



## Development Services Current Planning

500 East Third Street, Suite 310 • Loveland, CO 80537  
(970) 962-2523 • Fax (970) 962-2945 • TDD (970) 962-2620  
[www.cityofloveland.org](http://www.cityofloveland.org)

### Planning Commission Staff Report

August 22, 2011

**Agenda #:** Regular Agenda - 1

**Title:** Mariana Butte 23rd Subdivision  
PUD PDP Amendment and  
Mariana Butte 26th Subdivision

**Applicant:** B&B I, LLC

**Request:** Preliminary Development Plan  
Amendment and Preliminary Plat

**Location:** Generally located at the northwest  
corner of Rossum Drive and West 1<sup>st</sup>  
Street

**Existing Zoning:** Planned Unit Development

**Staff Planner:** Kerri Burchett

#### ***Staff Recommendation***

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

#### ***Recommended Motions:***

1. Move to make the findings listed in Section VIII of this report dated August 22, 2011 and, based on those findings, approve Resolution #11-01 thereby approving the First Amendment to the Mariana Butte 23rd Subdivision PUD Preliminary Development Plan subject to the conditions listed in said report, as amended on the record, and
2. Move to make the findings listed in Section VIII of this report dated August 22, 2011 and, based on those findings, approve the Mariana Butte 26th Subdivision subject to the conditions listed in said report, as amended on the record.

#### ***Summary of Analysis***

This is a public hearing item to consider an amendment to the Mariana Butte 23rd PUD Preliminary Development Plan (PDP) and a preliminary plat for Mariana Butte 26th Subdivision. The PUD Amendment requests to modify the number of units approved on the site from 5 single family dwellings to 11 dwellings; consisting of 1 single family detached dwelling and 10 single family paired units. The preliminary plat would create 11 residential lots along with associated outlots for landscaping and bufferyards. The PDP Amendment complies with the General Development Plan for Mariana Butte PUD, which permits a variety of office/commercial, retail and mixed residential uses within the parcel.

Staff believes that all key issues have been resolved based on City Code and standards contained in the PUD. Neighborhood residents have indicated concerns with the density, traffic, building materials, parking, landscaping and overall compatibility of the development. In response to the comments received at the neighborhood meeting, the applicant has eliminated 1 dwelling unit, redesigned the northern portion of the project to provide a single family detached dwelling adjacent to the single family subdivision to the north and modified the landscaping between the property and the vacant residential lot to the north to provide a more continuous landscape screen of pines and spruces.

## I. ATTACHMENTS

1. Resolution #11-01
2. Mariana Butte PDP Narrative
3. Mariana Butte 23<sup>rd</sup> Preliminary Development Plan Amendment
4. Mariana Butte 26th Subdivision Preliminary Plat
5. Color Rendering of Residential Units
6. Traffic Excerpt
7. Mariana Butte PUD GDP (for reference)
8. Mariana Butte PUD PDP approved in 2007 (for reference)
9. Mariana Butte Ninth Subdivision (for reference)
10. Agreement for Additional Association Maintenance (private agreement for reference)
11. Correspondence from George and Coleen Ligotke received at Neighborhood
12. Correspondence between Darlene Kasenberg and City staff

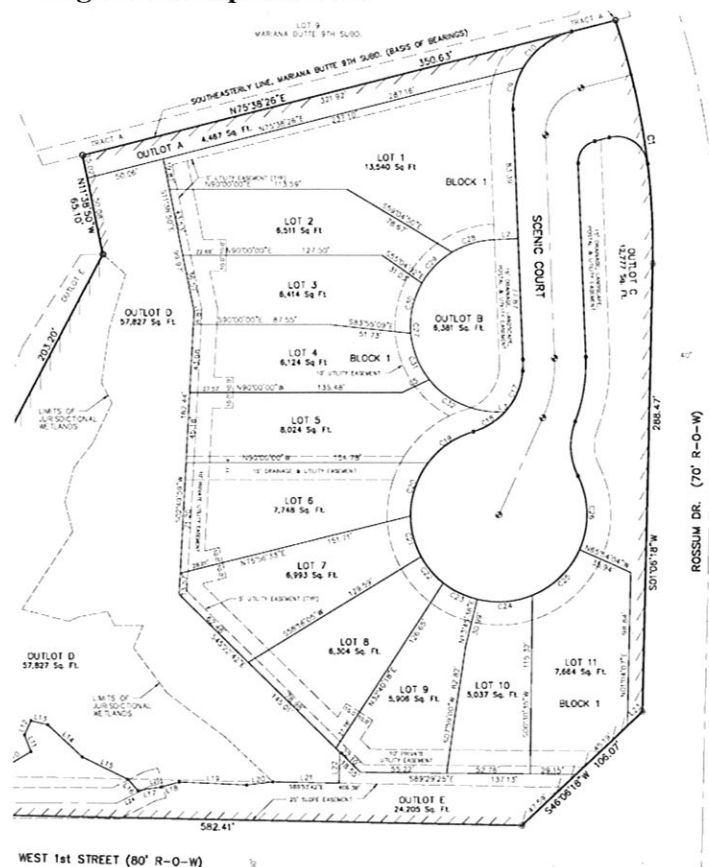
## II. PROJECT DESCRIPTION

### Summary

The application is for an amendment to the Mariana Butte 23rd Subdivision Preliminary Development Plan (PDP) and a preliminary plat for the Mariana Butte 26th Subdivision. The property is located at the northwest corner of West 1st Street and Rossum Drive, within the Mariana Butte Planned Unit Development. The property is bordered on the west by Buckingham Reservoir.

The PDP Amendment proposes to increase the number of residential dwellings within the development by 6 units and modify the product type to allow for single family paired units. The applicant is requesting to develop 11 residential units; 1 single family detached structure and 10 single family paired units. Proposed lot sizes range from approximately 13,500 for the single family detached lot to an average lot size of 5,900 square feet for the paired units. Landscape bufferyards along West 1st Street and Rossum Drive have been supplemented with the Amendment to provide additional screening and plant material. The Amendment does not modify the preservation and enhancement of the 1.3 acres of environmentally sensitive areas along the western portion of the site in Outlot D, which will remain preserved as a jurisdictional wetland area.

Figure 1. Proposed Plat



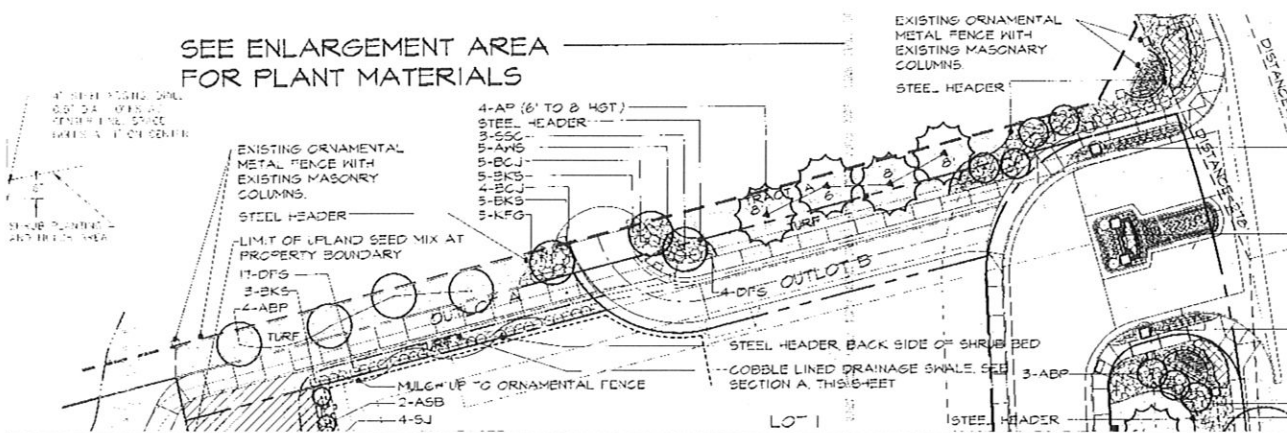


## **Tract A**

Along the northern boundary of the site, the Amendment seeks to remove a driveway access to the vacant single family lot directly north of the site, on Lot 9, Mariana Butte Ninth Subdivision, and modify the off-site landscaping in Tract A, Mariana Butte Ninth Subdivision. The driveway access was originally required through the subject property due to a condition of approval that restricted Lot 9 from gaining access directly off of Rossum Drive. After the approval of the PDP in 2007, the property owners of Lot 9 successfully petitioned City Council to remove the access restriction and a development plan was approved for the lot showing direct access onto Rossum Drive. As the driveway access through the subject site is no longer necessary, the PDP Amendment reflects its removal.

The responsibilities for installing off-site landscaping in Tract A of Mariana Butte Ninth Subdivision was set forth in the approved PDP and FDP for Mariana Butte 23rd as well as in a private agreement between the Homeowners Association, the developer (B & B I, LLC) and George and Coleen Ligothe, the property owners of Lot 9 (**Attachment 10**). In 2007, the developer requested that the off-site landscaping be removed from the PDP, as the driveway access to Lot 9 through the Mariana Butte 23rd development was being removed. The request for the landscape removal went through an appeal process with the final determination made by City Council to require the landscaping to be installed by the developer.

**Figure 2. Approved Tract A Landscaping**



With the proposed PDP Amendment, the 8-foot wide pedestrian path to Buckingham Reservoir was shifted northward, adjacent to the northern property boundary of the development. As a result, the width of the planting area has been reduced to 10 feet from the previous 10 to 15-foot width shown in the original PDP. The 10-foot width corresponds to the actual width of Tract A. The applicant is requesting to modify the plantings within this Tract to provide for a continuous landscape screen using coniferous spruces and pines. The plantings have also been modified to insure that appropriate species are selected that would result in a compact, columnar appearance which will not encroach into the pathway. The amended landscape plan, shown in Figure 3 below, will provide alternating clusters of Tannenbaum Mugo Pines (TMP) and Columnar Blue Spruces (CBS) that will achieve maximum heights between 10 feet and 20 feet. The coniferous trees will be mixed with a variety of





### III. VICINITY MAP



### IV. KEY ISSUES

City staff believes that all key issues have been addressed in the development proposal and through the recommended conditions of approval. Neighborhood residents have voiced concerns regarding density, traffic, building materials, parking, landscaping and overall compatibility of the development. As a result of the comments received at the neighborhood meeting, the applicant has redesigned the northern portion of the site to eliminate 1 residential unit and provide a single family detached structure as a transition to the subdivision to the north. With the redesign of the northern portion of the site and the use allowances in the General Development Plan, staff has evaluated the neighborhood concerns and believes that the development is compatible with the intent of the Mariana Butte PUD and the surrounding residential areas.

## **V. SITE DATA**

ACREAGE OF SITE-PDP, GROSS .....	5.03 AC
ACREAGE OF SITE-NET (LESS ROW) .....	4.13 AC
ACREAGE OF THE PRELIMINARY PLAT .....	5.03 AC
ZONING.....	PUD (MARIANA BUTTE GDP)
EXISTING USE.....	VACANT PARCEL (5 SF LOTS PLATTED)
PROPOSED USE.....	11 LOTS; 1 SINGLE-FAMILY DETACHED & 10 SINGLE-FAMILY PAIRED RESIDENCES
GROSS DENSITY (DU/ACRE).....	2.19 DU/AC
DENSITY EXCLUDING OPEN SPACE AND ROW .....	3.80 DU/AC (LOTS 1-11)
EXIST ADJ ZONING & USE - EAST .....	PUD/SINGLE-FAMILY RESIDENTIAL
EXIST ADJ ZONING & USE - SOUTH .....	LARIMER COUNTY R-RESIDENTIAL/ VACANT
EXIST ADJ ZONING & USE - WEST .....	PUD/ BUCKINGHAM RESERVOIR & DETACHED SINGLE-FAMILY RESIDENTIAL
EXIST ADJ ZONING & USE - NORTH.....	PUD/SINGLE-FAMILY RESIDENTIAL
UTILITY SERVICE - SEWER.....	CITY OF LOVELAND
UTILITY SERVICE - ELECTRIC .....	CITY OF LOVELAND
UTILITY SERVICE - WATER .....	CITY OF LOVELAND

## **VI. BACKGROUND**

The following represents a timeline for the background of the development:

<b>July, 1982</b>	The property was annexed to the City of Loveland as part of the Mariana Butte Third Addition with a master plan approved for the entire development.
<b>January, 1994</b>	The Mariana Butte PUD First Subdivision was approved by City Council.
<b>September, 1994</b>	An amended GDP for the Mariana Butte PUD First Subdivision was administratively approved by the Current Planning Manager. Subsequent preliminary and final development plans, along with final plats were approved in the Mariana Butte PUD.
<b>June, 2007</b>	A Preliminary Development Plan for Mariana Butte 23rd Subdivision PUD was approved by Planning Commission.
<b>July, 2007</b>	A Preliminary Plat for Mariana Butte 23rd Subdivision was approved.
<b>September, 2007</b>	The Current Planning Manager approved a minor amendment to the PDP requested by the developer. The minor amendment proposed to remove requirements for off-site landscape improvements that were shown on the approved PDP. The off-site landscape improvements were to be on Tract



A, Lot 9 of the Mariana Butte 9<sup>th</sup> Subdivision (Lot 9). The Current Planning Manager also approved the Final Plat and Final Development Plan for Mariana Butte 23rd Subdivision. The Final Plat was subsequently appeal to the Planning Commission.

**October, 2007**

The Zoning Board of Adjustment Hearing Officer considered an appeal of the Current Planning Manager's decision filed by George and Coleen Ligothe, owners of Lot 9. The Hearing Officer upheld the decision of the Current Planning Manager.

**November, 2007**

The Final Plat for Mariana Butte 23rd was approved by Planning Commission.

The Zoning Board of Adjustment considered an appeal of the Hearing Officer's decision filed by George and Coleen Ligothe. The Zoning Board of Adjustment overturned the decision of the Hearing Officer and denied the minor amendment to the PDP.

**December, 2007**

City Council considered an appeal of the Zoning Board of Adjustment filed by the developer, John Baxter. City Council upheld the decision of the Zoning Board of Adjustment and required off-site landscaping to be completed.

## **VII. STAFF, APPLICANT, AND NEIGHBORHOOD INTERACTION**

### **A. Notification**

An affidavit was received from Landmark Engineering which certifies that the surrounding property owners within 500 feet of the property were notified on April 13, 2011 of a neighborhood meeting held on May 5, 2011. An affidavit was also received from Landmark Engineering which certifies that the surrounding property owners within 500 feet of the property were notified on August 6, 2011, and a notice was posted in a prominent location on the perimeter of the project site on August 7, 2011. In addition, a notice was published in the Reporter Herald on August 6, 2011. All notices stated that the Planning Commission will hold a public hearing on August 22, 2011 to consider the matter.

### **B. Neighborhood Response**

A neighborhood meeting was held on May 5, 2011. There were 17 neighbors, along with the applicant, consultants and city staff, in attendance at the neighborhood meeting. Questions and concerns raised included the following:

1. **Density.** Concerns were voiced by many neighbors regarding the number of units proposed (12 units), how the project would look as the entryway to the Mariana Butte PUD and the belief that the number of units were too intense on the lot. The developer indicated that the number of units proposed were allowed in the PUD and that the number of units were necessary for the success

of the project. He further indicated that based on market conditions, large lot single family homes were not selling.

*The PDP Amendment was revised after the neighborhood meeting to eliminate 1 residential unit and provide a single family detached structure as a transition from the single family uses to the north.*

2. **Traffic.** Neighbors voiced concerns regarding the traffic implications with the number of units proposed, safety of the intersection at Scenic Drive with the roadway curve of Rossum and adequate parking. Safety of children based on adding more cars to the roadway was also discussed. The applicant indicated that a traffic study was completed and the development will comply with City standards. Rossum Drive is classified as a major collector roadway with no parking on the sides. Additional guest parking spaces will be provided on Scenic Drive within the development.
3. **Materials.** Neighbors voiced concerns regarding the hardboard siding of the homes. They believe that stucco siding and tile roofs would be more compatible and a higher quality material. The applicant indicated that the structures were designed in a craftsman style and would be compatible with structures in the PUD, including those across Rossum Drive.
4. **Children Play Areas.** Residents questioned where children from the development will play since the open space was primarily wetlands. The developer indicated that the project was being marketed as maintenance free living for older adults and households without children.
5. **Price Point and Square Footage.** Applicant indicated that he was unsure of the price at this time, most likely in the \$400,000 range and each unit will have around 1,400 square feet of living space plus a basement for the walk-out units.
6. **Roadway and landscaping on the Northern Boundary.** Residents questioned the ownership and status of a proposed roadway to the north (from previously approved plans). The applicant indicated that there was an access easement approved in the original PDP to provide access to Lot 9 in Mariana Butte Ninth Subdivision. The access easement was vacated when the property owners were granted a driveway access onto Rossum Drive. The property owners of the vacant property to the north indicated opposition to the project, submitted a letter of objection (**Attachment 11** of this report) and discussed the landscaping that was required in the Tract between their property and the development.

*The PDP was revised after the neighborhood meeting to provide landscaping in Tract A. With the Amendment, the applicant is requesting to modify the plant species to provide more coniferous screening and ensure plantings will not encroach into the concrete pedestrian path to Buckingham Reservoir.*

7. **Sidewalk Connection on 1st Street.** Questions involved the connection of the sidewalk on 1st Street to the west. The applicant indicated that the sidewalk connection on 1st Street was a condition of the PDP/FDP for Mariana Butte 24th.



8. **Property Values.** Residents voiced concerns that the development would lessen property values in the area.
9. **Existing Sidewalk Path to Buckingham Reservoir.** Residents inquired as to the plans for the existing concrete sidewalk connection from Rossum Drive to Buckingham Reservoir. The Amendment proposed to remove the existing sidewalk and replace it with a new, 8-foot wide crusher fine path. Residents objected to the crusher fine material and requested concrete.

*The PDP Amendment was revised after the neighborhood meeting to indicate that a new, 8 foot wide concrete path will be installed. The path will widened to allow for City of Loveland maintenance vehicles.*
10. **Noise.** Noise levels of the pump stations for the units were discussed. The developer indicated that there should not be any noise attributable to the pumps, as in similar developments in the area such as Mariana Cove.
11. **Natural Areas.** The neighbors inquired if any disturbance to the natural area was proposed. The applicant indicated that the natural areas would all be preserved as approved in the original PDP.
12. **Land Use.** Concerns were voiced that "duplexes" should not be allowed on the lake's edge.
13. **Grading.** Questions were asked concerning the top of foundation for the homes verse the elevation of the road.

Additional correspondence was received by the City staff after the neighborhood meeting. The correspondence includes a letter and emails from a surrounding neighbor, Darlene Kasenberg. The correspondence and City staff's response are included in **Attachment 12** and focus primarily on traffic safety concerns, lighting and the roadway classification of Rossum Drive.

## **VIII. FINDINGS AND ANALYSIS**

### **A. City Utilities and Services**

#### **1. Loveland Municipal Code**

##### **a. Section 18.41.050.E.2:**

**(i)** *Development permitted by the PDP will not have negative impacts on City utilities. If such impacts exist, Section 18.41.050.D.4(b) of the Loveland Municipal Code requires City staff to recommend either disapproval of the PDP or reasonable conditions designed to mitigate the negative impacts.*

**(ii)** *Whether development permitted by the PDP will be complementary to and in harmony with existing development and future development plans for the area in which the PDP is located by incorporating public facilities or infrastructure, or cash-in-lieu, that are reasonably related to the proposed development so that the*

*proposed development will not negatively impact the levels of service of the City's services and facilities.*

**b. Section 16.20.030:**

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

*(ii) The subdivision complies with the water rights requirements in Title 19.*

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

**c. Section 16.24.012:** *Electric and water distribution system improvements, sewer collection improvements, storm drainage control facilities, and other improvements as required to be constructed with the subdivision have been designed in accordance with the City of Loveland "Storm Drainage Criteria Manual," 1986 Edition, as amended and the latest edition of the "Development Standards and Specifications Governing the Construction of Public Improvements."*

**d. Section 16.24.090:**

*(i) All new and replacement sanitary sewer and water supply systems have been designed to minimize or eliminate infiltration of floodwaters in the system.*

*(ii) The subdivision proposal has adequate drainage provided to reduce exposure to flood damage.*

*(iii) The subdivision proposal has public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.*

*(iv) The development proposal conforms to all federal, state, and local floodplain regulations*

*(v) When deemed necessary by the Director of Community Services or the Planning Commission for the health, safety, or welfare of the present or future population of the area or necessary to the conservation of water, drainage, and sanitary facilities, the subdivision of land within the flood fringe and floodway, or any stream, river, or drainage course has been prohibited.*

**e. Section 16.24.140:** *All proposed utility facilities, including, but not limited to, gas, electric power, telephone, and CATV cables, are located underground. Where practical, existing utility facilities located above ground, except when located in a public right-of-way, are to be removed and placed underground.*

**f. Chapter 16.41:** *A positive determination of adequacy, or a positive determination of adequacy with conditions, has been made in accordance with Section 16.41.100 for fire protection and emergency rescue services, Section 16.41.120 for water facilities and services, Section 16.41.130 for wastewater facilities and services, Section 16.41.140 for storm drainage facilities, and Section 16.41.150 for power.*

**Fire Protection and Emergency Rescue Services (Section 16.41.100)**

*Fire protection and emergency rescue service (ERS) shall be deemed to be adequate and available for a proposed development if such services for the development meets or exceeds the applicable adopted level of service provided in Appendix A, and: (1) Adequate fire*



*protection services and ERS are currently in place or will be in place prior to issuance of a building permit for the development; or (2) Provision of adequate fire protection service and ERS are a condition of the development application approval and are guaranteed to be provided at or before the approval of a final plat or issuance of the first building permit for the proposed development; or (3) Facilities necessary for providing adequate fire protection services and ERS are under construction and will be available at the time that the impacts of the proposed development will occur, or (4) Provision of fire protection service and ERS are guaranteed by an executed and enforceable development agreement which ensures that such service will be in place at the time that the impacts of the proposed development will occur.*

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

- The furthest point within this development is approximately 2 miles from the first due Engine Company (Station 3) and approximately 4 miles from the first due Ladder Company (Station 1).
- This project falls within a Conceptual Fire Service Area. A site near Rossum Drive and Highway 34 has been dedicated for a future fire station.

**Water Facilities and Services (Section 16.41.120)**

*Water facilities and services shall be deemed to be adequate and available for a proposed development if such facilities and services for the development meet or exceed the applicable adopted level of service provided in Appendix A, at the end of this Chapter, and: (1) A supply of raw water adequate to serve the projected needs of the proposed development is owned or controlled by the city and such water supply is or will be available for use by the proposed development prior to the issuance of the first building permit within the proposed development; and (2) Sufficient raw water storage capacity, including on-site and off-site capacity, is available to serve the proposed development and such capacity is or will be available for use by the proposed development prior to the issuance of the first building permit within the proposed development; and (3) Sufficient water treatment capacity is available or, through new capacity improvements will be made available, to ensure a supply of potable water to the proposed development ; and (4) Sufficient water main capacity will be available or, through new capacity improvements will be made available, to serve the proposed development prior to the issuance of the first building permit within the proposed development.*

**Wastewater Facilities and Services (Section 16.41.130)**

*Wastewater facilities and services shall be deemed to be adequate and available for a proposed development if such facilities and service meet or exceed the applicable adopted level of service provided in Appendix A, at the end of this chapter, and: (1) The city of Loveland's central wastewater system or the central wastewater system of a sanitary sewer district is capable of connection to the proposed development; and (2) Sufficient wastewater treatment capacity is available or, through construction of new capacity improvements will be made available, to treat wastes generated by the proposed development prior to the issuance of the first building permit within the proposed development; and (3) Sufficient wastewater trunk line capacity is available and, where required, lift station capacity is*

*available to serve the proposed development prior to the issuance of the first building permit within the proposed development.*

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

- This development is situated within the boundaries of, and accommodated by, the City's water and wastewater master plans. It is also located within the City's current service areas for Water and Wastewater.
- The proposed development will not negatively impact City water and wastewater facilities.
- The proposed development is in harmony with existing and future development and incorporates public infrastructure designed so that the proposed development will not negatively impact the levels of service of the City utilities adjacent to the development.
- The proposed facilities shown on the Preliminary PICPs have been designed pursuant to the City's Development Standards.
- The proposed facilities have been design to minimize flood damage and infiltration.

**Stormwater Facilities (Section 16.41.140)**

*Stormwater facilities shall be deemed to be adequate and available for a proposed development if the development meets or exceeds the applicable adopted level of service provided in Appendix A, at the end of this chapter, and: (1) The proposed development meets all applicable requirements contained in the stormwater master plan, including the stormwater criteria manual; and (2) The proposed development provides for adequate major drainageways to convey stormwater flows from a one hundred year storm event which will minimize property damage; and (3) The proposed development meets all applicable drainage requirements of the city of Loveland.*

**Stormwater:** Staff believes that this finding can be met due to the following:

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

**Power (Section 16.41.150)**

*Power facilities shall be deemed to be adequate and available for a proposed development if the development meets or exceeds the applicable adopted level of service provided in Appendix A, at the end of this chapter, and the proposed development will obtain utility services from the city through a system meeting all engineering and design standards applicable to the utility.*

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

- Three-phase underground power is available in a vault located to the north of the proposed development and on the west side of Rossum Drive. Power will be extended into the development and an additional vault will be installed in the existing power line at the developer's expense per City Municipal Codes.
- The existing underground feeder is an available and adequate source for electric distribution for the proposed development. No negative impacts on the City's electric system are foreseen.

## B. Transportation

1. **Section 16.20.030:** *The subdivision has been reviewed in accordance with the Loveland Comprehensive Master Plan to insure that the subdivision is designed in accordance with good engineering practices and provides for safe and convenient movement.*
2. **Section 16.24.015:** *Streets, street signs, highways, curb and gutter, traffic control devices, and other improvements as required to be constructed with the subdivision have been designed in accordance with the Larimer County Urban Area Street Standards, as amended.*
3. **Section 16.24.040:**
  - a. *Streets have been designed to have a logical relationship to topography and to the location of existing or platted streets in adjacent properties. Certain proposed streets, as determined by the City engineer, have been extended to the boundary of the subdivision to provide for traffic circulation within the vicinity*
  - b. *As required by the Director, perpetual unobstructed pedestrian easements at least 20 feet in width have been provided within the subdivision to facilitate pedestrian access from roads to schools, parks, playgrounds, or other community or commercial services. Such easements shall generally not follow road rights-of-way.*
4. **Section 18.41.050.E.2:**
  - a. *Development permitted by the PDP will not have negative impacts on traffic in the area. If such impacts exist, Section 18.41.050.D.4(b) of the Loveland Municipal Code requires City staff to recommend either disapproval of the PDP or reasonable conditions designed to mitigate the negative impacts.*
  - b. *Whether development permitted by the PDP will be complementary to and in harmony with existing development and future development plans for the area in which the PDP is located by incorporating public facilities or infrastructure, or cash-in-lieu, that are reasonably related to the proposed development so that the proposed development will not negatively impact the levels of service of the City's services and facilities.*
5. **Section 16.41.110:** *A positive determination of adequacy, or a positive determination of adequacy with conditions, has been made for transportation facilities in accordance with Chapter 16.41 of the Loveland Municipal Code.*

**Transportation Engineering Division:** Section 16.41.110 of the Municipal Code (the ACF ordinance) requires a proposed PDP to comply with **one** of the following five standards in order for a positive determination of adequacy to be made:

*Transportation facilities shall be deemed to be adequate and available for a proposed development if the development meets or exceeds the applicable adopted level of service provided in Section 4.5 of the Larimer County Urban Area Street Standards, which may be amended by resolution, and: (1) All transportation facilities are currently in place or will be in place prior to issuance of a building permit for the development; or (2) Provision of transportation facilities are a condition of the development approval and are guaranteed to be provided at or before the approval of a final plat or issuance of the first building permit for the proposed development; or (3) Transportation facilities are under construction and will be available at the time that the impacts of the proposed development will occur; or (4) Provision of transportation facilities needed to achieve the adopted level of service are guaranteed by an executed and enforceable development agreement which ensures that such facilities will be in place at the time that the impacts of the proposed development will occur; or (5) Transportation facilities needed to achieve the adopted level of service are included in the capital improvements program (CIP): and (a.) The CIP contains a financially feasible funding system from available revenue sources which are adequate to fund the streets required to serve the proposed development, and (b.) The transportation facilities are likely to be constructed and available at the time that the impacts of the proposed development will occur, or at the time the city extends the transportation facilities to provided a logical link to the project.*

**Transportation Engineering:** Staff believes that this finding can be met due to the following:

- The proposed Mariana Butte 26th Subdivision is located north of W. 1st Street and west of Rossum Drive. W. 1st Street adjacent to the development is designated as a 2-lane arterial on the 2030 Transportation Plan. Rossum Drive adjacent to the development is designated as a major collector on the 2030 Transportation Plan. Access to the subdivision will be provided by a full movement access onto Rossum Drive.
- A Traffic Impact Study Memorandum has been submitted with the Mariana Butte 26th Subdivision which demonstrates that the existing transportation system, can adequately serve the land uses proposed.
- The applicant's traffic engineer, Joseph Delich, P.E., has submitted a Traffic Impact Study (TIS) that indicates that the traffic associated with the proposed development will meet the City's standards. The proposed subdivision is estimated to generate approximately 115 daily trips, 9 weekday AM peak hour trips, and 12 weekday PM peak hour trips.
- An exemption was granted for this property on 1/24/07 from the level-of-service (LOS) standards outlined in the Adequate Community Facilities (ACF) ordinance. Although this property is exempt from the ACF ordinance, the TIS demonstrates that the roadway system will adequately serve the traffic generated by this development and meet the ACF requirements.
- The property has already been approved for a five lot subdivision (Mariana Butte 23rd Subdivision) which was estimated to generate approximately 48 daily trips, 4 weekday AM peak hour trips, and 5 weekday PM peak hour trips. The proposed six additional lots in Mariana Butte 26th Subdivision is estimated to approximately



generate an additional 67 daily trips, 5 weekday AM peak hour trips, and 7 weekday PM peak hour trips (**Attachment 6**).

In conclusion, the development of the subject property pursuant to the uses proposed in the PDP Amendment will not adversely impact any existing City infrastructure. A positive determination of adequacy for transportation facilities for the proposed PDP Amendment has been made under the provisions of paragraph i, above.

## **C. Land Use**

### **1. Loveland Comprehensive Master Plan**

#### **a. Section 4.1 -Growth Management Plan**

*(iii) Whether the PDP discourages leapfrog, scattered-site, and flagpole development.*

*(iv) Whether the PDP encourages infill development.*

*(vi) Whether the PDP is contiguous to other land that is already receiving public services.*

*(vii) Whether the PDP is at least 1/6 contiguous with existing development, as defined in Section 4.1 GM:3(D-1) of the Comprehensive Master Plan.*

### **2. Section 18.41.050.E.2:**

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

*b. The PDP is in compliance with the GDP on file with the City.*

**Current Planning Division:** Staff believes that this finding can be met due to the following:

- The property has received approval of a preliminary and final development plan. This application is for an amendment to the PDP. Findings related to growth management policies are not applicable to the amendment request.
  - The Preliminary Development Plan Amendment is part of the overall Mariana Butte PUD and is in substantial compliance with the Mariana Butte General Development Plan, as demonstrated in Table 1 of this report. The project site is within an area zoned for "mixed residential", which permits a variety of residential product types including single family detached and single family paired dwellings.
  - The Mariana Butte GDP does not include a limitation on residential density or a maximum number of units within the subject site.
  - The design standards proposed in the PDP Amendment, including building materials, roofing and setbacks, are in compliance with the design standards established in the GDP (see Table 1 in this report).
- 3. Section 18.41.050.E.2:** *Development permitted by the PDP will not have detrimental impacts on property that is in sufficient proximity to the PDP to be affected by it. If such impacts exist, Section 18.41.050.D.4(b) of the Loveland Municipal Code requires City staff recommend either disapproval of the PDP or reasonable conditions designed to mitigate the negative impacts.*
- 4. Section 16.20.030:** *The subdivision does not create, or mitigates to the extent possible, negative impacts on the surrounding property.*

**Current Planning:** Staff believes that this finding can be met due to the following:

- The proposed development will not negatively impact traffic in the area, city utilities, or surrounding properties. Traffic volumes for the proposed development, which includes 11 single family residential lots, comply with the City's level of service standards. Adequate utilities can be provided meeting City adopted levels of service.
  - The proposed development is compatible with the nature of existing development within the Mariana Butte PUD, which includes a variety of residential lot sizes, densities and product types. While lots around the lake edge of Buckingham Reservoir are larger in size, ranging from approximately 21,500 square feet to 43,000 square feet (average of 29,600 square feet), a variety of small lot sizes are provided throughout the development, based on product type. Single family detached lots directly across Rossum Drive in Mariana Butte 7th Subdivision range from 6,600 to 12,000 square feet. In other areas of the PUD paired structures are situated on lot sizes of 2,600 square feet. The PUD represents a wide range of diverse lots sizes to accommodate different product types and choices for residents.
  - The proposed building materials of hardboard siding and asphalt shingles comply with the approved materials in both the GDP and original PDP. The building materials are also consistent with the materials of residential structures on the east side of Rossum Drive.
  - To increase the compatibility of the development and as a result of neighborhood comments, a single family detached dwelling is proposed to serve as a transition from the large lot single family uses to the north. The proposed structure would be placed on a 13,500 square foot lot with significant landscaping buffering installed.
  - The applicant is installing off-site landscaping that consists of a variety of coniferous trees in Tract A of Mariana Butte Ninth Subdivision. The plantings will create a landscaped screen effect between the development and the existing subdivision to the north.
5. **Section 18.41.050.E.2:** *Development permitted by the PDP will be complementary to and in harmony with existing development and future development plans for the area in which the PDP is located by:*
- a. *Incorporating natural physical features into the PDP design and providing sufficient open spaces considering the type and intensity of proposed land uses.*
  - b. *Incorporating site planning techniques that will foster the implementation of the Loveland Comprehensive Master Plan.*
  - c. *Incorporating physical design features that will provide a transition between the project and adjacent land uses through the provisions of an attractive entryway, edges along public streets, architectural design, and appropriate height and bulk restrictions on structures.*
  - d. *Incorporating an overall plan for the design of the streetscape within the project, including landscaping, auto parking, bicycle and pedestrian circulation, architecture, placement of buildings and street furniture.*

6. **Section 16.20.030:** *The subdivision provides desirable settings for buildings, protects views, and affords privacy, protect from noise and traffic, and uses resources such as energy and water in keeping with responsible resource stewardship.*

**Current Planning Division:** Staff believes that this finding can be met due to the following:

- The project site is currently vacant with an existing jurisdictional wetland area. No modification to the enhancement or preservation of the wetland area is proposed with the PDP Amendment.
  - Access to the 11 lots will be via an extension of Scenic Drive, across Rossum Drive ending in a cul-de-sac (named Scenic Court). Scenic Court is proposed to incorporate a 5-foot attached walk adjacent to the residential lots, which will connect to the detached sidewalk along Rossum Drive.
  - To accommodate bike traffic, Rossum Drive was constructed with seven foot bike lanes on each side of the roadway. In addition, an 8-foot wide concrete pedestrian walkway will be constructed connecting the sidewalk along Rossum Drive to the path around Buckingham Lake.
  - The lot layouts, building orientation and landscaping proposed in the Amendment will provide an overall varied and attractive streetscape, consistent with the streetscape in the PUD.
  - The PDP Amendment contains architectural requirements that would create compatible relationships with surrounding developments within the Mariana Butte PUD. The design of the structures resemble a craftsman style with at least 25% masonry on the front elevations. In terms of garage orientation, of the 11 dwellings, 4 contain side loaded garages, 5 have garages generally flush with a front porch element and 2 units have forward facing garages with a 42-inch courtyard wall to lessen the protrusion of the garage. Proposed colors for the new residences will generally be subdued to blend with the colors of the natural landscape with no two adjacent paired structures painted the same color.
7. **Section 18.41.050.E.2:** *The PDP complies with applicable land use and development regulations in effect as of the date that the GDP was approved and any land use and development regulations adopted by the City after that date if the Planning Division and Planning Commission expressly find that compliance with such regulations is necessary to protect public health, safety, and welfare.*

**Current Planning Division:** Staff believes that this finding can be met due to the following:

- The Amendment to the PDP meets both the intent and objectives of Chapter 18.41. This determination is based upon compliance with the zoning standards established in the Mariana Butte GDP, including use, density, setbacks and building materials (see Table 1 in this report).
8. **Section 16.20.030:** *The lots and tracts are laid out to allow efficient use of the property to be platted.*

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

**Current Planning Division:** Staff believes that this finding can be met due to the following:

- Lots and tracts are laid out to allow an efficient use of the property. Given the shape of the parcel and natural constraints of the jurisdictional wetland, lot lines have been designed to incorporate right angles relative to the street line of Scenic Court and the private drive in Outlot B, to the maximum extent practicable.

10. **Section 16.24.120:**

- a. *Landscaping complies with the requirements set forth in the GDP and bufferyards required pursuant to the GDP are within separate tracts of land, separate from individual residential lots.*
- b. *Street trees are located in compliance with the City's Site Development Performance Standards and guidelines, unless waived by the Director.*
- c. *The subdivision plat includes open space fields in compliance with the requirements set forth in Section 16.24.150, unless waived by the Planning Commission. The open space play fields are designed with respect to size, dimension, topography, and general character to be suitable for outdoor play activities*

**Current Planning Division:** Staff believes that this finding can be met due to the following:

- Landscaping will comply with the requirements set forth in the GDP as well as the City's Site Development Performance Standards. The PDP Amendment proposes to supplement and enhance the landscape buffering along Rossum Drive and W. 1st Street with additional coniferous plantings that will add year round color.
- Open space primarily consists of natural wetlands labeled as Outlot D and perimeter landscaped outlots, Outlots A, C, and E, that serve an aesthetic purpose rather than open space fields for recreation purposes. Per Section 16.24.150 of the Loveland Municipal Code, open space play fields are not required for subdivision's containing less than fifty (50) single family lots.

**D. Environmental Impacts:**

1. **Section 18.41.050.E.2:** *The PDP incorporates environmentally sensitive areas, including but not limited to wetlands and wildlife corridors, into the project design. "Environmentally sensitive areas" are defined in Section 18.41.110 as: slopes in excess of 20%; floodplain; soils classified as having high water table; soils classified as highly erodible, subject to erosion or highly acidic; land incapable of meeting percolation requirements, land formerly used for land fill operations or hazardous industrial use; fault areas; stream corridors; estuaries; mature stands of vegetation; aquifer recharge and discharge areas; habitat for wildlife; and other areas possessing environmental characteristics similar to those listed above.*
2. **Section 16.20.030:** *The subdivision preserves natural features and environmentally sensitive areas to the extent possible.*



**Current Planning:** Staff believes that this finding can be met due to the following:

- An environmentally sensitive report was submitted and reviewed with the original PDP. The PDP Amendment does not propose to modify the preservation or enhancement of the jurisdictional wetlands located in Outlot D. Wire mesh will be installed with the 3-rail fencing along the perimeter of the project to limit domestic animal intrusion into the wetland area.

## **IX. RECOMMENDED CONDITIONS**

### **PRELIMINARY PUD DEVELOPMENT PLAN AMENDMENT**

#### **Current Planning**

1. Prior to issuance of a building permit within the PDP Amendment boundaries, all common area landscaping, environmental sensitive areas enhancement, streetside bufferyards and landscaping in Tract A, Mariana Butte Ninth Subdivision shall be either installed or financially secured with the City. Financial security shall include all plant material, irrigation and water meters necessary to sustain the landscaping. Financial security shall be provided for all seeded areas identified in the PDP Amendment, until such time that the seed germinates and is generally free of weeds.
2. Prior to approval of the FDP, a letter from the Buckingham Reservoir Area Owners Association approving the modification of the plant species in Tract A, Mariana Butte Ninth Subdivision, shall be submitted to the Current Planning Division. If an approval letter from the Buckingham Reservoir Area Owners Association is not secured, the landscaping in Tract A shall revert to the landscaping approved in the Mariana Butte 23rd Subdivision FDP and the FDP Amendment for Mariana Butte 26th Subdivision shall be modified to reflect said change.

#### **Engineering**

3. Notwithstanding any information presented in the PDP or accompanying preliminary plat and preliminary construction plan documents (text or graphical depictions), all public improvements shall conform to the Larimer County Urban Area Street Standards, as amended, unless specific variances are requested and approved in writing.
4. Prior to the issuance of any building permits within the Mariana Butte Twenty Sixth Subdivision, pursuant to the provisions in Section 16.40.010.B of the Loveland Municipal Code, the Developer shall design and construct the following improvements, unless designed and constructed by others. A cash-in-lieu payment for all or part of these improvements may be accepted if approved in writing by the City Engineer:
  - a) A 5-foot wide detached sidewalk along Rossum Drive adjacent to the property.
  - b) A 6-foot wide detached sidewalk along West 1st Street adjacent to the property

**RESOLUTION # 11-01 PDP**

**A RESOLUTION APPROVING AN AMENDMENT TO A  
PRELIMINARY PUD DEVELOPMENT PLAN OF TRACT A,  
MARIANA BUTTE PUD, TENTH SUBDIVISION, LOCATED  
WITHIN MARIANA BUTTE PLANNED UNIT DEVELOPMENT  
(P-8), CITY OF LOVELAND, LARIMER COUNTY, COLORADO,  
AS ORIGINALLY APPROVED BY RESOLUTION #07-04 PDP.**

WHEREAS, on June 11, 2007, the Planning Commission approved Resolution # 07-04 PDP approving a Preliminary PUD Development Plan for PUD # P-8, also known as Tract A, Mariana Butte PUD, Tenth Subdivision; and

WHEREAS, an amendment to the Preliminary PUD Development Plan for PUD # P-8, also known as Tract A, Mariana Butte PUD, Tenth Subdivision, ("Amended PDP") has been submitted to the Planning Commission for consideration, pursuant to Chapter 18.41 of the Loveland Municipal Code; and,

WHEREAS, pursuant to section 18.41.050(E)(3)(a) of the Loveland Municipal Code, the City of Loveland Planning Commission held a public hearing on August 22, 2011, regarding said Amended PDP; and,

WHEREAS, at said hearing the recommendations of the Current Planning Division were received and duly considered by the Commission, as well as all necessary testimony by the applicant and public; and,

WHEREAS, the Commission has considered the application in light of the intent and objectives of Chapter 18.41 of the Loveland Municipal Code, and more specifically the factors set forth in sections 18.41.050(D)(4)(b) and (c), and has determined that pursuant to said factors the Amended PDP may be approved;

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION FOR THE CITY OF LOVELAND, COLORADO:

**Section 1.** That an amendment to the Preliminary PUD Development Plan for 5.05 acres, more or less, being Tract A of the Mariana Butte PUD, Tenth Subdivision (#P-8), which Preliminary Development Plan is on file in the office of the City of Loveland Current Planning Division, and is incorporated herein by this reference, is hereby conditionally approved, consistent with the recommendation of the Planning Staff Report dated August 22, 2011, as amended by the Planning Commission in public hearing on August 22, 2011.

The Amended PDP for Mariana Butte Twenty-Third Subdivision applies to the following described real property:

“Tract A of the Mariana Butte Planned Unit Development Tenth Subdivision”

**Section 2.** This Resolution shall be recorded with the Clerk and Recorder for Larimer County, Colorado, as soon as is reasonably possible.

Resolved this 22nd day of August, 2011.

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Rob Molloy, Chairperson  
City of Loveland Planning Commission

ATTEST:

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Planning Commission Secretary

APPROVED AS TO FORM:

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Assistant City Attorney

## LAND USE SITE SUMMARY

The following Land Use Data relates to the entire site areas to be developed:

Existing/Proposed Zoning	P.U.D. Residential
Proposed Use	Paired Single Family Residential
Total Site Area	5.03 Ac. 100%
• Total Residential Lot Area (Lots #1-11)	1.67 Ac. 33%
• Total Public ROW To Be Dedicated (Scenic Court, Rossum Drive & West 1st. Street ROW)	0.90 Ac. 18%
• Total Common Open Space Area (Includes Outlots A thru E)	2.43 Ac. 49%
Total Dwelling Units/Lots =	11 Units/Lots
Total Density (Based on 5.03 Total Site Acres)	2.19 du/ac (gross)
Density of residential lot development area, excluding outlots D,E, (open space), and 1st Street R.O.W. dedication. (2.89 net acres)	3.80 du/ac
Lot Sizes:	Minimum = 5,097 s.f. Maximum = 13,540 s.f. Average = 7,296 s.f.

## RESIDENTIAL BUILDING SETBACK REQUIREMENTS

- Front Setback (Front Loaded Garage) 20' Minimum Setback from the property line to face of principle structure or face of garage, whichever is closer.
- Front Setback (Side Loaded Garage) 15' Minimum Setback from the property line to face of principle structure or face of side loaded garage, whichever is closer.
- Side Setback (Common Walls Lots 2-11) 0' minimum setback as measured from the common wall lot line of paired structure.
- Side Setback (Lot 1) 10' minimum setback as measured from the side lot line to face of principal structure.
- Side Setback (Lots 2-10) 5' minimum setback as measured from the side lot line to face of principle structure.
- Side Setback (Lot 11) 20' minimum setback as measured from the side lot line to face of principal structure.
- Rear Setback (Lots 1-11) 15' minimum setback as measured from the rear lot line to face of principal structure and/or to raised covered decks.

