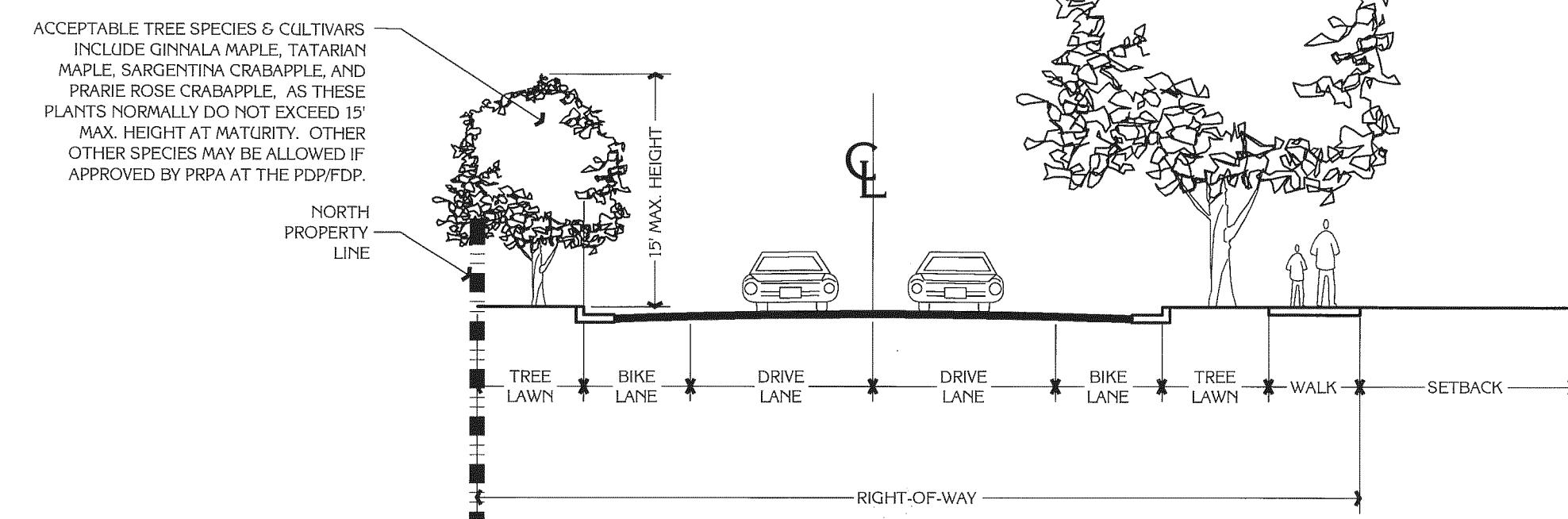
CONCEPTUAL TOWNHOME ELEVATIONS

NOT TO SCALE
NUMBER OF UNITS PER BUILDING MAY VARY. MORE DETAILED ELEVATIONS
WILL BE PROVIDED WITH THE P.D.P.

CONCEPTUAL TOWNHOME ELEVATIONS
*NUMBER OF UNITS ATTACHED MAY VARY. MORE DETAILED ELEVATIONS WILL
BE PROVIDED WITH THE P.D.P.

