Town of Berthoud
807 Mountain Avenue
Berthoud, CO 80513
970.532.2643

TOWN OF BERTHOUD PLANNING COMMISSION

TOWN HALL
807 Mountain Avenue
THURSDAY, May 9th, 2019
7:00 P.M.

A?LACJJCB

1. Call to Order

2. Roll Call

Scott Banzhaf, Chair	Jan Dowker, Vice Chair
Sean Murphy	Kelsey Byron, Secretary
Patrick Dillon	Richard Shepard
Jeff Butler	

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. 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.

5. Discussion of Planning Commissioner Expecations

6. Reports.

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.

Commission 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 REZONING: BERTHOUD 160 (FORMERLY OVERLOOK AT DRY CREEK

DATE: May 9, 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. This 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. Staff would like to note that no traffic studies are required or have been completed, therefore the location and number of entrances are purely conceptual in nature and could change with the platting/engineering phases of the project.

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.

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.

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 a letter 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.**

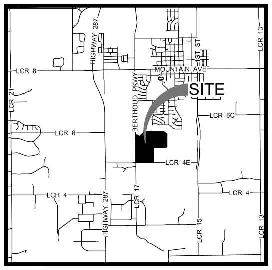
And also making the following recommendations:

1. **Better layer the R-2 uses on the interior or throughout the development.**
2. **That the Applicant make every effort to obtain a trail easement for a connection to Hillsdale Park.**
3. **Strongly consider adding open space or transferring park area to the North, to take advantage of its excellent view corridors and topography.**

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
— — —	EXISTING RIGHT-OF-WAY
———	BOUNDARY LINE
———	LOT LINE
— · —	SECTION LINE
———	EXISTING EASEMENT LINE
○	CALCULATED POSITION
○	FOUND #4 REBAR W/ ORANGE PLASTIC CAP, LS 34995
◉	FOUND PROPERTY CORNER AS DESCRIBED
◈	FOUND SECTION CORNER AS DESCRIBED

NORTH

150 0 150 300 450 Feet

(IN U.S. SURVEY FEET)
1 inch = 150 ft.

STATEMENT OF OWNERSHIP AND SUBDIVISION:

Know all persons by these presents, that the undersigned owners of the following described land:

Lot 2, Hicks MRD S9-89 as recorded July 31, 1989 as Reception No. 89033670 of the Records of Larimer County, situate within the Southwest Quarter (SW1/4) of Section Twenty-three (S23) and the Northwest Quarter (NW1/4) of Section Twenty-six (S26), Township Four North (T.4N), Range Sixty-nine West (R.69W) of the Sixth Principal Meridian (6th P.M.), County of Larimer, State of Colorado.

Excepting Therefrom:

A portion of Lot 2, Hicks MRD S9-89 situate within the Southwest Quarter (SW1/4) of Section Twenty-six (S26), Township Four North (T.4N), Range Sixty-nine West (R.69W) of the Sixth Principal Meridian (6th P.M.), County of Larimer, State of Colorado and being more particularly described as follows.

BEGINNING at the Center Quarter Corner (C1/4) of said Section 26 and assuming the West line of the Northwest Quarter of said Section 26 as bearing North 00°08'17" West and monumented on the South by a #6 rebar with a 2.5" aluminum cap, L.S. No. 12374 and monumented on the North by a #6 rebar with a 2.5" aluminum cap, L.S. No. 12374 a distance of 2653.02 feet.

THENCE North 00°10'02" West along East line of said Lot 2 a distance of 1321.44 feet to the Northeast Corner of the Southeast Quarter of the Northwest Quarter of said Section 26, said corner monumented by a #6 Rebar with a 2.5" aluminum cap, L.S. 23500.

THENCE South 89°42'05" West along the North line of the Southeast Quarter of the Northwest Quarter of said Section 26 a distance of 1153.75 feet;

THENCE South 00°10'02" East a distance of 1323.65 feet to the South line of said Lot 2;

THENCE North 89°35'30" East along the South line of the Northwest Quarter of Section 26 a distance of 1153.76 feet to the POINT OF BEGINNING.

Said parcel contains 5,244,739 Sq. Ft or 120.40 acres, more or less.

PROPOSED R1 ZONING

A portion of Lot 2, Hicks MRD S9-89 as recorded July 31, 1989 as Reception No. 89033670 of the Records of Larimer County, situate within the Southwest Quarter (SW1/4) of Section Twenty-three (S23) and the Northwest Quarter (NW1/4) of Section Twenty-six (S26), Township Four North (T.4N), Range Sixty-nine West (R.69W) of the Sixth Principal Meridian (6th P.M.), County of Larimer, State of Colorado and being more particularly described as follows.

COMMENCING at the West Quarter Corner (W1/4) of said Section 26 and assuming the West line of the Northwest Quarter of said Section 26 as bearing North 00°08'17" West and monumented on the South by a #6 rebar with a 2.5" aluminum cap, L.S. No. 12374 and monumented on the North by a #6 rebar with a 2.5" aluminum cap, L.S. No. 12374 a distance of 2653.02 feet.

THENCE North 00° 08' 17" West along the West line of said Northwest Quarter of Section 26 a distance of 1177.96 feet to the POINT OF BEGINNING.

