



Town of Berthoud
807 Mountain Avenue
Berthoud, CO 80513
970.532.2643

TOWN OF BERTHOUD PLANNING COMMISSION

ONLINE MEETING (SEE BELOW)

807 Mountain Avenue

THURSDAY, March 27, 2021

6:00 P.M.

1. Call to Order
2. Roll Call

Jan Dowker, Chairwoman	Jeff Butler, Vice Chair
Sean Murphy, Secretary	Matt Rood
Patrick Dillon	Abigail Smith
Danielle Trotta	

All matters listed under Item 3, Consent Agenda, will be enacted with a single vote. If discussion is deemed necessary on an item, that item should be removed from the consent Agenda and considered separately.

3. Approval of Minutes of the March 11, 2021 Planning Commission Meeting
4. Public Hearing: Westside Crossing Neighborhood Master Plan and Rezoning request from PUD to R-4 and C-2, at Hwy 287, Meadowlark, and Mountain Avenue, Steve Wiens agent for Berthoud Gateway LLC
5. Public Hearing: Johnson Minor Subdivision to create a new lot, west of Berthoud Parkway, near Harvest Ridge, Alex Hoime agent
6. Reports
7. Adjourn

The **Planning Commission** Meeting will be held virtually through Zoom, and can be accessed by the following link below:

<https://us02web.zoom.us/j/89722913625>

Planning Commission Minutes March 11, 2021.

1. Call to Order- The Planning Commission convened a regular meeting on December 10, 2020. Chairwoman Dowker called the meeting to order at 6:01 p.m.

2. Roll Call- Members present: Jan Dowker Chairwoman, Jeff Butler Vice Chair, Sean Murphy, Matt Rood, and Abigail Smith. Danielle Trotta joined at 6:56 p.m.
Members absent: Patrick Dillon.
Staff present: Curt Freese and Adam Olinger.

3. Consent Agenda- Minutes from the December 20th Planning Commission Meeting.

Motion made by Commission Murphy, Seconded by Commissioner Butler. With all in favor, THE MOTION CARRIED.

4. Election of Officers for 2021 Year

Motion made by Commissioner Butler to nominate Commissioner Dowker for the position of Chair. Seconded by Commissioner Murphy. With all in favor, THE MOTION CARRIED.

Motion made by Commissioner Rood to nominate Commissioner Butler as Vice-Chair. With all in favor, THE MOTION CARRIED.

Motion made Commissioner Butler to nominate Commissioner Murphy as Secretary. With all in favor, THE MOTION CARRIED.

5. Public Hearing: Heron Lakes Commons Preliminary Plat – Jon Hauser, Agent

Director Freese introduced the project as a preliminary plat request to subdivide the property at the SW corner of Grand Market Ave and Berthoud Pkwy into 9 various sized commercial lots.

Stephanie Hansen explained that this proposal was the same as the Neighborhood Master Plan approved in late 2020 by the Planning Commission, except for the addition of the trail along Berthoud Pkwy as conditioned for approval and additional landscaping in the medians of Grand Market along the frontage of the project.

Public comment was opened at 6:36 p.m.

Public comment was closed at 6:37 p.m.

Commissioner Butler wanted to ensure that lots 1 and 2 would be used for commercial purposes, since they would be developed by a separate developer and were not a part of the neighborhood master plan. Jon Hauser stated that conditions would be placed within the property's deeds that when they develop

they must be commercial and cannot be a competing use with any existing businesses on the development.

Commissioner Smith asked what the basis would be to install pedestrian crossing signs at the roundabout. Director Freese responded that they would be installed by the Town once pedestrian flows warranted it, which would likely occur at the development of either the NW or SE corner.

Commissioner Trotta joined at 6:56 p.m.

MOTION made by Commissioner Butler to recommend approval for the Heron Lakes Commons Preliminary Plat, conditioned on the following:

- Any future site plans with drive-thrus shall be sited to reduce their impacts from the road with required berms and landscaping
- Future architecture is complimentary to the surrounding uses and shall utilize high quality materials and finishes.

Seconded by Commissioner Murphy

With all in favor, THE MOTION CARRIED

6. Public Hearing: Heron Lakes 17th Filing Preliminary Plat, Jim Birdsall agent –

This hearing was postponed until April.

7. Coordination of PC Training Sessions –

Everybody agreed that a tune up training session and a deep dive on some specific items would be beneficial. Plans were also made to do a walkthrough of one of the developing subdivisions in the summer once restrictions were lifted.

8. Reports -

Director Freese announced that there will likely be a joint Board/PC meeting in April to go over the Comprehensive Plan Update with staff and the consultant team. A date will be finalized soon.

9. Adjourn -

The meeting was adjourned at 7:38 p.m.



STAFF REPORT, REZONING, NEIGHBORHOOD MASTER PLAN: WESTSIDE CROSSING (FORMERLY SAFEWAY PUD)

DATE: March 27, 2021

GENERAL INFORMATION			
Applicant:	Berthoud Gateway LLC/Stacklot, Steve Wiens agent	Size: 28.342 acres (Neighborhood Master Plan)	
Site Location:	This property is located at the Northeast corner of HWY 287, Mountain Avenue, and Meadowlark.		
Applicant's Request:	The Applicant is requesting to rezone: Existing PUD to R-4: 9.158 acres Existing PUD to C-2: 19.184 acres		
Current Zoning:	PUD: with commercial only uses (No residential allowed)		
ZONING DISTRICT INFORMATION			
	<u>R-4</u>	<u>C-2</u>	<u>Safeway PUD</u>
Max Density	24 units per acre	24 Dwelling units per acre	Set at FDP
Min. Lot Size	1,200 sq. ft.	N/A	“ ”
Min. Lot Width	16’	50’	“ ”
Front Setback	20’ front loaded’; 10’ rear loaded	25’	“ ”
Side Setback	5’	0’ (similar uses); 25’	“ ”
Rear Setback	10’ Front loaded 5-8’ with rear loaded	25’	“ ”
Building Height:	50’ prin; 30’ acc	50’	“ ”
SURROUNDING ZONING, LAND USE AND REQUIRED BUFFERS			
<u>Adjacent Zoning</u>	<u>Adjacent Land Uses</u>	<u>Setbacks for Adjacent Zoning /Buffer required if rezoned</u>	
North: PUD Villages at Matthews Farm	Single Family	N/A	
South: C-2	Boat Sales, Liquor Store	N/A	
East: Gateway Park PUD	4plexes and Single Family	N/A	
West: HWY 287, REVERE PUD	Undeveloped commercial lots	N/A	

1. PROPOSAL

This is a multiple request for a Neighborhood Master Plan and Rezoning for Westside Crossing. The Applicant is proposing to rezone the Safeway PUD to straight zoning; specifically, 9.158 acres to R-4 (Mixed Use) and 19.184 acres to C-2 (General Commercial). The existing PUD allows only commercial uses, with a grocery store anchor and related outlots. The Safeway PUD never went to platting, as the project was pulled by Safeway before it reached such a stage.

Regarding the re-zoning requests, Staff notes that while a major Comprehensive Plan update which will have major changes to land use is underway, the 2014 plan is still the guiding document. Discussion and analysis of the Rezoning is found in Section 3. Finally, the correct order of items heard should be Neighborhood Master Plan first and Rezoning last; both are public hearings.

Residential

On the Northern half of the property (9.158 acres) recommended for R-4, the Applicant is proposing 18 duplexes on the far North, bordering the Estates at Matthews Farm, and 10 four-plexes to the South of the duplexes. This area was previously to be primarily made up of the detention pond for the commercial development.

Commercial:

The Applicant is proposing a commercial layout similar to the original Safeway PUD, with a grocery store anchor, likely gas station on the corner of Meadowlark and Mountain Avenue, and commercial outlots along the perimeter.

Neighborhood Master Plan Binding for Future:

The Neighborhood Master Plan is the future vision for the property, and how it complies with the Development Code. An approved Neighborhood Master Plan is now binding (all platting and zoning actions require a basic adherence to the Neighborhood Master Plan, or a revision before the PC and TB is required), with a 1,000' public notice radius. Staff analysis of the Neighborhood Master Plan is found in Section 2 of this Staff Report below.

2. NEIGHBORHOOD MASTER PLAN

The Neighborhood Master Plan is a conceptual design of the development submitted with a Rezoning or Major Subdivision application, that depicts what the applicant envisions for the overall development, including zoning, transportation, pedestrian network, parks, open space, Subdivision Identity standards and other amenities. The Neighborhood Master Plan is binding on a development, and all platting/zoning actions must follow the approved plan or apply for an amendment of said plan. Each of the requirements of the Master Plan will be discussed below and are found on separate sheets of the submittal.

Revised Neighborhood Master Plan

The Applicant has made a number of Neighborhood Master Plan submittals since December 2019. Each submittal has been sent out to property owners within 1,000'. Public comments are included in this packet. Early submittals included apartments, which have now been removed and been replaced with duplexes and fourplexes buffering the single-family houses to the North.

Preliminary Traffic Impact Study

A preliminary TIS report was completed with three access points (connecting to Tundra and Glacier to the East) along Meadowlark, and one right in, right out along Mountain Avenue. The preliminary analysis by the developer's traffic engineer, and reviewed by a third-party Town traffic engineer, has the following future conclusions:

Based on the analysis herein, the primary improvement will be the reconstruction and signalization of the SH-56/Meadowlark intersection. The southbound approach should include exclusive left, through and right turn lanes. A right turn lane is needed for the right turn only access and this should be continuous to Meadowlark Dr. An acceleration lane is not required.

The final traffic study will be required at the preliminary plat, and once complete, items such as what portion of the improvements the developer will have to fund, and triggers for these improvements will be finalized.

Open Space and Parks

The open space plan has also been provided depicting the location and size of detention area, open space, and parks. Approximately 13.5% of the project would be within park or open space. The Park area

provided will need to be expanded to serve the residential areas, as Section 30-2-109 requires 1 acre of park per 100 dwelling units. This project has a third of an acre park for fifty eight dwelling units.

Parks:

Plaza (corner of 287) 3,850 sq ft.

Pocket Park Northeast (8,140 sq. ft)

Open Space Elements

The project requires 3 open space elements. The Applicant is proposing the following:

Greenway along Meadowlark

Trailhead and Trails:

Expanded Buffer area along North

Subdivision Identity

The proposed subdivision would require five (5) subdivision identity elements. The elements are being proposed listed below:

10' Trail along 287

Commercial Playground Equipment

Artwork at the Commercial Plaza

Useable Detention Pond

Expanded Entryway

Pedestrian Network

The project has a 10' trail along HWY 287 and Mountain Avenue, connecting to the regional trail along Mountain Avenue. There is a trail connection with a trailhead in the center of the project next to the anchor commercial store. There are pedestrian connections throughout the site which is depicted in the project.

Preliminary Utility Plan

A preliminary utility plan has been provided showing the water line and sewer line connections (both would be 8"), capacity and demand, and where the lines would be located to verify the project can served by utilities.

Electric Vehicle Stations

The Town Board adopted standards for electric vehicle charging stations in 2019, which for a project of this size would require 7-8 EV charging stations (without the Site Plans being approved, the exact total of parking spaces is unknown, but estimated based on the proposed plans).

NEIGHBORHOOD MASTER PLAN REVIEW CRITERIA

1. The land use mix within the project conforms to Berthoud's Zoning District Map and Comprehensive Plan Preferred Land Use Map and furthers the goals and policies of the Comprehensive Plan.
 - x. The Comprehensive Plan does not support the switch to a residential district, nor does additional residential support the goals and policies of the current Comprehensive Plan.
 - ✓ The Comprehensive Plan and Mountain Avenue would support the C-2 commercial area.
2. The Neighborhood Master plan represents a functional system of land use and is consistent with the rationale and criteria set forth in this Chapter, the Town Comprehensive Plan, and the Parks, Open Space and Recreation (PORT) Plan as amended.
 - ✓ Commercial development in this corridor is consistent with the Town's Comp Plan and provides convenient and desired services to this fast-growing area of Berthoud (for the C-2 zoning)
 - ✓ The commercial uses proposed fit with the location and nature of his property at the highly travelled corner of 287 and Mountain Avenue.
 - ✓ A higher density residential buffer area between commercial, is a functional land use to offset the externalities (noise, glare, traffic) of commercial uses.
 - X The residential zoning requested, is not supported by the Comprehensive Plan.
3. The Preliminary Traffic, Open Space, Park, Utility, and Pedestrian design is adequate and functional given the existing and planned capacities of each system, and meets the standards found in this Code.
 - ✓ The project generally satisfies the requirements of the code.
 - x. Town Staff would recommend a trail connection from the trailhead (not sidewalk, over to the 10' Hwy 287 trail.
 - x. Additional park land will be required for the residential area should it be approved.

-
4. Negative impacts on adjacent land uses have been identified and satisfactorily mitigated.
 - ✓ The applicant is proposing upgraded buffers along Hwy 287, Meadowlark, and Mountain Avenue, as well as the single family homes to the North.
 - ✓ Staff would recommend additional buffering along 287 and Mountain Avenue, with berms and additional landscaping for any drive-thru along Hwy 287 or Meadowlark.
 5. There is a need or desirability within the community for the development and the development will help achieve a balance of land use and/or housing types within Berthoud according to Town goals.
 - ✓ The Town desires to promote attractive commercial uses along its main gateways and corridors.

3. REZONING

The development is currently approved as the Safeway PUD, which was approved in 2006 with only commercial uses permitted. The Applicant is proposing to rezone the northern 9+ acres to R-4 (Mixed Use) to allow duplexes and four-plexes, and rezoning to C-2 (General Commercial) in the southern half for commercial only uses.

Preferred Land Use

The Town's Preferred Land Use Map designates this area as Commercial (red on the map). The Preferred Land Use Plan was approved in the 2014 Comprehensive Plan.

- ✓ The C-2 Commercial District is consistent with the Comprehensive Plan.
- x. The R-4 rezoning requested is not consistent with the Commercial Preferred Land Use Plan

Rezoning Criteria/Findings

The criteria in Section 30-3-110.B of the Development Code for amending the official zoning map requires **at least one** of the following criteria to be met (with Staff analysis regarding each point below):

1. To correct a manifest error in an ordinance establishing the zoning for a specific property; or
 - x. Staff is not aware of any error.
2. To rezone an area or extend the boundary of an existing district because of changed or changing conditions in a particular area or in the Town generally; or

-
- ✓ The Town is moving away from PUD zoning, to the standard requirements of the development code which serves to benefit everyone through a more open and efficient process.
 - x. The proposed zoning is consistent with the past PUD approvals and does not materially change the existing and previously approved uses and density for this property.
3. The land to be rezoned was zoned in error and as presently zoned is inconsistent with the policies and goals of the Town Comprehensive Plan; or
- x. Staff is not aware of any error.
4. The proposed rezoning is necessary to provide land for a community-related use that was not anticipated at the time of the adoption of the Town Comprehensive Plan, and the rezoning will be consistent with the policies and goals of the Comprehensive Plan; or
- x. The rezoning is not consistent with the Preferred Land Use Plan which has a commercial land use pattern without any residential uses proposed.
5. The area requested for rezoning has changed or is changing to such a degree that it is in the public interest to encourage development or redevelopment of the area; or
- x. The area has been placed in the Mountain Avenue Overlay district, with commercial based design standards for the area 150' from the roadway.
 - ✓ The townhomes and duplexes make for a reasonable buffer to commercial from the single-family area.
6. A rezoning to Planned Unit Development Overlay (PUD) district is requested and approved per provisions of this code.
- x. This factor is not applicable.

