Town of Berthoud
807 Mountain Avenue
Berthoud, CO 80513
970.532.2643

TOWN OF BERTHOUD PLANNING COMMISSION

TOWN HALL
807 Mountain Avenue
THURSDAY, March 28, 2019
7:00 P.M.

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 February 28, 2019

4. Public Hearing: Heron Lakes 10th Filing, Rezoning requests; HL 10th Preliminary Plat for 29 dwelling units on 111.38 acres; and Heron Lakes 11th Filing Preliminary Plat for 59 dwelling units on 20.47 acres, Heron Lakes Investments LLC/Jim Birdsall applicant.

5. Reports.

6. 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 February 28, 2019. Chairman Banzhaf called the meeting to order at 7:00 p.m.

2. **Roll Call –** Members Present: Scott Banzhaf, Chairman, Kelsey Byron, Jeff Butler, Patrick Dillon, Jan Dowker, Sean Murphy, and Dick Shepard.
   Staff Present: Curt Freese and Jill Wilson.

3. **Consent Agenda –** Minutes from meeting of February 14, 2019. Motion to approve by Commissioner Shepard. Seconded by Commissioner Murphy. With all in favor, THE MOTION CARRIED.

4. **Harvest Ridge North Preliminary Plat-**
   Mr. Freese presented the agenda item, which was a request for a preliminary plat of 30 single family lots located on the west side of Berthoud Parkway, north of County Road 4E & south of Spartan Avenue. He noted that the project had been renamed from Arbor Ridge, which property was annexed in early 2018. The current proposal only encompassed the northern portion of the annexed area with future phases to the south. He noted the two conditions of approval regarding a trail connection and vinyl fencing.

   Alex Hoime, applicant, mentioned the original concept plan for the site, and the minor subdivision that was completed. He noted the updates from the previously approved concept plan and mentioned the conditions place on the concept plan that were being abided by. He mentioned the vinyl fence proposed and noted that it would not be white vinyl fence. He explained that the proposed fencing would be vinyl; however, it would have texture, the look of wood and would be low maintenance. He showed a picture depicting such a type of fence. He asked that if a condition regarding the fencing was placed on the approval that it stipulate the vinyl fencing have a wood-like look and coloring. He noted it would be a similar fencing used at the Berthoud Lake Enclave development. He noted the other condition of approval regarding the trail connection and stated that they were proposing a buffer with a trail along Berthoud Parkway. He also mentioned that a water line would be extended to the north that would supply water.

   Bill Johnson, property owner to the south, stated his family's desire to keep their property as farmland as long as possible. He stated that water accessibility would become a concern once the proposed property was developed. He explained that he had proposed a 15-foot irrigation and drainage easement be put in place within the applicant's property; however, the applicant was only proposing a 10-foot easement. He remarked that a 10-foot easement would create difficulties. He also mentioned that burying the pipeline would be the preferred method to provide the water. He was also concerned about the increased traffic and accessing S. Berthoud Parkway. He asked that a turn lane be provided off of County Road 4E. He also suggested stone column fencing be added to the proposed development.

   Commissioner Byron asked for more information on the location of irrigation and drainage easement.

Mr. Hoime stated that the pipe would be underground, and the easement had already been established with the minor subdivision approval. He remarked that they were willing to work with Mr. Johnson and address his concerns. He noted that the irrigation easement was not a part of the plat of Harvest Ridge North. It was on the southern portion of the entire property, which would be developed and reviewed during a different phase of the project.

Commissioner Dowker mentioned the right to farm act and asked if what was being proposed would impact Mr. Johnson.

Mr. Hoime showed where the easement would begin, which was at the southern portion of the proposed property.

Mr. Freese noted that it was an off-site improvement that did not impact the current proposal, and a condition could be placed on any future phases or platting.

Mr. Hoime noted the concerns, which was why the easement was granted during the minor subdivision process and why a subsurface pipe would be installed.

Commissioner Banzhaf asked if the fencing the applicant proposed would be acceptable.

Commissioner Shepard asked how high the fencing would be and also asked about the entryway fencing.

Mr. Hoime stated that the fence would be 5-6 feet high and stone columns along the entryway.

Commissioner Butler stated that he was under the impression there would be intermittent stone columns along the entire length of the fencing.

Mr. Hoime stated that he would be wiling to look into the cost of adding columns, and remarked that he would address that during the Final Plat phase.

Commissioner Shepard suggested that stone columns along Berthoud Parkway be looked into.

Discussion ensued regarding the vinyl fencing. The Commission agreed to update the condition of approval.

Mr. Hoime wondered if the fencing would be an acceptable design element, which was a requirement in the code.

The Commission came to a consensus that it would qualify.

Commissioner Dowker wondered what the triggers for traffic impacts would be.

Mr. Freese stated that a traffic study was completed, and upgrades would be triggered at some point in the future when other phases were developed.

Mr. Hoime stated that at full build out, turn lanes would be triggered and required, and the right-of-way had already been dedicated for those future lanes.

Commissioner Byron complimented the street names chosen. She asked about the artwork proposed. She thanked the applicant for addressing all concerns.

Mr. Hoime stated that it was one of the design elements; however, the artwork had not yet been chosen.

Commissioner Murphy asked the timeline for developing the property with the current home into open space.

Mr. Hoime stated that the timing was unknown, and it would depend on the development of phase one.

Commissioner Shepard thanked the applicant for their work. He mentioned that the fence line along Berthoud Parkway was important and asked that it be kept in mind.

Commissioner Dowker thanked Mr. Johnson for his feedback and expressing his concerns.

MOTION by Commissioner Shepard to approve the Harvest Ridge North Preliminary Plat with the findings that it is consistent with Section 30-6-105C with the following recommendations:

- **Any future phases will require the trail connection proposed along the existing farmhouse property to be completed.**
- **Vinyl Fencing proposed along Berthoud Parkway be limited to a 'wood grain' appearance.**

Seconded by Commissioner Dillion.

With all in favor, THE MOTION CARRIED.

5. **Fickel Rezone -** Mr. Freese presented the agenda item, which was a request to rezone the property located south of Highway 56, east of Fickel Farm, and north of Mary's Farm from Planned Unit Development (PUD) to R-2 Limited Multi-Family. The applicant originally proposed an R-4 Mixed Use zoning classification but downgraded to R-3 Multi Family after receiving Staff and citizen comments. He explained that the R-3 rezoning was scheduled for a December 2018 Planning Commission meeting; however, after receiving additional neighborhood comments and concern, the applicant withdrew the R-3 submittal. The applicant then further down-zoned to R-2 Limited Multi-Family. Additionally, the applicant held their own neighborhood meeting on January 30, 2019, which surrounding property owners were notified of.
   He noted that the applicant provided a Concept Plan for informational purposes only, which showed proposed alley loaded townhouses in the areas next to the major streets, townhomes and/or duplexes around the Pioneer Park pond, and to be determined uses abutting Mountain Avenue. The applicant was proposing four access points:

- Building a North/South access along Mountain Avenue which would tie into Indiana and a proposed new spine/collector into Mary's Farm and the Farmstead.
- Extending 3rd from Mary's Farm into a spine/collector that feeds into a North/South Access point on Mountain Avenue
- Extending 4th street from Mary's Farm and the Farmstead into the aforementioned collector road.
- Extending Indiana into the aforementioned North South Collector.

Mr. Freese mentioned the background of the project, which was previously approved as Fickel Farm in 1995 as a Planned Unit Development (PUD). The PUD was mixed use with single family detached (125 homes), single family attached or townhouses comprising of 70 homes, and the remainder was reserved for apartments. He mentioned that Staff was recommending Welch be extended, which was intended to be extended when the first phase of Fickel Farm was approved; however, that extension would be dealt with at the platting phase.

Kristin Turner, TB Group, explained the history of the proposal. She explained that the original request for R4 zoning was intended to allow the flexibility to have small scale neighborhood commercial along Highway 56 with no intent of apartments. However, due to feedback from the community, they resubmitted with a R3 zoning designation. Additional comments and concerns were received, and the applicant then amended the zoning designation to R2. She mentioned that a neighborhood meeting was held to explain the intent of the rezoning, and stated that they believed the request was consistent and compatible with the existing neighborhoods.

Bill Edwards, Edwards Development, noted that the density was less than what was proposed for the concept plan for the area. He stated that mixed use and product diversity was planned for the proposed area, and the density was not proposed to be much greater than R1 and was typical to the PUD in place currently. He noted the street connection into the Farmstead Subdivision, and mentioned the neighborhood meeting held to help establish communication with the surrounding neighbors.

Commissioner Dillion asked if a community gardens would be incorporated.

Mr. Edwards stated that the open space requirement would be increased with the R2 zoning, and the townhome portions would incorporate open space elements. He stated community gardens had not been discussed yet.

Commissioner Dillion asked if having carriage units was envisioned.

Mr. Edwards stated potentially duplexes, townhomes, cottages, patio homes, etc. Carriage units had not been discussed.

Commissioner Dillion asked about bed and breakfast uses or long-term care facilities.

Mr. Edwards replied no.

Commissioner Dillion asked if single family detached homes would be utilized.

Mr. Edwards replied yes.

Commissioner Dillion asked if duplexes would be allowed.

Mr. Edwards replied that it was a possibility.

Karen Fletcher, 305 E Iowa Ave, stated that she was member of Berthoud Concerned Citizens. She noted the Berthoud Comprehensive Plan, and stated they did not agree with the proposed densities approved in 2014 without citizen input; however, they did agree with the conclusion of the Berthoud Comprehensive Plan. She referenced a section of the plan, which stated 'Although Berthoud has evolved and grown considerably since its founding in 1878, it has retained its feeling and character of a small rural town in the midst of fast growing Northern Colorado. This atmosphere is one of the most appealing characteristics of Berthoud and is a major factor in attracting new residents and businesses. With proper planning and a collaborative spirit, this community's high quality of life can be preserved and enhanced.' She also noted another quote from the October 25, 2018 Berthoud Surveyor where the Town Administrator outlined the Town's priorities and the new Berthoud Strategic Plan, 'Promote strong since of community, enhance public safety and community resilience, maintain public trust and accountability'.
The stated that the Planning Commission had the opportunity to maintain public trust and accountability by demonstrating that they were willing to look to the citizens that were mostly affected by the decision on the rezoning. She asked that the proposed zoning not be supported as it was too dense. She asked that R1 zoning be supported.

Commissioner Dowker mentioned that 2014 Comprehensive Plan had numerous meetings and public input opportunity

Joe Rogers, 109 E Colorado Ave, stated that zoning was important for an area. He mentioned that many developers sell to the builders, which makes people nervous. He stated that he supported a request of R1 zoning, and it was important to maintain the same neighborhood feel.

Diane Kuligowksi, 318 E Colorado, stated that it was not a well planned residential development and had no quality residential amenities. She voiced her strong opposition to R2 zoning for the property. She mentioned that R2 zoning allowed for 16 units per acre, which was too dense compared to surrounding and adjacent neighborhoods. The Farmstead Subdivision was already approved for 220 units, which would calculate to an average of 572 people in that development. The new proposal would have approximately 520 units or approximately 1342 people directly north of Mary's Farm and east of Fickel Farm. She remarked that the total calculation for those two established neighborhoods was only 673 people. If R2 zoning was approved, the potential density would allow approximately 1914 people surrounding those two established subdivisions. With the limited exits and placement of those developments, it would cause an increase in traffic, an impact to quality of life and impact property values in their neighborhood. She stated that there was a lack of transition from what was in the established neighborhoods to what was being proposed. She also mentioned the school system overcrowding. She again voiced that she was extremely opposed to the rezoning and requested it be zoned R1.

Kathryn Scott, 109 SE 2nd, had concerns with density and traffic. She stated that if the property was rezoned to R2 then she hoped it could have a balance and a buffer to the existing neighborhoods. She suggested alley loaded and duplex homes along the west and south boundaries of the project to help with a transition to the townhome and cottage home areas. She remarked that the new population would also have an effect on the park and surrounding neighborhoods. She also that the development be accessed from Highway 56 during and after construction and later through Welch. She again mentioned wanting a transition from one neighborhood to the other. She also noted the trail access from the Farmstead to Pioneer Park and felt it needed to be relocated.

Mike Dougherty, 110 E Colorado, mentioned the potential for 520 homes if rezoned to R2 and noted that Mary's Farm only had 191 homes. He stated that the development would create more traffic and mentioned the narrow streets and access areas in Mary's Farm. He also mentioned that the two access areas on 3rd & 4th Streets created a concern for traffic. He remarked that there was a high demand for the type of housing that was in Mary's Farm and believed R1 would allow more of that type of housing.

Chris Freeman, 218 E Iowa, stated that he moved to Berthoud from Longmont in 2015 and noted the increased traffic already in Berthoud. He remarked that Longmont used to have a small town feel; however, townhomes, duplexes and apartments were developed. Registered sex offenders, gang members, drifters, drug use, and crime became prevalent. He mentioned that crime had increased in Berthoud. He stated that the Commission needed to stand up for smart growth as the citizens would have to live with the results. He asked that the Commission didn't bring the inner city experience to Berthoud. He stated that he supported R1 development.

Bruce Mardick, 1721 Wales, felt that it was well planned growth and was in favor of R2 zoning. He thanked the developers for moving from R4 to R2 to address citizen concerns. He spoke regarding affordable housing. He reiterated that he felt that it was well planned growth and was in favor of the rezone.

Lonnie Stevens, 316 E Iowa, stated that zoning was the most important part of the process. He had concerns that the rezoning would allow 16 dwelling units per acres, minimum lot size of 20 feet and a 40 foot building height. He had concerns that the builder could potentially build something different than what was presented by developer. He stated that R2 zoning did not compliment the surrounding land uses and there needed to be a transition area from the Mary's Farm area in to the new development. He remarked that the density would be doubled and was not consistent with the original PUD.

Cassandra Mckee, lived in Peakview Meadows, expressed concerns regarding increased traffic. She felt it should be zoned R1.

Mike Patrick, 111 E Indiana Ave, stated that a petition signed by approximately 350 people had been presented at the February 26, 2019 Town Board hearing, which was a response to the Farmstead and Fickel Farm proposals. He stated that high density allowing housing of that scale would negatively impact the surrounding neighborhoods in town. He stated that R2 zoning would not be a compatible with the existing housing types in the existing surrounding neighborhoods. He also mentioned that the concept showed four connections into Mary's Farm. He therefore felt that all the traffic flow would go through Mary's Farm, which was a major concern and one reason to oppose the R2 zoning.

Richard Hall, 113 E Indiana, stated that there was a different vision for the area than what was being proposed. He had safety concerns for the many new potential children as there would be increased traffic along with overcrowded schools. He stated that R2 zoning would add too many people in a small area, and R1 zoning was preferred.

Commissioner Shepard asked for an explanation of the process of working with or selling to builders.

Mr. Edwards confirmed that the builder would have to conform to the plan approved and would also have to conform to building codes. He noted that they would stay involved with their builders and were trying to work with front range builders. He also stated that there would be covenants and architectural controls. They were trying to establish architectural standards for the area and would be under contracts with the builders.

Commissioner Shepard mentioned the concerns of having a transition area from single family to townhome/multi-family units. He mentioned developed would drive school decisions, etc. He stated that R2 would allow affordable housing.

Mr. Freese mentioned that the applicant was allowed to request the zoning change, and the Town could not force the applicant to go to R1 zoning. He also stated that the applicant had the right to use the PUD that was already in place instead of changing the zoning.

Commissioner Byron acknowledged the concerns of the citizens. She stated that the Town must have some limited multifamily housing and affordable housing. There needed to be diversity in the Town and a balance created. She stated that Mary's Farm and Fickel Farm were unique and wonderful areas, which had a great community unity. She mentioned that there was the opportunity to welcome new neighbors, demonstrate the nature of the small town, and help deter some of the concerns being expressed.

Commissioner Dowker mentioned the high density meant smart growth standards. She noted the fears of decreased property values when Mary's Farm was being developed. She felt that the possibility of what it could look like should be embraced. The developer had the right to develop the property; however, the public could stay engaged to help build a better neighborhood and better Berthoud. She stated that there needed to be more housing options for the community. She also commended the developer for moving from R4 to R3 to R2 zoning and for listening and working with the concerns of the citizens.

Commissioner Butler asked when traffic studies would be appropriate for an application.

Mr. Freese stated that traffic studies had not been completed and where completed at the preliminary plat phase.