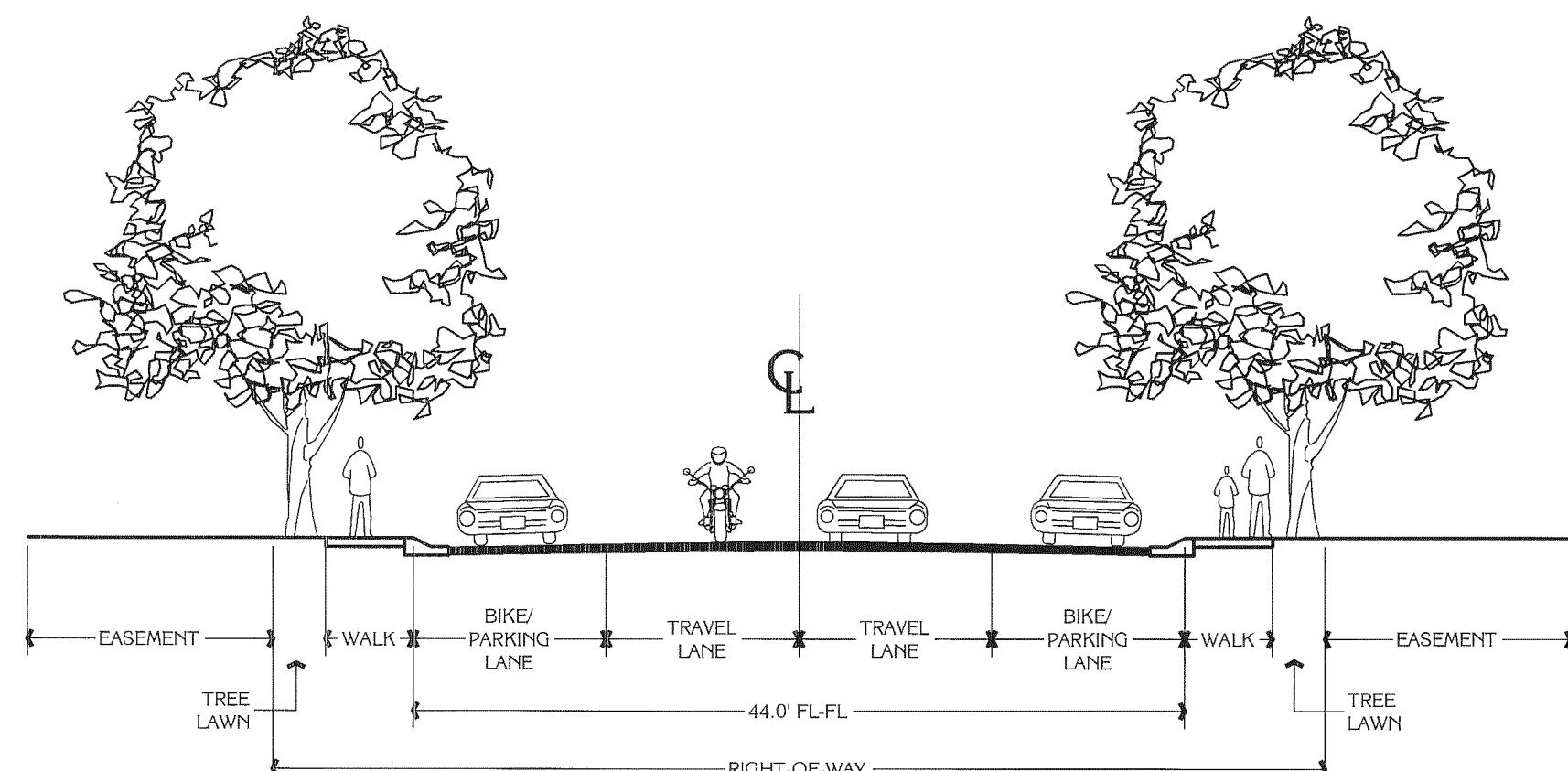


NOTE: NOTHING IN THIS DOCUMENT SHALL SUPERCEDE THE TERMS
OF THE PLATTE RIVER POWER AUTHORITY EASEMENT.