Note: Since the Comprehensive Plan does not support the R-4 request, conditions 1,5, or 6 must be found to grant a rezoning.

4. PUBLIC NOTICE AND COMMENT

Notice of the Town Board Public Hearing has been mailed to property owners within 1,000 feet of the subject property, a legal ad published, and the property was posted as required by the Development Code. In addition, the application was sent out to all property owners within 1,000 feet, with an invitation to comment on the request within three weeks of receipt. Staff did receive two phone calls in opposition to this request, and comments are found within the packet.

FINDINGS AND RECOMMENDATIONS

Neighborhood Master Plan

The Town Board must make findings to approve or deny the Neighborhood Master Plan, with the following recommendations and conditions:

Conditions:

1. Berming and additional landscaping will be required for every site plan along Meadowlark and HWY 287.
2. A 10' trail connection from the trailhead to the HWY 287 must be provided.
3. Additional park area to serve the residential area must be provided as per 30-2-109.
4. The Applicant verify by Preliminary Plat that the detention area is useable for recreational purposes.

Note: Should the PC not approved the Neighborhood Master Plan, Staff would urge caution in considering the Rezoning.

Rezoning of Existing PUD:

Approve or Deny the zoning map amendment with the following zoning changes: Existing PUD to R-4 (Multi-family): 9.158 acres, and Existing PUD to C-2 (General Commercial): 19.184 acres, finding that the proposed rezoning either does or does not satisfy the following criteria:

1. The request satisfies (or does not satisfy) the applicable zoning amendment criteria of Section 30-3-110.B of the Town's Development Code as found on pages 6-7 of this Staff Report; and
2. Is consistent (or is not consistent) with the Town of Berthoud's Comprehensive Plan and Preferred Land Use Map (see future land use plan).
3. Is consistent (or is not consistent) with the Neighborhood Master Plan.

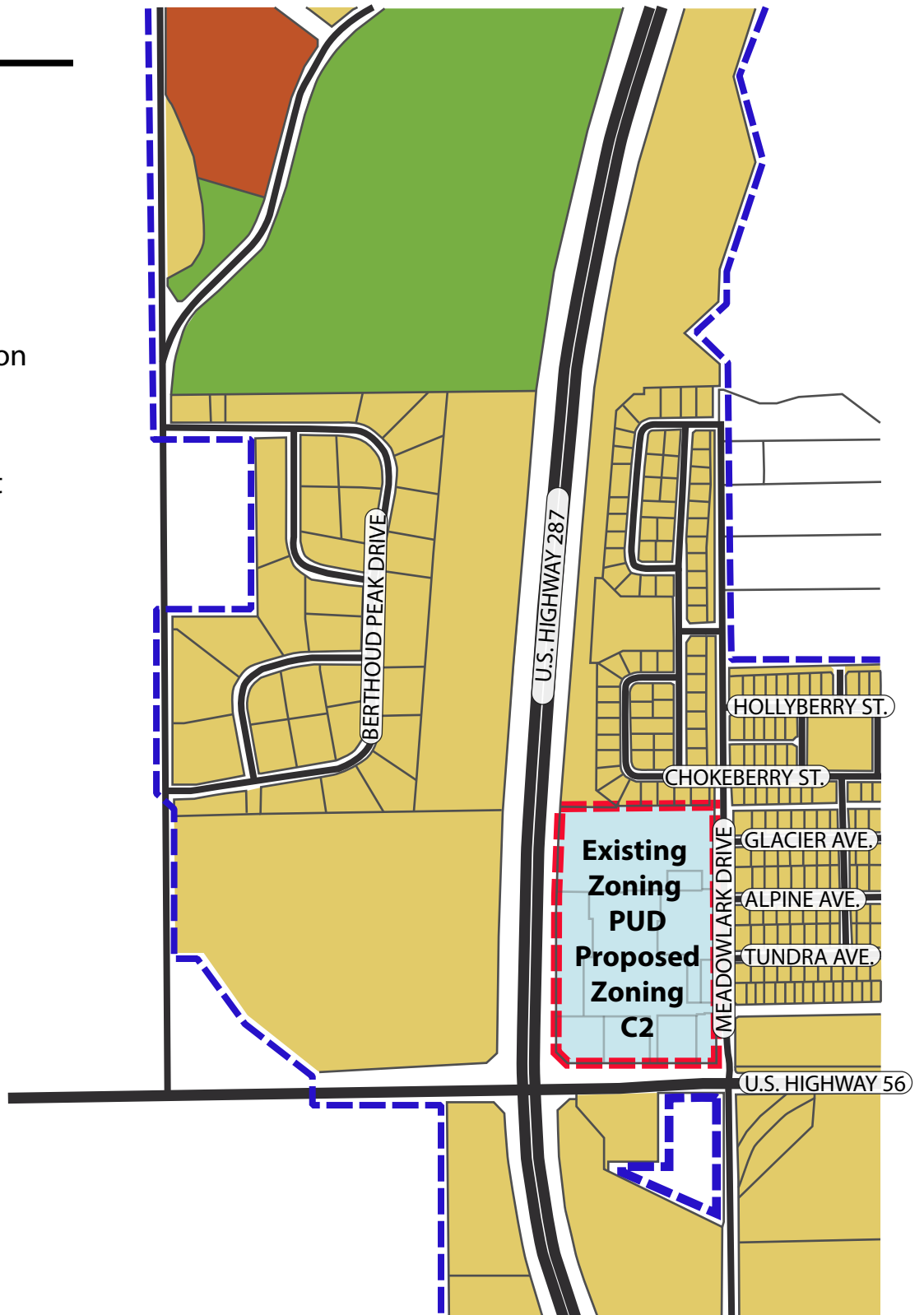
Note: Since the Comprehensive Plan does not support the R-4 request, conditions 1,5, or 6 must be found to grant a rezoning.

**ZONING
AND
PREFERRED
LAND USE
MAP**

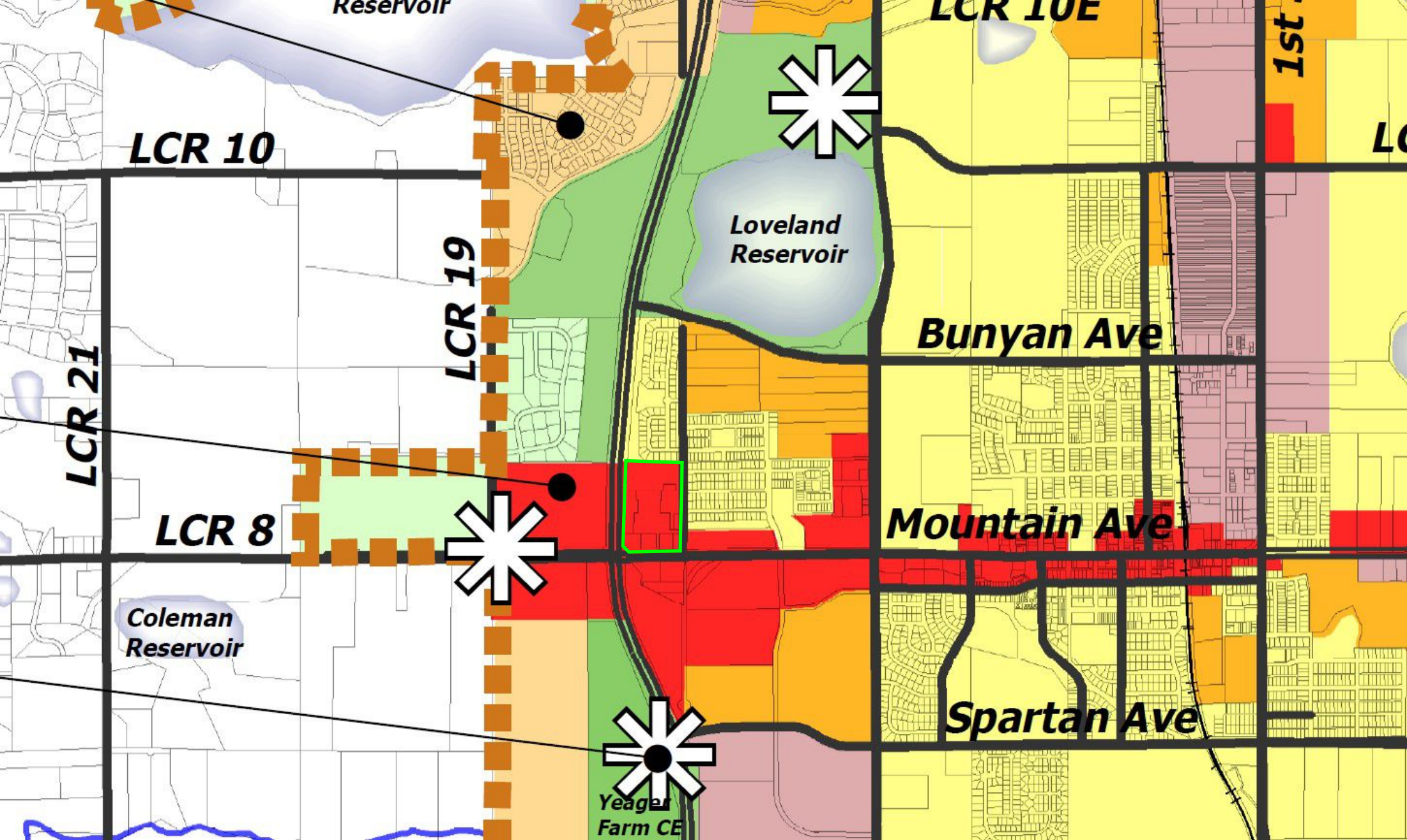
ZONING AND PREFFERED LAND USE MAP

Legend:

-  PUD Zoning
-  AG Zoning
-  R4 Zoning
-  Project Location
-  Town Limits
-  Existing Street



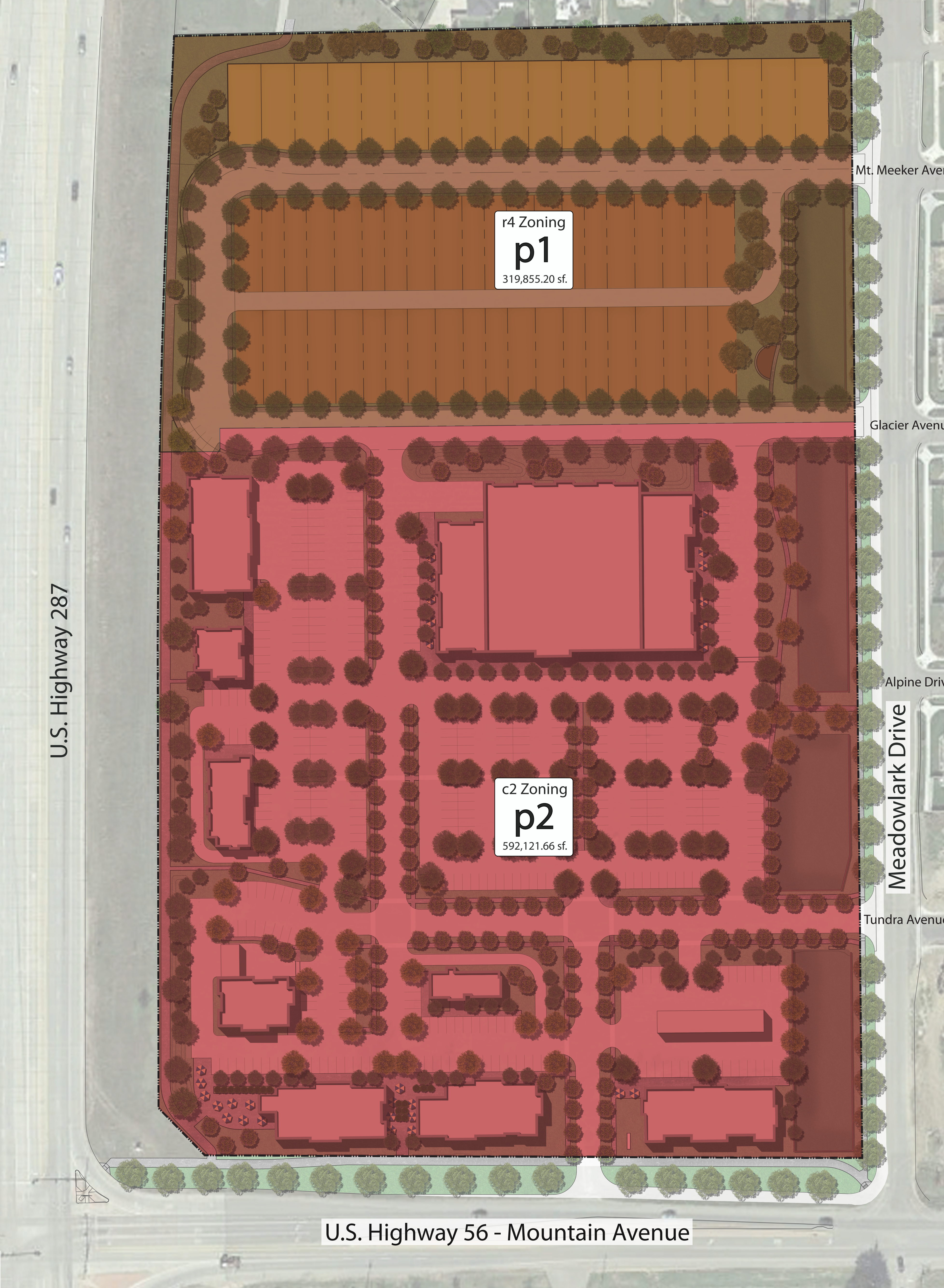
NEIGHBORHOOD MASTER PLAN - ADJACENT ZONING MAP



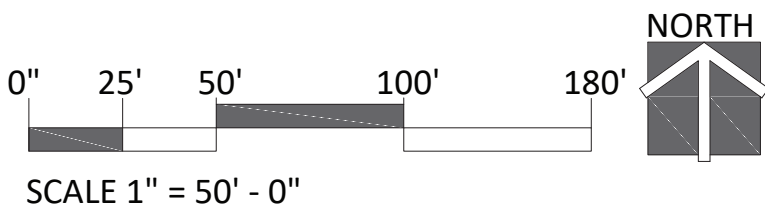
NEIGHBORHOOD MASTER PLAN SUBMITTAL

DISCLAIMER: Drawing represents an illustrative masterplan, identifying proposed uses, buildings, parking and site circulation. This drawing is subject to change at time of final plat and site plan submittal.





