



## Development Services Current Planning

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[www.cityofloveland.org](http://www.cityofloveland.org)

### Planning Commission Staff Report September 26, 2011

**Agenda #:** Regular Agenda - 1**Title:** Lot 1, Block 1, Waterfall Subdivision**Applicant:** MBL 34, LLC**Request:** Rezoning**Location:** North of East 15th Street, west of  
Boyd Lake Avenue, at the former  
waterpark site**Existing Zoning:** I - Developing Industrial**Proposed Zoning:** MAC District - Mixed-Use  
Activity Center District**Staff Planner:** Kerri Burchett***Staff Recommendation***

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

***Recommended Motions:***

1. *Move to make the findings listed in Section VIII of this report dated September 26, 2011 and, based on those findings, recommend approval of the rezoning of Lot 1, Block 1, Waterfall 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 a rezoning of Lot 1, Block 1, Waterfall Subdivision from I-Developing Industrial to MAC -Mixed-Use Activity Center. The site is located at the northwest corner of the intersection of Boyd Lake Avenue and East 15th Street and was formerly occupied by the Loveland Waterpark. The MAC District is a mixed-use zoning district intended for large neighborhood-serving commercial centers. The district permits a wide variety of commercial, residential and office uses with an emphasis on providing convenient access to and from adjacent neighborhoods for pedestrians and bicyclists.

As the project will be developed in phases, a Conceptual Master Plan is provided to ensure the coordinated development of the entire parcel. The master plan provides a general location of land uses, unifying architectural guidelines and site planning standards that address pedestrian and vehicular circulation.

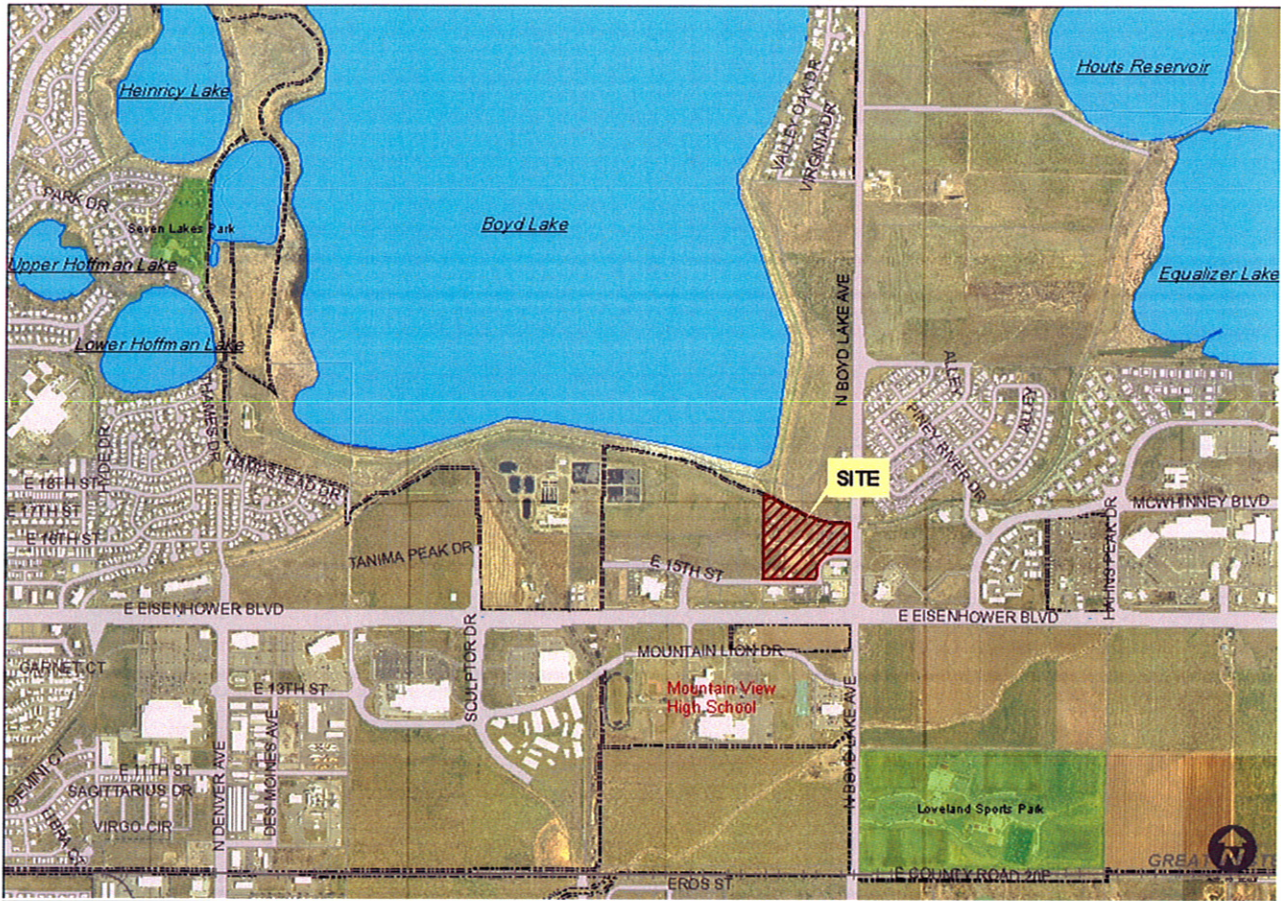
Staff believes that all key issues have been resolved based on City Code, standards contained in the Conceptual Master Plan and the conditions of approval recommended in Section IX of this staff report.



## I. ATTACHMENTS

1. Waterfall Rezoning Narrative
2. Waterfall Conceptual Master Plan
3. Traffic Excerpt
4. MAC Zone District

## II. VICINITY MAP



## III. PROJECT DESCRIPTION

### Summary

The application is for a rezoning of 12.3 acres located at the northwest corner of the intersection of Boyd Lake Avenue and East 15th Street. The property, which was formerly occupied by the Loveland Waterpark, is currently zoned I - Developing Industrial and is vacant. The application proposes to rezone the property to MAC - Mixed-Use Activity Center and develop the project in phases in conjunction with a Conceptual Master Plan (see **Attachment 2**). The MAC District is a mixed-use district intended to provide large, neighborhood-serving commercial centers. The District permits a wide variety of retail and commercial uses serving the surrounding area as well as larger retail uses serving a community-wide or regional market. The District also permits residential and office uses adjacent to the center's core. The District emphasizes the integration of pedestrian circulation within the center and to and from adjacent neighborhoods.

## Conceptual Master Plan: Land Use Location

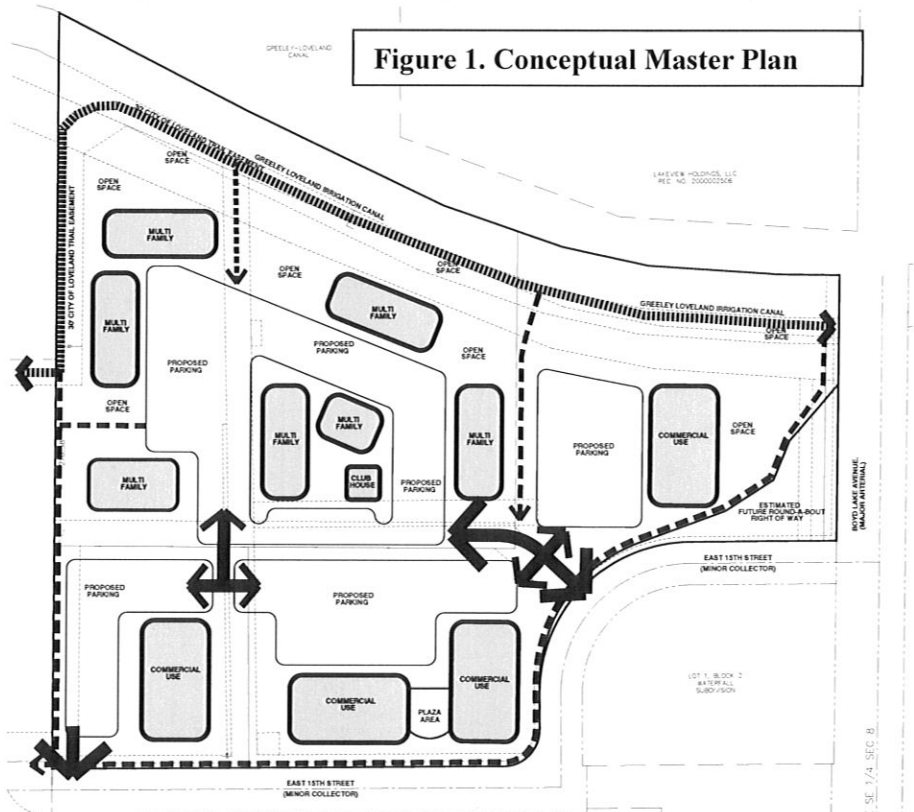
The MAC District requires the creation of a Conceptual Master Plan to ensure the coordinated development of entire parcel when developed in phases. The Master Plan would be approved in conjunction with the rezoning of the property.

The Master Plan for the Waterfall Subdivision establishes commercial land uses fronting on Boyd Lake Avenue and East 15th Street with multifamily residential uses located in the northwest corner of the site. Approximately 6.2 acres or 50% of the site would be devoted to commercial uses, 4.4 acres or 36% of the site would be allocated for residential uses and the remaining 1.6 acres or 13% would consist of open space primarily along the Greeley Loveland Irrigation Canal. The maximum density in the MAC district is 16 dwelling units per acre, which would result in a maximum of 70 units permitted within the residential area of the Master Plan.