Commissioner Banzhaf mentioned the road network proposed and felt it should be examined.

Commissioner Dowker mentioned the trail easement on the south side of the proposed development and asked that the trail placements be taken into account so they were safe for families.

Commissioner Byron mentioned that the developer needed to be conscience of how the streets out of Mary's Farm became collector streets. She also stated that a more permanent and easily maintained path to Pioneer Park needed to be considered. She remarked that it would also help to the transition from the existing neighborhood.

Commissioner Dillon mentioned that crime and drugs were already impacting the community. However, when making new communities it needed to be considered how that development would benefit the community and allow people to become a part of the community. He stated that the petition created by the citizens was noted and heard by the Commission. He noted that it was not the responsibility of the developer to determine or worry about social safety. He remarked that there was a need to create diversity in housing products and offer more opportunities for affordable housing.

Commissioner Murphy thanked the citizens for being engaged and noted that the Commission was listening. He stated that he appreciated the developer for going above and beyond to recognize the concerns of the citizens and hoped they would continue. He noted that feathering into the existing neighborhoods and transitioning was an important aspect. He stated that diversity and affordability needed to be considered as there were many people that could not afford housing here.

Commissioner Shepard thanked the applicant and the citizens and agreed with other Commissioner comments.

MOTION by Commissioner Shepard to approve the Fickel Rezone to approve the request to rezone 32.298 acres from PUD to R-2 (Limited Multi-Family District) finding that:

1. The request satisfies the applicable zoning amendment criteria of Section 30-3-110.B of the Town's Development Code
2. The rezoning is consistent with the Town of Berthoud's Comprehensive Plan and Preferred Land Use Map.
3. Recommendation of a continuation of the Indiana trail/greenway corridor into the Farmstead with any future platting actions.

Second by Commissioner Dillion.

With all in favor, THE MOTION CARRIED.

Commissioner Dowker reiterated that public discourse was important. She encouraged the citizens to stay engaged and noted that their concerns were being noted.

6. **Reports**

Mr. Freese stated that there would not be a March 14th Planning Commission meeting. He stated that there would be a joint planning session with Town Board with CML in the coming months. He also mentioned that updates to the Comprehensive Plan would begin in 2019.

Commissioner Banzhaf mentioned having a Land Use 101 to bring knowledge and understanding to citizens of the community.

Meeting adjourned at 9:50 p.m.

_____
Kelsey Byron, Secretary

_____
Jill Wilson, Planning and Building Technician

STAFF REPORT REZONING/PRELIMINARY PLAT HERON LAKES

DATE: March 28, 2018

GENERAL INFORMATION		
Applicant:	**Heron Lakes Investments LLC, Jim Birdsall agent**	**Size: Prelim Plat: 10th Filing 111.38 11th Filing: 20.47 acres Rezoning: See request below**
Site Location:	**This property is located West and Northwest of Highway 287, and South of LCR 14.**	
Applicant's Request:	**The Applicant is requesting to rezone: AG to R-2: 0.228 acres; AG to R2: 0.003 acres; AG to R-3: 1.068 acres; R2 to R3: 4.545 acres; R2 to AG: 0.033 acres; R2 to AG: 0.974 acres; and R-2 to AG 0.048 acres. The Applicant is also requesting preliminary plat approval for Heron Lakes 10th Filing, consisting of 29 patio homes; and 11th Filing, consisting of 28 attached/townhouses, and 31 single family homes.**	
Current Zoning:	**AG/R-2**	

ZONING DISTRICT INFORMATION			
	AG	**R-2**	**R-3**
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		
Adjacent Zoning	**Adjacent Land Uses**	**Setbacks for Adjacent Zoning /Buffer required if rezoned**
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 requesting to rezone seven previously zoned areas, and approval of the Heron Lakes Tenth Filing Preliminary Plat. The primary purpose of the zoning map amendments is to correct platting issues. 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.

Rezonings

The applicant is proposing to rezone seven areas:

AREA 1: AG to R-2: 9,920 square feet or 0.228 acres more or less

AREA 2: AG to R2: 117 square feet or 0.003 acres more or less;

AREA 3: AG to R-3: 46,513 square feet or 1.068 acres more or less.

AREA 4: R2 to R3: 197,972 square feet or 4.545 acres more or less.

AREA 5: R2 to AG: 1,436 square feet or 0.033 acres more or less.

AREA 6: R2 to AG: 42,441 square feet or 0.974 acres more or less.

AREA 7: R2 to AG: 2,104 square feet or 0.048 acres more or less.

The majority of the seven rezoning requests are to transfer small areas either from the golf course into lots to provide more depth for the lots, or vice versa—transferring areas zoned residential back to the golf course. For newer Commissioners, the golf course is located within the AG zoning area. So, the transfers into or out of AG, are to and from the Golf Course itself. All but the rezonings of Area 3 and 4, transfer small non-developable areas either to the Golf Course, or to the proposed residential lots in the preliminary plat also being requested. Therefore, no change in density, or use will result in these five rezonings apart from Area 3-4; moreover, roughly the same amount of area is being transferred to and from the golf course to the residential lots, and vice versa.

The map amendments proposed in Area 3 and Area 4 from AG and R-2, will result in allowing the applicant the right to build condo's or apartment complexes on a 5.5-acre area, which results in an increase of density from 16 units per acre in R-2, to 20 units per acre in R-3. However, Staff understands the Applicant is planning patio homes and zero lot line homes which are allowed in R-2, and merely wished to continue the R-3 zoning which adjoins to the South, for ease of future development and platting.

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 just North of 10th Filing, 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 driveway (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. 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-five 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 rezoning approved in 2015, divided up the project into "superpad" sites, and each were approved with a specific zoning district. The "superpads" were intended as large acreage parcels with appropriate

zoning for future development or conveyance. These "superpad" sites do not allow for any future buildings/homes to be built, without first going through an additional platting and approval process (preliminary, final, with traffic plans, landscape, and construction/infrastructure to be approved with each approval). Furthermore, the 2015 rezoning (as well as a subsequent rezonings in 2016, and 2017) kept the same acreage, overall density, and commercial area. This request as part of Heron Lakes 10th Filing, will not alter the overall density etc. for the entirety of this large mixed-use development project. Please refer to the Filing Index to see where 10th 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.

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. The properties were recently rezoned.
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
    - ✓ This is a major development project that due to its size, complexity, mixture of uses, and the golf and TPC nature of the course, has experienced changing conditions as the development progresses. Rezoning the areas affected by such change, serves to benefit the development and the Town.
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 zoning changes requested are for the applicant to better realize the vision of a national attraction and development and satisfy the density and goals of the Comprehensive Plan.

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

    ✓ Heron Lakes is a major and complex mixed-use development that will experience changing conditions throughout its build-out, which will likely take many years. It is therefore in the public interest to allow relatively minor changes related to this complexity as submitted with this rezoning. Such alterations do not increase the density or the overall feel of the project, but instead only make the development more likely to come to fruition and thus serve as a redevelopment catalyst for the entire Town of Berthoud.

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.

FINDINGS NECESSARY FOR THE PRELIMINARY PLATS

1. **The Preliminary 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.

2. **The application incorporates the Town's recommendations and any conditions of approval.**

✓ The applicant has revised the Plan to satisfy all Staff comments. No other conditions are existing or applicable.

3. **The land use mix within the project conforms to Berthoud's Zoning District Map and Preferred Land Use Map and furthers the goals and policies of the Comprehensive Plan and PORT Plan.**

✓ The patio home use is permitted in the R-2 zoning district and is well under the allowed density requirements of R-2.

✓ The plat is consistent with the overall density planned for this area in the Preferred Land Use Map.

4. **The utility and transportation design is adequate, given existing and planned capacities of those systems.**

✓ 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.

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.

6. **There is a need or desirability within the community for the applicant's development and the development will help achieve a balance of land use and/or housing types within Berthoud.**

- ✓ Patio homes represent a rarely build use, which offer better accessibility to older and disabled citizens.

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 to recommend the Heron Lakes zoning map amendment with the following zoning changes: AG to R-2: 0.228 acres; AG to R2: 0.003 acres; AG to R-3: 1.068 acres; R2 to R3: 4.545 acres; R2 to AG: 0.033 acres; R2 to AG: 0.974 acres; and R-2 to AG 0.048 acres, finding that the proposed rezoning:

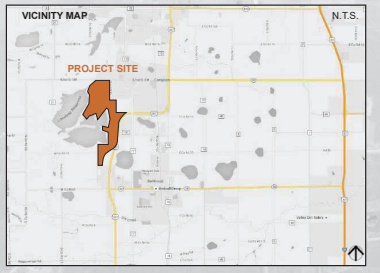
1. **Satisfies the applicable zoning amendment criteria of Section 30-3-110.B of the Town's Development Code as found on pages 4-5 of this Staff Report; and**
2. **Is consistent with the Town of Berthoud's Comprehensive Plan and Preferred Land Use Map.**

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

1. **Finding it is consistent with Section 30-6-105 C (found on pages-5-6 of this Staff Report)**

FILING INDEX | JANUARY 2018

HERON LAKES



LONETREE RESERVOIR

WELCH RESERVOIR

MCNEIL RESERVOIR

LOVELAND RESERVOIR

COUNTY ROAD 10W

COUNTY ROAD 14

COUNTY ROAD 10E

BERTHOUD PARKWAY (US HWY 287)

TAFT AVENUE

TAFT AVENUE

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 5TH 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

0 400' 600' 800'
SCALE 1" = 400'-0"
NORTH

Arthur Schaupeter
GOLF COURSE ARCHITECTS
59 Willow Brook Drive - St. Louis, Missouri 63146
Telephone: 314-997-4229 Fax: 314-997-7104
American Society of Golf Course Architects

Hillside Commercial Group, Inc.

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

PROPOSED REZONING MAP

HERON LAKES REZONING MAP, AMENDMENT 4

TRACTS OF LAND LOCATED IN THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE 6TH P.M., COUNTY OF LARIMER, STATE OF COLORADO

DESCRIPTION:

KNOW ALL MEN BY THESE PRESENTS: That the undersigned, being the owners and petitioners of that portion of the West Half of the Northwest Quarter of Section 3, Township 4 North, Range 69 West of the 6th Principal Meridian, County of Larimer, State of Colorado, more particularly described as follows:

HERON LAKES REZONING MAP, AMENDMENT 4:

That portion of the West Half of the Northwest Quarter of Section 3, Township 4 North, Range 69 West of the 6th Principal Meridian, County of Larimer, State of Colorado, more particularly described as follows:

Considering the North line of the Northwest corner of Section 3 as bearing South 89° 39' 59" West and with all bearings contained herein relative thereto:

AREA 1: AG to R2

BEGINNING at the North corner of Tract C, Heron Lakes Third Filing, said point being POINT OF BEGINNING 1; thence along the Southeasterly right-of-way line of Heron Lakes Parkway, North 61° 03' 34" East, 17.96 feet; thence, South 28° 56' 26" East, 110.00 feet; thence, South 57° 53' 14" West, 46.79 feet; thence, South 43° 48' 33" West, 46.61 feet; thence, South 40° 50' 52" West, 200.00 feet; thence, South 39° 55' 15" West, 98.79 feet; thence North 52° 38' 38" West, 14.33 feet to the Easterly line of said Tract C, said point being Point A; thence along said Easterly line the following 3 courses and distances: North 04° 04' 25" East, 11.90 feet; thence, North 40° 56' 13" East, 375.28 feet; thence, North 28° 56' 26" West, 78.93 feet to POINT OF BEGINNING 1, containing 9,920 square feet or 0.228 acres more or less.

AREA 2: AG to R2

COMMENCING at aforementioned Point A; thence along the Easterly line of Tract C, Heron Lakes Third Filing, South 04° 04' 25" West, 114.35 feet to POINT OF BEGINNING 2; thence, South 58° 18' 08" East, 11.04 feet; thence, South 31° 41' 52" West, 21.10 feet to the Easterly line of Tract C, said point being Point B; thence along said Easterly line, North 04° 04' 25" East, 23.82 feet to POINT OF BEGINNING 2, containing 117 square feet or 0.003 acres more or less;

AREA 3: AG to R3

BEGINNING at the Southwest corner of Tract B, Heron Lakes Third Filing, said point being POINT OF BEGINNING 3; thence along the Westerly line of Tract F, Heron Lakes Second Filing the following 2 courses and distances: South 12° 21' 28" West, 487.56 feet; thence, North 84° 05' 17" West, 48.84 feet; thence, North 12° 22' 38" East, 971.83 feet; thence, South 77° 38' 32" East, 37.83 feet to the Westerly line of Tract B; thence along said Westerly line the following 2 courses and distance: South 03° 48' 54" West, 69.83 feet; thence, South 12° 21' 28" West, 409.73 feet to POINT OF BEGINNING 3, containing 46,513 square feet or 1.068 acres more or less.

AREA 4: R2 to R3

BEGINNING at the Southwest corner of Tract B, Heron Lakes Third Filing, said point being POINT OF BEGINNING 4; thence along the Westerly line of Tract B, Heron Lakes Second Filing the following 2 courses and distances: thence, North 12° 21' 28" East, 409.73 feet; thence, North 03° 48' 54" East, 69.83 feet; thence, South 77° 38' 32" East, 239.92 feet; thence, South 89° 59' 15" East, 130.18 feet to the East line of Tract B; thence along said East line, South 00° 00' 45" West, 475.78 feet to the South line of Tract B; thence along said South line the following 2 courses and distance: South 89° 31' 22" West, 221.07 feet; thence, North 75° 55' 46" West, 243.01 feet to POINT OF BEGINNING 4, containing 197,972 square feet or 4.545 acres more or less.

AREA 5: R2 to AG

BEGINNING at aforementioned Point A, said point being POINT OF BEGINNING 5; thence, South 04° 04' 25" West, 83.60 feet; thence, North 58° 18' 08" West, 38.76 feet; thence North 31° 41' 52" East, 74.07 feet to POINT OF BEGINNING 5, containing 1,436 square feet or 0.033 acres more or less.

AREA 6: R2 to AG

BEGINNING at aforementioned Point B, said point being POINT OF BEGINNING 6; thence along the Westerly line of Tract G4, Heron Lakes Second Filing the following 4 courses and distances: South 04° 04' 25" West, 338.17 feet; thence, South 53° 07' 17" West, 77.21 feet; thence North 82° 36' 23" West, 168.31 feet; thence, South 43° 47' 52" West, 445.64 feet to Point C; thence, North 43° 00' 07" East, 72.00 feet; thence, North 46° 12' 08" West, 10.00 feet; thence, North 43° 47' 52" East, 100.00 feet; thence, South 46° 12' 08" East, 10.00 feet; thence, North 43° 47' 52" East, 158.42 feet; thence, North 50° 51' 10" West, 13.80 feet; thence, North 37° 46' 52" East, 54.31 feet; thence, North 35° 02' 57" East, 54.31 feet; thence, North 31° 41' 52" East, 64.34 feet; thence, South 58° 18' 08" East, 54.68 feet; thence, North 31° 41' 52" East, 100.00 feet; thence, South 58° 18' 08" East, 10.00 feet; thence, North 31° 41' 52" East, 200.00 feet; thence, North 58° 18' 08" West, 10.00 feet; thence North 31° 41' 52" East, 78.90 feet to POINT OF BEGINNING 6, containing 42,441 square feet or 0.974 acres more or less.

AREA 7: R2 to AG

BEGINNING at aforementioned Point C, said point being POINT OF BEGINNING 7; thence along the Westerly line of Tract G4, Heron Lakes Second Filing the following 2 courses and distances: thence, South 31° 53' 35" West, 98.44 feet; thence South 18° 53' 07" West, 122.03 feet; thence, North 70° 19' 38" West, 7.01 feet; thence, North 19° 40' 22" East, 100.00 feet; thence, North 70° 19' 38" West, 10.06 feet; thence, North 25° 44' 37" East, 49.53 feet; thence, North 33° 35' 39" East, 49.32 feet; thence, South 54° 26' 41" East, 10.01 feet; thence, North 41° 24' 05" East, 25.66 feet to POINT OF BEGINNING 7, containing 2,104 square feet or 0.048 acres more or less.

OWNER: Heron Lakes Investments, LLC

BY: _____
Jon A. Turner, Manager

STATE OF COLORADO)
)SS
COUNTY OF LARIMER)

The forgoing instrument was acknowledged before me this _____ day of _____, 20____, by

Jon A. Turner as Manager of Heron Lakes Investments, LLC.