THENCE North 00° 08' 17" West continuing along said West line of the Northwest Quarter of Section 26 a distance of 1170.09 feet;
THENCE North 89° 09' 06" East along the Westerly prolongation of a Southerly line of Lot 1, Hicks MRD S9-89 a distance of 133.32 feet;
THENCE South 61° 59' 46" East along a Southwesterly line of said Lot 1 a distance of 199.76 feet;
THENCE North 47° 39' 15" East along the Southeasterly line of said Lot 1 a distance of 634.08 feet;
The following five (5) courses are along the Northerly, Northeasterly, and Easterly lines of Lot 2, Hicks MRD S9-89.
THENCE North 89° 50' 23" East a distance of 460.00 feet;
THENCE South 61° 33' 39" East a distance of 122.71 feet;
THENCE South 89° 52' 02" East a distance of 1045.83 feet;
THENCE South 60° 08' 25" East a distance of 293.89 feet to the East line of the Northwest Quarter of said Section 29;
THENCE South 00° 10' 02" East along said East line of the Northwest Quarter of Section 29 a distance of 1137.14 feet;
THENCE South 89° 42' 05" West a distance of 1153.75 feet;
THENCE North 00° 10' 02" West a distance of 125.00 feet;
THENCE North 29° 46' 44" West a distance of 200.00 feet;
THENCE North 42° 20' 45" West a distance of 100.00 feet;
THENCE South 47° 39' 15" West a distance of 351.69 feet to a Point of Curvature;
THENCE along the arc of a curve concave to the Northwest a distance of 822.12 feet, said curve has a Radius of 1116.00 feet, a Delta of 42° 12' 28" and is subtended by a chord bearing South 68° 45' 29" West a distance of 803.65 feet to a Point of Tangency;
THENCE South 89° 51' 43" West a distance of 317.64 feet to the POINT OF BEGINNING.

Said parcel contains 3,246,456 Sq. Ft or 74.53 acres, more or less.

PROPOSED R2 ZONING

A portion of Lot 2, Hicks MRD S9-89 as recorded July 31, 1989 as Reception No. 89033670 of the Records of Larimer County, situate within the Southwest Quarter (SW1/4) of Section Twenty-three (S23) and the Northwest Quarter (NW1/4) of Section Twenty-six (S26), Township Four North (T.4N), Range Sixty-nine West (R.69W) of the Sixth Principal Meridian (6th P.M.), County of Larimer, State of Colorado and being more particularly described as follows.

BEGINNING at the West Quarter Corner (W1/4) of said Section 26 and assuming the West line of the Northwest Quarter of said Section 26 as bearing North 00°08'17" West and monumented on the South by a #6 rebar with a 2.5" aluminum cap, L.S. No. 12374 and monumented on the North by a #6 rebar with a 2.5" aluminum cap, L.S. No. 12374 a distance of 2653.02 feet.

THENCE North 00° 08' 17" West a distance of 1177.96 feet;
THENCE North 89° 51' 43" East a distance of 317.64 feet to a Point of Curvature;
THENCE along the arc of a curve concave to the Northwest a distance of 822.12 feet, said curve has a Radius of 1116.00 feet, a Delta of 42° 12' 28" and is subtended by a chord bearing North 68° 45' 29" East a distance of 803.65 feet to a Point of Tangency;
THENCE North 47° 39' 15" East a distance of 351.69 feet;
THENCE South 42° 20' 45" East a distance of 100.00 feet;
THENCE South 29° 46' 44" East a distance of 200.00 feet;
THENCE South 00° 10' 02" East a distance of 125.00 feet;
THENCE South 00° 10' 02" East a distance of 1323.65 feet;
THENCE South 89° 35' 30" West a distance of 1494.75 feet;

Said parcel contains 1,998,283 Sq. Ft or 45.87 acres, more or less.

RIGHT TO FARM STATEMENT:

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

SITE SPECIFIC DEVELOPMENT PLAN:

This plan constitutes a site specific development plan as defined in Article 68 of Title 24, C.R.S., as amended, and Chapter 30 of the Berthoud Development Code available at the Berthoud Town Hall, 328 Massachusetts Avenue, Berthoud, Colorado 80513.

NOTES:

1) The lineal unit of measurement for this survey is U. S. Survey Feet.

2) The Basis of Bearings is the West line of the Northwest Quarter of Section 26 as bearing North 00° 08' 17" West, and monumented as shown on drawing.

APPROVAL CERTIFICATE:

Approved by the Planning Commision, Town of Berthoud, Colorado, this _______day of ________________, 20_____.

____
PLANNING COMMISSION

Approved by the Board, Town of Berthoud, Colorado, this _______day of________________, 20_____.

____
Board

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

The foregoing plat is approved for filing and accepted by the County of Larimer, Colorado, this ________day of ______________, 20____.