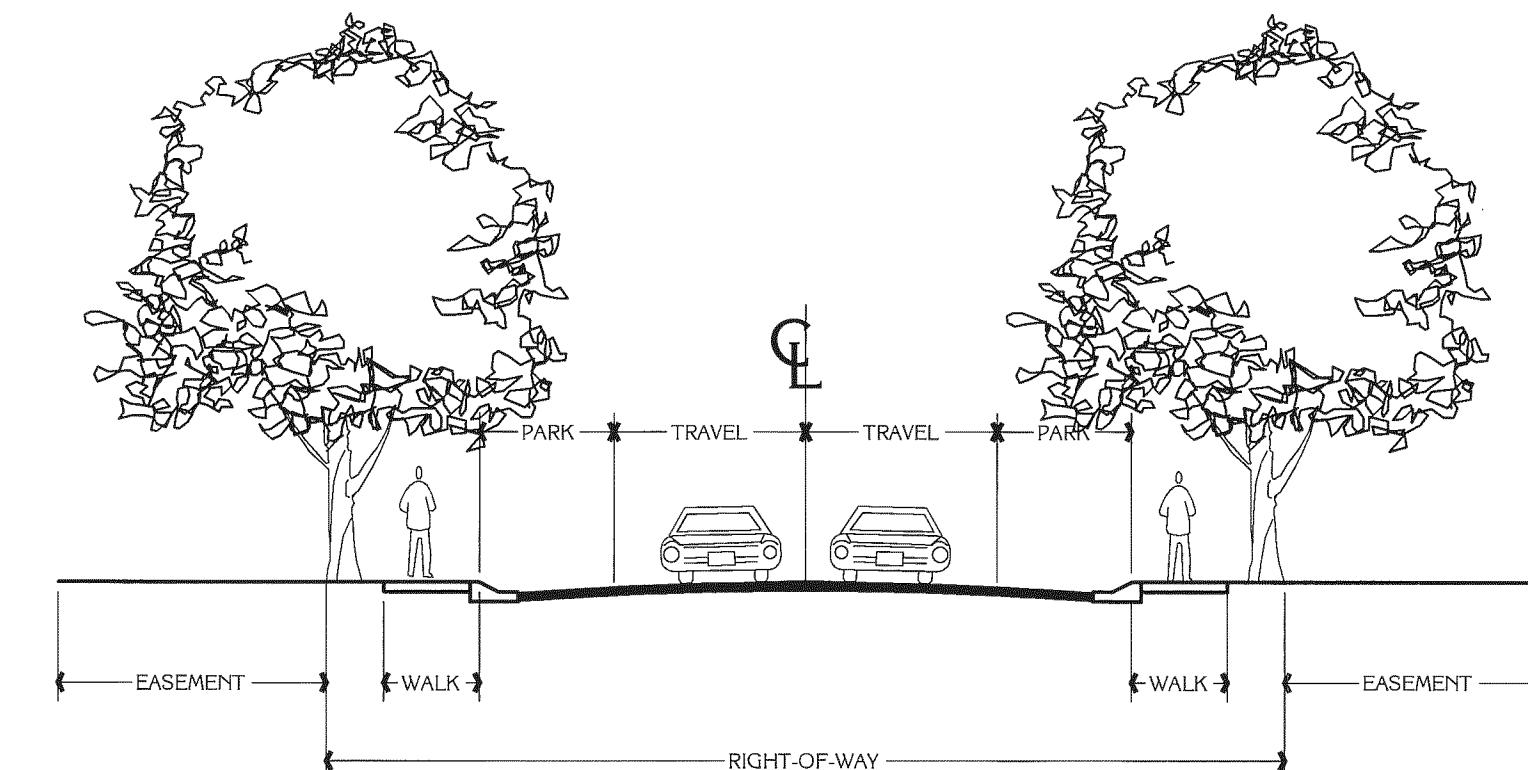
W. 65TH STREET

58' RIGHT-OF-WAY



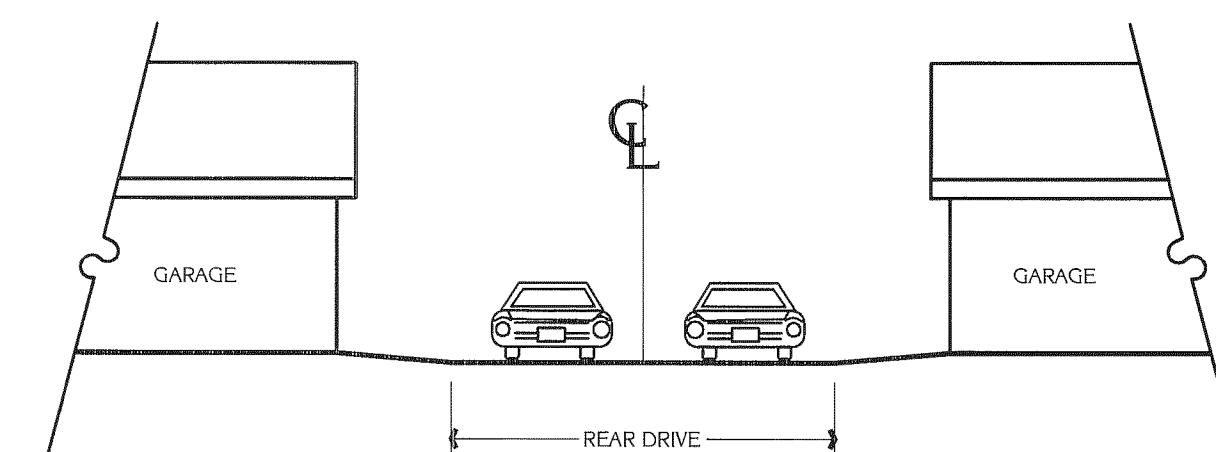
W. 64TH STREET (MINOR COLLECTOR)

