Town of Berthoud
807 Mountain Avenue
Berthoud, CO 80513
970.532.2643

TOWN OF BERTHOUD PLANNING COMMISSION

TOWN HALL
807 Mountain Avenue
THURSDAY, JANUARY 24, 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 November 8, 2018

4. Election of Chairman, Vice Chair, and Secretary

5. Public Hearing: Habitat For Humanity ODP, FDP and Final Plat amendment

6. Public Hearing: Heron Pointe Lot "B" Final Plat

7. 2019 PC Meeting Calendar

8. Reports

9. 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 November 08, 2018. 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.
   Members Absent: Jeff Butler, Patrick Dillon, Dick Shepard
   Staff Present: Curt Freese and Jill Wilson.

3. **Consent Agenda –** Minutes from meeting of October 11, 2018. Motion to approve by Commissioner Dowker. Second by Commissioner Murphy. Commissioner Byron abstained. With all other commissioners in favor, THE MOTION CARRIED.

4. **Johnson Minor Subdivision –** Mr. Freese presented the agenda item, which was a request to obtain approval for a minor subdivision for the purposes of subdividing three (3) lots out of a 40.26 acre tract. The property was located at 721 S. Berthoud Parkway and the tract was part of the Johnson Farm/Arbor Ridge Annexation that was approved in February 2018 by the Town Board, and rezoned to the Single-Family residential district. The applicant was proposing this minor subdivision so the current property owners could create a separate lot for their home and leave two larger lots for potential future development proposals.

   Alex Hoime, applicant, stated that he had nothing new to add and asked for an approval.

   Commissioner Byron asked if all three lots would have access to water.

   Mr. Freese stated that there was 10-foot irrigation easement.

   Mr. Hoime stated that no utilities would be extended at the present time; therefore, it was not an issue with the current application. The uses were not changing from their present uses.

   Commissioner Byron Moved to approve the Johnson Minor Subdivision with the findings that
   - **The Minor Subdivision satisfies all applicable requirements of the Development Code Section 30-6-107 C, Zoning Code, and Preferred Land Use Plan;**
   - **Grant a sidewalk waiver for all three lots on the condition that if any new dwelling permit is applied for sidewalks along Berthoud Parkway will be required.**

   Second by Commissioner Murphy .

   With all in favor, THE MOTION CARRIED.

5. **Earth Enterprises Conditional Use/Use by Special Review -** Mr. Freese presented the agenda item, which was a request for a conditional use application for a 45,600 sq. ft. recycling facility located at the Berthoud Tech Center, Lots 6 & 7, which was in the M2 zoning district. He noted that the applicant had presented a new site plan, which included fencing and landscape that was recommended as a condition of approval. He stated that the condition had been rectified with the newly submitted site plan.

Todd Loose and Anita Comer, Waste-Not Recycling, explained their vision to have an eco industrial park. Mr. Loose explained the types of materials that their company recycled and manufactured at their facilities. He stated it was a business to business recycling center and that there would not be a lot of traffic generated.

Commissioner Banzhaf asked what the outside impacts would be.

Mr. Loose explained that there would be an outside receiving pad. There would be material coming in for processing, but it would be completely screened by design.

Commissioner Dowker assumed there would be effective ventilation.

Mr. Loose stated there would be full ventilation plus the building would be fire sprinkled.

Commissioner Dowker asked if there were liquids or hazardous materials stored on site.

Ms. Comer stated that they did not take in hazardous waste or recycle liquids.

Commissioner Murphy asked about the days and hours of operation.

Mr. Loose stated that it was a 24-hour operation, seven days a week; however, it would be contained within the building.

Ms. Comer clarified that truck and employee traffic would not be 24 hours a day.

Commissioner Murphy asked if native species of landscaping would be used.

Ms. Comer replied yes.

Commissioner Banzhaf asked if the traffic would come from the south or the north.

Mr. Loose stated that the natural traffic pattern would be to come off of the interstate and come from the north.

Ms. Comer remarked that they would have the ability to limit the truck routes.

Commissioner Dowker Moved to approve the conditional use request on Lot 6 (4.74 acres) and Lot 7 (6.37 acres) of the Berthoud Technological Center Filing 1 for a *recycling use,* as it satisfies the conditions 1, 2, 3, 4,5, 6, and 7 of Section 30-3-106 with the following condition:

- **Conditioned upon a 6' high opaque fence around the entire recycling use on both Lot 6 and Lot 7, with appropriate landscaping as required by the Development Code.**

Second by Commissioner Murphy.

With all in favor, THE MOTION CARRIED.

Commissioner Murphy was excited to have the facility in the community and appreciated their efforts to work with the community. Commissioners Dowker and Banzhaf agreed.

6. **Planning Commission Bylaw –** Mr. Freese recommend that no hearing item should begin after 10:00 pm.

   Commissioner Banzhaf stated that in the past it had been an unwritten rule about starting items after 10:00 pm.

   Commissioner Dowker stated that the addition to the bylaws was reasonable.

   Commissioner Dowker Moved that 'no hearing item shall begin after 10:00 pm.' be added to the Planning Commission bylaws.

   Second by Commissioner Byron.

   With all in favor, THE MOTION CARRIED.

7. **Reschedule November 22, 2018 Planning Commission meeting**

   Commissioner Byron Moved that the next regular Planning Commission meeting will be December 6, 2018 at 7:00 pm.

   Second by Commissioner Dowker.

   With all in favor, THE MOTION CARRIED.

8. **Reports**

   Meeting adjourned at 8:15 p.m.

_____
Kelsey Byron, Secretary

_____
Jill Wilson, Planning and Building Technician

2019 Development Review Calendar

Community Development
807 Mountain Avenue
Berthoud, CO 80513
970-532-2643

Planning Commission Hearing Dates
January 10, 2019
January 24, 2019
February 14, 2019
February 28 2019
March 14, 2019
March 28, 2019
April 11, 2019
April 25, 2019
May 09, 2019
May 23, 2019
June 13, 2019
June 27, 2019
July 11, 2019
July 25, 2019
August 08, 2019
August 22, 2019
September 12, 2019
September 26, 2019
October 10, 2019
October 24, 2019
November 14, 2019
November 28, 2019
December 12, 2019
December 26, 2019

*Dates subject to change. Please confirm with Development Review Staff.

STAFF REPORT: HABITAT FOR HUMANITY ODP, FDP, FINAL PLAT

TO: **Planning Commission**
FROM: **Curt Freese, Community Development Director**

PLANNING COMMISSION INFORMATION SHEET

MEETING DATE: **January 24, 2019**
ITEM: **Habitat for Humanity ODP, FDP, Final Plat**

PROPOSAL

The Applicant Habitat for Humanity, is requesting a revised combined ODP, FDP and Final plat approval, which would result in the creation of eight (8) new lots, over a 5.66 acre total area. The amendment to the ODP and FDP would apply to half of the existing Habitat property (starting at the existing Lot 13 to the remainder of the undeveloped Northern lots). in which the existing lots will be essentially split in half for ten paired or zero lot line homes). Habitat wishes to build a new product type, with smaller homes, paired or zero lot line homes, and potentially townhouses which can be built on much narrower lots than the lots which are currently approved.

The project was originally zoned as a PUD with a ODP and FDP approval in 2006 (see ODP/FDP in packet). Staff has allowed Habitat to continue with its old PUD, however the amendment to the PUD (in the ODP/FDP plat) does require approval from the PC and the Town Board as density would increase, and new setbacks would be established. Staff is also allowing a streamlined platting process (all to approved together), owing to its non-profit charitable status, and the fact the platting and engineering work has also been donated to Habitat.

BACKGROUND

This project was approved in 2001, with the last revision to the Final Plat approved in 2006 (see plat in packet). The current plat was approved with 21 single family lots. Since 2006, twelve homes have been built, starting from the South. Setbacks, and minimum lot width, were to follow the R-1 standards. Open Space found in Tract "A" does not change and amounts to over 25% of the total area of the project.

GENERAL INFORMATION		
Applicant:	**Mike Cook, Agent for Habitat for Humanity**	**Size: ~5.6 acres total**
Site Location:	**North Fourth Street**	
Applicant's Request:	**The Applicant is requesting approval of a revised ODP, FDP and Final Plat for Berthoud Habitat for Humanity.**	
Current Zoning: PUD (Planned Unit Development)	**Revised FDP/Final Plat to create 8 additional lots, including new paired/zero lot line homes.**	

ZONING DISTRICT INFORMATION		
	PUD (Existing/old)	**PUD (New)**
	6-8 dwelling units per acre	**10 units per acre**
Min. Lot Size	**N/A**	
Min. Lot Width	**52'**	**28'paired homes; 40' multi family tract, 52' SF tract**
Front Setback	**20'**	**20' SF; 20' paired homes; 15' multi-family**
Side Setback		**0' paired and multifamily and 5' single family**
Rear Setback	**5' all to garage**	**5' to garage**
Building Height:	**35'**	**35'**

SURROUNDING ZONING, LAND USE AND REQUIRED BUFFERS		
Adjacent Zoning	**Adjacent Land Uses**	**Setbacks for Adjacent Zoning /Buffer required if rezoned**
North: County FA	**Farm Equipment**	**N/A**
South: Town R-3	**Apartments**	**N/A**
East: Town (M-2)	**Railroad/Jackson Industrial Park (undeveloped)**	**N/A**
West: Town AG/County FA	**Farm Land, Large Lot SF**	**N/A**

PREFERRED LAND USE

The Town's Preferred Land Use Map designates this area as Moderate Density Residential, which intends for residential uses from 6 dwelling units per acre.

- ✓ The density and uses proposed, are consistent with the Preferred Land Use Map.

FINDINGS NECESSARY FOR THE FDP/FINAL PLAT

1. **Whether the plan and plat conform to the requirements of the Development Code, to the Town's Comprehensive Plan and land use plan.**

- ✓ The FDP plat is in conformance with the Comprehensive Plan and the Preferred Land Use Plan, and also conforms to the approved ODP/PUD zoning district and comprehensive plan in terms of land uses and density (this is in a moderate density residential preferred land use district which supports single family and zero lot line residential development).

2. **Whether the proposed development will negatively impact traffic in the area, Town utilities, or otherwise have detrimental impact on property that is in sufficient proximity to the development to be affected by it.**

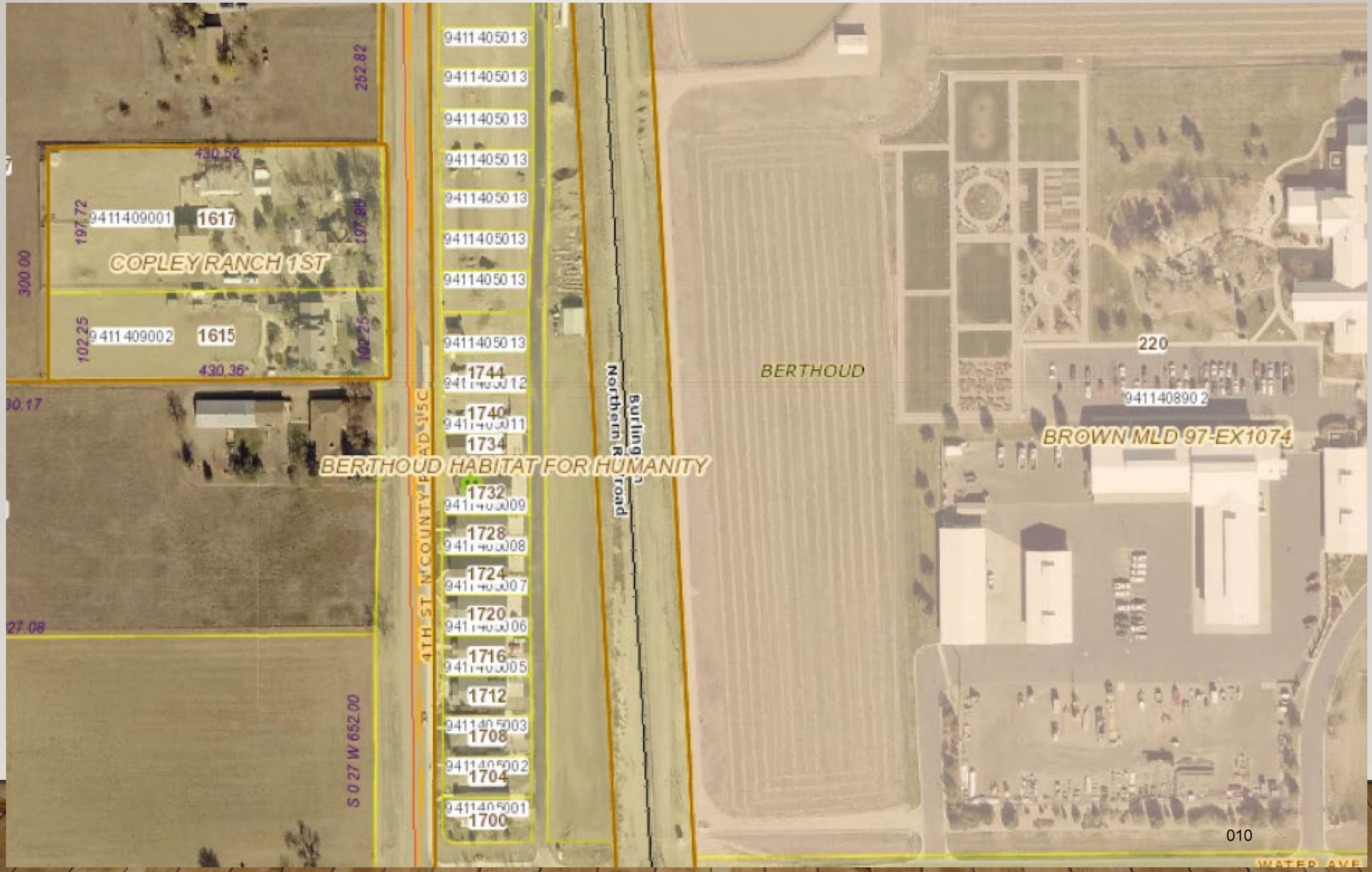
- ✓ The proposed FDP has been designed with final traffic, utility, and drainage analyses to determine the impacts to the Town's systems. Due to the minimal increase in density, no issues with traffic have been found by the Town's traffic Engineer.
- ✓ In addition, the lots are all rear loaded, and thus will not create additional traffic conflicts on North 4th Street.
- ✓ **3. Whether the proposed development will be complementary to and in harmony with existing development and future plans for the areas in which the proposed development is to take place, according to the following considerations:**
  - ✓ The proposed lot sizes of this development are complimentary to the high-density apartments to the South.
  - ✓ The new paired homes, offer an additional affordable option for Habitat, and also allow Habitat the ability to offer more homes for people in need.

PUBLIC NOTICE

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. The copies of public comments are included in this packet, but listed concerns about traffic and the lack of play area for children. Staff has received complaints from neighboring residents that the children living in the Habitat Homes, are playing in the street and the railroad track, as the open space area has not been improved and the lots are not big enough for play within the yard.