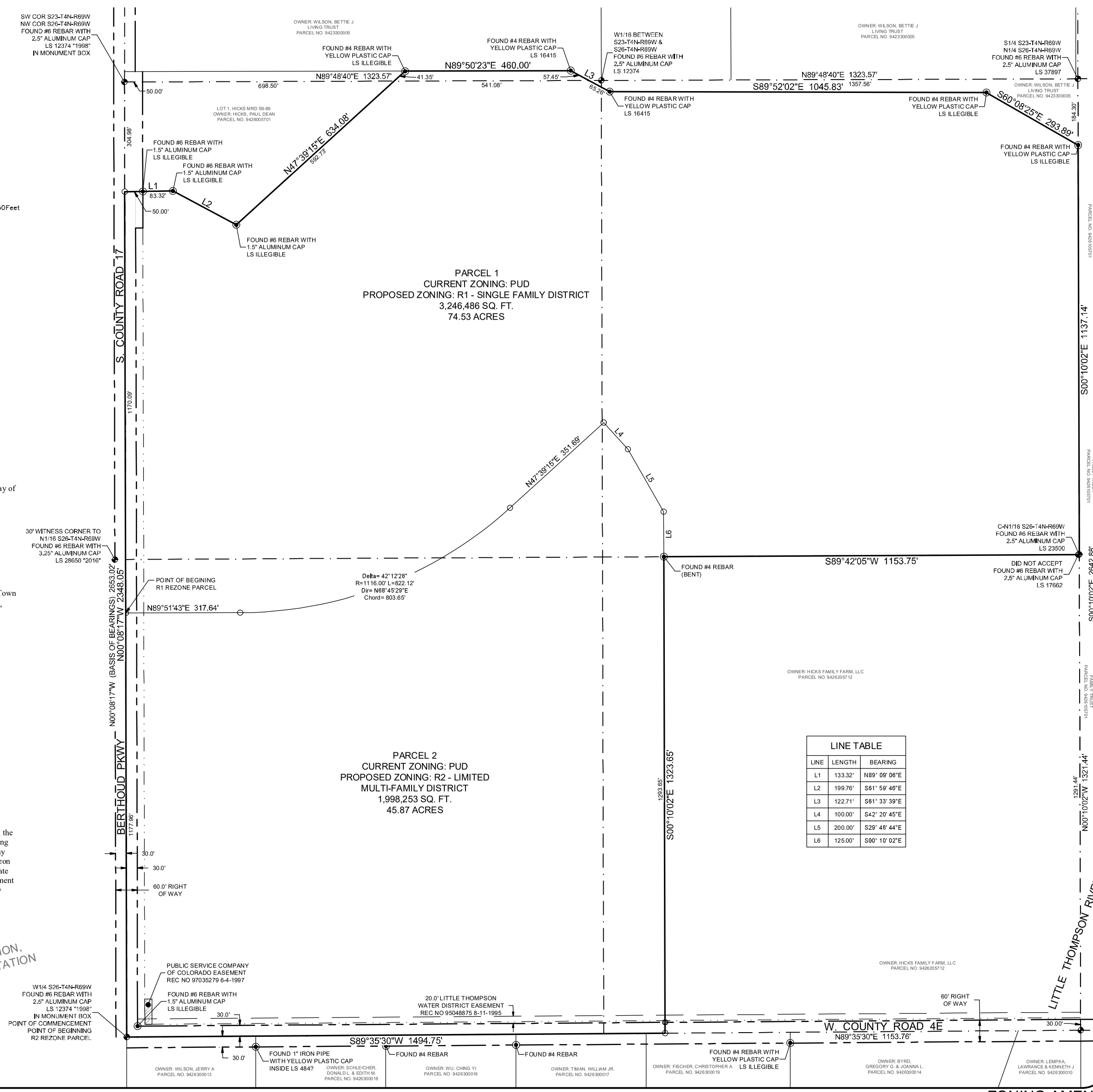
ATTEST: ______________________
County Clerk

SURVEYOR'S CERTIFICATE:

I, Steven A. Lund, a Registered Professional Land Surveyor in the State of Colorado, do hereby state that the survey for this Zoning Amendment Map was prepared from an actual survey under my personal supervision, that the monumentation as indicated hereon were found or set as shown, that the foregoing plat is an accurate representation thereof, and is in compliance with the Development Regulations of the Town of Berthoud, all this to the best of my knowledge, information and belief.

For and on Behalf of Northern Engineering Services, Inc.
Steven A. Lund
Colorado Registered Professional
Land Surveyor No. 34995

DRAFT
2-25-19
PRELIMINARY - NOT FOR CONSTRUCTION, RECORDING PURPOSES OR IMPLEMENTATION



LINE TABLE

LINE	LENGTH	BEARING
L1	133.32'	N89° 09' 06"E
L2	199.76'	S61° 59' 46"E
L3	122.71'	S61° 33' 39"E
L4	100.00'	S42° 20' 45"E
L5	200.00'	S29° 46' 44"E
L6	125.00'	S00° 10' 02"E

Revisions:	By:	Date:

SECTION: 23 & 26 | TOWNSHIP: 4 N | RANGE: 69 W of the 6th PM

NORTHERN ENGINEERING
FORT COLLINS: 301 North Howes Street, Suite 100, 80521
GREELEY: 820 8th Street, 80631
970.221.4158
northernengineering.com

PROJECT: 987-009	DATE: 02/21/2019
DESIGNED BY:	SCALE: 1" = 150'
DRAWN BY: A. Lund	REVIEWED BY: S. LUND

ZONING AMENDMENT MAP
PORTION OF LOT 2, HICKS MRD S9-89
TOWN OF BERTHOUD, COLORADO

Sheet 1 Of 1 Sheets

CONCEPT PLAN (INFORTMATIONAL)

LAND-USE SUMMARY

SINGLE-FAMILY.....410	(50x110 | 55x110)
SMALL SINGLE FAMILY.....26	(27x100 | 62x100)
DUPLEX.....34	(65x90)
TOWNHOME.....40	(4.5 AC)
TOTAL.....510	

PK BERTHOUD - CONCEPT PLAN

1:100

5.2.19

TB GROUP
landscape architecture | planning | illustration
444 Mountain Ave. | TEL 970.532.5891
Berthoud, CO 80513 | WEB TBGroup.us

OVERLOOK ODP (CURRENTLY APPROVED)

THE OVERLOOK at DRY CREEK

OVERALL DEVELOPMENT PLAN

Town of Berthoud, Colorado

LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN LOT 2, HICKS MRD S9-89, ACCORDING TO THE RECORDED PLAT THEREOF, AND IN THE NW1/4 OF SECTION 26 AND THE SW1/4 OF SECTION 23, T4N, R69W OF THE 6TH P.M., COUNTY OF LARIMER, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE W1/4 CORNER OF SAID SECTION 26, FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 26 BEARS N00°00'00"W, THENCE N00°00'00"W, 2348.84 FEET ALONG THE WEST LINE OF SAID SECTION 26 TO THE NORTH LINE EXTENDED WESTERLY OF SAID LOT 2;

THE FOLLOWING EIGHT (8) COURSES AND DISTANCES ARE ALONG THE NORTHERLY LINE EXTENDED WESTERLY AND THE NORTHERLY AND EASTERLY LINES OF SAID LOT 2:

THENCE N89°17'23"E, 133.32 FEET;

THENCE S61°51'29"E, 199.76 FEET;

