



City of Loveland

LOVELAND PLANNING COMMISSION MEETING

AGENDA

Monday, June 10, 2019

500 E. 3rd Street – Council Chambers

Loveland, CO 80537

6:30 PM

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LOVELAND PLANNING COMMISSIONERS: Patrick McFall (Chair), Michael Bears, Jeff Fleischer, Rob Molloy, 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. Kerri Burchett is providing staff support this evening

2. Commissioner Tim Hitchcock has resigned following his appointment to the Human Services Commission

3. Monday, June 24, 2019 Agenda Preview

i. No items on the agenda--motion is requested to cancel this meeting

4. Monday, July 8, 2019 Agenda Preview

i. Taft Rezoning – Emily Tarantini

ii. Wireless Telecommunications & UDC Amendments

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

III. APPROVAL OF MINUTES

Review and approval of the May 13, 2019 meeting minutes

IV. REGULAR AGENDA

1. Camp Bow Wow – Conditional Use - Public Hearing

This is a public hearing for a Conditional Use application. The applicant is proposing the establishment of a 6,000 square foot dog daycare facility at 1227 Des Moines Avenue. The property is zoned I - Developing Industrial, and is developed with a building and associated parking and landscaping. The dog daycare use requires Conditional Use approval from the Planning Commission to operate at this location.

Previously, the site/building had been used by Tharp Cabinets as part of their collection of buildings along N. Denver Avenue and Des Moines Avenue. (Tharp Cabinets has recently relocated to 380 W. 37th Street.)

The proposed dog daycare facility would be known as Camp Bow Wow. Camp Bow Wow is a franchise that operates all over North America with nearby locations in Fort Collins and Longmont. The daycare owner, Kelly Hess, intends to lease the building and use it generally as-is, with the exception of some interior building improvements. Limited site improvements are also proposed, including the addition of more parking along the north side of the site, the installation of an attached sidewalk along the Des Moines Avenue frontage, and the development of a 1,100 square foot outdoor play area with catch pen at the back of the building. Staff believes that the use as proposed is compatible with surrounding uses and supports the applicant's request.

The role of the Planning Commission's is to conduct a public hearing and make a decision on the Conditional Use application based on whether the proposal meets the required findings. Barring appeal, the Planning Commission's decision is final.

2. Mehaffey Enclave Annexation & Zoning – Public Hearing

This is a public hearing to consider annexation and the establishment of zoning for a 42.7-acre property located in Northwest Loveland. The site is located along the south side of W. 29th Street and the west side of N. Wilson Avenue. The property is the remaining portion of the Mehaffey Farm. The City of Loveland Parks and Recreation Department is the applicant and has been working in cooperation with the property owner, Raymond Mehaffey, on the annexation and zoning application.

The property is currently zoned FA-Farming under Larimer County's jurisdiction. The proposed zoning arrangement is to zone the eastern portion of the site (23.7 acres) DR-Developing Resource which will allow the Mehaffey family to continue farming operations for the foreseeable future. Future development would require a zone change. The western portion of the site (18.9 acres) is proposed to be zoned PP-Public Park. The Parks and Recreation Department has arranged to purchase this westerly portion of the property for possible future integration into the adjacent Mehaffey Park complex. However, there are no definite plans for the use of this area at the present time.

While this application has generated interest among nearby residential neighbors, Planning Division staff believes that key issues have been resolved. The City's development review team (DRT) finds that the application is consistent with state statutes and with applicable City policies and regulations, and therefore supports the application.

The Planning Commission's role is to conduct a public hearing and forward a recommendation to the City Council on both the annexation and zoning application.

3. ADJOURNMENT

SUPPLEMENTARY INFORMATION

Public Hearing Procedures

The purpose of a public hearing is for the Planning Commission (PC as used below) to obtain full information as to the matter under consideration. This includes giving all interested parties the opportunity to speak (provide testimony) at the hearing. The public hearing is a formal process. Below is the typical hearing sequence to be followed by the Planning Commission. Annotations have been provided for clarity.

- 1. Agenda item is recognized by the Chair**
- 2. Public hearing is opened***
- 3. Staff presentation**
(May include clarifying questions to staff from Commissioners)
- 4. Applicant presentation**
(May include clarifying questions to applicant from Commissioners)
- 5. Public comment**
(All public comment should be made from the podium upon the PC Chair acknowledging the citizen speaking. Citizens should provide their name and mailing address in writing at the podium, and introduce themselves. The PC may ask clarifying questions of the citizens. At a public hearing, the PC does not respond to questions from citizens; questions directed to the applicant or staff should be requested through the Chair.)
- 6. Applicant response**
(The Chair typically requests that applicants respond to comments and questions raised during public comment)
- 7. PC questions to staff, the applicant and possibly to citizens who presented**
(Commissioners may use this step in the process to gain a more detailed understanding of relevant information)
- 8. Close public hearing**
(Unless specifically permitted by the Chair, further testimony is not allowed after the public hearing is closed)
- 9. Motion**
(Motions are made by a PC member with possible conditions)
- 10. Motion is seconded**
(A 2nd is required before the motion can be considered; a motion that fails to obtain a second dies)
- 11. PC discussion**
(The PC discusses the application and whether it satisfies the required findings)
- 12. PC Chair requests that the applicant agree to any conditions prior to a vote**
(If an applicant does not accept the proposed conditions, the PC may deny the application)
- 13. Vote**
(The decisions of the PC must address relevant findings of fact. These findings are specified in adopted plans and codes, and serve to guide zoning and annexation decisions. Relevant findings are itemized in the Staff Report and referred to in the recommended motion.)

* Note that the Planning Commission may place time limits on presenters. All presenters should communicate clearly and concisely, refraining from duplicating detailed information that has been provided by others.

CITY OF LOVELAND
PLANNING COMMISSION MINUTES
May 13, 2019

A meeting of the City of Loveland Planning Commission was held in the City Council Chambers on May 13, 2019 at 6:30 p.m. Members present: Chairman McFall; and Commissioners Bears, Fleischer, Hammond, Hitchcock, Hovland, Molloy, Peterson and Tygesen. Members absent: Commissioner Molloy. 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. **Robert Paulsen, Current Planning Manager**, mentioned that there will be no Planning Commission meeting on Monday, May 27th, due to the Memorial Day holiday. **Mr. Paulsen** reviewed the agenda scheduled for the Monday, June 10th. There will be two public hearing items that evening, one of which will be an Annexation. It was requested that Commissioners let staff know if they are unable to attend.
2. **Troy Bliss, Senior Planner**, provided the Commission with an update on The Foundry project. City staff has been busy completing items so that Certificates of Occupancy (COs) can be issued for the Lincoln Building and the Cleveland Building, and the City will then take over the parking garage. Mr. Bliss stated that staff is currently working through minor adjustments to landscaping and screening for electrical meters, which should be completed in the next couple of weeks. The mural will be painted on the parking garage around the end of this month, and should take approximately 30 days to complete. It is expected that the theatre, and possibly the hotel, will be issued a Certificate of Occupancy around this July.

Mr. Bliss shared with the Commission that Roger Thorpe, architect of the Foundry Theatre, has recently passed due to illness. He added that he was wonderful to work with and will be missed.

CITY ATTORNEY'S OFFICE UPDATES

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

COMMITTEE REPORTS

There were no committee reports.

APPROVAL OF THE MINUTES

Commissioner Hitchcock made a motion to approve the March 25, 2019 minutes; upon a second from Commissioner Bears, the minutes were approved unanimously.

REGULAR AGENDA

1. Unified Development Code Corrections – Memo

Item Description: This is an informational item only for the Commission, and summarizes the first administrative amendment to the Unified Development Code (UDC). No action by the Planning Commission or City Council is required.

Kerri Burchett, Principal Planner, explained that the UDC grants the Director of Development Services the ability to make minor changes at an administrative level. It is also required that changes be reported to the Planning Commission and to the City Council. Changes made included spelling and punctuation corrections, some cross-reference corrections, and finally formatting changes, such as the insertion of line breaks and adjustment of section numbering by adding decimals. Redlines were provided as an attachment to the memo that was presented. It was added that these changes will be reported to the City Council in June.

Ms. Burchett stated that there will be more amendments to come; and, since they will not be considered minor, they will come before the Planning Commission. These future amendments will include some clarification of certain processes such as public notices, along with oil and gas revisions, and some small-cell item additions.

2. Amendments to Municipal Code - Public Hearing

Item Description: This amendment to Title 18 of the Municipal Code requires a public hearing and a recommendation by the Planning Commission to the City Council. The amendment relates to affordable housing incentives. The same amendments were reviewed and recommended for City Council approval by the Planning Commission in October of 2018; but, the amendments

were not incorporated into the Unified Development Code when it was adopted in December of 2018. As stated, the amendments require that fire impact fees, while they can be waived for affordable housing projects, must be backfilled or reimbursed. The amendments also broaden the allowance for Community Housing Development Funds, specifying the funds can be used to support the Community Partnership office as determined by the City Council. The amendments are supported by the Community Partnership office.

Commissioner McFall opened the public hearing at 6:41 p.m.

Allison Hade, Community Partnership, presented the two code amendment items to the Planning Commission for review. These items were processed in late 2018, but did not make it into the Municipal Code. Item 18.16.103 is an amendment which adds language requiring backfilling Loveland Fire Rescue Authority fees, and item 18.16.502 allows for the use of the Community Housing Development Fund (1.25% of sales tax revenue) to be used for professional services.

Professional services that the Community Housing Development Fund has covered include the hiring of a consultant to evaluate human service grant funds and for the payment to an organization that will complete a Homeless Strategic Plan for Loveland. **Ms. Hade** stated that sales tax revenue that goes into the fund currently equals approximately \$575,000 per year. When the Community Housing Development Fund is used, the item goes directly to City Council, so they are aware of how the funds are being spent.

Ms. Hade explained the process for affordable housing generally starts with the developer meeting with the Community Partnership office, including the completion of an Affordable Housing Designation Application. If the City Council approves the project, the fees would be locked-in for five years, a waiver of fees can be requested, and the project would be allowed for a fast track through the Planning Department. Any property receiving incentives will be deed restricted. Most projects are for those that live at or below 60% of the area median income.

Commissioner Hammond questioned what percentage of the population would fall into that category of living at or below 60% of the median income. **Ms. Hade** answered that the number is high, and added that there are thousands of people on the Loveland Housing Authority waitlist.

Commissioner Bears asked what the timeframe is for the waitlist. **Ms. Hade** answered that it can be as long as three years.

Commissioner Hammond asked where the motivation is for builders to provide housing for those who are low income. He shared that if we fail to make affordable housing a priority, only rich people will live in Loveland.

Commissioner Hitchcock stated that builders make more money by not taking rebates. The builders will choose projects based on money.

Commissioner McFall mentioned that affordable housing is not the only issue, and that we need jobs in the City that can sustain the high housing costs.

Commissioner Peterson stated that her definition of affordable housing is something that is going to grow in value instead of something that is going to depreciate because it was not a good value in the beginning.

CITIZEN COMMENTS:

There were no public comments.

Commissioner McFall closed the public hearing at 7:04 p.m.

Commissioner Bears moved to recommend that City Council approve amendments to the Unified Development Code, Part 4, Chapter 16.8, Division 18.16.103 (E) and 16.16.502 regarding fire impact fees and use of the Community Housing Development Fund as described in the staff memorandum dated May 13, 2019. Commissioner Fleischer seconded the motion.

The motion was unanimously approved.

Commissioner McFall adjourned the Planning Commission meeting at 7:07 p.m.

Commissioner McFall opened the Zoning Board of Adjustment hearing at 7:07 p.m.

3. 4177 Roaring Fork Drive Variance – Zoning Board of Adjustment – Public Hearing

Project Description: The 4177 Roaring Fork Drive Variance is a request to allow the construction of a 1,250 square foot single-story accessory dwelling unit within a restricted setback along the rear of the property from the edge of Horseshoe Lake. The proposal is to construct the accessory dwelling 68 feet from the rear property line within a 115 foot setback and 5 feet off the north property line outside of an existing utility easement as illustrated in the staff report.

Troy Bliss, Senior Planner, presented the variance application. The subject site is located on the western edge of a peninsula and is 2.3 acres in size. He explained that the variance focuses on the setback restriction, which is unique to several residential properties in this peninsula area. The site is part of the Horseshoe Lake PUD, which has a specific development plan that was

approved in the 1990's. When the subdivision in the peninsula area was approved, there was believed to be a high level of environmental and habitat significance, which prompted a desire for creation of a conservation easement. The intention was for the environmentally sensitive areas to be reserved as open space. Based on an environmental report, Lots 1-20, Block 1 would have a special setback restriction in order to mitigate impacts to the environment and habitat along the shore of the lake.

Mr. Bliss reviewed the variance request, and in his view, the variance application does not meet the required test. However, he acknowledged that the applicant had worked to pursue an amendment to the PUD in order to adjust the setback for all of the lakefront lots, but was unable to persuade the HOA to join this effort. Mr. Bliss also acknowledged that the applicant has raised a number of pertinent factors in support of his request, including the completion of an addendum to the original environmental assessment prepared by a qualified Biologist that indicates that the proposed setback for the new structure would not have any negative environmental impacts. In light of the information provided by the applicant, staff has provided the Planning with an optional motion and findings that would support approval.

Commissioner McFall asked how the other neighbors had received approval for the improvements made within the designated setback area, since such improvements are contradictory to the original plan. **Mr. Bliss** answered that because discretion was given to the Architectural Control Committee, their decisions were not always in keeping with the PUD requirements; so, there most likely are many structures built that contradict the plan. Since the City does not inspect people pouring sidewalks and driveways, or the building of pergolas, the property owners probably did not understand that there were restrictions in place. Although there are some surrounding structures that are questionable, the size of the applicant's proposed structure would require a building permit to be constructed.

Commissioner Hitchcock asked if there are questionable structures that would have required a permit when they were built within the 150-foot setback. **Mr. Bliss** answered that it is very possible; however, he wants to focus on the applicant's proposed structure instead of pointing out what was done incorrectly by surrounding property owners.

Mr. Bliss added that in addition to the addendum to the environmental report, the HOA has provided the applicant a letter of approval. Greeley-Loveland Irrigation Company (GLIC), which is the association in charge of lake rights, has stated that they have no objection to improvements on private property. Finally, the property owner directly north of the subject property and the lot that would be the most impacted by the variance, has shared no objection to the request. Mr. Bliss stated that there may still be interest among the area property owners in pursuing an amendment to the PUD regarding the environmental setback, but no such effort has started.

Mr. Paulsen stated that Planning staff cannot support the application because the required findings for the variance are not met, in the view of staff. Staff would prefer members of the

HOA pursue an amendment to the setback, which would likely be supportable, but it appears such an initiative will not occur in a timely manner.

Mr. Bliss presented the recommended conditions that he would like the Planning Commission to consider if the Commission chooses to approve the request. The conditions include dimensional standards for accessory dwelling with respect to neighborhood expectations, limiting the number of accessory dwellings to one for this site, and ESAR Addendum recommended mitigation measures.

Commissioner Hitchcock asked if staff is recommending denial because an amendment to the PUD would be preferred. **Mr. Bliss** stated that since the findings are not met within the Code, the request cannot be supported. An overall amendment to the setback would be preferred, but a variance would be a logical alternative since the Zoning Board of Adjustment has more discretion than City staff does in considering this request.

Commissioner Fleisher stated that if we approve variance, it sets a precedence. If the amendment does not occur, we can see this 19 more times. **Mr. Paulsen** answered that by definition, a variance should not be considered a precedent. If another variance request were received tomorrow, the recommendation would be the same.

Commissioner McFall asked if the architectural control committee is aware that anything that goes within the setback area needs to be approved by the City's planning staff. **Mr. Bliss** answered that they most likely are not aware. Staff works on a complaint driven basis and no complaints have been voiced about non-compliance.

Mr. Adam Carriker, Applicant, discussed the layout of the lot and described where he would like to place his beach house. Architectural drawings were presented, as well as the approval letter from the HOA and the adjacent neighbor. He stated that he does not want any neighbors to be in trouble and he believes most of his neighbors do not know that the structures they have aren't allowed. **Mr. Carriker** further explained the justifications for the approval of his variance request, such as the large setback making accessing the lake difficult with recreational toys, and that other improvements have been made around the lake and his building will further the value of the property. The guidelines and standards he will apply to his proposed structure include height limitations to below 17 feet 6 inches, will not exceed 1,250 square feet, only one accessory building will be allowed, and the elevation will be raised to 4,980 feet to protect it from flood damage.

CITIZEN COMMENTS:

There were no public comments.

Commissioner Hovland moved to make the findings listed in this Staff Report dated May 13, 2019, and based on those findings approve the variance for constructing an accessory dwelling within the 115 foot restricted setback area and 5 feet from the north property line for Lot 7, Block 1 – Horseshoe Lake First Subdivision, subject to the conditions listed under the Staff Recommendation. **Commissioner Peterson** seconded the motion.

Commissioner McFall asked the applicant if he accepted the conditions. **Mr. Carriker** responded that he does.

The motion was unanimously approved.

ADJOURNMENT

Commissioner Hammond made a motion to adjourn; upon second by **Commissioner Bears**, the motion was unanimously adopted.

Commissioner McFall adjourned the meeting at 7:58 p.m.

Approved by: _____
Patrick McFall, Planning Commission Chair

Lisa Rye, Planning Commission Secretary



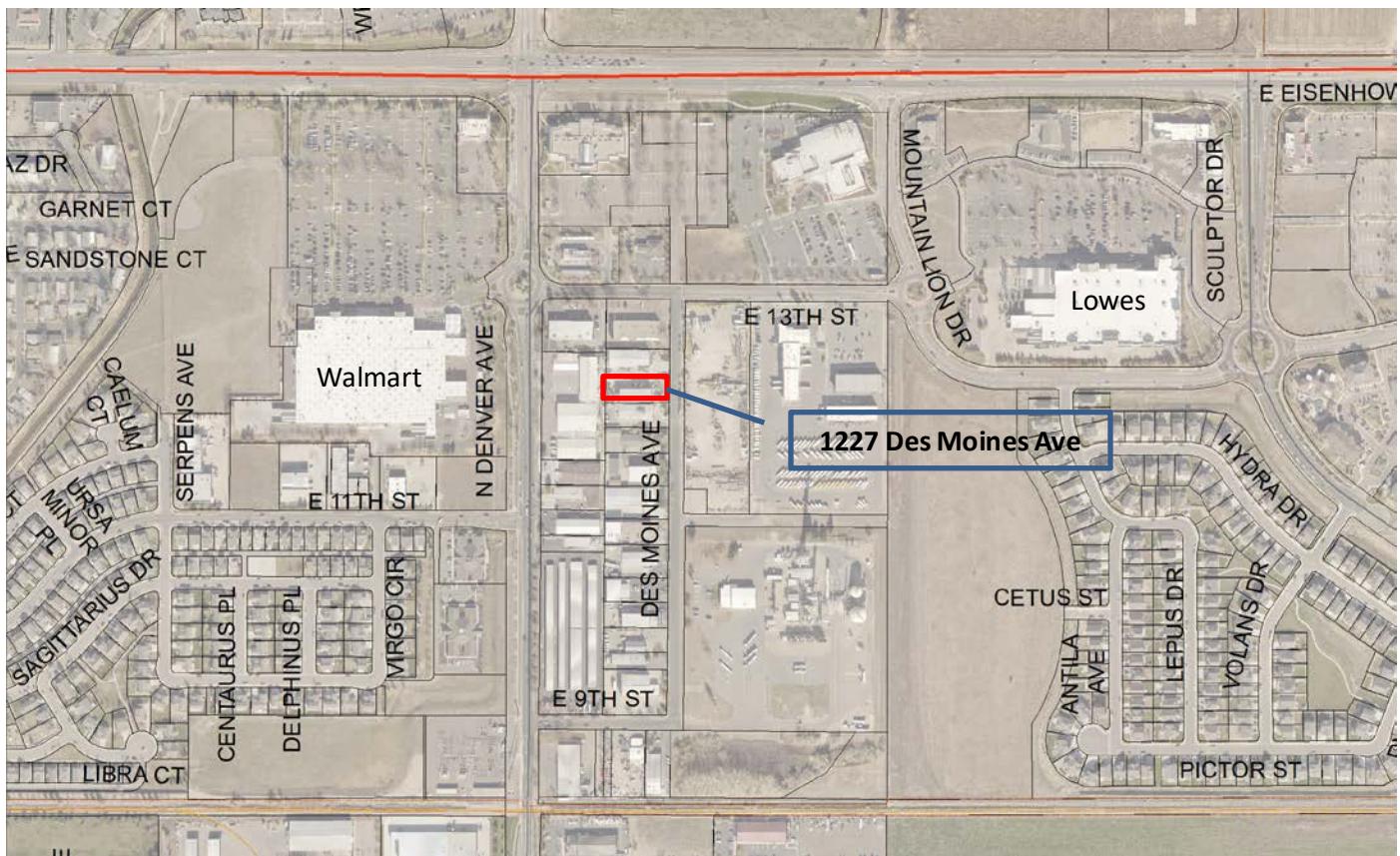
CURRENT PLANNING DIVISION
410 E. 5th Street | Loveland, CO 80537 | 970-962-2523
eplan-planning@cityofloveland.org | cityofloveland.org/DC

Planning Commission Staff Report

June 10, 2019

Camp Bow Wow Conditional Use		
Agenda #: Regular Agenda #1	PZ #19-00043	Conditional Use
Location	1227 Des Moines Avenue – generally located on the west side of Des Moines Avenue in between 11 th and 13 th Streets	

VICINITY MAP



Development Review Team Recommended Motion

Recommended Motion(s):

Move to make the findings listed in this Staff Report dated June 10, 2019, and based on those findings approve the conditional use to allow a dog daycare facility for Lots 14-16, Block 4 – Loveland Business Plaza First Addition, subject to the conditions listed under the Staff Recommendation.

Options	Consequence
Approve the Motion	Approval of the motion would allow the applicant to establish their dog daycare facility and open for business once all permitting has been issued and tenant finish improvements have been completed.

Deny the Motion or take no action	Denying the motion would prevent the dog daycare facility at this location. An alternative would be to seek another location where the use is allowed by-right or through limited and adaptable approvals.
	Taking no action on the motion would cause further delay in the applicant's ability to open their dog daycare facility.
Adopt a Modified Action	As an alternative, additional conditions could be added to the conditional use (based upon the findings) should the Planning Commission identify impacts that were not anticipated by City staff.
Refer back to Staff	If the item was referred back to staff, staff requests specific direction from the Planning Commission would need to be provided in reaching resolution on the requested dog daycare facility.

Project Summary

The proposed Conditional Use is for the establishment of a 6,000 square foot dog daycare facility at 1227 Des Moines Avenue in Loveland. The property is fully developed, zoned I – Developing Industrial. Previously the site/building had been used by Tharp Cabinets as part of their collection of buildings along N. Denver Avenue and Des Moines Avenue. (Tharp Cabinets no longer occupies these building – having relocated to 380 W. 37th Street). The proposed dog daycare facility would be known as Camp Bow Wow. Camp Bow Wow is a franchise that operates all over North America with nearby locations in Fort Collins and Longmont. The owner (Kelly Hess) will be leasing the building with the intention of using it as-is with the exception of some interior improvements. Limited site improvements are being proposed which includes the addition of more parking along the north side of the site, installation of an attached sidewalk along the Des Moines Avenue frontage, and an 1,100 square foot outdoor play area with catch pen at the back of west end of the building.

