



**Garden
Spot of
Colorado**

**MEETING OF THE TOWN BOARD
Town Board Room
807 Mountain Avenue
Town of Berthoud, Colorado
Tuesday, February 28, 2023, 6:30 p.m.**

This is an IN-PERSON meeting at the location and time noted above.

You may also join virtually using Zoom: Phone: 1-346-248-7799 or 301-715-8592

Web: <https://us02web.zoom.us/j/2100359423>

Use this Meeting ID:

210 035 9423

The Town Board may take action on any of the following agenda items as presented or modified prior to or during the meeting and items necessary or convenient to effectuate the agenda items.

1. Regular Meeting Called To Order - Mayor William Karspeck
2. Pledge Of Allegiance - Mayor William Karspeck
3. Roll Call - Mayor William Karspeck
4. Citizen Participation
5. Scheduled Items And Estimated Time For Discussion

5.I. Consent Agenda

Documents:

1. BOARD INFORMATION SHEET CONSENT AGENDA.PDF
- A. 2023.02.28 TOWN BOARD AGENDA.PDF
- B. FEBRUARY 14 2023 TOWN BOARD MINUTES.PDF
- C. BOARD REPORT 02 2023.PDF
- D. BROADBAND UPDATE.PDF
- E. BERTHOUD FIRE DISTRICT IGA REGARDING LEFT TURN LANE.PDF
- F. 2023 ROAD IMPROVEMENTS PROJECT PLAN UPDATE.PDF
- G. ALFA WATER LINE REIMBURSEMENT PAYOFF.PDF

- 5.II. Introduction Of Larimer County Sheriff's Investigators
Introduced by Sergeant Anderson (5 Min)

Documents:

[BOARD INFORMATION LCSO INVESTIGATOR INTRODUCTION.PDF](#)

- 5.III. Appointment To Parks, Opens Space Recreation, Trails Committee
Introduction by Town Board (5 Min)

Documents:

[BOARD INFORMATION SHEET COMMITTEE APPOINTMENTS.PDF](#)

- 5.IV. Farmstead Acres Neighborhood Master Plan And Rezoning-Public Hearing
Introduced by Anne Johnson (30 Min)

Documents:

[FARMSTEAD ACRES NMP AND REZONE TB STAFF REPORT.PDF](#)

- 5.V. Gateway BD PUD And FDP Amendment-Public Hearing
Introduced by Anne Johnson (30 Min)

Documents:

[GATEWAY_BD_TB_STAFF REPORT.PDF](#)

6. Elected Official Reports

1. Town Board - Tim Hardy, May Soricelli, Mike Grace, Sean Murphy, Karl Ayers, and Jeff Butler.
2. Mayor - William Karspeck
3. Staff - Town Administrator, Attorney

7. Executive Session

Pursuant to C.R.S. Section 24-6-402 (f)(I) for discussion of a personnel matter not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees.

The following details are provided: Town Administrator Evaluation.

8. Adjourn

The order of agenda items listed above is approximate and intended as a guideline for the

Town Board. Individuals needing special accommodation may request assistance by

contacting the Town Clerk 807 Mountain Avenue, Berthoud, Colorado 80513, 970-532-2643 at least 24 hours in advance.

BOARD OF TRUSTEES INFORMATION



ADMINISTRATION DEPARTMENT

Meeting Date:	February 28, 2023
Agenda Title/Subject:	Consent Agenda
Type of Item:	Regular Item
Purpose:	The Consent Agenda contains routine items that can be approved with a single action by the Board.
Presented by:	Christian Samora

ATTACHMENTS:

- a) February 28, 2023, Meeting Agenda
- b) February 14, 2023, Meeting Minutes
- c) Board Update
- d) Broadband Update
- e) Berthoud Fire Protection District IGA Regarding Left Turn Lane
- f) 2023 Street Maintenance Authorization to Solicit Bids
- g) Alfa Water Line Payoff

BACKGROUND:

"Consent Agenda" is a group of routine matters to be acted on with a single motion and vote. The Mayor will ask if any Board Member wishes to remove an item for separate discussion. Items removed from the consent agenda should be considered immediately following adoption of the amended Consent Agenda.

UPDATE/NEXT STEPS:

Any updates or next steps for the items on the Consent Agenda will be articulated in the information sheet provided for each item on the Consent Agenda.

FISCAL IMPACT AND FUND SOURCE:

Any fiscal information for the items on the Consent Agenda will be articulated in the information sheet provided for each item on the Consent Agenda.

COMMUNITY TOUCHSTONES:

Any Community Touchstones for the items on the Consent Agenda will be articulated in the information sheet provided for each item on the Consent Agenda.

RECOMMENDED ACTION(S):

"Move to combine and approve the items on the Consent Agenda."

Followed by a second and a vote.



MEETING OF THE TOWN BOARD

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Web: www.zoom.us/join

Use this Meeting ID: 210 035 9423

Please note that you will need to call into the meeting if you wish to speak and do not have a microphone on your computer. If you are using a mobile device, it is highly recommended that you download the Zoom app.

The Town Board may take action on any of the following agenda items as presented or modified prior to or during the meeting and items necessary or convenient to effectuate the agenda items.

- I. REGULAR MEETING CALLED TO ORDER – Mayor William Karspeck
- II. PLEDGE OF ALLEGIANCE – Mayor William Karspeck
- III. ROLL CALL – Mayor William Karspeck
- IV. CITIZEN PARTICIPATION
- V. SCHEDULED ITEMS and ESTIMATED TIMES FOR DISCUSSION
 1. Consent Agenda (Christian Samora) (5 Min)
Consent Agenda items are considered to be routine by the Town Board and will be enacted with a single vote. There will be no separate discussion of these items. If discussion is deemed necessary, that item should be removed from the Consent Agenda and considered separately.
 - a) February 28, 2023, Meeting Agenda
 - b) February 14, 2023, Meeting Minutes
 - c) Board Update
 - d) Broadband Update
 - e) Berthoud Fire Protection District IGA Regarding Left Turn Lane
 - f) 2023 Street Maintenance Authorization to Solicit Bids
 - g) Alfa Water Line Payoff
 2. Introduction of Larimer County Sheriff's Investigators (Sergeant Anderson) (5 Min)
 3. Appointment to PORT Committee (Town Board) (5 Min)
 4. Farmstead Acres Neighborhood Master Plan and Rezoning – Public Hearing (Anne Johnson) (30 Min)
Ordinance 1316 – An Ordinance amending the zoning map of the Town of Berthoud to rezone property previously known as the Sommers PUD from PUD with Light Industrial and Mixed Residential To Farmstead Acres PUD With Commercial, Light Industrial, Urban Residential, and Suburban Uses.
 5. Gateway BD PUD and FDP Amendment – Public Hearing (Anne Johnson) (30 Min)
Resolution 04 – A Resolution of The Town of Berthoud Board of Trustees Approving a Final Development Plan And A Planned Unit Development Amendment for a development known as “Gateway Park” In The Town Of Berthoud.

February 28, 2023, Meeting Agenda

The order of agenda items listed above is approximate and intended as a guideline for the Town Board. Individuals needing special accommodation may request assistance by contacting the Town Clerk 807 Mountain Avenue, Berthoud, Colorado 80513, 970-532-2643 at least 24 hours in advance.

VI. ELECTED OFFICIAL REPORTS

(10 Min)

1. Town Board – Tim Hardy, May Soricelli, Mike Grace, Sean Murphy, Karl Ayers, and Jeff Butler.
2. Mayor – William Karspeck
3. Staff – Town Administrator, Attorney

VII. EXECUTIVE SESSION

Pursuant to C.R.S. Section 24-6-402(4)(f) for discussion of a personnel matter and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees. And the following details are provided: Town Administrator Annual Evaluation

VIII. ADJOURN

Town Clerk or Deputy Town Clerk

William Karspeck, Mayor

February 28, 2023, Meeting Agenda

The order of agenda items listed above is approximate and intended as a guideline for the

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MEETING MINUTES OF THE TOWN BOARD

Town Board Room
807 Mountain Avenue
Town of Berthoud, Colorado
Tuesday, February 14, 2023, 6:30 p.m.

I. REGULAR MEETING CALLED TO ORDER – Mayor William Karspeck

Mayor Karspeck called the meeting to order.

II. PLEDGE OF ALLEGIANCE – Mayor William Karspeck

Mayor Karspeck led the Pledge of Allegiance.

III. ROLL CALL – Mayor William Karspeck

The following Board Members were present:

William Karspeck, Mayor
Mike Grace, Mayor Pro-Tem
Tim Hardy, Trustee
Sean Murphy, Trustee
Jeff Butler, Trustee

The following Board Members were Absent:

May Soricelli, Trustee
Karl Ayers, Trustee

The following were also present:

Chris Kirk, Town Administrator
Christian Samora, Town Clerk
Erin Smith, Town Attorney
Michelle Adams, Deputy Town Clerk

IV. CITIZEN PARTICIPATION

Gwen Stouder of Berthoud spoke regarding the drinking water. Kirk provided clarification with regard to how the water is chlorinated.

V. SCHEDULED ITEMS and ESTIMATED TIMES FOR DISCUSSION

1. **Consent Agenda** **(Christian Samora) (5 Min)**
Consent Agenda items are considered to be routine by the Town Board and will be enacted with a single vote. There will be no separate discussion of these items. If discussion is deemed necessary, that item should be removed from the Consent Agenda and considered separately.
 - a) February 14, 2023, Meeting Agenda
 - b) January 24, 2023, Meeting Minutes
 - c) Pickleball Courts RFP
 - d) Town Park RFP

Mayor Pro-Tem Grace moved to combine and approve the items on the Consent Agenda. Trustee Murphy seconded the motion. In a 5-0 roll call vote, THE MOTION CARRIED.

Bob Barkeen of Berthoud spoke regarding the Town Park Pickleball Courts.

Trustee Murphy moved to approve the Pickleball RFP. Trustee Hardy seconded the motion. In a 5-0 roll call vote, THE MOTION CARRIED.

2. **New Website Reveal** (Christian Samora) (5 Min)

Samora gave an introduction and provided a presentation regarding the new Berthoud.org website. Samora presented several new features and explained that the new site would be live the following day.

3. **Adoption of Codes by Reference – Public Hearing** (Chris Kirk) (15 Min)
Ordinance 1315 – An Ordinance amending Chapter 11, of the Municipal Code of the Town of Berthoud, for the purposes of adopting the 2021 International Building Code by reference with amendments and the 2021 International Residential Code by reference with amendments.

Administrator Kirk provided an introduction and background information.

Mayor Karspeck opened the Public Hearing.

Greg Black provided additional background information.

Mayor Karspeck closed the Public Hearing.

Mayor Pro-Tem Grace moved to approve Ordinance 1315, an Ordinance amending Chapter 11, of the Municipal Code of the Town of Berthoud, for the purposes of adopting the 2021 International Building Code by reference with amendments and the 2021 International Residential Code by reference with amendments. Trustee Murphy seconded the motion. In a 5-0 roll call vote, THE MOTION CARRIED.

VI. ELECTED OFFICIAL REPORTS (10 Min)

Trustee Hardy Reported:

The Historic Preservation Advisory Committee met the night preceding. The committee will begin recognizing historic family farms.

Trusty Murphy Reported:

He had email discussions with Chief Charles and would be willing to share.

Mayor Pro-Tem Grace Reported:

Youth Advisory will be planning another Scorch Fest June 9th and 10th.

Mayor Karspeck Reported:

Yadira Caraveo will be at Kofe House on Friday from 1:30PM to 2:30PM.

RT2J will be providing their non-potable numbers for water usage.

Kirk stated that the Rec Center will be using non-potable water for the 2023 season.

Kirk's review will be discussed at the Executive Session on 2/28/2023.

Administrator Kirk Reported:

Planning Commission met last week.

Anne Johnson was hired as the new Community Development Director and will start on Thursday.

VII. EXECUTIVE SESSION

Mayor Pro-Tem Grace moved to enter into Executive Session pursuant to C.R.S. § 24-6-402(4)(e)(I) to determine positions relative to matters that may be subject to negotiations, developing a strategy for negotiations, and instructing negotiators; and, pursuant to C.R.S. § 24-6-402(4)(b) for a conference with legal counsel for the purpose of receiving legal advice on specific legal questions. And the following details are provided: Water Line Reimbursement. Trustee Hardy seconded the motion. In a 5-0 roll call, THE MOTION CARRIED.

VIII. ADJOURN

The meeting adjourned at 7:58 PM.

Town Clerk or Deputy Town Clerk

William Karspeck, Mayor

Berthoud Board Update

February 2023



Forestry and Open Space

Christmas is in our rearview mirror, and that meant un-decking the halls. The Forestry and Open Space department spent most of January taking down the Town's decorations. - Due to the ice build-up from our unusually cold and snowy winter, some decorations remain up on Mountain Ave.



The Christmas Tree Recycling program was a success!

Both departments helped with this program located at the Parks and Forestry shop yard. We had about 150 trees dropped off in our yard to be chipped. More than 80 of them were dropped off in the last four days.





Next to the removal of our holiday lights, the primary objective for the Forestry and Open Space departments for the month of January was keeping up with snow and ice removal.



In between storms, Forestry staff was able to update the town's tree records and organize data for this year's Emerald Ash Borer treatments.

They also responded to two instances of street trees with broken branches on Mountain Ave due to large delivery trucks.



PARKS

The Parks Department spent the majority of January clearing snow from sidewalks and treating various icy spots around town. With snow still present on the ground, the Parks Department spent some time organizing and sorting through materials at the Parks, Forestry, and Open Space Shop building to make room for new equipment and employees.

Because 2023 is the snowy gift that keeps on giving, the Parks Department conducted snow removal on four different occasions this month for three separate snowstorms



With the continual freezing and thawing of the snow, several sidewalks and aprons were treated with signage, ice melt, and the occasional ice chipping to enhance safety for the people in Berthoud.



In addition to snow removal, Parks was able to work with the Forestry and Open Space Departments to take down holiday decorations for the season.



The Greenlawn Cemetery featured three different burials this month.

We also installed a dog waste bag holder. While people tend to respect the dearly departed, the actual cemetery space...not so much.

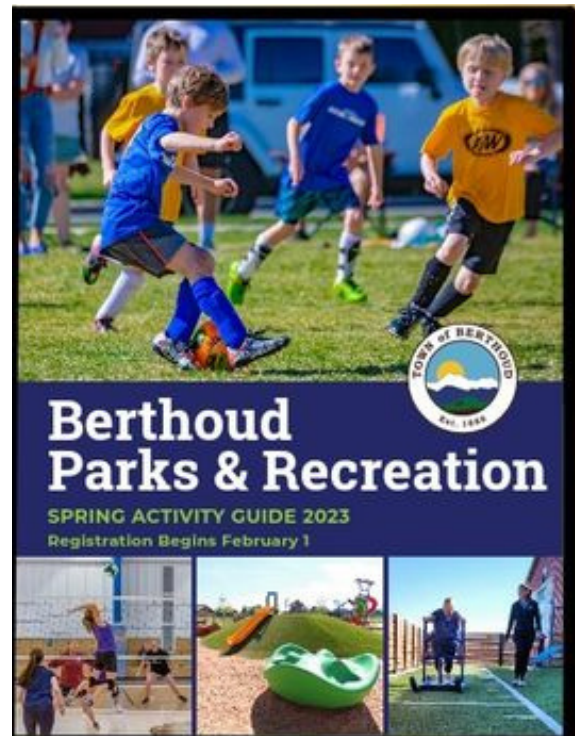


RECREATION

The resolutions have begun! January was a busy month with an influx of people using the fitness area and filling our classes. The staff worked hard on the 2023 spring brochure and the upcoming website. A big shout out to Steve Hensley, Operations Supervisor, who spent numerous hours putting together the Recreation pages for the new website. January was also used to refocus, determine goals for the upcoming year, and identify a quarterly timeline to stay on track and ensure they are accomplished.

The new spring activity guide is here! The operations crew finalized the special events that will occur throughout the year and started working on marketing and sponsorship plans to support them. In total, the team will hold 11 fun events throughout the year.

[Check it out here](#)



Our 50+ activities are off and running with well-attended drop-in card games, and we've sold out our first travel activity! Our inaugural group is ready to be chauffeured by our staff to the Candlelight Dinner Playhouse to watch a show and enjoy dinner.



Aquatics

January started the new year with new faces in the pool area. Staff saw a steady increase at the beginning of the month with new swimmers, new participants in our programs, and overall interest in aquatics as people set their new year's resolutions. Swim lessons saw an **80%** enrollment rate for January and a **75%** enrollment for the CARA swim team. One class was canceled while three were created.



The lifeguard training had almost **100%** attendance. Staff trained on two-person infant CPR, adult CPR, and how to remove someone from the speed slide with a head, neck, or back injury.





STREETS

The Streets Department's mission for the month of January was plowing snow, maintaining snow equipment, and filling potholes. The streets crew has spent many hours cleaning up excessive snow and ice around town and at the Berthoud Recreation Center parking lot.

The Streets Department re-set the steel plates over a sink hole on County Road 10E as we wait for weather to warm so we can perform a permanent repair.



The Streets department spent a lot of time clearing snow and ice.

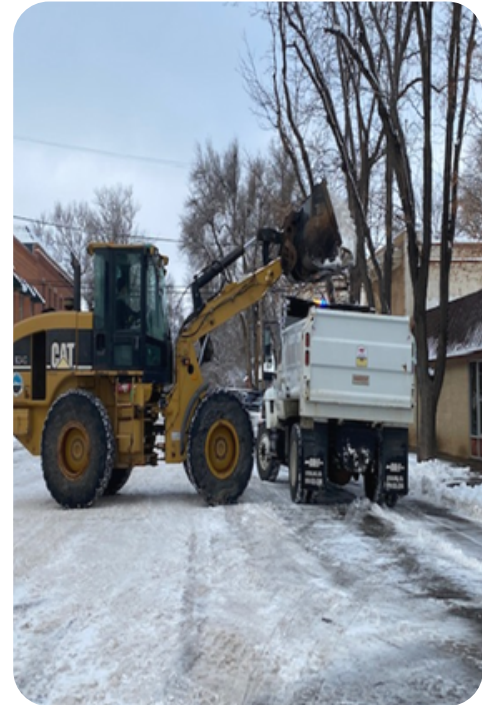
In all of 2022, they deployed 416 tons of ice slicer. So far in 2023, they have used 194 tons of ice slicer, and we have yet to hit our snowiest months!





Streets removes snow after the storm, and then clears the ice after the thaw-melt process begins. And then removes the snow after the storm, and then clears the ice after the thaw-melt process begins...again.

And then we get rid of the snow piles so they don't become too big of an obstacle. In this case, we were on 3rd and Massachusetts.



Between all of the storms and snow removal, the Streets Department was able to help with the installation of the first "Coming Soon" sign for the Berthoud Bike Park portion of the Richardson park project that will ultimately fill around the north side of Loveland Lake.



ADMINISTRATION

With summer travel season mere months away, the front desk has been busy helping people get their passports in order. They have the necessary forms, they'll take official passport pictures, and they accept completed paperwork.



Welcome our newest-ish smiling face! While not new to the Town's staff, Wende Moore is new to the front reception. Stop by and say "Hi" if you're in the area.

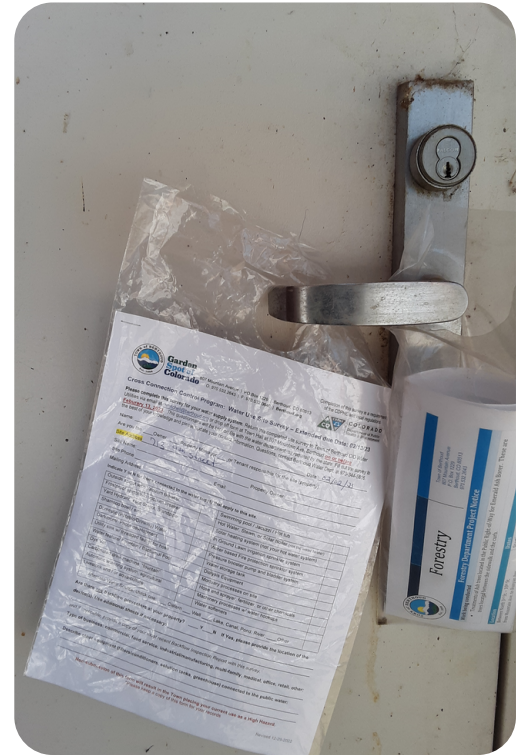
Berthoud.org has a brand new look! Launched on February 15, the new site is sleek, easy to navigate, and full of useful information. Click through to check it out.

www.Berthoud.org



WATER

Aside from the daily work of managing the Town's infrastructure that helps to keep Berthoud's drinking water clean and its wastewater moving, the Water Department, with help from Billing, has been steadily reviewing its 422 commercial, Town of Berthoud and non-single-family residential public water service cross connections and backflow records for the Colorado Dept of Public Health and Environment (CDPHE). It is time-consuming work and involves many phone calls, follow-up communications, and much knocking on doors for on-site verifications to make sure the information is up-to-date and meets Berthoud's Water Cross Connection Control Program and CDPHE regulations as we move forward.



ACKNOWLEDGMENTS & ACCOLADES



The Streets Department had the opportunity to drive on a frozen lake in Georgetown thanks to Winter Driving Techniques training through CIRSA. They were able to test their driving ability on a serpentine course as well as a timed obstacle course. Streets Supervisor Brandon Keegan took first place on the obstacle course!



BOARD OF TRUSTEES INFORMATION



BUSINESS DEVELOPMENT DEPARTMENT

Meeting Date:	February 28, 2023
Agenda Title/Subject:	Broadband Feasibility Analysis Update
Type of Item:	Consent Agenda
Purpose:	• Provide a current update regarding the status of the project
Presented by:	Walt Elish

ATTACHMENTS:

- None

BACKGROUND:

Since my last update, the four communities have decided to change directions since we were not able to come to terms with Allo Communications. More specifically, we were not able to come to terms with them regarding our requirement that they serve entire community. This was and is a very important requirement if a private entity is interested in receiving “incentives” to deploy a broadband network. They must be willing to serve every household located in the Town limits. Allo is still able and welcomed to serve Berthoud residents but at this point they have not expressed interest.

As a result, the Town of Berthoud along with Johnstown, Mead and Milliken began to look at other alternatives. This resulted in the Town of Berthoud having direct discussions with Loveland Pulse, Larimer County and Ditesco. Currently Loveland Pulse is working with Larimer County to serve areas outside of the City of Loveland. This partnership has proven to be very successful in serving unserved or underserved areas of Larimer County.

Larimer County is very interested in continuing this model and exploring the opportunity to serve the underserved or unserved areas around the Town of Berthoud now that Berthoud has initiated discussions with Loveland Pulse. Larimer has been actively engaged in our discussions and is possibly interested in forming a partnership, similar to what is already in place with Loveland Pulse, to serve those areas around the Berthoud town limits, that are in the County. Berthoud has the potential to be a beneficiary of this partnership since the County would most likely install a distribution and/or a middle mile line through Berthoud to serve those areas in the County.

FISCAL IMPACT AND FUND SOURCE:

A fiscal impact analysis has not been completed at this time. However, based on preliminary estimates completed previously and most recently with Loveland Pulse, it is estimated that the cost to deploy broadband throughout the Town is about \$19 million. How this could be funded has not yet been discussed in significant detail. Staff is exploring what if any grant money could be obtained to offset some of this expense.

COMMUNITY TOUCHSTONES:

The project has the potential to impact Berthoud's overall quality of life and place since most everyone relies on high-speed quality internet service. Whether a person has a home-based business, working out of their home, taking online courses or using the internet for personal entertainment or needs, having reliable and affordable internet service is paramount in maintaining Berthoud's attractiveness as a desirable location to live and work.

RECOMMENDED ACTION(S):

No Action Requested. Staff will work with the Trustees to schedule an upcoming study session to review the issue in more detail.

BOARD OF TRUSTEES INFORMATION



ADMINISTRATION DEPARTMENT

Meeting Date:	February 28, 2023
Agenda Title/Subject:	Berthoud Fire District IGA
Type of Item:	Consent Agenda
Purpose:	Construction, Use, and Maintenance of Left Turn Lane
Presented by:	Chris Kirk

ATTACHMENTS:

- Intergovernmental Agreement

BACKGROUND:

The Berthoud Fire Protection District is seeking to enter into an Intergovernmental Agreement with the Town of Berthoud. The Fire District has entered into a letter of intent to purchase a property located at the southwest corner of Highway 287 and Berthoud Parkway. The agreement will allow for the construction, use, and maintenance of a left turn lane located at the proposed building site so that exiting traffic can head northbound on Berthoud Parkway. The left turn movement is essential to the District's ability to provide timely, effective emergency services to nearby areas.

The left turn lane would be shared with the adjacent property to the west which is currently zoned for commercial uses. It is expected that the turning motion for the District will require adequate emergency lighting to stop traffic when trucks need to exit. The Town's engineering team has reviewed the District's request and believes the area allows for good visibility and will not interfere with the existing left turn lane located on Berthoud Parkway to access southbound Highway 287.

UPDATE/NEXT STEPS:

- Town staff and Baseline Engineering will work with Berthoud Fire District to create an adequate access point to the property.

FISCAL IMPACT AND FUND SOURCE:

N/A

RECOMMENDED ACTION(S):

Approve the IGA between the Town of Berthoud and Berthoud Fire Protection District to install a left turn lane onto Berthoud Parkway from the property.

**INTERGOVERNMENTAL AGREEMENT
BETWEEN THE TOWN OF BERTHOUD AND
THE BERTHOUD FIRE PROTECTION DISTRICT**

This Intergovernmental Agreement ("**IGA**"), effective the ____ day of _____, 2023 ("**Effective Date**"), is entered into by and between the Town of Berthoud, a statutory municipality of the State of Colorado ("**Town**"), and the Berthoud Fire Protection District, a political subdivision of the State of Colorado, organized pursuant to C.R.S. § 32-1-101, *et seq.* ("**Fire District**"). The Town and the Fire District are referred to collectively as the "**Parties**" and individually as a "**Party**".

I. RECITALS

WHEREAS, pursuant to C.R.S. § 29-1-203 *et seq.* and Article XIV of Colorado Constitution, the Parties are authorized to cooperate and to enter into contracts with each other to provide any function, service, or facility that each of them is lawfully authorized to provide;

WHEREAS, among other services, the Fire District provides fire suppression, emergency rescue and extrication, hazardous materials, and emergency medical services to the citizens of the Town and property within its jurisdiction, and to individuals passing through the Town (collectively, the "**Emergency Services**");

WHEREAS, the Fire District has entered into a letter of intent to purchase property located at the southwest corner of Highway 287 & Berthoud Pkwy, and which is generally depicted on the Vicinity Map attached as **Exhibit A** ("**Property**");

WHEREAS, the Parties have determined it is in their mutual best interest for the Fire District to install a left turn lane onto Berthoud Parkway from the Property access point, as depicted on the Vicinity Map, because such access is essential to the District's ability to provide timely and effective Emergency Services. If the District cannot install the left turn lane, the Property will not meet the District's Emergency Services needs, and the District will not purchase the Property; and,

WHEREAS, the Town has advised the District that, notwithstanding any Town ordinances, codes or standards that would otherwise prohibit such action, the District will be permitted to construct the left turn lane and the District is specifically relying on the Town's covenant in purchasing the Property.

NOW THEREFORE, for and in consideration of the mutual covenants and promises set forth herein, the sufficiency of which is acknowledged, the Parties agree as follows:

II. AGREEMENT

1. **Construction, Use and Maintenance of Left Turn Lane.** The Town hereby covenants that, if the District purchases the Property, it will be permitted, at its sole cost, to

construct and use a left turn lane for its Emergency Services apparatus and vehicles in the location generally depicted on the Vicinity Map.

2. **Notices to Parties.** Notices required or permitted to be given by this IGA are deemed to have been received and to be effective: (1) three days after the same shall have been mailed by certified mail, return receipt requested; (2) immediately upon hand delivery; or (3) immediately upon receipt of confirmation that an email was received to email addresses of the Parties as set forth below or to such party or addresses as may hereafter be designated in writing.

To Fire District:
Attention: Fire Chief
Berthoud Fire Protection District
275 Mountain Ave,
Berthoud, Colorado 80513

To Town of Berthoud
Attention: Town Administrator
Town of Berthoud
807 Mountain Avenue
Berthoud, Colorado 80513

E-mail: scharles@berthoudfire.org

E-mail: ckirk@berthoud.org

3. **Amendment.** This IGA may be amended only in writing, and following the same formality as the execution of the initial IGA.

4. **Choice of Law; Jurisdiction and Venue.** Colorado law governs this IGA. In the event of a dispute arising under this IGA jurisdiction and venue shall lie exclusively in the District Court for Larimer County, Colorado.

5. **Good faith.** The Parties shall implement this IGA in good faith, including acting in good faith in all matters that require joint or coordinated action.

6. **Third party beneficiary.** The enforcement of the terms and conditions of this IGA and all rights of action relating to such enforcement shall be strictly reserved to the Parties, and nothing contained in this IGA shall give or allow any claim or right of action by any other person or entity.

7. **No Waiver of Governmental Immunity.** Nothing in this IGA is intended and shall not be construed as a waiver of the Parties' rights, protections, benefits and immunities under federal and state law including, but not limited to, the Colorado Governmental Immunity Act, C.R.S. § 24-20-101, *et. seq.*

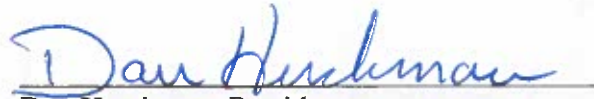
8. **Execution.** This Agreement may be executed in counterparts and by facsimile or electronic pdf, all of which shall constitute one valid and binding instrument.

[Signature Page Follows]

IN WITNESS WHEREOF, the Parties have signed this Agreement.

Berthoud Fire Protection District

Town of Berthoud, Colorado


Dan Hershman, President

William Karspeck, Mayor

Date: 1-10-2023

Date: _____

ATTEST:

Dolores Vasquez, Town Clerk

Date: _____

EXHIBIT A
VICINITY MAP



BOARD OF TRUSTEES INFORMATION



SELECT DEPARTMENT

Meeting Date:	February 28, 2022
Agenda Title/Subject:	2023 Road Improvements Project & 5-Year Plan Update
Type of Item:	Consent Agenda
Purpose:	Board Approval of Update and to solicit bids
Presented by:	Keith Knoll – Public Works Operations Manager

ATTACHMENTS:

- Project Locations & Repairs
- Updated 5-Year Road Improvements Plan

BACKGROUND:

In February 2022, the Town Board approved the 5-Year Road Improvement Plan for 2022-2026. As mentioned then, small adjustments would be made to the plan based on current material costs, pavement conditions, and necessary yearly town project or development coordination. 2023 road sections and planned repairs are listed on the attached “**Project Locations & Repairs**” page. Necessary concrete repairs will be made to drain pans, curbs, and gutters adjacent to the asphalt upgrades.

Pedestrian Right-of-way sidewalks and ramps adjacent to the road improvements will be repaired or replaced for ADA compliance. Many sidewalks in this area are composed of flagstone. Flagstone pathways require routine maintenance to level and remove trip hazards and are not an ideal ADA-compliant pedestrian walkway. Staff recommends all flagstone pathways are removed and replaced with concrete sidewalks. Homeowners that want to keep their flagstone sidewalks will have a chance to notify the town and show they are making an effort to level and repair flagstone before the sidewalk construction begins. Mature tree roots have also created many trip hazards throughout Old Town Berthoud. Staff will work closely with our Town Forester to determine best practices for sidewalk repairs adjacent to trees. A new sidewalk connection between 1st St. and 2nd St. will also be included in the concrete invitation for bids.

Town staff is currently gathering bid sheet quantities; however, many curbs and gutters are ice covered.

This project will be divided into three Invitation for Bids with proposed work schedules.

1. Concrete repairs and sidewalks – April 15 - June 30
2. Asphalt Mill & Overlays and Rebuilds – July 1 – Sept 30
3. Asphalt Chip & Slurry Seal – July 1 – August 31

FISCAL IMPACT AND FUND SOURCE:

This project is funded in the adopted 2023 budget.

51-00-5239.00 – Street Improvements - \$1,000,000.00

41-00-5221.00 – Downtown Sidewalk Replacement - \$150,000.00

51-00-5038.00 – Sidewalks/ADA - \$500,000.00

COMMUNITY TOUCHSTONES:

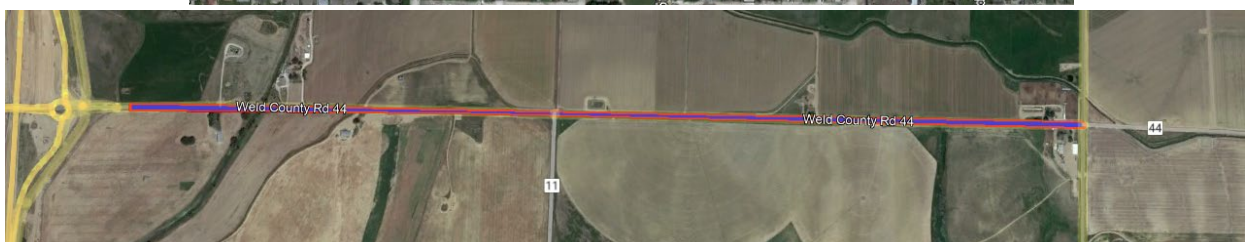
The Board of Trustees' Less-is-More Strategic Plan set a Measurable Milestone Goal of budgeting \$1 million per year for street maintenance for five years. This increased budget focused on Berthoud's infrastructure **Resiliency**, allowing for more miles of roads to be repaired at the highest level, thus increasing the **Sustainability** of our roadways and adjacent sidewalks.

