

Administrative Determination

I. Application Information

Application:	Site Development Plan and Final Plat
Project Case Number:	PZ-20-00047 , 48
Project Name:	Mariana Batten 29 th Subdivision-Medina Duplexes
Applicant Name:	Developer: Jason Jones Consultant: Melanie Foslien
Proposal Summary:	The project proposed to subdivide a single tract into 4 separate lots to allow for the development of two duplexes (4 dwelling units) that will be incorporated into the existing Home Owners Association.

II. Director of Development Services Determination

Approval with Conditions	
<p>The Director of Development Services finds that the Mariana 29th Subdivision Plat complies with Loveland Municipal Code Section 18.17.13.01 Sketch Plat and relevant provisions of Loveland Municipal Code Title 18. The Director hereby approves the Mariana Butte 29th Subdivision Plat subject to the conditions of approval in Section III of this Administrative Determination. The Director's decision is based upon review of the following;</p> <ol style="list-style-type: none"> 1. Submitted application materials; 2. City staff's review and recommendation; 3. Comments received at the neighborhood meeting, including summary meeting notes; and 4. Applicant's/staff's response to neighborhood comments. 	
Director Decision Date:	January 13, 2021
Appeal Deadline:	January 27, 2021 at 4:30 p.m.

III. Conditions of Approval

Transportation	
DRAFT TRANSPORTATION CONDITIONS	
1.	The property will need to be developed in accordance with the Larimer County Urban Area Street Standards (LCUASS) & all subsequent updates (http://www.larimer.org/engineering/GMARdStds/UrbanSt.htm).
2.	The property will also need to be developed in accordance with the City of Loveland Adequate Community Facility (ACF) Ordinance (http://www.cityofloveland.org/modules/showdocument.aspx?documentid=71).
3.	If any disturbance or work within right-of-way (ROW) is proposed, a ROW Work Permit must first be obtained from the Public Works Engineering Division.

IV. Appeal Information

Purpose	The appeal procedures specified in Division 18.14.05 of the Loveland Municipal Code provides an opportunity for affected parties to seek review of a final decision of the Director to ensure that the decision is correct.
Party Status	Appeals may be brought only by the following parties: <ol style="list-style-type: none">1. An adjoining property owner; or2. A property owner who received mailed notice and either attended the neighborhood meeting or provided written comments to the Current Planning Division before the Director's decision.
Initiation of Appeal	An appeal of the Director's decision must be initiated by filing a petition on the form provided by the City and submitting the required fee to the Current Planning Division. The petition must contain all of the information specified in Section 18.14.05.04 of the Loveland Municipal Code.
Threshold Review	<p>Once a petition is filed, the Director will confer with the City Attorney to ensure that the petitioner has party status, as described above, and there is sufficient detail in the petition to put the City on notice as to the legal basis of the appeal.</p> <p>If the Director finds that the petitioner does not have party status or that the petition lacks the required information, the Director will deny the appeal, notify the petitioner, and return the submitted appeal fees.</p> <p>If the Director finds that the petitioner has party status and the petition includes the required level of specificity, the Director will notify the petitioner of the acceptance, place the item on the agenda for the Planning Commission, and notify the petitioner that the petitioner must provide mailed notice as specified in the Loveland Municipal Code.</p>
Standards for Review	The scope of the appellate review is limited to the issues raised in the petition. Issues that are not described or obviously implied by the petition will not be considered. New evidence cannot be introduced on appeal.

Planning Commission Decision	After review of the record and arguments advanced on appeal, the Planning Commission will determine whether the Director's decision was correct based on the applicable Code provisions. The Planning Commission's decision represents the final decision by the City.
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V. Director's Approval

Approved this 09th day of JANUARY, 2021 by:



Brett Limbaugh, Director of Development Services

Community Participation Report

Mariana Butte 29th Subdivision – Site Development Plan and Final Plat

Meeting held: 1/6/2021 @ 4:30pm via Zoom Webinar

Attendees:

City Planner: Emily Tarantini

City admin staff: Amy Phillips

Developer: Jason Jones (late arrival)

Consultant: Melanie Foslien

Consultant: Mitch Benshoof

Citizens/Public:

First Name	Last Name	Email
M	Ramirez	maria-r-jack@hotmail.com
Kelly	Ostermiller	kelly@gcmhoa.com
Clarence	Laber	Labercn@msn.com
Jeanette	Williams	rayjenwil@peoplepc.com
Carol	Terrell	clterrell1963@comcast.net
Kathi	Smith	smithsage9@aol.com
Alicia	Stewart	kwalicia7@gmail.com
Jack	Garrett	gdarljack@hotmail.com
Barb	Bittner	Babsj1044@gmail.com
Daniel	Ambler	amblerabode@hotmail.com

City staff starts the neighborhood meeting with introductions and then begins the power point presentation. The presentation focuses on Zoom Webinar tools and logistics on how members of the neighborhood can participate virtually. City staff also provided a brief summary of where project information and recorded meeting can be found, the Site Development Plan process, deadlines and appeal deadlines.