The proposed dog daycare facility is classified under the Unified Development Code (UDC) as having components of both an indoor and outdoor kennel. However, all dogs would be kept inside the building except for the necessity of taking the dogs outside for short periods of time. Section 18.02.406 standards of the UDC requires that indoor kennels are allowed in the I zone as generally a limited use. However, when the site is not located along an arterial or collector street (Des Moines Avenue is a local street) the use becomes conditional and requires approval by the Planning Commission.

City staff has conducted an initial review of the Conditional Use Site Development Plan (see Attachment C) and has identified no key issues. Only technical review components remain. Additionally, no neighborhood concerns have been communicated. For these reasons, City staff felt it appropriate to place this item on the Consent Agenda. However, with this being the first conditional use presented to the Planning Commission under the UDC, City staff placed the item on the regular agenda and will provide a brief presentation.

Attachments

Attachment A – Applicant's response to UDC use standards and compatibility narrative

Attachment B – Camp Bow Wow Overview

Attachment C – Camp Bow Wow Conditional Use Site Development Plan

Applicant Information	Development Review Team Contacts
Applicant: Kelly Hess Camp Bow Wow Franchise Owner	Planner: Troy Bliss
	Traffic Engineer: Randy Maizland
	LFRA: Ingrid McMillan-Ernst
Property Owner: Don Fraley Fraley Holding Company, LLC	Stormwater: Suzette Schaff
	Power: Mark Warner
	Water/Wastewater: Melissa Morin

Existing Site/Building – View looking west into the site from Des Moines Avenue



Site Data	
Subdivision	Loveland Business Plaza First Addition
Land Area	Approximately 20,000 square feet
Existing Buildings	6,000 square foot single story building
Topography	The site is flat, sloping slightly from west to east (towards Des Moines Avenue)
Access	-Entering the site from Des Moines Avenue -Exiting via a shared access easement with the property to the north (same property owner) out onto Des Moines Avenue
Water Provider	City of Loveland
Wastewater Provider	City of Loveland
Power Provider	City of Loveland

Subject Property and Adjacent Property Designations			
	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	I – Developing Industrial	Employment	Vacant site/building – formerly a part of Tharp Cabinets.
Adjacent North	I – Developing Industrial	Employment	Light Industrial
Adjacent South	I – Developing Industrial	Employment	Light Industrial
Adjacent East	I – Developing Industrial	Employment	Outdoor storage of equipment, construction materials, storage containers, etc.
Adjacent West	I – Developing Industrial	Employment	Vacant site/building – formerly a part of Tharp Cabinets.

Relevant Zoning District Regulations		
I – Developing Industrial	Required	Proposed
Lot Area	N/A	20,000 square feet – existing lot
Lot Frontage	N/A – not a new industrial subdivision	Not applicable as the site is developed
Maximum Building Heights	50 feet maximum	Not applicable as the site is developed
Maximum Lot Coverage	N/A	Not applicable as the site is developed
Minimum Building Setback:		
• Front	25 feet	Not applicable as the site is developed
• Rear	0 feet (depending on easements, bufferyards and building/fire code requirements)	Not applicable as the site is developed
• Side	0 feet (depending on easements, bufferyards and building/fire code requirements)	Not applicable as the site is developed
• Street Side	N/A	Not applicable as the site is developed
Minimum Parking Requirements:	-Kennel: 1 space/500 square feet totaling 9 spaces (including one van accessible handicap space) -Office: 3 spaces/1000 square feet totaling 4 spaces -13 total spaces required on-site	14 (including one van accessible handicap space)
Buffer yards	N/A	N/A

Neighborhood Outreach	
Notification	A neighborhood meeting was held on May 22, 2019, at the Development Center and began at 5:30 p.m. Property owners within a 250-foot radius around the subject site were notified by mail and a sign posted at least 15 days in advance of the meeting. Additionally, notice for the Planning Commission hearing on June 10, 2019, was also mailed to property owners within a 250-foot radius of the site and a sign posted at least 15 days in advance of the hearing.
Neighborhood Response	No neighborhood response has been provided. At the neighborhood meeting held on May 22, 2019, no guests attended.

Planning Commission Findings for Approval or Denial

An application for conditional use approval may be approved if it is demonstrated that the proposal meets the specific use standards of **Division 18.02.04, Use Standards** identified below:

Criteria
Kennel (Indoor) or Pet Store:
<ol style="list-style-type: none"> 1. All Zones: Indoor kennel or pet store uses that are located less than 100 feet from lots that are used or zoned for residential uses shall (in addition to complying with all other applicable standards of this UDC) be located within soundproofed buildings so that barking dogs are not audible at the property lines. 2. I Zone. In addition to the standards of subsection K.1., the use shall be on a subject property <ol style="list-style-type: none"> a. Developed with a use that is listed under the heading "General Commercial" in Table 18.02.305, Commercial Land Use by Zone; OR b. Located along an arterial or a collector street, unless approved as a conditional use.
Kennel (Outdoor):
<ol style="list-style-type: none"> 1. Limitations on Dog Runs. If the use includes one or more dog runs, then: <ol style="list-style-type: none"> a. The minimum lot or parcel area allocated to the use shall be one acre. b. The use shall be located at least 200 feet from lots used or zoned residential uses. c. Fencing for dog runs shall not exceed six feet in height in the E zoning district and eight feet in height in the I zoning district. d. Dog runs shall not be used after 7:00 p.m. or before 7:00 a.m. 2. Limitation on Noise. If the use is located less than 100 feet from lots used or zoned for residential uses, the building shall be soundproofed so that barking dogs are not audible at the property line.

The applicant has demonstrated that the proposed conditional use meets the above criteria.

Analysis:

- *The proposed dog daycare facility is not located less than 100 feet from any residential use or residential zoning district.*
- *Since the proposed dog daycare facility is not located along an arterial or collector street (i.e. Des Moines Avenue is a local street) the conditional use process was required. The subject property is approximately 20,000 square feet in size – short of one acre. As this is existing and not a green field development, per Section 18.02.414.C, the Planning Commission may approve variations to these specific standards, providing the variation substantially meets the intent of these standards and that all impacts of the use have been mitigated. (This is further outlined in the findings below.)*
- *The proposed dog daycare facility is not located less than 200 feet from any residential use or residential zoning district.*
- *The proposed fencing for the outdoor play area is 8 feet in height.*
- *The proposed outdoor play area for the dogs will not be used after 7:00 p.m. or before 7:00 a.m.*

Pursuant to Section 18.02.414 of the City of Loveland Unified Development Code, an application for conditional use approval may be approved if, in addition to the specific standards of this **Division 18.02.04, Use Standards**, that apply to the proposed use, it is demonstrated that:

Criteria
B. 1. The proposed conditional use in its proposed location will not tend to frustrate the implementation of current adopted plans of the City, including, but not limited to, the Comprehensive Plan.
<p><i>The applicant has demonstrated that the proposed conditional use meets the above criteria.</i></p> <p><i>Analysis: The proposed dog daycare facility at the location of 1227 Des Moines Avenue will not have any impact on the implementation of the current adopted plans of the City. The UDC requires that with an Kennel (Outdoor) the minimum lot or parcel area required is one acre. Pursuant to Section 18.02.414.C, a variation to the minimum lot or parcel area is warranted because the intent of the standard is met through the details of the site plan and that all impacts of the use have been mitigated. With respect to the Comprehensive Plan, the land use designation of this industrial park is Employment. The dog daycare facility is not primary workforce use, however it is a use that employs a limited staff and offers a beneficial reuse of the site/building that is compatible within the I zone.</i></p>
B. 2. The location, size, design and operating characteristics of the proposed conditional use will be consistent with or complementary to the existing and future land uses within the surrounding neighborhood and will not create significant noise, traffic, or other conditions that may be objectionable or detrimental to other permitted uses in the vicinity.
<p><i>The applicant has demonstrated that the proposed conditional use meets the above criteria.</i></p> <p><i>Analysis: The operating characteristics of the proposed dog daycare facility will produce some externalities related to noise (barking dogs) and surges in traffic (dropping off and picking up dogs during morning and afternoon hours). However, these impacts should be minimal because the same or similar externalities are already occurring within this industrial park which, based on neighborhood input, are not objectionable or have any greater detriment to the area.</i></p>
B. 3. The proposed conditional use will not negatively impact the land use patterns of existing or approved development within the neighborhood or discourage permitted uses or reinvestment in permitted uses by making the vicinity less desirable for them.
<p><i>The applicant has demonstrated that the proposed conditional use meets the above criteria.</i></p> <p><i>Analysis: In terms of the proposed dog daycare use, the I zoning district provides the greatest opportunity within the City for kennels, especially those that have an outdoor component. Consequently, this is a desirable use within the I zone. Occupying a vacant building is going to help reinvestment and not discourage it. Given the site constraints in terms of square footage and parking, other potential conventional industrial users seeking space may not be able to make this site work – whereas the proposed dog daycare facility can. And, by being able to conform to all other provisions of the UDC, City staff believes the existing lot size is more than adequate to facilitate this use.</i></p>
B. 4. The proposed conditional use is consistent with the standards in the UDC, as amended, and meets the requirements in Chapter 18.15 Adequate Community Facilities.
<p><i>The applicant has demonstrated that the proposed conditional use meets the above criteria.</i></p> <p><i>Analysis: No application for development approval shall be approved unless a positive determination of adequacy or a positive determination of adequacy subject to conditions has been made by the City in accordance with Chapter 18.15 Adequate Community Facilities.</i></p>
<p><i>This application has been reviewed by the City's Development Review Team (DRT) which has concluded that a positive determination of adequacy subject to conditions can be made. The conditions are provided below under the staff recommendation.</i></p>
B. 5. The design, operation, location, and buffering of the use mitigates its impacts with regard to: a. Risks associated with the use and storage of hazardous materials; or b. Potentially hazardous conditions, such as projectiles leaving the subject property; and

- c. Odors;
- d. Dust;
- e. Lighting;
- f. Vibration; and
- g. Noise.

The applicant has demonstrated that the proposed conditional use meets the above criteria.

Analysis: Impacts from the proposed dog daycare facility have been mitigated by locating the proposed outdoor play area behind the building. After each use of the outdoor play area, the business operator will clean the area – reducing odors. Additionally, in complying with the standard for limiting use of the outdoor play area between 7:00 a.m. and 7:00 p.m. will help with noise as there are residential neighborhoods approximately 1,000 feet in both directions to the east and west.

B. 6. There is a demonstrated need in the City for the conditional use, in order to serve demands created by City residents.

The applicant has demonstrated that the proposed conditional use meets the above criteria.

Analysis: The applicant has prepared an overview of the business (see Attachment B). Based upon their research and due diligence, a determination has been made that there is a need for this dog daycare facility in this location and have worked with the City to help create this opportunity.

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

Land Use Designation: Employment

- Regional employment and related commercial uses.
N/A
- Emphasizes open space and preservation as natural features as buffers.
N/A
- Proposed developments that do not contain office or light industrial uses may be allowed if such uses or zoning exist near the proposed development.
The proposed development does not contain office or light industrial uses. However, the proposed dog daycare facility is located within an industrial park where such uses exist.

Staff Recommendation

City staff is recommending conditional approval of the conditional use application subject to the following conditions:

Current Planning

1. The outdoor play area shall be limited in use from 7:00 a.m. to 7:00 p.m.

Transportation Development

1. All public improvements shall comply with the Larimer County Urban Area Street Standards (LCUASS).
2. The developer agrees to acquire and dedicate, at no cost to the City, any rights-of-way or easements necessary for the required street improvements associated with this development.

3. Prior to the issuance of any building permits for Camp Bow Wow, pursuant to the provisions in the Unified Development Code, the Developer shall design and construct the following public improvements unless already designed and constructed by others:

a) Sidewalk improvements will need to be constructed along the adjacent frontage of Des Moines Avenue.

4. A Right-of-Way (ROW) Work Permit will be required for any construction activities within the City ROW.

5. All trees, shrubs, and other plant materials located within the clear sight triangles shall be trimmed in accordance with the requirements of Section 7 of LCUASS. Under current LCUASS requirements, trees shall be limbed to a height of not less than eight (8) feet above any public street or sidewalk. Shrubs and other plant materials shall be maintained at a height of not more than thirty (30) inches, and said maintenance shall be conducted in perpetuity.

**CONDITIONAL USE PERMIT APPLICATION
CONDITIONAL ASSESSMENT REPORT**

A) Use Standards

18.02.406 of the UDC:

1. **Kennel (Indoor) or Pet Store.** The use shall comply with the following standards, in addition to all other applicable standards in the UDC:

1. *All Zones.* Indoor kennel or pet store uses that are located less than 100 feet from lots that are used or zoned for residential uses shall (in addition to complying with all other applicable standards of this UDC) be located within soundproofed buildings so that barking dogs are not audible at the property line.

Plan to Maintain Standard: This site is not located less than 100 feet from lots that are used or zoned for residential uses. All neighboring sites are zones as industrial and their use is consistent.

2. *I Zone.* In addition to the standards of subsection K.1., above, the use shall be on a subject property:

1. Developed with a use that is listed under the heading "General Commercial" in Table 18.02.305, Commercial Land Use by Zone; or
2. Located along an arterial or a collector street, unless approved as a conditional use (see Section 18.14.301, Process Overview, subsection B.4.).

3. *DT Zone.* In addition to the standards of subsection K.1., above, the use is not allowed in the Neighborhood Transition Character Area.

2. **Kennel (Outdoor).** The use shall comply with the following standards, in addition to all other applicable standards in the UDC:

1. *Limitations on Dog Runs.* If the use includes one or more dog runs, then:

1. The minimum lot or parcel area allocated to the use shall be one acre.
2. The use shall be located at least 200 feet from lots used or zoned for residential uses.
3. Fencing for dog runs shall not exceed six feet in height in the E zoning district and eight feet in height in the I zoning district.
4. Dog runs shall not be used after 7:00 PM or before 7:00 AM.

2. *Limitations on Noise.* If the use is located less than 100 feet from lots used or zoned for residential uses, the building shall be soundproofed so that barking dogs are not audible at the property line.

Plan to Maintain Standard: This site is not located less than 200 feet from lots that are used or zoned for residential uses. Camp Bow Wow requires a standard of solid vinyl fencing to act as a noise buffer for the outdoor play yards. Fence height, for outdoor play

yards, is eight feet to insure dog and neighborhood safety. Camp Bow Wow only allows use of the outdoor play yards from 7:00 AM - 7:00 PM. Dogs will not have access to the outdoor play yards anytime outside of these hours. This standard is consistent with the guideline set by the City of Loveland.

B) Consistency with City Plans

Under the U.S. 34 Corridor Plan, this site is zoned as industrial. The proposed use for this site, as a dog day care and boarding business, is consistent with the most ideal zoning standard, per the land use code, with the addition of a Conditional Use Permit for the requested and specified use. There are no residential contingencies neighboring this site.

C) Compatibility

The proposed use for the 6,000 square foot site located 1227 Des Moines Ave will offer a design and operating characteristics which are complementary to the surrounding areas due to the following:

- 1) Boarding campers (dogs) are housed in individual indoor secured cabins overnight. Camp Bow Wow does not have indoor/outdoor runs and all overnight boarding is within the enclosed building.
- 2) Camp staff is on site from at least 7:00 AM - 7:00 PM seven days per week. One staff member per 11 dogs is the required standard for Colorado which will be maintained. There will always be a minimum of two staff on site during business hours
- 3) The outdoor play area is used, sporadically, for relief and fresh air. Staff is present at all times when dogs are outside. Staff are trained to utilize specific dog training methods to keep noise to a minimum. Barking is not a major issue or concern at the 150+ Camp Bow Wow sites across the country. Our staff are well trained and constantly monitoring the dogs inside and outside. Per demonstrated evidence at our other sites, the campers consistently spend the vast majority of their time indoors. The staff are trained to utilize pack management and individual behavior training techniques to keep barking at an absolute minimum. Campers will be placed in their cabin for a time out or their owner will be called to pick them up if they demonstrate barking which is overly disruptive.
- 4) The services of Camp Bow Wow attract customers that are on their way to/from work or travel. The average pick up / drop off is five minutes or less. Predominate traffic to/from the site occurs near opening and closing hours. There is minimal traffic impact throughout the rest of the day.
- 5) Camp Bow Wow requires a waste removal routine which includes constant play area patrol so waste is immediately picked up and deposited into either flush systems or galvanized steel, lined, trash cans.

- 6) Camp Bow Wow utilizes specialized bio-degradable cleaners and disinfectants - the same products which are utilized in hospitals, child care centers and gyms. These products keep the site (indoors and outdoors) smelling fresh and clean year round.

D) Impacts on Land Use Patterns

The proposed conditional use will not negatively impact the land use patterns of existing or approved development, due to the strict standards set forth by the Camp Bow Wow corporation. The franchisor has 150+ locations successfully operating with minimal impact to it's surrounding neighbors. In comparison, the Fort Collins Camp Bow Wow (which can be referenced through a review of the property at 4103 S Mason St) is located within a retail center. It neighbors numerous retail establishments, residential housing (on the back side) and a hotel just down the street. The Fort Collins Camp Bow Wow thrives in the community and successfully neighbors numerous establishments.

The high standards required by Camp Bow Wow corporate for dog pack management and play yard fencing have demonstrated efficacy with regards to minimizing any sound disturbance. The methodology for drop offs / pick ups prove minimal customer time spent on site which mitigates the need for extensive parking resources and lessens impact on traffic for the majority of each day. Additionally, the cleaning strategies support best practice with regards to run-off by never spraying anything down to clean it. We will use a light foaming device along with mops and squeegees to clean our site. We also will use a professional auto-scrubber to clean the floors which intakes any excess water into the machine, minimizing water consumption as well as maximizing cleanliness. The amount of water utilized in cleaning the yards daily is projected to be the equivalent of a five minute human shower.

E) Compliance with the UDC

The proposed conditional use is consistent with standards in the Unified Development Code and meets requirements as an Adequate Community Facility by assuring all regulations are followed. Camp Bow Wow corporate assures it's franchisees follow standards that have been developed for safety, noise / odor mitigation, cleanliness and best practice methodology for their businesses. Camp Bow Wow corporate makes regular site visits to assure their standards, which are consistent with the guidelines in the UDC, are followed. In addition to site visits to assure the standards are followed, regular web camera evaluations occur to ensure proper maintenance of facilities and brand standards are being followed.

F) Mitigation of Impacts

- 1) ***Risks associated with the use and storage of hazardous materials:*** Disinfectants are pet safe, environmentally friendly and do not require rinsing. The cleaning materials

utilized are bio-degradable cleaners which are utilized in hospitals, child care centers and gyms.

- 2) **Potential hazardous conditions, such as projectiles leaving the subject property:** Potential hazards are not foreseen with this use. Staff are trained on safety and pack management of the dogs. There is a two gate safety methodology in-place in any play yard that will have the potential for outside access. Access to the outdoors via a play yard is necessary for emergency evacuation precautions, however once a gate from a play yard opens, it goes into a holding area which is secured by a second gate which requires opening by a staff member.
- 3) **Odors:** Camp Bow Wow mandates a daily cleaning schedule which includes the immediate removal of waste. Additionally, the practice of utilizing the foaming cleanser with mops / squeegees and an auto scrubber which do not encourage run off and, rather, in-take of moisture / odor support the mitigation of any possible concern with notable odor. Camp Bow Wow's clientele have a high standard for spotless facilities which will be upheld.
- 4) **Dust:** There are no projected concerns associated with dust. The proposed use will have much less impact from a dust perspective than the cabinetry operation which currently occupies the site.
- 5) **Lighting:** There will be an outside light near the front entrance and lighting near the outdoor play yards for seasonal use when it is dark in the morning and late afternoon hours. The business is closed between the hours of 7 PM - 7 AM, therefore lighting will not be a concern after hours.
- 6) **Vibration:** There are no projected concerns associated with vibration.
- 7) **Noise:** The eight foot tall vinyl play yard fencing, dog management strategies and no outdoor access for dogs between 7 PM - 7 AM are expected to mitigate any potential disruption associated with noise from this site.

G) Demonstrated Need

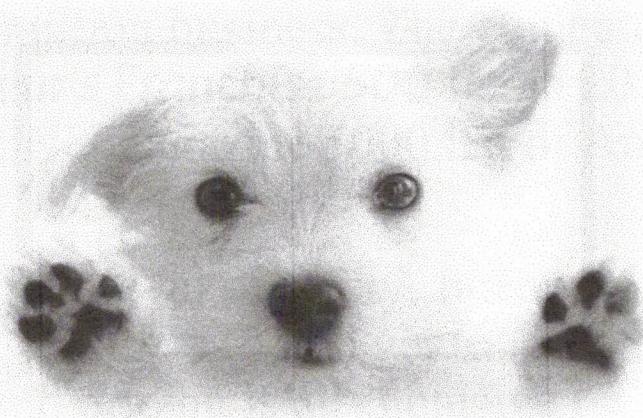
- 1) Statistics for the resident population in Loveland who own dogs support the addition of a Camp Bow Wow in the city. Currently, there are minimal dog day care and boarding sites operating in Loveland. Many residents are traveling outside Loveland city limits for these services. The added dog day care and boarding operation in Loveland will increase pet care related revenue within the city.
- 2) Camp Bow Wow sites have, historically, provided increased revenue for the local community and stimulated economic growth.
- 3) Camp Bow Wow Loveland will provide entry and management level job opportunities for residents.
- 4) Camp Bow Wow Loveland will provide needed services for dogs in the community which will keep them happy and healthy.
- 5) Camp Bow Wow Loveland will partner with the community and support initiatives such as dog bite prevention for children and offer our dog trainer services to local shelters and

rescues to better train owners and pets on how to be good two and four legged citizens in Loveland.

- 6) Camp Bow Wow Loveland intends to partner with community members and organizations, locally, to support charitable giving and initiatives.

This Camp Bow Wow franchise will be locally owned by Eric and Kelly Hess. Dr. and Mrs. Hess reside locally and are immediately accessible for any concerns or questions which may arise. They will be accountable to the City of Loveland. Mrs. Hess intends to be actively involved in the day to day, on site operations, of this franchise. Dr. Hess spends the majority of his occupational time at Medical Center of the Rockies in Loveland caring for hospitalized patients in the community. Both Dr. and Mrs. Hess appreciate the opportunity to further engage with, support and serve the City of Loveland and its members. Thank you for considering our application for a Conditional Use Permit for Camp Bow Wow Loveland at 1227 Des Moines Ave.

North America's Largest Pet Care Franchise



CAMP
BOW WOW.