## Conceptual Master Plan: Architectural Standards

The Conceptual Master Plan sets forth architectural standards to ensure a coordinated and unified development. Thematic architectural elements included in the plan are as follows:

1. Color Palette: Rich earth tone palette of colors that includes the warm hues of brown, russet, clay, tans, buffs and creams;
2. Materials: Nonresidential structures will contain a combination of stone, brick and stucco on all building facades; residential structures will contain the same brick or stucco. Colors for each material are specified in the Master Plan;
3. Architectural Detailing: Decorative roof trusses or brackets will be incorporated into each building design; and
4. Roof Forms: Nonresidential buildings will incorporate a combination of flat and shallow (6:12 or less) sloped roofs with the dominant form being the sloped roof. Residential buildings shall utilize shallow (6:12 or less) sloping roofs and/or flat roofs.



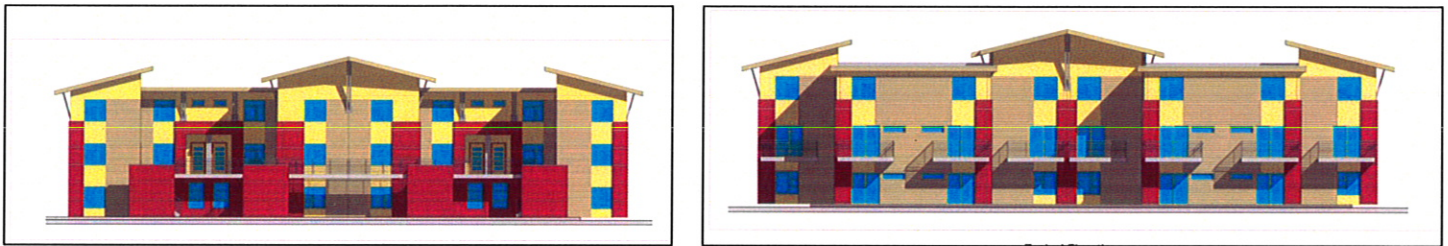


Illustrations of the proposed development standards contained in the Master Plan include the following:

**Figure 2. Nonresidential Architectural Illustrations**



**Figure 3. Residential Architectural Illustrations**



### **Conceptual Master Plan: Site Planning**

In addition to the unifying architectural standards, the Conceptual Master Plan incorporates site planning elements such as building orientation and pedestrian circulation to promote a cohesive development. Buildings will be oriented in clusters and centered around open space areas and plazas. Primary pedestrian routes have been identified in the Master Plan and will comply with the standards of the MAC District, which requires adjoining landscaping and a change in paving material when the pedestrian route crosses a vehicular drive aisle. Signage within the development will also be unified and a planned sign program will be established for the nonresidential uses prior to the issuance of a sign permit. The planned sign program will provide consistent visual design elements for all nonresidential signs within the development.

## **IV. KEY ISSUES**

City staff believes that all key issues have been addressed in the development proposal and through the recommended conditions of approval.



## **V. SITE DATA**

|                                       |  |
|---------------------------------------|--|
| ACREAGE OF SITE-GROSS.....            | 12.28 ACRES  |
| ACREAGE OF SITE-NET.....              | 12.28 AC   |
| ACREAGE OF RIGHT-OF-WAY.....          | 0 AC   |
| MASTER PLAN DESIGNATION.....          | REGIONAL ACTIVITY CENTER   |
| EXISTING ZONING & USE .....           | I-DEV INDUSTRIAL / VACANT  |
| PROPOSED ZONING.....                  | MAC-MIXED-USE ACTIVITY CENTER  |
| PROPOSED USE .....                    | MIXED USE COMMERCIAL AND MULTIFAMILY<br>RESIDENTIAL                        |
| ACREAGE OF OPEN SPACE PROPOSED.....   | 1.6 AC   |
| EXIST ADJ ZONING & USE - NORTH.....   | COUNTY FA FARMING / GREELEY LOVELAND<br>IRRIGATION CANAL AND VACANT        |
| EXIST ADJ ZONING & USE - SOUTH .....  | B- DEV BUSINESS / PROFESSIONAL OFFICES, BANK,<br>VETERINARIAN CLINIC       |
| EXIST ADJ ZONING & USE - WEST .....   | E - EMPLOYMENT –VACANT (BOYD LAKE VILLAGE<br>DEVELOPMENT)                  |
| EXIST ADJ ZONING & USE - EAST .....   | PUD - VACANT COMMERCIAL PROPERTY, BANK AND<br>RESIDENTIAL TO THE NORTHEAST |
| UTILITY SERVICE – WATER & SEWER ..... | CITY OF LOVELAND   |
| UTILITY SERVICE - ELECTRIC .....      | CITY OF LOVELAND   |
| WATER RIGHTS PAID .....               | DUE PRIOR TO BUILDING PERMIT   |

## **VI. BACKGROUND**

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

|                      |  |
|----------------------|--|
| <b>January, 1993</b> | The property was annexed to the City of Loveland and zoned I-Development Industrial. In conjunction with the annexation and zoning, an annexation and development agreement was implemented regarding the development of a water theme park. |
| <b>July, 1993</b>    | The Waterfall Subdivision was approved, which created 3 lots, including the subject property, Lot 1, Block 1.  |

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

### **A. Notification**

An affidavit was received from McWhinney Enterprises which certifies that the surrounding property owners within 300 feet of the property were notified on August 17, 2011 of a neighborhood meeting held on September 1, 2011. An affidavit was also received from McWhinney Enterprises which certifies that the surrounding property owners within 300 feet of the property were notified on September 9, 2011, and a notice was posted in a prominent location on the perimeter of the project site on September 9, 2011. In addition, a notice was published in the



Reporter Herald on September 10, 2011. All notices stated that the Planning Commission will hold a public hearing on September 26, 2011 to consider the matter.

## **B. Neighborhood Response**

A neighborhood meeting was held on September 1, 2011. There were 4 neighbors, along with the applicant and city staff, in attendance. Questions raised at the meeting included the following:

1. **Traffic.** Questions were asked regarding the timing of the future roundabout at East 15th Street and Boyd Lake Avenue in regards to the multifamily component of the project. The applicant indicated that a traffic impact study was completed and the roundabout was not required with the development of the multifamily residences.
2. **Multifamily Housing.** Neighbors requested more information concerning the multifamily housing and voiced concerns that the housing component would be expanded on the entire parcel. Neighbors also questioned if the development would be affordable or "Section 8" housing. City staff responded that the location of the multifamily housing was limited through the Conceptual Master Plan to the 4.5 acres shown on the plan. In the future, if more land is requested for residential uses, a major amendment to the Conceptual Master Plan would be required, which would involve additional public hearings. The applicant indicated that they were currently working with the Loveland Housing Authority regarding the multifamily property however they were unaware of specifics regarding rental rates or affordability.
3. **MAC Zoning.** General questions regarding the uses permitted in the Mixed-Use Activity Center District and the Comprehensive Master Plan designation were addressed by City staff.
4. **Design Standards.** Neighbors raised questions regarding the design standards contained in the Conceptual Master Plan and the compatibility of the structures with the existing offices to the south. The applicant discussed the proposed design standards and indicated that the standards were created using the character of the surrounding office to ensure compatibility.

No additional correspondence was received by City staff after the neighborhood meeting.



## **VIII. FINDINGS AND ANALYSIS**

In reviewing the application, the Planning Commission must determine if the findings specified in the Municipal Code can be met. These findings are listed in italicized font below, along with a summary analysis provided by City staff. If, based on the submitted application, the Planning Commission determines that the findings can be met, the Planning Commission shall recommend approval of the rezoning application. If the Planning Commission determines that the findings cannot be met, the Planning Commission must recommend disapproval of the rezoning application.

1. *The purposes set forth in Section 18.04.010 of the Loveland Municipal Code would be met if any of the uses permitted by right in the zone district were developed on the subject property.*

**Current Planning:** The purpose of Title 18 could be met with the development of permitted uses on this site consistent with Chapter 18.29 Mixed-Use Activity Center District, the Site Development Performance Standards and Guidelines and the additional development standards contained in the Conceptual Master Plan (see **Attachment 2**). Purposes indicated in Section 18.04.010 of the Municipal Code include the following:

- Lessen congestions in the street;
- Secure safety from fire, panic and other dangers;
- Promote health and general welfare;
- Provide adequate light and air, prevent overcrowding of land and avoid undue concentration of population; and
- Facilitate the adequate provision of transportation, water, sewage, schools, parks and other public requirements.

Finding 3, below, contains an analysis from City review agencies determining compliance with the adequate provisions of various infrastructure components. The rezoning application and Conceptual Master Plan represents a generalized plan for future development of the property. Specific development proposals will be reviewed at the time of an individual Site Development Plan, Special Review or building permit to determine compliance with the purposes set forth in Section 18.04.010 of the Municipal Code, as listed above, as well as compliance with the Conceptual Master Plan. Further, the location and size of the property, the established surrounding uses, and the lack of site constraints ensure that future uses could be developed on this site in a manner that achieves the purposes of the Municipal Code.

2. *Development of the subject property pursuant to any of the uses permitted by right under the zoning district would result in development that is compatible with existing land uses adjacent to and in close enough proximity to the subject property to be affected by development of it.*

**Current Planning:** Development of the site under the provisions of the Mixed-Use Activity District should be compatible with surrounding land uses. The MAC District permits a variety of commercial and residential land uses by right and by special review. The Conceptual Master Plan locates commercial land uses along the East 15th Street and Boyd Lake Avenue frontages, clustering the multifamily residential component in the



northwest portion of the site. Properties located directly to the south of the site are zoned B-Developing Business and are developed predominately as professional offices and clinics. The development standards established in the Conceptual Master Plan and the location of the proposed commercial land uses will provide a compatible transition to the multifamily land uses.

Property located to the west of the site is zoned Employment in the Boyd Lake Village Master Plan. While the adjacent site is currently vacant, the permitted land uses within the MAC district are compatible with uses identified permitted in the surrounding land use plans. The proposed zoning to the MAC District is consistent with the City's Comprehensive Master Plan and the development pattern established along Eisenhower Boulevard and East 15th Street.