RECOMMENDED ACTION(S):

Board approval of Updates to the 5-Year Road Improvement Plan and for Town Staff to post Invitations for Bids for 2023 Road Improvements.

Project Locations & Repairs

Road Section	PCI Index	Repair
7th St. Place	1	Mill & Overlay
7th St. – Bunyan Ave. – Franklin Ave.	2	Mill & Overlay
Bunyan Ct.	2	6" Rebuild
6 th St. Ct.	2	Mill & Overlay
6 th St. – Small Section S. of Bunyan Ave.	2	Mill & Overlay
Franklin Ave. - 6 th -9 th	1,2	Mill & Overlay
Lake Ave. – 6 th -9 th	1,2	Mill & Overlay
6th - Mass. – Franklin Ave.	1	Mill & Overlay
Turner Ave. - 6 th -9 th	2	Mill & Overlay
4 th – Welch Ave. to Mountain Ave.	2	Mill & Overlay
2 nd St. - North of Bunyan Ave.	2	Mill & Overlay
Turner Ave. - 3 rd to 6 th	3	Slurry Seal
CR 44	1	Chip Seal + Patching



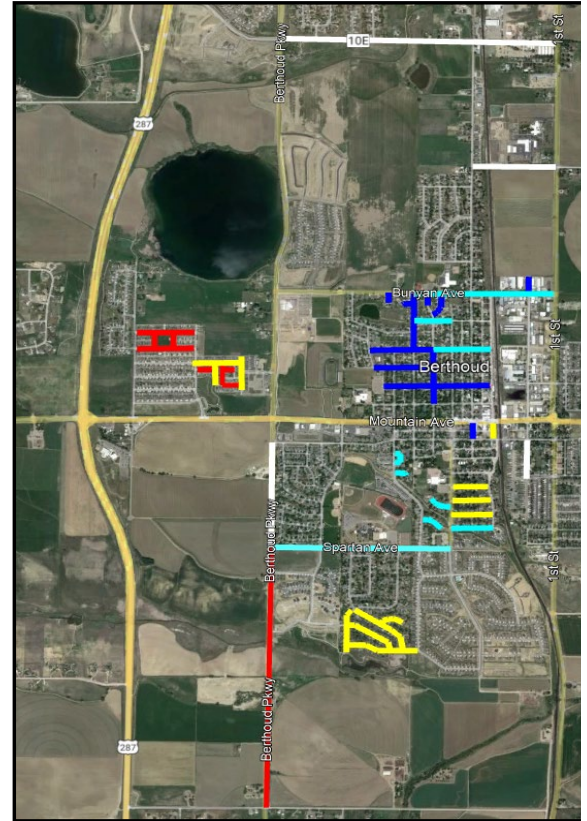
Town of Berthoud - Road Improvements 5 Year Plan

2022					YELLOW
Road	PCI Index	Repair	Estimated Cost		Notes
Michigan	1	Mill & Overlay	\$ 59,800.00		COMPLETE
Colorado	1	Mill & Overlay	\$ 66,700.00		COMPLETE
Iowa	1	Mill & Overlay	\$ 69,000.00		COMPLETE
Mt. Meeker - 13th to Gateway	1	Mill & Overlay	\$ 78,200.00		COMPLETE
13th - North of Gateway Pk. Dr.	1	Mill & Overlay	\$ 70,840.00		TO BE COMPLETED SPRING 2023
3rd - Welch to Mountain	2	Mill & Overlay	\$ 50,600.00		COMPLETE
Kansas Ave.	1	Mill & Overlay	\$ 110,400.00		COMPLETE
Greenwood Dr.	1	Mill & Overlay	\$ 110,400.00		COMPLETE
S. 9th Street	1	Mill & Overlay	\$ 128,800.00		COMPLETE
Longview	1	Mill & Overlay	\$ 87,400.00		COMPLETE
Bristlecone	1	Mill & Overlay	\$ 51,520.00		COMPLETE
MISC. - Alley			\$ 5,000.00		
MISC. - Patching			\$ 40,000.00		
MISC. - Dust Control			\$ 15,000.00		
MISC. - Road Base			\$ 50,000.00		
MISC. - Striping			\$ 35,000.00		
MISC. - Crackseal			\$ 5,000.00		Collins Park Alleys
Total			\$ 1,033,660.00		
2023					BLUE
Road	PCI Index	Repair	Cost		Notes
7th Street Place	1	Mill & Overlay	\$ 23,500.00		
7th Street - Bunyan to Franklin	2	Mill & Overlay	\$ 120,000.00		
Bunyan Ct.	2	6" Rebuild	\$ 20,608.00		
6th St. Ct.	2	Mill & Overlay	\$ 55,000.00		
6th St. - Section S. of Bunyan	2	Mill & Overlay	\$ 24,000.00		
Franklin 6th-9th	1,2	Mill & Overlay	\$ 146,000.00		
Lake 6th-9th	1,2	Mill & Overlay	\$ 110,000.00		
6th - Mass. To Franklin	1	Mill & Overlay	\$ 143,700.00		
Turner 6th-9th	2	Mill & Overlay	\$ 110,000.00		
4th - Welch to Mountain	2	Mill & Overlay	\$ 54,100.00		
2nd St. - North of Bunyan	2	Mill & Overlay	\$ 32,000.00		
Turner - 3rd to 6th	3	Slurry Seal	\$ 24,603.96		
CR 44	1	Chip Seal + Patching	\$ 159,803.50		
MISC. - Alley			\$ 10,000.00		
MISC. - Patching			\$ 30,000.00		
MISC. - Dust Control			\$ 15,000.00		
MISC. - Road Base			\$ 20,000.00		
MISC. - Striping			\$ 30,000.00		
MISC. - Crackseal			\$ 10,000.00		
Total			\$ 1,138,315.46		
2024					WHITE
Road	PCI Index	Repair	Cost		Notes
2nd - Welch to Blue	1	Full Rebuild	\$ 335,000.00		
Berthoud Parkway - Welch to Spartan	3	Full Rebuild	\$ 627,500.00		
Water Ave.	3	Chip Seal + Patching	\$ 54,099.60		
CR 10e	3	Chip Seal + Patching	\$ 140,138.00		
MISC. - Alley			\$ 10,000.00		
MISC. - Patching			\$ 30,000.00		
MISC. - Dust Control			\$ 15,000.00		
MISC. - Road Base			\$ 20,000.00		
MISC. - Striping			\$ 30,000.00		
MISC. - Crackseal			\$ 10,000.00		
Total			\$ 1,271,737.60		
2025					TEAL
Road	PCI Index	Repair	Cost		Notes
Franklin - 3rd to 6th	3	Mill & Overlay	\$ 101,200.00		
Capitol (7th to 5th)	3	Mill & Overlay	\$ 101,200.00		
Bunyan - 1st to 7th	3	Mill & Overlay	\$ 301,600.00		
Spartan - Berthoud Prkway to 5th	2	Mill & Overlay	\$ 371,357.00		
Mayo Ct.	2	Mill & Overlay	\$ 46,000.00		
Munson Ct.	2	Mill & Overlay	\$ 46,000.00		
Nebraska - 3rd to 5th	3	Mill & Overlay	\$ 69,000.00		
Columbine Circle	1	Mill & Overlay	\$ 36,800.00		
Hummingbird Pl.	1	Mill & Overlay	\$ 39,560.00		
MISC. - Alley			\$ 20,000.00		
MISC. - Patching			\$ 60,000.00		
MISC. - Dust Control			\$ 30,000.00		
MISC. - Road Base			\$ 40,000.00		
MISC. - Striping			\$ 30,000.00		
MISC. - Crackseal			\$ 20,000.00		
Total			\$ 1,312,717.00		
2026					RED
Road	PCI Index	Repair	Cost		Notes
Berthoud Parkway - Spartan to HR	3	Full Rebuild	\$ 627,500.00		
Berthoud Parkway - HR to CR 4E	3	Full Rebuild	\$ 315,000.00		
Gateway Park Lane	3	Mill & Overlay	\$ 40,020.00		
Glacier - East of Gateway Pk. Lane	3	Mill & Overlay	\$ 18,400.00		
Gateway Park Drive.	1	Mill & Overlay	\$ 50,000.00		
Glacier Ave. West of 14th	1	Mill & Overlay	\$ 35,000.00		
Chokeberry St.	3	Slurry Seal	\$ 13,200.00		
Hollyberry	4	Slurry Seal	\$ 13,200.00		
Serviceberry St.	3	Slurry Seal	\$ 3,600.00		
Bearberry	3	Slurry Seal	\$ 3,600.00		
MISC. - Alley			\$ 20,000.00		
MISC. - Patching			\$ 60,000.00		
MISC. - Dust Control			\$ 30,000.00		
MISC. - Road Base			\$ 40,000.00		
MISC. - Striping			\$ 30,000.00		
MISC. - Crackseal			\$ 20,000.00		
Total			\$ 1,319,520.00		



Plan Outline

- Overlay or rebuild PCI labeled Priority 1 & 2 Roads
- Preserve Priority 3, 4, & 5 with crack fill, chip seal, or slurry
- Coordinate improvements with Town Projects and Developments



5 Year Spending

2022	\$ 1,033,660.00
2023	\$ 1,138,315.46
2024	\$ 1,271,737.60
2025	\$ 1,312,717.00
2026	\$ 1,319,520.00

BOARD OF TRUSTEES INFORMATION



ADMINISTRATION DEPARTMENT

Meeting Date:	February 28, 2023
Agenda Title/Subject:	ALFA Water Line Payoff
Type of Item:	Consent Agenda
Purpose:	Receive approval from the Board to payoff money owed under a prior agreement for the construction of a water line near Meadowlark Dr and Highway 56

ATTACHMENTS:

- ALFA Water Line Reimbursement Agreement
- General map of improvement

BACKGROUND:

In 2008, the Town entered into an agreement with ALFA Construction LLC, which is attached to this memo. The agreement outlined the terms for reimbursement of a portion of a 12" diameter water line extending west from Meadowlark Dr, across Highway 287, that connected to a planned development which was called Parkway Plaza at the time. A map showing the general alignment of the waterline is attached.

The Parkway Plaza development only required an 8" water line to serve their site but the agreement required ALFA to install a 12" waterline to serve future development at the corner of Meadowlark Dr and Highway 56, which was planned at the time to be a Safeway grocery store (and is now called the Westside Crossing). The agreement between the Town and ALFA stated that the Town would reimburse ALFA for the increase in cost between an 8" and 12" waterline by requiring the Safeway developer, and other future builders, to pay fees at the time they tied into the waterline. The fees to be paid would be above and beyond fees typically paid by new development, and the amounts are outlined in the reimbursement agreement.

Since 2008, the Safeway property was sold to a new developer who rezoned and replanned the property to what is now called the Westside Crossing development. This project received its approvals from the Town and is under construction. During the construction process, the Town received a letter from attorney representing ALFA, notifying the Town that it was required to reimburse ALFA for a portion of the waterline extending through the Westside Crossing per the agreement referenced above. At the time of receipt of the letter, no current staff member was aware of the existence of the reimbursement agreement and after research, staff could not find documentation confirming that the Safeway developer, or the Westside Crossing developer, were aware of a requirement to pay for a portion of the water line.

The water line is in good condition and has been owned and maintained by the Town since its installation. At this time, staff recommends that the Town pay off the amount owed to ALFA in the agreement (\$101,493.54) using Water Impact Fees. These impact fees collected by the Town from new development are intended to fund water utility projects that increase capacity of the

Town's systems to mitigate the impact of new development (e.g. constructing larger diameter water lines). Under the terms of the agreement, paying off the remaining reimbursement amount will terminate the agreement. The Town will then collect Water Impact Fees from the Westside Crossing developer and future builders on the site which will total more than the amount paid for the prior construction of the larger diameter water line.

RECOMMENDED ACTION(S):

Authorize the Town Administrator to payoff the ALFA Water Line Reimbursement Agreement in the amount of \$101,493.54

**ALFA CONSTRUCTION, LLC
PARKWAY PLAZA SUBDIVISION
BERTHOUD, COLORADO**

**OFF-SITE WATER
REIMBURSEMENT AGREEMENT**

I. RECITALS

WHEREAS, ALFA CONSTRUCTION, LLC ("Developer") is developing the Parkway Plaza, PUD, a subdivision in the Town of Berthoud ("Town"), a municipal corporation in the County of Larimer, State of Colorado.

WHEREAS, in connection with its development/construction of Parkway Plaza, PUD and at the request of the Town, Developer will install a 12" diameter public water line that is in addition to and oversized from those improvements otherwise required for Parkway Plaza, PUD (the "Reimbursable Improvements"). The Reimbursable Improvements are those shown on the Construction Plans for the Parkway Plaza Offsite Water Line, included as Exhibit A attached hereto and incorporated herein.

WHEREAS, pursuant to the Public Improvements Agreement dated July 1, 2008, by and between Developer and the Town, Developer and the Town agree to enter into a reimbursement agreement whereby Developer, (1) would be reimbursed by the developer of the Safeway at Berthoud Subdivision for the equivalent cost of an 8" diameter water main and appurtenances extending through the Parkway Plaza, and (2) would also be reimbursed for the oversizing costs which are the differential between the 8" line and the 12" line up to the full cost of the Reimbursable Improvements. The amount that the Developer is entitled to be reimbursed in connection with the Reimbursable Improvements ("Reimbursable Cost") is described within Exhibit B attached hereto and incorporated herein.

AND WHEREAS, pursuant to and in furtherance of the foregoing, Developer and the Town now make and enter into this Reimbursement Agreement.

II. AGREEMENT

IN CONSIDERATION OF the foregoing, and other consideration, Developer and the Town agree as follows:

1. Incorporation of Recitals. The foregoing recitals are incorporated herein.
2. Reimbursements. Developer shall be reimbursed the cost of the Reimbursable Improvements as follows:
 - a. Safeway at Berthoud Subdivision. The development plans for the Safeway at Berthoud Subdivision requires a minimum 8" diameter water main to service

ALFA CONSTRUCTION, LLP REIMBURSEMENT AGREEMENT

this development. The Developer is required to extend a 12" water main through the Safeway at Berthoud Subdivision to provide for future looping of the Town of Berthoud's system. The cost of the 8" main and appurtenances from the connection at Meadow Lark Drive thru the Safeway at Berthoud Subdivision to, and including the 12" tee extending to the west, will be the Reimbursable Improvements to be paid by the developer of the Safeway at Berthoud Subdivision at the time a building permit is issued by the Town.

b. Private Property Owners and Developers. At any time that any private property owner or developer (Owner/Developer) wishes to connect to, or utilize any of the Reimbursable Improvements, as a condition to doing so Owner/Developer shall pay to Developer their ratable portion of cost of the applicable Reimbursable Improvements. As used herein, "ratable portion" means the number of 5/8" Equivalent units that the Owner/Developer will connect to the applicable Reimbursable Improvements as reasonably determined by the Town, excepting paragraph a. above whereby the Developer is over sizing the 8" water main required by the Safeway at Berthoud Subdivision. The Owner/Developer, at its sole expense, may be required to provide a calculation by a licensed engineer of the 5/8" equivalent units to the Town and Developer. The Developer shall have up to two weeks after receipt of the basis for this calculation to provide its written comments to the Town if objecting to the calculations presented. The Town will have the option to have said calculation confirmed or otherwise determined by an independent engineer at the Owner/Developer's expense. The decision by the Town shall be binding upon the parties unless it can be shown that the Town abused its discretion. Payment shall be made by the owner/developer or from funds deposited by owner/developer with the Town.

Example. The basis of the 5/8" Equivalent is as follows: 1. One 5/8" meter equals one 5/8" Equivalent, 2. One 3/4" meter equals one and one half (1-1/2) 5/8" Equivalent, 3. One 1" meter equals two and one half (2-1/2) 5/8" Equivalent, 4. One 1-1/2" meter equals four (4) 5/8" Equivalents, 5. One 2" meter equals eight (8) 5/8" equivalents, 6. One 3" meter equals eighteen (18) 5/8" Equivalents, 7. One 4" meter equals thirty-two (32) 5/8" equivalents, and, 8. One 6" meter equals sixty-four (64) 5/8" equivalents.

c. Alfa Construction, LLC shall be reimbursed \$2,000.00 for each 5/8" Equivalent connected to the Reimbursable Improvement.

d. The definition of "Reimbursement" costs shall be "those costs for providing equipment, labor and materials to install the required water main pipe and appurtenances; mobilization, erosion control measures required, connections, permits, engineering and inspection, legal, easement acquisition and publication expenses, as applicable."

ALFA CONSTRUCTION, LLP REIMBURSEMENT AGREEMENT

3. **WAIVER.** A waiver by any party to this Agreement of the breach of any term or provision of this Agreement shall not operate or be construed as a waiver of any subsequent breach by either party.
4. **BINDING EFFECT/RELEASE.** The parties hereto agree that this agreement, by its terms, shall be binding upon the successors, heirs, legal representatives, and assigns thereof.
5. **NO THIRD PARTY BENEFICIARIES.** It is expressly understood and agreed that enforcement of the terms and conditions of this Agreement, and all rights of action relating to such enforcement, shall be strictly reserved to the Town and Developer, its successors and assigns, and nothing contained in this Agreement shall give or allow any such claim or right of action by any third person on such Agreement. It is the express intention of the Town and Developer that any person or other than the Town or Developer receiving services or benefits under this Agreement shall be deemed to be an incidental beneficiary only.
6. **GOVERNING LAW AND ENFORCEMENT.** The laws of the State of Colorado shall govern this Agreement. If any party defaults under this Agreement, the non-defaulting party shall deliver written notice to the defaulting party of such default, at the address specified herein, and the defaulting party shall have twenty (20) days from and after receipt of such notice to cure such default. If such default is not of a type which can be cured within twenty (20) day period and the defaulting party gives written notice to the non-defaulting party within such twenty (20) day period that it is actively and diligently pursuing such cure, the defaulting party shall have a reasonable period of time given the nature of the default following the end of such twenty (20) day period to cure such default, provided that such defaulting party is at all times within such additional time period actively and diligently pursuing such cure. If the Town's default to collect the ratable portion of the reimbursement fee under this Agreement is not cured as described above, the Developer's sole remedy shall be the right to enforce the Town's obligations hereunder by an action for monetary damages.
7. **WITHHOLDING PERMITS, ETC.** It is understood and agreed that unless and until any property Owner/Developer has reimbursed Developer all amounts owed by said Owner/Developer as per this Agreement, the Town shall withhold any requested building upon any lot within the Owner/Developer's property, or allow Owner/Developer to connect to the Reimbursable Improvement.
8. **NOTICES.** Any notice or communication required under this Agreement between the Town and Developer must be in writing, and may be given personally, by Federal Express or similar next-day service, or by registered or

ALFA CONSTRUCTION, LLP REIMBURSEMENT AGREEMENT

certified mail, return receipt requested. If given by registered or certified mail, the same shall be deemed to have been given and received on the first to occur of (i) actual receipt by any of the addressees designated below as the party to whom notices are to be sent, or (ii) five days after a registered or certified letter containing such notice, properly addressed, with postage prepaid, is deposited in the United States mail. If given by Federal Express or similar next-day delivery service, a notice shall be deemed to have been given and received on the immediately following business day. If personally delivered, a notice shall be deemed to have been given and received when delivered to the party to whom it is addressed. Any party hereto may at any time, by giving written notice to the other party hereto as provided in this Section 8, designate additional persons to whom notices or communications shall be given, and designate any other address in substitution of the address to which such notice or communication shall be given. Such notices or communications shall be given to the parties at their addresses set forth below:

If to the Town

Town of Berthoud
328 Massachusetts Avenue
Berthoud, Colorado 80513
Attention: Town Administrator

Town of Berthoud
328 Massachusetts Avenue
Berthoud, Colorado 80513
Attention: Public Works Dir.

If to Developer

Alfa Construction, LLC
4057 Camelot Circle #B
Longmont, Colorado 80504
Attention: Kenneth A. Williamson

With a required copy to:

Town of Berthoud
328 Massachusetts Avenue
Berthoud, Colorado 80513
Attention: Town Attorney

Town of Berthoud
328 Massachusetts Avenue
Berthoud, Colorado 80513
Attention: Planning Director

With a required copy to:

John G. Canny
Attorney At Law
3560 Evergreen Parkway, Suite 204
Evergreen, Colorado 80439

9. **CAPTIONS.** The captions of the paragraphs are set forth only for the convenience and reference of the parties and are not intended in any way to define, limit or describe the scope or intent of this Agreement.
10. **INTEGRATION AND AMENDMENT.** This Agreement represents the entire agreement between the parties and there are no oral or collateral agreements or understandings. Only an instrument in writing signed by the parties may amend this Agreement.

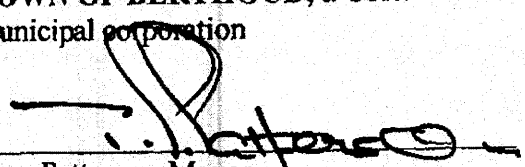
ALFA CONSTRUCTION, LL REIMBURSEMENT AGREEMENT

11. **SEVERABILITY.** Invalidation of any of the provisions of this Agreement or any paragraph sentence, clause, phrase, or word herein or the application thereof in any given circumstance shall not affect the validity of any other provision of this Agreement so long as enforcement of the remaining provisions would not be inequitable to the party against whom they are being enforced under the facts and circumstances then pertaining.
12. **RECORDATION OF AGREEMENT.** The Town may record this with the Clerk and Recorder's Office of Larimer County at the sole cost of the Developer.
13. **INCORPORATION OF EXHIBITS.** Unless otherwise stated in this Agreement, exhibits referenced in this Agreement shall be incorporated into this Agreement for all purposes.
14. **FURTHER ASSURANCES.** Each party shall execute and deliver to the other all such other further instruments, documents, resolutions or ordinances as may be reasonably necessary to carry out this agreement in order to provide and secure to the other party the full and complete enjoyment of its rights and privileges under this Agreement.
15. **EXPENSES.** Except as otherwise provided in this Agreement, Town Code, Berthoud Development Code, and other Town regulations and laws, the Developer and the Town shall each bear their respective costs and expenses associated with entering into, implementing and enforcing the terms of this Agreement.
16. **TERM.** The term of this Agreement shall be ten (10) years. To the extent Reimbursable Cost of any Reimbursable Improvements has not been reimbursed to Developer prior to expiration of the term, as may have been extended, the term shall be automatically extended for up to ten (10) additional one (1) year periods. This Agreement shall terminate and have no further force or affect the earlier of the date which all Reimbursable Costs of all Reimbursable Improvements has been reimbursed to Developer, or the twentieth (20th) anniversary of the date hereof.

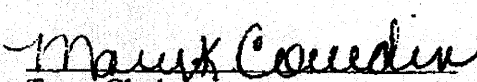
Made and agreed effective July 1, 2008.

ALFA CONSTRUCTION, LLC REIMBURSEMENT AGREEMENT

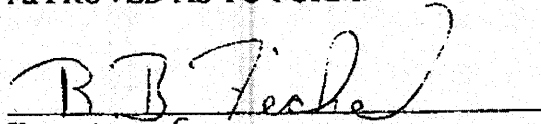
TOWN OF BERTHOUD, a Colorado
municipal corporation


Tom Patterson, Mayor

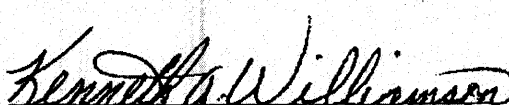
ATTEST:


Town Clerk

APPROVED AS TO FORM:

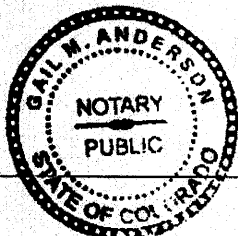

Town Attorney

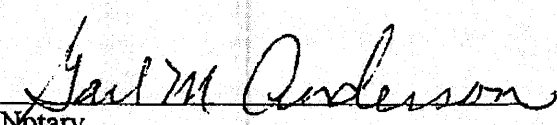
DEVELOPER
Alfa Construction, LLC

By: 
Name: Kenneth A. Williamson, Managing
Partner

STATE OF COLORADO)
) ss.
COUNTY OF WELD)

Acknowledged before me this 1 day of July 2008,
by Kenneth A. Williamson as Managing Partner of Alfa Construction, LLC.




Notary

My Commission Expires: 9-28-08

My Commission Expires: 9/28/2008

EXHIBIT B

WATER LINE REIMBURSEMENT AGREEMENT**A. COSTS CONTRIBUTABLE TO SAFEWAY AT BERTHOUD SUBDIVISION**

<u>ITEM NO.</u>	<u>DESCRIPTION</u>	<u>ESTIMATED QUANTITY</u>	<u>UNIT</u>	<u>UNIT COST</u>	<u>AMOUNT</u>
1	MOBILIZATION	41.77%	L.S.	\$ 2,805.00	\$ 1,171.65
2	QUALITY CONTROL	10	EA.	\$ 78.83	\$ 788.30
3	8" PVC WATER LINE	758	L.F.	\$ 26.09	\$ 19,776.22
4	8" GATE VALVE	3	EA.	\$ 1,200.85	\$ 3,602.55
5	8" X 8" TEE	1	EA.	\$ 595.00	\$ 595.00
6	8" 90 DEGREE BEND	1	EA.	\$ 409.00	\$ 409.00
7	12" X 8" WET TAP & VALVE	1	L.S.	\$ 4,991.51	\$ 4,991.51
8	REMOVE & REPLACE ASPHALT	1	L.S.	\$ 2,992.00	\$ 2,992.00
9	TRAFFIC CONTROL	1	L.S.	\$ 1,000.00	\$ 1,000.00
SUBTOTAL - CONSTRUCTION					\$ 35,326.23
DESIGN, ENG., SURVEY, PROJECT REP. (41.77%)					\$ 7,065.64
TOTAL CONTRIBUTABLE TO SAFEWAY AT BERTHOUD SUB.					\$ 42,391.87

B. CONTRIBUTABLE TO OTHER OWNERS / DEVELOPERS

1	CONSTRUCTION				\$ 49,251.72
2	DESIGN, ENG., SURVEY, PROJECT REP. (58.23%)				\$ 9,849.95
TOTAL CONTRIBUTABLE TO OTHER OWNERS / DEVELOPERS					\$ 59,101.67
TOTAL PROJECT COST					\$ 101,493.54

BOARD OF TRUSTEES INFORMATION



PUBLIC SAFETY

Meeting Date:	February 28, 2023
Agenda Title/Subject:	Introduction of Larimer County Sheriff's Investigators
Type of Item:	Presentation
Purpose:	Informational Presentation
Presented by:	Sergeant Anderson

BACKGROUND:

This item will be an informational presentation. There may be additional information distributed during the presentation.

BOARD OF TRUSTEES INFORMATION



ADMINISTRATION DEPARTMENT

Meeting Date:	February 28, 2023
Agenda Title/Subject:	Appointment to PORT Committee
Type of Item:	Regular Item
Purpose:	To appoint citizen volunteer to the PORT committee.
Presented by:	Town Board Interview Committee

ATTACHMENTS:

- PORT Committee Application

BACKGROUND:

Parks, Open Space, Recreation and Trails Committee (PORT)

There is currently one vacancy on the PORT Committee. The PORT Committee Interview Committee is scheduled to conduct interviews on the evening of February 27, 2023. The following applicant applied for the vacancies on the PORT Committee:

- Joseph Donnelly

The Interview Committee was established as follows:

- Two Town Board Members (Ayers/Murphy)
- PORT Committee Member
- Town Staff Member

The current members on the Planning Commission are as follows:

Name	Term Expires
PORT Committee	
Tim Grover	9/30/2024
Jose Cabrera - Chair	9/30/2024
Anna Murphy	9/30/2024
Lauren Roth	9/30/2023
Callie West	9/30/2024
Carolyn Hobson	9/30/2023
Vacant	9/30/2023

The Interview Committee will make a recommendation as to how the vacant term on the PORT

Committee should be filled. Please note that three other applicants did not wish to be considered at this time.

UPDATE/NEXT STEPS:

- No additional action will be needed after an appointment is made.

FISCAL IMPACT AND FUND SOURCE:

There is no anticipated fiscal impact.

COMMUNITY TOUCHSTONES:

All committees and commissions work to carry out the goals and Community Touchstones identified by the Town Board in their strategic planning sessions. *Community Identity, Resiliency and Sustainability.*

RECOMMENDED ACTION(S):

A Board Member may move to appoint _____ to the Parks, Open Space, Recreation and Trails Committee for a term to expire September 30, 2023. Followed by a second and a Roll Call Vote.



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

Advisory Committee Application

To be considered a candidate for a committee, please complete this application and return it to the Town Clerk's Office, 807 Mountain Ave., PO Box 1229, Berthoud, Co. 80513, fax to (970) 532-0640, or email to clerk@berthoud.org. Application deadlines vary. Late applications will be kept on file for one year for future vacancies.

Additional information can be found on the Town's website under Advisory Committees or contact the Town Clerk's office at (970) 532-2643.

Candidates will be invited to an interview with the interview team and appointments are made by the Town Board as a whole.

Name of Committee or Commission: Parks, Open Space, Recreation and Trails (PORT)

Name: Joseph Donnelly

Address: 633 Great Basin Court, Berthoud, CO 80513

Day Phone: 970.682.5258 Night Phone: 970.682.5258 E-Mail Address: joe.p.donn@gmail.com

How long have you been a resident of Berthoud? 4 years

Do you currently serve, or have you served previously, on a board, commission or committee?

If so, which one(s) I served on the Taft Canyon HOA Board in Larimer County

Why do you want to become a member of this particular committee? My family and I love living in Berthoud and as the town changes and grows I want to help support a healthy future for our community.

Briefly explain what you believe are the two most important issues facing this committee, and how do you believe this committee should address each issue?

- 1) I'm interested in big-picture, long-term planning and I think Berthoud has a unique opportunity to utilize the 1% recreation sales tax to do something very special for the community.

- 2) I think it's important to continue to preserve open space and intentionally build parks and trails as Berthoud continues to grow.

List any abilities, skills, licenses, certificates, specialized training, past related experience or interests you have which are applicable to this committee. I'm a civil engineer and work for Northern Water managing the Chimney Hollow Reservoir Project. In my role, I work with 12 local town boards and city councils on issues related to funding and operational planning.

I have also worked with LC developing the Chimney Hollow Public Open Space and managing the property's Conservation Easement.

Please specify any activities which might create a conflict of interest that would prevent you from taking official action if you should be appointed to this committee. None that I am aware of.

Have you attended a meeting of the committee you are applying to or talked to anyone currently on the committee? X Yes No

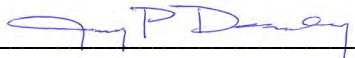
Comments: I have spoken with Carolyn Hobson about her work on the PORT committee.

If not appointed at this time, would you be interested in serving on any other advisory committees at the Town of Berthoud? If so, please list any preference: I would be interested in serving on the planning commission as well as PORT committee.

All applicants are strongly encouraged to attend a regularly scheduled meeting of the committee for which they are applying prior to submitting an application.

The Town of Berthoud will make reasonable accommodations for access to Town services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call (970)532-2643 for assistance.

I certify that all statements on this form are true and complete. I further understand that false statements shall be sufficient cause for rejection of this application.

Signature:  Date: February 7, 2023



**Garden
Spot of
Colorado**

TOWN BOARD INFORMATION SHEET

MEETING DATE: February 28, 2023

ITEM: FARMSTEAD ACRES NEIGHBORHOOD MASTER PLAN AND REZONING

ATTACHMENTS:

1. Application Form
2. Neighborhood Master Plan
3. Rezoning Map
4. Preliminary Traffic Impact Study/Analysis
5. October 13, 2022, Planning Commission meeting minutes
6. Public comments received on re-submittals following the October 13, 2022, Planning Commission meeting
7. Ordinance 1316 Amending the Zoning Map and Rezone

BACKGROUND

The Applicant is requesting a rezoning to Urban Residential of 4.82 acres, Suburban Residential of 1.10 acres, M-1 Industrial of 2.77 acres, and C-1 Commercial for 0.32 acres from the formerly approved Sommers PUD; and Neighborhood Master Plan approval for attached and detached residential lots. The current zoning is the Sommers PUD which allowed light Industrial uses to the north, and undefined mixed use to be determined at FDP to the south.

PLANNING COMMISSION RECOMMENDATION

The rezoning and NMP requests were originally heard by Planning Commission on October 13, 2022 and the hearing was continued to allow the applicant to make changes to the design based on public and Commissioner comments. The applicant's revisions included reducing the size of the neighborhood park and changing the townhomes to duplexes. This also reduced the total number of primary residential units from 49 to 37. After revisions a new public hearing was heard before the Planning Commission on February 9, 2023, where it was unanimously recommended for approval with a condition.