Camp Exterior & Signage

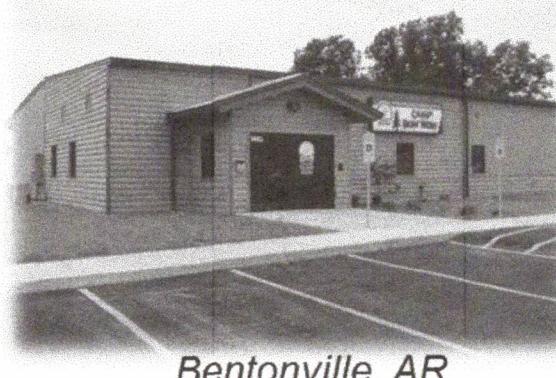
Sizing for architect
Vendor



Highland Park, PA



Portland, ME



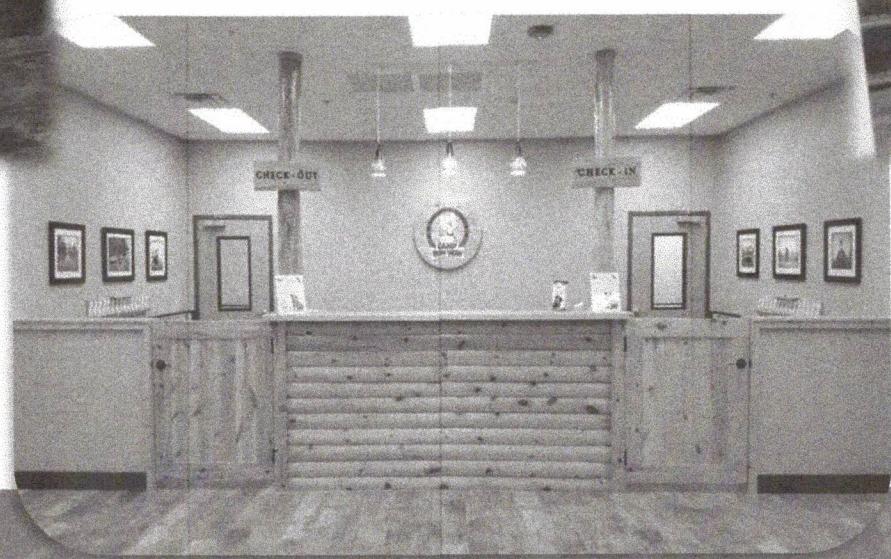
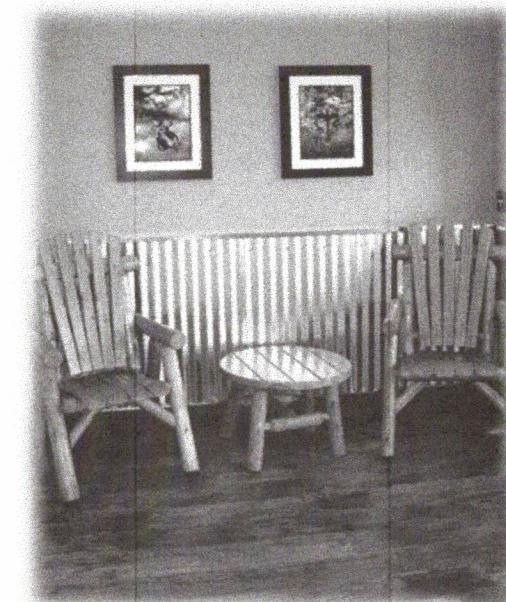
Bentonville, AR



Tucson, AZ

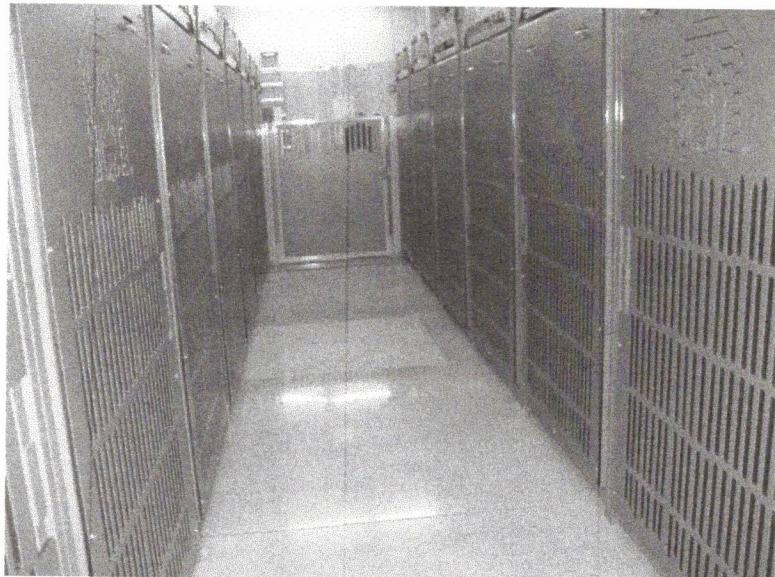
**CAMP
BOW WOW**

Camp Lobby Pictures



**CAMP
BOW WOW**

Premier Indoor Boarding Accommodations



Luxury insulation 6x8

Family = 6'L x 8'W x 6'H

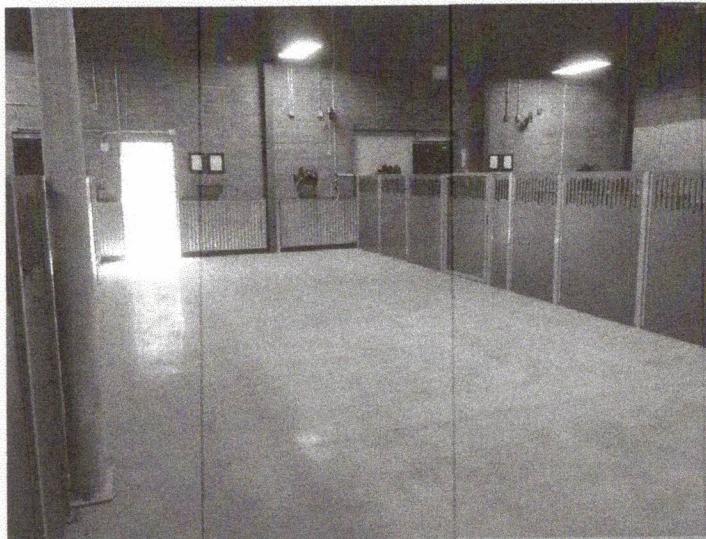
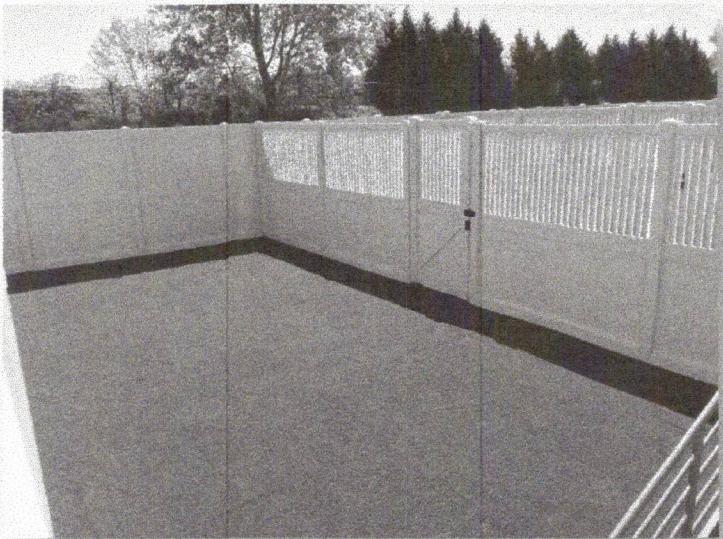
Med = 6'L x 4'W x 6'H

Small = 4'L x 4'W x 6'H

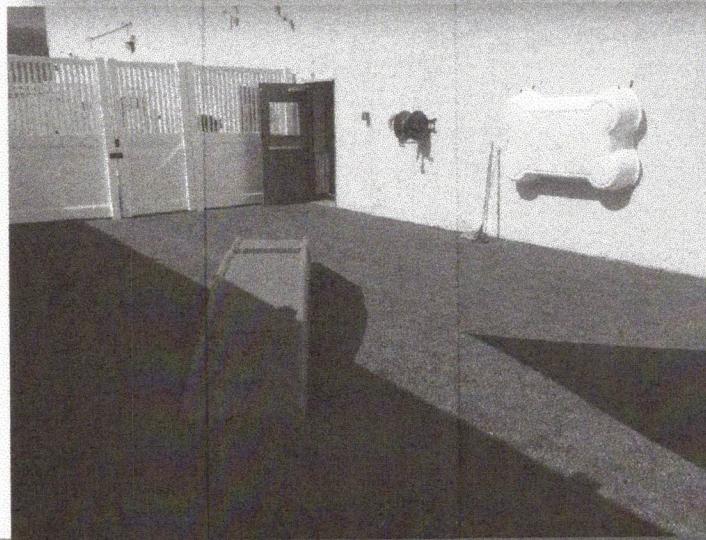
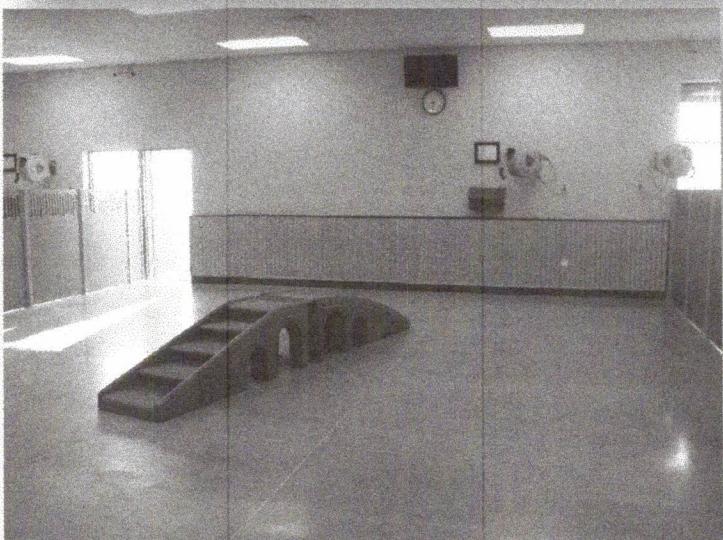
Teacup

**CAMP
BOW WOW**

Indoor & Outdoor Play Areas



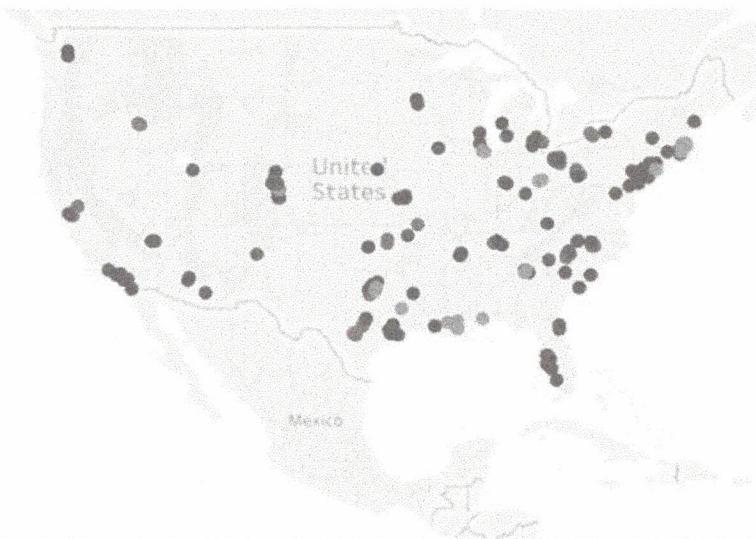
8' vinyl



**CAMP
BOW WOW**

Growth & Franchisee Base

Camp Bow Wow has sold more than 200 franchises in 41 states, plus one in Canada, over 41% being women-owned. As Camp Bow Wow grows, our simple philosophy remains the same: **It's all about the Pets!**

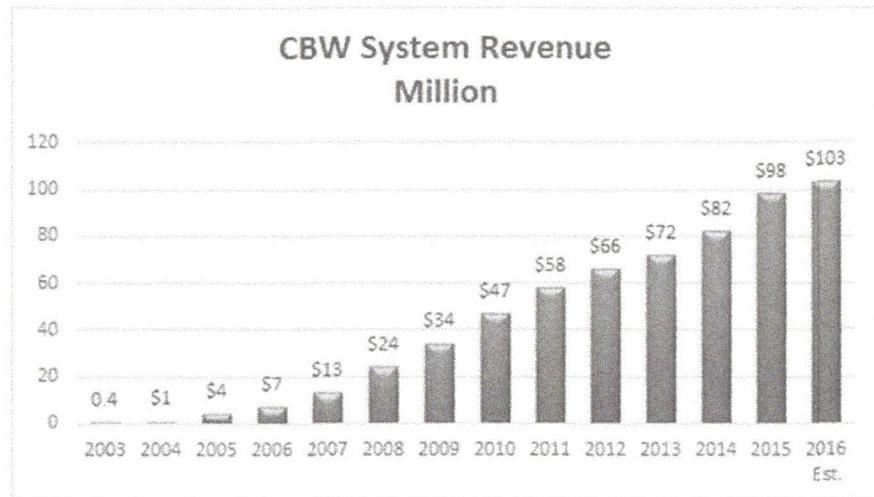


Multifamily Y/N

- Corporate
- Development Multi
- NO
- YES

**CAMP
BOW WOW**

The Pet Industry: Why Camp Bow Wow is in High Demand



65% of U.S. households own a pet, which equates to 79.7 million homes! (per 2015-2016 APPA National Pet Owners Survey)

Pet Industry (per American Pet Products Assoc. & IBIS World Reports)

- 2016 Estimate \$60 B
- Grooming & Boarding Services \$6 B
- Growth Trend 9% YOY

Camp Bow Wow (per 2017 FDD)

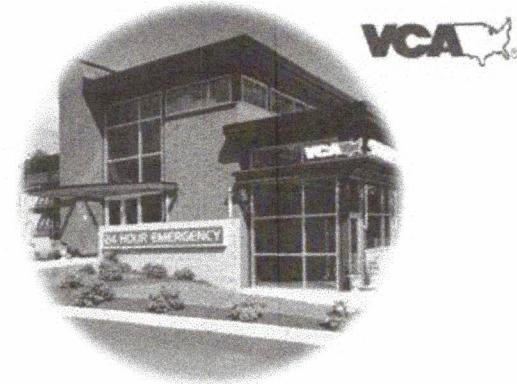
- 2016 \$101 M
- Camp Growth 9% YOY

**CAMP
BOW WOW**

Our Parent Company: VCA Animal Hospitals

- **VCA is a wholly owned subsidiary of Mars, Inc**
- **Leading provider of free-standing vet hospitals**

- 800+ Hospitals— 720 in 43 U.S. states, 80 in five (5) Canadian provinces
- Over 3,300 doctors
- 20,000+ employees
- Over 2.0 million clients
- Over 2.7 million pets
- Over 8.3 million annual pet visits



VCA

ANTECH
DIAGNOSTICS



sound
A VCA COMPANY



- **Leading provider of specialty medicine**
- **Leading provider of animal lab diagnostics**
- **Leading provider of veterinary medical equipment**
- **Leading provider of post-grad vet training**

CAMP
BOW WOW¹⁰

Why Our Customers Choose Camp Bow Wow!

- **Highest Standard of Safety**
 - Proven Camper Interview Process
 - Trained Certified Camp Counselors®
- **Where a Dog Can Be a Dog®**
 - All Day Play Environment
 - Indoor and Outdoor Play Yards
 - Monitored Play Yards= Love & Affection
- **Premier Facilities**
 - Camp Feel and Décor
 - Cabins with Comfy Cots and Cozy Fleeces
 - High definition Camper CamsSM
- **Consumer Friendly!**
 - Great Customer Service
 - One Price Service – No Add-On's
 - Dog Training, In Home Pet Care and Grooming
- **Allows them to be responsible pet owners!**



**CAMP
BOW WOW**

Why Communities Welcome Camp Bow Wow!

Although a national franchise, each of our Camp franchises are individually owned and operated and deeply embedded in their local communities

- Camps provide increased revenue for the local community and stimulate economic growth
- Camps provide entry and management level job opportunities for residents
- Camps provide needed services which keeps pups happy and healthy and out of trouble
- Camps give back to their local communities in many ways:
 - One way is through our 501c3 non-profit Bow Wow Buddies Foundation which offers medical grants to pet parents or shelters for medical expenses.
 - We also have many other programs that franchise owners offer to their communities such as dog bite prevention education for children, our scouts angel therapy dog program to provide comfort to those in need and our Behavior Buddies certified dog trainers work with clients as well as shelters and rescues in communities to better train pet owners and their pets to be good two legged and four legged citizens.

**CAMP
BOW WOW**

How will we work with the Pet Community?

- Grand Opening Adoption Event!
- In-Camp Foster Dog Program, providing training, socialization and exposure on our website to find fur-ever homes.
- Yappy Hours, and customer appreciation events to raise money for local pet charities.
- Work with local shelters/rescues to provide training at their facility.
- Educate at local child venues on Dog Bite Prevention.
- VIP discount for our local public service providers (Police and Fire, and military).

**CAMP
BOW WOW**

Local Educational Media: Pet Safety Tips for Local Camp Communities

Dog Bite Prevention

Pet Disaster Plan

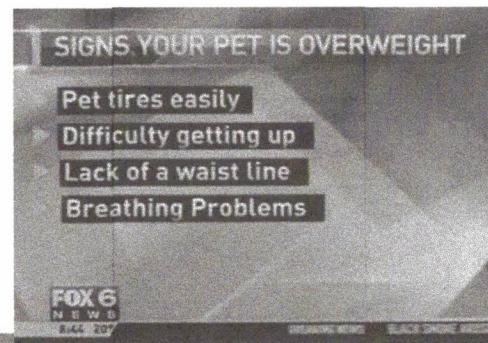
Keeping Pets Safe in the Summer Heat

Helping Kids Overcome their Fear of Dogs

Promoting Local Pets up for Adoption

Choosing the Right Puppy for Your Family

Pet Obesity



**CAMP
BOW WOW**

General Camp Operations

Information

- Camp staff is on site from 7:00 AM to 7:00 PM. One staff member per 25 dogs minimum. Minimum 2 Certified Camp Counselors® on site during business hours.
- Day Camp is offered weekdays (many locations offer weekend Day Camp). Other services offered: overnight boarding, training, grooming, retail for purchase (pet related supplies).
- Boarding Campers are housed in individual indoor secured cabins overnight. CBW does not have indoor/outdoor runs and all overnight boarding is within the enclosed building.
- The video cameras (Camper Cams) are available to the public during open hours, but they are on 24 hours a day. They can be accessed via the web or mobile phone apps.
- All facilities have fire and security systems connected directly to the fire and police departments for monitoring. The temperature is climate controlled and maintained at a constant 64-78 degrees year round.
- The outdoor play area is used sporadically for relief and fresh air. Staff is present at all times when dogs are outside. Staff are trained to utilize specific dog training methods to keep noise to a minimum. Dogs bark when they are bored and left alone. This is not the case at Camp.
- Dog waste is immediately and continually cleaned up as it occurs and disposed via local municipality approved methods.

Safety First at Camp Bow Wow

- CBW provides the safest dog daycare and boarding experience for our Campers. Every area in Camp is designed to maintain a safe environment for our Campers and staff to prevent injury or illness. Once the dogs are behind the check in area in our lobby the Camper has little potential for escape.
- All of our staff must pass our Certified Camp Counselor ® training and also be pet first aid and CPR trained. Campers are never left unsupervised when together in our open play environment.
- All of our Camps have two emergency veterinary hospitals relationships secured so that in the event of an injury or health issue a Camper can immediately be seen and treated.
- All of our Camps work with their local jurisdiction to create emergency evacuation protocols in the event the building must be evacuated short or long term. Our staff is trained on how to implement these protocols following CBW operations standards.
- All of our Camps adhere to our proven cleaning and maintenance processes to ensure a clean and safe environment for staff and Campers. Every surface in Camp is cleaned daily with our hospital grade environmentally safe cleaning products.
- All of our Camps maintain appropriate coverage for business, building and incident insurance complying with federal, state and local law as well as our franchise requirements.



**CAMP
BOW WOW**

Noise Concerns?

- Barking is not a major issue as our staff are well trained and constantly monitor the dogs inside and outside. We can use a myriad of soundproofing materials depending on the Camp design and sound impact anticipated at the location.
- Campers mainly spend their time inside taking brief breaks outside when they need to relieve themselves. With a pack mentality, Campers tend to follow the Counselors (they are the alpha) in the yards making controlling indoor and outdoor egress with the dogs easier.
- Our Certified Camp Counselors® utilize pack management and individual behavior training techniques to keep barking at an absolute minimum. If necessary, overly disruptive Campers will be placed in a cabin for a time out or the guardian will be called to pick them up.
- The outside break yard is constructed with solid vinyl fencing to act as a noise buffer. Fence height is a mandatory 8 feet to insure dog and neighborhood safety.
- The yard is situated at each site on the back or side of the property away from any residential properties, using the building as a buffer.

**CAMP
BOW WOW**

Waste or Smell Concerns?

- We utilize specialized bio-degradable cleaners and disinfectants – the same that are used in hospitals, child care centers, and gyms. These products keep our facilities (indoor and out) smelling fresh and clean year round.
- CBW provides all franchisees a set daily cleaning schedule. Franchisor site visits occur year round and regular web camera evaluations are conducted to ensure proper maintenance of CBW facilities and that brand standards are being followed. Secret shopper programs are also used for additional review.
- We target a very upscale clientele that requires our facilities are kept spotless.
- The Camp Bow Wow® waste removal routine includes constant play area patrol so that waste is picked up and deposited in a galvanized steel trash can with lid and a 3 mil trash can liner. The liner is removed, sealed and deposited in the facility dumpster daily as needed. A typical CBW produces approximately the equivalent to one large lawn/leaf garbage bag of waste per day. Dumpster pick-up is scheduled for once to twice a week.

**CAMP
BOW WOW**

Drainage Concerns?

- In our facilities we never spray anything down to clean it – we use a light foaming device along with mops and squeegees to clean our facilities.
- We also use a professional auto-scrubber to clean the floors which intakes any excess water into the machine, minimizing water consumption as well as maximizing cleanliness.
- When cleaning the yards daily, the amount of water used is the equivalent to a 5 minute human shower.
- Our disinfectants are pet safe and environmentally friendly and do not require rinsing.

**CAMP
BOW WOW.**

Traffic or Parking Concerns?

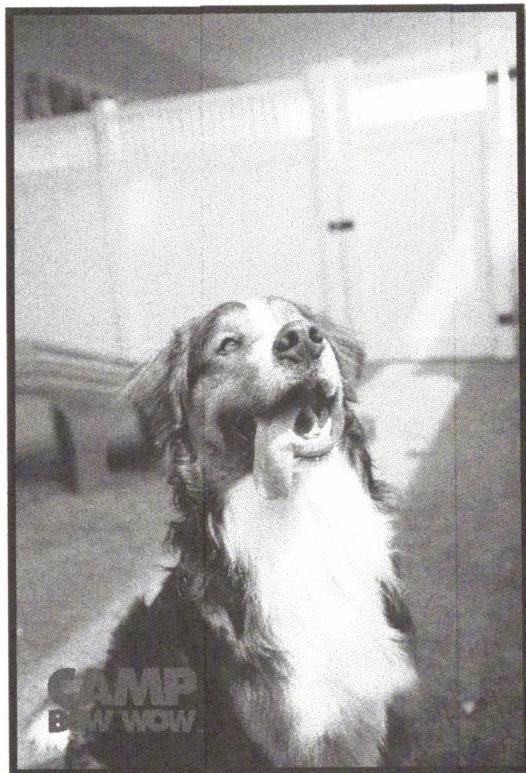
The services of Camp Bow Wow attract high end customers that are in a hurry and on their way to and from work or travel. Camp Bow Wow operates efficiently so that the dog drop off and pick up is quick and easy for our clients:

- Pre-Purchased Day Camp Packages keep front lobby transactions short. Customers are able to drop off or pick up quickly without having to make a payment each time. This keeps the average drop/off and pick up time to 5 minutes or less.
- We do not have typical parking needs of retail businesses since our pick up and drop off for services are quick transactions.
 - On average we require 10-15 parking spaces minimum to accommodate client and employee parking.