Witness my hand and official seal

My commission expires: _____

_____
Notary Public

APPROVAL CERTIFICATES:

This is to certify that the rezoning of the above described property was approved by Ordinance No. _____ of the Town of Berthoud, passed and adopted on the _____day of _____, 2019, and that the Mayor of the Town of Berthoud as authorized by said ordinance on behalf of the Town of Berthoud hereby for al acnowledges and adopts the said annexation upon which the certificate is endorsed for all purposes indicated hereon.

Approved by the Board of Trustees of the Town of Berthoud, Colorado this _____day of _____, 20 9.

_____
Mayor

The forgoing map is approved for filing and accepted by the Town of Berthoud, Colorado this _____day of _____, 2019.

ATTEST: _____
Town Clerk

APPROVAL CERTIFICATES:

Approved by the Planning Commission of the Town of Berthoud, Colorado this _____day of _____, 2019.

_____
Chairman

The forgoing map is approved for filing and accepted by the Town of Berthoud, Colorado this _____day of _____, 2019.

ATTEST: _____
Planning Technician

LARIMER COUNTY CLERK & RECORDER CERTIFICATE:

This Rezoning Map was accepted for filing in the Office of the Larimer County Clerk & Recorder on this _____ day of

_____, 2019, A.D. at _____ M. in Book _____, Page _____, Reception No.

_____

By: _____
Larimer County Clerk and Recorder

VICINITY MAP
1" = 5000'

OWNER/DEVELOPER
Heron Lakes Investments, LLC
8023 S. CR 5, Suite 200
Windsor, CO 80528

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

NOTES:

1) Basis of Bearings is the North line of the West Half of the Northwest Quarter of Section 3-4-69 as bearing South 89° 39' 59" West and monumented as shown on drawing (assumed bearing).

2) The lineal unit of measurement for this plat is U.S. Survey Feet.

3) This survey does not constitute a title search by Northern Engineering to determine ownership or easements of record. The following documents were utilized in preparation of this Zoning Map: Heron Lakes Second Filing, Rec. No. 20160009367; and Heron Lakes Third Filing, Rec. No. 20160036869.

4) Zoning information per Town of Berthoud Zoning Map dated October 2017.

SURVEYOR'S STATEMENT

I, Robert C. Tessely, a Registered Land Surveyor in the State of Colorado, do hereby certify that this Rezoning Map of HERON LAKES REZONING MAP, AMENDMENT 4, Town of Berthoud, County of Larimer, State of Colorado was made under my direct supervision and the accompanying map accurately and properly shows said annexation.

DRAFT
1-23-19

For and on Behalf of Northern Engineering
Robert C. Tessely
Colorado Registered Professional
Land Surveyor No. 38470

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

SECTION: 3
TOWNSHIP: 4N
RANGE: 69 W of the 6th PM

NORTHERN ENGINEERING
FORT COLLINS: 301 North Howes Street, Suite 100, 80521
GREELEY: 2900 West 10th Street, Greeley, CO 80634
970.221.4158
northernengineering.com

PROJECT: 193-077
DESIGNED BY:
DRAWN BY: L. Smith
DATE: 1/23/19
SCALE: N.A.
REVIEWED BY: R. Tessely

HERON LAKES REZONING MAP, AMENDMENT 4
TOWN OF BERTHOUD
LARIMER COUNTY, COLORADO

Sheet
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Of 2 Sheets

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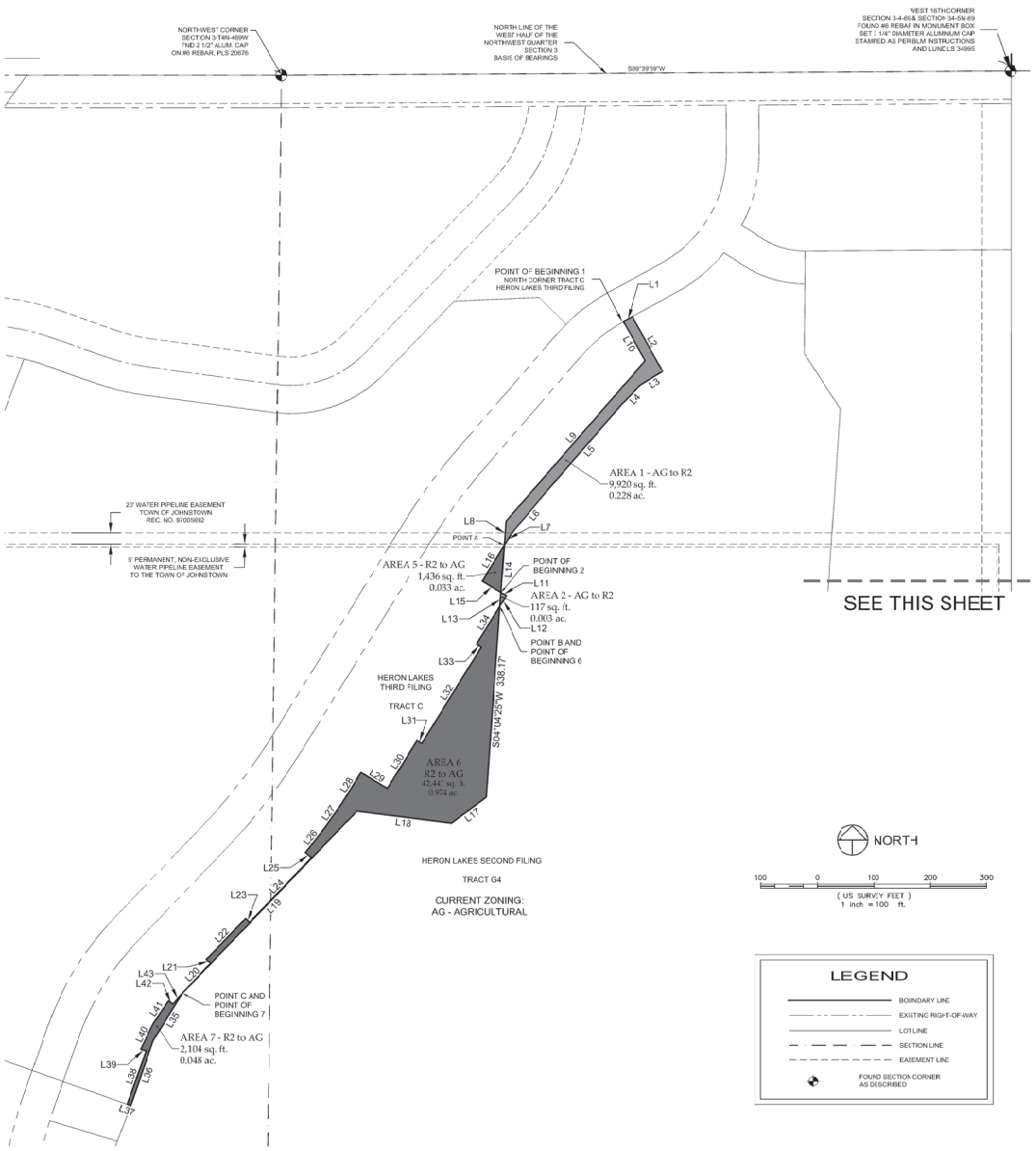
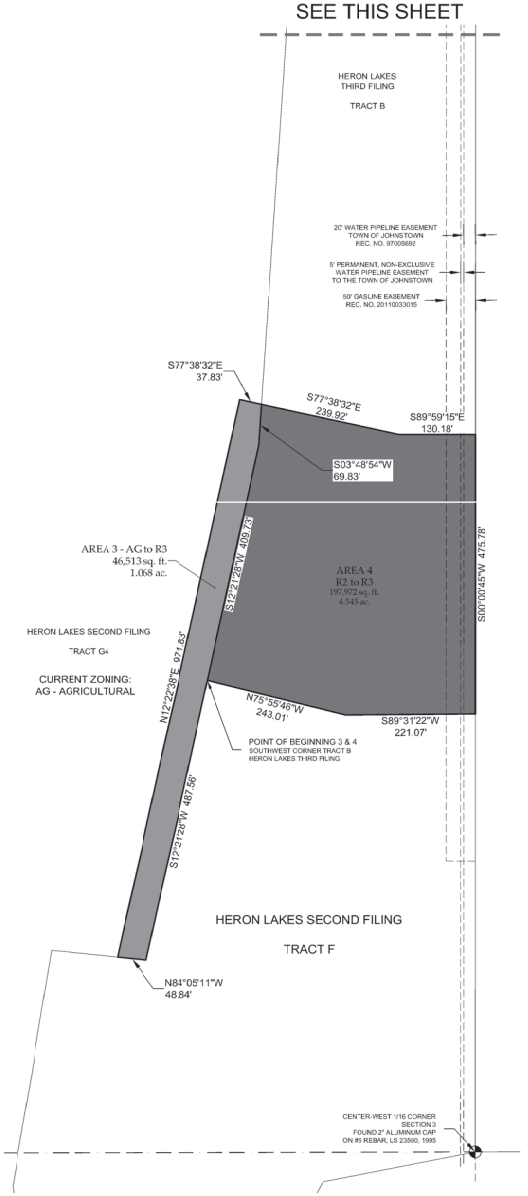
HERON LAKES REZONING MAP, AMENDMENT 4

TRACTS OF LAND LOCATED IN THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE 6TH P.M., COUNTY OF LARIMER, STATE OF COLORADO



LEGEND

- BOUNDARY LINE
- EXISITING RIGHT-OF-WAY
- LOT LINE
- SECTION LINE
- EASEMENT LINE
- FOUND SECTION CORNER AS DISCRIBED



LINE TABLE		
LINE	LENGTH	BEARING
L1	17.98'	N61° 03' 34"E
L2	110.00'	S28° 56' 26"E
L3	46.79'	S57° 53' 14"W
L4	46.61'	S43° 48' 33"W
L5	200.03'	S40° 50' 52"W
L6	98.79'	S39° 55' 15"W
L7	25.83'	S31° 41' 52"W
L8	42.65'	N04° 04' 25"E
L9	375.28'	N40° 56' 13"E
L10	78.93'	N28° 56' 26"W
L11	11.04'	S58° 8' 08"E
L12	21.16'	S31° 41' 52"W
L13	23.83'	N04° 04' 25"E
L14	83.66'	S04° 04' 25"W
L15	38.76'	N58° 8' 08"W
L16	74.07'	N31° 41' 52"E
L17	77.21'	S53° 07' 17"W
L18	168.31'	N82° 30' 23"W
L19	445.64'	S43° 47' 52"W
L20	72.06'	W43° 00' 07"E
L21	10.09'	N46° 52' 08"W
L22	100.00'	W43° 47' 52"E
L23	10.09'	S46° 2' 08"E
L24	158.42'	W43° 47' 52"E
L25	13.88'	N50° 51' 10"W
L26	54.31'	W37° 46' 52"E
L27	54.31'	W35° 02' 57"E
L28	64.34'	W31° 41' 52"E
L29	54.68'	S58° 8' 08"E
L30	100.00'	W31° 41' 52"E
L31	10.09'	S58° 8' 08"E
L32	200.03'	W31° 41' 52"E
L33	10.09'	N58° 8' 08"W
L34	78.96'	W31° 41' 52"E
L35	98.44'	S31° 53' 36"W
L36	122.03'	S18° 53' 07"W
L37	7.01'	N70° 9' 38"W
L38	100.00'	W19° 40' 22"E
L39	10.09'	N70° 9' 38"W
L40	49.53'	W25° 44' 37"E
L41	49.32'	W33° 35' 39"E
L42	10.01'	S54° 26' 41"E
L43	25.66'	W41° 24' 05"E

PRELIMINARY

Robert C. Tessely
Registered Professional Land Surveyor
Colorado Registration No. 38470
for and on behalf of Northern Engineering Services, Inc.

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

SECTION: 3
TOWNSHIP: 4N
RANGE: 69 W of the 6th PM

NORTHERN ENGINEERING
970.221.4158
northernengineering.com
FORT COLLINS: 301 North Howes Street, Suite 100, 80521
GREELEY: 2900 West 10th Street, 80634

PROJECT: 103-077
DESIGNED BY:
DATE: 1/23/19
SCALE: 1"=100'
DRAWN BY: L. Smith
REVIEWED BY: R. Tessely

HERON LAKES REZONING MAP, AMENDMENT 4
TOWN OF BERTHOUD
LARIMER COUNTY, COLORADO

Sheet 2
Of 2 Sheets

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PROPOSED PRELIMINARY PLAT

HERON LAKES TENTH FILING

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

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 F and G4, Heron Lakes Second Filing and
Tracts A, B and C, Heron Lakes Third Filing

containing 5,008,081 square feet or 114.970 acres more or less.

Have laid out, platted, and subdivided the above described land, under the name and style of HERON LAKES TENTH FILING, and by these presents do dedicate to the Town of Berthoud in fee simple the street and public "rights-of-way" as shown on the plats, and grant to the Town of Berthoud such easements and rights-of-way, and all right, title and interest in real property to the above described lands, including all surface interests and all minerals within or underlying said lands, as are created hereby and depicted on, by note, referenced hereon, along with the right to install, maintain, replace and operate mains, transmission lines, service lines, and appurtenances, either directly or through the various public utilities, as may be necessary to provide such utility, cable television, water, electric, natural gas and sanitary services within this subdivision or property contiguous thereto, through, over, under, and across streets, utility and other easements, and other public places shown on the plat.

OWNER: Heron Lakes Investments, LLC

BY:_____

STATE OF COLORADO)
)SS
COUNTY OF LARIMER)

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

_____as _____ of Heron Lakes Investments, LLC.

Witness my hand and official seal

My commission expires: _____

_____
Notary Public

OWNER: Western Slope Mineral Company, LLC

BY:_____
Jon Turner

STATE OF COLORADO)
)SS
COUNTY OF LARIMER)

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

Jon Turner as Manager 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)
)SS
COUNTY OF LARIMER)

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

_____ as _____ of Berthoud-Heritage Metropolitan District No. 9.

Witness my hand and official seal

My commission expires: _____

_____
Notary Public

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.

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° 42' 57" West (assumed), as monumented on drawing.

2) All information regarding easements, right-of-way or title of record, Northern Engineering relied upon Order Number FC25135928-2, dated 11-23-15, prepared by Land Title Guarantee Company.

3) The lineal unit of measurement for this plat is U. S. Survey feet.

4) The word "certify" 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 guaranty, expressed or implied.

5) Northern Engineering or the Professional Land Surveyor listed hereon, 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 heron assumes no responsibility for the mineral rights upon the subject property.

6) Any easements created by separate document and shown hereon are for reference purposes only. Refer to recorded document for specific location and terms.

7) Not all documents listed in the title commitment are plottable or definable. Owner, Client and others should refer to the title commitment and those documents listed therein 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 understand their impact, if any, on the subject property.

9) The title commitment used in preparation of this plat is out of date per Town of Berthoud Development Code, 33-6-107. The owner or client is responsible for providing the surveyor a current title commitment prior to final submittal. The title commitment must be current and dated no more than thirty days from the date of final plat application submittal per The Town of Berthoud Development Code.

SURVEYOR'S STATEMENT

I, Robert C. Tessely, a Registered Professional Land Surveyor in the State of Colorado, do hereby certify that the survey of HERON LAKES TENTH FILING was made under my supervision and the accompanying plat accurately and properly shows said subdivision and is in compliance with the Subdivision Regulations of the Town of Berthoud.