## GENERAL SETBACK NOTES

1. Front setbacks shall be measured from the front lot line or property line to face of principal structure, or face of garage, whichever is closer.
2. Minor architectural features which do not exceed 2' in overall principal structure (i.e.: roof overhangs, fascias, eaves, fireplace cantilevered walls, etc.) are allowed to encroach into the front, but are not allowed to encroach into an easement regardless of requirements.



3. A minimum separation of 10' between the face of principal structures must be maintained.
4. Window wells may protrude into setbacks but are not allowed to encroach into any easements.

## **MARIANA BUTTE 23rd ORIGINAL CONDITIONS OF APPROVAL: Planning Commission Meeting 6-11-07**

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### **Preliminary Development Plan**

1. Financial security shall be provided for all seeded areas identified in the PDP, until such time that the seed germinates and is generally free of weeds.
2. Prior to the approval of the Final Development Plan, the Developer shall provide the City with a copy of the agreement for installing off-site landscaping, as shown in the PDP.
3. The recommendations and provisions in the ESAR dated November 2006 shall be incorporated into the FDP.
4. Final sign text for the interpretive and educational signs located along the trail shall be submitted with FDP. The signs should stress the need for no wildlife harassment or human intrusion into important habitat areas.
5. Notwithstanding any information presented in the PDP or accompanying preliminary plat and preliminary construction plan documents (text or graphical depictions), all public improvements shall conform to the Larimer County Urban Area Street Standards, as amended, unless specific variances are requested and approved in writing.
6. Prior to the installation of any structures within the public right-of-way, an encroachment permit shall be obtained from the City of Loveland.
7. Paving stones and pavement snow melt systems, shall not be allowed on the public street with this development.
8. Prior to the approval of the Final Development Plan and Final Plat, the Developer shall redesign the proposed sedimentation basin to have as much separation from the existing wetlands as possible yet obtain equal or greater volume as currently designed. The sedimentation basin shall have a granular filter bottom and a compacted earth, vegetated berm separating the basin from the wetlands.
9. A surcharge of 5% will be added to all bills for the sale of electric power to additional services which came into the existence after January 31, 1987, within the territory herein annexed which surcharge will expire ten years after effective date of the annexation.

### **Preliminary Plat**

10. Landscape plan for Outlot G shall be submitted concurrently with the first Preliminary Development Plan proposal for Lot 1, Block 2 of Mariana Butte 23rd Subdivision. All landscaping in Outlot G shall be installed prior to release of a building permit for Lot 1, Block 2 of Mariana Butte 23rd Subdivision.
11. Signage shall be provided at the entrance to the subdivision indicating the address range of the homes within the subdivision prior to the release of building permits.
12. Prior to the approval of the Final Platt, provide a "Fire Lane - No Parking" sign plan for approval by the fire prevention office for I-side of the street and the entire cul-de-sac.

# PRELIMINARY DEVELOPMENT PLAN NARRATIVE

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## PROJECT LOCATION

Mariana Butte Twenty-Third PUD First Amendment (marketing name: "Buckingham Shores") is a 5.03 ± acre residential Community located at the Northwest corner of West First Street and Rossum Drive, directly east of Buckingham.

The Mariana Butte Twenty-Third PUD First Amendment is a conveniently accessible to all areas of Loveland via West First Avenue and Rossum Drive and is within walking distance of Mariana Butte Golf Course, Namaqua Elementary School, as well as other amenities within the Mariana Butte PUD. The developers of Buckingham Shores are committed to providing a residential development complimentary to the area with dynamic views of Buckingham Lake and the Front Range Foothills and Mountains.

The site is separated from Buckingham Lake by Buckingham Lake Dam, approximately 1.25 acres of jurisdictional wetlands and a 50' wide "natural area" buffer (Outlot D).

## AMENDMENT DESCRIPTION

Mariana Butte 23rd PUD First Amendment is an amendment to a portion of the Mariana Butte 23rd Final Development Plan. The intent is to amend only the residential lot area and public roadway portion of the original Mariana Butte 23rd Final Development Plan; with only minor revisions to the overall site design outside the residential lotting area. All other elements including landscaping, protection of natural area, natural area buffering, and enhancement, drainage, sewage treatment and offsite roadway improvements (1st Street & Rossum Drive) will remain as originally designed.

The Mariana Butte 23rd PUD First Amendment proposes 1 single family detached residential lot and 10 paired residential lots within a "Maintenance free lifestyle" paired home development.

## LAND USE

Mariana Butte Twenty-Third PUD First Amendment will be a maintenance free community focusing on the unique views to the west and south. This community will have a total of 11 Residential Lots ranging in size from 5,037-13,540 s.f. (approx.) Complete with landscaped greenbelts, it will provide both privacy, security and spaciousness while unifying the residences into the overall Mariana Butte PUD area.

Quality detailing will be exemplified with a perimeter ornamental metal fence and stone columns along Rossum Drive. Landscaping at the entrance and project perimeter. A natural area restoration buffer along the west edge will create a transition zone between the development and the wetlands. This transition zone will incorporate native plant material with wetland enhancement planting within the existing wetlands margin. Public access to Buckingham Lake will occur along the north edge via a public access walk connecting to Rossum Drive. Upon completion of each home the developer/home builder will fully landscape the private lot with trees, shrub beds, and irrigated turf which will be maintained by the home owner's association.

Only a very high level of architectural detail that compliments the existing adjacent development will be considered. The developers are committed to building a quality and distinctive product while respecting the regionalism of the area. Mariana Butte Twenty-Third PUD First Amendment will meet a housing need present within Loveland for maintenance free single family detached and paired homes within an estate like community.

## CIRCULATION

### Mariana Butte Twenty-Third PUD First Amendment (Buckingham Shores):

Mariana Butte Twenty-Third PUD First Amendment residential area shall be served by a public dedicated "lane" (40' ROW & 28' roadway) terminating at a cul-de-sac less than 400' in length, known as Scenic Court.

The project is accessed from the existing Rossum Drive (a major collector street) via West First Street (a minor arterial street). Pedestrian circulation shall be accommodated by a 5' detached walk along Rossum Drive, a 6' detached walk along West First Street and a 5' attached walk around the west and south sides of Scenic Court. Pedestrian circulation shall be further enhanced with a public access walk connecting Buckingham Lake with the project entry at Rossum Drive.

### Existing Minor Arterial Street, West First Street:

Roadway improvements to the north side of West First Street will be required adjacent to Mariana Butte twenty-Third PUD First Amendment (north edge of West 1st. Street). Improvements will include adjusting the north edge of the asphalt so that the north half will comply with the ultimate street cross-section for a two lane arterial of 2-12' traffic lanes, a center 12' median/turning lane, and 2-5' bicycle lanes. Because of the rural nature of this area, concrete curb and gutters will not be installed. A detached 6' wide sidewalk will be installed a minimum of 10 feet north of the new edge of asphalt and will meander through the landscape area as shown on the site plan.

The existing right-of-way for West 1st Street is 70 feet, with 40 feet being north of the section line and 30 feet being south of the section line. An additional 10 feet of right-of-way was previously dedicated on the north side of the section line, bringing the total north side right-of-way to 50 feet.

Because road improvements will not be done on the south half of West 1st street, the full, ultimate cross-section will not be achieved. The existing striping will be removed and new striping installed to reflect the interim improvements for this street.

No significant road improvements will be made to Rossum Drive with the exception of the new Scenic Court Entrance. Curb return adjustments will be made and an 8' wide concrete drainage pan will be installed paralleling Rossum Drive to convey drainage to an inlet located at the West 1st Street/Rossum Drive intersection. A 5' wide pedestrian walk and 10' wide tree lawn will be installed on the west edge of Rossum Drive.

### PUBLIC FACILITIES PROVIDERS:

- Police: City of Loveland
- Fire & Rescue: City of Loveland
- Schools: Thompson School District R2-J
- Parks: City of Loveland

### PUBLIC UTILITIES

Basic utilities required for this development have been extended to the site or exist near the property and are available to the property. Adequate capacity currently exists within the City's Infrastructure utilities to serve the project. The following is a list of utilities, their providers and service availability:

- Water: City of Loveland  
Service:  
Existing 12 in. waterline in Rossum Drive.  
Improvements:  
At the commencement of development, an 8" waterline shall be extended from Rossum Drive into Scenic Court. A looping system will supply the fire and domestic water needs of the development.
- Sewer: City of Loveland  
Service:  
Existing 8" sanitary sewer service is available in Rossum Drive.  
Improvements:  
Individual, HOA owned and maintained, pump stations with a 2' forced main shall be incorporated into a private utility easement. This proven technology shall provide convergence of wastewater from the development to the 8" gravity sewer main in Rossum Drive.
- Electric: City of Loveland  
Service & Improvements:  
Existing service is available in Rossum Drive and shall be extended through the site.
- Gas: Xcel Energy  
Service & Improvements:  
Existing gas main is available along Rossum Drive and shall be extended through the site.
- Telephone: Qwest  
Service & Improvements:  
Existing service is available along Rossum Drive and be extended through the site.



## STORM DRAINAGE

Generally, drainage for the developed site will flow from the northeast to southwest to a sedimentation basin or across buffer areas before reaching the wetlands where it is eventually discharged into a 36-inch CMP culvert and the Buckingham Irrigation Ditch.

Drainage for Outlot A will be conveyed down the private access drive, then to a drainage swale ending in a small sedimentation basin before being discharged into the wetlands. The western developed portion of the site generally sheet flows south, southwest to the curb in Scenic Court where it is directed into an inlet located in the cul-de-sac; and then conveyed via an 18" storm sewer pipe into the sedimentation basin. The required annual cleaning and maintenance of the sedimentation basin will be the responsibility of Buckingham Shores Homeowners Association.

The rear of lots 1-12, Outlots C, D and E all drain across a landscaped buffer area before reaching the wetlands. Outlot "D", inclusive of the wetlands has been preserved to retain the historic natural drainage patterns. Flows reaching the wetlands eventually discharge to a 36-inch CMP culvert and the Buckingham Irrigation Ditch.

Many of the lots have been designed to accommodate walkout architecture to take advantage of view to the west. Fine lot grading will be determined at time of building permit plan submittal and will be reviewed by both the Architectural Review Committee (ARC) and the City of Loveland Building Department prior to issuance of building permits.

## LANDSCAPE (General)

The project shall be landscaped with regionally appropriate plant materials. In open space and buffer yard areas a "waterwise" and naturalistic design approach shall be used. These areas shall include informal plantings of coniferous and deciduous trees with large drifts of deciduous and coniferous shrub beds. Turf areas will incorporate low water use drought tolerant seed and sod varieties. Wetland enhancement areas will utilize appropriate wetland plantings, as specified on the "Preliminary Landscape Specifications and Details" sheet. Common open space areas and individual lot landscaping shall be maintained by the Buckingham Shores Homeowners Association.

Proposed street trees (along the north side West 1st Street and west side of Rossum Drive) will link the various development areas and individual residential landscapes into a harmonious and unified system.

A variety of tree species shall be used throughout the development to insure visual interest and horticultural stability. A canopy effect will be created as the project matures.

Landscaping shown on the landscape plan including: private lot landscaping, landscaping of common open space areas, buffer areas, landscaping within public R.O.W., streetscapes (both trees and sod), wetland enhancement areas, as well as entry landscaping shall be installed by the developer/home builder and maintained by the Buckingham Shores Homeowners Association. "Common area" landscape shall be financially secured by the developer/home builder or installed prior to building permit issuance if weather conditions do not permit installation of landscape and irrigation.

All trees shall be planted a minimum of 10' from public utilities. Shrubs to be planted a minimum of 5' from all public utilities.

## DESIGN AND ARCHITECTURAL DEVELOPMENT STANDARDS (ADS)

The following is intended as an outline of Design and Architectural Development Standards (ADS) that will apply to the construction of Mariana Butte Twenty-Third PUD First Amendment. Prototypical architectural elevations have been provided with this submittal in order to help illustrate the aforementioned design standards. The covenants for the development will require that a homeowner submit to ARC, plans and specifications for review and approval prior to the construction of any improvements on any lot.

### Relationship of the Design and Architectural Development Standards (ADS) to Other Regulations:

The ADS are not intended to supersede applicable Federal, Colorado, or Loveland codes or ordinances. In case of conflict or discrepancy, or for subjects not addressed in the ADS, the more restrictive ADS, governing agencies, codes and/or regulations shall take precedence. The ADS are to be used by owners when modifying or upgrading homes or landscaping on individual paired residential properties within the Mariana Butte Twenty-Third PUD First Amendment. The ADS will also be used by the Architectural Review Committee (ARC) in reviewing proposals to determine their relative conformance to the overall design objectives and criteria. The ADS are intended to cover each site-specific or lot-specific issue, and community issues such as edge treatments and relationships to adjacent land uses.

## INTRODUCTION

## DESIGN AND ARCHITECTURAL DEVELOPMENT STANDARDS (cont.)

### Building Area:

The minimum floor plan shall not be less than 1,400 s.f. for finished floor area devoted to living purposes (exclusive of roofed or unroofed porches, terraces, basements and garages). Walkout and daylight basement designs are encouraged.

### Architectural Theme, Elements and Styles:

A unified design theme is exemplified primarily in the facades of the residences within the Mariana Butte Twenty-Third FUD First Amendment. Although unified in character, each of the single family detached and paired homes shall maintain a quality community appearance.

### Architectural Details:

Architectural details such as gabled roofs, and varying roof and facade planes shall be expressed in each paired home built.

Architectural elements such as shutters, vents, highly articulated windows and entries may be incorporated into each structure. Exposed concrete blocks, painted concrete, multicolored masonry, mirrored glass, prefabricated metal buildings, simulated brick, unnatural brick and stone colors, and silver finish aluminum doors and windows and reflective roofing materials are not acceptable.

### Garages:

The visual impact of a front access garage upon the neighborhood streetscapes can be offset by the incorporation of several key architectural features such as: side loaded garages where possible, covered front porches, garage recesses, and gated/walled entry courtyards. All of these architectural techniques will help to reduce dominance of garage doors.

All homes shall include a standard 2-car garage as a minimum. The building architecture shall de-emphasize the garages as much as possible. Garage doors shall be painted the same color as the primary structure not a contrasting color.

The street facing elevation shall consist of a 50/50 ratio to the width of the house versus the width of the garage doors as viewed as part of the front building elevation (the garage doors shall not comprise more than 50% of the width of the house). Garage facades shall be detailed with windows, soffits, fascias, accent siding, decorative garage openings, and/or masonry.

### Accessory Structures:

Accessory structures of any type and/or size shall not be allowed.

### Materials:

Materials used on exterior surfaces are a key design element in Mariana Butte Twenty-Third FUD First Amendment. All materials shall be high quality and be compatible with the surrounding community and the landscape.

#### Masonry:

The Scenic Court facade of each paired home shall consist of a minimum of 25% masonry, natural/synthetic stone or hard coat or synthetic stucco. These materials should be used as a visual "base" for the residence.

#### Siding:

Hardboard siding, vinyl siding, vertical board and batten siding, cedar or simulated shingle siding, decorative accent siding, specialty siding, etc. may be used.

#### Roofing:

Roofing Materials: Roofing materials on sloped roofs shall be, as a minimum, 25 year heavy composition ("dimensional") shingles or better (including concrete tiles, clay tiles, high quality non-reflective standing seam metal roofing, etc.)

Where sloped roofs are used, the roof structures shall have a minimum roof pitch of 4:12.

### Colors:

The color of exterior materials shall generally be of a neutral tone to blend with the colors of the landscape. Generally muted color tones are recommended, although deeper/boulder color variations and accent colors used judiciously and with restraint shall be allowed. A variety of color combinations shall be developed in order to vary the color between adjacent structures and to add interest to the streetscape. No two adjacent paired structures shall be painted the same color/shade. Use of highly chromatic or "bright" colors are to be limited to small accents.

### Purpose and Intent:

The architectural character of the single family detached and paired homes in the Mariana Butte Twenty-Third PUD First Amendment is intended to reflect regional character with a variety of interesting and compatible relationships of form, texture and within a consistent overall architectural style. Additionally, economic factors, environmental concerns, and construction practices prevalent in the industry are important influences. The following ADS are intended to establish and promote a high level of design quality, assure compatibility between residential products within the community, and guide the character and form of the paired residential architecture. The following architectural design objectives shall be incorporated into the community and shall be considered when designing the final architectural building elevations, as well as when making improvements to the individual homes and landscape.

### Facades:

Homes should be designed to create sufficient relief in building facades. Use of large, flat, and unbroken planes shall be avoided. Strategies to achieve this objective include, but are not limited to:

- \* Using a variety of materials and colors.
- \* Using materials with texture or depth.
- \* Using sufficient window and door openings to break up flat facades.

Facades should also be designed to provide variety and visual interest, while still creating a unified impact overall. Design elements should have good proportions and be complimentary to one another. Strategies to achieve these objectives include, but are not limited to the use of:

- \* Focal points such as porches, gated entry courtyards, dormers, bay windows, chimneys, and skylights.
- \* Various window shapes or sizes.

### Bulk:

The bulk of the home should be broken up to reduce the apparent scale of the home and provide visual interest. Strategies to achieve this objective include, but are not limited to, the use of:

- \* Variations in the building footprint.
- \* Variations in shapes and forms, including architectural projections which create shadows on the house, such as roof overhangs, box windows or cantilevers.
- \* Architectural treatments of roof forms facing or oriented toward the street.
- \* The bulk of the roofs should be broken up into smaller areas to reduce the apparent scale of the home and provide visual interest. Strategies to achieve this objective include, but are not limited to: Varying roof orientations; and, using gables, dormers and/or hip roof designs.

### Massing:

The massing (placing of bulk) and the building heights should be designed so that they are suited to the lot size and building setbacks. The massing and building heights should be designed so that the scale of the building is appropriate. Strategies to achieve this objective include, but are not limited to:

- \* Offset front facade of attached paired units so that garage facades are not flush and setbacks are staggered.
- \* Integration of one story building elements, such as porches and entryways to soften the appearance of the architecture.

### Balance:

A balance should be provided between the various parts and forms of a home to provide an aesthetically pleasing overall design. Strategies to achieve this objective include, but are not limited to:

- \* Designing the house with elements that are visually more massive or heavier below, with elements that are visually lighter and less massive above.
- \* Designing the house so that its height is proportional to its width to avoid excessively tall and narrow designs;

These are guidelines and not absolutes. Mariana Butte Twenty-Third PUD First Amendment P.U.D. is receptive to a range of architectural style, provided that compatibility of style, detailing, and color are achieved. The Developer is intent on preserving the quality of appearance and property values, and this involves the creation of a consistent overall architectural style.

### Building Height:

Height as allowed by City Code - Section 18.54

### Entries:

Front Door areas should be readily distinguishable from the street. Sidelights and similar features to visually expand the size of the entry are encouraged.

### Porches:

A covered front porch element shall be included on all front elevations of paired homes.

### Gated Entry Courtyards:

Where garage forward front access garages are used this elevation shall incorporate a walled/gated entry courtyard incorporating a 42" high courtyard entry wall and ornamental access gate. The courtyard entry wall shall be setback from the front facade of the garage a maximum of 4'. This walled/gated entry courtyard shall help to visually extend the front elevation of the principal structure forward to the garage facade and help diminish the impact of the garage doors on the neighborhood streetscape.

### Rear Elevations:

Design elements to be utilized may include bay windows, covered rear patios and raised decks, chimneys, roof gables, height reduction, etc. Raised rear decks shall have support posts that are a minimum of 12 inches in width.

### Windows:

Windows shall be used to create interest on large surface areas. Bay windows, particularly on first floor windows, are encouraged. Multi-pane windows (simulated) are encouraged on large surface area windows. Accent windows are highly encouraged. Frames, sills, shutters, transom lights (or other similar proportioned modulation of the wall roof ends) shall define window and door openings.

### Building Projections and Vents:

All buildings projections including, but not limited to, chimney flues, vents, gutters, down spouts, porches, railings and exterior stairways shall match the color of the surface from which they project or shall be of an approved complementary color. All roof-mounted and wall-mounted building vents and flues are to be located on the non street side of the residences to the greatest degree possible. Vents are to be painted to blend with the wall color roofing from which they extend.

### Air Conditioning Units:

Ground level air conditioning units shall be located in rear or side yards and shall be appropriately screened with either a fence or landscaping. Window and roof mounted air conditioning units are not permitted.

### Antennas/Satellite Dishes/Solar Panels:

One mini satellite dish is allowed per home, as approved by the ARC. Large satellite dishes are prohibited in favor of the smaller (18") mini dish varieties unless otherwise approved by the ARC. Solar panels shall be flush mounted or laid flat on the same plane as the roof. Solar panels shall not project above the pitch of the roof. Exterior mounted antennas are prohibited.

## LANDSCAPE AND SITE DESIGN

### Purpose and Intent:

The Landscape Design criteria is intended to supplement the Site Planning and Architectural Design criteria in order to integrate all the paired residential structures into a harmonious maintenance free community. Additionally, landscaping should have compatibility with adjacent properties, the project's streetscape, and ultimately transition into the perimeter natural wetlands landscape. The ARC reserves the right to require landscape components as a part of the architectural approval, if in the opinion of the ARC, the architectural design needs specific assistance to meet the intent of the design guidelines.



#### Landscape & Architectural Lighting:

No exterior lighting other than that provided by the home builder shall be allowed on any residential lot except with the written approval of the ARC. Subdued exterior landscape lighting whose light source is not visible from adjoining dwellings may be allowed by the ARC for such purposes as illuminating entrances, decks, driveways, landscaping and parking areas, and other approved purposes such as seasonal decoration.

#### Site Lighting:

Lighting throughout the development will consist of City of Loveland 16' pole standards with ambient light cut off shields and placed in accordance with City Standards.

#### Signage:

A project entry signage if installed shall comply with Municipal Code Section 18.50.80. The monumentation signage shall incorporate a consistent project entry theme utilizing stone masonry and synthetic plaster. For added visual interest and nighttime visibility, the primary entry sign walls may be indirectly illuminated.

#### Natural Area Enhancement:

Natural area enhancement will include a 50' wide natural area buffer landscape and this creation of a small riparian enhancement area (5,965± S.F.). The goal of the enhancement will be to establish or improve a diverse native plant community on remaining natural areas that is better than existing conditions. There is approximately 1.8± acres of jurisdictional wetlands which will not be disturbed. Appropriate plant material and installation practices as will be utilized in the wetland enhancement area. (see Landscape Specification & Detail Sheet. Also refer to "Buckingham Shores, Outlot D Enhancement Plan, prepared by Wildland Consultants, Inc.)

#### Site Drainage and Grading:

Finish grading shall not create ponding or washing of water off the site on to adjacent property. Drainage shall be directed away from all structures. Newly graded areas shall be protected against soil erosion. Owners are encouraged to utilize soils engineers and landscape professionals to help ensure proper drainage is maintained.

The maintenance of the sedimentation basin will be the responsibility of the Buckingham Shores Homeowners Association. At a minimum, annual cleaning of the sedimentation basin will be required to mitigate any impacts to the wetlands.

#### Residential Sewage "Pump Stations":

Sewage disposal at the site is complicated by the fact that the nearest sanitary sewer main is uphill of the site at the intersection of Rossum Drive and Scenic Drive. Multiple discussions with the City of Loveland Water and Wastewater Department have occurred, and the option of installing a regional lift station that would not only serve this site, but future PUD First Amendments on the south side of West 1st Street, were investigated. Because of the small number of homes at Mariana Butte Twenty-Third PUD First Amendment, the Water and Wastewater Department has agreed to allow the installation of individual home lift stations with a force main to deliver sewage to a calming manhole at the high end of the site. The individual lift stations are located at the rear of each lot and feed via gravity flow from the home. A new 8" gravity flow sewer main would connect the calming manhole to the existing city sanitary sewer manhole at the Rossum Drive/Scenic Drive intersection. The individual pump stations and forced main system will be owned and maintained by the homeowners association and shall be installed in a private utility easement dedicated by this plat.

In addition to the above sewage disposal solution, the City Water Department also required information showing that a future gravity flow sewer system can be installed, if needed, in the future. The gravity flow system would flow to a future regional lift station located south of this site and on the south side of West 1st Street. The preliminary gravity sewer design has been completed and the future sewer main would be placed in "Outlot D" adjacent to the west and south sides of the residential lots. The sewer main placement would be within 20 feet of the proposed lift stations, resulting in minimal disruption to homeowner's lots should the gravity flow sewer main be needed.

Information on the individual lift stations is included in the submittal package. The e-one units have been installed for several PUD First Amendments along the front range and have had a very favorable operating history. A commercial company in Fort Collins has installed and maintained the units for several years. The company has a standby lift station pump to temporarily replace any failed existing pump. The company owner indicated that he has never had to use the standby pump as the existing lift stations have never had pump failures.

#### Landscape Timing and Components:

All landscaping on individual Residential lots shall be installed by the developer/home builder and maintained by the HOA. The ARC requires complete landscaping plans prior to the installation of front, rear and side yards of each individual lot. The front, rear and side yards shall be suitably landscaped with grass, shrubs and trees as shown on the prototypical lot landscape plan. It is the intent that each property be fully landscaped with low maintenance "waterwise" plant materials suitable for this climate and irrigated with an automatic underground irrigation system.

#### Plant Materials:

Plant materials used should be low maintenance and suitable for this climate. Plant material selection should be made from locally available nursery or garden center stock. The Colorado Nurserymen's Association Rocky Mountain Plant Guide lists acceptable materials.

#### Lawn:

Lawn areas should be kept at least six (6) feet away from the foundation of the home or as recommended by a professional soils engineer or landscape professional, to ensure proper drainage is maintained.

#### Foundation Plantings:

Planting beds shall surround the foundation of each structure and provide a minimum of six (6) feet of planting area from the homes' foundation to the lawn areas to ensure proper drainage. In all instances, watering near the foundation should be minimal (e.g. drip irrigation systems) to avoid possible structural damage to the dwelling unit.

#### Rock and Mulch:

Shrub planting beds may utilize wood or rock mulch. Wood mulch provides a favorable environment for plants, reduces irrigation requirements and minimizes long-term maintenance costs. Rock must be light gray in color (i.e., river rock). Multicolored rock (i.e. pink granite, dark red lava rock, or other colors) are discouraged. Large six inch (6") in diameter or greater river rock, moss rock, or other "feature" rock may be used as part of the landscape. Wood mulch and rock should be placed over a weed barrier fabric and be kept in place with a steel, plastic or brick edger. All edging should be installed in such a way as to prevent damming of water near the foundation.

#### Gardens:

Private gardens will be allowed in the rear yards as a compliment to the overall landscape. The ARC is responsible to review all landscape plans for each lot prior to building.

Side yard property lines shall not be individually delineated by way of fencing or landscaping, in order to prevent impact to the visual window to wetlands and mountains/foothills.

#### Landscape Components Not Allowed:

No artificial plants of any type are to be used in the landscape. Any area visible from a public right-of-way shall not have yard decorations such as plastic, fiberglass, concrete or iron animals, birds or human replicas, freestanding water features, windmills, or other agricultural equipment, wagon wheels, mechanical equipment incorporated into mailboxes or other unnatural landscape element. No delineation of property lines will be allowed with fences, walls, shrub beds, trees or any material.

#### Concrete Driveways:

Concrete driveways and parking areas are not to be expanded without the prior written approval of the ARC.

#### Dog Runs:

Dog runs will be allowed if they can be reasonably isolated and screened from adjacent properties. Local ordinances regarding noise, odors and other nuisances will be in effect.

#### Fencing:

Fencing shall be limited to project perimeter fencing installed by the developer. Perimeter fencing will be a combination of ornamental metal with stone pilasters (see detail) along Rossum Drive and a 2 rail wood cedar fencing along the rear of lots 1-11 and Outlot A. The fence height will vary between 6' along Rossum Drive to 42" along the south and west perimeter adjacent to the wetlands. The 42" high wood rail fencing will not have pilasters to allow for a greater visual window. The 42" high wood rail fence shall incorporate a wire mesh on the lot side of the fence to prevent pets from entering wetland areas. No gates shall be allowed along 42" high wood rail fence. Sideyard fencing will not be allowed in order to minimize the visual impact to Buckingham Lake and adjacent wetlands and views to the foothills/mountains. Any architectural walls and screen fencing must integrate into the surrounding landscape and must be approved by the Architectural Review Committee.

No delineation of property lines will be allowed with fences, walls, shrub beds, trees or any material.

# PRELIMINARY DEVELOPMENT PLAN MARIANA BUTTE TWENTY-THIRD PUD FIRST AMENDMENT A PLANNED UNIT DEVELOPMENT

## LAND USE SITE SUMMARY

The following Land Use Data relates to the entire site areas to be developed:

Existing/Proposed Zoning	P.U.D. Residential
Proposed Use	Paired Single Family Residential
Total Site Area	5.03 Ac. 100%
• Total Residential Lot Area (Lots #1-11)	1.67 Ac. 33%
• Total Public ROW To Be Dedicated (Scenic Court, Rossum Drive & West 1st Street ROW)	0.90 Ac. 18%
• Total Common Open Space Area (Includes Outlots A thru E)	2.43 Ac. 49%
Total Dwelling Units/Lots =	11 Units/Lots
Total Density (Based on 5.03 Total Site Acres)	2.19 du/ac (gross)
Density of residential lot development area, excluding outlots D,E (open space), and 1st Street ROW dedication. (2.84 net acres)	3.80 du/ac
Lot Sizes:	Minimum = 5,047 s.f. Maximum = 13,540 s.f. Average = 7,286 s.f.

## RESIDENTIAL BUILDING SETBACK REQUIREMENTS

- Front Setback (Front Loaded Garage) 20' Minimum Setback from the property line to face of principal structure or face of garage, whichever is closer.
- Front Setback (Side Loaded Garage) 15' Minimum Setback from the property line to face of principal structure or face of side loaded garage, whichever is closer.
- Side Setback (Common Walls Lots 2-11) 0' minimum setback as measured from the common wall lot line of paired structure.
- Side Setback (Lot 1) 10' minimum setback as measured from the side lot line to face of principal structure.
- Side Setback (Lots 2-10) 5' minimum setback as measured from the side lot line to face of principal structure.
- Side Setback (Lot 11) 20' minimum setback as measured from the side lot line to face of principal structure.
- Rear Setback (Lots 1-11) 15' minimum setback as measured from the rear lot line to face of principal structure and/or to raised covered decks.

## GENERAL SETBACK NOTES

1. Front setbacks shall be measured from the front lot line or property line to face of principal structure, or face of garage, whichever is closer.
2. Minor architectural features which do not exceed 2' in overall projection from the principal structure (i.e., roof overhangs, fascias, eaves, fireplace, bay windows, cantilevered walls, etc.) are allowed to encroach into the front, rear or side setbacks, but are not allowed to encroach into an easement regardless of setback requirements.
3. A minimum separation of 10' between the face of principal structures must be maintained.
4. Window walls may protrude into setbacks but are not allowed to encroach into any easements.

## MARIANA BUTTE 23rd ORIGINAL CONDITIONS OF APPROVAL: Planning Commission Meeting 6-11-07

### Preliminary Development Plan

1. Financial security shall be provided for all seeded areas identified in the FDP, until such time that the seed germinates and is generally free of weeds.
2. Prior to the approval of the Final Development Plan, the Developer shall provide the City with a copy of the agreement for installing off-site landscaping, as shown in the FDP.
3. The recommendations and provisions in the ESAR dated November 2006 shall be incorporated into the FDP.
4. Final sign text for the interpretive and educational signs located along the trail shall be submitted with FDP. The signs should stress the need for no wildlife harassment or human intrusion into important habitat areas.
5. Notwithstanding any information presented in the FDP or accompanying preliminary plat and preliminary construction plan documents (text or graphical depictions), all public improvements shall conform to the Larimer County Urban Area Street Standards, as amended, unless specific variances are requested and approved in writing.
6. Prior to the installation of any structures within the public right-of-way, an encroachment permit shall be obtained from the City of Loveland.
7. Paving stones and pavement snow melt systems, shall not be allowed on the public street with this development.
8. Prior to the approval of the Final Development Plan and Final Plat, the Developer shall redesign the proposed sedimentation basin to have as much separation from the existing wetlands as possible yet obtain equal or greater volume as currently designed. The sedimentation basin shall have a gravel filter bottom and a composted earth, vegetated berm separating the basin from the wetlands.
9. A surcharge of 5% will be added to all bills for the sale of electric power to additional services which come into the existence after January 31, 1987, within the territory herein annexed which surcharge will expire ten years after effective date of the annexation.

### Preliminary Plat

10. Landscape plan for Outlot G shall be submitted concurrently with the First Preliminary Development Plan proposal for Lot 1, Block 2 of Mariana Butte 23rd Subdivision. All landscaping in Outlot G shall be installed prior to release of a building permit for Lot 1, Block 2 of Mariana Butte 23rd Subdivision.
11. Signage shall be provided at the entrance to the subdivision indicating the address range of the homes within the subdivision prior to the release of building permits.
12. Prior to the approval of the Final Plat, provide a "Fire Lane - No Parking" sign plan for approval by the fire prevention office for I-side of the street and the entire sidewalk.

BEING AN AMENDMENT TO A PORTION OF  
MARIANA BUTTE P.U.D. TWENTY-THIRD FINAL DEVELOPMENT PLAN  
AND A PLAT OF MARIANA BUTTE 26TH SUBDIVISION TO THE  
CITY OF LOVELAND, LARIMER COUNTY, STATE OF COLORADO.



CITY OF LOVELAND  
VICINITY MAP  
SCALE 1" = 2000'

### OWNER:

B & B I, LLC  
C/O JOHN BAXTER  
4196 N. GARFIELD AVE.  
LOVELAND, CO 80538  
888-590-2220

### APPLICANT:

B & B I, LLC  
C/O JOHN BAXTER  
4196 N. GARFIELD AVE.  
LOVELAND, CO 80538  
888-590-2220

### PLANNER/ENGINEER/ARCHITECT:

LANDMARK PLANNERS, ENGINEERS, ARCHITECTS  
C/O KEN MERRITT  
3521 W. EISENHOWER BLVD.  
LOVELAND, CO 80557  
970-667-6286

## SIGNATURE BLOCK

City Approval  
Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2011 by the Current  
Planning Manager of the City of Loveland, Colorado

Current Planning Manager  
Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2011 by the City  
Engineer of the City of Loveland, Colorado

City Engineer  
Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2011 by the City  
Attorney of the City of Loveland, Colorado

City Attorney  
Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2011 by the Planning  
Commission of the City of Loveland, Colorado

Planning Commission Chairperson

## OWNERS CERTIFICATION

KNOW ALL MEN BY THESE PRESENTS THAT:

Being all the lawful record owners of the property shown on this  
Preliminary Development Plan, except any existing public streets,  
roads, or highways, do hereby certify that I/we accept the conditions  
and restrictions set forth on said plan and in the conditions of approval  
by the City of Loveland, dated \_\_\_\_\_, and  
that I/we consent to the recordation of any information pertaining thereto.

(Owner)

STATE OF COLORADO )  
COUNTY OF LARIMER ) ss

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2011, by \_\_\_\_\_

Witness my hand and official seal.

My commission expires \_\_\_\_\_, NOTARY PUBLIC

## SHEET INDEX

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| 9 | HYDRO-ZONE PLAN                         |

PORTIONS OF THIS SHEET  
HAVE BEEN REVISED PER  
THE MARIANA BUTTE 23rd  
PUD FIRST AMENDME

CLIENT:  
B & B I, LLC

TITLE:  
MARIANA BUTTE 23RD PUD FIRST AMENDMENT  
BUCKINGHAM SHORES  
TITLE SHEET

Description	By	Date
REVISED PER CITY COMMENTS DATED APRIL 7, 2011	HW/DS	07/2011
REVISED PER CITY COMMENTS DATED JULY 21, 2011	HW/DS	07/2011

**Landmark Engineering**  
Engineers, Planners, Surveyors, Architects, Geotechnical  
3521 West Eisenhower Blvd., Loveland, Colorado 80537  
(970) 667-6286 • Toll Free 1-866-375-6252 • Fax (970) 667-6288  
www.landmarkeng.com

DATE: FEB. 2011  
SCALE: AS NOTED  
DRAWN: DES  
DESIGNED: KEM  
APPROVED: KEM



PRELIMINARY DEVELOPMENT PLAN NARRATIVE

PROJECT LOCATION

Mariana Butte Twenty-Third PUD First Amendment (marketing name, "Buckingham Shores") is a 5.03 ± acre residential community located at the Northwest corner of West First Street and Rossum Drive, directly east of Buckingham.

The Mariana Butte Twenty-Third PUD First Amendment is a conveniently accessible to all areas of Loveland via West First Avenue and Rossum Drive and is within walking distance of Mariana Butte Golf Course, Nomaqua Elementary School, as well as other amenities within the Mariana Butte PUD. The developers of Buckingham Shores are committed to providing a residential development complementary to the area with dynamic views of Buckingham Lake and the Front Range Foothills and Mountains.

The site is separated from Buckingham Lake by Buckingham Lake Dam, approximately 125 acres of jurisdictional wetlands and a 50' wide "natural area" buffer (Outlet D).

AMENDMENT DESCRIPTION

Mariana Butte 23rd PUD First Amendment is an amendment to a portion of the Mariana Butte 23rd Final Development Plan. The intent is to amend only the residential lot area and public roadway portion of the original Mariana Butte 23rd Final Development Plan with only minor revisions to the overall site design outside the residential lotting area. All other elements including landscaping, protection of natural area, natural area buffering, and enhancement, drainage, sewage treatment and offsite roadway improvements (1st Street & Rossum Drive) will remain as originally designed.

The Mariana Butte 23rd PUD First Amendment proposes 1 single family detached residential lot and 10 paired residential lots with a "Maintenance Free Lifestyle" paired home development.

LAND USE

Mariana Butte Twenty-Third PUD First Amendment will be a maintenance free community focusing on the unique views to the west and south. This community will have a total of 11 Residential Lots ranging in size from 5,031-13,540 s.f. (approx.) Complete with landscaped greenbelts. It will provide both privacy security and seclusion while uniting the residences into the overall Mariana Butte PUD area.

Quality detailing will be exemplified with a perimeter ornamental metal fence and stone columns along Rossum Drive. Landscaping at the entrance and project perimeter. A natural area restoration buffer along the west edge will create a transition zone between the development and the wetlands. This transition zone will incorporate native plant material with wetland enhancement planting within the existing wetlands margin. Public access to Buckingham Lake will occur along the north edge via a public access walk connecting to Rossum Drive. Upon completion of each home the developer/home builder will fully landscape the private lot with trees, shrub beds, and irrigated turf which will be maintained by the home owner's association.

Only a very high level of architectural detail that compliments the existing adjacent development will be considered. The developers are committed to building a quality and distinctive product while respecting the regionalism of the area. Mariana Butte Twenty-Third PUD First Amendment will meet a housing need present within Loveland for maintenance free single family detached and paired homes with an estate like community.

CIRCULATION

Mariana Butte Twenty-Third PUD First Amendment (Buckingham Shores).

Mariana Butte Twenty-Third PUD First Amendment residential area shall be served by a public dedicated "lane" (40' ROW & 28' roadway) terminating at a cul-de-sac less than 400' in length, known as Scenic Court.

The project is accessed from the existing Rossum Drive (a major collector street) via West First Street (a minor arterial street). Pedestrian circulation shall be accommodated by a 5' detached walk along Rossum Drive, a 6' detached walk along West First Street and a 5' attached walk around the west and south sides of Scenic Court. Pedestrian circulation shall be further enhanced with a public access walk connecting Buckingham Lake with the project entry at Rossum Drive.

Existing Minor Arterial Street, West First Street:

Roadway improvements to the north side of West First Street will be required adjacent to Mariana Butte Twenty-Third PUD First Amendment (north edge of West 1st Street). Improvements will include adjusting the north edge of the asphalt so that the north half will comply with the ultimate street cross-section for a two lane arterial of 2-12' traffic lanes, a center 12' median/turning lane, and 2-5' bicycle lanes. Because of the rural nature of this area, concrete curb and gutters will not be installed. A detached 6' wide sidewalk will be installed a minimum of 10 feet north of the new edge of asphalt and will meander through the landscape area as shown on the site plan.

The existing right-of-way for West 1st Street is 70 feet, with 40 feet being north of the section line and 30 feet being south of the section line. An additional 10 feet of right-of-way was previously dedicated on the north side of the section line, bringing the total north side right-of-way to 50 feet.

Because road improvements will not be done on the south half of West 1st Street, the full, ultimate cross-section will not be achieved. The existing striping will be removed and new striping installed to reflect the interim improvements for this street.

Major Collector, Rossum Drive:

No significant road improvements will be made to Rossum Drive with the exception of the new Scenic Court Entrance. Curb return adjustments will be made and an 8' wide concrete drainage pan will be installed paralleling Rossum Drive to convey drainage to an inlet located at the West 1st Street/Rossum Drive Intersection. A 5' wide pedestrian walk and 10' wide tree lawn will be installed on the west edge of Rossum Drive.

Lane, Scenic Court:

Scenic Court is a public lane (28' wide) within a 40' right-of-way. This roadway shall align with Scenic Drive to the east, and includes two 10' wide travel lanes with an 8' wide on street parking, one side only. A combination drive over curb gutter and 5' walk extending 3/4 around the cul-de-sac shall connect with the Rossum Drive sidewalk. Pedestrian access will provide neighborhood connectivity.

Notes:

This project shall comply with the public improvement design and construction standards adopted January 2001 and the Transportation Plan adopted July 2000 and any updates to either in effect at the time of development application.

PUBLIC FACILITIES PROVIDERS:

- Police: City of Loveland
- Fire & Rescue: City of Loveland
- Schools: Thompson School District R2-J
- Parks: City of Loveland

PUBLIC UTILITIES:

Basic utilities required for this development have been extended to the site or exist near the property and are available to the property. Adequate capacity currently exists within the City's infrastructure utilities to serve the project. The following is a list of utilities, their providers and service availability:

- Water: City of Loveland  
Service: Existing 12" waterline in Rossum Drive.  
Improvements: At the commencement of development, an 8" waterline shall be extended from Rossum Drive into Scenic Court. A looping system will supply the fire and domestic water needs of the development.
- Sewer: City of Loveland  
Service: Existing 8" sanitary sewer service is available in Rossum Drive.  
Improvements: Individual, HOA owned and maintained, pump stations with a 2' forced main shall be incorporated into a private utility easement. This proven technology shall provide convergence of wastewater from the development to the 8" gravity sewer main in Rossum Drive.
- Electric: City of Loveland  
Service & Improvements: Existing service is available in Rossum Drive and shall be extended through the site.
- Gas: Xcel Energy  
Service & Improvements: Existing gas main is available along Rossum Drive and shall be extended through the site.
- Telephone: Qwest  
Service & Improvements: Existing service is available along Rossum Drive and shall be extended through the site.

STORM DRAINAGE

Generally, drainage for the developed site will flow from the northeast to southwest to a sedimentation basin or across buffer areas before reaching the wetlands where it is eventually discharged into a 36-inch CMP culvert and the Buckingham Irrigation Ditch.

Drainage for Outlet A will be conveyed down the private access drive, then to a drainage swale ending in a small sedimentation basin before being discharged into the wetlands. The western developed portion of the site generally sheet flows south, southwest to the curb in Scenic Court where it is directed into an inlet located in the cul-de-sac, and then conveyed via an 18" storm sewer pipe into the sedimentation basin. The required annual cleaning and maintenance of the sedimentation basin will be the responsibility of Buckingham Shores Homeowners Association.

The rear of lots 1+2, Outlets C, D and E all drain across a landscaped buffer area before reaching the wetlands. Outlet 'D', inclusive of the wetlands has been preserved to retain the historic natural drainage patterns. Flows reaching the wetlands eventually discharge to a 36-inch CMP culvert and the Buckingham Irrigation Ditch.

Many of the lots have been designed to accommodate walkout architecture to take advantage of view to the west. Five lot grading will be determined at time of building permit plan submittal and will be reviewed by both the Architectural Review Committee (ARC) and the City of Loveland Building Department prior to issuance of building permits.

LANDSCAPE (General)

The project shall be landscaped with regionally appropriate plant materials. In open space and buffer yard areas "a water-wise" and naturalistic design approach shall be used. These areas shall include informal plantings of coniferous and deciduous trees with large drifts of deciduous and coniferous shrub beds. Turf areas will incorporate low water use drought tolerant seed and sod varieties. Wetland enhancement areas will utilize appropriate wetland plantings, as specified on the "Preliminary Landscape Specifications and Details" sheet. Common open space areas and individual lot landscaping shall be maintained by the Buckingham Shores Homeowners Association.

Proposed street trees (along the north side West 1st Street and west side of Rossum Drive) will link the various development areas and individual residential landscapes into a harmonious and unified system.

A variety of tree species shall be used throughout the development to insure visual interest and horticultural stability. A canopy effect will be created as the project matures.

Landscaping shown on the landscape plan including: private lot landscaping, landscaping of common open space areas, buffer areas, landscaping with public ROW, streetscapes (both trees and sod), wetland enhancement areas, as well as entry landscaping shall be installed by the developer/home builder, and maintained by the Buckingham Shores Homeowners Association. "Common area" landscape shall be financially secured by the developer/home builder or installed prior to building permit issuance if weather conditions do not permit installation of landscape and irrigation.