THENCE N47°47'32"E, 634.08 FEET;

THENCE N89°58'40"E, 460.00 FEET;

THENCE S61°25'22"E, 122.71 FEET;

THENCE S89°43'45"E, 1045.83 FEET;

THENCE S60°00'08"E, 293.89 FEET TO THE EAST LINE OF THE NW1/4 OF SAID SECTION 26;

THENCE S00°01'45"E, 1137.14 FEET ALONG THE EAST LINE OF THE NW1/4 OF SAID SECTION 26 TO THE NORTHEAST CORNER OF THE SE1/4 OF THE NW1/4 OF SAID SECTION 26;

THENCE S89°50'22"W, 1153.75 FEET ALONG THE NORTH LINE OF THE SE1/4 OF THE NW1/4 OF SAID SECTION 26;

THENCE S00°01'45"E, 1323.65 FEET ALONG AN EASTERLY LINE OF SAID LOT 2;

THENCE S89°43'47"W, 1494.75 ALONG THE SOUTH LINE OF THE NW1/4 OF SAID SECTION 26 TO THE W1/4 OF SAID SECTION 26 AND THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM EXISTING RIGHT-OF-WAYS FOR LARIMER COUNTY ROADS 17 AND 4E.

AREA = 120.402 ACRES, MORE OR LESS

NET AREA = 117.730 ACRES, MORE OR LESS

APPROVAL CERTIFICATES

APPROVED BY THE TOWN BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, COLORADO THIS 23rd DAY OF January, AD, 2007

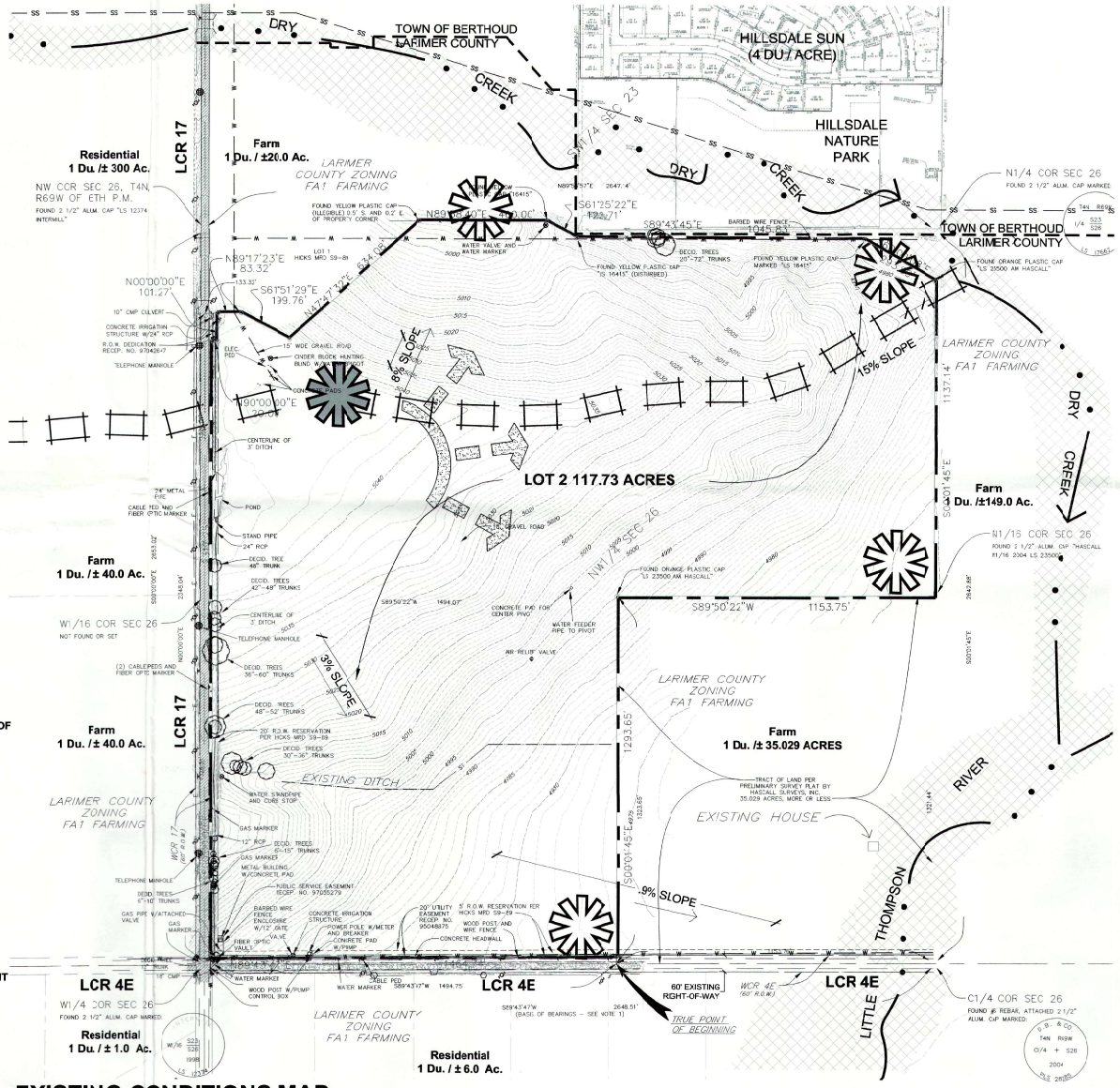
Milan Karspeck
MAYOR

THE FOREGOING PLAN IS APPROVED FOR FILING AND ACCEPTED BY THE TOWN OF BERTHOUD, COLORADO, THIS 7th DAY OF May ..A.D. 2007