3. *Development of the subject property pursuant to any of the uses permitted by right under the zoning district would result in impacts on City infrastructure and services that are consistent with current infrastructure and services master plans.*

**Current Planning:** Infrastructure and utility service requirements for development on this site can be met with existing or planned service levels for this area. All required improvements would be completed by the developer in accordance with City policy. The specific details regarding transportation, stormwater, water/wastewater, fire prevention and power will be reviewed in detail at the time of the subdivision plat, site development plan, special review and building permit. The following review agencies have reviewed the rezoning application and have indicated that they have no conflicts with the proposal: Stormwater, Building, Fire Prevention, Water and Sanitary Sewer, Parks and Recreation, and Transportation Engineering. Additionally, the review agencies have provided the following analysis.

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

- An existing 3-phase, 200 Amp. underground power is located in a vault on the north side of E. 15th Street and power can be extended from this existing vault onto the proposed development at the Developer's expense per current City of Loveland Policy.

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

- This development is situated within the City's current service area for both water and wastewater and the proposed development will not negatively impact City water and wastewater facilities.

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

- Development of the subject property pursuant to any of the uses permitted by right under the MAC Zone District will not impact any existing City of Loveland infrastructure and services related to stormwater.



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

- The site will comply with the requirements in the ACF Ordinance for response distance requirements from the first due Engine Company (Station 6) located at 4325 McWhinney Boulevard.
- Future development will comply with adopted fire codes which include access and water supply standards.

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

- Rezoning property does not warrant compliance with the City's Adequate Community Facilities (ACF) ordinance.
- A condition is recommended to clearly ensure that all future development or land application within this proposed property shall be in compliance with the City of Loveland 2030 Street Plan, the Larimer County Urban Area Street Standards and any updates to either in effect at the time of development application. Moreover, as identified in the City Municipal Code Title 16, a Traffic Impact Study shall be required with all future development or other land use applications.

**Parks and Recreation:** Staff believes that this finding can be met due to the following:

- The Parks and Recreation Department trail Master Plan identifies this trail corridor as critical in connecting the existing City Trail to the public trail system (privately maintained) within the Centerra Development on the east side of Boyd Lake Ave. The City has been working to acquire the easements with the intent of constructing the trail in the next few years or when the new underpass at Boyd Lake Ave. is completed.
- In conjunction with the final plat for the property, easements for the trail will be dedicated and secured.

In addition to the City review agencies, the rezoning application has been reviewed by the Thompson R2-J School District, who has provided the following comments:

**Thompson R2-J School District:** The School District does not have any concerns or comments regarding the rezoning of the property. The development would be served by Monroe, Conrad Ball and Mountain View schools which have adequate capacity to serve the development.

4. *Development of the subject property pursuant to any of the uses permitted by right under the zoning district would result in development that is consistent with relevant philosophies contained in the Loveland Comprehensive Master Plan, particularly those philosophies included in Section 4.0 Land Use.*

**Current Planning:** The Comprehensive Master Plan designates this area as a Regional Activity Center (RAC). The RAC category provides areas for regional commercial, service and employment uses intended to serve a regional market area of up to 300 acres or larger. The Comprehensive Master Plan identifies typical uses of a RAC area to include mid and

high-rise office; hotels; major cultural and entertainment; retail and service; technology/light manufacturing and higher education. Additionally up to 50% of the total land area in the RAC may comprise of medium to high density residential uses with up to 16 dwelling units per acre.

The Mixed-Use Activity Center zone district proposed in this application aligns with the RAC category in the City's Land Use Plan and the permitted uses would be consistent with the intent and philosophies of the Comprehensive Master Plan. The RAC development guidelines encourage high-quality architecture. Development standards established in the Conceptual Master Plan include the following to ensure a unified, high quality development:

- A. Unifying architectural design standards including a consistent color palette, building materials, architectural detailing and roof forms;
- B. Site planning provisions that require buildings to be clustered and oriented around open space elements and outdoor plazas;
- C. Unified lighting and signs, and
- D. Continuous pedestrian pathways, connecting to the City's trail system, building entrances and focal points within the development.

5. *Development of the subject property pursuant to any of the uses permitted by right under the zoning district would result in development that would not be detrimental to the health, safety, or welfare of the neighborhood or general public.*

**Current Planning:** Development of any of the uses permitted by right in the Mixed-Use Activity Center District must comply with the City of Loveland Building Code, Fire Code, and Title 18 of the Municipal Code. These measures have been adopted with the intent of protecting the health, safety, and welfare of the public. Consequently, such development in accordance with the adopted Codes and provisions would not be detrimental to the health, safety, or welfare of the general public.

## **IX. RECOMMENDED CONDITIONS**

### **Engineering**

- 1. All future development within this addition shall comply with the Larimer County Urban Area Street Standards (LCUASS).
- 2. Notwithstanding any conceptual information presented in the conceptual master plan; street layout, street alignments, access locations, intersection configurations and intersection operations (traffic controls) shall be determined at the time of application for site specific development.



## **ARCHITECTURE**

### **Unifying Architectural Elements**

#### **1. Color Palette:**

- All buildings shall utilize a rich earth tone palette of colors that includes the warm hues of brown, russet, clay, tans, buffs and creams. Materials used as the dominant/primary cladding of the sides of buildings and roofs shall not include primary colors or cool hues of blue, gray and green.

- Specific color ranges for the following materials are required:

Brick color shall be an earth tone reddish/brown color consistent on all buildings within the master plan.

Stone shall be a buff sandstone color consistent on all buildings within the master plan. Stucco shall be warm earth tone colors ranging from buff to tan to brown.

Roof shingles shall be brown or similar to weathered wood.

Standing seam metal roofs shall be bronze or warm gray.

- The photos below in Illustrations 1 - 3 depict buildings utilizing the required color palette, allowed materials, entry elements and wainscot for reference.

Illustration 1



Illustration 2



Illustration 3



## 2. Materials:

- All nonresidential structures shall contain a combination of stone, brick and stucco on all building facades. Nonresidential structures shall also contain a minimum of a brick or stone wainscot on each façade and shall have brick or stone vertical architectural enhancements or columns at the main entry.
- Residential structures shall contain either brick or stone along with stucco and/or siding. It is intended for the buildings to have “four sided” architecture where each façade shall include the same materials but the percentage of the use of each material may vary. Individual garage buildings located internal to the site are not required to have any brick or stone.
- Metal used for exposed plates, connectors, railings, stairs, etc. shall be a consistent design and color throughout the residential buildings and throughout the nonresidential buildings in the master plan.
- Standing seam metal roofs may be used to accent entries, outdoor porches, porte cocheres and similar but shall not be the main dominant roof material.

3. Architectural Detailing: Decorative roof trusses or brackets shall be incorporated into each building design. Refer to Illustration 1 for an example.

## 4. Roof Forms:

- Nonresidential buildings shall incorporate a combination of flat and shallow (6:12 or less) sloped roofs with the dominant form being the sloped roof. Hip roof configurations must be the dominate sloped roof form.
- Residential buildings shall utilize shallow (6:12 or less) sloping roofs and/or flat roofs.

## SITE PLANNING



## **Building Orientation**

Buildings shall be clustered and centered on open space areas and outdoor plazas. Buildings located along East 15th Street and Boyd Lake Avenue shall orient and face onto these roadways. For development fronting on Boyd Lake Avenue, buildings must be oriented towards Boyd Lake Avenue in a reverse mode design and comprise more than 50% of the linear lot frontage along this roadway. All parking spaces fronting onto Boyd Lake Avenue shall be 100% screened with landscaping to a minimum 3'-0' height.

## **Access and Circulation**

1. A continuous primary pedestrian route shall connect buildings and focal points within the development, such as plazas, building entrances and the pedestrian trail. When a primary pedestrian pathway crosses a parking lot or drive aisle, the crossing shall be delineated by a change in paving material and pattern, consistent throughout the development. The primary pedestrian route shall feature an adjoining landscaped area on a least one side with trees, shrubs, benches, ground covers or other such materials for no less than 50% of the length of the pedestrian route. At the time of a Site Development Plan approval to the City for any portion of the master plan, the primary pedestrian route will be determined for that portion of the master plan.
2. Provide pedestrian and vehicular connectivity between uses.
3. The extension of the existing sidewalk along 15th Street shall be a 6' wide detached sidewalk except when adjacent to the existing large cottonwood trees where the narrow space between the curb and the trees makes an attached sidewalk a better alignment. For detached sidewalks, a tree lawn of drought tolerant turf and shade trees planted at a maximum of 40' on center shall be planted between the sidewalk and the curb.

## **Site Lighting**

1. Nonresidential: All buildings and sites shall use the same design and color fixtures including poles and bases.
2. Residential: All buildings and sites shall use the same design and color fixtures including poles and bases.