All trees shall be planted a minimum of 10' from public utilities. Shrubs to be planted a minimum of 5' from all public utilities.

DESIGN AND ARCHITECTURAL DEVELOPMENT STANDARDS (ADS)

The following is intended as an outline of Design and Architectural Development Standards (ADS) that will apply to the construction of Mariana Butte Twenty-Third PUD First Amendment. Prototypical architectural elevations have been provided with this submittal in order to help illustrate the aforementioned design standards. The covenants for the development will require that a homeowner submit to ARC plans and specifications for review and approval prior to the construction of any improvements on any lot.

Relationship of the Design and Architectural Development Standards (ADS) to Other Regulations:

The ADS are not intended to supersede applicable Federal, Colorado, or Loveland codes or ordinances. In case of conflict or discrepancy, or for subjects not addressed in the ADS, the more restrictive ADS governing agencies, codes and/or regulations shall take precedence. The ADS are to be used by owners when modifying or upgrading homes or landscaping on individual paired residential properties within the Mariana Butte Twenty-Third PUD First Amendment. The ADS will also be used by the Architectural Review Committee (ARC) in reviewing proposals to determine their relative conformance to the overall design objectives and criteria. The ADS are intended to cover each site-specific or lot-specific issue, and community issues such as edge treatments and relationships to adjacent land uses.

INTRODUCTION

Purpose and Intent:

The architectural character of the single family detached and paired homes in the Mariana Butte Twenty-Third PUD First Amendment is intended to reflect regional character with a variety of interesting and compatible relationships of form, texture and within a consistent overall architectural style. Additionally, economic factors, environmental concerns, and construction practices prevalent in the industry are important influences. The following ADS are intended to establish and promote a high level of design quality, assure compatibility between residential products within the community and guide the character and form of the paired residential architecture. The following architectural design objectives shall be incorporated into the community and shall be considered when designing the final architectural building elevations, as well as when making improvements to the individual homes and landscapes.

Facades:

Homes should be designed to create sufficient relief in building facades. Use of large, flat, and unbroken planes shall be avoided. Strategies to achieve this objective include, but are not limited to:

- Using a variety of materials and colors.
- Using materials with texture or depth.
- Using sufficient window and door openings to break up flat facades.

Facades should also be designed to provide variety and visual interest, while still creating a unified overall. Design elements should have good proportions and be complementary to one another. Strategies to achieve these objectives include, but are not limited to the use of:

- Focal points such as porches, gated entry courtyards, dormers, bay windows, chimneys, and skylights.
- Various window shapes or sizes.

Bulk:

The bulk of the home should be broken up to reduce the apparent scale of the home and provide visual interest. Strategies to achieve this objective include, but are not limited to, the use of:

- Variations in the building footprint.
- Variations in shapes and forms, including architectural projections which create shadows on the house, such as roof overhangs, bay windows or cantilevers.
- Architectural treatments of roof forms facing or oriented toward the street.

The bulk of the roofs should be broken up into smaller areas to reduce the apparent scale of the home and provide visual interest. Strategies to achieve this objective include, but are not limited to:

- Varying roof orientations; and, using gables, dormers and/or hip roof designs.

Massing:

The massing (placing of bulk) and the building heights should be designed so that they are suited to the lot size and building setbacks. The massing and building heights should be designed so that the scale of the building is appropriate. Strategies to achieve this objective include, but are not limited to:

- Offset front facade of attached paired units so that garage facades are not flush and setbacks are staggered.
- Integration of one story building elements, such as porches and entryways to soften the appearance of the architecture.

Balance:

A balance should be provided between the various parts and forms of a home to provide an aesthetically pleasing overall design. Strategies to achieve this objective include, but are not limited to:

- Designing the house with elements that are visually more massive or heavier below, with elements that are visually lighter and less massive above.
- Designing the house so that its height is proportional to its width to avoid excessively tall and narrow designs.

These are guidelines and not absolutes. Mariana Butte Twenty-Third PUD First Amendment PUD is receptive to a range of architectural style, provided that compatibility of style, detailing and color are achieved. The Developer is intent on preserving the quality of appearance and property values, and this involves the creation of a consistent overall architectural style.

Building Heights:

Height as allowed by City Code - Section 18.54

DESIGN AND ARCHITECTURAL DEVELOPMENT STANDARDS (cont.)

Building Area:

The minimum floor plan shall not be less than 1,400 s.f. for finished floor area devoted to living purposes (exclusive of roofed or unroofed porches, terraces, basements and garages). Walkout and daylight basement designs are encouraged.

Architectural Theme, Elements and Styles:

A unified design theme shall be primarily in the facades of the residences within the Mariana Butte Twenty-Third PUD First Amendment. Although unified in character, each of the single family detached and paired homes shall maintain a quality community appearance.

Architectural Details:

Architectural details such as gabled roofs, and varying roof and facade planes shall be expressed in each paired home built.

Architectural elements such as shutters, vents, highly articulated windows and entries may be incorporated into each structure. Exposed concrete blocks, painted concrete, multicolored masonry, mirrored glass, prefabricated metal buildings, simulated brick, unglazed brick and stone colors, and silver finish aluminum doors and windows and reflective roofing materials are not acceptable.

Garages:

The visual impact of a front access garage upon the neighborhood streetscapes can be offset by the incorporation of several key architectural features such as: side loaded garages where possible, covered front porches, garage recesses, and gated/walled entry courtyards. All of these architectural techniques will help to reduce dominance of garage doors.

All homes shall include a standard 2-car garage as a minimum. The building architecture shall de-emphasize the garages as much as possible. Garage doors shall be painted the same color as the primary structure not a contrasting color.

The street facing elevation shall consist of a 50/50 ratio to the width of the house versus the width of the garage doors as viewed as part of the front building elevation (the garage doors shall not comprise more than 50% of the width of the house). Garage facades shall be detailed with windows, soffits, fascias, accent siding, decorative garage openings, and/or masonry.

Accessory Structures:

Accessory structures of any type and/or size shall not be allowed.

Materials:

Materials used on exterior surfaces are a key design element in Mariana Butte Twenty-Third PUD First Amendment. All materials shall be high quality and be compatible with the surrounding community and the landscape.

Masonry:

The Scenic Court facade of each paired home shall consist of a minimum of 25% masonry, natural/synthetic stone or hard coat or synthetic stucco. These materials should be used as a visual "base" for the residence.

Siding:

Hardboard siding, vinyl siding, vertical board and batten siding, cedar or simulated shingle siding, decorative accent siding, specialty siding, etc. may be used.

Roofing:

Roofing Materials: Roofing materials on sloped roofs shall be, as a minimum, 25 year heavy composition ("dimensional") shingles or better (including concrete tiles, clay tiles, high quality non-reflective standing seam metal roofing, etc.)

Where sloped roofs are used, the roof structures shall have a minimum roof pitch of 4:12.

Colors:

The color of exterior materials shall generally be of a neutral tone to blend with the colors of the landscape. Generally muted color tones are recommended, although deeper/bolder color variations and accent colors used judiciously and with restraint shall be allowed. A variety of color combinations shall be developed in order to vary the color between adjacent structures and to add interest to the streetscape. No two adjacent paired structures shall be painted the same color/shade. Use of highly chromatic or "bright" colors are to be limited to small accents.

Entries:

Front Door areas should be readily distinguishable from the street. Sidelights and similar features to visually expand the size of the entry are encouraged.

Porches:

A covered front porch element shall be included on all front elevations of paired homes.

Gated Entry Courtyards:

Where garage forward front access garages are used this elevation shall incorporate a walled/gated entry courtyard incorporating a 42" high courtyard entry wall and ornamental access gate. The courtyard entry wall shall be setback from the front facade of the garage a maximum of 4'. This walled/gated entry courtyard shall help to visually extend the front elevation of the principal structure forward to the garage facade and help diminish the impact of the garage doors on the neighborhood streetscape.

Rear Elevations:

Design elements to be utilized may include bay windows, covered rear patios and raised decks, chimneys, roof gables, height reduction, etc. Raised rear decks shall have support posts that are a minimum of 12 inches in width.

Windows:

Windows shall be used to create interest on large surface areas. Bay windows, particularly on first floor windows, are encouraged. Multi-pane windows (simulated) are encouraged on large surface area windows. Accent windows are highly encouraged. Frames, sills, shutters, transom lights (or other similar proportioned modulation of the wall/roof ends) shall define window and door openings.

Building Projections and Vents:

All buildings projections including but not limited to, chimney flues, vents, gutters, down spouts, porches, railings and exterior stairways shall match the color of the surface from which they project or shall be of an approved complementary color. All roof-mounted and wall-mounted building vents and flues are to be located on the non street side of the residences to the greatest degree possible. Vents are to be painted to blend with the wall color roofing from which they extend.

Air Conditioning Units:

Ground level air conditioning units shall be located in rear or side yards and shall be appropriately screened with either a fence or landscaping. Window and roof mounted air conditioning units are not permitted.

Antennae/Satellite Dishes/Solar Panels:

One mini satellite dish is allowed per home, as approved by the ARC. Large satellite dishes are prohibited in favor of the smaller (18") mini dish varieties unless otherwise approved by the ARC. Solar panels shall be flush mounted or laid flat on the same plane as the roof. Solar panels shall not project above the pitch of the roof. Exterior mounted antennas are prohibited.

LANDSCAPE AND SITE DESIGN

Purpose and Intent:

The Landscape Design criteria is intended to supplement the Site Planning and Architectural Design criteria in order to integrate all the paired residential structures into a harmonious maintenance free community. Additionally, landscaping should have compatibility with adjacent properties, the project's streetscape, and ultimately transition into the perimeter natural wetlands landscape. The ARC reserves the right to require landscape components as a part of the architectural approval. If in the opinion of the ARC, the architectural design needs specific assistance to meet the intent of the design guidelines.

Landscape Timing and Components:

All landscaping on individual Residential lots shall be installed by the developer/home builder and maintained by the HOA. The ARC requires complete landscaping plans prior to the installation of front, rear and side yards of each individual lot. The front, rear and side yards shall be suitably landscaped with grass, shrubs and trees as shown on the prototypical lot landscape plan. It is the intent that each property be fully landscaped with low maintenance "water-wise" plant materials suitable for this climate and irrigated with an automatic underground irrigation system.

Plant Materials:

Plant materials used should be low maintenance and suitable for this climate. Plant material selection should be made from locally available nursery or garden center stock. The Colorado Nurserymen's Association Rocky Mountain Plant Guide lists acceptable materials.

Lawn:

Lawn areas should be kept at least six (6) feet away from the foundation of the home or as recommended by a professional soils engineer or landscape professional, to ensure proper drainage is maintained.

Foundation Plantings:

Planting beds shall surround the foundation of each structure and provide a minimum of six (6) feet of planting area from the homes' foundation to the lawn areas to ensure proper drainage. In all instances, watering near the foundation should be minimal (e.g. drip irrigation systems) to avoid possible structural damage to the dwelling unit.

Rock and Mulch:

Shrub planting beds may utilize wood or rock mulch. Wood mulch provides a favorable environment for plants, reduces irrigation requirements and minimizes long-term maintenance costs. Rock must be light gray in color (i.e. river rock). Multicolored rock (i.e. pink granite, dark red lava rock, or other colors) are discouraged. Large six inch (6") in diameter or greater river rock, moss rock, or other "feature" rock may be used as part of the landscape. Wood mulch and rock should be placed over a weed barrier fabric and be kept in place with a steel, plastic or brick edger. All edging should be installed in such a way as to prevent damming of water near the foundation.

Gardens:

Private gardens will be allowed in the rear yards as a complement to the overall landscape. The ARC is responsible to review all landscape plans for each lot prior to building.

Side yard property lines shall not be individually delineated by way of fencing or landscaping in order to prevent impact to the visual window to wetlands and mountains/foothills.

Landscape Components Not Allowed:

No artificial plants of any type are to be used in the landscape. Any area visible from a public right-of-way shall be landscaped with native plants, shrubs, trees, flowers, grasses, concrete or iron ornaments, birds or human replicas, freestanding water features, windmills, or other agricultural equipment, wagon wheels, mechanical equipment incorporated into mailboxes or other unnatural landscape element. No delineation of property lines will be allowed with fences, walls, shrub beds, trees or any material.

Concrete Driveways:

Concrete driveways and parking areas are not to be expanded without the prior written approval of the ARC.

Dog Runs:

Dog runs will be allowed if they can be reasonably isolated and screened from adjacent properties. Local ordinances regarding noise, odors and other nuisances will be in effect.

Fencing:

Fencing shall be limited to project perimeter fencing installed by the developer. Perimeter fencing will be a combination of ornamental metal with stone pilasters (see detail) along Rossum Drive and a 2 rail wood cedar fencing along the rear of lots 1+11 and Outlet A. The fence height will vary between 6' along Rossum Drive to 42" along the south and west perimeter adjacent to the wetlands. The 42" high wood rail fencing will have stone pilasters to allow for a greater visual window. The 42" high wood rail fence shall incorporate a wire mesh on the lot side of the fence to prevent pets from entering wetland areas. No gates shall be allowed along 42" high wood rail fence. Sideyard fencing will not be allowed in order to minimize the visual impact to Buckingham Lake and adjacent wetlands and views to the foothills/mountains. Any architectural walls and screen fencing must integrate into the surrounding landscape and must be approved by the Architectural Review Committee.

No delineation of property lines will be allowed with fences, walls, shrub beds, trees or any material.

Landscape & Architectural Lighting:

No exterior lighting other than that provided by the home builder shall be allowed on any residential lot except with the written approval of the ARC. Subdued exterior landscape lighting whose light source is not be visible from the street shall be allowed by the ARC for such purposes as illuminating entrances, decks, driveways, landscaping and parking areas, and other approved purposes such as seasonal decoration.

Site Lighting:

Lighting throughout the development will consist of City of Loveland 16' pole standards with ambient light cut off shields and placed in accordance with City Standards.

Signage:

A project entry signage if installed shall comply with Municipal Code Section 18.50.B.0. The non-identification signage shall incorporate a consistent project entry theme utilizing stone masonry and synthetic plaster to add visual interest and nighttime visibility. The primary entry sign walls may be indirectly illuminated.

Natural Area Enhancement:

Natural area enhancement will include a 50' wide natural area buffer landscape and the creation of a small riparian enhancement area (5,965 S.F.). The goal of the enhancement will be to establish or improve a diverse native plant community on remaining natural areas that is better than existing conditions. There is approximately 183 acres of jurisdictional wetlands which will be preserved. Appropriate plant material and installation practices as will be utilized in the natural enhancement area. (see Landscape Specification & Detail Sheet. Also refer to "Buckingham Shores, Outlet D Enhancement Plan, prepared by Wiland Consultants, Inc.)

Site Drainage and Grading:

Finish grading shall not create ponding or washing of water off the site on to adjacent property. Drainage shall be directed away from all structures. Newly graded areas shall be protected against soil erosion. Owners are encouraged to utilize soils engineers and landscape professionals to help ensure proper drainage is maintained.

The maintenance of the sedimentation basin will be the responsibility of the Buckingham Shores Homeowners Association. At a minimum, annual clearing of the sedimentation basin will be required to mitigate any impacts to the wetlands.

Residential Sewage "Pump Stations":

Sewage disposal at the site is complicated by the fact that the nearest sanitary sewer main is uphill of the site at the intersection of Rossum Drive and Scenic Drive. Multiple discussions with the City of Loveland Water and Wastewater Department have occurred, and the option of installing a regional lift station that would not only serve this site, but future PUD First Amendments on the south side of West 1st Street, were investigated. Because of the small number of homes at Mariana Butte Twenty-Third PUD First Amendment, the Water and Wastewater Department has agreed to allow the installation of individual home lift stations with a force main to deliver sewage to a common manifold at the high end of the site. The individual lift stations are located at the rear of each lot and feed via the existing city sanitary sewer mainline at the Rossum Drive/Scenic Drive intersection. The individual pump stations and forced main system will be owned and maintained by the homeowners association and shall be installed in a private utility easement dedicated by this plat.

In addition to the above sewage disposal solution, the City Water Department also required information showing that a future gravity flow sewer system can be installed, if needed, in the future. The gravity flow system would flow to a future regional lift station located south of this site and on the south side of West 1st Street. The preliminary gravity flow sewer design has been completed and the future sewer main would be placed in "Outlet D" adjacent to the west and south sides of the residential lots. The sewer main placement would be within 20 feet of the proposed lift stations, resulting in minimal disruption to homeowners' lots should the gravity flow sewer main be needed.

Information on the individual lift stations is included in the submittal package. The e-one units have been installed for several PUD First Amendments along the front range and have had a very favorable operating history. A commercial company in Fort Collins has installed and maintained the units for several years. The company has a standby lift station pump to temporarily replace any failed existing pump. The company owner indicated that he has never had to use the standby pump as the existing lift stations have never had pump failures.

PORTIONS OF THIS SHEET HAVE BEEN REVISED PER THE MARIANA BUTTE 23rd PUD FIRST AMENDMENT.

REVISIONS

Description	By	Date
REVISED PER CITY COMMENTS DATED APRIL 7, 2011	MM/RES	07/20/11
REVISED PER CITY COMMENTS DATED JULY 21, 2011	MM/RES	07/20/11

CLIENT

B&BI LLC

TITLE

MARIANA BUTTE 23RD PUD FIRST AMENDMENT  
BUCKINGHAM SHORES  
NARRATIVE AND DESIGN STANDARDS

JOB NO.

0J4A-01-217

SHEET

2 OF 9

Landmark Engineering

Engineers, Planners, Surveyors, Architects, Geotechnical

3521 West Eisenhower Blvd., Loveland, Colorado 80537

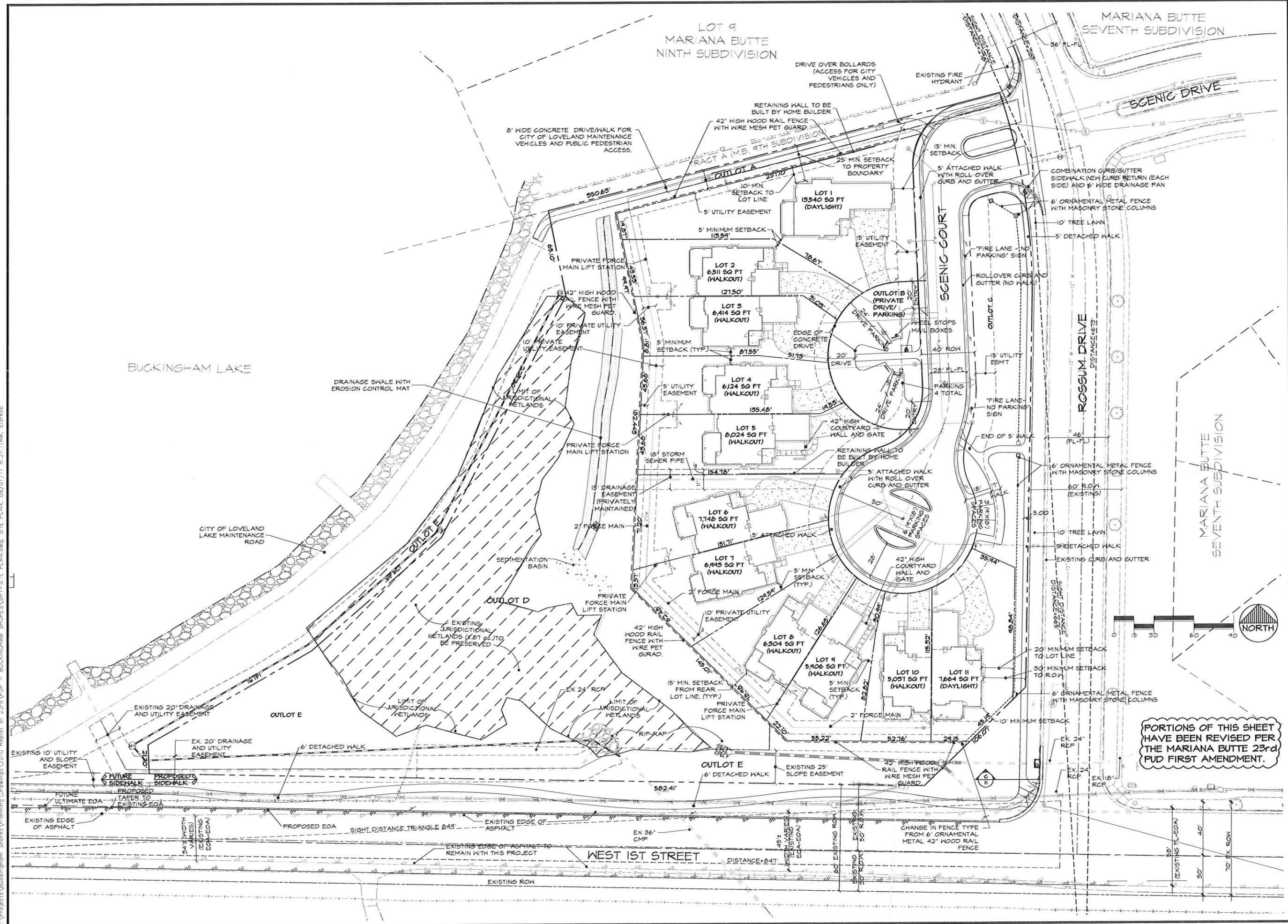
(970) 667-6286 • Toll Free 1-866-376-0252 • Fax (970) 667-6296

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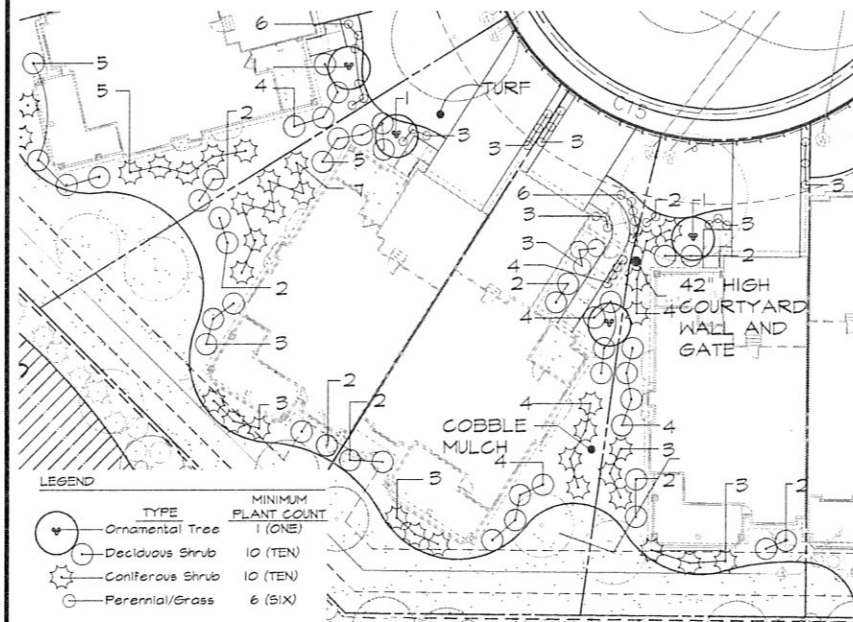


PROTOTYPICAL "MAINTENANCE FREE LIFESTYLE" LANDSCAPE PLAN  
SEE SHEET 5 OF 8 FOR PLANTING DETAILS

### IRRIGATION TAP & METER SUMMARY

• 3/4" IRRIGATION TAP - A  
TOTAL IRRIGATED LANDSCAPE AREA = 49,132± S.F. INCLUDES:  
-OUTLOTS A, B, C, D & E = 31,700 S.F.  
-WITHIN ROW = 17,432 S.F.

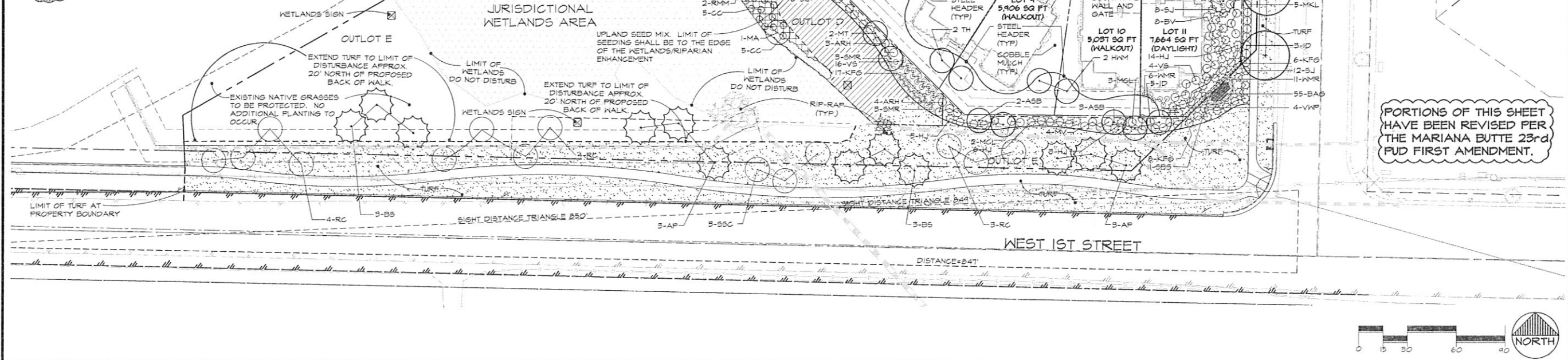
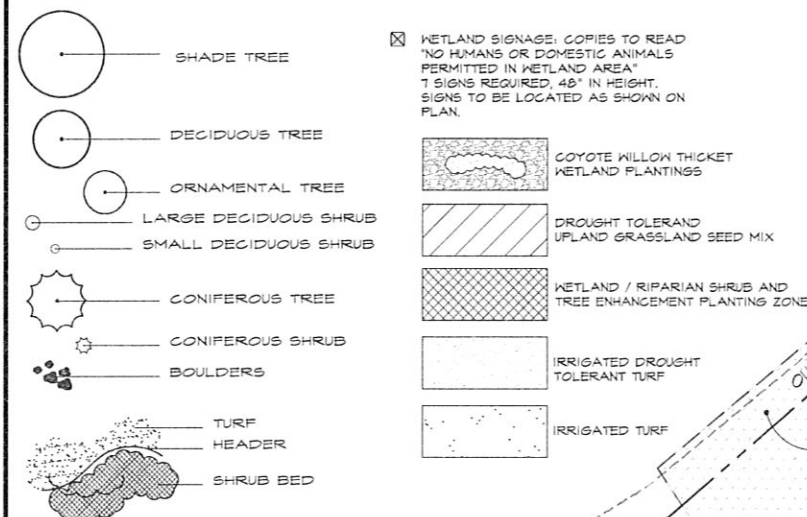
• 3/4" IRRIGATION TAP - B  
TOTAL IRRIGATED LANDSCAPE AREA ON PRIVATE LOTS I-II = 43,265± S.F. INCLUDES:  
-LOTS I-II LANDSCAPE AREAS TO BE IRRIGATED BY A SEPARATE  
IRRIGATION ONLY TAP. THESE LOTS SHALL NOT BE IRRIGATED BY THE INDIVIDUAL  
RESIDENTIAL LAP DOMESTIC WATER TAPS.



SCALE: 1"=20'

**NOTE:**  
The above landscape plan is intended to serve as a prototypical planting design which will be installed with each residential unit. Actual plant material species shall be selected at the time of landscape and irrigation installation and shall be based on the quantities and plant material types outlined in detail "D" sheet 5 of 9.

## LEGEND



PORTIONS OF THIS SHEET  
HAVE BEEN REVISED PER  
THE MARIANA BUTTE 23rd  
PUD FIRST AMENDMENT.

REVISIONS		
Description	By	Date
REVISED PER CITY COMMENTS DATED APRIL 7, 2011	M/JCS	07/20/11
REVISED PER CITY COMMENTS DATED JULY 21, 2011	M/JCS	07/20/11
REVISED TO ADD INTRACT A LANDSCAPE	M/JCS	08/15/2011



DATE: FEB. 2011  
SCALE: AS NOTED  
DRAWN: TVJ  
DESIGNED: KEM  
APPROVED: KEM

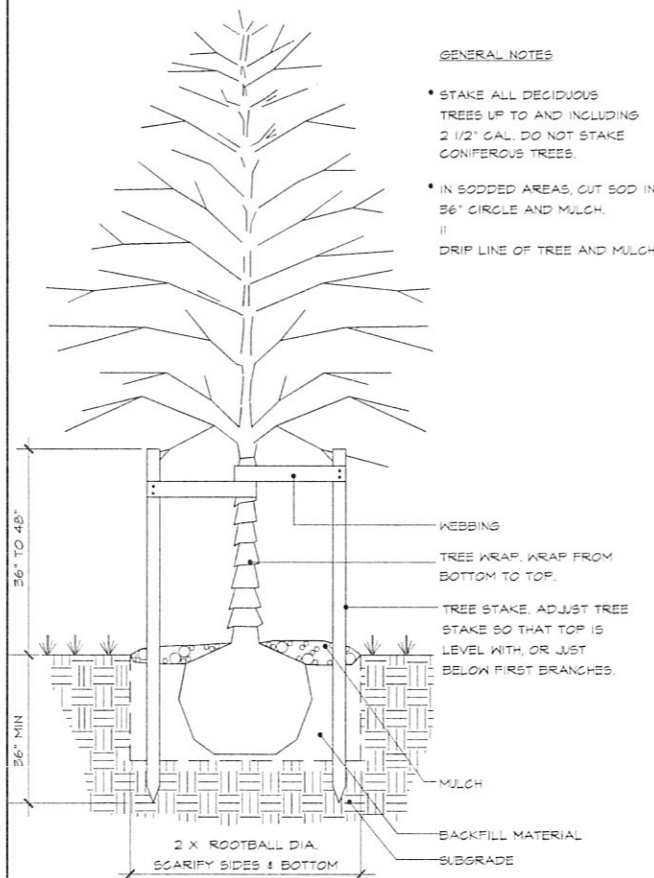
CLIENT: B&B LLC

PROJECT: MARIANA BUTTE 23RD PUD FIRST AMENDMENT  
BUCKINGHAM SHORES  
LANDSCAPE PLAN

JOB NO.: BBLIC  
OJ4A-01-217

SHEET  
4 OF 9

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PERENNIAL AND GRASSES  
DAYLILY, FENSTEMON, IRIS, COREOPSIS, COLUMBINE, LUPINE, CONEFLOWER, PEONY,  
PHLOX PERENNIAL VARIETIES, ETC. BIG BLUE STEM, SILVER BLUE STEM, FEATHER  
REED GRASS, BLUE FESCUE, BLUE GRASSES, MADEN GRASS VARIETIES, DWARF  
FOUNTAIN GRASS, ETC.

MAINTENANCE FREE RESIDENTIAL LOT LANDSCAPE REQUIREMENTS
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## TURF/SEED MIXES

Symbol	Common Name		Kc Value
	Irrigated Turf	Seed	M
	Irrigated Drought Tolerant Turf	Seed	L
	Drought Tolerant Upland Seed Mix (Non-irrigated)	Seed	VL
	Reparian National Seed Mix (Non-irrigated)	Seed	VL

- All landscape materials planted shall be healthy and be compatible with the local climate and the site soil characteristics, drainage and water supply.
- The quality and quantity of plant materials shall comply with the requirements of the Colorado Nursery Act, 1975 C.R.S. Title 35, Article 26, as amended.
- All areas which are landscaped with live plants shall be equipped with an automatic underground irrigation system which will provide sufficient water to maintain plants in a healthy condition.
- All living plants required shall be maintained in a live and healthy state. Dead or unhealthy plants shall be immediately removed and replaced with the size and type of plants required.
- All fences, walls and similar structures shall be maintained in good condition. Chipped or damaged fence pieces, leaning or fallen portions of a fence or other sign of deterioration shall immediately removed and be replaced or repaired.
- No trees shall be installed in the 20' drainage and utility easement between lots 6 and 7. Shrubs must be planted a minimum of 5' from storm drain pipe.
- All shrub bed mulch shall be mulched with a 3" layer of wood mulch and 3" layer of 2-3" diameter river rock mulch on top of weed barrier. Mulch shall be approved by landscape architect.
- Regardless of plant material quantities called out on the landscape plan and totals quantified shown on the plant list the landscape contractor shall provide the plant material type and quantities graphically depicted on the landscape plan. Quantities provided are for informational purposes only and are intended to assist the contractor in establishing estimates of plant materials required to perform the project.

Quantity	Symbol	Common Name	Botanical Name	Size	Kc Value
98	BAG	Blue Avena Grass	<i>Helleitricaria sempervirens</i>	1 Gal.	L
42	DFB	Dwarf Fountain Grass	<i>Pennisetum Alopecuroides Naminei</i>	2 Gal.	L
30	DL	Stella de Oro Day Lily	<i>Hermercalis Stella de Oro</i>	1 Gal.	L
81	HDPL	Halls Day Lily	<i>Hermercalis Halls Pink</i>	1 Gal.	L
170	KFG	Karl Forester Grass	<i>Calamagrostis Austriaca Karl Forester</i>	2 Gal.	L
62	SBS	Silver Bluestem	<i>Andropogon Saccharoides</i>	2 Gal.	L

Quantity	Symbol	Common Name	Botanical Name	Size	Kc Value
8	ABP	Autumn Blaze Pear	<i>Pyrus Calleryana</i> 'Autumn Blaze'	2' Cal.	M
14	ASB	Autumn Brilliance Serviceberry	<i>Amelanchier x Grandifolia</i> 'Autumn Brilliance'	2' Cal.	L
8	HWM	Hot Wings Maple	<i>Acer Glabro</i> 'Hot Wings'	2' Cal. Multi-Trunk	L
6	MT	Mayday Tree	<i>Prunus Padus</i>	1-1/2' Cal.	M
6	PPC	Pink Princess Crabapple	<i>Malus 'Purri'</i>	1-1/2' Cal.	M
5	RC	Radiant Crabapple	<i>Malus 'Radiant'</i>	1-1/2' Cal.	M
6	SC	Burgentil Crabapple	<i>Malus 'Burgentil'</i>	1-1/2' Cal.	M
5	SSC	Spring Snow Crab	<i>Malus 'Spring Snow'</i>	1-1/2' Cal.	M
8	TH	Toba Hawthorn	<i>Crataegus x Mordenana's Toba'</i>	1-1/2' Cal.	L
4	TM	Titanium Maple	<i>Acer Tataricum</i> 'Hot Wings'	Multi-stem (8 stem minimum)	L

\*\* Contractor responsible for quantities graphically shown on plan, not quantities individually called out.

E	PLANT LIST
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PORTIONS OF THIS SHEET  
HAVE BEEN REVISED PER  
THE MARIANA BUTTE 23rd  
PUD FIRST AMENDMENT.

REVISIONS		
Description	By	Date
REVISED PER CITY COMMENTS DATED APRIL 7, 2011		04/07/11
REVISED PER CITY COMMENTS DATED JULY 21, 2011		07/21/11
REVISED TO ADD TRACT A LANDSCAPE		09/15/2011

**Landmark**  
Engineering  
Engineers Planners Surveyors Architects Geotechnical  
524 West Eisenhower Blvd., Loveland, Colorado 80537  
(970) 667-4286 • Toll Free 1-866-379-4282 • Fax (970) 667-4288  
[www.landmarkkt.com](http://www.landmarkkt.com)

DATE: FEB. 2011  
SCALE: NO SCALE  
DRAWN: TVJ  
DESIGNED: KEM  
APPROVED: KEM

CLIENT: B4BI LLC

TITLE: MARIANA BUTTE 23RD PUD FIRST AMENDMENT  
BUCKINGHAM SHORES  
LANDSCAPE SPECIFICATIONS & DETAILS

JOB NO.: EBLLCI  
OJ4A-01-217

SHEET  
5 OF 9



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## LANDSCAPE SPECIFICATIONS

### MATERIALS

#### WEED BARRIER

Weed barrier may be Mirafi 140, or Typar Style 5541. Place weed barrier beneath gravel mulch areas. Geotextile fabric shall be Harrens' TerraDrap II/2 or approved equal, placed under all crusher fines trails.

#### GRAVEL MULCH

A. 2"-5" dia nominal size washed river gravel. Submit sample.

#### BARK MULCH

Shredded Fir Bark Mulch. Bark pile peelings from Fir trees only. Dark brown in color. Mulch shall be free from noxious weed seed and all foreign material harmful to plant life. Chipper chips, pine pole peelings or other angular bark chips are not acceptable. Submit samples.

#### HEADERS

A. Steel Header:  
1. Steel Header 1/8" x 4" with 1" x 24" size strap steel stakes. Submit sample.

#### HYDRO-MULCH

Organic wood cellulose fiber type free from any substance or factor which might inhibit germination or growth of grass seed. Dyed to allow visual metering during application. The wood cellulose fibers shall have the property of becoming evenly dispersed and suspended when agitated in water, when sprayed uniformly on the surface of the soil, the fibers shall form a blotter-like ground cover which readily absorbs water and allows infiltration to the underlying soil. Weight specifications from suppliers, and for all applications, refer to air dry weight of the fiber, a standard equivalent to 10% moisture. The mulch material shall be supplied in packages not exceeding 100 pounds in gross weight, and shall be marked by the manufacturer to show the air dry weight content. Submit manufacturer's certification.

#### MATERIALS FOR STAKING, OILING, AND PRUNING TREES

A. Tree Stakes: 2-foot long 2-inch diameter pressure treated Lodgepole pine stakes as available from Direct Landscape Supply, (303) 741-7133.  
B. Guy Anchors: 24-inch long metal pipe posts.  
C. Guying and Staking Joles: Galvanized iron or steel 12-gauge wire.  
D. Pruning: 2-inch nylon webbing or rubberized cloth.  
E. Tree Wraps: 4-inch minimum width commercial tree wrap.

#### COMPOST

A. Totally organic product that has been aerobically and naturally processed without the addition of coarse wood chips, in such a manner as to maintain a constant temperature of 140 degrees Fahrenheit or greater for a period of time sufficient to create the following characteristics, measured by dry weight:

- A. Maximum allowable organic matter: 60%
- B. Organic matter to nitrogen ratio: 25:1 to 30:1
- C. pH: 7 to 8 pH
- D. Solts: 2.0 to 3.0 mmhos
- E. Less than 25% inorganic matter.
- F. Less than 1% soil, dirt or sand
- G. Maximum particle size of 1/2 inch diameter.
- H. Eradication of all harmful weed seeds, pathogens and bacteria.
- I. A non-offensive earthy smell.

#### FERTILIZER

- Fertilizer for turf shall be commercial type, of uniform composition, free-flowing, and conforming to applicable State and Federal laws. Submit manufacturer's guaranteed analysis. Formulated fertilizer analysis shall be submitted to Owner's Representative for review and shall be based upon recommendations made by soil lab. Contractor to submit soil sample to soil lab for analysis and fertilizer recommendations.

Contractor to submit a minimum of 3 soil samples to soils lab to obtain recommendations.

- If soil types are similar in structure, the Contractor may use a consistent formulated fertilizer for the entire site area. However, if soil structures are vastly different, a formulated fertilizer for each specific site area will be required.

- Fertilizer for tree and shrub, backfill mix, and ground cover areas shall be Osmocote Smartgreen, 4 month slow-release fertilizer.

#### TURF

##### A. Bluegrass Sod

Sod all areas which are identified as turf.

Bluegrass sod shall be a blend of not less than three improved Kentucky Bluegrass varieties. Sod shall be weed and pest free, containing no more than 1% of other grasses, none of which shall be coarse textured grass. Sod shall be a minimum of 3/4 inch thick, harvested in rolls fertilized but to three weeks before cutting and shall be cut not more than one day prior to planting. Sod shall be one year old, minimum, grown under intensive care and cultivation to produce a thick, even stand of grass.

Lay sod 1" lower than adjacent pavement grade or steel header.

##### B. Irrigated Drought Tolerant Turf Seed Mix

Irrigated drought tolerant turf seed mix shall be a blend of low growing/low maintenance turf seed types that produce a turf 6" to 12" in mature height and staying green into late fall when intermittently irrigated. Turf shall be capable of being mowed if desired at 4"-6" in height.

- Seed Mixture, As provided by BBB Seed Store, Boulder Colorado or approved equal:
  - Chewink Fescue
  - Sheep Fescue
  - Creeping Red Fescue
  - Cordia Blue Grass
  - Hard Fescue
  - Kentucky Bluegrass
  - Perennial Ryegrass

- Seeding Rate:  
Drill seed at a rate of 1 pound /1000 sq ft.

#### TREES, SHRUBS, AND GROUND COVERS

A. Plant Material shall be a first-class representative of its species, healthy, well branched, and well proportioned in respect to height and width relationships, free from disease, injury, insects, and weed roots, and conforming to the requirements of the Colorado Nursery Act, (see Landscape Contractors of Colorado standard specifications for appropriate sections of the Nursery Act). All plants shall be healthy stock from growers located in USDA Hardiness Zones 1, 2, 5 or 4.

B. Botanic and Common Names given in the plant list are in conformance with standard horticultural practice in this area. Plants are to be delivered to the site with tags bearing the botanic name as indicated by the plant list.

#### INSTALLATION

##### SITE PREPARATION

A. Clearing: Prior to any soil preparation, existing vegetation not to remain and which might interfere with the specified soil preparation shall be mowed, grubbed, raked, and the debris removed from the site. Prior to or during grading or fillage operations, the ground surface shall be cleared of materials which might hinder final operations.

B. Prepare all areas to be planted as follows:

- Rip all areas to be planted, seeded and/or sodded to a minimum of 8 inches in two directions using an agricultural ripper with tines spaced at no greater than 18 inches. Areas adjacent to walls, structures, curbs, etc., where the use of large mechanical equipment is difficult, shall be worked with smaller equipment or by hand.
- Soil Preparation: Spread 4 Cy/1000 Sq ft of compost and sufficient fertilizer to meet requirements of soil analysis over all areas to be seeded, sodded, and/or planted. Remove any additional stones over 1-1/2 inches that have come to the surface. Upon completion of final grading operations, the contractor must provide a finish landscape grade that shall conform to the grades and elevations shown on the engineering drawings. Contractor shall provide positive drainage in all landscape areas.
- Restore fine grade of all areas to be planted, seeded and/or sodded with float drag to remove irregularities resulting from tilling operations. Float drag two directions. Remove any additional stones over 1-1/2 inches that have come to the surface. Upon completion of final grading operations, the contractor must provide a finish landscape grade that shall conform to the grades and elevations shown on the engineering drawings. Contractor shall provide positive drainage in all landscape areas.

#### TREE AND SHRUB PLANTING

- Any plant substitutions are to be approved by Landscape Architect prior to installation.
- Established Location: Stake trees and flag or set out all shrubs in locations shown on the plans prior to installation for review by Owner. The following are minimum distances that plant materials can be placed from adjacent walls, fences or paved areas:
  - a. Large Shrubs - 4 Feet
  - b. Medium Shrubs - 2 1/2 Feet
  - c. Ground Covers - 12 inches
  - d. Trees shall be planted a minimum of 10' from storm sewers and shrubs shall be planted a minimum of 5' from storm sewers.

##### C. Planting Pits

- Dig planting pits a minimum of 2 times as wide as diameter of root ball or container, and a depth sufficient to allow top of root ball at trunk to sit at a minimum of 3" above surrounding grade for deciduous trees, 4" - 6" for coniferous trees, and 2" above surrounding grade for shrubs.

- Roughen sides of the pit to remove any compaction or glazing. Loosen soil at bottom of pit to a minimum depth of six inches. Mix topsoil with specified backfill.

D. Backfill Material: Tree and shrub planting pits shall be backfilled with the following mix:

- 75% topsoil by volume (soil excavated from planting pits).
- 25% compost by volume.

E. The specified backfill materials shall be pre-mixed using industry accepted technique in order to obtain a uniform, evenly blended consistency free from pockets of unblended material and clods or stones greater than two inches in diameter. Backfill mix shall be delivered to each planting pit after mixing has occurred.

##### F. Planting

- Remove stock from container. Do not break the root ball. A spade shall not be used. Soak sides and bottom of root ball.
- Place backfill mix into planting pit to a depth such that the plant, when planted, will be three inches above finish grade for deciduous trees, four to six inches for coniferous trees, and two inches above finish grade for all shrubs.
- Untie and remove burlap from top third of root ball on balled and burlapped material. Remove wire baskets from top and minimum of 2/3 of all sides of root ball.
- Backfill one-half of pit with backfill mixture and water in thoroughly before placing any more backfill. Do not work wet soil.
- Backfill the rest of the planting pit with backfill mixture and tamp to compact. Water in thoroughly. Do not work wet soil.
- Apply slow release fertilizer, per manufacturer's direction for size of plant material, by spreading evenly over the top of the entire planting pit.
- Stake or guy all trees in a true vertical position. Wrap deciduous trees bottom to top. Stake or lock in place at top. Wrap approximately November 15 and remove approximately May 15.
- If there are trees planted in a space dug hole, they shall be deep watered with a watering nozzle angling from the inside of the hole out through the perimeter of the soil.

#### WEED BARRIER INSTALLATION

- Weed barrier shall be placed in all shrub bed areas or where noted in plan and details. At all edges of curbs, walls, structures, pavements, and headers, weed barrier shall be secured with 11-gauge, 12-inch long staples at 18 inches O.C. at all edges.
- No weed barrier shall be placed in areas receiving one gallon and smaller plant material.
- No weed barrier shall be placed in soil planting rings of deciduous and coniferous trees planted in sodded or seeded areas.
- Geotextile fabric required under all crusher fines trails.

