



Town of Berthoud
807 Mountain Avenue
Berthoud, CO 80513
970.532.2643

TOWN OF BERTHOUD PLANNING COMMISSION

TOWN HALL

**807 Mountain Avenue
THURSDAY, June 13th, 2019
7:00 P.M.**

1. Call to Order

2. Roll Call

Scott Banzhaf, Chair
Sean Murphy
Patrick Dillon
Jeff Butler

Jan Dowker, Vice Chair
Kelsey Byron, Secretary
Richard Shepard

All matters listed under Item 3, Consent Agenda, are considered to be routine by the Planning Commission and 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. Consent Agenda:

a. Minutes from the meeting of April 25, 2019

4. Final Plat Hearing: Heron Lakes 10th and 11th Filings, Jim Birdsall Applicant.

5. Public Hearing: "Berthoud 160" Rezoning of 120.4 acres from Mixed Use Planned Unit Development (PUD), to Single Family Residential (R-1) and Limited Multi-Family District (R-2), Jim Righeimer, applicant.

6. Reports: June 27th Training Session at 6:00 pm (Larimer County presenter) and Workshop at 7:00 pm

7. Adjourn.

If you require a special accommodation, please contact the Town Clerk 24 hours in advance at (970) 532-2643.

1. **Call to Order** – The Planning Commission convened a regular meeting on April 25, 2019. Chairman Banzhaf called the meeting to order at 7:00 p.m.
2. **Roll Call** – Members Present: Scott Banzhaf, Chairman, Kelsey Byron, Jan Dowker, Sean Murphy, and Dick Shepard. Jeff Butler arrived at 7:03.
Member absent: Pat Dillon
Staff Present: Curt Freese and Jill Wilson.
3. **Consent Agenda** – Minutes from meeting of March 28, 2019. Motion to approve by Commissioner Shepard. Seconded by Commissioner Murphy. Commissioners Banzhaf and Dowker abstained as they were not in attendance of the March 28, 2019 meeting. With all other commissioners in favor, THE MOTION CARRIED.

4. **The Village at Rose Farm Preliminary Plat-**

Mr. Freese presented the agenda item, which was a request for a preliminary plat on 8.67 acres known as Tract A of Rose Farm. The overall development would be comprised of 69 total dwelling units and would offer three different types of uses: single family, townhouses, and duplexes or paired homes. The current zoning was R-3 Multi-family, which allowed for the proposed zoning uses. In addition, the R-3 district also allowed 20 dwelling units per acre, which would result in a maximum density of 173 dwelling units. The proposed density was approximately a third of the density allowance and satisfied the zoning district standard. He mentioned that the project had 11.5% open space, which included a pocket park in the center and an additional garden/open space to the north along Spartan Avenue. In addition, the applicant planned to extend the 10-foot trail up to Spartan within a 30-foot buffer area along Berthoud Parkway. He explained that the proposed townhomes would be rear loaded fronting along Spartan, and the detached homes along Blue Bell and S. 10th Streets would also be rear loaded with the façade's fronting those streets. He remarked on the parking provided and explained that the interior streets would be private and owned/maintained by the HOA.

Lee Martin, Landmark Engineering, stated that also in attendance was Todd Gabriel, G2 Development. He explained that the proposal was intended to be a small, diverse, and walkable neighborhood with 69 units that offered product diversity. The internal streets would be private and noted that the amount of guest parking had been increased since the concept plan stage. He mentioned that the proposal was well below the density allowed in the R3 zoning district. He also stated that they incorporated the new identity standards.

Commissioner Banzhaf stated that the applicant had adapted the proposal from the comments received during the concept plan stage. He agreed that the condition of approval regarding fencing would be appropriate.

Commissioner Byron asked why an element point would be awarded when the Development Code already required a sidewalk/trail along a collector road.

Mr. Freese explained that the regional trail requirement was met when the Rose Farm development was approved, which this development was tying into. He noted that without the trail element, the proposal would already abide by the element points required.

Commissioner Byron noted having a safe route to school and wondered if there would be crosswalks provided.

Mr. Freese stated that Spartan was planned to be widened with a sidewalk, and the intersection would be improved. He stated that he would check on the status of the street improvement and make sure it was addressed during the Final Plat.

Commissioner Byron stated that she could not go forward on an assumption that the road would be improved to provide a safe route and asked that there be a concrete plan for improved crossings.

Commissioner Dowker agreed that the Town should look at the improvements on Spartan and 10th Street intersection.

Commissioner Banzhaf suggested to add an additional condition of approval that additional details be provided on pedestrian safety and sidewalk connections/crossings at the Spartan and 10th Street intersection. He also asked who would be responsible for the street/sidewalk improvements in front of the undeveloped property to the east of this proposal.

Mr. Freese stated that he believed the Town would be responsible for those improvements.

Commissioner Butler agreed the parking provided had improved since the concept plan. He asked if there would be no parking signs along Spartan Ave. for the rear loaded units.

Mr. Freese stated that it would need to be discussed by Town Staff prior to the Final Plat.

Commissioner Butler confirmed that the development would be strictly overseen by an HOA.

Mr. Freese replied yes.

Commissioner Butler wondered about the alley-loaded lot element.

Mr. Freese replied that the rear loaded lots allowed for aesthetics, which he interpreted would quality for an element point. It was not so much as to require alleys but to encourage alley/rear loaded lots.

Commissioner Butler mentioned the concern of access and safety presented during the concept plan regarding the southwest lot off of Blue Bell and Berthoud Parkway.

Mr. Martin explained that the one lot on the southwest corner would have a side loaded garage, which faced Blue Bell. He pointed out that on the lots on the south of Blue Bell would have front facing drives, which were even further to the west. He remarked that Spartan Avenue would be widened enough to have a bike lane and parking lane, and parking along the road would be feasible and desirable.

Commissioner Butler agreed that there should be a fence fronting to Berthoud Parkway and felt that it should be consistent with the Rose Farm development to the south.

Mr. Freese stated that there were only two lots that fronted to Berthoud Parkway in Rose Farm and there were no specific conditions on those lots regarding fencing.

Commissioner Dowker reiterated that there would be trail connectivity.

Mr. Freese replied yes.

Commissioner Byron asked about handicap parking.

Mr. Martin stated that there was one space proposed by the community garden.

Commissioner Dowker appreciated that the concerns mentioned during the concept plan had being taken into consideration on the preliminary plat.

Commissioner Shepard stated that the parking concerns had been addressed and the traffic concerns would be considered by Staff. He stated that he would like some definitive answers at Final Plat regarding the street widening and safe routes to school. He felt that the development had been improvement from the concept plan and agreed that the fencing on Berthoud Parkway should be addressed at Final Plat.

MOTION by Commissioner Shepard to approve approval of the Village at Rose Farm Preliminary Plat as it satisfies the conditions of, Section 30-6-105 C, with the following recommendation:

- 1. Consideration of fencing options along Berthoud Parkway (staggered fencing, split rail, stepped privacy with columns, or similar fencing is recommended), for the Final Plat.**
- 2. Consideration that details be provided on pedestrian safety and sidewalk connections/crossings at the Spartan and 10th Street intersection.**

Seconded by Commissioner Butler.

Commissioner Byron voted against the MOTION.

With all other Commissioners in favor, THE MOTION CARRIED.

5. Reports

Mr. Freese stated that there would be a meeting regarding the Mountain Avenue Corridor Plan in late May or June.

Commissioner Banzhaf asked for a future update on the Spartan Avenue extension.

Commissioner Dowker asked to review standards in the Development Code that seemed to require interpretation from developers and staff. She stated that she would like to make sure the Development Code was clear and met the expectations set in order to provide clear understanding for all parties involved (staff, developers, commissioners).

The Commissioners agreed that it would be beneficial to re-examine some of the Development Code standards and language.

Mr. Freese stated that a short study session could be scheduled.

Meeting adjourned at 8:16 p.m.

Kelsey Byron, Secretary

Jill Wilson, Planning and Building Technician



STAFF REPORT: HERON LAKES FINAL PLATS 10th and 11th Filing

DATE: JUNE 13, 2019

GENERAL INFORMATION

Applicant:	Heron Lakes Investments LLC, Jim Birdsall agent	Size: Prelim Plat: 10 th Filing 111.38 11 th Filing: 20.47 acres
Site Location:	This property is located West and Northwest of Highway 287, and South of LCR 14.	
Applicant's Request:	The Applicant is also requesting Final Plat approval for Heron Lakes 10 th Filing, consisting of 29 patio homes; and 11 th Filing, consisting of 28 attached/townhouses, and 31 single family homes.	
Current Zoning:	AG/R-2/R-3	

ZONING DISTRICT INFORMATION

	<u>AG</u>	<u>R-2</u>	<u>R-3</u>
Max Density	1 unit per acre	16 units Per acre	20 Units Per Acre
Min. Lot Size	1 acre	2,000	1,600
Min. Lot Width	150'	20'	16'
Front Setback	25'	20' front; 10' side	20' front; 10' side
Side Setback	5'	5' side' 10' corner side	5' side' 10' corner side
Rear Setback	25'	10' front loaded; 5'-8' rear loaded	10' front loaded; 5'-8' rear loaded
Building Height:	40' prin 30' acc.	40' 30' acc.	40' 30' acc.

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: Heron Lakes AG	Golf Course	N/A
South: Heron Lakes R-1	Estate Lots/Golf Course	N/A
East: Heron Lakes AG	Golf Course	N/A
West: Heron Lakes AG	Golf Course	N/A

PROPOSAL

The Applicant is also requesting Heron Lakes 10th Filing Preliminary Plat approval to create 29 single family patio home lots over 114.9 acres along Heron Lakes Parkway, and 11th Filing Preliminary Plat approval for 59 lots (28 single family attached/townhouses, 30 single-family estate lots) on 20.47 acres.

Preliminary Plats (HL 10th and 11th):

The proposed Heron Lakes 10th Filing is for twenty-nine (29) single family patio home lots, which are limited to just 3.92 acres, or 3.41% of the entirety of Tenth Filing, and front along Heron Lakes Parkway with the existing golf course to the rear of these homes. All homes will have detached sidewalks with tree lawns. The majority, or almost 70%, of the 10th filing is located within the golf course (see preliminary plat) which would qualify for open space. However, the applicant is also providing Tract F (0.48 acres) of a grassed median/park as additional open space to these 29 lots, which results in over 12% open space of the 3.92 acres if it was removed from the golf course. Tracts E and G also provide easements for utilities and drainage and will remain open as native grasses.

Heron Lakes 11th Filing is North of 10th Filing across Heron Lakes Parkway (for reference, HL 10th and 11th are on opposite sides of Heron Lakes Parkway as depicted in the filing map found in the packet), and consists of 28 townhouses/attached homes, and 31 single family homes over 20.47 acres. The lots fronting Heron Lakes Parkway are attached, with shared driveways (one shared drive is side loaded on the end units, one is front loaded in the middle units), while two cul-de-sac's run of single-family houses provide access to large single family estate lots which back up to Holes 6 and 7 of the golf course. The estate lots that are part of 11th Filing, have a considerable grade change or drop from the attached lots on Heron Lakes Parkway (50-60' drop). Tracts C and D provide over 20% of open space to the filing, and all streets have detached sidewalks with 7' tree lawns.

BACKGROUND

The Heron Lakes property was first brought to the Town more than twenty years ago and has experienced many changes and approvals before the golf course was built. In total, the project has had over thirty-six public hearings before the Berthoud PC and Town Board. In 2015, Bader Farms (the property to the East along Berthoud Parkway) and Heron Lakes, under the ownership of the applicant, were combined by an approved rezoning and Concept Plan. The two projects had a combined total of 1,258 approved dwelling units over 721.867 acres, along with commercial and multi-family sections.

The Applicant rezoned six previously zoned areas in April of this year to correct platting issues. The applicant withdrew one area proposed for rezoning at the March 28th Planning Commission meeting, after Planning Commissioners expressed concerns about expanding the R-3 zoning on what is listed in the Concept Plan as Tract F. Please refer to the Filing Index to see where 10th and 11th filing is within the development.

PREFERRED LAND USE

The Town's Preferred Land Use Map designates this area as Moderate Density Residential (a light orange on the map), with residential uses/development at 2–6 units per gross acre. The Preferred Land Use Plan approved in the 2014 Comprehensive Plan, was drafted and adopted to match the uses and density of the previously approved Heron Lakes and Bader PUD's.

- ✓ Since the uses and density have not changed reflect very minor changes to property lines from the previous Heron Lakes and Bader approvals, and with the golf course, the 10th Filing Density is below one unit per acre which easily satisfies the 2-6 unit per acre preferred land use.

FINDINGS NECESSARY FOR THE FINAL PLATS (10th and 11th Filing)

- 1. The Final Plat is in substantial conformance with the approved Preliminary Plat. For the purposes of this Code, "Substantial conformance". Includes design adjustments made to meet any conditions of preliminary plat approval, and is determined as follows:**
 - a. Does not change any land use of the proposed plat.**
 - b. Does not change the number of lots or residential density by more than 5%.**
 - c. Does not contain changes which would render the final plat in nonconformance with requirements of this Code.**
 - d. Does not contain significant changes in street alignment and/or access points, or other public elements such as drainage improvement, utility lines or facilities.**
 - e. Does not change any measurable standard (other than above) by more than 15%.**
 - ✓ The 10th and 11th Final Plats have the exact number of lots and design layout as proposed by the Preliminary Plats approved in March by the PC, and April by the Town Board.
 - ✓ The proposed final plats do not contain changes that would render the plats in nonconformance with the Development Code.
 - ✓ The Final Plat retains the same street alignment and access points as the preliminary plats.
- 2. The development complies with this Code, the Comprehensive Plan and the PORT Plan.**

3. All applicable technical standards including the provision of water in sufficient amount and quality have been met.

- ✓ The Final Plats comply with all technical standards and were also reviewed and approved by the Town Engineer, stormwater by JVA Engineering, and Traffic/Roads by HDR Engineering.
- ✓ The design of infrastructure has been reviewed by the Town Engineer and HDR Engineering considered to be of sufficient size and design to accommodate the project.
- ✓ The Town has capacity available to service this development.
- ✓ Sanitary Service: Service for the project will be provided from the Town of Berthoud. Sanitary sewer throughout the project will drain to a lift station that is centrally located between Welch and Lonetree Reservoirs. The force main will then run east from the lift station to a manhole located in Grand Market Avenue. The manhole is located within the Heron Lakes-1st Addition (aka-Bader property) and is the most upstream terminus of the Taft Sewer Extension currently under construction.
- ✓ Water Service: Domestic water service for the project will be provided by the Town of Berthoud. A connection will be made to an existing 8" water main from the neighboring subdivision to the east. An additional connection will be made in County Road 14. On-site water mains will be looped through the development to provide domestic water service and fire flows for the current Heron Lakes Filing and will be sized to accommodate future filings as well.
- ✓ Traffic impacts of the Heron Lakes rezone will be minimal with the surrounding transportation system infrastructure already in place. A traffic study was submitted with a previous filing which defines what improvements need to be made to the surrounding roads.

4. The Final Plat represents a functional system of land use and is consistent with the rationale and criteria set forth in this Code.

- ✓ The layout and uses are functional and satisfy all requirements of the Development Code.
 - ✓ The plat is consistent with the overall density planned for this area in the Preferred Land Use Map.
- 5. Negative impacts on adjacent land uses including, but not limited to: solar access, heat, dust, glare, traffic and noise have been identified and satisfactorily mitigated.**

-
- ✓ Impacts on existing adjacent properties are anticipated to be minimal. Each of the proposed areas of change are adjacent to either AG zoning (golf tracts) or R2 residential. The Heron Lakes development is consistent with the surrounding density and will establish the pattern of a high-quality residential neighborhood for the area.

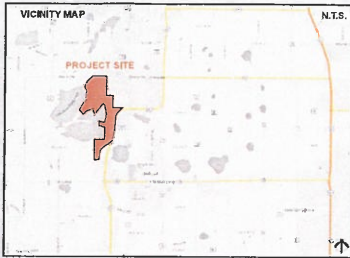
PUBLIC NOTICE AND COMMENT

Notice of the Town Board 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. In addition, the application was sent out to all property owners within 500', with an invitation to comment on the request within three weeks of receipt. Staff did not receive any public comments.