DISCLAIMER: Drawing represents an illustrative masterplan, identifying proposed uses, buildings, parking and site circulation. Final layout and design of each proposed use will be provided at time site plan submittal.
NOTE: Floodplain: The subject property is not located in a FEMA regulated floodplain, based on FIRM Panel 08069C1386G



KEY	PLANNING AREA	ZONING	AREA
p1	Mixed Use District	R4 - Mixed Use District	319,855.20 sf. (7.34 acres)
p2	General Commercial	C2 - General Commercial District	592,121.66 sf. (13.59 acres)

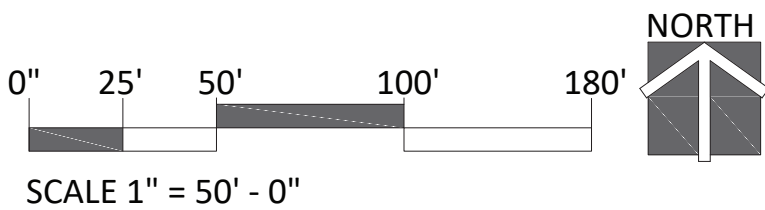
OPEN SPACE+PARK PERCENTAGE
Projected Open Space
163,234 sf. (17.9%)
Projected Park Dedication
8,140 sf.

NEIGHBORHOOD MASTER PLAN - ZONING PLAN



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Open Space Chart				
KEY	AREA	TYPE	Element	
o1	42,726 sf.	0.98 ac.	Open Space	-
o2	16,658 sf.	0.38 ac.	Open Space	-
o3	9,900 sf.	0.23 ac.	Open Space	-
o4	20,400 sf.	0.47 ac.	Open Space	-
o5	50,000 sf.	1.15 ac.	Greenway	-
o6	19,700 sf.	0.45 ac.	Open Space	1 element
o7	3,850 sf.	0.09 ac.	Public Plaza	1 element
			Trailhead Parking	1 element
	163,234 sf.	3.75 ac.		3 elements



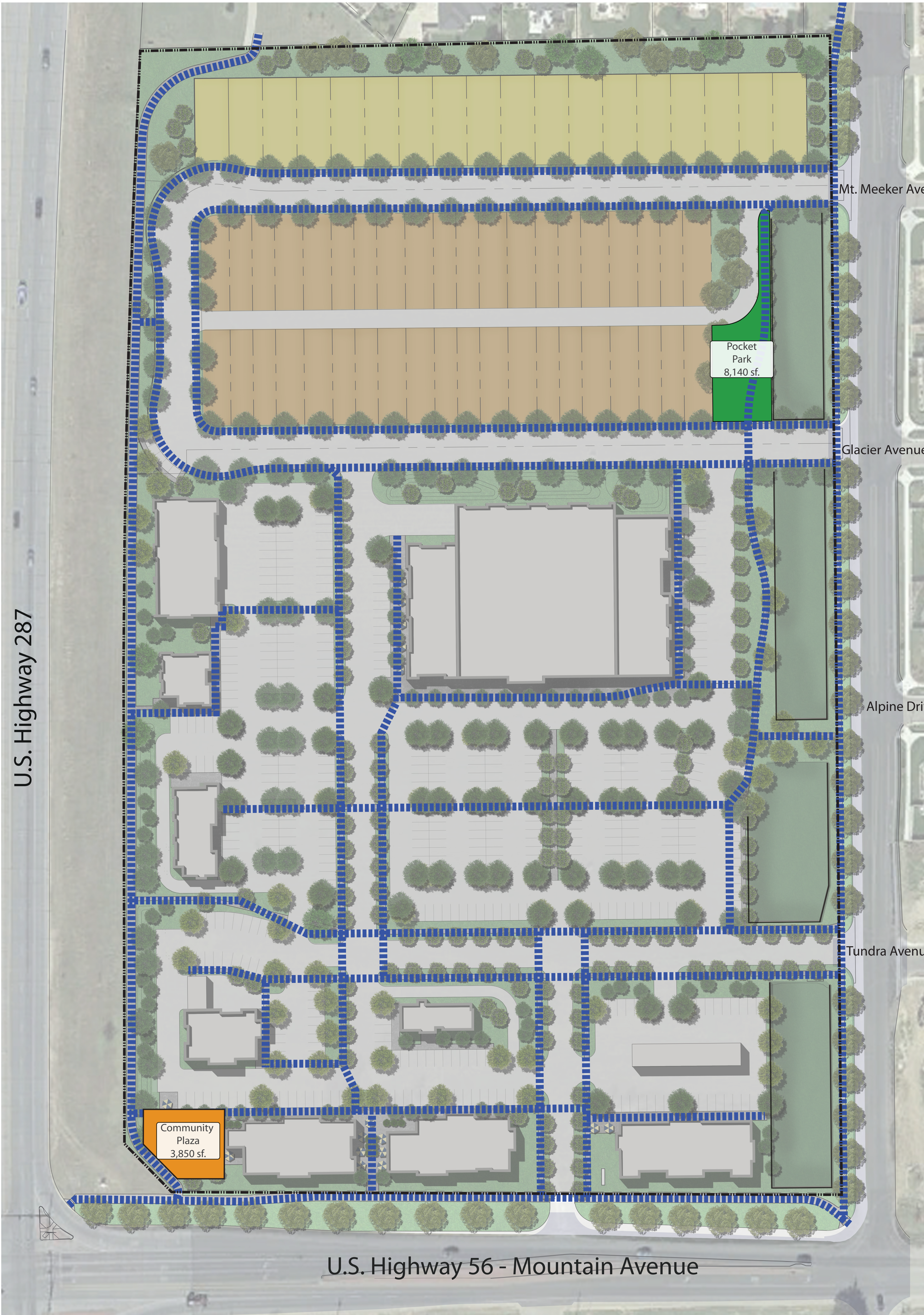
NEIGHBORHOOD MASTER PLAN - OPEN SPACE PLAN

WESTSIDE CROSSING
TOWN OF BERTHOUD, COLORADO

DATE: FIFTH SUBMITTAL FEBRUARY 18, 2021, INITIAL SUBMITTAL NOVEMBER 8, 2019

STACKlot

5639 SOUTH CURTIS STREET
BETHUNE, COLORADO 80120
303.683.2735
STACKLOT.COM



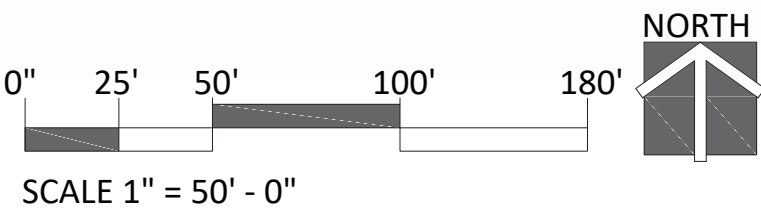
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Pocket Park

AREA	TYPE	Components
8,140 sf. 0.19 ac.	Pocket Park	Refer to Park Amenity Table

* Remainder of Park Land Dedication for Residential Development will be satisfied by Cash in Lieu

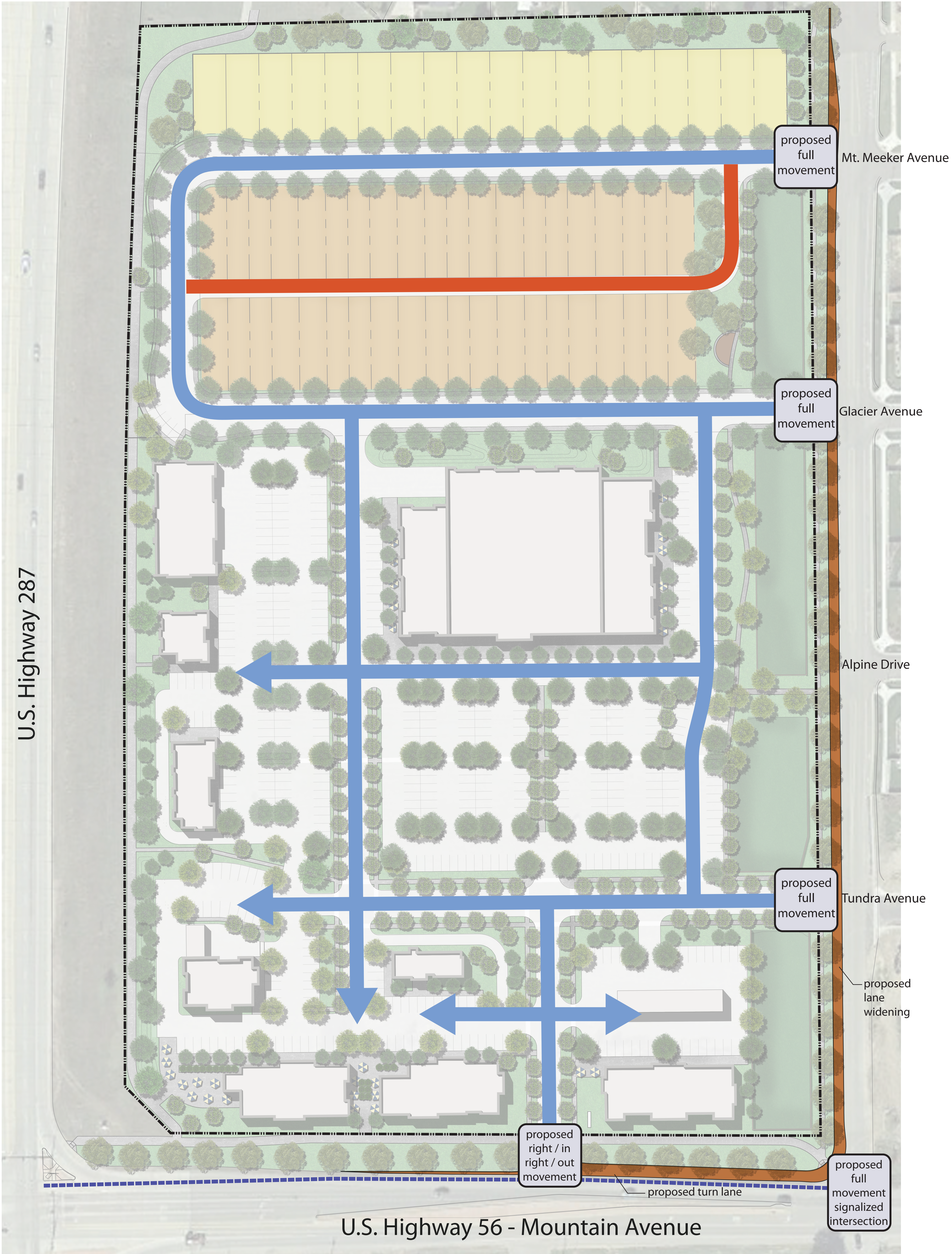
Park Amenity Table		
List	Components	Description
A	Electricity, Irrigation, Security lighting, Trash receptacle (Qty:1), Water service, Bike racks (Qty:2), required landscape materials, Bench(Qty:1)	All List A components will be included.
B	Group picnic shelter w/ 3 tables	-
D	Commercial-Grade Playground	-
E	BBQ grill, (Qty:1), Bench(Qty:1),	Two benches total, one from List A, one from List E



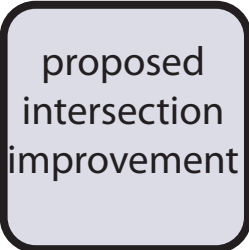
NEIGHBORHOOD MASTER PLAN - PARK PLAN

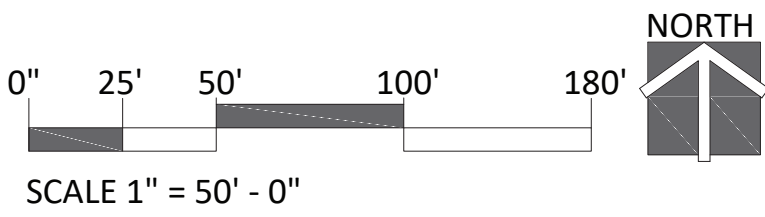
WESTSIDE CROSSING
TOWN OF BERTHOUD, COLORADO

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KEY	VEHICULAR MOVEMENT
	Improved Intersection
	Internal drive
	Alley
	Proposed Bike Lane



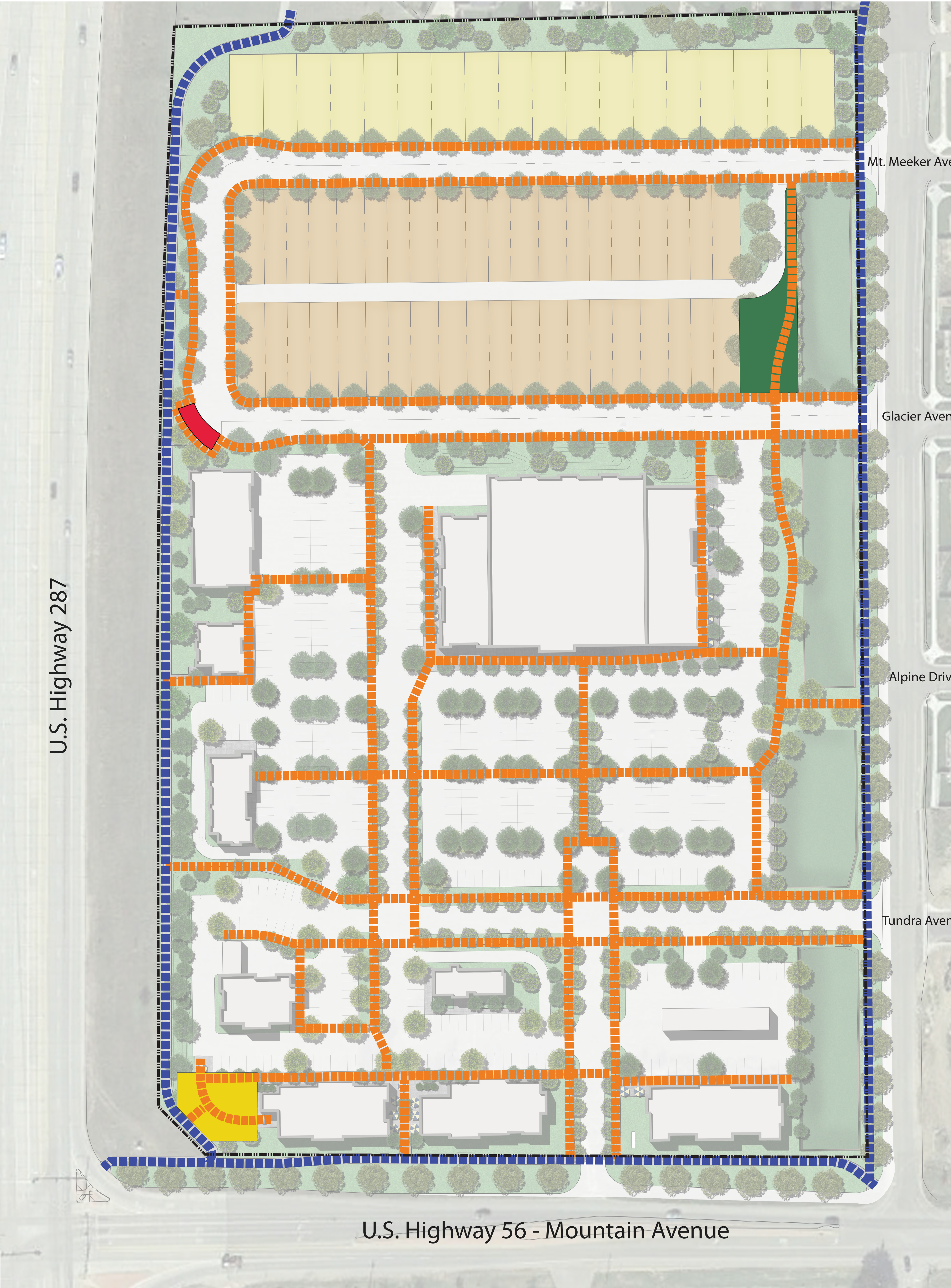
NEIGHBORHOOD MASTER PLAN - TRAFFIC NETWORK PLAN