## **SIGNAGE**

1. Nonresidential: A planned sign program will be developed prior to any sign construction within the nonresidential development to insure consistent sign design and location for wall

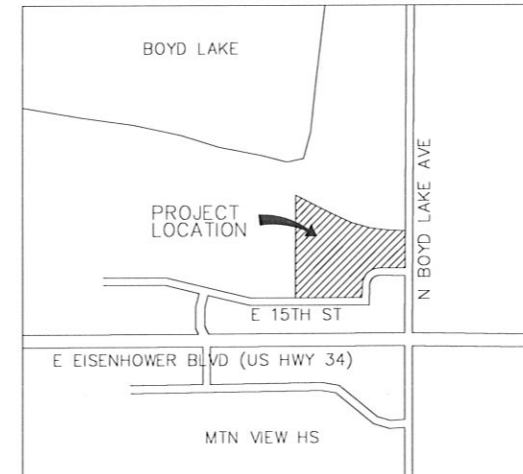
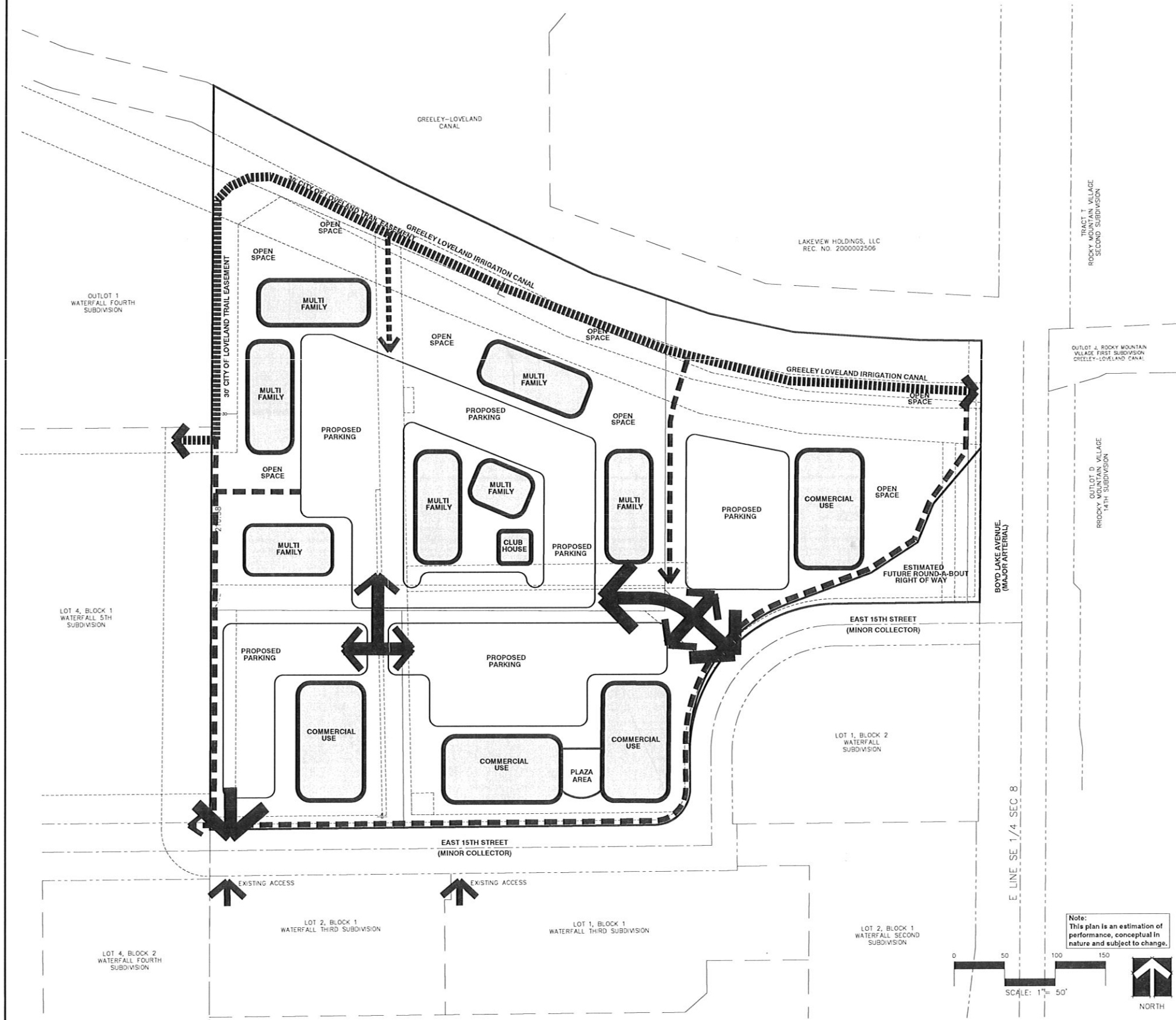
mounted and freestanding signs within the development. The master plan shall be considered a premise for the purpose of calculating the maximum number of freestanding signs.

2. Residential: If the residential development desires a monument sign outside the boundaries of the lot, within the premise of the master plan, then a planned sign program will be developed prior to any sign construction within the residential development. The master plan shall be considered a premise for the purpose of calculating the maximum number of freestanding signs.



# WATERFALL SIXTH SUBDIVISION – MAC MASTER PLAN

BEING A SUBDIVISION OF LOT 1, BLOCK 1, WATERFALL SUBDIVISION  
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 68 WEST  
OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF LOVELAND, COUNTY OF LARIMER, STATE OF COLORADO



VICINITY MAP  
N.T.S.

## LEGEND:

- PEDESTRIAN CONNECTION SIDEWALK/TRAIL (thick dashed line)
- PEDESTRIAN CONNECTION SIDEWALK/TRAIL (thin dashed line)
- OPEN SPACE (hatched area)
- EXISTING ACCESS (arrow)
- PROPOSED ACCESS (thick arrow)

## SIGNATURES:

Approval blanks to be show as follows:

- A. Approved this \_\_\_ day of \_\_\_, 20\_\_\_, by the Current Planning Manger of the City of Loveland, Colorado.  
\_\_\_\_\_  
Current Planning Manger
- B. Approved this \_\_\_ day of \_\_\_, 20\_\_\_, by the City Engineer of the City of Loveland, Colorado.  
\_\_\_\_\_  
City Engineer
- C. Approved this \_\_\_ day of \_\_\_, 20\_\_\_, by the City Attorney of the City of Loveland, Colorado.  
\_\_\_\_\_  
City Attorney
- D. Approved this \_\_\_ day of \_\_\_, 20\_\_\_, by the City Planning Commission of the City of Loveland, Colorado.  
\_\_\_\_\_  
Chairperson
- E. Approved this \_\_\_ day of \_\_\_, 20\_\_\_, by the City Council of the City of Loveland, Colorado.  
\_\_\_\_\_  
Mayor Attest

## OWNERS CERTIFICATION:

KNOW ALL MEN BY THESE PRESENTS THAT:  
Being all the lawful recorded owners of the property shown on this Rezone, except any existing public streets, roads, or highways, do hereby certify that I consent to the recordation of any information pertaining thereto.

OWNER:  
MBL 34, LLC, A COLORADO LIMITED LIABILITY COMPANY

NAME: \_\_\_\_\_ TITLE: \_\_\_\_\_

STATE OF COLORADO)  
) ss.  
COUNTY OF LARIMER)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS  
2011, BY \_\_\_\_\_ AS \_\_\_\_\_ OF  
MBL 34, LLC A COLORADO LIMITED LIABILITY COMPANY.

WITNESS MY HAND AND OFFICIAL SEAL

MY COMMISSION EXPIRES \_\_\_\_\_

NOTARY PUBLIC \_\_\_\_\_

| REVISIONS                          |            | DATE                               | DESCRIPTION                       |
|------------------------------------|------------|------------------------------------|-----------------------------------|
| BY                                 | SS         | 6/20/11                            | COMMENTS TO FIRST ROUND REVISIONS |
| CE                                 | 8/08/11    | COMMENTS TO SECOND ROUND REVISIONS |                                   |
| CE                                 | 8/29/11    | COMMENTS TO THIRD ROUND REVISIONS  |                                   |
| DRAWN                              |            |                                    |                                   |
| CHECKED                            |            |                                    |                                   |
| DESIGNED                           |            |                                    |                                   |
| FILENAME                           |            |                                    |                                   |
| WATERFALL SIXTH SUBDIVISION        |            |                                    |                                   |
| MASTER PLAN                        |            |                                    |                                   |
| MIXED USE ACTIVITY CENTER DISTRICT |            |                                    |                                   |
| DATE                               | 02/25/2011 |                                    |                                   |
| REVISION                           | 09-06-2011 |                                    |                                   |
| JOB NO.                            |            |                                    |                                   |
| SCALE                              |            |                                    |                                   |



# WATERFALL SIXTH SUBDIVISION – MAC MASTER PLAN

## DESIGN STANDARDS

### ARCHITECTURE

#### Unifying Architectural Elements

##### 1. Color Palette:

- All buildings shall utilize a rich earth tone palette of colors that includes the warm hues of brown, russet, clay, tans, buffs and creams. Materials used as the dominant/primary cladding of the sides of buildings and roofs shall not include primary colors or cool hues of blue, gray and green.
- Specific color ranges for the following materials are required:
  - Brick color shall be an earth tone reddish/brown color consistent on all buildings within the master plan.
  - Stone shall be a buff sandstone color consistent on all buildings within the master plan.
  - Stucco shall be warm earth tone colors ranging from buff to tan to brown.
  - Roof shingles shall be brown or similar to weathered wood.
  - Standing seam metal roofs shall be bronze or warm gray.
- The photos below in Illustrations 1 - 3 depict buildings utilizing the required color palette, allowed materials, entry elements and wainscot for reference.



##### 2. Materials:

- All nonresidential structures shall contain a combination of stone, brick and stucco on all building facades. Nonresidential structures shall also contain a minimum of a brick or stone wainscot on each facade and shall have brick or stone vertical architectural enhancements or columns at the main entry.
- Residential structures shall contain either brick or stone along with stucco and/or siding. It is intended for the buildings to have "four sided" architecture where each facade shall include the same materials but the percentage of the use of each material may vary. Individual garage buildings located internal to the site are not required to have any brick or stone.
- Metal used for exposed plates, connectors, railings, stairs, etc. shall be a consistent design and color throughout the residential buildings and throughout the nonresidential buildings in the master plan.
- Standing seam metal roofs may be used to accent entries, outdoor porches, porte cocheres and similar but shall not be the main dominant roof material.

3. Architectural Detailing: Decorative roof trusses or brackets shall be incorporated into each building design. Refer to Illustration 1 for an example.

##### 4. Roof Forms:

- Nonresidential buildings shall incorporate a combination of flat and shallow (6:12 or less) sloped roofs with the dominant form being the sloped roof. Hip roof configurations must be the dominate sloped roof form.
- Residential buildings shall utilize shallow (6:12 or less) sloping roofs and/or flat roofs.

### SITE PLANNING

#### Building Orientation

Buildings shall be clustered and centered on open space areas and outdoor plazas. Buildings located along East 15th Street and Boyd Lake Avenue shall orient and face onto these roadways. For development fronting on Boyd Lake Avenue, buildings must be oriented towards Boyd Lake Avenue in a reverse mode design and comprise more than 50% of the linear lot frontage along this roadway. All parking spaces fronting onto Boyd Lake Avenue shall be 100% screened with landscaping to a minimum 3'-0" height.