#### STEEL HEADER CONSTRUCTION

Lay out steel header in locations shown on plans and receive review of owner prior to installation. Locate by scaling pit of plan. Install planting pit grades maintaining a minimum constant height of one inch above adjacent turf areas. Install using straight lines and smooth curves. Stake steel header using pins at two feet O.C. Provide drainage pits or holes at sufficient intervals to allow excess water to drain away.

#### SEEDING

- Time of Seeding: Unless otherwise approved, all turf seeding shall be completed between April 15 and May 31, or between September 1 and October 15.
- Drill Seeding:  
Drill seed all areas which are identified as drought tolerant irrigated turf. Drill seeding will be completed using a drill implement preferably equipped with the following features:

- depth bands - to allow seeding at the proper depth
- seedbox agitator - to promote seed mixing
- seedbox baffles - to aid in even seed distribution among rows
- seed-metering device - to promote even seed distribution within rows
- furrow opener - to permit proper seed placement from seed spots, and
- drag chains - to aid in seed coverage

The drill will be adjusted to plant seed to the proper depth. The depth of seeding will be approximately 0.25 to 0.50 inch. Drill row spacing will be set at approximately 6 to 8 inches. The drill will then be towed across the seeded to complete the planting operation. Drill seeding will take place immediately following the completion of final seeded preparation techniques.

##### C. Broadcast Seeding

Broadcast seeding shall only occur in areas inaccessible to a drill seeder. Broadcast seed only after all trees and shrubs have been planted in these areas. Broadcast seeding will be accomplished using hand-operated 'cyclone-type' seeders or rotary broadcast equipment attached to construction or vegetation machinery. All machinery will be equipped with metering devices. Broadcasting by hand will be acceptable on small, isolated sites. When broadcast seeding, passes will be made over each site to be seeded in a manner to ensure an even distribution of seed. When using hopper type equipment, seed should be frequently mixed within the hopper to discourage seed settling and uneven planting distribution of species.

Broadcast seeding will take place immediately following the completion of final seeded preparation techniques. Broadcast seeding should not be conducted when wind velocities would prohibit even seed distribution. The broadcast seeding rate will be twice the rate of drill seeding.

#### MULCHING

Mulch following all soil preparation and planting.  
A. Shrub Beds: All shrub bed mulch shall be with a 3" layer of wood mulch ('Cascade'). Mulch shall be approved by landscape architect.

B. Tree Planting Rings in Irrigated Turf Areas:  
Mulch all soil planting rings of deciduous and coniferous trees with a 3" layer of bark mulch.

##### C. Seeded Areas

###### 1. Hydramulching

Hydra-mulch all areas which are identified as drought tolerant irrigated turf. Hydra-mulch shall be applied at a rate as specified by the manufacturer. On slopes at greater than 5:1 a soil sealing agent will be added to the slurry to ensure mulch stability. Hydra-mulch immediately after seeding but do not apply under freezing conditions or over standing water. The prescribed amount of water, mulch, and soil sealing agent will be loaded into the mulch tank. (Seed will be applied in a separate operation). These components will be mixed into a homogeneous slurry in the tank. The slurry will remain agitated throughout the mulching process and be applied uniformly over the seeded to be treated. After Hydra-mulching is complete, clean up all areas which have been oversprayed.

## A ABBREVIATED LANDSCAPE SPECIFICATIONS

### WETLAND / GRASSLAND LANDSCAPE SPECIFICATIONS

#### GENERAL

##### General Protection of Wetlands During Construction

The boundary of existing wetland vegetation shall be fenced and staked prior to construction/grading to avoid additional wetland impacts and/or damage. To protect existing wetland vegetation no work will be allowed within the fenced/staked area. Construction personnel will be warned of the limits of wetland disturbance. Initial erosion control structures, including all fences in order to reduce soil erosion into the existing wetland during construction. Erosion control measures shall be installed as detailed in the Storm Water Management Plan for the project. The Owner's Representative shall be present during installation of protective fencing in order to ensure any inadvertent additional wetland damage and/or impacts.

#### MATERIALS

Attachment A- Recommended Seed Mixes, Shrub and Tree Species

A. Riparian-Wetland Seed Mix: to be used on the fringe of the existing wetland area and in sediment basin.

Common Name Scientific Name #PLS/Acre\*

Switchgrass	Panicum virgatum	5.0
Western Wheatgrass	Pascopyrum amthii	5.0
Prairie Cordgrass	Spartina pectinata	5.0
Arkall Sycamore	Sporobolus airoides	4.0

Total #PLS/Acre 19.0

\*Pure Live Seed, Rates for drill seeding, broadcast rates will be doubled.

B. Upland Seed Mix: to be used on areas of Outlet D above the existing wetland area.

Common Name Scientific Name #PLS/Acre\*

Green Needle Grass	Stipa viridula	5.0
Thickspike Wheatgrass	Pascopyrum amthii	5.0
Switchgrass	Panicum virgatum	4.0
Upright Prairie Coneflower	Ratibida columnifera	0.5
Linum flax	Linum lewisii	0.5

Total #PLS/Acre 20.0

\*Pure Live Seed, Rates for drill seeding, broadcast rates will be doubled.

C. Riparian Tree and Shrub: to be planted in the Wetland/Riparian Shrub and Tree Planting Zone located along the fringe of the existing wetland area.

##### Riparian Shrubs

Common Name Scientific Name Type

Coyote Willow	Salix exigua	Cuttings
Chokeberry	Prunus virginiana	Container, bare root
Dogwood	Cornus sericea	Container
Golden Currant	Ribes aurum	Container, bare root

##### D. Riparian Trees

Common Name Scientific Name Type

Mountain Ash	Sorbus scopulina	Container
Western Birch	Betula occidentalis	Container
Bovender	Acer negundo	Container

#### INSTALLATION

##### Grading, Site and Seed Bed Preparation

A. Prior to grading of the buffer area (Outlet D) the top 6"-12 inches of topsoil will be striped and stockpiled. After final grading has occurred, stockpiled topsoil shall be spread a minimum of 6" across all areas disturbed within the buffer. Once top soil has been placed all dikes and areas to be seeded a minimum of 8" deep in two directions and restore final grade in all areas to be planted and/or seeded with a float drag to remove irregularities from tilling operations. Float drag in two directions and remove any stones or debris over 2" that comes to the surface. Upon completion of the final grading operations, the contractor shall provide a finish landscape grade that conforms to the grading and elevations from the engineering drawings. Contractor shall provide positive drainage in all landscape areas.

The goal of final seeded preparation is to provide a firm weed-free seedbed.

##### Upland and Wetland Seeding

A. Upland/Wetland seeding of the buffer area shall be completed between November 1 and mid-May. General enhancement areas are shown on the Landscape Plan. Seeding shall be completed immediately after site and seed bed preparation is complete. Seeding will be completed by drill seeding where possible. If broadcast seeding is used seeding rates will be doubled over the recommended rate specified for drill seeding. The depth of drill seeding should be from 0.25 to 0.5 inches. Drill row spacing should be around 6-8 inches. In areas where broadcast seeding is used hand rake immediately to cover seeds.

B. Follow specifications above under landscape installation specifications; seeding B & C for detailed drill and broadcast seeding specifications. The Wetland Riparian Seed Mix shall be used in the sediment basin and on the edgefringe of the existing wetland area. The Upland Seed Mix shall be used over the majority of Outlet D above the existing wetland area.

##### Mulching

All seeded areas shall be mulched immediately after seeding operation is completed. Approximately 2000 pounds per acre of mulch (native hay, straw, mulch) shall be applied. Only certified weed free straw mulch shall be used. Mulch shall be applied by a mechanical blower.

##### Tree and Shrub Planting

A. Recommended trees and shrubs to be planted are shown in the final planting plan. General planting areas for Wetland/Riparian Tree and Shrub Planting Zone have been shown only final locations of trees and shrubs shall be reviewed by Landscape Architect prior to planting.

B. Shrubs shall be planted as bare root or cuttings and planting shall be completed during the early to mid spring period during plant dormancy. Container plantings may be completed anytime during the spring to fall period. Coyote willow thickets will be planted along the edges of the sediment pond and existing wetland in the buffer area shown on the final planting plan. Coyote willow will be planted as cuttings. Cutting need to be planted when dormant (late March- early May). Cuttings shall be obtained from healthy willow stands in late March-mid April. Cuttings can be planted by pushing directly into the soil or by using a planting bar to make a hole. Cuttings shall be planted so that only a few inches of stem remain exposed.

Trees will be planted as container stock. Trees will be planted between early spring and fall periods.

##### Temporary Irrigation

A. Temporary above ground irrigation system shall be installed to irrigate all wetland/riparian and upland revegetated areas within the buffer zone. The irrigation system may include a combination of drip, flood, and spray systems.

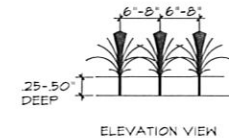
##### Buffer Zone/Wetland Maintenance and Monitoring

A. Educational signs will be placed as shown on final planting plan along the upper edge of the buffer area stating the area is a protected wetland and wildlife habitat area.

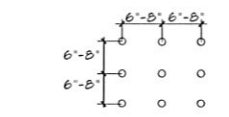
B. Infestations of noxious weeds can reduce plant diversity, wildlife habitat values, and site productivity. A variety of noxious weeds can become readily established in riparian zones. Common noxious weeds in riparian and wetland zones in the area include Russian olive trees (Elaeagnus angustifolia), Canada thistle (Cirsium canadense), leafy spurge (Euphorbia esula), purple loosestrife (Lythrum salicaria) and many others species. An evaluation of weed infestation shall be completed in late May and again in August until revegetation is complete and successful. Areas with weed infestations will receive appropriate control measures. The preferred method for weed control will be mechanical control. Herbicides will only be used in localized areas of heavy weed infestations. Herbicide use over the entire site may result in the loss of desirable plant species. Herbicides will be applied by a licensed applicator.

Monitoring of wetland/riparian planting and upland seeding shall be completed at the end of each growing season for a period of 5 years or until revegetation is determined to be successful. Revegetation will be considered successful if vegetation cover meets or exceeds preconstruction conditions and there is at least 80% survival of desirable vegetation. Weed cover cannot be more than 5% of the total revegetation area. Monitoring shall be coordinated with the City of Loveland Planning Department.

PORTIONS OF THIS SHEET  
HAVE BEEN REVISED PER  
THE MARIANA BUTTE 23rd  
PUD FIRST AMENDMENT.



ELEVATION VIEW



PLAN VIEW

DRILL SEEDING DETAIL



WILLOW STALK PLANTING DETAIL

## B WETLAND LANDSCAPE SPECIFICATIONS

## C WETLAND PLANTING DETAIL

REVISIONS	By	Date
NO/REV		07/2011
NO/REV		07/2011
NO/REV		07/2011
NO/REV		07/2011
NO/REV		07/2011
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Description

REVISIONS

NO/REV

NO/REV

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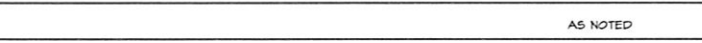
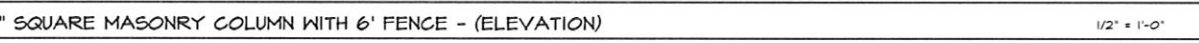
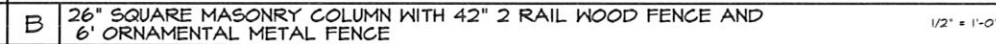
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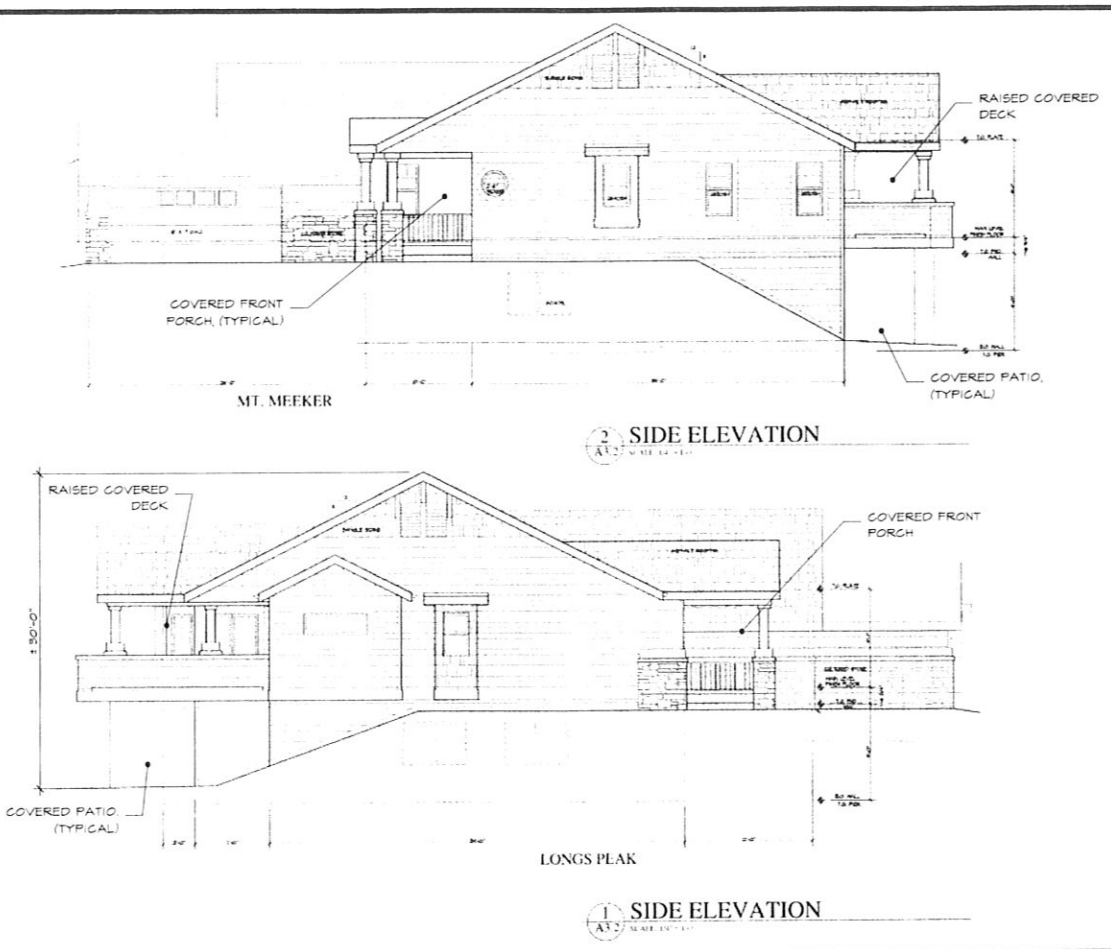
**Landmark**  
Engineering  
Engineers Planners Surveyors Architects Geotechnical  
35521 West Eisenhower Blvd., Loveland, Colorado 80537  
(970) 667-4280 • Toll Free 1-800-379-6252 • Fax (970) 667-4286  
www.landmarkllc.com

REVISIONS		
Description	By	Date
REVISED PER CITY COMMITTEE DATED APRIL 7, 2011	MM/JES	07/2011
REVISED PER CITY COMMITTEE DATED JULY 21, 2011	MM/JES	07/2011

**FENCING AND COLUMN DETAILS**

CLIENT: B&B LLC  
 TITLE: MARIANA BUCKINGHAM FENCING A  
 JOB NO.: BBL-01  
 OJ4A-01-217  
 SHEET 7 of 9

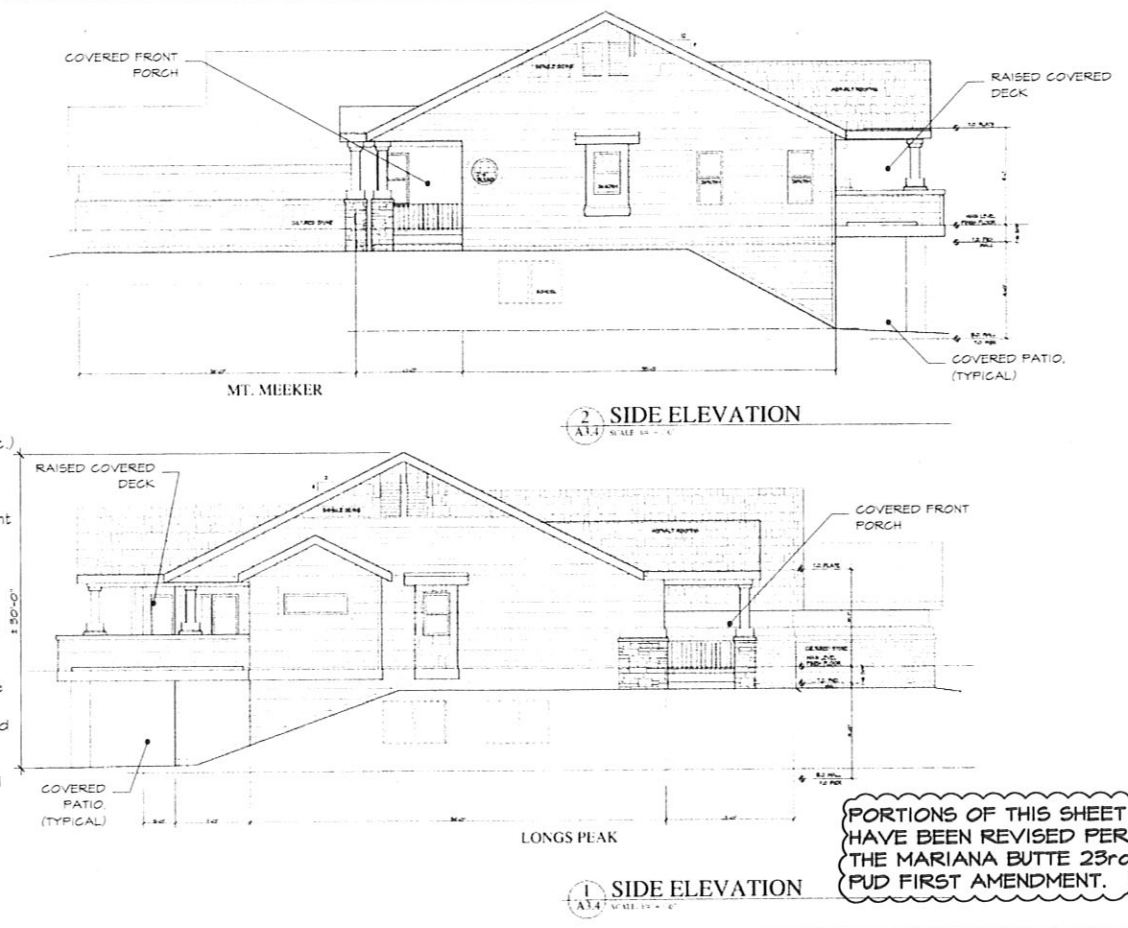
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A ELEVATION A SCALE 1/8"=1'-0"



- BUILDING MATERIALS LEGEND**
- COMPOSITION (ASPHALT) SHINGLES
  - METAL ROOFING (dark natural earth tone color, non reflective)
  - LAP SIDING
  - SHINGLE SIDING
  - CULTURED STONE
- BUILDING COLORS**
- Colors shall be neutral 'earth tones' (browns, tans, beiges, whites, greens, etc.) in varying shade.
  - Some areas of architecture may be highlighted with brighter and bolder paint and/or stain colors to create focal points to the building architecture and accents.
  - All garage doors shall be painted to match the color of the primary building facade.
  - A variety of color combinations shall be developed in order to vary the colors between adjacent structures and to add interest to the streetscape.
  - No two adjacent paired structures shall be painted the same color/shade.
- NOTE:**  
All homes built within the Mariana Butte 23rd PUD First Amendment shall substantially comply with the architecture shown herein and shall also comply with the Minimum Architectural Development Standards set forth in the "Design and Architectural Standards" section of this submittal.



B ELEVATION B SCALE 1/8"=1'-0"

PORTIONS OF THIS SHEET HAVE BEEN REVISED PER THE MARIANA BUTTE 23rd PUD FIRST AMENDMENT.

REVISIONS	By	Date
Description		
REVISED PER CITY COMMENTS DATED APRIL 7, 2011	MA/2011 07/2011	
REVISED PER CITY COMMENTS DATED JULY 27, 2011	MA/2011 07/2011	

**Landmark Engineering**  
Engineers, Planners, Surveyors, Architects, Geotechnical  
3521 West Eisenhower Blvd., Loveland, Colorado 80537  
(970) 667-6286 • Toll Free 1-866-379-6252 • Fax (970) 667-6288  
www.landmarkeng.com

DATE: FEB. 2011  
SCALE: AS NOTED  
DRAWN: TVJ  
DESIGNED: KEM  
APPROVED: KEM

CLIENT: B&B LLC  
TITLE: MARIANA BUTTE 23RD PUD FIRST AMENDMENT  
BUCKINGHAM SHORES  
FINAL ARCHITECTURAL ELEVATIONS (PROTOTYPICAL)

JOB NO.: BBL01  
OJ4A-01-217  
SHEET 8 OF 9

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HYDRO-ZONE SUMMARY

THE GREEN INDUSTRIES OF COLORADO (GreenCo) AND COLORADO STATE UNIVERSITY (CSU) HAVE INITIATED A PROGRAM TO DOCUMENT THE WATER NEEDS OF LANDSCAPE PLANTS AND TO RANK EACH SPECIES ACCORDING TO ITS RELATIVE WATER USAGE OR "CROP COEFFICIENT" (Kc). THE "CROP COEFFICIENT" IS THE AMOUNT OF WATER A SPECIES NEEDS COMPARED TO A STANDARD CROP. THE CROP COEFFICIENT, WHEN COMBINED WITH EVAPOTRANSPIRATION MEASUREMENTS FROM WEATHER STATIONS, CAN BE USED TO CALCULATE EXACTLY HOW MUCH WATER SHOULD BE APPLIED TO A PLANT IN A GIVEN SITUATION, AND CAN BE EXPRESSED AS A NUMBER THAT IS USED IN CALCULATING IRRIGATION SETTINGS.

HORTICULTURISTS FROM AROUND THE REGION HAVE CONDUCTED A SURVEY OF THE COMMON LANDSCAPE PLANTS USED IN COLORADO IN ORDER TO ESTIMATE THEIR "CROP COEFFICIENT". THE ESTIMATED CROP COEFFICIENT IS DESCRIBED AS FOLLOWS:

- H= HIGH WATER USE: 75 - 100% ET
- M= MEDIUM WATER USE: 50 - 75% ET
- L= LOW WATER USE: 25 - 50% ET
- VL= VERY LOW WATER USE: <25% ET

LANDMARK LTD HAS INCLUDED THE ESTIMATED Kc VALUES FROM THE AVAILABLE SURVEYS IN OUR PLANT MATERIAL LIST. THE PURPOSE BEHIND THIS IS TO ESTABLISH SPECIFIC HYDRO-ZONES WHICH MEET THE CITY'S REQUIRED WATER DEDICATION REQUIREMENTS AND PROVIDES THE CITY WITH A TOOL IN DETERMINING A LANDSCAPE DESIGN'S DROUGHT TOLERANT QUALITIES AND SUBSEQUENT REDUCED WATER REQUIREMENTS.

TOTAL LANDSCAPE AREA 2.68±/ 116,872 S.F. 100% OF LANDSCAPED SITE AREA

HYDRO-ZONE	ET RATE	AC/ SQUARE FOOTAGE	% OF SITE	IRRIGATED/NON-IRRIGATED
HIGH WATER USE 75 - 100% ET		0 AC/ 0 S.F.	0 %	N/A
MEDIUM WATER USE 50 - 75% ET		88± AC/ 38,329 S.F.	33 %	IRRIGATED
LOW WATER USE 25 - 50% ET		25± AC/ 10,803 S.F.	9 %	IRRIGATED

TOTAL IRRIGATED SITE AREA 113 AC/  
49,132 S.F. 42± % OF LANDSCAPED SITE AREA

ESTIMATED LANDSCAPE IRRIGATION WATER DEDICATION TO THE CITY = 1.5± AC-FT OF WATER DEDICATION

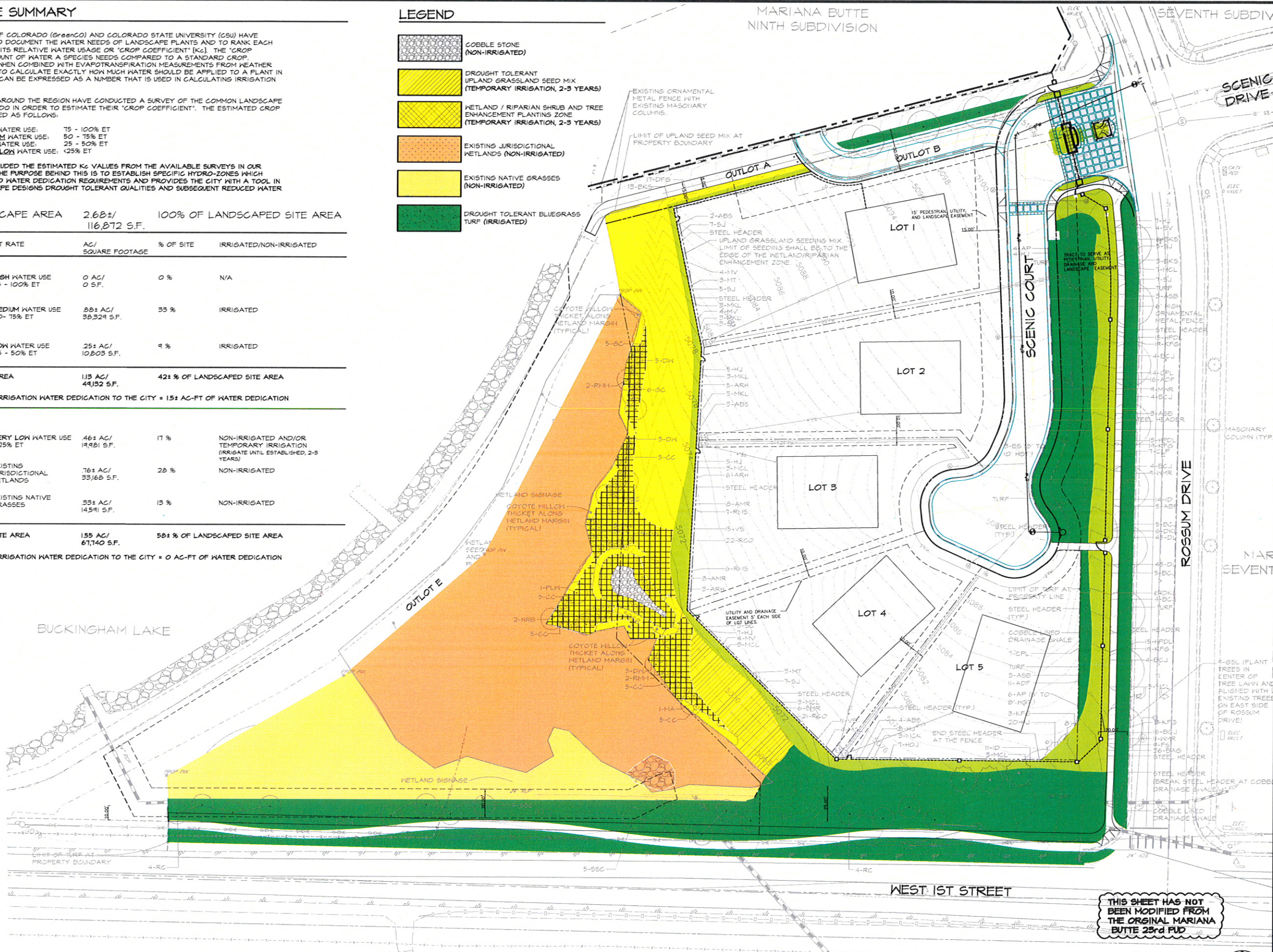
VERY LOW WATER USE < 25% ET	46± AC/ 19,981 S.F.	17 %	NON-IRRIGATED AND/OR TEMPORARY IRRIGATION (IRRIGATE UNTIL ESTABLISHED, 2-3 YEARS)
EXISTING JURISDICTIONAL WETLANDS	76± AC/ 33,168 S.F.	28 %	NON-IRRIGATED
EXISTING NATIVE GRASSES	33± AC/ 14,591 S.F.	13 %	NON-IRRIGATED

TOTAL NON-IRRIGATED SITE AREA 155 AC/  
67,740 S.F. 58± % OF LANDSCAPED SITE AREA

ESTIMATED LANDSCAPE IRRIGATION WATER DEDICATION TO THE CITY = 0 AC-FT OF WATER DEDICATION

LEGEND

- COBBLE STONE (NON-IRRIGATED)
- DROUGHT TOLERANT UPLAND GRASSLAND SEED MIX (TEMPORARY IRRIGATION, 2-3 YEARS)
- WETLAND / RIPARIAN SHRUB AND TREE ENHANCEMENT PLANTING ZONE (TEMPORARY IRRIGATION, 2-3 YEARS)
- EXISTING JURISDICTIONAL WETLANDS (NON-IRRIGATED)
- EXISTING NATIVE GRASSES (NON-IRRIGATED)
- DROUGHT TOLERANT BLUEGRASS TURF (IRRIGATED)



THIS SHEET HAS NOT BEEN MODIFIED FROM THE ORIGINAL MARIANA BUTTE 25th FUD



Date	By	Check	Appr
5-24-07	DC	DC	DC
7-24-07	DC	DC	DC
8-24-07	DC	DC	DC
11-24-07	DC	DC	DC
3-24-08	DC	DC	DC

**Landmark**  
Engineering  
Planners Surveyors Architects Geotechnical  
Engineers  
3524 West Elmhurst Blvd., Loveland, Colorado 80537  
(970) 667-0286 • Toll Free 1-866-379-0252 • Fax (970) 667-0298  
www.landmarkinc.com

DATE: 3/6/08  
SCALE: 1"=30'  
DRAWN: LLO  
CHECKED: KM  
APPROVED: KM

CLIENT: B&B I, LLC  
TITLE: MARIANA BUTTE 23rd SUBDIVISION  
FINAL DEVELOPMENT PLAN  
HYDRO-ZONE PLAN

JOB NO.: BBL1C1  
665D01-217  
SHEET 9 OF 9

F:\Projects\Buckingham Shores\Planning\Drawings\2010 Report of 23rd\B&B - BUCKINGHAM SHORES\SW-HYDRO ZONE LANDSCAPE MAP.dwg, LANDSCAPE PLAN, 08/01/11 9:52:31AM, strkcd



# MARIANA BUTTE TWENTY SIXTH SUBDIVISION

BEING A REPLAT OF LOTS 1 THROUGH 5, BLOCK 1 AND OUTLOTS A, B, C AND D,  
MARIANA BUTTE TWENTY THIRD SUBDIVISION TO THE CITY OF LOVELAND, LOCATED IN THE  
SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 5 NORTH, RANGE 69 WEST OF THE 6TH P.M.,  
LARIMER COUNTY, COLORADO.

## STATEMENT OF OWNERSHIP

KNOW ALL MEN BY THESE PRESENTS that the undersigned being all the owners and lienholders of the following described property except any existing public streets, roads or highways, which property is located in the Southeast Quarter of Section 17, Township 5 North, Range 69 West of the 6th P.M., City of Loveland, County of Larimer, State of Colorado, recorded under Reception No. 20080016985, being more particularly described as follows:

Lots 1 through 5, Block 1 and Outlots A, B, C and D, Mariana Butte Twenty Third Subdivision to the City of Loveland being more particularly described as follows:

Beginning at the Northwest Corner of said Block 1; thence along the Northern, Eastern, Southern and Western lines of said Block 1 the following courses and distances: North 73°38'26" East 320.63 feet to a point on the West Right-of-Way line of Rossum Drive; said point being a point on a curve concave to the Southwest having a central angle of 49°49'41" and a radius of 440.00 feet; said curve being subtended by a chord that bears South 08°44'33" East 138.40 feet; thence Southeast along the arc of said curve 159.19 feet to the end of said curve; thence continuing along said West Right-of-Way line South 01°06'18" West 288.47 feet thence South 48°06'18" West 106.87 feet to a point on the North Right-of-Way line of West First Street; thence along said North Right-of-Way line North 88°33'42" West 383.41 feet thence departing said North Right-of-Way line North 02°32'37" West 21.70 feet thence North 60°32'37" East 141.31 feet thence North 49°07'32" East 129.49 feet thence North 27°27'37" East 203.20 feet thence North 11°38'30" West 63.10 feet to the point of beginning.

containing 4.722 acres more or less, and is subject to all easements and rights-of-way on record or existing, do hereby subdivide the same into lots, blocks, tracts, outlots, rights-of-way, and easements, as shown on this plat; and do hereby designate and dedicate: (1) 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 (2) 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 MARIANA BUTTE TWENTY SIXTH SUBDIVISION to the City of Loveland, Colorado.

OWNER: B & B 1, LLC

John R. Baxter -- Manager

STATE OF COLORADO)

COUNTY OF LARIMER)

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2011, by John R. Baxter, Manager.

Witness my hand and official seal.

My commission expires \_\_\_\_\_

Notary Public

Address

## SURVEYOR'S CERTIFICATE

I, Paul A. Hernandez, being a registered Professional Land Surveyor in the State of Colorado, do hereby certify that the survey of Mariana Butte Twenty Sixth Subdivision to the City of Loveland, Colorado was made by me or under my supervision and that the survey is accurately represented on this plat and that the statements contained herein were read by me and the same are true to the best of my knowledge.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

LANDMARK ENGINEERING LTD.

By:

Paul A. Hernandez  
Colo. L.S. 32829

## BASIS OF BEARINGS

Assumed the Southeastern line of Mariana Butte Ninth Subdivision as bearing North 75°38'26" East and with all bearings contained herein relative thereto, being monumented as shown herein.

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 certification shown herein.

Recorded and apparent rights-of-way and easements are shown per the recorded plat of Mariana Butte Twenty Third Subdivision.

This property is subject to a Development Agreement which has been recorded in the real property records of Larimer County.

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

All easements granted by the plat of Mariana Butte Twenty Third Subdivision are hereby vacated and re-dedicated as shown herein.

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

Maintenance and upkeep of storm sewer systems, swales and permanent stormwater quality improvements are required by the City of Loveland and are a continuing obligation of the Homeowners Association (HOA). The HOA shall provide ongoing maintenance to the private stormwater improvements as needed to maintain compliance with the approved construction plans and reports.

## CITY OF LOVELAND APPROVAL

This plat is approved by the Director of Community Services of the City of Loveland, Larimer County, Colorado, this \_\_\_\_\_ day of \_\_\_\_\_, 2011 for filing with the Clerk and Recorder of Larimer County and for conveyance to the City of the public dedications shown herein, which are accepted, subject to the provision 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

ATTEST:

Witness my hand and seal of the City of Loveland.

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, and that the parties executing the dedication are the owners thereof in fee simple, and the dedicated land is free and clear of all liens and encumbrances, except as set forth herein.

So sworn this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

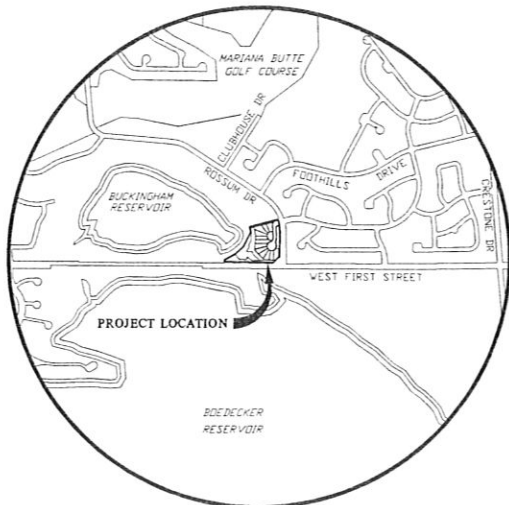
ATTORNEY AT LAW

## OUTLOT & TRACT DESIGNATIONS

1. Outlot A, Block 1: Open space for the use of drainage, utilities, private utility, landscape & pedestrian access, and City of Loveland Maintenance access. Owned and maintained by the Buckingham Shores Homeowners Association. (Partially irrigated where not paved +/- 1,478 Sq. Ft.)
2. Outlot B, Block 1: For the use of private access and parking for Lots 1-12, Block 1, emergency access, landscape, pedestrian, postal, drainage and utilities. Owned and maintained by the Buckingham Shores Homeowners Association. (Partially irrigated where not paved +/- 1,575 Sq. Ft.)
3. Outlot C, Block 1: Open space for the use of access, parking, drainage, utilities, landscape & pedestrian access. Owned and maintained by the Buckingham Shores Homeowners Association. (Irrigated +/- 12,777 Sq. Ft.)
4. Outlot D, Block 1: Open space for the use of drainage, landscape, wetland preservation, buffering enhancement and sanitary sewer easement. Owned and maintained by the Buckingham Shores Homeowners Association. (Non-irrigated)
5. Outlot E, Block 1: Open space for the use of drainage, utilities, landscape & pedestrian access. Owned and maintained by the Buckingham Shores Homeowners Association. (Partially irrigated +/- 15,867 Sq. Ft.)
6. All landscaping and head in parking spaces within the public right-of-way shall be maintained by the Buckingham Shores Homeowners Association.
7. Storm drainage system outside the public right-of-way shall be maintained by the Buckingham Shores Homeowners Association.

## DEDICATION & VACATION OF EASEMENT SUMMARY

1. Total area in square feet of easement dedication to the public or City by this plat.  
Total area = 118,853 Square Feet. (Excludes easements dedicated exclusively to outside entities and/or agencies)
2. Total area in square feet of easement dedicated to the public or the City that is being vacated by this plat.  
Total area = 122,562 Square Feet.



VICINITY MAP  
SCALE 1" = 1000'

REVISIONS	By	Date
DESCRIPTION	PAH	6/21/11
REVISION PER CITY COMMENTS		
DATED APRIL 7, 2011		

**Landmark Engineering**  
Engineers, Planners, Surveyors, Architects, Geotechnical  
3621 West Elmwood Blvd., Loveland, Colorado 80537  
(970) 667-0286 • Toll Free 1-800-441-6222 • Fax (970) 667-0286  
www.landmarkeng.com

DATE: JULY, 2011  
SCALE: NO SCALE  
DRAWN: P.A.H.  
CHECKED: T.V.J.  
APPROVED: P.A.H.

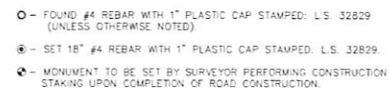
CLIENT: B&B 1 LLC  
TITLE: MARIANA BUTTE TWENTY SIXTH SUBD.  
CITY OF LOVELAND, COLORADO

JOB NO.: BBL1C1

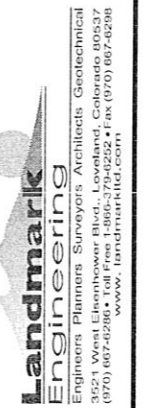
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BEING A REPLAT OF LOTS 1 THROUGH 5, BLOCK 1 AND OUTLOTS A, B, C AND D,  
MARIANA BUTTE TWENTY THIRD SUBDIVISION TO THE CITY OF LOVELAND, LOCATED IN THE  
SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 5 NORTH, RANGE 69 WEST OF THE 6TH P.M.,  
LARIMER COUNTY, COLORADO.



CURVE TABLE					
CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
C1	460.00	159.17	158.49	N08°48'33"W	19°49'41"E
C2	460.00	36.39	36.39	N00°00'00"W	00°00'00"E
C3	460.00	58.18	58.14	N10°32'19"W	7°14'48"E
C4	460.00	66.39	64.34	N02°54'19"W	8°01'13"E
C5	20.00	34.09	30.11	N55°44'38"W	97°39'26"E
C6	30.00	40.75	37.59	S46°30'52"W	77°42'35"E
C7	14.00	20.00	19.99	S69°08'54"E	77°40'39"E
C8	49.45	67.37	62.28	S36°37'15"W	78°03'21"E
C9	49.46	27.80	27.44	S13°42'12"W	32°12'14"E
C10	49.45	39.57	38.52	S52°43'13"W	45°50'07"E
C11	86.00	39.43	39.09	N10°44'15"E	26°16'11"E
C12	86.00	10.00	9.99	N00°00'00"W	00°00'00"E
C13	105.00	42.42	42.14	N08°30'59"E	27°54'47"E
C14	44.00	52.98	48.84	N38°36'54"E	68°59'14"E
C15	56.00	273.31	72.27	S68°42'30"E	278°38'30"E
C16	0.00	36.14	36.13	S02°29'50"E	470°37'34"E
C17	44.00	22.00	21.99	N00°00'00"W	00°00'00"E
C18	44.00	24.10	23.80	N57°24'57"E	31°23'09"E
C19	56.00	35.51	34.92	S45°46'31"E	36°19'57"E
C20	56.00	36.68	36.03	S19°07'40"W	37°31'48"E
C21	56.00	27.28	27.07	S44°43'39"E	27°54'59"E
C22	56.00	22.43	22.26	S40°08'25"E	22°56'40"E
C23	56.00	24.07	23.85	S63°59'34"E	24°37'33"E
C24	56.00	35.61	35.02	N85°12'28"E	36°26'19"E
C25	0.00	42.74	41.71	N45°27'34"E	434°33'30"E
C26	56.00	22.00	21.99	N00°00'00"W	00°00'00"E
C27	45.50	176.36	111.00	S02°13'55"E	180°00'00"E
C28	55.40	28.11	27.81	S73°05'31"E	28°01'05"E
C29	55.50	28.11	27.81	S44°34'28"W	29°01'05"E
C30	55.50	33.59	33.08	S17°12'28"W	344°05'44"E
C31	55.50	33.59	33.08	S69°08'54"E	333°05'44"E
C32	55.50	51.99	50.11	S65°13'46"E	534°01'44"E

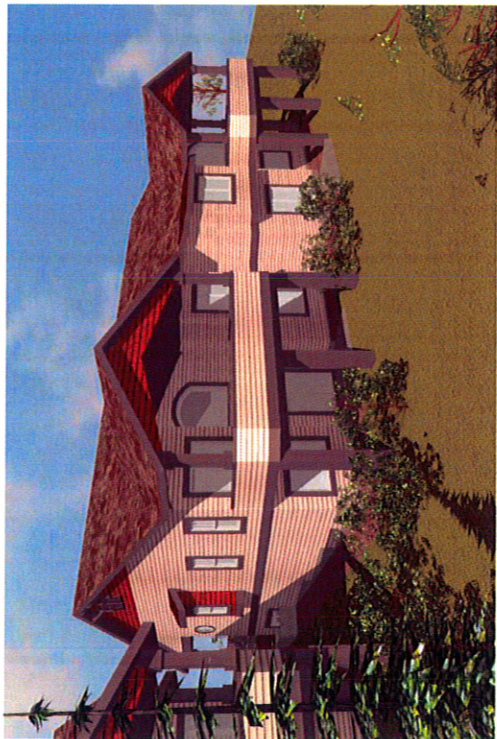
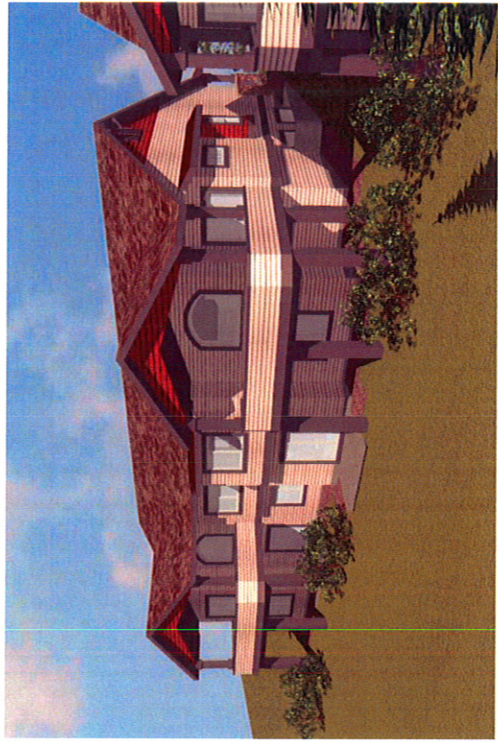
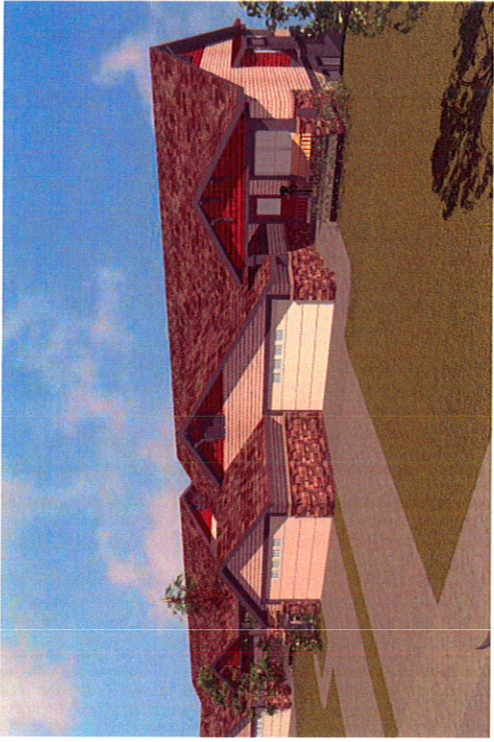


MARIANA BUTTE TWENTY SIXTH SUBD.  
CITY OF LOVELAND, COLO.