WESTSIDE CROSSING
TOWN OF BERTHOUD, COLORADO

DATE: FIFTH SUBMITTAL FEBRUARY 18, 2021, INITIAL SUBMITTAL NOVEMBER 8, 2019

STACKlot

5639 SOUTH CURTICE STREET
LITTLETON, COLORADO 80120
303.683.2739
stacklot.com



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KEY

TRAIL DESCRIPTION

Sidewalk

Internal Circulator Sidewalk

Regional Trail Dedicated Parking

Public Plaza

0"25'50'100'180'

SCALE 1" = 50' - 0"

NORTH

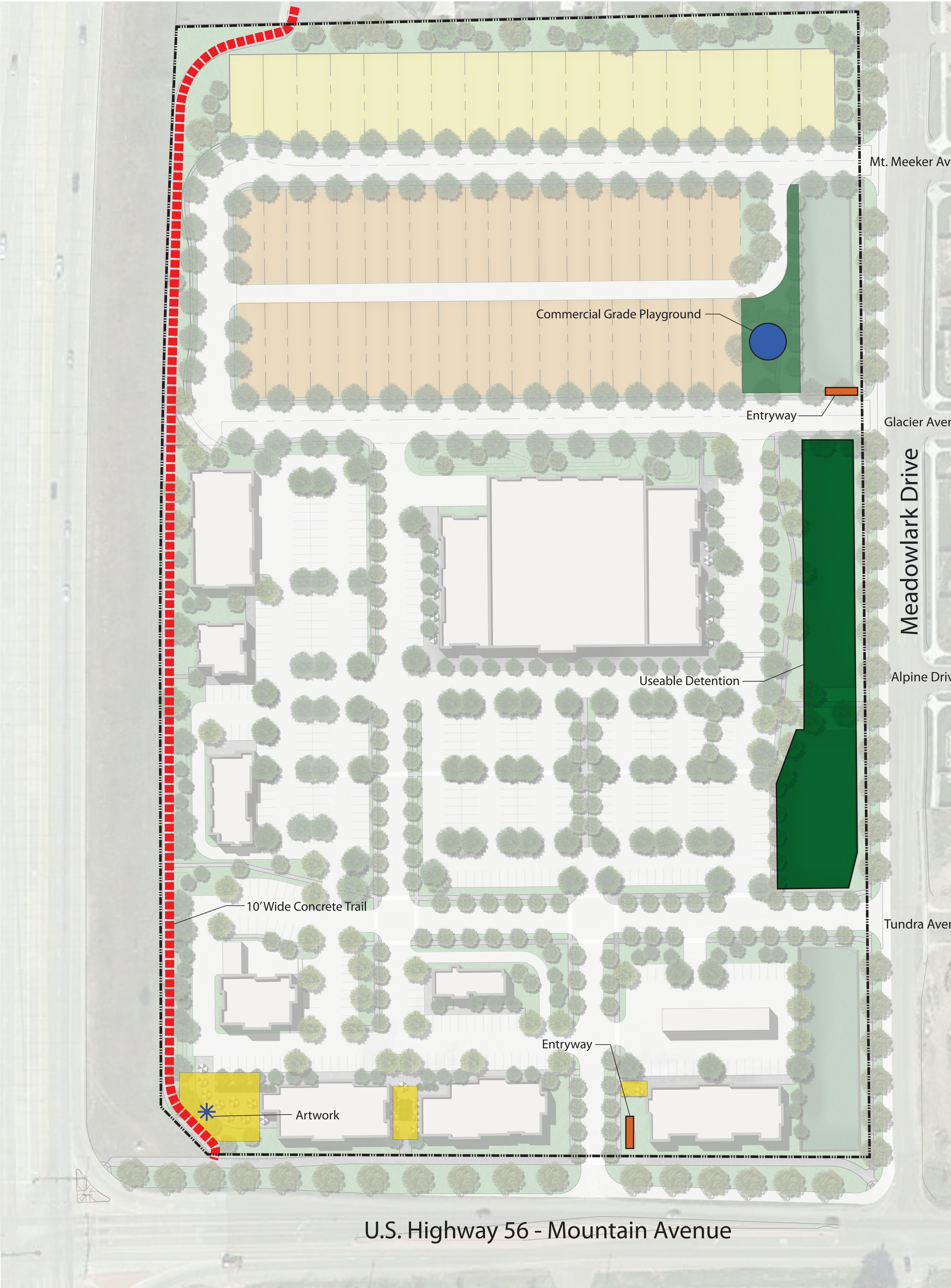
NEIGHBORHOOD MASTER PLAN - PEDESTRIAN NETWORK

WESTSIDE CROSSING
TOWN OF BERTHOUD, COLORADO

DATE: FIFTH SUBMITTAL FEBRUARY 18, 2021, INITIAL SUBMITTAL NOVEMBER 8, 2019

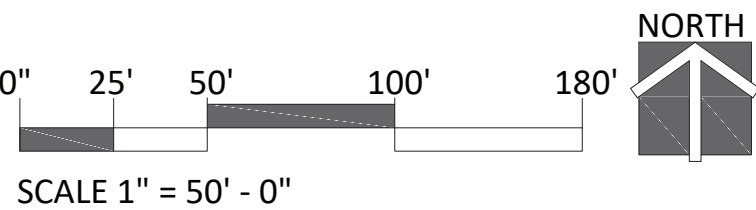


5639 SOUTH CURTICE STREET
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KEY	TRAIL DESCRIPTION
■■■■■	10' Wide Paved Concrete Trail - One Element
*	Artwork - One Element
●	Playground - One Element
■	Entryway - One Element
■	Useable Detention - One Element



NEIGHBORHOOD MASTER PLAN - SUBDIVISION IDENTITY PLAN

WESTSIDE CROSSING
TOWN OF BERTHOUD, COLORADO

DATE: FORTH SUBMITTAL FEBRUARY 18, 2021, INITIAL SUBMITTAL NOVEMBER 8, 2019

STACKlot

5639 SOUTH CURTICE STREET
LITTLETON, COLORADO 80120
303.683.2739
stacklot.com

ZONING AMENDMENT MAP

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ZONING AMENDMENT MAP

Of Safeway at Berthoud, and portions of Meadowlark Drive, Highway 56, U.S. Highway 287 Bybass,
Situate in the South Half of the Southwest Quarter of Section 15, Township 4 North, Range 69 West of the 6th P.M.,
City of Berthoud, County of Larimer, State of Colorado

PROPERTY DESCRIPTION PROPOSED ZONING R4

A parcel of land, being part of the South Half of the Southwest Quarter (S1/2 SW1/4) of Section Fifteen (15), Township Four North (T.4N.), Range Sixty-nine West (R.69W.) of the Sixth Principal Meridian (6th P.M.), City of Berthoud, County of Larimer, State of Colorado and being more particularly described as follows:

BEGINNING at the Center-South Sixteenth corner of said Section 15 and assuming the East line of said S1/2 SW1/4 as bearing South 00°34'48" East being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2011, a distance of 1330.11 feet with all other bearings contained herein relative thereto;

THENCE South 00°34'48" East along the East line of said SW1/4 a distance of 434.29 feet;
THENCE South 89°25'13" West a distance of 726.50 feet;
THENCE South 00°34'48" East a distance of 25.00 feet;
THENCE South 89°25'13" West a distance of 201.00 feet to the beginning point of a curve, non-tangent this line and to the center right of way of U.S. Highway 287 Bybass;
THENCE along the arc of a non-tangent curve concave to the Southeast a distance of 448.80 feet, said curve has a Radius of 11998.75 feet, a Delta of 02°08'35" and is subtended by a Chord bearing North 01°54'30" East a distance of 448.78 feet to a line non-tangent to this curve and to the Northerly line, extended and prolonged to the West and East, of the Safeway at Berthoud recorded April 23, 2007 as Reception No. 20070029752 of the Records of Larimer County;
THENCE North 88°43'50" East along said North line a distance of 908.09 feet to the POINT OF BEGINNING.

Said described parcel of land contains 398,911 Square Feet or 9.158 Acres, more or less (±), and is subject to any rights-of-way or other easements of record or as now existing on said described parcel of land.

PROPERTY DESCRIPTION PROPOSED ZONING C2

A parcel of land, being part of the South Half of the Southwest Quarter (S1/2 SW1/4) of Section Fifteen (15), Township Four North (T.4N.), Range Sixty-nine West (R.69W.) of the Sixth Principal Meridian (6th P.M.), City of Berthoud, County of Larimer, State of Colorado and being more particularly described as follows:

COMMENCING at the Center-South Sixteenth corner of said Section 15 and assuming the East line of said S1/2 SW1/4 as bearing South 00°34'48" East being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2011, a distance of 1330.11 feet with all other bearings contained herein relative thereto;

THENCE South 00°34'48" East along the East line of said SW1/4 a distance of 434.29 feet to the POINT OF BEGINNING;

THENCE South 00°34'48" East continuing along the East line of said SW1/4 a distance of 895.82 feet to the South Quarter corner of said Section 15;
THENCE South 88°47'08" West along the South line of said SW1/4 a distance of 937.87 feet to the center right of way of U.S. Highway 287 Bybass;

The following Two (2) courses and distance are along the center right of way of said U.S. Highway 287 Bybass;
THENCE North 00°00'30" East a distance of 707.76 feet to a Point of Curvature;
THENCE along the arc of a curve concave to the Southeast a distance of 173.51 feet, said curve has a Radius of 11998.75 feet, a Delta of 00°49'43" and is subtended by a Chord that bears North 00°25'21" East a distance of 173.51 feet to a line non-tangent to this curve;
THENCE North 89°25'13" East along a line non-tangent to the aforesaid curve a distance of 201.00 feet;
THENCE North 00°34'48" West a distance of 25.00 feet;
THENCE North 89°25'13" East a distance of 726.50 feet to the POINT OF BEGINNING.

Said described parcel of land contains 835,641 Square Feet or 19.184 Acres, more or less (±), and is subject to any rights-of-way or other easements of record or as now existing on said described parcel of land.

OWNER: Berthoud Gateway LLC, a Colorado limited liability company

By: _____

NOTARIAL CERTIFICATE

STATE OF _____)

COUNTY OF _____)

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

by _____ as _____

Witness my hand and official seal. (SEAL)

My commission expires _____

Notary Public

APPROVAL CERTIFICATES:

Approved by the Town Board of Trustees of the Town of Berthoud, Colorado,

this _____ day of _____, A.D., 20 ____

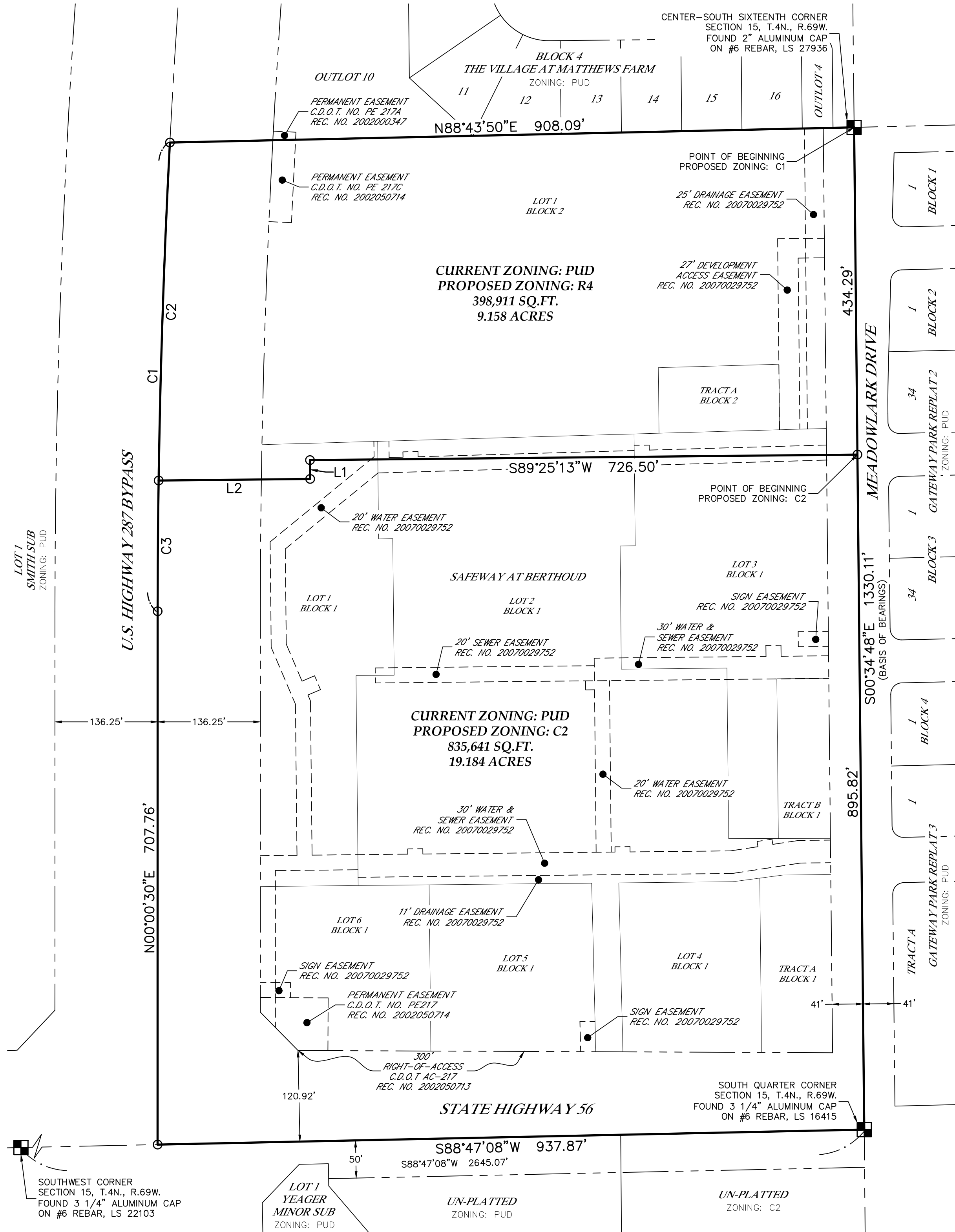
Mayor

The foregoing plat is approved for filing and accepted by the Town of Berthoud, Colorado,

this _____ day of _____, A.D., 20 ____

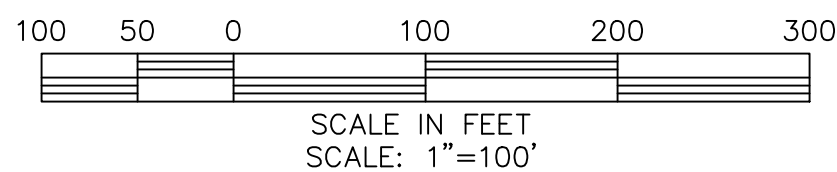
ATTEST: _____

Town Clerk



LINE TABLE		
LINE	BEARING	LENGTH
L1	S00°34'48"E	25.00'
L2	S89°25'13"W	201.00'

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CH BEARING
C1	622.32'	11998.75'	2°58'18"	622.25'	N01°29'39"E
C2	448.80'	11998.75'	2°08'35"	448.78'	N01°54'30"E
C3	173.51'	11998.75'	0°49'43"	173.51'	N00°25'21"E



VICINITY MAP

SCALE: 1"=2000'

BASIS OF BEARINGS AND LINEAL UNIT DEFINITION

Assuming the East line of the South Half of the Southwest Quarter of Section 15, T.4N., R.69W., being monumentalized by a #6 rebar with a 2" Aluminum Cap stamped "LS 27936" on the North end and by a #6 rebar with a 3 1/4" aluminum cap stamped "LS 16415" on the South end, as bearing South 00°34'48" East, being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2011, a distance of 1330.11 feet with all other bearings contained herein relative thereto.