FINDINGS AND RECOMMENDATIONS

Move for approval of the Heron Lakes 10th and 11th Final Plats:

- 1. Finding both Final Plats are consistent with Section 30-6-106 (found on pages 3-5 of this Staff Report) of the Berthoud Development Code.**



LONETREE
RESERVOIR

WELCH
RESERVOIR

MCNEIL
RESERVOIR

LOVELAND
RESERVOIR

HERON LAKES PLAT KEY

- HERON LAKES 1ST FILING
- HERON LAKES 2ND FILING
- HERON LAKES 2ND FILING GOLF TRACTS
- HERON LAKES 3RD FILING / PH1 INFRASTRUCTURE
- HERON LAKES 4TH FILING
- HERON LAKES 6TH FILING
- HERON LAKES 6TH FILING
- HERON LAKES 7TH FILING
- HERON LAKES 8TH FILING
- HERON LAKES 9TH FILING
- HERON LAKES 10TH FILING
- HERON LAKES 11TH FILING
- HERON LAKES 1ST ADDITION

BERTHOUD PARKWAY (US HWY 287)

COUNTY ROAD 11E

TAFT AVENUE

TAFT AVENUE

COUNTY ROAD 14



Arthur Schaupeter
GOLF COURSE ARCHITECTS
4400 Mountain Ave., Suite 100, Denver, CO 80231
Telephone: 303.755.0100 Fax: 303.755.0101
American Society of Golf Course Architects



GROUP
1400 Mountain Ave., Suite 100, Denver, CO 80231
Telephone: 303.755.0100 Fax: 303.755.0101
American Society of Golf Course Architects

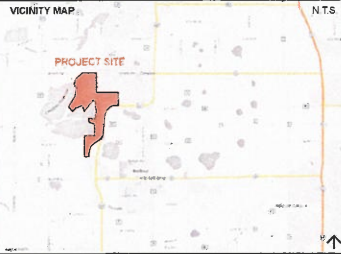
FILING INDEX | JANUARY 2018



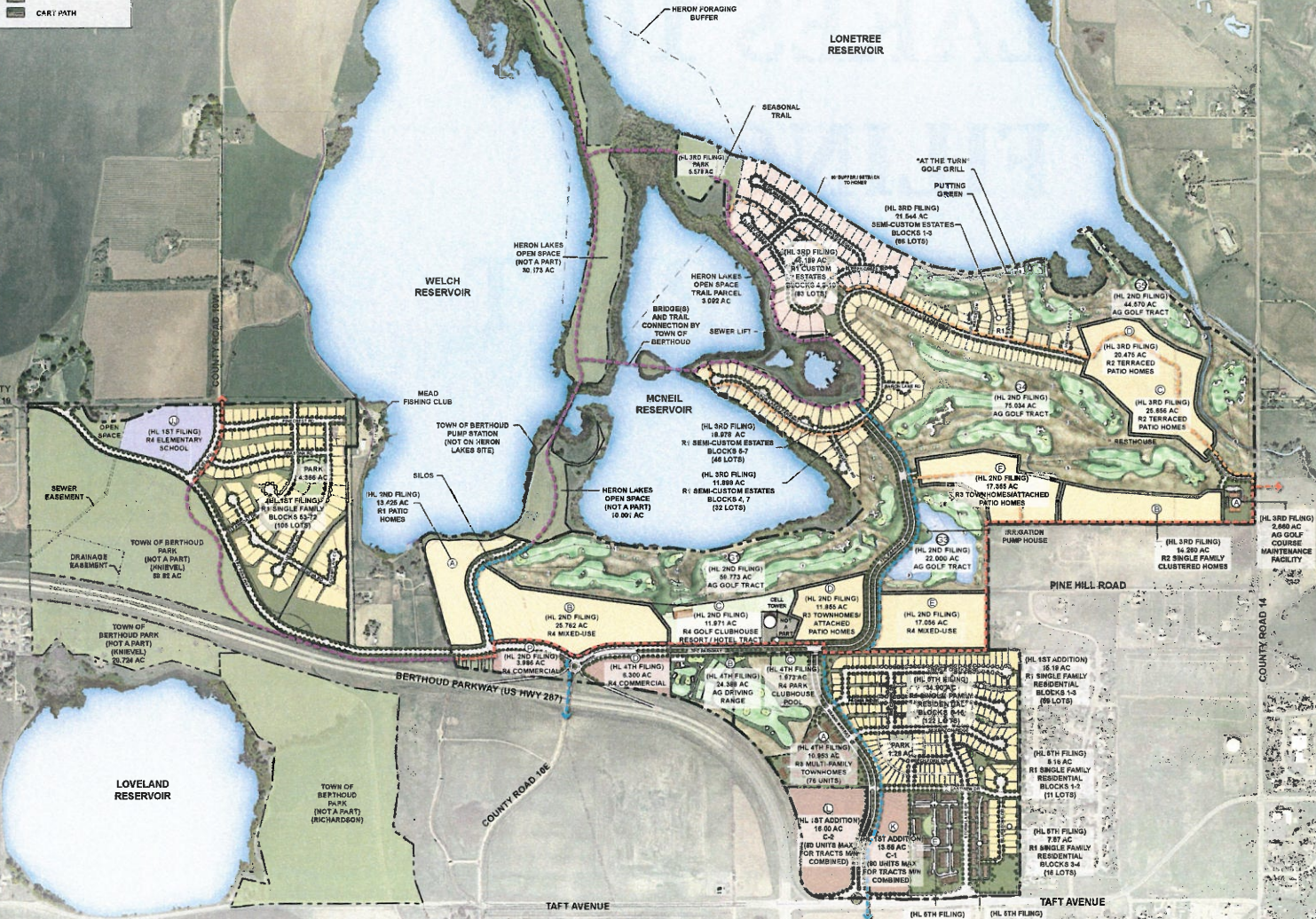


Colorado

HERON LAKES



- GOLF COURSE LEGEND**
- GREEN
 - SAND TRAP
 - TEE BOX
 - IRRIGATED FAIRWAY
 - IRRIGATED ROUGH
 - NON-IRRIGATED NITVE
 - CART PATH



LAND USE SUMMARY				ACREAGE		PERCENT OF TOTAL	
TRACT	ZONING	ACREAGE	PERCENT	PROJECT OPEN SPACE	PERCENT	PROJECT PARKS	PERCENT
TRACT A (HL 2ND FILING)	R1	13.42 AC	2%				
TRACT B (HL 2ND FILING)	R1	25.72 AC	4%				
TRACT C (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT D (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT E (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT F (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT G (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT H (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT I (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT J (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT K (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT L (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT M (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT N (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT O (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT P (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT Q (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT R (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT S (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT T (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT U (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT V (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT W (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT X (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT Y (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT Z (HL 2ND FILING)	R1	11.97 AC	2%				
TOTAL		284.29 AC	54%				
TRACT A (HL 2ND FILING)	R1	13.42 AC	2%				
TRACT B (HL 2ND FILING)	R1	25.72 AC	4%				
TRACT C (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT D (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT E (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT F (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT G (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT H (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT I (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT J (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT K (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT L (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT M (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT N (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT O (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT P (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT Q (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT R (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT S (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT T (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT U (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT V (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT W (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT X (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT Y (HL 2ND FILING)	R1	11.97 AC	2%				
TRACT Z (HL 2ND FILING)	R1	11.97 AC	2%				
TOTAL		284.29 AC	54%				

HERON LAKES COMMUNITY TRAIL (DEVELOPER)
11.371 LF / 2.13 MI

TOWN OF BERTHOUD TRAIL
19.951 LF / 3.61 MI

COLORADO FRONT RANGE TRAIL (DEVELOPER)
19.920 LF / 3.61 MI

REGIONAL TRAIL (DEVELOPER)
4.721 LF / 0.88 MI

TOTAL TRAIL LENGTH = 46.113 LF / 8.73 MI

REFERENCE (LAND USE PART OF OVERALL / ORIGINAL HERON LAKES PUD (NO LONGER A PART))

HERON LAKES OPEN SPACE 5000 PARCELS (PART OF ORIGINAL HERON LAKES PUD)
TOTAL 43.26 AC

TOWN OF BERTHOUD PARKS / OPEN SPACE (PART OF ORIGINAL HERON LAKES PUD)
KNEVEL 50.54 AC

TOTAL OPEN SPACE 133.81 AC

*** ORIGINAL HERON LAKES OPEN SPACE AND TOWN OF BERTHOUD PARKS (ONCE INCLUDED 10% OF SITE WOULD BE OPEN SPACE)**

TOTAL ORIGINAL HERON LAKES DECREASE 71.867 AC

TOTAL ORIGINAL BADER ACRES 155.50 AC

TOTAL PROJECT ACRES 277.391 AC

*** ALL ACRES ARE APPROXIMATE**

Arthur Schaeper
GOLF COURSE ARCHITECTS
American Society of Golf Course Architects

GROUP
Hickok Company Group, Inc.

**HERON
LAKES 10th
FILING
FINAL PLAT**

HERON LAKES TENTH FILING

A REPLAT OF TRACTS F AND G4, HERON LAKES SECOND FILING, LOCATED IN SECTIONS 3 AND 4, TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE 6TH P.M., TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO

LEGAL DESCRIPTION AND DEDICATION:

KNOW ALL MEN BY THESE PRESENTS: That the undersigned, being the owner of HERON LAKES THIRD FILING, located in Sections 3 and 4, 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:

Tracts A, B and C, Heron Lakes Second Filing and Tracts A, B and C, Heron Lakes Third Filing

containing 5,068.681 acres, less or more.

Has sold and conveyed to the undersigned, the above described land, under the name and title of HERON LAKES TENTH FILING, and by these presents do dedicate the same to the public for use as a public "right-of-way" as shown on the plat, and grant to the Town of Berthoud such easements and rights-of-way, and all rights, title and interests in and to the above described land, including all surface interests and all interests within or underlying and in or upon the same, and all other interests in and to the same, as may be necessary to provide such utility, cable, telephone, water, electric, natural gas and sanitary services within the subdivision or property contiguous thereto, through, over, under, and across streets, utility and other easements, and other public places shown on this plat.

OWNER: Heron Lakes Investments, LLC

BY: _____

STATE OF COLORADO)
COUNTY OF LARIMER)
SS

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by _____ of Heron Lakes Investments, LLC.

Witness my hand and official seal

My commission expires _____

Notary Public

OWNER: Western Slope Mineral Company, LLC

BY: _____

STATE OF COLORADO)
COUNTY OF LARIMER)
SS

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by _____ of Western Slope Mineral Company, LLC.

Witness my hand and official seal

My commission expires _____

Notary Public

OWNER: Berthoud Heritage Metropolitan District No. 9

BY: _____

STATE OF COLORADO)
COUNTY OF LARIMER)
SS

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by _____ of Berthoud Heritage Metropolitan District No. 9.

Witness my hand and official seal

My commission expires _____

Notary Public

NOTICE TO JARIS STATEMENT

The Town of Berthoud has adopted a "Right to Farm" policy. All new and existing easements are expected to read and understand the policy. For a copy of the policy, please contact the Town of Berthoud.

APPROVAL CERTIFICATES

Approved by the Town of Berthoud, Colorado this _____ day of _____, 20____.

Mayor _____

The foregoing plat is approved for filing and accepted by the Town of Berthoud, Colorado this _____ day of _____, 20____.

ATTEST: _____

Town Clerk

NOTES:

- 1) The Basis of Bearings is the East line of the Northwest Quarter of Section 10, Township 4 North, Range 69 West of the 6th P.M. as bearing South 00° 47' 37" West (unadjusted), as monumented on drawing.
- 2) All information regarding easements, right-of-way or title of record, Northern Engineering relied upon Order Number P42515292-2, dated 11-23-15, prepared by Land Title Guarantee Company.
- 3) The final unit of measurement for this plat is U.S. Survey Feet.
- 4) The word "verify" or "certification" as shown and used herein is an expression of professional opinion regarding the facts of the survey, and does not constitute a warranty or guarantee, expressed or implied.
- 5) Northern Engineering or the Professional Land Surveyor listed herein, does not have the expertise to address mineral rights, and recommends the owner retain an expert to address these matters. Northern Engineering or the Professional Land Surveyor listed herein assumes no responsibility for the mineral rights upon the subject property.
- 6) Any easement created by separate document and shown herein are for reference purposes only. Refer to recorded documents for specific sections and terms.
- 7) Not all documents listed in the title commitment are fileable. Owner, Client and others should refer to the title commitment for a true understanding of all rights of way, easements, encumbrances, interests and title of record concerning the subject property.
- 8) A copy of the title commitment and the documents contained therein were provided to the owner and client for their use and review. It is the surveyor's understanding that said owner and client have reviewed said documents and understood their impact. If any, on the subject property.
- 9) This title commitment used in preparation of this plat is out of date per Town of Berthoud Development Code, 30-6-107. The owner or client is responsible for providing a current title commitment prior to final platment. The title commitment must be current and dated no more than thirty days from the date of final plat application submitted per The Town of Berthoud Development Code.

SURVEYORS STATEMENT

I, Robert C. Tenney, a Registered Professional Land Surveyor in the State of Colorado, do hereby certify that the survey of HERON LAKES TENTH FILING was made from my own field notes and accompanying plat accurately and properly shows said subdivisions or a re-plat of the same in accordance with the provisions of the Colorado Surveyors Act and the provisions of the Administrative Regulations of the Town of Berthoud.

5-9-19

FORWARD ON BEHALF OF NORTHERN ENGINEERING, NOT FOR IMPLEMENTATION.
RECORDING PURPOSES OR FOR IMPLEMENTATION

NOTICE: According to Colorado law, you must acknowledge any legal instrument before a notary public within 10 days after the date of the certificate. Should you be contacted more than 10 days after the date of the certificate, please advise the notary public of the date of the certificate. Should you be contacted more than 10 days after the date of the certificate, please advise the notary public of the date of the certificate.

SECTION 3 & 4
TOWNSHIP 4 NORTH
RANGE 69 WEST
COUNTY OF LARIMER
STATE OF COLORADO

NORTHERN ENGINEERING
707 E. 12TH AVE.
DENVER, CO 80202
(303) 733-1100

OWNER/APPLICANT
Heron Lakes Investments, LLC
444 Mountain Avenue
Boulder, CO 80513
(303) 442-2001

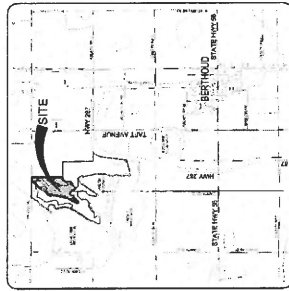
PLANNER/LANDSCAPE ARCHITECT
Jon Block, AIA
707 E. 12TH AVE.
DENVER, CO 80202
(303) 733-1100

SURVEYOR
Robert C. Tenney, L.S.
301 North Howard St., Suite 100
Fort Collins, CO 9831
(970) 221-4175

DATE: 5/9/19
SCALE: AS SHOWN
SHEET: 1 OF 5
PROJECT: HERON LAKES TENTH FILING

STATE OF COLORADO
TOWN OF BERTHOUD
HERON LAKES TENTH FILING

Sheet 1
Of 5 Sheets



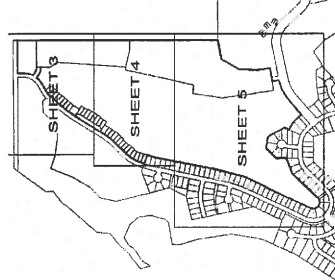
VICINITY MAP
1"=500'



SITE ENGINEER
Nancy Roper
Northern Engineering Services, Inc.
301 North Howard St., Suite 100
Fort Collins, CO 9831
(970) 221-4175

SURVEYOR
Robert C. Tenney, L.S.
301 North Howard St., Suite 100
Fort Collins, CO 9831
(970) 221-4175

SHEET INDEX



HERON LAKES TENTH FILING

A REPLAT OF TRACTS F & G4, HERON LAKES SECOND FILING, AND TRACTS A, B & C, HERON LAKES THIRD FILING, LOCATED IN SECTIONS 3 AND 4, TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE 6TH P.M., TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO

NOTICE: According to Colorado law you must commence any legal action based upon any defect in the survey within three years after the date of the certificate when the instrument more than ten years after the date of the certificate when the instrument is a plat.

SECTION: 4
TOWNSHIP: 4N
RANGE: 69W

ENGINEERING
NORTHERN

STATE OF COLORADO
TOWN OF BERTHOUD
HERON LAKES TENTH FILING

DATE: 10/19/19
SCALE: 1"=200'
PROJECT: 103-077

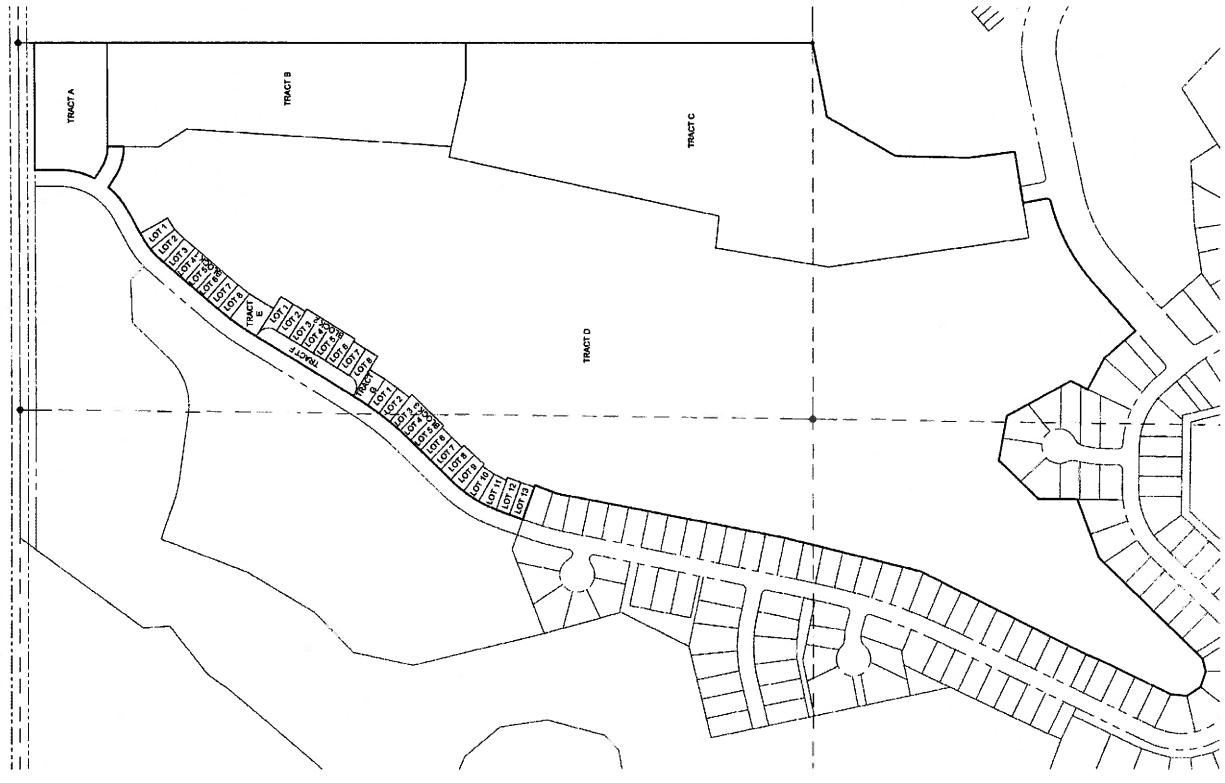
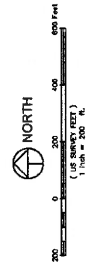
STATE OF COLORADO
TOWN OF BERTHOUD
HERON LAKES TENTH FILING