Our Mission Statement

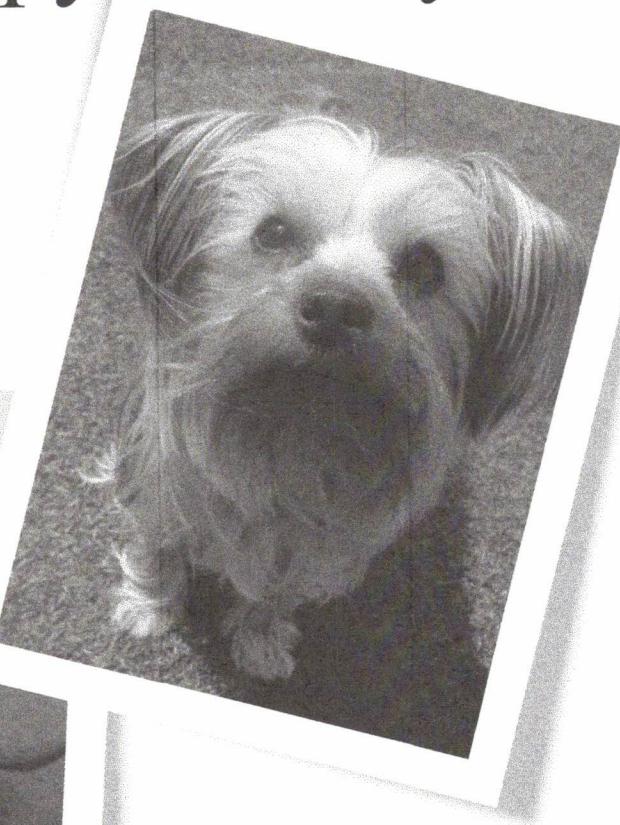
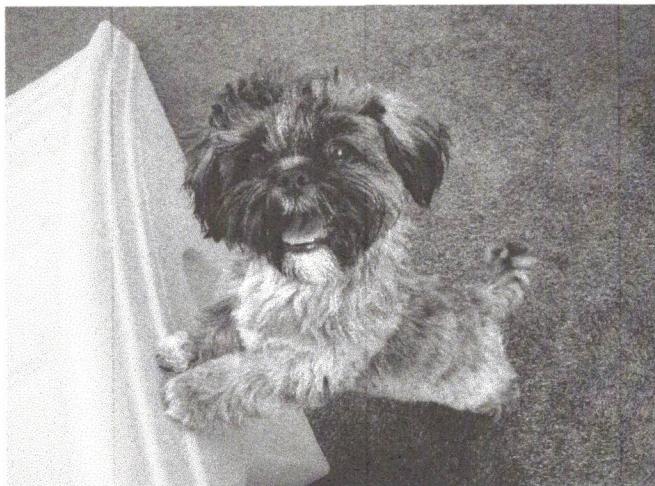
Camp Bow Wow® is the premier provider of innovative, healthy, and happy pet care worldwide while lending a paw to animals in need!



**CAMP
BOW WOW**

Our Vision Statement

Happy Healthy Pets, Happy Healthy People



**CAMP
BOW WOW**

Conditional Use Site Development Plan



Lots 14-16, Block 4, Loveland Business Plaza 1st Addition, TOG with East 10' of vacated alley adjacent SD lots on West, City of Loveland, State of Colorado

1227 Des Moines Ave.

Loveland

SITE PLAN CERTIFICATION

Property Owner:

The undersigned agree that the real property described in the application and shown on the Site Development Plan filed herewith, shall be subject to the requirements of Chapter 18 of the Municipal Code of the City of Loveland, Colorado, and any other ordinances of the City of Loveland. The undersigned accepts the conditions and restrictions set forth on said Plan and in the conditions of approval by the City of Loveland. The undersigned also understands that if the next required approval or permit has not been applied for to establish the use or commence the construction that is authorized by the approval of the Site Development Plan or if the use does not require a building permit and is not established, ongoing, and in operation within three years of the date of approval, or other completions date or dates established in a development agreement approved by the City, the Site Development Plan shall expire and shall be deemed null and void.

(Owner's Signature)

(Title)

STATE OF COLORADO)
COUNTY OF LARIMER)
)

The foregoing agreement was acknowledged before me this _____ day of
_____, 2019, by _____.

WITNESS my hand and official seal.

My commission expires: _____.

Notary Public

City Approval:

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

Current Planning Manager

Planning Commission

VICINITY MAP



Project location:
1227 Des Moines Ave.
Loveland, CO 80537



SITE DATA TABLE

ZONING

I - DEVELOPING INDUSTRIAL

SITE ACREAGE

LOTS 14-16 - APPROX. 0.415 ACRES - 20,700 S.F.

LAND USE

DOG DAY CARE, BOARDING AND GROOMING
CONDITIONAL IN INDUSTRIAL ZONE (NOT ON ARTERIAL OR COLLECTOR)

SQUARE FOOTAGE (EXISTING BUILDING TO BE UNCHANGED)

MAIN LEVEL 6,000

MAIN LEVEL GENERAL OFFICE AREA = 1,476 S.F. (B)

MAIN LEVEL INDOOR KENNEL/PLAY AREA = 4,524 S.F. (B)

BUILDING OCCUPANCY CLASSIFICATION PER CHAPTER 3

LOBBY, RECEPTION, OFFICE B
DOG KENNEL B

TYPE OF CONSTRUCTION

TYPE V B (SPRINKLERED)

PARKING REQUIREMENTS

3 / 1,000 S.F. FOR GENERAL OFFICE - 1,476 S.F. / 333 = 4.43 SPACES REQUIRED
1 / 500 S.F. FOR KENNEL - 4,524 S.F. / 500 = 9.05 SPACES REQUIRED
14 TOTAL SPACES REQUIRED
14 SPACES PROVIDED

PARKING ALLOCATION

GENERAL: 13
HANDICAPPED (VAN ACCESSIBLE): 1
BICYCLE PARKING: 2

OPEN SPACE

2,921 S.F.
14% OF PROPERTY

STREET LANDSCAPE BUFFERYARD 'A' MIN. 10' WIDE

FRONTAGE OF BUFFERYARD IS 60 L.F.
LARGE TREES 1/100 L.F. = 0.6
SMALL TREES 2/100 L.F. = 1.2
1.8 TREES REQ'D., 2 LARGE TREES PROVIDED
EVERGREEN TREES 1/100 L.F. = 0.6, ONE NEW EVERGREEN PROPOSED
SHRUBS 10/100 L.F. = 0, MANY EXISTING JUNIPERS PROVIDED

UTILITIES

WATER - CITY OF LOVELAND
WASTEWATER - CITY OF LOVELAND
POWER - CITY OF LOVELAND

FEMA FLOOD PLAIN

PROPERTY IS NOT IN A FLOOD PLAIN
PROPERTY IS NOT IN AIRPORT DISTRICT

CITY CONDITIONS OF APPROVAL

TRANSPORTATION:

1. All public improvements shall comply with the Larimer County Urban Area Street Standards (LCUASS).
2. The developer agrees to acquire and dedicate, at no cost to the City, any rights-of-way or easements necessary for the required street improvements associated with this development.
3. Prior to the issuance of any building permits for Camp Bow Wow, pursuant to the provisions in the Unified Development Code, the Developer shall design and construct the following public improvements unless already designed and constructed by others:
 - a) Sidewalk improvements will need to be constructed along the adjacent frontage of Des Moines Avenue.
4. A Right-of-Way (ROW) Work Permit will be required for any construction activities within the City ROW.
5. All trees, shrubs, and other plant materials located within the clear sight triangles shall be trimmed in accordance with the requirements of Section 7 of LCUASS. Under current LCUASS requirements, trees shall be limbed to a height of not less than eight (8) feet above any public street or sidewalk. Shrubs and other plant materials shall be maintained at a height of not more than thirty (30) inches, and said maintenance shall be conducted in perpetuity.

Kenney Lee
architecture group, inc.

LOVELAND • COLORADO
(970) 663-0548

Colorado

SHEET INDEX

ARCHITECTURAL
COVER SHEET
A1.0
SITE PLAN
A2.0
BUILDING ELEVATIONS
A3.1

CONSULTANTS

ARCHITECT

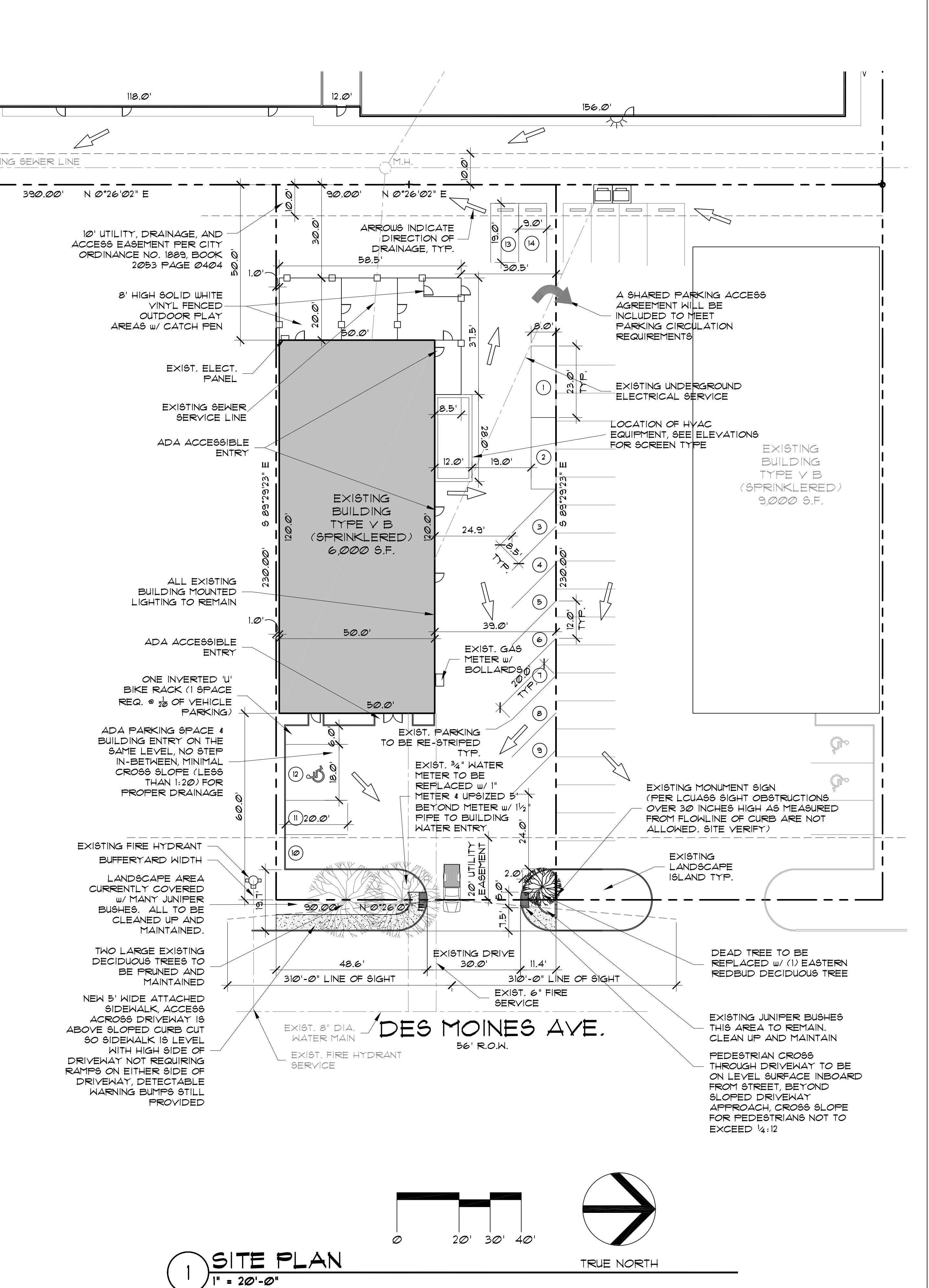
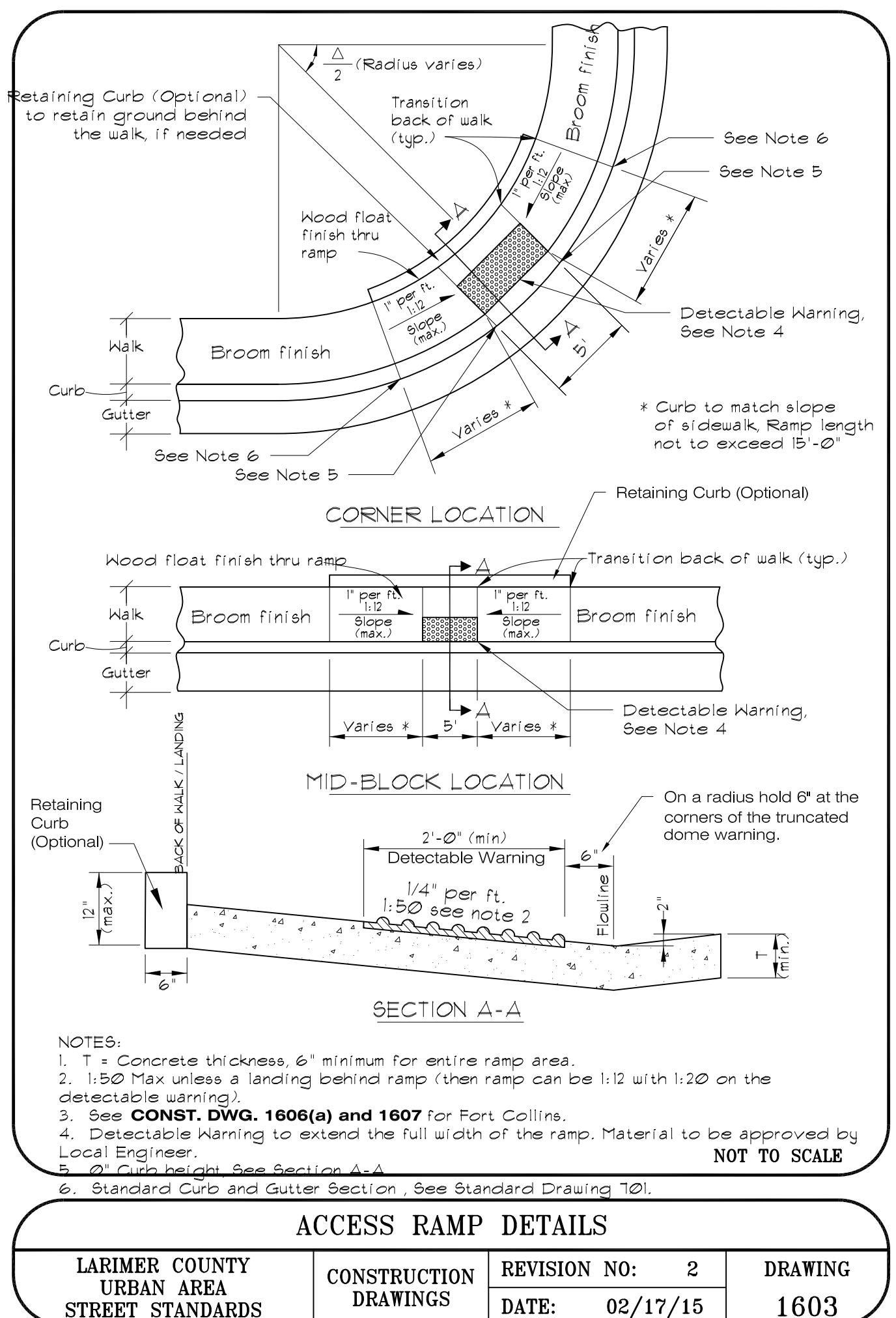
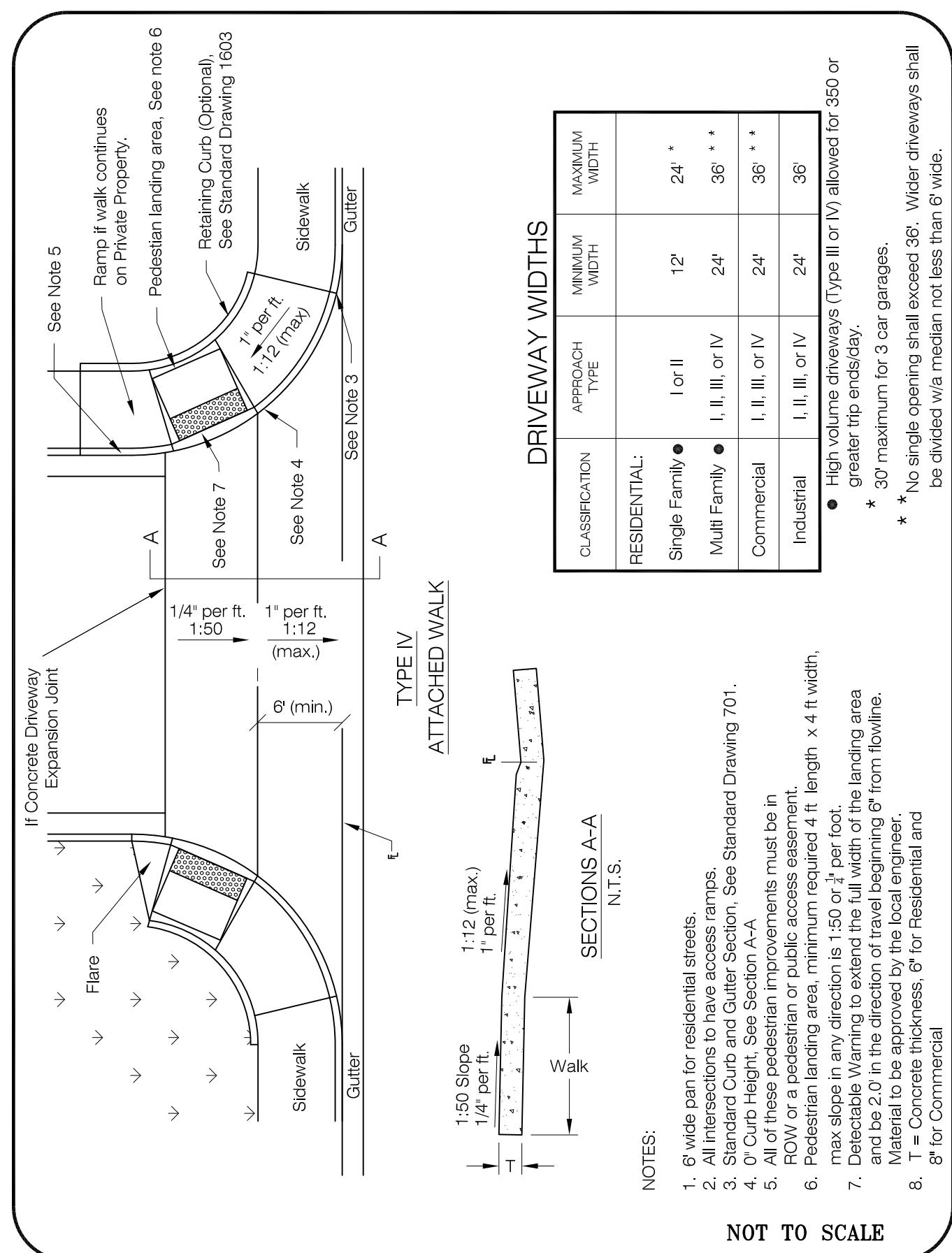
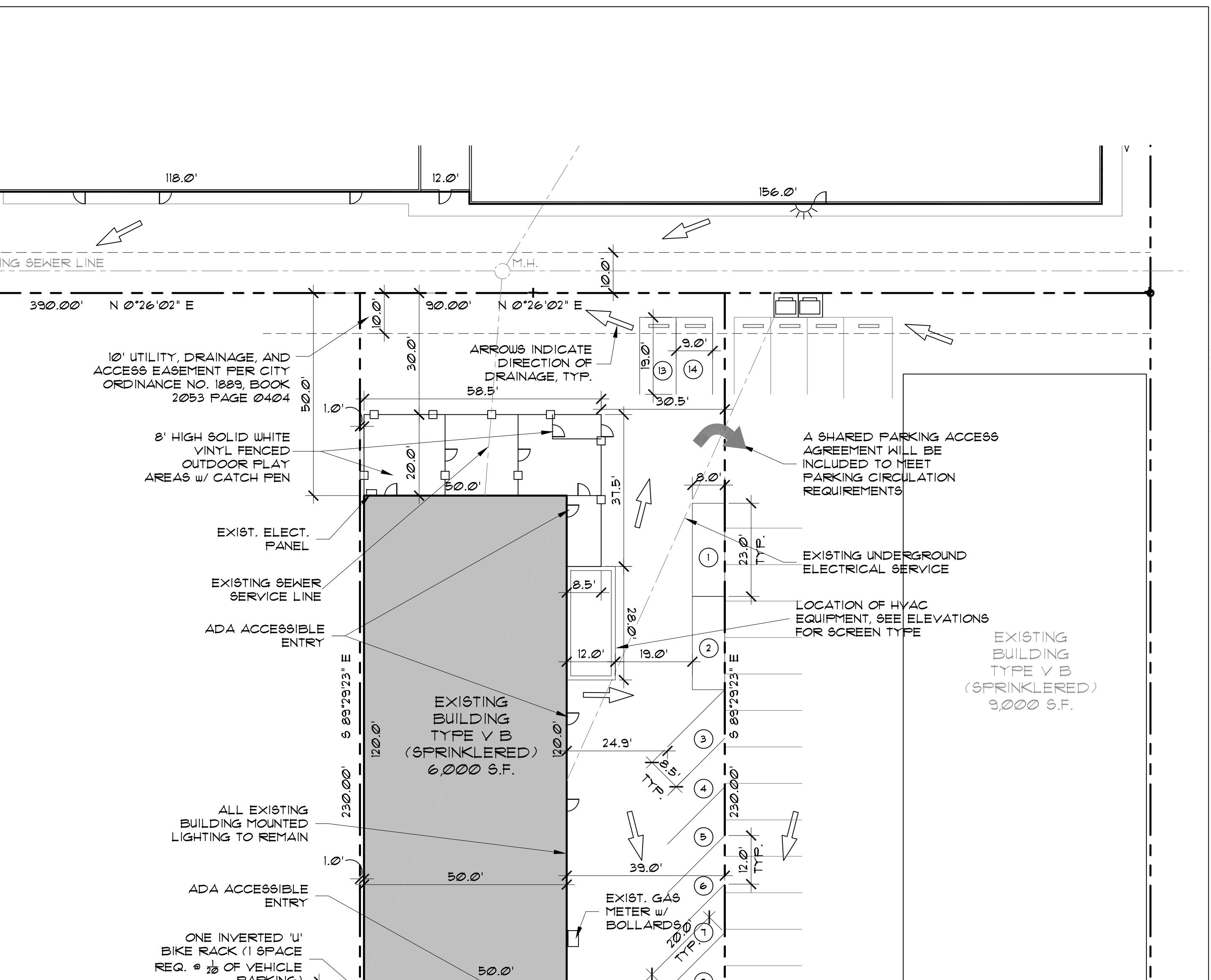
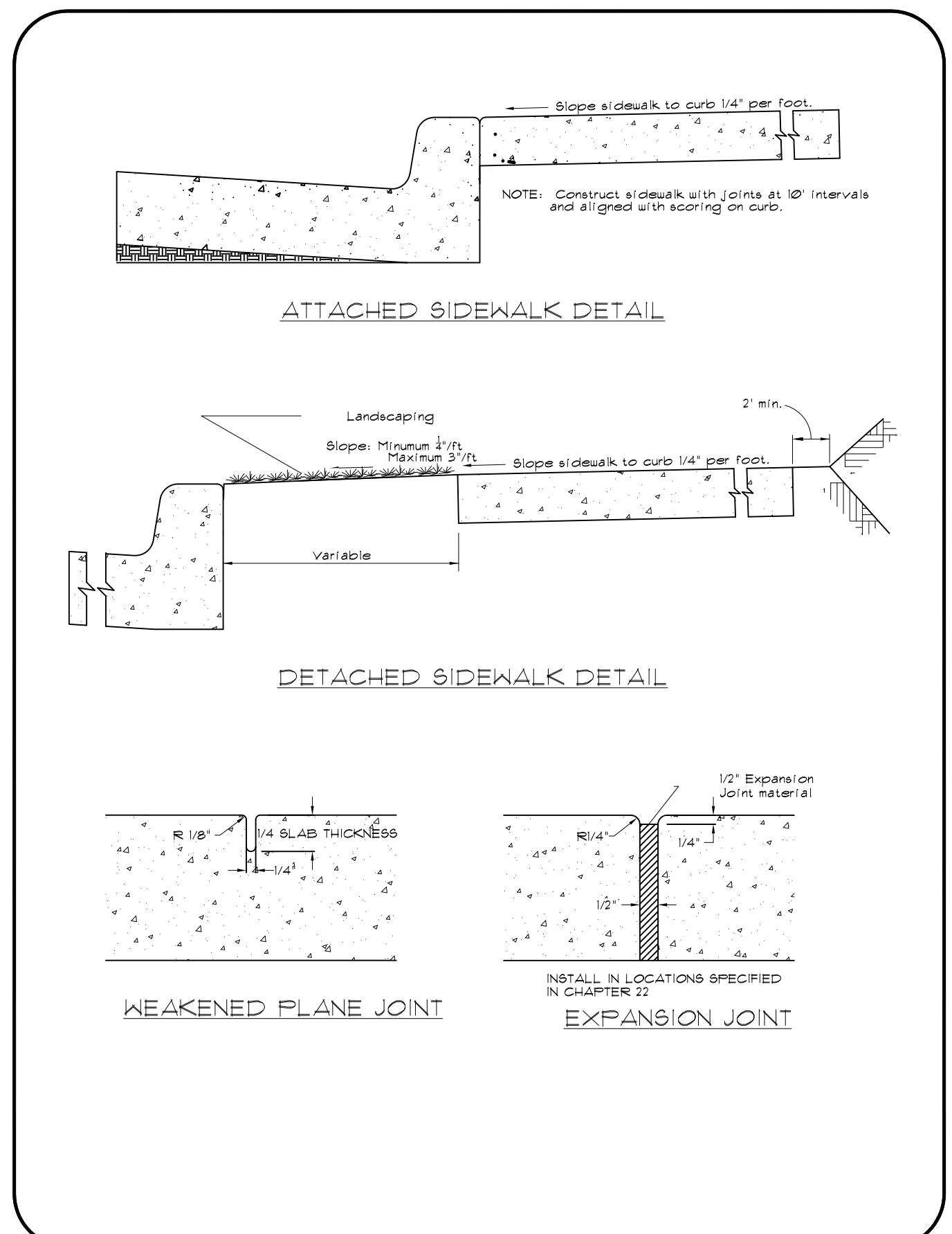
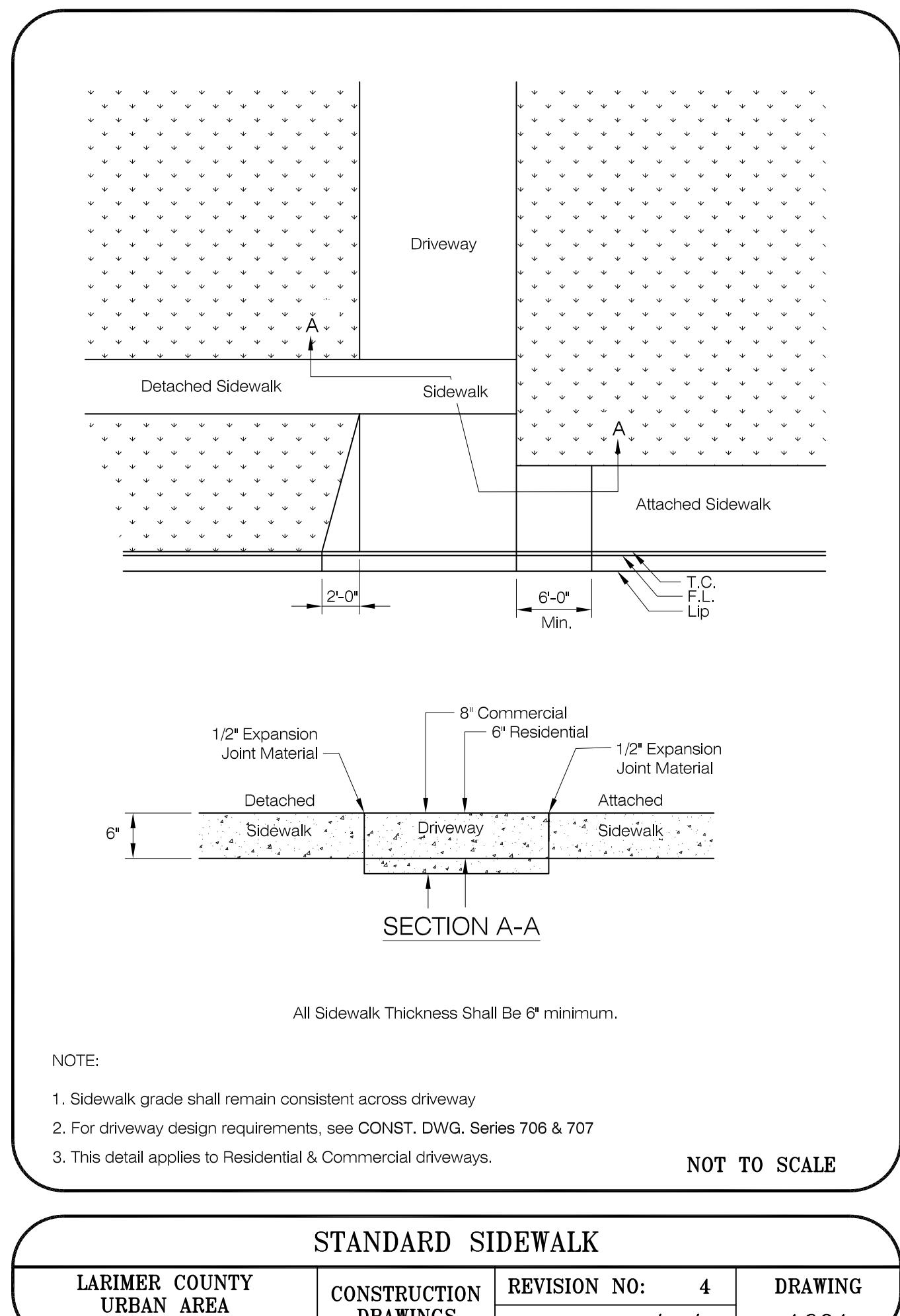
KENNEY LEE ARCHITECTURE GROUP, INC.
209 EAST FOURTH STREET
LOVELAND, COLORADO 80537
(970) 663-0548