FINDINGS AND RECOMMENDATIONS
<u>FDP/Final Plat</u> **Move to recommend approval of the Habitat for Humanity Revised ODP, FDP and the Final Plat for as per the findings found in pages 2-3 of this Staff Report.**

Location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BERTHOUD HABITAT FOR HUMANITY
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4TH ST N COUNTY RD 15C
Burlington Northern Railroad
BERTHOUD
220
9411408902
BROWN MLD 97-EX1074
S 0 27 W 652.00
WATER AVE

PROPOSED ODP/FDP AND FINAL PLAT

COMBINED OVERALL DEVELOPMENT PLAN, PRELIMINARY DEVELOPMENT PLAN AND FINAL DEVELOPMENT PLAN

BERTHOUD HABITAT FOR HUMANITY

BERTHOUD HABITAT FOR HUMANITY, SITUATE IN THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE 6TH P.M., TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO

NORTH

0 12.5 25 37.1 50 75 100 150

ORIGINAL SCALE : 1" = 50'

Date of Initial Preparation: July 31, 2018

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	CHORD	BEARING
C1	90°09'22"	25.00'	39.27'	35.36'	N45°16'18"W
C2	90°09'38"	15.00'	23.56'	21.22'	N45°16'26"W

PROPERTY DESCRIPTIONS FOR DEVELOPMENT AREA A:

LOTS 1 THROUGH 12, INCLUSIVE, BLOCK 1, BERTHOUD HABITAT FOR HUMANITY SUBDIVISION AND LOT 20, BLOCK 1, REPLAT OF LOTS 13–21, BLOCK 1, BERTHOUD HABITAT FOR HUMANITY SUBDIVISION, TO THE TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO

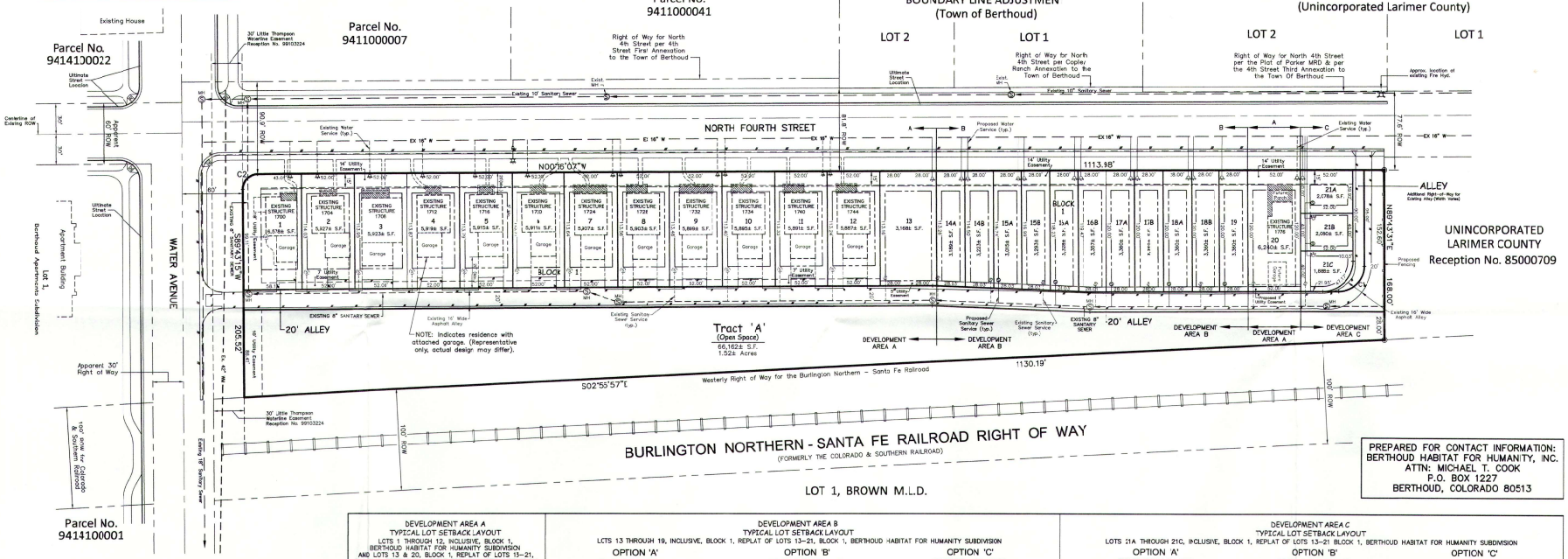
PROPERTY DESCRIPTIONS FOR DEVELOPMENT AREA B & C:

LOTS 13A THROUGH 21C, INCLUSIVE, BLOCK 1, REPLAT OF LOTS 13–21, BLOCK 1, BERTHOUD HABITAT FOR HUMANITY SUBDIVISION, TO THE TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO

SITE DATA TABLE / GENERAL NOTES:

1. Existing Zoning: R1–Residential
2. Proposed Land Use: 28 Single-Family (Residential) / Paired Housing (Residential)
   1 Open Space Tract
   29 Total (Lots and Tract)
3. Total Site Acreage: 219,266.5 Square Feet / 5.034 Acres (More or Less)
   Acreage Within Lots: 124,111.6 Square Feet / 2.850 Acres (More or Less)
   Acreage Within Open Space: 66,162.0 Square Feet / 1.520 Acres (More or Less)
   Acreage Within Alley Right-of-Way: 28,923.8 Square Feet / 0.664 Acres (More or Less)
   Percentage Of Land Contained Within Lots: 56.6%
   Percentage Of Land Contained Within Open Space: 30.2%
   Percentage Of Land Contained Within Alley: 13.2%
   Gross Density: 5.8 Units Per Acre
   Net Density: 10.2 Units Per Acre
4. Minimum Lot Width Development Area A: 52'
   Minimum Lot Acreage Development Area A: 5,887 Square Feet (More or Less)
   Minimum Lot Width Development Area B: 28'
   Minimum Lot Acreage Development Area A: 3,167 Square Feet (More or Less)
   Minimum Lot Width Development Area C: 40'
   Minimum Lot Acreage Development Area A: 1,888 Square Feet (More or Less)
5. Maximum Building Height: 35 Feet
6. Utilities Available To The Site: Sewage Disposal (Town of Berthoud)
   Domestic Water (Town of Berthoud)
   Electric (Poudre Valley Rural Electric Association)
   Natural Gas (XCEL Energy)
   Telephone (Century Link)
7. Tract 'A' is a Utility, Drainage, Stormwater Detention, Landscape and Open Area Easement. Tract 'A' shall be owned and maintained by the Homeowners Association for this Development and not by the Town of Berthoud, Colorado.
8. The Alley, as shown on this Map, is a Utility, Drainage and Access Easement. The Alley has been dedicated to the Town of Berthoud. Maintenance of said Alley shall be performed by the Town of Berthoud.
9. Developer to provide one (1) street tree per lot along North Fourth (4th) Street. Street trees shall be placed at forty (40) foot, plus or minus, intervals.
10. 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.

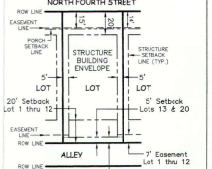
INDIVIDUAL LOT GRADING AND TOP OF FOUNDATION DESIGN ELEVATIONS TO BE DETERMINED AT TIME OF AND A PART OF BUILDING PERMIT APPLICATION ON THE INDIVIDUAL LOTS



PREPARED FOR CONTACT INFORMATION:
BERTHOUD HABITAT FOR HUMANITY, INC.
ATTN: MICHAEL T. COOK
P.O. BOX 1227
BERTHOUD, COLORADO 80513

DEVELOPMENT AREA A
TYPICAL LOT SETBACK LAYOUT
LOTS 1 THROUGH 12, INCLUSIVE, BLOCK 1, BERTHOUD HABITAT FOR HUMANITY SUBDIVISION AND LOTS 13 & 20, BLOCK 1, REPLAT OF LOTS 13–21, BLOCK 1, BERTHOUD HABITAT FOR HUMANITY SUBDIVISION

SINGLE FAMILY



Minimum Front Yard Setback: 20 Feet (To Face of Structure) 15 Feet (To Face of Porch)

Minimum Rear Yard Setback: 5 Feet (To Face of Garage)

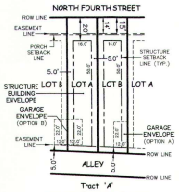
Minimum Rear Yard Setback Lots 1 thru 12: 20 Feet (To Face of Garage)

Minimum Rear Yard Setback Lots 13 & 20: 5 Feet (To Face of Garage)

Minimum Side Yard Setback: 5 Feet

DEVELOPMENT AREA B
TYPICAL LOT SETBACK LAYOUT
LOTS 13 THROUGH 19, INCLUSIVE, BLOCK 1, REPLAT OF LOTS 13–21, BLOCK 1, BERTHOUD HABITAT FOR HUMANITY SUBDIVISION

OPTION 'A' SINGLE FAMILY (A)



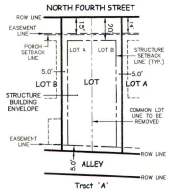
Minimum Front Yard Setback: 20 Feet (To Face of Structure) 15 Feet (To Face of Porch)

Minimum Rear Yard Setback: 5 Feet (To Face of Garage)

Minimum Side Yard Setback: 5 Feet (Structure) 0 feet (Party Wall Garage) 0 Feet (Single Stall Garage)

OPTION A: Single Stall Garage
OPTION E: Party Wall (Double) Garage

OPTION 'B' SINGLE FAMILY (B)



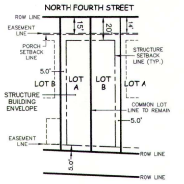
NOTE: Common Lot Line to be removed by Resolution or Replat prior to construction.

Minimum Front Yard Setback: 20 Feet (To Face of Structure) 15 Feet (To Face of Porch)

Minimum Rear Yard Setback: 5 Feet (To Face of Garage)

Minimum Side Yard Setback: 5 Feet (Structure)

OPTION 'C' PAIRED HOUSING



Minimum Front Yard Setback: 20 Feet (To Face of Structure) 15 Feet (To Face of Porch)

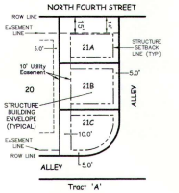
Minimum Rear Yard Setback: 5 Feet (To Face of Garage)

Minimum Side Yard Setback: 5 Feet (Structure) / 0 Feet (Party Wall)

Note: Options 'A', 'B' & 'C' in Development Area B are allowed a 4 Foot Setback to any Architectural Element (i.e.: Cantilever, Bay Window, etc.)

DEVELOPMENT AREA C
TYPICAL LOT SETBACK LAYOUT
LOTS 21A THROUGH 21C, INCLUSIVE, BLOCK 1, REPLAT OF LOTS 13–21 BLOCK 1, BERTHOUD HABITAT FOR HUMANITY SUBDIVISION

OPTION 'A' SINGLE FAMILY (A)



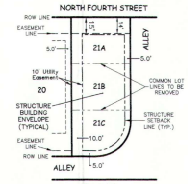
Minimum Street (N. 4th St.) Setback: 15 Feet (To Face of Structure)

Minimum Front Yard Setback: 5 Feet (To Face of Structure)

Minimum Rear Yard Setback: 10 Feet (To Face of Structure)

Minimum Side Yard Setback: 5 feet (Structure)

OPTION 'B' SINGLE FAMILY (B)



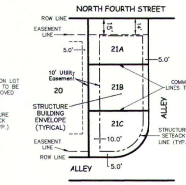
NOTE: Common Lot Line to be removed by Resolution or Replat prior to construction.

Minimum Street (N. 4th St.) Setback: 15 Feet (To Face of Structure)

Minimum Front Yard Setback: 5 Feet (To Face of Structure)

Minimum Rear Yard Setback: 10 Feet (To Face of Structure)

OPTION 'C' MULTI FAMILY HOUSING

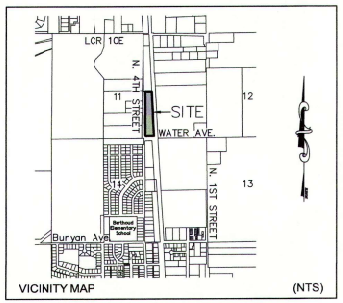


NOTE: Common Lot Line to remain as Zero (0) Lot Lines.

Minimum Street (N. 4th St.) Setback: 15 Feet (To Face of Structure)

Minimum Front Yard Setback: 5 Feet (To Face of Structure)

Minimum Rear Yard Setback: 10 Feet (To Face of Structure)



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 the survey be commenced more than ten years from the date of the certification shown hereon.

ODP/PDP/FDP BERTHOUD HABITAT FOR HUMANITY SUBDIVISION

REVISIONS | BY: | DATE:

INTERMILL LAND SURVEYING, INC.
1301 NORTH CLEVELAND AVENUE LOVELAND, COLORADO 80537 BUS. (970)-669-0516 / FAX (970)-635-9775

CLIENT: BERTHOUD HABITAT FOR HUMANITY

TITLE: ODP, PDP & FDP FOR BERTHOUD HABITAT FOR HUMANITY
Town of Berthoud, County of Larimer, State of Colorado

DRAWN BY: RGP
CHECKED BY:
APPROVED BY:
REVISED: (9-27-2018
DATE: 07-31-1018
SCALE: 1" = 50'

PROJECT NO.: P-17-8428

SHEET	OF
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ORIGINAL/ CURRENT FDP AND FINAL PLAT

RECEPTION#: 20060094363, 12/13/2006 at 08:39:47 AM, 1 OF 1, R $11.00 Scott Doyle, Larimer County, CO

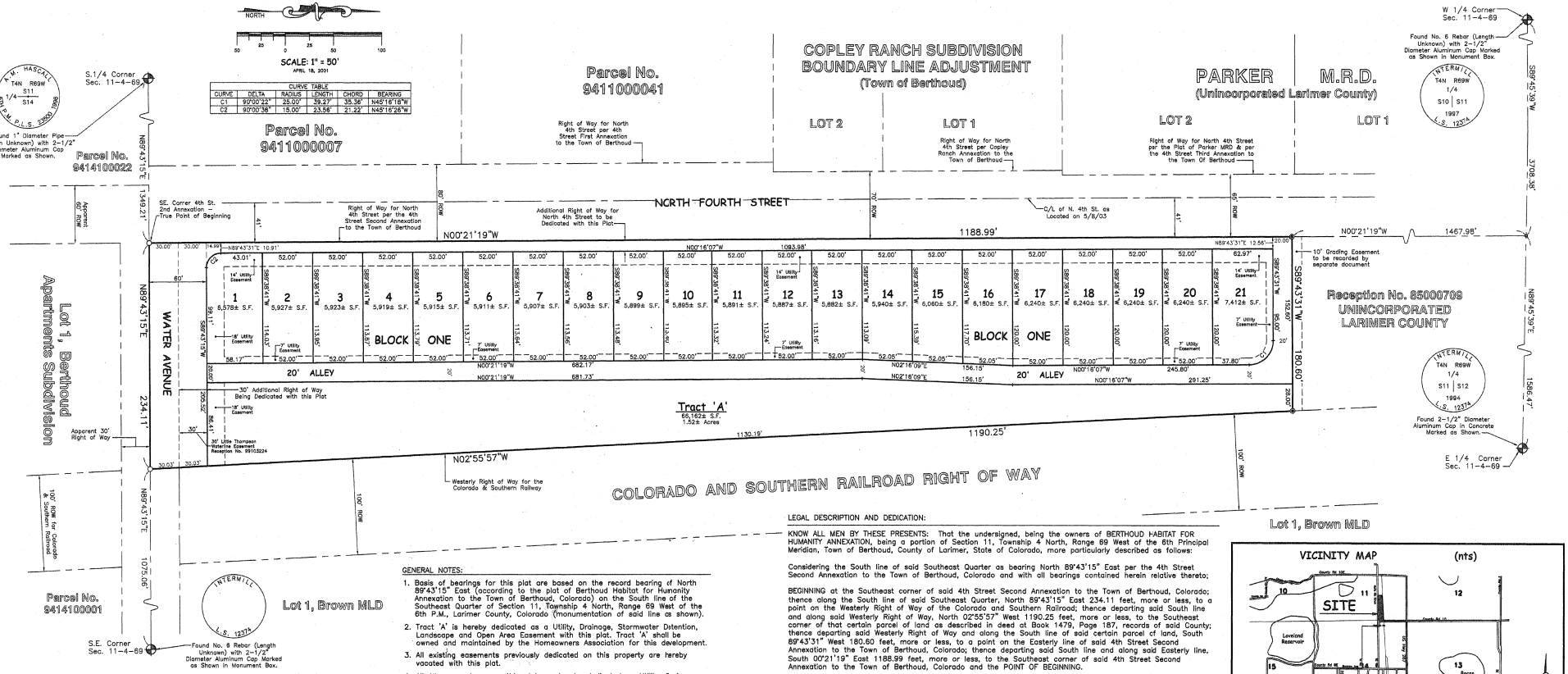
BERTHOUD HABITAT FOR HUMANITY SUBDIVISION

BEING A SUBDIVISION OF THE MAP OF BERTHOUD HABITAT FOR HUMANITY ANNEXATION SITUATED IN THE SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE 6TH P.M., TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO

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

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.