Sheet 2
OF 5 SHEETS

LINE	LENGTH	BEARING
1	1.00	S89°45'E
2	1.00	S89°45'E
3	1.00	S89°45'E
4	1.00	S89°45'E
5	1.00	S89°45'E
6	1.00	S89°45'E
7	1.00	S89°45'E
8	1.00	S89°45'E
9	1.00	S89°45'E
10	1.00	S89°45'E

CURVE	DATA	BEARING	CHORD
C1	100.00	S89°45'E	100.00
C2	100.00	S89°45'E	100.00
C3	100.00	S89°45'E	100.00
C4	100.00	S89°45'E	100.00
C5	100.00	S89°45'E	100.00
C6	100.00	S89°45'E	100.00
C7	100.00	S89°45'E	100.00
C8	100.00	S89°45'E	100.00
C9	100.00	S89°45'E	100.00
C10	100.00	S89°45'E	100.00
C11	100.00	S89°45'E	100.00
C12	100.00	S89°45'E	100.00
C13	100.00	S89°45'E	100.00
C14	100.00	S89°45'E	100.00
C15	100.00	S89°45'E	100.00
C16	100.00	S89°45'E	100.00
C17	100.00	S89°45'E	100.00
C18	100.00	S89°45'E	100.00
C19	100.00	S89°45'E	100.00
C20	100.00	S89°45'E	100.00
C21	100.00	S89°45'E	100.00
C22	100.00	S89°45'E	100.00
C23	100.00	S89°45'E	100.00
C24	100.00	S89°45'E	100.00
C25	100.00	S89°45'E	100.00
C26	100.00	S89°45'E	100.00
C27	100.00	S89°45'E	100.00
C28	100.00	S89°45'E	100.00
C29	100.00	S89°45'E	100.00
C30	100.00	S89°45'E	100.00

PARCEL	AREA	PERCENT	LAND LINE TABLE	OWNERS & MAINTAINED BY
TRACT A	115.00 AC	2.5%	TRACT A	TRACT A
TRACT B	115.00 AC	2.5%	TRACT B	TRACT B
TRACT C	115.00 AC	2.5%	TRACT C	TRACT C
TRACT D	115.00 AC	2.5%	TRACT D	TRACT D
TRACT E	115.00 AC	2.5%	TRACT E	TRACT E
TRACT F	115.00 AC	2.5%	TRACT F	TRACT F
TRACT G	115.00 AC	2.5%	TRACT G	TRACT G
TRACT H	115.00 AC	2.5%	TRACT H	TRACT H
TRACT I	115.00 AC	2.5%	TRACT I	TRACT I
TRACT J	115.00 AC	2.5%	TRACT J	TRACT J
TRACT K	115.00 AC	2.5%	TRACT K	TRACT K
TRACT L	115.00 AC	2.5%	TRACT L	TRACT L
TRACT M	115.00 AC	2.5%	TRACT M	TRACT M
TRACT N	115.00 AC	2.5%	TRACT N	TRACT N
TRACT O	115.00 AC	2.5%	TRACT O	TRACT O
TRACT P	115.00 AC	2.5%	TRACT P	TRACT P
TRACT Q	115.00 AC	2.5%	TRACT Q	TRACT Q
TRACT R	115.00 AC	2.5%	TRACT R	TRACT R
TRACT S	115.00 AC	2.5%	TRACT S	TRACT S
TRACT T	115.00 AC	2.5%	TRACT T	TRACT T
TRACT U	115.00 AC	2.5%	TRACT U	TRACT U
TRACT V	115.00 AC	2.5%	TRACT V	TRACT V
TRACT W	115.00 AC	2.5%	TRACT W	TRACT W
TRACT X	115.00 AC	2.5%	TRACT X	TRACT X
TRACT Y	115.00 AC	2.5%	TRACT Y	TRACT Y
TRACT Z	115.00 AC	2.5%	TRACT Z	TRACT Z



A REPLAT OF TRACTS F AND G4, HERON LAKES SECOND FILING, AND TRACTS A, B AND C, HERON LAKES THIRD FILING, LOCATED IN SECTIONS 3 AND 4, TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE 6TH P.M., TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO



(US SURVEY FEET)
1 inch = 50 ft.

SEE SHEET 4

PRELIMINARY

PRELIMINARY

Of 5 Sheets

Of 5 Sheets

HERON LAKES TENTH FILING
TOWN OF BERTHOUD
STATE OF COLORADO

PROJECT: 103-077	DATE: 9/9/19	SCALE: 1"=60'	REVIEWED BY: R. Tinsley
CURRENT: Bridges Group		DRAWING BY: L. Smith	

NORTHERN
ENGINEERING

FILE 429 418 37 8
730
LAWSON
7
JANUARY

NOTICE: According to C
tip on any defect
be commenced
MAY 1991.

*Complete how you must communicate any legal action based on this survey within three years after you discover such event; any action based upon any defect in this survey more than ten years after the date of the certificate shown.

A REPLAT OF TRACTS F AND G4, HERON LAKES SECOND FILING, AND TRACTS A, B AND C, HERON LAKES THIRD FILING, LOCATED IN SECTIONS 3 AND 4, TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE 6TH P.M., TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO



RIGHT-OF-WAY LINE	RIGHT-OF-WAY LINE
SECTION LINE	SECTION CORNER
PROPOSED EASEMENT LINE	SET BACK FROM 1/4 CORNER WITH 1"
EASTING RIGHT-OF-WAY	DA. BLUE PLASTIC CAP, 1/2 3/4 1/2
PLATTED BOUNDARY LINE	UTILITY EASEMENT
LOT LINE	DRAINAGE EASEMENT
FOUND PROPERTY: CORNER	ACCESS EASEMENT
AS DESCRIBED	

4

Of 5 Sheets

HERON LAKES TENTH FILING
TOWN OF BERTHOUD
STATE OF COLORADO

HERON LAKES TENTH FILING
TOWN OF BERTHOUD
STATE OF COLORADO

PROJECT: 103-077	DATE: 5/9/19
CLIENT: Bryant Group	SCALE: 1"=60'
DRAWN BY: L. Smith	REVIEWED BY: R. Tassidy

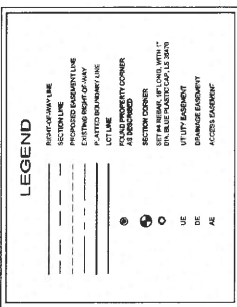


NORTHERN
ENGINEERING

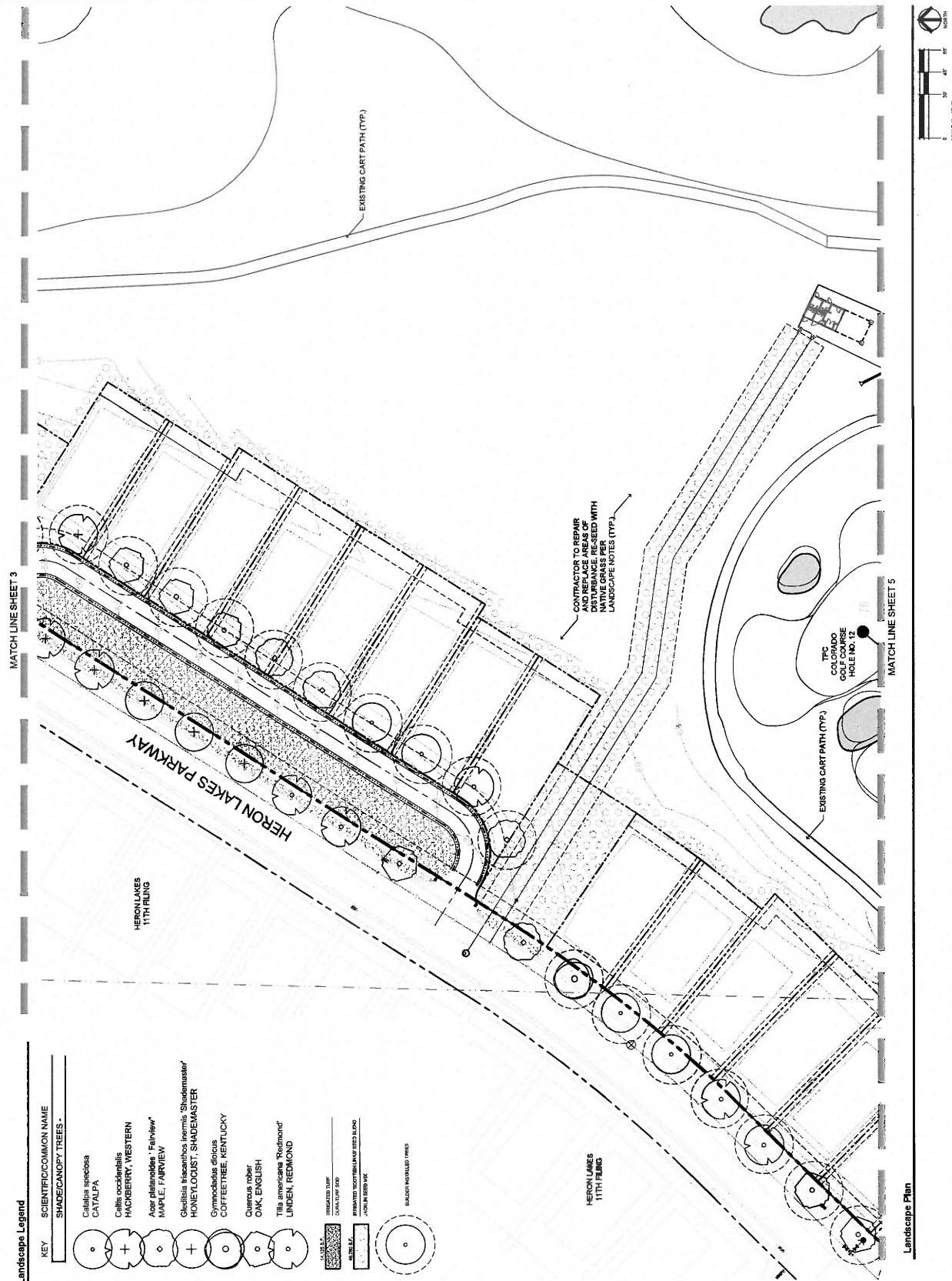
SECTION 4
TOWNSHIP
RANGE
TO W of the 6th PM

NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years after the date of the certificate shown hereon.

A REPLAT OF TRACTS F AND G4, HERON LAKES SECOND FILING, AND TRACTS A, B AND C, HERON LAKES THIRD FILING, LOCATED IN SECTIONS 3 AND 4, TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE 6TH P.M., TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO



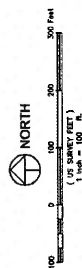
PRELIMINARY



**HERON
LAKES 11th
FILING
FINAL PLAT**

Northern Engineering Services, Inc.
301 North Howes St. Suite 100
Fort Collins, CO 80521
(970) 221-4158

A REPLAT OF TRACT D, HERON LAKES THIRD FILING, LOCATED IN SECTIONS 3 AND 4, TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE 6TH P.M., TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO



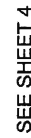
CURVE TABLE									
CURVE NO.	STATIONING	P.C.	TANGENT BEG.	TANGENT END	P.T.	TANGENT BEG.	TANGENT END	CURVE NO.	STATIONING
1	1+00	1+00	1+00	1+00	1+00	1+00	1+00	1	1+00
2	2+00	2+00	2+00	2+00	2+00	2+00	2+00	2	2+00
3	3+00	3+00	3+00	3+00	3+00	3+00	3+00	3	3+00
4	4+00	4+00	4+00	4+00	4+00	4+00	4+00	4	4+00
5	5+00	5+00	5+00	5+00	5+00	5+00	5+00	5	5+00
6	6+00	6+00	6+00	6+00	6+00	6+00	6+00	6	6+00
7	7+00	7+00	7+00	7+00	7+00	7+00	7+00	7	7+00
8	8+00	8+00	8+00	8+00	8+00	8+00	8+00	8	8+00
9	9+00	9+00	9+00	9+00	9+00	9+00	9+00	9	9+00
10	10+00	10+00	10+00	10+00	10+00	10+00	10+00	10	10+00
11	11+00	11+00	11+00	11+00	11+00	11+00	11+00	11	11+00
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14	14+00	14+00	14+00	14+00	14+00	14+00	14+00	14	14+00
15	15+00	15+00	15+00	15+00	15+00	15+00	15+00	15	15+00
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17	17+00	17+00	17+00	17+00	17+00	17+00	17+00	17	17+00
18	18+00	18+00	18+00	18+00	18+00	18+00	18+00	18	18+00
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34	34+00	34+00	34+00	34+00	34+00	34+00	34+00	34	34+00
35	35+00	35+00	35+00	35+00	35+00	35+00	35+00	35	35+00
36	36+00	36+00	36+00	36+00	36+00	36+00	36+00	36	36+00
37	37+								

LINE TABLE		
LINE	LENGTH	BEARING
L1	0.48'	S23°15'23"E
L2	25.80'	S83°01'20"W
L3	75.20'	N89°50'54"W

[illegible]

Sheet
2
Of 4 Sheets

A REPLAT OF TRACT D, HERON LAKES THIRD FILING, LOCATED IN SECTIONS 3 AND 4, TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE 6TH P.M., TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO



PROFILE OF GANY LINE
 PROPOSED BASEMENT LINE
 EXISTING RIGHT-OF-WAY
 PLANTED BOUNDARY LINE
 LOT LINE
 PAD #4 REBAR "1" JOINS WITH "1"
 DIA. BLUE PLASTIC CAP IS SHOWN
 SECTION CORNER
 SET #4 REBAR "1" LONG WITH "1"
 DIA. BLUE PLASTIC CAP. PILE TOP

(US SURVEY FEET)
1 inch = 50 ft.

Robert L. Tremblay
Regional Professional Land Surveyor
C.O.# 2674 - Reg.# 17466 N.S. 36456
The 1st of 400 of 1,000,000 Registered Surveyors for

Of 4 Sheets

HERON LAKES ELEVENTH FILING
TOWN OF BERTHOUD
STATE OF COLORADO

PROJECT: 103-078	DATE: 3/9/19
CLIENT: Breast Group	SCALE: 1"=50'
DRAWN BY: L. Smith	REVIEWED BY: R. Teneally

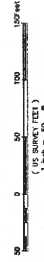


**NORTHERN
ENGINEERING**

SECTION 104
NORTH
JANUARY 1964

NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years after the date of the certificate shown hereon.

A REPLAT OF TRACT D, HERON LAKES THIRD FILING, LOCATED IN SECTIONS 3 AND 4, TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE 6TH P.M., TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO

HERON LAKES
SECOND FILING
TRACT G5

LEGEND

—————	PROFIT OF NEW LINE
—————	PROPOSED DISCOUNT LINE
—————	EXISTING PROFIT OF NEW LINE
—————	EXISTING PROFIT OF OLD LINE
—————	PLATED BRACKET LINE
—————	LOT LINE
—————	DISCOUNT OF 10% WITH 1"
—————	ON BLUE PLASTIC CAP LBS 50/50
—————	SECTION CORNER
—————	SET IN RESIN, 18" LONG WITH 1"
—————	ON BLUE PLASTIC CAP LBS 50/50
—————	UTILITY ENDSHEET
—————	DAMAGE ENDSHEET

Of 4 Sheets

Of 4 Sheets

NOTICE: According to Colorado law, you must answer any legal action based upon any defect in this survey within three years after you discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years after the date of the certificate above.

SECTION:	3 & 4
TOWNSHIP:	4N
RANGE:	

NORTHERN
ENGINEERING**ENE**

PROJECT:	03-078
DATE:	5/8/19
CLIENT:	Student Group
SCALE:	1"=50'
DESIGNED BY:	ARCHITECT BY:

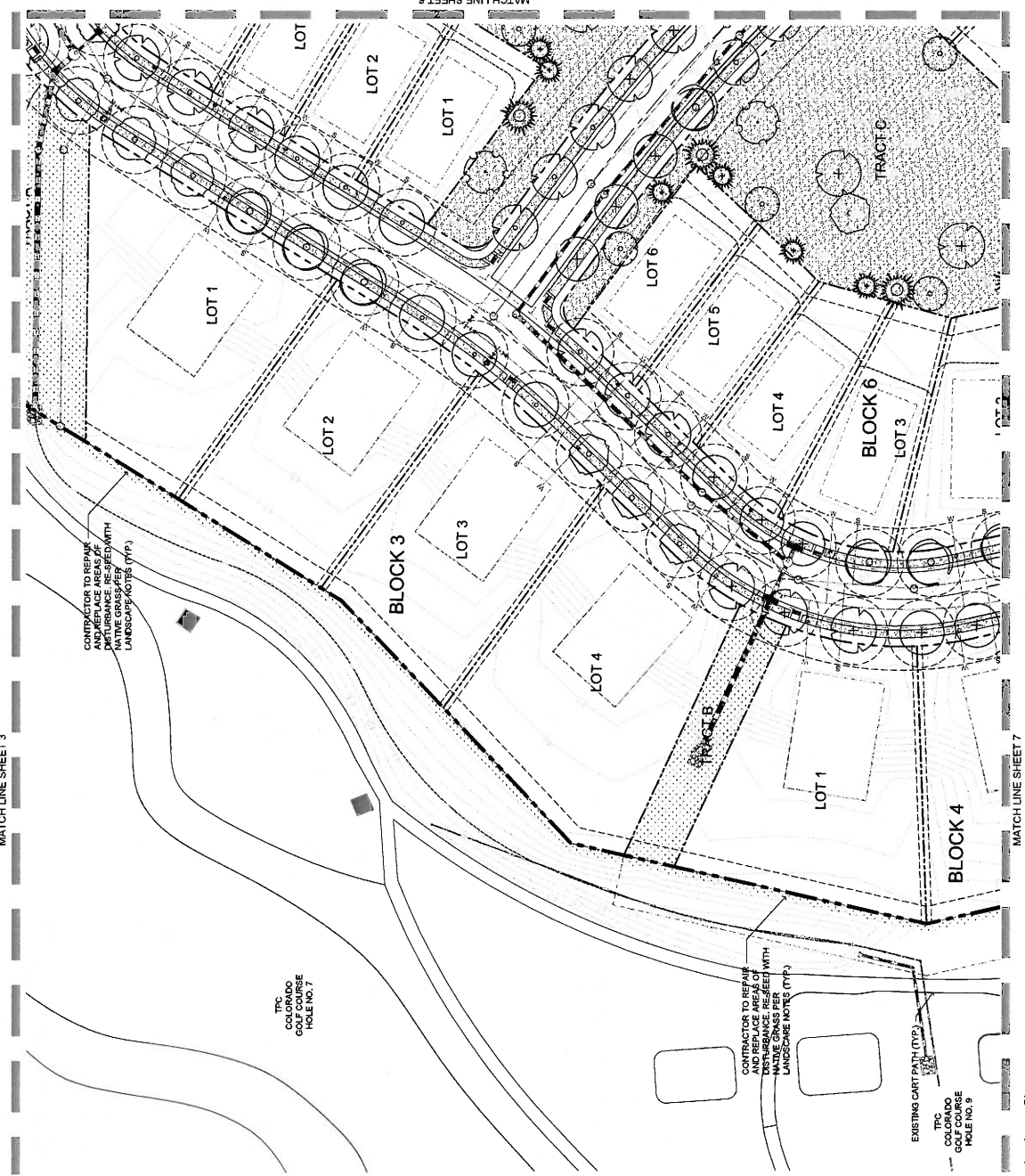
HERON LAKES ELEVENTH FILING
TOWN OF BERTHOUD
STATE OF COLORADO



258 S.P.
MIXED COBBLE & 3"-7" VARIETY

● BUILDING INSTALLED THREE

Landscape Legend

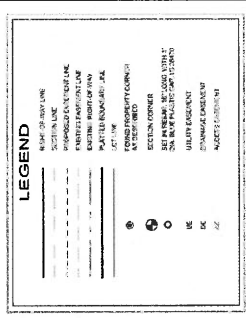
[illegible]