DRAFT
1-23-19

For and on behalf of Northern Engineering Services
Robert C. Tessely
Colorado Registered Professional
Land Surveyor No. 38470

NORTH VICINITY MAP
1"=5000'

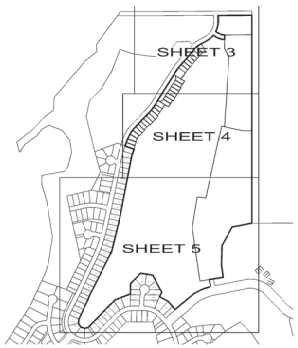
OWNER/APPLICANT
Heron Lakes Investment LLC
James Birdsall, Manager
444 Mountain Avenue
Berthoud, CO 80513
(970) 532-5891

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

PLANNER/LANDSCAPE ARCHITECT
Jim Birdsall, ASLA
The Birdsall Group
444 Mountain Avenue
Berthoud, CO 80513
(970) 532-5891

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

SHEET INDEX



NORTH

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

SECTION: 3 & 4
TOWNSHIP: 4N
RANGE: 69 W of the 6th PM

NORTHERN ENGINEERING
FORT COLLINS: 301 North Howes Street, Suite 100, 80521
GREELEY: 2900 West 10th Street, 80634
970.221.4158
northernengineering.com

DATE: 1/23/19
SCALE: N.A.
REVIEWED BY: R. Tessely
PROJECT: 193-077
CLIENT: Birdsall Group
DRAWN BY: L. Smith

HERON LAKES TENTH FILING
TOWN OF BERTHOUD
STATE OF COLORADO

Sheet
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Of 6 Sheets

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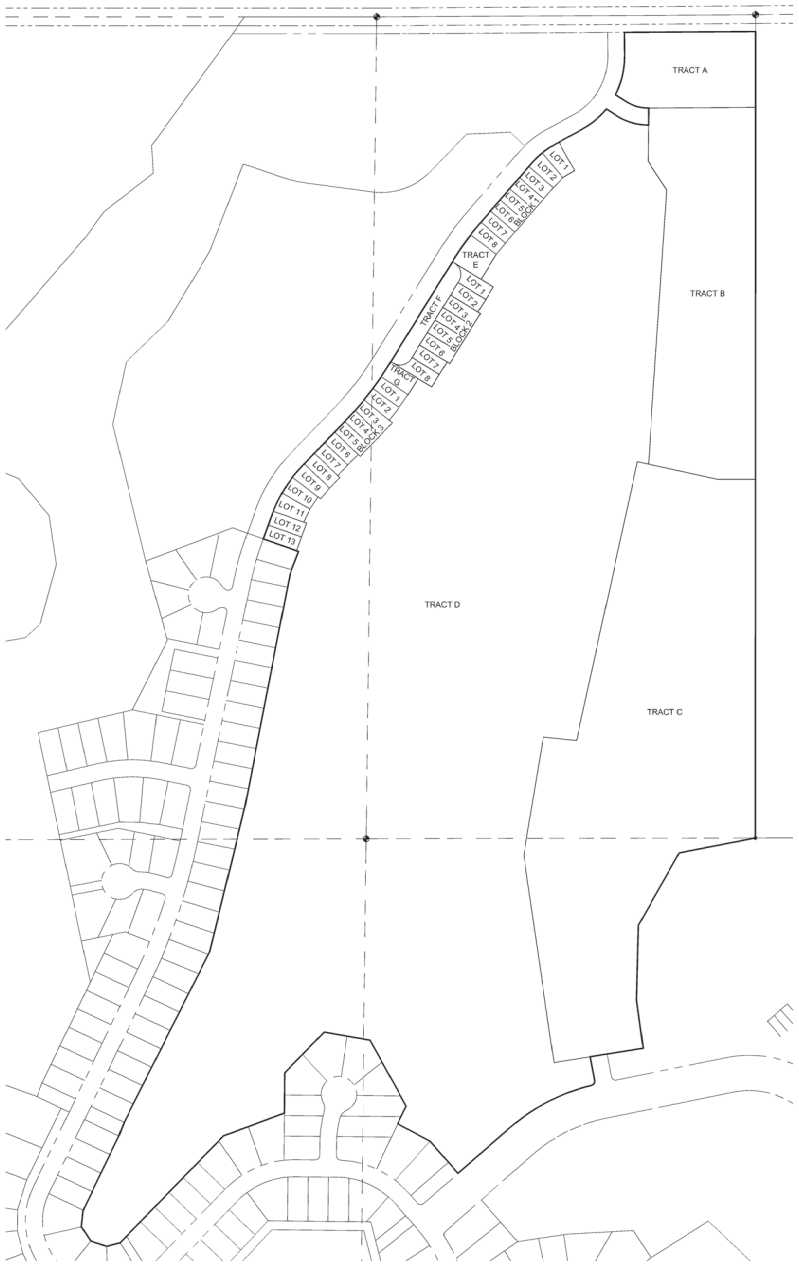
HERON LAKES TENTH FILING

A REPLAT OF TRACTS F & G4, HERON LAKES SECOND FILING, AND TRACTS A, B & C, HERON LAKES THIRD FILING, LCCATED 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	DELTA	RADIUS	LENGTH	BEARING	CHORD
C1	86°47'12"	15.00'	22.72	S32°50'09"W	20.61'
C2	27°34'11"	660.00'	317.56'	S82°26'49"W	314.49'
C3	24°07'10"	471.00'	198.32'	N31°44'07"E	196.86'
C4	12°06'10"	1029.00'	217.37'	N37°44'52"E	216.90'
C5	1°09'07"	971.00'	195.07	N36°16'22"E	195.90'
C6	20°12'11"	271.00'	95.60	N50°57'13"E	95.10'
C7	22°04'18"	279.00'	107.46	N50°01'30"E	106.80'
C8	13°20'18"	194.00'	112.92	S73°36'02"E	111.33'
C9	13°20'18"	136.00'	79.16	N73°36'02"W	78.05'
C10	27°18'19"	279.00'	132.96	N13°24'19"E	131.71'
C11	10°17'12"	271.00'	48.67	N55°54'53"E	48.60'
C12	9°55'20"	271.00'	46.93	N45°48'32"E	46.87'
C13	1°14'18"	971.00'	4.04'	N40°43'43"E	4.04'
C14	1°15'13"	971.00'	55.14	N38°58'58"E	55.13'
C15	1°39'30"	971.00'	95.89	N34°31'37"E	95.85'
C16	31°30'11"	18.00'	9.90'	N42°32'52"W	9.77'
C17	29°59'18"	18.00'	9.42'	S73°18'08"E	9.32'
C18	90°00'00"	44.00'	69.12	N13°18'08"W	62.23'
C19	27°59'11"	665.00'	324.81'	S82°39'34"W	321.66'
C20	90°00'00"	44.00'	69.12	N76°41'52"E	62.23'
C21	1°59'08"	1029.00'	35.66	N32°41'26"E	35.66'
C22	1°43'15"	1029.00'	49.07	N35°02'57"E	49.06'
C23	1°43'15"	1029.00'	49.07	N37°46'52"E	49.06'
C24	1°41'15"	1029.00'	48.46	N40°29'47"E	48.46'
C25	1°57'07"	1029.00'	35.06	N42°46'18"E	35.05'
C26	1°17'10"	471.00'	51.68	N40°36'17"E	51.65'
C27	1°50'14"	471.00'	64.40	N33°33'39"E	64.35'
C28	1°21'59"	471.00'	68.78	N25°29'38"E	68.71'
C29	1°38'17"	471.00'	13.47	N20°29'30"E	13.46'
C30	67°12'12"	10.00'	15.22	S33°02'54"W	13.79'

LINE TABLE		
LINE	LENGTH	BEARING
L1	42.91'	S56° 58' 32"E
L2	58.00'	N00° 23' 44"E
L3	0.79'	S89° 40' 29"W
L4	42.91'	N56° 58' 32"W
L5	186.91'	S58° 18' 08"E
L6	196.43'	N58° 18' 08"W

LAND USE TABLE					
PARCEL	AREA		PERCENT	USE	OWNED & MAINTAINED BY
TRACT A	115,989 S.F.	2.66 AC.	2.32%	Future Development	Metro District
TRACT B	423,273 S.F.	9.72 AC.	8.45%	Future Development	Metro District
TRACT C	1,000,323 S.F.	22.96 AC.	19.97%	Future Development	Metro District
TRACT D	3,258,111 S.F.	74.80 AC.	65.06%	Future Development	Metro District
TRACT E	11,886 S.F.	0.27 AC.	0.24%	Utility, Drainage & Access Easement	Metro District
TRACT F	20,786 S.F.	0.48 AC.	0.42%	Utility, Drainage & Access Easement	Metro District
TRACT G	6,823 S.F.	0.16 AC.	0.14%	Utility, Drainage & Access Easement	Metro District
LOTS (29)	170,875 S.F.	3.92 AC.	3.41%	Single-Family Residential	Property Owner
TOTAL	5,008,081 S.F.	114.17 AC.	100.00%		

NORTH

200 0 200 400 600 Feet

(US SURVEY FEET)
1 inch = 200 ft.

PRELIMINARY

Robert C. Tessely
Registered Professional Land Surveyor
Colorado Registration No. 38470
for and on behalf of Northern Engineering Services, Inc.

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

SECTION: 3 & 4
TOWNSHIP: 4N
RANGE: 69 W of the 6th PM

NORTHERN ENGINEERING
FORT COLLINS: 301 North Howes Street, Suite 100, 80521
GREELEY: 2900 West 10th Street, 80634
970.221.4158
northernengineering.com

PROJECT: 103-077
DATE: 1/23/19
CLIENT: Birdsall Group
SCALE: 1"=200'
DRAWN BY: L. Smith
REVIEWED BY: R. Tessely

HERON LAKES TENTH FILING
TOWN OF BERTHOUD
STATE OF COLORADO

Sheet
2
Of 6 Sheets

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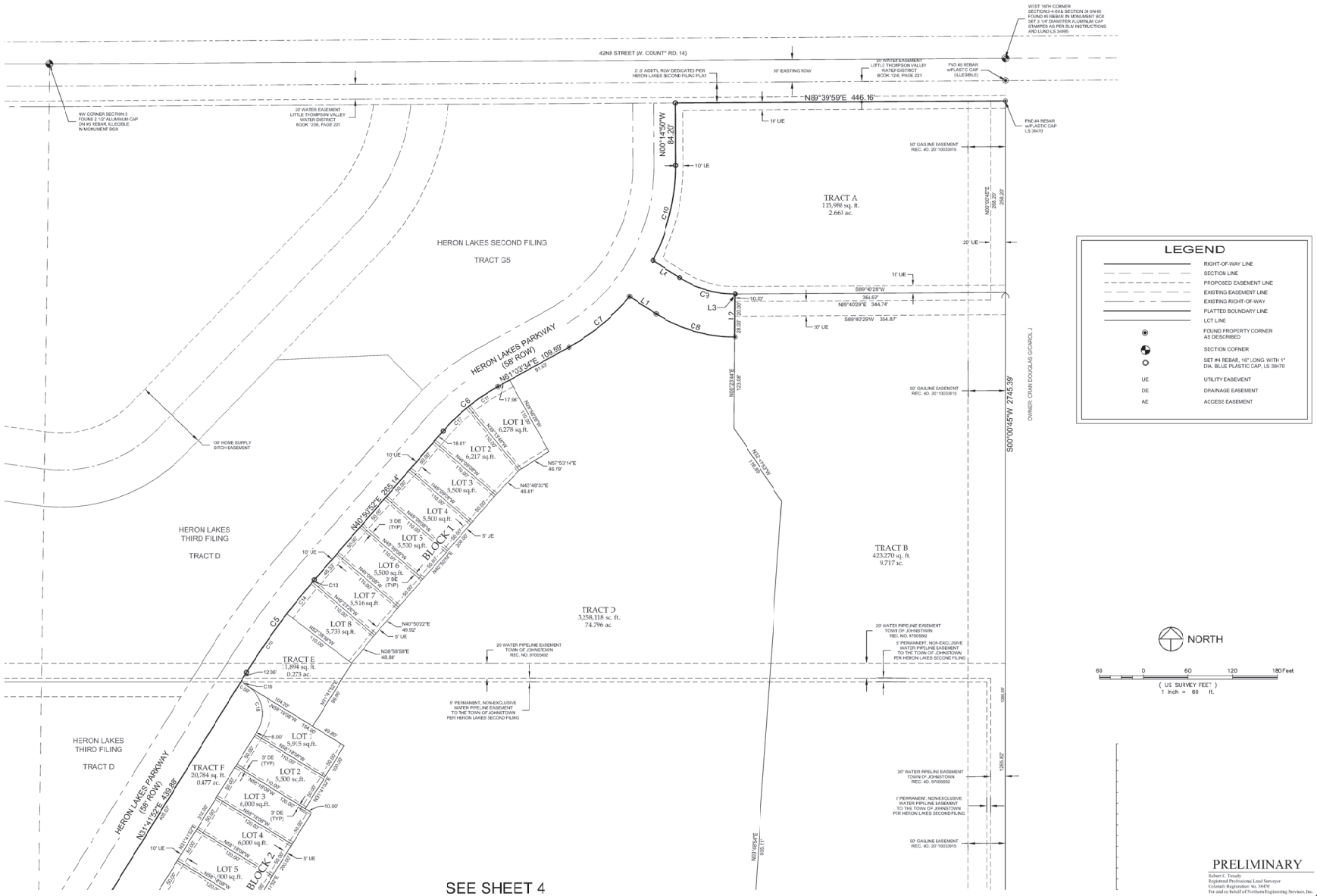
HERON LAKES TENTH FILING

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



SEE SHEET 4

PRELIMINARY

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Colorado Registration No. 38470
for and on behalf of Northern Engineering Services, Inc.

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SECTION: 3 & 4
TOWNSHIP: 4N
RANGE: 69 W of the 6th PM

NORTHERN ENGINEERING
FORT COLLINS: 301 North Howes Street, Suite 100, 80521
GREELEY: 2900 West 10th Street, 80634
970.221.4158
northernengineering.com

PROJECT: 103-077
CLIENT: Birdsall Group
DATE: 1/23/19
SCALE: 1"=60'
DRAWN BY: L. Smith
REVIEWED BY: R. Tessely

HERON LAKES TENTH FILING
TOWN OF BERTHOUD
STATE OF COLORADO

Sheet 3 Of 6 Sheets

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HERON LAKES TENTH FILING

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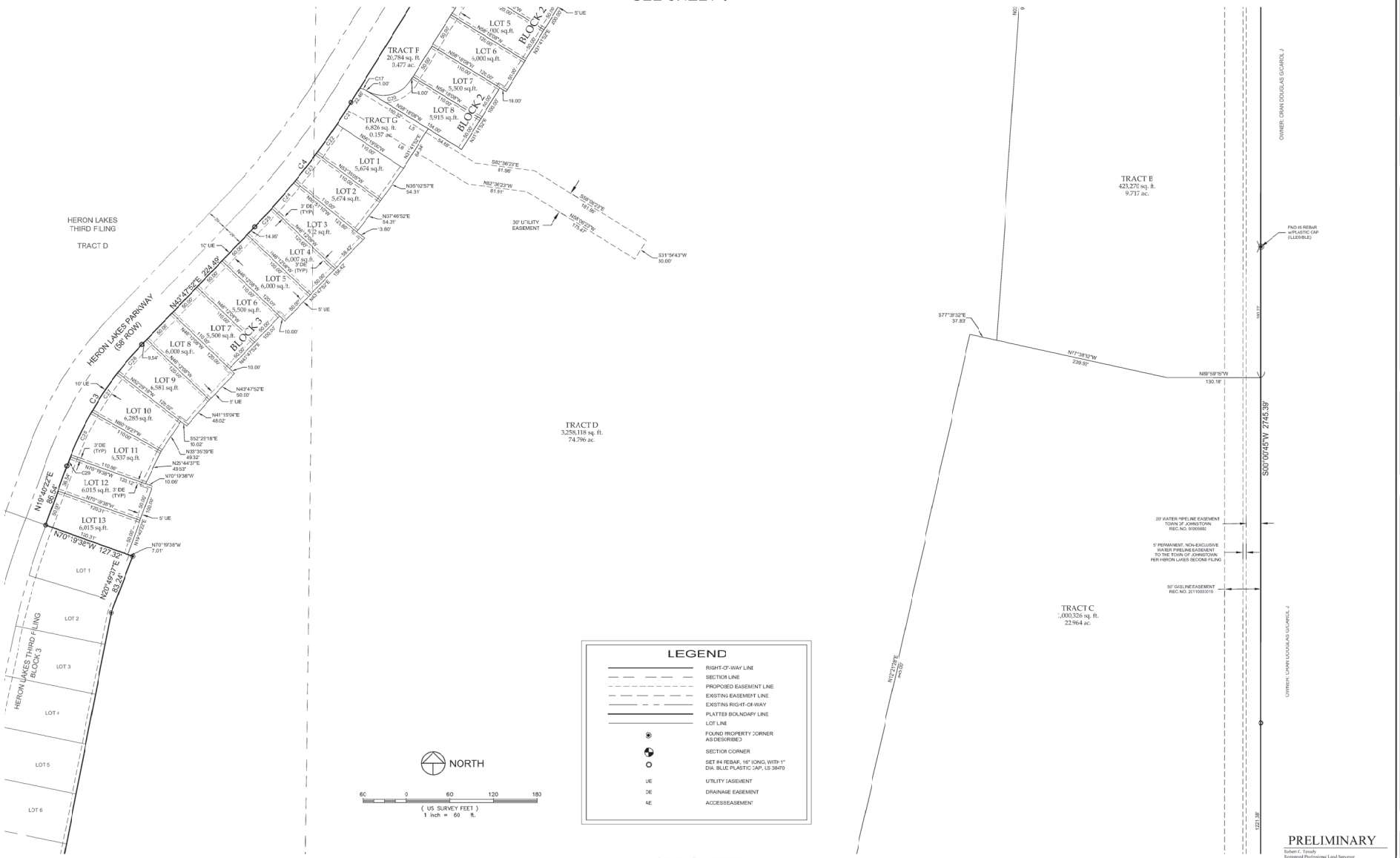
SEE SHEET 3



LEGEND

- RIGHT-OF-WAY LINE
- SECTION LINE
- PROPOSED EASEMENT LINE
- EXISTING EASEMENT LINE
- EXISTING RIGHT-OF-WAY
- PLATTED BOUNDARY LINE
- LOT LINE
- FOUND PROPERTY CORNER AS DESCRIBED
- SECTION CORNER
- SET #4 REBAR, 16" LONG, WITH 1" DIA. BLUE PLASTIC CAP, LS 38470
- UE UTILITY EASEMENT
- DE DRAINAGE EASEMENT
- AE ACCESS EASEMENT

SEE SHEET 5

PRELIMINARY

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Colorado Registration No. 38470
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TOWNSHIP: 4N
RANGE: 69 W of the 6th P.M.