OWNER

CAMP BOW WOW - LOVELAND
KELLY HESS
1227 DES MOINES AVE.
LOVELAND, COLORADO 80537
(303) 944-3650

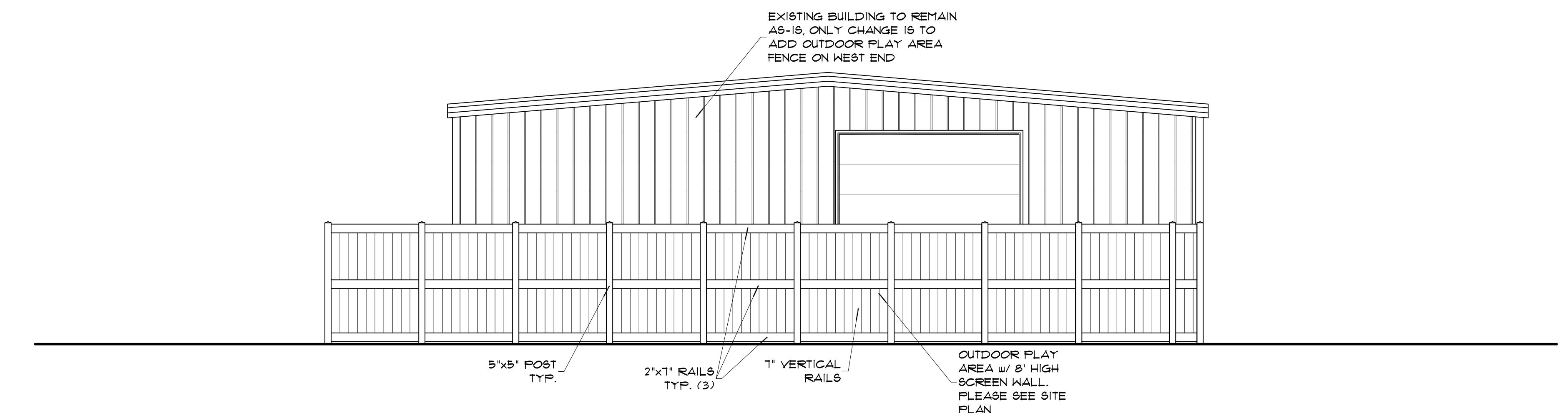
NOTICE: DUTY OF COOPERATION - Release of these plans contemplates further cooperation among the owner, his contractor, and the architect. Design and construction are complex. Although the architect and his consultants have performed their services with due care and diligence, they cannot guarantee perfection. Communication is imperfect, and every contingency cannot be anticipated. Any ambiguity or discrepancy discovered by the use of these plans shall be reported immediately to the architect. Failure to notify the architect compounds misunderstanding and increases construction costs. A failure to cooperate by a simple notice to the architect shall relieve the architect from responsibility for all consequences. Changes made from the plans without the consent of the architect are unauthorized, and shall relieve the architect of responsibility for all consequences arising out of such changes.







1 RIGHT SIDE ELEVATION (NORTH FACING)
3/16" = 1'-0"



2 REAR ELEVATION (WEST FACING)
3/16" = 1'-0"

NOTICE: Drafts, blueprints, and other drawings are the property of the architect. They are to be used only for the construction of the building described in the drawings. Any other use, reproduction, or disclosure is prohibited without the written consent of the architect. Any unauthorized use, reproduction, or disclosure may result in criminal liability under the laws of the state of Colorado.

EXTERIOR ELEVATIONS

sheet
A9.1

date 3/25/2019
drawn KML
checked
job no.

Kenney Lee
architecture group, inc.



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TELEVISIONS
13753205

Colorado (970) 663-0548

Planning Commission Staff Report

June 10, 2019

Mehaffey Addition-Annexation & Zoning		
Agenda #: 2	PZ #19-00026	Annexation & Conventional Zoning
Location	Located at the SW corner of West 29 th Street and North Wilson Avenue – Surrounding Fire Station #2	

Development Review Team Recommended Motion(s)

Recommended Motion(s): Move to make the findings beginning on page 6 of the Planning Commission staff report dated June 10, 2019 and, based on those findings, recommend that City Council approve the 42.691 acre Mehaffey Addition, subject to the conditions beginning on page 11 of this report dated June 10, 2019, as amended on the record, and zone the western 18.981 acres to PP-Public Park and zone the eastern 23.710 acres DR-Developing Resource.

Options	Consequence
Approve the Motion	The Mehaffey enclave is annexed into the City and zoned DR and PP.
Deny the Motion or take no action	The Mehaffey enclave remains an un-annexed parcel within Larimer County and remains zoned FA-Farming.

Project Summary

This public hearing concerns the annexation and zoning of a 42.691 acre parcel located on the southwest corner of West 29th Street and North Wilson Avenue. Concurrently with the annexation and zoning application, the City is processing a subdivision of the property administratively. Subdividing the single lot into two lots, the western lot is to be purchased by the City's Parks and Recreation Department and zoned PP-Public Park; the eastern lot is to remain under the ownership of the Mehaffey family and zoned DR-Developing Resource allowing the Mehaffey's to continue their existing farming operations. The Mehaffey family is supportive of this request.

The applicant is the City's Parks and Recreation Department, although there are no immediate development plans to follow the annexation, Parks and Recreation staff is hopeful that the western lot will be developed as a continuation of the Mehaffey Park. The public hearing is to consider the following items:

- Annexation of 42.691 acres; and
- Zoning of the western lot PP-Public Park and the eastern lot DR-Developing Resource.



The applicant is the City's Parks and Recreation Department, although there are no immediate development plans to follow the annexation, Parks and Recreation staff is hopeful that the western lot will be developed as a continuation of the Mehaffey Park. The public hearing is to consider the following items:

- Annexation of 42.691 acres; and
- Zoning of the western lot PP-Public Park and the eastern lot DR-Developing Resource.

Staff believes that all key issues associated with the annexation and zoning request have been addressed based on City codes and standards. The neighborhood meeting was held at 5:30 pm on May 20, 2019 at the Fire Station #2. There were approximately 26 neighbors present. A variety of questions were raised generally concerning new proposed vehicular access, potential future developments options on the site and future pedestrian connectivity and safety along W 29th street and N Wilson Avenue.

Staff from the Current Planning office and the Parks and Recreation Department were in attendance at the meeting and able to adequately address all questions and concerns; and provide additional information on potential future developments. All neighbors in attendance at the neighborhood meeting were informed of the upcoming public hearings.

The subject parcel is currently located in Larimer County and is zoned FA-Farming. There are no perceived environmentally sensitive areas on the proposed parcel, however, a Phase 1 Environmental Report is currently underway as required by the City. The parcel is adjacent to the existing 68+/- acre Mehaffey Park which was opened for public use in 2015. The City's Comprehensive Land Use Map designates this area as LDR-Low Density Residential. The request for annexation and zoning to Public Park and Developing Resource is consistent with the City's Comprehensive Plan.

Attachments

1. Vicinity map
2. Annexation map
3. Subdivision map
4. Zoning map
5. Applicant's annexation and zoning assessment

Applicant Information	Development Review Team Contacts
Applicant: Brian Hayes City of Loveland Parks and Recreation Department	Planner: Emily Tarantini Traffic Engineer: Randy Maizland LFRA: Ingrid McMillan-Ernst
Property Owner: Raymond L. Mehaffey	Stormwater: Suzette Schaff Power: Mark Warner Water/Wastewater: Melissa Morin

Site Data

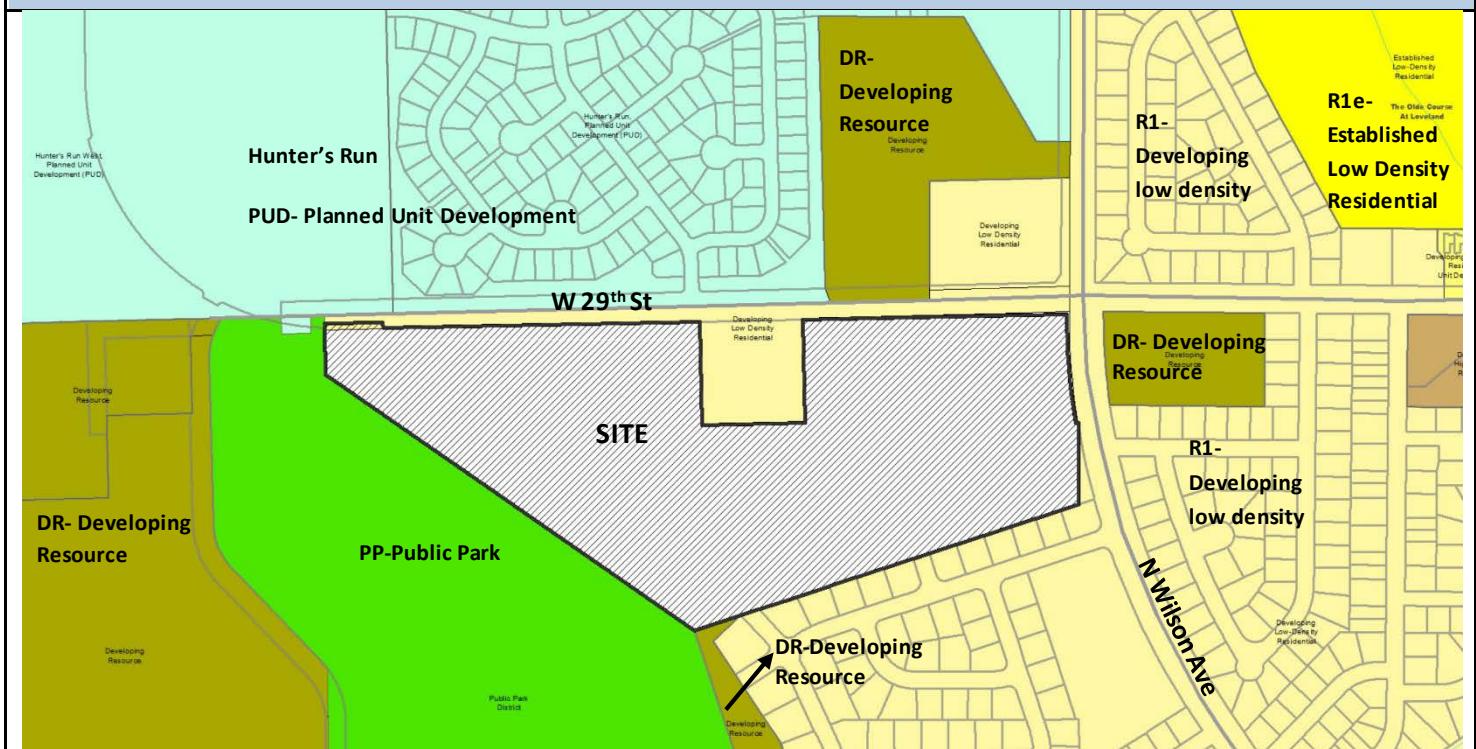
Address/Location	2808 West 29 th Street - Located at the SW corner of West 29 th Street and North Wilson Avenue – Surrounding Fire Station #2
Land Area	42.691 Acres
Existing Buildings	Single family home and farming outbuildings
Topography	Flat/ Farmland

Access	Single access existing from W 29 th Street		
Water Provider	City of Loveland		
Wastewater Provider	City of Loveland, currently served by a private septic system		
Electric Provider	City of Loveland		
Floodplain	Not applicable		
Subject Property and Adjacent Property Designations			
	Existing Zoning	Comprehensive Plan	Existing Land Use(s)
Subject Property	FA-Farming	LDR-Low Density Residential	Single family home and farmland
Adjacent North	PUD-36 Hunter's Run & R1-Developing Low Density Residential	LDR-Low Density Residential	Single family homes and a church
Adjacent South	PP-Public Park & R1-Developing Low Density Residential	LDR-Low Density Residential	Single family homes and Mehaffey Park
Adjacent East	R1-Developing Low Density Residential	LDR-Low Density Residential	Single family homes
Adjacent West	PP-Public Park	LDR-Low Density Residential	Mehaffey Park

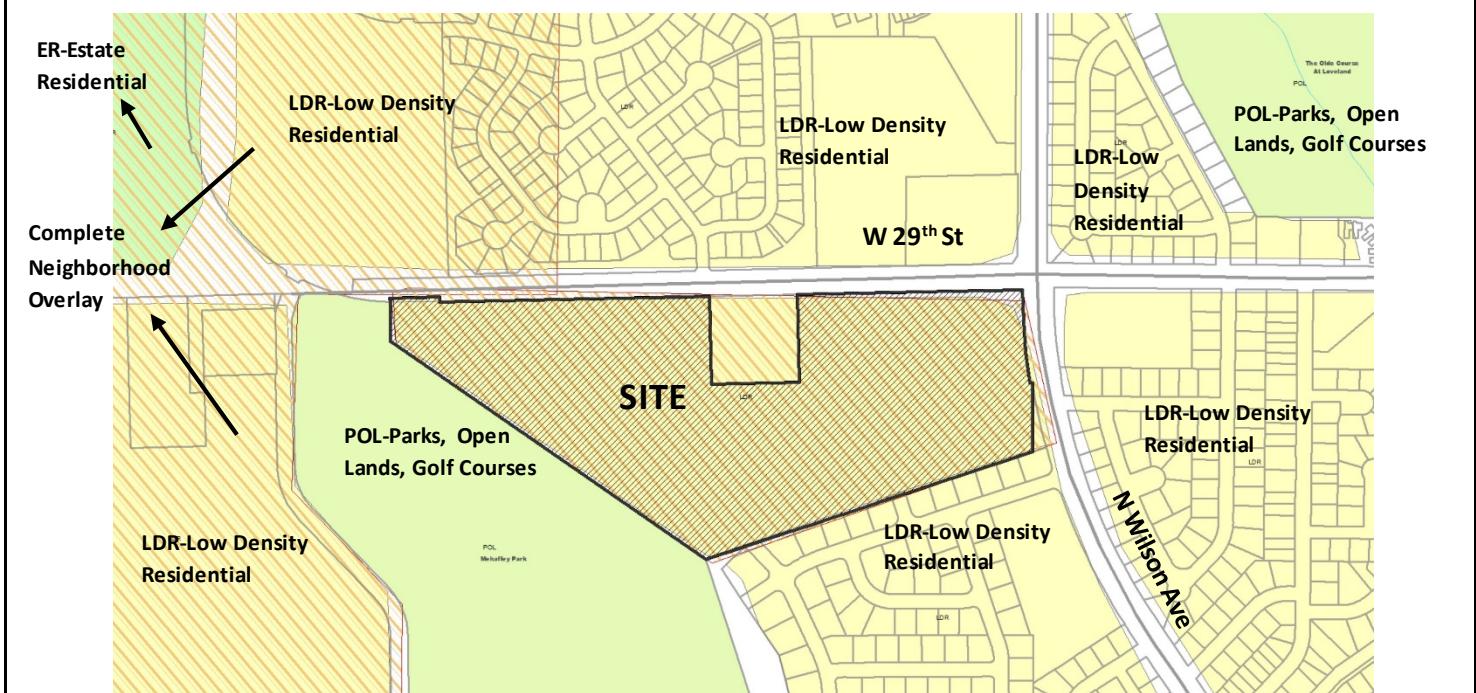
Aerial Photo



Zoning Map



Future Land Use Map



Background			
PZ#	Date	Request	Action
19-00026	June 10, 2019	Annexation and zoning	Approval
<ul style="list-style-type: none"> This parcel is the last remaining county enclave of the Mehaffey family; historically, this land has been used for farming operations. Mehaffey Park was annexed and zoned in January 2013. Fire Station #2 was later annexed and zoned in May 2013. The annexation and zoning application under consideration was submitted in May 2019. 			