60' RIGHT-OF-WAY



TYPICAL LOCAL STREET

50' RIGHT-OF-WAY



TYPICAL ALLEY

32' BUILDING TO BUILDING

WINTERGREEN VILLAGE PUD

3rd AMENDED GENERAL DEVELOPMENT PLAN

Also being Outlots B and C of the Wintergreen 2nd Subdivision
LOVELAND, COLORADO

JOB NO: 35013B
ACAD. FILE: 3RDGDPMYLARS
DRAWN: LM/BG/MA
CHECKED: TH
ISSUE DATE: 05-20-2008
REVISIONS DATE
PER CITY COMMENT 08-12-2008
PER CITY COMMENT 09-23-2008
PER CITY COMMENT 10-31-2008
MYLARS 02-06-2009

SHEET TITLE:
**STREET
SECTIONS**

SHEET NO: 8 OF 8



For Reference Only

01/24/2019

GENERAL DEVELOPMENT PLAN APPLICATION

Project Name: 4th GDP Amendment for Parcel E, Wintergreen Village PUD

PROJECT

Narrative Description of Project , including purpose, number of lots, type of use, and other pertinent information:	The purpose of the project is to amend the current GDP to allow 168 units of apartments.
Existing Legal Description of Property Boundary (Lots, Blocks, Tracts and Subdivision Name, or Metes & Bounds):	Outlot B of Wintergreen Second Subdivision
Address of Existing Buildings or Property:	455 West 64th Street

APPLICANT INFORMATION

OWNER'S REPRESENTATIVE (CONTACT PERSON)

Company: M. Timm Development, Inc.	Name: William R. Timm	Phone: 805-963-0358 Fax: 805-560-8948
---------------------------------------	--------------------------	--

Address: 233 East Carrillo St. ste D

City, State: Santa Barbara, CA Zip Code: 93101

Email Address: btimm@mtimm.com

CONSULTANT

Company: LandOne Engineering, LLC	Name : Daniel Hull	Phone: 970-632-2311 Fax:
--------------------------------------	-----------------------	-----------------------------

Address: 361 71st Avenue, Suite 100

City, State: Greeley, CO Zip Code: 80634

Email Address: dhull@landone.co

CONSULTANT

Company: Kephart Architects	Name : Adam Knator	Phone: 303-832-4474 Fax: 303-832-4476
--------------------------------	-----------------------	--

Address: 2555 Walnut Street

City, State: Denver, CO Zip Code: 80205

Email Address: AdamK@kephart.com

CONSULTANT

Company:	Name :	Phone:
		Fax:

Address:

City, State: Zip Code:

Email Address:

OWNER

Company : M. Timm Development, Inc.	Name :	Phone: 805-963-0358 Fax: 805-560-8948
Address: 233 East Carrillo St. ste D City, State: Santa Barbara, CA		Zip Code: 93101
Email Address: jamesmtimber@msn.com		

SITE

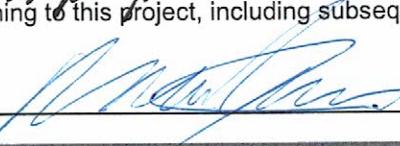
Site Use and Zoning	Existing Adjacent Zoning and/or Use
Existing Use: Vacant Proposed Use: Multi-family Existing Zoning: PUD	North Side: I - Industrial South Side: PUD - Planned Unit Development West Side: PUD - Planned Unit Development East Side: PUD - Planned Unit Development
Other Information	Acreage of Site
Number of Units Existing: 0 Number of Units Proposed: 168 Number of Lots Proposed: 1 Non-Residential Bldg. Area (Sq. Ft.) Proposed: Total Number of Parking Spaces: TBD	Gross: 9.644 Right-of-Way: 0 Net: 9.644
	Utility Services Provided by
	Water: City of Loveland Wastewater: City of Loveland Electric: City of Loveland
FEMA FLOODPLAIN	
Is any portion located in a FEMA floodplain? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	* If Yes, please submit legal description

DESIGNATION OF OWNER'S REPRESENTATIVE

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

Timm Properties II Milan E. Timm represents the undersigned in all matters pertaining to this project, including subsequent modifications to the application.

Owner

Signature: 

Date: 2-19-19

ACKNOWLEDGMENTS

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

Owner or Owner's Representative

Signature: William A. Timm

Date: 2-19-19

Printed Name: William R. Timm

November 13, 2018

Noreen Smyth
City of Loveland – Current Planning Division
410 East 5th Street
Loveland, CO 80537

**Re: Project Description
Wintergreen Village PUD
GDP Amendment for Parcel E**

Dear Noreen,

We are submitting this project description letter on behalf of Wintergreen Townhomes LLC to the City of Loveland as part of our Planned Unit Development (PUD)/General Development Plan (GDP) Amendment application.