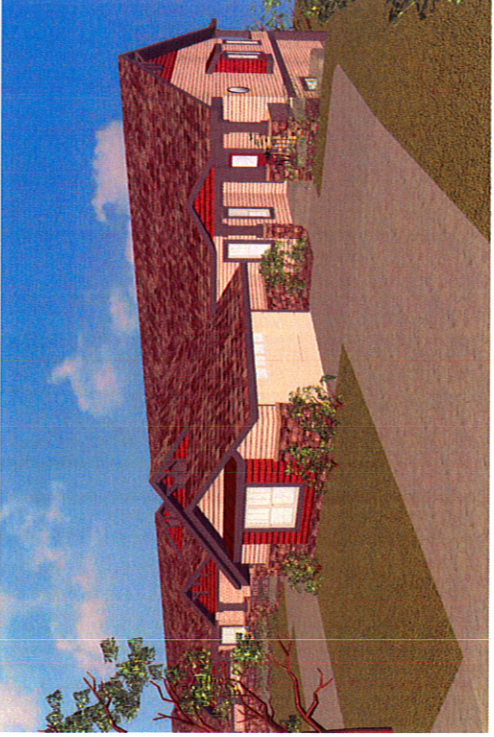
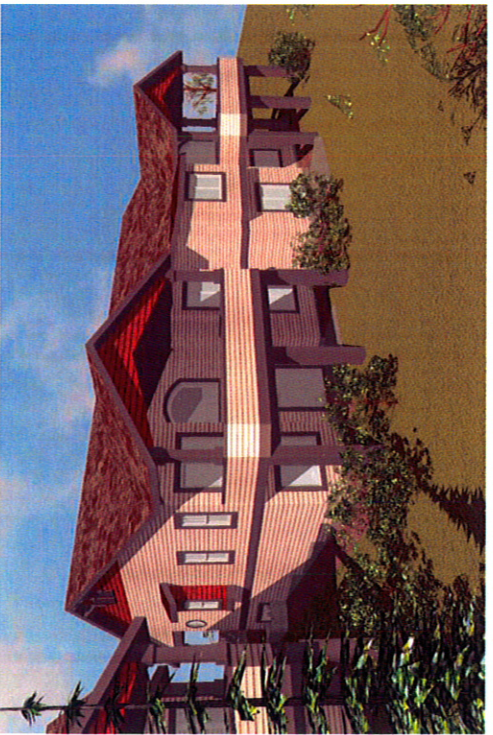
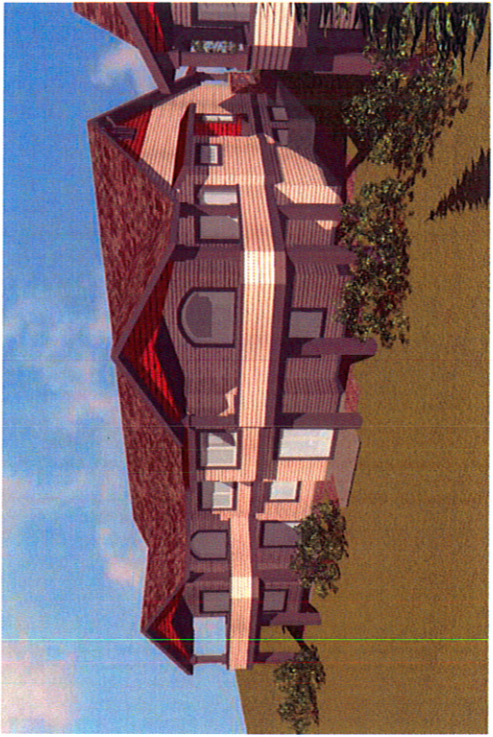
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SHEET  
2 OF 2









**DELICH ASSOCIATES** Traffic & Transportation Engineering  
2272 Glen Haven Drive Loveland, Colorado 80538  
Phone: (970) 669-2061 Fax: (970) 669-5034



**MEMORANDUM**

**TO:** John Baxter  
Ken Merritt, Landmark Engineering  
Jeff Bailey, City of Loveland Engineering Division

**FROM:** Joe/Matt Delich

**DATE:** November 16, 2010

**SUBJECT:** Buckingham Shores Traffic Impact Study  
(File: 1058ME01)



This memorandum constitutes a traffic impact study for the Buckingham Shores, located in the northwest quadrant of the W. 1<sup>st</sup>/Rossum intersection in Loveland, Colorado. The site location is shown in Figure 1. The site plan is shown in Figure 2. The Buckingham Shores is proposed as 12 single-family duplex dwelling units. Appendix A contains a copy of the Base Assumptions Form and documents related to scoping for this traffic impact study.

West First Street is classified as a two-lane arterial street, west of Wilson Avenue, on the Loveland 2030 Street Plan. Currently, it has a two-lane cross section. At the W. 1<sup>st</sup>/Rossum, W. 1<sup>st</sup> Street has an eastbound left-turn lane, a through lane in each direction, and a westbound right-turn lane. The W. 1<sup>st</sup>/Rossum intersection has stop sign control on Rossum Drive. West First Street has a posted speed of 45 mph. This exceeds the recommended posted speed limit of 40 mph for a two-lane arterial as set forth in LCUASS Table 7-4. Rossum Drive is classified as a major collector street on the Loveland 2030 Street Plan. Currently, it has a two-lane cross section. At the W. 1<sup>st</sup>/Rossum intersection, Rossum Drive has southbound left-turn and right-turn lanes. At the Rossum/Scenic intersection, Rossum Drive has all movements in a single lane. Rossum Drive has a posted speed limit of 30 mph. Scenic Drive is classified as a minor collector street, east of Rossum Drive, on the Loveland 2030 Street Plan. West of Rossum Drive, there are curb returns across from Scenic Drive accessing this parcel. At the Rossum/Scenic intersection, Scenic Drive has all westbound movements in a single lane. Scenic Drive has a posted speed limit of 20 mph. A schematic of the geometry at the W. 1<sup>st</sup>/Rossum and Rossum/Scenic intersections are provided in Appendix A.

Recent peak hour traffic counts at the W. 1<sup>st</sup>/Rossum and Rossum/Scenic intersections are shown in Figure 3. Raw traffic counts are provided in Appendix A. Traffic counts at the W. 1<sup>st</sup>/Rossum and Rossum/Scenic intersections were obtained in November 2010. Using the volumes shown in Figure 3, the current peak hour operation



at the W. 1<sup>st</sup>/Rossum and Rossum/Scenic intersections are shown in Table 1. Calculation forms for these analyses are provided in Appendix B. The intersections were analyzed using the unsignalized intersection techniques from the 2000 Highway Capacity Manual (2000 HCM). Acceptable operation is defined by the City of Loveland as level of service (LOS) C or better overall. At major intersections, any leg can operate at level of service D and any movement can operate at level of service E. At minor intersections, any leg can operate at level of service E and any movement can operate at level of service F. At driveway intersections, there is no limit defined for the level of service. The W. 1<sup>st</sup>/Rossum intersection is a major intersection. The Rossum/Scenic intersection is a minor intersection. A description of level of service at unsignalized intersections is provided in Appendix B. The Loveland Motor Vehicle LOS Standards are also provided in Appendix B. As can be seen in Table 1, the W. 1<sup>st</sup>/Rossum and Rossum/Scenic intersections are currently operating acceptably with existing control and geometry.

Single-Family Detached (Code 210) from Trip Generation, 8<sup>th</sup> Edition, ITE was selected to estimate the daily and peak hour trip generation for the Buckingham Shores. Table 2 shows the calculated trip generation for the proposed Buckingham Shores. The trip generation of Buckingham Shores resulted in 115 daily trip ends, 9 morning peak hour trip ends, and 12 afternoon peak hour trip ends.

The trip distribution was assumed to be 80 percent to/from the east, 15 percent to/from the north and 5 percent to/from the west. This trip distribution was derived from the existing peak hour counts at the key intersections, knowledge of the existing and planned street system, development trends, and engineering judgment. Figure 4 shows the trip distribution. The site generated peak hour traffic is shown in Figure 5.

Background traffic projections for the short range (2013) future horizon were obtained by utilizing the Loveland 2030 Transportation Plan, the North Front Range Regional Transportation Plan, and recent traffic impact studies in the area. Based upon these sources, it was determined that traffic volumes on the area streets would increase at a rate of approximately 3.25% per year. The recent traffic impact studies are the Overlook at Mariana 1<sup>st</sup> Subdivision, September 2005 and Mariana Butte 14<sup>th</sup> Subdivision, December 2004. Site generated traffic from unbuilt portions of these developments were added to traffic growth. Figure 6 shows the short range (2013) background peak hour traffic at the W. 1<sup>st</sup>/Rossum and Rossum/Scenic intersections. The traffic volumes generated by the proposed Buckingham Shores Development were added to the background traffic volumes to produce the total traffic volume forecasts for the short range (2013) future. Figure 7 shows the short range (2013) total peak hour traffic at the W. 1<sup>st</sup>/Rossum and Rossum/Scenic intersections.

Table 3 shows the existing and short range (2013) link volumes for key street segments. Table 3 also shows the ACF volume thresholds for key street segments and that segment meets the Adequate Community Facilities Ordinance. The threshold volumes shown were calculated for this study. Calculations for the ACF threshold volumes are provided in Appendix C. Table 3 indicates that all links meet the requirements of the Adequate Community Facilities Ordinance.

Table 4 shows the short range (2013) background morning and afternoon peak hour operation at the W. 1<sup>st</sup>/Rossum and Rossum/Scenic intersections. The W. 1<sup>st</sup>/Rossum and Rossum/Scenic intersections will operate at acceptable levels of service. Calculation forms for these analyses are provided in Appendix D.

Table 5 shows the short range (2013) total morning and afternoon peak hour operation at the W. 1<sup>st</sup>/Rossum and Rossum/Scenic intersections. The W. 1<sup>st</sup>/Rossum and Rossum/Scenic intersections will operate at acceptable levels of service. Calculation forms for these analyses are provided in Appendix E.

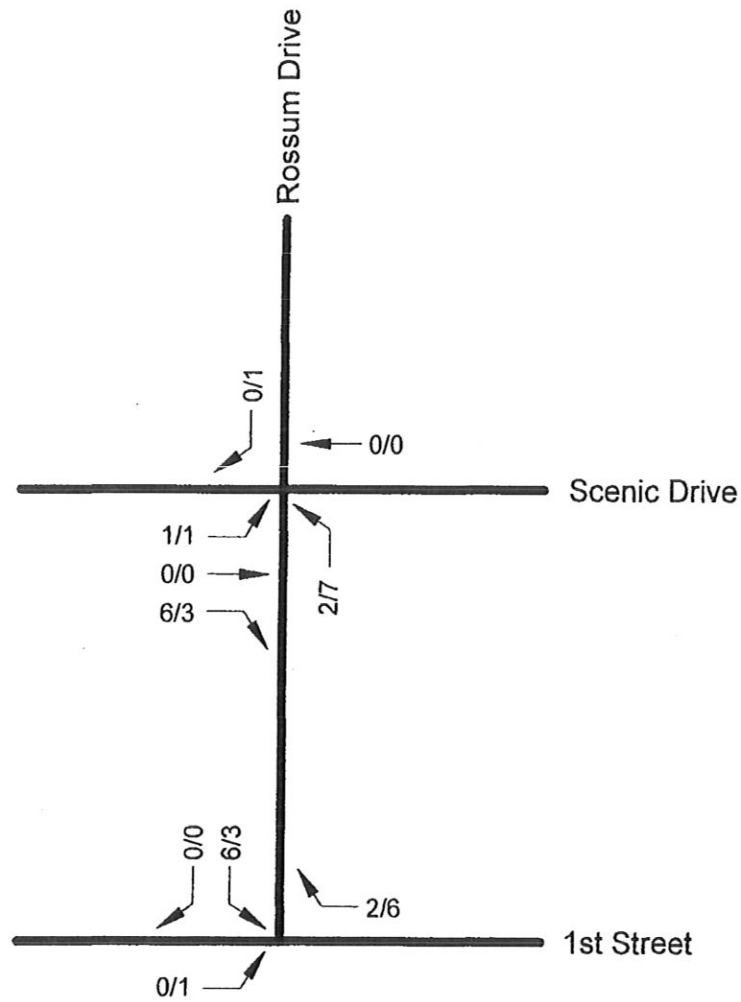
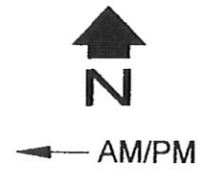
Figure 8 shows the short range (2013) approach geometry at the W. 1<sup>st</sup>/Rossum and Rossum/Scenic intersections. At the W. 1<sup>st</sup>/Rossum intersection, the westbound right-turn lane exceeds the required 375 feet in LCUASS. The eastbound left-turn lane appears to be approximately 30 feet less than the required 375 feet. It is recommended that this lane remain as is.

There are no pedestrian destinations within 1320 feet of Buckingham Shores. Namaqua Elementary School is less than one mile from Buckingham Shores. There are sidewalks adjacent to developed parcels in this area. Sidewalks will be built within Buckingham Shores. There are adequate sidewalks in the area for potential students to walk to Namaqua Elementary School. A school routing plan to Namaqua Elementary School is provided in Appendix F. Students that might attend Walt Clark Middle School and Thompson Valley High school will be bussed. There are bike lanes on W. 1<sup>st</sup> Street and Rossum Drive.

It is concluded that the W. 1<sup>st</sup>/Rossum and Rossum/Scenic intersections will operate acceptably. No additional auxiliary lanes are recommended at either the W. 1<sup>st</sup>/Rossum and Rossum/Scenic intersections. All intersections and links will meet the Loveland Adequate Community Facilities Ordinance criteria.

TABLE 1 Current Peak Hour Operation			
Intersection	Movement	Level of Service	
		AM	PM
W. 1 <sup>st</sup> /Rossum (stop sign)	EB LT	A	A
	SB LT	B	B
	SB RT	A	A
	SB APPROACH	B	B
	OVERALL	A	A
Rossum/Scenic (stop sign)	WB LT/RT	A	A
	SB LT/T	A	A
	OVERALL	A	A

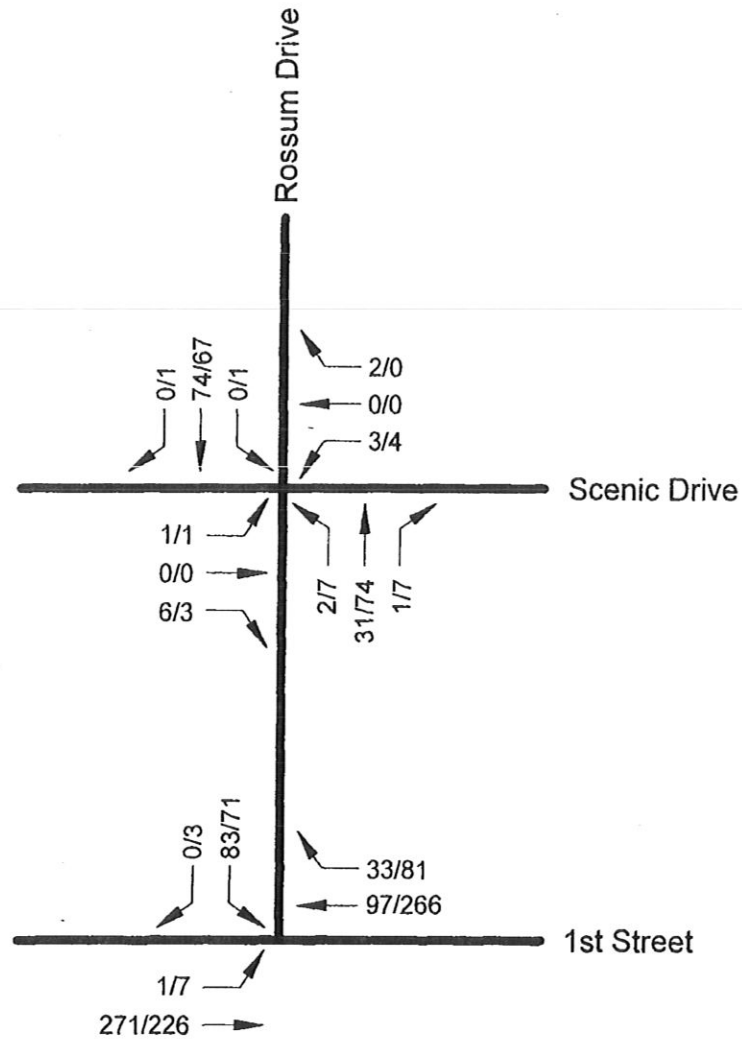
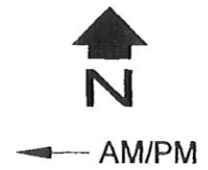
TABLE 2 Trip Generation												
Code	Use	Size	AWDTE		AM Peak Hour				PM Peak Hour			
			Rate	Trips	Rate	In	Rate	Out	Rate	In	Rate	Out
210	Single-Family	12 D.U.	9.57	115	0.19	2	0.56	7	0.64	8	0.37	4



## SITE GENERATED PEAK HOUR TRAFFIC

Figure 5





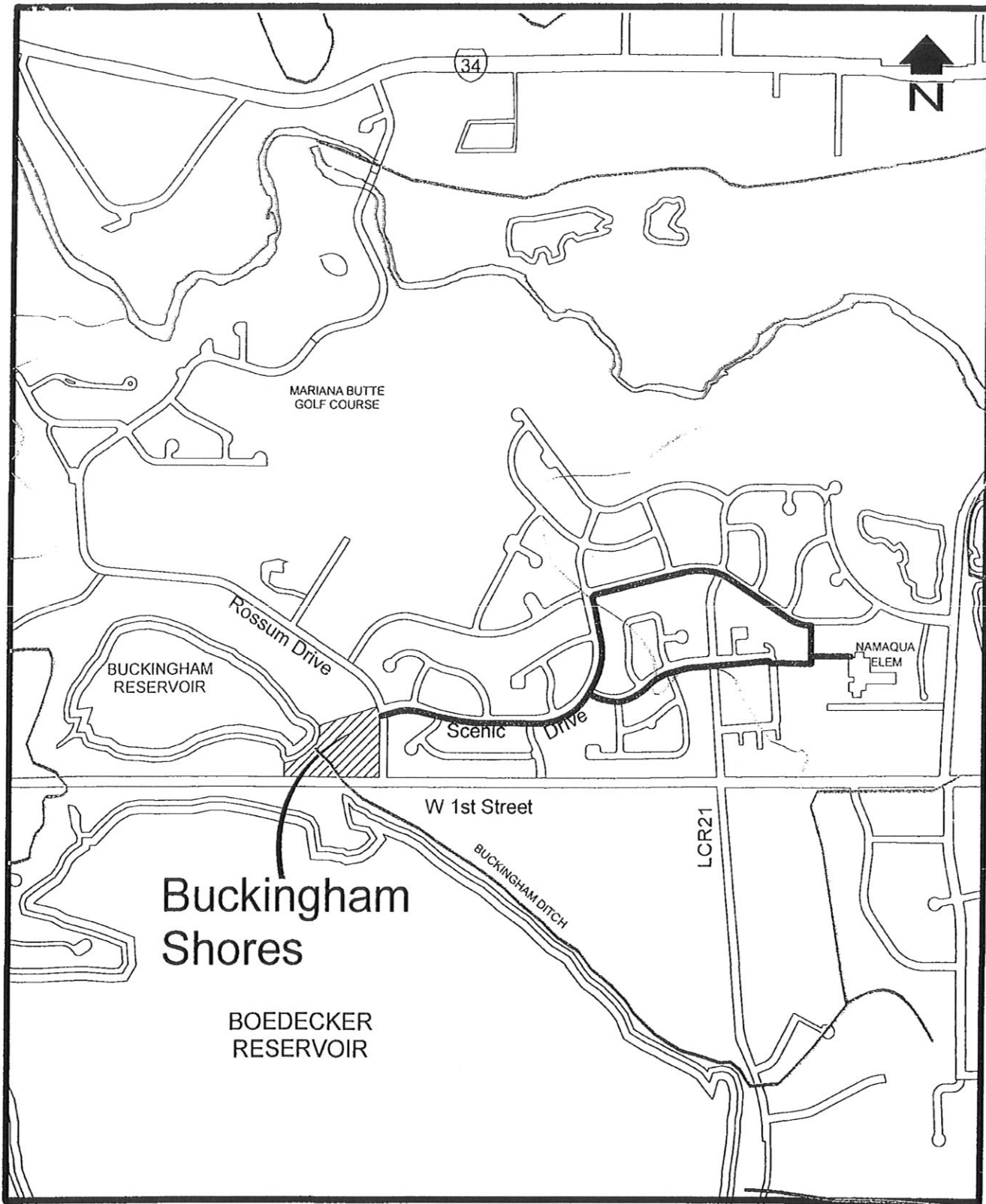
SHORT RANGE (2013) TOTAL  
PEAK HOUR TRAFFIC

Figure 7

TABLE 3 Street Traffic Volume Summary Table								
Street Segment	Direction	Existing Traffic Volume (AM/PM)	Date Existing Volume Taken	Regional Growth and Traffic from Build-out of Other Proposed Development* (AM/PM)	Site Generated Traffic (2013) (AM/PM)	Total Traffic (2013) (AM/PM)	ACF Traffic Threshold	ACF Compliance (AM/PM)
1 W. 1 <sup>st</sup> Street west of Rossum Drive	EB	208/184	11/10	272/232	0/1	272/233	950	Y/Y
	WB	75/199	11/10	97/269	0/0	97/269	950	Y/Y
2 W. 1 <sup>st</sup> Street east of Rossum Drive	EB	254/226	11/10	348/294	6/3	354/297	950	Y/Y
	WB	85/238	11/10	128/341	2/6	130/347	950	Y/Y
3 Rossum Drive north of W. 1 <sup>st</sup> Street	NB	21/47	11/10	32/81	2/7	34/88	530	Y/Y
	SB	47/50	11/10	77/71	6/3	83/74	530	Y/Y
4 Rossum Drive north of Scenic Drive	NB	22/41	11/10	33/74	1/1	34/75	530	Y/Y
	SB	44/47	11/10	74/68	0/1	74/69	530	Y/Y
5 Scenic Drive east of Rossum Drive	EB	1/7	11/10	1/8	0/0	1/8	375	Y/Y
	WB	5/4	11/10	5/4	0/0	5/4	375	Y/Y
* Approved developments, not yet built.		Overlook at Marina 1 <sup>st</sup> Subdivision, Marianan Butte 14 <sup>th</sup> Subdivision						
* Proposed developments, not yet approved.								
Notes/Comments								

TABLE 4 Short Range (2013) Background Peak Hour Operation			
Intersection	Movement	Level of Service	
		AM	PM
W. 1 <sup>st</sup> /Rossum (stop sign)	EB LT	A	A
	SB LT	B	B
	SB RT	A	A
	SB APPROACH	B	B
	OVERALL	A	A
Rossum/Scenic (stop sign)	WB LT/RT	A	A
	SB LT/T	A	A
	OVERALL	A	A

TABLE 5 Short Range (2013) Total Peak Hour Operation			
Intersection	Movement	Level of Service	
		AM	PM
W. 1 <sup>st</sup> /Rossum (stop sign)	EB LT	A	A
	SB LT	B	B
	SB RT	A	A
	SB APPROACH	B	B
	OVERALL	A	A
Rossum/Scenic (stop sign)	EB LT/T/RT	A	A
	WB LT/T/RT	A	A
	NB LT/T/RT	A	A
	SB LT/T/RT	A	A
	OVERALL	A	A



SCALE: 1"=1000'

## SCHOOL ROUTING PLAN



Buckingham Shores TIS, November 2010



# Mariana Butte

## AMENDED GENERAL DEVELOPMENT PLAN DEVELOPMENT PLAN NARRATIVE

### A. Purpose of the Project

The following development standards apply only to the 235± acres comprising the Amended General Development Plan (GDP). The purpose of this Amendment is to revise the existing GDP, based on the currently approved LB Home Development (Mariana Butte Second and Fifth Subdivision) and the proposed Village P.U.D. (Mariana Butte Sixth Subdivision). This Amended GDP will provide a variety of development types including single-family detached, paired and mixed use residential, office, retail, commercial and community services.

### B. Land Use

#### 1. Overall Concept

The Amended GDP plan provides for a mix of uses, including conventional single-family detached residential, paired residential, multi-family units, apartments, community services, office, retail, commercial and assisted care uses. The concept of the development is to provide a variety of development types within a series of small neighborhoods interconnected by open space and greenbelts with pedestrian traffic allowed to move freely between the neighborhoods. The neighborhoods will be designed in a cohesive manner and will accommodate the varied design requirements of each development and the specific uses they will contain. The types of homes and densities will be designed to be appropriate to local considerations, such as street patterns, adjacent uses, and location of project amenity areas. A design theme will be created for the project that ties together the individual components of each development through the use of tree-lined streets, pedestrian connectors, buffer and landscape and streetscape.

#### 2. Land Use Categories and Definitions

The land use categories provided for in this Amended GDP are: single family detached residential, single-family paired residential, mixed residential, assisted care residential, office/commercial, retail, church and daycare. The following definitions apply to all residential uses within this Amended GDP.

- Single-family detached residential** - A one family dwelling which is not attached to any other dwelling, located on individual lots.
- Single-family paired residential** - A single-family unit attached to another single-family unit by common vertical walls.
- Mixed residential** - May be one or more of the following: Single family, patio homes, paired residential units or a structure containing three or more residential units in which access may be from individual entries or common halls or access courts, and which may be designed with dwelling units above other units or above retail/commercial or retail uses. (i.e. condominiums, townhomes and apartments.)
- Assisted Care residential** - Limited assisted, assisted special care and assisted care of the adult community as defined by Federal and State guidelines.
- Retail** - A structure built for the primary purpose of selling goods, convenience, retail, gasoline and services to the general public.
- Office/Commercial** - A structure built in which to conduct the affairs of business, government, professional practices, etc., where the sale of specific goods is not the primary purpose.
- Church** - Religious facilities, private educational institutions, religious institutions, and community facilities.
- Daycare** - State Licensed Child and/or Adult supervised care, which may include private educational institutions, recreational and activity centers.
- Building height** - As defined by City of Loveland Municipal Code.

#### 3. Neighborhood Structure

As indicated on the Amended GDP, the site has been planned as a series of neighborhoods. These neighborhoods will generally be bounded by residential collector or arterial streets and open space. Within each neighborhood a maximum number of dwelling units will be allowed as designed on the Amended GDP, and will be designed in accordance with the development standards outlined on this plan. Primary elements providing structure to the neighborhoods include the open space corridor through the project, landscaped buffer yards, streetscapes, a well defined pedestrian system and the tree-lined streets. As development progresses, minor density transfers and other adjustments may be made by administrative approval of the Current Planning Manager in accordance with Chapter 15.41 of the City of Loveland Municipal Code.

### C. Circulation

#### 1. Overall Concept

Primary access to the site will be from West 1st Street, Nantuxan Avenue, Rossan Drive, and Foothills Drive and Crestline Drive. West 1st Street is classified as an arterial with Nantuxan Avenue, Rossan Drive and Crestline Drive classified as collectors. Residential collectors such as Foothills Drive will provide access through the development to individual development parcels. Internal local streets and private drives will distribute traffic within each development parcel to higher classified roadway which then provides circulation throughout the entire Mariana Butte development.

#### 2. Vehicle Circulation

a. A series of residential and/or collector streets will collect and distribute traffic within each development parcel. Local streets and private drives will be designed to provide access within each neighborhood, with cross connections to adjacent neighborhoods. Local streets will vary in width based on traffic volumes generated by the specific development within each parcel.

b. **Pedestrian Circulation** - An overall system of pedestrian ways will be provided along roadways as well as through open space areas. Detached sidewalks will be provided along perimeter arterial collector streets and residential collector streets. Attached sidewalks will be provided on local streets, but may be detached at the developers option.

### D. Public Facilities

#### 1. Overall Concept

All public facilities and services are readily available to, or near, the site. Utilities will be extended at the expense of the developer. Any overlying of utilities requested by the City will be eligible for a partial reimbursement by the City to the developer making the improvement.

#### 2. Water and Sewer

Water and sewer service will be provided by the City of Loveland and shall be extended or upgraded at the expense of the Developer of each Development Parcel. A 16" watermain will be extended in West 1st Street from Nantuxan Road to Crestline Drive. An 8" effluent sanitary sewerline will be extended from Foothills

Drive to the proposed development. Details of services will be provided at the time preliminary and final development plans are submitted for each Development Parcel.

#### 3. Storm Drainage

A preliminary drainage report has been prepared for the entire Mariana Butte P.U.D. Generalized locations and sizes of detention and conveyance facilities are included in this report.

#### 4. Electric

Service will be provided by the City of Loveland Light and Power Department and shall be extended or upgraded at the expense of the Developer of each Development Parcel.

#### 5. Open Space

Open Space requirements have been met for the entire Mariana Butte P.U.D. at the time of the time of dedication of the Mariana Butte Golf Course property to the City of Loveland, per the development agreement. Additional open space may be provided within each development parcel at the discretion of each developer, but no minimum open space dedication will be required.

#### 6. Schools

Nantuxan Elementary School is adjacent to this development and will serve as a walk to school for the neighborhood. The school site will be made accessible by the design pedestrian walkways, to the school property. Walk Clark Middle School and Thompson Valley High School currently service this development.

#### 7. Fire and Police

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

## OVERALL DESIGN THEME

### A. Overall Concept

The design intent for this Amended GDP is to create a sense of place through the careful integration of an overall design theme for the development. This theme will serve to provide for a unique identity as well as a means of providing an overall sense of community among the various neighborhoods. The elements of the design concept will include consistent perimeter edge treatments, creation of man made amenities, comprehensive landscape treatments, and attention to architectural elements. The general approach to each of these design components are described below. More detailed development of these elements will occur as preliminary and final development plans are prepared for each Development Parcel.

### B. Perimeter Edge Treatment

#### 1. Architecture

One of the most important aspects of the development's overall appearance as viewed from the edge to the appearance of the man-made structures. Rear and side elevations of buildings will be detailed to provide visual interest and avoid unattractive views from adjacent streets. Careful attention will be paid to the retail/office and commercial architecture to ensure compatibility with the surrounding residential architecture and development.

#### 2. Landscaping

Perimeter landscape treatment will receive careful attention due to the projects location along arterial and collector roadways. A minimum 40' landscape setback as measured from the R.O.W. will provide a visual buffer and improve the aesthetics along West 1st Street, Rossan Drive, Nantuxan Road, and Crestline Drive, respectively. Landscape buffer must be fully contained within the common open space area and not within individual lot areas.

#### 3. Access

Entry points are proposed from West 1st Street, Rossan Drive, Nantuxan Road and Crestline Drive. Additional entry points may be provided as determined by preliminary design and specific development circulation requirements. Each entry point will be designed as a part of the development's overall theme and may include entry walls, landscape and architectural treatments specific to the development.

#### 4. Fencing

The dominant form of edge treatment for screening and buffering will be landscape. However, fencing will be limited to a maximum of 5 feet in height and must be an "architectural" decorative fence. No solid fences will be allowed within any of the designated buffer and areas. Chain link and unembellished stockade wooden fencing will be prohibited.

### C. Landscaping

#### 1. Overall Concept

Landscaping will be designed with a comprehensive theme for the entire development. Major project entries will be developed for each project phase and will incorporate adjacent open space and streetscape treatment. Each project entry will be designed to complement the site and not overpower it. By using adjacent open space, a broad sense of openness will be achieved. Collector streets will be designed with detached sidewalks, with traditional tree lawns and street trees. The overall concept will be to treat the roadways as tree-lined lanes reflective of established communities typical of Northern Colorado. This approach will help to visually unify the entire Mariana Butte development and will create a high quality streetscape environment.

#### 2. Maintenance

All landscaped areas of the development, including buffer yards, perimeter streetscape areas, common open spaces, parks, landscaping within the R.O.W. and entry features, will be maintained by Private Homeowner's Association established for each development parcel.

### D. Architecture

#### 1. Overall Concept

The overall architectural concept will emphasize the following elements:

- Building form and character shall be of an appropriate scale. Design considerations shall include the scale and form of the building major elements, including roofs, walls, and openings.
- Rear and side elevations of structures will be detailed to provide visual interest and avoid unattractive views from adjacent streets.
- Roofing materials, windows, building materials and finish, will be coordinated to achieve a cohesive and unified appearance.

#### 2. Building Materials

- Residential**  
Siding - Brick, stone, hardboard lap siding, board and batten siding, wood siding, vinyl, stucco or synthetic stucco, or as allowed by the approval of site specific preliminary and final development plans.

- Retail/Office/Commercial**  
Retail/Office and Commercial architecture shall be designed for a pedestrian scale, and be compatible with the surrounding residential areas. This may be achieved through the use of building materials, roof forms, and colors.

Siding - Brick, stone, architectural block, hardboard lap siding, board and batten siding, wood siding, vinyl, stucco or synthetic stucco, or as allowed by the approval of site specific Preliminary and Final Development Plans.

Roofing - Asphalt shingles, high profile laminated asphalt shingles, composite material shingles, concrete, tile, metal, roll roofing on flat roofs, or as allowed by the approval of site specific Preliminary and Final Development Plans.

#### c. Forms

A variety of setbacks and architectural elements are encouraged to provide variety in the architectural design. Gabled, mansard, or other angled roof forms with a minimum 5/12 pitch are encouraged to provide a residential character to the development.

### E. Landform Modification

The site has gently rising topography. The project shall be designed to take advantage of the existing landform. Modification will occur in order to create visual interest and to provide for surface drainage throughout the site. The maximum cut at ±16 feet shall occur with the removal of a small ridge outcropping. The maximum fill at ±6 feet shall occur to accommodate drainage and design requirements.

## DEVELOPMENT STANDARDS AND REGULATIONS

The following development standards apply only to 235± acres comprising the Amended GDP. The purpose of this Amendment is to revise the existing GDP, based on the currently approved LB Home Development (Mariana Butte Second and Fifth Subdivision) and the proposed Village P.U.D. (Mariana Butte Sixth Subdivision) in accordance with Chapter 15.41 of the Loveland Municipal Code. It is the intent of this plan to provide a mechanism by which land can be developed in a manner that encourages flexibility and innovative design within the applicable land use and development regulations in effect at the time of approval of this development.

### A. Permitted Uses

Permitted uses include the following:

**Residential** - Conventional single-family detached, single family, paired or patio homes, single family attached condominiums, townhomes, and apartments.

**Churches** - Religious facilities; private educational institutions, religious institutions, community recreational facilities, nursery schools or day care centers.

**Assisted Care residential** - Limited assisted, assisted special care and assisted care of the adult community as defined by Federal and State guidelines.

**Retail** - A structure built for the primary purpose of selling goods, convenience, retail, gasoline and services to the general public.

**Office/Commercial** - A structure built in which to conduct affairs of business, government, professional practice, etc., where the sale of specific goods is not the primary purpose.

**Daycare** - State Licensed Child and/or Adult supervised care, private educational institutions, recreational and activity centers.

Accessory Structural Uses are allowed by City Code unless otherwise restricted by a Preliminary Drainage Plan or other conditions of approval made for specific development process.

### B. Setbacks

The following minimum setbacks shall apply to all residential development within this P.U.D. lot may be modified by the approval of site specific Preliminary and Final Development Plan for each development process.

#### 1. Single Family Detached Residential

- Front - 16 ft. minimum from face of principal structure, 20 ft. minimum from face of garage, as measured from back of walk (or back of curb if no walk exists).
  - Side - 5 ft. minimum from structure to lot line, 10 ft. between structures.
  - Corner Side - 15 ft. minimum from face of principal structure, 20 ft. minimum from face of garage, as measured from back of walk (or back of curb if no walk exists).
  - Rear - 15 ft. minimum from structure to property line for principal structures, 6 ft. minimum setback for all accessory structures as measured from any wall of accessory structure to the lot line.
- #### 2. Single Family Paired/Patio Homes
- Front - 0 ft. to property line and 16 ft. minimum from back of walk to face of structure (or back of curb if no walk exists) 20 ft. minimum to face of garage.
  - Side - 0 ft. to property line and/or 10 ft. minimum between adjacent structures.
  - Corner Side - 0 ft. to property line and 15 ft. minimum from back of walk (or back of curb if no walk exists), 20 ft. minimum to face of garage.
  - Rear - 0 ft. to property line and/or 10 ft. minimum between adjacent structures.

#### 3. Office/Commercial/Retail

- 25 ft. from back of walk (or back of curb if no walk exists) for two story buildings, 40' for three story buildings.
- Adjacent to Residential - As measured to the nearest residential lot line - 50 ft. for two-story office/commercial, 70 ft. for three-story office/commercial buildings, and 50 ft. for retail uses. (Notes: Free-standing garages may be set back 50 ft. if used as a buffer.)

Varied setbacks are encouraged in order to provide visual relief and variety of the streetscape.

### C. Height

Single Family Residential and Paired buildings will be limited in height to 35 ft. Office/Commercial/Retail buildings are to be limited to 3 stories with a maximum height of 40 ft. Building height shall be calculated as defined by the City of Loveland Municipal Code.

### D. Signs

#### 1. Permitted Signs

Signs permitted within the development shall include the following:

- Community Identification Signs** - Up to two signs may be located at each of the main entry points to a development.
- Neighborhood Identification Signs** - One sign may be located at each of the entry points to specific residential neighborhoods or Villages within a development.
- Office/Retail/Commercial** - One sign may be located at each of the primary entries to the development. Building mounted signage will be allowed as per the existing Loveland Municipal Code.
- Directional and Regulatory Signs** - Including street and traffic control signs.

#### 2. Materials

Sign materials may include, but are not limited to brick, stone, architectural block, stucco or synthetic stucco, brass, or painted metals. Community identifiable signs may be internally illuminated, ground lighted or lit from other acceptable source as allowed by the sign code. Neighborhood identification signs shall not be non-illuminated.

#### 3. Application

Other than as noted above, signs shall be in accordance with the Loveland Municipal Code with regard to size, location, height, and other applicable standards, unless amended by approved Preliminary Development Plan for specific development parcels.

### E. Outdoor Storage of Recreation Vehicles

No boat, camper, trailer, motor home, bus, machine or recreational vehicles may be stored on the property, unless enclosed entirely in a garage or other architectural screen wall or fence; provided that the same may be temporarily parked upon the driveway or street as allowed by the City of Loveland Municipal Code. Excluding parcels F, G & H of the Amended General Development Plan, (U.S. Home Parcels).

### F. Architectural Review Committee

Each development within this Amended General Development Plan shall establish an Architectural Review Committee, to review and approve all buildings to be constructed within the each Development Parcel. No building or other structure shall be erected, placed or altered on any lot and plans have been submitted and approved by the Committee. The Committee will utilize this Amended GDP, as well as site specific, Approved Preliminary and Final Development Plans and guidelines, comments as the basis for review. A letter of approval for architectural plans from the architectural review committee shall accompany each submitted for building permits.

## SIGNATURE BLOCK

### Ownership Certification

The undersigned, have ownership in the land included in this Amended GDP, hereby consent to the preparation and recording of this Amended General Development Plan.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 1993.

Mariana Butte Limited

By: Morgan and Company

Res. William M. Morgan, Pres.

Approved this 30<sup>th</sup> day of June, 1993.

The undersigned, have ownership in the land included in this Amended GDP, hereby consent to the preparation and recording of this Amended General Development Plan.

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 1993.

U.S. Home Corporation

By: Gr. Via Pres. - Reg. Mgr.

Res. John A. Via

Approved this 26 day of June, 1993.

### City Approvals

Approved this 30<sup>th</sup> day of July, 1993 by the

Chief Planner of the City of Loveland, Colorado

By: John A. Via

Approved this 20<sup>th</sup> day of August, 1993 by the City

Engineer of the City of Loveland, Colorado

By: John A. Via

Approved this 25<sup>th</sup> day of August, 1993 by the City

Attorney of the City of Loveland, Colorado

By: John A. Via

Approved this 10<sup>th</sup> day of August, 1993 by the Planning

Commission of the City of Loveland, Colorado

By: John A. Via

Approved this 23<sup>rd</sup> day of July, 1993 by the City

Council of the City of Loveland, Colorado

By: John A. Via

Approved this 23<sup>rd</sup> day of July, 1993 by the City

Council of the City of Loveland, Colorado

By: John A. Via

Approved this 23<sup>rd</sup> day of July, 1993 by the City

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Approved this 23<sup>rd</sup> day of July, 1993 by the City

Council of the City of Loveland, Colorado

By: John A. Via

Approved this 23<sup>rd</sup> day of July, 1993 by the City

Council of the City of Loveland, Colorado

By: John A. Via

# AMENDED GENERAL DEVELOPMENT PLAN

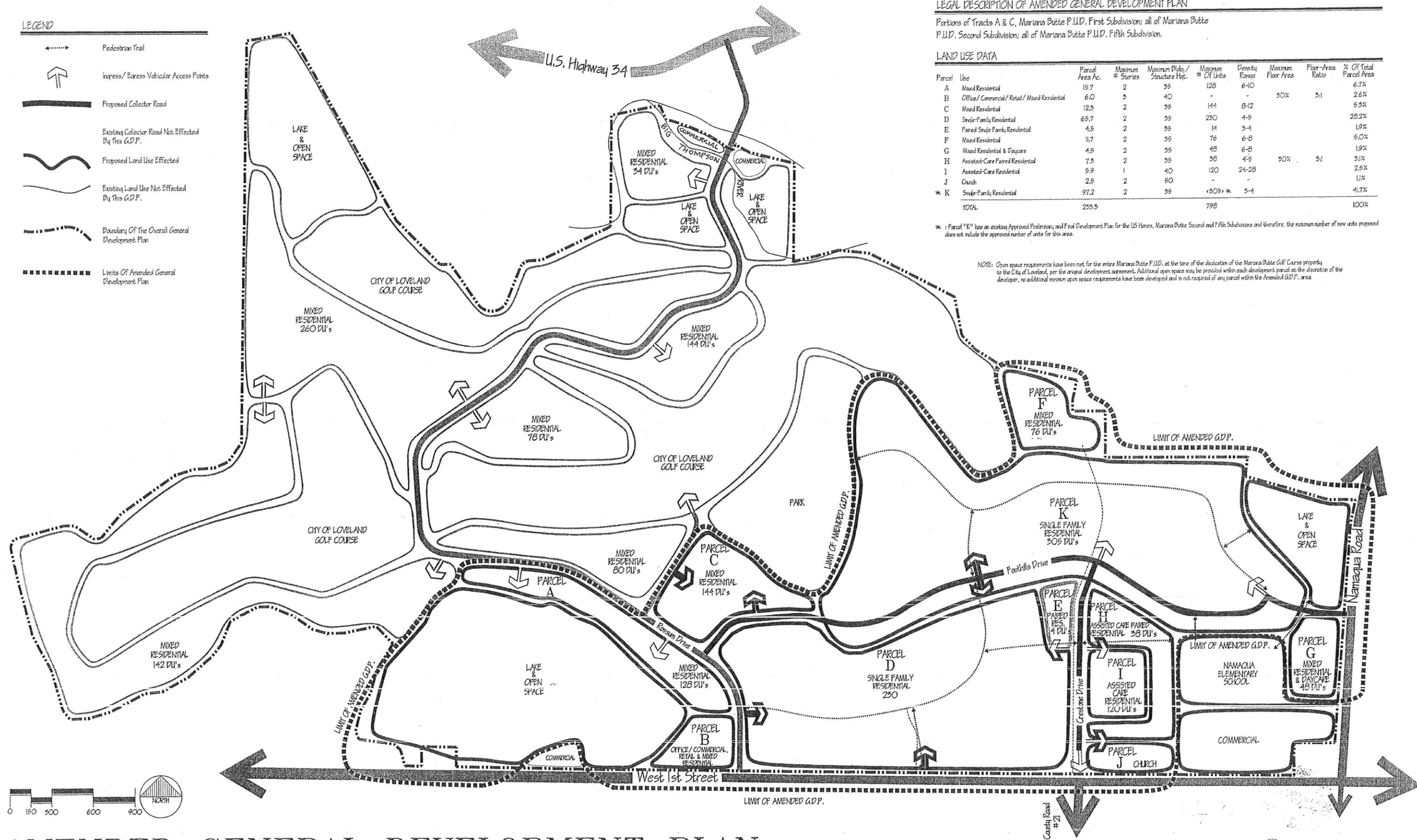
An Amendment to the Adopted General Development Plan Dated: April 1, 1994  
Dated: October 14, 1996  
Revised: December 2, 1996 (City DRT Comments)

SHEET  
2 OF 2

ATTACHMENT 7

# LEGEND

- Pedestrian Trail
- Ingress/ Egress Vehicular Access Points
- Proposed Collector Road
- Existing Collector Road Not Effected By This G.D.P.
- Proposed Land Use Effected
- Existing Land Use Not Effected By This G.D.P.
- Boundary Of The Overall General Development Plan
- Limits Of Amended General Development Plan



## LEGAL DESCRIPTION OF AMENDED GENERAL DEVELOPMENT PLAN

Portions of Tracts A & C, Mariana Butte P.U.D., First Subdivision; all of Mariana Butte P.U.D., Second Subdivision; all of Mariana Butte P.U.D., Fifth Subdivision.