RECOMMENDED ACTION

Staff and Planning Commission recommend the Town Board make two motions:

1. A motion to approve the Neighborhood Master Plan for Farmstead acres with the following condition:
 - a. Town Staff shall work with the developer and adjacent property owners to develop a meetable solution for the eastern border of the project, considering screening, aesthetics, and maintenance such as snow removal.
2. A motion to approve the Rezoning request for Farmstead Acres

STAFF REPORT: FARMSTEAD ACRES NEIGHBORHOOD MASTER PLAN AND REZONING

DATE: February 28,
2023

GENERAL INFORMATION					
Applicant:	Terra Forma Solutions, Todd Johnson agent			Size: 9.015 acres	
Site Location:	This property is located north and west of the Farmstead subdivision, south of Hwy 56, and east of Fickel Farm and a rural Larimer County property.				
Applicant's Request:	The Applicant is requesting a rezoning to Urban Residential of 4.82 acres, Suburban Residential of 1.10 acres, M-1 Industrial of 2.77 acres, and C-1 Commercial for 0.32 acres from the formerly approved Sommers PUD; and Neighborhood Master Plan approval for attached and detached residential lots.				
Current Zoning:	Sommers PUD: Light Industrial uses to the north, undefined mixed use to be determined at FDP to the south.				
ZONING DISTRICT INFORMATION					
	<u>PUD</u>	<u>UR</u>	<u>SR</u>	<u>M-1</u>	<u>C-1</u>
Max Density	Set at FDP	N/A	N/A	N/A	24 units per acre
Min. Lot Size	Set at FDP	2,000 sq.ft. for Duplex 2,500 sq.ft. for SFR	3,000 sq.ft.	N/A	N/A
Min. Lot Width	Set at FDP	N/A	20'	50'	25'
Front Setback	Set at FDP	8'-12' build-to line	10' rear loaded	25'	0'
Side Setback	Set at FDP	0' attached side, 5' unattached side, 10' corner side	5'	20'	20'
Rear Setback	Set at FDP	5'	5'	20'	20'
Building Height:	Set at FDP	30'	30'	40'	50'
SURROUNDING ZONING, LAND USE AND REQUIRED BUFFERS					
<u>Adjacent Zoning</u>		<u>Adjacent Land Uses</u>	<u>Setbacks for Adjacent Zoning/ Buffer required if rezoned</u>		
North:	C-2, RR-2	General Commercial, Agricultural	150' to Hillsdale Park		
South:	R-2	Single-Family Residential	N/A		
East:	C-1, R-1	Event Center, Single-Family Residential	N/A		
West: County)	RR-2 (Larimer	Agricultural	N/A		

Proposal

This is a two-part request for a Neighborhood Master Plan and a rezoning to UR Urban Residential, SR Suburban Residential, C-1 Neighborhood Commercial and M-1 Light Industrial for the Farmstead Acres development. The Neighborhood Master Plan covers the area proposed for Urban Residential and Suburban Residential while the rezoning would result in 0.32 acres of C-1, 2.7 acres of M-1, 4.8 acres of UR Urban Residential, and 1.1 acres of SR. Neighborhood Master Plans are only required for rezonings or subdivisions of residential or mixed-use areas.

Background

This project is currently zoned as the Sommers PUD. The PUD was approved in 2008, in conjunction with an annexation of a nonconforming industrial building. The PUD approved the nonconforming industrial building with light industrial uses on 3 acres, and then set future mixed use residential on the southern 6 acres. The prior PUD process set development standards at the FDP stage, and no submittal was made on the southern mixed use portion. The project has had six rounds of review, with five of the reviews sent to the public notice area for public comment. The Planning Commission at their February 9, 2023 meeting unanimously recommended approval of the NMP and Rezoning requests. Based on public testimony and discussion, the Planning Commission added a condition of approval requesting town staff, neighbors, and the developer work together to address neighbor concerns regarding screening, aesthetics, and snow removal to the East of the project.

Neighborhood Master Plan

The Neighborhood Master Plan is a conceptual design of the development, submitted with a rezoning or major subdivision application, that depicts the applicant's vision for the overall development, including zoning, transportation, pedestrian network, parks, open space, subdivision identity standards and other amenities. The Neighborhood Master Plan is binding on a development, and all platting/zoning actions must follow the approved plan or apply for an amendment of said plan. Section 30-6-106 of the municipal code states that a Neighborhood Master Plan must consist of the following required elements:

30-6-106(C) Required Elements	Finding	Rationale
1. <u>Traffic Plan</u> : The applicant shall provide a preliminary traffic plan that addresses the following elements: i. The proposed street network connectivity to the existing road network, including all proposed access points. ii. The location and layout of all arterial and collector roads within the development. Local streets and alleys do not need to be depicted. iii. A preliminary traffic impact study prepared by a licensed traffic engineer which evaluates proposed access points, the existing street system, and any need for any road improvements (including-off-site improvements) created by the proposed development.	Yes	i. The proposed development would connect to the existing road network by extending Remuda Road and Tenderfoot Drive to the West through the development. ii. No new additional arterial or collector roads will be created within or because of this development. The non-residential uses will be accessed from Mountain Avenue, while the residential properties will utilize Remuda Road and Tenderfoot Drive to access Dorothy Drive. Future development on neighboring properties will likely extend these two roadways to the West and allow for traffic circulation between these properties and neighboring developments. iii. A preliminary traffic impact study/analysis was provided with the submittal.

30-6-106(C) Required Elements	Finding	Rationale
2. <u>Open Space Plan</u>: The applicant shall provide a preliminary open space plan that addresses the following elements: i. Proposed open space distribution and location, including percentage of open space. ii. Compliance with 30-2-109(D)(4) open space elements. iii. Required buffer areas as per 30-2-109(C)(2)	Yes	i. An open space plan was provided as part of the Neighborhood Master Plan. The plan includes more than 10% open space. ii. By code the applicant would need to provide two open space elements. The applicant has chosen to meet these requirements through a pocket park on the northern side of the property, as well as an 8' greenway trail. iii. The proposed development does not border any environmental resources or natural areas.
3. <u>Park(s) Plan</u>: i. Proposed park locations and types of parks as per Section 30-2-109(B)(2) and (3) ii. Proposed park acreage as per Section 30-2-109(B)(2)	N/A	Developed parks are required only when the subdivision totals more than 6 acres or has more than 50 dwelling units. The proposed development falls below both of these thresholds and would not require a park.
4. <u>Pedestrian Network</u>: i. Location of all trails within development, and connection to existing trail network. ii. Connectivity of sidewalks to the existing pedestrian system, including any off-site sidewalk improvements. iii. Depiction of any bike lanes or any other multi-modal features.	Yes	i. Sidewalks throughout the development will connect residents to an 8' concrete trail along the south eastern edge of the development. This trail section will then connect to the existing Farmstead/ Fickel Farm trail. ii. Sidewalks will be constructed along the frontages of all properties, and will then connect to the sidewalks located along Remuda Road and Tenderfoot Drive. iii. No bike lanes are proposed. However, the roads are local streets, and will also provide access to the nearby trail systems.
5. <u>Zoning</u>: i. The location of zoning boundaries shall be provided with the application and depicted on the Neighborhood Master Plan. ii. The plan should show how lot diversity standards of Section 30-2-116(D)(1)(c), are met and create a mix of zoning which is harmonious with the surrounding area, and within the property itself. iii. Density and lot diversity shall be distributed throughout the project and shall not be located in only one area.	Yes	i. In addition to the Neighborhood Master Plan, this project also includes a rezoning request. The Master Plan identifies the project showing the proposed zoning changes. ii. The proposed zoning districts will be consistent with the neighboring residential districts to the south and east. By utilizing the new Urban Residential (UR) and Suburban Residential (SR) zoning districts, the applicant is proposing a slightly denser development than the existing neighborhoods. This area provides a good transition between the existing residences and the industrial/commercial to the north. iii. Density and diversity are distributed throughout the residential portions of the project.

30-6-106(C) Required Elements	Finding	Rationale
6. <u>Overall Utility Plan:</u> i. A preliminary utility plan depicting the existing capacity of the utility system for both the proposal and any potential future development. ii. Proposed connections to the existing utility system. iii. The location of any proposed or required lift stations. iv. Utility plans for the interior of the development (such as water and sewer service lines) are not required as part of this process.	Yes	(i. – iv.) A preliminary utility plan has been provided showing the water line and sewer line connections capacity and demand, and where the lines would be located to verify the project can served by utilities. The project will utilize potable water and will not be on the Farmstead/Fickel Farm non-potable water system.
7. <u>Subdivision Identity Standards:</u> i. The applicant shall provide compliance with subdivision identity standards found in Section 30-2-131.	Yes	i. Code requires the proposed development to provide four subdivision identity and place elements. The applicant has chosen to provide: neighborhood trail, pocket park, pollinator garden, and alley loaded garages.

Neighborhood Master Plan Review Criteria

Section 30-6-106(G) states that the town shall use the following criteria in addition to other applicable provisions of the code to evaluate the application.

30-6-106(G) Review Criteria	Finding	Rationale
1. The land use mix within the project conforms to Berthoud's Zoning District Map and Comprehensive Plan Preferred Land Use Map and furthers the goals and policies of the Comprehensive Plan.	Yes	The Preferred Land Use plan envisions this area as urban residential, consistent with this rezoning. Additionally, the Comprehensive Plan was developed to encourage form based transect zoning from open space/ rural areas to alley-loaded urban residential lots which allow for a variety of dense, affordable residential uses such as those included in this project.
2. The Neighborhood Master plan represents a functional system of land use and is consistent with the rationale and criteria set forth in this Chapter, the Town Comprehensive Plan, and the Parks, Open Space and Recreation (PORT) Plan as amended.	Yes	The proposed plan is consistent with this criterion. The project will extend existing roadways to service the property allowing for a more connected neighborhood design. Additionally, the trail system connection at the southeastern edge will allow for easy pedestrian access to the trail systems for this development as well as for the existing residences to the east.

30-6-106(G) Review Criteria	Finding	Rationale
3. The preliminary traffic, open space, park utility and pedestrian design is adequate and functional given the existing and planned capacities of each system, and meets the standards found in this Code.	Yes	Plans were reviewed by Town staff as well as outside referral agencies. No deficient capacity issues were identified. Additionally, with the majority of the properties being accessed through alley loaded garages, the fronts of homes will have additional on-street parking that would have otherwise been limited by driveways.
4. Negative impacts on adjacent land uses have been identified and satisfactorily mitigated.	Yes	During the previous Planning Commission meeting, the greenway abutting adjacent backyards was identified as an issue. The applicant has removed the greenway in favor of a pocket park located within the development. Other adjacent land uses are either industrial, commercial, or vacant, all of which should be unaffected by the development.
5. There is a need or desirability within the community for the development and the development will help achieve a balance of land use and/or housing types within Berthoud according to town goals.	Yes	The Town desires to promote more walkable New Urbanist neighborhoods, which provide density and more attainable housing options. Such neighborhoods encourage less trips on Town roads, healthier lifestyles, and less infrastructure for the Town to maintain. The proposed development addresses the Town's goals.

Rezoning

The site is currently zoned PUD as part of the Sommers Planned Unit Development. This PUD was approved at that time of annexation, and allows for Industrial Uses on the northern portions of the lot, and multi-use residential to the south. The applicant has requested to rezone the property from PUD to C-1, M-1, UR, and SR in order to develop residential to the south. If approved the rezoning would create a 0.32-acre area zoned C-1, a 2.76-acre M-1 area, a 4.82-acre UR area, and a 1.10-acre SR area. The commercial and industrial areas would be largely unchanged from the rezoning except for revised access points that would utilize Mountain Avenue instead of Remuda Road. Rezoning the southern properties in conjunction with approval of the proposed Neighborhood Master Plan would allow for 37 primary residential units to be developed.

In addition to the 37 primary units, the applicant would also be able to apply for an accessory dwelling unit (ADU) on each property through a conditional use permit. The conditional use permit would be a separate submittal requiring Planning Commission approval. Since ADUs are considered 0.33 units for density purposes, approval of ADUs for all units would put the maximum density of the project at 49.33 units.

Rezoning is addressed through an official zoning map amendment. Section 30-3-110(D) states for the purpose of establishing and maintaining sound stable and desirable development within the Town, the Zoning Map shall not be amended except when it addresses one or more of the criteria in the following table.

30-3-110(D) Zoning Map Amendment Criteria	Finding	Rationale
1. To correct a manifest error in an ordinance establishing the zoning for a specific property; or 2. To rezone an area or extend the boundary of an existing district because of changed or changing conditions in a particular area or in the Town generally; or 3. The land to be rezoned was zoned in error and as presently zoned is inconsistent with the policies and goals of the Town Comprehensive Plan; or 4. The proposed rezoning is necessary to provide land for a community-related use that was not anticipated at the time of the adoption of the Town Comprehensive Plan, and the rezoning will be consistent with the policies and goals of the Comprehensive Plan; or 5. The area requested for rezoning has changed or is changing to such a degree that it is in the public interest to encourage development or redevelopment of the area	Yes	Staff finds that the proposed rezoning meets criteria 2, and 4. The rezoning is consistent with the Comprehensive Plan. Additionally, the Town is encouraging denser, more walkable developments that are more urban in nature. This property is currently zoned as a PUD with little detail for the southern portions of the lot. Rezoning will help encourage development of this area by better defining what can be built on the property.

PUBLIC NOTICE AND COMMENT

Notice of the Planning Commission Public Hearing was mailed to property owners within 1,000 feet of the subject property, a legal ad published, and the property was posted as required by the Development Code. In addition, the application was sent out to all property owners within 1,000 feet, with an invitation to comment on the request within three weeks of receipt. All comments received after the October 13, 2022 Planning Commission Meeting can be found in this packet. Additionally, the property was posted and a notice was put in the paper 15 days prior to the Planning Commission and Town Board Hearings.

FINDINGS AND RECOMMENDATIONS

Neighborhood Master Plan

Staff and Planning Commission recommend a motion to approve the Neighborhood Master Plan for Farmstead Acres with the following condition:

1. Town Staff shall work with the developer and adjacent property owners to develop a meetable solution for the eastern border of the project, considering screening, aesthetics, and maintenance such as snow removal.

Rezoning

Staff and Planning Commission recommend a motion to approve the Rezoning for Farmstead Acres

Attachments

1. Application form
2. Neighborhood master plan
3. Rezoning map
4. Preliminary traffic impact study/analysis
5. October 13, 2022 Planning Commission meeting minutes
6. Public comments received on post Planning Commission resubmittals.



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

DEVELOPMENT REVIEW APPLICATION

All required information must be provided before submittal will be accepted and deemed complete.
To be complete, the application must include all items identified on the submittal checklist.
Please complete both sides of application form.

Parcel Number(s): 9424000008		
Site Address: 533 East County Road 8, Berthoud, CO 80513		
Project Name: TBD using property address for initial applications		
Brief description of project: Rezone property from PUD to commercial/industrial/residential uses. Minor Subdivision. Neighborhood Plan.		
APPLICATION TYPE (Check as appropriate):		
☐ Annexation	☐ Preliminary Subdivision Plat	☐ Final Site Plan
☒ Rezoning	☐ Final Subdivision Plat	☐ PUD Amendment
☐ Concept Plan	☐ Plat Amendment	☐ PUD Preliminary Development Plan
☒ Minor Subdivision	☐ Oil and Gas	☐ PUD Final Development Plan
☐ Special Use Review	☐ ROW Vacation	☒ Other <u>Neighborhood Plan</u>
APPLICANT		
Name: Todd Johnson - Terra Forma Solutions, Inc.		
E-mail: todd@terraformas.com	Mailing Address: 3465 South Gaylord Court, A304	
Phone: 303-257-7653	City/State/Zip: Englewood, CO 80113	
CONTACT PERSON (will receive correspondence from Town Staff/Referral Agencies)		
Name: Same as applicant		
E-mail:	Mailing Address:	
Phone:	City/State/Zip:	
OWNER(S) (If different than applicant)		
Name: 533 Highway 56 LLC, c/o Ryan Bond, Manager		
E-mail: ryan.bond@firehook.co	Mailing Address: 1540 Main St. STE 218-165, Windsor, CO 80550	
Phone: 970-222-9923	City/State/Zip: 1540 Main St. STE 218-165, Windsor, CO 80550	
CONSULTANT (Engineer, Surveyor, or Planner)		
Name: Same as applicant		
E-mail:	Mailing Address:	
Phone:	City/State/Zip:	

LAND USE INFORMATION								
Existing Use: House, Industrial Building and Farming/Ranching								
Proposed Use: Ind./Comc./Office/Resd.								
Existing Zoning: PUD Proposed Zoning: (if applicable): C1/M1/Urban Residential Number of acres: 9.015 Proposed Access: CR8, Remuda & Tender	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr style="background-color: #d9e1f2;"> <th colspan="2" style="text-align: center; padding: 5px;">Adjacent zoning / land use:</th> </tr> </thead> <tbody> <tr> <td style="width: 50%; padding: 5px;">East Side: C1 & R1</td> <td style="width: 50%; padding: 5px;">North Side: C2 & County RR1</td> </tr> <tr> <td style="padding: 5px;">West Side: County RR1</td> <td style="padding: 5px;">South Side: R2</td> </tr> </tbody> </table>		Adjacent zoning / land use:		East Side: C1 & R1	North Side: C2 & County RR1	West Side: County RR1	South Side: R2
Adjacent zoning / land use:								
East Side: C1 & R1	North Side: C2 & County RR1							
West Side: County RR1	South Side: R2							
UTILITY SERVICE INFORMATION								
Water: Berthoud	Sewer: Septic							
PROJECT INFORMATION								
Number of proposed units: TBD 80+/- (Varies with final type) Number of phases: 1 to 2 Number of Units per phase: 40-60% Number of lots proposed: Same as above Lot size minimum: 1200 SF Lot size maximum: 2500 SF Lot size average: TBD Gross density (units/acre): TBD 10-14 Net density (units/acre): TBD 10-14 Area and percent open space: 15-20% Depends on overall areas	Non-Residential Building Area (Sq. Ft.) Proposed: Multiple +/- 22,000 SF Non-Residential Construction Floor Area Ratio Proposed: 0.20-0.25 Total Number of Parking Spaces: 30+/- <u>Acreage of Site:</u> a. Gross: 9.015 Acres b. Right-of-Way: TBD c. Net (a-b) TBD							
	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr style="background-color: #d9e1f2;"> <th colspan="2" style="text-align: center; padding: 5px;">Type of Housing Proposed (please check):</th> </tr> </thead> <tbody> <tr> <td style="width: 50%; padding: 5px; vertical-align: top;"> ☒ Future Single Family ☒ Duplex ☒ Multi-family (# of units: 80+/-) </td> <td style="width: 50%; padding: 5px; vertical-align: top;"> ☒ Townhouse ☒ Condominium </td> </tr> </tbody> </table>		Type of Housing Proposed (please check):		☒ Future Single Family ☒ Duplex ☒ Multi-family (# of units: 80+/-)	☒ Townhouse ☒ Condominium		
Type of Housing Proposed (please check):								
☒ Future Single Family ☒ Duplex ☒ Multi-family (# of units: 80+/-)	☒ Townhouse ☒ Condominium							

Signatures are required for ALL Property Owners and the Applicant

I hereby certify that I am the lawful owner of the parcel(s) of land that this application concerns and consent to the action. I hereby permit Town of Berthoud staff to enter upon the property for the purposes of inspection relating to the application. Building Permits will not be accepted while this application is in process.

Property Owner(s): 533 Highway 56 LLC by _____ Date: 01 / 16 / 2022

Property Owner(s): Ryan Bond Manager _____ Date: _____

In submitting the application materials and signing this application agreement, I acknowledge and agree that the application is subject to the applicable processing and public hearing requirements set forth in the Development Code.

Applicant: _____ Date: _____

FOR OFFICE USE ONLY	Received By:	Date:
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**LOCATED IN THE NORTHWEST QUARTER OF SECTION 24
TOWNSHIP 9 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF LARIMER, STATE OF COLORADO**



THE OVERALL PROJECT IS MADE UP OF EXISTING RESIDENTIAL AND INDUSTRIAL USES ON THE NORTHERN PARTS OF THE SITE WITH PROPOSED RESIDENTIAL USES ON THE SOUTH. THE EXISTING NORTHERN RESIDENTIAL USE WILL REMAIN UNTIL ITS FUTURE CONVERSION TO COMMERCIAL/OFFICE. INDUSTRIAL USES ARE LOCATED IN THE NORTH CENTRAL AREA AND WILL REMAIN AS IS AND CONTINUE TO PROVIDE A BASIS FOR JOBS AND TAX REVENUE FOR THE PROPERTY AND THE TOWN. THE SOUTHERN PORTION OF THE SITE IS BEING ZONED AS THE NEWLY ESTABLISHED SUBURBAN AND URBAN RESIDENTIAL. WE FEEL THIS CLASSIFICATION PROVIDES A TRANSITION FROM THE INDUSTRIAL TO THE OTHER EXISTING RESIDENTIAL USES THAT SURROUND THE AREA. THE URBAN RESIDENTIAL WILL ALLOW RESIDENTIAL TYPES LIKE APARTMENTS, COTTAGES, PAIRED, TOWN/ROW HOUSES, AND WE HAVE SELECTED PAIRED FOR A MAJORITY OF THE SITE. THE SOUTHERN MOST LOTS WILL BE SUBURBAN RESIDENTIAL AND HAVE SINGLE FAMILY DETACHED HOMES. ADDITIONALLY, WE ARE REQUESTING THE ALLOWANCE FOR ACCESSORY DWELLING UNITS(ADU) ON ALL LOTS.

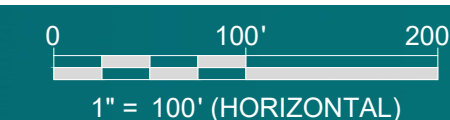
A MASTER NEIGHBORHOOD PLAN WITH A TRAFFIC IMPACT ANALYSIS IS ALSO PROVIDED WITH THIS APPLICATION. OUTLINED WITHIN THAT APPLICATION YOU WILL SEE THE TRAFFIC PATTERNS AND IMPACTS HAVE BEEN IDENTIFIED. IN OUR OPINION TRAFFIC PATTERNS WILL BE ENHANCED AND FORMALIZED WITH THIS REZONING. ANY ADDITIONAL TRAFFIC CAN BE HANDLED ON THE EXISTING AND PROPOSED INFRASTRUCTURE.

WATER, SANITARY SEWER AND STORM DRAINAGE ARE ALL AT THE BORDER OF THIS PROJECT AND EXTENSION AND/OR CONNECTION WITH THE EXISTING SYSTEMS IS NOT PROJECTED TO ADVERSELY IMPACT THOSE FACILITIES.

THE PROJECT IS CURRENTLY WITHIN THE TOWN OF BERTHOUD AND THE PROPOSED USES ARE IN GENERAL CONFORMANCE WITH THE COMPREHENSIVE PLAN AND NEW ZONING CRITERIA. ALL FACILITIES WILL BE DESIGNED PER THE TOWN'S STANDARDS AND ANY FEES REGARDING IMPACTS OR SYSTEM FEES ARE CONTEMPLATED TO MATCH THOSE CRITERIA/STANDARDS TO ACCOUNT FOR THIS PROJECT IMPACTS. ADDITIONALLY, ANY ONSITE PUBLIC IMPROVEMENT REQUIRED FOR DEVELOPMENT WILL BE BUILT FOR THIS PROJECT TO CONTRIBUTE TOWARDS ITS IMPACT.

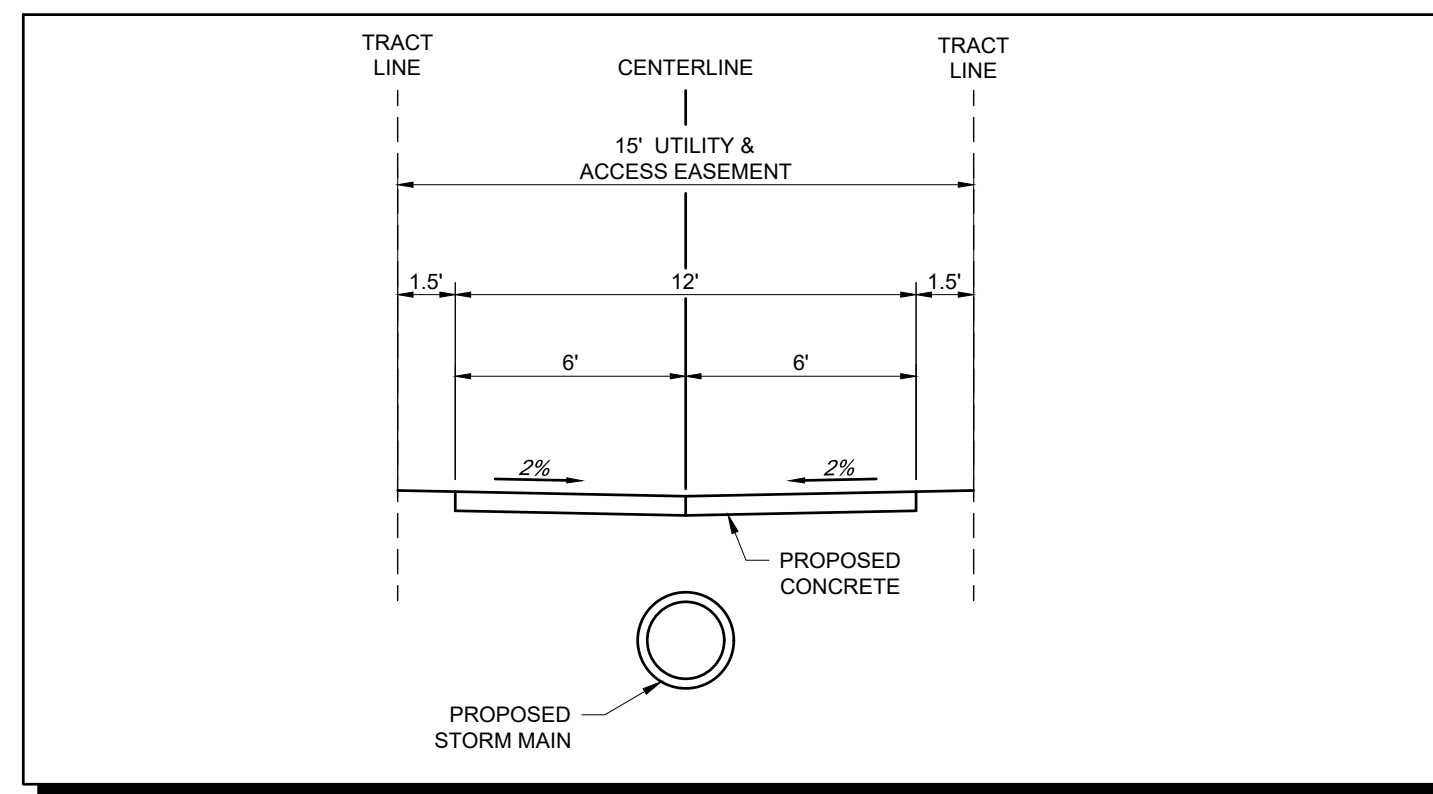
THE COMPREHENSIVE PLAN PROJECTS THIS AREA TO BE COMMERCIAL/OFFICE/RESIDENTIAL AND THE EXISTING AND PROPOSED USES ARE GENERALLY COMPATIBLE WITH THESE PROJECTIONS AND NEW ZONING CLASSIFICATIONS.

THE PROJECT PROVIDES AN EXTREMELY VALUABLE ELEMENT TO THE LIMITED RESIDENTIAL HOUSING NEEDS IN THE REGION, PROVIDES A POPULATION BASE TO FURTHER PATRONIZE BERTHOUD BUSINESS AND WILL PAY IMPACT FEES FOR ITS INCLUSION INTO THE TOWN. EXISTING INDUSTRIAL USES PROVIDES A NEEDED LOCATION FOR BERTHOUD BUSINESSES AND OF COURSE CONTRIBUTE TO THE TAX BASE OF THE TOWN. ADDITIONALLY, AS STATED ABOVE THIS PROJECT WILL FURTHER EXTEND PUBLIC INFRASTRUCTURE TO GET THE TOWN CLOSER TO CLOSING CONNECTIONS WITHIN THIS AREA.



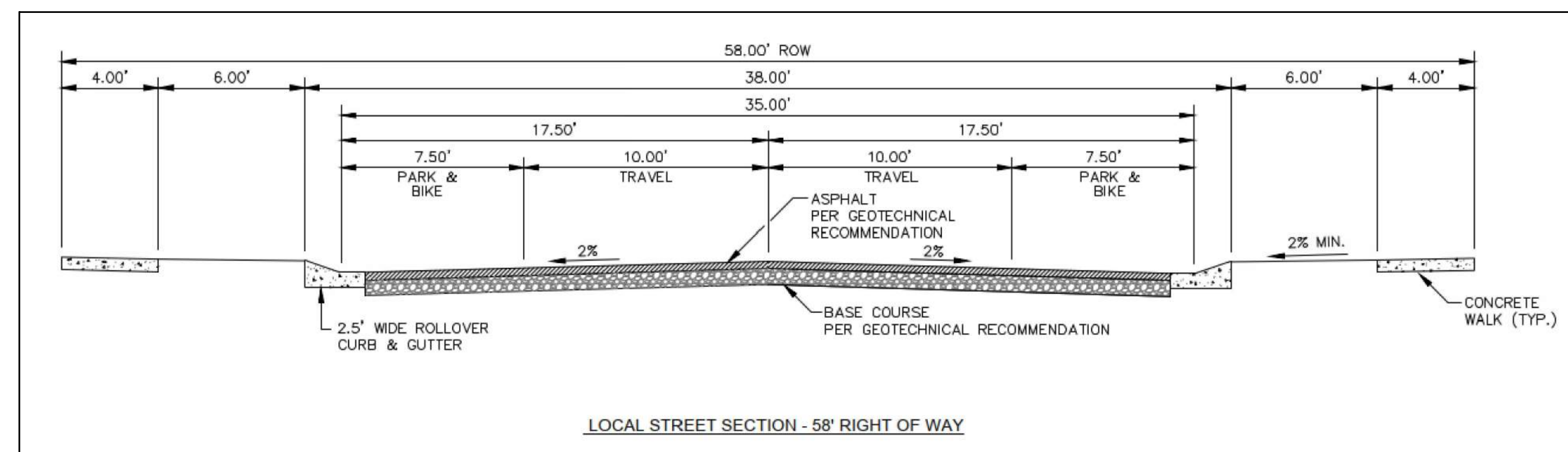
SHEET
1 OF 4

**LOCATED IN THE NORTHWEST QUARTER OF SECTION 24
TOWNSHIP 9 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF LARIMER, STATE OF COLORADO**



NOTES:

1. SUBJECT PROPERTY ADDRESS: 533 EAST COUNTY ROAD 8, BERTHOUD, CO 80513
2. EXISTING USES AND STRUCTURE SETBACKS SHALL BE ALLOWED AS IS FOR PA-A AND PA-B.
3. THE PROPOSED PLAN CONFORMS WITH THE TOWNS CODE EXCEPT AS MODIFIED HEREIN. THE PROPOSED USES ARE CONSISTENT WITH THE TOWNS COMPREHENSIVE PLAN AND VISION FOR THE AREA AND THE USES INTERRELATE OR PROVIDE TRANSITIONS AS SHOWN ON THE COMPREHENSIVE PLAN.