The subject property is comprised of 9.64 acres and is located at the Southeast corner of W. 65th Street and Eden Garden Drive. W. 64th Street borders the property to the south and a Walmart Supercenter (250 W. 65th St.) borders the property to the East. The subject property is officially labeled as Parcel E within the Wintergreen Village PUD.

The City's Future Land Use Plan designates this property as a Regional Activity Center site, which allows for high-density residential (HDR) development. HDR is defined in the comprehensive plan as 10-20 units per acre. The current GDP does not allow for HDR as the property is capped at a max density of 9.66 dwelling units per acre. An overall density of 9.66 units per acre designates the site as medium density residential (MDR) parcel. MDR is defined as 4-10 units per acre. Amending the GDP to allow an overall density of 20 units per acre would re-designate the site to allow for HDR development and achieve the intent of the comprehensive plan.

The purpose of this amendment is to execute the goals and objectives of the City of Loveland Comprehensive plan through the following changes:

1. Increase density within Parcel E from 9.66 Du/Ac to 20 Du/Ac.
2. Update multi-family conceptual elevation imagery.
3. Reduce off-street parking requirement from 2.0 spaces per unit to Loveland UDC standards.
4. Update GDP narrative to describe Parcel E only.

Updated conceptual multi-family elevations are added to the amendment to provide visuals examples of anticipated product type. An adoption of UDC parking standards is being requested as it reflects the current market conditions and helps achieve the HDR designation. Language pertaining to parcels other than E will either be removed or revised to reduce confusion within the 4th amendment.

Overall, we are excited about this amendment because it will allow the development of a high-quality residential neighborhood within Wintergreen Village and the City of Loveland. The proposed residential neighborhood will provide pedestrian connections, enjoyable and useable open space, attractive streetscapes and aesthetically pleasing architecture. This neighborhood will also contribute to the variety of housing stock offered within the City of Loveland. As always, we look forward to working with you and city staff throughout the review and approval process.

Please do not hesitate to contact me if you have any questions or concerns, or if you require additional information regarding our submittal. Thank you again for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Kantor" followed by "KEPHART" on a new line. The signature is fluid and cursive.

Adam Kantor
KEPHART

- A. The GDP is being amended to conform with and achieve the intent of the Loveland Comprehensive plan. Amending the GDP to allow high density residential development (HDR) will conform to the requirements of applicable area plans and Municipal Code Section 18.41.050.D.4.
- B. The application request does not interfere with, prevent, or infringe upon any of the area's existing, planned, previously committed services or proposals for community facilities, or other specific public or private actions contemplated within the City's Comprehensive Plan.
- C. The City's Future Land Use Plan designates this property as a Regional Activity Center site, which allows for HDR development. The Wintergreen Village PUD 4th Amendment request is consistent with the City's Comprehensive Plan's strategic policies, supporting strategies and zoning regulations. Accordingly, the City will benefit from having this parcel developed as HDR for the following reasons:
 - 1. The project offers an alternative housing product, which is vital for the City to preserve its position as an attractive place to live and support its economic and development goals.
 - 2. Increased density/multi-family housing will match the adjacent land use across Eden Garden Drive.
 - 3. The project provides attractive streetscapes to improve connectivity to surrounding areas and regional amenities.
 - 4. A variety of community amenities, recreational spaces, increased density and close proximity to commercial uses will attract users who in turn will help support existing regional retail and businesses along Highway 287.
- D. The amended GDP is adopting the UDC parking requirement standards. These standards are being requested as it reflects current market conditions, helps achieve HDR development, and reflect city code.



HDR - HIGH DENSITY RESIDENTIAL

- Primarily attached higher density housing including multifamily housing.
- Typically located in proximity to employment centers and commercial services to provide land use transition and worker housing options near employment.
- Located near existing or potential transit facilities.