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

NOTICE

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

TITLE COMMITMENT NOTE

This survey does not constitute a title search by King Surveyors to determine ownership or easements of record. For all information regarding easements, rights-of-way and title of records, King Surveyors relied upon Title Commitment Number 3117319-01411-1, dated February 17, 2021, as prepared by Stewart Title Guarantee Company to delineate the aforesaid information.

SURVEYOR'S CERTIFICATE:

I, Christopher A. DePaulis, a Licensed Land Surveyor in the State of Colorado, do hereby certify that the survey of Zoning Amendment Map was made under my supervision and the accompanying plat accurately and properly shows said map.

Christopher A. DePaulis - On Behalf Of King Surveyors
Colorado Licensed Professional
Land Surveyor #38105

DATE:	11/7/2019
FILE NAME:	20190636 ZONING
SCALE:	1" = 50'
DRAWN BY:	DRS
CHECKED BY:	CAD

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



DATE:	6/15/20
REVISED PER COMMENTS:	CSK 12/7/20
REVISED ZONE BOUNDARIES:	CSK 12/16/20
REVISED ZONE BOUNDARIES:	CSK 12/16/20

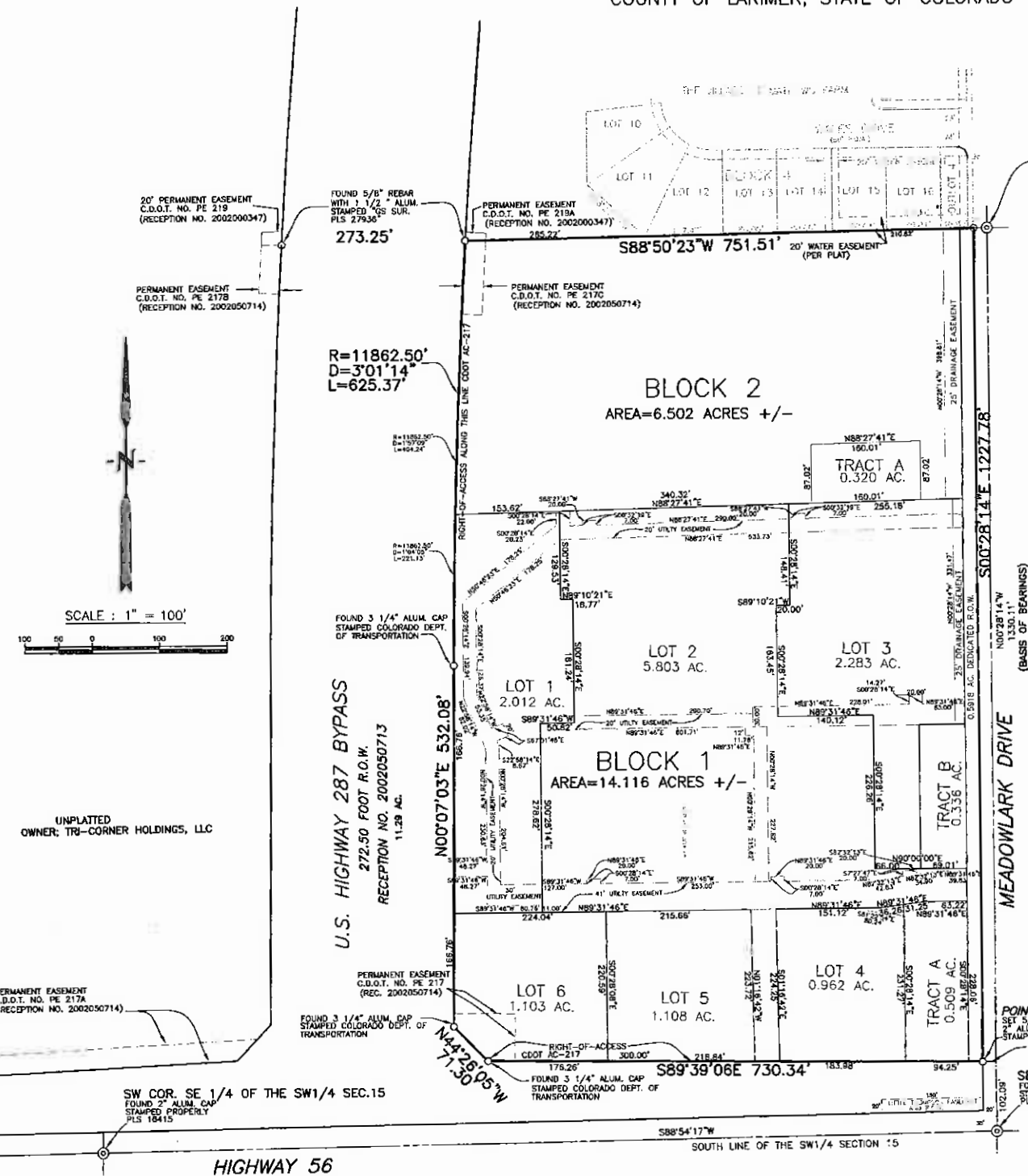
ZONING AMENDMENT MAP
FOR
FAIRWAY INDEPENDENT MORTGAGE CORP
15110 N PECOS ST, SUITE 200
WESTMINSTER, CO 80234

PROJECT #:
20190636

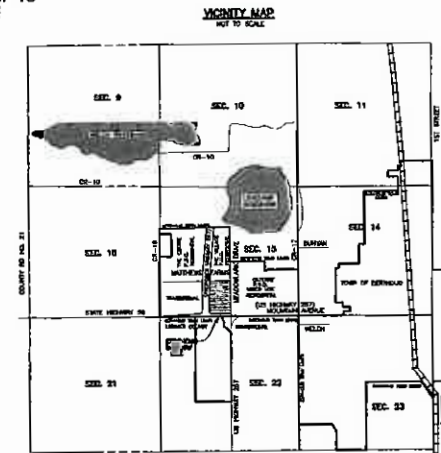
1
SHEET 1 OF 1

SAFeway PUD

FINAL PLAT
SAFEWAY AT BERTHOUD
BEING A RE-PLAT OF LOT 2, SMITH SUBDIVISION
LOCATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 15,
TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE 6TH P.M., TOWN OF BERTHOUD,
COUNTY OF LARIMER, STATE OF COLORADO



POINT OF BEGINNING
CS 1/16 SEC. 15
FOUND 3/4" REBAR
WITH 2" ALUM. CAP
PLS 27936



LEGAL DESCRIPTION AND DEDICATION

LOT 2, SMITH SUBDIVISION ACCORDING TO THE PLAT RECORDED
DECEMBER 17, 2003 AT RECEPTION NO. 2003-0157622
COUNTY OF LARIMER,
STATE OF COLORADO

HAVE LAID OUT AND PLATTED AND SUBDIVIDED THE ABOVE DESCRIBED LAND
UNDER THE NAME AND STYLE OF SAFEWAY AT BERTHOUD, AND BY
THESE PRESENTS DO DEDICATE TO THE TOWN OF BERTHOUD IN FEE SIMPLE
THE STREETS AND PUBLIC WAYS AS SHOWN ON THE PLAT, AND GRANTS TO
THE TOWN OF BERTHOUD SUCH EASEMENTS AS ARE CREATED HEREBY AND
DEPICTED OR, BY NOTE, REFERENCED HEREON, ALONG WITH THE RIGHT TO
INSTALL, MAINTAIN, AND OPERATE MAINS, TRANSMISSION LINES, SERVICE
LINES, AND APPURTENANCES, EITHER DIRECTLY OR THROUGH THE VARIOUS
PUBLIC UTILITIES, AS MAY BE NECESSARY TO PROVIDE SUCH UTILITY, CABLE,
TELEVISION AND SANITARY SERVICES WITHIN THIS SUBDIVISION OR PROPERTY
CONTIGUOUS THERETO, THROUGH, OVER, UNDER AND ACROSS STREETS,
UTILITY AND OTHER EASEMENTS AND OTHER PUBLIC PLACES AS SHOWN ON
THE PLAT.

IN WITNESS WHEREOF, WE HAVE HERE UNTO SET OUR HANDS AND SEALS THIS
____ DAY OF _____, 2006.

M AND K INVESTMENTS OF BERTHOUD, LLC

BY: _____ OWNER

STATE OF COLORADO } SS
COUNTY OF LARIMER }

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME BY _____
AS OWNER OF M&K INVESTMENTS OF BERTHOUD LLC HERE THIS ____ DAY OF
_____, 2006.

WITNESS MY HAND AND SEAL
MY COMMISSION EXPIRES _____

NOTARY PUBLIC

ADDRESS

MAYORS CERTIFICATE

THIS IS TO CERTIFY THAT A PLAT OF THE ABOVE DESCRIBED PROPERTY
WAS APPROVED BY THE TOWN OF BERTHOUD, PASSED AND ADOPTED ON
THE ____ DAY OF _____, A.D., 2006 AND THAT THE MAYOR OF THE
TOWN OF BERTHOUD, ON BEHALF OF THE TOWN, HEREBY ACKNOWLEDGES
AND ADOPTS THE SAID PLAT UPON WHICH THIS CERTIFICATE IS ENDORSED
FOR ALL PURPOSES INDICATED HEREON.

MAYOR _____ ATTEST: TOWN CLERK _____

PLANNING AND ZONING COMMISSION APPROVAL

APPROVED THIS THE ____ DAY OF _____, 2006.

CHAIRMAN-BERTHOUD PLANNING AND ZONING COMMISSION

ATTORNEY'S CERTIFICATE

I, XXXXX X. XXXXX, BEING AN ATTORNEY LICENSED TO PRACTICE LAW IN THE
STATE OF COLORADO, CERTIFY THAT I HAVE EXAMINED TITLE TO THE ABOVE
DESCRIBED LAND DEDICATION TO THE TOWN OF BERTHOUD, COLORADO, AND THAT
THE PARTY EXECUTING THE DEDICATION IS THE OWNER THEREOF IN FEE SIMPLE,
AND THE DEDICATED LAND IS SUBJECT ONLY TO THE PLAT DEDICATIONS.

XXXXXX A. XXXXX, ATTORNEY AT LAW DATE _____

SURVEYOR'S CERTIFICATE

I, SCOTT A. PULLING, DO HEREBY STATE THAT I AM A DULY REGISTERED
PROFESSIONAL LAND SURVEYOR LICENSED UNDER THE LAWS OF THE STATE OF
COLORADO, THAT THIS PLAT IS A TRUE, CORRECT AND COMPLETE PLAT OF
"SAFEWAY AT BERTHOUD" AS LAID OUT, PLATTED, DEDICATED AND SHOWN HEREON,
THAT SUCH PLAT WAS MADE FROM AN ACCURATE SURVEY OF SAID
PROPERTY BY ME AND UNDER MY RESPONSIBLE CHARGE, SUPERVISION
AND CHECKING AND CORRECTLY SHOWS THE LOCATION AND DIMENSIONS OF
THE TRACTS STAKED UPON THE GROUND IN COMPLIANCE WITH C.R.S. 38-50
THROUGH 38-53 GOVERNING THE SUBDIVISION OF LAND.

IN WITNESS WHEREOF, I HAVE SET MY HAND AND SEAL THIS ____ DAY OF
_____, A.D. 2006.

SCOTT A. PULLING
COLORADO REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 27936

CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO } SS
COUNTY OF LARIMER }

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT
____ O'CLOCK ____ M. THIS ____ DAY OF _____, A.D.,
2006, AND IS RECORDED IN PLAT BOOK NO. _____
RECEPTION NO. _____

DEPUTY _____ RECORDER

FEES _____

NOTES

- BEARINGS ARE BASED ON THE EAST LINE OF THE SOUTHWEST ONE-QUARTER OF
SECTION 15 AS BEARING N00°28'14"W MONUMENTED AS SHOWN.
- RECORDED EASEMENTS AND RIGHTS-OF-WAY ARE SHOWN ACCORDING TO
CHICAGO TITLE OF COLORADO, INC. TITLE COMMITMENT NO. 1428864.
EFFECTIVE DATE: OCTOBER 3, 2006.