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FORT COLLINS: 301 North Howes Street, Suite 100, 80521
GREELEY: 2900 West 10th Street, 80634
970.221.4158
northernengineering.com

PROJECT: 103-077
CLIENT: Birdsall Group
DRAWN: BY: L. Smith
DATE: 1/23/19
SCALE: 1"=60'
REVIEWED: BY: R. Tessely

HERON LAKES TENTH FILING
TOWN OF BERTHOUD
STATE OF COLORADO

Sheet 4 Of 6 Sheets

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HERON LAKES TENTH FILING

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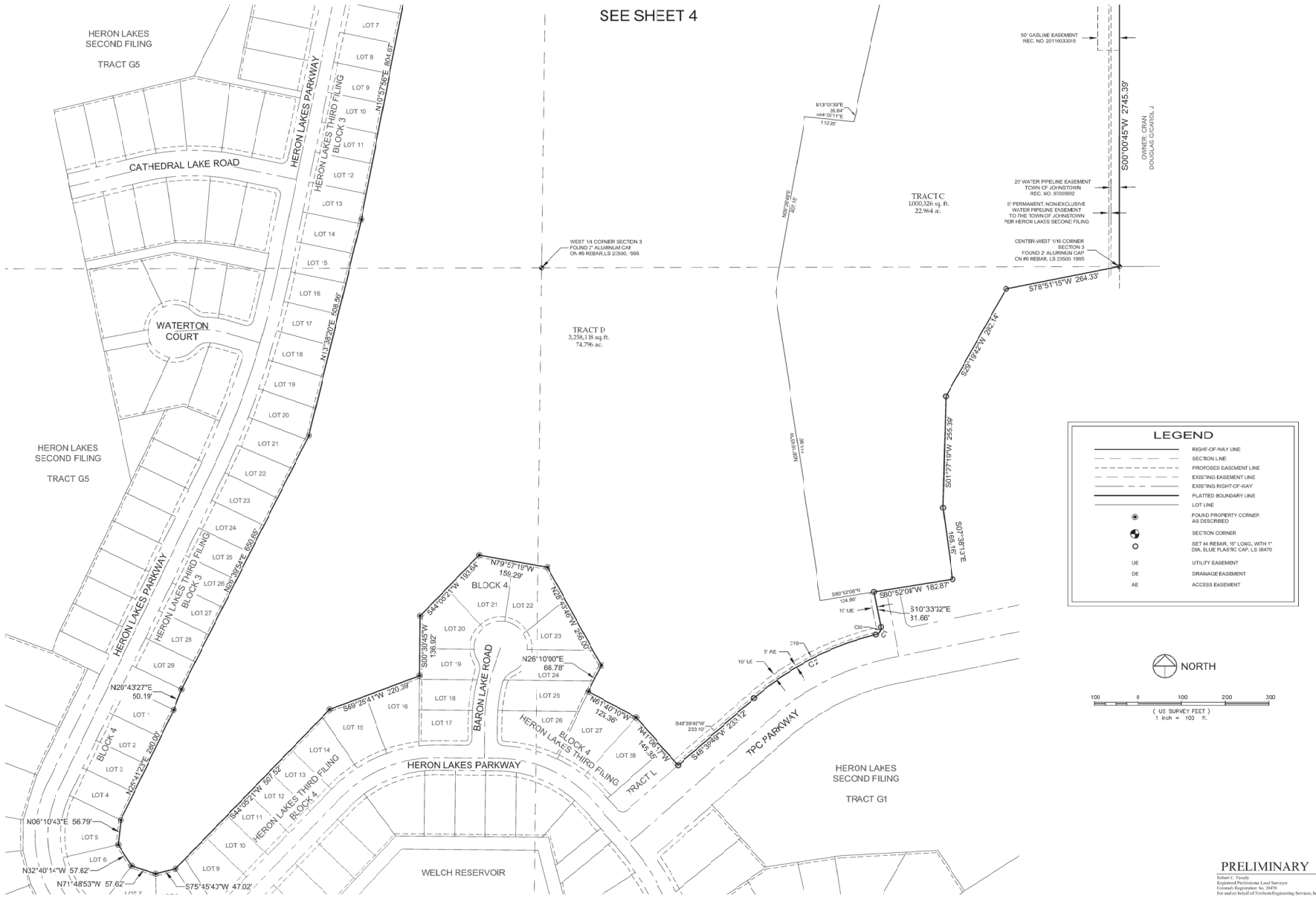

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Colorado Registration No. 38470
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SECTION: 3 & 4
TOWNSHIP: 4N
RANGE: 69 W of the 6th PM

NORTHERN ENGINEERING
FORT COLLINS: 301 North Howes Street, Suite 100, 80521
GREELEY: 2900 10th Street, 80631
970.221.4158
northernengineering.com

PROJECT: 103-077
CLIENT: Birdsall Group
DRAWN BY: L. Smith
DATE: 1/23/19
SCALE: 1"=100'
REVIEWED BY: R. Tessely

HERON LAKES TENTH FILING
TOWN OF BERTHOUD
STATE OF COLORADO

Sheet
5
Of 6 Sheets

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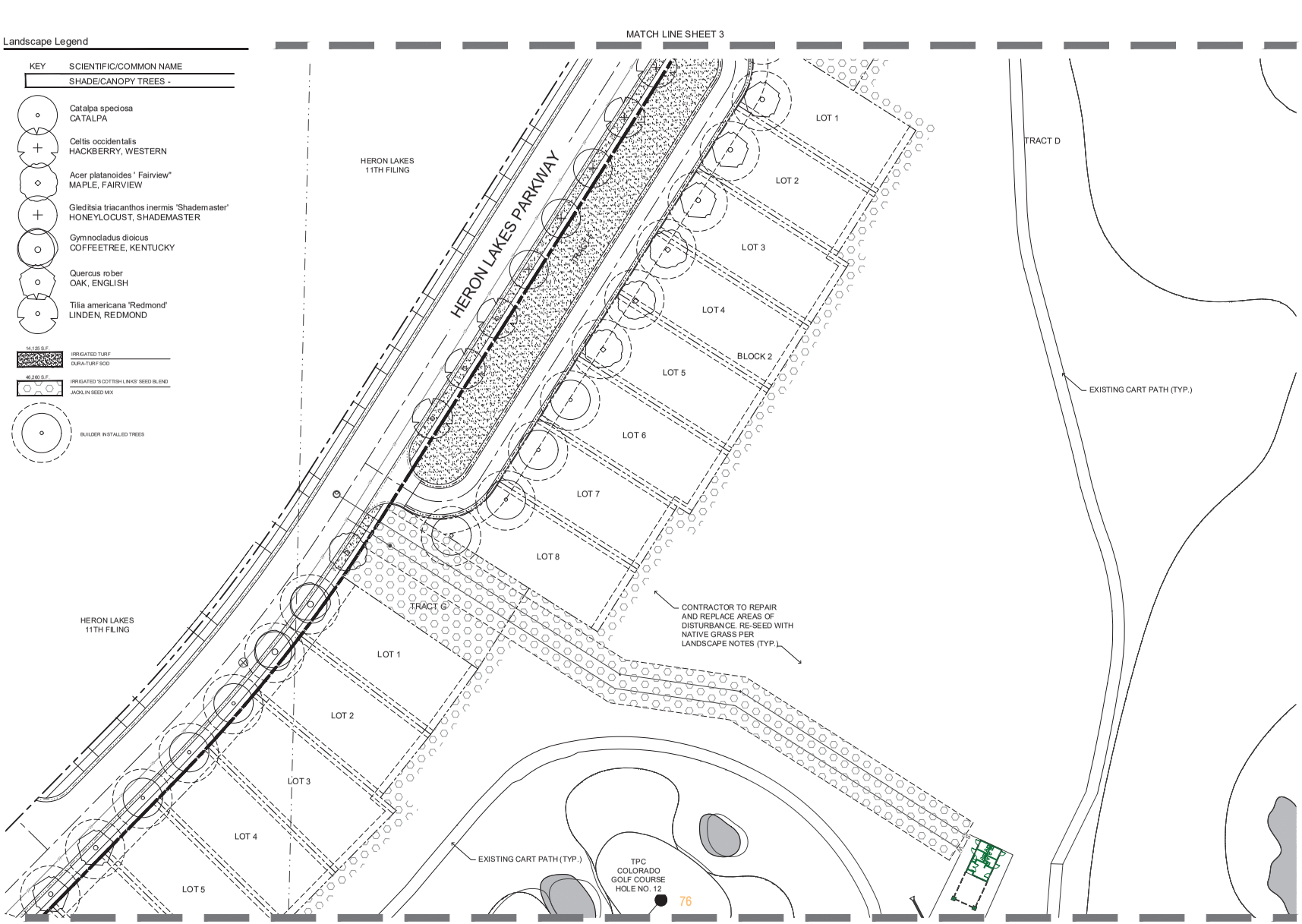


TB GROUP
landscape architecture | planning | urbanism
444 Mountain Ave.
Berthoud,CO 80513
TEL 970.532.5891
WEB TBGroup.us

SEAL

PROJECT TITLE

HERON LAKES
10TH FILING

PRELIMINARY
LANDSCAPE PLAN

BERTHOUD, CO

PREPARED FOR

HERON LAKES
INVESTMENTS, LLC
444 Mountain Avenue
Berthoud, CO 80513

CALL UTILITY NOTIFICATION CENTER OF COLORADO
811
Know what's below.
Call before you dig.
CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

REVISIONS	DATE
1st Submittal	8/16/18
2nd Submittal	11/28/18
3rd Submittal	1/25/19

DATE

January 25, 2019

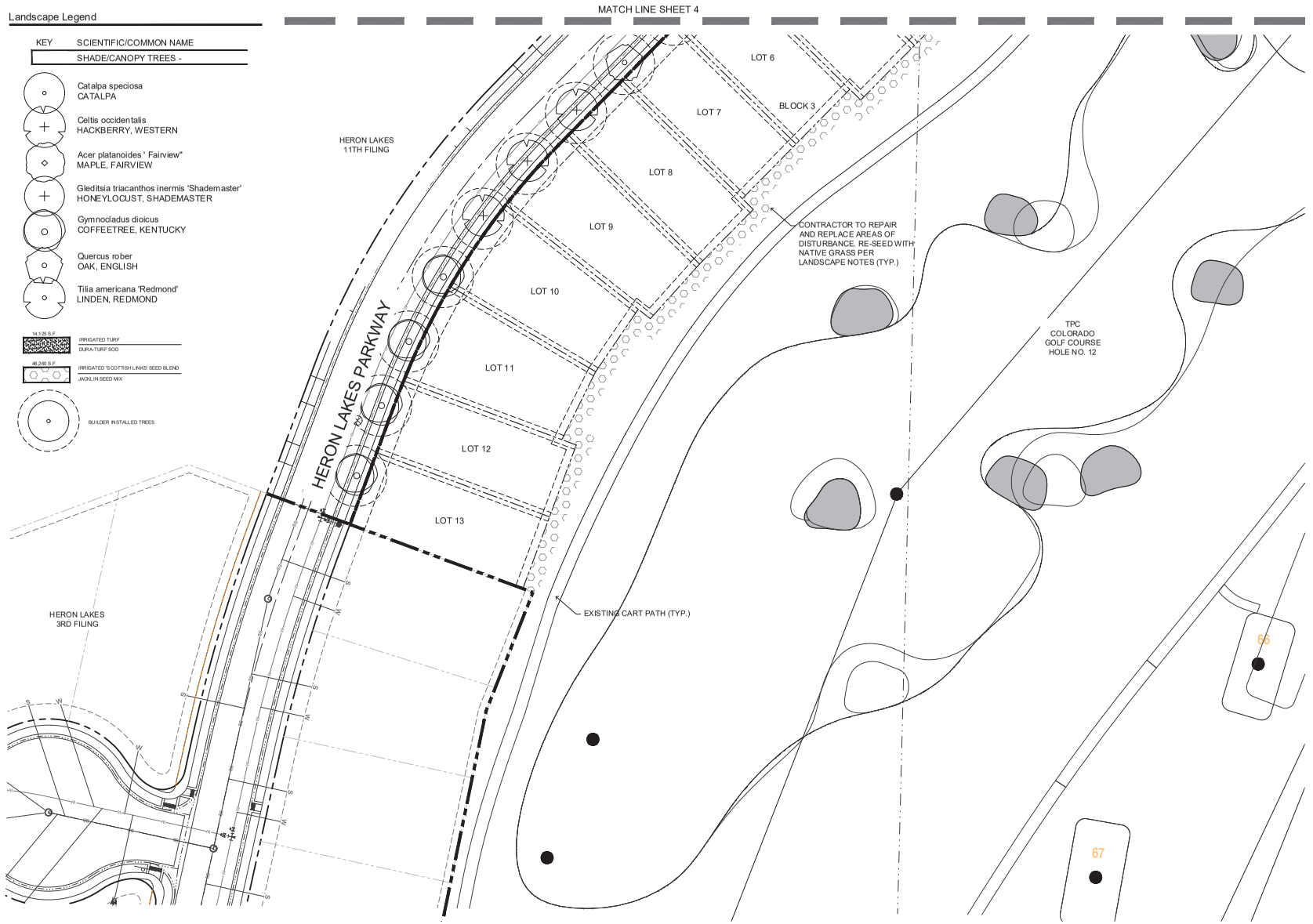
SHEET TITLE

Landscape Plan

SHEET INFORMATION

Sheet Number: 4

Of: 5



Landscape Plan

TBGROUP
landscape architecture | planning | urbanism
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SEAL

PROJECT TITLE

HERON LAKES
10TH FILING

PRELIMINARY
LANDSCAPE PLAN

BERTHOUD, CO

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REVISIONS	DATE
1st Submittal	8/16/18
2nd Submittal	11/28/18
3rd Submittal	1/25/19

DATE

January 25, 2019

SHEET TITLE

Landscape Plan

SHEET INFORMATION

Sheet Number: 5

Of: 5

HERON LAKES ELEVENTH FILING

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

LEGAL DESCRIPTION AND DEDICATION:

KNOW ALL MEN BY THESE PRESENTS: That the undersigned, being the owner of HERON LAKES ELEVENTH 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:

Tract D, Heron Lakes Third Filing, recorded at Reception No. 20160036889, Larimer County Clerk and Recorder

containing 891,874 square feet or 20.475 acres more or less.