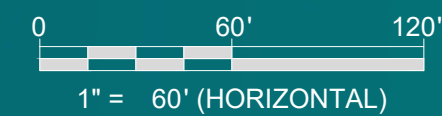
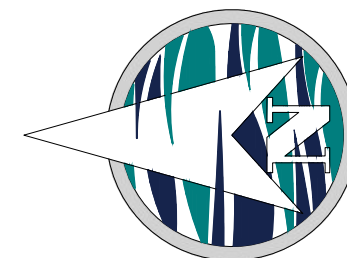


LAND USE SUMMARY		
LAND USE	ACRES	PERCENTAGE
URBAN RESIDEINTAIL	5.928	65.8%
C1 - NEIGHBORHOOD COMMERCIAL	0.321	3.5%
M1 - LIGHT INDUSTRIAL	2.765	30.7%
TOTAL	9.015	100.0%

LAND USE	APPROXIMATE AREA (AC.)	RESIDENTIAL	
		MAX. DU / AC	MAX # OF UNITS
C1 - NEIGHBORHOOD COMMERCIAL	0.321	N/A	N/A
M1 - LIGHT INDUSTRIAL	2.765	N/A	N/A
URBAN RESIDENTIAL - ADU FOR EACH UNIT ALLOWED	5.928	8.3	37 UNITS + 12.333 * ADU
TOTAL	9.015	N/A	37 UNITS + 12.333 * ADU

STREET & LAND USE PLAN

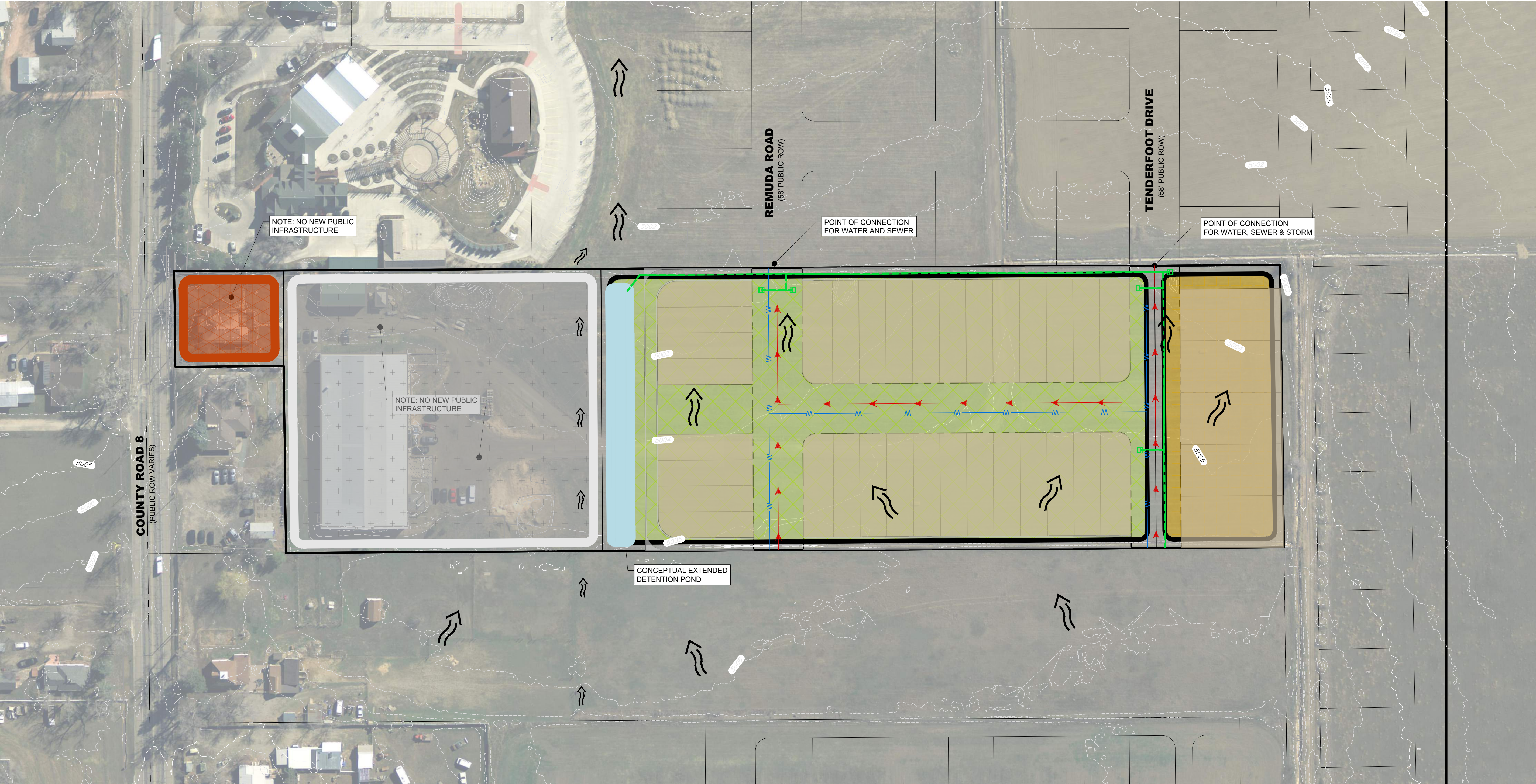
FARMSTEAD ACRES



NEIGHBORHOOD PLAN

FARMSTEAD ACRES

LOCATED IN THE NORTHWEST QUARTER OF SECTION 24
TOWNSHIP 9 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF LARIMER, STATE OF COLORADO

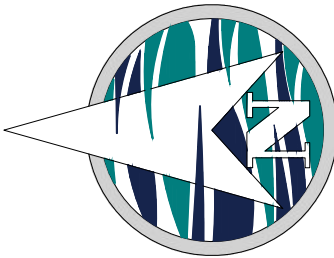


LEGEND

- PROPOSED DRAINAGE CONVEYANCE DIRECTION
- SANITARY SEWER
- WATER MAIN
- STORM SEWER

NOTES:

- 1. THE SUBJECT PROPERTY IS IN FLOOD ZONE X, "AREA OF MINIMAL FLOOD HAZARD" PER FEMA FLOOD MAP 08069C387H, EFFECTIVE JANUARY 15, 2021.
- 2. THERE ARE NO KNOW GEOLOGIC HAZARDS WITHIN THE PROPERTY BOUNDARY.
- 3. THERE ARE NO KNOW COMMERCIAL MINERAL DEPOSITS LOCATED WITHIN THE PROPERTY BOUNDARY.
- 4. CONTOURS DISPLAYED ARE 1 FOOT CONTOURS REPRESENTING A COMBINATION OF USGS TOPOGRAPHY AND SURVEYED TOPOGRAPHY.
- 5. NO LIFT STATIONS ARE REQUIRED.



0 60' 120'
1" = 60' (HORIZONTAL)

HYDROLOGY AND UTILITY PLAN

FARMSTEAD ACRES

SHEET
3 OF 4

DATE: DECEMBER 19, 2022

**LOCATED IN THE NORTHWEST QUARTER OF SECTION 24
TOWNSHIP 9 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
COUNTY OF LARIMER, STATE OF COLORADO**



- OPEN SPACE:

THE OPEN SPACE WILL INCLUDE AN 8 FOOT WIDE CONCRETE TRAIL CONNECTION ON THE SOUTH THAT PROVIDES ACCESS TO THE STREET WALKS. OTHER OPEN SPACE ELEMENTS WILL INCLUDE A NORTH CENTRAL OPEN SPACE AREA THAT WILL BE PROGRAMMED WITH THE PRELIMINARY / FINAL PLAT.

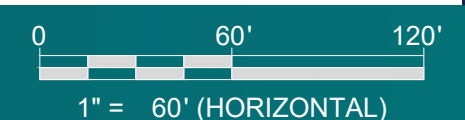
IDENTITY:

PROJECT IDENTITY INCLUDES THOSE ELEMENTS LISTED IN OPEN SPACE AND A NORTH CENTRAL OPEN SPACE AREA THAT WILL BE PROGRAMMED WITH THE PRELIMINARY / FINAL PLAT.

PEDESTRIAN NETWORK:

THE PROPOSED DEVELOPMENT WILL PROVIDE A NEIGHBORHOOD ORIENTATED AND CONNECTED VIA THE ADJACENT TRAIL SYSTEMS AND ROADWAY NETWORK SIMILAR TO ABUTTING NEIGHBORHOODS.

-



November 13, 2022

RE: 533 E. County Road 8 – Preliminary Traffic Impact Study/Analysis

To Town of Berthoud,

Terra Forma Solutions, Inc, (TFS) is providing the following Preliminary Traffic Impact Study/analysis for the subject project as part of the Neighborhood Master Plan and Zoning Amendment. The study is a high-level analysis of the potential impacts based upon general transportation criteria and standards. A more detailed analysis will be performed in the future detailed processes as the project progresses.

SITE/USES

The subject property is located just south of Mountain Avenue (County Road 8) approximately 600' west of Dorothy Drive and is approximately 9.1 acres. The site is currently zoned PUD with existing residential and industrial uses. Currently an existing house is located just south of Mountain Avenue with a primary Industrial building of 20,000 square feet with numerous outbuildings. The southern area is currently being used for outdoor storage and existing farming/ranching activities. The proposed plan is anticipated to maintain the northern industrial use and residential home with the home eventually being converted to commercial/office. The southern area will be formalized from residential to urban residential of 37 paired and single family detached homes.



ACCESS

The existing project utilizes existing accesses from multiple locations:

- Mountain Avenue (4 Lane Arterial) full movement.
- Remuda Road (Local Residential) full access from Dorothy Drive.
- Tenderfoot Drive (Local Residential) full access from Dorothy Drive.
- All access points interconnect throughout the site.

Proposed access points are projected to formalize into the following:

- Mountain Avenue (4 Lane Arterial) right in/out, will also interconnect with the residential to south.
- Remuda Road (Local Residential) continuation of roadway into site for individual access and overall project circulation. Additionally, this roadway is projected to extend to the west and provide additional connections and alternatives.

- Tenderfoot Drive (Local Residential) continuation of roadway into site for individual access and overall project circulation. Additionally, this roadway is projected to extend to the west and provide additional connections and alternatives.
- Alley access to join local roadways and private individual accesses.

TRIP GENERATION

The project is projected to generate 471 average daily trips and 45 AM peak hour trips and 53 PM peak hour trips per the table below. Note the "Delta" is existing occupied uses to the projected plan and this does not project an increase from existing zoning since the site was already zoned.

533 East County Road 8/Mountain Avenue - Trip Generation/Comparison														
Existing														
Use	ITE Code	Acres	Density /FAR	Units/ SF(1000)	Rate	ADT	AM In Rate	AM ADT	AM Out Rate	AM ADT	PM In Rate	PM ADT	PM Out Rate	PM ADT
House	210	0.321	1	1	9.44	9	0.19	0	0.56	1	0.62	1	0.37	0
Industrial	110	2.766	0.20	24	4.96	119	0.62	15	0.08	2	0.08	2	0.55	13
Residential	221	5.928	0	0	5.44	0	0.09	0	0.27	0	0.27	0	0.17	0
Total		9.015				129		15		3		3		14
Proposed														
Use	ITE Code	Acres	Density /FAR	Units/ SF(1000)	Rate	ADT	AM In Rate	AM ADT	AM Out Rate	AM ADT	PM In Rate	PM ADT	PM Out Rate	PM ADT
Office(House)	710	0.321		0.2	9.74	2	1.00	0	0.16	0	0.18	0	0.97	0
Industrial	110	2.766	0.20	24	4.96	119	0.62	15	0.08	2	0.08	2	0.55	13
Residential	210			37	9.44	349	0.19	7	0.56	21	0.62	23	0.37	14
Residential	221	5.928		0	5.44	0	0.09	0	0.27	0	0.27	0	0.17	0
Total		9.015				471		22		23		26		27
Delta														
Use						ADT				AM ADT		PM ADT		PM ADT
Office(House)						-7		0		-1		-1		0
Industrial						0		0		0		0		0
Residential						349		7		21		23		14
Total						342		7		21		23		14

PEDESTRIAN/BICYCLES

Pedestrians and bicyclists will be able to access internal trail/walk systems within the site and to the local and major transportation networks adjacent to and linked to the site as outlined above.

Based on the findings contained herein, it is my professional opinion that the development of project can function within the existing and proposed transportation network and not have significant impacts to the transportation systems. Please feel free to contact me at 303-257-7653 or todd@terraformas.com with any questions or comments related to this document.



Todd A. Johnson, P.E., President
For and on behalf of:
Terra Forma Solutions, Inc.



Planning Commission Minutes – October 13, 2022

- 1. Call to Order** – The Planning Commission convened a regular meeting on October 13, 2022.
Chairwoman Dowker called the meeting to order at 6:00 p.m.

- 2. Roll Call** – Members present:
- | | |
|------------------|----------------|
| Jan Dowker | (Chairwoman) |
| Karen Anderson | (Vice Chair) |
| Chris Kurtz | (Secretary) |
| Jon Van Benthem | (Commissioner) |
| Melissa Feldbush | (Commissioner) |
| Abigail Smith | (Commissioner) |
| Brett Wing | (Commissioner) |

Staff present:

Curt Freese	(Director)
Adam Olinger	(Planner)
Jonathan Mitchell	(Permit Technician)

- 3. Consent Agenda** – Minutes from the September 8, 2022 Planning Commission Meeting.

MOTION made by Commissioner Anderson to APPROVE the Minutes for September 8, 2022.

SECONDED by Commissioner Kurtz.

Commissioner Smith abstained due to absence from previous meeting.

With those all in favor, THE MOTION CARRIED.

- 4. Public Hearing: Farmstead Acres Neighborhood Master Plan and Rezoning Request
(Todd Johnson, agent)**

Director Freese introduced this two-part request for a Neighborhood Master Plan and a rezoning to Urban Residential and M-1 Light Industrial for the Farmstead Acres development. The Neighborhood Master Plan only covers the area proposed for urban residential while the rezoning would be done to create one area to be officially zoned Light Industrial, one area to be zoned neighborhood commercial, and one area to be Urban Residential.

Public Comment was opened at 6:40 p.m.

Angela Drumright shared her concerns about the public parking availability, the traffic, and security.

Mike Coen was concerned about the smaller roadways and general safety.

Kimberly Shively was concerned about potential obstructed views, dense surrounding populations, the security of residents and pets, and the overflow traffic.

Kathryn Browning was concerned about the increased traffic, wants a reduction of homes, and was concerned about no direct access to Highway 56 (Mountain Avenue) for the townhomes.

Craig Hovick (letter shared via Kathryn Browning) was concerned about the safety of children playing outside and access to Highway 56.

Public Comment was closed at 6:52 p.m.

MOTION made by Commissioner Anderson to RECONSIDER the Farmstead Acres Neighborhood Master Plan to one that better matches the existing layout an infrastructure for the adjoining Farmstead Filing 1.

SECONDED by Commissioner Wing.

With all in favor, THE MOTION CARRIED.

MOTION made by Commissioner Anderson to TABLE the Farmstead Acres Rezoning Request.

SECONDED by Commissioner Wing.

With all in favor, THE MOTION CARRIED.

Project Guidance

The Planning Commissioners voiced support of a reduction of the size of the park to allow for the reconfiguration of the layout of the homes, to maintain the proposed trail connection to the Farmstead Trail, and to provide a landscape screen between the existing Farmstead fences and the trail connection.

The Planning Commissioners expressed approval of keeping the Urban Residential Request if the project was laid out more like the Farmstead.

5. Public Hearing: Trails at Creekview Filings 1-4 Final Plat Request (Kristin Turner, agent)

Planner Olinger introduced this Final Plat—the creation of 481 new single family detached and attached lots, three parks, and open space on 141.19 acres of land. This request is being broken up into four filings to allow for the project to be completed in phases.

Public Comment was opened at 8:18 p.m.

Alex Hoime (Harvest Ridge developer) shared concerns regarding street alignment with Swan Peter Drive.

Larry Lempka had concerns about the generated increase of citizens.

Public Comment was closed at 8:34 p.m.

MOTION made by Commissioner Wing to APPROVE the Trails at Creekview Filings 1-4 Final Plat, finding that it satisfies Section 30-6-108 C. with the following conditions:

- 01. All lots abutting an alley must be rear loaded from the alley.**
- 02. An activated pedestrian crossing be constructed across Berthoud Parkway to connect this development to the Harvest Ridge development.**
- 03. The stoplight at County Road 4E and Highway 287 shall be installed before the 4th Filing's lots are released for building permits subject to CDOT approval of a stoplight or any improvement CDOT determines as warranted.**

SECONDED by Commissioner Anderson.

With all in favor, THE MOTION CARRIED.

6. Reports –

September 29 – The Town of Berthoud won an award from the Colorado Chapter of the American Planning Association for its 2021 Comprehensive Plan.

October 27 – No scheduled Planning Commission meeting.

TBD – Soon there shall be a joint meeting between the Planning Commission and the Board of Trustees for the 1st Street Corridor.

7. Adjourn –

The meeting was adjourned at 9:27 p.m.

Adam Olinger

From: Kate Browning <kajuhlke@gmail.com>
Sent: Sunday, December 11, 2022 11:37 PM
To: Curt Freese; Adam Olinger
Subject: Farmstead Acres

To whom it may concern;

I am writing in regards to the proposal of Farmstead Acres located at 533 E County Rd 8.

I have a few issues with the proposal regarding safety, green space, and a clarification on actual residences.

I am concerned with the alleyway between Farmstead Acres and property owners within The Farmstead. I worry about damage, litter, vandalism, and theft to neighboring properties. There is no buffer between the alley and fence line of current property owners. If the garages are placed against this alleyway, there leaves little space for cars to pass each other or possibly back out of said garage. I worry about vehicles running into fences or on others property. Due to the nature and traffic of these alleyways, I would also be concerned about litter, vandalism and theft. This type of access makes these yards easy targets.

I noticed that there was a small green space located at one end of the property. Will there be a requirement for front yard space or a play structure planned for the area? The previous proposition had lots of communal space which was a plus. This new plan shows very little area that would then put pressure for access to communal spaces or playgrounds on surrounding neighborhoods. This would then roll into HOA issues as well as who would take care of these spaces? Since the planning meeting, Fickle Farm will be added into The Farmsteads HOA. This would then surround this small development who would most likely lean on The Farmstead and Fickle Farm for amenities without contributing HOA dues. This is not monetarily fair to the surrounding community.

I am confused as to the wording of duplexes. If you are able to clarify, is it a total of 32 duplexes meaning residences (1 per lot)? Or is it 32 duplexes meaning 64 residences (2 per lot)? If it is the latter, this goes against what was discussed at the last development meeting regarding this property. A total of 64 residences brings in the issue of a high density area with limited traffic flow. Just because the roads can handle the traffic, does not mean that they should.

A side question, why is urban residential zoning something that this developer continues to focus on? It had been previously stated at the last planning meeting that rezoning to match surrounding neighborhoods was tentatively tabled. I am curious as to why they do not attempt to pursue a proposal and plan that better fits the adjoining neighborhoods?

Thank you for your time and whatever information you are able to clarify,

Marvin and Kathryn Browning
219 Ole Bessie Drive
Berthoud, CO

Adam Olinger

From: Colton Schwader <coltonschwader@gmail.com>
Sent: Monday, December 12, 2022 11:06 AM
To: Adam Olinger; Curt Freese
Subject: Farmstead Acres Feedback

Good morning Gentlemen,

I hope you had a great weekend!

Please accept this email as my feedback as a regionally impacted neighbor with regards to the developmental proposal for the Farmstead Acres (north of East Michigan and south of 56 between existing farmstead and Fickel Farms).

I will present them in a bulleted format for ease of review. Please let me know if you have any questions or want me to elaborate.

- The town should deny rezoning and mandate detached single family dwellings in accordance with the Berthoud Master Vision Plan and in the same spirit of the countless hours of effort dedicated to making a holistic and well managed growth plan at the farmstead proper.
- The proposal is for Duplexes instead of townhomes, this shouldn't really affect parking but yet the mandated parking locations have been removed.
- The pocket park and trail system in addition to communal parking seems to be missing again.
- I think there should be a proposal on how to tie into infrastructure. As planned, it will have only negative impacts on traffic and they should not be allowed to tie-in with existing non-pot without agreeing to join Farmstead HoA.
- They should be mandated to match the aesthetics of the existing farmstead neighborhood

Thank you gentlemen!

Very Respectfully,
Colton Schwader
524 E. Michigan Ave.

Adam Olinger

From: Chelsea Stickney <chelseazuettel@gmail.com>
Sent: Monday, December 12, 2022 11:12 AM
To: Adam Olinger; Curt Freese
Subject: RE: Farmstead Acres Proposal

To whom it may concern;

In regards to the proposal of Farmstead Acres located at [533 E County Rd 8](#), I have continued and unaddressed concerns with the updated proposal that was submitted. More specifically, continued concerns surrounding safety.

To echo one of my neighbors:

“I am concerned with the alleyway between Farmstead Acres and property owners within The Farmstead. I worry about damage, litter, vandalism, and theft to neighboring properties. There is no buffer between the alley and fence line of current property owners. If the garages are placed against this alleyway, there leaves little space for cars to pass each other or possibly back out of said garage. I worry about vehicles running into fences or on others property. Due to the nature and traffic of these alleyways, I would also be concerned about litter, vandalism and theft. This type of access makes these yards easy targets.”

Thank you for the great efforts you all pour into aligning your and Berthoud’s values, “spirit”, and best interests for all, especially the safety of our children.

Chelsea Stickney & Kayla Wilcken
[207 Ole Bessie Drive](#)
[Berthoud, CO](#)

Adam Olinger

From: Kim Shively <k281@prodigy.net>
Sent: Monday, December 12, 2022 7:56 AM
To: Curt Freese; Adam Olinger
Subject: Farmstead Acres proposal

To whom it may concern;

I am writing in regards to the proposal of Farmstead Acres (formerly 533 E County Rd 8).

I have a few questions and concerns with the proposal; clarification on actual number of residences, green space between the alley and existing residences on Ole Bessie Drive, and pathways to green space and playgrounds in the immediate area.

Concerning the alleyway between Farmstead Acres and property owners within The Farmstead: there does not appear to be a buffer (green space) between the alley and fence line of current The Farmstead property owners. If the garages of the proposed duplexes are placed against this alleyway, there leaves little space for cars to pass each other or back out of said garage, which makes it concerning that vehicles may run into fences along the property.

Concerning the small green space located at one end of the property: will there be a requirement for front yard space with these properties? How will the residents of Farmstead Acres community upkeep the small space? Will there be a HOA? The neighborhoods (Fickle Farms & phase 1 of The Farmstead) surrounding it are now going to be a combined HOA; will these be included?

Lastly, concerning the wording of duplexes. Is it a total of 32 duplexes meaning residences (1 per lot)? Or is it 32 duplexes meaning 64 residences (2 per lot)? If it is the latter, how does this fit into reducing the number of homes per the previous proposal discussed with the town and residents of The Farmstead back in October 2022? A total of 64 residences brings in the issue of a high density area with limited traffic flow. Just because the roads can handle the traffic, does not mean that they should.

I thought the reason to re-evaluate the proposal for this property was to make it more inclusive with the surrounding communities it connects to so why are we not seeing reduced quantity of homes and more single dwellings in this new proposal?

Thank you all for your time, effort, and support taking the surrounding community's concerns into account.

Regards,
Kim Shively
213 Ole Bessie Drive

ORDINANCE 1316

TOWN OF BERTHOUD

AN ORDINANCE OF THE TOWN OF BERTHOUD BOARD OF TRUSTEES AMENDING THE ZONING MAP OF THE TOWN OF BERTHOUD TO REZONE PROPERTY PREVIOUSLY KNOWN AS THE SOMMERS PUD FROM PUD WITH LIGHT INDUSTRIAL AND MIXED RESIDENTIAL TO FARMSTEAD ACRES PUD WITH COMMERCIAL, LIGHT INDUSTRIAL, URBAN RESIDENTIAL, AND SUBURBAN USES.

WHEREAS, certain property previously known as the “Sommers PUD” has heretofore been zoned by the Town of Berthoud as Planned Unit Development for 9.015 acres; for Industrial and Mixed-use Residential; through Ordinance 1089 in June, 2008; and

WHEREAS, the Planning Commission, has considered the rezoning request of the current owners and, after proper notice and hearing, has recommended that such property be rezoned from Planned Unit Development (PUD) with Industrial and Mixed-Use Residential to Commercial (C-1), Light Industrial (M-1), Urban Residential (UR), and Suburban District (SR); and

WHEREAS, notice was properly posted in the manner required by law and a public hearing was conducted on October 13, 2022 and February 9, 2023, before the Berthoud Planning Commission and a public hearing was conducted on February 28, 2023 before the Board of Trustees as required by law; and

WHEREAS, after the public hearing, the Berthoud Planning Commission, on a six to zero vote, recommended approval of the zoning change sought by the applicant from Planned Unit Development (PUD) with Industrial and Mixed-Use Residential to Commercial (C-1), Light Industrial (M-1), Urban Residential (UR), and Suburban District (SR); and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, COLORADO:

Section 1. Map Revision: The official zoning map of the Town of Berthoud shall be amended hereinafter and which property is commonly known the Sommers PUD as described in Exhibit A from Planned Unit Development (PUD) with Industrial and Mixed-Use Residential to Commercial (C-1) for 0.32 acres more or less; to Light Industrial (M-1), for 2.76 acres more or less; to Urban Residential (UR) for 4.82 acres more or less; and to Suburban District (SR), for 1.10 acres more or less. .

Section 2. Interpretation: This Ordinance shall be so interpreted and construed to effectuate its general purpose.

Section 3. Publication: The Town Clerk shall certify to the passage of this Ordinance and cause its contents to be published and shall cause the appropriate change to be made to the official Berthoud Zoning District Map.

Section 4. Effective Date: The provisions of this Ordinance shall take effect thirty days after publication as required by law.

INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED IN FULL on this 28th day of February, 2023.

TOWN OF BERTHOUD

By _____

William Karspeck, Mayor

ATTEST:

By: _____

Christian Samora, Town Clerk

SITUATE IN THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE 6TH P.M.
TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO





**Garden
Spot of
Colorado**

807 Mountain Avenue | PO Box 1229 | Berthoud, CO 80513 | O: 970.532.2643 | F: 970.532.0640 | Berthoud.org

TOWN BOARD INFORMATION SHEET

MEETING DATE:	February 28, 2023
ITEM:	GATEWAY BD PUD/FDP AMENDMENT
ATTACHMENTS:	1. Application Form 2. Project Narrative 3. Vicinity Map 4. Approved Final Development Plan (FDP) 5. Proposed Final Development Plan (FDP) Amendment 6. Amended Final Plat 7. Final Drainage Letter/Report 8. Public Comment 9. Resolution 2023.04 Approving a Final Development Plan and PUD

BACKGROUND

The Applicant is requesting approval of a PUD/FDP Amendment modifying The Final Development Plan for Gateway Park – First Filing, Phase 2 approved in 2006, that would reconfigure Lot 1, plus a portion of Tract B (part of parcel number 9415441003), into four separate lots. The goal of the reconfiguration is to allow each lot to be sold and developed individually. There is no proposed change in zoning.

PLANNING COMMISSION RECOMMENDATION

Planning Commission reviewed this application during a public hearing held Thursday, February 9, 2023. Motion made by Commissioner Wing to Recommend Approval of the PUD and FDP Amendment to the Town Board, with the following condition: Prior to the Town Board meeting, the applicant shall address all outstanding staff comments. Seconded by Commissioner Kurtz. With all in favor, the motion carried. The applicant has addressed all outstanding staff comments.

RECOMMENDED ACTION

Staff and Planning Commission recommend the Town Board make the following motion:

1. A motion to approve the PUD/FDP Amendment.

STAFF REPORT: GATEWAY BD PUD AND FDP AMENDMENT

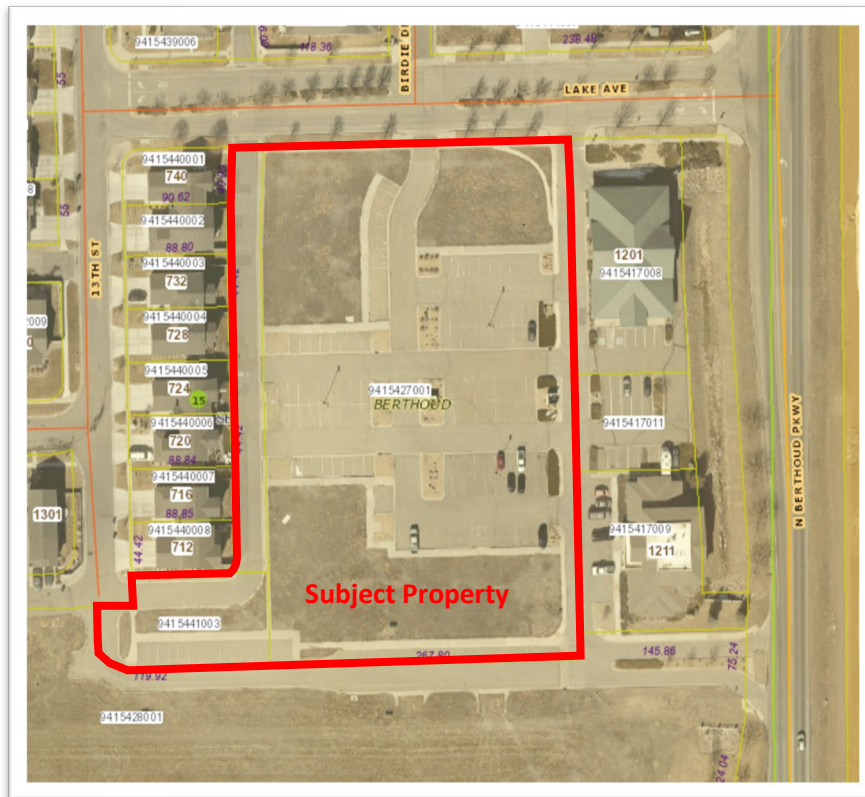
DATE: February 28, 2022

GENERAL INFORMATION		
Applicant:	Placer Development Inc.	Size: 3.156 acres
Site Location:	Parcel numbers: 9415427001 & 9415441003	
Applicant's Request:	Final Development Plan and a PUD (Planned Unit Development) amendment request to create four commercial lots from a large pad site.	
Current Zoning:	PUD	
ZONING DISTRICT INFORMATION		
	<u>PUD (default to C-2)</u>	<u>C-2</u>
Max Density	20 dwelling units	20 dwelling units
Min. Lot Size	N/A	N/A
Min. Lot Width	50'	50'
Front Setback	25'	25'
Side Setback	0/25'	0/25'
Rear Setback	35'	35'
Building Height:	50'	50'
SURROUNDING ZONING, LAND USE AND REQUIRED BUFFERS		
<u>Adjacent Zoning</u>	<u>Adjacent Land Use</u>	<u>Setbacks for Adjacent Zoning/ Buffer required if rezoned</u>
North: PUD & R-4	Single-Family Residential & Vacant	Buffer Areas from Residential: C-2 districts require no less than a 35-foot setback from the property line of a residential zoning district.
South: PUD	Vacant	None
East: PUD	Commercial (Bank & Skin-Care Clinic)	None
West: PUD	Single-Family Residential	Buffer Areas from Residential: C-2 districts require no less than a 35-foot setback from the property line of a residential zoning district.

BACKGROUND

This 3.156-acre site was part of the Gateway Park PUD, which was originally approved by the Town in 2002 and consisted of more than 77 acres. The Final Development Plan for Gateway Park – First Filing, Phase 2 identifies Block 2, Lot 1 as commercial land use. Originally, the project designated four building envelopes on one lot.

The proposed replat consists of parcel numbers 9415427001 and 9415441003, located at the southwest corner of Birdie Drive and Lake Avenue. The property currently contains a parking lot with no buildings.



PROPOSAL

The Applicant is requesting approval of a PUD/FDP Amendment that would reconfigure Lot 1, plus a portion of Tract B (part of parcel number 9415441003), into four separate lots. The goal of the reconfiguration is to allow each lot to be sold and developed individually. There is no proposed change in zoning. All lots shall default to the C-2 Zoning standards for items not specified in the amended FDP. This amendment proposes a maximum of 142 parking spaces, which takes into consideration the existing parking and considers the addition of buildings on each lot. The applicant was advised on a recommendation from staff to include the minimum and maximum number of parking spaces to ensure flexibility for potential owners. As each lot develops, parking will be reviewed and assessed to ensure conformance with the Code.

Review criteria for Planned Unit Developments or PUD Amendments no longer appear in the current Town of Berthoud Development Code. The required submittal items, however, are similar to those of the Final Plat process. As a Final Plat is a required item for a Final Development Plan, the Final Plat review criteria found in Section 30-6-108.C of the Development Code were used to review this PUD/FDP

CRITERIA/FINDINGS

The Town shall use the following criteria in addition to other applicable provisions of the Code to evaluate the applicant's application. Staff findings and analysis is presented in the table below.

30-6-108.C Review Criteria	Finding	Rationale
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 improvements, utility lines or facilities. e. Does not change any measurable standard (other than above) by more than 15 percent.	Yes	The project meets this criterion. This project does not propose any change in land use. The original FDP establishes commercial land use for the property. The site was first platted by the Gateway Park First Filing Phase 2 Final Plat approved in 2006, creating three large lots from Tracts A and J. The proposed plat separating Lot 1 into four separate lots does not contain changes that are in nonconformance with the requirements in the Code, nor does it contain significant changes to previously approved street alignments or access points. The proposed development conforms to the Final Drainage Report and Erosion Control Study for Gateway Park First Filing Phase 2 prepared in 2006. Parking standards proposed for this location include minimum and maximum parking amounts for this location in order to provide flexibility for commercial uses. At the time of development for each new lot, the parking requirements will be reviewed and assessed to ensure conformance with the Code.
2. The development complies with this Code, the Comprehensive Plan and the PORT Plan.	Yes	The project meets this criterion. The Comprehensive Plan identifies this site as a General Urban Area, allowing commercial land uses. This application proposes no changes that would contradict the PORT Plan. Staff finds the project in conformance with the Code.
3. All applicable technical standards including the provision of water in sufficient amount and quality have been met.	Yes	The project meets this criterion. The Town of Berthoud Public Works Department and Town Engineers reviewed the application and no conflicts were found.

PUBLIC NOTICE

Notice of the public hearings was mailed to property owners within 300 feet of the subject property, a legal notice published, and the property was posted as required by the Development Code. In addition, the

application was sent to all property owners within 500 feet, with an invitation to comment on the request within three weeks of receipt.

FINDINGS AND RECOMMENDATION

PUD and FDP Amendment

Staff and Planning Commission recommend approval of the PUD and FDP Amendment to the Town Board.

Attachments:

- Application
- Project Narrative
- Vicinity Map
- Approved Final Development Plan (FDP)
- Proposed Final Development Plan (FDP) Amendment
- Amended Final Plat
- Final Drainage Letter/Report
- Public Comment



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

DEVELOPMENT REVIEW APPLICATION

All required information must be provided before submittal will be accepted and deemed complete.
To be complete, the application must include all items identified on the submittal checklist.
Please complete both sides of application form.