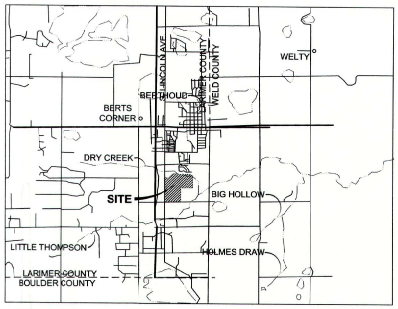
ATTEST: Mary K. Gourley
TOWN CLERK

RIGHT TO FARM STATEMENT

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



EXISTING CONDITIONS MAP



VICINITY MAP

Not to Scale

SHEET INDEX:

SHEET 1 OF 2 - EXISTING CONDITIONS
SHEET 2 OF 2 - LAND USE PLAN
SHEET 3 OF 3 - GENERAL NOTES AND STANDARDS

LEGEND:

- MINOR RIDGE LINE
- MAJOR DRAINAGE
- MINOR DRAINAGE
- ELECTRICAL POWER LINES
- ENCLOSED VIEWS
- OPEN VIEWS
- HIGH POINT
- LOW POINT
- EXISTING TREES
- FLOODPLAIN
- PROPERTY LINE
- SECTION LINE
- 5890 — 10' CONTOUR INTERVAL
- EXISTING DITCH
- LCR — LARIMER COUNTY ROAD
- W — EXISTING WATER LINE
- SS — EXISTING SEWER LINE

NOTES:

1. THERE ARE NO NATURAL OF HISTORICAL RESOURCES ON THE SUBJECT PROPERTY.
2. 0% - 3% SLOPE AREA SOILS ARE LOAM - CLAY LOAM
   3% - 6% SLOPE AREA SOILS ARE LOAM - COMP.EX
   6% - 9% SLOPE AREA SOILS ARE LOAM

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OWNER AND PROFESSIONAL INFORMATION:

OWNER:
ST. VRAIN PROPERTIES INC.
1521 DIAMOND WALL DRIVE
BERTHOUD COLORADO 80513

OWNER REPRESENTATIVE:
QUENTIN MENDENHALL
11724 PLEASANT HILL ROAD
LONGMONT, COLORADO 80504
(720) 344-3254

PLANNER/LANDSCAPE ARCHITECT:
PLAN WEST INC.
6130 GREENWOOD PLAZA BLVD.
SUITE #110
GREENWOOD VILLAGE, CO 80111
303-741-1411

ENGINEER:
DREXEL, BARRELL & CO.
1800 38th STREET
BOULDER, CO 80301 - 2620
303-442-4338

North — 0 100 200 400 — Scale 1" = 200'

THE OVERLOOK AT DRY CREEK

BERTHOUD, COLORADO

OVERALL DEVELOPMENT PLAN

REVISIONS	
1st Resubmittal	1-23-05
2nd Resubmittal	3-21-06
3rd Resubmittal	6-19-06
4th Resubmittal	9-5-06
5th Resubmittal	3-7-07

PLAN WEST INC
6130 Greenwood Plaza Blvd., Suite 110
Greenwood Village, Colorado 80111
tel: (303) 741-1411
fax: (303) 741-1492