Landscape Legend

KEY	SCIENTIFIC/COMMON NAME
</	

PRELIMINARY PLAT

A REPLAT OF TRACTS F AND G4, HERON LAKES SECOND FILING, AND TRACTS A, B AND C, HERON LAKES THIRD FILING, LOCATED IN SECTIONS 3 AND 4, TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE 6TH P.M., TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO



NORTH



PRELIMINARY

SEE SHEET 4

HERON LAKES TENTH FILING
TOWN OF BERTHOUD
STATE OF COLORADO

Short
3
Of 6 Sheets

NOTICE

According to Colorado law, your most convenient and logical option based upon your ability to pay is to pay your debt in full. If you are unable to pay in full, you may wish to consider a debt management plan. Debt management plans are designed to help you pay your debt in a way that is affordable for you. If you are unable to pay your debt in full, you may wish to consider a debt management plan. Debt management plans are designed to help you pay your debt in a way that is affordable for you. If you are unable to pay your debt in full, you may wish to consider a debt management plan. Debt management plans are designed to help you pay your debt in a way that is affordable for you.

PLU 405 242 27 M 89
COMPTON
N°
RECHERCHES
S. R. E.
MOULIER

NORTHERN
ENGINEERING

PROJ. NO.	103-077
DATE	1/25/19
CLIENT	Shaw Group
DESIGNED BY	REVIEWED BY

A REPLAT OF TRACTS F AND G4, HERON LAKES SECOND FILING, AND TRACTS A, B AND C, HERON LAKES THIRD FILING, LOCATED IN SECTIONS 3 AND 4, TOWNSHIP 4 NORTH, RANGE 68 WEST OF THE 6TH P.M., TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO

[illegible]

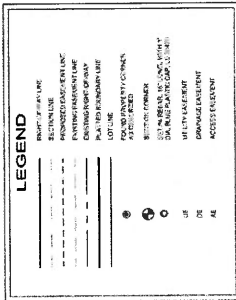
PRELIMINARY

A REPLAT OF TRACTS F AND G4, HERON LAKES SECOND FILING, AND TRACTS A, B AND C, HERON LAKES THIRD FILING, LOCATED IN SECTIONS 3 AND 4, TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE 6TH P.M., TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO

HERON LAKES
SECOND FILING
TRACT G5HERON LAKES
SECOND FILING
TRACT G5

TRACT G1

WELCH RESERVOIR



NORTH

(US SURVEY FEET)

100 200

PRELIMINARY

9

HERON LAKES TENTH FILING
TOWN OF BERTHOUD
STATE OF COLORADO

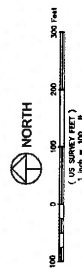
THE UNIVERSITY OF COLORADO has just made commerce and legal education available to students within three years after graduation at such a low cost that it is almost beyond question that the state is saving money. The law school, which has been in existence for 15 years, offers the degree after the completion of only two years of study. The law school is one of the few in the country that offers a three-year program. The law school is one of the few in the country that offers a three-year program. The law school is one of the few in the country that offers a three-year program.

[illegible]

**NORTHERN
ENGINEERING**

105-022	105-023
105-024	105-025
105-026	105-027
105-028	105-029
105-030	105-031
105-032	105-033
105-034	105-035
105-036	105-037
105-038	105-039
105-040	105-041
105-042	105-043
105-044	105-045
105-046	105-047
105-048	105-049
105-050	105-051
105-052	105-053
105-054	105-055
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105-072	105-073
105-074	105-075
105-076	105-077
105-078	105-079
105-080	105-081
105-082	105-083
105-084	105-085
105-086	105-087
105-088	105-089
105-090	105-091
105-092	105-093
105-094	105-095
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105-254	105-255
105-256	105-257
105-258	105-259
105-260	105-261
105-262	105-263
105-264	105-265
105-266	105-267
105-268	105-269

A REPLAT OF TRACT D, HERON LAKES THIRD FILING, LOCATED IN SECTIONS 3 AND 4, TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE 6TH P.M., TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO

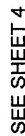


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LINE TABLE		
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L3	5.00	S00° 00' 00" E
L4	51.42	N84° 48' 30" W
L5	5.00	S33° 13' 30" W
L6	5.00	N03° 07' 30" E
L7	48.89	S00° 38' 30" E
L8	48.89	N03° 30' 00" W
L9	48.89	N03° 30' 00" W
L10	5.00	N45° 47' 30" E
L11	5.00	S00° 00' 00" E
L12	5.00	S42° 13' 30" W
L13	5.00	N42° 13' 30" E
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L15	5.00	N34° 48' 30" E
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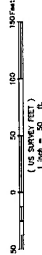
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A REPLAT OF TRACT D, HERON LAKES THIRD FILING, LOCATED IN SECTIONS 3 AND 4, TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE 6TH P.M., TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO



LEGEND

- | | | | |
|------------------------|--------------------------------------|----------------|-------------------|
| RIGHT-OF-WAY LINE | 100' RADIUS, 18" LONG, WITH 1" | SECTION CORNER | UTILITY EASEMENT |
| PROPOSED BASEMENT LINE | DIA. R. 1/2" PLASTIC CAP, L.S. 30X70 | | DRAINAGE EASEMENT |
| EXISTING RIGHT-OF-WAY | | | |
| PLATTED BOUNDARY LINE | | | |
| LOT LINE | | | |



PRELIMINARY

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Journal of Internal Medicine 247: 353-360

HERON LAKES ELEVENTH FILING
TOWN OF BERTHOUD
STATE OF COLORADO

Sheet
3

ATTORNEY:
According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years after the date of the certificate shown hereon.

SECTION: 3 4 4
TOWNSHIP: 4N
RANGE: 60 W of 1st 6th PM

**NORTHERN
ENGINEERING**



PROJECT: 103-078	CLIENT: Prud'homme Group	DESIGNED BY: L. Smith	REVIEWED BY: R. Townsend
DATE: 1/25/19	SCALE: 1"=50'		

A REPLAT OF TRACT D, HERON LAKES THIRD FILING, LOCATED IN SECTIONS 3 AND 4, TOWNSHIP 4 NORTH,
RANGE 69 WEST OF THE 6TH P.M., TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO

[illegible]HERON LAKES
SECOND FILING
TRACT G5

LEGEND

RIGHT-OF-WAY LINE	END 45' MEASUR. 18" LONG, WITH ON BLUE PLASTIC CAP 1/8" DIA.
PROPOSED DRAINAGE LINE	SECTION OF FURTER
EXISTING RIGHT-OF-WAY	SET 45' MEASUR. 30" LONG, WITH ON BLUE PLASTIC CAP 1/8" DIA.
PLANTED BY JERRY LINE	UTILITY EASEMENT
LOT LINE	DRAINAGE EASEMENT

PRELIMINARY

4
Of 4 Sheets

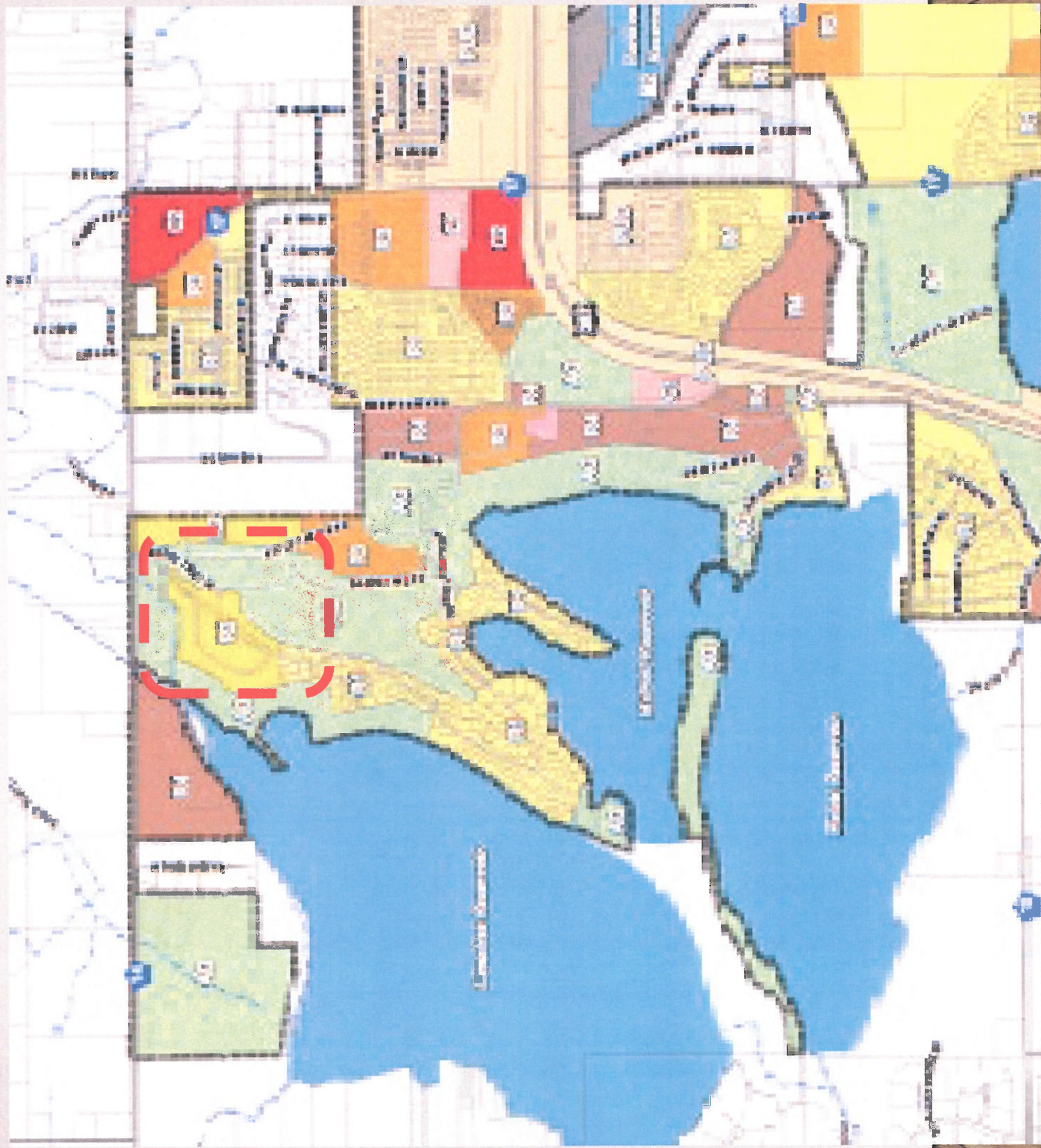
HERON LAKES ELEVENTH FILING
TOWN OF BERTHOUD
STATE OF COLORADO

NORTHERN
ENGINEERING**EN**

PROJECT: 103-076	CLIENT: Bradford Group	DIAGRAM BY: L. Smith
DATE: 1/23/19	SCALE: 1"=50'	REVIEWED BY: R. Tassidy

NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you discover the defect. In no event may any action based upon any defect in this survey be commenced more than ten years after the date of the certificate above.

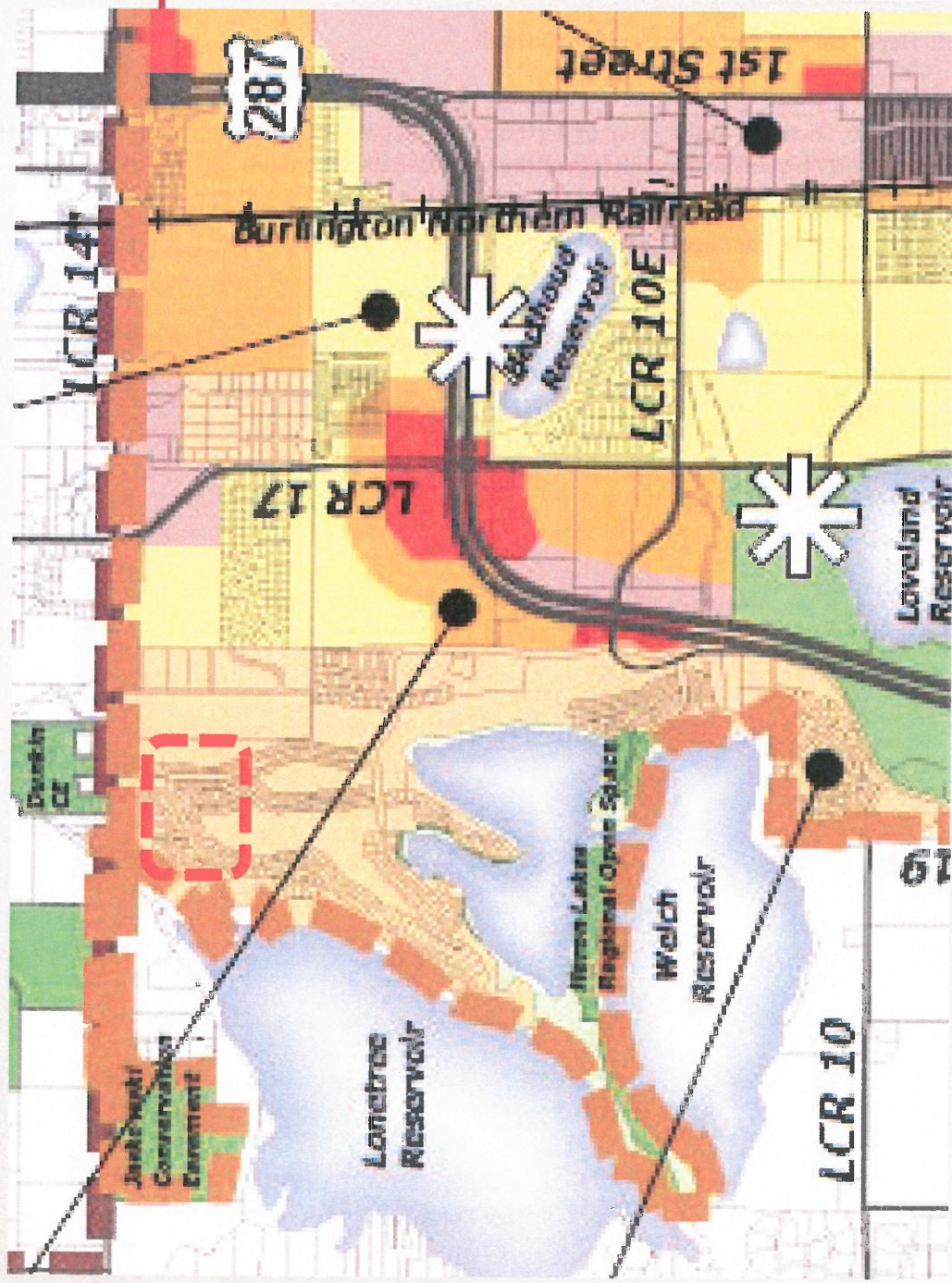
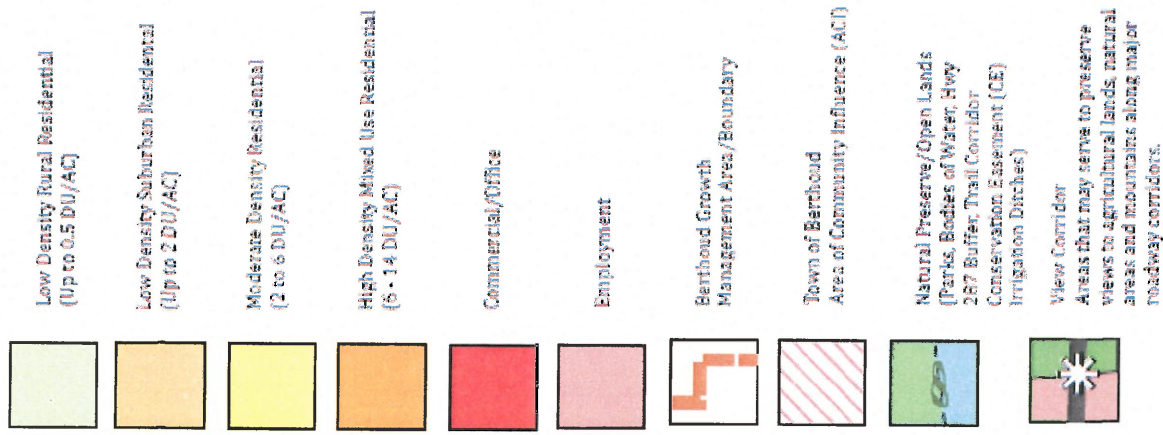
ZONING

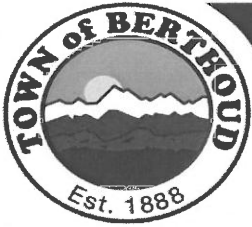


PREFERRED LAND USE

LEGEND

Land Use Designation





Town of Berthoud
807 Mountain Ave.
P.O. Box 1229
Berthoud, CO 80513
970.532.2643

NEIGHBORHOOD COMMENT REPORT

Date: 06/7/19

Project: Heron Lakes 10th/11th

Applicant: Heron Lakes Investments, LLC/Jim Birdsall

As per Chapter 30, Section 6 of the Town of Berthoud Development Code, a neighborhood notice letter was sent to property owners within 500 feet of the proposed development.