The applicant team, Melanie Foslien, began the presentation by providing the project location, number of lots, identified street cuts for water and sanitary sewer services will be necessary and would disrupt traffic, building elevations and landscape plan. Mitch Benshoof noted that existing retaining wall will be matched, no juniper bushes will be planted, and City requirements met.

There were 10 members of the public in attendance. Three members spoke during the meeting:

- Daniel and Karen Ambler reside directly north of the project site and asked about drainage from the property. Mitch discussed the continuation of the existing concrete drainage pan. Karen – house inspector concerned about drainage going to their window well along the sidewalk leading to their front door on the south side of building. Melanie will send drainage information that the Ambler's can review.
- Alicia Stewart requested information about the building schedule, and whether the units would be built and sold or if they would be rentals. The Developer was unable to connect to audio and couldn't answer. City staff noted the project hasn't been approved through the City yet but anticipated that approval would be in February or March.
- Kathi Smith was concerned about construction traffic and asked whether construction vehicles could use the emergency access from 3rd Street. City staff noted the traffic plan for this project has not been developed through the Public Works Inspector but will contact the inspector.
- Daniel Ambler asked if answers to questions directed to the Developer would be sent to all the attendees. City staff noted that items requested during the meeting would be posted to the City's website.

City staff stated that the proposed units will be part of the Mariana Butte 12th Subdivision Home Owner's Association and will go through the HOA review process and approved prior to building permits being issued.

- Daniel Ambler asked if there was an approximate value of the project. The Developer was still not able to connect to audio.

City staff noted that requested information will be posted on the City's website and sent in an email.

The panelists thanked the participants before concluding the meeting.

From: [Emily Tarantini](#)
To: ["maria-r-jack@hotmail.com"](#); ["kelly@gcmhoa.com"](#); ["Labern@msn.com"](#); ["rayjenwil@peoplepc.com"](#); ["clterrell1963@comcast.net"](#); ["smithsage9@aol.com"](#); ["kwalicia7@gmail.com"](#); ["gdarljack@hotmail.com"](#); ["Babsj1044@gmail.com"](#); ["amblerabode@hotmail.com"](#)
Cc: ["Melanie Foslien"](#)
Subject: Mariana Butte 29th-Medina Duplex - Neighborhood Meeting
Date: Thursday, January 7, 2021 4:35:21 PM
Attachments: [image001.png](#)

Good afternoon,

Thank you again for attending the neighborhood meeting yesterday. As a reminder you may access the meeting recording and project information here: [Neighborhood Meeting Notices, Meetings, and Administrative Decisions | City of Loveland](#)

Below please find the information requested last night in regards to schedules and construction traffic:

Transportation related questions-

Construction traffic will have to come from Medina Ct.

- Medina Ct is a local street, per City Standards a local street can accommodate up to 1,000 vehicle trips per day. Currently there are 22 duplexes on Medina Ct. which create (per traffic guidelines) 220 average daily vehicle trips. (This leaves a capacity of 780 trips)
- Medina Ct. is a public Right Of Way therefore the construction workers have legal access
- The emergency access to the south is for fire, EMS and police only.
- 3rd street is a private drive (not public right of way) therefore even if the emergency access was opened during construction the contractors cannot legally use it

Please let the residents know;

- Normal working day hours are 7 a.m. to 6 p.m., Monday through Friday. (I think building has the same working hours, although they may allow Saturday work)
- Track out from the construction site must be cleaned everyday (They have to keep the street clean)
- Per the Plat the cul-de-sac must be kept clear so cars can turn around

Feel free to reach out to Joe directly for questions relating to transportation.

Joe Giannetto - Associate Engineer

Ph (970) 962-2547

Email Joe.Giannetto@cityofloveland.org

Owner/Developer related questions-

- The units will most likely be rentals, although that is still undetermined.
- The construction schedule is dependent on the approval of the Building Permits. However, there is a rough estimate of beginning this summer.
- The budge/value is determined once there are approved building plans, at this time there is not an

estimate to provide.