## LAND USE DATA

Parcel	Use	Parcel Area A.C.	Maximum # Stories	Maximum Bldg./ Structure Hgt.	Maximum # Of Units	Density Range	Maximum Floor Area	Floor-Area Ratio	% Of Total Parcel Area
A	Mixed Residential	15.7	2	35	125	6-10			6.7%
B	Office/ Commercial/ Retail/ Mixed Residential	6.0	3	40	-	-	30%	3:1	2.6%
C	Mixed Residential	12.5	2	35	144	8-12			5.5%
D	Single-Family Residential	65.7	2	35	230	4-5			28.2%
E	Paired Single Family Residential	4.5	2	35	14	3-4			1.9%
F	Mixed Residential	11.7	2	35	76	6-8			5.0%
G	Mixed Residential & Daycare	4.5	2	35	48	6-8			1.9%
H	Assisted-Care Paired Residential	7.5	2	35	38	4-5	30%	3:1	3.1%
I	Assisted-Care Residential	5.9	1	40	120	24-28			2.5%
J	Church	2.8	2	50	-	-			1.1%
* K	Single-Family Residential	97.2	2	35	<505> *	3-4			41.7%
TOTAL		233.5			798				100%

\* Parcel "K" has an existing Approved Preliminary and Final Development Plan for the US Homes, Mariana Butte Second and Fifth Subdivisions and therefore, the maximum number of new units proposed does not include the approved number of units for this area.

NOTE: Open space requirements have been met for the entire Mariana Butte P.U.D., at the time of the dedication of the Mariana Butte Golf Course property to the City of Loveland, per the original development agreement. Additional open space may be provided within each development parcel as the discretion of the developer, no additional minimum open space requirements have been developed and is not required of any parcel within the Amended G.D.P. area.

# AMENDED GENERAL DEVELOPMENT PLAN

An Amendment to the Adopted Mariana Butte General Development Plan Dated April 1, 1994.

Dated: October 14, 1998  
Revised: December 2, 1998 (Per City D.R.T. Comments)  
Revised for final signatures: May 12, 1999

AMENDED JAN. 6, 1999 BY ADDING "COMMERCIAL" AREA NORTH OF BIG THOMPSON RIVER AND WEST OF ROSSUM DRIVE, TO BE CONSISTENT WITH ORIGINAL MARIANA BUTTE MASTER PLAN.

SHEET  
1 OF 2

**Landmark Ltd.**

PLANNERS/ENGINEERS/ARCHITECTS  
3521 West Eisenhower Blvd., Loveland, Colorado 80531  
(970) 667-6286 Denver (BOB) 624-7124 Fax (970) 667-6248

# FINAL DEVELOPMENT PLAN

## MARIANA BUTTE TWENTY-THIRD SUBDIVISION

### A PLANNED UNIT DEVELOPMENT

BEING A FDP OF A PORTION OF TRACT A, MARIANA BUTTE P.U.D. TENTH SUBDIVISION  
TO THE CITY OF LOVELAND, LOCATED IN THE SOUTH HALF OF SECTION 17,  
TOWNSHIP 5 NORTH, RANGE 69 WEST OF THE 6TH P.M., LARIMER COUNTY, STATE OF  
COLORADO.

#### LAND USE SITE SUMMARY

The following Land Use Data relates to the entire site areas to be developed:

Existing/Proposed Zoning	P.U.D. Residential	100%
Total Site Area	5.03 Ac.-gross	
• Total Residential Lot Area (Lots #1-5)	1.45 Ac.	35% (overall site)
• Total Public ROW To Be Dedicated (Scenic Court, Rossum Drive & West 1st Street ROW)	0.77 Ac.	15% (overall site)
• Total Common Open Space Area (includes Outlots A thru D)	2.31 Ac.	41% (overall site)
Total Dwelling Units/Lots =	5	
Total Density =	1.02 du/ac (gross); .87 du/ac (net)	
Lot Sizes:	Minimum = 15,017 s.f.	
	Maximum = 21,652 s.f.	
	Average = 17,060 s.f.	

#### RESIDENTIAL BUILDING SETBACK REQUIREMENTS

- Front Setback (Front Loaded Garage) 30' Minimum Setback from the property line to face of principal structure or face of garage, whichever is closer.
- Side Setback 10' minimum setback as measured from the side lot line to face of principal structure.
- Corner Lot Side Setback 15' sideyard setback for Lot 1, Block 1 adjacent to Outlot B or 20' to face of garage.
- Rear Setback 30' minimum setback as measured from the rear lot line to face of primary structure.

#### GENERAL SETBACK NOTES

1. Front setbacks shall be measured from the front lot line or property line to face of principal structure, or face of garage, whichever is closer.
2. Minor architectural features which do not exceed 2' in overall projection and 10' in overall length from the principal structure (i.e., roof overhangs, fascias, eaves, fireplaces, bay windows, cantilevered walls, etc.) are allowed to encroach into the front, rear or side setbacks, but are not allowed to encroach into an easement regardless of setback requirements.

#### CONDITIONS OF APPROVAL : Planning Commission Meeting 6-11-07

##### Preliminary Development Plan

1. Financial security shall be provided for all seeded areas identified in the PDP, until such time that the seed germinates and is generally free of weeds.
2. Prior to the approval of the Final Development Plan, the Developer shall provide the City with a copy of the agreement for installing off-site landscaping, as shown in the PDP.
3. The recommendations and provisions in the ESAR dated November 2006 shall be incorporated into the PDP.
4. Final sign text for the interpretive and educational signs located along the trail shall be submitted with FDP. The signs should stress the need for no wildlife harassment or human intrusion into important habitat areas.
5. Notwithstanding any information presented in the PDP or accompanying preliminary plat and preliminary construction plan documents (text or graphical depictions), all public improvements shall conform to the Larimer County Urban Area Street Standards, as amended, unless specific variances are requested and approved in writing.
6. Prior to the installation of any structures within the public right-of-way, an encroachment permit shall be obtained from the City of Loveland.
7. Paving stones and pavement snow melt systems, shall not be allowed on the public street with this development.
8. Prior to the approval of the Final Development Plan and Final Plat, the Developer shall redesign the proposed sedimentation basin to have as much separation from the existing wetlands as possible yet obtain equal or greater volume as currently designed. The sedimentation basin shall have a gravel filter bottom and a compacted earth, vegetated berm separating the basin from the wetlands.
9. A surcharge of 5% will be added to all bills for the sale of electric power to additional services which come into the territory after January 31, 1987, within the territory herein annexed which surcharge will expire ten years after effective date of the annexation.

##### Preliminary Plat

10. Landscape plan for Outlot G shall be submitted concurrently with the first Preliminary Development Plan proposal for Lot 1, Block 2 of Mariana Butte 23rd Subdivision. All landscaping in Outlot G shall be installed prior to release of a building permit for Lot 1, Block 2 of Mariana Butte 23rd Subdivision.
11. Signage shall be provided at the entrance to the subdivision indicating the address range of the homes within the subdivision prior to the release of building permits.
12. Prior to the approval of the Final Plat, provide a "Fire Lane - No Parking" sign plan for approval by the fire prevention office for 1-side of the street and the entire cul-de-sac.



CITY OF LOVELAND  
VICINITY MAP  
SCALE 1" = 2000'

#### OWNER: (PDP Land Area Only)

B & B I, LLC  
C/O JOHN BAXTER  
4196 N. GARFIELD AVE.  
LOVELAND, CO 80538  
888-590-2220

#### APPLICANT:

B & B I, LLC  
C/O JOHN BAXTER  
4196 N. GARFIELD AVE.  
LOVELAND, CO 80538  
888-590-2220

#### PLANNER/ENGINEER/ARCHITECT:

LANDMARK PLANNERS, ENGINEERS, ARCHITECTS  
C/O KEN MERRITT  
3521 W. EISENHOWER BLVD.  
LOVELAND, CO 80537  
970-667-6286

#### SIGNATURE BLOCK

City Approver  
Approved this 27<sup>th</sup> day of March, 2008 by the Current Planning Manager of the City of Loveland, Colorado  
*John E. Baxter* for Bob Paulsen  
Current Planning Manager  
Approved this 19<sup>th</sup> day of March, 2008 by the City Engineer of the City of Loveland, Colorado  
*John E. Baxter*  
City Engineer  
Approved this 27<sup>th</sup> day of March, 2008 by the City Attorney of the City of Loveland, Colorado  
*John E. Baxter*  
City Attorney  
Approved this 27<sup>th</sup> day of March, 2008 by the Planning Commission of the City of Loveland, Colorado  
*John E. Baxter*  
Planning Commission Chairperson  
Approved this 27<sup>th</sup> day of March, 2008 by the City Council of the City of Loveland, Colorado  
*John E. Baxter*  
Mayor  
Attest:  
*John E. Baxter*

#### OWNERS CERTIFICATION

KNOW ALL MEN BY THESE PRESENTS THAT:

Being all the lawful record owners of the property shown on this Preliminary Development Plan, except any existing public streets, roads, or highways, do hereby certify that we accept the conditions and restrictions set forth on said plan and in the conditions of approval by the City of Loveland, dated March 6, 2008, and that we consent to the resubmission of any information pertaining thereto.

*John E. Baxter* Manager  
(owner)

STATE OF COLORADO  
(COUNTY OF LARIMER) ss

The foregoing instrument was acknowledged before me this 6<sup>th</sup> day of March, 2008, by John E. Baxter.

Witness my hand and official seal.

My commission expires: 11/16/09  
*Monica Chavala*



#### SHEET INDEX

1	TITLE SHEET
2	FINAL DEVELOPMENT PLAN NARRATIVE & DESIGN STANDARDS
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4	FINAL PLAT - OVERALL SITE PLAN AREA - 52.14 ACRES
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8	FINAL LANDSCAPE PLAN
9	FINAL LANDSCAPE SPECIFICATIONS AND DETAILS
10	FINAL LANDSCAPE SPECIFICATIONS AND DETAILS
11	FINAL SITE DETAILS
12	FINAL ARCHITECTURAL ELEVATIONS (PROTOTYPICAL)

REVISIONS	Description	Date
By		
DC	CITY COMMENTS & REVISIONS	3-24-07
DC	CITY COMMENTS & REVISIONS	6-24-07
DC	CITY COMMENTS & REVISIONS	8-24-07
DC	CITY COMMENTS & REVISIONS	9-21-07
DC	CITY COMMENTS & REVISIONS	11-21-07
LLC	CITY COMMENTS & REVISIONS	3-5-08

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www.landmarkinc.com

DATE: 3/6/08  
SCALE: AS SHOWN  
DRAWN: LLO  
CHECKED: KM  
APPROVED: KM

CLIENT: B & B I, LLC  
TITLE: MARIANA BUTTE 23RD SUBDIVISION  
FINAL DEVELOPMENT PLAN  
TITLE SHEET

JOB NO.: 080101-217  
665001-217

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# FINAL DEVELOPMENT PLAN

## MARIANA BUTTE TWENTY-THIRD SUBDIVISION

### A PLANNED UNIT DEVELOPMENT

BEING A FDP OF A PORTION OF TRACT A, MARIANA BUTTE P.U.D. TENTH SUBDIVISION  
TO THE CITY OF LOVELAND, LOCATED IN THE SOUTH HALF OF SECTION 17,  
TOWNSHIP 5 NORTH, RANGE 69 WEST OF THE 6TH P.M., LARIMER COUNTY, STATE OF  
COLORADO.

#### LAND USE SITE SUMMARY

The following Land Use Data relates to the entire site areas to be developed:

Existing/Proposed Zoning	P.U.D. Residential	100%
Total Site Area	5.03 Ac.-gross	
• Total Residential Lot Area (Lots #1-5)	1.45 Ac.	38% (overall site)
• Total Public ROW To Be Dedicated (Scenic Court, Rossum Drive & West 1st Street ROW)	0.71 Ac.	15% (overall site)
• Total Common Open Space Area (Includes Outlots A thru D)	2.51 Ac.	47% (overall site)
Total Dwelling Units/Lots =	5	
Total Density =	1.02 du/ac (gross); .87 du/ac (net)	
Lot Sizes:	Minimum = 15,017 s.f.	
	Maximum = 21,652 s.f.	
	Average = 17,060 s.f.	

#### RESIDENTIAL BUILDING SETBACK REQUIREMENTS

- Front Setback (Front Loaded Garage) 30' Minimum Setback from the property line to face of principal structure or face of garage, whichever is closer.
- Side Setback 10' minimum setback as measured from the side lot line to face of principal structure.
- Corner Lot Side Setback 15' sideyard setback for Lot 1, Block 1 adjacent to Outlot B or 20' to face of garage.
- Rear Setback 30' minimum setback as measured from the rear lot line to face of primary structure.

#### GENERAL SETBACK NOTES

1. Front setbacks shall be measured from the front lot line or property line to face of principal structure, or face of garage, whichever is closer.
2. Minor architectural features which do not exceed 2' in overall projection and 10' in overall length from the principal structure (i.e. roof overhangs, fascias, eaves, fireplace bay windows, cantilevered walls, etc.) are allowed to encroach into the front, rear or side setbacks, but are not allowed to encroach into an easement regardless of setback requirements.

#### CONDITIONS OF APPROVAL : Planning Commission Meeting 6-11-07

##### Preliminary Development Plan

1. Financial security shall be provided for all seeded areas identified in the FDP, until such time that the seed germinates and is generally free of weeds.
2. Prior to the approval of the Final Development Plan, the Developer shall provide the City with a copy of the agreement for installing off-site landscaping, as shown in the FDP.
3. The recommendations and provisions in the ESAR dated November 2006 shall be incorporated into the FDP.
4. Final sign text for the interpretive and educational signs located along the trail shall be submitted with FDP. The signs should stress the need for no wildlife harassment or human intrusion into important habitat areas.
5. Notwithstanding any information presented in the FDP or accompanying preliminary plat and preliminary construction plan documents (text or graphical depictions), all public improvements shall conform to the Larimer County Urban Area Street Standards, as amended, unless specific variances are requested and approved in writing.
6. Prior to the installation of any structures within the public right-of-way an encroachment permit shall be obtained from the City of Loveland.
7. Paving stones and pavement snow melt systems, shall not be allowed on the public street with this development.
8. Prior to the approval of the Final Development Plan and Final Plat, the Developer shall redesign the proposed sedimentation basin to have as much separation from the existing wetlands as possible yet obtain equal or greater volume as currently designed. The sedimentation basin shall have a gravelly filter bottom and a composted earth, vegetated berm separating the basin from the wetlands.
9. A surcharge of 5% will be added to all bills for the sale of electric power to additional services which come into the jurisdiction after January 31, 1987, within the territory herein annexed which surcharge will expire ten years after effective date of the annexation.

##### Preliminary Plat

10. Landscape plan for Outlot G shall be submitted concurrently with the first Preliminary Development Plan proposal for Lot 1, Block 2 of Mariana Butte 23rd Subdivision. All landscaping in Outlot G shall be installed prior to release of a building permit for Lot 1, Block 2 of Mariana Butte 23rd Subdivision.
11. Signage shall be provided at the entrance to the subdivision indicating the address range of the homes within the subdivision prior to the release of building permits.
12. Prior to the approval of the Final Plat, provide a "Fire Lane - No Parking" sign plan for approval by the fire prevention office for inside of the street and the entire cul-de-sac.



CITY OF LOVELAND  
VICINITY MAP  
SCALE 1" = 2000'

#### OWNER: (FDP Land Area Only)

B & B I, LLC  
C/O JOHN BAXTER  
4196 N. GARFIELD AVE.  
LOVELAND, CO 80538  
888-540-2220

#### APPLICANT:

B & B I, LLC  
C/O JOHN BAXTER  
4196 N. GARFIELD AVE.  
LOVELAND, CO 80538  
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#### PLANNER/ENGINEER/ARCHITECT:

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C/O KEN MERRITT  
3521 W. EISENHOWER BLVD.  
LOVELAND, CO 80537  
970-667-6286

#### SIGNATURE BLOCK

City Approval  
Approved this 23<sup>rd</sup> day of March 2008 by the Current  
Planning Manager of the City of Loveland, Colorado  
*John R. Baxter* for Bob Paulsen  
Current Planning Manager  
Approved this 19<sup>th</sup> day of March 2008 by the City  
Engineer of the City of Loveland, Colorado  
*John R. Baxter*  
City Engineer  
Approved this 19<sup>th</sup> day of March 2008 by the City  
Attorney of the City of Loveland, Colorado  
*John R. Baxter*  
City Attorney  
Approved this 24<sup>th</sup> day of March 2008 by the Planning  
Commission of the City of Loveland, Colorado  
*John R. Baxter* 3/24/08  
Approved this 25<sup>th</sup> day of March 2008 by the City  
Council of the City of Loveland, Colorado  
*John R. Baxter*  
Mayor  
*John R. Baxter*  
Attest:  
*John R. Baxter*

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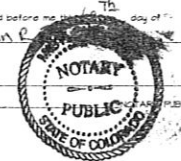
*John R. Baxter*, Manager  
(owner)

STATE OF COLORADO )  
COUNTY OF LARIMER ) ss

The foregoing instrument was acknowledged before me this 23<sup>rd</sup> day of  
March 2008 by John R. Baxter

Witness my hand and official seal.

My commission expires 11/10/09  
*Christine Chavira*



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www.landmarkeng.com

DATE: 3/6/08
SCALE: AS SHOWN
DRAWN: LLO
CHECKED: KM
APPROVED: KM

CLIENT: B & B I, LLC  
TITLE: MARIANA BUTTE 23<sup>rd</sup> SUBDIVISION  
FINAL DEVELOPMENT PLAN  
TITLE SHEET  
JOB NO.: 665D01-217  
SHEET 1 OF 12

FINAL DEVELOPMENT PLAN NARRATIVE

PROJECT LOCATION

Mariana Butte Twenty-Third Subdivision (marketing name: "Buckingham Shores") is a 5.08 ± acre residential community located at the Northwest corner of West First Street and Rossum Drive, directly east of Buckingham Lake. It exists currently as an undeveloped parcel within the approved Mariana Butte Amendment BSR, Loveland, Colorado.

The Mariana Butte Twenty-Third Subdivision is conveniently accessible to all areas of Loveland via West First Avenue and Rossum Drive and is within walking distance of Mariana Butte Golf Course, Namaya Elementary School, as well as other amenities within the Mariana Butte PUD Area. The developers of Buckingham Shores are committed to providing a residential development complementary to the area with dynamic views of Buckingham Lake.

The site is separated from Buckingham Lake by Buckingham Lake Dam, approximately 1.25 acres of jurisdictional wetlands, and a 50' wide "natural area" buffer (Outlet D).

LAND USE

Mariana Butte Twenty-Third Subdivision will be an estate community focusing on the unique views to the west and south. This community will have a total of five (5) Estate Lots ranging in size from 15,000-22,000 s.f. (approx.). Complete with entry signage, and landscaped greenbelts, it will provide both privacy, security and exclusiveness while infusing the residents into the Mariana Butte PUD area.

Quality detailing will be exemplified with a stone entry feature, perimeter ornamental fencing and full landscaping at the entrance element and project perimeter. A natural area restoration buffer along the west edge will create a transition zone between the development and the wetlands. The transition zone will incorporate native plant material (equiflora grasses) with wetland enhancement planting within the existing wetlands margin. Public access to Buckingham Lake will occur along the north edge via a walk connecting to Rossum Drive.

Only a very high level of architectural detail that encompasses the existing adjacent development will be considered. The developers are committed to building a quality and distinctive product while respecting the regionality of the area. Mariana Butte Twenty-Third Subdivision will meet a housing need present within Loveland and for executive homes within an estate community.

CIRCULATION

Mariana Butte Twenty-Third Subdivision (Buckingham Shores).

Mariana Butte Twenty-Third Subdivision residential area shall be served by a public dedicated 300' long "lane" (40' R.O.W. ± 25' roadway) terminating at a nonresidential known as Burns Court. This approved nonresidential (see Larimer County Unimproved Area Street Standards) will suffice for emergency and public service access, thus no secondary access is required.

The project is accessed from the existing Rossum Drive (a major collector street) via West First Street (a minor arterial street). Pedestrian circulation shall be accommodated by a 5' detached walk along Rossum Drive, a 6' detached walk along West First Street and a 5' attached walk around the west and south sides of Burns Court. Pedestrian circulation shall be further enhanced with a walk to the north connecting Buckingham Lane with the project entry at Rossum Drive.

Burns Court will feature a nonmotorist entry drive with public access. The entry will allow pedestrian and service access to Buckingham Lake, private access to Lot 4 of Mariana Butte North Subdivision, as well as general access to the Mariana Butte Twenty-Third Subdivision residents.

Existing Major Arterial Street: West First Street

Roadway improvements to the north side of West First Street will be required adjacent to Mariana Butte Twenty-Third Subdivision (north edge of West 1st Street). Improvements will include adjusting the north edge of the asphalt so that the north half will comply with the ultimate street cross-section for a two-lane arterial of 24'± traffic lanes, a center 12' median (curbing one and 24'± edge of lanes). Because of the rural nature of this area, concrete curb and gutters will not be installed. A detached 6' wide sidewalk will be installed 10 feet north of the new edge of asphalt.

The existing right-of-way for West 1st Street is 70 feet, with 40 feet being north of the section line and 30 feet being south of the section line. An additional 10 feet of right-of-way will be provided on the north side of the section line, bringing the total north side right-of-way to 50 feet.

Because road improvements will not be done on the south half of West 1st Street, the full ultimate cross-section will not be achieved. The existing striping will be removed and new striping installed to reflect the interim improvements for the street.

Major Collector: Rossum Drive

No significant road improvements will be made to Rossum Drive with the exception of the new Burns Court Entrance. Curb return adjustments and an 8' wide concrete drainage curb will be installed paralleling Rossum Drive to convey drainage to an inlet located at the West 1st Street/Rossum Drive intersection. A 5' wide pedestrian walk and 10' wide tree lawn will be installed on the west edge of Rossum Drive.

Local Burns Court

Burns Court is a public lane (25' wide) with a 40' right-of-way. This roadway shall align with Burns Drive and includes two (2) wide travel lanes with an 8' wide on-street parking lane. A vertical curb, gutter and 5' walk extending 5'± around the hammerhead to connect with Rossum's sidewalk. Pedestrian access will provide neighborhood connectivity.

Notes

This project shall comply with the public improvement design and construction standards adopted January 2001 and the Transportation Plan adopted July 2000 and any updates to either in effect at the time of development completion.

PUBLIC FACILITIES PROVIDERS:

- Police: City of Loveland
- Fire & Rescue: City of Loveland
- Schools: Thompson School District R-2-J
- Parks: City of Loveland

PUBLIC UTILITIES

Basic utilities required for this development have been extended to the site or exist near the property and are available to the property. Adequate capacity currently exists within the City's infrastructure utilities to serve the project. The following is a list of utilities their providers and service availability:

Water:	City of Loveland Service: Existing 12" waterline in Rossum Drive. Improvements: At the commencement of development, one 8" waterline shall be extended from Rossum Drive into Buckingham Court. A looping system will supply the fire and water needs of the development.
Sanitary:	City of Loveland Service: Existing 8" sanitary sewer service is available in Rossum Drive. Improvements: Individual HOA owned and maintained pump stations with a 2' forced main shall be incorporated within the development. This proven technology shall provide adequate conveyance of wastewater from the development to the gravity sewer main in Rossum Drive. (see final utility plans)
Electric:	City of Loveland Service: Improvements: Existing service is available in Rossum Drive and shall be extended through the site.
Gas:	Public Service Company of Colorado Service: Improvements: Existing gas main line in Rossum Drive and shall be extended through the site.
Telephone:	U.S. West Service: Improvements: Existing service is available along Rossum Drive and be extended through the site.

STORM DRAINAGE

The project entry Lots 1-4 north portion of Outlet "A" and Burns Court will drain to the south west portion of Burns Court's cul-de-sac, and flow west into the sedimentation basin. The required annual clearing and maintenance of the sedimentation basin will be the responsibility of Buckingham Shores Homeowners Association.

The south portion of Outlet "C" and Lot 5 will drain directly into the existing drainage ditch draining West 1st Street to the north. This existing ditch flows directly into the wetlands.

Outlet "D", inclusive of the wetlands, has been preserved to retain the historic natural drainage patterns.

Lots have been rough surface graded for proper drainage. Lots have been designed to accommodate wetland architecture to take advantage of view to the west. Time of grading will be determined at time of building plan submittal and will be reviewed by both the Architectural Review Committee (ARC) and the City of Loveland Building Department prior to construction.

LANDSCAPE (General)

The project shall be landscaped with regionally appropriate plant materials in open space and buffer yard areas. A naturalistic design approach shall be used. These areas shall include informal plantings of coniferous and deciduous trees with large drifts of deciduous and coniferous shrub areas. Turf areas will incorporate low water use drought tolerant seed and soil varieties. Wetland enhancement areas will utilize appropriate wetland plantings as specified in the "Preliminary Landscape Specifications and Details" sheet. Common open space will be maintained by the Buckingham Shores Homeowners Association.

Proposed street trees (along the north side West 1st Street and West side of Rossum Drive) will link the various development areas and individual residential landscapes into a harmonious and unified system.

A variety of tree species shall be used throughout the development to ensure visual interest and horticultural stability. A canopy effect will be created as the project matures.

Landscaping shown on the landscape plan including common open space areas, buffer areas, landscaping within public R.O.W., streetscapes (both trees and soil, wetland enhancement areas, as well as entry landscaping shall be installed by the developer and maintained by the Buckingham Shores Homeowners Association. "Common" landscape shall be financially secured by the developer or notated prior to building permit issuance. A minimum of one (1) front lot tree per lot is required prior to the certificate of occupancy.

Installation of landscaping and irrigation on individual lots shall be the responsibility of the home owner.

All trees shall be planted a minimum of 10' from drainage and utility easements. Shrubs to be planted a minimum of 5' from all walls.

DESIGN AND ARCHITECTURAL DEVELOPMENT STANDARDS (ADS)

The following is intended as an outline of Design and Architectural Development Standards (ADS) that will apply to the construction of Mariana Butte Twenty-Third Subdivision. The ADS are intended to reflect regional character with a variety of interesting and complete relationships of form, texture and architectural styles. Additionally, economic factors, environmental concerns, and construction practices prevalent in the industry are important influences. The following ADS are intended to establish and promote a high level of design quality, ensure compatibility between residential products within the community, and guide the developer and future homeowner. The ADS are intended to be used by owners when modifying or upgrading homes or landscaping on individual residential properties within the Mariana Butte Twenty-Third Subdivision. The ADS will also be used by the Architectural Review Committee (ARC) in reviewing proposals to determine their relative conformity to the overall design objectives and criteria. The ADS are intended to cover each site-specific or lot-specific issue and community issues such as edge treatments and relationships to adjacent land uses.

Relationship of the Design and Architectural Development Standards (ADS) to Other Regulations: The ADS are not intended to supersede applicable Federal, Colorado, or Loveland codes or ordinances, in case of conflict or discrepancy, or for subjects not addressed in the ADS. The more restrictive ADS governing regulations shall prevail. The ADS are not intended to be used by owners when modifying or upgrading homes or landscaping on individual residential properties within the Mariana Butte Twenty-Third Subdivision. The ADS will also be used by the Architectural Review Committee (ARC) in reviewing proposals to determine their relative conformity to the overall design objectives and criteria. The ADS are intended to cover each site-specific or lot-specific issue and community issues such as edge treatments and relationships to adjacent land uses.

INTRODUCTION

Purpose and Intent:

The architectural character of the homes in the Mariana Butte Twenty-Third Subdivision is intended to reflect regional character with a variety of interesting and complete relationships of form, texture and architectural styles. Additionally, economic factors, environmental concerns, and construction practices prevalent in the industry are important influences. The following ADS are intended to establish and promote a high level of design quality, ensure compatibility between residential products within the community, and guide the developer and future homeowner. The following architectural design objectives shall be incorporated into the community and shall be considered when designing the architectural building elevations, as well as when making improvements to the individual homes and landscape.

Facades

Homes should be designed to create sufficient relief in building facades. Use of large flat and unbroken planes will not be permitted. Strategies to achieve this objective include, but are not limited to:

- Using a variety of materials and colors.
- Using materials with texture or depth.
- Using sufficient window and door openings to break up flat facades.

Facades should also be designed to provide variety and visual interest, while still creating a unified, cohesive overall. Design elements should have good proportions and be complementary to one another. Strategies to achieve these objectives include, but are not limited to the use of:

- Facial planes such as porches, entry courtyards, dormers, bay windows, cantilevered second stories, chimneys, and skylights.
- Various window shapes or sizes.

Bulk

The bulk of the home should be broken up to reduce the apparent scale of the home and provide visual interest. Strategies to achieve this objective include, but are not limited to, the use of:

- Variations in the building footprint.
- Variations in shapes and forms, including architectural projections which create shadows on the house, such as roof overhangs, bay windows or cantilevers.
- Architectural treatments of roof forms facing or oriented toward the street.

The bulk of the roofs should be broken up into smaller areas to reduce the apparent scale of the home and provide visual interest. Strategies to achieve this objective include, but are not limited to:

- Varying roof orientations; and
- Varying gables, dormers and/or hip roof designs.

Massing

The massing (placing of bulk) and the building heights shall be designed so that they are suited to the lot size and building setbacks. The massing and building heights should be designed so that the scale of the building is appropriate. Strategies to achieve this objective include, but are not limited to:

- Stepping back the house from the front.
- Integration of one story building elements, such as porches and entryways to soften the appearance of the architecture.

Balance

A balance should be provided between the various parts and forms of a home to provide an aesthetically pleasing overall design. Strategies to achieve this objective include, but are not limited to:

- Designing the house with elements that are visually more massive or heavier below, with elements that are visually lighter above. For example, a less massive second story should not appear heavier and more disproportionately greater bulk than the proportion of the building (or the columns) that supports it.
- Designing the house so that its height is proportional to its width to avoid excessively tall and narrow designs.

These are guidelines and not absolutes. Mariana Butte Twenty-Third Subdivision P.U.D., is receptive to a range of architectural variation provided that compatibility of style, detailing and color are achieved. The Developer is intent on preserving the quality of appearance and property values, and this involves the avoidance of repetitive design and the encouragement of complementary variety.

Height As allowed by City Code - Section B34

These are guidelines and not absolutes. Mariana Butte Twenty-Third Subdivision P.U.D., is receptive to a range of architectural variation provided that compatibility of style, detailing and color are achieved. The Developer is intent on preserving the quality of appearance and property values, and this involves the avoidance of repetitive design and the encouragement of complementary variety.

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DESIGN AND ARCHITECTURAL DEVELOPMENT STANDARDS (cont.)

Building Area

The minimum floor plan shall not be less than 1,800 s.f. for a ranch (single story) style home, or 2,400 s.f. for a multi-level home. A finished floor area devoted to living purposes (exclusive of rooftop or unheated porches, terraces, basements of garages) knockout design are encouraged.

Architectural Theme, Elements and Styles

A unified design theme is exemplified primarily in the facades of the residences within the Mariana Butte Twenty-Third Subdivision. Although unique in character, each of the custom homes shall maintain a quality community appearance. The homes shall have architectural detailing to ensure that all four sides of the structure are equally aesthetically appealing.

Architectural Details

Architectural details such as hip roofs, and varying roof and facade planes shall be expressed in each custom home built.

Architectural elements such as shutters, vents, highly articulated windows and entries may be incorporated into each structure. Exposed concrete blocks, painted concrete, multi-colored masonry, mirrored glass, prefabricated metal awnings, simulated brick, natural brick and stone slabs, and silver finish aluminum doors and windows are not acceptable.

Garages

The visual impact of a front access garage upon neighborhood streetscapes can be offset by the incorporation of several key architectural features such as: a second story element above the garage, covered front porches and garage recesses. All of these architectural techniques will help to reduce dominance of garage doors.

All homes shall include a standard 2-car garage as a minimum. The building architecture shall deemphasize the garages as much as possible.

No three car garages shall be allowed on lots measuring less than 65' as measured at the building setback. Garage doors shall be painted the same color as most of the dwelling, not a contrasting color.

The front elevation shall consist of a 60/40 ratio to the width of the house versus the width of the garage doors as viewed as part of the front building elevation (the garage doors shall not comprise more than 40% of the width of the house). A third garage door shall be offset a minimum of 2' from the other 2 car garage doors. Homes may incorporate an oversized 3-car garage with front access or "side-loaded" access where shown. Sectional garage doors with windows are encouraged. Garage facades shall be detailed with windows, shutters, fascias, accent siding, decorative garage openings and/or masonry.

Garage doors that are visible as part of the front building elevation shall be recessed behind either the front facade of the living portion of the dwelling or a covered porch by at least four (4) feet. Covered porches, referred to in this condition shall measure at least eight (8) feet wide measured across the front of the building by six (6) feet deep. Homes with a forward garage and a second story element above the garage are not required to be recessed behind the porch. A second story living element over garage must be a maximum of 6' back of garage face.

Accessory Structures

Accessory structures, excluding a 10' s.f. or less in size, including detached garages, shall have a minimum setback of 5' from side or rear lot lines. Accessory structure are not allowed to encroach into easements or right-of-way, regardless of setback requirements.

Materials

Materials used on exterior surfaces are of a quality material and be compatible with the community and the landscape.

Masonry

The front primary (street) side elevation of each home shall consist of a minimum of 20% masonry, natural or synthetic stone or hard cast or synthetic stucco. These materials should be used as a visual "base" for the residence. The use of similar material detailing is encouraged on all sides of the structure.

Fencing

Handrails along very steep vertical slopes and bottom siding decorative accent using specialty siding materials may be used. Unfinished metal pipes or bars may not be used on walls visible to the public. Any such panel shall be treated with a textured material to have the appearance of wood stucco or equivalent structure.

Roofing

Roofing Materials: Roofing materials on sloped roofs shall be, as a minimum, 25 year heavy composition (furnished and) shingles or better (including concrete tiles, clay tiles, high curb standing seam metal roofing, etc.) as approved by the ARC.

Where sloped roofs are used, the roof structures shall have a minimum roof pitch of 4:12.

Colors

The color of exterior materials shall generally be of a neutral tone to blend with the colors of the natural landscape. Generally muted color tones are recommended although deeper color variations and accent colors may be used with restraint may be allowed. Use of highly chromatic or "bright" colors are to be avoided.

Signage

Front Door areas should be readily distinguishable from the street. Sidelights and similar features to visually expand the size of the entry are encouraged.

Porches

A porch element shall be included on "Garage Turn" and "Garage Forward" front elevations. Required porches shall have minimum usable dimensions of 6' deep and 5' wide.

Rear Elevations

A single story rear elevation plane shall not extend more than 25' excluding any architectural relief elements. Design elements to be utilized may be bay windows, decks, chimneys, roof gables, height reduction, etc. and shall be approved by the ARC. Rear decks (story in height) shall have support posts that are a minimum of 6" inches in width. Rear decks that are 2-stories in height shall have supports that are a minimum of 12" inches in width.

Windows

Windows shall be used to create interest on large surface areas. Bay windows, particularly on first floor windows, are highly encouraged. Multi-pane windows (simulated) are encouraged on large surface area windows. Accent windows are highly encouraged. Frames, shutters, transom lights (or similar proportionate modulation of the wall/roof areas) shall define window and door openings.

Building Projections and Vents

All awnings, projections including, but not limited to, chimneys, vents, gutters, down spouts, porches, railings and exterior stairways shall match the color of the surface from which they project or shall be of or approved complementary color. All roof-mounted and wall-mounted building vents and flues are to be located on the non street side of the residences to the greatest degree possible. Vents are to be painted to blend with the wall color roofing from which they extend.

Air Conditioning Units

Ground level air conditioning units shall be located in rear or side yards and be screened with either in fence or landscaping. Window and roof mounted air conditioning units are not permitted.

Antennas/Satellite Dishes/Solar Panels

One satellite dish is allowed per home, as approved by the ARC. Large satellite dishes are prohibited. Antennas shall be integrated into the roofline and not visible from the community. The ARC Solar panels shall be ground mounted or laid flat on the same plane as the roof. Solar panels shall not project above the plane of the roof. Exterior mounted antennas are prohibited.

LANDSCAPE AND SITE DESIGN

Purpose and Intent:

The Landscape Design criteria is intended to supplement the Site Planning and Architectural Design criteria in order to integrate all of the related design elements into the community. Additionally, landscaping should have compatibility with adjacent properties, the project's streetscape, and ultimately transition into perimeter landscaping. The ARC reserves the right to require landscape components as a part of the final building permit. If in the opinion of the ARC the architectural design needs specific assistance to meet the intent of the design guidelines.

Landscape Timing and Components, Estate Lot Community

All landscaping on individual Estate Home Residential lots shall be installed and maintained by the homeowner of the lot. The ARC requires complete landscaping plans prior to the installation of front, rear and side yards. At the time of lot sale, the owner shall be responsible for the design or first occupancy of a home, whichever occurs first. The front, rear and side yards shall be fully landscaped with grass, shrubs and trees. It is the intent that such property be fully landscaped with low maintenance plant materials suitable for the climate and irrigated with an automatic underground irrigation system.

A variance for slope height of 5' (Section B30.0B0) is requested for the entry signage. Community landscaping (not individual lot landscape) to be installed or financially secured with the City prior to release of the first building permit.

Plant Materials

Plant materials used should be low maintenance and suitable for the climate. Plant material selection should be made from locally available nursery or garden center stock. The Colorado Nurserymen's Association of Rocky Mountain Plant Guide lists acceptable materials.

Landscaping

Landscaping should be kept at least six (6) feet away from the foundation of the home or as recommended by a professional and a landscape professional, to ensure proper drainage is maintained.

Foundation Plantings

Planting areas should surround the foundation of each structure and provide a minimum of six (6) feet of planting area from the home's foundation to the lawn areas to ensure proper drainage. In all instances, watering near the foundation should be minimal (e.g. drip irrigation systems) to avoid possible structural damage to the dwelling unit.

Rock and Mulch

Planting areas visible from an internal public right-of-way or private street may utilize road mulch or rock. Road mulch provides a favorable environment for plants, reduces irrigation requirements and minimizes long-term maintenance costs. Rock must be light gray in color (i.e. river rock). Multicolored rock (i.e. pink granite, dark red lava rock or other colors) are discouraged. Large six inch (6") in diameter or greater river rock, moss rock, or other "feature" rock may be used as part of the landscape. Road mulch and rock should be placed over a weed barrier fabric and be kept in place with a steel, plastic or brick edger. All edging should be installed in such a way as to prevent damming of water near the foundation. The addition of concrete curb-type edges are discouraged.

Concrete

Landscaping of individual lots is the responsibility of the property owner. Private gardens will be allowed in the rear yards as a complement to the overall landscape. Front yard landscaping is expected and should be compatible with neighboring homes. The ARC is responsible to review all landscape plans prior to building.

Side yard property lines shall not be negatively treated by way of fencing or landscaping, in order to prevent impact to the view window to wetlands.

Landscape Components Not Allowed

No artificial plants of any type are to be used in the landscape. Any area visible from a public right-of-way shall not have yard decorations such as plastic, fiberglass, concrete or iron animals, birdbaths, signs, fountains, freestanding lawn furniture, equipment, or other agricultural equipment, wagon wheels, mechanical equipment incorporated into mazes or other unusual landscape element. No delineation of property lines will be allowed with fences, walls, shrub beds, trees or any material.

Concrete Driveways

Concrete driveways and parking areas are not to be expanded without the prior written approval of the ARC.

Dog Runs

Dog runs will be allowed if they can be reasonably isolated and screened from adjacent properties. Local ordinances regarding noise, odors and other nuisances will be in effect.

Project Entry

One of the distinguishing features of Mariana Butte Twenty-Third Subdivision is the entry monumentation. The entrance element shall consist of stamped colored concrete, masonry walls and columns, signage, fountain and landscaping. The entry monumentation will complement the community. The project entry monumentation will consist of a combined planter/water feature and be approximately 7' high.

Fencing

Fencing shall be limited to perimeter fencing installed by the developer. Perimeter fencing will be a combination of ornamental metal with stone pillars (see detail). The fence height will vary between 6' along West 1st Street and Rossum Drive to 40' along the west perimeter adjacent to the wetlands. The 40' rear fence will not have pillars to allow for a greater visual window. These 40' rear lot fences will include a self-closing gate for easy residential access from each lot to the adjacent wetlands. Perimeter fencing will not be allowed in order to minimize the visual impact to Buckingham Lake and adjacent wetlands. Any architectural walls and screen fencing must integrate into the surrounding landscape and must be approved by the Architectural Review Committee.

No delineation of property lines will be allowed with fences, walls, shrub beds, trees or any material.

Landscape & Architectural Lighting

Exterior lighting other than that provided by the home builder shall be allowed on any residential lot except with the written approval of the ARC. Subdued exterior landscape lighting whose light source is not visible from adjoining dwellings may be allowed by the ARC for such purposes as illuminating entrances, decks, driveways, landscaping and parking areas, and other approved purposes such as seasonal decoration.

Site Lighting

Lighting throughout the development will consist of City of Loveland and local standards with ambient light cut off shields and placed in accordance with city standards.

Signage

The project entry signage will comply with Municipal Code Section B30.0B0 with the exception of the front monumentation signage which is a variance for height might be required. The monumentation signage shall incorporate a consistent project entry theme utilizing stone masonry and synthetic plaster. For added visual interest and nighttime visibility, the primary entry sign wall may be indirectly illuminated. The major project sign wall may integrate a fountain and planter feature.

Natural Area Enhancement

Natural area enhancement will include creation of a small riparian enhancement area (B30.0B1). The goal of the enhancement will be to establish or improve a diverse natural plant community, or remaining natural areas that is better than existing conditions. There is approximately 125 acres of jurisdictional wetlands and which will not be disturbed. Appropriate plant material and installation practices as will be utilized in the wetland enhancement area (see Landscape Specification & Detail Sheet). Also refer to "Buckingham Shores, Outlet D Enhancement Plan" prepared by Richard Conkorts, Inc.

Site Drainage and Grading

Final grading shall not create ponding or washing of water off the site on to adjacent property. Drainage shall be directed away from all structures. Newly graded areas shall be protected against soil erosion. Owners are encouraged to utilize civil engineers and landscape professionals to help ensure proper drainage is maintained.


The maintenance of the sedimentation basin will be the responsibility of the Buckingham Shores Homeowners Association. At a minimum, annual clearing of the sedimentation basin will be required to mitigate any impacts to the wetlands.

Residential Sewage Pump Stations

Sewage disposal at the site is complicated by the fact that the nearest sanitary sewer main is within of the site at the intersection of Rossum Drive and Burns Drive. Multiple discussions with the City of Loveland and Water and Wastewater Department have occurred, and the option of installing a regional lift station that would not only serve this site, but future subdivisions, on the south side of West 1st Street, were investigated. Because of the small number of homes in Mariana Butte Twenty-Third Subdivision, the water and wastewater department has agreed to allow the installation of individual home lift stations with a force main to deliver sewage to a common mainline at the right end of the site. The individual lift stations are located at the rear of each lot and feed into gravity flow from the home. A new 8" gravity flow sewer main would connect the common mainline to the existing city sanitary sewer mainline at the Rossum Drive/Burns Drive intersection. The individual pump stations and forced main system will be owned and maintained by the homeowners' association and shall be installed in a utility easement dedicated by the plan.

In addition to the above sewage disposal solution, the City Water Department also requires information showing that a future gravity flow sewer system can be installed if needed in the future. The gravity flow system would flow to a future regional lift station located south of this site and on the south side of West 1st Street. The preliminary gravity sewer design has been completed and the future sewer main would be placed in "Outlet D" adjacent to the west and south sides of the residential lots. The sewer main placement would be within 20 feet of the proposed lift stations, resulting in minimal disruption to homeowners' lots should the gravity flow sewer main be needed.

Information on the individual lift stations is included in the submittal package. The 6-inch units have been installed for several subdivisions along the front range and have had a very favorable operating history. A commercial company in Fort Collins has installed and maintained the units for several years. The company has a standby lift station pump to temporarily replace any failed existing pump. The company owner indicated that he has never had to use the standby pump as the existing lift stations have never had pump failures.

CLIENT: <b>B&amp;B I, LLC</b>	 <b>Landmark Engineering</b> Engineers, Planners, Surveyors, Architects, Geotechnical 3921 West Eisenhower Blvd., Loveland, Colorado 80537 (970) 667-0250 • Fax (970) 667-0259 www.landmarkeng.com	DATE: <b>3/6/08</b>
		SCALE: <b>NA</b>
		DRAWN:

MARIANA BUTTE P.U.D. TWENTY THIRD SUBDIVISION  
BEING A SUBDIVISION OF TRACT A, MARIANA BUTTE P.U.D. TENTH SUBDIVISION  
TO THE CITY OF LOVELAND, LOCATED IN THE SOUTH HALF OF SECTION 17,  
TOWNSHIP 5 NORTH, RANGE 69 WEST OF THE 6th P.M., LARIMER COUNTY, COLO.

Basis of Bearings:

Assumed the Southeastery line of Mariana Butte Ninth Subdivision as bearing North 75°36'26" East and with all bearings contained herein relative thereto, being monumented as shown hereon.

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 certification shown hereon.

Recorded and apparent rights-of-way and easements are shown per information provided by Chicago Title of Colorado, Inc., Commitment No. 1420624A, dated June 29, 2006.