The applicant is responsible for addressing all public comment received and must provide the Town with a copy of how the public comments have been addressed.

Please find a response attached with the packet.

From: [Ann Baker](#)
To: [Curt Freese](#); [Jill Wilson](#)
Subject: Public comment about Heron Lakes 10th and 11th plat
Date: Tuesday, April 16, 2019 2:13:43 PM

Hi Mr. Freese and Ms. Wilson,

Thank you for mailing us a neighborhood notice about Heron Lakes 10th Filing Final Plat and Heron Lakes 11th Filing Final Plat. I appreciate your work in keeping neighbors updated on that property.

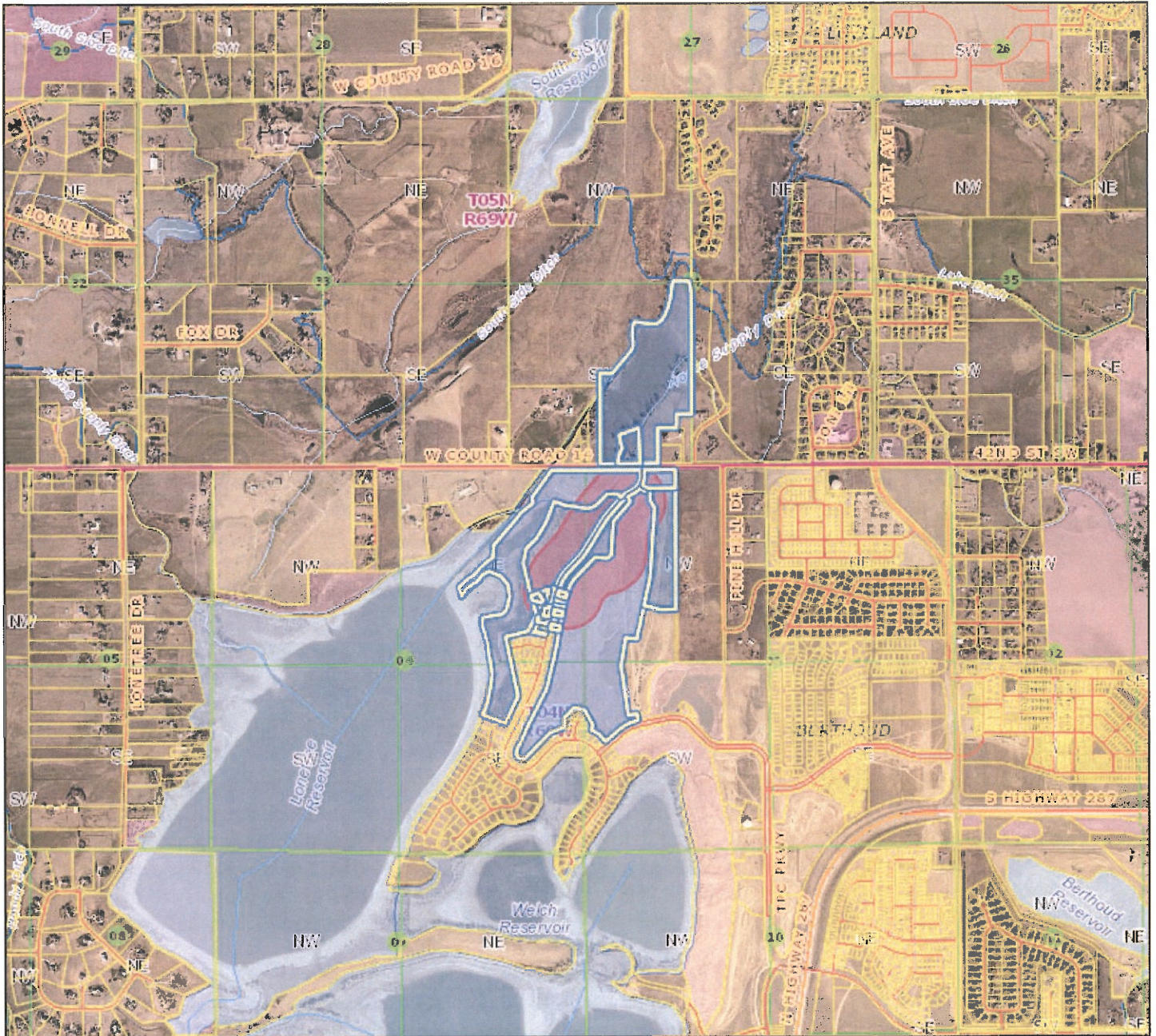
West County Road 14 has a very narrow shoulder, and cars often speed by much faster than the speed limit. Because of that, we have concerns about the development's impact on West County Road 14, primarily:

- **Sidewalk:** When will a sidewalk be built along West County Road 14, connecting Heron Lakes on the west to the Heron Pointe neighborhood on the east? Doing so would improve trail connectivity throughout Berthoud and make it safer for pedestrians to travel along that busy road. It also would allow schoolchildren in Heron Lakes to walk or ride their bikes to Carrie Marin Elementary, a mere quarter-mile away. Several town codes address trail connectivity, including *Berthoud Municipal Code 30-2-107 Sidewalks, Walkways, Trails and Bikeways*; *Berthoud Municipal Code 30-2-109 Parks, Trails and Open Space*; and *Berthoud Municipal Code 30-2-117 Commercial and Industrial Standards*.
- **Road width:** Will West County Road 14 be widened? Will a turn lane be built where the road intersects Heron Lakes Parkway? Will the speed limit on West County Road 14 be reduced in that area?
- **Landscape:** When will the developer complete the landscape plan for the golf course's maintenance buildings? Along those lines, what is the landscape plan for West County Road 14?
- **Drainage:** The property to the east of the golf course's maintenance building has a historic low spot that borders West County Road 14. Before the maintenance buildings were built, this low spot filled with water on occasion — after a severe rainstorm or for a few weeks after a wet spring. Now that the maintenance building is up and operating, the low spot is full of water all spring and summer, creating a mosquito nightmare for those of us along West County Road 14. I'm worried the drainage from these two proposals will make the standing water on the property to the east even worse. Is there an effective drainage plan in place for these two proposals?

From what I can see, these two proposals are at northern-most edge of the entire Heron Lakes development. I'm assuming this will be the last time the town can address some of these issues along West County Road 14. As traffic continues to increase on West County Road 14 with construction equipment, golf course employees and homeowners, we'd like to see the developer make improvements to the road, drainage, landscape and sidewalk as soon as possible.

Thank you for your time,
Ann Baker

Larimer County Web Map



Legend

- Tax Parcels
- PLSS Township and Range
- PLSS Sections
- PLSS Quarter Sections
- Railroads
- Rivers and Streams
- County Boundary
- Rocky Mountain National Park
- Incorporated Areas
- City or Town

Notes

0.3 0 0.3 Miles

Scale
1: 23,788



Date Prepared: 3/7/2019 9:36:14 AM

This map was created by Larimer County GIS using data from multiple sources for informal purposes only. This map may not reflect recent updates prior to the date of printing. Larimer County makes no warranty or guarantee concerning the completeness, accuracy, or reliability of the content represented.



STAFF REPORT REZONING: BERTHOUD 160 (FORMERLY OVERLOOK AT DRY CREEK)

DATE: June 13, 2019

GENERAL INFORMATION			
Applicant:	Berthoud 160 LLC, Jim Righeimer /TB Group agent	Size: 120.4 acres	
Site Location:	This property is located East of Berthoud Parkway, South of Rose Farm Acres and Hillsdale, and located on the Eastern side of Berthoud Parkway		
Applicant's Request:	The Applicant is requesting to rezone: PUD to R-1: 74.53 acres PUD to R-2: 45.87 acres		
Current Zoning:	PUD: with single family “mixed use residential” uses approved for up to 431 dwelling units		
ZONING DISTRICT INFORMATION			
	R-1	R-2	Overlook PUD
Max Density	8 units per acre	16 units Per acre	3.7 dwelling units per Acre
Min. Lot Size	3,500 sq. ft.	2,000	Unknown/Never Approved
Min. Lot Width	35’	20’	“ ”
Front Setback	20’ front loaded’; 15’ rear loaded	20’ front loaded; 10’ rear loaded/corner side	“ ”
Side Setback		5’ side’ 10’ corner side	“ ”
Rear Setback	20’ Front loaded 5-8’ with rear loaded	10’ front loaded; 5’-8’ rear loaded	“ ”
Building Height:	40’ prin; 30’ acc	40’ 30’ acc.	“ ”
	20’		
SURROUNDING ZONING, LAND USE AND REQUIRED BUFFERS			
Adjacent Zoning	Adjacent Land Uses	Setbacks for Adjacent Zoning /Buffer required if rezoned	
North: Rose Farm/Hicks Farm	Dry Creek, Single Family, Hillsdale	N/A	
South: County, FA-1	Estate Lots/Agricultural	N/A	
East: County FA-1	Agricultural	N/A	
West: Harvest Ridge R-1/FA-1	Undeveloped estate lots, Agricultural	N/A	

PROPOSAL

The Applicant is requesting to rezone the Overlook at Dry Creek PUD to straight zoning; specifically, 74.53 acres to R-1 (Single Family) and 45.87 acres to R-2 (Limited Multi-family). The Applicant has submitted a non-binding concept plan to provide additional detail of their future vision for the property, with a density of 487 dwelling units (a density of ~4 units per acre).

The Concept plan depicts four different housing types to satisfy the lot diversity requirements of Section 30-2-116 D: front loaded single family attached, rear loaded small cottages, townhouses and paired homes/duplexes. Section 30-2-116 D requires four different uses or lot types for any overall project of this size and allows one type to be up to 80% of the entire project. The Concept Plan depicts trail connections up through Hillsdale (an easement will be required as the property does not directly border Hillsdale) and along Berthoud Parkway, a central park, and three access points off of Berthoud Parkway, and one off LCR 4E.

A preliminary Traffic Study, Open Space Plan and Utility Plan have been submitted to comply with many of the requests and proposed changes made over a series of Town Board led development workshops in April and June. Staff has heard from both Board and PC members that not enough information is being provided in relation to a rezoning request, for a Board/PC member to make a reasonable decision. To that end, Staff is proposing to create a new Neighborhood Master Plan process, which would be required with every rezoning. This Master Plan would require the aforementioned traffic study, open space and utility plan, unlike the previous Concept Plan process. To this end, Staff asked the Applicant if they would be willing to withdraw their May 9th rezoning request to incorporate some of these changes, and the Applicant agreed. Once the majority of these matters were resolved, the Applicant requested to move forward by providing some of these additional materials. The Town has no ability to require the new process or approval (since this application was submitted well before these workshops), but the issues raised (traffic, layout, engineering, lot diversity etc) are all appropriate questions or concerns related to any rezoning request. Staff has made a number of recommendations based on the amended Concept Plan recently provided, but without the new Neighborhood Master Plan process being codified, it will remain a recommendation with the intent that any future platting should clearly follow these recommendations to obtain platting approval.

The proposed changes discussed with the Town Board, will be brought to the PC for a June 27th workshop.

Preliminary Traffic Impact Study

The preliminary TIS report was completed with three access points along Berthoud Parkway and one along 4E. At the proposed density, 4,634 trips will be generated each day, with 70% of the trips going North or South on Hwy 287. Possible improvements such as turn lanes, etc. might be required as mentioned on page 17 of the study but will not be studied until a final traffic study is complete during the preliminary plat stage of approval. Staff does have a variety of concerns raised by this traffic study especially in regards to 4E and the access points along Berthoud Parkway, which have been discussed with the Town Traffic Engineer John Seyer. Staff has placed these concerns in recommendation form on the final page going forward, as recommendations of approval for future platting.

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.

Preliminary Open Space

The open space plan has also been provided depicting the location and size of detention area, open space, and parks. Approximately 20% of the project would be within park or open space: 11.3 acres or 7.9% of the subdivision would be dedicated to parks, and 17 acres or 12% would be dedicated to open space. Staff has some concern regarding the sections of open space between the lots. In other developments, these areas have been seeded with natural grasses, or are being used for drainage, and have quite a bit of slope, making their maintenance difficult (with overgrown grasses, weeds, and stagnant water). Staff has concern as to their grades, and would recommend adding trails, grass or other amenities so these areas do not become maintenance issues in the future.

Lot Diversity:

The new lot diversity standards require four different housing types. There are positives and negatives to establishing the higher density uses along 4E, but Staff acknowledges the concern of placing all such uses next to rural style development. In the future, as many of the larger cities and towns have developed, it is likely development will reach these areas and they will lose their rural character; therefore, allowing density at this time would in some ways decrease sprawl.

However, there are also numerous examples of developments which successfully incorporate or layer the development with higher density uses on the interior or mixed throughout. Vantage, Heritage Ridge, PrairieStar all have higher density uses on the interior or layered in throughout the development. Staff would recommend that these R-2 uses be better layered throughout the development, and not solely located in the Southwest corner of Berthoud Parkway and 4E

BACKGROUND

The current Overlook PUD was approved in 2007 with undefined mixed-use residential uses and an overall max density of 431 dwelling units, or 3.7 dwelling units per acre. The approved ODP stated that multi-family uses were to be limited to 8 dwelling units per acre but offered no other development standards other than arrows indicating future trail, street, and water and sewer connections. A PDP (or Preliminary Development Plan), was submitted in 2008, and included a waiver for the North South collector street to connect with Rose Farm (this was abandoned as it would have gone over wetland areas and the Dry Creek).

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.

- ✓ Should a density of 5 units per acre as depicted on the Concept Plan be approved in the Platting stages, the zoning would satisfy the Comp 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.

- ✓ 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
 - ✓ The rezoning will allow for a more efficient development process, without requiring multiple amendments to an antiquated PUD that was never developed.
 - ✓ The rezoning conforms to the Preferred Land Use Plan, and the existing uses and density of the proposed zoning districts.
 - x. There are community concerns regarding establishing the higher density uses at the LCR 4E location. Planning principles both encourage higher density uses along higher order roads, as well as encourage the mixing of different uses within the development.
- 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
 - ✓ No development similar to the current PUD has been realized.
 - ✓ Rezoning to a standard district should serve to encourage the development of the property with an easier and more efficient development process.
 - x. There are no other adjoining multi-family uses in the 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.

Staff finds that this proposal satisfies the rezoning criteria of factor #2, 4, and 5.

PUBLIC NOTICE AND COMMENT

Notice of the Town Board 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. In addition, the application was sent out to all property owners within 500', with an invitation to comment on the request within three weeks of receipt. Staff did receive two in person visits in opposition to this request, and comments are found within the packet.