#### Access and Circulation

1. A continuous primary pedestrian route shall connect buildings and focal points within the development, such as plazas, building entrances and the pedestrian trail. When a primary pedestrian pathway crosses a parking lot or drive aisle, the crossing shall be delineated by a change in paving material and pattern, consistent throughout the development. The primary pedestrian route shall feature an adjoining landscaped area on a least one side with trees, shrubs, benches, ground covers or other such materials for no less than 50% of the length of the pedestrian route. At the time of a Site Development Plan approval to the City for any portion of the master plan, the primary pedestrian route will be determined for that portion of the master plan.

2. Provide pedestrian and vehicular connectivity between uses.

3. The extension of the existing sidewalk along 15th Street shall be a 6' wide detached sidewalk except when adjacent to the existing large cottonwood trees where the narrow space between the curb and the trees makes an attached sidewalk a better alignment. For detached sidewalks, a tree lawn of drought tolerant turf and shade trees planted at a maximum of 40' on center shall be planted between the sidewalk and the curb.

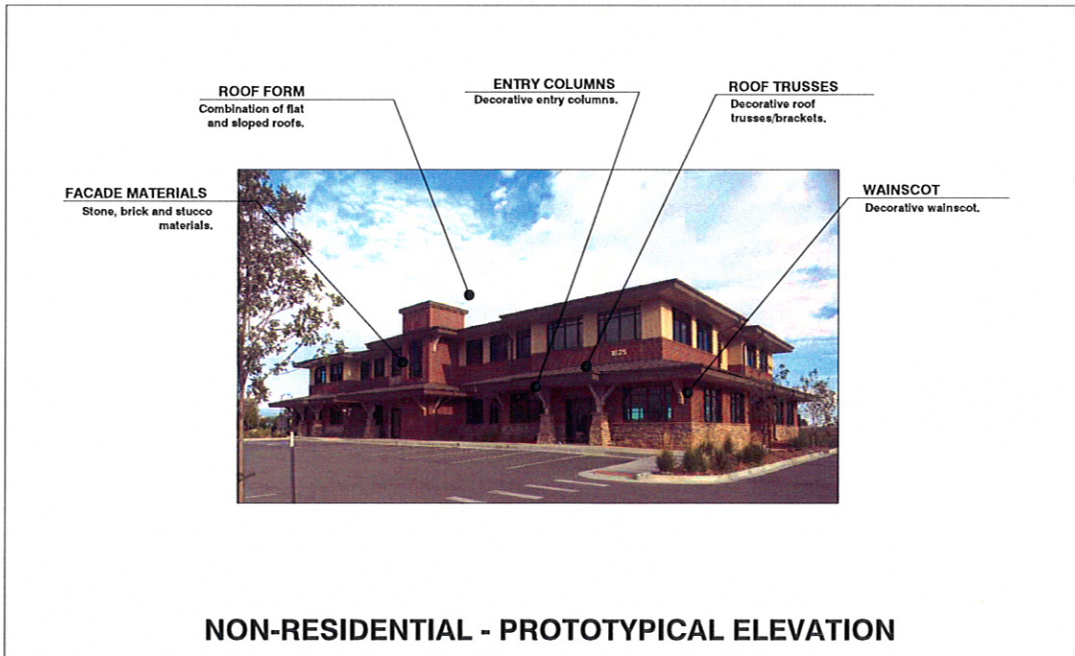
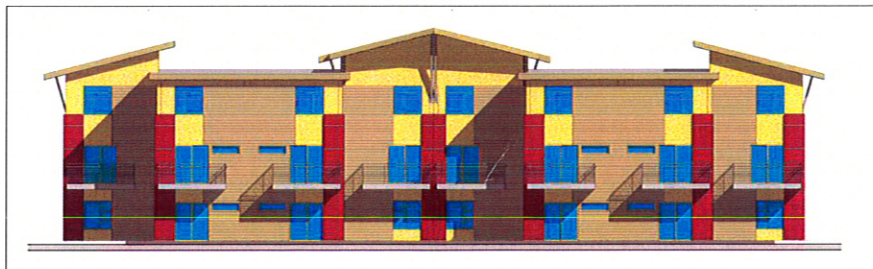
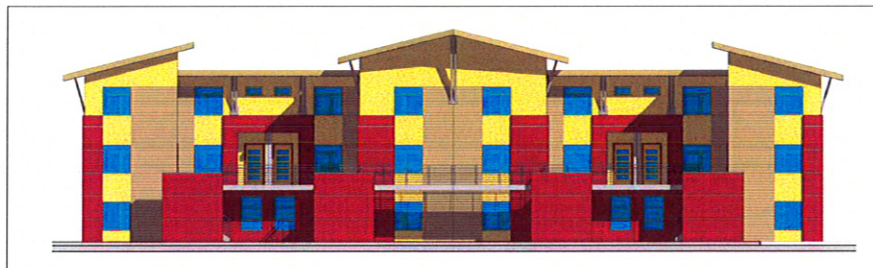
#### Site Lighting

- Nonresidential: All buildings and sites shall use the same design and color fixtures including poles and bases.
- Residential: All buildings and sites shall use the same design and color fixtures including poles and bases.

#### SIGNAGE

1. Nonresidential: A planned sign program will be developed prior to any sign construction within the nonresidential development to insure consistent sign design and location for wall mounted and freestanding signs within the development. The master plan shall be considered a premise for the purpose of calculating the maximum number of freestanding signs.

2. Residential: If the residential development desires a monument sign outside the boundaries of the lot, within the premise of the master plan, then a planned sign program will be developed prior to any sign construction within the residential development. The master plan shall be considered a premise for the purpose of calculating the maximum number of freestanding signs.



Stone columns and vertical brick elements at entry

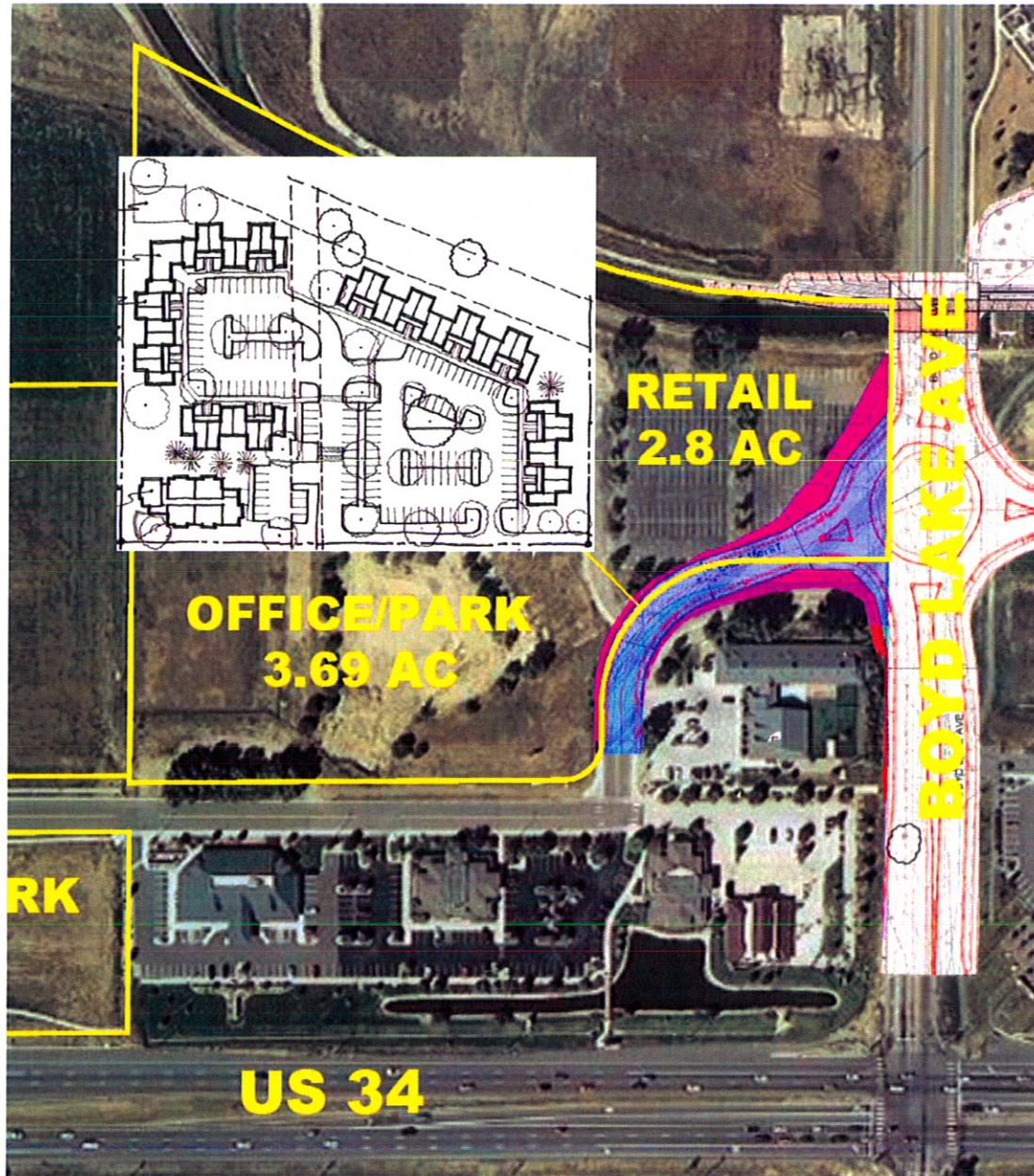


| REVISIONS                          |    | DATE       | DESCRIPTION                        |
|------------------------------------|----|------------|------------------------------------|
| BY                                 | SS | 6/20/11    | COMMENTS TO FIRST ROUND REVISIONS  |
| CE                                 | CE | 8/09/11    | COMMENTS TO SECOND ROUND REVISIONS |
| CE                                 | CE | 8/20/11    | COMMENTS TO THIRD ROUND REVISIONS  |
| DRAWN                              |    |            |                                    |
| CHECKED                            |    |            |                                    |
| DESIGNED                           |    |            |                                    |
| FILENAME                           |    |            |                                    |
| WATERFALL SIXTH SUBDIVISION        |    |            |                                    |
| MASTER PLAN                        |    |            |                                    |
| MIXED USE ACTIVITY CENTER DISTRICT |    |            |                                    |
| JOB NO.                            |    |            |                                    |
| SCALE                              |    |            |                                    |
| DATE                               |    | 09/06/2011 |                                    |
| SHEET                              |    | 2 of 2     |                                    |