Unless otherwise approved by the City, all unsatisfied conditions of approval for the original subdivision shall continue to apply to this property.  
This property is subject to an approved General Development Plan and Final Development Plan on file at the City of Loveland.

SURVEYOR'S CERTIFICATE

Paul A. Hernandez, being first duly sworn on his oath, deposes and says that he is a Registered Land Surveyor under the laws of the State of Colorado, that the survey of MARIANA BUTTE TWENTY THIRD SUBDIVISION is the CITY OF LOVELAND, COLORADO was made by him or under his supervision, that the survey is accurately represented on this map, and that the statements contained thereon were read by him and the same are true of his own knowledge.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2007.  
Landmark Engineering, Ltd.

By: \_\_\_\_\_  
Paul A. Hernandez  
C.O.C. 13329

OWNER: J & N LLC

John R. Baxter - Manager  
STATE OF COLORADO  
COUNTY OF LARIMER

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2007, by John R. Baxter, Manager.  
Witness my hand and official seal.  
My commission expires \_\_\_\_\_

Notary Public

Address

OWNER: MARIANA BUTTE, LTD.

Bill Moore  
STATE OF COLORADO  
COUNTY OF LARIMER

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2007, by Bill Moore.  
Witness my hand and official seal.  
My commission expires \_\_\_\_\_

Notary Public

Address

OWNER: CITY OF LOVELAND

Larry Walsh - Mayor  
STATE OF COLORADO  
COUNTY OF LARIMER

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2007, by Larry Walsh - Mayor.  
Witness my hand and official seal.  
My commission expires \_\_\_\_\_

Notary Public

Address

Buckingham Shores

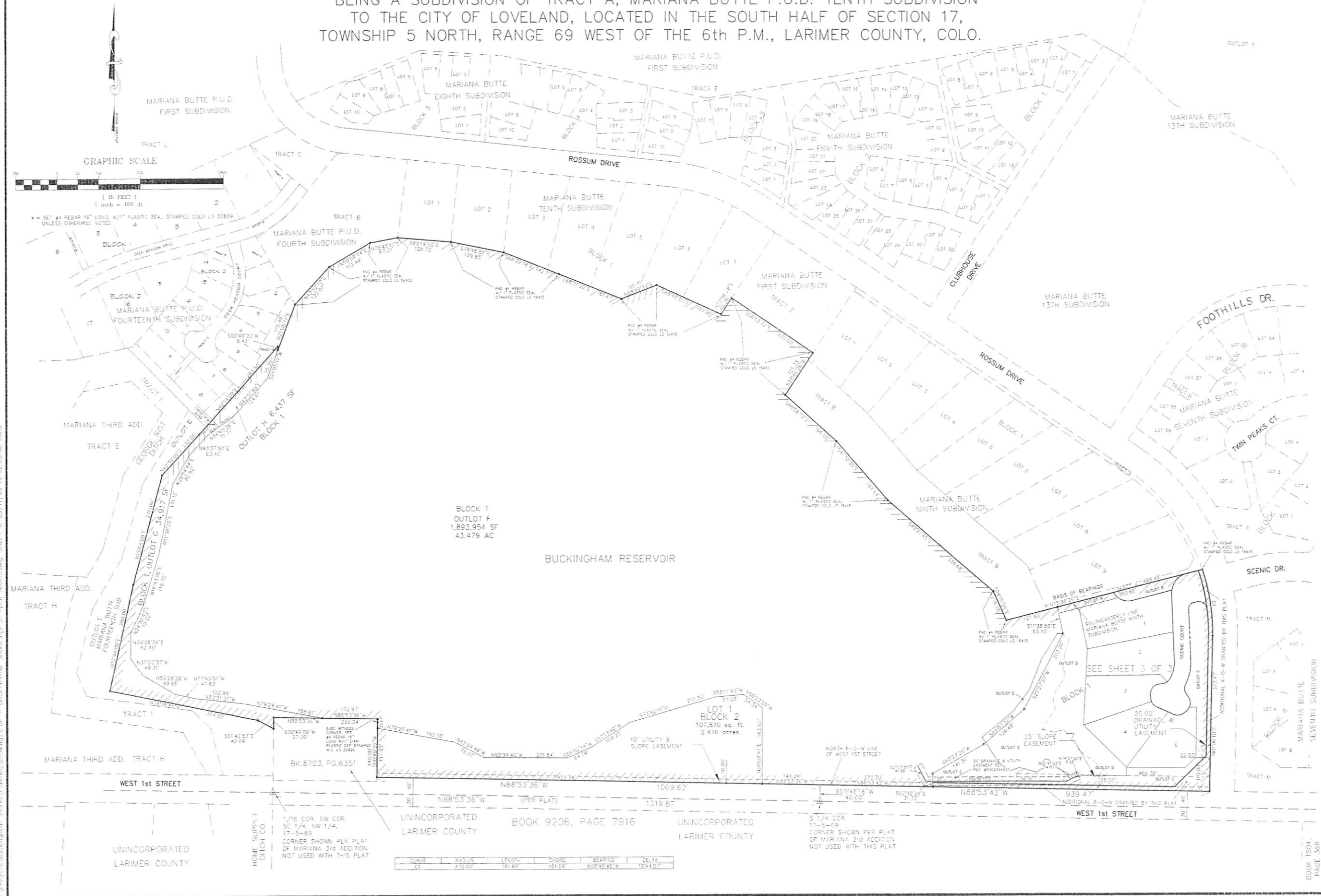
Outlet & Tract Designations

1. Outlet A, Block 1: Open space for the use of drainage, landscape & pedestrian access, and City of Loveland Maintenance access. Owned and maintained by the Buckingham Shores Homeowners Association. (Irrigated)
2. Outlet B, Block 1: For the use of drainage, landscape, private utility, pedestrian & access. Owned and maintained by the Buckingham Shores Homeowners Association. (Irrigated)
3. Outlet C, Block 1: For the use of drainage, landscape, pedestrian, postal & utilities. Owned and maintained by the Buckingham Shores Homeowners Association. (Partially Irrigated +/- 0.557 acres or 56%)
4. Outlet D, Block 1: Open space and drainage easement for the use of wetland buffering enhancement and sanitary sewer easement. Owned and maintained by the Buckingham Shores Homeowners Association. (Partially Irrigated +/- 0.48 acres or 37%)
5. Outlet E, Block 2: Open space for the use of wetland preservation. Owned and maintained by the City of Loveland. (Non-Irrigated)
6. Outlet F, Block 1: For the use of irrigation water reservoir. Owned and maintained by the City of Loveland. (Non-Irrigated)
7. Outlet G, Block 1: For the use of drainage & landscape buffering. Owned and maintained by Mariana Butte, Ltd. (Non-Irrigated)
8. Outlet H, Block 1: For the use of drainage & landscape. Owned and maintained by Deer Meadows Homeowners Association. (Non-Irrigated)
9. Lot 1, Block 2: Shall have no developable rights prior to the approval of a PDP & FDP. No building permit shall be issued until such time that a PDP & FDP have been approved. Owned and maintained by Mariana Butte, Ltd.





MARIANA BUTTE TWENTY THIRD SUBDIVISION  
BEING A SUBDIVISION OF TRACT A, MARIANA BUTTE P.U.D. TENTH SUBDIVISION  
TO THE CITY OF LOVELAND, LOCATED IN THE SOUTH HALF OF SECTION 17,  
TOWNSHIP 5 NORTH, RANGE 69 WEST OF THE 6th P.M., LARIMER COUNTY, COLO.



REVISIONS	By	Date
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DATE: 5/6/08  
SCALE: AS SHOWN  
DRAWN: LLO  
CHECKED: KM  
APPROVED: KM

CLIENT: B&B I, LLC  
JOB NO.: 665501-217  
SHEET: 4 OF 12  
TITLE: MARIANA BUTTE 23rd SUBDIVISION  
FINAL DEVELOPMENT PLAN  
FINAL PLAT - OVERALL SITE AREA 52.14 ACRES

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GRAPHIC SCALE

( IN FEET )  
1 inch = 40 ft

SCENIC DR.  
(70' R-O-W)

RADIAL TABLE	
RADIAL	BEARING
R1	N65°19'28"W
R2	S66°08'28"W
R3	N35°05'25"W
R4	N81°11'25"W
R5	N75°49'45"E
R6	N36°17'08"E
R7	S82°38'52"W
R8	S75°45'45"W
R9	S78°52'17"W

**Landmark Engineering**

CLIENT:	B&B I, LLC
TITLE:	MARIANA BUTTE 23rd SUBDIVISION FINAL DEVELOPMENT PLAN FINAL PLAT - PUD SITE AREA 5.03 ACRES

JOB NO.: BELLGI  
665DOI-217

SHEET  
5 of 12

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HYDRO-ZONE SUMMARY

THE GREEN INDUSTRIES OF COLORADO (GreenCO) AND COLORADO STATE UNIVERSITY (CSU) HAVE INITIATED A PROGRAM TO DOCUMENT THE WATER NEEDS OF LANDSCAPE PLANTS AND TO RANK EACH SPECIES ACCORDING TO ITS RELATIVE WATER USAGE OR "CROP COEFFICIENT" (Kc). THE "CROP COEFFICIENT" IS THE AMOUNT OF WATER A SPECIES NEEDS COMPARED TO A STANDARD CROP. THE CROP COEFFICIENT, WHEN COMBINED WITH EVAPOTRANSPIRATION MEASUREMENTS FROM WEATHER STATIONS, CAN BE USED TO CALCULATE EXACTLY HOW MUCH WATER SHOULD BE APPLIED TO A PLANT IN A GIVEN SITUATION AND CAN BE EXPRESSED AS A NUMBER THAT IS USED IN CALCULATING IRRIGATION SETTINGS.

HORTICULTURISTS FROM AROUND THE REGION HAVE CONDUCTED A SURVEY OF THE COMMON LANDSCAPE PLANTS USED IN COLORADO IN ORDER TO ESTIMATE THEIR "CROP COEFFICIENT". THE ESTIMATED CROP COEFFICIENT IS DESCRIBED AS FOLLOWS:

H= HIGH WATER USE: 75 - 100% ET  
M= MEDIUM WATER USE: 50 - 75% ET  
L= LOW WATER USE: 25 - 50% ET  
VL= VERY LOW WATER USE: <25% ET

LANDMARK LTD HAS INCLUDED THE ESTIMATED Kc VALUES FROM THE AVAILABLE SURVEYS IN OUR PLANT MATERIAL LIST. THE PURPOSE BEHIND THIS IS TO ESTABLISH SPECIFIC HYDRO-ZONES WHICH MEET THE CITY'S REDUCED WATER DEDICATION REQUIREMENTS AND PROVIDES THE CITY WITH A TOOL IN DETERMINING A LANDSCAPE DESIGN'S DROUGHT TOLERANT QUALITIES AND SUBSEQUENT REDUCED WATER REQUIREMENTS.

TOTAL LANDSCAPE AREA 2.68±/ 116,872 S.F. 100% OF LANDSCAPED SITE AREA

HYDRO-ZONE	ET RATE	AC/ SQUARE FOOTAGE	% OF SITE	IRRIGATED/NON-IRRIGATED
HIGH WATER USE 75 - 100% ET	0 AC/ 0 S.F.	0 %	N/A	
MEDIUM WATER USE 50 - 75% ET	58± AC/ 58,324 S.F.	33 %	IRRIGATED	
LOW WATER USE 25 - 50% ET	25± AC/ 10,803 S.F.	9 %	IRRIGATED	

TOTAL IRRIGATED SITE AREA 113 AC/ 44,132 S.F. 42± % OF LANDSCAPED SITE AREA

ESTIMATED LANDSCAPE IRRIGATION WATER DEDICATION TO THE CITY = 15± AC-FT OF WATER DEDICATION

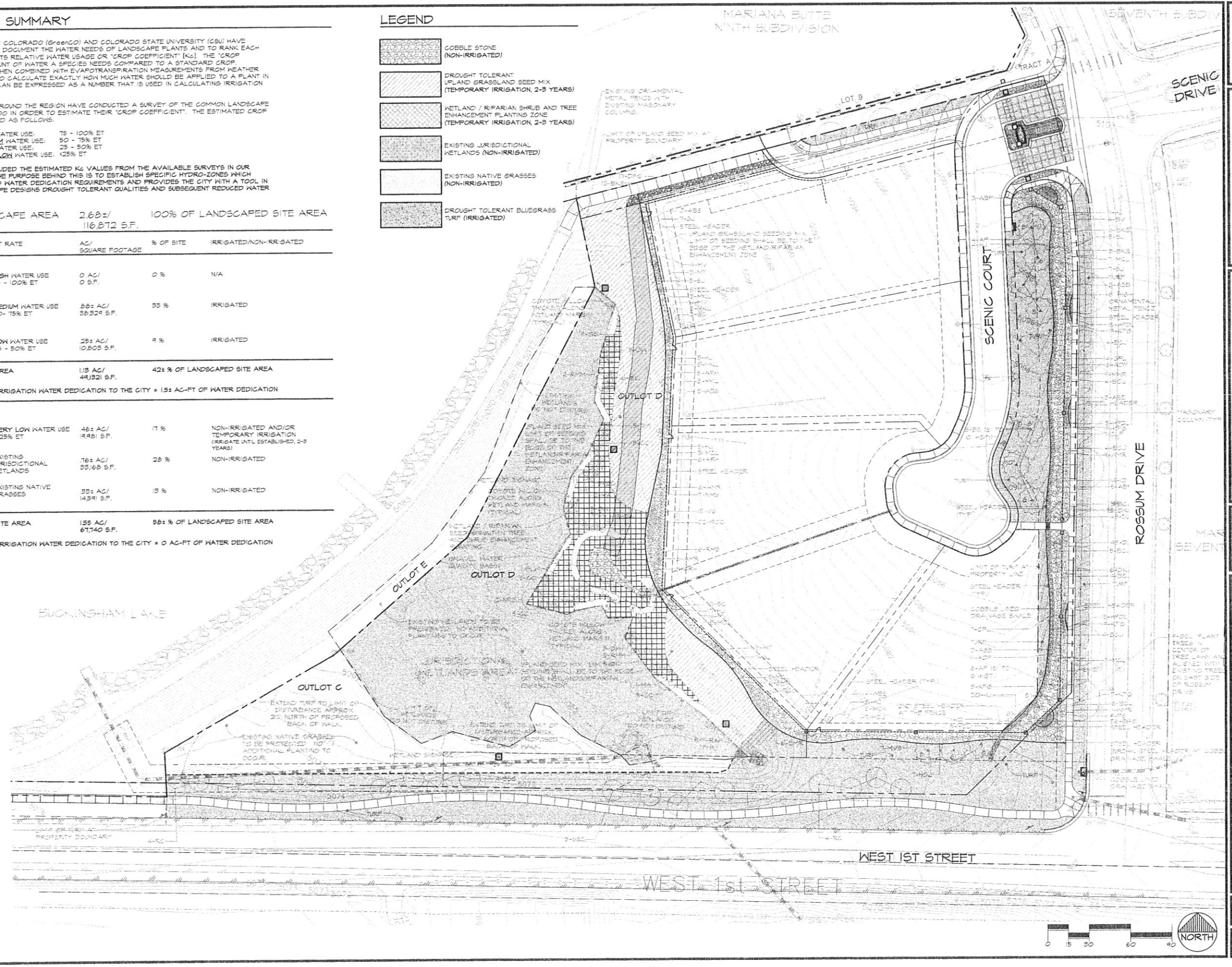
VERY LOW WATER USE < 25% ET	46± AC/ 19,981 S.F.	17 %	NON-IRRIGATED AND/OR TEMPORARY IRRIGATION (IRRI-GATE UNTIL ESTABLISHED, 2-3 YEARS)
EXISTING JURISDICTIONAL WETLANDS	76± AC/ 33,668 S.F.	28 %	NON-IRRIGATED
EXISTING NATIVE GRASSES	33± AC/ 14,591 S.F.	13 %	NON-IRRIGATED

TOTAL NON-IRRIGATED SITE AREA 155 AC/ 67,140 S.F. 58± % OF LANDSCAPED SITE AREA

ESTIMATED LANDSCAPE IRRIGATION WATER DEDICATION TO THE CITY = 0 AC-FT OF WATER DEDICATION

LEGEND

- COBBLE STONE (NON-IRRIGATED)
- DROUGHT TOLERANT UPLAND GRASSLAND SEED MIX (TEMPORARY IRRIGATION, 2-3 YEARS)
- WETLAND / RIPARIAN SHRUB AND TREE ENHANCEMENT PLANTING ZONE (TEMPORARY IRRIGATION, 2-3 YEARS)
- EXISTING JURISDICTIONAL WETLANDS (NON-IRRIGATED)
- EXISTING NATIVE GRASSES (NON-IRRIGATED)
- DROUGHT TOLERANT BLUEGRASS TURF (IRRIGATED)



REVISIONS	By	Date
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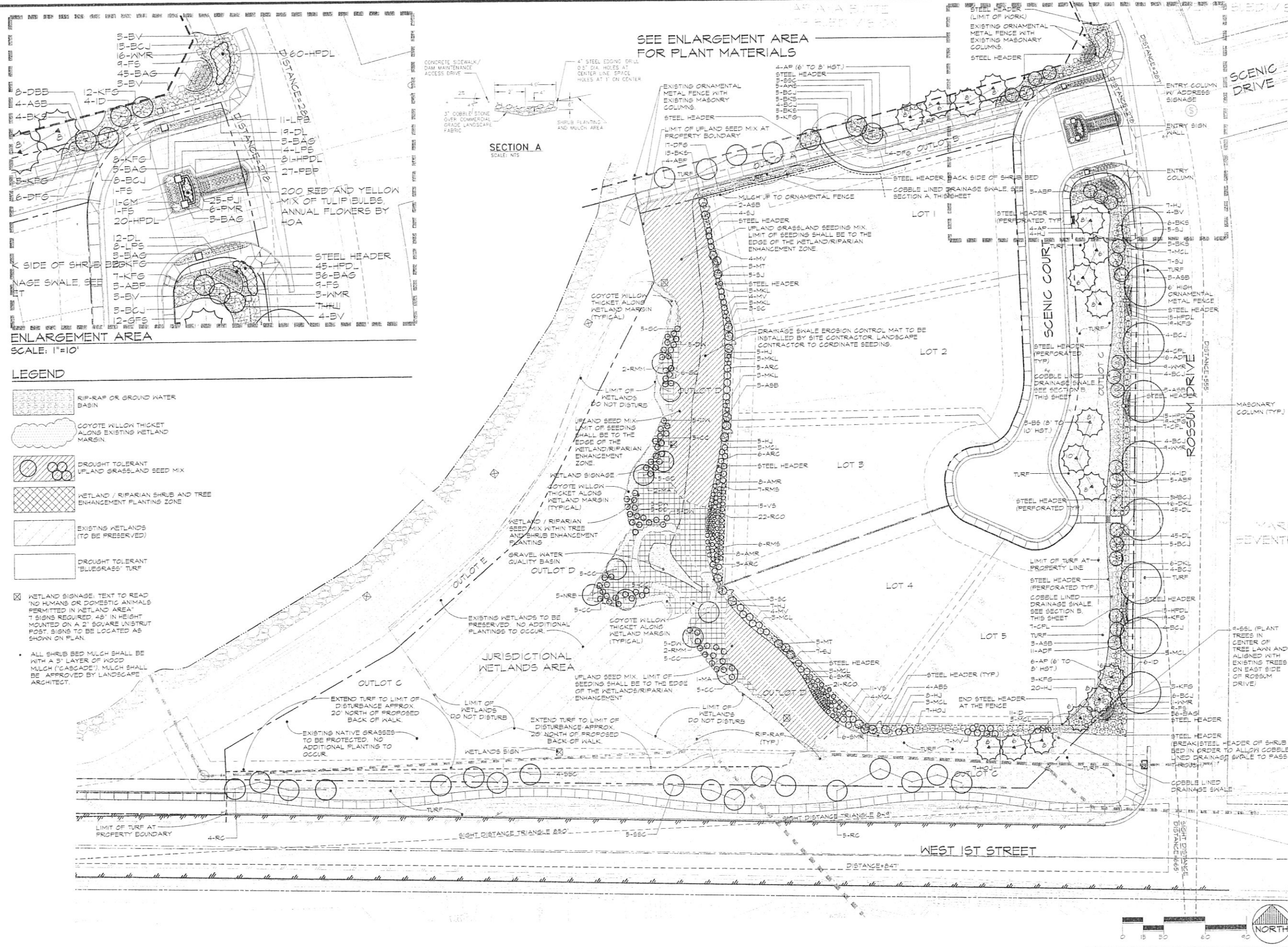
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DRAWN: LLO  
CHECKED: KM  
APPROVED: KM

CLIENT: B&B I, LLC  
JOB NO.: BBL1C1  
SHEET: 7 OF 12  
TITLE: MARIANA BUTTE 23rd SUBDIVISION  
FINAL DEVELOPMENT PLAN  
HYDRO-ZONE PLAN

E:\Projects\Buckingham Shores\Planning\Drawings\JLP - BUCKINGHAM SHORES 2 - HYDRO ZONE LANDSCAPE MAP - ARI.dwg LANDSCAPE PLAN, 03/11/08 TO 03/17/08, B&B I, LLC

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REVISIONS		
Description	By	Date
CITY COMMENTS & REQUINES	DC	5-8-07
CITY COMMENTS & REQUINES	DC	7-9-07
CITY COMMENTS & REQUINES	DC	8-24-07
CITY COMMENTS & REQUINES	HW	11-21-07
CITY COMMENTS & REQUINES	LLO	3-5-08

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DATE: 3/6/08  
SCALE: 1"=30'  
DRAWN: LLO  
CHECKED: KM  
APPROVED: KM

CLIENT:	B&B I, LLC
TITLE:	MARIANA BUTTE 23rd SUBDIVISION FINAL DEVELOPMENT PLAN FINAL LANDSCAPE PLAN

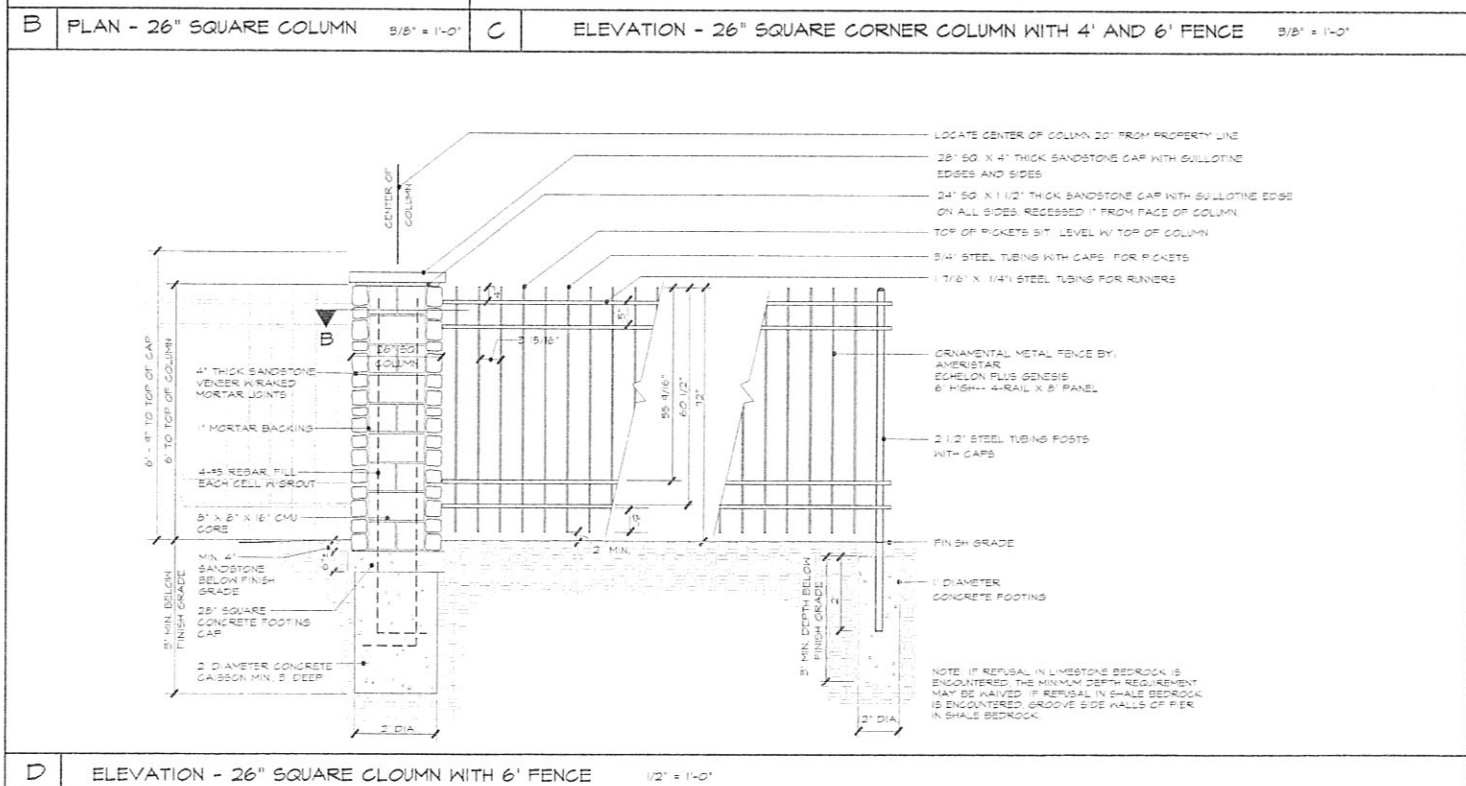
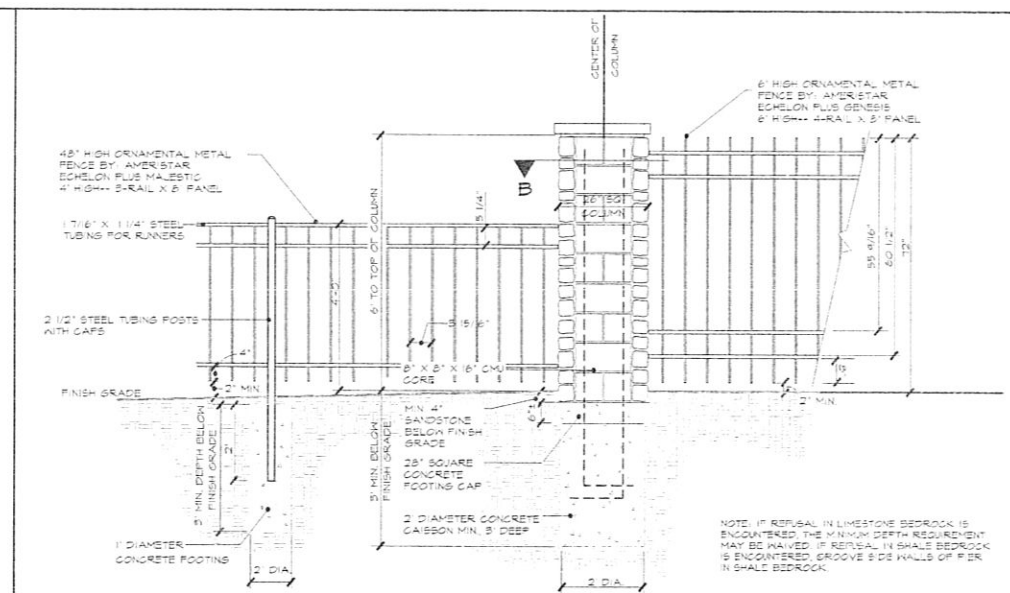
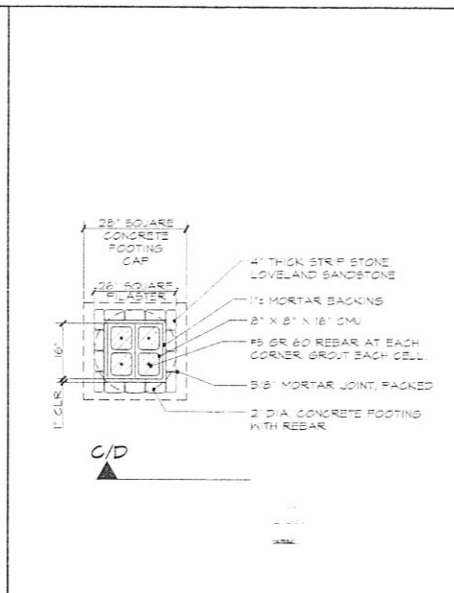
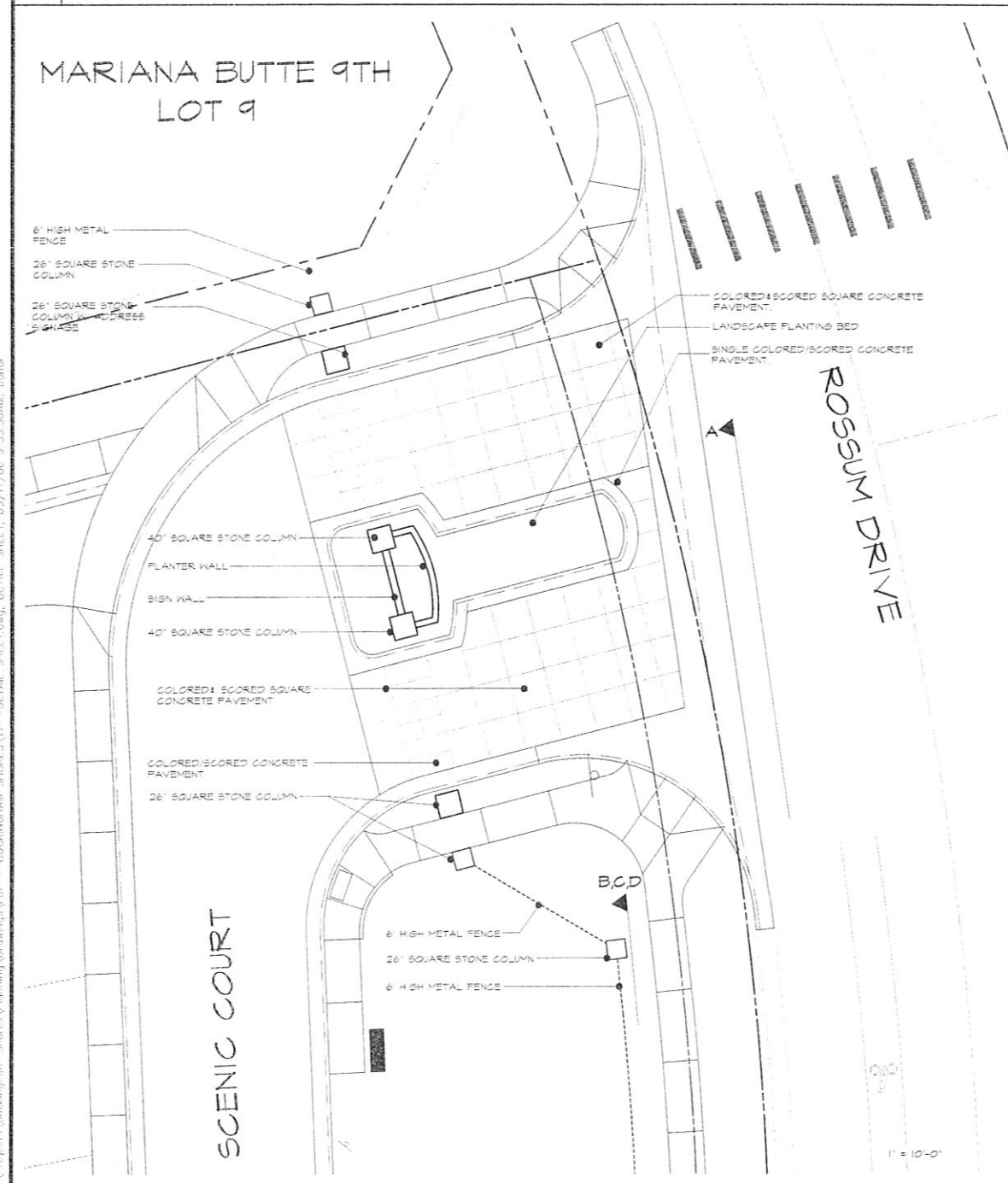
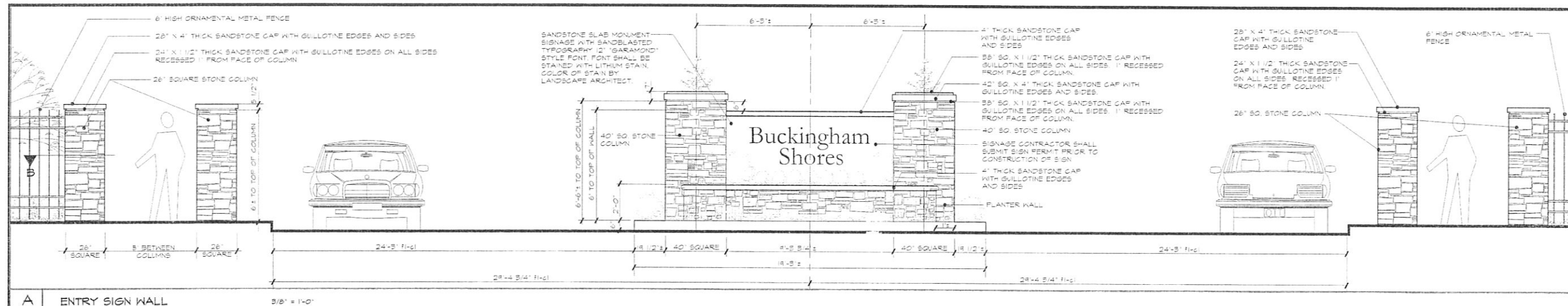
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REVISIONS		By	Date
	CITY COMMENTS & REQUINS	DC	6-9-07
	CITY COMMENTS & REQUINS	DC	7-9-07
	CITY COMMENTS & REQUINS	DC	8-24-07
	CITY COMMENTS & REQUINS	RL	11-21-07
	CITY COMMENTS & REQUINS	LLO	3-5-08

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DATE: 3/6/08  
SCALE: AS SHOWN  
DRAWN: LLO  
CHECKED: KM  
APPROVED: KM

CLIENT:	B&B I, LLC
TITLE:	MARIANA BUTTE 23rd SUBDIVISION FINAL DEVELOPMENT PLAN ENTRY AND COLUMNS

JOB NO.: 551161  
665201-217

SHEET  
11 12







# MARIANA BUTTE NINTH SUBDIVISION

BEING ALL OF TRACT C, MARIANA BUTTE P.U.D. FIRST SUBDIVISION  
TO THE CITY OF LOVELAND, LOCATED IN THE SOUTH HALF OF SECTION 17,  
TOWNSHIP 5 NORTH, RANGE 69 WEST OF THE 6th P.M., LARIMER COUNTY, COLO.

KNOW ALL MEN BY THESE PRESENTS that the undersigned, being all the owners and lienholders of the following described property, except any existing public streets, roads or highways, which property is located in Section 17, Township 5 North, Range 69 West of the 6th P.M., containing 64,888 acres more or less being more particularly described as follows:

Tract C Mariana Butte P.U.D. First Subdivision to the City of Loveland according to the plat on file in the office of the Clerk and Recorder, County of Larimer, State of Colorado.

do hereby subdivide the same into lots, blocks, tracts, outlots, rights-of-way, and easements, as shown on this plat; and do hereby designate and dedicate: (1) 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 (2) 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 MARIANA BUTTE NINTH SUBDIVISION to the City of Loveland, Colorado.

All expenses involving necessary improvements for water system, sanitary sewer system, storm sewer system curbs and gutters, sidewalks, street improvements, street signs, traffic control signs, alley grading and surfacing, gas service, electric system, grading and landscaping shall be paid by MARIANA BUTTE, LTD., a Colorado Limited Partnership.

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 certification shown hereon.

OWNER: MARIANA BUTTE, LTD., a Colorado Limited Partnership  
Moore & Company, General Partner  
William M. Moore, President

STATE OF COLORADO) JSS  
COUNTY OF LARIMER)

The foregoing instrument was acknowledged before me this 4th day of February, 1999 by

Witness my hand and official seal.  
My commission expires 9-17-2001

Notary Public  
Address  
Loveland, CO 80537

Robert J. Nelson  
4 Feb 1999

Approved this 17th day of March, 1999, by the City Engineer of the City of Loveland, Colorado.

Approved this 23rd day of February, 1999, by the Current Planning Manager of the City of Loveland, Colorado.

This map is approved by the Director of Community Services of the City of Loveland, Larimer County, Colorado this 24th day of April, 1999, for filing with the Clerk and Recorder of Larimer County and for conveyance to the City of the public dedications shown hereon, which are accepted; subject to the provision 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 Community Services.

Witness my hand and seal of the City of Loveland.

City of Loveland

City Engineer

Current Planning Manager

Director of Community Services

City Clerk

City of Loveland

City of Loveland

City of Loveland

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City of Loveland

I, Lucia A. Riley, 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, and that the parties executing the dedication are the owners thereof in fee simple, and the dedicated land is free and clear of all liens and encumbrances.

So sworn this 4th day of Feb. 1999

This plot was filed for record in the office of the Clerk and Recorder at \_\_\_\_\_ o'clock

Reception No. \_\_\_\_\_ and is duly recorded in Book \_\_\_\_\_ at Page No. \_\_\_\_\_ or at

Clerk and Recorder  
County of Larimer  
State of Colorado

By \_\_\_\_\_

Deputy

SURVEYOR'S CERTIFICATE

I, Robert J. Nelson, being a registered Professional Land Surveyor in the State of Colorado, do hereby certify that the survey of MARIANA BUTTE 9th SUBDIVISION was made by me or under my supervision, and that the survey is accurately represented on this map; and that the statements contained hereon were read by me and the same are true to the best of my knowledge.

Dated this 4th day of Feb. 1999. (See left side)

STATE OF COLORADO) JSS  
COUNTY OF LARIMER)

The foregoing instrument was acknowledged before me this 4th day of February, 1999 by

Witness my hand and official seal.

My commission expires 7-19-99

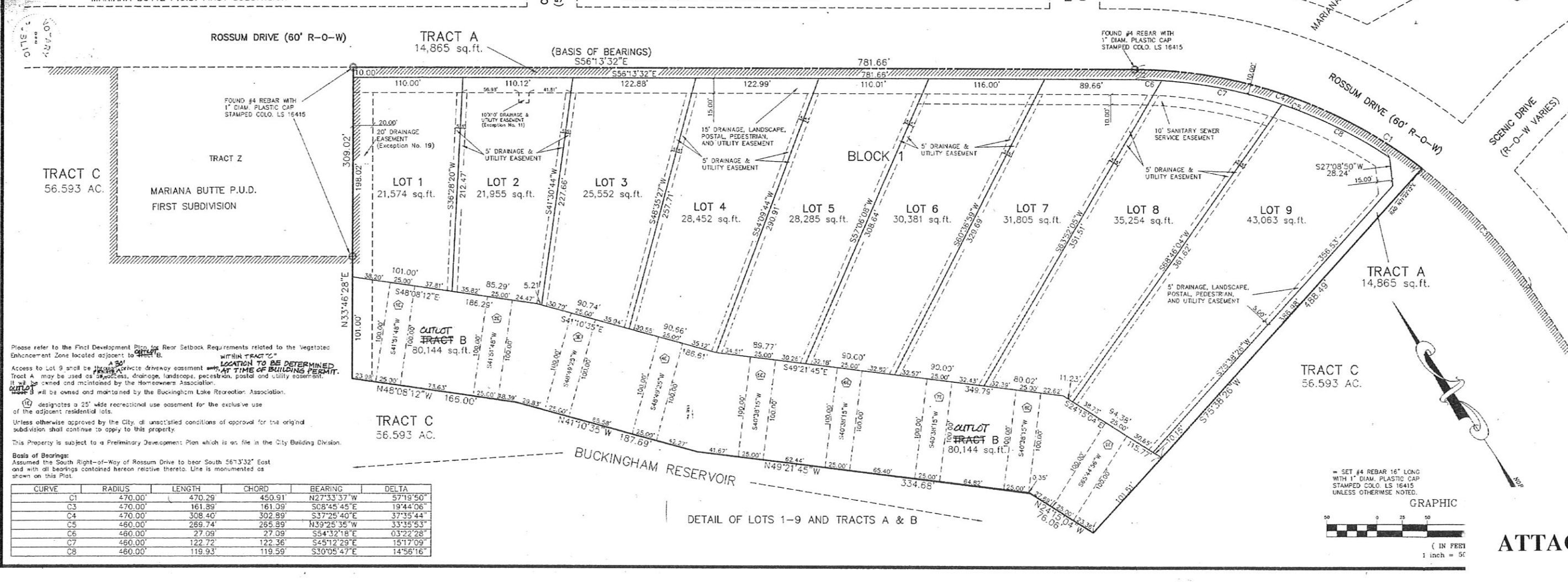
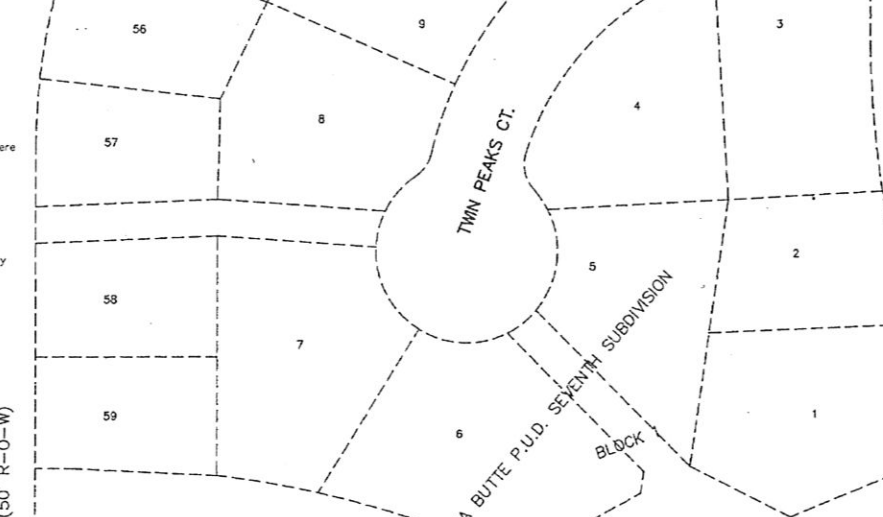
Notary Public

Address

Loveland, CO 80538

Recorded and apparent rights-of-way are shown. It was researched and provided to this firm by Security Title Guaranty Company under Title Commitment No. F023823A97-C2, dated June 11, 1997. This property is subject to the following exceptions: as shown on schedule B.

- No. 7 - An easement for utilities and incidental purposes granted to the City of Loveland by the instrument recorded January 21, 1970 in Book 1426, Page 226. DOES NOT EFFECT THIS PROPERTY
- No. 8 - All reservations and easements as contained in deed, recorded July 17, 1970 in Book 1437 at Page 157.
- No. 9 - Covenants, conditions and restrictions which do not include a forfeiture or reverter clause set forth in the deed, recorded May 31, 1973 in Book 1556 at Page 325.
- No. 10 - Terms, conditions, provisions, agreements and obligations specified under the Notice of Conditions and Restrictions Affecting Real Property by and between the City of Loveland and Mariana Butte Ltd. recorded January 17, 1983 in Book 2202 at Page 1236.
- No. 11 - All items as shown on the plats of Mariana Third Addition and Mariana Butte P.U.D. First Subdivision including but not limited to all notes and easements. SHOWN ON THIS PLAT
- No. 12 - Terms, conditions, provisions, agreements and obligations specified under the Agreement by and between Mariana Butte Ltd. and the City of Loveland recorded July 22, 1988 at Reception No. 88033993.
- No. 13 - An easement for electric system and incidental purposes granted to Poudre Valley Rural Electric Association by the instrument recorded May 21, 1990 at Reception No. 90021464. DOES NOT EFFECT THIS PROPERTY
- No. 14 - Terms, conditions, provisions, agreements and obligations specified under the agreement by and between the City of Loveland and Mariana Butte Ltd., Patricia Ellen Buckner and McWhetney family trust recorded August 31, 1992 at Reception No. 9205289.
- No. 15 - Terms, conditions, provisions, agreements and obligations specified under the Street Improvement and Cost Participation Agreement by and between Mariana Butte Ltd. and U.S. Home Corporation recorded January 11, 1994 at Reception No. 9403592.
- No. 16 - An easement for telecommunications facilities and incidental purposes granted to U.S. West Communications by the instrument recorded December 27, 1994 at Reception No. 94101448. DOES NOT EFFECT THIS PROPERTY
- No. 17 - Any existing leases or tenancies.
- No. 18 - An easement for utilities and incidental purposes granted to the City of Loveland by the instrument recorded March 24, 1997 at Reception No. 97017787 and Reception No. 97017788. DOES NOT EFFECT THIS PROPERTY
- No. 19 - An easement for drainage and incidental purposes granted to the City of Loveland by the instrument recorded January 22, 1998 at Reception No. 98004626. SHOWN ON THIS PLAT



Please refer to the Final Development Plan for Rear Setback Requirements related to the Vegetated Enhancement Zone located adjacent to Tract B.

Access to Lot 9 shall be by a private driveway easement within Tract C.

Tract A may be used as a driveway, drainage, landscape, pedestrian, postal and utility easement. It will be owned and maintained by the Buckingham Lake Recreation Association.