Neighborhood Outreach	
Notification	An affidavit was received from the City's Parks and Recreation Department certifying that written notices was mailed to all property owners within 500 feet of the property on May 1, 2019 and notices were posted in prominent locations on the perimeter of the site at least 15 days prior to the Planning Commission hearing. In addition, a notice was published in the Reporter Herald on May 18, 2019.
Neighborhood Response	<p>The neighborhood meeting was held at 5:30pm on May 20, 2019 at the Fire Station #2, there were approximately 26 neighbors present. A variety of questions were raised generally concerning the following topics:</p> <ul style="list-style-type: none"> New proposed vehicular access and connections to 29th street and existing stubbed roads in adjacent neighborhood – <i>Staff response: Future road connections are dependent on the proposed development on the site. However, an extension of Kiowa Drive and Mehaffey Drive will be most probable.</i> Increase in traffic along W 29th Street - <i>Staff response: West 29th St is classified as a major arterial designed to accommodate high volume of traffic. A Traffic Impact Study will be required with each development proposal ensuring that transportation improvements are met.</i> What potential future developments can occur on the site? – <i>Staff response: The parks and Recreation Department is considering an expansion of Mehaffey Park and the potential location for a second Recreation Center. The eastern portion of the site has a land use designation of Low Density Residential which would allow for a single family home subdivision.</i> Will this be the location for the second Recreation Center? – <i>Staff response: This site was one of the two sites identified in a Recreation Center feasibility study which was finalized in November 2015. While the Mehaffey site remains a possible location for a second community recreation center, voters would have to approve its funding.</i> Pedestrian connectivity and safety along 29th street and Wilson Avenue – <i>Staff response: Pedestrian connectivity to the park will be required and reviewed during the development application. A detached sidewalk and tree lawn will be required along N Wilson and W 29th St. Crosswalks and other forms of traffic calming infrastructure will be considered during the review of the development application.</i>

	<ul style="list-style-type: none"> • Pedestrian access to Mehaffey Park from Windmere 6th Subdivision – Staff response: <i>A pedestrian access easement could potentially be negotiated between landowners. This can be done through a private pedestrian access easement. At the time of future development of Mehaffey Park a direct pedestrian access will be provided from the extension of Kiowa Drive.</i> • How will the park site be maintained until additional park amenities are built? – Staff response: <i>The property to be owned by the City will be purchased over the next three years. The Parks Department will provide basic maintenance with mowing and weed control until development.</i> • When will the existing park entrance along W 29th St be completed? – Staff response: <i>The area in question was originally approved for future park expansion. At this time there are no specific plans for this area. Parks will continue to maintain the area until plans are updated or improvements are made.</i> <p>Staff from the Current Planning offices and the Parks and Recreation Department were in attendance at the meeting and able to adequately address all questions and concerns and provide additional information on potential future developments. All neighbors in attendance at the neighborhood meeting were informed of the upcoming public hearings.</p>
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<h3 style="text-align: center;">Planning Commission Findings for Approval</h3>
<h4 style="text-align: center;">APPLICATION FOR ANNEXATION</h4>
<p>The Unified Development Code sets forth certain review considerations regarding a request for annexation. Pursuant to Section 18.17.01.04 of the City of Loveland Unified Development Code, the Planning Commission shall make findings regarding the following review considerations for annexation of property into the City of Loveland.</p>
<p>A. Generally. <i>The City Council may consider an annexation application only after approving a resolution finding that the application complies with the eligibility criteria contained in C.R.S. §§ 31-12-104 and 31-12-105, or C.R.S. § 31-12-106.</i></p>
<p><i>Finding met: Yes</i></p>
<p><i>Analysis: Staff believes that the findings can be met. The Resolution for findings has been scheduled on July 16, 2019. The subject parcel is immediately contiguous on all perimeters to other land in the City. There is a community interest to further expand Mehaffey Park in the future and further develop the eastern portion of the property in a manner that integrates with the existing neighborhood.</i></p>
<ul style="list-style-type: none"> • <i>The annexation complies with the Colorado State Statutes regarding annexation of land and the required one-sixth contiguity between the City and the property seeking annexation.</i> • <i>The property is situated within the City's Growth Management Area.</i> • <i>The property represents an entire enclave and has been surrounded by property within the City for over 3 years.</i>

B. Public Facilities and Community Services. *Whether the current requirements for public facilities and community services (defined herein), as the City determines to be necessary and required in the area proposed to be annexed, have been fulfilled, and whether there is an appropriate mechanism in place to assure that the future requirements for such public facilities and community services will be fulfilled.*

1. *As used in this subsection, the phrase "public facilities" includes, but is not limited to, streets, sidewalks, bike lanes, bridges, parks and recreation areas, schools, police or fire station sites, water and wastewater, and storm drainage facilities.*
2. *As used in this subsection, the phrase "community services" includes, but is not limited to fire and police protection and provision of water and wastewater services.*

Finding: The applicant has demonstrated the above: Yes

Analysis:

- **Transportation:** *Staff believes this findings can be met, based on the following:*

Annexing and zoning a parcel or property does not warrant compliance with the City's Adequate Community Facilities (ACF) ordinance. A condition is recommended to clearly ensure that all future development or land development applications within this proposed property shall be in compliance with the City of Loveland Street Plan, the Larimer County Urban Area Street Standards and any updates to either in effect at the time of development application.

As identified in the Unified Development Code, a Traffic Impact Study shall be required with all future development or other land use applications. The annexation will also be required to dedicate, free and clear, all applicable right-of-way to the City, at no cost to the City, at the time of development.

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

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

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

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

The subject annexation is situated within the City's current service area for both water and wastewater. The existing residence has a City of Loveland water service and is on a private septic system.

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

Public facilities are available to serve the development.

- **Stormwater:** *Staff believes that the findings can be met, based on the following:*

The Loveland Fire Authority Station #2 lies to the north of this property. Ultimately, stormwater from the fire station site is to be conveyed to Wilson Avenue via a drainage easement across the Mehaffey Subdivision. At the time of the fire station development, the city was unable to obtain those easements from the property owners. Therefore, the developed on-site stormwater was stored in a retention pond, with the understanding that future development of the Mehaffey property would provide a drainage path and easement for the fire station site flows to drain to Wilson Avenue. With any future development of the Lot 2, Block 1, Mehaffey Subdivision, the ultimate detention pond outlet structure will need

to be constructed, along with a conveyance system and drainage easement to carry the fire station runoff into the Wilson Avenue curb & gutter.

The proposed development will meet all applicable requirements contained in the City of Loveland Master Drainage Plan, including the City of Loveland Storm Drainage Criteria when final designed; and

The proposed development will provide for adequate major drainage facilities to convey stormwater flows from a one hundred year storm event which will minimize property damage when final designed; and

The proposed development will meet all applicable drainage requirements of the City when final designed.

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

The proposed development will not negatively impact City power facilities.

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.

C. Other Annexation Considerations.

1. **Consistency with Comprehensive Plan.** Whether the applicant has demonstrated that the proposed annexation of land is consistent with the Comprehensive Plan.

Finding: The applicant has demonstrated the above: Yes

Analysis: Staff believes this finding can be met. The subject parcel is within the City's growth management area and is the last remaining Mehaffey farmland enclave. The proposed DR-Developing Resource and PP-Public Park zoning are consistent with the City's Comprehensive plan. The proposed future land use for the western portion of the has been planned by the Parks and Recreation Department to be an extension of the Mehaffey Park, which is in line with the Comprehensive Plan. Annexing this enclave will allow for a cohesive development pattern with the surrounding neighborhoods.

2. **Impact on Existing Residents of the City.** Whether the applicant has demonstrated that the annexation of lands to the City does not create any additional cost or burden on then-existing residents of the City to provide public facilities and additional community services in any newly-annexed area.

Finding: The applicant has demonstrated the above : Yes

Analysis: The newly annexed parcel will provide additional public facilities to the residents as this property has been planned for the expansion of Mehaffey Park. The eastern parcel to be zoned Developing Resource will need to be rezoned when developed. Development on each parcel will be required to comply with City standards and will be reviewed by the City for compliance.

3. **Impact on School Districts.** Whether the applicant has demonstrated that the applicant arranged with the school district regarding the dedication of school sites, or payment of fees in lieu of said dedication, as may be agreed to among the applicant, the school district and the City.

4. **Intergovernmental Agreements.** Whether the applicant has demonstrated that the proposed annexation of land is in compliance with all pertinent intergovernmental agreements to which the City is a party.

Finding : The applicant has demonstrated the above : Yes

Analysis: Staff believes this finding can be met. The subject parcel is included within the Intergovernmental Agreement.

5. Streets; Compliance with City Standards. Whether the applicant has demonstrated that all existing and proposed streets in newly annexed territory shall be constructed in compliance with all current City standards unless the City determines that the existing streets will provide appropriate access during all seasons of the year to all lots fronting on each street; and that the curbs, gutters, sidewalks, bike lanes, culverts, drains, and other structures necessary to the use of such streets or highways are satisfactory or not necessary to promote public safety. The location, type, character and dimensions of all structures and the grades for all existing or proposed street work shall be subject to approval by the City.

Finding: The applicant has demonstrated the above : yes

- *Analysis: Transportation: Staff believes this finding can be met, based on the following:*

A condition is recommended to clearly ensure that all future development or land development applications within this proposed property shall be in compliance with the City of Loveland Street Plan, the Larimer County Urban Area Street Standards and any updates to either in effect at the time of development application.

6. Water Rights. Whether the annexation complies with the water rights requirements of Title 19, Loveland Municipal Code.

Finding: The applicant has demonstrated the above: yes

Analysis: Water: Staff believes this finding can be met. No Outside City Water Service Agreement could be found for the existing residence, therefore water rights are assumed to have not been satisfied. Water rights are due at the time of Annexation. However, the recommended condition herein defers water rights until development or redevelopment.

7. Best Interest of Citizens. Whether the proposed annexation is in the best interest of the citizens of the City of Loveland.

Finding: The applicant has demonstrated the above: yes

Analysis: Staff believes this finding can be met. The annexation of the Mehaffey enclave will allow for a possible expansion of Mehaffey Park and along with possible future residential development.

APPLICATION FOR ZONING

Pursuant to Section 18.17.09.01 of the City of Loveland Unified Development Code, the Planning Commission shall consider and make findings the following criteria for zoning amendments. The Planning Commission must find that all of the criteria and one of the alternative criteria have been met in order to approve a zoning amendment.

Criteria

B. 1. It is the policy of the City not to rezone property in a manner that would create or facilitate the creation of development rights or entitlements that would either:

- a. Reduce the level of protection for significant natural resources that exist on the subject property; or**

b. Expose additional people or personal property to unmitigated natural hazards that are present on the subject property (e.g., fire, flood, or geological hazards).

Finding: The applicant has demonstrated that the proposed re-zoning meets the above policy: Yes

Analysis: The proposed zoning districts of PP-Public Park and DR-Developing Resource will not change the level of protection for significant natural resources. The applicant is subject to the City requirements of submitting a Phase 1 Environmental Report. There are no unmitigated natural hazards on the site.

C.1. The proposed zone, as applied to the subject property, is consistent with its land use designation in the Comprehensive Plan or an amendment to the Comprehensive Plan is approved in accordance with Section 4 of the Comprehensive Plan prior to the approval of the rezoning application. Specific plan policies are included at the end of this document.

Finding: The above criteria has been met: Yes

Analysis: The Proposed zoning districts of PP-Public Park and DR-Developing Resource are consistent with the Comprehensive Plan.

C. 2. Zoning to the proposed zone will provide a benefit to the community or immediate area that cannot be provided under the existing zone, and the balance between the anticipated benefit, if any, and the anticipated burden on the community or immediate area, if any, is either neutral or favors the rezoning.

Finding: The above criteria has been met: Yes

Analysis: The proposed zoning districts of Developing Resource and Public Park are consistent with the surrounding zoned areas. The existing zoning is the County's Farming District which does not allow for similar development pattern (if any) with the surrounding areas.

C. 3. The proposed zone would not cause an I zone to share a boundary with an ER, R1e, R1, R2, R3e, or R3 zone, unless there is sufficient land area on the subject property to provide a buffer, as set out in [Division 18.08.03, Standards for Bufferyards](#), and a development agreement is approved to mitigate use incompatibilities with fencing, walls, landscaping, noise and lighting restrictions, or other appropriate techniques.

Finding: The above criteria has been met: Yes

Analysis: This finding is being met as the proposed zoning districts are not resulting in an I district sharing a boundary with a residential district. There are no I Districts within this area.

C. 4. Adequate community facilities are available to serve development in the proposed zone in accordance with Section [18.15.205, Determination Regarding Adequacy](#); or the proposed zone would limit demands upon community facilities more than the existing zone; or reasonable assurances are provided that adequate community facilities will be made available to serve new development by the time the new development places demands on the facilities.

Finding: The above criteria has been met: Yes

Analysis: Adequate Community Facilities are available to serve the site at the time of development. Please refer to item B within the Findings for Annexation for more detail.

D. Additional Findings. The Planning Commission may recommend approval of an application for rezoning upon a determination that at least one of the following three criteria has been met. This finding is in addition to the findings regarding the criteria of subsections B. and C., above:

1. Alternative #1: Plan Implementation. The proposed zone is more appropriate than the existing zone to implement an adopted or approved current City plan that was developed with public input (e.g., the Comprehensive Plan, the Highway 287 Strategic Plan, etc.).

Finding: The above criteria has been met: Yes

Analysis: The proposed zoning districts of Developing Resource and Public Park are in compliance with the City's Comprehensive Plan. Specifically, the Public Park zoning designation for the westerly portion of the site will facilitate the future planned expansion of Mehaffey Park. The designation of Developing Resource zoning for the eastern portion of the property will allow farming to continue until development plans are pursued at an unknown future date. Future development will be consistent with the urban pattern of the neighborhood and will only enhance the benefits that already exist in the area.

Staff Recommendations

Staff recommends the following conditions for the Annexation and Zoning application:

Planning:

1. The requested zoning designations on the property shall become effective after the subdivision of the property has been recorded.

Transportation:

2. Additional right-of-way (ROW) dedication along Wilson Avenue will be required at the time of any future development application on the Lot 2, Block 1, Mehaffey Subdivision (Mehaffey Farmland parcel) to provide for a standard detached sidewalk and landscaped parkway.
3. Prior to the approval of any future Site Development Plan application for either Lot 1, Block 1, Mehaffey Subdivision (Parks parcel(s)) or Lot 2, Block 1, Mehaffey Subdivision (Mehaffey Farmland), a transportation access easement will need to be dedicated for the purposes of a vehicular transportation connection to existing Kiowa Drive to the south. The exact location, size and alignment of this future access easement dedication shall be determined at the time of a development proposal on either property mentioned above and to the satisfaction of the City Engineer and Fire Authority.

Water/Wastewater:

4. The existing septic system can remain in use for the existing residence as long as it does not need any new permits from Larimer County Health, per Section 13.08.010.B of the Loveland Municipal Code.
5. Deferral of Water Rights -- Per Section 19.04.020 of the Loveland Municipal Code, water rights requirement shall be deferred until the time of development or redevelopment of the subject annexation that shall be defined in the annexation agreement.

Development means any of the following:

1. Use of Land. The use of any building, structure, land, or water. This includes new uses or accessory uses, expansions of existing uses or accessory uses, and material changes to the operational characteristics of existing uses or accessory uses.
2. Construction, Demolition, or Changes to Buildings or Structures. The demolition, construction, or modification of buildings or structures, except interior changes that do not:
 - a. Increase floor area,
 - b. Increase residential density; or
 - c. Require a traffic study pursuant to Section 18.12.101, Traffic Studies.
3. Clearing, Grading, Re-Grading, Cutting, Filling of Land, and Other Disturbance or Alteration. Land clearing in anticipation of construction of infrastructure, structures, or buildings for non-agricultural purposes and reconstruction or regrading of a previously approved site improvement, and any other disturbance of land, soil, vegetation, floodplains, or waterways, but not including agriculture, irrigation ditch or reservoir improvements or maintenance, gardening, or routine maintenance of landscape areas.
4. Division, Subdivision, or Plat. Any division, subdivision, or platting of land for construction of infrastructure, structures, or buildings, for sale, or for lease, whether by metes and bounds, platting, or other technique.

Redevelopment means renovation, modification, or reconstruction of a subject property in which:

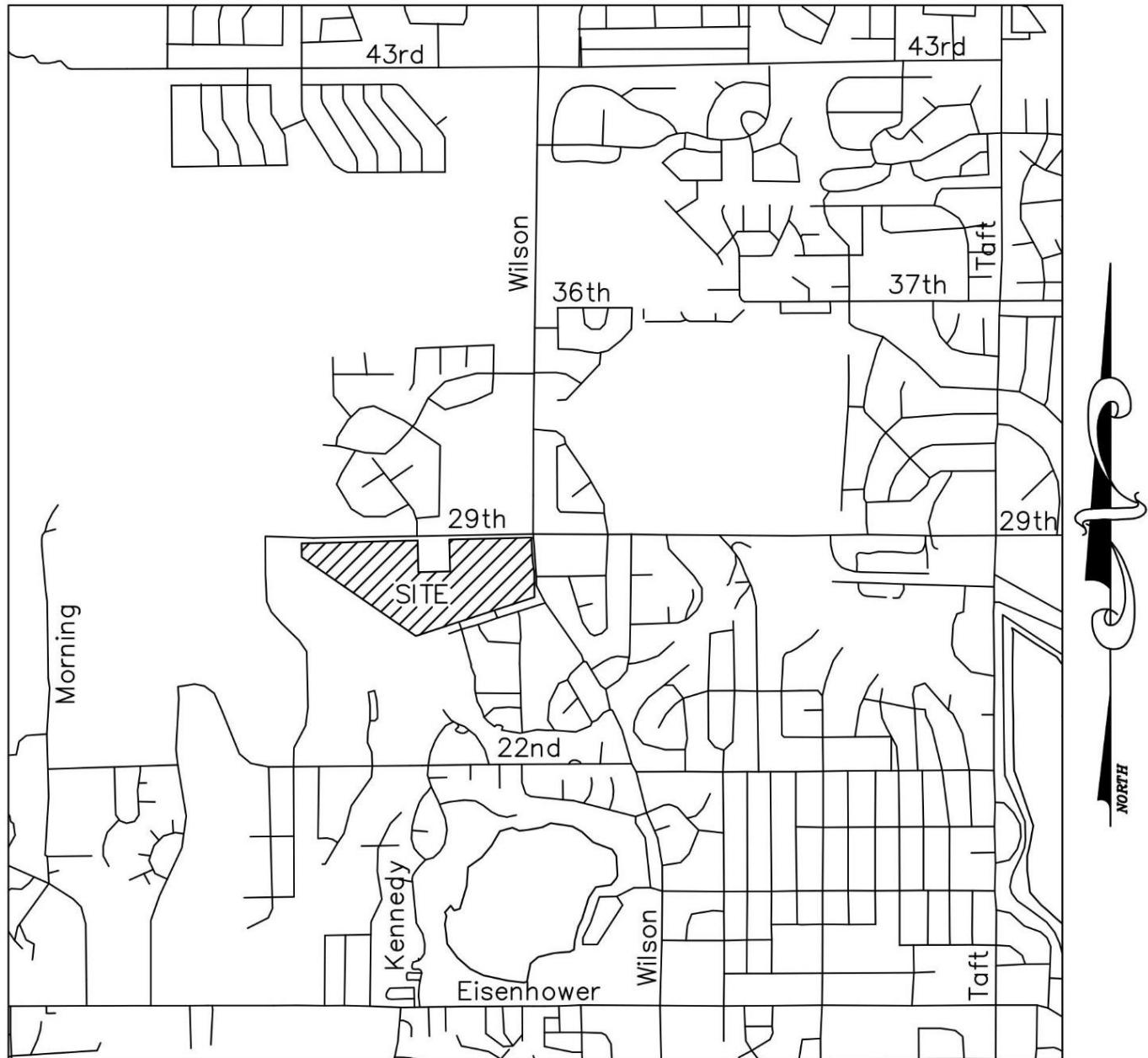
1. More than 75 percent of the floor area of buildings on site are demolished and reconstructed;
2. A cumulative increase in the gross floor area of a building or use by at least 50 percent from the effective date of this UDC; or
3. The value of new building permits exceeds two times the appraised value of the existing land and improvements.

Stormwater:

6. Prior to approval of a Final Development Plan and any future Final Subdivision Plat, the Developer shall provide a route through the property for the 100-year stormwater runoff from the ultimate detention pond outlet structure on the Loveland Fire Rescue Authority Station #2 (Lot 2, Mehaffey MLD) property to drain to Wilson Avenue.