SCALE: 1"=200'



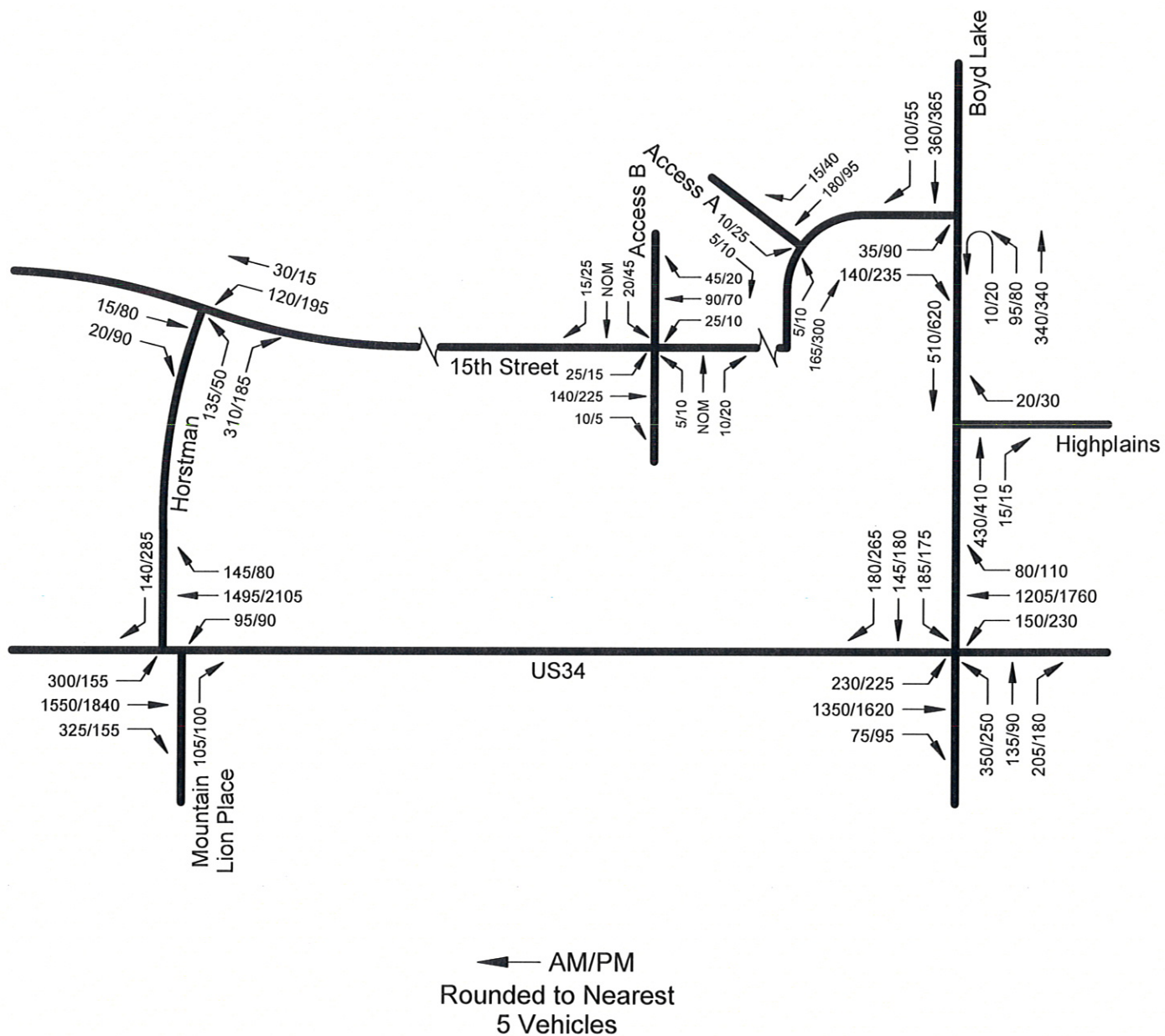
SITE PLAN

Figure 4



Waterfall 4th Subdivision TIS February 2011

ATTACHMENT 3



## SHORT RANGE (2015) TOTAL PEAK HOUR TRAFFIC

Figure 9



| TABLE 3<br>Street Traffic Volume Summary for the Existing and Short range (2015) Conditions |  |           |  |                            |   |                                       |                       |                       |                        |
|---|--|-----------|--|----------------------------|---|---------------------------------------|-----------------------|-----------------------|------------------------|
| 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 (2015) (AM/PM) | Total Traffic (AM/PM) | ACF Traffic Threshold | ACF Compliance (AM/PM) |
| 1   | US34 west of Horstman Drive                        | EB        | 1739/1659  | 1/11                       | 2140/2115   | 36/32                                 | 2175/2150             | 3300                  | Y/Y                    |
|   |  | WB        | 1222/1884  | 1/11                       | 1615/2345   | 21/46                                 | 1635/2390             | 3300                  | Y/Y                    |
| 2   | US34 east of Boyd Lake Avenue                      | EB        | 1535/1622  | 1/11                       | 1725/1935   | 13/31                                 | 1740/1965             | 3300                  | Y/Y                    |
|   |  | WB        | 1142/1835  | 1/11                       | 1410/2080   | 24/21                                 | 1435/2100             | 3300                  | Y/Y                    |
| 3   | Boyd Lake Avenue south of US34                     | NB        | 408/250  | 1/11                       | 680/515   | 8/7                                   | 690/520               | 910                   | Y/Y                    |
|   |  | SB        | 240/264  | 1/11                       | 365/495   | 5/11                                  | 370/505               | 910                   | Y/Y                    |
| 4   | Boyd Lake Avenue north of US34                     | NB        | 306/242  | 1/11                       | 395/375   | 45/51                                 | 440/425               | 820                   | Y/Y                    |
|   |  | SB        | 262/291  | 1/11                       | 480/545   | 25/70                                 | 505/615               | 820                   | Y/Y                    |
| 5   | Boyd Lake Avenue north of 15 <sup>th</sup> Street. | NB        | 270/242  | 1/11                       | 370/415   | 6/15                                  | 375/430               | 820                   | Y/Y                    |
|   |  | SB        | 266/244  | 1/11                       | 445/410   | 13/10                                 | 460/420               | 820                   | Y/Y                    |
| 6   | 15 <sup>th</sup> Street west of Boyd Lake Avenue   | EB        | 21/59  | 1/11                       | 145/240   | 31/85                                 | 175/325               | 425                   | Y/Y                    |
|   |  | WB        | 57/28  | 1/11                       | 135/75  | 58/61                                 | 195/135               | 425                   | Y/Y                    |
| ° Approved developments, not yet built:   |  |           | remaining Boyd Lake Village, Lakeview, Phased LEI, remaining Boise Village North, remaining Falcon Brook, remaining Stone Creek, Lowe's pad sites, Metrolux Redevelopment, Kohl's pad sites, and 34 Marketplace pad site |                            |   |                                       |                       |                       |                        |
| ° Proposed developments, not yet approved:  |  |           |  |                            |   |                                       |                       |                       |                        |
| Notes/Comments  |  |           | Total traffic is rounded to the nearest five vehicles  |                            |   |                                       |                       |                       |                        |



#### IV. CONCLUSIONS/RECOMMENDATIONS

This study assessed the transportation impacts associated with the phased development of the Waterfall 4<sup>th</sup> Subdivision in Loveland, Colorado. This study analyzed the transportation impacts in the short range (2015) and long range (2030) futures. As a result of these analyses, the following is concluded:

- Full development of the Waterfall 4<sup>th</sup> Subdivision is feasible from a traffic engineering standpoint. The trip generation for the Waterfall 4<sup>th</sup> Subdivision resulted in 2060 daily trip ends, 132 morning peak hour trip ends, and 205 afternoon peak hour trip ends. Passby traffic rates were applied.
- Current operation at the key intersections is acceptable, based upon City of Loveland evaluation criteria.
- It is unlikely that peak hour signal warrants will be met at any of the stop sign controlled intersections.
- Using the background traffic in the short range (2015) future, all of the key intersections operate acceptably.
- Using the background traffic in the long range (2030) future, all of the key intersections operate acceptably, except for the US34/Boyd Lake intersection during the afternoon peak hour.
- With short range (2015) development of the Waterfall 4<sup>th</sup> Subdivision and background traffic, all of the key intersections will operate acceptably during the peak hours. All street links meet the ACF criteria.
- The Boyd Lake/15<sup>th</sup> Street intersection can remain with stop sign control with full development of the Waterfall 4<sup>th</sup> Subdivision.
- With long range (2030) development of the Waterfall 4<sup>th</sup> Subdivision and background traffic, all of the key intersections will operate acceptably during the peak hours, except for the US34/Boyd Lake intersection during the afternoon peak hour. Details regarding the design of the US34/Boyd Lake intersection and the segment of US34, east of Boyd Lake Avenue, will be provided by the project civil engineer as this development goes through the review process.
- Bicycle lanes exist along most streets. The sidewalk system in this area is sporadic. As streets are improved, sidewalks will be incorporated to the standard cross sections.
- Table 8 shows a summary of the recommended improvements and the responsibility for that improvement. The incremental geometric improvements are shown schematically in Figures 11 and 12.
- No environmental or special studies are required with this development.