Parcel Number(s): 9415427001 - L1, Blk 2 Gateway Park First Flg, and Tract B and C, Amended Gateway Park First Flg – Phase 2 – Rplt B		
Site Address: N/A		
Project Name: Gateway BD PUD Amendment and FDP Amendment		
Brief description of project: Reconfiguring 3 existing lots into four parcels.		
APPLICATION TYPE (Check as appropriate):		
☐ Annexation	☐ Preliminary Subdivision Plat	☐ Final Site Plan
☐ Rezoning	☐ Final Subdivision Plat	☒ PUD Amendment
☐ Concept Plan	☐ Plat Amendment	☐ PUD Preliminary Development Plan
☐ Minor Subdivision	☐ Oil and Gas	☒ PUD Final Development Plan
☐ Special Use Review	☐ ROW Vacation	☐ Other _____
APPLICANT		
Name: Placer Development Inc.		
E-mail: jason@blackfoxr3.com	Mailing Address: PO Box 770	
Phone: 303-902-5302	City/State/Zip: Ogalla, NE 69153	
CONTACT PERSON (will receive correspondence from Town Staff/Referral Agencies)		
Name: Joe Naccarato		
E-mail: jnaccarato@tait.com	Mailing Address: 6163 E County Road 16	
Phone: 970-612-5442	City/State/Zip: Loveland, CO 80537	
OWNER(S) (If different than applicant)		
Name: Same as Applicant		
E-mail:	Mailing Address:	
Phone:	City/State/Zip:	
CONSULTANT (Engineer, Surveyor, or Planner)		
Name: Joe Naccarato		
E-mail: jnaccarato@tait.com	Mailing Address: 6163 E County Road 16	
Phone: 970-612-5442	City/State/Zip: Loveland, CO 80537	

LAND USE INFORMATION							
Existing Use: Vacant Lot Proposed Use: Commercial Existing Zoning: PUD Proposed Zoning: (if applicable): N/A - No Change Number of acres: 3.16 Proposed Access: Lake Avenue	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr style="background-color: #e1f5fe;"> <th colspan="2" style="text-align: center; padding: 5px;">Adjacent zoning / land use:</th> </tr> </thead> <tbody> <tr> <td style="width: 50%; padding: 5px;">East Side: PUD/ Bank & Skin-care clinic</td> <td style="width: 50%; padding: 5px;">North Side: PUD & R4/ Single Family Residential & Vacant</td> </tr> <tr> <td style="padding: 5px;">West Side: PUD/ Single Family Residential</td> <td style="padding: 5px;">South Side: PUD/ Vacant</td> </tr> </tbody> </table>	Adjacent zoning / land use:		East Side: PUD/ Bank & Skin-care clinic	North Side: PUD & R4/ Single Family Residential & Vacant	West Side: PUD/ Single Family Residential	South Side: PUD/ Vacant
Adjacent zoning / land use:							
East Side: PUD/ Bank & Skin-care clinic	North Side: PUD & R4/ Single Family Residential & Vacant						
West Side: PUD/ Single Family Residential	South Side: PUD/ Vacant						
UTILITY SERVICE INFORMATION							
Water: Town of Berthoud	Sewer: Town of Berthoud						
PROJECT INFORMATION							
Number of proposed units: N/A Number of phases: N/A Number of Units per phase: N/A Number of lots proposed: 4 Lot size minimum: 0.69 acres Lot size maximum: 0.97 acres Lot size average: 0.79 acres Gross density (units/acre): N/A Net density (units/acre): N/A Area and percent open space: 0%	Non-Residential Building Area (Sq. Ft.) Proposed: 35,593 (Building Envelopes per FDP) Non-Residential Construction Floor Area Ratio Proposed: N/A Total Number of Parking Spaces: 142 (Existing) <u>Acreage of Site:</u> a. Gross: 3.16 b. Right-of-Way: N/A c. Net (a-b) 3.16 <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr style="background-color: #e1f5fe;"> <th colspan="2" style="text-align: center; padding: 5px;">Type of Housing Proposed (please check):</th> </tr> </thead> <tbody> <tr> <td style="width: 50%; padding: 5px; vertical-align: top;"> ☐ Future Single Family ☐ Duplex ☐ Multi-family (# of units:) </td> <td style="width: 50%; padding: 5px; vertical-align: top;"> ☐ Townhouse ☐ Condominium </td> </tr> </tbody> </table>	Type of Housing Proposed (please check):		☐ Future Single Family ☐ Duplex ☐ Multi-family (# of units:)	☐ Townhouse ☐ Condominium		
Type of Housing Proposed (please check):							
☐ Future Single Family ☐ Duplex ☐ Multi-family (# of units:)	☐ Townhouse ☐ Condominium						

Signatures are required for ALL Property Owners and the Applicant

I hereby certify that I am the lawful owner of the parcel(s) of land that this application concerns and consent to the action. I hereby permit Town of Berthoud staff to enter upon the property for the purposes of inspection relating to the application. Building Permits will not be accepted while this application is in process.

Property Owner(s): J Harvey Youbun Date: 9/27/2022
 Property Owner(s): _____ Date: _____

In submitting the application materials and signing this application agreement, I acknowledge and agree that the application is subject to the applicable processing and public hearing requirements set forth in the Development Code.

Applicant: [Signature] Date: 9/27/2022

FOR OFFICE USE ONLY	Received By:	Date:
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PROJECT NARRATIVE
Gateway BD PUD Amendment and FDP Amendment
Berthoud, Colorado

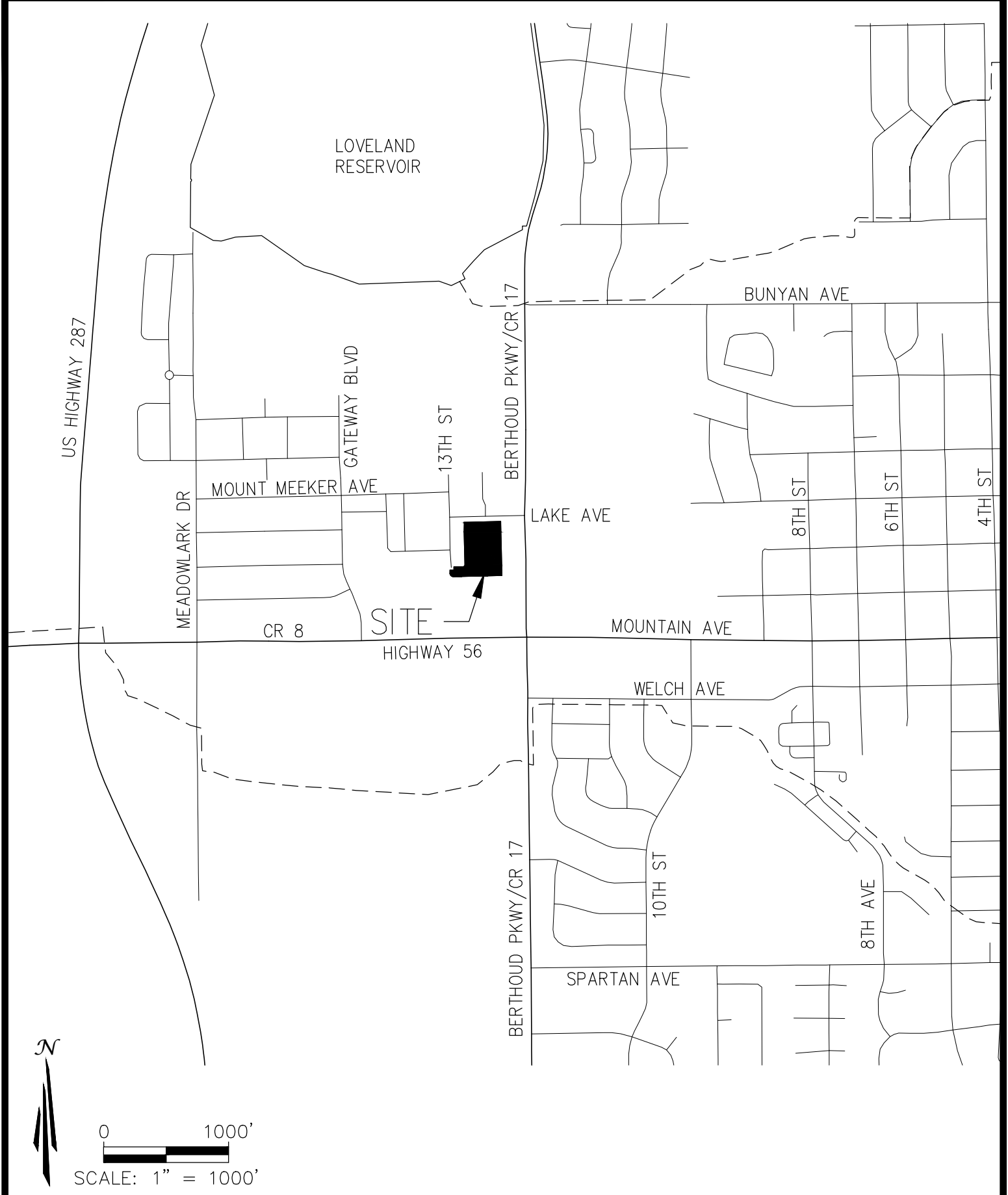
The purpose of this narrative is to describe the PUD and FDP amendments proposed. The site currently doesn't have an address. The parcel is located between Lake Avenue (North), Mountain Avenue (South), Berthoud Parkway (East), and 13th Street (West). The Site is surrounded by PUD zoning to the South, West, East, and North. There is also R-4 zoning to the North. The adjacent land uses include residential housing to the west and north, commercial units to the east, and an undeveloped lot to the south.

The development would reconfigure Lot 1, Block 2 Gateway Park First Filing – Phase 2 and Tracts B and C, Amended Gateway Park First Filing – Phase 2 – Replat B into four separate lots. The site has been partially built out and includes drive aisles, parking lots, and utilities for future development. The purpose of this subdivision is to create four separate, legal parcels that can be sold and developed individually. The PUD and FDP amendments will conform to the Town of Berthoud Development Code, existing PUD, and FDP for Gateway Park Development including the approved drainage report. The project also conforms to the Town of Berthoud Comprehensive Plan and PORT Plan.

With this application, your help, and its eventual approval, a great family-owned company will have the opportunity to make one of the newly created parcels a forever home for their business. This company provides primary employment, sales tax revenue, and an essential service to the community. The remaining newly created lots will be made available to other synergistic uses helping the Gateway Business Park to become a productive commercial development for the community.

We anticipate the necessary reviews to take place during fall of 2022.

Sep 26, 2022 - 3:53pm by jjiaccorato K:\Drawings\CO\C013170 Gateway Park Patio Homes - Berthoud, CO\ENG\Xrefs\Xref1\WAP.dwg



1 OF 1

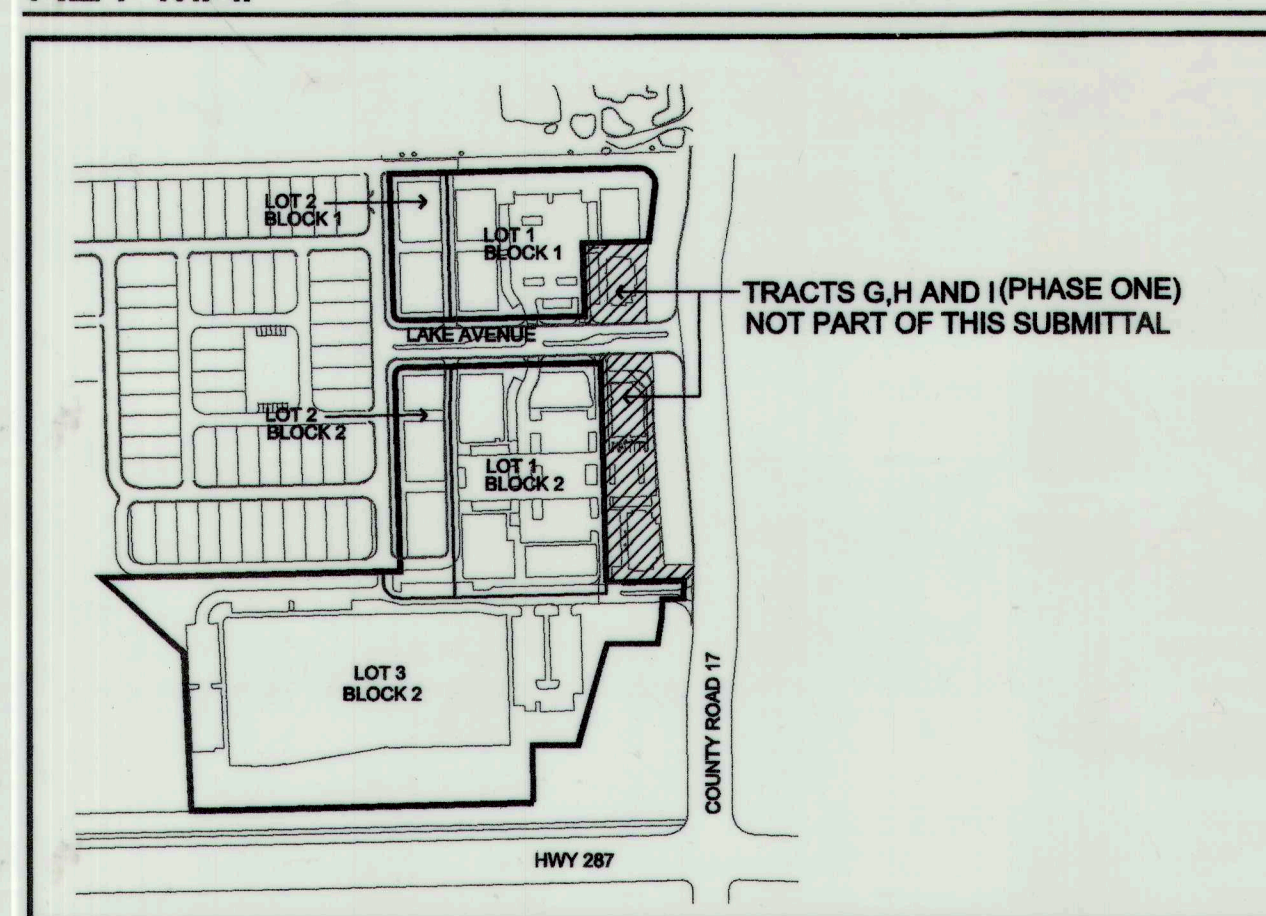
VICINITY MAP

GATEWAY PARK MINOR SUBDIVISION
BERTHOUD, CO



6163 East County Road 16
Loveland, CO 80537
p: 970.613.1447
www.tait.com
ENGINEERING ENVIRONMENTAL BUILDING LAND
Orange County San Luis Obispo Sacramento Riverside Denver Boise Dallas Atlanta

KEY MAP

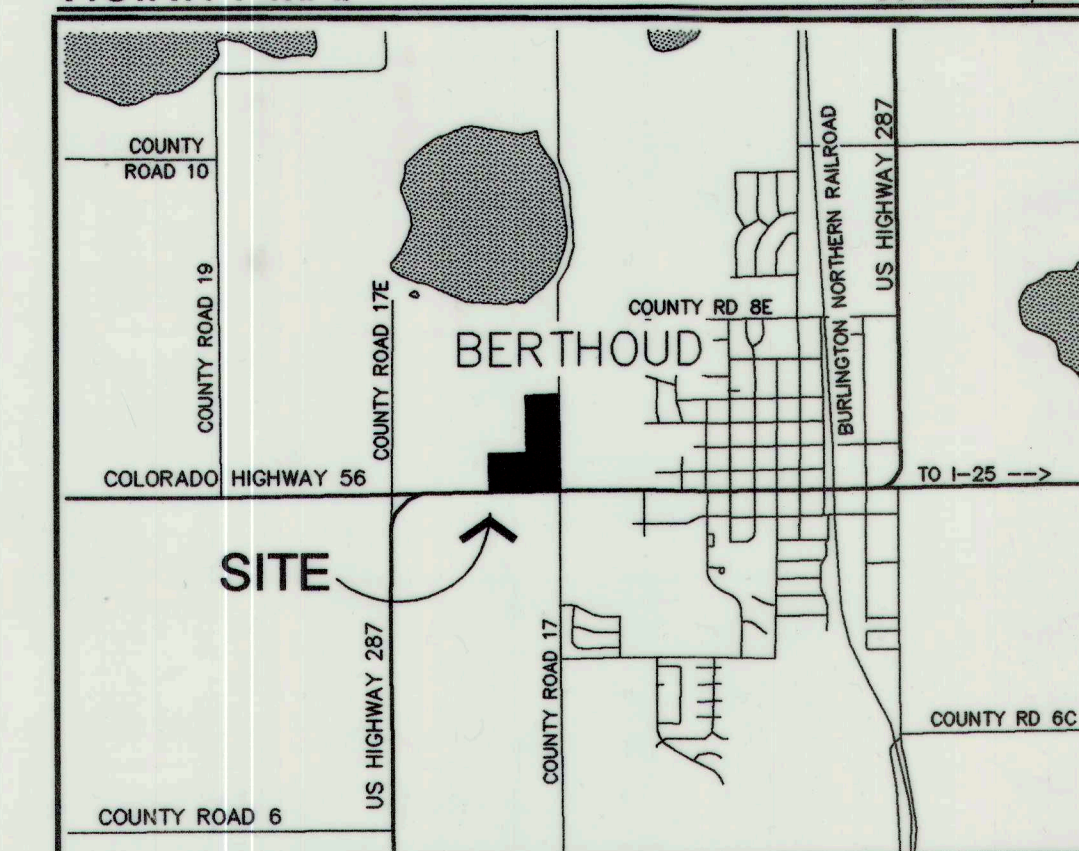


FINAL DEVELOPMENT PLAN

GATEWAY PARK - FIRST FILING, PHASE TWO

Tract A and J of Gateway Park, Located In The Southeast Quarter of Southeast Quarter
of Section 15, Township 4 North, Range 69 West of the 6th P.M.,
Town of Berthoud, County of Larimer, State of Colorado.

VICINITY MAP



VFRipley
ASSOCIATES, INC.
Landscape Architecture Urban Design Planning
401 West Mountain Avenue
Suite 201
Fort Collins, CO 80521
(970) 224-5828
(970) 224-1662 (fax)

LAND USE STATISTICS

LAND USE PERCENTAGES *

DESCRIPTION	NET AREA SQ. FT.**	NET AREA ACRES**	% OF TOTAL
LOT 1, BLOCK 1 - OFFICES			
LOT 1, BLOCK 2 - OFFICES			
BUILDING COVERAGE (FOOTPRINT)	38,656 SQ.FT.	0.882 ACRES	19%
PARKING & DRIVES	104,198 SQ.FT.	2.39 ACRES	52%
LANDSCAPE/OPEN SPACE	56,741 SQ.FT.	1.31 ACRES	29%
TOTAL LOT 1	199,595 SQ.FT.	4.582 ACRES	100%
LOT 2, BLOCK 1 - TOWN HOMES			
LOT 2, BLOCK 2 - TOWN HOMES			
BUILDING COVERAGE (FOOTPRINT)	22,250 SQ.FT.	0.51 ACRES	26%
PARKING & DRIVES	14,152 SQ.FT.	0.33 ACRES	17%
LANDSCAPE/OPEN SPACE	50,368 SQ.FT.	1.156 ACRES	57%
TOTAL LOT 2	86,770 SQ.FT.	1.992 ACRES	100%
LOT 3, BLOCK 2 - HEALTH CARE			
BUILDING COVERAGE (FOOTPRINT)	70,000 SQ.FT.	1.60 ACRES	20%
PARKING & DRIVES	39,047 SQ.FT.	0.89 ACRES	12%
LANDSCAPE/OPEN SPACE	228,811 SQ.FT.	5.26 ACRES	68%
TOTAL LOT 3	337,859 SQ.FT.	7.756 ACRES	100%
TOTAL SITE AREA	624,224 SQ. FT.	14.330 ACRES	100%

** NET AREAS EXCLUDE THE PUBLIC RIGHT-OF-WAY, ALL PUBLIC ROW HAS BEEN
PREVIOUSLY DEDICATED

FLOOR AREAS AND RATIOS *

DESCRIPTION	BUILDING AREA	LOT AREA	FLOOR TO LOT RATIO	LAND USE	ZONING	REQUIRED PARKING
LOT 1	38,656 S.F.	199,595 S.F.	19.3%	OFFICE	C2	241
LOT 2	22,250 S.F.	86,770 S.F.	25.6%	TOWN HOMES	C2	23
LOT 3	70,000 S.F.	337,859 S.F.	20.7%	HEALTH CARE	C2	144
TOTAL	130,906 S.F.	624,224 S.F.				408

OFFICES: PARKING RATIO 1/350 S.F. FLOOR AREA.
TOTAL PARKING NUMBER INCLUDE ON-STREET PARKING SPACES.

LOT 1, BLOCK 1 - OFFICE	BUILDING ENVELOPE S.F.	ESTIMATED TOTAL BUILDING S.F.
BUILDING ENVELOPE 1	6,443 S.F.	10,400 S.F.
BUILDING ENVELOPE 2	6,937 S.F.	4,500 S.F.
BUILDING ENVELOPE 3	8,329 S.F.	10,600 S.F.

LOT 1, BLOCK 2 - OFFICE	BUILDING ENVELOPE S.F.	ESTIMATED TOTAL BUILDING S.F.
BUILDING ENVELOPE 1	10,732 S.F.	10,600 S.F.
BUILDING ENVELOPE 2	7,034 S.F.	4,400 S.F.
BUILDING ENVELOPE 3	6,882 S.F.	6,000 S.F.
BUILDING ENVELOPE 4	10,945 S.F.	12,500 S.F.
TOTAL:	57,302 S.F.	59,000 S.F.

TRACTS G, H AND I - OFFICE/ COMMERCIAL (PHASE ONE)	BUILDING S.F.
TRACT G	4,349 S.F.
TRACT H	6,010 S.F.
TRACT I	10,374 S.F.
TOTAL:	14,723 S.F.

LOT 2, BLOCK 1 - TOWN HOMES	BUILDING ENVELOPE S.F.
BUILDING ENVELOPE 1	9,076 S.F.
BUILDING ENVELOPE 2	8,954 S.F.

LOT 2, BLOCK 2 - TOWN HOMES	BUILDING ENVELOPE S.F.
BUILDING ENVELOPE 1	4,820 S.F.
BUILDING ENVELOPE 2	8,820 S.F.
BUILDING ENVELOPE 3	8,930 S.F.
TOTAL:	40,009 S.F.

LOT 3, BLOCK 2 HEALTH CARE	BUILDING ENVELOPE S.F.
ASSISTED LIVING	60 BEDS
ALZHEIMER'S FACILITY	30 BEDS
INDEPENDENT LIVING	60 BEDS
MANAGEMENT OFFICE	2,000 S.F.
TOTAL:	140,588 S.F.

LOT 2 - TOWN HOMES	23 D.U. / 1,723 AC. = 13.34 D.U./AC.
LOT 3 - HEALTH CARE	150 D.U. / 7,756 AC. = 19.3 D.U./AC.
AVERAGE	173 D.U. / 9,479 AC. = 18.2 D.U./AC.

MAXIMUM BUILDING HEIGHT: 40'

* NOTE: BUILDING COVERAGE, PARKING AND DRIVES, LANDSCAPE AND OPEN
SPACE, FLOOR AREAS AND RATIOS ARE ESTIMATES ONLY. FINAL AREAS FOR
EACH BUILDING WILL BE SUBMITTED AND REVIEWED AS SEPARATE FDP
APPLICATIONS.

PARKING:

LOTS 1, BLOCKS 1 AND 2 AND TRACTS G, H AND I (PHASE 1) *
OFFICE/COMMERCIAL
TOTAL STANDARD PARKING SPACES REQUIRED (1/350): 211
TOTAL BUILDING / ESTIMATED BUILDING S.F.: 73,723 S.F.

ACCESSIBLE PARKING SPACES REQUIRED
1 PER OFFICE / COMMERCIAL BUILDING 10

STANDARD PARKING SPACES PROVIDED - PHASE 1 39
STANDARD PARKING SPACES PROVIDED - PHASE 2 207
ACCESSIBLE PARKING SPACES PROVIDED - PHASE 1 7
ACCESSIBLE PARKING SPACES PROVIDED - PHASE 2 13
TOTAL PARKING PROVIDED: 266

*NOTE: TRACTS G, H AND I (PHASE 1) ARE NOT PART OF THIS
SUBMITTAL EXCEPT TO ESTABLISH PARKING COUNTS.

LOT 2, BLOCKS 1 AND 2 - TOWN HOMES
DRIVEWAY PARKING SPACES REQUIRED (1 TO 2 SPACES PER DRIVE) 23
ADDITIONAL ON-STREET PARKING SPACES PROVIDED 23
TOTAL PARKING: 46

LOT 3, BLOCK 2 - HEALTH CARE
STANDARD PARKING SPACES: 136
ACCESSIBLE PARKING SPACES: 4
VAN ACCESSIBLE PARKING SPACES: 4
TOTAL PARKING: 144

ZONING DISTRICT REGULATIONS:
EXISTING ZONING: PUD / C2 (GENERAL COMMERCIAL DISTRICT)

APPLICANT

VF Ripley Associates Inc.
401 West Mountain Avenue
Suite 201
Fort Collins, CO 80521
(970) 224-5828
(970) 224-1662 fax

OWNER

Mountain Gateway Properties
1401 S. Taft Avenue
#208
Loveland, CO 80537
(970) 669-8223
(970) 669-8215 fax

OWNER

Waters Investments, LLC
1873 36th Court
Greeley, CO 80634
(970) 381-3266

ENGINEER

North Star Design
700 Automation Drive
Unit 1
Windsor, CO 80550
(970) 686-6939
(970) 686-1188 fax

SURVEYOR

King Surveyors
9299 Eastman Park Drive
Windsor, CO 80550
(970) 686-5011
(970) 686-5621 fax

**Gateway Park
First Filing
Phase Two**

COLORADO
BERTHOUD

FINAL DEVELOPMENT PLAN

DATE: 05/22/06
JOB NO.: 04-063.2
DRAWN: SM/LH
CHECKED: SM/LH
REVISED: 10/09/06
MYLARS: 10/16/06

This is a Land Use Planning Document,
not a Construction Document.
Refer to Civil Engineering Plans.

OWNER & PROFESSIONAL INFORMATION

OWNER	OWNER	ENGINEER	PLANNER
Name: Mountain Gateway Properties, LLC	Name: Waters Investments, LLC	Name: North Star Design Inc.	Name: VF Ripley
Address: 1401 S. Taft, #208 Loveland, CO 80537	Address: 1873 36th Court Greeley, CO 80634	Address: 700 Automation Dr Unit 1 Windsor, CO 80550	Address: 401 W. Mountain Ave. Suite 201 Fort Collins, CO 80521
Phone#: (970) 669-8223	Phone#: (970) 381-3266	Phone#: (970) 686-6939	Phone#: (970) 224-5828

RIGHT TO FARM STATEMENT

RIGHT TO FARM STATEMENT: The Town of Berthoud has adopted a "Right to Farm" policy. All new and existing Residents are expected to read and understand the policy. For a copy of the policy, please contact the Town of Berthoud.

APPROVAL CERTIFICATES

Approved by the Town Board of Trustees of the Town of Berthoud Colorado, this
17th day of April, A.D., 2006.

Milan Karspeck
Mayor

The foregoing plan is approved for filing and accepted by the Town of Berthoud,
Colorado, this 17th day of July, A.D., 2007.

ATTEST: *Mary K. Coudin*
Town Clerk

VESTED RIGHTS STATEMENT

Approval of this plan creates a vested property right subject to all conditions of approval pursuant
to Colorado Revised Statutes § 24-68-103. The effective date is _____.

NOTES

- CONTROLLING EFFECT OF SITE PLAN FOLLOWING CONSTRUCTION
 - AFTER A DEVELOPMENT HAS BEEN CONSTRUCTED CONSISTENT WITH THE APPROVED FINAL DEVELOPMENT PLAN, THE USE OF THE LAND AND THE CONSTRUCTION, MODIFICATION, OR ALTERATION OF ANY BUILDING OR STRUCTURES WITHIN THE DEVELOPMENT SHALL BE GOVERNED BY THE APPROVED FINAL DEVELOPMENT PLAN, UNLESS THE FINAL DEVELOPMENT PLAN IS AMENDED.
 - AFTER COMPLETION, NO CHANGES MAY BE MADE TO THE APPROVED FINAL DEVELOPMENT PLAN EXCEPT UPON APPROVAL BY THE TOWN OF AN APPLICATION FOR MODIFICATION OR AMENDMENT.
 - ANY USES NOT CONTEMPLATED BY THE APPROVED FINAL DEVELOPMENT PLAN, BUT ALLOWABLE IN THE APPLICABLE ZONING DISTRICT AS A PERMITTED USE UNDER THE PROVISIONS OF THE TOWN'S DEVELOPMENT CODE, MAY BE CONDUCTED ON THE PROPERTY AS LONG AS ALL OTHER DEVELOPMENT STANDARDS ARE SATISFIED, INCLUDING MINIMUM OFF-STREET PARKING.
 - A BUILDING OR STRUCTURE THAT IS TOTALLY OR SUBSTANTIALLY DESTROYED MAY BE RECONSTRUCTED ONLY IN COMPLIANCE WITH THE FINAL DEVELOPMENT PLAN, INLESS AN AMENDMENT TO THE FINAL DEVELOPMENT PLAN IS APPROVED.

GENERAL NOTES

- THE DIMENSIONS ON THE FINAL DEVELOPMENT PLAN ARE FOR LAND USE PURPOSES ONLY AND NOT FOR CONSTRUCTION. SEE CIVIL DRAWING FOR HORIZONTAL CONTROL PLAN.
- PARKING FOR TRACTS G, H, I AND LOT 1, BLOCKS 1 AND 2 (OFFICES) WILL HAVE A SHARED PARKING EASEMENT. A RECIPROCAL ACCESS AND PARKING EASEMENT AGREEMENT HAS BEEN FILED IN CONJUNCTION WITH THE PLAN. REFER TO PLAN FOR FURTHER INFORMATION.
- REFER TO FINAL PLAT FOR PROPERTY LINES, BLOCK AND LOT INFORMATION.
- ALL ARCHITECTURAL ELEVATIONS, INCLUDING TRASH ENCLOSURES, WILL BE SUBMITTED AND REVIEWED AS SEPARATE FDP APPLICATIONS.
- ALL PROPOSED BUILDINGS ARE TO COMPLY WITH THE TOWN OF BERTHOUD'S PROPOSED ARCHITECTURAL STANDARDS AND THE REQUIRED BUILDING CODES.
- FOR CONSTRUCTION PHASES SEE CIVIL ENGINEER CONSTRUCTION PHASING PLAN.