Example: Lake Vista, Victorian Gardens

Land Use Mix



Residential

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



Recreational

- Parks



Civic

- Churches
- Schools



Commercial

- Retail & services compliant with NAC

Transportation

Highest Priority Mode



Wide detached sidewalks; off-street trail system; connections to transit stops & commercial areas

Priority Mode



Access to homes by car; slow speeds & connectivity between neighborhoods

Secondary Mode



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

Secondary Mode



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

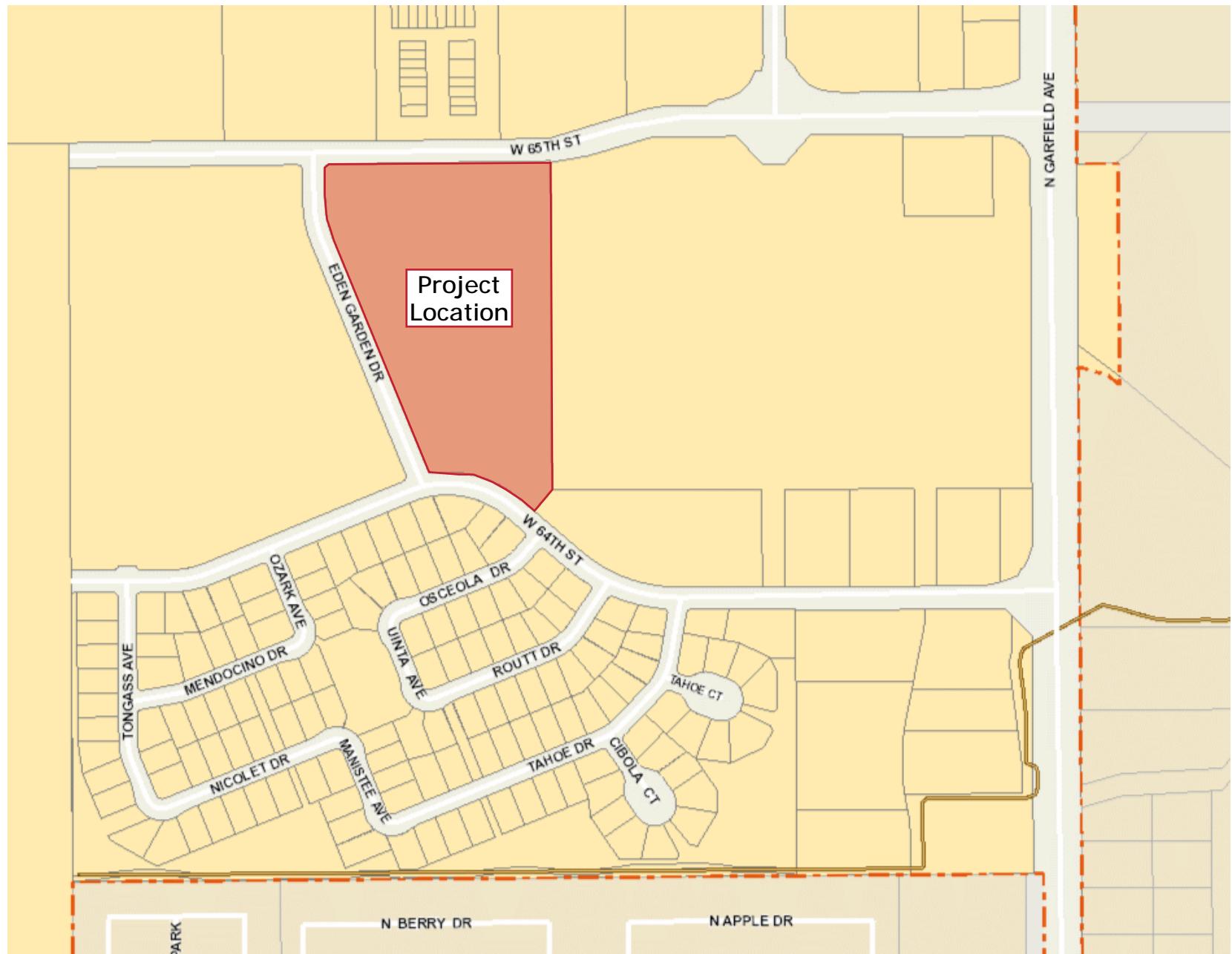
Zoning Compliance

- R3 - Developing High Density Residential
- R3e - Established High Density Residential
- PUD - Planned Unit Development

Form

- Density: 10 - 20 units / acre
- Street Pattern: Curvilinear or Grid
- Block Length: 250' - 700'
- Front Yard Setbacks: 10' - 20'
- Building Height: 1 - 4 stories





Wintergreen Apartments

Vicinity Map

LAND ONE
engineering
970-632-2311