CURVE TABLE					
CURVE	DELTA	RADIUS	LENGTH	CHORD	BEARING
C1	90°00'22"	25.00'	39.27'	35.36'	N45°16'18"W
C2	90°00'38"	15.00'	23.56'	21.22'	N45°16'26"W

ATTORNEY'S CERTIFICATE:

I, Elizabeth Lamb Kearney, an Attorney at Law duly licensed to practice before the Courts of Record of Colorado, do hereby certify that I have examined the title of all lands herein above indicated and shown upon the within plat as public ways and easements and that title to such land is the dedicators, free and clear of all liens and encumbrances.

Dated this 25th day of October, A.D., 2006.

Elizabeth L. Kearney
Attorney at Law
Registration No. 16047

APPROVAL CERTIFICATES:

Approved by the Town Board of Trustees of the Town of Berthoud, Colorado, this 17th day of January, A.D., 2005.

Milan Karspeck
Mayor

The foregoing plat is approved for filing and accepted by the Town of Berthoud, Colorado, this 17th day of January, A.D., 2005.

ATTEST:

Mary K Gaudin
Town Clerk

GENERAL NOTES:

1. Basis of bearings for this plat are based on the record bearing of North 89°43'15" East (according to the plat of Berthoud Habitat for Humanity Annexation to the Town of Berthoud, Colorado) on the South line of the Southeast Quarter of Section 11, Township 4 North, Range 69 West of the 6th P.M., Larimer County, Colorado (monumentation of said line as shown).
2. Tract 'A' is hereby dedicated as a Utility, Drainage, Stormwater Detention, Landscape and Open Area Easement with this plat. Tract 'A' shall be owned and maintained by the Homeowners Association for this development.
3. All existing easements previously dedicated on this property are hereby vacated with this plat.
4. All Alleys as shown on this plat are hereby dedicated as Utility, Drainage and Access Easements with this plat. The Alleys are hereby dedicated to the Town of Berthoud with this plat. Maintenance of said Alleys shall be performed by the Town of Berthoud.
5. Client: Berthoud Habitat for Humanity
   c/o Thomas Jones
   619 4th Street
   Berthoud, Colorado 80513
6. ○ = Set No. 4 rebar (16" long) with 1" diameter blue plastic cap marked LS 34174, unless otherwise noted.
   ⊗ = Found No. 4 rebar (length unknown) with 1" diameter plastic cap marked LS 16847, unless otherwise noted.

SURVEYOR'S CERTIFICATE:

I, Robert George Persichitte, a Registered Land Surveyor in the State of Colorado, do hereby certify that the survey of BERTHOUD HABITAT FOR HUMANITY SUBDIVISION was made under my supervision and the accompanying plat accurately and properly shows said subdivision.

Prepared By and On Behalf Of:
INTERMILL LAND SURVEYING, INC.
1301 North Cleveland Avenue
Loveland, Colorado 80537
(970) 669-0516

Robert George Persichitte
Colorado PLS 34174
Date: 08/31/06

COLORADO REGISTERED PROFESSIONAL LAND SURVEYOR 34174 Robert George Persichitte 08/31/06

8. Revise Title Blocks / Plat Final Plat for Signatures	Sign / Seal	MJM	08-31-06
7. Revise Ownership / Plat Final Plat for Signatures		RGP	07-17-06
6. Revisions per TEC comments (July, 2004 review)		RGP	09-27-04
5. Revisions per TEC comments		RGP	05-17-04
4. Revise lot and alley configuration		MJM	05-08-03

LEGAL DESCRIPTION AND DEDICATION:

KNOW ALL MEN BY THESE PRESENTS: That the undersigned, being the owners of BERTHOUD HABITAT FOR HUMANITY ANNEXATION, being a portion of Section 11, 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:

Considering the South line of said Southeast Quarter as bearing North 89°43'15" East per the 4th Street Second Annexation to the Town of Berthoud, Colorado and with all bearings contained herein relative thereto;

BEGINNING at the Southeast corner of said 4th Street Second Annexation to the Town of Berthoud, Colorado; thence along the South line of said Southeast Quarter, North 89°43'15" East 234.11 feet, more or less, to a point on the Westerly Right of Way of the Colorado and Southern Railroad; thence departing said South line and along said Westerly Right of Way, North 02°55'57" West 1190.25 feet, more or less, to the Southeast corner of that certain parcel of land as described in deed at Book 1479, Page 187, records of said County; thence departing said Westerly Right of Way and along the South line of said certain parcel of land, South 89°43'31" West 180.60 feet, more or less, to a point on the Easterly line of said 4th Street Second Annexation to the Town of Berthoud, Colorado; thence departing said South line and along said Easterly line, South 00°21'19" East 1188.99 feet, more or less, to the Southeast corner of said 4th Street Second Annexation to the Town of Berthoud, Colorado and the POINT OF BEGINNING.

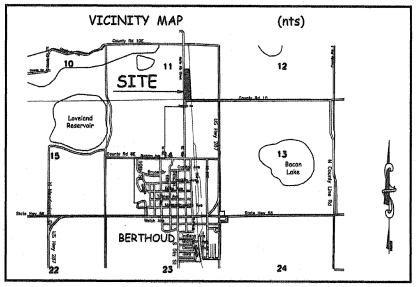
The above described parcel contains 5.66 Acres, more or less, and is subject to all existing easement and/or rights of way of record.

Have laid out, platted, and subdivided the above described land, under the name and style of BERTHOUD HABITAT FOR HUMANITY SUBDIVISION, 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 grants to the Town of Berthoud such easements as are created hereby and depicted or, by note, referenced hereon, along with the right to install, maintain, and operate mains, transmission lines, service lines, and appurtenances, either directly or through the various public utilities, as may be necessary to provide such utility, cable television, and sanitary services within this subdivision or property contiguous thereto, through, over, under, and across streets, utility and other easements, and other public places as shown on the plat.

OWNER(S):
BERTHOUD HABITAT FOR HUMANITY, LTD.,
A Colorado Nonprofit Corporation

By: Tom Patterson As: Director
STATE OF COLORADO) SS
COUNTY OF LARIMER)
The foregoing instrument was acknowledged before me this 13th day of Sept., 2006 by Tom Patterson as Director for Berthoud Habitat for Humanity, Ltd., A Colorado Nonprofit Corporation.
My commission expires 1/8/08.
Witness my hand and official seal.
Notary Public: Suzanne Nenno

SUZANNE NENNO NOTARY PUBLIC STATE OF COLORADO



OWNERS (Lot 2):
JESUS ALMEIDA
SHIRLEY ALMEIDA

Jesus Almeida
Jesus Almeida
Shirley C. Almeida
Shirley Almeida

STATE OF COLORADO) SS
COUNTY OF LARIMER)
The foregoing instrument was acknowledged before me this 11 day of September, 2006 by Jesus Almeida and Shirley Almeida.
My commission expires 1/8/08.
Witness my hand and official seal.
Notary Public: Suzanne Nenno

SUZANNE NENNO NOTARY PUBLIC STATE OF COLORADO

\\Vic\Jamaica\Drawing\P-4613-Habitat\SP.dwg

INTERMILL LAND SURVEYING, INC.
1301 NORTH CLEVELAND AVENUE LOVELAND, COLORADO 80537 BUS. (970)-669-0516 / FAX (970)-635-9775

REVISIONS:	BY:	DATE:
1. Revisions per Town of Berthoud comments	RGP	10-12-01
2. Revisions per Town of Berthoud and Client comments	RGP	07-17-02
3. Revisions per Town of Berthoud comments	MJM	04-11-03

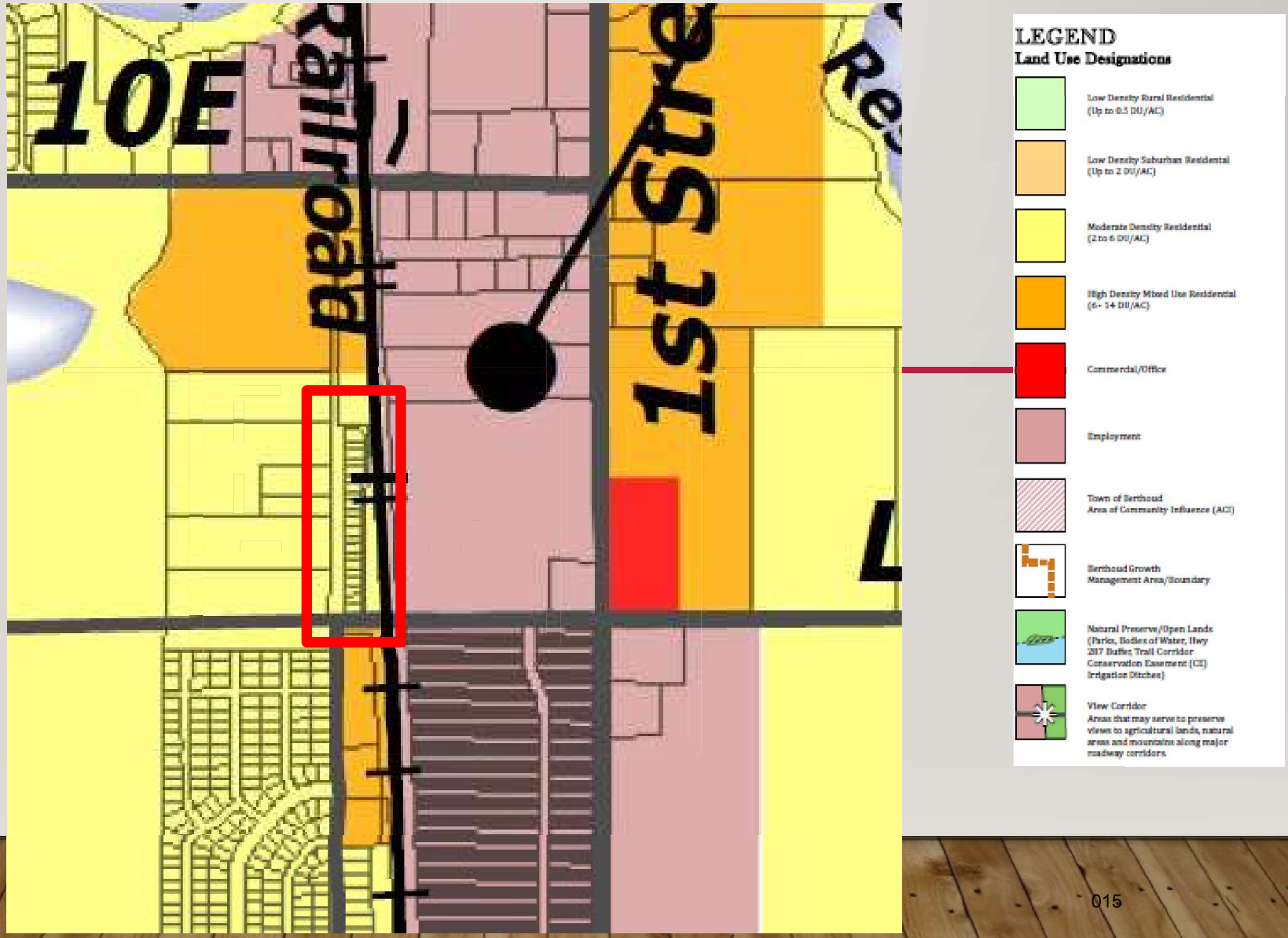
DATE: 04-18-01 DRAWN BY: RGP
SCALE: 1" = 50' CHECKED BY:
APPROVED BY:

CLIENT: BERTHOUD HABITAT FOR HUMANITY

PROJECT TITLE: BERTHOUD HABITAT FOR HUMANITY SUBD.
To the Town of Berthoud, Larimer County, Colorado

SHEET NO. 1 | NO. OF SHEETS 1 | PROJECT NO. P-00-4613

Preferred Land Use Habitat



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

NEIGHBORHOOD COMMENT REPORT

Date: 01/18/19

Project: Habitat for Humanity

Applicant: Same

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.

Attached are the responses received by surrounding property owners.

January 15, 2019

Dear Sir/Madam,

I have taken the time to call the number on your Development Proposal sign 970-532-2643 that you have put up at your development sight. After talking to several people that had no idea what sign I was talking about I was finally put in contact with a person that informed me that the planners of the Habitat Community that is located on County Road 15C are planning the building of several duplexes on the ground that remains on the sight to make housing more affordable. I would like to express my deep concern with this plan.

First, the traffic on County Road 15C has increased exponentially in the past 5 years. The explosion of housing in Berthoud has County Road 15C being used as one of the main roads in and out of Berthoud. I am very concerned as to the safety of children that live in the Habitat Community as more and more cars continue to use the road at much higher than posted speeds.

Second, I was told the duplex units would be much smaller than the existing houses that have been built on the sight with much smaller yards. A small house and small yard does not equal quality of life. As it is the existing houses in the community barley have yards as it is as the builders have stacked the houses extremely close to each other. I understand that Habitat is trying to make housing affordable but they are doing so by sacrificing quality of life.

Thirdly, I would like to express my disgust with the management of the development. The managers of the sight have turned it into what appears to be a dumping yard. Anything and everything that they feel could be some benefit to them is dropped or stacked on the sight. The managers have made the area left without buildings and eyesore to the rest of the community on both sides of County Road 15C dropping the values of homes that have been there much longer than the Habitat Development.

In closing I would like to say that I feel people should have access to affordable housing. I am however very concerned with Habitats planning of multi-unit housing with small lot and yards. I feel that the planners of the Habitat Community are doing disservice to the town of Berthoud and to the existing property owners. Small low cost housing units have been tried in other areas, they also have become known as "The Projects" is that what the town of Berthoud really needs?

Sincerely,

Concerned Citizen

January 9, 2019

Re: Development Proposal Sign located on North County Road 15 C

Dear Mr. Freese:

When we were finally able to contact someone at the town regarding this sign, we were able to reach you. You said that this is a proposal to change the current building plan in place for the Habitat Houses being built on this land. The new proposal is asking to build smaller houses, smaller lot sizes with houses closer together and lots for multiple family homes. We were told that normal building codes regarding single family and multiple family dwellings as well as lot sizes were not be adhered to in order to make exceptions for Habitat and more affordable housing in Berthoud.

Please let me tell you a little bit about myself. Early in my twenties, I would visit a close friend of mine and her family in Berthoud quite often. I always loved this town and hoped that someday I would be able to buy a home for myself here and raise my own family in Berthoud. I completed a bachelor's degree, a master's degree and my doctorate. I spent two years searching for a house in Berthoud. I found a house on a small amount of land that I could fix up and I have worked hard to make my dream of living in this town come true. I was married under a tree in my yard and we now have a son. I have worked on the house itself as well as the property and continue to do so. New roof, siding, deck, central heat/air and interior remodeling and decorating to the house. I have worked to fix up a shop, added outbuilding and built as well as finished the upstairs interior of a barn. I have hauled in endless amounts of gravel, asphalt and sand. I have built an arena and added fencing. Looking to the future, I want to continue to improve the little piece of Berthoud that I call home.