| TABLE 8<br>Recommended Improvements Summary                     |                   |            |                |
|---|-------------------|------------|----------------|
| Improvement Description and Location                            | Responsible Party |            |                |
|   | Applicant         | Background | Master Planned |
| <b>SHORT RANGE (2015)</b>                                       |                   |            |                |
| On-site infrastructure  | X                 |            |                |
| Southbound right-turn lane on Boyd Lake Avenue approaching US34 | X                 | X          |                |
| 6-lane cross section on US34                                    | X                 | X          | X              |
| <b>LONG RANGE (2030)</b>  |                   |            |                |
| Boyd Lake/15 <sup>th</sup> Street roundabout                    |                   | X          |                |

## Chapter 18.29

### MAC DISTRICT – MIXED-USE ACTIVITY CENTER DISTRICT

#### Sections:

|                  |  |
|------------------|--|
| <b>18.29.010</b> | <b>Purpose.</b>                          |
| <b>18.29.020</b> | <b>Uses permitted by right.</b>          |
| <b>18.29.030</b> | <b>Uses permitted by special review.</b> |
| <b>18.29.040</b> | <b>Development standards.</b>            |
| <b>18.29.050</b> | <b>Development approval.</b>             |
| <b>18.29.060</b> | <b>Schedule of flexible standards.</b>   |

#### **18.29.010 Purpose.**

The MAC district is intended to be applied to areas designated as mixed-use activity centers by the Land Use Plan. This district may also be used in other appropriate locations, such as along existing commercial corridors, or in residential areas to provide larger neighborhood-serving commercial centers. Mixed-use Activity Centers may include a wide variety of retail and commercial uses serving the surrounding area as well as larger retail uses serving a community-wide or regional market. Such areas may also include residential and office uses adjacent to the center's core or above ground floor retail. Such centers are typically located at major road and highway intersections, or along major corridors and are predominantly auto-oriented. However, the center should be designed to provide convenient access to and from adjacent neighborhood(s) for pedestrians and bicyclists. (Ord. 5116 § 1, 2006)

#### **18.29.020 Uses permitted by right.**

The following uses are permitted by right in a MAC district:

- A. Art gallery, studio and workshop including live/work studio and workshop. Such facilities may include the display, sale, fabrication or production of paintings, sculptures, ceramics and other art media. Limited outdoor fabrication of art work may be permitted subject to special review as provided in Chapter 18.40.
- B. Bar or tavern;
- C. Car wash;
- D. Commercial child day care center licensed according to the statutes of the state;
- E. Clubs and lodges;
- F. Convention and conference center;
- G. Entertainment Facilities and Theaters, indoor;
- H. Financial Services;
- I. Food Catering;
- J. Funeral Home;
- K. Gas station with or without convenience goods or other services subject to Section 18.52.060 and 18.50.135 and located 300 feet or more from a residential use or zone district (measurement shall be made from the nearest site or lot line of the gas station to the nearest lot line of the residential use or zone district);
- L. Health Care Service Facility;
- M. Hospital;
- N. Indoor Recreation;
- O. Lodging Establishment (hotel and motel);
- P. Long Term Care Facilities;
- Q. Medical, dental or professional clinic or office;
- R. Nightclub;

**ATTACHMENT5**



- S. Office, general administrative;
- T. Parking Garage;
- U. Parking Lot;
- V. Personal and Business Service Shops;
- W. Place of Worship or Assembly;
- X. Print Shop;
- Y. Professional Office/Clinic;
- Z. Public and Private Schools;
- AA. Restaurant, Drive-In or Fast Food;
- BB. Restaurant, Standard indoor;
- CC. Restaurant, Standard outdoor;
- DD. Retail laundry (Laundromat);
- EE. Retail Store;
- FF. Veterinary Facilities, Small Animal;
- GG. Workshop and Custom Small Industry (entirely enclosed within a building and provided there is no excessive odor, glare, smoke, heat, vibration, etc.), Limited outdoor fabrication of products may be permitted subject to special review as provided in Chapter 18.40;
- HH. Dwelling, Attached Single-Family;
- II. Dwelling, Detached Single-Family;
- JJ. Dwelling, Multi-Family;
- KK. Dwelling, Two-Family;
- LL. Elderly housing;
- MM. Dwelling, Mixed Use;
- NN. Community Facility;
- OO. Park or recreation area;
- PP. Antennas as defined in Section 18.55.020(A), co-located on an existing tower or structure as provided in Section 18.55.030 and Section 18.55.030 and meeting all other requirements of Chapter 18.55; and
- QQ. Accessory buildings and uses. (Ord. 5116 § 1, 2006)
- RR. Shelter for Victims of Domestic Violence subject to Section 18.52.070. (Ord. 5413 § 6, 2009)

**18.29.030 Uses permitted by special review.**

The following uses are permitted by special review in a MAC district subject to the provisions of Chapter 18.40:

- A. Domestic Animal Day Care Facility;
- B. Gas station with or without convenience goods or other services subject to Section 18.52.060 and located less than 300 feet from a residential use or zone district (measurement shall be made from the nearest site or lot line of the gas station to the nearest lot line of the residential use or zone district);
- C. Open-Air Farmers Market;
- D. Outdoor Recreation Facility;
- E. Self-Service Storage Facility;
- F. Vehicle Minor Repair, Servicing, and Maintenance;
- G. Vehicle Rentals for Cars, Light Trucks and Light Equipment;
- H. Vehicle Sales and Leasing for Cars and Light Trucks;
- I. Research Laboratory;
- J. Essential Public Utility Uses, Facilities, Services, & Structures;
- K. Group Care Facility;
- L. Long Term Care Facility (nursing home);

- M. Personal wireless service facility as defined in Section 18.55.020(A), located on a new structure, meeting all requirements of Chapter 18.55; and
- N. Public Service Facility. (Ord. 5116 § 1, 2006)
- O. Crematorium subject to Section 18.52.080. (Ord. 5446 § 5, 2009)
- P. Off -Track Betting Facility (Ord. 5594 § 4, 2011)

#### **18.29.040 Development standards.**

The following standards shall be administered as Type 2 standards in accordance with Section 18.53.020 Compliance.

- A. **Architecture:** In addition to architectural standards in Chapter 18.53, commercial and mixed-use buildings in MAC districts shall include at least one significant defining architectural element or feature that conveys a sense of architectural depth and substance. Examples include substantial offsets that differentiate building masses; arcades with substantial columns; towers with roofs that extend fully around the building or feature; extensive use of decorative block; stone and/or brick finish material; deep gable roofs with substantial eaves or overhangs; or other equivalent feature (Figures 18.29.040-1-4).
- B. **Pedestrian Circulation:** A continuous primary pedestrian route shall connect focal points of pedestrian activity such as, but not limited to, transit stops, street crossings, and building entrances. Pedestrian/auto crossings shall be concentrated at key intersections, shall be incorporated into the primary pedestrian network, and shall be clearly delineated by a change in paving materials. The primary pedestrian route shall feature an adjoining landscaped area on at least one side with trees, shrubs, benches, ground covers or other such materials for no less than fifty percent (50%) of the length of the primary pedestrian route.
- C. **Screening Large Parking Fields:** Sites with large parking fields shall be encouraged to place and orient outlot or pad site buildings to screen large retail parking lots. Outparcels or pad sites shall minimize parking between the building and the frontage road to create a “building wall” along the frontage road. Where possible, landscape features (e.g. trees and shrubs, trellis, decorative wall, entry feature, etc.) shall be used to fill gaps between outlot buildings and where outlots are not planned. Where possible, “overflow” parking shall be placed to the side or rear of the building (See Figure 18.39.040-5)
- D. **Loading Areas:** The following location and screening requirements shall apply to loading areas, service and storage areas:
  - 1. Loading docks, solid waste facilities and other service areas shall be placed to the rear or side of buildings in visually unobtrusive locations.
  - 2. Screening and landscaping shall prevent direct views of the loading areas from adjacent properties or from the public right-of-way. Screening and landscaping shall also prevent spill-over glare, noise, or exhaust fumes.
  - 3. Screening shall be provided in the form of landscaping or as an integral part of the building architecture such as walls, architectural features, and shall be visually impervious. Recesses in the building or depressed access ramps may be used. Chain link fencing with slats shall not be an acceptable form of screening.
- E. **Utility Boxes:** Utility boxes, including, but not limited to, electric transformers, switch gear boxes, and telephone pedestals and boxes shall be screened from view on all sides not used for service access. The materials and colors of the materials used to provide the screening shall blend with the site and the surroundings.
- F. **Trash Enclosures:** Enclosures shall be placed around dumpsters and any other proposed trash receptacle. The enclosure shall prevent trash from being scattered by wind or animals. The dumpster shall be placed on a concrete pad, enclosed by an opaque wall at least six feet in height, with opaque gates. The enclosure shall be sturdy and built with quality wood and/or masonry materials similar or compatible with the primary materials of the primary structure. The trash enclosure shall be sited so the garbage truck has convenient access to the enclosure and has room to maneuver without backing onto a public right-of-way.
- G. **Other:** The requirements of Chapter 18.53 Commercial and Industrial Architectural Standards and Site Development Performance Standards and Guidelines shall apply to development within

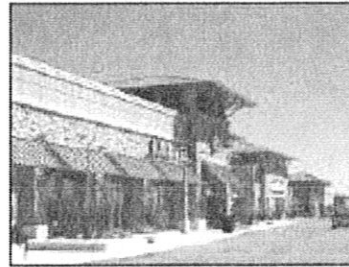


the MAC district. (Ord. 5116 § 1, 2006)