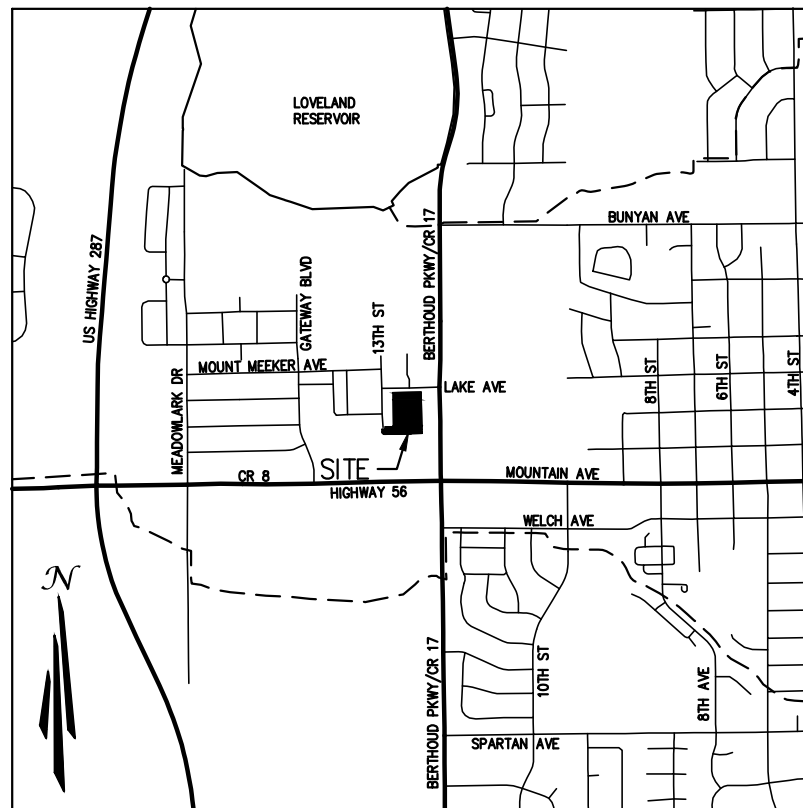
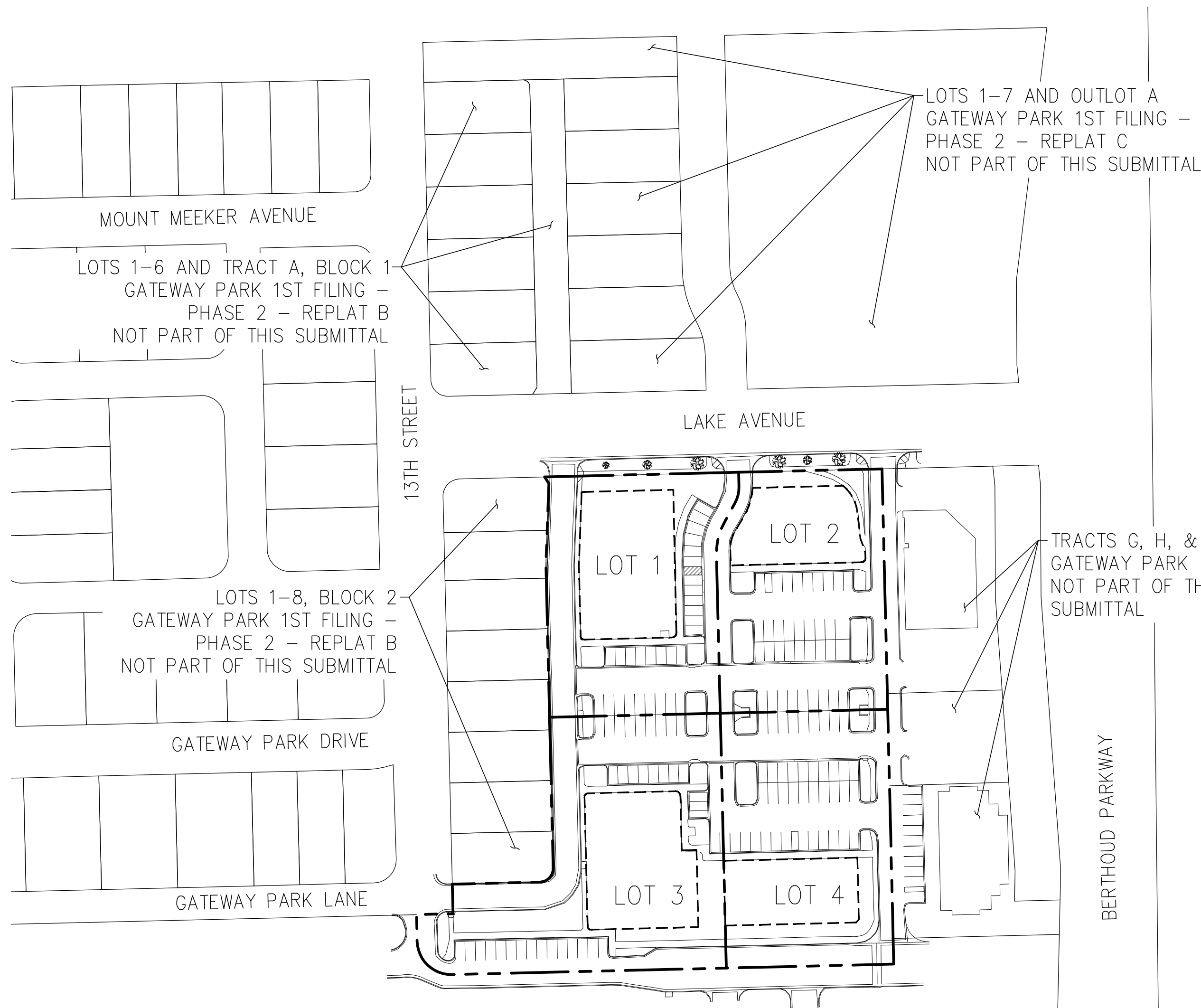


0 50 100 200
SCALE: 1" = 100'

Dec 09, 2022 - 3:04pm by jproccaro k:\Drawings\CO\ca13170 gateway park patio homes - berthoud, co\BNG\Construction Documents\Gateway Pharmacy\CO13170_TDP.dwg

FINAL DEVELOPMENT PLAN AMENDMENT GATEWAY PARK - FIRST FILING, PHASE TWO

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE
6TH PRINCIPAL MERIDIAN, TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO



VICINITY MAP
SCALE: 1"=2,000'

LAND USE STATISTICS

LAND USE PERCENTAGES

DESCRIPTION	NET AREA* SF	NET AREA* AC	% OF TOTAL
LOT 1			
BUILDING COVERAGE (FOOTPRINT)	8,586	0.20	27
PARKING, DRIVES, & WALKS	18,006	0.41	55
LANDSCAPE/OPEN SPACE	5,699	0.13	18
TOTAL LOT 1	32,291	0.74	100
LOT 2			
BUILDING COVERAGE (FOOTPRINT)	5,627	0.13	19
PARKING, DRIVES, & WALKS	19,481	0.45	65
LANDSCAPE/OPEN SPACE	5,087	0.11	16
TOTAL LOT 2	30,195	0.69	100
LOT 3			
BUILDING COVERAGE (FOOTPRINT)	8,756	0.20	20
PARKING, DRIVES, & WALKS	24,234	0.56	58
LANDSCAPE/OPEN SPACE	9,120	0.21	22
TOTAL LOT 3	42,110	0.97	100
LOT 4			
BUILDING COVERAGE (FOOTPRINT)	5,339	0.12	16
PARKING, DRIVES, & WALKS	22,207	0.51	68
LANDSCAPE/OPEN SPACE	5,334	0.12	16
TOTAL LOT 4	32,880	0.76	100
TOTAL AREA	137,476	3.16	100

*NET AREAS EXCLUDE THE PUBLIC RIGHT-OF-WAY, ALL PUBLIC ROW HAS BEEN PREVIOUSLY DEDICATED.
**BUILDING COVERAGE BASED ON 80% OF BUILDING ENVELOPES.

REQUIRED PARKING:

	MINIMUM PARKING	MAXIMUM PARKING
LOT 1	8	29
LOT 2	9	36
LOT 3	9	35
LOT 4	11	42

MAX PARKING BASED ON EXISTING PARKING
MIN PARKING IS 25% OF MAX PARKING

ZONING DISTRICT REGULATIONS:

BUILDING PLACEMENT TO BE WITHIN BUILDING ENVELOPES PER PLAT.

ALL LOTS SHALL DEFAULT TO THE C2 ZONING STANDARDS FOR ITEMS NOT SPECIFIED IN THIS FDP.

VESTED RIGHTS STATEMENT

APPROVAL OF THIS PLAN CREATES A VESTED PROPERTY RIGHT SUBJECT TO ALL CONDITIONS OF APPROVAL PURSUANT TO COLORADO REVISED STATUTES 24-68-103. THE EFFECTIVE DATE IS _____.

NOTES

1. CONTROLLING EFFECT OF SITE PLAN FOLLOWING CONSTRUCTION

A. AFTER A DEVELOPMENT HAS BEEN CONSTRUCTED CONSISTENT WITH THE APPROVED FINAL DEVELOPMENT PLAN, THE USE OF THE LAND AND THE CONSTRUCTION, MODIFICATION, OR ALTERATION OF ANY BUILDING OR STRUCTURES WITHIN THE DEVELOPMENT SHALL BE GOVERNED BY THE APPROVED FINAL DEVELOPMENT PLAN, UNLESS THE FINAL DEVELOPMENT PLAN IS AMENDED.

B. AFTER COMPLETION, NO CHANGES MAY BE MADE TO THE APPROVED FINAL DEVELOPMENT PLAN EXCEPT UPON APPROVAL BY THE TOWN OF AN APPLICATION FOR MODIFICATION OR AMENDMENT.

C. A BUILDING OR STRUCTURE THAT IS TOTALLY OR SUBSTANTIALLY DESTROYED MAY BE RECONSTRUCTED ONLY IN COMPLIANCE WITH THE FINAL DEVELOPMENT PLAN, UNLESS AN AMENDMENT TO THE FINAL DEVELOPMENT PLAN IS APPROVED.

GENERAL NOTES

1)THE DIMENSIONS OF THE FINAL DEVELOPMENT PLAN ARE FOR LAND USE PURPOSE ONLY AND NOT FOR CONSTRUCTION. SEE CIVIL DRAWING FOR HORIZONTAL CONTROL PLAN.

2)A BLANKET PUBLIC ACCESS EASEMENT ACROSS ALL LOTS WILL BE ESTABLISHED WITH THE PLAT. REFER TO PLAT FOR FURTHER INFORMATION.

3)REFER TO FINAL PLAT FOR PROPERTY LINES, BLOCK AND LOT INFORMATION.

4)ALL ARCHITECTURAL ELEVATIONS, INCLUDING TRASH ENCLOSURES, WILL BE SUBMITTED AND REVIEWED AS SEPARATE FDP APPLICATIONS.

5)ALL PROPOSED BUILDING ARE TO COMPLY WITH TOWN OF BERTHOUD'S PROPOSED ARCHITECTURAL STANDARDS AND THE REQUIRED BUILDING CODES.

6)FOR CONSTRUCTION PHASES SEE CIVIL ENGINEER CONSTRUCTION PHASING PLAN.

APPROVAL CERTIFICATES

APPROVED BY THE BOARD OF TUSTESS OF THE TOWN OF BERTHOUD, COLORADO, THIS _____ DAY OF _____, A.D., 20__.

MAYOR

THE FOREGOING PLAN IS APPROVED FOR FILING AND ACCEPTED BY THE TOWN OF BERTHOUD, COLORADO, THIS _____ A.D., 20__.

ATTEST: _____
TOWN CLERK

LEGAL DESCRIPTION

TRACTS B AND C, AMENDED GATEWAY PARK FIRST FILING-PHASE 2-REPLAT B AND LOT 1, BLOCK 2, GATEWAY PARK FIRST FILING-PHASE 2, TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO

RIGHT TO FARM STATEMENT

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.

CONTACT LIST

OWNER/DEVELOPER
PLACER DEVELOPMENT, INC
P.O. BOX 770
OGALLALA, NE 69153-0770
ATTN: JASON HEPP
PHONE: (303) 902-5302

CIVIL ENGINEER
TAIT & ASSOCIATES, INC.
6163 E. COUNTY ROAD 16
LOVELAND, CO 80537
ATTN: ALEX HOIME, PE
(970) 613-1447

FINAL DEVELOPMENT PLAN

GATEWAY B.D. PUD AMENDMENT
JAAK PROPERTIES, LLC
BERTHOUD, COLORADO

DRAWING IN
DATE: 10/12/2022
CHECKED: AH
DATE: 10/07/22
DESIGNER: JH
DATE: 10/07/22
JOB NO: C01817D

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Loveland, CO 80537
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Silverton
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NO.	DESCRIPTION	REVISIONS	BY	DATE

AMENDED GATEWAY PARK FIRST FILING-PHASE 2-REPLAT D

TRACTS B AND C, AMENDED GATEWAY PARK FIRST FILING-PHASE 2-REPLAT B AND LOT 1, BLOCK 2, GATEWAY PARK FIRST FILING-PHASE 2, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO

GENERAL NOTES

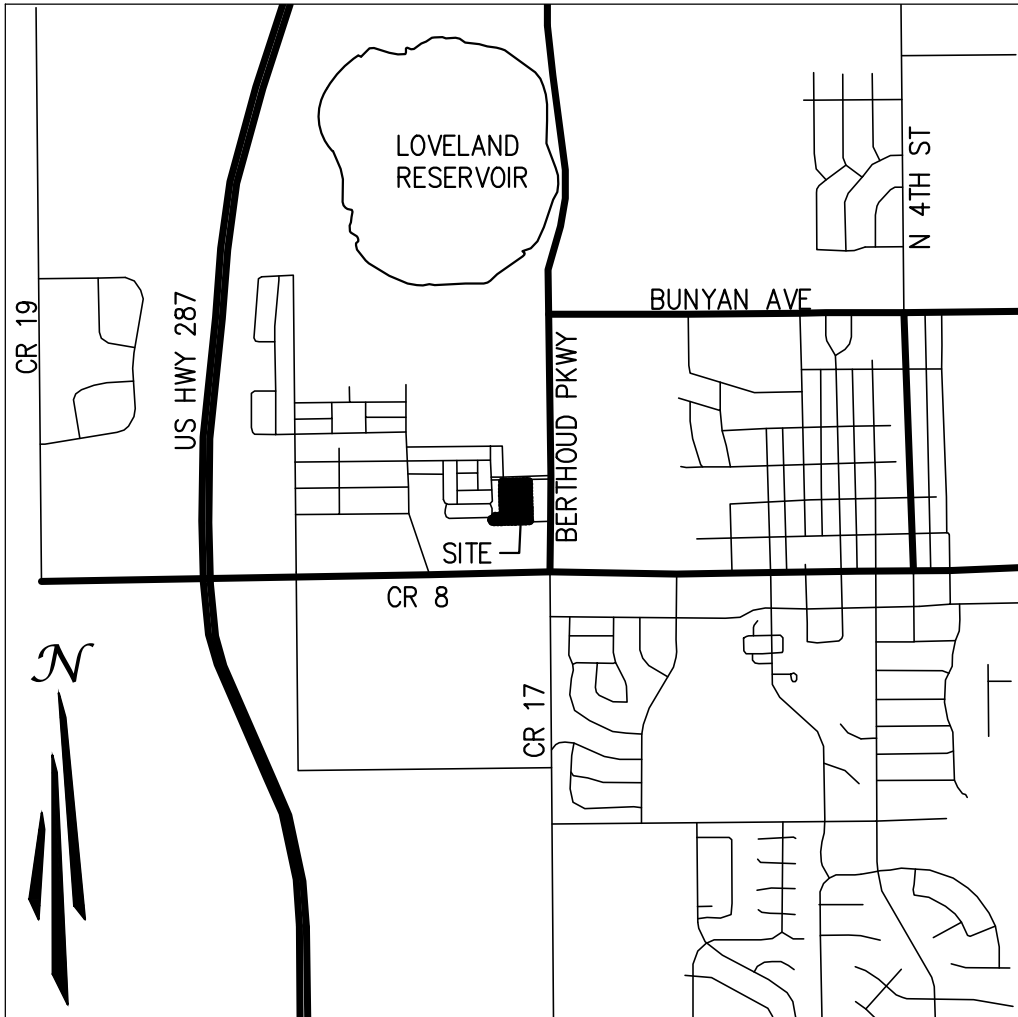
1. BEARINGS BASED ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN AS NORTH 00°18'03" WEST BETWEEN THE MONUMENTS SHOWN HEREON.
2. FIDELITY NATIONAL TITLE COMMITMENT NO. 100-N0037900-010-T02 AMENDMENT NO. 1, DATED AUGUST 17, 2022, WAS RELIED UPON FOR RECORD DATA REGARDING RIGHTS-OF-WAY, EASEMENTS, AND ENCUMBRANCES IN THE PREPARATION OF THIS PLAT.
3. ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED ON ANY DEFECT IN THE SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
4. THE TOTAL ACREAGE IS 137476 SQUARE FEET OR 3.156 ACRES.
5. THE PROPERTY IS ZONED PUD.
6. ACCORDING TO FEMA FLOOD MAP 08069C1386H DATED JANUARY 15, 2021, THE PROPERTY DOES NOT FALL IN A FLOOD HAZARD.
7. THE NEW LOTS CREATED BY THIS ACTION ARE SUBJECT TO THE SAME RESTRICTIONS, COVENANTS, AND REGULATIONS AS SET FORTH IN THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS OF GATEWAY PARK PAIRED HOMES AT RECEPTION NO. 20150060423 AND AMENDED AT RECEPTION NO. 20180006086 AND 20220041616.
8. ALL NOTES AND CERTIFICATIONS CONTAINED ON THE GATEWAY PARK FIRST FILING-PHASE 2 PLAT, RECORDED AT RECEPTION NO. 20020111641 AND THE AMENDED GATEWAY PARK FIRST FILING-PHASE 2-REPLAT B PLAT, RECORDED AT RECEPTION NO. 20150002177, ARE APPLICABLE UNLESS SUPERSEDED HEREON.
9. A BLANKET PUBLIC ACCESS EASEMENT ACROSS ALL LOTS IS DEDICATED WITH THIS PLAT.

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 CONTRACT THE TOWN OF BERTHOUD.

SITE SPECIFIC DEVELOPMENT PLAN:

THIS PLAN CONSTITUTES A SITE SPECIFIC DEVELOPMENT PLAN AS DEFINED IN ARTICLE 68 OF TITLE 24, C.R.S., AS AMENDED, AND CHAPTER 30 OF THE BERTHOUD DEVELOPMENT CODE AVAILABLE AT THE BERTHOUD TOWN HALL, 807 MOUNTAIN AVENUE, BERTHOUD, COLORADO 80513.



VICINITY MAP

SCALE: 1"=2000'

CONTACT LIST

OWNER/DEVELOPER

PLACER DEVELOPMENT, INC
P.O. BOX 770
OGALLALA, NE 68153-0770
ATTN: JASON HEPP
PHONE: (303) 902-5302

SURVEYOR

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

LEGAL DESCRIPTION AND DEDICATION:

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED, BEING THE OWNER OF THAT PART OF THE SOUTHEAST QUARTER OF SECTION 15, 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:

TRACTS B AND C, AMENDED GATEWAY PARK FIRST FILING-PHASE 2-REPLAT B AND LOT 1, BLOCK 2, GATEWAY PARK FIRST FILING-PHASE 2 TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO;

HAVE LAID OUT, PLATTED, AND SUBDIVIDED THE ABOVE DESCRIBED LAND, UNDER THE NAME AND STYLE OF AMENDED GATEWAY PARK FIRST FILING-PHASE 2-REPLAT D AND BY THESE PRESENTS DO DEDICATE TO THE TOWN OF BERTHOUD IN FEE SIMPLE THE STREET AND PUBLIC RIGHTS-OF-WAY AS SHOWN ON THE PLAT, AND GRANTS TO THE TOWN OF BERTHOUD SUCH EASEMENTS AS ARE CREATED HEREBY AND DEPICTED OR, BY NOTE, REFERENCED HEREON, ALONG WITH THE RIGHT TO INSTALL, MAINTAIN, AND OPERATE MAINS, TRANSMISSION LINES, SERVICE LINES AND APPURTENANCES, EITHER DIRECTLY OR THROUGH THE VARIOUS PUBLIC UTILITIES, AS MAY BE NECESSARY TO PROVIDED 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:PLACER DEVELOPMENT, INC., A NEBRASKA CORPORATION

BY: _____

AS: _____

STATE OF _____)
COUNTY OF _____)SS.

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2022.

BY: _____

AS: _____
WITNESS MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

APPROVAL CERTIFICATES:

APPROVED BY THE PLANNING COMMISSION OF THE TOWN OF BERTHOUD, COLORADO, THIS _____ DAY OF _____, A.D., 2022.

CHAIRMAN

THE FOREGOING PLAT IS APPROVED FOR FILING AND ACCEPTED BY THE TOWN OF BERTHOUD, COLORADO, THIS _____ DAY OF _____, A.D., 2022.

ATTEST: _____
COMMUNITY DEVELOPMENT DIRECTOR

SURVEYOR'S CERTIFICATE

I, STEVEN B. VARRIANO, A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY OF AMENDED GATEWAY PARK FIRST FILING-PHASE 2-REPLAT D WAS MADE UNDER MY SUPERVISION AND THE ACCOMPANYING PLAT ACCURATELY AND PROPERLY SHOWS SAID SUBDIVISION.

STEVEN B. VARRIANO, PLS 30126

DRAWN: KR
DATE: 12/6/2022
CHECKED:
DATE:
REVISION #:
DATE:
JOB NO: C01317C

AMENDED GATEWAY PARK FIRST FILING-PHASE 2-REPLAT D
A PORTION OF THE SOUTHEAST QUARTER OF SECTION 15,
TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN,
TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO

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NO.	DESCRIPTION	REVISIONS	BY	DATE

TRACTS B AND C, AMENDED GATEWAY PARK FIRST FILING-PHASE
2-REPLAT B AND LOT 1, BLOCK 2, GATEWAY PARK FIRST FILING-PHASE 2,
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 4
NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, TOWN OF
BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO



6163 E. County Road 16, Loveland, CO 80537

p:970/613/1447 www.tait.com

October 19, 2022
Revised December 8, 2022

Mr. Noah Nemmers, PE
Public Works Director
Town of Berthoud
807 Mountain Avenue
Berthoud, CO 80513

Re: Drainage Letter of Conformance for the Proposed Gateway B.D. PUD Amendment
Located southwest of Lake Street and Berthoud Parkway.

Mr. Nemmers,

The purpose of this letter is to confirm the proposed development conforms to the "Final Drainage Report and Erosion Control Study for Gateway Park 1st Filing Phase 2" prepared by North Star Design dated January 24, 2006.

The proposed commercial development is located on Lot 1, Block 2 of Gateway Park First Filing – Phase 2 and Tracts B and C, Amended Gateway Park First Filing – Phase 2 – Replat B, in the Southeast Quarter of Section 15, Township 4 North, Range 69 West of the Sixth Principal Meridian, Town of Berthoud, County of Larimer, State of Colorado. Lot 1 will be subdivided into smaller parcels each containing one (1) of the four (4) building envelopes originally proposed with the Phase 2 FDP. In addition, a portion of Tract B will be consolidated into Lot 1.

The existing site has been partially developed and consists of utilities, parking spaces, drive aisles, sidewalks and some landscaping. The remaining undeveloped areas mainly consist of the proposed building envelopes which is currently covered by native grasses and weeds. The soils on-site consist mainly of Fort Collins loam and categorized as NRCS Type C. Slopes generally range between 1-3% where runoff is directed to several catch basins within the site. Runoff discharges to the existing East Detention Pond located at the northwest corner of Berthoud Parkway and Mountain Avenue where detention and water quality is provided prior to releasing into an existing channel along Berthoud Parkway. The system ultimately discharges to the Little Thompson River.

The proposed development occurs within Building Envelope 1 (BE1) of Lot 1, Block 2, Gateway Park First Filing – Phase 2 and consists of one (1) building with associated drive-thru, sidewalks, and landscaping. All other infrastructure is already installed and will mostly remain in place. BE1 is 10,732 SF and the assumed building footprint is 10,600 SF. The proposed building is 5,493 SF approximately 52% of what was originally assumed. According to the Public Improvement Construction Plans for Gateway Park 1st Filing, Phase 2 (Original plans), 80% of each building envelope is permitted to be impervious area.

Therefore, the permitted impervious area for BE1 is 8,586 SF. The proposed development consists of approximately 3,112 SF of landscaping and 7,620 SF of hardscape within BE1 equating to 71% imperviousness which is within the allowable range.

Table 1: Summary of Assumed vs. Proposed Conditions

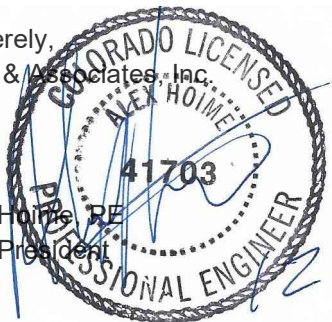
	Assumed		Proposed	
	SF	% of BE	SF	% of BE
Building Footprint	10,600	99%	5,493	51%
Building Envelope Imperviousness	8,586	80%	7,620	71%

This development will utilize the existing infrastructure and drainage basins delineated on Sheet 14 of the original plans. Existing Drainage Basin 10, containing most of the proposed development, will be slightly altered from the original design that assumed all flows within the basin would release to Design Point 10 (DP10), a single Type 13 combination inlet, southeast of the proposed building. This development will redirect a portion of the existing basin and route them to DP8, a 5' Type R inlet, and includes the building and areas west of the building. The remaining and majority of storm runoff north, east, and south of the building will maintain existing flow patterns. The flows captured by these inlets are ultimately conveyed to the East Pond, southeast of the development at the northwest corner of Berthoud Parkway and Main Street where the stormwater quality pond is located. An analysis of the Type R inlet, DP 8, has been performed and has confirmed there is sufficient capacity to take on the additional flows and has been included with this letter. The Original plans directed 2.8 cfs to DP8 for the 100-yr storm event. Basin 10A, the portion redirecting flows to DP8 is anticipated to direct an additional 1.40 cfs for the same storm event; totaling 4.2 cfs. The existing inlet has a capacity of 5.4 cfs which is greater than the anticipated flows. The storm drain pipe capacity has also been confirmed adequate for the altered flows.

This development ultimately reduces the imperviousness and runoff generated from BE1 and therefore is not anticipated to adversely affect existing structures and improvements adjacent to the project. The existing storm drainage facilities were sized to convey the anticipated flows.

Sincerely,
TAIT & Associates, Inc.

Alex Hoime, PE
Vice President



Enc.
Responsible Party Certification
Gateway Park 1st Filing Phase 2 Drainage Report
Sheet 14 of the Phase 2 Construction Drawings
Post Development Drainage Exhibit
Existing Inlet Capacity Calculations

Responsible Party Certification

"_____ (Name of Responsible Party) hereby certifies that the drainage facilities for Gateway B.D. PUD Amendment will be constructed according to the design presented in the Gateway B.D. PUD Amendment Construction Documents. I understand that the Town of Berthoud does not and shall not assume liability for the drainage facilities designed and/or certified by my engineer. I understand that the Town of Berthoud reviews drainage plans but cannot, on behalf of Gateway B.D. PUD Amendment, guarantee that final drainage design review will absolve _____ (Name of Responsible Party) and/or their successors and/or assigns of future liability for improper design. I further understand that approval of the Plat and/or Development Permit does not imply approval of my engineer's drainage design."

Attest:

(Name of Responsible Party)

Authorized Signature

**FINAL DRAINAGE AND EROSION
CONTROL STUDY**

**GATEWAY PARK 1st Filing
PHASE 2**

Prepared for:

Orcas Development
1630 South Lemay Ave. Suite 5
Fort Collins CO, 80525

Prepared by:

North Star Design
700 Automation Drive, Unit I
Windsor, Colorado 80550
(970) 686-6939

January 24, 2006

Job Number 178-02



January 24, 2006

Town of Berthoud
Amber Kaufman
328 Massachusetts Avenue
Berthoud, CO 80513

RE: Final Drainage and Erosion Control Study for Gateway Park 1st Filing, Phase 2

Drear Amber:

I am pleased to submit for your review and approval this Final Drainage and Erosion Control Report for *Gateway Park 1st Filing, Phase 2*. I certify that this report for the drainage design was prepared in accordance with the criteria set by the Town of Berthoud.

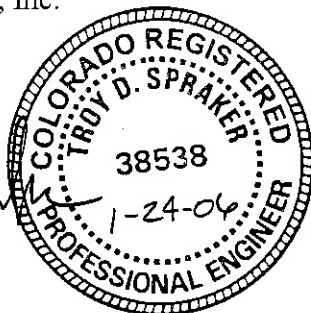
I appreciate your time and consideration in reviewing this submittal. Please call if you have any questions.

Sincerely,
North Star Design, Inc.

Prepared by:

A handwritten signature in black ink, appearing to read "Troy Spraker", is written over the printed name.

Troy Spraker P.E.



Reviewed by:

Tricia Kroetch P.E.

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2. DRAINAGE BASINS AND SUB-BASINS

2.1 Major Basin Description

Gateway Park 1st Filling, Phase 2 is located within the Loveland Reservoir Watershed as defined in the Bein Special Improvement District Final Drainage Report, prepared by Resource Consultants, Inc. dated January 1985, here after called Bein SID. The Bein SID drainage report has been updated by Drexel Barrell for the Gateway Park development. This final drainage report for Gateway Park has been the basis for drainage design for the *Gateway Park 1st Filing, Phase 2* development. See Appendix H for relevant portions of these reports.

Gateway Park 1st Filing, Phase 2 is located within Basin 4 as described in the Bein SID drainage report. This Basin 4 has been modified by Drexel Barrell and was divided into sub-basins SB-41, SB-42 and SB-43. Hydraflow, by InteliSolve was the software utilized by Drexel Barrell to calculate peak runoff and required detention volumes for the East and West ponds located within the Gateway Park development. See Appendix A for basin delineation between the two reports.

SB-41 is a triangular basin located to the north of Gateway Park which contributes runoff to the existing drainage channel located along the west side of County Road 17. Sub-basin SB-42 encompasses the western portion of Gateway Park, which includes residential area that contributes runoff to the West Pond. Sub-basin SB-43 encompasses the eastern portion of Gateway Park, which includes the health care facility, commercial and residential areas that contributes runoff to the East Pond. *Gateway Park 1st Filing*, is located within sub-basin SB-43.

Per Gateway Park Drainage Report, sub-basin SB-42 has been further divided into sub-basins WP-1 and UN-1. Runoff from sub-basin UN-1 has been determined to flow through the East Pond and runoff will be conveyed over the overflow spillway, no detention was provided for this basin. Similarly sub-basin SB-43 has been further divided into EP-1, EP-2 & UN-2. Runoff from sub-basin UN-2 has been determined to flow through the East Pond and runoff will be conveyed over the overflow spillway, no

detention was provided for this basin. Sub-basins WP-1, EP-1 & EP-2 consists of developed areas. Sub-basins UN-1 & UN-2 consist of undeveloped areas. *Gateway Park 1st Filing* is located within sub-basin UN-2.

A major drainage channel is located along the east property boundary of this site (west side of County Road 17) and flows from north to south. As described in the Gateway Park drainage report, runoff from basins SB-3, SB-15, SB-16 and SB-41 contributes runoff to this major drainage channel at the northeast corner of the Gateway Park development. As stated in the Gateway Park Drainage Report the 100yr peak flow at this point is 375.76 cfs.

2.2 Sub-basin Description

As described in the Gateway Park drainage report, sub-basin EP-1 and UN-2 has been further divided into sub-basins in order to utilize the rational method for calculating the peak flows to size inlets and storm pipe. *Gateway Park 1st Filing, Phase 2* is sub-basins GG & JJ. See Appendix A for sub-basin delineation.

For this development CUHP and Hydraflow was utilized to re-create and modify the overall watershed drainage model. This method was originally used with the Gateway Park Drainage study to size the East and West detention ponds, and to design the detention ponds outlet structures. The rational method has also been utilized to calculate peak flows to on-site inlets and to size storm pipe.

3. DRAINAGE DESIGN CRITERIA

3.1 Regulations

This report was prepared to meet or exceed the “City of Fort Collins Storm Drainage Design Criteria Manual” specifications as required by the Town of Berthoud. Where applicable, the criteria established in the “Urban Storm Drainage Criteria Manual” (UDFCD), developed by the Denver Regional Council of Governments, has been used.

3.2 Development Criteria Reference and Constraints

On-site runoff south of Lake Avenue and including basin 1 is routed to the East Pond. On-site runoff north of Lake Avenue and excluding basin 1 is routed to the existing North Pond. Detention pond release rates are limited to the 100yr historic runoff rate into the existing drainage channel. Runoff criteria used by the Town of Berthoud includes the Larimer County Area II, Loveland area IDF curves along with the City of Fort Collins Stormwater Criteria Manual. Water quality is required for the development.

3.3 Hydrologic Criteria

The area north of Lake Avenue is approximately 3.1 acres and the area south of Lake Avenue is approximately 17.7 acres. The rational method is utilized for calculating peak flow to the inlets and sizing onsite storm pipe since the contributing basins are less than 20.0 acres. The CUHP method must be used to size the East Detention Pond since the contributing watershed is greater than 20.0 acres. Runoff computations were prepared for the 2-year and 100-year storm events.

All on-site hydrologic calculations associated with the rational method are included in Appendix B of this report. Standard Form 8 (SF-8) provides time of concentration calculations for all sub-basins. Standard Form 9 (SF-9) provides a summary of the design flows for all sub-basins and design points associated with this development.

The overall hydrologic calculations associated with the CUHP method are included in Appendix F (Existing conditions model) and Appendix G (Proposed conditions model) of this report. See section 4.3 of this report for a details on the specific model and the modeling approach.

3.4 Hydraulic Criteria

All hydraulic calculations within this report have been prepared in accordance with the “City of Fort Collins Drainage Criteria Manual” as specified by the Town of Berthoud. Hydraulic calculations are included in Appendix C of this report.

It has been calculated that the total area contributing runoff that requires water quality and detention is 3.1 acres for the North Pond and 23.36 acres for the East Pond. Off-site runoff that flows to the East Pond is undetained and is conveyed over the overflow spillway to the existing drainage channel. On-site imperviousness for the area being detained in the North Pond is 69% and it has been calculated that 0.061 acre-feet of water quality volume is required. On-site imperviousness for the area being detained in the East Pond is 60% and it has been calculated that 0.552 acre-feet of water quality volume is required. Water quality has been calculated by the method recommended in the "Urban Storm Drainage Criteria Manual" based on a 40hr brim full release rate. See Appendix D for the North Pond water quality and detention volume calculations and Appendix E for the East Pond water quality calculation, see Appendix F & G for the East Pond detention pond sizing.

From Gateway Park Drainage report it was determined that detention was not provided in the East Pond for the developed runoff from the area that is encompassed by *Gateway Park 1st Filing, Phase 2*, therefore additional detention volume is required with the development of this site. The site has been divided into two regions, north of Lake Avenue and south of Lake Avenue. The majority of the area north of Lake Avenue will be detained in the existing North Pond as constructed with *Gateway Park 1st Filing, Phase 1* and the area south of Lake Avenue will be detained in the existing East Pond. The East Pond size will be modified by *Gateway Park 1st Filing, Phase 2*. See basin plan located in Appendix B for region delineations.

The North Pond was designed and constructed with *Gateway Park 1st Filing, Phase 1* and assumed full development. The North Pond has been checked to operate as intended with *Gateway Park 1st Filing, Phase 2*, No modifications to the North Pond is necessary. To size the East Pond it was necessary to re-create the overall CUHP drainage model, then modify the existing drainage model to incorporate *Gateway Park 1st Filing, Phases 1 & 2*. With this development the East Detention Pond has been increased to provide additional detention volume. It is necessary to modify the existing East Pond outlet structure by covering all but 6 columns of the water quality plate (cover 33 of the 39 columns). With this modification the East Pond outlet structure will operate within acceptable limits.