APPROVED
3-13-07

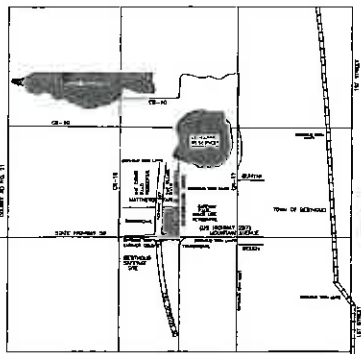
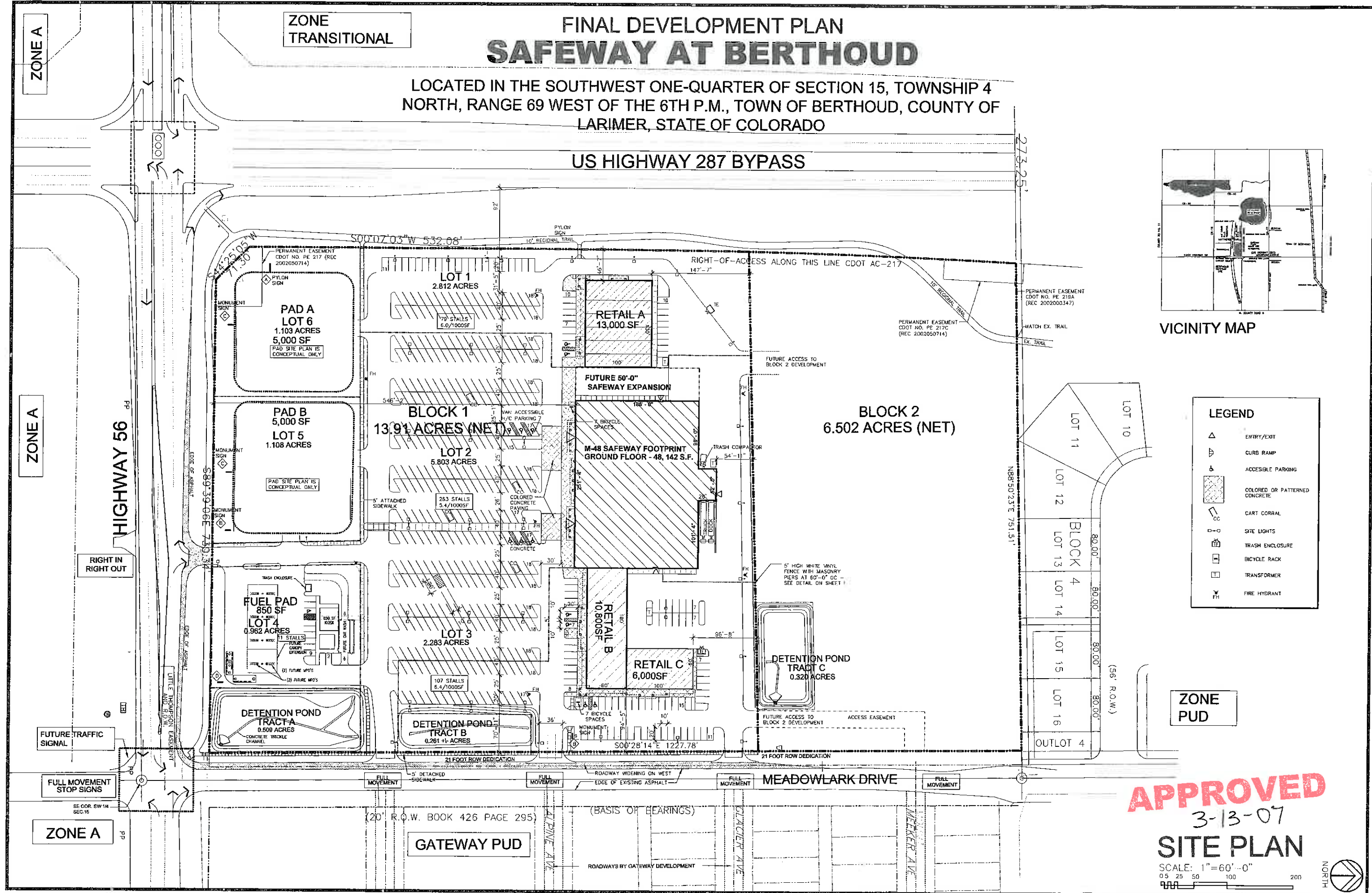
UNTIL SUCH TIME AS
THESE PLATS ARE
APPROVED BY THE
APPROPRIATE REVIEWING
AGENCY, THE TOWN OF
BERTHOUD, COLORADO, IS
NOT RESPONSIBLE FOR THE
USE OF THESE PLATS FOR
ANY PURPOSES WITHOUT
AUTHORIZATION.

PREPARED FOR:
CONCEPTS WEST ARCHITECTURE, INC.
831 NEVADA AVENUE, SUITE 100
COLORADO SPRINGS, CO 80903
CONTACT: GARY HARRISON

PREPARED BY:
GORTON SCOTT SURVEYING, LLC
P.O. BOX 181
EASTLAKE, COLORADO 80614
CONTACT: SCOTT A. PULLING, PLS

NO.	REVISION	DATE	BY	SAF
1				
2				
3				

PROJECT:
SAFEWAY AT BERTHOUD
BERTHOUD, COLORADO
DRAWING:
FINAL PLAT
SW 1/4, SEC. 15, T4N, R69W
SHEET 1 OF 1
JOB NO. 01-001



VICINITY MAP

LEGEND	
	ENTRY/EXIT
	CURB RAMP
	ACCESSIBLE PARKING
	COLORLED OR PATTERNED CONCRETE
	CART CORRAL
	SITE LIGHTS
	TRASH ENCLOSURE
	BICYCLE RACK
	TRANSFORMER
	FIRE HYDRANT

APPROVED
3-13-07
SITE PLAN
SCALE: 1"=60'-0"
0 5 25 50 100 200
NORTH

**PUBLIC
COMMENT
(WESTSIDE
CROSSING
ONLY)**

Adam Olinger

From: Marty Goss <marty.goss@velux.com>
Sent: Monday, December 28, 2020 1:02 PM
To: Curt Freese; Adam Olinger
Subject: Westside Crossing

I just receive the information in the mail regarding this proposed project. I am in strict opposition to the project. It will have a great impact on the local and well established small business owners in Berthoud, driving many of them out of business. It will also have a very negative impact on the culture of Berthoud. Berthoud has a very unique and old town feel to it and adding a development like this will greatly influence what our residents love about Berthoud. This looks like a typical mixed use development found in our neighboring cities, please don't make Berthoud into another Loveland or Longmont. Townhomes and duplexes in Berthoud, really? Is this what we want and need, this will be a sad day for the residents of Berthoud and our local business owners. There must be a better option!

With kind regards,

Marty P. Goss
Executive Marketing Representative
VELUX America LLC
[595 Burbank St.](#)
[Broomfield, CO. 80020](#)

Telephone office: 1-800-888-3589
Telephone direct: [704-975-0919](#)
Office Fax: [303-460-1180](#)
Telephone mobile: [704-975-0919](#)
@ Marty.Goss@VELUX.com

Adam Olinger

From: Dawn Burgess <Dawn_Burgess@msn.com>
Sent: Sunday, January 3, 2021 9:09 PM
To: Curt Freese; Adam Olinger
Cc: Bryan Burgess; Carolyn Nyland
Subject: Westside Crossing

Hello Curt and Adam,

Thank you for the opportunity to comment on the Westside Crossing project proposal.

I am glad to see the 3 story apartment complexes have been removed from the proposal.

The problem that remains is that the only way into the development for both the retail part of the project and the duplexes and townhomes for people coming from the west (ie: people coming off of Hwy 287) is to turn left onto Meadowlark. In fact, from the rendering, it appears the *only* way into the project is to turn onto Meadowlark. Meadowlark will have a tremendous cluster of traffic. This is a residential area and you'll have hundreds and hundreds of vehicles turning onto Meadowlark all day long.

What is the proposal to manage the traffic turning onto Meadowlark?

What is the traffic projection for Meadowlark? Have traffic studies for the intersection of Meadowlark and Mountain been done? If so, where can I find them to review?

I certainly hope, if the area is developed, it is much more aesthetically pleasing than the horrendous row of townhome rentals that have been allowed to be built on the northeast side of Meadowlark and Mountain. That is the most depressing, unimaginative, bland row of colorless townhomes I have seen in new construction. That development does not add anything pleasing, inviting or exciting to Berthoud. Just a row of dull, flat, colorless places for people to cram into. Really? Is that the best we can do? Is that all we can ask of developers?

Please insist that whatever is built is fitting of being the entrance to Berthoud, the Garden Spot of Colorado: beautifully landscaped, with the use of stucco and timber to create a visually appealing place where people will want to shop.

Thank you,

Dawn Burgess
1624 Hollyberry St
970-618-1322

Faith is the bird that feels the light and sings when the dawn is still dark." **Rabindranath Tagore**

From: [Bryan Burgess](#)
To: [Curt Freese](#); [Adam Olinger](#)
Subject: Westside Crossing
Date: Tuesday, January 5, 2021 2:47:24 PM

Curt /Adam

I am happy to see the 3 story apartments gone but still think that the density is too great. Trying to cram as many apartments in to that space will be a disaster. It is way to small an area to put all that in. The traffic going in and out will create nightmares. The only way in is from Meadowlark. How will that be managed? Has there been any traffic studies done on not only the impact at Meadowlark and Mountain, but also the impact at 287 and Mountain? Having traffic lights that close together will be a problem and potential for long traffic congestion moving from east to west on Mountain.

I think a better use for the property would be to eliminate the multifamily, put in a larger park and add more light commercial. The commercial brings in far more sales tax for creating revenue for the town. This will create incentive for business to move to Berthoud and give us a much stronger tax base to fund the town for the future. It also has been my experience as a member of the Planning and Zoning committee in Rifle, CO., the residential property will be developed first and the commercial will not get completed.

If multifamily must happen, please require greater design guidelines. This is the entrance to our town and the current multifamily at the corner of Mountain and Meadowlark should never have been allowed.

Bryan Burgess
1624 Hollyberry ST
970-689-7269

From: [Dave Richardson](#)
To: [Curt Freese](#); [Adam Olinger](#)
Subject: Neighborhood Notice
Date: Tuesday, January 5, 2021 7:55:38 PM

Hello,

My name is Dave and I live on Chokeberry within the 1000 ft perimeter that would be affected by the development proposal. I strongly disapprove of building on the proposed lot. 58 duplex and townhomes cramped into such a small space is a terrible idea. If 58 duplexes go up with 2 people living in each one (and this could be a low number) all of the sudden our small neighborhood has 116 people driving on one main street. This is not acceptable. Instead of putting all the money into this proposed project please consider building better parks, or a walking trail that goes through town, or a grocery store that is affordable.

--

Dave Richardson

WEBSITE: <http://www.daverichardsonart.com>

INSTAGRAM: <https://www.instagram.com/daverichardsonsculptor/>

FACEBOOK: <https://www.facebook.com/daverichardsonart/>

From: [Jamye Richardson](#)
To: [Adam Olinger](#); [Curt Freese](#)
Subject: Westside Crossing
Date: Wednesday, January 6, 2021 11:58:16 AM

To Whom It May Concern:

I am writing to voice my concerns regarding the development of Westside Crossing. I am a resident of Collins Park West living within 1000 feet of the proposed development. I am a Colorado native who has lived in Berthoud for only two years, but has lived in Northern Colorado for 40 years.

Because of my life here in NoCo, I understand why people want to relocate here from around the country. Part of the reason my husband and I left Fort Collins two years ago was because of the overdevelopment of residential properties. It saddens me to see Berthoud following the same track; developing every open space with family homes and townhomes.

It is my opinion that Berthoud does not need more residential development. We need to preserve some open space, develop more trails for enjoying nature and better parks for our kids to play at. We also desperately need a better grocery store. Hays Market is a last resort for our shopping needs. The Westside development proposes to build a gas station across the street from Berthoud's original gas station that has been there for years. This seems unnecessary.

In case it is unclear, I vote against the development proposal for Westside Crossing. Thank you for taking my comment into consideration.

Respectfully,
Jamye Richardson

From: [Andre Aguiar](#)
To: [Curt Freese](#); [Adam Olinger](#)
Subject: Westside Crossing Proposal
Date: Thursday, January 7, 2021 8:19:50 AM

To Community Development Department,

Hi, my name is Andre Aguiar and with my wife Marilia, Cecilia (27 months daughter), and Leonardo (7 months son) we live on the corner of Alpine Ave and Meadowlark. We are sending this letter to address our concerns about safety and wellbeing of all the kids and families of our community at the Gateway Park. We appreciate the opportunity to write this letter and voice our opinion for the third time. Our feelings about this project have not changed, it is all about security for our family and more importantly the kids of our neighborhood. BE SAFE.

Me and Marilia are originally from Brazil, both our kids will be born here in the United States of America where we've been calling home for 13 plus years. We moved to Colorado 2 years ago to pursue a new career opportunity for me, we were super excited to move here, we always heard great things about Colorado, and we didn't get disappointed. Well, the next step was to find a place for us to live on the Front Range, so we rented an apartment in Longmont, but that city was too big for us and we looked over 40 houses but could not find anything that appealed to us. One day I was driving to work, and I saw a sign for Berthoud on 287 going north. Thus, I decided to turn right and drive through town, 3 minutes after I was driving on highway 56, I called my wife and told her, we need to find a house on this lovely town. On Saturday of that week we had lunch at the Cocina & Cantina and talking about our life on this community. And then the process to find "the" house started. Long story short I saw our home online, called the agent 8 pm on a Thursday night and told her that we needed to see our future home on the next day, they were having an open house on Saturday, while at the house we made the offer and a couple days later we were told that we got a house. I told the agent, no we got our home, dream coming true, our first house. We felt in love with the charm of Berthoud, it is so calm, peaceful, such a really nice little town. We have everything we need here, great school, restaurants, brewer and all is so nice and part of the community.

And then a year later the seven/eleven, O'Rielly auto parts and Ziggi's coffee were built. We got a little upset and asked Why? Well we still don't know why, we already had 2 great local coffee shops, Kofe and Trailhead Café, and three gas stations within 8 miles. Why again? Why did we need another auto part store? Another gas station??? Moreover, all those houses that are getting build around us, we understand why people wants to move here, probably for the same reasons we did, it is a GREAT SMALL COMMUNITY. However, we understand progress. Progress can be great and beautiful; on the other hand, it can bring dangerous and destructiveness. And this bring to reason that me as a young father, friends of my neighbors and a resident of the Gateway community, to write this letter. We all knew the day was coming for the development of this lot. We've been wondering what people would build here, we heard from a grocery store to apartments, houses and even a park. The last one is my choice by the way. And then we all received a letter with the project and to voice our opinion, which we really appreciate the opportunity to do so. PLEASE SAFETY FIRST. By the planning we can see that it will be a lot of traffic at Meadowlark Drive. SAFETY FIRST, PLEASE. Do we really need another gas station in Berthoud? Really?