FINDINGS AND RECOMMENDATIONS

Move to recommend the Berthoud 160 zoning map amendment with the following zoning changes: 74.53 acres to R-1 (Single Family) and 45.87 acres to R-2 (Limited Multi-family), finding that the proposed rezoning:

- 1. Satisfies the applicable zoning amendment criteria of Section 30-3-110.B of the Town's Development Code as found on pages 4-5 of this Staff Report; and**
- 2. Is consistent with the Town of Berthoud's Comprehensive Plan and Preferred Land Use Map.**

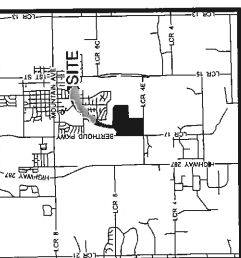
And also making the following recommendations to the proposed Concept plan as it goes to platting:

- 3. That the Applicant make every effort to obtain a trail easement for a connection to Hillsdale Park.**
- 4. Staff strongly recommends that the R-2 uses (townhouses, cottages, paired homes, rear loaded houses) be layered throughout the development, and not solely located in the Southwest corner of Berthoud Parkway and 4E as proposed on the Concept Plan. However, there is more than enough area within the proposed R-2 district to accomplish this.**
- 5. Strongly consider adding open space or transferring park area to the North, to take advantage of its excellent view corridors and topography.**
- 6. Strongly recommend that all lots fronting the central park are rear loaded to provide for a much more functional and pleasing amenity. In addition, the change of design would also provide another lot type to satisfy the lot diversity standards which are required.**
- 7. Strongly recommend the removal of the single family lots with rear yards that back into the central park area that is to be enjoyed by all residents.**
- 8. Berthoud Parkway Site Accesses**
 - a. The Site Plan in Figure 2 shows a building in the way of Access #5; reconcile whether there should be an access here or not**
 - b. Town standards call for a minimum access spacing along Berthoud Parkway of 330'; confirm if this can be met with three site accesses, and whether three access points are warranted.**
- 9. US 287 & LCR 4E**
 - a. The Town is concerned about safety at this intersection, particularly with respect to WB left turns being able to see SB thru traffic**
 - i. Research recent crash history at this intersection to see if there is an existing crash pattern**
 - ii. Evaluate the sight distance for this movement**
 - b. CDOT must be included in the review stage of the final traffic study**

REZONING MAP

ZONING AMENDMENT MAP

A PORTION OF LOT 2, HICKS MRD S9-89, SITUATE IN THE SOUTHWEST QUARTER OF SECTION 23 AND THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE 6TH P.M., TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO



VICINITY MAP
1" = 5000'

LEGEND

RESERVED RIGHT OF WAY
EXTENDING RIGHT-OF-WAY
BOUNDARY LINE
LOT LINE
SECTION CORNER
CALCULATED POSITION
PLASTIC CAP, L.S. MARK
ADJUSTED QUANTITY CORNER
FOUND SECTION CORNER
AS DETERMINED

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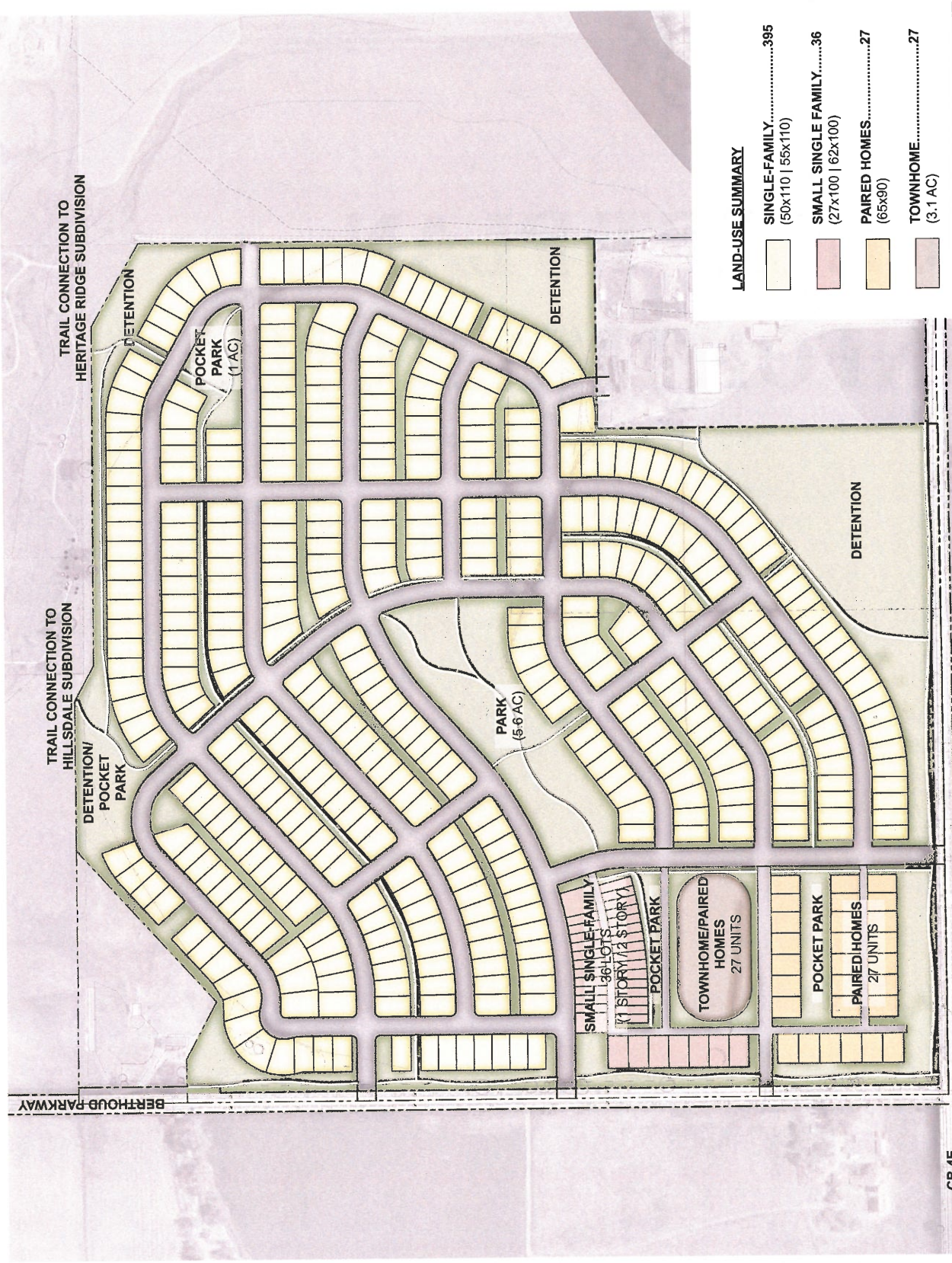
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CONCEPT PLAN (INFORMATIONAL)



LAND-USE SUMMARY

	SINGLE-FAMILY.....	395
	(50x110 55x110)	
	SMALL SINGLE FAMILY.....	36
	(27x100 62x100)	
	PAIRED HOMES.....	27
	(65x90)	
	TOWNHOME.....	27
	(3.1 AC)	
TOTAL.....		485

CR 4E

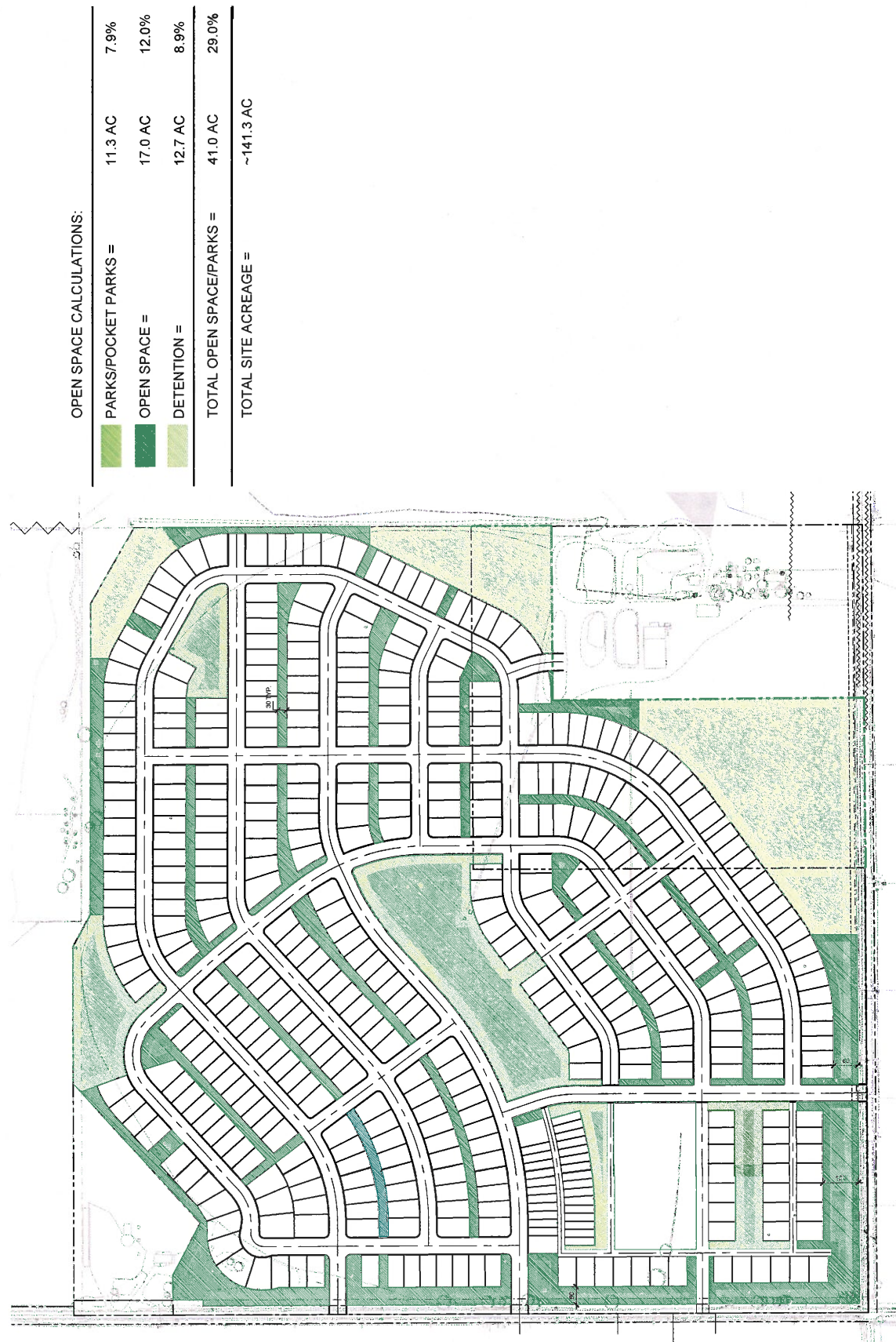
PK BERTHOUD - CONCEPT PLAN

1:100

6.4.19

PRELIMINARY UTILITY PLAN

PRELIMINARY OPEN SPACE/ PARKS



OPEN SPACE CALCULATIONS:

PARKS/POCKET PARKS =	11.3 AC	7.9%
OPEN SPACE =	17.0 AC	12.0%
DETENTION =	12.7 AC	8.9%
TOTAL OPEN SPACE/PARKS =	41.0 AC	29.0%
TOTAL SITE ACREAGE =	~141.3 AC	

**OVERLOOK
ODP
(CURRENTLY
APPROVED)**

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 THE TOWN OF BERTHOUD.



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includes or has information in the records that could constitute a harassment or sexual harassment claim, the University will not be responsible for action taken by the individual.

COLLEGE NO. 4

C
TC
T

sheet **1** of **3**

OVERALL DEVELOPMENT PLAN

PROPOSED EXTENSION OF 12" WATER
MAIN CONNECTION AT LCR 17 AND
WELCH IS APPROX. 4800 FEET NORTH

ACRES	DU/AC	DU	% OF ACRES
108.2	3.9 net	426	91.9%
9.5	1.8 net/lot net	5	8.1%
443.7	0.7	328	4.0% net

LEGEND

- OWNER AND PROFESSIONAL INFORMATION:**
- OWNER:**
SWAN VILLAIN PROPERTIES, INC.
851 DUNDON HILL DRIVE
DENVER, COLORADO 80202
- OWNER REPRESENTATIVE:**
GUYTON HORNWALL
1424 PLEASANT HILL ROAD
LONGMONT, COLORADO 80504
(303) 547-5254
- PLANNER/LANDSCAPE ARCHITECT:**
PLAN NEST INC.
SUITE 100
GREENWOOD PLAZA BLVD.
GREENWOOD VILLAGE CO 80111
303-741-1411
- ENGINEER:**
DUGAN, BARRELL & CO.
1600 10TH STREET
DENVER CO 80202 - 2620
303-733-1100



SESSIONS	
Resubmitted	1-23-06
Resubmitted	3-31-06
Resubmitted	6-19-06
Resubmitted	8-05-06
Resubmitted	3-07-07

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THE OVERLOOK at DRY CREEK

OVERALL DEVELOPMENT PLAN

Town of Berthoud, Colorado

GENERAL NOTES AND STANDARDS

1. Planning area boundaries include proposed collector and arterial street rights-of-way. Boundaries are approximate and are not legally described. Parcel boundaries shall be determined by the Final Development Plan (FDP) and the Preliminary Development Plan (PDP) and require an amendment to the Overall Development Plan (ODP).
2. Residential units may be transferred between parcels so long as the maximum number of residential units per parcel remains the same. Residential units shall not be transferred to PA-B. Final parcel densities shall be determined with the PDP.
3. Thompson School District R2-J requirements shall be met through the District's "see-hi-hi" of land" policy, per District and Town of Berthoud IGA (Intergovernmental Agreement).
4. Parkland dedication shall be consistent with the Town's parkland dedication requirements and depicted on the PDP.
5. Detention areas, pocket parks, entry monuments and fencing adjacent to open space areas shall be owned and maintained by the Homeowner's Association. Sidewalks shall be dedicated to the Town of Berthoud and maintained by the Homeowner's Association.
6. Streets
 - A. Lurline County Road (LCR) 17 is designated as an arterial street by the Town's master plan (MSP). LCR 17 is designated as a collector street in the MSP. Additionally, the Master Street Plan Update designates an east-west collector street at a mid-point of the subject property and a north-south collector (10th Street extended) to a mid-point of the property. South of the mid-point it is a local roadway. Improvements will be made to the roadway per Town standards and as determined by the traffic analysis.
 - B. Lots adjacent to arterial and collector roadways are not permitted to have driveway access to those roadways.
6. Conceptual access points are indicated on the ODP. These and other access points may be proposed and approved during the PDP/FDP process.
7. The street pattern shall be a continuation of the Town's grid pattern, as modified for local conditions (i.e. natural features and parks, etc.). Traffic calming measures, including parking on both sides of the street, landscaping, and sidewalks on collector streets, and roundabouts on collector streets may be used to comply with the Town's Best Development Practices.
8. No historic structures exist on the property.
9. Status of ditches:
 - A. The existing ditch in the center of the property will be abandoned. The existing ditch along the south property line will either be piped or allowed to continue in its present form. This is subject to change depending upon Ditch Company comment / approval.

12. Development shall be consistent with the Town's Architectural Design Standards, as amended.

Uses and Design Standards

Planning Area A - Mixed Use Residential

1. Intent:

This residential parcel offers the opportunity to develop attached / detached residential uses consistent with the goal of the Berthoud Comprehensive Plan to provide for housing with a diversity of style, density, and price.
2. Uses:

Use subject to PDP / FDP approval

 - A. Single family dwellings, (up to 5 dwelling units per acre)
 - B. Two-family dwellings, (up to 8 dwelling units per acre)
 - C. Multi-family dwellings, (up to 8 dwelling units per acre)
 - D. Schools, parks, trails and open space.
3. Uses permitted by special review:

A. Other uses as defined and permitted during Preliminary Development Plan / Final Development Plan process.
4. Additional habitable space ("mother-in-law units") above detached garages and neighborhood commercial are not permitted uses per this ODP. However, such uses, as well as other compatible uses may be considered by the Board of Trustees at the time of the PDP/FDP.
5. Setbacks, building heights, and yardlot requirements shall be determined during the PDP / FDP process.
6. The residential neighborhood will be organized around a central public park.
7. The Town's 2001 Land Use Plan identifies the area of this ODP for residential at 4-6 dwelling units per acre.

Planning Area B - Single Family Residential

1. Intent:

This residential parcel will provide larger lot single family detached residential to buffer large lots on the south side of LCR 4E.
2. Uses:

Use subject to PDP/FDP approval

 - A. Single family detached residential, attached or detached garages, up to 1 dwelling unit per gross acre;
 - B. Home occupations as defined by Town of Berthoud code; and, open space
 - C. Schools, parks, trails and open space.
3. Additional habitable space ("mother-in-law units") above detached garages is not a permitted use in this ODP. However, such use as well as the other uses associated with Single Family detached residential are permitted by the Board of Trustees at the time of the PDP/FDP.
4. Setbacks, building heights, and yardlot requirements shall be determined during the PDP / FDP process.

OWNER AND PROFESSIONAL INFORMATION

OWNER:
OWEN PROPERTIES, INC.
1000 DRY CREEK DRIVE
BERTHOUD, COLORADO 80519

OWNER REPRESENTATIVE:
OWEN PROPERTIES, INC.
1000 DRY CREEK DRIVE
BERTHOUD, COLORADO 80519

PLANNER/LANDSCAPE ARCHITECT:
PLANETREE, LLC
4300 WOODBURY BLVD., SUITE 100
BOULDER, COLORADO 80504

ENGINEER:
DANIEL MARRELL & CO.
1000 DRY CREEK DRIVE
BOULDER, COLORADO 80519

THE OVERLOOK AT DRY CREEK

BERTHOUD, COLORADO

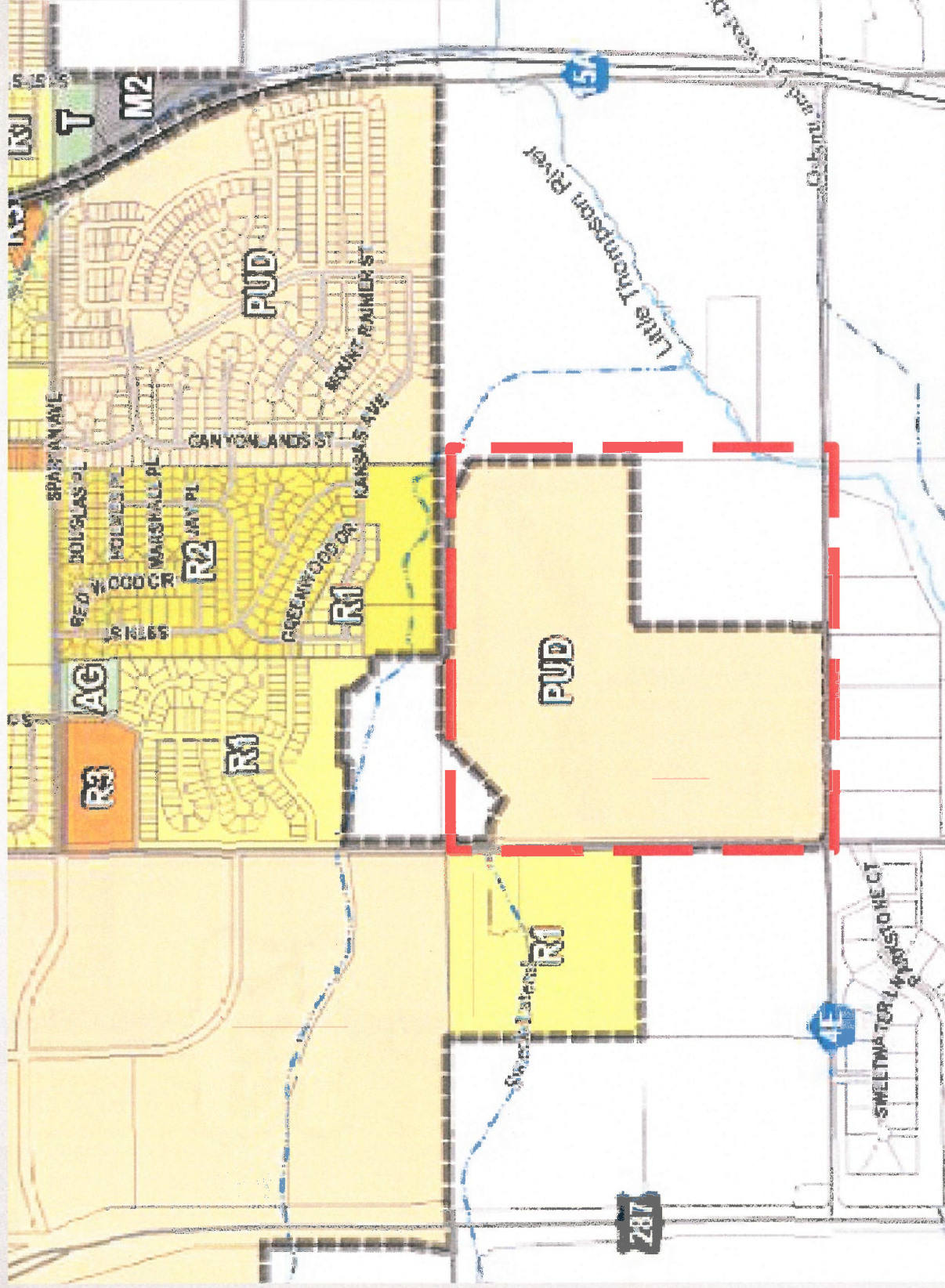
OVERALL DEVELOPMENT PLAN

REVISIONS	DATE
1. Initial	1/22/08
2. Final	3/21/08
3. Revised	5/18/08
4. Revised	11/15/08
5. Revised	3/2/07