Power:

7. Any additional Utility Easements will be dedicated for future Power substructure needs.



VICINITY MAP

DATE: 9/17/2018
FILE NAME: 20180566ANX
SCALE: 1"=150'
DRAWN BY: CSK
CHECKED BY: PG

MEHAFFEY ADDITION

TO THE CITY OF LOVELAND

Being an Annexation of a Portion of Lot 1, Mehaffey Minor Land Division and a Portion of North Wilson Avenue,
Situate in the Northeast Quarter of Section 9, Township 5 North, Range 67 West of the 6th P.M., County of Larimer, State of Colorado

PROPERTY DESCRIPTION:

Being a portion of Lot 1, Mehaffey Minor Land Division recorded December 19, 2012 as Reception No. 2012091404 of the Records of Larimer County and a portion of the North Wilson Avenue Right of Way, located in the Northeast Quarter (NE1/4) of Section Nine (9), Township Five North (T.5N.), Range Sixty-nine West (R.69W.) of the Sixth Principal Meridian (6th P.M.), County of Larimer, State of Colorado and being more particularly described as follows:

COMMENCING at the North Quarter corner of said Section 9 and assuming the North line of said NE1/4 as bearing North 88°3'21" East being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2011, a distance of 2649.19 feet with all other bearings contained herein relative thereto;

THENCE South 002°7'43" East along the West line of said NE1/4 a distance of 50.01 feet to the Southwest corner of Fire Station No. 2 Addition recorded June 17, 2013 as Reception No. 2013045310 of the Records of Larimer County and to the POINT OF BEGINNING;

The following Five (5) courses are along the Southerly, Westerly and Easterly lines of said Fire Station No. 2 Addition;

THENCE North 88°3'21" East a distance of 1319.67 feet;

THENCE South 012°6'39" East a distance of 361.50 feet;

THENCE North 88°3'21" East a distance of 361.50 feet;

THENCE North 012°6'39" West a distance of 361.50 feet;

THENCE North 88°3'21" East a distance of 937.71 feet to the Westerly line of Windemere Second Addition recorded March 26, 1976 as Book 1691 at Page 515 at Reception No. 145840 of the Records of Larimer County;

The following two (2) courses are along the Westerly lines of said Windemere Second Addition;

THENCE South 002°7'43" East a distance of 1.23 feet to a Point of Curvature;

THENCE along the arc of a curve concave to the Northeast a distance of 392.30 feet, having a Radius of 2560.00 feet, a Delta of 084°49' and is subtended by a Chord that bears South 04°30'16" East a distance of 391.92 feet to a line non-tangent to this curve and to the Northwest corner of Windemere Third Addition recorded September 19, 1977 as Book 1799 at Page 854 at Reception No. 213625 of the Records of Larimer County;

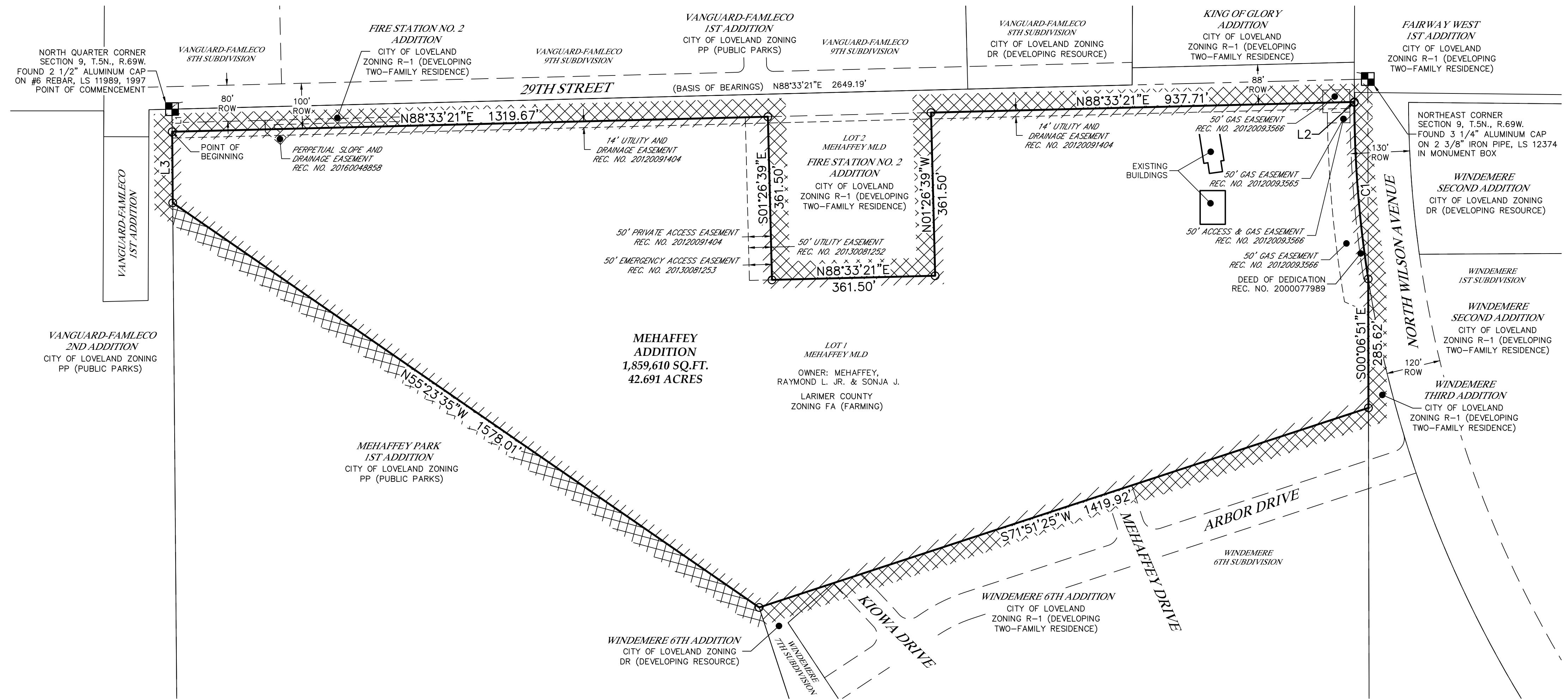
THE following two (2) courses are along the North line of said Windemere Third Addition a distance of 236.62 feet to the North corner of Windemere Sixth Addition recorded July 15, 1992 as Reception No. 92041051 of the Records of Larimer County;

THENCE South 71°15'25" West along the Northwesterly line of Windemere Sixth Addition a distance of 1419.92 feet to the Easterly line of Mehaffey Park First Addition recorded January 29, 2013 as Reception No. 2013007366 of the Records of Larimer County;

THENCE North 55°23'35" West along the Easterly line of Mehaffey Park First Addition a distance of 157.49 feet to the Southwesterly corner of Windemere Second Addition recorded May 6, 1982 as Reception No. 458846 of the Records of Larimer County;

THENCE North 002°7'43" West along the Easterly line of said Vanguard-Famlico Second Addition a distance of 157.49 feet to the POINT OF BEGINNING.

Said parcel of land contains 1,859,610 square feet or 42.691 acres, more or less (±), and is subject to any right of way or other easements of record or as now existing on said described parcel of land, and do hereby designate the same as MEHAFFEY ADDITION to the City of Loveland Colorado.



PRELIMINARY

Paul B. Groves - On Behalf Of King Surveyors
Colorado Licensed Professional
Land Surveyor #38209

MAYOR CERTIFICATE

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

Mayor

Attest: City Clerk

Total Perimeter of Property = 7176.49 L.F.
1/6 Total Perimeter of Property = 1 : 1.000
Perimeter Contiguous to the City of Loveland = 7176.49 L.F.
Total Area Being Annexed = 42.691 Acres

XXXXXX DENOTES CONTIGUOUS BOUNDARY
|||||| DENOTES ANNEXATION BOUNDARY

BASIS OF BEARINGS AND LINEAL UNIT DEFINITION

Assuming the North line of the Northeast Quarter of Section 9, T.5N., R.69W., as bearing North 88°3'21" East, as monumented as shown on the plat, being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2011, a distance of 2649.19 feet with all other bearings contained herein relative thereto.

The lineal dimensions as contained herein are based upon the "U.S. Survey Foot."

NOTICE

According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon. (13-80-105 C.R.S. 2012)

TITLE COMMITMENT NOTE

This survey does not constitute a title search by King Surveyors to determine ownership or easements of record. For all information regarding easements, rights-of-way and title of records, King Surveyors relied upon Title Commitment Number FCC25159010, dated June 22, 2018 as prepared by Land Title Guarantee Company to delineate the aforesaid information.

FLOOD PLAIN NOTE

The subject property is in flood zone 'X', "areas determined to be outside the 0.2% annual chance of floodplain per FEMA flood map 08069C186F revised December 19, 2006."

150 75 0 150 300 450
SCALE IN FEET
SCALE: 1"=150'

LEGEND

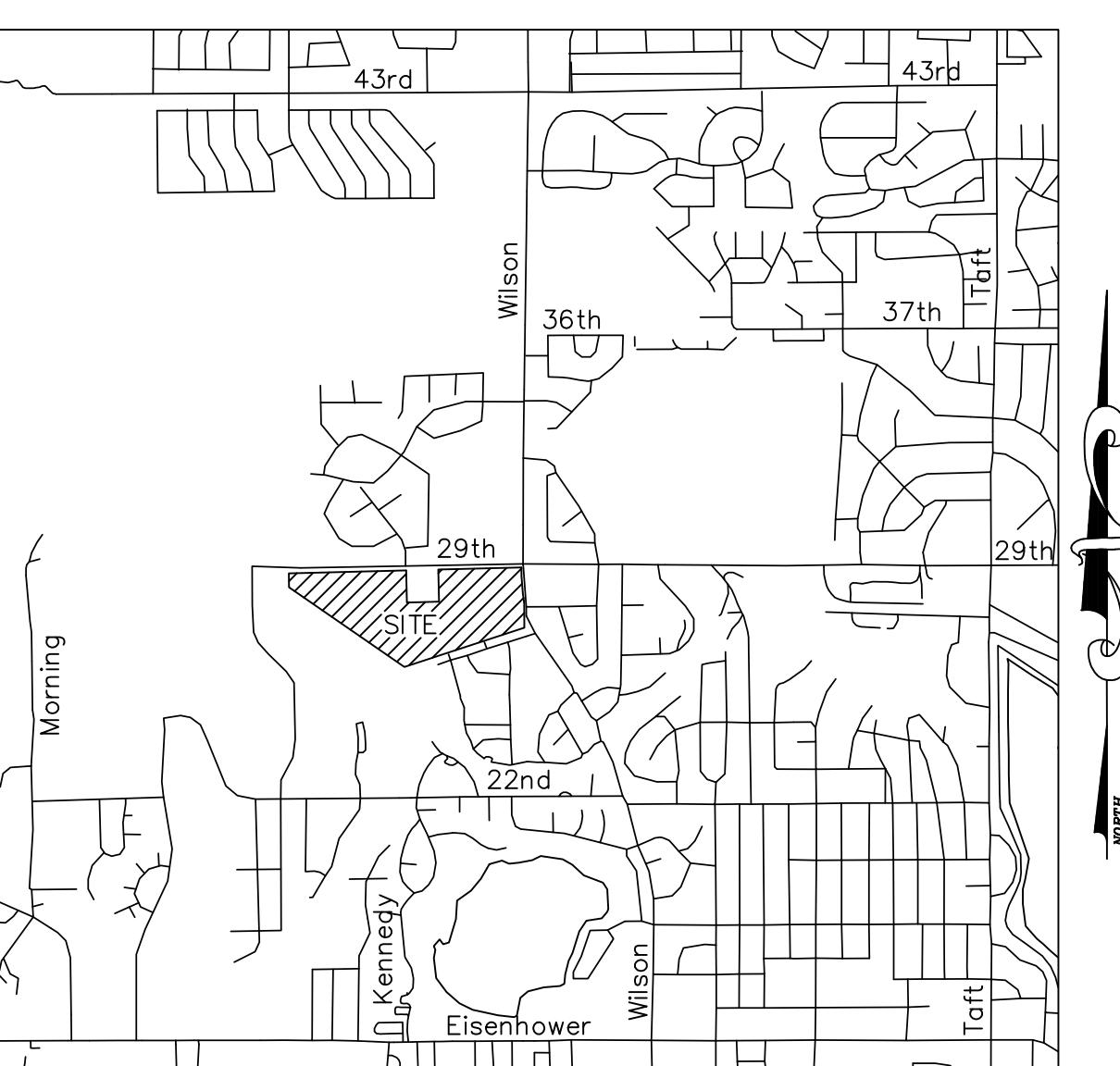
— — — SECTION LINE
— — — ANNEXATION LINE
— — — ADJACENT PROPERTY LINE
— PROPERTY LINE
■ FOUND ALIQUOT CORNER AS DESCRIBED
■ FOUND MONUMENT AS DESCRIBED
○ CALCULATED POSITION

LINE TABLE

LINE	BEARING	LENGTH
L1	S00°27'43"E	50.01'
L2	S00°06'02"E	1.23'
L3	N00°27'43"W	157.49'

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD	CH BEARING
C1	392.30'	2560.00'	84°49'	391.92'	S04°30'16"E



MEHAFFEY ADDITION
TO THE CITY OF LOVELAND
FOR
CITY OF LOVELAND, LOVELAND, CO 80537

PROJECT #: 20180566

1
SHT 1 OF 1

MEHAFFEY FIRST SUBDIVISION
 DATE: 9/17/2018
 FILE NAME: 20180566SUB
 SCALE: 1"=150'
 DRAWN BY: CSK
 CHECKED BY: PG

MEHAFFEY FIRST SUBDIVISION

Being a Subdivision of Lot 1, Mehaffey Minor Land Division,
 Situate in the Northeast Quarter of Section 9, Township 5 North, Range 67 West of the 6th P.M., County of Larimer, State of Colorado

STATEMENT OF OWNERSHIP, SUBDIVISION AND DEDICATION

KNOW ALL PERSONS BY THESE PRESENTS that the undersigned, Raymond L. JR. Mehaffey and Sonja J. Mehaffey, being all the owners and lienholders of the following described property, except any existing public streets, roads or highways, which property is located in the Northeast Quarter (NE1/4) of Section Nine (9), Township Five North (T.5N.), Range Sixty-nine West (R.69W.) of the 6th P.M., being more particularly described as follows:

Lot 1, Mehaffey Minor Land Division recorded December 19, 2012 as Reception No. 20120091404 of the Records of Larimer County.

Containing (.42695 acres) (1,859,798 square feet) more or less (±), and is subject to all easements and right-of-ways on record or existing, do hereby subdivide the same into lots, blocks, tracts, outcrops, right-of-ways, and easements, as shown on this plat; and do hereby designate and dedicate: (i) all such rights-of-way and easements, other than utility easements and private easements, to and for public use, except where indicated otherwise on this plat; and (ii) all such utility easements to and for public use for the installation and maintenance of utility, irrigation and drainage facilities; and do hereby designate the same as MEHAFFEY FIRST SUBDIVISION to the City of Loveland Colorado.

All expenses involving necessary improvements for water system, sanitary sewer system, storm sewer system, curb and gutters, sidewalks, street improvements, street signs, traffic control signs, alley grading and surfacing, gas service, electric system, grading and landscaping shall be paid by

OWNER(S)

By: Raymond L. JR. Mehaffey By: Sonja J. Mehaffey

NOTARIAL CERTIFICATE

STATE OF _____ ss
 COUNTY OF _____)

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

Witness my hand and official seal. (SEAL)

My commission expires _____

Notary Public

LIENHOLDER(S)

By: _____ As: _____

NOTARIAL CERTIFICATE

STATE OF _____ ss
 COUNTY OF _____)

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

Witness my hand and official seal. (SEAL)

My commission expires _____

Notary Public

DIRECTOR OF DEVELOPMENT SERVICES

This plat is 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 for conveyance to the City of Loveland, which are accepted, subject to the provisions that approval in no way obligates the City of Loveland, for the financing or constructing of improvements on land, streets or easements dedicated to the public except as specifically agreed to by the Director of Development Services.

Director of Development Services

Witness my hand and seal of the City of Loveland

ATTEST:

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 _____, _____, 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 and 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

BASIS OF BEARINGS AND LINEAL UNIT DEFINITION

Assuming the North line of the Northeast Quarter of Section 9, T.5N., R.69W., as bearing North 88°3'21" East, as monumented as shown on the plat, being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2011, a distance of 2649.19 feet with all other bearings contained herein relative thereto.

The lineal dimensions as contained herein are based upon the "U.S. Survey Foot."

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. (13-80-105 C.R.S. 2012)

TITLE COMMITMENT NOTE

This survey does not constitute a title search by King Surveyors to determine ownership or easements of record. For all information regarding easements, rights-of-way and title of records, King Surveyors relied upon Title Commitment Number FCC25159010, dated June 22, 2018 as prepared by Land Title Guarantee Company to delineate the aforesaid information.

FLOOD PLAIN NOTE

The subject property is in flood zone "X," areas determined to be outside the 0.2% annual chance of floodplain" per FEMA flood map 08069C1186F revised December 19, 2006.

NOTES

1. It should be noted that, with the exception of 911-dispatched emergency situations, snow and ice removal services are not provided for alleys within the City of Loveland. Additionally, Local Streets are listed as "Priority Three" routes in the City's Snow and Ice Control Plan, meaning that snow removal services are unlikely except in extreme circumstances. Privately contracted snow removal services are strongly recommended and are permissible when in accordance with the provisions of Section 12.16.240 of the Loveland City Code.

2. IRRIGATION WITH RAW WATER: A portion of the land area depicted on this plat or legally described in this instrument is approved by the City of Loveland for irrigation using raw water from private sources. The Loveland Municipal Code contains requirements regulating the irrigation of such area(s) and prohibits the use of treated, potable city water being used for such irrigation. The City's irrigation system with raw water does not provide irrigation to areas controlled by the City, but there is either adequate raw water or adequate water rights available to the land to properly irrigate such area(s) or the raw water irrigation system has been adequately designed to properly irrigate such area(s). The City has no obligation to provide any water to irrigate such area(s).

3. The City will not provide trash service directly to private drives that are not designed to accommodate City trash trucks.

PREVIOUS CONDITIONS REFERENCE:

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

DRAINAGE EASEMENT NOTE:

The side and rear lot drainage easements are public in nature and privately maintained by the adjacent property owners.

STORMWATER NOTE:

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

EASEMENT NOTE:

Total area in square feet of easements dedicated to the public or the city by this plat. Total area in square feet 0.00. (Excluding easements dedicated exclusively to outside entities or agencies.)

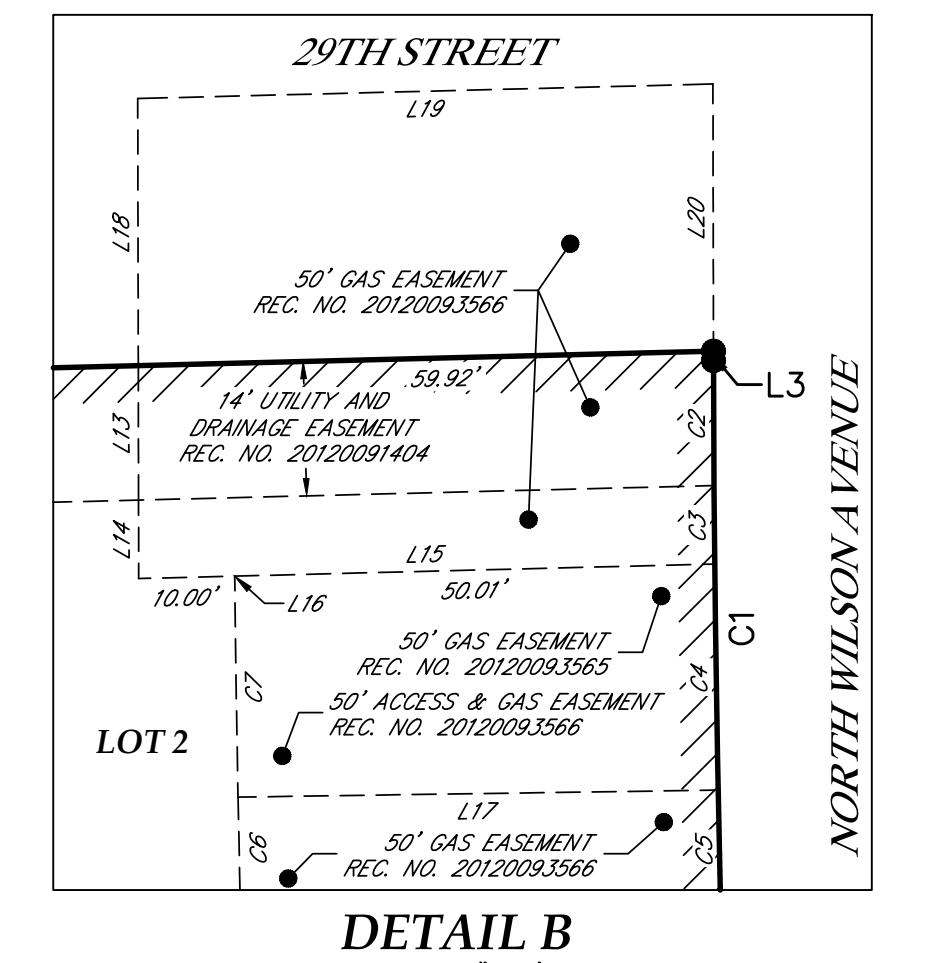
Total area in square feet of easements dedicated to the public or the city that is being vacated by this plat. Total area in square feet 0.00.

SURVEYOR'S STATEMENT

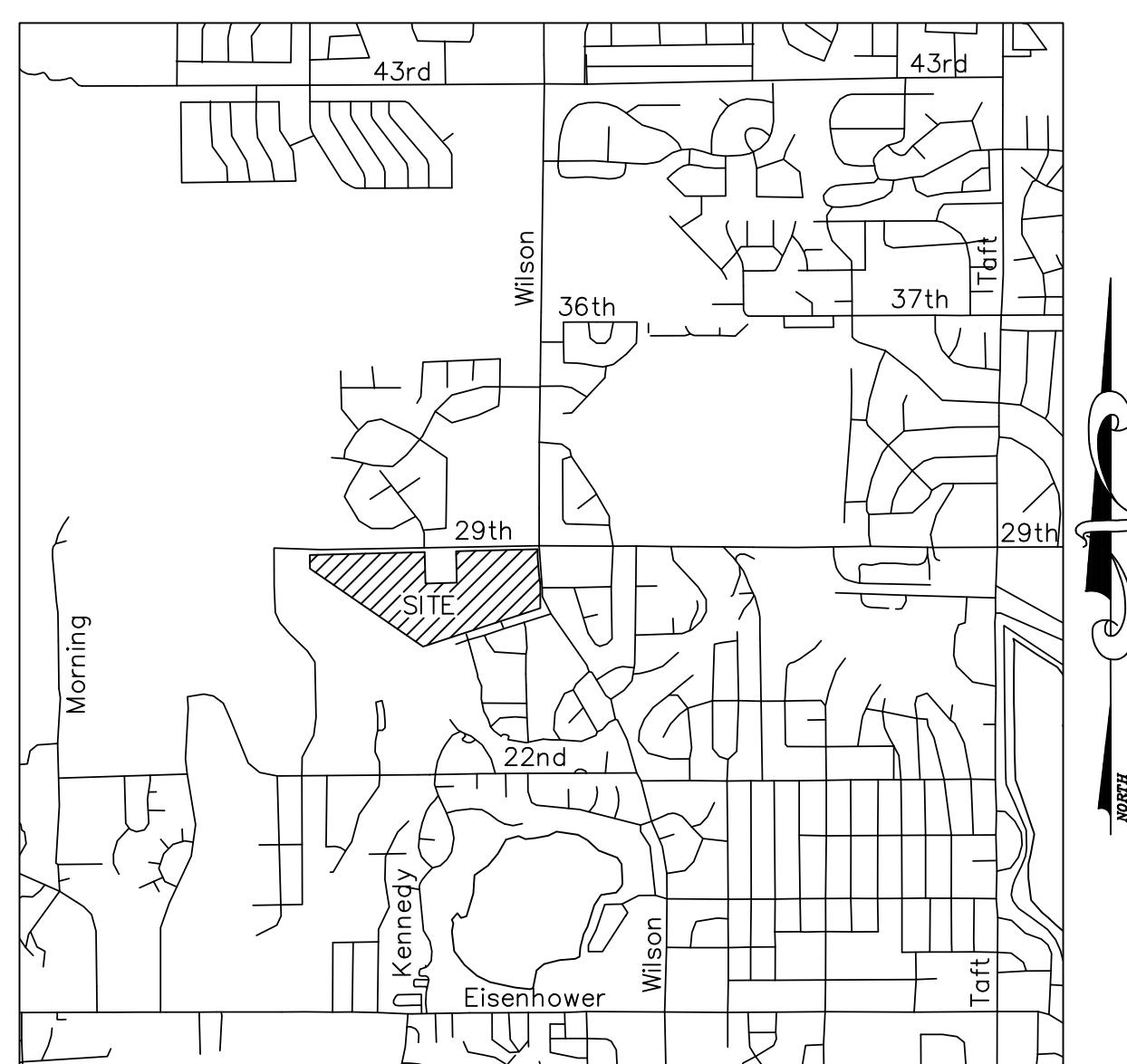
I, Paul B. Groves, being a Licensed Professional Land Surveyor in the State of Colorado, do hereby certify that the survey of MEHAFFEY FIRST SUBDIVISION was made by me or under my supervision and that the survey is accurately represented on this plat, and that the statements contained herein were read by me and same are true to the best of my knowledge.