Have laid out, platted, and subdivided the above described land, under the name and style of HERON LAKES ELEVENTH FILING, and by these presents do dedicate to the Town of Berthoud in fee simple the street and public "rights-of-way" as shown on the plats, and grant to the Town of Berthoud such easements and rights-of-way, and all right, title and interest in real property to the above described lands, including all surface interests and all minerals within or underlying said lands, as are created hereby and depicted or, by note, referenced hereon, along with the right to install, maintain, replace and operate mains, transmission lines, service lines, and appurtenances, either directly or through the various public utilities, as may be necessary to provide such utility, cable television, water, electric, natural gas and sanitary services within this subdivision or property contiguous thereto, through, over, under, and across streets, utility and other easements, and other public places shown on the plat.

OWNER: Heron Lakes Investments, LLC

BY:_____

STATE OF COLORADO)
)SS
COUNTY OF LARIMER)

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

_____as _____ of Heron Lakes Investments, LLC.

Witness my hand and official seal

My commission expires: _____

_____
Notary Public

OWNER: Western Slope Mineral Company, LLC

BY:_____
Jon Turner

STATE OF COLORADO)
)SS
COUNTY OF LARIMER)

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

Jon Turner as Manager of Western Slope Mineral Company, LLC.

Witness my hand and official seal

My commission expires: _____

_____
Notary Public

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.

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° 42' 57" West (assumed), as monumented on drawing.

2) All information regarding easements, right-of-way or title of record, Northern Engineering relied upon Order Number FC25135928-2, dated 11-23-15, prepared by Land Title Guarantee Company.

3) The lineal unit of measurement for this plat is U. S. Survey Feet.

4) The word "certify" or "certification" as shown and used hereon is an expression of professional opinion regarding the facts of the survey, and does not constitute a warranty or guaranty, expressed or implied.

5) Northern Engineering or the Professional Land Surveyor listed hereon, 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 heron assumes no responsibility for the mineral rights upon the subject property.

6) Any easements created by separate document and shown hereon are for reference purposes only. Refer to recorded document for specific location and terms.

7) Not all documents listed in the title commitment are plottable or definable. Owner, Client and others should refer to the title commitment and those documents listed therein 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 understand their impact, if any, on the subject property.

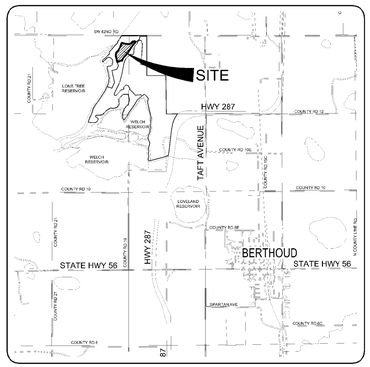
9) The title commitment used in preparation of this plat is out of date per Town of Berthoud Development Code, 30-6-107. The owner or client is responsible for providing the surveyor a current title commitment prior to final submittal. The title commitment must be current and dated no more than thirty days from the date of final plat application submittal per The Town of Berthoud Development Code.

SURVEYOR'S STATEMENT

I, Robert C. Tessely, a Registered Professional Land Surveyor in the State of Colorado, do hereby certify that the survey of HERON LAKES TENTH FILING was made under my supervision and the accompanying plat accurately and properly shows said subdivision and is in compliance with the Subdivision Regulations of the Town of Berthoud.

DRAFT
1-23-19

For and on behalf of Northern Engineering Services
Robert C. Tessely
Colorado Registered Professional
Land Surveyor No. 38470



NORTH

VICINITY MAP
1"=5000'

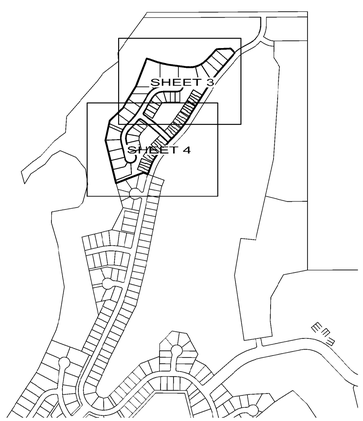
OWNER/APPLICANT
Heron Lakes Investment LLC
James Birdsall, Manager
444 Mountain Avenue
Berthoud, CO 80513
(970) 532-5891

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

PLANNER/LANDSCAPE ARCHITECT
Jim Birdsall, ASLA
The Birdsall Group
444 Mountain Avenue
Berthoud, CO 80513
(970) 532-5891

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

SHEET INDEX



NORTH

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SECTION: 3 & 4
TOWNSHIP: 4N
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

DATE: 1/25/19
SCALE: N.A.
REVIEWED BY: R. Tessely
PROJECT: 103-078
CLIENT: Birdsall Group
DRAWN BY: L. Smith

HERON LAKES ELEVENTH FILING
TOWN OF BERTHOUD
STATE OF COLORADO

Sheet
1
Of 4 Sheets

S:\Survey Jobs\103-078\Dwg\Plat\103-078 Heron Lakes 11th Filing.dwg, 1/22/2019 7:54:41 AM, 1:1

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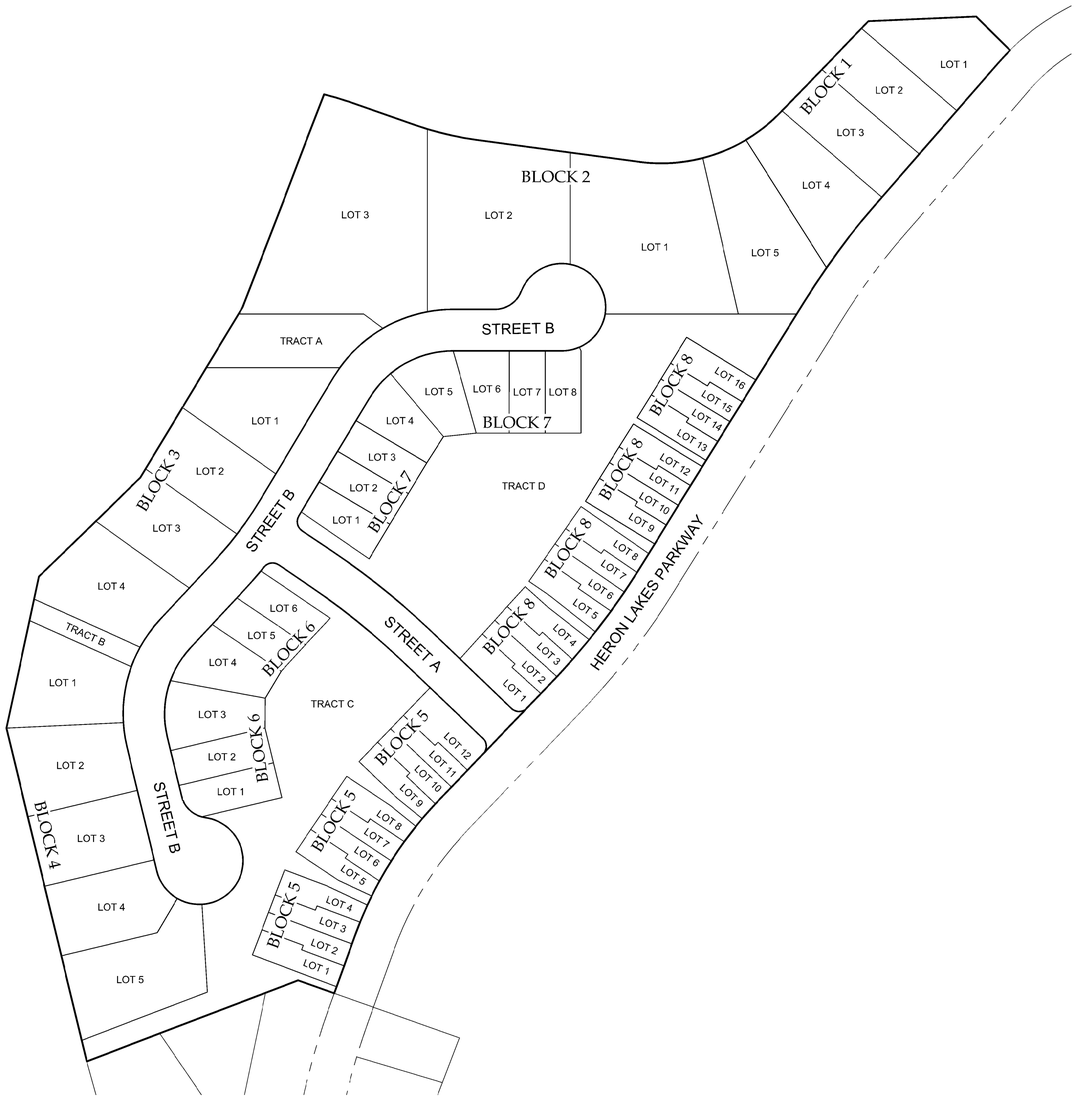

NORTH

100 0 100 200 300 Feet

(US SURVEY FEET)
1 inch = 100 ft.

CURVE TABLE					
CURVE	DELTA	RADIUS	LENGTH	BEARING	CHORD
C1	5°20'14"	370.00'	34.47'	S73°15'56"E	34.45'
C2	11°41'50"	430.00'	87.79'	S76°26'44"E	87.64'
C3	53°40'35"	230.00'	215.47'	N70°52'03"E	207.68'
C4	4°08'03"	329.00'	23.74'	S42°54'54"W	23.73'
C5	9°09'00"	1029.00'	164.33'	S36°16'22"W	164.16'
C6	12°06'00"	971.00'	205.06'	S37°44'52"W	204.68'
C7	24°07'30"	529.00'	222.74'	S31°44'07"W	221.10'
C8	9°38'30"	1000.00'	168.28'	N51°01'23"W	168.08'
C9	38°07'30"	150.00'	99.81'	S32°34'12"E	97.98'
C10	56°21'47"	165.00'	162.31'	S14°40'36"W	155.85'
C11	8°27'08"	550.00'	81.14'	S38°37'55"W	81.06'
C12	3°28'59"	550.00'	33.44'	S32°39'52"W	33.43'
C13	59°04'44"	165.00'	170.14'	S60°27'44"W	162.70'
C14	38°07'30"	150.00'	99.81'	S70°56'22"W	97.98'
C15	33°45'00"	61.00'	35.93'	S76°36'50"E	35.41'
C16	9°38'30"	971.00'	163.40'	S51°01'23"E	163.21'
C17	85°31'12"	15.00'	22.39'	N81°23'46"E	20.37'
C18	4°13'15"	579.00'	42.67'	N40°44'50"E	42.66'
C19	56°21'47"	136.00'	133.79'	N14°40'36"E	128.46'
C20	68°53'59"	39.00'	46.90'	N47°57'17"W	44.12'
C21	168°54'57"	61.00'	179.84'	N02°03'11"E	121.43'
C22	56°21'47"	194.00'	190.84'	S14°40'36"W	183.24'
C23	11°56'07"	521.00'	108.53'	S36°53'26"W	108.33'
C24	59°04'44"	194.00'	200.04'	S60°27'44"W	191.29'
C25	68°53'59"	39.00'	46.90'	S55°33'07"W	44.12'
C26	248°53'59"	61.00'	264.99'	N34°26'53"W	100.60'
C27	59°04'44"	136.00'	140.23'	N60°27'44"E	134.10'
C28	86°46'00"	15.00'	22.72'	N12°27'38"W	20.61'
C29	9°38'30"	1029.00'	173.16'	N51°01'23"W	172.95'
C30	90°00'00"	15.00'	23.56'	S88°47'52"W	21.21'
C31	168°54'57"	61.00'	179.84'	N02°03'11"E	121.43'
C32	7°20'15"	39.00'	4.99'	N78°44'09"W	4.99'
C33	61°33'44"	39.00'	41.90'	N44°17'10"W	39.92'
C34	33°27'23"	136.00'	79.41'	N03°13'24"E	78.29'
C35	22°54'24"	136.00'	54.37'	N31°24'17"E	54.01'
C36	3°30'35"	579.00'	35.47'	N41°06'12"E	35.46'
C37	0°42'44"	579.00'	7.20'	N38°59'32"E	7.20'
C38	2°05'00"	529.00'	19.24'	S20°42'52"W	19.23'
C39	2°48'33"	529.00'	25.94'	S23°09'38"W	25.93'
C40	1°30'59"	529.00'	14.00'	S25°19'24"W	14.00'
C41	2°33'24"	529.00'	23.61'	S27°21'36"W	23.60'
C42	3°31'37"	529.00'	32.56'	S30°24'06"W	32.56'
C43	3°31'14"	529.00'	32.51'	S33°55'32"W	32.50'

CURVE TABLE					
CURVE	DELTA	RADIUS	LENGTH	BEARING	CHORD
C44	2°53'47"	529.00'	26.74'	S37°08'03"W	26.74'
C45	1°30'59"	529.00'	14.00'	S39°20'26"W	14.00'
C46	0°42'30"	529.00'	6.54'	S43°26'37"W	6.54'
C47	2°59'27"	529.00'	27.61'	S41°35'39"W	27.61'
C48	46°14'02"	61.00'	49.22'	S36°37'19"E	47.90'
C49	9°52'38"	194.00'	33.44'	S08°33'59"E	33.40'
C50	23°30'57"	194.00'	79.62'	S06°07'49"W	79.07'
C51	8°52'08"	194.00'	30.03'	S24°19'22"W	30.00'
C52	14°06'03"	194.00'	47.74'	S35°48'28"W	47.62'
C53	5°34'17"	521.00'	50.66'	S40°04'21"W	50.64'
C54	6°21'50"	521.00'	57.87'	S34°06'17"W	57.84'
C55	4°31'20"	194.00'	15.31'	S33°11'02"W	15.31'
C56	24°15'27"	194.00'	82.13'	S47°34'26"W	81.52'
C57	19°35'55"	194.00'	66.36'	S69°30'07"W	66.04'
C58	0°22'23"	971.00'	6.32'	S31°53'04"W	6.32'
C59	90°00'00"	15.00'	23.56'	S01°12'08"E	21.21'
C60	19°03'58"	136.00'	45.26'	N40°27'21"E	45.05'
C61	40°00'47"	136.00'	94.98'	N69°59'43"E	93.06'
C62	23°35'58"	61.00'	25.13'	N78°12'07"E	24.95'
C63	2°15'53"	430.00'	17.00'	S71°43'45"E	16.99'
C64	9°25'58"	430.00'	70.79'	S77°34'40"E	70.71'
C66	22°21'34"	230.00'	89.76'	N86°31'34"E	89.19'
C67	16°20'13"	230.00'	65.58'	N67°10'40"E	65.36'
C68	14°58'49"	230.00'	60.13'	N51°31'09"E	59.96'
C69	6°04'11"	1029.00'	109.01'	S37°48'47"W	108.98'
C70	3°04'50"	1029.00'	55.32'	S33°14'17"W	55.32'
C72	0°52'50"	971.00'	14.92'	S43°21'27"W	14.92'
C73	1°55'04"	971.00'	32.50'	S41°57'29"W	32.50'
C74	9°38'30"	971.00'	163.40'	S51°01'23"E	163.21'
C75	2°07'32"	971.00'	36.02'	S39°56'11"W	36.02'
C76	0°49'34"	971.00'	14.00'	S36°27'38"W	14.00'
C77	2°08'24"	971.00'	36.27'	S36°58'39"W	36.26'
C78	1°55'04"	971.00'	32.50'	S34°56'55"W	32.50'
C79	1°55'07"	971.00'	32.52'	S33°01'49"W	32.52'
C80	57°26'28"	61.00'	61.15'	N37°40'55"E	58.63'
C81	57°26'28"	61.00'	61.15'	N37°40'55"E	58.63'
C82	87°46'25"	61.00'	93.45'	N34°55'31"W	84.57'
C83	80°05'09"	61.00'	85.26'	S61°08'42"W	78.49'
C84	10°42'02"	194.00'	36.23'	S84°39'05"W	36.18'
C85	49°10'04"	39.00'	33.47'	N65°25'04"E	32.45'

LINE TABLE		
LINE	LENGTH	BEARING
L1	6.50'	S20° 41' 30"W
L2	6.50'	N20° 41' 30"E
L3	64.07'	S64° 40' 36"E
L4	51.43'	N64° 40' 36"W
L5	6.50'	S33° 51' 27"W
L6	6.50'	N33° 51' 27"E
L7	45.93'	S50° 39' 34"E
L8	44.95'	N50° 39' 34"W
L9	6.50'	S43° 47' 52"W
L10	6.50'	N43° 47' 52"E
L11	5.57'	S23° 35' 52"E
L12	6.50'	S42° 13' 02"W
L13	6.50'	N42° 13' 02"E
L14	6.50'	S34° 48' 56"W
L15	6.50'	N34° 48' 56"E
L16	6.50'	S31° 41' 52"W
L17	6.50'	N31° 41' 52"E
L18	6.50'	S31° 41' 52"W
L19	6.50'	N31° 41' 52"E
L20	27.62'	S60° 01' 26"W
L21	75.20'	N89° 59' 54"W
L22	35.46'	N55° 11' 04"W
L23	40.73'	S47° 46' 58"E

LAND USE TABLE

PARCEL	AREA		PERCENT	USE	OWNED & MAINTAINED BY
TRACT A	14,668 S.F.	0.34 AC.	1.64%	Drainage & Utility Easement	Metro District
TRACT B	4,775 S.F.	0.11 AC.	0.54%	Drainage & Utility Easement	Metro District
TRACT C	74,977 S.F.	1.72 AC.	8.41%	Drainage & Utility Easement	Metro District
TRACT D	96,476 S.F.	2.21 AC.	10.82%	Drainage & Utility Easement	Metro District
ROW	105,315 S.F.	2.42 AC.	11.81%	Right of Way	Town of Berthoud
LOTS (59)	595,663 S.F.	13.67 AC.	66.79%	Single-Family Residential	Property Owner
TOTAL	**891,874 S.F.**	**20.47 AC.**	**100.00%**		

PRELIMINARY

Robert C. Tessely
Registered Professional Land Surveyor
Colorado Registration No. 38470
For and on behalf of Northern Engineering Services, Inc.