Habitat for Humanity owns the land across the street from me. I was told they had a set number of lots planned for single family homes. I have watched them build homes across the street from me for a number of years now. A small amount of land on the corner of Water Avenue and North County Road 15C was planned to be a community garden or small park I was told. This area has never actually been turned into anything. It has never been maintained or kept up. Building materials, landscape materials and even what has looked like junk has been dumped and stored on the building land lots for years. The houses built to date on the ~~north~~ south end, are the homes that I expected with this current Habitat building plan. I have always supported Habitat, but I am sorry to see that these houses have such small yards. The children in these homes have no place to run and play and end up playing in the street or on the railroad tracks located directly behind these homes. The traffic has already increased on our small street considerably. I worry that as more houses are crowded into the newly proposed lots, the traffic and current safely issues will only worsen. The children's safety and quality of life for everyone in this neighborhood should matter. There has been one energy home built on the ~~south~~ North end of these building lots. It continues to be under construction, but clearly doesn't match the

character or style of the original homes in any way. Please drive by and look at this building. Do you view this as a family home or a drive thru coffee shop or gas station? Is this house something you would want built across the street from your home? I fear that if basic codes and standards are not applied or adhered to, that we will end up with a street of incredibly crowded, unmatched, unappealing homes. This will serve to decrease the property value of my home, as well as the value of all of the homes on this street. The town should speak for all of its citizens, not just be the voice for Habitat for Humanity and affordable housing.

Berthoud has always held a standard for a small town of character. It's just this character that made me dream so many years ago of someday owning a home here. Please reevaluate this new proposal. Please consider this to be your voice for homes in your own neighborhood as you determine what is best for this land. Thank you for your consideration in this manner.

Sincerely,

Patricia A. Mahoney DVM, MA

STAFF REPORT: HERON POINTE LOT B FINAL PLAT

TO: **Planning Commission**
FROM: **Curt Freese, Community Development Director**

PLANNING COMMISSION INFORMATION SHEET

MEETING DATE: **January 24, 2019**
ITEM: **Heron Pointe Lot B Final Plat**

PROPOSAL

The Applicant, is requesting final plat approval for roughly 16.85 acres to create five (5) commercial outlots along Berthoud Parkway, and a multi-family lot proposed for 142 multi-family units. The applicant's preliminary plat was approved by the Planning Commission in October 2018, and the Town Board in November 2018.

The Final Plat is the last stage in the development process. At this stage, the PC is verifying that the Final Plat does not substantially change from the preliminary plat (see standards in final plat review criteria below) and the conditions of the preliminary plat have been met. If these criteria have been found, the PC should approve the plat; if major changes have been made, the PC should deny the application.

After Final Plat approval, the Commercial outlots and the Multi-family lot will be reviewed and approved administratively; i.e. the commercial site plans and the apartment site plan will be approved by Staff. Therefore, the details of the commercial lots and multi-family lot will not be brought back to the PC, and concerns with design etc. should be handled at this phase of the process.

BACKGROUND

This project was rezoned in 2014 along with the purely residential section of Heron Pointe across Berthoud Parkway. This lot was zoned as General Commercial (C-2) at that time, but no platting actions regarding this lot were proposed or filed.

Road Layout:

The road layout includes full access from the new roundabout, and a right in and right out on Berthoud Parkway. There is a right in-right out on the North along LCR 14, and two full access points on Larimer County 15 to the Eastern portion of the property. All streets will be private, and open to the public.

LCR 14 Bridge

The Applicant is in final discussions with the County regarding the Applicant replacing the LCR 14 bridge which is located and maintained by Larimer County. It is likely an Intergovernmental Agreement with the County will be required (as the bridge will still be County owned once replaced), which will take additional time, and actions by both the Town Board and County Commissioners. Staff is recommending this IGA be a condition and will not record the Final Plat with the County until this has been settled.

Water Tower Sidewalk

After a recommendation by Little Thompson School District, the Board made a condition of Preliminary Plat approval, that a sidewalk be built along the Loveland Water Tower property to the West to access Carrie Martin Elementary School across LCR 14. Since this is an off-site improvement not owned by the Applicant, the cost will be shared between the Town and the developer.

Town Board Meeting:

This project was heard by the Town Board over two lengthy meetings in November 2018, and granted approval. Issues related to pedestrian safety, layout, and open space, etc. were all major concerns. Additional analysis of the safety of LCR 17/Berthoud Parkway was conducted by John Seyer, traffic engineer for the Town, and Matt Delich, traffic engineer for the Applicant. The analysis included Board consideration of raised pedestrian crossings and pylons delineating traffic lanes. Both the traffic engineers researched these considerations and recommended the Beacon lights only for additional pedestrian safety. These beacon lights will be erected at the developer's expense, and the letter explaining the engineering rationale is within this packet.

The applicant revised the concept plan, with expanded open space and park area, as well as the amenities. This included additional landscaping, a dog park in the center of the project, an expanded picnic area in the Northeast, a tot lot and playground added next to the pool, and the addition of benches etc. to the West of the Clubhouse.

GENERAL INFORMATION		
Applicant:	**Steve Steinbicker, Agent for Heron Pointe LLC/Bob Dehn**	**Size: ~16.85 acres total**
Site Location:	**This property is located East of Berthoud Parkway and South of LCR 14.**	
Applicant's Request:	**The Applicant is requesting approval of a Final Plat for the Heron Pointe Lot B.**	
Current Zoning: C-2 (General Commercial)	**Preliminary Plat to create 5 commercial outlots, and one multi-family lot for 142 multi-family units**	
ZONING DISTRICT INFORMATION		
	C-2	
	24 Dwelling units per acre	
Min. Lot Size	**N/A**	
Min. Lot Width	**50'**	
Front Setback	**25'**	
Side Setback	**0' (similar uses); 25'**	
Rear Setback	**25'**	
Building Height:	**50'**	
SURROUNDING ZONING, LAND USE AND REQUIRED BUFFERS		
Adjacent Zoning	**Adjacent Land Uses**	**Setbacks for Adjacent Zoning /Buffer required if rezoned**
North: County	**Low Density SF lots**	**N/A**
South: County	**Low Density SF lots**	**N/A**
East: County	**Agricultural/Low Density**	**N/A**
West: Heron Pointe	**Heron Pointe Apartments and SF lots**	**N/A**

PREFERRED LAND USE

The Town's Preferred Land Use Map designates this area as Employment, which intends for commercial uses.

- ✓ The commercial uses proposed, mixed with multi-family, would be consistent with the Preferred Land Use Map.

FINDINGS NECESSARY FOR A FINAL PLAT

1. **The Final Plat is in substantial conformance with the approved Preliminary Plat For the purposes of this Code, "Substantial conformance" includes design adjustments made to meet any conditions of preliminary plat approval, and is determined as follows:**

    a. **Does not change any land use of the proposed plat.**

    b. **Does not change the number of lots or residential density by more than 5%.**

    c. **Does not contain changes which would render the final plat in nonconformance with requirements of this Code.**

    d. **Does not contain significant changes in street alignment and/or access points, or other public elements such as drainage improvement, utility lines or facilities.**

    e. **Does not change any measurable standard (other than above) by more than 15%.**

    - ✓ This proposed Final Plat does not change the land use of the Preliminary Plat.
    - ✓ The Final Plat has the exact number of lots and design layout as the approved Preliminary Plat; so no measurable standard has been changed.
    - ✓ The Final Plat retains the same street alignment and access points as the preliminary plat.

2. **The development complies with this Code, the Comprehensive Plan and the PORT Plan.**

    - ✓ The uses proposed (commercial and multi-family) are consistent with the C-2 zoning district.
    - ✓ The preliminary plat is generally consistent with the overall density and uses approved in the Preferred Land Use Map.

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

    - ✓ An IGA will be required as a condition of approval regarding the construction of the LCR 14 bridge.
    - ✓ The Applicant is contributing $200,000 to the regional drainage plan for Lot B (Prariestar, Heron Pointe Lot A, contributed $200,000 each). The study, performed by JVA Engineering is complete, and waiting for approval by Larimer County. The money contributed will fund the regional drainage improvements for this entire area.
    - ✓ All other standards have been met.

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

    - ✓ The utility and transportation system has been reviewed and accepted by the traffic engineer, consulting engineer, and Town Engineer.

- ✓ The Applicant is proposing flashing or beacon lights for pedestrian crossing on the roundabout for safety. This was discussed in great detail over two board meetings, with a memo from the traffic engineer included in this packet.
- ✓ The Applicant will partner with the Town to build a sidewalk along the perimeter of the water tower property, to provide a path for students walking to Carrie Martin Elementary.
- ✓ An IGA will be required with the County regarding the replacement of the bridge. Staff is recommending that the bridge replacement be a condition of final plat approval (i.e. Staff will not record the plat until an IGA is signed).

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.**

- ➢ See above, regarding the extension of the sidewalk on the water tower property, and the beacon lights at the roundabout to improve pedestrian safety.
- ➢ A condition of approval was an increased landscaping/setback from the interior multi-family lot. This will remain a condition of approval and will be required as part of the Site Plan review process.

PUBLIC NOTICE

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. The Final Plat was part of the expanded public notice process, and copies of public comments are included in this packet.

FINDINGS AND RECOMMENDATIONS

Preliminary

Move to approve the Heron Pointe Final Plat, with the findings that it is consistent with Section 30-6-105 C (found on pages 2-3 of this Staff Report) with the following recommendations:

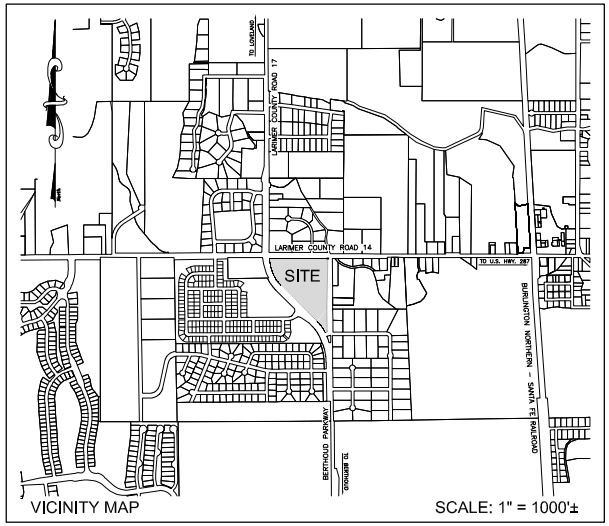
- ✓ **An increased buffer area or landscaping is recommended from the commercial outlots to the interior multi-family lot.**
- ✓ **An IGA is agreed upon with all necessary parties for the replacement of the LCR 14 bridge, as a condition of Final Plat approval.**
- ✓ **The sidewalk along the Loveland water tower property is required with a cost to be shared by the Town and the Applicant.**

Burlington Northern Railroad
ACADEMY DR
NE
SE
FREEL CT
James Supply Ditch
42ND ST SW
NW
ROSEWOOD DR
HEARTWOOD DR
CANOE ST
SW
T05N
R69W
HAMMANS CT
T04N
R69W
E COUNTY ROAD 14
BERTHOUD
RANCHO WAY
E TAFT AVE
JONE LN
PETREL DR
NE
MURRLET ST
LISSA DR
BRANT ST
STILT ST
CURLEW DR
HOLLINGSVIEW DR
W COUNTY ROAD 34
CRESTRIDGE DR
PINEHILL DR
PIONEER CT

FINAL PLAT

HERON POINTE LOT 2

BEING A SUBDIVISION OF PORTIONS OF HERON POINTE FIRST ANNEXATION–SERIALS 1, 2, 3, AND 4 TO THE TOWN OF BERTHOUD, COLORADO, BEING SITUATE IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE 6TH P.M., TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO



VICINITY MAP SCALE: 1" = 1000'±

GENERAL NOTES:

1. External Boundary Monumentation and Control Monumentation as shown on Sheets 2 & 3.

   (Meas.): Indicates measured bearing and/or distance from field survey.

   (Rec.): Indicates Indicates record bearing and/or distance from the Final Plat of HERON POINTE M.L.D. (Minor Land Division), County of Larimer, State of Colorado as filed for record April 13, 2004 in the real property records of the Office of the Clerk and Recorder of Larimer County, Colorado at Reception No. 2004–0034398.

   (Calc.): Indicates calculated bearing and/or distance. May indicate a pro–rated bearing and/or distance based on field survey and interpretation of existing plats, maps, and/or deeds.

   (PR): Indicates Pro–Rata bearing and/or distance.

2. Adjacent property description(s), if shown on this Map, per the most recent records of the Office of the Assessor of Larimer County, Colorado. No further adjacent property owner verification of ownership or research was performed by Intermill Land Surveying, Inc. for the preparation of this survey.

3. 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.

4. STATEMENT OF LINEAR UNITS USED: Linear Units Used for this survey – U.S. Survey Feet.

5. BASIS OF BEARINGS STATEMENT: Basis of Bearings for this Plat are based on the record bearing of South 89°35'38" East on the line between the Southwest corner of Section 35, Township 5 North, Range 69 West of the 6th P.M., County of Larimer, State of Colorado and the Northeast corner of Section 3, Township 4 North, Range 69 West of the 6th P.M., County of Larimer, State of Colorado. Record bearing derived from the Final Plat of HERON POINTE MINOR LAND DIVISION, County of Larimer, State of Colorado as filed for record April 13, 2004 in the real property records of the Office of the Clerk and Recorder of Larimer County, Colorado at Reception No. 2004–0034398. Note: Monumentation of said line as shown on Map.

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

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.

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

SURVEYOR'S CERTIFICATE:

I, Robert George Persichitte, a Registered Land Surveyor in the State of Colorado, do hereby certify that the survey of HERON POINTE LOT 2 was made under my supervision and the accompanying plat accurately and properly shows said subdivision and is in compliance with the Subdivision Regulations of the Town of Berthoud.

PREPARED BY AND ON BEHALF OF:

INTERMILL LAND SURVEYING, INC.
1301 North Cleveland Avenue
Loveland, Colorado 80537
Phone: 970–669–0516
Fax: 970–635–9775
Email: intermill@qwestoffice.net

Robert George Persichitte
Colorado PLS No. 34174

Date: _____, 2018.

REVIEW PURPOSES ONLY. NOT FOR RECORDING UNTIL MAP IS FINALIZED AND SIGNATURES ARE ADDED. DATE: OCTOBER 1, 2018. REVIEW ONLY PDF

LEGAL DESCRIPTION AND DEDICATION:

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

Considering the line between the Southwest corner of Section 35, Township 5 North, Range 69 West of the 6th P.M., County of Larimer, State of Colorado and the Northeast corner of Section 3, Township 4 North, Range 69 West of the 6th P.M., County of Larimer, State of Colorado as bearing South 89°35'38" East and with all bearings contained herein relative thereto:

Beginning at the Northeast corner of the North Half of the Northeast Quarter of said Section 3; thence South 32°02'41" West 58.73 feet to the TRUE POINT OF BEGINNING; thence South 01°19'33" West 856.48 feet; thence South 00°34'15" East 379.68 feet to a the beginning of a tangent curve concave to the West, having a central angle of 03°44'54" and a radius of 240.00 feet, the long chord of which bears South 01°18'12" West 15.70 feet; thence Southerly along the arc of said curve 15.70 feet to the beginning of a non–tangent curve concave to the Southeast, having a central angle of 04°55'06" and a radius of 402.64 feet, the long chord of which bears South 71°34'20" West 34.55 feet; thence Southwesterly along the arc of said curve 34.56 feet to the beginning of a non–tangent curve concave to the Southwest, having a central angle of 17°58'12" and a radius of 776.30 feet, the long chord of which bears North 35°49'09" West 242.48 feet; thence Northwesterly along the arc of said curve 243.48 feet; thence tangent from said curve, North 44°48'15" West 861.46 feet to the beginning of a tangent curve concave to the Northeast, having a central angle of 44°44'04" and a radius of 656.30 feet, the long chord of which bears North 22°26'13" West 499.50 feet; thence Northwesterly along the arc of said curve 512.42 feet; thence non–tangent from said curve, South 89°35'38" East 988.81 feet to the TRUE POINT OF BEGINNING.

Containing 733,986.0 Square Feet (16.85 Acres), more or less.