The North Pond WQ WSEL is 5059.10 and the 100yr WSEL is 5061.00. The East Pond WQ WSEL is 5052.24 and the 100yr WSEL is 5054.70. With the additional volume

provided in the East Pond a decrease is observed from the Gateway Drainage Report in the 2yr WSEL (5052.94 to 5052.71), the 100yr WSEL (5055.09 to 5054.70), and the overall release rate (10.05 cfs to 8.34 cfs.)

4. DRAINAGE FACILITY DESIGN

4.1 General Concept

Runoff from the area north of Lake Avenue will sheet flow to the proposed North Pond, any undetained runoff has been deducted from the allowable detention pond release rate. Runoff south of Lake Avenue will be routed by sheet and gutter flow to the proposed storm sewer system and conveyed to the existing East Pond. Runoff from the North and East detention ponds are released into the existing drainage swale at the 100yr historic runoff rate.

Water quality is provided for both the North and East detention ponds and controlled by releasing runoff through a perforated flow control plate into the existing drainage channel. The 40hr brim full release rate is used to calculate the required water quality volume. All runoff is conveyed to the existing drainage channel located along the east property boundary (west of County Road 17). The existing drainage channel eventually discharges runoff into Dry Creek.

4.2 Specific Flow Routing

A summary of the drainage patterns within each basin is provided in the following paragraphs. For more details see Appendix B for flow calculations, Appendix C for hydraulic calculations and Appendix D, E, F & G for water quality and detention calculations.

Basin 1 includes a portion of the proposed multi-family buildings along with associated sidewalks and landscape areas. Runoff from this basin sheet flows southwest to an inlet located at the low point in Lake Avenue. Runoff is intercepted by the existing storm system and conveyed to the East Pond.

Basin 2 includes a portion of the proposed multi-family and commercial buildings along with associated paving, sidewalks and landscape areas. Runoff from this basin sheet flows to the low point where it is conveyed through the curb cut into the North Pond. No ponding occurs during the 100yr major storm event.

Basin 3 includes a portion of the proposed commercial buildings along with associated paving, sidewalks and landscape areas. Runoff from this basin sheet flows to the low point where it is conveyed through a curb cut into the North Pond. No ponding will occur during the 100yr major storm event.

Basin 4 includes a portion of the proposed commercial buildings along with associated paving, sidewalks and landscape areas. Runoff from this basin sheet flows to the low point where it is conveyed through a curb cut into the North Pond. No ponding will occur during the 100yr major storm event.

Basin 5 includes the North Pond and a portion of the proposed commercial buildings along with associated landscape areas. Runoff from this basin is conveyed by sheet flow to the North Pond. Runoff is released at the 100yr historic release rate minus any undetained flow.

Basin 6 includes a portion of the proposed commercial building along with associated landscape area. Runoff from this basin is conveyed by sheet flow to the existing drainage channel along the east property line. Water quality for this basin is provided by the conveyance of runoff through the grassed landscaping prior to being released into the existing drainage channel. Runoff from this basin has been deducted from the allowable release rate in the sizing of the North Pond.

Basin 7 includes a portion of the proposed multi-family building along with associated landscape area. Runoff from this basin sheet flows west to 12th Street where it is conveyed south to the low point. Runoff is intercepted by the existing storm system and conveyed to the East Pond.

Basin 8 includes a portion of the proposed multi-family building along with associated landscape area. Runoff from this basin sheet flows an inlet located at the low point. Runoff from this basin is conveyed to the East Pond.

Basin 9 includes a portion of the proposed multi-family building along with associated landscape area. Runoff from this basin sheet flows an inlet located at the low point. Runoff from this basin is conveyed to the East Pond.

Basin 10 includes a portion of the proposed commercial buildings along with associated paving, sidewalks and landscape areas. Runoff from this basin sheet flows to a combination inlet located at the low point. Runoff enters the proposed storm sewer and is conveyed to the East Pond.

Basin 11 includes a portion of the proposed commercial buildings along with associated paving, sidewalks and landscape areas. Runoff from this basin sheet flows to a combination inlet located at the low point. Runoff enters the proposed storm sewer and is conveyed to the East Pond.

Basin 12 includes a portion of the proposed commercial buildings along with associated paving, sidewalks and landscape areas. Runoff from this basin sheet flows to a combination inlet located at the low point. Runoff enters the proposed storm sewer and is conveyed to the East Pond.

Basin 13 includes a portion of the proposed commercial building and parking lot along with associated sidewalks and landscape areas. Runoff from this basin sheet flows to a combination inlet located at the low point. Runoff enters the proposed storm sewer and is conveyed to the East Pond. No ponding will occur during the 2yr and 10yr minor storm events. Pipe capacity will be exceeded during a 100yr major storm event due to the tailwater effects in the East Pond, causing runoff to pond over this inlet. During the 100yr storm event the maximum depth of ponding will be approximately 12" above the flowline at the inlet prior to runoff overtopping the high point in the drive to the south. Overtopping runoff will flow south to Basin 19. Runoff entering Basin 19 will overtop the curb & gutter at the inlet and continue to flow south to the East Pond. Overtopping runoff will be detained in the East Pond and released into the existing drainage ditch.

Basin 14 includes a portion of the proposed commercial buildings along with associated paving, sidewalks and landscape areas. Runoff from this basin sheet flows to a

combination inlet located at the low point. Runoff enters the proposed storm sewer and is conveyed to the East Pond.

Basin 15 includes a portion of the proposed commercial building along with associated paving, sidewalks and landscape areas. Runoff from this basin sheet flows to an area inlet located at the low point. Runoff enters the existing storm sewer as constructed with Phase 1 and runoff is conveyed to the East Pond.

Basin 16 includes a portion of the proposed commercial building along with associated landscape area. Runoff from this basin sheet flows to the existing drainage channel east of the site. Water quality for this basin is provided by the conveyance of runoff through the grassed landscaping prior to being conveyed into the existing drainage channel.

Basin 17 includes a portion of the proposed commercial building along with associated paving, sidewalks and landscape areas. Runoff from this basin sheet flows to a combination inlet located at the low point. Runoff enters the proposed storm sewer and is conveyed to the East Pond. No ponding will occur during the 2yr and 10yr storm events. During the 100yr storm event the proposed storm sewer will exceed capacity causing runoff to overtop the curb & gutter. Runoff from this basin along with runoff from Basin 13 will flow south to the East Pond.

Basin 18 includes a portion of the proposed commercial building along with associated paving, sidewalks and landscape areas. Runoff from this basin sheet flows to a combination inlet located at the low point. Runoff enters the proposed storm sewer and is conveyed to the East Pond.

Basin 19 includes a portion of the parking lot along with associated sidewalks and landscape areas. Runoff from this basin sheet flows to a combination inlet located at the low point. Runoff enters the proposed storm sewer and is conveyed to the East Pond.

Basin 20 includes a portion of the parking lot along with associated sidewalks and landscape areas. Runoff from this basin sheet flows to a combination inlet located at the low point. Runoff enters the proposed storm sewer and is conveyed to the East Pond.

Basin 21 includes a portion of the parking lot along with associated sidewalks and landscape areas. Runoff from this basin sheet flows to a combination inlet located at the low point. Runoff enters the proposed storm sewer and is conveyed to the East Pond.

Basin 22 includes a portion of the proposed future Health Care building along with associated landscape area. Runoff is conveyed to a low point and intercepted by a combination inlet located at the low point. Runoff enters the proposed storm sewer and is conveyed to the East Pond.

Basin 23 includes a portion of the proposed future Health Care building along with associated landscape area. Runoff is conveyed to a low point and intercepted by a combination inlet located at the low point. Runoff enters the proposed storm sewer and is conveyed to the East Pond.

Basin 24 includes a portion of the proposed future Health Care building along with associated landscape area. Runoff is conveyed to a south to the East Pond.

Basin 25 includes the East Pond and a portion of both the Assisted Living buildings along with associated pavement, sidewalks and landscape areas. Runoff from this basin sheet flows to the East Pond. Runoff is discharged into the existing drainage swale located along the east property boundary of the site.

4.3 Overall Drainage Model and Design Procedure

The original Hydraflow model was obtained from Drexel Barrell & Co. HydraFlow 2004 was purchased to open and update the original model. The original HydraFlow v5.1 model was unable to be opened and edited using HydraFlow 2004. The original model was sent to Terry Stringer (customer support for HydraFlow) to be modified to work with HydraFlow 2004. Per correspondence with Terry, Hydraflow 2004 required channel reach lengths and slopes that weren't required when the original model was completed. Terry edited the original model by adding random reach lengths and slopes and he stated that the edited model needed to be checked. Upon receiving the edited models and opening in HydraFlow 2004, it was found that the models obtained were incomplete, data was lost in the conversion or data in models were different than what was used in the Gateway Park Drainage Report. All original and edited models could not be used.

Excel based CUHP 2005 (Colorado Urban Hydrograph Procedure), versions 1.0 was downloaded from Urban Drainage and Flood control district to re-create hydrographs using the given basin parameters. Hydraflow 2004 was used to re-create the original watershed model. Within the Gateway Park Drainage Report there exists a summary table of the off-site basins used and a printout of the corresponding basin hydrograph. This basin information was input into CUHP 2005 and, for these off-site basins, a similar hydrograph was created. These basins include SB-1, SB-2, SB-3, SB-15, SB-16. Only minor differences between the given hydrographs and the calculated hydrographs are observed. These re-calculated basins and hydrographs for the above stated basins are considered a good check, and therefore the given hydrographs in the Gateway Park Drainage Report has been used for the re-created drainage model.

Gateway Park development is located within Basin 4 as described in the Bein SID. Per Gateway Park Drainage Report, Basin 4 has been divided into Basins SB-41, SB-42 & SB-43; where SB-41 is a triangular basin located on the north boundary of the site, SB-42 has been further divided in WP-1 & UN-1, and SB-43 has been further divided into EP-1, EP-2 & UN-2.

Summary of sub-basins

- **Basin WP-1** is the developed area that contributes runoff to the “West Pond”.
- **Basin UN-1** is the undeveloped area that contributes runoff the “East Pond”, however the East pond is not providing detention or water quality.
- **Basin EP-1** is the developed area that contributes runoff to the “East Pond”.
- **Basin EP-2** is the area encompassed by the “East Pond”
- **Basin UN-2** is the commercial area to be developed and developed runoff to be detained in the “East Pond”.

For the above-mentioned basins, the parameters given in the report appear to reasonably describe the basins.

Per Gateway Park Drainage Report the hydrographs for the off-site basins were calculated using CUHP and it appears that the on-site basins were calculated using a different method. In an attempt to re-create matching hydrograph to the Gateway Park Drainage

Report for these sub-basins, the Rational Method and the SCS method were tried, but with limited success. With the rational method, a triangular hydrograph is created, the peak flow and time of concentration can be matched, but the total volume of runoff is much less than what was given in the report. With the SCS method the peak runoff and time of concentration is not consistent with the overall modeling parameters.

Per the Larimer County Storm Water Management Manual the CUHP method should be used for watersheds in this region and from the CUHP 2005 user manual it states that CUHP 2005 can be used for basins as small as 5-10 acres. CUHP has been used to calculate the hydrographs for ALL basins even though they may be smaller than 5 acres.

Modeling Assumptions

- If the given basin storm hydrographs are similar to the calculated basin and storm hydrographs, use the given basin parameters and hydrograph data.
- If the minor storm hydrograph was not given and the major storm hydrograph is similar to the calculated hydrograph, use the given basin parameters with the calculated hydrograph for the minor storm and the given hydrograph for the major storm.
- If the given basin parameters are similar to the calculated basin parameters, use the given basin parameters.
- If the given basin parameters and the calculated basin parameters are similar but the hydrographs do not match, use the given basin parameters with the calculated hydrograph.
- If hydrograph is not present in report, used the calculated CUHP hydrograph.
- For Lake Loveland use the given stage storage and stage release rates.
- For the West and East Ponds use the designed outlet structure to calculate the stage storage and stage release rates. *(these are very close to the given stage release rates by Gateway Park Drainage Report)*

The North Pond outlet structure was designed to provide water quality and detention. The water quality has been sized to have a 40 hr brim full release rate. The detention has been sized using the FAA method using the calculated 100yr historic release rate minus any undetained flows. North Pond Outlet structure was designed and constructed with *Gateway Park 1st Filing, Phase 1*. See Appendix D for verifying calculations.

The East Pond outlet structure is designed to provide water quality and detention. The water quality has been sized to have a 40 hr brim full release rate, See Appendix D. The detention has been sized using CUHP and the created proposed hydraflow drainage model. See Appendix E for water quality calculations, Appendix F for the entire Existing Conditions Drainage Model and Appendix G for the entire Proposed Drainage Model.

The modifications to the existing outlet structure for the East Pond are as follows:

Water Quality Plate

Modification to the water quality plate includes covering of 33 of the 39 columns (6 columns to remain). Water quality is released at the 40hr brim full rate. See Appendix G.

No other modifications are necessary for acceptable performance of the East Pond outlet structure.

Drainage Model Summary Tables

CUHP HYDROGRAPH COMPARISON –

GATEWAY PARK DRAINAGE REPORT HYDROGRAPHS (*DB-EX*) vs. RE-CREATED HYDROGRAPHS (*NSD-EX*)

Basins that have the highlighted border is the Hydrograph that was used to re-creating the overall drainage model.

2yr STORM EVENT				100yr STORM EVENT			
	<i>DB-EX</i>	<i>NSD-EX</i>	<i>Notes:</i>		<i>DB-EX</i>	<i>NSD-EX</i>	<i>Notes:</i>
SB-1							
PEAK FLOW	0.0 cfs.	0.73 cfs.			163.90 cfs.	171.41 cfs.	
PEAK Tc	-	45 min.			50 min.	50 min.	
TOTAL VOLUME	-	2,733 cu.ft			781,797 cu.ft	n/a	

2yr STORM EVENT				100yr STORM EVENT			
	<i>DB-EX</i>	<i>NSD-EX</i>	<i>Notes:</i>		<i>DB-EX</i>	<i>NSD-EX</i>	<i>Notes:</i>
SB-2							
PEAK FLOW	0.0 cfs.	0.56 cfs.			188.59 cfs.	196.32 cfs.	
PEAK Tc	-	40 min.			50 min.	45 min.	
TOTAL VOLUME	-	1,734 cu.ft			748,575 cu.ft	n/a	
SB-3							
PEAK FLOW	0.0 cfs.	0.90 cfs.			104.09 cfs.	99.57 cfs.	
PEAK Tc	-	35 min.			45 min.	40 min.	
TOTAL VOLUME	-	2,634 cu.ft			358,767 cu.ft	n/a	
SB-5							
PEAK FLOW	0.0 cfs.	0.57 cfs.	Not used in model		147.0 cfs.	153.33 cfs.	Not used in model
PEAK Tc	-	40 min.			50 min.	45 min.	
TOTAL VOLUME	-	n/a			n/a	n/a	
SB-15							
PEAK FLOW	87.33 cfs.	88.89 cfs.			1232.86 cfs.	1251.37 cfs.	
PEAK Tc	50 min.	45 min.			55 min.	50 min.	
TOTAL VOLUME	437,871 cu.ft	n/a			6,071,490 cu.ft	n/a	

2yr STORM EVENT				100yr STORM EVENT			
	<i>DB-EX</i>	<i>NSD-EX</i>	<i>Notes:</i>		<i>DB-EX</i>	<i>NSD-EX</i>	<i>Notes:</i>
SB-16							
PEAK FLOW	0.0 cfs.	0.87 cfs.			77.66 cfs.	70.77 cfs.	
PEAK T_c	-	35 min.			45 min.	40 min.	
TOTAL VOLUME	-	2,541 cu.ft			250,716 cu.ft	n/a	
SB-41							
PEAK FLOW	0.0 cfs.	0.23 cfs.			75.63 cfs.	29.03 cfs.	
PEAK T_c	-	35 min.			30 min.	35 min.	
TOTAL VOLUME	-	537 cu.ft			86,517 cu.ft	93,525 cu.ft	
UN-1							
PEAK FLOW	n/a	3.64 cu.ft			n/a	24.78 cfs.	
PEAK T_c	n/a	35 min.			n/a	40 min.	
TOTAL VOLUME	n/a	14,427 cu.ft			n/a	93,459 cu.ft	
WP-1							
PEAK FLOW	n/a	23.39 cfs.			n/a	87.45 cfs.	
PEAK T_c	n/a	35 min.			n/a	40 min.	
TOTAL VOLUME	n/a	74,610 cu.ft			n/a	271,329 cu.ft	

2yr STORM EVENT				100yr STORM EVENT			
	<i>DB-EX</i>	<i>NSD-EX</i>	<i>Notes:</i>		<i>DB-EX</i>	<i>NSD-EX</i>	<i>Notes:</i>
EP-1							
PEAK FLOW	n/a	5.95 cfs.			n/a	23.58 cfs	
PEAK Tc	n/a	30 min.			n/a	35 min.	
TOTAL VOLUME	n/a	19,485 cu.ft			n/a	74,682 cu.ft	
EP-2							
PEAK FLOW	n/a	0.32 cfs.			n/a	4.37 cfs.	
PEAK Tc	n/a	35 min.			n/a	40 min.	
TOTAL VOLUME	n/a	921 cu.ft			n/a	16,770 cu.ft	
UN-2							
PEAK FLOW	n/a	0.0 cfs			n/a	26.13 cfs.	
PEAK Tc	n/a	-			n/a	45 min.	
TOTAL VOLUME	n/a	-			n/a	107,565 cu.ft	

**CUHP HYDROGRAPHS USED IN THE HYDRAFLOW MODEL –
EXISTING HYDROGRAPHS (EX) vs. DEVELOPED HYDROGRAPHS (PRO)**

2yr STORM EVENT				100yr STORM EVENT			
	<i>EX</i>	<i>PRO</i>	<i>Notes:</i>		<i>EX</i>	<i>PRO</i>	<i>Notes:</i>
SB-1							
PEAK FLOW	0.73 cfs.	0.73 cfs.			163.90 cfs.	163.90 cfs.	
PEAK Tc	45 min.	45 min.			50 min.	50 min.	
TOTAL VOLUME	2,733 cu.ft	2,733 cu.ft			781,797 cu.ft	781,797 cu.ft	
SB-2							
PEAK FLOW	0.56 cfs.	0.56 cfs.			188.59 cfs.	188.59 cfs.	
PEAK Tc	40 min.	40 min.			50 min.	50 min.	
TOTAL VOLUME	1,734 cu.ft	1,734 cu.ft			748,575 cu.ft	748,575 cu.ft	
SB-3							
PEAK FLOW	0.90 cfs.	0.90 cfs.			104.09 cfs.	104.09 cfs.	
PEAK Tc	35 min.	35 min.			45 min.	45 min.	
TOTAL VOLUME	2,634 cu.ft	2,634 cu.ft			358,767 cu.ft	358,767 cu.ft	
SB-5 (Not used in model)							
PEAK FLOW	0.57 cfs.	0.57 cfs.			153.33 cfs.	153.33 cfs.	
PEAK Tc	40 min.	40 min.			45 min.	45 min.	
TOTAL VOLUME	n/a	n/a			n/a	n/a	

2yr STORM EVENT				100yr STORM EVENT			
	EX	PRO	Notes:		EX	PRO	Notes:
SB-15							
PEAK FLOW	87.33 cfs.	87.33 cfs.			1232.86 cfs.	1232.86 cfs.	
PEAK Tc	50 min.	50 min.			55 min.	55 min.	
TOTAL VOLUME	437,871 cu.ft	437,871 cu.ft			6,071,490 cu.ft	6,071,490 cu.ft	
SB-16							
PEAK FLOW	0.87 cfs.	0.87 cfs.			77.66 cfs.	77.66 cfs.	
PEAK Tc	35 min.	35 min.			45 min.	45 min.	
TOTAL VOLUME	2,541 cu.ft	2,541 cu.ft			250,716 cu.ft	250,716 cu.ft	
SB-41							
PEAK FLOW	0.23 cfs.	0.23 cfs.			29.03 cfs.	29.03 cfs.	
PEAK Tc	35 min.	35 min.			35 min.	35 min.	
TOTAL VOLUME	537 cu.ft	537 cu.ft			93,525 cu.ft	93,525 cu.ft	
UN-1							
PEAK FLOW	3.64 cfs.	3.64 cfs.			24.78 cfs.	24.78 cfs.	
PEAK Tc	35 min.	35 min.			40 min.	40 min.	
TOTAL VOLUME	14,427 cu.ft	14,427 cu.ft			93,459 cu.ft	93,459 cu.ft	

2yr STORM EVENT				100yr STORM EVENT		
	<i>EX</i>	<i>PRO</i>	<i>Notes:</i>		<i>EX</i>	<i>PRO</i> <i>Notes:</i>
WP-1						
PEAK FLOW	23.39 cfs.	23.39 cfs.			87.45 cfs.	87.45 cfs.
PEAK T_c	35 min.	35 min.			40 min.	40 min.
TOTAL VOLUME	74,610 cu.ft	74,610 cu.ft			271,329 cu.ft	271,329 cu.ft
EP-1						
PEAK FLOW	5.95 cfs.	5.95 cfs.			23.58 cfs	23.58 cfs
PEAK T_c	30 min.	30 min.			35 min.	35 min.
TOTAL VOLUME	19,485 cu.ft	19,485 cu.ft			74,682 cu.ft	74,682 cu.ft
EP-2						
PEAK FLOW	0.32 cfs.	0.32 cfs.			4.37 cfs.	4.37 cfs.
PEAK T_c	35 min.	35 min.			40 min.	40 min.
TOTAL VOLUME	921 cu.ft	921 cu.ft			16,770 cu.ft	16,770 cu.ft
UN-2 (Existing Model ONLY)						
PEAK FLOW	0.01 cfs	n/a			26.13 cfs.	n/a
PEAK T_c	10 min.	n/a			45 min.	n/a
TOTAL VOLUME	6 cu.ft	n/a			107,565 cu.ft	n/a

2yr STORM EVENT				100yr STORM EVENT			
	<i>EX</i>	<i>PRO</i>	<i>Notes:</i>		<i>EX</i>	<i>PRO</i>	<i>Notes:</i>
UN-2a (North Pond – Proposed Model ONLY)							
PEAK FLOW	n/a	3.44 cfs.			n/a	26.13 cfs.	
PEAK T_c	n/a	25 min.			n/a	45 min.	
TOTAL VOLUME	n/a	8,724 cu.ft			n/a	107,565 cu.ft	
UN-2b (East Pond – Proposed Model ONLY)							
PEAK FLOW	n/a	0.01 cfs			26.13 cfs.	26.13 cfs.	
PEAK T_c	n/a	10 min.			45 min.	45 min.	
TOTAL VOLUME	n/a	6 cu.ft			107,565 cu.ft	107,565 cu.ft	

**HYDRAFLOW MODEL COMPARISON - GATEWAY PARK DRAINAGE REPORT
MODEL (GW-DM) vs. RE-CREATED EXISTING DRAINAGE MODEL (EX-DM) vs.
DEVELOPED DRAINAGE MODEL (PRO-DM)**

2yr DRAINAGE MODEL				100yr DRAINAGE MODEL			
	<i>GW-DM</i>	<i>EX-DM</i>	<i>PRO-DM</i>		<i>GW-DM</i>	<i>EX-DM</i>	<i>PRO-DM</i>
Loveland Reservoir							
Max. Volume	261,198 cu.ft	261,198 cu.ft	261,198 cu.ft		3,678,572 cu.ft	3,678,572 cu.ft	3,678,572 cu.ft
WSEL	100.05	100.05	100.05		100.65	100.65	100.65
Release Rate	25.05 cfs.	25.05 cfs.	25.05 cfs.		352.73 cfs.	352.73 cfs.	352.73 cfs.
West Pond							
Max. Volume	103,665 cu.ft	69,275 cu.ft	66,481 cu.ft		298,790 cu.ft	214,874 cu.ft	213,539 cu.ft
WSEL	58.47	58.30	58.30		60.63	59.96	59.94
Release Rate	1.47 cfs.	1.09 cfs.	1.31 cfs.		24.79 cfs.	15.00 cfs	15.30 cfs.
North Pond							
Max. Volume	n/a	n/a	6,525 cu.ft		n/a	n/a	26,321 cu.ft
WSEL	n/a	n/a	59.84		n/a	n/a	61.53
Release Rate	n/a	n/a	0.64 cfs.		n/a	n/a	1.65 cfs.
East Pond							
Max. Volume	40,378 cu.ft	15,499 cu.ft	19,666 cu.ft		108,243 cu.ft	67,552 cu.ft	142,006 cu.ft
WSEL	52.94	53.17	52.71		55.09	54.34	54.70
Release Rate	0.39 cfs.	1.07 cfs.	0.07 cfs.		10.05 cfs	5.97 cfs.	8.34 cfs.

2yr DRAINAGE MODEL				100yr DRAINAGE MODEL			
	<i>GW-DM</i>	<i>EX-DM</i>	<i>PRO-DM</i>		<i>GW-DM</i>	<i>EX-DM</i>	<i>PRO-DM</i>
Flow to EX. 9x4 CBC at SH56 & CR 17							
Total Volume	577,362	553,569	551,853		8,904,671	8,865,476	8,887,876
	cu.ft	cu.ft	cu.ft		cu.ft	cu.ft	cu.ft
Peak Flow	28.10	27.73	27.36		676.07	693.40	678.57
Rate	cfs.	cfs.	cfs.		cfs	cfs.	cfs.

4.4 Drainage Summary

Runoff generated by *Gateway Park 1st Filing, Phase 2* will be safely conveyed to the respective detention ponds by sheet flow, curb & gutter flow and storm pipes. Spillways have been provided in the event a greater than 100yr storm occurs to convey runoff to the major drainage pathway.

Drainage facilities located outside of the right-of-way will be maintained by the Gateway Park Association. Drainage facilities located within the right-of-way shall be maintained by the Town of Berthoud.

5. EROSION CONTROL

5.1 General Concept

The potential exists for silt movement from the site to the existing drainage swales. Potential also exists for tracking of mud onto existing streets which could then wash into existing storm systems. During construction silt movement will be controlled by the use of construction entrances, inlet protection, silt fence and straw bales. See Drainage and Erosion Control Plan located in the back packet of this report.

All temporary and permanent erosion and sediment control practices must be maintained and repaired as needed to assure continued performance of their intended function. Straw bale dikes or silt fences will require periodic replacement. Maintenance is the responsibility of the developer.

5.2 Specific Details

To limit the amount of silt leaving the site several erosion control measures shall be implemented during construction. Straw bales will be used where appropriate and silt fence shall be installed along the south, east and west boundaries of the site. Construction entrances shall be installed at the proposed connection to Lake Avenue and County Road 17 to control the mud being tracked onto the existing pavement. During overlot grading, disturbed areas are to be kept in a roughened condition and watered to reduce wind erosion. See Drainage and Erosion Control Plan located in the back packet of this report.

Wherever construction vehicles access routes or intersect paved public roads, provisions must be made to minimize the transport of sediment (mud) by runoff or vehicles tracking mud onto the paved surface. A stabilized construction entrance is required per the detail shown on the detail sheet with base material consisting of 6" coarse aggregate. The contractor will be responsible for clearing tracked mud on a daily basis. Construction entrances shall be installed at the proposed connections to Lake Avenue and County Road 17 to control the mud being tracked onto the existing pavement.

During overlot grading, disturbed areas are to be kept in a roughened condition and watered to reduce wind erosion. See Drainage and Erosion Control Plan located in the back packet of this report.

During the performance of the work required by these plans, the Contractor shall carry out proper efficient measures wherever and as necessary to reduce dust nuisance, and to prevent dust nuisance, which has originated from his operations from damaging crops, orchards, cultivated fields, and dwellings, or causing nuisance to persons. The Contractor will be held liable for any damage resulting from dust originating from his operations under these plans, on right-of-way or elsewhere.

6. CONCLUSIONS

6.1 Compliance with Standards

All computations that have been completed with this report are in compliance with the City of Fort Collins Storm Drainage Design Criteria Manual using City Larimer County Area II IDF curves as specified by the Town of Berthoud.

No variances are required for the project.

6.2 Drainage Concept

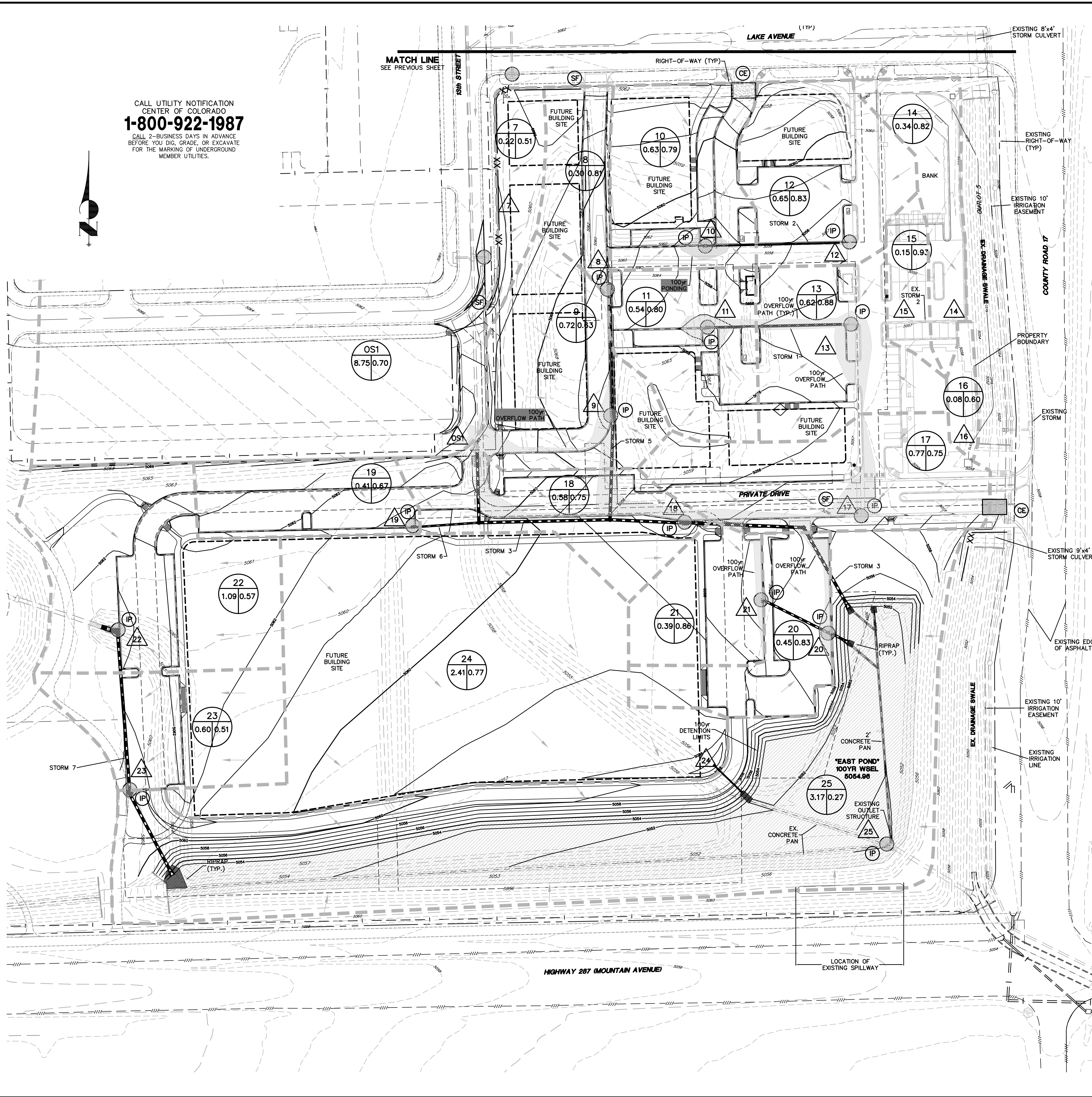
The proposed drainage concepts presented in this report and on the construction plans adequately provide for stormwater quality treatment of proposed impervious areas. Conveyance elements have been designed to pass required flows and to minimize future maintenance.

If, at the time of construction, groundwater is encountered, a Colorado Department of Health Construction Dewatering Permit will be required.

7. REFERENCES

1. City of Fort Collins, "Storm Drainage Criteria Manual", (SDCM), dated March, 1986.
2. Urban Drainage and Flood Control District, "Urban Storm Drainage Criteria Manual", Volumes 1 and 2, dated June 2001, and Volume 3 dated September 1999.
3. "Final Drainage Report for Bein Special Improvement District, Berthoud Colorado" by Resource Consultants, Inc., Dated January 1985. Reference number 1265.
4. "Final Drainage Report for Gateway Park, Berthoud Colorado", by Drexel Barrell & Co., dated April 5, 2001 with the latest revision of January 8, 2002. Project #E5082.3
5. "Final Drainage Report for Gateway Park, Berthoud Colorado Phase 1", by North Star Design Inc., dated February 16, 2005. Project number 178-02.