Thank you,

Emily Tarantini

Planner I

Current Planning

Development Services Department

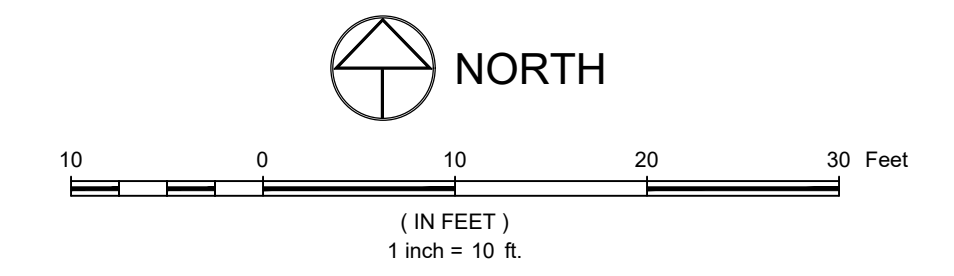
410 E 5th Street, Loveland, CO 80537

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Emily.Tarantini@cityofloveland.org



COVID-19 Update: The Development Center is open to the public Monday-Friday 7:30 a.m. to 4:00 p.m. You are encouraged to take advantage of online services in lieu of physical visits whenever possible, as staffing will remain at 50% in the Development Center building until further notice.



EXISTING CURB/GUTTER FLOWLINE

PROPOSED SWALE FLOWLINE

PROPOSED CONTOUR

EXISTING CONTOUR

BANK SLOPE

PROPOSED CROSS SLOPE

CONCENTRATED FLOW DIRECTION

PROPOSED FINISH GROUND ELEVATION

EXISTING GROUND ELEVATION

REPLACE CONCRETE CURB, GUTTER, SIDEWALK

The diagram illustrates a cross-section of a road and its drainage features. At the top, a dashed line represents the 'EXISTING CURB/GUTTER FLOWLINE'. Below it, a solid line indicates the 'PROPOSED SWALE FLOWLINE'. A 'PROPOSED CONTOUR' is shown as a dashed line at an elevation of 4950. The 'EXISTING CONTOUR' is a dashed line at 4950. The 'BANK SLOPE' is indicated by a dashed line and a slope of 4:1. The 'PROPOSED CROSS SLOPE' is shown as a dashed line with a slope of 2.0%. An arrow points to the 'CONCENTRATED FLOW DIRECTION'. The 'PROPOSED FINISH GROUND ELEVATION' is marked with a black dot at 79.45. The 'EXISTING GROUND ELEVATION' is marked with a black dot at 78.45. A hatched area at the bottom represents the 'REPLACE CONCRETE CURB, GUTTER, SIDEWALK'.

1. THE SIZE, TYPE AND LOCATION OF ALL KNOWN UNDERGROUND UTILITIES ARE APPROXIMATE WHEN SHOWN ON THESE DRAWINGS. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE EXISTENCE OF ALL UNDERGROUND UTILITIES IN THE AREA OF THE WORK. BEFORE COMMENCING NEW CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING ALL UNDERGROUND UTILITIES AND SHALL BE RESPONSIBLE FOR ALL UNKNOWN UNDERGROUND UTILITIES.
2. THE TOP OF FOUNDATION ELEVATIONS SHOWN ARE THE MINIMUM ELEVATIONS REQUIRED FOR PROTECTION FROM THE 100 YEAR STORM. THE LOWEST OPENING ELEVATIONS SHOWN ARE AT LEAST ONE FOOT ABOVE THE 100 YEAR STORM ELEVATION OF ADJACENT STREETS, CHANNELS, DITCHES, CULVERTS, OR OTHER DRAINAGE FACILITIES. FINISHED FLOOR ELEVATIONS ABOVE 100-YEAR WATER SURFACE IN STREETS, CHANNELS, DITCHES, SWALES, OR OTHER DRAINAGE FACILITIES, AS ILLUSTRATED BY A FINAL GRADING PLAN ARE TO BE SHOWN.
3. ALL WALL SPOT ELEVATIONS ARE FINISH GRADE.
4. EROSION CONTROL PRACTICES, SITE PROTECTION, AND REVEGETATION METHODS SHALL FOLLOW CITY REGULATIONS.
5. REFER TO SITE PLAN, LANDSCAPE PLAN, AND PLANT FOR ADDITIONAL INFORMATION.
6. THE CONTRACTOR IS RESPONSIBLE FOR FIELD LOCATING AND VERIFYING ELEVATIONS OF ALL EXISTING SEWER MAINS, WATER MAINS, CURBS, GUTTERS AND OTHER UTILITIES. THE POINTS OF CONNECTION SHOWN ON THE PLANS, AND AT ANY UTILITY CROSSINGS PRIOR TO INSTALLING ANY OF THE NEW IMPROVEMENTS. IF A CONFLICT EXISTS AND/OR A DESIGN AMBIGUITY EXISTS, THE CONTRACTOR SHALL COORDINATE WITH THE ENGINEER TO MODIFY THE DESIGN.

MEDINA DUPLEX LOTS

GRADING PLAN

5 of 10

PROJECT: 1567-001	DATE: 12/22/2020
DESIGNED BY: B. Mathisen	SCALE: 1" = 10'
DRAWN BY: B. Mathisen	REVIEWED BY: L. Clark