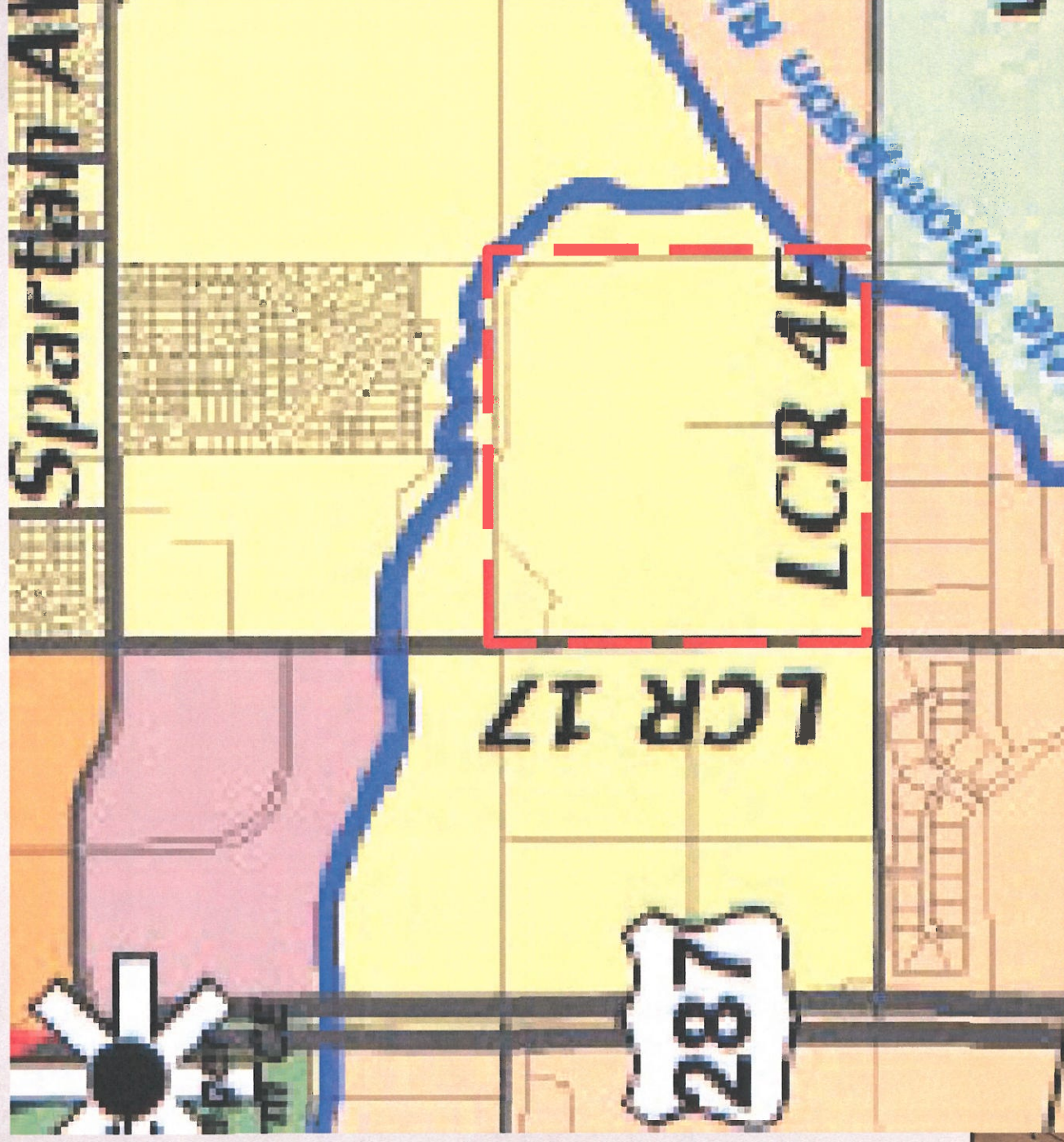
PLAN WEST INC.
6180 Overland Drive, Suite 100
Overland Park, Kansas 66111
Tel: (913) 541-4442

DATE: 03/21/08
PROJECT NO: 4405
SHEET 3 of 3

ZONING:



PREFERRED LAND USE MAP: YELLOW
MODERATE DENSITY RESIDENTIAL



PRELIMINARY Traffic Study PK Berthoud

June 5, 2019

Prepared for:
Arbor Capital Partners LLC

Rollins Consult LLC

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4 Site Design	17
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1 INTRODUCTION

This study presents some preliminary findings regarding the potential traffic impacts of the proposed PK Berthoud project in the Town of Berthoud, Colorado. Rollins Consult LLC conducted the study in support of the development application for the proposed project.

PROJECT DESCRIPTION

The PK Berthoud project (to be referred to as the Project) is located in the Town of Berthoud, west of Larimer County Road (CR) 17 (known as Berthoud Parkway north of the site) and north of CR 4E. The project site is surrounded by undeveloped land. Figure 1 illustrates the project location and study area.

The Project site is depicted on Figure 2. There are four roadways that will connect to the adjacent county roads. The internal roadways were designed as a curvilinear grid. The site plan was designed to allow for connections to future developments to the east and south. There is also a pedestrian and bicycle trail proposed that will provides connections to the north.

The Project proposes the following land uses:

- There are 431 single family homes proposed.
- 27 townhomes and 27 paired homes would be located in the southwestern part of the project.
- Access to adjacent roadways would be provided at four connections. Three access locations are proposed from CR 17. One access is provided to CR 4E.
- The internal roadway system has been designed to accommodate the project traffic in a desirable grid. The proposed trail system will further accommodate movements of bicycles and pedestrians both within the project and connecting to other planned trails.

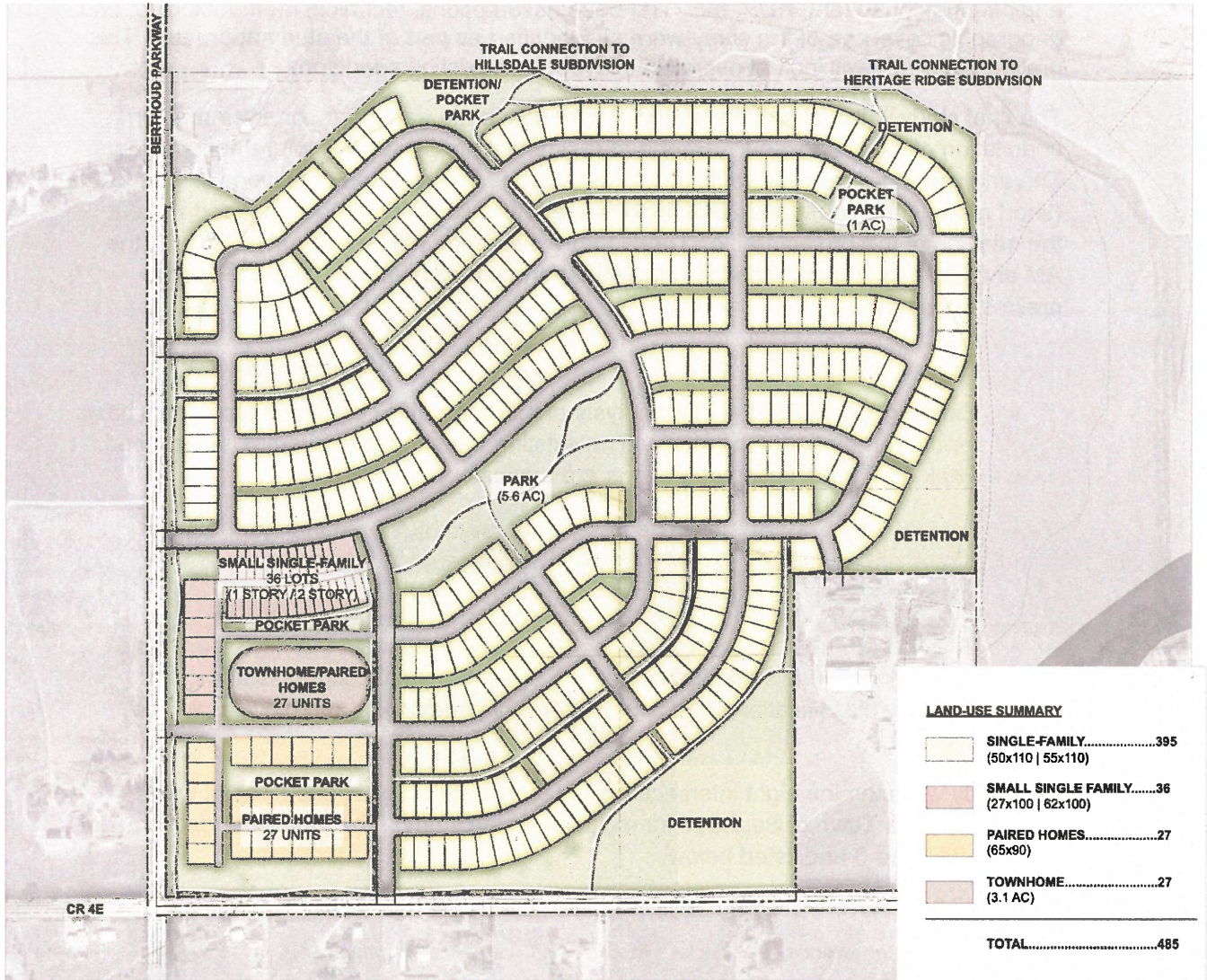
PK BERTHOUD | PRELIMINARY TRAFFIC STUDY
Town of Berthoud

Figure 1 – Project Location



PK BERTHOUD | PRELIMINARY TRAFFIC STUDY
Town of Berthoud

Figure 2 – Site Plan



PK BERTHOUD - CONCEPT PLAN

1:100

6.4.19

GROUP
INDEPENDENT GROUP
4000 North Ave. | Ste. 100 | Berthoud, CO 80513
Berthoud, CO 80513 | 970.332.1111

STUDY SCOPE

The scope of work for this study was developed in conjunction with Berthoud's engineering consultant, HDR, Inc. The base assumptions, technical methodologies, and geographic coverage of the study were all identified as part of the study approach. This preliminary study will look at overall site layout and existing conditions

The final study will evaluate the potential changes to the transportation system after completion of the proposed PK Berthoud residential project for two future horizon years. The analysis of future year traffic forecasts is based on projected conditions in year 2021 (short range conditions) and 2040 (long range future conditions) both with and without the addition of the project traffic. These future scenarios will be evaluated for both the AM and PM peak hours. The following transportation elements are provided in the preliminary study:

- **Existing Conditions** – The analysis of existing traffic conditions provides a basis for the remainder of the study. The existing transportation system is described. Peak hour intersection operations are evaluated.
- **Project Travel Demand** – The traffic generated by the Project, for both the First Phase and Full Buildout, will be estimated, distributed and assigned to the transportation network.
- **Site Design** – The design of the site plan will be evaluated to determine if the roadway network is adequate, location of access points, sight distance, and roadway classifications. Accommodation of pedestrians and bicycles will be discussed.

The study will examine eight intersections adjacent to the project site. These were identified by the Town of Berthoud for inclusion in the study. The study intersections are shown on Figure 3 and listed below.

- | | |
|---------------------------|---------------------------------------|
| 1. US 287 & CR 4E | 5. CR 17 & Southern Access (proposed) |
| 2. CR 17 & Spartan Avenue | 6. CR 17 & Central Access (proposed) |
| 3. CR 17 & CR 4E | 7. CR 17 & Northern Access (proposed) |
| 4. CR 15 & CR 15A | 8. Western Access (proposed) & CR 4E |

Figure 3 – Study Intersections



2 EXISTING CONDITIONS

The transportation system has numerous elements that are described in this chapter. The roadway network identified for this study is described and traffic volume information presented for the study intersections.

ADJACENT LANDUSE

The Project site is located east of CR 17 and north of CR 4E. The site is currently undeveloped land and is located to the south of downtown Berthoud. North of the site is both undeveloped land and residential uses. The proposed Rose Farm residential development will be located north of the site. East and south of the site is undeveloped land. West of the site is both undeveloped land and the proposed Arbor Ridge residential development. The planned development projects will be included in the final study for both the 2021 and 2040 study years.

TRANSPORTATION NETWORK

The primary roadways that serve the Project site are described below. Roadway designations were provided in the Town of Berthoud *Comprehensive Plan, Map 2 of 3, Transportation Plan*, May 2014.

Roadway Network

US 287 is a north-south state highway that connects cities within northern Colorado from Fort Collins south to Longmont. US 287 is a four-lane highway with paved shoulder and room for a center left-turn lane. The speed limit in the study area is 65 mph.

CR 17 is a north-south two-lane roadway. This major collector is currently posted with a 40 mph speed limit. There are no auxiliary lanes on CR 17 within the study area.

CR 15 is a major collector located east of the Project site. This two-lane facility runs parallel to the Burlington Northern Railroad. North of the study area, CR 15 becomes 1st Street.

Spartan Avenue is a two-lane east-west roadway north of the project site. It provides access to adjacent residential uses and the Berthoud High School. Spartan is classified as a minor collector east of CR 17. The Town has identified Spartan to extend to the west and connect to US 287 at a future signalized intersection. The speed limit is 30 mph.

CR 4E is a two-lane east-west county road that borders the southern edge of the Project site. It is identified as a minor collector.

EXISTING TRAFFIC CONDITIONS

Existing intersection operations were evaluated for both the morning and evening peak hours. Intersection count data was collected on Tuesday, November 27, 2018. Appendix A includes intersection turning movement count data. The resulting peak hour turning movement volumes are provided on Figure 4. The current lane configurations of the study intersections are shown on Figure 5.

Intersection Level of Service Analysis Methodologies

Transportation professionals evaluate intersections to determine how they are currently operating and will operate in the future. The methods employed can be found in the Transportation Research Board's, 6th Edition, 2016 *Highway Capacity Manual* (HCM). Level of service (LOS) is based on a "graded" system from LOS A, very little to no delays to LOS F which represents excessive delays and congestion.

Table 1 provides the thresholds for acceptable level of service. This standard is from the Larimer County, *Urban Area Street Standards*, most recently updated September 19, 2016. The City of Loveland standards were utilized for this analysis.

**Table 1 - Loveland (GMA and City Limits)
Motor Vehicle LOS Standards (Intersections)**

Intersection Component	Major Intersection ¹	Minor Intersection ²	Driveway
Overall (City Limits)	LOS C	LOS C	No Limit
Overall (GMAs)	LOS D	LOS D	No Limit
Any Leg	LOS D	LOS E	No Limit
Any Movement	LOS E	LOS F	No Limit
¹ Includes all signalized and unsignalized arterial/arterial and arterial/ major collector intersections. ² Includes all unsignalized intersections (except major intersections) and high volume driveways ³ There are no LOS standards for I-25 Interchanges. ⁴ On State Highways, overall LOS D is acceptable.			

Unsignalized Intersection

Peak hour levels of motor vehicle delay at unsignalized intersections were estimated using the method from Chapter 17 of the 2016 *Highway Capacity Manual*. The delays for the entire intersection and for the movement or approach with the highest delay are reported. Table 2 summarizes the relationship between average control delay per vehicle and LOS for unsignalized intersections.