As y'all know our main concern is safety of our children. We see every day in the morning and after lunch several kids walk by to get into the bus to go to school. After school when weather permits, a lot of kids are playing outside, can you imagine that nowadays?!?, kids outside, this is great. That is how we all grew up, been kids, running around, riding our bikes, playing hide and seek outside. But if a mall plaza, apartment complex and other small shops were to be built, how can we guarantee the safety of our kids? How can we prevent semis and other large delivery vehicles to put the life of our kids in danger? We have such a beautiful and peaceful community here. So, if this were to be build I/we urge y'all to plan careful the route for those vehicles. Which streets they would be able to drive, what time they would be able to delivery stuffs? Safety always first please. Our friends from Mathews farm are really concern about privacy since there is a planning to build apartments really close to them. I thought this was a commercial zone?!? Take this into consideration please. The plan is to bring 120 families?! , plus business, please consider the consequences on traffic, number of cars driving around here and the amount of people around our community. Let's be safe. 58 duplex and townhome, how many people are yall trying to fit on this neighrbhood? How many extra people will be driving on Meadowlark Drive? Seems a lot of cars

going back and forth on this street. It will be a nightmare, a tragedy waiting to happen.. isn't this area commercial? 58 families, 2 car per household equal to 116 cars, plus all the existing cars.. and then trucks, semi's, etc that will be driving here to delivery products for the grocery store, retails, restaurants, and the fuel trucks, do yall really think Meadowlark Drive and US Highway 56 can handle that? In addition, all the traffic that all those businesses will bring here to the area. Again, a nightmare for the community.

Another concern we have is the type of business that the developer is planning to bring next door to us. We do not need/want the wrong people to be close to our community during day and night. So again, please take this into consideration when analyzing the proposal. Make sure they built a super nice and wonderful plaza with a lot of trees, with a little park/playground for kids with a nice environment for us to enjoy. In addition, don't let his ruined our local stores, we have a great bakery, great coffee shops, great business in town. Don't let this devalue our community. Remember why people want to move here, it is not because of the future business, it is because what we have now. Please don't let a project like that destroy our beautiful town called BERTHOUD.

Again and one more time, SAFETY FIRST. Traffic, street safety and personal safety, we have a really nice community here, we really want to keep that way.

We are looking forward to the public hearing when possible.

Sincerely,

Andre, Marilia, Cecilia and Leonardo

From: [KEVIN ROHNKE](#)
To: [Curt Freese](#); [Adam Olinger](#)
Subject: Westside Crossing development comments
Date: Sunday, January 10, 2021 3:49:03 PM

Upon reviewing the maps and updated information on Westside Crossing, formerly Berthoud Gateway, development.

1. It appears that the residential portion of the development has changed from apartments/condos to townhomes. 58 units is still a high density for this lot and for Meadowlark Drive to handle. Since Gateway Park Blvd only has access for Westbound traffic there's already a lot of traffic forced on to Meadowlark for 3 large existing housing developments.
2. I like that there is an additional entry to the commercial area from Mountain Ave. There's already a lot of congestion on Meadowlark Dr. which is so close to Hwy 287. A commercial or residential, much less both, in the same lot are of great traffic and safety concern.
3. There are a lot of families in these neighborhoods already. How will safety of students getting to school be addressed since the property south of Tundra and between Meadowlark and Gateway Park Blvd does not have sidewalks? This area is not bused to Turner MS or Berthoud HS so they are walking/biking.
4. I am concerned about the light and noise pollution from a mixed commercial and higher density development. The wildlife has decreased in the 15 years I've lived in the neighborhood and there is still a good population of hawks and bald eagles that hunt the area and use this as a flight path to Loveland Reservoir.
5. I see a gas station is now added to the project request. There is already a gas station, Kwik Korner, at this same point. Another gas station would increase 24/7 congestion and harm a long time Berthoud business that has been very supportive of the community and already been harmed and adapted to the Hwy 287 bypass.
6. The greenway space as required in other residential developments in the area seem lacking. The parks and green space is the same as initial proposal.

Kind regards,
Angie Rohnke
Wales Drive
Berthoud, CO

From: [Becky Dittmer](#)
To: [Curt Freese](#); [Adam Olinger](#)
Subject: West Side Crossing
Date: Monday, January 11, 2021 8:29:39 PM

Thanks for getting back to me with the link to this development proposal.

I think I heard but have not had it confirmed, that the buildings in this proposal are not over 2 stories high.

That's a better start. After looking at the plans for this project I'm still concerned about congestion in our neighborhood. What type of residential units are being planned? For how many residents? Are they townhomes, condos or apartments and how many of each? From one of the plans it looks like the primary access points will be off of Meadowlark thereby increasing the traffic flow in this area (Gateway Park). Will there be cul-de-sacs so no entrance from Meadowlark on to Meeker, Tundra and Glacier (I think)? There are many children here riding bikes and scooters and I'm concerned about the speed of vehicles coming and going to the businesses going in there.

On that note, there seems to be plenty of storefronts and other empty/for sale properties along Mountain.

Why not encourage use of the existing instead of building new and possibly having the downtown area of Berthoud die again? What type of business are planned? I believe I saw that a restaurant is going in. What kind? Fast food or more upscale? Makes a difference in the kind of folks being attracted to our area. Do we really need another gas station here? Look at the increase in crime in the area since Love's went in.

I also wonder about any need for increase in businesses since we don't know what shopping will look like post COVID. Our world has changed dramatically in the last year and continuing with the pace of development there was pre Covid I fear is a mistake leading to empty, unsightly buildings/mall areas. I'm from Chicago and have seen what that looks like and it's not pretty.

Rebecca Dittmer

From: [Kevin Clopper](#)
To: [Curt Freese](#); [Adam Olinger](#); [Katy Wife Cell](#); [kevin clopper](#)
Subject: Comments on Westside Crossing Proposal
Date: Wednesday, January 13, 2021 1:37:59 PM

Hello,

I am the owner of 1717 Wales Dr, Berthoud, CO, located just north of the proposed development. Here are my thoughts regarding this proposal:

While development is an inevitable consequence of a growing town, use of the corner of US 287 and Hwy 56 for the Westside Crossing proposal, as is, is a bad idea.

First, adding high density duplex and townhome lots immediately south of the homes on Wales Drive will result in a large decrease in home values within the Matthew's Farm HOA. Their views, privacy, and investment in their homes will suffer as a result. Our home lies four houses north of this section and will be moving in 2.5 years. We will need to sell our home in the Spring of 2023. This high density housing within 500 feet of our home will most likely result in a lower selling price for us. Having an alternative plan for these 21.5 acres will prevent home prices in the immediate vicinity from suffering.

Second, I am concerned about the general density of the area. We have five young children who enjoy going for walks along the pathway behind our home. My wife and I enjoy going for quiet walks in the area. Our neighborhood has a nice "rural / country" feel to it. By adding 58 units directly south of our home, traffic along the pathway, in the neighborhood, and along the neighborhood streets will increase exponentially. This is not what people in our neighborhood want. There will be increased congestion and an eyesore to all who live in the Matthew's Farm HOA.

Third, what type of "retail" stores will be forced upon us? We DO NOT want stores such as the Dollar Store and other lower-end bargain shops in this area. More transparency on who will be represented in these 8 buildings is required before we will decide if this is a good idea. Also, adding a gas station to the area is a poor choice. There is already one across the street and a new 7-11 just east of this location along Hwy 56. Areas like the proposed development plan have a tendency to attract vagrants, drifters, and become dirty and undesirable after a few years. This is not what Berthoud needs.

Fourth, adding two plazas in the extreme SW corner of the proposal is a terrible idea. Since we don't know what retail stores are proposed, I can only assume that these plazas would be designed for restaurant use. This corner is very busy and loud due to road traffic. It would not be an enjoyable place to eat lunch or dinner on a beautiful day.

With those concerns stated, here are some proposed solutions:

While I do not want townhomes/duplexes in the area, if they must go in, place them along the north border of Hwy 56. Give them an entrance directly on to Hwy 56 and on to the south end of Meadowlark Dr. Reduce the number of retail buildings in the area to one or two that will house only high quality businesses. Berthoud is an up-and-coming town. Demand only high quality businesses that will attract high quality clientele that the people of Berthoud will be proud of. If restaurants are part of the plan, rework the layout so that the restaurant buildings

themselves back up to US 287. Have plazas to the east of the restaurants that include walkways and community use tables. This serves the purpose of having traffic noise from US 287 shielded by the buildings in order for patrons to enjoy their meals.

Finally, use up to 50% of the north portion of the 21.5 acres as an open area / park. Berthoud is not a metropolis. It is termed the Garden Spot of Colorado. Do not lose focus on what that means. Get creative on how this can be capitalized upon. This corner is the first glimpse of Berthoud people see when traveling on US 287. Don't make it an eyesore.

You have this one chance to make the entrance to Berthoud look amazing. Don't let it slip out of your grasp. Let this corner be a vanguard to the town's moniker. This is another reason why townhomes/duplexes should not be constructed on this property. Put aesthetics and our town's rural roots over profit.

Thank you for hearing my concerns. I'm happy to talk more about my recommendations and concerns if you would like. Please reach out to me at this email or my phone number below.

Very Respectfully,

Kevin Clopper
303-818-7752

From: [Susan Bala](#)
To: [Curt Freese](#); [Adam Olinger](#)
Subject: Comments re: the Westside Crossing Proposal
Date: Friday, January 15, 2021 4:33:12 PM

1. As I previously mentioned to Adam, I am concerned that the developers have not provided any renderings for the Westgate Crossing development. The only drawings that have been provided are aerial drawings. This leaves too much room for interpretation and a lack of understanding of what is actually being proposed. As it stands, there is no evidence of the dimensions of the buildings proposed (heights are of particular concern to those in the neighboring areas), nor is there any evidence of what this development will look like aesthetically or what will be seen from various viewpoints surrounding the development. Before moving forward with any decision, I ask that renderings and various views be provided and shared with the community.
2. As with the Berthoud Gateway proposal, there is still a lot of concern for traffic issues. If the main entrances are all on Meadowlark, how will this impact traffic on Meadowlark and what road(s) will delivery trucks use to access the development. What will traffic look like at the proposed traffic light at Meadowlark and Hwy 56? What will wait times be to access Hwy 56? How will this impact the intersection at Hwy 287 and Hwy 56? Will improvements need to be made, as it is already the location of many accidents.
3. What are the plans for the back (north) end of the proposed development? The proposal does not show any buildings but it is being proposed that the land usage be changed to C-1. Rumor has it (but I cannot find any drawings in the proposal that align with this) that duplexes are being considered. If this is true, then why does the land usage needs to change on the back (north) property? Duplexes are allowed on residential multi-use properties. So it would follow that changing the land use status would prove unnecessary if this is what is being proposed. Regardless, there needs to be more clarity on what is being proposed in this area and why a land use change is necessary.
4. While it is nice to see that there is some green space along Meadowlark, the balance between buildings, parking spaces, and roads versus open space and/or parks seems to greatly favor the area of buildings, parking, and roads. This is a great deal of land and in keeping with the aesthetics of other newer business areas along Highway 56, more open space and park areas should be considered. Other than the beautiful church property on the south side of the intersection, this development will be the first area that anyone traveling on Highway 287 sees of our town. It seems that this provides a great opportunity for the developer to reflect the warmth of our community and the beauty of our Colorado weather that additional outdoor spaces would provide.

Thank you for your consideration of these matters,
Susan Bala

From: [Brian Dodd](#)
To: [Curt Freese](#); [Adam Olinger](#)
Cc: [Debra Dodd](#)
Subject: Re: Neighborhood Notice - Berthoud Gateway
Date: Friday, January 15, 2021 1:36:29 PM

Curt & Jeremy,

Happy New Year! Hope you are both well and staying safe. I realize this is coming two days late from the comments deadline, but thought I'd send anyway.

In short, my comments from April of last year still hold true. While the new proposal would be "slightly" better, it makes no sense to me or anyone in Berthoud that I've spoken with to allow high density residential to be built at this site. I literally have not spoken with a single resident in favor of this or the previous proposal. The Town of Berthoud and its citizens would be much better served to keep this site commercial and bring in additional businesses that can support all the residential growth already here and that which will be coming from various projects that have already been approved. Please do your part and keep this location as the "Gateway into Berthoud" which it is.

Sincerely,
Brian Dodd

On Mon, Apr 6, 2020 at 11:18 AM Brian Dodd <bdoddplus5@gmail.com> wrote:

Curt & Jeremy,

I wanted to write a quick email regarding the development review proposal for the Berthoud Gateway parcel at the NE corner of Hwy 287 and Mountain Ave. that we received in the mail.

It is my understanding that the parcel is currently zoned for commercial, retail, and office space. Due to the recent residential growth in and around Berthoud, the current lack of commercial/retail, and office space, as well as this location being the west entrance to the Town of Berthoud, I am 100% against any rezoning of this parcel and am a bit surprised this wasn't shot down during the initial discussions.

Have a great day and stay safe!

Sincerely,
Brian Dodd



STAFF REPORT JOHNSON MINOR SUBDIVISION 2ND FILING

DATE: March 25, 2021

GENERAL INFORMATION		
Applicant:	HT Land Partners (Alex Hoime agend)	Size: 2.554 acres
Site Location:	722 Sophie St (formerly 721 S County Road 17)	
Applicant's Request:	The Applicant is requesting for a minor subdivision into two (2) new lots sized at 1.025 acres (the existing house) and 1.529 acres (vacant land).	
Current Zoning:	R-1: Single Family Residential	
ZONING DISTRICT INFORMATION		
	R-1	
Max Density	8 units per acre	
Min. Lot Size	3,500 sq. ft.	
Min. Lot Width	35'	
Front Setback	20' front loaded'; 15' rear loaded	
Side Setback	5'	
Rear Setback	20' Front loaded	
Building Height:	40' principal; 30' accessory	
SURROUNDING ZONING, LAND USE AND REQUIRED BUFFERS		
Adjacent Zoning	Adjacent Land Uses	Setbacks for Adjacent Zoning /Buffer required if rezoned
North: Harvest Ridge North, R-1	Undeveloped Single-Family Residential	N/A
South: Harvest Ridge South, R-1	Preliminary Plat approved Single-Family Lots	N/A
East: Trails at Creekview, R-1	Neighborhood Master Plan approved for 435 home subdivision	N/A
West: Harvest Ridge North, R-1	Undeveloped Single-Family Residential	N/A

PROPOSAL

The applicant is requesting approval for a minor subdivision to subdivide a 2.554 acre lot at 722 Sophie St into two lots.

BACKGROUND:

This property was heard in front of the Planning Commission on November 8th, 2018 as part of the first Johnson Minor Subdivision. The other two lots included in the first minor subdivision are what is now known as Harvest Ridge North (Final Plat approved by PC July 11th, 2019) and Harvest Ridge South (Preliminary Plat approved by PC February 20th, 2020 and by Town Board June 9th, 2020).

MINOR SUBDIVISION:

The Applicant is requesting to split the 2.554 acre lot into two separate lots, sized 1.025 acres and 1.529 acres respectively. The applicant is proposing the minor subdivision in order to separate the existing structure from the entire property. The proposed western lot would contain the existing home, and the proposed eastern lot would be vacant until the Final Plat approval for Harvest Ridge South, when it will become a park. The R-1 zoning district allows 3,500 sq. ft. minimum lots with a density of 8 units per acre, which this project would satisfy.