Tract B will be owned and maintained by the Buckingham Lake Recreation Association.

(16) designates a 25' wide recreational use easement for the exclusive use of the adjacent residential lots.

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

This Property is subject to a Preliminary Development Plan which is on file in the City Building Division.

Table with 6 columns: CURVE, RADIUS, LENGTH, CHORD, BEARING, DELTA. Rows C1 through C8.

CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
C1	470.00'	470.29'	450.91'	N27°33'37"W	57°19'50"
C3	470.00'	161.89'	161.09'	S08°45'45"E	19°44'06"
C4	470.00'	308.40'	302.89'	S37°25'40"E	37°35'44"
C5	460.00'	289.74'	265.89'	N39°25'35"W	33°35'53"
C6	460.00'	27.09'	27.09'	S54°32'18"E	03°22'28"
C7	460.00'	122.72'	122.36'	S45°12'29"E	15°17'09"
C8	460.00'	119.93'	119.59'	S30°05'47"E	14°56'16"

Landmark ENGINEERING LTD.  
ENGINEERS/ARCHITECTS/PLANNERS/SURVEYORS  
3521 West Eisenhower Blvd., Loveland, Colorado 80537  
(970) 667-6286 Danner (303) 628-7124 Fax (970) 667-6298

DATE: APR. 1999  
SCALE: 1"=50'  
DRAWN: P.B.H.  
CHECKED: R.J.N.  
APPROVED: R.J.N.

CLIENT: MARIANA BUTTE DEVELOPMENT COMPANY  
TITLE: MARIANA BUTTE NINTH SUBDIVISION  
PORTION OF TRACT C  
MARIANA BUTTE FIRST SUBDIVISION

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## AGREEMENT FOR ADDITIONAL ASSOCIATION MAINTENANCE

This AGREEMENT FOR ADDITIONAL ASSOCIATION MAINTENANCE ("Agreement") is entered into the date and year hereinafter set forth by and between Buckingham Shores Homeowners Association, Inc., a Colorado non-profit corporation to be formed pursuant to the Colorado Common Interest Ownership Act ("Association"), B & B I, LLC, a Colorado limited liability company ("Developer"), the Owner of Lot 9, Mariana Butte 9<sup>th</sup> Subdivision ("Owner") and Buckingham Reservoir Area Owners Association, a Colorado non-profit corporation ("HOA").

### WITNESSETH:

THAT WHEREAS, the Final Development Plan, Buckingham Shores P.U.D., as amended and supplemented ("FDP") sets forth landscape installation and maintenance responsibilities of the parties to this Agreement; and

WHEREAS, the Developer will be the developer of certain real property described on the FDP for Buckingham Shores; and

WHEREAS, the Developer plans to install landscaping as shown on the FDP on certain portions of Tract A of the Mariana Butte 9<sup>th</sup> Subdivision which is owned by Buckingham Reservoir Area Owners Association, and more specifically described on Exhibit A attached hereto.

NOW, THEREFORE, in consideration of the foregoing premises, the covenants and agreements hereinafter contained, and for other good and valuable consideration, the receipt and sufficiency of which is hereby expressly acknowledged, the Developer, the Association, the Owner and Buckingham Reservoir Area Owners Association agree as follows:

1. If, at the time of approval of the FDP, landscaping improvements have not been installed on Tract A, the landscape improvements and underground irrigation system on those certain designated portions of Tract A shall be installed by the Developer at the Developer's sole cost and expense.
2. The Association shall be responsible for the maintenance, replacement and repair of any and all landscaping on those certain portions of Tract A, and described in Exhibit A including without limitation the maintenance, replacement and repair of the underground irrigation system installed by the Developer. This obligation shall be made a condition of the Covenants, Conditions and Restrictions document for the Association.
3. The Association shall verify that any person or entity hired by the Association to perform maintenance or landscaping services on the Tract maintains adequate insurance coverage.
4. At such time as landscaping is installed for a home on Lot 9, Mariana Butte 9<sup>th</sup> Subdivision, the irrigation system on Tract A of the Mariana Butte 9<sup>th</sup> Subdivision shall be integrated with the Lot 9 irrigation system, and all future costs associated with the operation and maintenance of that integrated system shall be borne by Owner.

5. Should the Owner decide to move the location of the driveway entrance to Lot 9, and Owner has obtained approval of the HOA, the City of Loveland, and any other approvals required for such a move, Developer agrees to, with the approval of the HOA, make the necessary changes to the landscape plan set forth in Exhibit A to accommodate the new location at Developers sole cost and expense. Owner agrees to make all necessary changes to the Lot 9 fence, and any other street, curb, driveway, or other infrastructure changes required for the move at their sole cost and expense. Developer agrees to provide reasonable access to Owner to accomplish these changes. Owner agrees to abandon any unused access easement at the request of Developer. If the new location is elsewhere along the south boundary of Lot 9, Developer's approval of the new location shall also be required, and shall not be unreasonably withheld.

6. The Developer and the Association shall maintain insurance as required by applicable law, which insurance shall include, without limitation, property insurance and general liability insurance.

7. The benefits, burdens and all other provisions contained in this Agreement shall be covenants running with and binding upon the Buckingham Shores Site and all Improvements which are now or may hereafter be a part thereof. The benefits, burdens and all other provisions contained in this Agreement shall be binding upon, and inure to the benefit of the Developer, the Association, the Owner and the Buckingham Reservoir Area Owners Association, and upon and to their respective heirs, personal representatives, successors and assigns.

8. This Agreement constitutes the entire agreement of the parties with respect to the subject matter hereof. Any and all prior agreement or discussions pertaining to the subject matter of this Agreement, whether written or oral, are superseded and are deemed null and void and of no effect with respect to the subject matter of this Agreement. If any term or provision of this Agreement is held to be invalid or void by any Court of competent jurisdiction, the same shall be deemed severable from the remainder of this Agreement and shall in no way effect any other terms or provisions herein contained. If any term or provision of this Agreement is deemed to be invalid due to its scope or breadth, such term or provision shall be deemed valid to the extent of the scope or breadth permitted by law.

IN WITNESS WHEREOF, this Agreement has been executed as of this 22nd day of AUGUST, 2007.

**B & BI, LLC,**  
a Colorado limited liability company

By: [Signature]  
Title: Manager



BUCKINGHAM RESERVOIR AREA OWNERS ASSOCIATION, INC  
a Colorado non-profit Corporation

By: Earl D Baumgardner  
Title: PRESIDENT

CDB  
12/19/2007

OWNER, LOT 9, MARIANA BUTTE 9<sup>TH</sup> SUBDIVISION

By: George W. Ligatke 8-23-07 12/19/07  
OWNER Lot 9  
Caleb K. Ligatke 8-23-07 12/19/07  
OWNER Lot 9

# MARIANA BUTTE 23RD SUBDIVISION

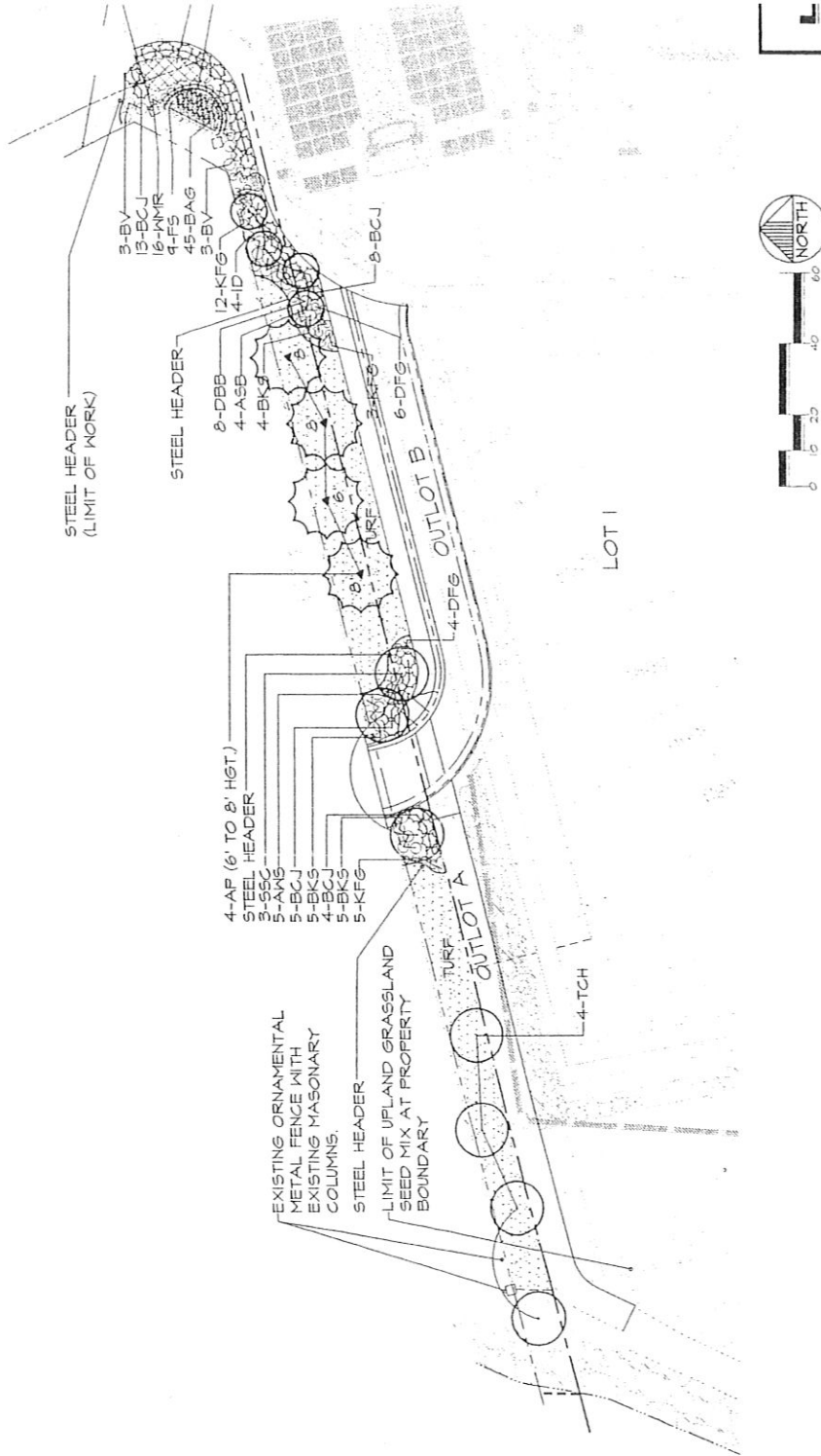
## M.B.9 H.O.A. EXHIBIT

### PROTOTYPICAL PLANT SELECTION LIST

The following is a list of low water use plant material that may be selected for use in the final planting plan.

CONIFEROUS TREES		
Common Name	Botanical Name	Minimum Size
Austrian Pine	<i>Pinus nigra</i>	6'-8' Height Min.
ORNAMENTAL TREES		
Common Name	Botanical Name	Minimum Size
Adam's Elm	<i>Platanus x grandiflora</i>	1 1/2" Cal. (minimum)
Autumn Brilliance	<i>Fraxinus viridis</i>	1 1/2" Cal.
Spring Snow Crab	<i>Malus Spring Snow</i>	1 1/2" Cal.
Thornless Cockspur	<i>Crataegus sparganii</i>	1 1/2" Cal.
DECIDUOUS AND CONIFEROUS SHRUBS		
Common Name	Botanical Name	Minimum Size
Anthony Waterer	<i>Spiraea bumalda</i>	5 Gal.
Blue Mist Spruce	<i>Comptonia x grandiflora</i>	5 Gal.
Blue Chip Juniper	<i>Juniperus horizontalis Blue Chip</i>	5 Gal.
Burning Bush	<i>Euonymus alata Compacta</i>	5 Gal.
Cherry Blowing Bush	<i>Erigenia alata Compacta</i>	5 Gal.
Flamingo Shrub	<i>Forsythia sp.</i>	5 Gal.
Little Prince's Spruce	<i>Comptonia 'Little Prince's'</i>	5 Gal.
White Meadows Rose	<i>Rosa x White Meadows</i>	2 Gal.
GRASSES / PERENNIALS		
Common Name	Botanical Name	Minimum Size
Blue Avenue Grass	<i>Hesperis matronalis</i>	1 Gal. 2" O.C.
Cherry Fountain Grass	<i>Penstemon albertianus</i>	1 Gal. 2" O.C.
Scilla de Oro Day Lily	<i>Scilla de Oro</i>	1 Gal. 2" O.C.
Kent Forester Grass	<i>Calamagrostis canadensis</i>	2 Gal.

Mariana Butte 9, - H.O.A. President: *[Signature]*  
 Mariana Butte 9, - Owner Lot 9, *[Signature]*  
 Mariana Butte 23, - B4B 1, LLO, *[Signature]*



May 25, 2007

**NEIGHBORHOOD MEETING – 05/05/2011**

**TO: LOVELAND CITY STAFF, PLANNING DIVISION**

- **IN A PROCESS THAT BEGAN ON 10/12/2006 AND ENDED (WE THOUGHT!) ON 10/15/2009, WE HAVE SPENT COUNTLESS HOURS AND OVER \$5000 IN PREPARATION AND MEETINGS WITH CITY STAFF, ENGINEERING FIRMS, LAWYERS , PLANNING COMMISSIONS, AND CITY COUNCIL TO:**
  - 1.) PRESERVE OUR LANDSCAPE BUFFER ZONE BETWEEN OUR SUBDIVISIONS, THAT THE DEVELOPER OF MARIANA BUTTE 23<sup>RD</sup> SD WANTED ORIGINALLY TO ELIMINATE, AND**
  - 2.) CHANGE OUR ACCESS FROM THE ABANDONED SCENIC DRIVE EXTENSION TO ROSSUM DRIVE, A CHANGE AT OUR EXPENSE, THAT GREATLY BENEFITED THE DEVELOPER OF MARIANA BUTTE 23<sup>RD</sup> SD WHO THEN DIDN'T NEED TO INSTALL AND MAINTAIN AN ACCESS DRIVE TO OUR LOT THROUGH HIS PROPERTY.**
- **WHILE IT SHOULD BE NOTED THAT WE HAD NO PROBLEM WITH THE EXISTING PLAN WHICH CALLS FOR 5 HOMESITES, WE HAVE A GREAT PROBLEM WITH THE DEVELOPER'S CURRENT PROPOSAL TO SQUEEZE 12 DUPLEXES ONTO THIS SITE, AND ONCE AGAIN ATTEMPT TO ELIMINATE A LANDSCAPE BUFFER ZONE BETWEEN THE TWO SUBDIVISIONS.**
- **BESIDES THE ISSUE OF LANDSCAPING, WE ALSO HAVE A GREAT PROBLEM WITH BOTH THE DENSITY AND PROXIMITY OF THIS PROPOSAL TO OUR LOT AND THE POSSIBLE DEVALUATION OF OUR PROPERTY RESULTING FROM THIS DRASTIC CHANGE.**
- **TO ILLUSTRATE OUR CONCERNS RELATIVE TO LANDSCAPE AND ACCESS, LET ME REMIND YOU OF THE IMPORTANT EVENTS THAT CULMINATED IN THE PRIOR PLAN FOR MARIANA BUTTE 23<sup>RD</sup> SUB DIVISION. MILESTONES REACHED INCLUDE:**
  - 1.) MARIANA BUTTE 23<sup>RD</sup> APPROVED PLAN INCLUDING LANDSCAPE – 02/05/07**
  - 2.) MARIANA BUTTE LANDSCAPE PLAN – 05/10/07**
  - 3.) AGREEMENT TO LANDSCAPE PLAN – 12/19/07**
  - 4.) AMENDED PDP FOR LOT 9 , MARIANA BUTTE NINTH SD SHOWING ACCESS CHANGE TO ROSSUM DR AS WELL AS THE PRIOR APPROVED LANDSCAPE PLAN – 10/15/09**



- TO ADDRESS OUR CONCERNS RELATIVE TO DENSITY AND PROXIMITY, PLEASE CONSIDER THE FOLLOWING POINTS.
- OUR TRACT A, WHICH WOULD SERVE AS A BUFFER BETWEEN THE PROPERTIES, IS ONLY 5-6 FEET WIDE. THEIR OUTLOT A IS ONLY 5 FEET WIDE. TOGETHER, THIS IS ONLY 10-12 FEET AT MOST. AND BE REMINDED THAT THERE IS NO PROVISION FOR A LANDSCAPE BUFFER.
- DEPENDING UPON THE DISTANCE TO THE REAR ELEVATION OF THE DUPLEXES TO BE BUILT ON LOTS 1,2,AND 3 OF THEIR PROPOSAL, THE PRIVACY OF OUR LOT WOULD BE GREATLY COMPROMISED.
- AGAIN, THE PROXIMITY OF THESE UNITS WOULD PRESENT A UNATTRACTIVE VISUAL BARRIER TO THE FUTURE ENJOYMENT OF THE PROPERTIES TO THE NORTH OF THIS PROPOSED SUBDIVISION.
- FURTHERMORE, PLACING 12 UNITS WITH AN ESTIMATED 24 VEHICLES WOULD CONTRIBUTE TO A NOISE, CONGESTION PROBLEM THAT AGAIN WOULD ADVERSELY IMPACT OUR PROPERTY AS WELL AS OUR NEIGHBORS PROPERTIES.
- TO SUMMARIZE, WE ARE GREATLY DISTURBED OVER THIS PROPOSAL AND FEEL STONGLY THAT IT SHOULD BE REJECTED IN FAVOR OF THE ORIGINAL MARIANA BUTTE 23<sup>RD</sup> SUBDIVISION.

RESPECTFULLY SUBMITTED,

GEORGE AND COLEEN LIGOTKE, OWNERS LOT 9, BLOCK1, MARIANA BUTTE NINTH SUBDIVISION

COPIES OF THE FOUR PLANS REFERRED TO ABOVE ARE AVAILABLE UPON REQUEST.

## Safety Concerns

As mentioned in another correspondence, I must question the designation of Rossum Drive as a major collector street. The FDP for Mariana Butte 9<sup>th</sup> has Rossum designated as a minor collector street and the FDP for Mariana Butte 23<sup>rd</sup> has Rossum Drive listed as a major collector street. As I reviewed Larimer County Urban Area Street Standards Chapter 7, information you referenced, I have additional concerns about the proposed changes to PUD 23<sup>rd</sup> development at Scenic Drive and Rossum Drive making this area a much higher density development.

I understand that street designation as major or minor collector or residential has a significant impact on many neighborhood issues including driveway location, speed limits, parking, lighting, driveway locations, sight distances, and a host of other issues. Is the city aware that Rossum Dr and Scenic Dr is a school bus stop intersection? The proposed development density at this intersection would be placing children at risk. Because there is no parking on Rossum Drive the number of parents in cars on Scenic Dr in inclement weather is significant. Additionally, the Qwest truck is often parked and doing repair work at this intersection both on Rossum Drive and Scenic Drive. City of Loveland trucks, utility trucks, contractors, and repairmen commonly park on Rossum Drive. Is the City aware that landscape and mowing trucks are also parked along Rossum throughout the summer months? Rossum's current uses really suggest a need for additional parking and areas that would be safer for residents as well as traffic. The existing Western portion of Scenic drive also gets used by homeowners, utility trucks, contractors and landscape services because along this portion of Rossum there are inadequate parking alternatives. The loss of this stern section of Scenic Dr combined with the proposed density of this development really has nearby residents concerned.

According to Table 7-4 (Larimer County Urban Street Standards) I understand that Loveland Street standards require major collector stopping sight distance at 275 feet and sight distance at intersections for driveways and intersections at 660 feet. The proposed development does not appear to meet these criteria. We also do not appear to meet the minimum sight distance at driveways for minor collectors of 310'. The intersection, Scenic Drive and Rossum Dr as well as the proposed driveway for Lot 9, on a curve, do not appear to meet any of these standards for collector streets of any type. Additionally, the street width is only 32 feet which does not meet criteria for either a major or minor collector street. Our sidewalk width is 4 feet also inconsistent with collector street status. Distances between driveway edges along the west side of Rossum Drive are also less than the required 30 feet for collector street status. My review of these standards suggests Rossum Drive only qualifies as a local residential street. In general, the neighborhood has significant concerns, given street speeds, congestion with illegally parked vehicles, and impaired visibility as required by the above standards for drivers, cyclists and pedestrians.

I would appreciate you assistance in addressing these concerns.

Thank you. Darlene Kasenberg

## Kerri Burchett

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**From:** Robert Paulsen  
**Sent:** Tuesday, August 09, 2011 10:02 AM  
**To:** 'Darlene Kasenberg'  
**Cc:** Kerri Burchett  
**Subject:** RE: Mariana Butte 23rd Safety

Ms. Kasenberg:

The following is in response to your email and attached letter sent to me in July raising street design and safety concerns regarding Rossum Drive and proposed Scenic Drive within the Mariana Butte neighborhood. Below are comments (distinguished in a different font) that address the issues you have raised. This response has been provided by the City's Transportation Development Review office of the Public Works Department. These comments were provided to me a few weeks ago; my apologies for not forwarding these comments to you sooner.

Rossum Drive has always been classified as a Major Collector roadway. The City's 2015 Street Plan (from 1996) was created 2 years prior to the construction of Rossum Dr. and classified the then proposed roadway as a Major Collector. The Major Collector classification was continued on the subsequent 2020 Street Plan and the Current 2030 Street Plan. Based on this information, and the lack of any evidence that the city ever intended to down-classify Rossum Drive, we have no doubt that the classification for Rossum Dr. indicated on the Mariana Butte (MB) 9<sup>th</sup> FDP was a typographical error that was not caught during the review process.

Based on field measurements taken this morning, the width of Rossum Dr. immediately north of the Scenic Drive intersection is 37' (flowline to flowline) and is 47' south of the intersection. The 37-foot width is actually 1 foot wider than what was approved on the MB 9<sup>th</sup> plans. While this does not meet our current standards for new Major Collector roadways it is important to remember that Rossum Drive was built under earlier standards and was also the subject of numerous development agreements dating back to the mid 1980's which affected its ultimate design. Regardless, the classification of a roadway is only dependent on the volume of traffic it carries, or is expected to carry based on development projections, and how that roadway functions in getting traffic through the traffic network. In the case of Rossum Drive, the roadway connects two Arterial roadways (one characteristic of Major Collectors) and, based on development projections; it is expected to carry Major Collector volumes at full build out of the various MB developments.

While existing Rossum Drive does not meet all of our current design standards, it does incorporate many of the more important aspects of Major Collector design, like restricted parking and limitations on the number of accesses. While no driveway access would be permitted on a Major Collector street being designed today, under previous standards the homes along Rossum Drive were required to share driveways, both limiting access and maximizing sight distances. Adequate off-street parking was also required to be provided on each lot. Parking is prohibited along the subject portion of Rossum Drive, so any private or commercial vehicles parking in this area are doing so in violation of the law and should be reported to the Police Department.

As Rossum Drive was designed to an earlier standard, the spacing of street intersections is also not in compliance with our current standards. This situation is common throughout the City. In the case of the Scenic Court intersection with Rossum Drive, it is proposed in the location where it was always envisioned with previous development; aligned with the Scenic Drive intersection to the immediate east. As you know, this location was vested with the approval of the MB 23<sup>rd</sup> PUD.

Finally, in 2009, the property owner of Lot 9 of the MB 9<sup>th</sup> PUD requested a variance to allow for a driveway access to Rossum Drive, citing difficulties associated with constructing a driveway in the approved location along the south property line of the property. After a thorough review of detailed engineering analysis provided



by the owner's professional consultants, a variance was granted to allow a sight distance that was less than the current requirement but still exceeded professionally accepted minimum values. It is noted that the variance approved allowed sight distance that was in general accordance with sight distances from the existing driveways along Rossum Drive. Prior to obtaining a building permit for Lot 9, the owner will be required to perform some lot modifications in order to meet the conditions of the approved variance.

**Bob Paulsen, AICP**  
Current Planning Manager  
Development Services Department  
City of Loveland, Colorado  
(970) 962-2670  
(970) 962-2945 FAX

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**From:** Darlene Kasenberg [mailto:dkasenberg@gmail.com]  
**Sent:** Saturday, July 09, 2011 4:46 PM  
**To:** Robert Paulsen; Kerri Burchett; Don Riedel; JMC5152@earthlink.net  
**Subject:** Mariana Butte 23rd Safety

Attached, please find a letter addressing safety concerns and the proposed Mariana Butte 23rd changes. Thank you Darlene Kasenberg

Ms. Kasenberg:

Re: Mariana Butte 23<sup>rd</sup> proposed Amendment

### Street Lighting Issues

The Mariana Butte Subdivisions have been installed in phases over a sixteen year span, and ninety percent of them, including your area, were installed between 1995 and 2000. During that time, our material standards, including street lights, have been changed. The taller and shorter poles are a reflection of those changes. The taller acorn poles are no longer being installed in the City.

The post lights that your FDP refers to are the 40 watt incandescent post lights that are found in downtown Loveland. The City's old lighting policy was to install a four to ten foot post light that housed a 40 watt incandescent light bulb, and provide an unmetered electrical source to the light. The City went away from this policy in 1997. Since the construction of the Mariana Butte Subdivisions started prior to 1997, the FDP had to clarify what type of street lighting policy to be built to.

Your recommendation to remove the Acorn lights on the reservoir side of Rossum Drive is unfeasible for the City. The City is required to illuminate Rossum Drive to a value required by the street classification. Street classifications are based upon street right of way width and designated speed, not traffic count. Once the street lighting system is designed, half of the lights on the street can't be removed and still meet the lighting requirements.

Rossum Drive currently is designated as a minor arterial street, according to the City's Street Land Use Map. According to the City's street lighting design policy, a minor arterial street should have a 250 watt bulb which produces 27,500 lumens on a thirty-five foot pole. At the time of design, the developer requested that we put in a lower light wattage so that it wouldn't be too bright, and we installed 100 watt bulbs that produce 9,500 lumens. All Acorn lights that are installed on Rossum Drive have the same bulb installed in the fixture. Compared to the streets that you mentioned in your letter Namaqua has 150 watt bulbs, West 1<sup>st</sup> St has 250 watt bulbs, and the streetlight at US 34 and Rossum Drive is a 400 watt bulb.

The Acorn lights installed on Rossum Drive are considered to be a semi-cutoff luminaire. The globes have an internal shield that blocks the amount of light that is emitted above 90 degrees. Additionally the globe is designed to emit light according to an EIS Type III pattern. This pattern spreads the light of the fixture into a more rectangular pattern on the street side of the fixture, and a half circle pattern on the house side of the fixture. EIS Type III pattern send almost twice as many lumens toward the street side of the fixture than the house side.

The Acorn lights on Rossum Drive are not required to meet Colorado Revised Statutes 24-82-902 for two reasons. The first is the Acorn lights were installed before CRS 24-82-902 was put into effect. The second is that CRS 24-82-902 is only applicable when a light fixture is installed by or on behalf of the state using state funds. Since Rossum Drive is not a state highway, no money from the state was used when the street lights were installed.

The generalization that Acorn lights are not supported by IES, CDOT, and Icole is not accurate. IES, CDOT, and Icole are pushing for the use of full cutoff luminaires. There are currently Acorn style lighting fixtures available on the market that are full cutoff luminaire rated.

The shoe box street lights that were installed at Lakeside Terrace were at the request of the Developer. Lakeside Terrace Phase 1 was installed in 1989 and Phase 2 was installed in 1994 and both are earlier developments than the Mariana Butte area. Developers have a choice of the Acorn street light and the Shoe Box street light for their developments. These shoe box street lights have a 100 watt bulb and are spaced approximately the same distance apart as the Acorn street lights found on Rossum Drive. The street lights in Lakeside Terrace consume the same amount of energy that the street lights on Rossum Drive consume.

The City has looked into gaining a grant for street light energy conservation. The issue with obtaining this grant the City would be forced to install LED technology. LED street lights are very expensive, and the reliability of the technology is still debatable. The City decided to try a small pilot program with LED technology around E 1<sup>st</sup> St and Monroe Ave. Once the LED technology has proven its reliability claims, the City will look at pursuing the LED technology more closely.

Sincerely,

Russel Jentges  
SR Electrical Engineer  
City of Loveland  
970-962-3557



## Kerri Burchett

---

**From:** Robert Paulsen  
**Sent:** Friday, May 27, 2011 10:56 AM  
**To:** 'dkasenberg@gmail.com'  
**Cc:** Kerri Burchett  
**Subject:** FW: FW: Marianna Butte zoning issue; Street lights

Ms. Kasenberg:

I wanted to pass along information relating to your questions/concerns about the acorn-type street lights. I have received the following comments/information from the City's electrical power division concerning the street lights:

*In Mariana Butte, the acorn lights are used exclusively. We could convert these lights to shoebox lights at the requesting party's cost. Which means that all the street lights throughout the whole subdivision would have to be replaced with the shoe box fixture. We would need a \$3,000 engineering deposit to begin the design and order materials. We then would receive the total estimate minus the \$3,000 already paid, prior to removing the old and installing the new lights. After accounting analysis, the customer would be refunded or billed accordingly per code.*

*The street lights were installed according to the Larimer County Urban Area Street Standards that were adopted by the City of Loveland. We do not want vehicle accidents occurring due to inadequate lighting. I would suggest that the residents look at the Lake side Terrace Estates, PUD that is located west of South Taft Avenue and 26<sup>th</sup> Street SW, and see how they like the box street lights that were installed. The distances should be approximately the same. Although we have specific separation distances between poles, we are limited by the fact that poles need to be on lot lines and corners and curves. So the distances are not always equal.*

These comments were provided by Kathleen Porter, who is a Field Engineering Supervisor. Kathleen's email is [Portek.ci.loveland.co.us](mailto:Portek.ci.loveland.co.us) if you'd like to follow-up directly with her. In my view, converting to the shoebox lights would be a fairly expensive endeavor and would require broad agreement by the Mariana Butte community/HOA to initiate.

Let me know if you have additional questions regarding this or other issues.

Have a good Memorial Day weekend,

**Bob Paulsen, AICP**  
Current Planning Manager  
Development Services Department  
City of Loveland, Colorado  
(970) 962-2670  
(970) 962-2945 FAX

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**From:** Robert Paulsen  
**Sent:** Wednesday, May 25, 2011 9:43 AM  
**To:** 'Darlene Kasenberg'

**Cc:** Kerri Burchett

**Subject:** RE: FW: Marianna Butte zoning issue

Ms. Kasenberg:

Sorry that I've taken a while to respond to your email. I have forwarded your questions on to Kerri Burchett, who is the staff planner for the proposal for amending the Mariana Butte 23<sup>rd</sup> Subdivision (to become the Mariana Butte 26<sup>th</sup> Subdivision, if approved). Below I have responded to most of your questions. I will work with Kerri in responding to the remaining questions. As part of this effort, Kerri will be discussing your street lighting concerns with representatives of the City's (electrical) Power Division; we will also look into your wildlife related concerns with the current lighting arrangement. We will provide you with a completed response this week.

One issue that you raised concerned lighting and dark skies provisions. You appear to know that Loveland has not adopted such standards. Many communities around the country have adopted standards addressing this topic; I believe that Tucson was one of the first communities to do so. While the Current Planning office researches and develops new code provisions as part of our regular work program, we have not been made aware of broad-based community concerns regarding this issue. Nonetheless, I would be happy to accept any information you may have on this topic.

Another issue you raised was whether there is a technical definition of buffer or bufferyard. Specified buffers or bufferyards are required through the City's zoning regulations. The City's code provisions mandate certain widths of buffers or bufferyards between uses as a means of mitigating various impacts and improving aesthetics. Minimum quantities and types of plantings are specified within these bufferyards. Bufferyards can be required between a use (building and parking area) and the street or between dissimilar uses. For example, buffers between commercial and residential uses. But, as I indicated in a previous email, there are no required buffers between single family uses or between single and two-family uses (duplexes). Sometimes supplementary standards are incorporated into a PUD; but the Mariana Butte Master Plan does not specify requirements to this effect. There are also no specified limitations regarding residential lots of differing sizes being adjacent to each other. Our relatively new Estate Residential District (adopted in 2007) was established, in part, as a transition zoning between higher urban densities in the City to lower rural densities in the unincorporated areas of the County. However, the larger estate lots in Mariana Butte predate the establishment of the Estate Residential District and respond to the tailored PUD provisions of the Mariana Butte Master Plan and not to the provisions of the Estate Residential Zoning District. In a related question, you asked whether setbacks are required on all sides of a residence. For detached housing units, this true. For duplexes and tri-plexes, for example, there are setbacks between the separate buildings but no setbacks for the attached units. Each zoning district specifies these minimum "setback" dimensions: typically front and rear yard setbacks are more substantial than side yard setbacks. In the case PUDs, the setback dimensions are often "tailored" or somewhat different than what is required by standard zoning districts. These tailored standards may vary from one area of a development project to another, depending on such things as lot sizes and geographical conditions; such standards are the result of the intent of the original developer.

As for the ownership of the sidewalk, curb/gutter and paving improvements installed on Outlots A & B of Mariana Butte 23<sup>rd</sup>, these are owned by the property owner (of the 23<sup>rd</sup> Subdivision). Since the private driveway easement that gave access to Lot 9 of Mariana Butte 9<sup>th</sup> Subdivision has been vacated, the improvements can be reconfigured. The changes would involve the provision of adequate access for City maintenance vehicles to the dam along with a pedestrian path; the existing asphalt paving is not needed for any purpose. And yes, protection of the riparian habitat is provided for with zoning and the associated plans that are part of zoning and subdivision approval. The Mariana Butte 23<sup>rd</sup> Subdivision, as approved, provides for protection of environmentally sensitive areas, most notably through the creation of outlots that protect sensitive lands from development and disturbance. The proposed Mariana Butte 26<sup>th</sup> Subdivision does not change this basic arrangement.

I hope my comments provide clarification as to the issues you raised; as for the issues that I haven't addressed, you can look forward to subsequent response in the next several days.

**Bob Paulsen, AICP**

Current Planning Manager  
Development Services Department  
City of Loveland, Colorado  
(970) 962-2670  
(970) 962-2945 FAX

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**From:** Darlene Kasenberg [mailto:dkasenberg@gmail.com]  
**Sent:** Friday, May 20, 2011 10:16 AM  
**To:** Robert Paulsen  
**Subject:** Re: FW: Marianna Butte zoning issue

Mr. Paulsen, In reviewing the documents forwarded, it states there are to be no post lights for estate lots. Currently we have huge acorn lights on both sides of Rossum Drive. Although Dan McQueen informed me the developer had paid for these, the attached documents indicate these were at the expense of the city. Could you please review the height, wattage and number of lights on Rossum Drive? All planning documents I have seen have lights scheduled for one side of Rossum only. If you would note - the North side of Rossum Drive above the 480 address and north has smaller dimmer acorn lights. Heading South there are small lights on one side of the street and tall lights on the other. You may or may not know that Rossum Drive is much brighter than Hwy 34 and First street in this area. Economically, the City could remove all these lights on the estate lot side and reduce the height and wattage of the acorn lights on the opposite side. In addition to reducing the number of lights needing to be maintained there would be energy savings.

Additionally I have several articles on light pollution and I would guess you are aware that these acorn lights have been banned across the country. Both Ft Collins and Berthoud have adopted dark sky standards. Additionally, because we have riparian habitat in our yards, this type lighting poses unnecessary risks to birds in our development.

Please let me know if you are interested in information about good lighting. Thank you Darlene Kasenberg  
On Thu, May 19, 2011 at 4:48 PM, Darlene Kasenberg <[dkasenberg@gmail.com](mailto:dkasenberg@gmail.com)> wrote:

Mr. Paulsen,

I am confused about a few things. Currently Mariana 9th has Outlot A as well as a concrete sidewalk, curb and gutter and the width of Scenic Drive as a buffer from Mariana 23rd. Who owns the sidewalk, street, curb and gutter that currently exist?

Does current zoning require protection of riparian habitat, would this include Mariana 23rd?

Perhaps you are using some technical definition of a buffer?

I understood the concept of Estate residential as a transitional area to rural areas. Meaning large lots, protection of open space and environmentally sensitive areas wouldn't this include adjoining properties as well? Does zoning provide for some continuity between adjoining properties?

Do all properties have required minimum setbacks on all sides of a residence?

In advance, I thank you for your time explaining these things to me. Darlene Kasenberg  
On Thu, May 19, 2011 at 10:16 AM, Robert Paulsen <[paulsr@ci.loveland.co.us](mailto:paulsr@ci.loveland.co.us)> wrote:

Ms. Kasenberg:

Jeff Bailey forwarded your recent email to me so I could respond to your questions concerning buffering and whether there are any special requirements for "estate lots" within the Mariana Butte 9<sup>th</sup> Subdivision.



The FDP for Mariana Butte PUD 9<sup>th</sup> Subdivision, as attached, specifies landscaping and buffering standards for lots within this portion of Mariana Butte. There are no special buffering standards specified between these lots and other lots except as specified for Tract A. In addition, the City's standard zoning provisions do not require bufferyard installation on single family or two family lots to buffer a residential use from a collector street. Nor are there standard requirements for the installation of bufferyards between single family lots and other single family lots or duplexes; this is the case regardless of any size differences between lots.

I hope this information answers your questions. Please feel free to contact me or Kerri Burchett by phone or email if you have further questions. As I believe you know, Kerri Burchett is the assigned planner for the Mariana Butte 26<sup>th</sup> application; Kerri will be out of the office until Monday. Kerri's work number is 962-2566.

**Bob Paulsen, AICP**

Current Planning Manager

Development Services Department

City of Loveland, Colorado

(970) 962-2670

(970) 962-2945 FAX

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**From:** Jeff Bailey

**Sent:** Tuesday, May 17, 2011 5:03 PM

**To:** 'Darlene Kasenberg'

**Cc:** Dave Klockeman; Greg George; Robert Paulsen

**Subject:** RE: Marianna Butte zoning issue

Hi Darlene,

I can certainly send you a copy of the document, but you may actually have it already. If the plan sheet that has the crossed-out conditions also shows City Council conditions on the right side of the page, then you have the most current plan (should be on page 2 of 8). The City Council conditions actually represent the "revisions" to the Planning

Commission conditions. Either way, I'm attaching the document to this email, so let me know if you have any problems opening it.

You are correct, and Outlot A still retains all of the rights originally established in the FDP, including pedestrian access easements. What I should have made more clear is that the private driveway easement for Lot 9 that was established with the original FDP, was eliminated with the amended PDP & FDP that was processed by the owners of Lot 9.

No, there are no special services based on major or minor street classification. Under today's standards, the main differences are roadway width and the volume of traffic that could ultimately be carried, but there is nothing that would affect existing homes. I don't know what, if any, differences there are in buffer requirements for collectors, but I will forward this question back to the Current Planning Division for an answer. They should get back to you shortly.

Thanks and have a good evening,

Jeff

**From:** Darlene Kasenberg [mailto:[dkasenberg@gmail.com](mailto:dkasenberg@gmail.com)]  
**Sent:** Tuesday, May 17, 2011 2:57 PM  
**To:** Jeff Bailey  
**Subject:** Re: Marianna Butte zoning issue

Jeff,

Since Planning Commission review 1/27/98 is crossed out with a note that states "see revisions" may we have a copy of this document? Outlot A exists and is owned by BRAOA, this is the adjoining property rather than Lot 9. Also, I am interested in any differences in services required if Rossum Dr is a minor collector vs major collector street. We are designated as estate lots, does zoning provide for any special buffers for these type lots? Thanks Darlene Kasenberg

On Mon, May 16, 2011 at 4:53 PM, Jeff Bailey <[bailej@ci.loveland.co.us](mailto:bailej@ci.loveland.co.us)> wrote:

Ms. Kasenberg,

Dave Klockeman asked me to look into your concerns. Since the Transportation Development Review Division has the easiest access to the street-related development records, he felt that I would be best able to answer your questions.

At the time that the Mariana Butte PUD 9<sup>th</sup> Subdivision was approved (1999), it was assumed that any future development of what was called Tract C would require access to Rossum Drive via a public street, which is why the document references an extension of Scenic Drive in regard to access for Lot 9. However, as the actual configuration of an extended Scenic Drive would be dependent on what was actually proposed for Tract C, no right of way was ever dedicated for the future street and Standard Conditions 5 & 8 were added to the City Council conditions located on the upper right of page 2 of the Final Development Plan (FDP). Based on your questions, I'm assuming that you have a copy of that document, but would be happy to forward one to you if you do not. Specifically, General Condition 8 notes that the owner of Lot 9 would be responsible for construction of sidewalk along whatever portion of their south property line that falls adjacent to a future extension of Scenic Drive. This indicates that the future alignment of Scenic Drive would be determined with future development.

The Mariana Butte 23<sup>rd</sup> Subdivision, which created the 5 lots on Tract C, actually meets the need to provide a public street access (Scenic Court) to Rossum Drive, and acts as the de-facto extension of Scenic Drive. This subdivision also provided for access to the south property line of Lot 9 as was required by the conditions of the Mariana Butte 9<sup>th</sup> FDP. The elimination of the access to the south side of Lot 9 occurred when the owners of the Lot, citing numerous concerns regarding a southern access, requested that a variance to allow for an access to Rossum Drive. As the access to Rossum Drive was specifically restricted by the Mariana Butte 9<sup>th</sup> PUD, it was necessary for the owners to process an amendment to both the MB 9<sup>th</sup> Preliminary Development Plan (PDP) and FDP. These amendments were approved in December of 2009, and I have attached a copy for your reference.

With regard to the classification of Rossum Drive, the City has, based on traffic projections, considered the street to be a Major Collector as far back as the 2015 Street Plan, which was in effect at the time the Mariana Butte 9<sup>th</sup> FDP was approved. I can only assume that the notation of Minor Collector classification was an error on the PUD plans. I do note, however, that current traffic counts along Rossum Drive indicate that traffic volumes are in the middle of the range of a Minor Collector Street (1001-3000 vehicles), and are expected to remain so with the addition of the proposed additional dwelling units.

Hopefully this provides you with the information that you need. Please feel free to contact me should you have any further questions.

Sincerely,

Jeff

**Jeffrey Bailey, P.E., PTOE**

Senior Civil Engineer



# City of Loveland

Public Works Department

Transportation Development Review Division

500 East Third Street

Loveland, CO 80537

Tel. (970) 962-2618

Fax. (970) 962-2945

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**From:** Greg George  
**Sent:** Monday, May 16, 2011 8:12 AM  
**To:** 'Darlene Kasenberg'  
**Cc:** Dave Klockeman  
**Subject:** RE: Marianna Butte zoning issue

Ms. Kasenberg – I forwarded your questions to Dave Klockeman, Loveland's City Engineer. He should be getting back to you soon.

## Gregory C. George

Director, Development Service Department

City of Loveland, CO

Phone: (970) 962-2521

**From:** Darlene Kasenberg [mailto:[dkasenberg@gmail.com](mailto:dkasenberg@gmail.com)]  
**Sent:** Sunday, May 15, 2011 3:00 PM  
**To:** Greg George

**Cc:** Darlene Kasenberg  
**Subject:** Re: Marianna Butte zoning issue

Mr George,

Mariana Butte 9th FDP documents indicate that Rossum Drive is a minor collector street. Please identify when and how this changed. These same documents indicate that Scenic Drive is to be completed. Please let me know when and how this changed as well. Thank you in advance. Darlene Kasenberg [970 663 1373](tel:9706631373).

On Fri, May 13, 2011 at 5:11 PM, Greg George <[georgg@ci.loveland.co.us](mailto:georgg@ci.loveland.co.us)> wrote:

Ms. Kasenberg:

Carol Johnson has asked me to provide you with information concerning your rights and options regarding the amendment being proposed to the Marianna Butte 23<sup>rd</sup> PDP.

Development Review staff is currently reviewing a Preliminary Development Plan (PDP) and a Preliminary Subdivision Plat (PP) for the 5-acre site at the NW corner of the Rossum and 1st Street intersection. John Baxter is the applicant; Landmark Engineering is the primary consultant. This property is adjacent to Buckingham Reservoir along the Rossum Drive entrance to Mariana Butte. The site is currently divided into 5 buildable lots (Mariana Butte 23rd Subdivision) that were approved with a PDP / PP by the Planning Commission in 2007.

The amendment to the PDP and Plat would increase the number of lots from 5 lots to 12 lots, each lot to be developed with an attached single family dwelling for a total of 12 dwelling units in 6 duplexes. The Mariana Butte Master Plan (PUD) lists allowed uses for this site as: commercial, office and mixed residential.

A neighborhood meeting was held in the City Council Chambers on Thursday the 5th of May. The Planning Commission has approval authority for the amendment to the Preliminary Development Plan and the Preliminary Plat. Planning Commission will consider this item at a fully notice public hearing, for which a date has not been determined. Any decision made by the Planning Commission can be appealed to the City Council by the applicant or anyone receiving notice of the Planning Commission public hearing. The notice area for a subdivision plat of 20 acres or less is 500 feet from the perimeter of the plat.

If you own property within the notice you will receive a notice of the Planning Commission public hearing and, if an appeal is filed, the City Council public hearing. Everyone in attendance at the public hearings will be given an opportunity to present their concerns with the proposed amendment.

If you have any other questions please feel free to contact me by e-mail or phone.

**Gregory C. George**

Director, Development Service Department

City of Loveland, CO

Phone: (970) 962-2521