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.

SECTION: 3 & 4
TOWNSHIP: 4N
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: 103-078
CLIENT: Birdsall Group
DATE: 1/25/19
SCALE: 1"=100'
DRAWN BY: L. Smith
REVIEWED BY: R. Tessely

HERON LAKES ELEVENTH FILING
TOWN OF BERTHOUD
STATE OF COLORADO

Sheet
2
Of 4 Sheets

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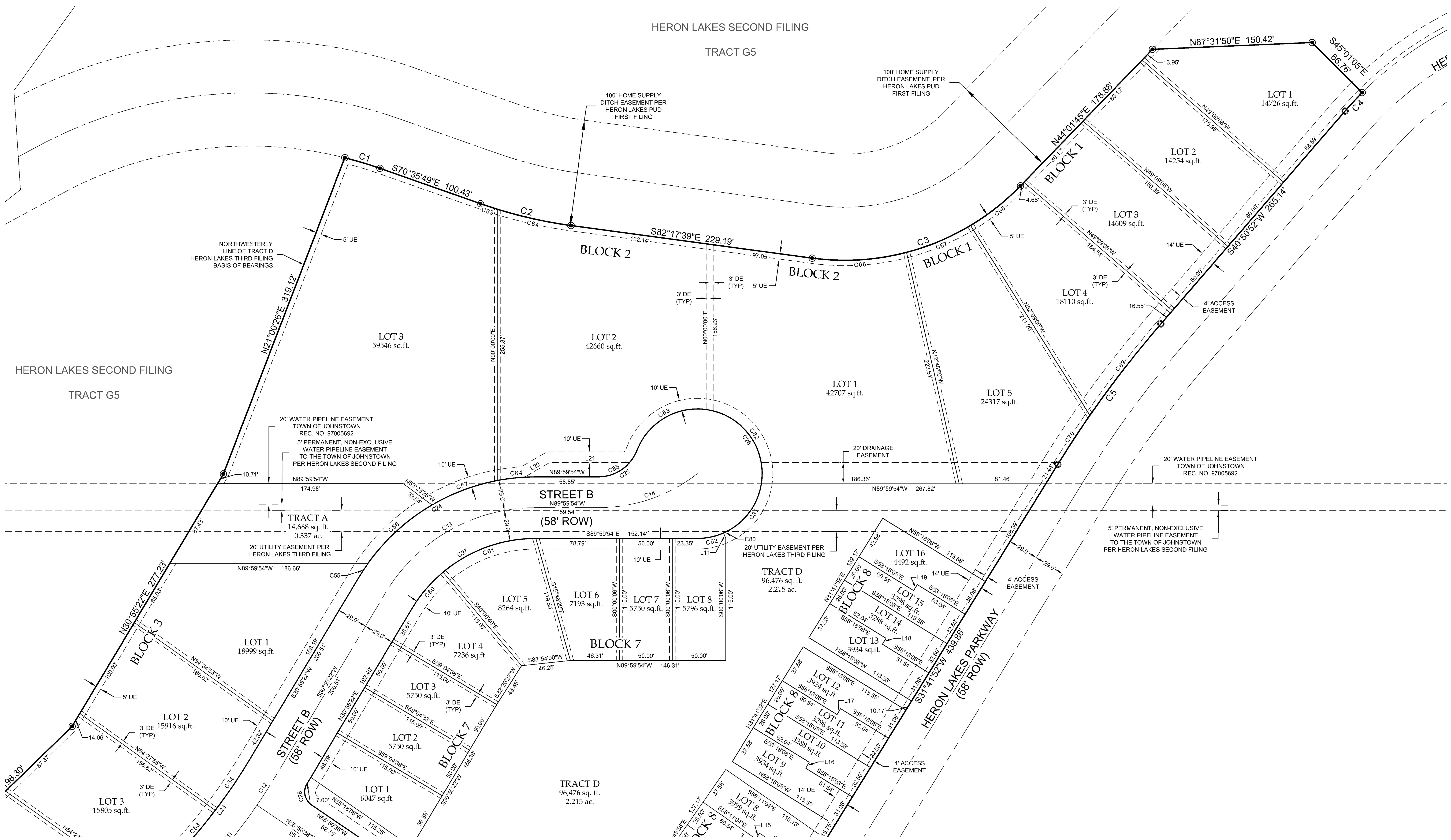
HERON LAKES ELEVENTH FILING

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



SEE SHEET 4

NORTH

50 0 50 100 150 Feet
(US SURVEY FEET)
1 inch = 50 ft.

LEGEND

———	RIGHT-OF-WAY LINE
– – –	PROPOSED EASEMENT LINE
— – —	EXISTING RIGHT-OF-WAY
━━━	PLATTED BOUNDARY LINE
———	LOT LINE
◉	FND #4 REBAR, 16" LONG, WITH 1" DIA. BLUE PLASTIC CAP, LS 38470
◐	SECTION CORNER
○	SET #4 REBAR, 18" LONG, WITH 1" DIA. BLUE PLASTIC CAP, LS 38470
UE	UTILITY EASEMENT
DE	DRAINAGE EASEMENT

PRELIMINARY
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Registered Professional Land Surveyor
Colorado Registration No. 38470
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RANGE: 69 W of the 6th PM

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GREELEY: 820 8th Street, 80631
970.221.4158
northernengineering.com

PROJECT: 103-078
DATE: 1/25/19
CLIENT: Birdsall Group
SCALE: 1"=50'
DRAWN BY: L. Smith
REVIEWED BY: R. Tessely

HERON LAKES ELEVENTH FILING
TOWN OF BERTHOUD
STATE OF COLORADO

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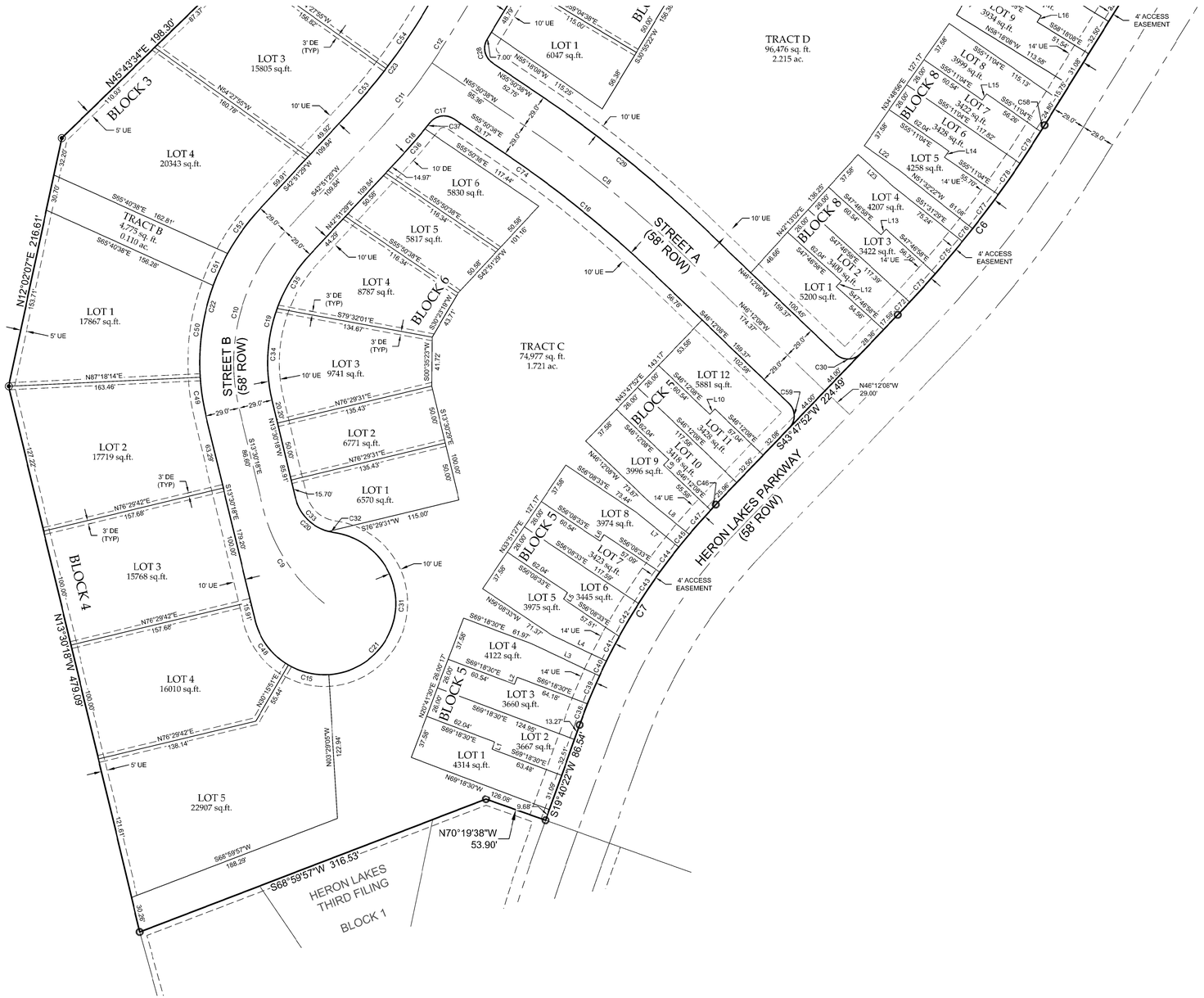
HERON LAKES ELEVENTH FILING

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

SEE SHEET 3



NORTH

50 0 50 100 150 Feet

(US SURVEY FEET)
1 inch = 50 ft.

LEGEND

	RIGHT-OF-WAY LINE
	PROPOSED EASEMENT LINE
	EXISTING RIGHT-OF-WAY
	PLATTED BOUNDARY LINE
	LOT LINE
◉	FND #4 REBAR, 16" LONG, WITH 1" DIA. BLUE PLASTIC CAP, LS 38470
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SECTION: 3 & 4
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northernengineering.com

PROJECT: 103-078
CLIENT: Birdsall Group
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SCALE: 1"=50'
DRAWN BY: L. Smith
REVIEWED BY: R. Tessely

HERON LAKES ELEVENTH FILING
TOWN OF BERTHOUD
STATE OF COLORADO

Sheet
4
Of 4 Sheets

PRELIMINARY

Robert C. Tessely
Registered Professional Land Surveyor
Colorado Registration No. 38470
For and on behalf of Northern Engineering Services, Inc.

S:\Survey Jobs\103-078\Dwg\Plat\103-078 Heron Lakes 11th Filing.dwg, 1/22/2019 7:57:10 AM, 1:1

Landscape Plan

Landscape Legend

KEY	SCIENTIFIC/COMMON NAME
	SHADE/CANOPY TREES -
	Catalpa speciosa CATALPA
	Celtis occidentalis HACKBERRY, WESTERN
	Acer platanoides ' Fairview" MAPLE, FAIRVIEW
	Gleditsia triacanthos inermis 'Shademaster' HONEYLOCUST, SHADEMASTER
	Gymnocladus dioicus COFFEETREE, KENTUCKY
	Quercus rober OAK, ENGLISH
	Tilia americana 'Redmond' LINDEN, REDMOND

KEY	SCIENTIFIC/COMMON NAME
	EVERGREEN TREES -
	Picea pungens Blue Spruce
	Pinus nigra Austrian Pine

0 30' 45' 60' NORTH

SCALE 1" = 30'-0"

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

SEAL

PROJECT TITLE

HERON LAKES
11TH FILING

PRELIMINARY
LANDSCAPE PLAN

BERTHOUD, CO

PREPARED FOR

HERON LAKES
INVESTMENTS, LLC
444 Mountain Avenue
Berthoud, CO 80513

CALL UTILITY NOTIFICATION CENTER OF COLORADO
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Know what's below.
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CALL 3 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES.

REVISIONS	DATE
1st Submittal	8/16/18
2nd Submittal	11/28/18
3rd Submittal	1/25/19

DATE

January 25, 2019

SHEET TITLE

Landscape Plan

SHEET INFORMATION

Sheet Number: 6

Of: 7

MATCH LINE SHEET 5

MATCH LINE SHEET 6

LOT 2

LOT 1

LOT 3

LOT 4

LOT 5

LOT 2

LOT 11

LOT 9

LOT 10

LOT 8

BLOCK 5

LOT 7

LOT 5

LOT 6

LOT 4

LOT 3

LOT 1

LOT 2

HERON LAKES PARKWAY

HERON LAKES
10TH FILING

HERON LAKES
3RD FILING

CONTRACTOR TO REPAIR AND REPLACE AREAS OF DISTURBANCE. RE-SEED WITH NATIVE GRASS PER LANDSCAPE NOTES (TYP.)

EXISTING CART PATH (TYP.)

TPC
COLORADO
GOLF COURSE
HOLE NO. 9

Landscape Legend

KEY	SCIENTIFIC/COMMON NAME
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KEY	SCIENTIFIC/COMMON NAME
	EVERGREEN TREES -
	Picea pungens Blue Spruce
	Pinus nigra Austrian Pine

0 30' 45' 60'
SCALE 1" = 30'-0"

NORTH

Landscape Plan

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2nd Submittal	11/26/18
3rd Submittal	1/25/19

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SHEET TITLE

Landscape Plan

SHEET INFORMATION

Sheet Number: 7

Of: 7

Landscape Legend

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MATCH LINE SHEET 3

CONTRACTOR TO REPAIR AND REPLACE AREAS OF DISTURBANCE. RE-SEED WITH NATIVE GRASS PER LANDSCAPE NOTES (TYP.)

TPC COLORADO GOLF COURSE HOLE NO. 7

LOT 1

LOT 2

LOT

LOT 2

BLOCK 3

LOT 3

LOT 1

LOT 4

TRACT B

LOT 6

LOT 5

LOT 4

CONTRACTOR TO REPAIR AND REPLACE AREAS OF DISTURBANCE. RE-SEED WITH NATIVE GRASS PER LANDSCAPE NOTES (TYP.)

TPC COLORADO GOLF COURSE HOLE NO. 8

LOT 1

BLOCK 6

LOT 3

TRACT C

EXISTING CART PATH (TYP.)