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Figure 4 – Existing Peak Hour Traffic Volumes

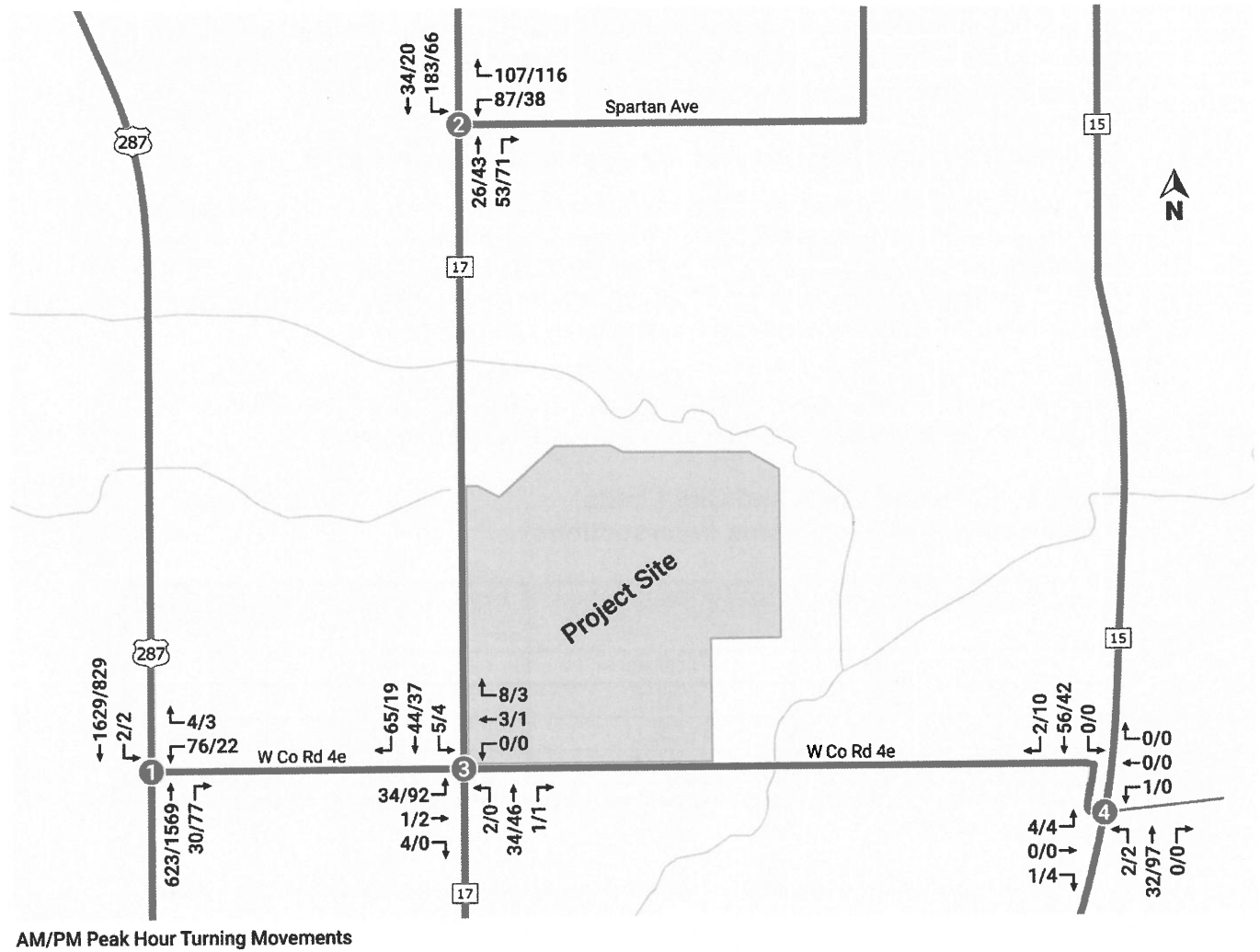


Figure 5 – Existing Lane Configurations



Table 2 Unsignalized Intersection Level of Service Definitions

Level of Service	Average Control Delay Per Vehicle (Seconds)	Description
A	≤ 10.0	No delay for stop-controlled approaches.
B	10.0 and ≤ 15.0	Operations with minor delay.
C	> 15.0 and ≤ 25.0	Operations with moderate delays.
D	> 25.0 and ≤ 35.0	Operations with increasingly unacceptable delays.
E	> 35.0 and ≤ 50.0	Operations with high delays, and long queues.
F	> 50.0	Operations with extreme congestion, and with very high delays and long queues unacceptable to most drivers.

Source: Transportation Research Board, Highway Capacity Manual, 2016.

Existing Intersection Conditions

Using the HCM methodology, the weekday AM and PM peak hour intersection operations were determined. The results are provided in Table 3. As indicated in the table, each of the existing intersections are currently operating at acceptable levels of service. The westbound approach on CR 4E at US 287 is projected to operate with high delays. This is typical for minor roadways that intersect state highways at a stop-controlled intersection. The detailed analysis worksheets are provided in Appendix B.

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Table 3 Existing Weekday Peak-Hour Intersection Level of Service

#	Intersection	Overall Movement	AM Peak		PM Peak	
			Delay	LOS	Delay	LOS
1	US 287 & CR 4E T Stop Control	Overall	4	A	1.6	A
		WB	117	F	162	F
		SB LT	9.1	A	15.6	C
2	CR 17 & Spartan Ave T Stop Control	Overall	8	A	5.8	A
		WB	13	B	10	B
		SB LT	7.7	A	7.6	A
3	CR 17 & CR 4E Two Way Stop Control	Overall	2.6	A	4.8	A
		NB LT	7.5	A	0	A
		EB	9.6	A	9.8	A
		WB	8.9	A	8.8	A
		SB LT	7.3	A	7.3	A
4	CR 15 & CR 15A Two Way Stop Control	Overall	0.7	A	0.5	A
		NB LT	7.3	A	7.3	A
		EB	9	A	0	A
		WB	9.1	A	9.1	A

Notes:

1. LOS calculations performed using Synchro which is based on the Transportation Research Board HCM 2016.
2. Average vehicle delay (in seconds per vehicle) is reported for both overall intersection and each constrained STOP-controlled movement or approach.
3. Delays greater than 50 seconds are rounded to nearest second.

3 PROJECT TRAVEL DEMAND

This chapter provides an overview of the project and a description of the travel demand methodology to estimate vehicle trip generation, distribution, and assignment of project-generated traffic along area roadways and intersections.

PROJECT CHARACTERISTICS

The proposed PK Berthoud project is a residential project located east of CR 17 and north of CR 4E. The project site plan was depicted on Figures 2. As shown on the figure, vehicular access to the project will be from: CR 17 (three locations), and CR 4E. The project will be developed with 431 single family and 54 multi-family dwellings. The transportation characteristics of the site includes a grid roadway layout, a pedestrian/bicycle trail that allows for future connections to the north.

PROJECT TRIP GENERATION

The trip generation characteristics of the project were estimated using data from the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 10th Edition. Table 4 provides the trip generation estimated for the project. As indicated in the table, the full buildout of the project is estimated to generate approximately 4,435 daily trips, 345 morning and 460 evening peak hour trips.

PROJECT TRIP DISTRIBUTION | ASSIGNMENT

The distribution of the project traffic onto the roadway system was based on: the existing peak hour traffic counts, the roadway network, the adjacent land use, the location of the project within northern Colorado and the Town of Berthoud, traffic forecasts from the North Front Range Metropolitan Planning Organization (NFRMPO) and input from the City's traffic engineering consultant. The project trip distribution is depicted on Figure 6. The project traffic will be assigned to the roadway system based on this distribution.

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Table 4- Estimated Trip Generation

ITE Land Use Code & Rates		Project	Project Trip Generation				
Land Use	Land Use Code	Dwelling Units	Daily	AM		PM	
				IN	Out	IN	Out
Single-Family Detached	210	431	4,069	80	239	269	158
Multi-Family Low Rise	220	54	367	6	20	22	13
TOTAL BUILDOUT			4,436	86	260	290	171

Based on ITE Trip Generation 10th Edition

Figure 6 – Trip Distribution



4 SITE DESIGN

The site design was reviewed to determine if the internal roadway system is adequate to accommodate the proposed Project traffic. As mentioned earlier, the roadway network is a curvilinear grid which allows for a connected system of facilities to serve all modes of transportation.

The potential use of the internal roadway network was evaluated to assist in determining the roadway classifications. The results indicate that the internal roadways can be designed to a local street standard with the following two exceptions:

- The central roadway is estimated to accommodate 1,700 daily trips between CR 17 and the park.
- The north/south roadway that connects from the project to CR 4E will carry approximately 2,000 daily trips.

The roadway standards set forth in the Larimer County Urban Area Street Standards (LCUASS) for the City of Loveland recommend a Connector Local Street for roadways with projected traffic between 1,000 and 2,500 vehicles per day. The two roadway segments mentioned above fall within this threshold.

Two elements of the sight design to be determined are: the need for auxiliary turn lanes to/from CR 17 and CR 4E, and sight distance. The auxiliary turn lane requirements will be determined when the total traffic projections (with build-out of the Project) have been forecasted in the Final Traffic Study. The locations of the Project access roadways where they connect to CR 17 and CR 4E will be evaluated to determine if there is adequate stopping sight distance. This will be performed by the Northern Engineering and documented in the Final Traffic Study.

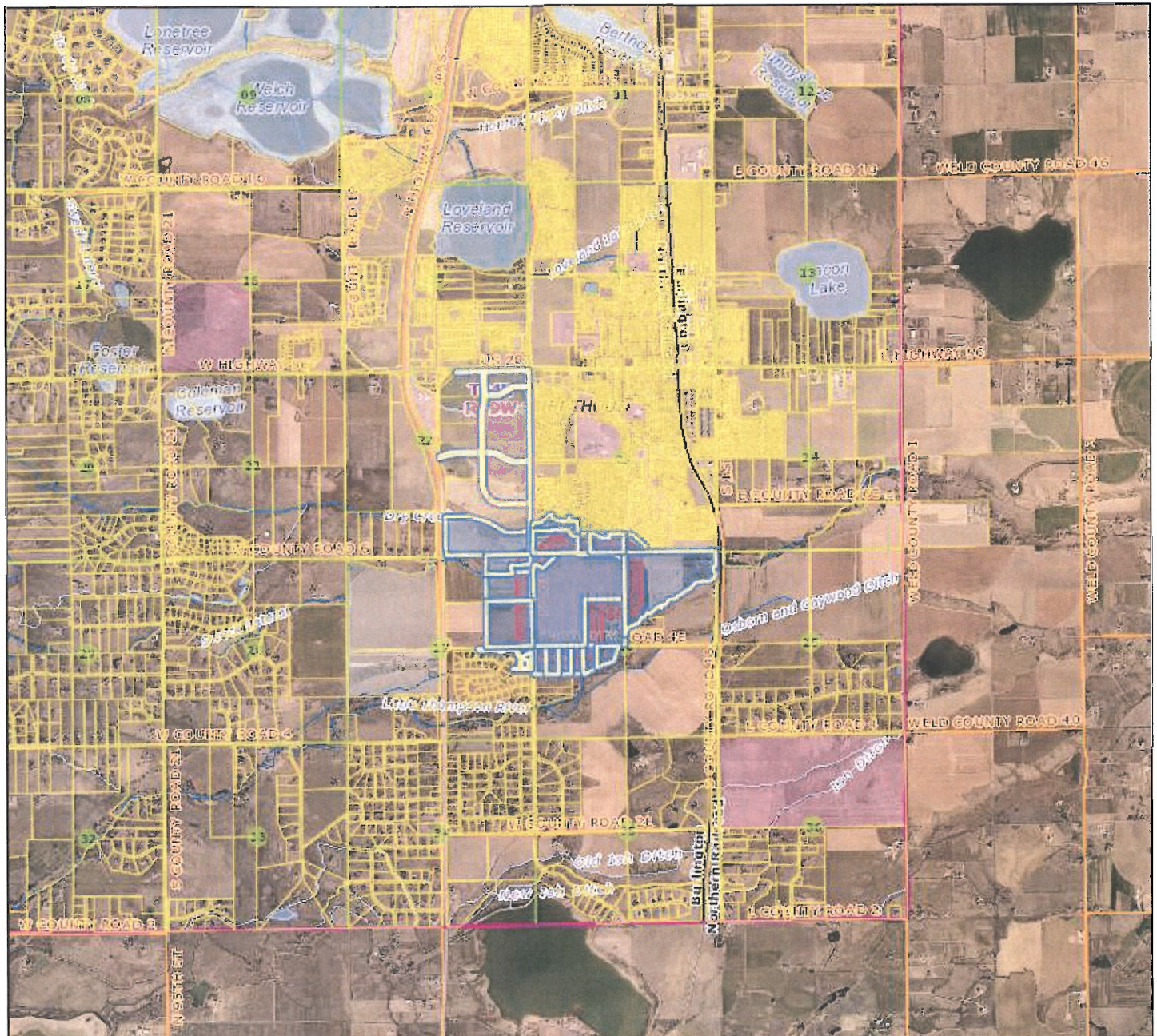
5 INITIAL FINDINGS

This study was undertaken to provide an initial framework for the potential traffic impacts of the proposed PK Berthoud project in the Town of Berthoud. The following summarizes the results of this analysis:

- The full buildout proposed Project consists of 431 single family homes and 54 multi-family dwelling units.
- The Project site is located north of CR 4E and east of CR 17 on land that is undeveloped.
- The Project is expected to generate approximately 4,435 daily trips, 345 trips during the AM peak hour and 460 trips during the PM peak hour.
- Currently the study intersections are operating at acceptable levels overall. At the intersection of US 285 and CR 4E, the westbound movement currently experiences high delays. This is typical for a roadway that intersects a state highway with stop control.
- It is anticipated that the internal roadways can be designed as Local Streets with two exceptions. The central east/west roadway from CR 17 to the proposed park and the north/south roadway from CR 4E should be designed as Connector Local Streets.
- The site layout should be evaluated to determine if auxiliary turn lanes to/from the Project are required. The sight distance at each roadway that intersects CR 17 and CR 4E will be evaluated to ensure that adequate stopping sight distance is provided.
- The Final traffic study will address future traffic conditions for both the short and long range future conditions. This will take into account overall growth in traffic and traffic from nearby proposed development projects.

NOTICING MAP

Larimer County Web Map



Legend

- | | |
|-------------------------|------------------------------|
| Tax Parcels | County Boundary |
| PLSS Township and Range | Rocky Mountain National Park |
| PLSS Sections | Incorporated Areas |
| Railroads | City or Town |
| Major Road System | County |

Notes

0.6 0 0.6 Miles

Date Prepared: 3/14/2019 11:58:57 AM

Scale
1: 47,576



This map was created by Larimer County GIS using data from multiple sources for informal purposes only. This map may not reflect recent updates prior to the date of printing. Larimer County makes no warranty or guarantee concerning the completeness, accuracy, or reliability of the content represented.

PUBLIC COMMENT

March 27 2019

Community Development Department
POB 1229
Berthoud CO 80513

RE: Berthoud 160 Rezone

Who would of thought that 27 years ago, when we moved from Longmont to Berthoud to live in the country, that we are now going to be looking at multiple rooftops across the road. We knew this was going to happen sooner or later when Paul Hicks sold his farm to developers some years ago. It's hard to believe that we won't get to watch planting and harvesting of the crops, see cattle grazing from the fall until spring, and watch the wildlife (geese, wild turkeys, bald eagle), etc.

The rooftops and people will now multiply because of the new proposed R2 multifamily zoning. It will also increase traffic on Rd 17 and Rd 4E tremendously. Rd 4E between Rd 17 and Rd 15A is a route that is favored by joggers, walkers, and bicycle riders. It's also used in the Fall by the Berthoud High School cross country team. Rd 4E is a historical road as it's one of Little Thompson Valley's early thoroughfare that provided a way to get to the mountains. When it was created, traces of the Arapahoe Indian were found in the form of grinding stones, scrapers and arrowheads left behind at their camps. Also on the NW corner of Rd 17 and Rd 4E is a farm that was homesteaded and now has the status of a 100 year farm. All this history will be destroyed with blacktop and rooftops.

I ask you, why does the southern portion of the development need to be changed to R2 zoning? I think we know some of the reasons. If you have to do it, locate it in the middle of the development. And to keep up the landscape of the mini farms on the south side of Rd 4E, why not leave the R1 zoning and develop into half or one acre lots? This would blend nicely into Larimer county and also keep Berthoud's image as a farming community, which is important to many community members. You won't have the harsh reality of town on one side of the road and rural on the other.

Jerry and Debra Wilson
1220 SCR 17
Berthoud CO

June 6, 2019

RE: Public comment on Berthoud 160 development project

Hello,

I would like to express my concern over the proximity of the Berthoud 160 development to Hillsdale Park and nature area which lies north of the development area.

Hillsdale Park is a unique spot for the people of Berthoud. It is a place where folks can find respite from the urban sprawl and disruption that is happening throughout Berthoud. Due to its proximity to the Dry Creek basin, Hillsdale Park is a corridor for a wide variety of wildlife, including eagles, fox, owls, cranes, hawks, ducks, and many other bird species. The rolling pasture land and large trees that border the south side of the park are integral not only to that wildlife habitat, but also to the beauty and feeling of tranquility that the Park offers its visitors. Yet that is the space that could most adversely affect Hillsdale Park, both aesthetically and materially, if not sensibly managed. It is my hope that town officials and the developers will work together to provide a solution which would create a substantial buffer zone of undisturbed land between new construction and the existing park. As our town grows it is wonderful to see more and more folks enjoying Hillsdale Park and makes it even more important that the park and surrounding land remain undisturbed as an oasis for rest, recreation, and renewal for families and the community.

Thank You,
David Sampson
911 Kansas Ave.

Good morning, Curt and Chris,

I would like to submit the following questions for consideration at the next Planning Commission meeting on Thursday, 6.13.19.

1. Are there plans to physically buffer the southern boundary of Hillsdale Park with Open Space or similar accommodation? Will there be direct access to Hillsdale Park from Berthoud 160, and if so, where will it be and how will it be maintained? What about the Park itself? How will the paths and marsh be maintained to support the expected increase of pedestrians, bikers, and dogs?
2. What are the plans to ensure vehicle and pedestrian safety on 17E and 4E, given the expected influx of construction traffic? Specifically, during morning and evening commutes? What are the plans to repair/maintain the road surfaces on both 17E and 4E?
3. What steps will be taken to manage construction waste responsibly? For example, while building Heritage Ridge, construction waste, such as drywall, cardboard, paint cans, lunch remnants, and other garbage, was piled to overflowing in dumpsters, after which the wind blew this refuse throughout the neighborhood and park space. It was only after repeated complaints from residents that any effort was made to contain / clean up that garbage. What will be done to prevent a similar scenario from happening as Berthoud 160 is built?
4. What steps will be taken to keep blowing dust and dirt to a minimum? Again, during the construction of Heritage Ridge, there were no efforts taken to mitigate the dust and dirt resulting from construction until complaints from residents were made. Eventually, a couple of water trucks were used sporadically to dampen the blowing dirt. What will be done at Berthoud 160 to prevent excessive blowing dust/dirt from happening ?

Thank you for your consideration.

Timmy Sampson
(720) 341-6550

TO: Town of Berthoud
FROM: Kristin Turner
DATE: April 30, 2019
RE: Berthoud 160 Rezone Sign Posting Affidavit

Proposed development signs, provided by the Town of Berthoud, were posted on the Berthoud 160 property on Tuesday 4.30.19. This is the second posting of the site with the first sign posted on Thursday 4.25.19. Two signs were posted with one along CR 4E and another along Berthoud Parkway per the requirements in the Land Use Code.

(CR 4E)



(Berthoud Parkway)