Have laid out, platted, and subdivided the above described land, under the name and style of HERON POINTE LOT 2, and by these presents do dedicate to the Town of Berthoud in fee simple the street and public "rights–of–way" as shown on the 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 as shown on the plat.

OWNER(S):

TAFT CENTER, LLC, a Colorado limited liability company

_____

By: _____
Printed Name

As: _____
of Taft Center, LLC,
a Colorado limited liability company

STATE OF COLORADO)
) SS
COUNTY OF _____)

The foregoing instrument was acknowledged before me this_____day of

_____, 20____, by_____as

_____of Taft Center, LLC, a Colorado limited liability company.

Witness my hand and official seal.

My commission expires_____

_____
Notary Public

REVISIONS: BY: DATE:

INTERMILL LAND SURVEYING, INC.
1301 NORTH CLEVELAND AVENUE LOVELAND, COLORADO 80537 BUS. (970)–669–0516 / FAX (970)–635–9775

CLIENT: TAFT CENTER, LLC

TITLE: HERON POINTE LOT 2
TO THE TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO

DRAWN BY: RGP
CHECKED BY:
APPROVED BY:
DATE: 03–20–2018
SCALE: N/A

PROJECT NO.: P–02–5213

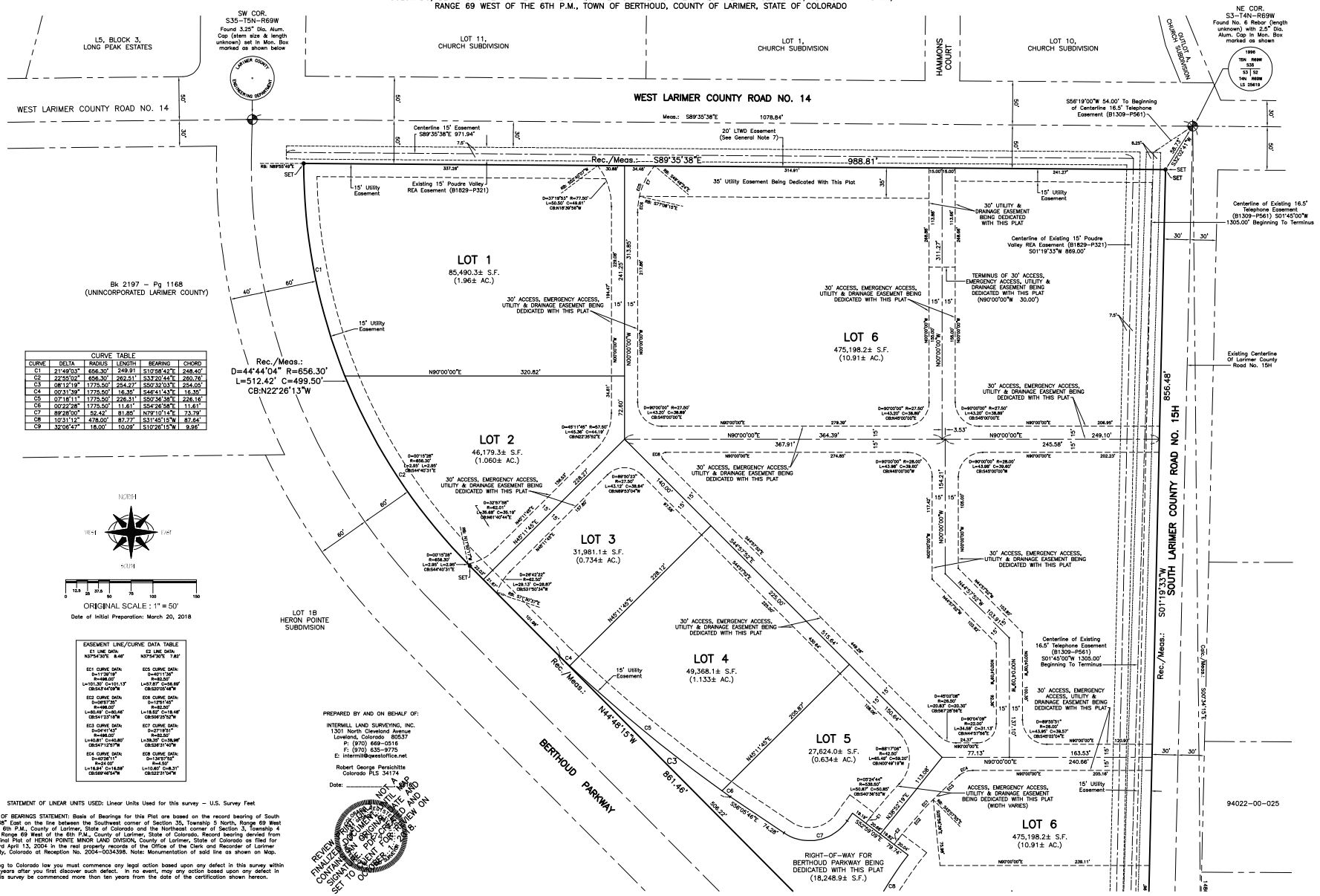
SHEET	OF
1	3

\\Vol1\Proj\P-02-5213-HeronPointe\Dwg\PP COVER SHEET COMMERCIAL 020516b.dwg

027

HERON POINTE LOT 2

BEING A SUBDIVISION OF PORTIONS OF HERON POINTE FIRST ANNEXATION–SERIALS 1, 2, 3, AND 4 TO THE TOWN OF BERTHOUD, COLORADO, BEING SITUATE IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 3, 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	21°49'03"	656.30'	249.91	S10°58'42"E	248.40'
C2	22°55'02"	656.30'	262.51'	S33°20'44"E	260.76'
C3	08°12'19"	1775.50'	254.27'	S50°32'03"E	254.05'
C4	00°31'39"	1775.50'	16.35'	S46°41'43"E	16.35'
C5	07°18'11"	1775.50'	226.31'	S50°36'38"E	226.16'
C6	00°22'28"	1775.50'	11.61'	S54°26'58"E	11.61'
C7	89°28'00"	52.42'	81.85'	N78°10'14"E	73.79'
C8	10°31'12"	478.00'	87.77'	S31°45'15"W	87.64'
C9	32°06'47"	18.00'	10.09'	S10°26'15"W	9.96'

EASEMENT LINE/CURVE DATA TABLE	
E1 LINE DATA: N37°54'30"E 8.46'	E2 LINE DATA: N37°54'30"E 7.82'
EC1 CURVE DATA: D=11°38'19" R=496.00' L=101.30' C=101.13' CB:S43°44'09"W	EC5 CURVE DATA: D=40°11'36" R=82.50' L=57.87' C=56.69' CB:S20°05'48"W
EC2 CURVE DATA: D=40°11'36" R=82.50' L=60.49' C=59.46' CB:S41°23'18"W	EC6 CURVE DATA: D=1°53'57" R=1775.50' L=18.52' C=18.46' CB:S50°33'52"E
EC3 CURVE DATA: D=04°41'43" R=496.00' L=40.61' C=40.60' CB:S47°12'57"W	EC7 CURVE DATA: D=27°19'31" R=82.50' L=39.35' C=38.98' CB:S36°31'40"W
EC4 CURVE DATA: D=40°28'11" R=24.00' L=16.94' C=16.59' CB:S69°46'54"W	EC8 CURVE DATA: D=134°07'05" R=4.50' L=10.82' C=8.31' CB:S22°31'04"W

STATEMENT OF LINEAR UNITS USED: Linear Units Used for this survey – U.S. Survey Feet

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

PREPARED BY AND ON BEHALF OF:

INTERMILL LAND SURVEYING, INC.
1301 North Cleveland Avenue
Loveland, Colorado 80537
P: (970) 669–0516
F: (970) 635–9775
E: intermill@qwestoffice.net

Robert George Persichitte
Colorado PLS 34174

Date: _____

REVIEW PURPOSES ONLY. NOT A VALID MAP UNTIL THIS MAP CONTAINING THE ORIGINAL PLS SEAL AND SIGNATURE IS SUBMITTED FOR REVIEW ON SET TO COMPLETE. Sept. 2018.

DATE:
BY:
REVISIONS:

INTERMILL LAND SURVEYING, INC.
1301 NORTH CLEVELAND AVENUE LOVELAND, COLORADO 80537 BUS. (970)–669–0516 / FAX (970)–635–9775

CLIENT: TAFT CENTER, LLC

TITLE: HERON POINTE LOT 2
TO THE TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO

DRAWN BY: RGP
CHECKED BY:
APPROVED BY:
DATE: 03–20–2018
SCALE: N/A
PROJECT NO.: P-02-5213

SHEET	OF
2	3

HERON POINTE LOT 2

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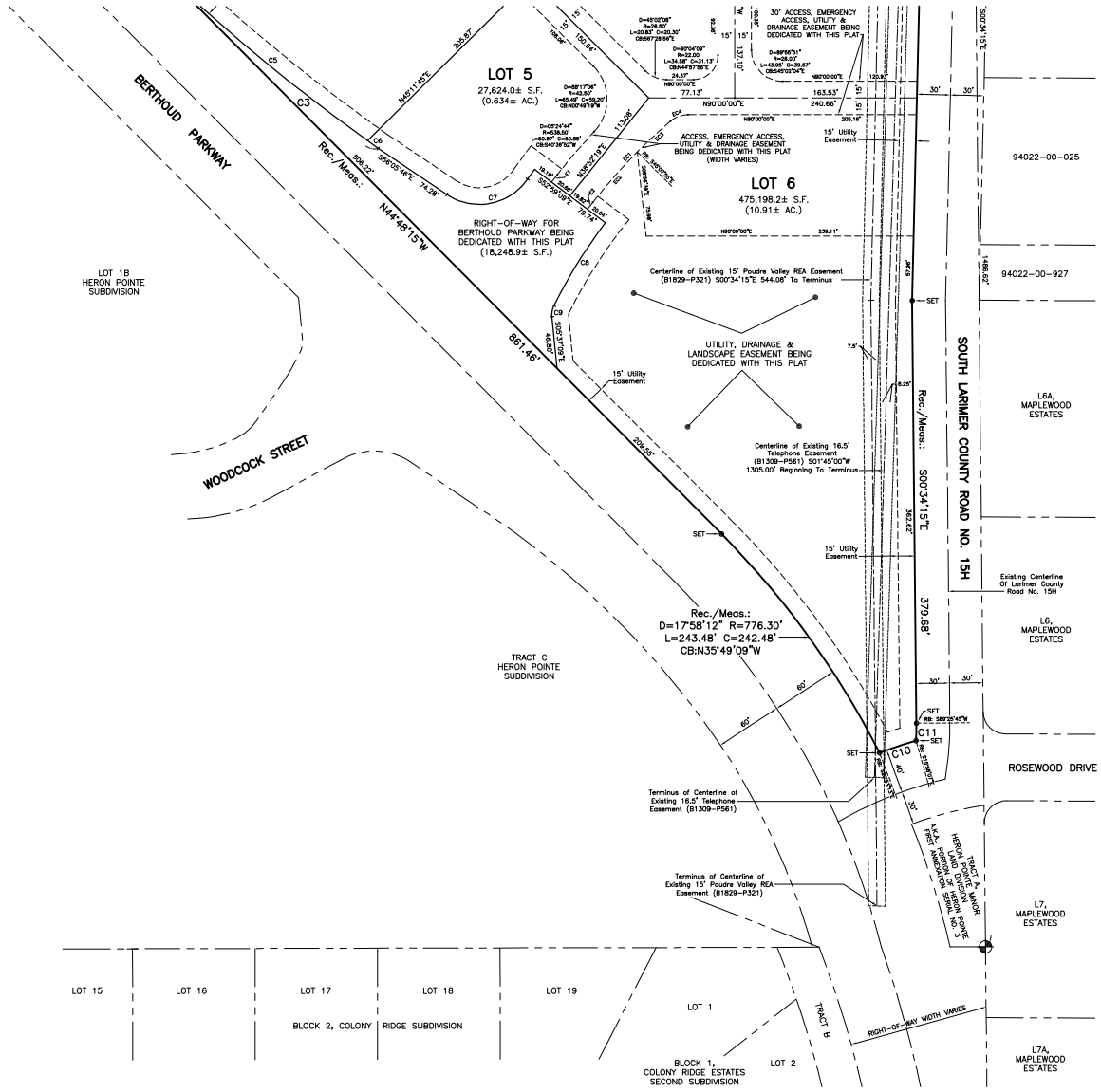

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C11	03°44'54"	240.00'	15.70'	S01°18'12"W	15.70'

NORTH
WEST EAST
SOUTH

0 12.5 25 37.5 50 75 100 150

ORIGINAL SCALE : 1" = 50'

Date of Initial Preparation: March 20, 2018

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Robert George Persichitte
Colorado PLS 34174

Date: _____

REVIEW PURPOSES ONLY. NOT A FINALIZED MAP. CONTAINS NON ORIGINAL SEALS AND SIGNATURES. DOCUMENT IS SUBJECT TO CHANGE. 2018.

REVISIONS:	BY:	DATE:

INTERMILL LAND SURVEYING, INC.
1301 NORTH CLEVELAND AVENUE LOVELAND, COLORADO 80537 BUS. (970)–669–0516 / FAX (970)–635–9775

CLIENT: TAFT CENTER, LLC

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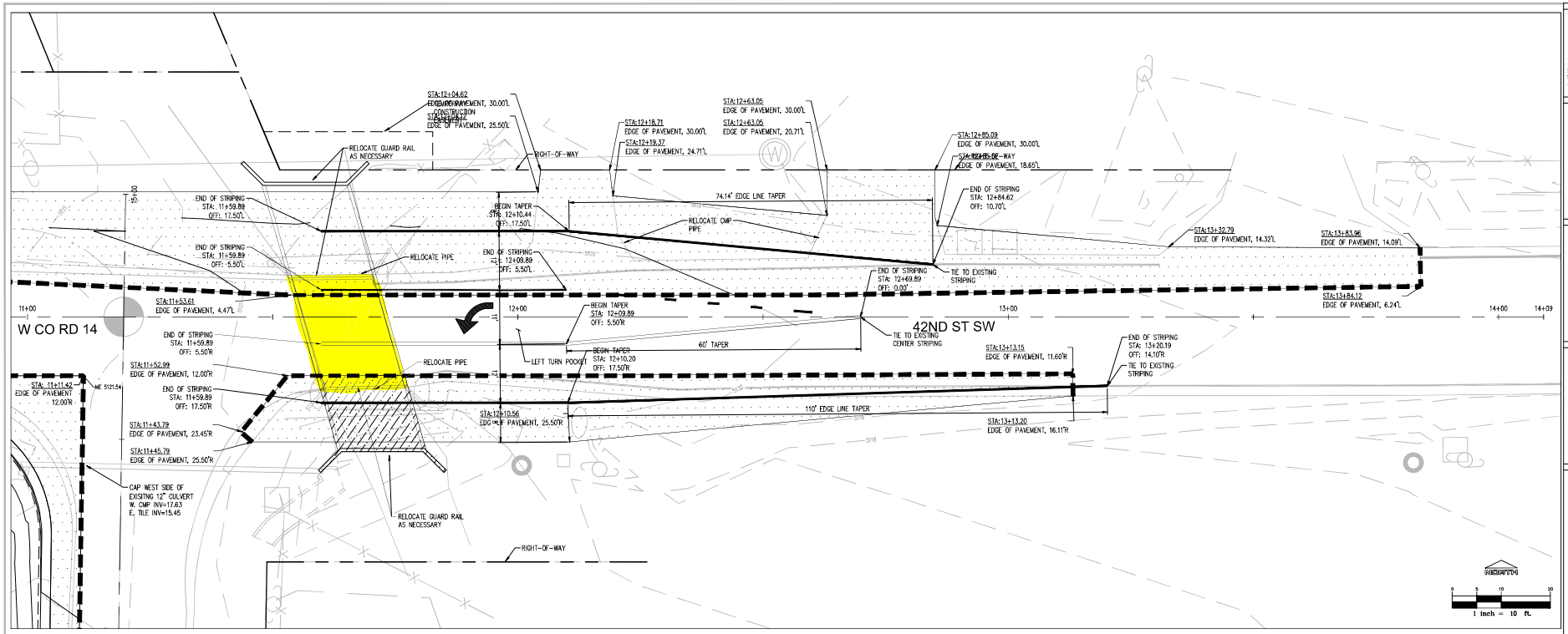
TO THE TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO

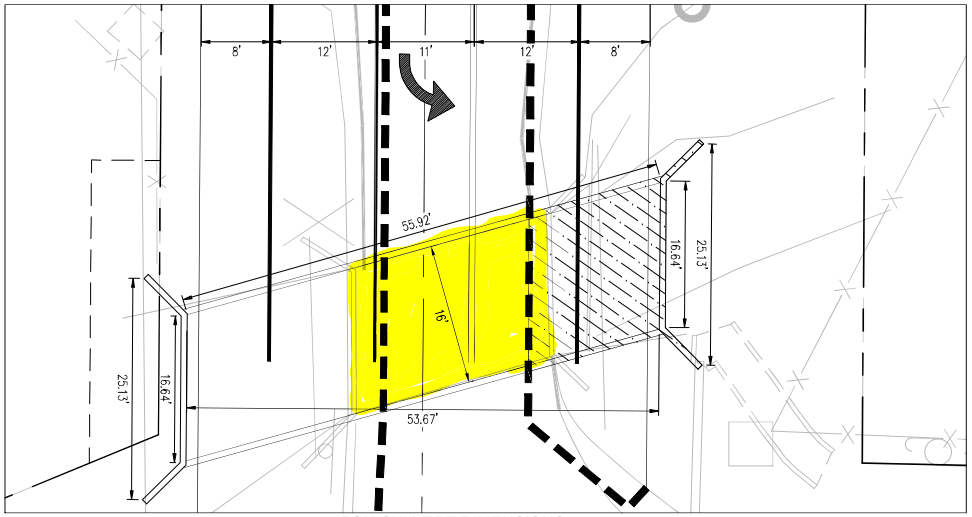
DRAWN BY:	RGP
CHECKED BY:	
APPROVED BY:	
DATE:	03–20–2018
SCALE:	N/A
PROJECT NO.:	P–02–5213
SHEET	OF
3	3

\\jet\fy2–2018–HeronPointeLot2\fy2 FINAL SHEET COMMERCIAL 032018.dwg

SIDEWALK AND BRIDGE

TRAFFIC ENGINEER MEMO





BOX CULVERT DIMENSIONS

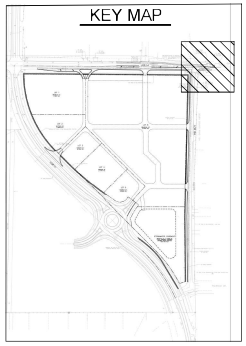
LEGEND

- HEAVY DUTY ASPHALT
- CROW CREEK PAYMENT AREA
- RIGHT OF WAY
- CURB AND GUTTER
- SAW CUT

ABBREVIATIONS

PC	POINT OF CURVATURE
PT	POINT OF TANGENCY
PCC	POINT OF COMPOUND CURVATURE
TC	TOP OF CURB ELEVATION
FL	FLOW LINE ELEVATION

KEY MAP



Know what's **below.** **Call** before you dig.

LOGO

RIDGETOP ENGINEERING & CONSULTING
3255 Ronald Reagan Blvd., Ste. 210
Johnstown, CO 80534
T (970) 605-5102
W ridgetopeng.com

SEAL

PROJECT TITLE

HERON POINTE EAST, LOT 6

SE CORNER
LCR 17 & LCR 14
BERTHOUD, CO

PREPARED FOR

CROW CREEK CONSTRUCTION, LLC.

7251 W. 20TH ST, L-101-B
GREELEY, CO

SUBMITTAL

SITE PLAN

DRAWN BY:	ACC
CHECKED BY:	MRB
PROJECT NO.:	18-018-003

REVISIONS

CITY COMMENTS	06/25/2018

DATE

04/05/2018

SHEET TITLE

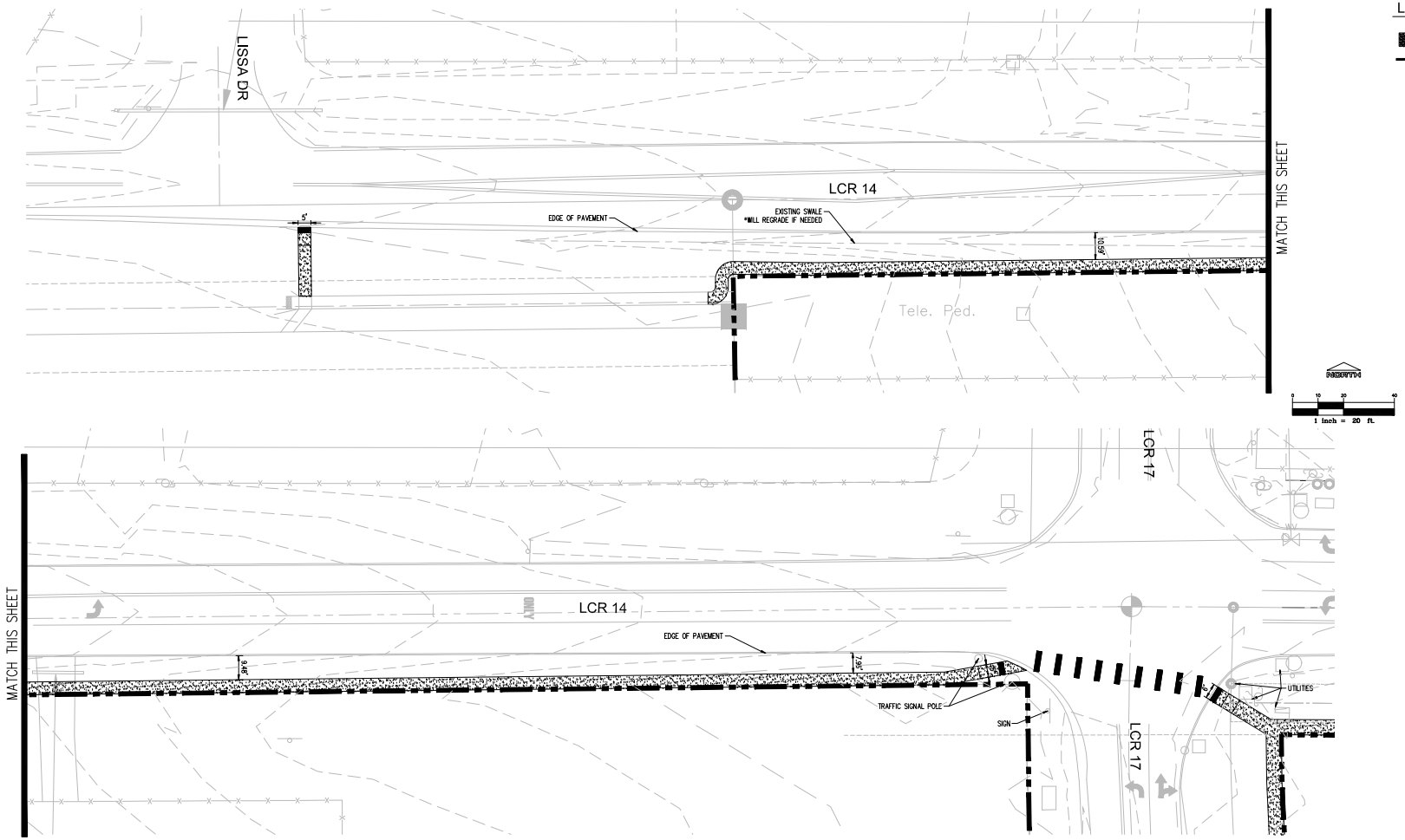
BRIDGE PLAN

SHEET INFORMATION

BP-1.0

1 of

File: 18HP1100R.dwg Path: P:\Colorado\Berthoud\Heron Pointe\2 Drawings\bridge drawings\ Plotted by: acarlston Date: 07-Nov-18 8:53:27am



LEGEND

- CONCRETE SIDEWALK
- PROPERTY LINE
- 2' X 8' CROSSWALK MARKING

811 Know what's **below.** **Call** before you dig.

LOGO

RIDGETOP ENGINEERING & CONSULTING
3295 Ronald Reagan Blvd., Ste. 210
Johnstown, CO 80534
T (970) 605-5102
W ridgetopeng.com

SEAL

PROJECT TITLE

HERON POINTE EAST, LOT 6

SE CORNER
LCR 17 & LCR 14
BERTHOUD, CO

PREPARED FOR

CROW CREEK CONSTRUCTION, LLC.

7251 W. 20TH ST, L-101-B
GREELEY, CO

SUBMITTAL

SIDEWALK CONCEPT PLAN

DRAWN BY:	ACC
CHECKED BY:	MRB
PROJECT NO.:	18-018-003

REVISIONS

DATE

01/02/2019

SHEET TITLE

SHEET INFORMATION

Of

File: BDHPNSF.dwg Path: P:\Colorado\Berthoud\Heron Pointe\Z Drawings\ Plotted by: acarlston Date: 11-Jan-19 3:00:33pm

DELICH ASSOCIATES Traffic & Transportation Engineering
2272 Glen Haven Drive Loveland, Colorado 80538
Phone: (970) 669-2061 Fax: (970) 669-5034

MEMORANDUM

TO: Steve Steinbicker, Architecture West
Morgan Kidder, Journey Homes LLC
Bob Dehn
Curt Freese, Town of Berthoud
John Seyer, Berthoud Traffic Consultant

FROM: Matt Delich

DATE: January 16, 2019

SUBJECT: Heron Pointe – Berthoud Parkway/Woodcock Street Roundabout
(File: 1515ME05)

At the Berthoud Town Board Meeting (November 13, 2018), a motion to approve Heron Pointe 'Lot B' was passed. It contained reference to roundabout improvements with lights and other possible improvements. This memorandum addresses the other improvements considered.

The lights (rectangular rapid flashing beacons [RRFB]) will be installed to improve pedestrian safety. The RRFB measure has been found to be 80-90 percent effective in achieving vehicular compliance at roundabout pedestrian crossings.

The other two measures discussed by the Town Board that were considered are: 1) a raised pedestrian platform; and 2) pylons delineating the circulating lanes.

Raised pedestrian platforms are primarily installed at intersections as a traffic calming measure. Berthoud Parkway is classified as an arterial street and as such is expected to carry arterial street traffic volumes. While there is expected to be some pedestrian activity at the subject roundabout, raised platforms are not appropriate on arterial streets. The fastest path for a vehicle going through the roundabout is approximately 20 mph. Therefore, traffic calming is already occurring. The raised platform would negatively affect the operation of the roundabout. Pedestrian crossings at roundabouts are considered to be safe without the addition of a raised platform.

Placement of pylons within the roundabout to delineate circulating lanes is not appropriate. Vehicles should have the ability to cross lane lines within the roundabout. Large trucks, using the roundabout, must have the ability to cross lane lines. The pylons would present a hazard and impede the positive function of the roundabout.

As traffic increases on Berthoud Parkway, the roundabout will function as intended. It is recommended that the RRFB's be installed. The other measures discussed are not recommended at the Berthoud Parkway/Woodcock Street roundabout.

SCHOOL DISTRICT RECOMMENDATION

THOMPSON SCHOOL DISTRICT

Operations Department/ Safe Routes to School

800 South Taft Avenue ● Loveland, CO 80537
Office 970-613-5768 ● Fax 970-613-5095

Mechelle Martz-Mayfield
Safe Routes to School Coordinator

Mr. Curt Freese
Town of Berthoud
807 Mountain Avenue
Berthoud, CO 80513

November 1, 2018

Dear Mr. Freese,

I am writing to recommend further measures for student safety at the intersection of West County Road 14 (42nd ST. SW) and South Taft Avenue. Currently there is no sidewalk along West County Road 14 on either side of Taft Avenue and although there is a push button at the light, there is no crosswalk painting or ADA compliant curbing. Taft Ave and West County Road 14 are both heavily traveled corridors for drivers, making it dangerous for developing communities and potential families. With the implementation of Heron Pointe Lot 2, there is strong concern for students that will be crossing at that intersection.

Looking at the current plans, Heron Pointe Lot 2 development will be constructing sidewalk along the south side of West County Road 14 to the east of South Taft Avenue, but there are no further measures being implemented at that intersection to ensure pedestrian and student safety to school. Students on the north/northeast section of Lot 2 are more likely to walk along West County Road 14 directly to the intersection to cross at South Taft Avenue and West County Road 14 rather than walk indirectly through the neighborhood to cross at the roundabout at Taft and Woodcock.

The Safe Routes to School program encourages the development of safe walking and biking measures in new developments that are in close proximity to school zones. As Carrie Martin Elementary will be the boundary school for this development, there will be no bus service provided by the district because the development is less than a mile away from the school. With previous development around Carrie Martin the Town of Berthoud has responded to community, staff and principal concerns about safe pathways for students. I would like to encourage the Town of Berthoud to continue in their goal to make streets safe for pedestrians and cyclists and include further safety measures in the Heron Pointe Lot 2 development.

I would highly recommend that the sidewalk along south West County Road 14 from the Heron Pointe Lot 2 development continue west across Taft Avenue to connect with the sidewalk near the school crossing at Lissa Dr. with appropriate curbing and crosswalk painting across Taft Avenue at the lighted intersection. We would also suggest student crossing signs and speed zone signs where appropriate.

Berthoud streets can be safe for everyone if more inclusive pedestrian and biking safety measures are implemented in development plans. Thank you for your consideration in making Berthoud a safer community for walking and biking.

Sincerely,

Mechelle Martz-Mayfield

CONCEPT PLAN

42ND STREET SW
OPEN SPACE W/ PICNIC TABLES
6 - PLEX
8 - PLEX
6 - PLEX
8 - PLEX
6 - PLEX
OPEN SPACE
FUTURE COMMERCIAL LOT
8 - PLEX
8 - PLEX
8 - PLEX
8 - PLEX
8 - PLEX
8 - PLEX
8 - PLEX
DOG PLAY AREA
6 - PLEX
8 - PLEX
8 - PLEX
8 - PLEX
OPEN SPACE
6 - PLEX
6 - PLEX
6 - PLEX
8 - PLEX
OPEN SPACE
S CO RD 15H
BERTHOUD PARKWAY
FUTURE COMMERCIAL LOT
POOL
TOT LOT
CLUB HOUSE
OPEN SPACE W/ BENCHES
DETENTION POND AREA
WOODCOCK STREET
NORTH
0 30' 60' 120'
SCALE:1"=60'

HERON POINTE EAST

1/9/2019

419 Canyon Ave., Suite 200
Fort Collins, Colorado 80521
970.224.5828
www.ripleydesigninc.com

DOG PLAY AREA EXAMPLE

TOT LOT EXAMPLES

SITE DATA

BLDG. TYPE	BLDG. QTY.	(BED QTY.)	TOTAL DU'S
6 - PLEX	7	(56 BEDS)	42
8 - PLEX	12	(192 BEDS)	96
TOTAL	19	(248 BEDS)	138

PARKING

+/- 223 SPACES

RIPLEY DESIGN INC.

land planning
landscape architecture
urban design
entitlement

AERIAL DATE: 0/14/2017 © GOOGLE EARTH

LETTER FROM LARIMER COUNTY

Per our meeting today (01/15/19), Larimer County agrees to the following preliminary conditions for the replacement of the 014-0.00-15H structure as part of the Heron Pointe development:

1. Larimer County assumes that the proposed box culvert will be a total structure length of 56-ft (measured along the skew) to meet the Larimer County Rural Area Road Standards for minimum roadway platform/bridge width; this assumes (2) 12-ft lanes, with (1) 12-ft turn lane, and (2) 6-ft shoulders with additional clearance for the mounted bridge rail. Based on the Larimer County Land Use Code for Adequate Public Facilities (Section 8.1.5), the developer is responsible for providing safe and adequate facilities and to bring the structure to current standards. The Developer is responsible for determining how the minimum standards fits within the Town of Berthoud's requirements for the Growth Management Area (GMA). Further discussions may be warranted to finalize the total bridge width. Larimer County agrees that we are responsible for 24-ft of the 56-ft structure length, which is based on the width of the existing structure.