TPC COLORADO GOLF COURSE HOLE NO. 9

BLOCK 4

MATCH LINE SHEET 6

MATCH LINE SHEET 7

Landscape Plan

0 30' 45' 60'

SCALE 1" = 30'-0"

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3rd Submittal	1/25/19

DATE

January 25, 2019

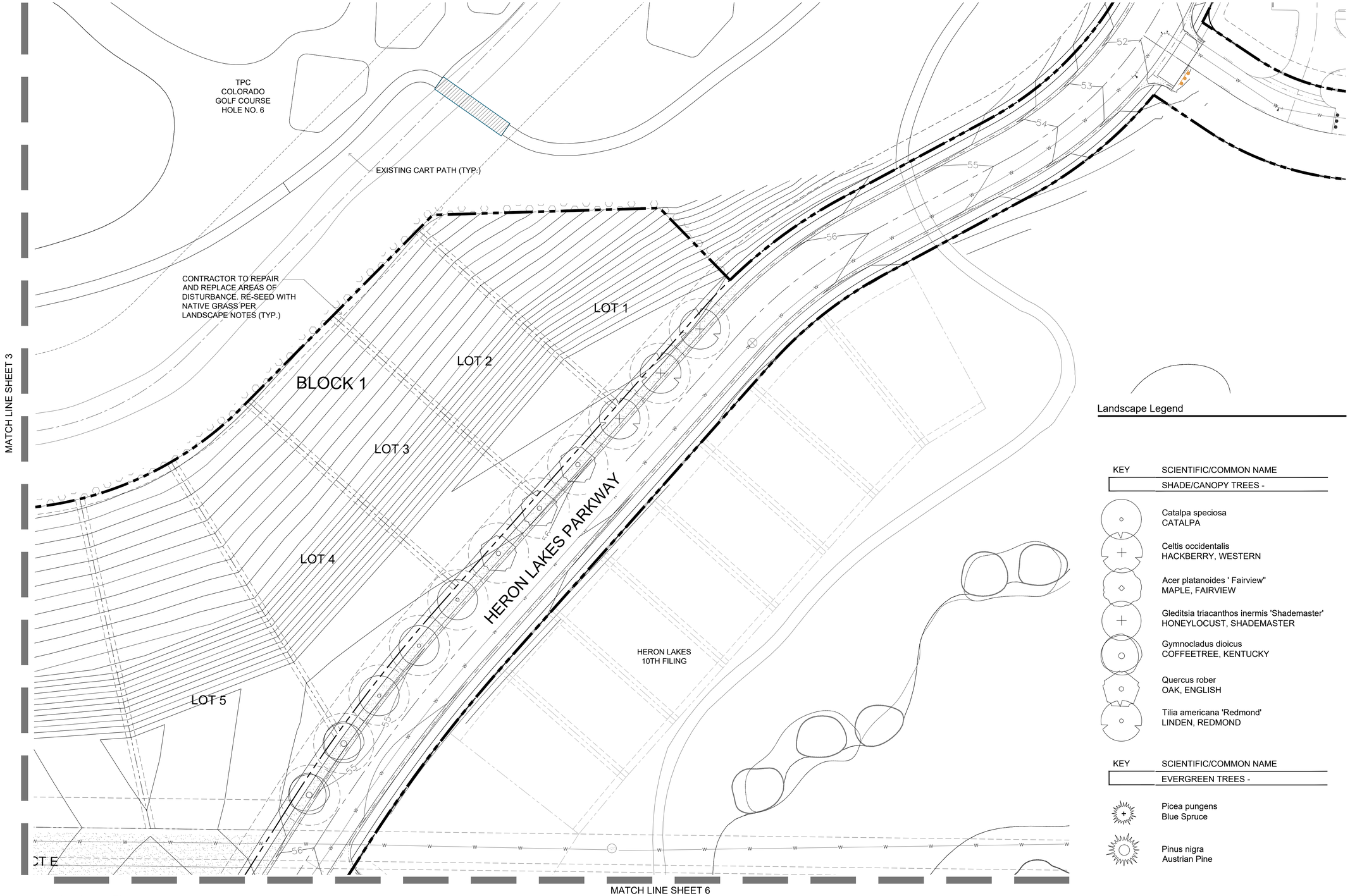
SHEET TITLE

Landscape Plan

SHEET INFORMATION

Sheet Number: 5

Of: 7



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LANDSCAPE PLAN

BERTHOUD, CO

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Berthoud, CO 80513

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1st Submittal	8/16/18
2nd Submittal	11/28/18
3rd Submittal	1/25/19

DATE

January 25, 2019

SHEET TITLE

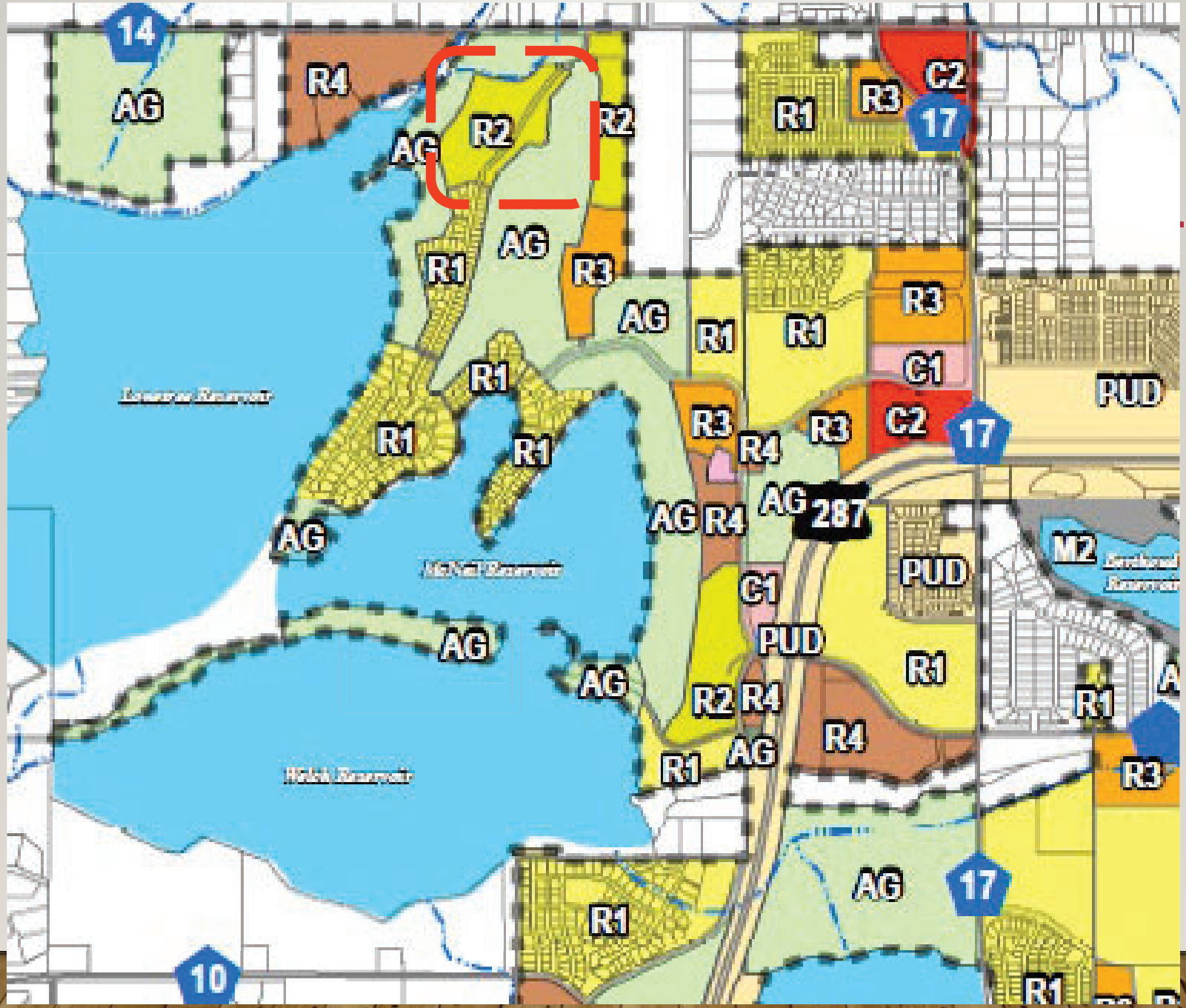
Landscape Plan

SHEET INFORMATION

Sheet Number: 4

Of: 7

ZONING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R3
C1
C2
17
PUD
R3
R4
R3
AG
AG
R4
287
AG
C1
PUD
PUD
M2
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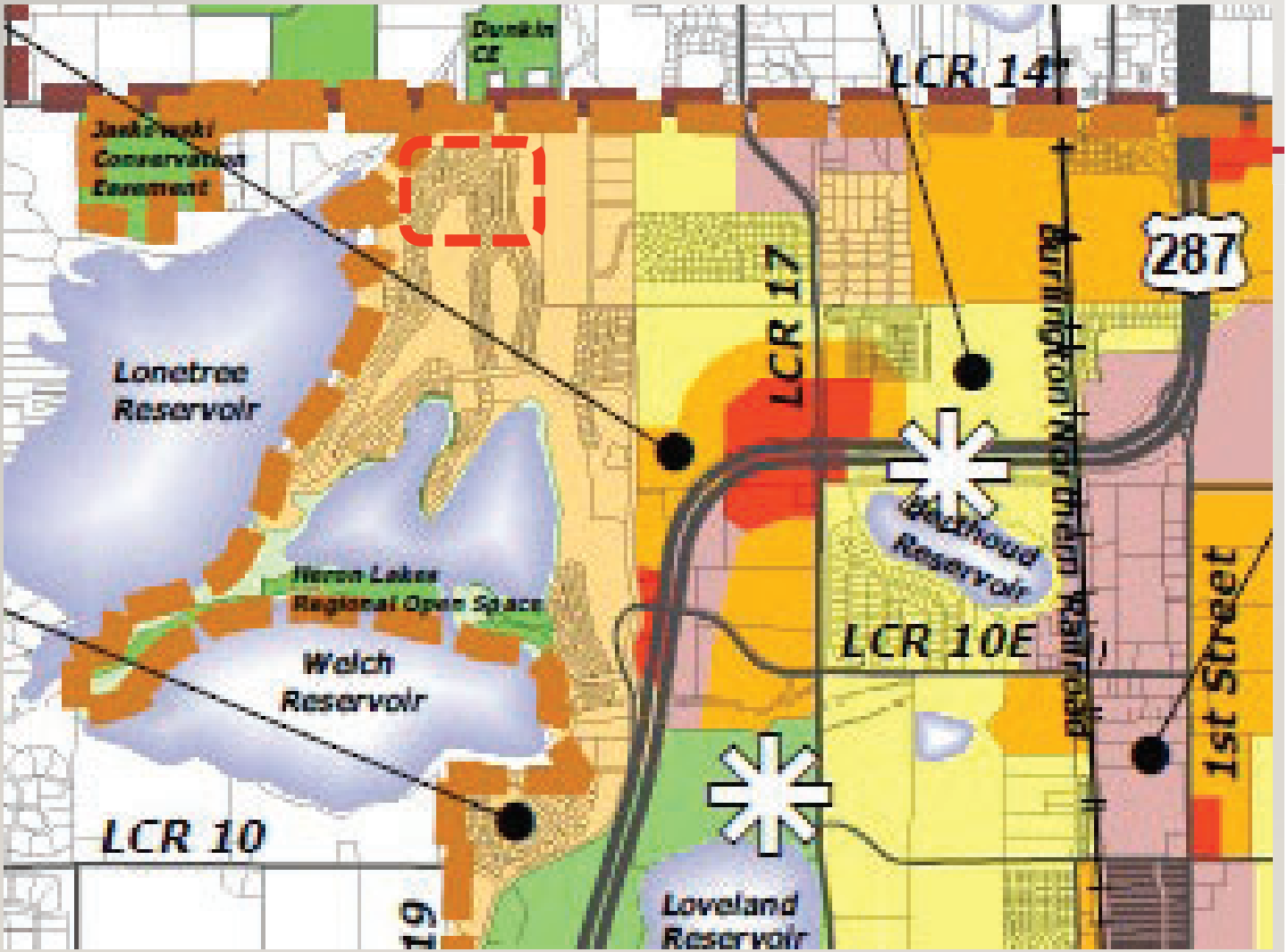
R1
10
R1

PREFERRED LAND USE



LEGEND

Land Use Designation

- Low Density Rural Residential (Up to 0.5 DU/AC)
- Low Density Suburban Residental (Up to 2 DU/AC)
- Moderate Density Residential (2 to 6 DU/AC)
- High Density Mixed Use Residential (6 - 14 DU/AC)
- Commercial/Office
- Employment
- Berthoud Growth Management Area/Boundary
- Town of Berthoud Area of Community Influence (ACI)
- Natural Preserve/Open Lands (Parks, Bodies of Water, Hwy 287 Buffer, Trail Corridor Conservation Easement (CE) Irrigation Ditches)
- View Corridor
  Areas that may serve to preserve views to agricultural lands, natural areas and mountains along major roadway corridors.

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

NEIGHBORHOOD COMMENT REPORT

Date: 03/21/19

Project: Heron Lakes 10th Filing Preliminary Plat and Rezoning

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.

No responses were submitted.

LARIMER COUNTY
COMMITTED TO EXCELLENCE
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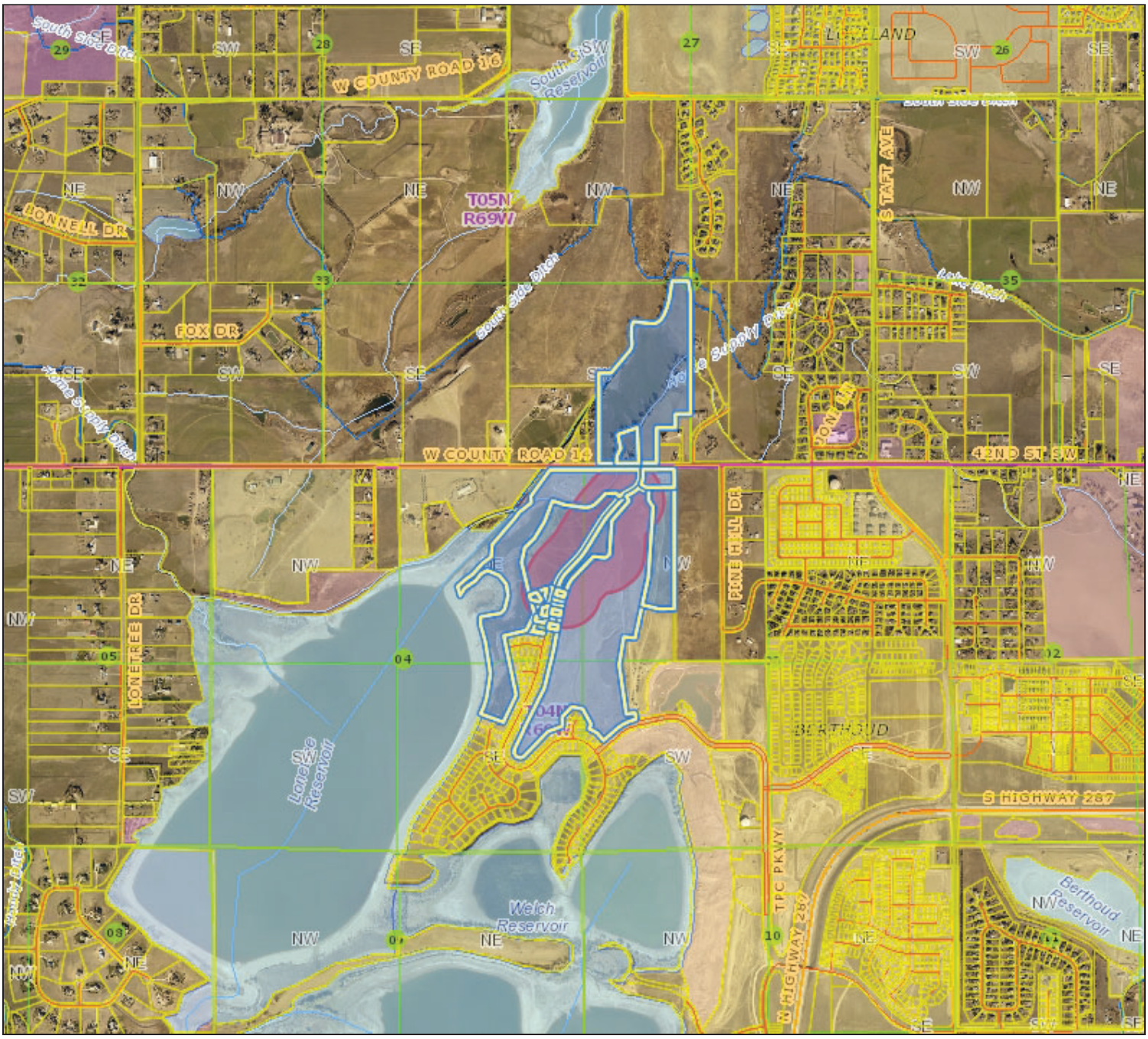
Larimer County Web Map



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

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

Scale
1: 23,788

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