Dated this _____ day of _____, 20_____.
 Paul B. Groves – On Behalf Of King Surveyors
 Colorado Licensed Professional
 Land Surveyor #38209

PRELIMINARY



DETAIL B
 SCALE: 1"=20'



VICINITY MAP
 SCALE: 1"=2000'

MEHAFFEY FIRST SUBDIVISION
 FOR
 CITY OF LOVELAND
 500 EAST 3RD STREET
 LOVELAND, CO 80537
 PROJECT #: 20180566

1

SHT 1 OF 2
 MEHAFFEY FIRST SUBDIVISION

KING SURVEYORS

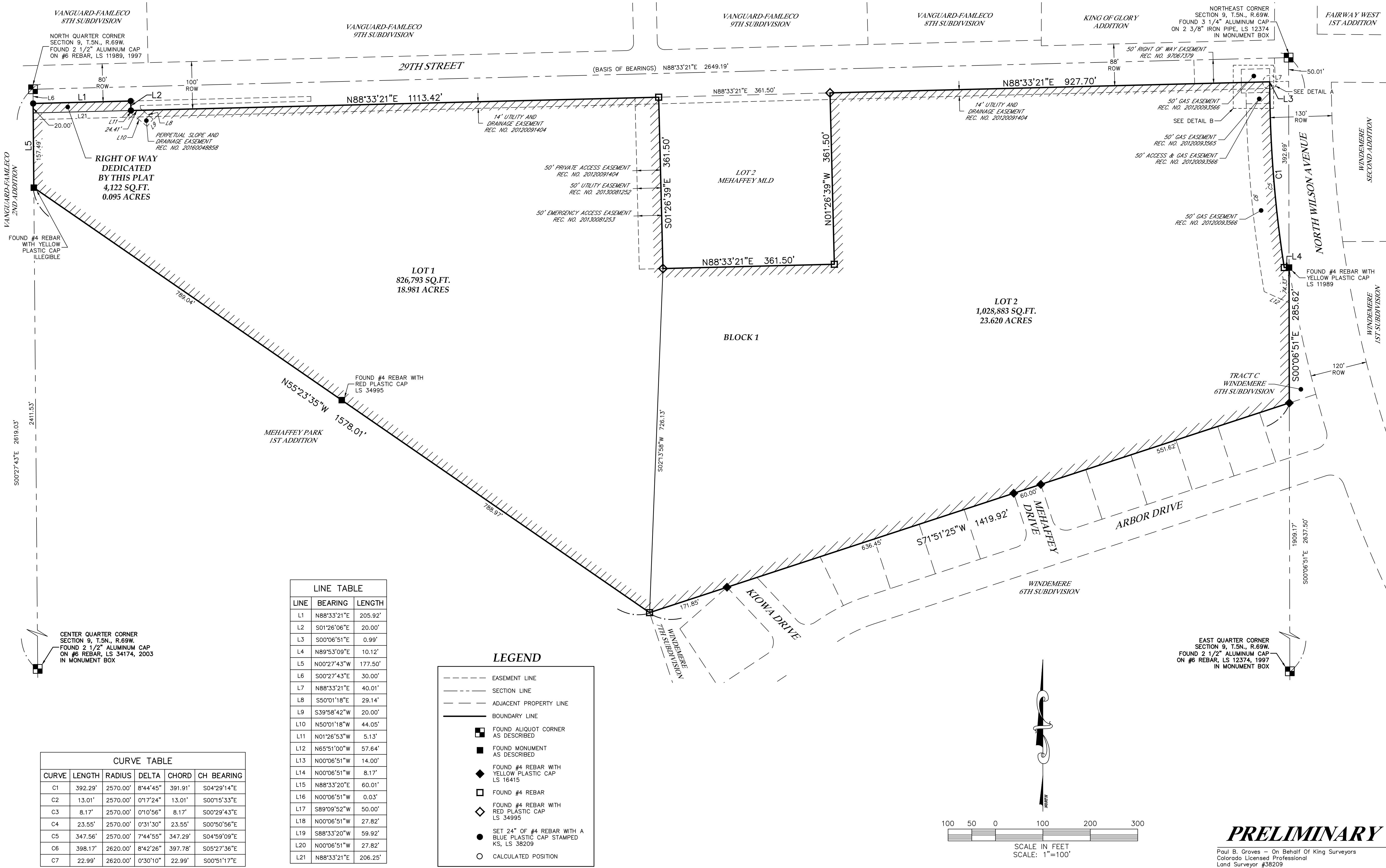
650 E. Garden Drive | Windsor, Colorado 80550
 phone: (970) 686-5011 | email: contact@KingSurveyors.com



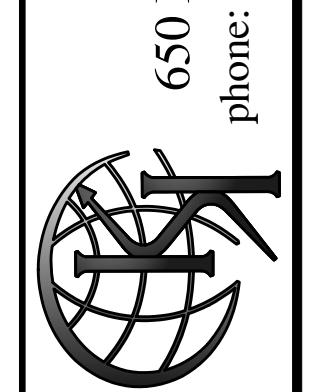
DATE: 9/17/2018
FILE NAME: 20180566SUB
SCALE: 1"=100'
DRAWN BY: CSK
CHECKED BY: PG

MEHAFFEY FIRST SUBDIVISION

Being a Subdivision of Lot 1, Mehaffey Minor Land Division,
Situate in the Northeast Quarter of Section 9, Township 5 North, Range 67 West of the 6th P.M., County of Larimer, State of Colorado



KING SURVEYORS



650 E. Garden Drive | Windsor, Colorado 80550
phone: (970) 686-5011 | email: contact@KingSurveyors.com

MEHAFFEY FIRST SUBDIVISION
FOR
CITY OF LOVELAND
500 EAST 3RD STREET
LOVELAND, CO 80537

PROJECT #: 20180566

SHT 2 of 2

DATE: 9/19/2018
FILE NAME: 20180566REZ
SCALE: 1"=150'
DRAWN BY: CSK
CHECKED BY: PG

MEHAFFEY ADDITION

REZONING NO. _____

Being a Rezone of a Portion of Lot 1, Mehafeey Minor Land Division and a Portion of North Wilson Avenue,
Situate in the Northeast Quarter of Section 9, Township 5 North, Range 67 West of the 6th P.M., County of Larimer, State of Colorado

PROPERTY DESCRIPTION ZONING PP

Being a portion of Lot 1, Mehafeey Minor Land Division recorded December 19, 2012 as Reception No. 2012091404 of the Records of Larimer, located in the Northeast Quarter (NE1/4) of Section Nine (9), Township Five North (T.5N.), Range Sixty-nine West (R.69W.) of the Sixth Principal Meridian (6th P.M.), County of Larimer, State of Colorado and being more particularly described as follows:

COMMENCING at the North Quarter corner of said Section 9 and assuming the North line of said NE1/4 as bearing North 88°3'32"E East being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2011, a distance of 2649.19 feet with all other bearings contained herein relative thereto;

THENCE South 00°27'43"E along the West line of said NE1/4 a distance of 50.01 feet to the Southwest corner of Fire Station No. 2 Addition recorded June 17, 2013 as Reception No. 2013045310 of the Records of Larimer County and to the POINT OF BEGINNING;

The following Two (2) courses are along the Southerly, Westerly and Easterly lines of said Fire Station No. 2 Addition;

THENCE North 88°3'32"E East a distance of 1319.67 feet;

THENCE South 01°26'39"W East a distance of 361.50 feet;

THENCE North 88°3'32"E West a distance of 157.49 feet to the Easterly line of Mehafeey Park First Addition recorded January 29, 2013 as Reception 2013007366 of the Records of Larimer County, THENCE North 55°23'35"W along the Easterly line of Mehafeey Park First Addition a distance of 1578.01 feet to the Easterly line of Vanguard-Famleco Second Addition recorded May 6, 1982 as Reception No. 456846 of the Records of Larimer County;

THENCE North 00°27'43"E along the Easterly line of said Vanguard-Famleco Second Addition a distance of 157.49 feet to the POINT OF BEGINNING.

Said parcel of land contains 18.981 acres, more or less (±), and is subject to any right of way or other easements of record or as now existing on said described parcel of land.

PROPERTY DESCRIPTION ZONING DR

Being a portion of Lot 1, Mehafeey Minor Land Division recorded December 19, 2012 as Reception No. 2012091404 of the Records of Larimer County and portion of the North Wilson Avenue Right of Way, located in the Northeast Quarter (NE1/4) of Section Nine (9), Township Five North (T.5N.), Range Sixty-nine West (R.69W.) of the Sixth Principal Meridian (6th P.M.), County of Larimer, State of Colorado and being more particularly described as follows:

COMMENCING at the North Quarter corner of said Section 9 and assuming the North line of said NE1/4 as bearing North 88°3'32"E East being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2011, a distance of 2649.19 feet with all other bearings contained herein relative thereto;

THENCE South 00°27'43"E along the West line of said NE1/4 a distance of 50.01 feet to the Southwest corner of Fire Station No. 2 Addition recorded June 17, 2013 as Reception No. 2013045310 of the Records of Larimer County;

The following Five (5) courses are along the Southerly, Westerly and Easterly lines of said Fire Station No. 2 Addition;

THENCE North 88°3'32"E East a distance of 1319.67 feet;

THENCE South 01°26'39"W East a distance of 361.50 feet to the POINT OF BEGINNING;

THENCE North 88°3'32"E East a distance of 361.50 feet;

THENCE North 88°3'32"E West a distance of 361.50 feet;

THENCE North 88°3'32"E West a distance of 937.71 feet to the Westerly line of Windemere Second Addition recorded March 26, 1976 as Book 1691 at Page 515 of Reception No. 145840 of the Records of Larimer County;

The following Two (2) courses are along the Westerly lines of said Windemere Second Addition, THENCE South 00°05'38"E East a distance of 1.23 feet to a Point of Curvature;

THENCE along the arc of a curve concave to the Northeast a distance of 392.30 feet, having a Radius of 2560.00 feet, a Delta of 08°46'49" and is subtended by a Chord that bears South 04°30'16"E a distance of 391.92 feet to a line non-tangent to this curve and to the Northwest corner of Windemere Third Addition recorded September 19, 1977 as Book 1799 at Page 854 of Reception No. 213625 of the Records of Larimer County;

THENCE South 01°15'38"E along the West line of said Windemere Third Addition a distance of 285.62 feet to the Northeast corner of Windemere Sixth Addition recorded July 15, 1992 as Reception No. 92041051 of the Records of Larimer County;

THENCE South 71°51'25"W along the Northerly line of said Windemere Sixth Addition a distance of 1419.92 feet;

THENCE North 02°13'58"E along the West line of said Windemere Sixth Addition a distance of 285.62 feet to the Northeast corner of Windemere Sixth Addition recorded July 15, 1992 as Reception No. 92041051 of the Records of Larimer County;

THENCE South 71°51'25"W along the Northerly line of said Windemere Sixth Addition a distance of 1419.92 feet;

THENCE North 02°13'58"E along the West line of said Windemere Sixth Addition a distance of 285.62 feet to the POINT OF BEGINNING.

Said parcel of land contains 23.710 acres, more or less (±), and is subject to any right of way or other easements of record or as now existing on said described parcel of land.

BASIS OF BEARINGS AND LINEAL UNIT DEFINITION

Assuming the North line of the Northeast Quarter of Section 9, T.5N., R.69W., as bearing North 88°3'32"E, as monumented as shown on the plot, being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2011, a distance of 2649.19 feet with all other bearings contained herein relative thereto.

The lineal dimensions as contained herein are based upon the "U.S. Survey Foot."

NOTICE

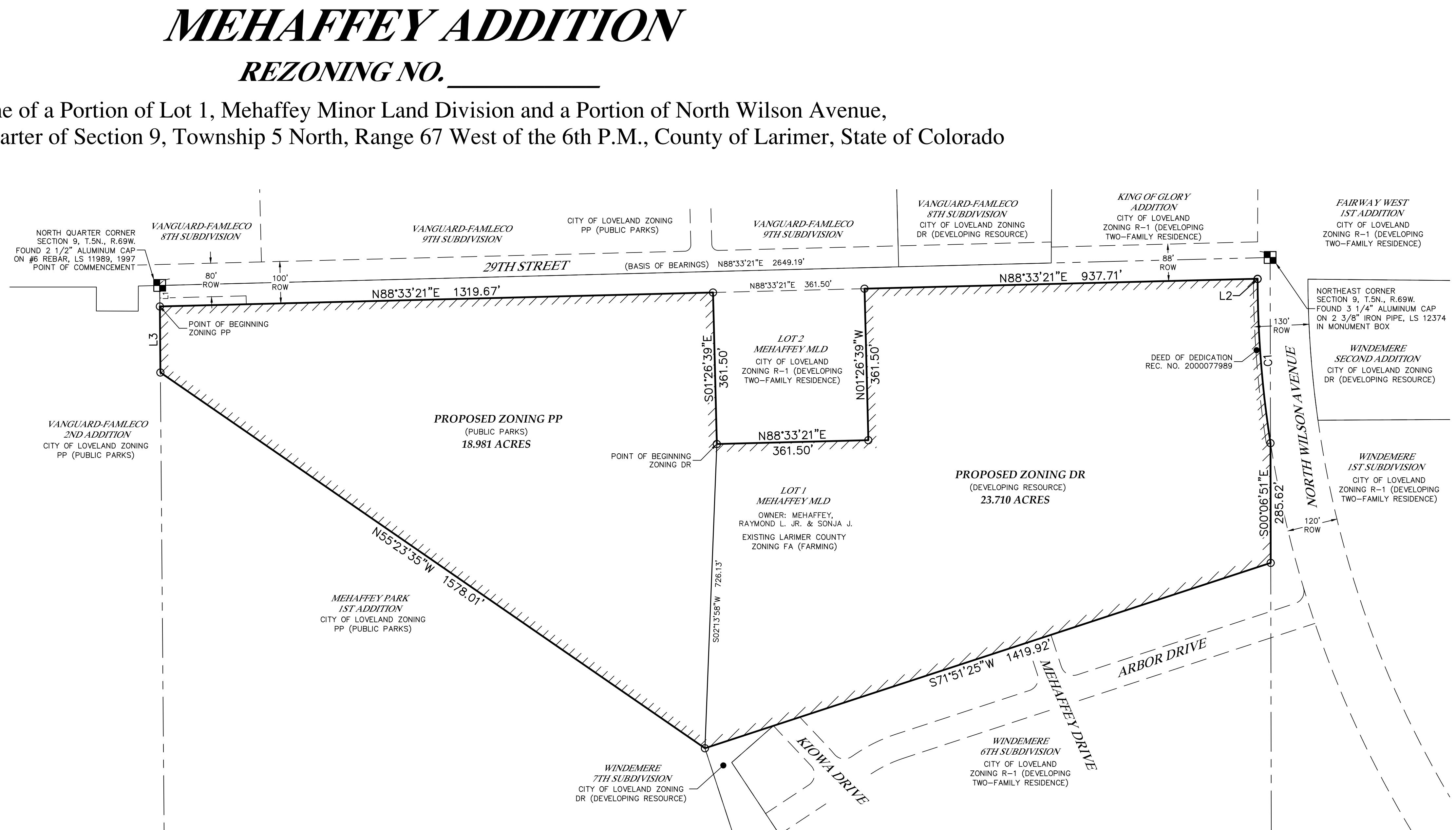
According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown herein. (13-80-105 C.R.S. 2012)

SURVEYOR'S CERTIFICATE

I, Paul B. Groves, a Licensed Land Surveyor in the State of Colorado, do hereby state that this Rezoning Plat was prepared under my personal supervision, and that the foregoing plat is an accurate representation thereof, all this to the best of my knowledge, information, belief, and in my professional opinion.

PRELIMINARY

Paul B. Groves - On Behalf of King Surveyors
Colorado Licensed Professional
Land Surveyor #38209



150 75 0 150 300 450
SCALE IN FEET
SCALE: 1"=150'

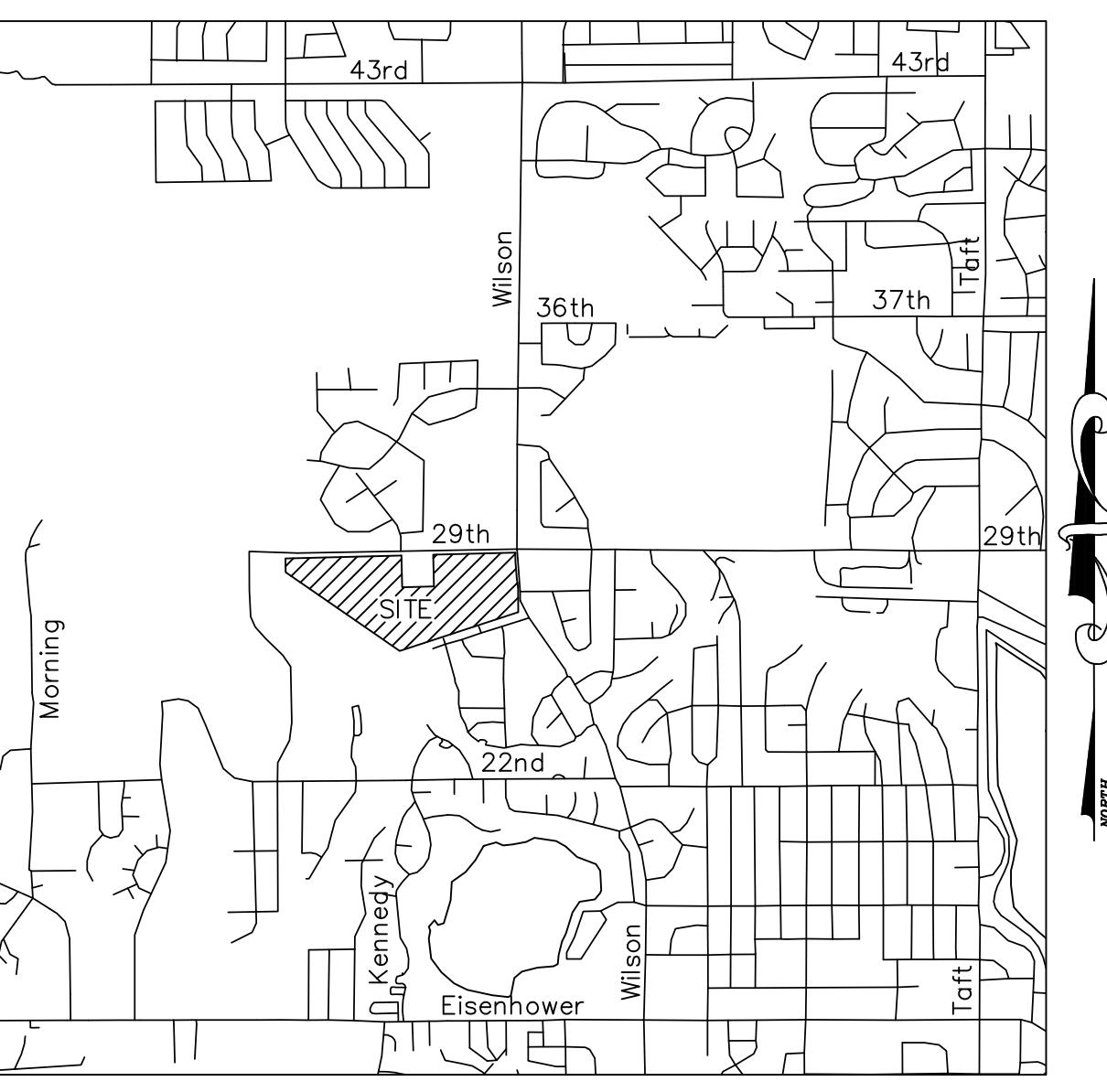
LEGEND

- SECTION LINE
- ZONING LINE
- ADJACENT PROPERTY LINE
- PROPERTY LINE
- FOUND ALIQUOT CORNER AS DESCRIBED
- FOUND MONUMENT AS DESCRIBED
- CALCULATED POSITION

LINE TABLE

LINE	BEARING	LENGTH
L1	S00°27'43"E	50.01'
L2	S00°06'02"E	1.23'
L3	N00°27'43"W	157.49'

CURVE	LENGTH	RADIUS	DELTA	CHORD	CH BEARING
C1	392.30'	2560.00'	8°46'49"	391.92'	S04°30'16"E



VICINITY MAP

SCALE: 1"=2000'

MEHAFFEY ADDITION
REZONING NO. _____
FOR
CITY OF LOVELAND, LOVELAND, CO 80537

PROJECT #: 20180566

1

SHT 1 OF 1

KING SURVEYORS

650 E. Garden Drive | Windsor, Colorado 80550
phone: (970) 686-5011 | email: contact@KingSurveyors.com

MEHAFFEY ADDITION REZONING NO. _____



Parks and Recreation Department

Civic Center • 500 E. Third Street, Ste. 200 • Loveland, Colorado 80537

City of Loveland

Annexation and Zoning Assessment

Mehaffey Addition, First Subdivision

The City of Loveland, in cooperation with the Mehaffey Family intend to annex, subdivide and ultimately rezone a portion of Lot 1, Mehaffey Minor Land Division, located in the Northeast Quarter (NE 1/4) of Section Nine (9), Township Five North (T.5N), Range Sixty-nine West (R.69W.) of the Sixth (6th P.M.), County of Larimer, State of Colorado, consisting of 42.69 acres. The property is currently located in Larimer County and is zoned FA-Farming.

This request for annexation, subdivision and rezoning is to allow the City of Loveland to purchase 19.075 acres of the 42.691 acre site to facilitate the development of additional park land and potential site for a future recreation center, active or passive park use, or other civic use. The parcel is located in the vicinity of the SE corner of W. 29th Street and Rio Blanco Avenue and is adjacent to the existing 68+/- acre Mehaffey Park which was opened for public use in 2015. The City does not intend to pursue site development at this time.

As this area of the community is designated as Low Density Residential (LDR) with a potential complete neighborhood designation on the City's Comprehensive Land Use Map and parks are compatible uses within or adjacent to LDR, this request is entirely consistent with the City's Comprehensive Master Plan which describes policy to "Maintain and expand parks and recreational facilities as a valuable asset to the community". This proposal will enhance the opportunities for recreation and public open space and park facilities in NW Loveland.

Requested zoning for the 19.075 acre parcel is PP-Public Park District. The remaining 23.615 acres will remain the property of the Mehaffey Family and requested zoning is DR-Developing Resource District.

Pursuant to Chapter 18.38 of the City of Loveland Zoning Ordinance, the purpose of the Developing Resource District is to provide a zoning designation for property that is being annexed into the city, but for which there are no specific or imminent plans for development or when permanent open space is intended. Specified non-urban uses are available through the special review process. There are no uses permitted by right in the Developing Resource (DR) District, therefore no significant development can occur without further public process.

Pursuant to Chapter 18.32 of the City of Loveland Zoning Ordinance, the purpose of the Public Park (PP) District is to establish and preserve areas in the city for public recreation facilities, parks and open space lands as described in the Parks and Recreation Master Plan. The PP-Public Park District allows for public parks, recreation facilities, open lands/natural areas, recreational trails and associated accessory buildings. No other uses are permitted by right in the Public Park (PP) District.

The development of the additional park land will be complimentary to the surrounding neighborhoods and ultimately provide additional recreational amenities not currently provided at the existing Mehaffey Park. There are no environmentally sensitive areas as described in the annexation application which are located within the proposed parcel.

There are no expected negative impacts on existing residents in the area and no future impacts on the school district. The proposed annexation meets the defined purposes of the IGA and is therefore in compliance with the IGA between the City of Loveland and Larimer County. At the time of development, any proposed streets shall be constructed in compliance with current City standards and any future development shall meet the water rights requirements of Title 19, Loveland Municipal Code.

The proposed annexation, subdivision and rezoning is not detrimental to the health, safety or welfare of the neighborhood or general public and will not negatively affect the overall quality of services or infrastructure in the City. Therefore, the proposed annexation is in the best interest of the citizens of Loveland.