   The existing structure cannot be widened by adding a new structure to the existing bridge, given the age and condition of the bridge. The bridge's capacity is empirically-rated, making widening problematic for load-rating.

2. Larimer County has reviewed the total culvert replacement cost submitted on 11/25/18 by Crow Creek Construction, LLC. Larimer County agrees to the following breakout for cost-sharing and is contingent upon review and approval of conditions 3-6:

Full Box Culvert Replacement (16 x 8 CBC):	$514,325.00
Larimer County Portion 24-ft (43%*):	$198,842.75
Developer Portion 32-ft (57%):	$315,482.25

   *Percentages are based on total structure length only; the total cost-share for Larimer County of $198,842.75 assumes that the Developer will pay 100% of the following items: drainage and driveway culvert demolition and installations, all utility relocations, adjustment of water valves and survey markers, and all items listed under "Exclusions" on the 11/25/18 cost estimate. Larimer County will cost share 43% of the design engineering fees and all associated ditch fees (i.e. attorney fee, engineering review fee, and crossing fee).

   Any changes to the roadway width on the structure must be re-submitted to Larimer County for review. This includes an updated plan sheet.

3. Cost-sharing is contingent upon the Developer obtaining all necessary rights-of-way (ROW)/easements and applicable access permits.

4. Additionally, all utility relocations and agreements are the responsibility of the Developer. All utility relocations must take place prior to construction.

5. Larimer County is requesting a schedule be submitted as part of this agreement. Final approval of the cost-sharing will not take place until a schedule has been provided for the following (but not limited to) milestones:
   - ROW acquisitions and approvals
   - Utility agreements and relocations

- Communication and agreement, in writing, from Home Supply Ditch Company for the proposed work
- Communication plan and outreach to those impacted by construction
- Submission deadlines to the Town of Berthoud
- Anticipated construction timeline
- Applicable permits must be obtained

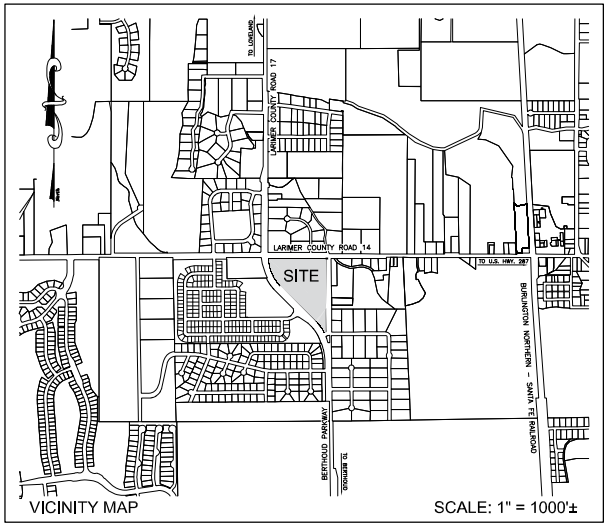
6. A fully-executable intergovernmental agreement (IGA) between Larimer County and the Town of Berthoud is required prior to Larimer County providing the Developer a final cost-sharing agreement in order to meet our requirements for procurement.

APPROVED
PRELIMINARY PLAT

PRELIMINARY PLAT FOR THE PROPOSED

HERON POINTE LOT 2

BEING A SUBDIVISION OF PORTIONS OF HERON POINTE FIRST ANNEXATION–SERIALS 1, 2, 3, AND 4 TO THE TOWN OF BERTHOUD, COLORADO, BEING SITUATE IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE 6TH P.M., TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO



VICINITY MAP SCALE: 1" = 1000'±

GENERAL NOTES:

1. External Boundary Monumentation and Control Monumentation as shown on Sheets 2 & 3.

   (Meas.): Indicates measured bearing and/or distance from field survey.

   (Rec.): Indicates Indicates record bearing and/or distance from the Final Plat of HERON POINTE M.L.D. (Minor Land Division), County of Larimer, State of Colorado as filed for record April 13, 2004 in the real property records of the Office of the Clerk and Recorder of Larimer County, Colorado at Reception No. 2004–0034398.

   (Calc.): Indicates calculated bearing and/or distance. May indicate a pro–rated bearing and/or distance based on field survey and interpretation of existing plats, maps, and/or deeds.

   (PR): Indicates Pro–Rata bearing and/or distance.

2. Adjacent property description(s), if shown on this Map, per the most recent records of the Office of the Assessor of Larimer County, Colorado. No further adjacent property owner verification of ownership or research was performed by Intermill Land Surveying, Inc. for the preparation of this survey.

3. 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.

4. STATEMENT OF LINEAR UNITS USED: Linear Units Used for this survey – U.S. Survey Feet.

5. BASIS OF BEARINGS STATEMENT: Basis of Bearings for this Plat are based on the record bearing of South 89°35'38" East on the line between the Southwest corner of Section 35, Township 5 North, Range 69 West of the 6th P.M., County of Larimer, State of Colorado and the Northeast corner of Section 3, Township 4 North, Range 69 West of the 6th P.M., County of Larimer, State of Colorado. Record bearing derived from the Final Plat of HERON POINTE MINOR LAND DIVISION, County of Larimer, State of Colorado as filed for record April 13, 2004 in the real property records of the Office of the Clerk and Recorder of Larimer County, Colorado at Reception No. 2004–0034398. Note: Monumentation of said line as shown on Map.

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

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.

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

SURVEYOR'S CERTIFICATE:

I, Robert George Persichitte, a Registered Land Surveyor in the State of Colorado, do hereby certify that the survey of HERON POINTE LOT 2 was made under my supervision and the accompanying plat accurately and properly shows said subdivision and is in compliance with the Subdivision Regulations of the Town of Berthoud.

PREPARED BY AND ON BEHALF OF:

INTERMILL LAND SURVEYING, INC.
1301 North Cleveland Avenue
Loveland, Colorado 80537
Phone: 970–669–0516
Fax: 970–635–9775
Email: intermill@qwestoffice.net

Robert George Persichitte
Colorado PLS No. 34174

Date: _____, 2018.

REVIEW PURPOSES ONLY
FINAL PLAT CONTINUED
MAP PERTAINING TO
DATE PREPARED AND SIGNATURE
CREDENTIALS NOT VALID UNTIL
REVIEW COMPLETED ON OCTOBER 1, 2018.
NOT A PDF

LEGAL DESCRIPTION AND DEDICATION:

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

Considering the line between the Southwest corner of Section 35, Township 5 North, Range 69 West of the 6th P.M., County of Larimer, State of Colorado and the Northeast corner of Section 3, Township 4 North, Range 69 West of the 6th P.M., County of Larimer, State of Colorado as bearing South 89°35'38" East and with all bearings contained herein relative thereto:

Beginning at the Northeast corner of the North Half of the Northeast Quarter of said Section 3; thence South 32°02'41" West 58.73 feet to the TRUE POINT OF BEGINNING; thence South 01°19'33" West 856.48 feet; thence South 00°34'15" East 379.68 feet to a the beginning of a tangent curve concave to the West, having a central angle of 03°44'54" and a radius of 240.00 feet, the long chord of which bears South 01°18'12" West 15.70 feet; thence Southerly along the arc of said curve 15.70 feet to the beginning of a non–tangent curve concave to the Southeast, having a central angle of 04°55'06" and a radius of 402.64 feet, the long chord of which bears South 71°34'20" West 34.55 feet; thence Southwesterly along the arc of said curve 34.56 feet to the beginning of a non–tangent curve concave to the Southwest, having a central angle of 17°58'12" and a radius of 776.30 feet, the long chord of which bears North 35°49'09" West 242.48 feet; thence Northwesterly along the arc of said curve 243.48 feet; thence tangent from said curve, North 44°48'15" West 861.46 feet to the beginning of a tangent curve concave to the Northeast, having a central angle of 44°44'04" and a radius of 656.30 feet, the long chord of which bears North 22°26'13" West 499.50 feet; thence Northwesterly along the arc of said curve 512.42 feet; thence non–tangent from said curve, South 89°35'38" East 988.81 feet to the TRUE POINT OF BEGINNING.

Containing 733,986.0 Square Feet (16.85 Acres), more or less.

Have laid out, platted, and subdivided the above described land, under the name and style of HERON POINTE LOT 2, and by these presents do dedicate to the Town of Berthoud in fee simple the street and public "rights–of–way" as shown on the 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 as shown on the plat.

OWNER(S):

TAFT CENTER, LLC, a Colorado limited liability company

_____

By: _____
Printed Name

As: _____
of Taft Center, LLC,
a Colorado limited liability company

STATE OF COLORADO)
) SS
COUNTY OF _____)

The foregoing instrument was acknowledged before me this_____day of

_____, 20____, by_____as

_____of Taft Center, LLC, a Colorado limited liability company.

Witness my hand and official seal.

My commission expires_____

_____
Notary Public

REVISIONS: BY: DATE:

INTERMILL LAND SURVEYING, INC.
1301 NORTH CLEVELAND AVENUE LOVELAND, COLORADO 80537 BUS. (970)–669–0516 / FAX (970)–635–9775

CLIENT: TAFT CENTER, LLC

TITLE: PRELIMINARY PLAT – HERON POINTE LOT 2
TO THE TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO

DRAWN BY: RGP
CHECKED BY:
APPROVED BY:
DATE: 03–20–2018
SCALE: N/A

PROJECT NO.: P-02-5213

SHEET	OF
1	3

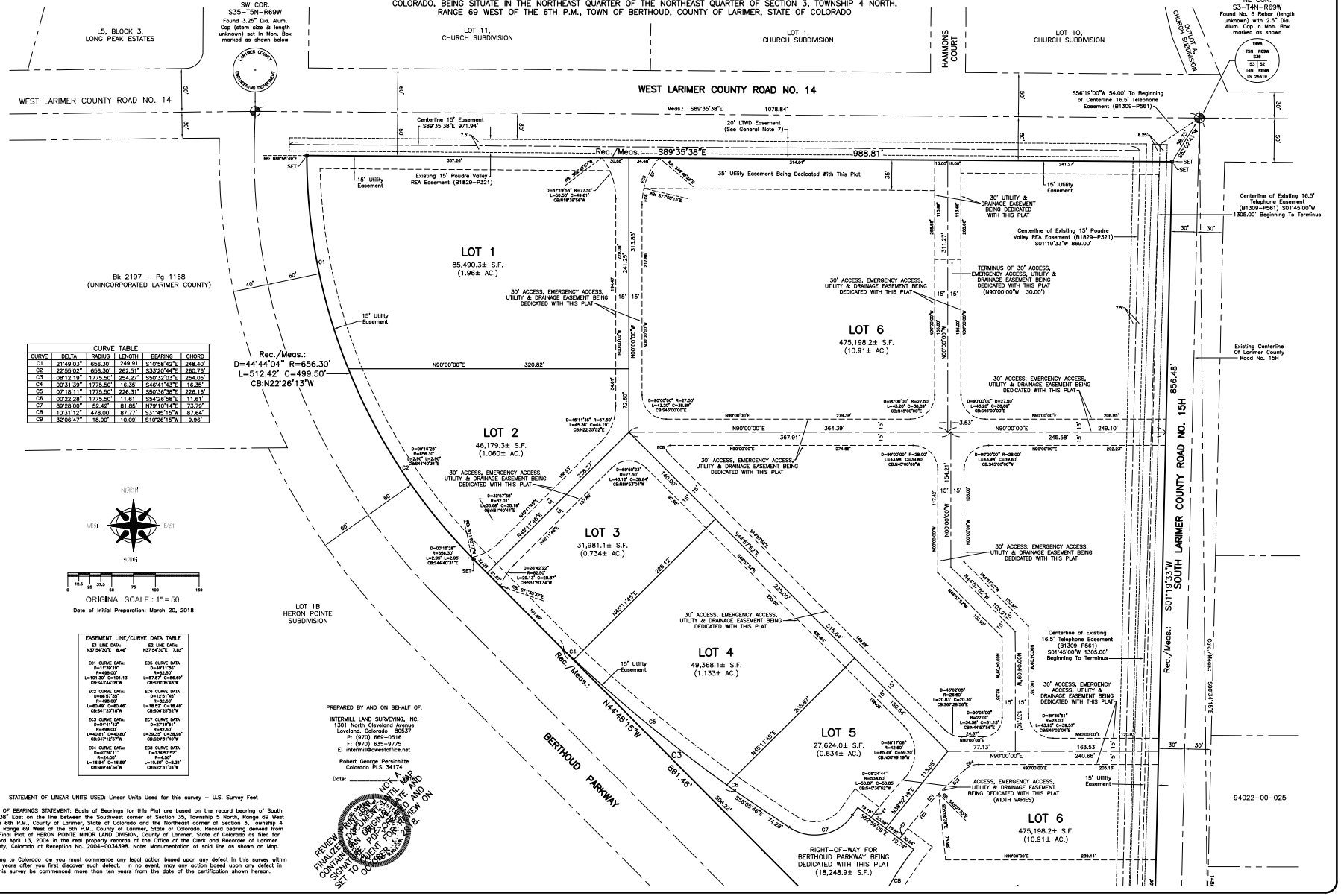
\\Vol1\Prj\P-02-5213-HeronPointe\Dwg\PP 02025 SHEET COMMERCIAL 02025B.dwg

044

PRELIMINARY PLAT FOR THE PROPOSED

HERON POINTE LOT 2

BEING A SUBDIVISION OF PORTIONS OF HERON POINTE FIRST ANNEXATION–SERIALS 1, 2, 3, AND 4 TO THE TOWN OF BERTHOUD, COLORADO, BEING SITUATE IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 3, 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	21°49'03"	656.30'	249.91	S10°56'42"E	248.40'
C2	22°56'02"	656.30'	262.51'	S33°20'44"E	260.76'
C3	08°12'19"	1775.50'	254.27'	S50°32'03"E	254.05'
C4	00°31'39"	1775.50'	16.35'	S46°41'43"E	16.35'
C5	07°18'11"	1775.50'	226.31'	S50°36'38"E	226.16'
C6	00°22'28"	1775.50'	11.61'	S54°28'58"E	11.61'
C7	89°28'00"	52.42'	81.85'	N79°10'14"E	73.79'
C8	10°31'12"	478.00'	87.77'	S31°45'15"W	87.64'
C9	32°06'47"	18.00'	10.09'	S10°26'15"W	9.96'

EASEMENT LINE/CURVE DATA TABLE	
E1 LINE DATA: N37°54'30"E 8.46'	E2 LINE DATA: N37°54'30"E 7.82'
EC1 CURVE DATA: D=11°39'19" R=468.00' L=101.30' C=101.13' CB:S43°44'09"W	EC5 CURVE DATA: D=42°17'28" R=82.50' L=57.87' C=56.69' CB:S20°06'48"W
EC2 CURVE DATA: D=28°53'32" R=468.00' L=236.00' C=233.46' CB:S41°23'18"W	EC6 CURVE DATA: D=13°51'42" R=82.50' L=19.95' C=19.49' CB:S06°25'53"W
EC3 CURVE DATA: D=04°41'45" R=468.00' L=40.81' C=40.80' CB:S47°12'07"W	EC7 CURVE DATA: D=37°19'51" R=82.50' L=38.35' C=38.00' CB:S20°31'40"W
EC4 CURVE DATA: D=42°26'11" R=54.00' L=39.94' C=39.05' CB:S69°46'54"W	EC8 CURVE DATA: D=13°51'02" R=54.50' L=13.00' C=12.97' CB:S22°31'04"W