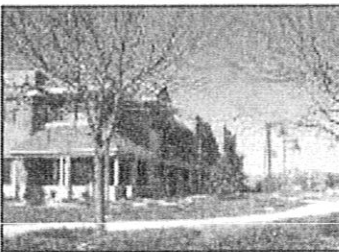
**Figure 18.29.040-1**



**Figure 18.29.040-2**



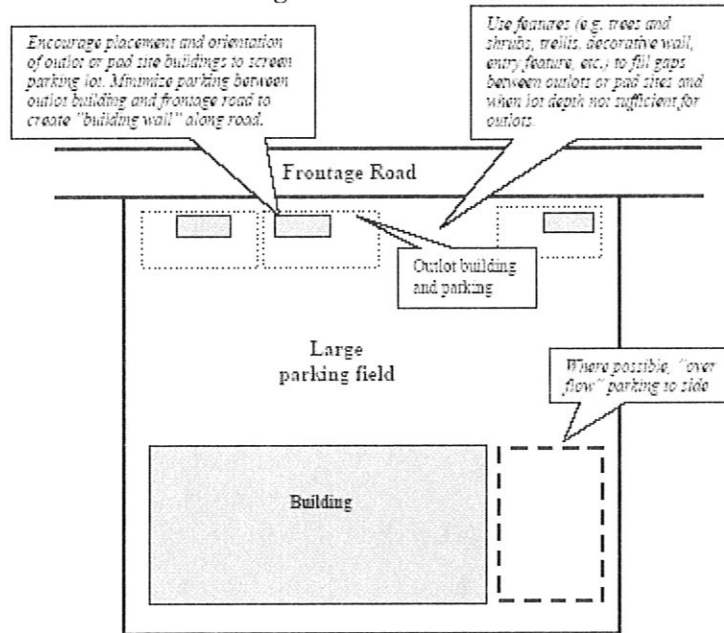
**Figure 18.29.040-3**



**Figure 18.29.040-4**



**Figure 18.29.040-5**



#### **18.29.050 Development approval.**

- A. Development Approval: Uses listed in Section 18.29.020 are permitted subject to the applicant obtaining a Type 1 Zoning Permit as required by Section 18.04.020, with approval of the site plan as required by Chapter 18.46 - Site Plan Review Requirements & Performance Standards, excluding single and two-family residential uses and accessory buildings as excepted by Section 18.04.020. Special review uses listed in Section 18.29.030 may be permitted subject to the applicant obtaining a Type 2 or 3 Zoning Permit as required by Chapter 18.40 - Uses Permitted By Special Review.
- B. Phased Approval: For larger development sites where site development details are not known for the entire site at the time of obtaining a Type 1, Type 2 or Type 3 Zoning Permit as prescribed

above, a conceptual master plan shall be provided for the entire parcel subject to phased approval of site plans to ensure the coordinated development of the entire parcel. The conceptual master plan must include the general type, intensity and location of land uses and public facilities and the overall classification and design of the primary road and pedestrian network, including all information that the planning division may require. The conceptual master plan shall also include a narrative statement, conceptual renderings, schematic designs, architectural guidelines or other information as needed demonstrating how the proposed development plan complies with Section 18.29.040 Development Standards. The conceptual master plan shall be provided with an MAC – Mixed-Use Activity Center rezoning application and the rezoning approval shall be subject to compliance with the conceptual master plan. Subsequent site plans submitted for Type 1, Type 2 or Type 3 Zoning Permit approval shall conform to the conceptual master plan.

- C. Plan Modifications: Modifications to the conceptual master plan as required to show compliance with Section 18.29.040 Development Standards, or that comply with Section 18.29.060 Schedule of Flexible Standards, may be approved administratively by the Director of Development Services. Changes to permitted uses or substantial changes to the location of land uses as depicted on the conceptual master plan shall be submitted for review and recommendation by the Planning Commission with final approval by the City Council. (Ord. 5157 § 1, 2006)

**18.29.60 Schedule of flexible standards.**

| <i>Chapter 18.29 MAC and E Districts</i> |   |   |                         |   |              |          |             |        |
|--|---|---|-------------------------|---|--------------|----------|-------------|--------|
| <b>Schedule of Flexible Standards</b>    |   |   |                         |   |              |          |             |        |
| <b>Non-Residential</b>                   |   |   |                         | <b>Residential</b>  |              |          |             |        |
| District                                 | Front Bldg. Setback<br>(1)                            | Rear & Side Bldg.<br>Setbacks (2)                 | Bldg. Height<br>(3)     | Residential<br>Density  | Front<br>(2) | Rear (2) | Side<br>(2) | Height |
| MAC-Community<br>Activity Center         | I-25: 80 ft<br>Arterial: 35 ft<br>Non-Arterial: 25 ft | See buffer<br>requirements,<br>Section 4.04 SDPSG | 50 ft (4)<br>120 ft (5) | Up to 16du/ac<br>(6) (7)  | 20 ft        | 15 ft    | 5 ft        | 40 ft  |
| E-Employment<br>Center                   | I-25: 80 ft<br>Arterial: 35 ft<br>Non-Arterial: 25 ft | See buffer<br>requirements<br>Section 4.04 SDPSG  | 50 ft (4)<br>120 ft (5) | Residential up<br>to 20% of total<br>project area, up<br>to 16du/ac (7) | 20 ft        | 15 ft    | 5 ft        | 40 ft  |

| Use                                       | Maximum height of building or<br>structure                                     | Maximum height of accessory<br>building or structure |
|---|--|--|
| MAC-Mixed-use Activity Center<br>District | As provided in Chapter 18.29 MAC<br>District Schedule of Flexible<br>Standards | 50   |

**Notes to MAC and E Districts Schedule of Flexible Standards:**

- (1) Building setbacks shall be measured from the edge of the future right-of-way. Development sites within the area cover by the U.S. 34 Corridor Plan shall conform to all road setback and design requirements of that plan. Exceptions from U.S. 34 Corridor Plan standards may be permitted for development plans following guidelines for optional flexible standards in note (2) below. (Ord. 5157 § 1, 2006)
- (2) Optional Flexible Standards: Setback required by this section and buffer standards required by Section 4.04 of the Site Development Performance Standards and Guidelines (SDPSG) may be reduced or waived for projects that orient buildings to streets to create an attractive pedestrian environment following "New Urbanism" or "Smart Code" principles (see "The Lexicon of the New



Urbanism” or “Smart Code”).

- a. Where front setbacks are reduced, a treelawn not less than four feet in width shall be provided between the outer edge of the curb and the sidewalk. Canopy trees planted not less than 30 feet on-center (Figure 18.29-1) shall be provided in the treelawn. Landscaped bulb-outs and trees planted in tree grates in the sidewalk (Figure 18.29-2), with on-street parking, may be provided instead of a treelawn. Where garages face and are accessed from the street, at least 20 feet shall be provided between the face of the garage and the back of the sidewalk so that adequate space is provided for vehicle parking in the driveway.
  - b. Residential buildings with reduced setbacks shall include features such as covered porches or front stoops and walkways between buildings and the public sidewalk. Also, garages should be placed to the rear of the lot behind the primary structure, with side driveway or alley access.
  - c. In evaluating proposals with reduced setbacks, consideration shall be given to existing setbacks in adjacent developed areas to avoid incompatible and/or inconsistent design conditions.
- (3) Subject to height restriction in Section 18.54.040, which restricts any nonresidential use or multi-family use located closer than fifty (50) feet from the property boundary of a residential use, excluding multi-family dwelling units, shall be limited to the maximum height allowed for a single family residential use.
  - (4) All uses other than office, research, lodging and mixed-use (see Note (5)).
  - (5) Office, research, lodging and mixed-use (mixed-use means residential located in the same building as non-residential uses).
  - (6) There shall be no limit on the amount of land area within a MAC district that may be devoted to residential use; however, for projects exceeding 50 percent residential land area, the applicant must demonstrate that sufficient land area is devoted to commercial use within the project, or within the vicinity of the project, to meet future commercial needs and demands. Such evidence may consist of a market analysis and/or an analysis of development trends and existing and proposed land uses within the vicinity of the project.
  - (7) Maximum number of dwelling units permitted per acre. The density calculation shall include the gross land area dedicated to residential use, including roads, drainage areas and open space within and serving the residential component of the project. Residential units that are part of a building that includes non-residential uses (mixed-use) shall not be included in the residential density calculation. (Ord. 5116 § 1, 2006)

Figure 18.29.060-1

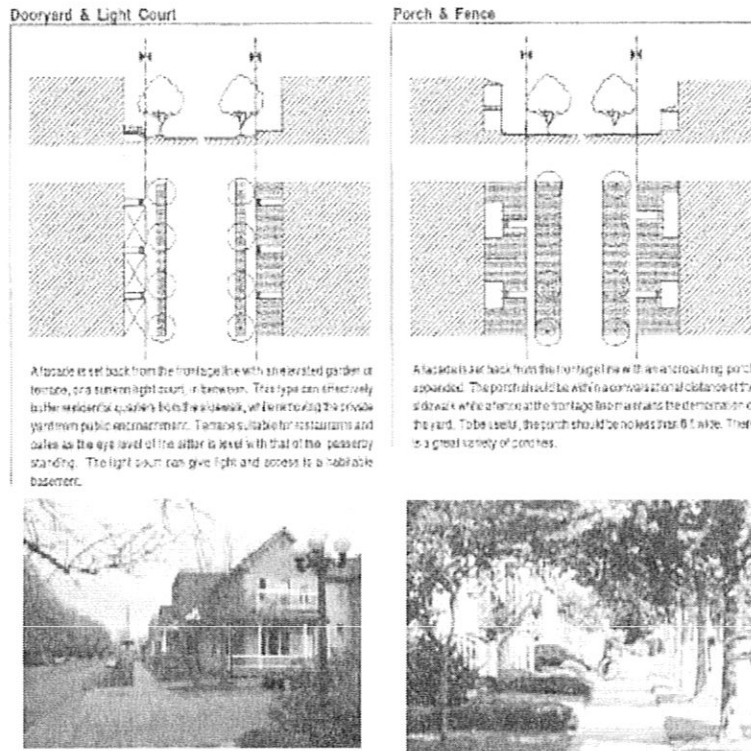


Figure 18.29.060-2