PREFERRED LAND USE

The Town's Preferred Land Use Map designates this area as Moderate Density Residential (yellow on the map), with residential uses/development at 2–6 units per gross acre. The Preferred Land Use Plan was approved in the 2014 Comprehensive Plan.

- ✓ While this is a density of less than 1 unit per acre, Lot 2 would be used as park space for the Harvest Ridge development, thus satisfying the Comprehensive Plan.

MINOR SUBDIVISION CRITERIA/FINDINGS

The criteria in Section 30-6-109 C of the Development Code provides the following review criteria to evaluate the Minor Subdivision (with Staff analysis regarding each point below):

1. The minor subdivision plat is in compliance with this Code, Comprehensive Plan, and the PORT Plan.
 - ✓ The minor subdivision plat is in full compliance with the Code.

- ✓ The PORT Plan is satisfied, as the Preliminary Plat for Harvest Ridge South calls for a pocket park and a trail to be installed along the eastern edge of Lot 2.
 - ✓ The Comprehensive Plan is satisfied, as this follows the Preferred Land Use Plan's density requirements.
2. The Planning Commission shall also consider how the Applicant has addressed comments received from the public during the Public Comment portion of the process when considering the request.
- ✓ There were no comments received for this project.

PUBLIC NOTICE AND COMMENT

Notice of the Planning Commission public hearing has been mailed to property owners within 500 feet of the subject property, a legal ad published, and the property was posted as required by the Development Code.

FINDINGS AND RECOMMENDATIONS

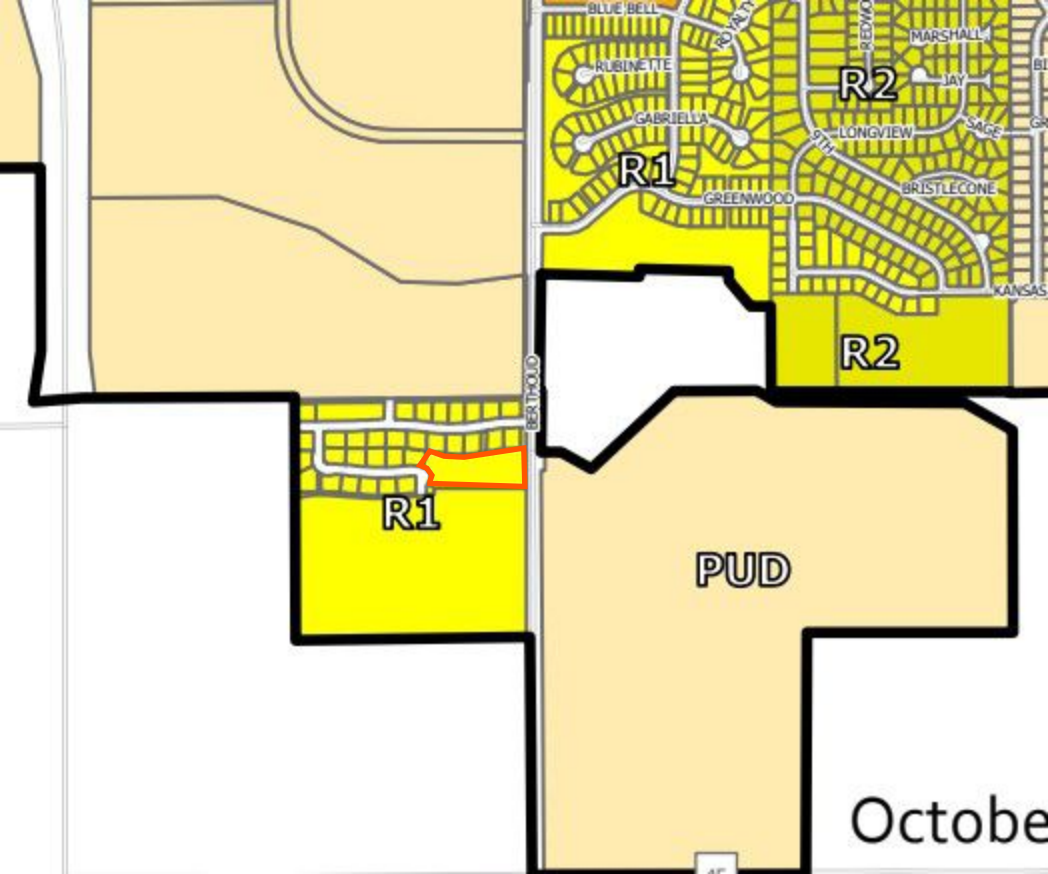
Minor Subdivision

Staff recommends a motion of approval of the Johnson Minor Subdivision 2nd Filing, finding that:

- 1. The Minor Subdivision satisfies all applicable requirements of Section 30-6-109 of the Development Code and all applicable requirements of the Zoning Code and Preferred Land Use Plan;**
- 2. Conditioned upon the installation of sidewalks fronting Lot 1 along Sara Lynn Lane and Sophie St to Berthoud and ADA standards;**

Reminder: When making a motion for or against the minor subdivision, please provide clear findings in support of the proposed motion utilizing either the Development Code/Comprehensive Plan/Preferred Land Use (found on page 2 of this report).

**ZONING
AND
PREFERRED
LAND USE
MAP**





Yeager
Farm CE



LCR 17

LCR 4E

Little Thompson River

LCR 15

Spartan Ave

MINOR SUBDIVISION SUBMITTAL

CONTACT LIST

OWNER

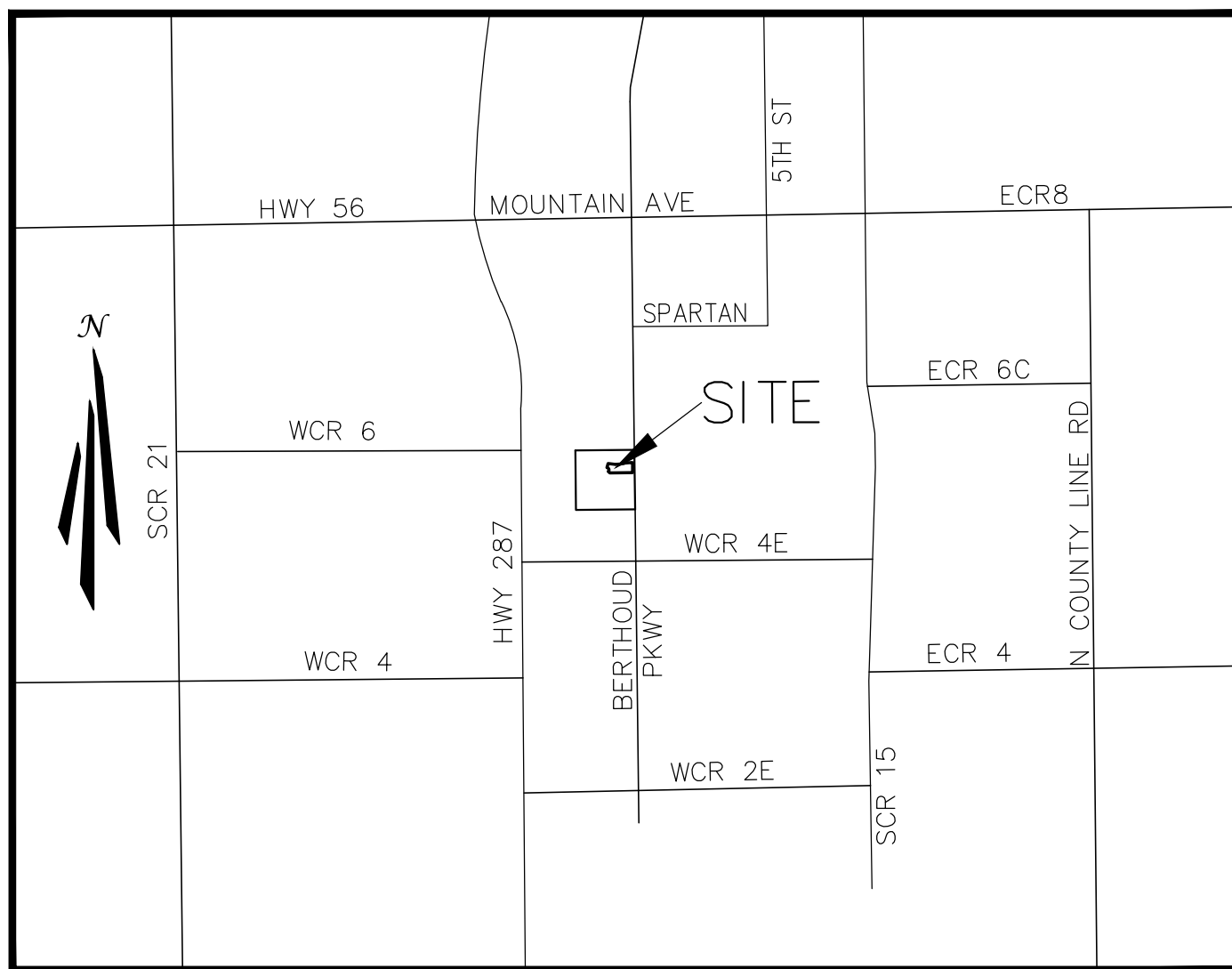
HT LAND PARTNERS, LLC
6163 E. COUNTY ROAD 16
LOVELAND, CO 80537
ATTN: ALEX HOIME
(970)613-1447
EMAIL: AHOIME@TAIT.COM

SURVEYOR

TAIT & ASSOCIATES, INC.
6163 E. COUNTY ROAD 16
LOVELAND, CO 80537
ATTN: STEVE VARRIANO, PLS
(970) 613-1447
EMAIL: SVARRIANO@TAIT.COM

MINOR SUBDIVISION
JOHNSON SUBDIVISION, FILING 2

A SUBDIVISION OF LOT 2, JOHNSON SUBDIVISION, LOCATED IN THE
NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 27,
TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN,
TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO



VICINITY MAP
NTS

LEGAL DESCRIPTION AND DEDICATION:

KNOW ALL MEN BY THESE PRESENTS: THAT THE UNDERSIGNED, BEING THE OWNERS OF A PORTION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 2, JOHNSON SUBDIVISION, LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO.

HAVE LAID OUT, PLATTED, AND SUBDIVIDED THE ABOVE DESCRIED LAND, UNDER THE NAME AND STYLE OF JOHNSON SUBDIVISION, FILING 2, AND BY THESE PRESENTS DO DEDICATE TO THE TOWN OF BERTHOUD IN FEE SIMPLE THE STREET AND PUBLIC RIGHTS-OF-WAY AS SHOWN ON THE PLAT, AND GRANTS TO THE TOWN OF BERTHOUD SUCH EASEMENTS AS ARE CREATED HEREBY AND DEPICTED OR, BY NOTE, REFERENCED HEREON, ALONG WITH THE RIGHT TO INSTALL, MAINTAIN, AND OPERATE MAINS, TRANSMISSION LINES, SERVICE LINES AND APPURTENANCES, EITHER DIRECTLY OR THROUGH THE VARIOUS PUBLIC UTILITIES, AS MAY BE NECESSARY TO PROVIDE SUCH UTILITY, CABLE TELEVISION, AND SANITARY SERVICES WITHIN THIS SUBDIVISION OR PROPERTY CONTIGUOUS THERETO, THROUGH, OVER, UNDER AND ACROSS STREETS, UTILITY AND OTHER EASEMENTS, AND OTHER PUBLIC PLACES AS SHOWN ON THE PLAT.

OWNER: HT LAND PARTNERS LLC, A COLORADO LIMITED LIABILITY COMPANY

BY: _____

AS: _____

STATE OF _____)
COUNTY OF _____)ss.

The foregoing instrument was acknowledged before me this ____ day of _____, 2021,

by _____ as _____

Witness my hand and official seal.
My Commission Expires: _____

Notary Public _____

APPROVAL CERTIFICATES:

APPROVED BY THE TOWN OF BERTHOUD, COLORADO, THIS ____ DAY OF _____, 2021.

PLANNING COMMISSION CHAIRMAN _____

THE FOREGOING PLAT IS APPROVED FOR FILING AND ACCEPTED BY THE TOWN OF BERTHOUD, COLORADO, THIS ____ DAY OF _____, 2021.

ATTEST: _____
PLANNING TECHNICIAN

SURVEYOR'S CERTIFICATE

I, STEVEN B. VARRIANO, A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY OF JOHNSON SUBDIVISION, FILING 2 WAS MADE UNDER MY SUPERVISION AND THE ACCOMPANYING PLAT ACCURATELY AND PROPERLY SHOWS SAID SUBDIVISION AND IS IN COMPLIANCE WITH THE SUBDIVISION REGULATIONS OF THE TOWN OF BERTHOUD.

STEVEN B. VARRIANO, PLS 30126

GENERAL NOTES:

- BEARINGS BASED ON THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN AS SOUTH 00°23'47" EAST, ACCORDING TO THE PLAT OF JOHNSON SUBDIVISION, BETWEEN MONUMENTS SHOWN HEREON.
- FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT 13906366686, DATED JANUARY 25, 2021 WAS RELIED UPON FOR RECORD DATA REGARDING RIGHTS-OF-WAY, EASEMENTS AND ENCUMBRANCES IN THE PREPARATION OF THIS PLAT.
- ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED ON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
- THE TOTAL ACREAGE IS 111,253 SQUARE FEET OR 2.554 ACRES.
- ACCORDING TO FEMA FLOOD MAP 08069C1386G DATED FEBRUARY 6, 2013, THE PROPERTY IS IN ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

RIGHT TO FARM STATEMENT:

THE TOWN OF BERTHOUD HAS ADOPTED A "RIGHT TO FARM" POLICY. ALL NEW AND EXISTING RESIDENTS ARE EXPECTED TO READ AND UNDERSTAND THE POLICY. FOR A COPY OF THE POLICY, PLEASE CONTACT TOWN OF BERTHOUD.

CURVE TABLE					
CURVE	DELTA	LENGTH	RADIUS	CHORD BRG	CHORD DIST
C1	12° 09' 39"	181.90	857.00	S 85°07'37" W	181.55'
C2	9° 08' 14"	182.28	1143.00	S 83°36'54" W	182.09'
C3	114° 20' 23"	112.75	56.50	S 18°48'58" E	94.95'

LEGEND

- EASEMENT
- PROPERTY LINE
- RIGHT-OF-WAY
- FOUND MONUMENT AS DESCRIBED
- FOUND #4 REBAR WITH PLASTIC CAP, PLS 30126
- SET #4 REBAR WITH PLASTIC CAP, PLS 30126

ABBREVIATIONS

- ELEC ELECTRIC
- ESMT EASEMENT
- EX EXISTING
- IRR IRRIGATION
- PR PROPOSED
- R/W RIGHT-OF-WAY

MINOR SUBDIVISION PLAT

A SUBDIVISION OF LOT 2, JOHNSON SUBDIVISION, LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO.

DRAWN: CSG
DATE: 07/09/19
CHECKED: SV
DATE: 03/04/2021
REVISION #:
DATE:
JOB NO: CO13860