STATEMENT OF LINEAR UNITS USED: Linear Units Used for this survey – U.S. Survey Feet

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PREPARED BY AND ON BEHALF OF:

INTERMILL LAND SURVEYING, INC.
1301 North Cleveland Avenue
Loveland, Colorado 80537
P: (970) 669–0516
F: (970) 635–9775
E: intermill@qwestoffice.net

Robert George Persichitte
Colorado PLS 34174

Date: _____

REVIEW PRINT ONLY NOT A FINALIZED DOCUMENT UNTIL MAP CONTAINS ANY ORIGINAL SIGNATURE, SEAL AND SET TO OWNER FOR REVIEW ON 03-20-2018

045

DATE:
BY:
REVISIONS:

INTERMILL LAND SURVEYING, INC.
1301 NORTH CLEVELAND AVENUE LOVELAND, COLORADO 80537 BUS. (970)–669–0516 / FAX. (970)–635–9775

CLIENT: TAFT CENTER, LLC

TITLE: PRELIMINARY PLAT – HERON POINTE LOT 2
TO THE TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO

DRAWN BY: RGP
CHECKED BY:
APPROVED BY:
DATE: 03–20–2018
SCALE: N/A
PROJECT NO.: P-02-5213

SHEET	OF
2	3

\\Vol1\Proj\P-5213-Heron Pointe\Dwg\PP COVER SHEET COMMERCIAL 032018.dwg

PRELIMINARY PLAT FOR THE PROPOSED

HERON POINTE LOT 2

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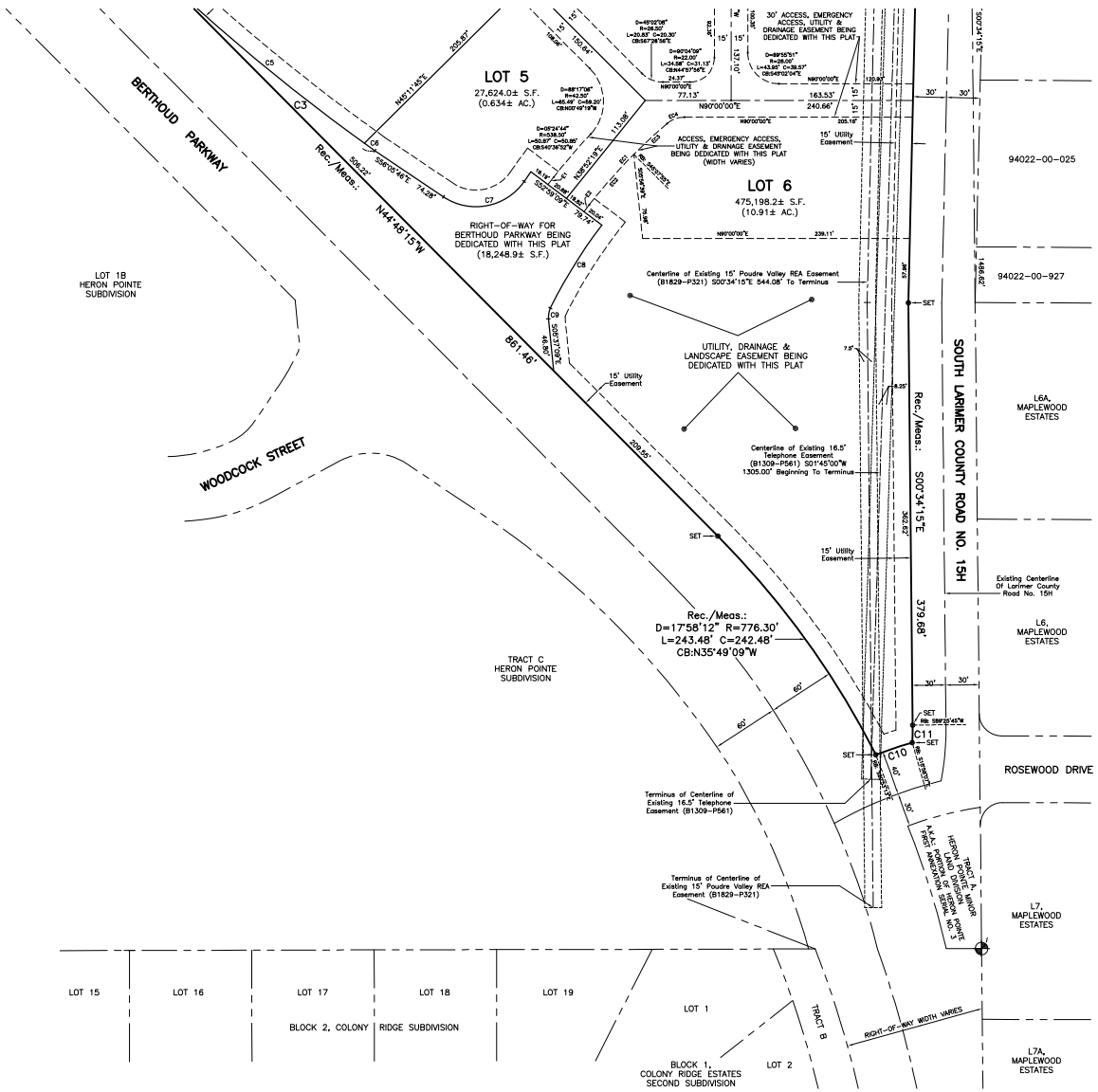

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NORTH
WEST EAST
SOUTH

0 12.5 25 37.5 50 75 100 150

ORIGINAL SCALE : 1" = 50'

Date of Initial Preparation: March 20, 2018

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EC4 CURVE DATA: D=40°26'11" R=24.00' L=16.94' C=16.59' CB:S69°46'54"W	EC8 CURVE DATA: D=134°57'52" R=4.50' L=10.60' C=8.31' CB:S22°31'04"W

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INTERMILL LAND SURVEYING, INC.
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Loveland, Colorado 80537
P: (970) 669–0516
F: (970) 635–9775
E: intermill@qwestoffice.net

Robert George Persichitte
Colorado PLS 34174

Date: _____

NOT A MAP
REVIEW PURPOSES ONLY UNTIL THE FINALIZED PLAT DOCUMENT IS COMPLETE AND CONTAINS ALL ORIGINAL SIGNATURES. PLAT IS SET TO EXPIRE AND SUBJECT TO AUDIT FOR REVIEW ON Date: 1-16-2018.

REVISIONS: BY: DATE:

INTERMILL LAND SURVEYING, INC.
1301 NORTH CLEVELAND AVENUE LOVELAND, COLORADO 80537 BUS. (970)-669-0516 / FAX (970)-635-9775

TITLE PRELIMINARY PLAT – HERON POINTE LOT 2
TO THE TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO

CLIENT: TAFT CENTER, LLC

DRAWN BY: RGP
CHECKED BY:
APPROVED BY:
DATE: 03-20-2018
SCALE: N/A

PROJECT NO.: P-02-5213

SHEET	OF
3	3

Dwg: \\INTERMILL-13-15-SERVER\Drawings\P-02-5213\HERON POINTE LOT 2 PRELIMINARY PLAT.dwg

ELEVATION EXAMPLES

4

A

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

NEIGHBORHOOD COMMENT REPORT

Date: 01/09/19

Project: Heron Point Final Plat

Applicant: Architecture West

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.

Attached are the responses received by surrounding property owners.

January 2, 2019

I am resending my concerns from October regarding Heron Pointe Lot 2 Concept plan. The density issue remains the same thinly veiled by bedroom count but there are no restrictions as to how many people may occupy the bedrooms. The number of units per acre remains the same. The addition of a tot lot doesn't make it safer for that many people to reside on under three acres. This does not resonate as the type of community Berthoud wants to be.
Respectfully
Judy and Steve Doty

January 2, 2019

To whom it may concern,

The addition of the 19 residential buildings and commercial lots would increase the traffic on Berthoud Parkway, to which our home backs up to. Getting in or out of the neighborhood we live in which is just south of the empty lot, would become even worse. There are times that it can take 15-20 minutes to get in or out of neighborhood, going north, due to the amount of traffic that uses Berthoud Parkway each day. During rush or peak times it is the worst. I believe that the addition of almost 250 more people would increase the traffic and make living in our neighborhood more of a hassle than it already is. It would also make using S CO RD 15H more of a hassle as there is not enough break in the flow of traffic to get off of 15H onto the other side road to be able to get south onto Berthoud Parkway. Overall I think that adding more apartment buildings would increase the amount of traffic and frustrate the residents like myself that have to deal with this issue daily. I am against adding the proposed number of lots and buildings.

Sincerely,
Bryanna Davis

January 16, 2019

Via E-Mail
Town of Berthoud
Attn: Curt Freese
807 Mountain Avenue
Berthoud, Colorado 80513

RE: Heron Pointe East Referral
Comment Responses

Dear Mr. Freese:

The Developer Heron Point Holdings, LLC received comments associated with the Final Plat on January 7th. Our responses to these referral comments are below.

Little Thompson Water District:

- The 16" steel transmission line has been located; however the line was not shown on the plans. The water line is now shown on the updated plan sheets.
- The steel transmission line will be potholed at the sewer line crossing at Hammons Court and a plan and profile sheet will be provided to demonstrate that there will not be a conflict with this crossing.
- The bridge construction will not affect the steel waterline crossing under the Home Supply Ditch as the existing water line crosses under the current ditch.
- Minimal grading will be completed over the 2 ½" water line located on the east side of County Road 15H. We are willing to oversize the existing line to the requested 6" line in the event that the District agrees to reimburse for the construction costs.

Colorado Department of Transportation:

- The project is located 1 mile west of the existing intersection of US Highway 287 and Larimer County Road 14. Why will a new access permit be required for an existing intersection that no improvements are being proposed?
- The project is located .7 mile North of the existing intersection of US Highway 287 and Berthoud Parkway (aka Larimer County Road 17) Why will a new access permit be required for an existing intersection that no improvements are being proposed.

Larimer County:

- The developer met with Larimer County Staff on January 15th to discuss the cost sharing of the reconstruction of the bridge over the Home Supply Ditch for lane improvements on Larimer County Road 14.

    - Katie Gray with Larimer County forwarded a general agreement for cost sharing outlining the additional steps that will be required for final approval by Larimer County
- A detailed stamped construction plan set will be developed now that the cost sharing has been agreed upon by the developer and Larimer County.
- A detailed stamped plan set will be finalized showing how the proposed widening will taper into the existing County roadway on the east side of the bridge.
- Per the general agreement sent by Katie Gray the developer will work with the adjacent property owners affected by the widening of the roadway.

Consolidated Home Supply Ditch:

- Detailed construction plans will be developed for the crossing of the ditch to be reviewed by Deere and Ault as well as Larimer County prior to final approval of the bridge construction.
- Utility relocation plans, ditch access will be included in the construction plan set to be reviewed by Deere and Ault and Larimer County prior to the final approval of the bridge construction.
- Greater detail will be added to the construction plans addressing the bend in the ditch downstream of the proposed widening of the bridge.
- Lift Station outlet will be designed in conjunction of the approval of the final plans
- The 18 inch outlet pipe will be shown on the profile.
- The 12 inch discharge pipe will be adjusted to allow for fitment within the lift station.
- The profile will be updated to show the inclusion of the existing Type R inlet.
- Elevations have been updated to be consistent on all plan sheets.
- The manhole size has been revised to match on the detail and figure.
- The preliminary drainage report has been corrected to list Lot 2 Heron Pointe Subdivision.

Neighboring Residents:

Judy Doty

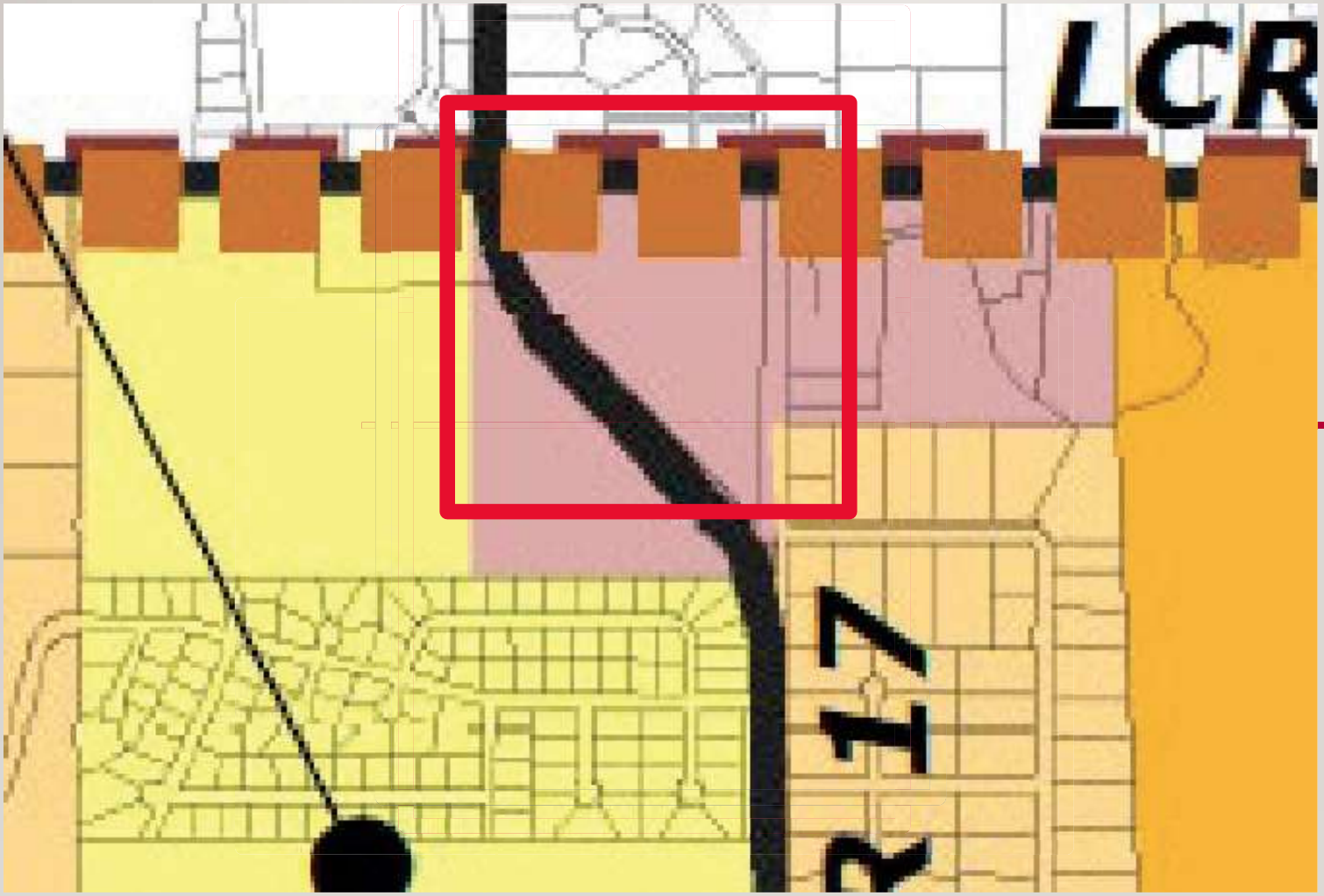
- Multi-family housing is allowed under the current zoning that was adopted during the annexation of the Heron Pointe property.
- Should this property be built out as completely commercial the traffic impacts could be 24 hours a day. Traffic added by a Multi-Family project will be limited during the day and evening as there will not be continual traffic entering the property.

Bryanna Davis

- Berthoud Parkway has been recognized as a regional arterial road By the City of Loveland, Town of Berthoud, and Larimer County. Roadway improvements to reduce the congestion on this roadway are currently under development with Larimer County.

Should you have any questions regarding the foregoing, please do not hesitate to contact me.

Sincerely,

Morgan Kidder

Preferred Land Use
Heron Pointe