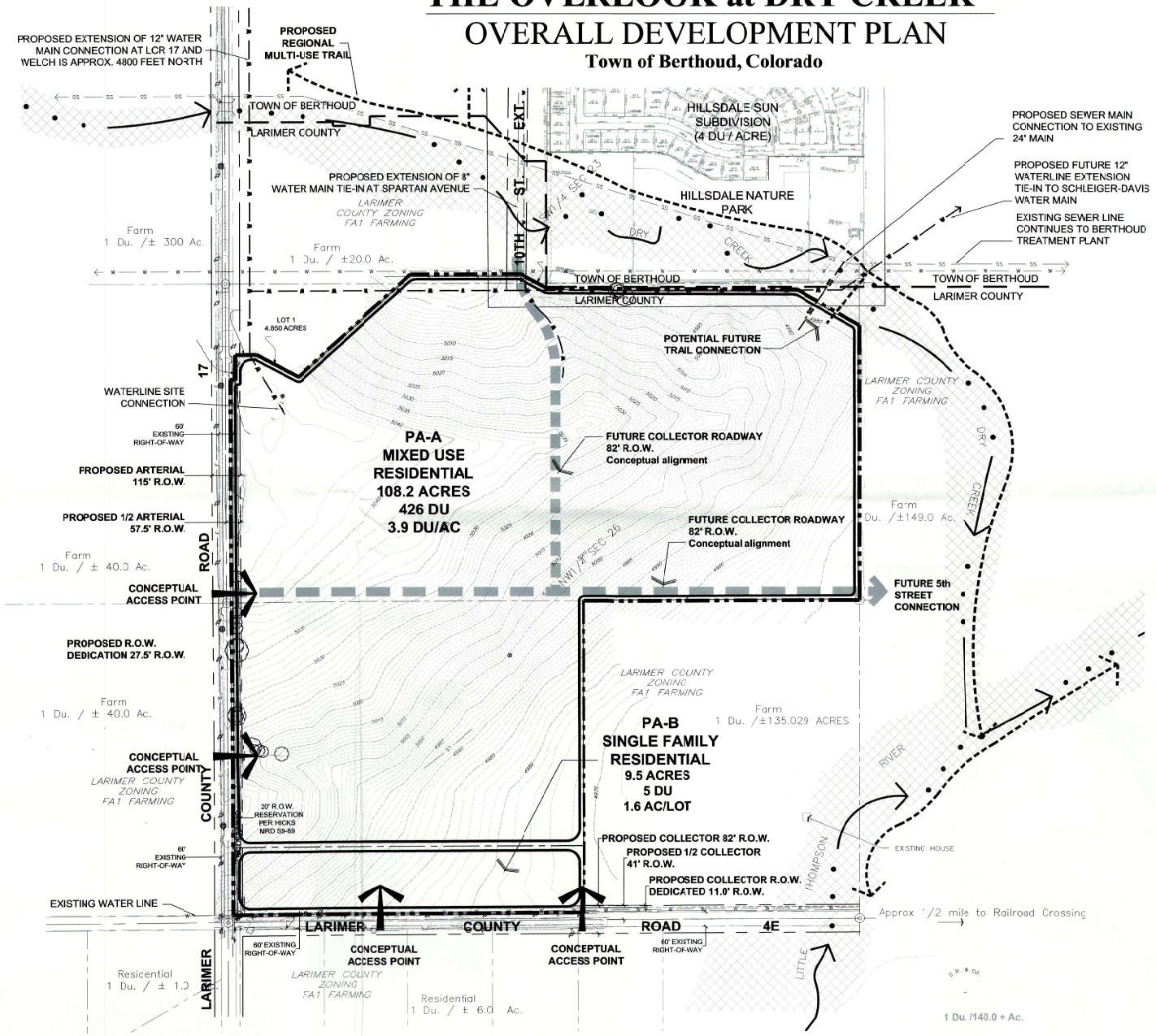
DATE: 10-19-05

PROJECT NO: 41/05

THE OVERLOOK at DRY CREEK

OVERALL DEVELOPMENT PLAN

Town of Berthoud, Colorado



LAND USE TABLE

PLANNING AREA	ACRES	DU/AC	DU	% OF ACRES
PA-A MIXED USE RESIDENTIAL	108.2	3.9 net	426	91.9%
PA-B SINGLE FAMILY RESIDENTIAL	9.5	1.6 ac/lot net	5	8.1%
TOTAL	117.7	3.7 gross	431	100.0%

LEGEND

- PLANNING AREA TRACT LINE
- PROPOSED R.O.W.
- EXISTING R.O.W.
- EASEMENT
- RIVER
- PROPERTY LINE
- SECTION LINE
- BERTHOUD TOWN LIMITS
- ROAD CENTER LINE
- MAJOR CONTOUR LINE
- MINOR CONTOUR LINE
- CONCEPTUAL ACCESS POINT
- SS — SS — PROPOSED SANITARY SEWER LINE EXTENSION
- W — W — PROPOSED WATER LINE EXTENSION
- SS — SS — EXISTING SANITARY SEWER LINE
- W — W — EXISTING WATER LINE
- EXISTING TREES

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BOULDER, CO 80301 - 2620
303-442-4338

North — Scale 1" = 200' (0, 100, 200, 400)

THE OVERLOOK AT DRY CREEK

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4th Resubmittal	8-05-06
5th Resubmittal	3-07-07
1ST SUBMITTAL	

PLAN WEST INC
6130 Greenwood Plaza Blvd., Suite 110
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tel: (303) 741-1411
fax: (303) 741-1412

DATE: 10-19-05

PROJECT NO: 41.05

sheet 2 of 3

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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 areas and rights-of-way are subject to revision during the Preliminary Development Plan (PDP) and Final Development Plan (FDP) process and do not require an amendment to the Overall Development Plan (ODP).

2. Residential units maybe transferred between parcels so long as the maxium number of residental units approved for the overall project is not exceeded. Residential units shall not be transfered 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 "fee-in-lieu 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 Homeowners' Association created upon Final Plat approval. Open Space tracts shall be dedicated to the Town of Berthoud and maintained by the Homeowner's Association.

6. Streets
   A. Larimer County Road (LCR) 17 is designated as an arterial roadway in the Town's Master Street Plan (MSP). LCR 4E is presently 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's standard arterial road and collector road sections and as determined by the traffic analysis.

7. Lots adjacent to arterial and collector roadways are not permitted to have driveway access to those roadways.

8. Conceptual access points are indicated on this ODP. These and other access points may be proposed and approved during the PDP/FDP process.

9. 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 local streets, neckdowns for pedestrian crossings, knuckles, and roundabouts on collectors may be used to comply with the Town's Best Development Practices.

10. No historic structures exist on the property.

11. Status of ditches:
    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
   Uses 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.

   Uses permitted by special review:
   A. Other uses as defined ard permitted during Preliminary Development Plan / Final Development Plan process.

3. 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 maybe considered by the Board of Trustees at the time of the PDP/FDP.

4. Setbacks, building heights, and yard/lot requirements shall be determined during the PDP / FDP process.

5. The residential neighborhood will be organized around a central public park.

6. The Town's 2001 Land Use Plan identfies 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
   Uses subject to PDP/FDP approval
   A. Single family dwellings, with 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 may considered by the Board of Trustees at the time of the PDP/FDP.