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LEGEND

- DESIGN POINT
- BASIN CRITERIA
- 5 YR RUNOFF COEFFICIENT
- AREA IN ACRES
- FLOW DIRECTION
- BASIN BOUNDARY
- SILT FENCE
- CONSTRUCTION ENTRANCE
- EROSION BALES
- INLET PROTECTION
- SEDIMENT TRAP
- EXISTING PIPES
- PROPOSED STORM PIPE
- FLARED END SECTION
- PROPOSED INLET LOCATION
- EXISTING 5' CONTOUR
- EXISTING 1' CONTOUR
- PROPOSED 5' CONTOUR
- PROPOSED 1' CONTOUR
- RIPRAP
- EXISTING EDGE OF ASPHALT

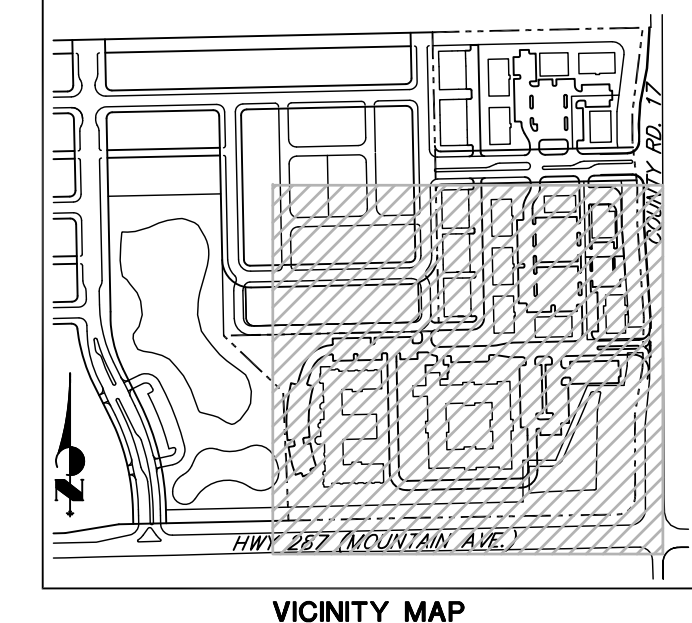
- NOTES:**
- SEE GENERAL NOTES SHEET FOR EROSION CONTROL NOTES.
 - ALL DISTURBED AREAS SHALL BE SEEDED AND MULCHED WITHIN 30 DAYS OF THE COMPLETION OF EARTH MOVING ACTIVITY.
 - NORTH POND CONSTRUCTED WITH PHASE 1. DETENTION VOLUME TO BE VERIFIED AND OUTLET STRUCTURES WQ AND ORIFICE PLATES TO BE REPLACED WITH PHASE 2.
 - 80% OF EACH BUILDING ENVELOPE MAY BE DEVELOPED INTO IMPERVIOUS AREA.

EAST POND		
WATER QUALITY POND SUMMARY		WSEL
WQ REQUIRED	0.552 ac.ft	5052.24
DETENTION SUMMARY TABLE		
2yr - DETENTION REQUIRED	0.451 ac.ft	
100yr - DETENTION REQUIRED	3.26 ac.ft	
WQ & DETENTION SUMMARY TABLE		
2yr DETENTION & WQ REQUIRED	1.00 ac.ft	5052.73
100yr DETENTION & WQ REQUIRED	3.81 ac.ft	5054.86
WQ PLATE		
WQ PLATE ORIFICE - PLATE TO BE MODIFIED OR REPLACED	6 COLUMNS - 1/2" ON 4" CENTERS	
100yr ORIFICE		
100yr ORIFICE	EXISTING NOTCH TO REMAIN	

EAST POND SPILLWAY SUMMARY TABLE -TO BE VERIFIED-	
LENGTH	65 FT
SPILLWAY ELEVATION	5056.25
MINIMUM BANK ELEVATION	5057.20

ON-SITE DRAINAGE SUMMARY TABLE									
DESIGN POINT	AREA DESIG.	AREA (ACRES)	C2	C10	C100	Tc (S) (MIN)	Q (2) (CFS)	Q (10) (CFS)	Q (100) (CFS)
7	7	0.22	0.51	0.51	0.63	7.5	0.3	0.6	1.1
8	8	0.30	0.81	0.81	1.00	5.0	0.9	1.7	2.8
9	9	0.72	0.63	0.63	0.79	7.2	1.4	2.7	4.8
10	10	0.63	0.79	0.79	0.99	6.2	1.7	3.2	5.5
11	11	0.54	0.80	0.80	1.00	5.0	1.5	2.9	5.0
12	12	0.65	0.83	0.83	1.00	5.0	1.9	3.7	6.1
13	13	0.62	0.88	0.88	1.00	5.0	1.9	3.8	5.8
14	14	0.34	0.82	0.82	1.00	5.0	1.0	1.9	3.2
15	15	0.15	0.93	0.93	1.00	5.0	0.5	1.0	1.4
16	16	0.08	0.60	0.60	0.75	5.0	0.2	0.3	0.6
17	17	0.77	0.75	0.75	0.94	5.6	2.0	3.8	6.5
18	18	0.58	0.75	0.75	0.93	6.0	1.4	2.7	4.8
19	19	0.41	0.67	0.67	0.83	5.0	0.9	1.9	3.1
20	20	0.45	0.83	0.83	1.00	5.0	1.3	2.6	4.2
21	21	0.39	0.86	0.86	1.00	5.0	1.2	2.3	3.6
22	22	1.09	0.57	0.57	0.71	8.6	1.8	3.2	6.1
23	23	0.60	0.51	0.51	0.64	9.3	0.9	1.5	2.9
24	24	2.41	0.77	0.77	0.96	12.2	4.7	7.9	15.7
25	25	3.17	0.27	0.27	0.33	14.5	1.9	3.3	6.6
OS-1	OS1	8.75	0.70	0.70	0.88	19.0	12.6	21.0	42.0

50 25 0 50 100
SCALE: 1" = 50'



North Star
design, inc.

700 Automation Drive, Unit 1
Windsor, Colorado 80550
Phone: 970-686-6939
Fax: 970-686-1188

DATE:	05/22/06	BY:	DATE:	REVISION:	NO.
Scale:	1" = 50'	DESIGNED BY:	TDS		
		DRAWN BY:	TLN		

**GATEWAY PARK 1st FILING
PHASE 2**

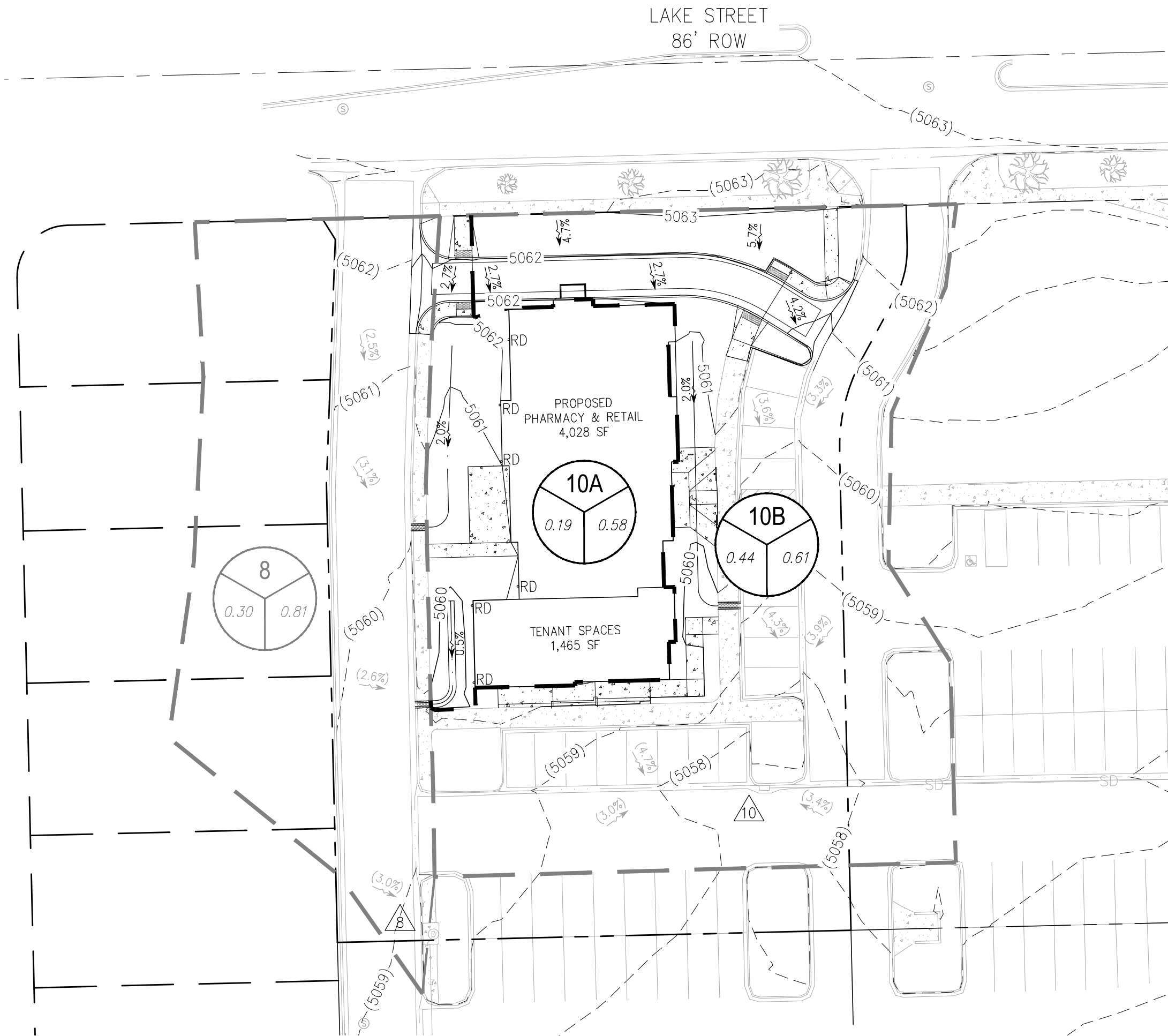
DRAINAGE & EROSION CONTROL PLAN

SHEET
14

14 OF 23

Job No. 178-02

Dec 08, 2022 - 12:22pm by jnaccarato K:\Drawings\CO\CO13170 Gateway Park Patio Homes - Berthoud, CO\ENG\Hydrology\CO13170\CO13170_DRN.dwg



LEGEND:

2.0%

(1.0%)

RD

EXISTING BASIN BOUNDARY

PROPOSED BASIN BOUNDARY

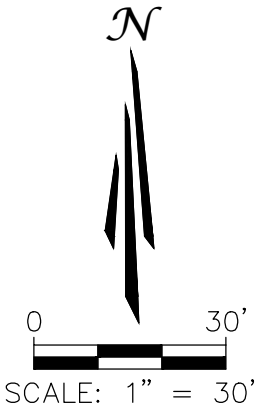
EXISTING BASIN INFO
A = BASIN DESIGNATION
B = AREA IN ACRES
C = 5-YR RUNOFF COEFFICIENT

PROPOSED BASIN INFO
A = BASIN DESIGNATION
B = AREA IN ACRES
C = 5-YR RUNOFF COEFFICIENT

STORMWATER NOTE:

DETENTION AND WATER QUALITY FOR THE PROPOSED LOT HAVE BEEN ACCOUNTED FOR BY THE MASTER DRAINAGE PLAN AND REPORT. THE SITE RELEASES TO DESIGN POINTS 8 & 10 AND ULTIMATELY CONVEYED TO THE EAST POND AT THE SOUTHEAST CORNER OF THE OVERALL SUBDIVISION.

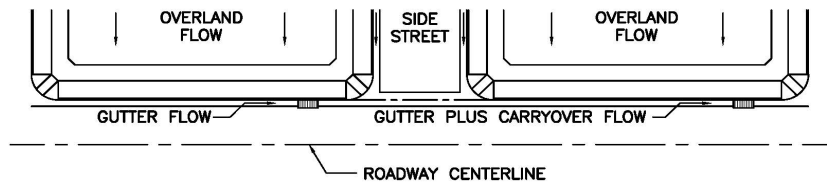
SUMMARY RUNOFF TABLE			
BASIN ID	CONTRIBUTING AREA AC	PEAK 10-YR CFS	PEAK 100-YR CFS
10A	0.19	0.4	1.4
10B	0.44	1.3	3.2



DESIGN PEAK FLOW FOR SWALE OR ONE-HALF OF STREET BY THE RATIONAL METHOD

MHFD-Inlet, Version 5.02 (August 2022)

Project: **Gateway B.D. PUD Amendment**



Show Details

Design Flow: ONLY if already determined through other methods (local peak flow for 1/2 of street OR grass-lined channel):		Minor Storm Major Storm *Q _{Known} = cfs	
*If you enter flows in Row 14, select "Street Inlet" or "Area Inlet" button, skip the rest of this sheet, and click "Add New Inlet" at bottom.			
Geographic Information: Enter data in the blue cells			
Subcatchment Area = acres Percent Imperviousness = % NRCS Soil Type = A, B, C, or D		Slope (ft/ft) Length (ft) Overland Flow = Gutter Flow =	
Site Type: ☒ Site is Urban ☐ Site is Rural	Flows Developed For: ☒ Street Inlet ☐ Area Inlet in a Swale		
Rainfall Information: Intensity, I (inch/hr) = $C_1 * P_1 / (C_2 + T_c)^{C_3}$ Design Storm Return Period 1-Hour Rainfall Depth		Minor Storm Major Storm T _r = years P ₁ = inches C ₁ = C ₂ = C ₃ = C = C _s = Q _b = cfs	
User-Defined Storm Runoff Coefficient (leave blank to accept calculated value) User-Defined 5-yr. Runoff Coefficient (leave blank to accept calculated value) Bypass (Carry-Over) Flow from upstream Subcatchments			
Total Design Peak Flow		Q = cfs	

FILL IN
THIS SECTION
<---
OR...
FILL IN THE
SECTIONS BELOW.
<---

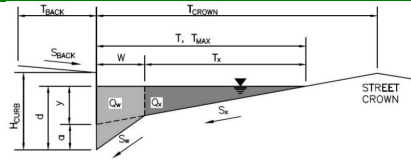
Select MHFD location from the pu

ALLOWABLE CAPACITY FOR ONE-HALF OF STREET (Minor & Major Storm)

(Based on Regulated Criteria for Maximum Allowable Flow Depth and Spread)

Project: Gateway B.D. PUD Amendment

Inlet ID: Ex. Type R Inlet (DP 8)

**Gutter Geometry:**

Maximum Allowable Width for Spread Behind Curb

Side Slope Behind Curb (leave blank for no conveyance credit behind curb)

Manning's Roughness Behind Curb (typically between 0.012 and 0.020)

Height of Curb at Gutter Flow Line

Distance from Curb Face to Street Crown

Gutter Width

Street Transverse Slope

Gutter Cross Slope (typically 2 inches over 24 inches or 0.083 ft/ft)

Street Longitudinal Slope - Enter 0 for sump condition

Manning's Roughness for Street Section (typically between 0.012 and 0.020)

$T_{BACK} = 0.0$ ft
 $S_{BACK} =$ ft/ft
 $n_{BACK} = 0.013$

$H_{CURB} = 6.00$ inches
 $T_{CROWN} = 24.0$ ft
 $W = 2.00$ ft
 $S_x = 0.036$ ft/ft
 $S_w = 0.083$ ft/ft
 $S_o = 0.000$ ft/ft
 $n_{STREET} = 0.013$

Max. Allowable Spread for Minor & Major Storm

Max. Allowable Depth at Gutter Flowline for Minor & Major Storm

Check boxes are not applicable in SUMP conditions

	Minor Storm	Major Storm	
$T_{MAX} =$	12.0	12.0	ft
$d_{MAX} =$	6.0	6.0	inches
	☐	☐	

MINOR STORM Allowable Capacity is not applicable to Sump Condition

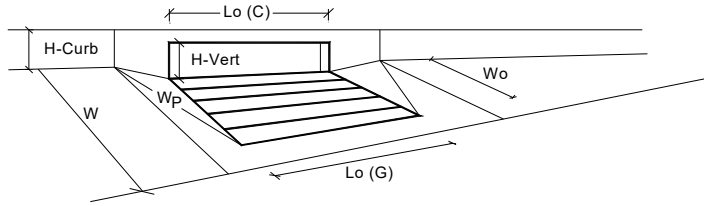
MAJOR STORM Allowable Capacity is not applicable to Sump Condition

$Q_{allow} =$

Minor Storm	Major Storm	
SUMP	SUMP	cfs

INLET IN A SUMP OR SAG LOCATION

MHFD-Inlet, Version 5.02 (August 2022)

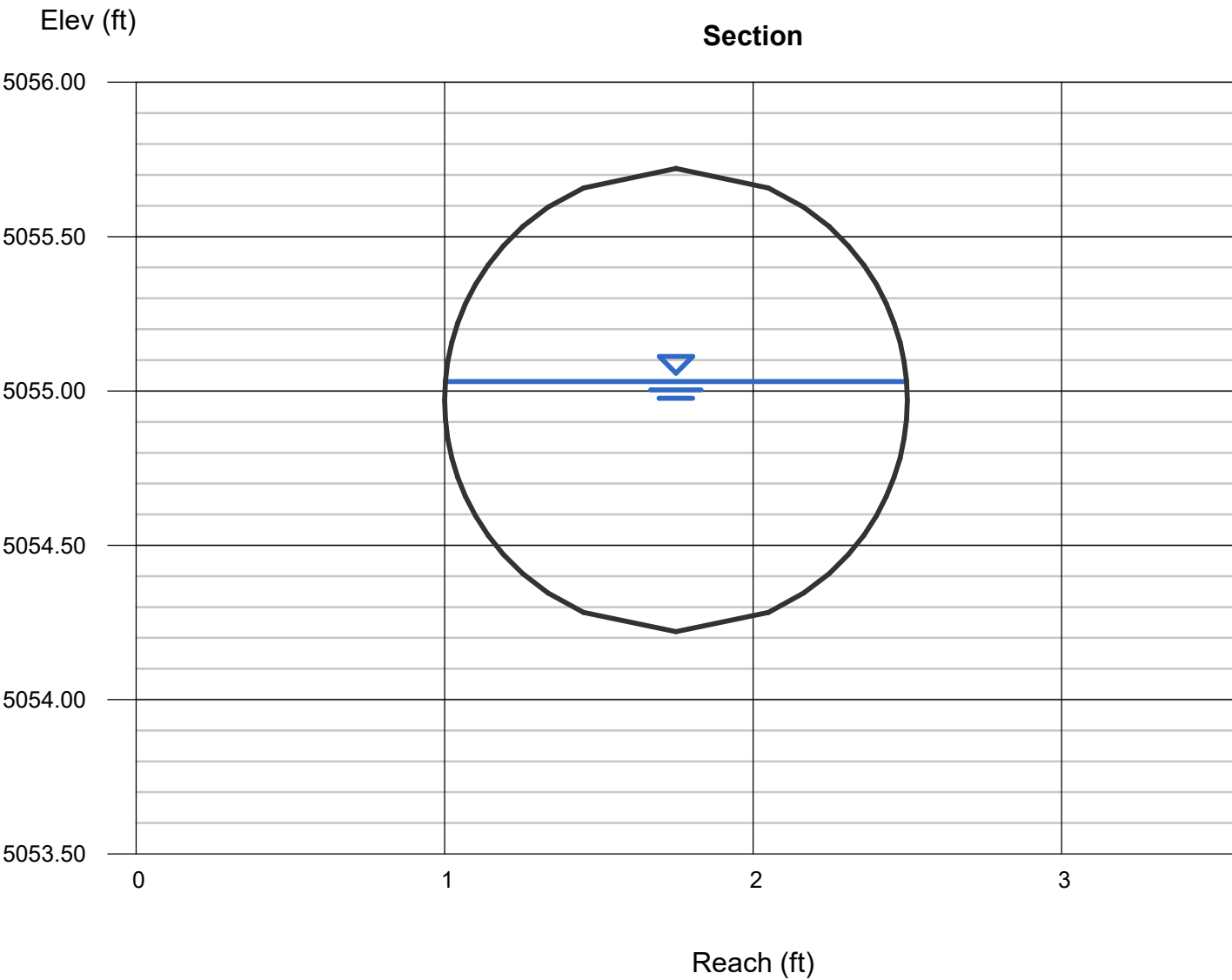


Design Information (Input)		MINOR		MAJOR	
Type of Inlet	CDOT Type R Curb Opening	Type =	CDOT Type R Curb Opening		
Local Depression (additional to continuous gutter depression 'a' from above)		a _{local} =	3.00	3.00	inches
Number of Unit Inlets (Grate or Curb Opening)		No =	1	1	
Water Depth at Flowline (outside of local depression)		Ponding Depth =	6.0	6.0	inches
Grate Information			MINOR	MAJOR	☐ Override Depths
Length of a Unit Grate		L _o (G) =	N/A	N/A	feet
Width of a Unit Grate		W _o =	N/A	N/A	feet
Open Area Ratio for a Grate (typical values 0.15-0.90)		A _{ratio} =	N/A	N/A	
Clogging Factor for a Single Grate (typical value 0.50 - 0.70)		C _f (G) =	N/A	N/A	
Grate Weir Coefficient (typical value 2.15 - 3.60)		C _w (G) =	N/A	N/A	
Grate Orifice Coefficient (typical value 0.60 - 0.80)		C _o (G) =	N/A	N/A	
Curb Opening Information			MINOR	MAJOR	
Length of a Unit Curb Opening		L _o (C) =	5.00	5.00	feet
Height of Vertical Curb Opening in Inches		H _{vert} =	6.00	6.00	inches
Height of Curb Orifice Throat in Inches		H _{throat} =	6.00	6.00	inches
Angle of Throat (see USDCM Figure ST-5)		Theta =	63.40	63.40	degrees
Side Width for Depression Pan (typically the gutter width of 2 feet)		W _p =	2.00	2.00	feet
Clogging Factor for a Single Curb Opening (typical value 0.10)		C _f (C) =	0.10	0.10	
Curb Opening Weir Coefficient (typical value 2.3-3.7)		C _w (C) =	3.60	3.60	
Curb Opening Orifice Coefficient (typical value 0.60 - 0.70)		C _o (C) =	0.67	0.67	
Low Head Performance Reduction (Calculated)			MINOR	MAJOR	
Depth for Grate Midwidth		d _{Grate} =	N/A	N/A	ft
Depth for Curb Opening Weir Equation		d _{Curb} =	0.33	0.33	ft
Grated Inlet Performance Reduction Factor for Long Inlets		RF _{Grate} =	N/A	N/A	
Curb Opening Performance Reduction Factor for Long Inlets		RF _{Curb} =	1.00	1.00	
Combination Inlet Performance Reduction Factor for Long Inlets		RF _{Combination} =	N/A	N/A	
Total Inlet Interception Capacity (assumes clogged condition)			MINOR	MAJOR	
Inlet Capacity IS GOOD for Minor and Major Storms (>Q Peak)		Q _a =	5.4	5.4	cfs
		Q _{PEAK REQUIRED} =	2.3	4.2	cfs

Channel Report

Existing 18-inch Storm Drain Capacity

Circular		Highlighted	
Diameter (ft)	= 1.50	Depth (ft)	= 0.81
		Q (cfs)	= 4.200
		Area (sqft)	= 0.98
Invert Elev (ft)	= 5054.22	Velocity (ft/s)	= 4.29
Slope (%)	= 0.50	Wetted Perim (ft)	= 2.48
N-Value	= 0.013	Crit Depth, Yc (ft)	= 0.79
		Top Width (ft)	= 1.49
		EGL (ft)	= 1.10
Calculations			
Compute by:	Known Q		
Known Q (cfs)	= 4.20		



November 2, 2022

Community Development Department
PO Box 1229
Berthoud, CO 80513

RE: Gateway BD

As the current property owner, and owner of property surrounding the ground in question, we pledge our full support of the proposed development. Building a pharmacy with retail space will be a great addition to Berthoud. By approving this plan, additional building sites are being made available for commercial development. This project will add jobs, economic activity and improve Berthoud's business environment. We would ask for your approval of the plans as submitted. Please feel free to call me should you have any questions.

Sincerely,



Chad S. Adams

President

Placer Development, Inc.
1201 Lake Avenue
Berthoud, CO 80513
(970) 532-1802, ext 6514



CORPORATE OFFICE

PO Box 720
Ogallala, NE 69153

p | 508.284.4071

November 2, 2022

Community Development Department
PO Box 1229
Berthoud, CO 80513

RE: Project Name Gateway BD

We have reviewed the materials and replat of four commercial lots to construct a pharmacy/retail building west of 1201 Lake Avenue. The project would be a wonderful addition to the town of Berthoud, and we fully support the development plan as submitted. The pharmacy would serve a great need within the community, provide jobs and enhance the business environment.

Should you have any questions about our support, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "S. Krause", is written over a faint, light blue circular watermark or background.

Steven D. Krause
President
Adams Bank & Trust

your foundation for financial success
abtbank.com | member FDIC



Planning Commission Minutes – February 09, 2023

- 1. Call to Order** – The Planning Commission convened a regular meeting on January 09, 2023.
Vice Chairwoman Anderson called the meeting to order at 6:00 p.m.

- 2. Roll Call** – Members present:
- | | |
|-----------------|-------------------|
| Karen Anderson | (Vice Chairwoman) |
| Chris Kurtz | (Secretary) |
| Jon Van Benthem | (Commissioner) |
| Abigail Smith | (Commissioner) |
| Brett Wing | (Commissioner) |
- Staff present:
- | | |
|-------------------|--|
| Chris Kirk | (Town Administrator) |
| Will Charles | (Baseline Engineering – Principal Planner) |
| Lauren Richardson | (Baseline Engineering – Associate Planner) |
| Michelle Tovar | (Deputy Town Clerk) |
| Jonathan Mitchell | (Permit Technician) |

- 3. Consent Agenda** – Minutes from the December 08, 2022 Planning Commission Meeting.

MOTION made by Commissioner Wing to APPROVE the Minutes for December 08, 2022.

SECONDED by Commissioner Van Benthem.

Abstained by Commissioner Kurtz and Commissioner Smith due to not attending the meeting.

With those in favor, THE MOTION CARRIED.

4. Public Hearing: Gateway BD PUD and DFP Amendment

Associate Planner Lauren Richardson (Baseline Engineering) introduced the amendment request to create four commercial lots from a large pad site.

Public Comment was opened at 6:16 p.m.

Public Comment was closed at 6:17 p.m.

MOTION made by Commissioner Wing to RECOMMEND APPROVAL of the PUD and FDP Amendment to the Town Board, with the following condition:

- 01. Prior to the Town Board meeting, the applicant shall address all outstanding staff comments.**

SECONDED by Commissioner Kurtz.

With all in favor, THE MOTION CARRIED.

5. Public Hearing: Farmstead Acres Neighborhood Master Plan and Rezoning request

Principal Planner Will Charles (Baseline Engineering) introduced the request for the rezoning to Urban Residential of 4.82 acres, Suburban Residential of 1.10 acres, M-1 Industrial of 2.77 acres, and C-1 Commercial for 0.32 acres from the formerly approved Sommers PUD; and Neighborhood Master Plan approval for attached and detached residential lots.

INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED IN
FULL on this 28th day of February, 2023.

TOWN OF BERTHOUD

By _____

William Karspeck, Mayor

ATTEST:

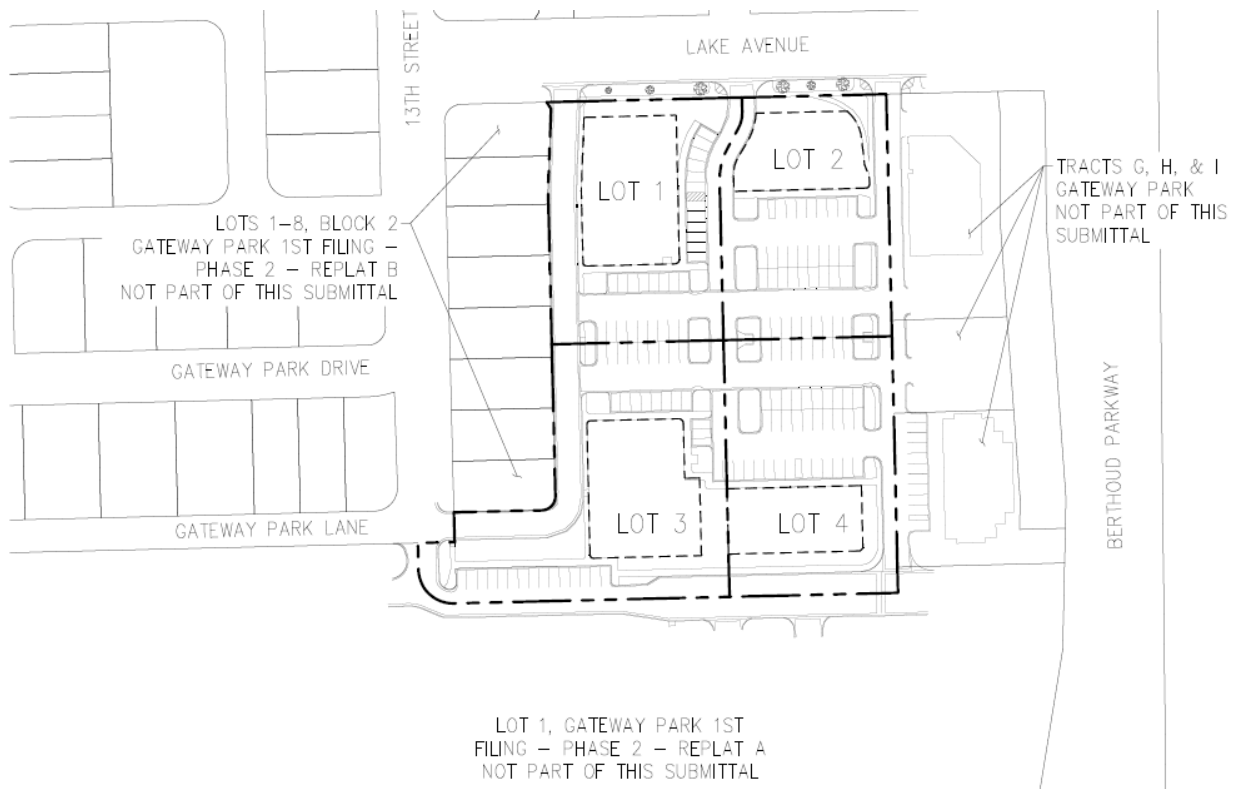
By: _____

Christian Samora, Town Clerk

Exhibit A

FINAL DEVELOPMENT PLAN AMENDMENT GATEWAY PARK - FIRST FILING, PHASE TWO

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 4 NORTH, RANGE 69 WEST OF THE
6TH PRINCIPAL MERIDIAN, TOWN OF BERTHOUD, COUNTY OF LARIMER, STATE OF COLORADO



Public Comment was opened at 7:06 p.m.

Kathy Browning showed concerns about the alleyway traffic, snow removal, and the ADU additions to product potentially adding too much density to the area.

Eric Shively showed concern about the alleyway and product types.

Public Comment was closed at 7:11 p.m.

MOTION made by Commissioner Kurtz to RECOMMEND APPROVAL of the Neighborhood Master Plan to the Town Board with the following condition:

01. The Town Staff works with the Developer and adjacent property owners to develop a meetable solution for the eastern border of both, considering screening, aesthetics, and maintenance such as snow removal.

SECONDED by Commissioner Smith.

With all in favor, THE MOTION CARRIED.

MOTION made by Commissioner Kurtz to RECOMMEND APPROVAL of the Rezoning to the Town Board, with the following condition:

01. The rezoning will be approved only upon approval of the Neighborhood Master Plan.

SECONDED by Commissioner Wing.

With all in favor, THE MOTION CARRIED.

6. Reports –

Chris Kirk announced that a new Community Development Director offer has been extended, and shall be announced publicly once pending paperwork clears. (Chris Kirk)

Commissioner Anderson thanked Town Staff for their hard work during this transition period for the Planning Department.

7. Adjourn –

The meeting was adjourned at 7:37 p.m.

RESOLUTION NUMBER 04

(SERIES 2023)

A RESOLUTION OF THE TOWN OF BERTHOUD BOARD OF TRUSTEES APPROVING A FINAL DEVELOPMENT PLAN AND A PLANNED UNIT DEVELOPMENT AMENDMENT FOR A DEVELOPMENT KNOWN AS “GATEWAY PARK” IN THE TOWN OF BERTHOUD.

WHEREAS, the property under consideration is known as “The Final Development Plan for Gateway Park – First Filing, Phase 2” was originally approved by the Town Board of Trustees; and

WHEREAS, Planning Commission, has considered the applicant’s request to modify the Planned Unit Development Final Development Plan to reconfigure Lot 1 and a portion of Tract B into four separate lots; and

WHEREAS, notice was properly posted in the manner required by law and a public hearing was conducted on February 9, 2023, before the Berthoud Planning Commission and a public hearing was conducted on February 28, 2023 before the Board of Trustees as required by law; and

WHEREAS, after the public hearing, the Berthoud Planning Commission, on a six to zero vote, recommended approval of the amended Planned Unit Development Final Development Plan to reconfigure Lot 1 and a portion of Tract B into four separate lots; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, COLORADO:

Section 1. Parcel Creation. The properties known as Lot 1 and a portion of Tract B (part of parcel number 9415441003) shall be separated into four parcels as found in Exhibit A.

Section 2. Interpretation: This Resolution shall be so interpreted and construed to effectuate its general purpose.

Section 3. Publication: The Town Clerk shall certify to the passage of this Resolution and cause its contents to be published.

Section 4. Effective Date: The provisions of this Resolution shall take effect thirty days after publication as required by law.