4. Setbacks, building heights, and yard/lot requirements shall be determined during the PDP / FDP process.

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BERTHOUD, CCLORADO

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6130 Greenwood Plaza Blvd., Suite 110
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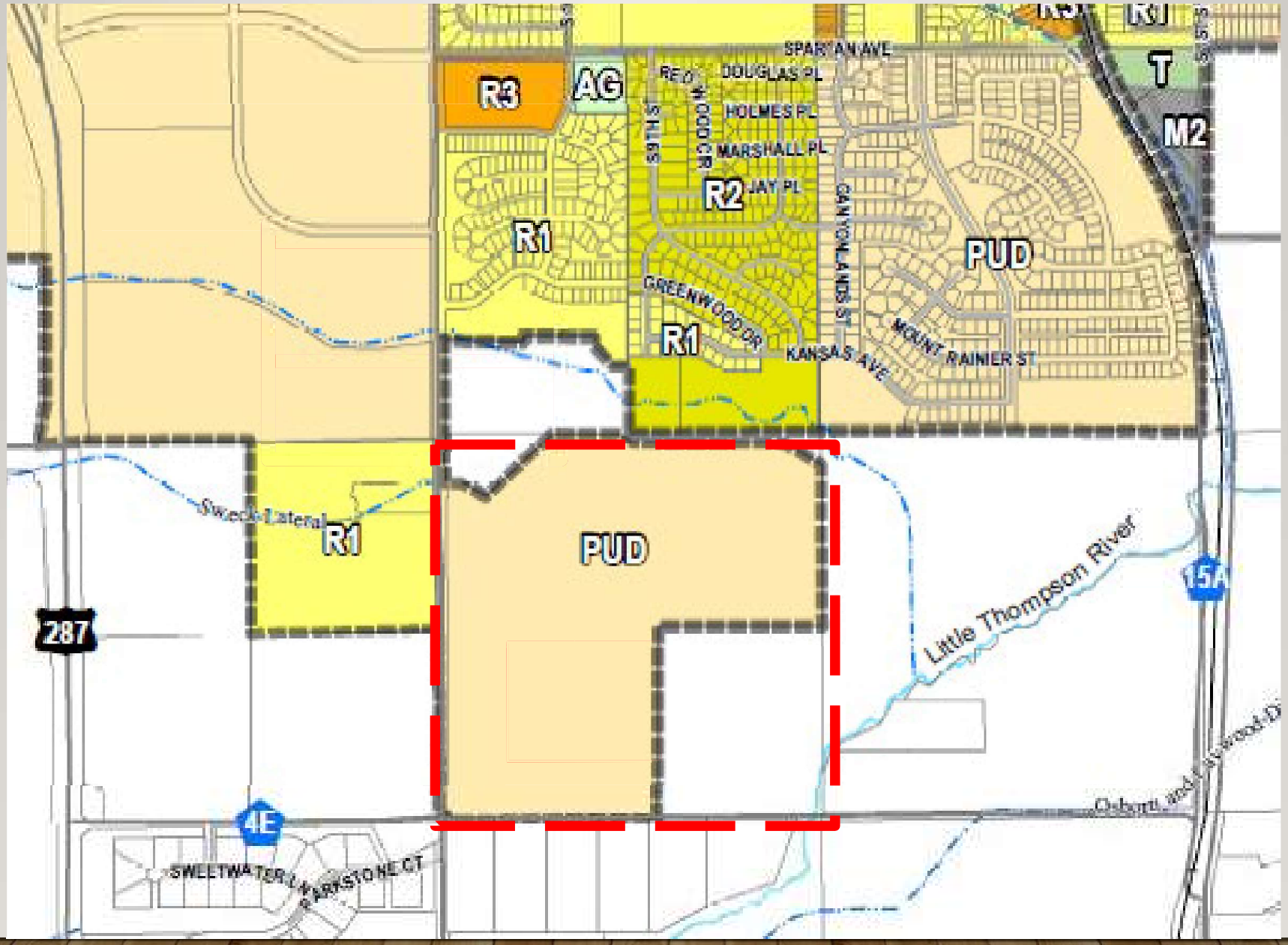
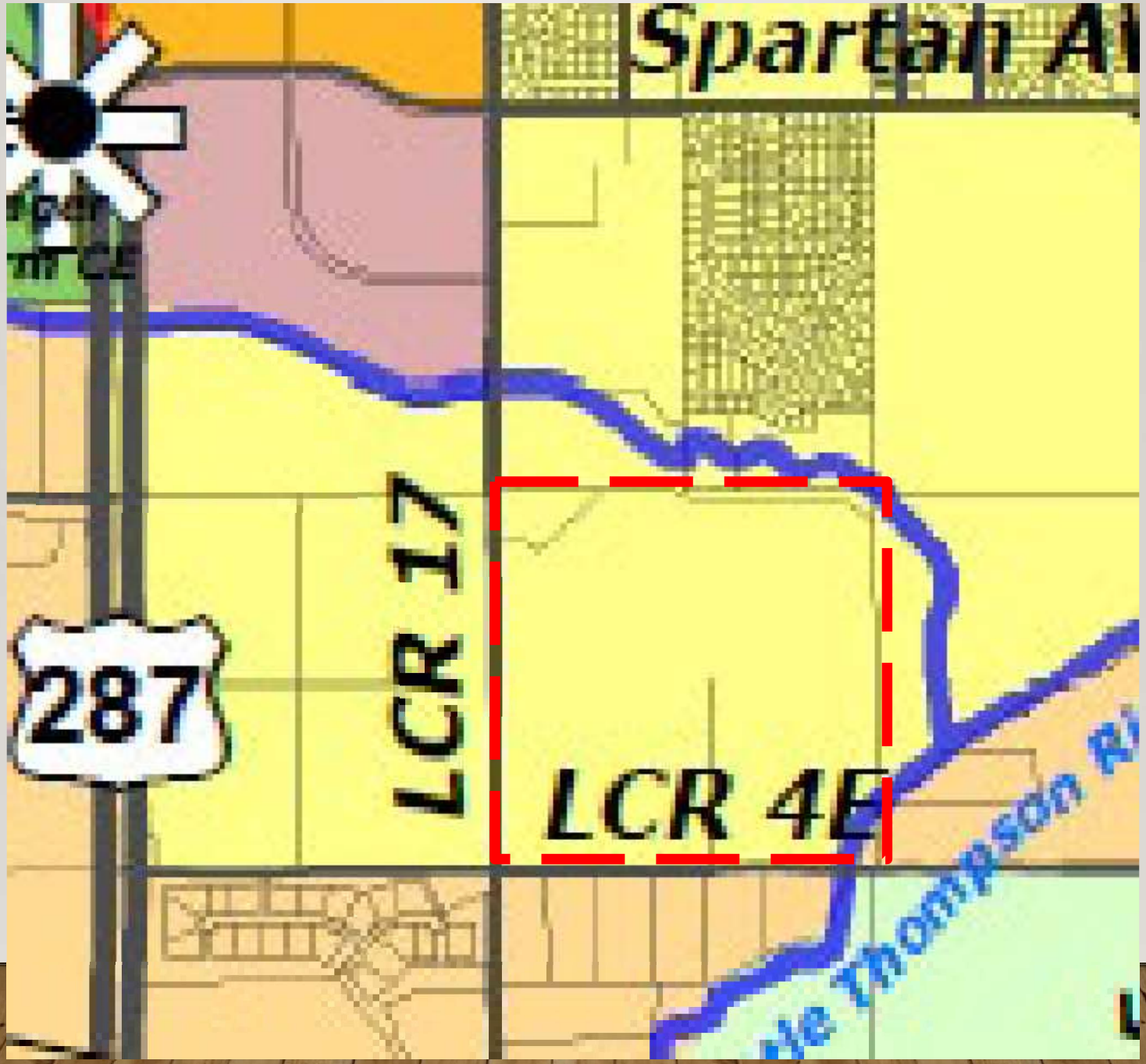
ZONING:

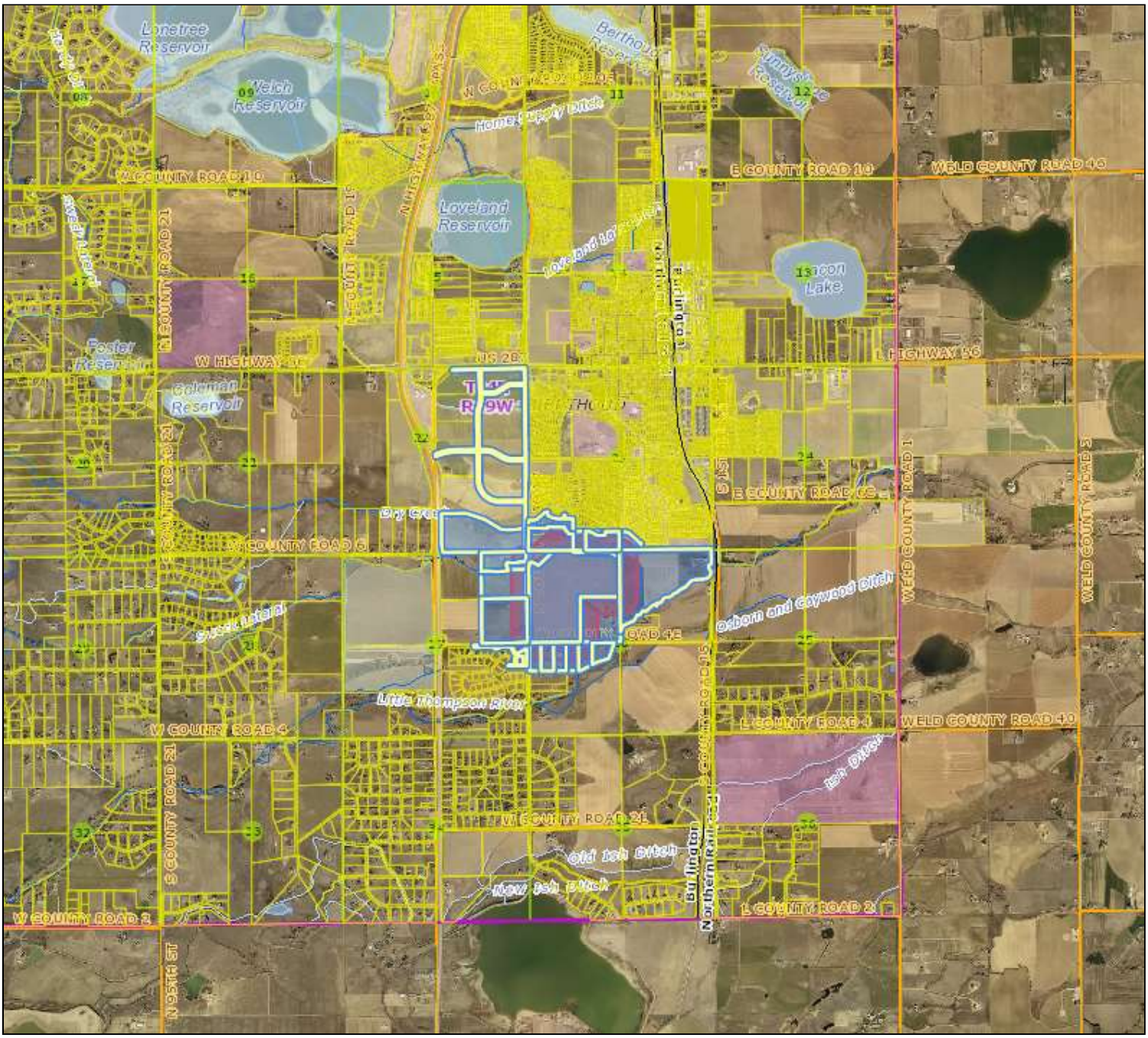

R3
AG
R1
R2
R1
R1
PUD
PUD
SPARTAN AVE
DOUGLAS PL
HOLMES PL
MARSHALL PL
JAY PL
REDWOOD CIR
59TH ST
CANYONLANDS ST
GREENWOOD DR
KANSAS AVE
MOUNT RAINIER ST
T
M2
Sweetwater Lateral
Little Thompson River
Z87
I-25
4E
SWEETWATER LN
FARYSTONE CT

PREFERRED LAND USE MAP: YELLOW MODERATE DENSITY RESIDENTIAL



LARIMER COUNTY
COMMITTED TO EXCELLENCE
ENTERPRISE GIS

Larimer County Web Map



Legend

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

Notes

0.6 0 0.6 Miles

Scale 1: 47,576

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

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

TB GROUP
landscape architecture | planning | illustration

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)

444 Mountain Ave.
Berthoud, CO 80513
TEL 970.532.5891
WEB TBGroup.us

(Berthoud Parkway)